



**MEETING OF THE BOARD OF COUNTY COMMISSIONERS
BOULDER COUNTY
AGENDA**

Tuesday, April 2, 2024, 9:30 a.m.

Tuesday, April 2, 2024, 1:00 p.m.

Third Floor Hearing Room

County Court House

1325 Pearl Street, Boulder

This agenda is subject to change. Please call ahead to confirm an item of interest (303-441-3500). In-person meetings are held in the Third Floor Hearing Room, County Courthouse, 1325 Pearl Street, Boulder. Public comments are taken at meetings designated as Public Hearings. Meetings and hearings on this agenda are open to the public.

For special assistance, contact our ADA Coordinator (303-441-3525) at least 72 hours in advance.

To view a two-week forecast agenda of the commissioners' schedule, visit the Commissioners' [Advance Agenda](#).

All commissioners' public hearings and meetings will now be offered in a hybrid format where attendees can join through Zoom or in-person at the Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder. To sign up for in-person public comment, please use the link in this agenda for each respective hearing. There will also be a kiosk located in the lobby of the 3rd Floor to sign up for in-person public comment. For questions regarding in-person hearings call 303-441-3500.

Pages

- 1. Call to Order**
- 2. 9:30 a.m. Business Meeting**
 - [Virtual Attendee Link](#)
 - Call-in information: 1-833-568-8864, Webinar ID: 161 790 2198
 - Registration Required
 - [In-Person Comment Registration Link](#)
- 3. BCHA Discussion Items (Seated as the Boulder County Housing Authority Board of Directors)**
 - 3.a [BCHA Executive Director Recruitment Process](#)**

- **Presenter:** Jana Petersen, County Administrator (In Person)

4. Commissioners' Consent Items

- | | | |
|-----|---|----|
| 4.a | <p><u>County Attorney's Office - Resolution 2024-027 (V-23-0002: Frick Vacation)</u></p> <p>Resolution 2024-027, conditionally approving Boulder County Community Planning & Permitting Docket V-23-0002: Frick Vacation</p> | 6 |
| 4.b | <p><u>County Attorney's Office - Resolution 2024-029 (LU-23-0038: Juicy Berry Farm ADU)</u></p> <p>Resolution 2024-029, conditionally approving Boulder County Community Planning & Permitting Docket LU-23-0038: Juicy Berry Farm ADU.</p> | 10 |
| 4.c | <p><u>County Attorney's Office - Resolution 2024-030 (Z-23-0002: Lyons Area Zoning Map Amendment)</u></p> <p>Resolution 2024-030, conditionally approving Boulder County Community Planning & Permitting Docket Z-23-0002: Lyons Area Zoning Map Amendment</p> | 14 |
| 4.d | <p><u>Housing & Human Services - 2024-25 Continuing Grant Application with Connect for Health Colorado (\$299,999)</u></p> <p>Since the implementation of the Affordable Care Act in 2012 and beginning in 2013 this program has been designed to ensure that Boulder County residents have education about, and access to, affordable health coverage - whether public or private. Working in partnership with Connect for Health Colorado (C4HCO), and the HHS EFO division, this team provides free, unbiased health coverage education, navigation, and enrollment in qualified private health insurance plans (QHP), Health First Colorado (Colorado's Medicaid program), and Child Health Plan Plus, with the goal of maintaining Boulder County's 97% insured rate and strengthening health insurance literacy and use.</p> | 18 |
| | <ul style="list-style-type: none"> • Staff Contact: Darlene Bushue, Housing & Human Services | |
| 4.e | <p><u>Information Technology Department - Statewide Internet Portal Authority, NTE \$2,500,000 (\$500,000/Calendar Year)</u></p> <p>Requesting approval of a contract with Statewide Internet Portal Authority (SIPA) providing electronic information, products, and services to Colorado governments. This is a \$2,500,000.00 (\$500,000 the highest annual amount per calendar year) contract that will take effect from 04/01/2024 to 03/31/2029. Bid Waiver also attached for signature regarding this contract.</p> <p>OFS # 303475</p> | 24 |
| 4.f | <p><u>Office of Sustainability, Climate Action & Resilience - BCHA Contract for Sustainability Tax Funds (\$458,000)</u></p> <p>Need BOCC signature on the contract for Sustainability Tax funding awarded to BCHA in the 2024 budget process.</p> | 32 |
| | <ul style="list-style-type: none"> • Staff Contact: Susie Strife, Office of Sustainability, Climate Action & Resilience | |
| 4.g | <p><u>Parks & Open Space - Cottonwood Acquisition Purchase Agreement Document</u></p> <p>On February 13, 2024, the Board of County Commissioners approved the</p> | 35 |

acquisition of an open space at property at 6969 Ute Hwy., Longmont, CO. These documents need to be signed to complete the transaction: purchase agreement.

4.h Parks & Open Space: Wall Street Mill Acquisition Notice of Property Restrictions 55

The Wall Street Mill acquisition is complete; this document is needed to help protect the property.

5. Commissioners' Discussion Items

5.a Commissioners' Office: Appointment to the Community Action Programs Administering Board 58

- **Action Requested:** Decision
- **Presenter(s):** Robin Valdez, Commissioners' Office (In Person)

5.b Commissioners' Office: Appointment to the Planning Commission 59

- **Action Requested:** Decision
- **Presenter(s):** Robin Valdez, Commissioners' Office (In Person)

5.c Commissioners' Office: Appointment to the Resource Conservation Advisory Board 60

- **Action Requested:** Decision
- **Presenter(s):** Robin Valdez, Commissioners' Office (In Person)

5.d County Attorney's Office - Resolution 2024-025: Adopting a Section of the Colorado Procurement Code 61

Requesting Approval of Resolution 2024-025 to adopt Section 24-106-109 of the Procurement Code of the State of Colorado.

- **Action Requested:** Decision
- **Presenter(s):** Trina Ruhland, County Attorney's Office (In Person);
Vlad Ryazanov, County Attorney's Office (In Person)

6. Authorization for Executive Session

Authorization for the Board of County Commissioners to go into Executive Session for Legal Advice at 11 a.m. on Wednesday, April 3rd, 2024, with Ben Pearlman, County Attorney, pursuant to CRS 24-6-402(4)(b) Legal Advice.

- **Action Requested:** Decision
- **Presenter(s):** Ben Pearlman, County Attorney's Office (In Person)

7. BCHA Executive Session (Sitting as the Boulder County Housing Authority Board of Directors)

Authorization for an executive session of the BCHA board to be held on Wednesday, April 3rd at 3:00 p.m., under CRS 24-6-402(4)(a), real property issues, regarding the following topics: The Cimarron Property - Head Start (Vacant Lot) – 1135, 1105, 1075, 1045, 1165 & 1195 Cimarron Drive, Lafayette, Boulder County, Colorado 80026; and

The Eagle Place - Special Limited Partnership (SLP) discussion – 1310 - 1420 Cimarron Drive, Lafayette, CO 80026.

- **Action Requested:** Decision
- **Presenter(s):** Ben Pearlman, County Attorney's Office (In Person)

8. **Confirmation of Executive Session Topics**

Confirming Executive Session topics noticed at the March 26th, 2024, Regular Meeting were discussed as scheduled.

- **Action Requested:** Note for the Record
- **Presenter:** Ben Pearlman, County Attorney's Office (In Person)

9. **Scheduling & Communications**

9.a **Commissioners' Office - April Arab American Heritage Month Proclamation**

The Boulder County Board of Commissioners proclaims April 2024 as Arab American Heritage Month, recognizing Arab Americans' significant contributions across various sectors in the United States. It acknowledges the diversity within the Arab American community, emphasizing their shared language, history, and culture, while highlighting the importance of respecting and supporting immigrants, including Arab immigrants. The proclamation also addresses the need to combat Anti-Arab bigotry and promote inclusivity within Boulder County. It calls on residents to raise awareness of Arab Americans' contributions and work towards creating a fully inclusive community.

Presenter(s): Gloria Handyside, Commissioners' Office (In Person)

9.b **Commissioners' Office - Cancellation Notice of Public Hearing for Docket LU-23-0036/SPR-23-0106 on April 4, 2024**

The Board of County Commissioners Public Hearing for Docket LU-23-0036/SPR-23-0106: Volkmar Residence and ADU that was scheduled for Thursday, April 4, 2024 at 1:30 p.m. has been canceled.

Action Requested: Note for the Record

Presenter(s): Matthew Ramos, Commissioners' Office (In Person)

10. **Public Hearing - Community Planning & Permitting Department Docket LU-23-0028: Boulder Country Club Use of Community Significance Designation**

63

Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre parcel at 7350 Clubhouse Road. The proposal is submitted by Boulder Country Club Inc. c/o Michael Larson (applicant). The subject property is in the Rural Residential (RR) zoning district at 7350 Clubhouse Road, located approximately 1.4 miles north of the intersection of Jay Road and N. 75th Street, in Sections 11-14, Township 1N, Range 70W.

- **Action Requested:** Decision

- **Staff Contact:** Pete L'Orange
- **Location:** Hybrid (Hearing Room and Zoom Webinar)

Opportunity for live virtual and in-person public comment will be available, and written comments can be emailed to [the planners' email](#). Information regarding how to participate will be available on [the docket webpage](#).

11. 1:00 p.m. Public Hearing

- **Virtual Attendee Link**
- **Call-in information:** 1-833-568-8864, Webinar ID: 160 938 1959
- **Registration Required**
- **In-Person Comment Registration Link**

11.a Community Planning & Permitting Docket SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

251

Appeal of Director's Determination of SPR-23-0108 for a single residential structure in the location of the existing structure with a maximum of 5,848 square feet and a maximum of 4,221 square feet above grade on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet. The Determination is appealed by Anthony Piscopio & Huiqiong Huang (applicants/property owners) and Kyle Callahan (agent). Property is in the Rural Residential (RR) zoning district at 5986 Heather Way, Section 27, Township 2N, Range 70W.

- **Action Requested:** Decision
- **Staff Contact:** Dana Yelton
- **Location:** Hybrid (Hearing Room and Zoom Webinar)

Opportunity for live virtual and in-person public comment will be available, and written comments can be emailed to [the planners' email](#). Information regarding how to participate will be available on [the docket webpage](#).

RESOLUTION 2024-027

A resolution conditionally approving Boulder County Community Planning & Permitting Docket V-23-0002: Frick Vacation

Recitals

A. Robert J. Frick and Carol A. Flowers (the “Applicants”) applied to Boulder County under Article 10-100 of the Boulder County Land Use Code (the “Code”) to vacate portions of the alley rights-of-way that bisect 940 Eldorado Avenue and 0 Bryan Avenue, as well as the portion of Spencer Avenue that divides the two parcels.

B. The subject parcels are located at 940 Eldorado Avenue (Parcel No. 158320011003) and 0 Bryan Avenue (Parcel No. 158320016003), both to the south of Eldorado Avenue approximately 300 feet west of 9th Street in the Eldora Townsite, in Section 21, Township 1 South, Range 73 West, in a Forestry zoning district of unincorporated Boulder County.

C. The subject parcels form a narrow, interrupted line that runs from Eldorado Avenue in the north to Middle Boulder Creek (where the creek bed is located in the Bryan Avenue right-of-way (“ROW”)) to the south.

D. Because the subject parcels have been held on one deed since at least 1948, they constitute a single Building Lot.

E. The subject parcels are divided by the Spencer Avenue ROW, which was originally described on the Eldora townsite map and runs east-west through the townsite. Also described on the map are alleys that run parallel to the east-west ROW and further divide townsite parcels. Both 940 Eldorado Avenue and 0 Bryan Avenue are bisected by one alley each.

F. The Applicants requested to vacate all three of these ROWs, so that neither 940 Eldorado Avenue nor 0 Bryan Avenue are divided by an alley and half of Spencer Avenue is incorporated into each parcel. Although the proposal is to divide the vacated section of Spencer Avenue in half, the entirety of the subject parcels including all three vacated ROWs will be considered one Building Lot.

G. County staff do not have concerns regarding the proposed vacation of the alleys that divide each of the subject parcels, particularly in the case of 940 Eldorado Avenue. As described in the application materials, vacation of the northern alley that bisects 940 Eldorado Avenue is necessary to allow the installation of a modern septic system. The alley would prevent installation of a septic system because such systems cannot be installed in the public ROW, but the distance between the edge of the alley ROW and the rear of the existing cabin is too small to allow construction of a drain field without ROW encroachment unless the ROW is vacated.

H. However, the proposed vacation of a portion of Spencer Avenue may lead to issues with access to other parcels along the ROW in the future. Per Article 10-100.B of the Code, “Unless otherwise noted, the portions of the road or alley vacated will be divided down the centerline and added to the respective adjacent property.” At the time of this review, legal building lot status has not been determined on the eastern adjacent parcel on the south side of Spencer Avenue (158320016002) or the next parcel east (158320016001), so it is not clear whether either parcel could be developed in the future. However, these neighboring parcels could hypothetically apply for a vacation of the adjoining sections of Spencer Avenue through the same process reviewed by staff in the subject application. Unlike the subject parcels, these properties are held separately under individual ownership that does not extend or connect to properties on the north side of the Spencer Avenue ROW. Such future applications therefore would necessitate the provision of access easements to other parcels along the south side of the Spencer Avenue ROW because Spencer Avenue is the only viable location for physical access to those parcels. The Bryan Avenue ROW that bounds the southern extent of these parcels (0 Bryan Avenue, Parcels 158320016002 and 158320016001) is not useable for physical access because Middle Boulder Creek runs through the ROW area.

I. Rather than requiring future provision of access easements crossing former public ROW areas, staff recommend that only the northern half (northern 25 feet) of the Spencer Avenue ROW be vacated. In the narrative submitted by the Applicants, they state that the existing septic system likely extends into the northern part of the Spencer Avenue ROW. Only vacating this northern half will allow the Applicants to incorporate the full extent of their existing septic system into their property and use the same space for installation of the new septic system if needed, but will also preserve future physical access to all parcels on the south side of Spencer Avenue.

J. The two alleys that bisect the subject parcels are no longer necessary to serve the needs of county residents and therefore staff recommend vacation of the alleys.

K. The Boulder County Planning Commission (the “Planning Commission”) considered the Vacation application at a duly noticed public hearing on February 21, 2024. The Planning Commission voted unanimously to recommend approval subject to the conditions of approval recommended by Community Planning & Permitting Department staff. The Planning Commission certified the docket for action to the Board of County Commissioners (the “Board”).

L. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket V-23-0002 (the “Docket”), as further described in the memorandum and written recommendation to the Board by Community Planning & Permitting Department staff dated March 5, 2024, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket—with the exception of vacating the southern half of Spencer Avenue—could meet the criteria for approval, and therefore, recommended that the Board conditionally approve the Docket subject to the

conditions of approval.

M. At a public hearing on the Docket held on March 5, 2024 (the “Public Hearing”), as further reflected in the official record of the Public Hearing, the Board considered the Staff Recommendation as well as the documents and testimony presented by Community Planning & Permitting Department staff and Applicant Robert Frick. Two members of the public spoke at the Public Hearing.

N. Based on the Public Hearing, the Board finds that the Docket—with the exception of vacating the southern half of Spencer Avenue—meets the criteria for vacation of public roads, alleys, and easements under Article 10-100 of the Code.

O. Therefore, with the exception of vacating the southern half of Spencer Avenue, the Docket can be approved subject to the conditions stated below.

Therefore, the Board resolves:

Docket V-23-0002 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. In addition to the two alley sections to be vacated, only the northern half (or northern 25 feet) of the Spencer Avenue ROW shall be vacated. The southern half (or southern 25 feet) of the Spencer Avenue ROW must remain public to preserve physical access to all parcels on the south side of the ROW.
2. The Applicants shall meet all post-approval requirements within one year after the date of the Board’s Resolution approving this vacation. This Resolution and associated documents shall be recorded by Community Planning & Permitting Department staff with the County Clerk and Recorder’s Office within this one-year time frame. This vacation approval shall not be considered final or effective until this recordation. Finally, this vacation approval shall expire if recordation does not occur within the required one-year time frame (unless an extension is granted).
3. The Applicants shall be subject to the terms, conditions, and commitments of record and in the file for Docket V-23-0002: Frick Vacation.

A motion to approve the Docket was made by Commissioner Claire Levy, seconded by Commissioner Marta Loachamin, and passed by a 3-0 vote.

[Signature Page to Follow]

ADOPTED as a final decision of the Board on this _____ day of April 2024.

The signatures below indicate approval of the text of the Resolution but are not necessarily reflective of the votes taken at the Public Hearing.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Ashley Stolzmann, Chair

Marta Loachamin, Vice Chair

Claire Levy, Commissioner

ATTEST:

Clerk to the Board

RESOLUTION 2024-029

A resolution conditionally approving Boulder County Community Planning & Permitting Docket LU-23-0038: Juicy Berry Farm ADU

Recitals

A. Gregg Campbell (the “Applicant”) applied to Boulder County for Limited Impact Special Use Review under Articles 4-601 and 4-516 of the Boulder County Land Use Code (the “Code”) to permit establishment of a 1,800-square-foot Agricultural Worker Accessory Dwelling Unit (“ADU”) on an approximately 12-acre parcel.

B. The subject property is located at 7426 Jay Road, located approximately 500 feet west of its intersection with N. 75th Street, in Section 13, Township 1 North, Range 70 W, in a Rural Residential zoning district in unincorporated Boulder County (the “Property”).

C. The Property is generally southeast of Gunbarrel. As determined through the review of BLD-07-0043, the Property was created as part of a Subdivision Exemption application (SE-04-0012) and is a legal building lot eligible for permits. Legal access to the Property is via Jay Road.

D. Currently, the Boulder County Assessor’s record identifies a 3,670-square-foot residence, a 1,212-square-foot agricultural greenhouse and barn, a 959-square-foot agricultural barn, and a 203-square-foot agricultural shed on the Property.

E. Per the Applicant, the ADU is designed to support extensive agricultural uses, including keeping of goats and chickens, operation of a three-season greenhouse, care for a fruit orchard and berry patch, hay production, and livestock grazing. Because of the existing and planned expansion of agricultural uses on the Property, the Applicant requires the assistance of an additional household on-site.

F. The application initially indicated that the proposed ADU will be 1,450 square feet in size, but it did not account for an additional 350 square feet of covered porch area included with the proposal. However, covered porches are counted toward the overall total area of the ADU.

G. The Boulder County Comprehensive Plan indicates that a portion of the Property is located within Agricultural Lands of Statewide Importance, while other areas are Wetland or Riparian area.

H. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket LU-23-0038 (the “Docket”), as further described in the memorandum and written recommendation to the Board of County Commissioners (the “Board”).

by Boulder County Community Planning & Permitting Department planning staff dated March 12, 2024, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket could meet the criteria for approval with recommended conditions, and therefore, recommended that the Board conditionally approve the Docket.

I. At a public hearing on the Docket held on March 12, 2024 (the “Public Hearing”), as further reflected in the official record of the Public Hearing, the Board considered the Staff Recommendation, as well as documents and testimony presented by County Community Planning & Permitting Department planning staff. The Board also heard testimony from Nathan Knecht on behalf of the Applicant. No members of the public spoke at the Public Hearing.

J. Based on the Public Hearing, the Board finds that the Docket meets the criteria for Limited Impact Special Use approval for an Agricultural Worker ADU as set forth in Articles 4-601.A and 4-516.G.6 of the Code, subject to the conditions stated below.

K. Therefore, the Docket can be approved, subject to the conditions stated below.

Therefore, the Board resolves:

Docket LU-23-0038 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The development is subject to the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes, as outlined in the referral comments, including, but not limited to, required fire suppression, ignition resistant materials and defensible space, and the BuildSmart energy efficiency and sustainability requirements.
2. The Property owner shall submit an annual report to the Community Planning & Permitting Department indicating that the inhabitant of the ADU continues to live on-site, that the inhabitant is substantially employed in the agricultural work on the Property, and that the unit continues to be occupied in accordance with the Docket.
3. The accessory dwelling shall only be used as an Agricultural Worker Unit. Any changes to this use shall be considered a substantial modification of this approval and will require that the unit be decommissioned.
4. Prior to issuance of a building permit for the Agricultural Worker Unit, the Applicant shall record with the Boulder County Clerk and Recorder a signed affidavit recognizing the conditions of approval for the Docket.

5. The ADU shall be limited to a maximum of 1,800 square feet, including attached covered porch areas.

6. At building permit, the Applicant shall submit for review by Boulder Rural FPD a plan detailing the location and size of a parking area and emergency vehicle turnaround.

7. At building or grading permit submittal, the Applicant shall submit a Revegetation Plan for approval. This plan should include native grass species to be used, an explanation of how topsoils will be stockpiled, mapped delineation of all disturbance areas (including construction staging areas, driveway, utility lines, and septic system), locations of all erosion control measures, and matting requirements, if necessary.

Prior to issuance of a Certificate of Occupancy, the Community Planning & Permitting Department must inspect and approve the full installation of the approved Revegetation Plan. If weather is not conducive to seeding or if adequate revegetation efforts have not occurred and vegetation is not adequately established at the time of final inspection request, an irrevocable letter of credit or monies deposited into a County Treasurer account will be required to assure the success of revegetation. The Applicant should consider the following well in advance of the revegetation inspection:

- a. Whether applying for a Certificate of Occupancy, final inspection, or the return of funds held in escrow for completion of revegetation, some level of germination and growth of grass seed is required.
- b. Steeper slopes and dryer soil require greater attention to establish a level of germination adequate to obtain revegetation approval.
- c. Areas of disturbance found at inspection not included on the Revegetation Plan are still subject to reseeding and matting.
- d. Incomplete revegetation is the leading cause for delays in obtaining a Certificate of Occupancy.

8. Prior to issuance of building permits, any Onsite Wastewater Treatment System repairs or alterations must be permitted, installed, inspected, and approved.

9. Prior to the submittal of any permits, the Applicant shall establish an adequate water supply for the ADU. Written evidence that the water supply is adequate for the ADU and has been approved by the State of Colorado's Department of Natural Resources' Division of Water Resources must be submitted for staff review prior to any permit submittal.

10. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket LU-23-0038: Juicy Berry Farm ADU.

A motion to approve the Docket was made by Commissioner Claire Levy, seconded by Commissioner Marta Loachamin, and passed by a 3-0 vote.

ADOPTED as a final decision of the Board on this _____ day of April 2024.

The signatures below indicate approval of the text of the Resolution but are not necessarily reflective of the votes taken at the Public Hearing.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Ashley Stolzmann, Chair

Marta Loachamin, Vice Chair

Claire Levy, Commissioner

ATTEST:

Clerk to the Board

RESOLUTION 2024-030

A resolution conditionally approving Boulder County Community Planning & Permitting Docket Z-23-0002: Lyons Area Zoning Map Amendment

Recitals

A. The Boulder County Board of County Commissioners (the “Board”) is authorized to amend the County’s Zoning Map and text of the County’s Zoning Regulations according to the procedures in the regulations and C.R.S. § 30-28-112, -116, and -133.

B. Under other statutory authority, the Board is empowered to adopt regulations related to the control of land use, including but not limited to Article 65.1 of Title 24 (Areas and Activities of State Interest); Articles 67 and 68 of Title 24 (Planned Unit Developments and Vested Rights); Article 20 of Title 29 (Local Land Use Enabling Act); Articles 11 and 15 of Title 30 (County Powers and Police Power); Article 1 of Title 32 (Special District Control); and Article 2 of Title 43 (County Highways), C.R.S.

C. By Resolution 94-185, adopted October 18, 1994, the Board approved a unified Boulder County Land Use Code (the “Land Use Code”), which the Board has amended on subsequent occasions.

D. The Boulder County Community Planning & Permitting Department Director administers the zoning regulations as set forth within the Land Use Code.

E. In the present Docket Z-23-0002, authorized by the Board at a public meeting on September 5, 2023 (the “Docket”), Community Planning & Permitting Department staff proposed comprehensive zoning map amendments to the Boulder County Zoning Map that would rezone higher intensity zoning districts (Commercial, Business, Transitional, and General Industrial) within a three-mile radius of the Town of Lyons in unincorporated Boulder County (the “Proposed Map Amendments”), as set forth in the Community Planning & Permitting Department’s memorandum and recommendations dated March 7, 2024 (the “Staff Recommendation”).

F. The Boulder County Planning Commission (the “Planning Commission”) held a duly noticed public hearing on the Proposed Map Amendments on February 21, 2024. At the close of the hearing, the Planning Commission recommended approval of the Proposed Map Amendments with amendments to the approved text of the recommendation presented by Community Planning & Permitting Department staff and certified the Docket for action to the Board.

G. On March 7, 2024, the Board held a duly noticed public hearing on the Docket, as further reflected in the official record of the public hearing, and considered the Staff Recommendation as well as the documents and testimony presented by Community Planning & Permitting Department staff. Due to technical issues with the video conference portion of the public hearing, no public testimony was taken, and the Board voted to table the Docket to a date certain to allow full participation by those participating remotely via video conference.

H. The Board again heard the Docket during a duly noticed public hearing on March 12, 2024, as further reflected in the official record of the public hearing, and considered the Staff Recommendation as well as the documents and testimony presented by Community Planning & Permitting Department staff. The Board also heard testimony from 6 members of the public.

I. Based on the public hearings, the Board finds that the Proposed Map Amendments included in Exhibit A meet the criteria for zoning map amendments in Article 4-1102 of the Land Use Code as set forth in the Staff Recommendation and stated on the record during the public hearings.

Therefore, the Board resolves:

Docket Z-23-0002 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The Proposed Map Amendments, as outlined in Exhibit A, are approved for incorporation into the Boulder County Zoning Map, effective March 12, 2024.

A motion to approve the Docket was made by Commissioner Marta Loachamin, seconded by Commissioner Ashley Stolzmann, and passed by a 3-0 vote.

[Signature Page to Follow]

ADOPTED as a final decision of the Board on this ____ day of April 2024.

The signatures below indicate approval of the text of the Resolution but are not necessarily reflective of the votes taken at the Public Hearing.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Ashley Stolzmann, Chair

Marta Loachamin, Vice Chair

Claire Levy, Commissioner

ATTEST:

Clerk to the Board

Exhibit A ZONING MAP AMENDMENT TABLE

Map ID	Parcel Number	Site Address	Owner Name	Acres	Curent Zoning	Current Zoning 2*	Proposed Zoning	Current Use**
1	120112000047	18668 N St Vrain	RIVER MINISTRIES	2.50	Business		Rural Residential	Church
2	120321000038	4964 Highland Dr	COUNTY OF BOULDER	11.56	Transitional	Agricultural	Agricultural	Open Space
3	120321000036	4720 Ute Hwy	BLUE MOUNTAIN STONE INC	5.22	Transitional	Agricultural	Agricultural	2 Dwellings, Blue Mountain Stone
4	120320100020	4592 Ute Hwy	DIRKES FRED DAVID & DOROTHY BETH	1.50	Commercial		Agricultural	Residential
5	120320100021	13050 N Foothills Hwy	DIRKES FRED DAVID & DOROTHY BETH	0.84	Commercial		Agricultural	None
6	120320100018	4602 Highland Dr	TEBO STEPHEN D	3.78	Commercial	Agricultural	Agricultural	Agricutltural, Residential
7	120320100024	4545 Ute Hwy, 4559 Ute Hwy	TEBO STEPHEN D	1.22	Commercial	Agricultural	Agricultural	Retail/Personal Service
8	120320100005	4497 Ute Hwy	AER INVESTMENTS LLC	0.31	Commercial	Agricultural	Agricultural	Marijuana Establishment
9	120320100004	4435 Ute Hwy	DMRR LLC	2.99	Commercial	Agricultural	Agricultural	Retail/Personal Service
10	120320200015	4278 Ute Hwy	FRYSIG PAUL W	0.56	Commercial		Agricultural	Residential, Frysig Stone Yard
11	120320200006	4099 Ute Hwy	MCCONNELL TRACY LEE & LAURA A	0.85	Commercial		Agricultural	None
12	120320200017	0 Ute Rd	NORTHERN COLORADO WATER CONSERVANCY DIST	1.12	Commercial	Agricultural	Agricultural	Ditch Facilities
13	120317000042	520 Eagle Ridge Rd	LIVING UNIVERSE TRUST	22.81	Commercial	Agricultural	Agricultural	Residential
14	120320200010	0 Ute Hwy	UNITED STATES OF AMERICA	0.02	General Industrial		Agricultural	None
15	120320200013	4108 Ute Hwy	HIGHLAND DITCH CO	1.95	General Industrial		Agricultrual	Ditch Facilities
16	120320200014	0 Ute Hwy	HIGHLAND DITCH COMPANY INC	1.90	General Industrial		Agricultrual	Ditch Facilites
17	120320200012	4078 Ute Hwy	NORTHERN COLORADO WATER CONSERVANCY DIST	1.32	General Industrial	Lyons	Agricultural	Ditch Facilities
18	120320200021	0 Ute Hwy	NORTHERN COLORADO WATER CONSERVANCY DIST	13.56	General Industrial	Agricultural	Agricultural	Ditch Facilities
19	120320000038	4324 Ute Hwy, 12993 N Foothills Hwy, 13051 N Foothills Hwy	LOUKONEN FAMILY LLC	89.56	General Industrial	Agricultural	Agricultural	Loukonen Stone Yard
20	120328000001	5134 Ute Hwy, 12350 N Foothills Hwy	CEMEX INC	866.36	General Industrial	Agricultural	Agricultural	Cemex Plant

*Parcels have multiple zone districts within the property

**Uses based on property research, windshield survey and property owner supplied information

COVER SHEET

Document Details	
Document Type	Grant Application
New or Continuing?	Continuing
Parties	
County Contact Information	
Boulder County Legal Entity	Boulder County
Department	Housing and Human Services
Division/Program	Health Coverage Enrollment Center / Employment & Financial Opportunities Unit
Mailing Address	P.O. Box 471, Boulder, CO 80306
Contact Name and Title	Dale Whyte, Program Coordinator / Darlene Bushue, Unit Manager
Contact Email	dwhyte@bouldercounty.gov dbushue@bouldercounty.gov
Other Party Contact Information	
Name	Connect for Health Colorado
Mailing Address	4600 South Ulster Street, Suite 300, Denver, CO 80237
Contact Name and Title	Ezra Watland, Director of Marketing & Communication Strategy
Contact Email	EWatland@c4hco.com
Secondary Contact (if applicable)	N/A
Term	
Start Date	7/1/2024
Expiration Date	6/30/2025
Brief Description of Work/Services Provided	
<p>Since the implementation of the Affordable Care Act in 2012 and beginning in 2013 this program has been designed to ensure that Boulder County residents have education about, and access to, affordable health coverage - whether public or private. Working in partnership with Connect for Health Colorado (C4HCO), and the HHS EFO division, this team provides free, unbiased health coverage education, navigation, and enrollment in qualified private health insurance plans (QHP), Health First Colorado (Colorado's Medicaid program), and Child Health Plan Plus, with the goal of maintaining Boulder County's 97% insured rate and strengthening health insurance literacy and use.</p>	
Revenue Contract/Lease Details	
Amount	\$299,999 Fixed Price
Grant Details	
Project/Program Name	Connect for Health Assistance Site Partner Agreement
Capital or Operating?	Operating
Federal Funds	NA
State Funds	\$299,999
Other Funds: [Specify]	NA
Match (dollars)	NA
Match (in-kind)	\$78,319 (Medicaid Reimbursement)
Total Project Budget	\$378,318
Chart of Accounts String	112.45067.51010.1016.101287.H113.0000
Federally-Funded Grants	
Federal Program Name	NA
CFDA #	NA

NON-PROCUREMENT DOCUMENTS ONLY

Subrecipients	
Name(s)	NA
Services to be Provided	NA
Subaward Amount	NA
Subcontractors	
Name(s)	NA
Services to be Provided	NA
Subcontract Amount	NA
Notes <i>(Additional information not included above)</i>	
Application due date is April 10, 2024.	

All approvals below will be obtained by HHS Finance.

N/A
Paralegal [ONLY FOR: Revenue Contracts]

County Attorney [ONLY FOR: Revenue Contracts, Leases, Grant Documents]

N/A
Risk Management [ONLY FOR: Leases]

Division Director

Finance

EO/DH

BOCC Chair

BOCC Clerk _____
(if applicable)



Department of Housing & Human Services

www.BoulderCountyHHS.org

Date: March 22, 2024
To: Susan Caskey, Director, Housing and Human Services
From: Dale Whyte, Program Coordinator, Health Coverage Enrollment Center
Darlene Bushue, Unit Manager, Employment & Financial Opportunities Unit
Subject: Grant Application Renewal Request: Connect for Health Colorado (C4HCO) Boulder County Health Coverage Enrollment Center (HCEC)

Grant Application Details:

Funder: Connect for Health Colorado

Amount: Requesting \$299,999 (Letter of Intent includes additional 50K Supplemental funding to follow)

Time Period: July 1, 2024 – June 30, 2025

Application Due Date: April 10, 2024

Background:

Since the implementation of the Affordable Care Act in 2012, and beginning in 2013 this program has been designed to ensure that Boulder County residents have education about, and access to, affordable health coverage - whether public or private. Working in partnership with Connect for Health Colorado (C4HCO), and the HHS EFO division, this team provides free, unbiased health coverage education, navigation, and enrollment in qualified private health insurance plans (QHP), Health First Colorado (Colorado's Medicaid program), and Child Health Plan *Plus*, with the goal of maintaining Boulder County's 97% insured rate and strengthening health insurance literacy and use.

It is of note that Boulder County's Enrollment Center has some of the strongest performance in the state and has the largest client base.

The HCEC team is shifting from its current structure of one FTE Manager, two FTE Health Coverage Guides, and one 9-month and one 3-month Health Coverage Guide to:

- 1 bilingual FT Term Manager who will also serve as a Health Coverage Guide
- 2 bilingual FT Term Health Coverage Guides
- 1 Part-time Hourly Health Coverage Guide

Grant Application Budget and Funding:

C4HCO works on a 2-year grant cycle with a renewal occurring at the 1-year point. This is the initial application for a 2-year grant cycle. Connect for Health Colorado provided a Letter of Intent to fund the HCEC at the requested amount with an additional 50K Supplemental award in SFY Q1.

BOCO Budget Expense Totals:

Funding Sources Totals = \$378,318:

- Medicaid Reimbursement = \$78,319
- C4HCO Primary Grant = \$249,999
- Supplemental Grant = \$50,000

2024 Grant Goals & Objectives

- 10% decrease in # of OE appointments (due to end of Medicaid unwind and speed of COCO capacity limits being reached.)
- 5% decrease in # of Marketplace enrollments at time of appointment.

- 5% increase in # of Boulder County Colorado Connect enrollments.
 - Use BOCO's REIAT (Racial Equity Inclusion Action Tool) to build and deliver annual work plan.
 - Assess mechanisms for reducing language barriers (where we communicate about use of language lines, whether/if any given document can be translated)
- 1. Application & Enrollment Support**
 - a. Use Connect for Health's Health Insurance Enrollment Appointment Checklist to guide every appointment.
 - b. Provide every customer post-enrollment next steps.
 - 2. Targeted Customer Outreach**
 - a. Reach out by email to 100% of referrals for those losing Medicaid due to over-income or eligible for Family Services
 - b. Send 2-3 customized texts and emails to BOB, informed by Enrollment Outcomes reports.
 - c. By December 31, 2024, identify and staff 14 community events where attendees are likely to face barriers to health coverage enrollment (language, rural, LGBTQ)
 - d. By October 1, 2024, provide an in-person Health Insurance literacy class to OmniSalud clients.
 - e. By September 1, 2024, develop quarterly bilingual Assistant Site communication (Health Insurance Literacy, information about our services) to BOB & to community organizations
 - 3. Community Outreach & Education**
 - a. Maintain regular collaboration and communication with established networks including:
 - i. Mental Health Partners Community Navigators
 - ii. Boulder County Health Improvement Collaborative (BCHIC)
 - iii. Family Resource Network (FRN: 13 local area agencies that provide supportive services)
 - iv. Boulder County Area Agency on Aging
 - v. Front Range Community College
 - vi. Boulder Valley School District Medicaid Advisory Committee
 - vii. El Comité De Longmont
 - viii. El Centro Amistad
 - ix. Latino Chamber of Commerce
 - x. Boulder County HHS
 - b. By October 1, 2024, institute quarterly posts to internal Boulder County Teams' channel to strengthen staff health insurance literacy, the resources available on our website, the use of our website to schedule appointments for clients or refer them to do so on their own and health coverage data for Boulder County.
 - c. By August 1, 2024, reach out to "Out Boulder" to re-establish awareness of what they do, and how best to support referrals to / from them, and explore ways to collaborate to support Boulder County's LGBTQ community.
 - d. Present annually to the Peak 2 Peak alliance and table at the Nederland health fair.
 - e. Reach out to explore collaboration opportunities with Lyons Emergency Assistance Fund (LEAF).
 - f. Communicate monthly through social media.
 - g. Advertise biannually (SEP & OE) to broader community through print and radio.
 - h. By October 1, 2024, pilot a health insurance literacy class available to the community at large.
 - i. By August 1, 2024, develop plan to reach out to networks/businesses to refer those losing employer-sponsored coverage to the Assistance Site.
 - j. By September 1, 2024, update resources available on our website (account access tips or videos, literacy, etc.)
 - k. By November 1, 2024, strengthen messaging (QR code use, etc.) through all channels to increase use of our website as a "go to" for health insurance information.
 - l. By August 1, 2024, develop a faith-based outreach plan with focus on under-served communities.

- m. By March 2025, develop plan to build community level knowledge about when to use what kind of care (preventive, primary, urgent, emergency), pathways for people no longer eligible for Medicaid, what to do when a provider can't be accessed.

February 26, 2024

Dale Whyte

Boulder County

dwhyte@bouldercounty.org

Re: FY25 -26 Partner Application

Dear Dale,

This letter is in response to the FY25 -26 Connect for Health Colorado Partner Application for the period of July 1, 2024 – June 30, 2025. Thank you for your years of committed Assistance Network and Enrollment Center Services. We appreciate the need for this letter of intent in order to make a smooth staffing transition for a key position retirement. Connect for Health Colorado intends to award Boulder County with an Assistance Site Service Agreement with a budget amount similar to the current funding amount of \$249,999. This award is subject to change based upon the final approval of the FY25-26 Partner Application and the Connect for Health Colorado organizational budget.

Additional funding consistent with prior amount of approximately \$50,000 will also be likely awarded.

Upon finalization of the FY25-26 Partner Application and the Connect for Health Colorado organizational budget, Connect for Health Colorado will begin the process of executing the FY25 Assistance Site Agreements. Connect for Health Colorado anticipates finalizing the funding amounts for the FY25 Assistance Site Service Agreements by June 10, 2024. The Assistance Site Services agreement will outline all the technical and legal aspects of your award.

If you have questions, please contact us at AssistanceNetwork@c4hco.com.

Best regards,

Ezra Watland, Director of Marketing & Communication Strategy

Connect for Health Colorado

4600 South Ulster Street | Suite 300 | Denver, CO 80237

EWatland@c4hco.com | ConnectforHealthCO.com



Exhibit D

**ELIGIBLE GOVERNMENTAL ENTITY AGREEMENT
BETWEEN
THE COLORADO STATEWIDE INTERNET PORTAL AUTHORITY
AND _____**

PREAMBLE

This Eligible Governmental Entity (EGE) Agreement ("Agreement") is made and entered into as of the date of the last signature below (the "Effective Date") by and between _____ ("EGE") and the Colorado Statewide Internet Portal Authority ("SIPA") established pursuant to §§ 24-37.7-101 et seq., C.R.S., with its office at 950 South Cherry Street, Suite 900, Denver, Colorado, 80246.

SIPA and EGE wish to enter into a cooperative agreement under which services can be provided at the discretion of both Parties.

BACKGROUND

Pursuant to §§ 24-37.7-101 through 114, C.R.S., SIPA is created as a body corporate and political subdivision of the state to provide electronic information, products, and services to all state agencies, local governments, and members of the public, and, among other things, to give members of the public, state agencies, and local governments an alternative way to transact business. Pursuant to § 24-37.7-104(1)(q), SIPA is authorized to enter into agreements and contracts for electronic information, products, and services and all state agencies and local governments (as defined within § 24-37.7-101) are authorized to enter into and do all things necessary to perform any such arrangements or contracts with SIPA, including this EGE Agreement.

Neither Party is committing funds or required to perform services as part of this agreement.

SIPA has entered into certain contracts with its suppliers to provide electronic information, products, and services which will be available to EGE pursuant to this EGE Agreement, which includes the statewide internet portal managed by the statewide internet portal integrator, as defined in § 24-37.7-101, C.R.S. ("Portal Integrator").

GENERAL TERMS

SIPA will provide, through its suppliers, electronic information, products, and services to EGE pursuant to an Order under this Agreement ("Order"). An Order will be prepared for each electronic information, product, and service and mutually signed by SIPA and EGE.

SIPA and EGE agree as follows:

1. EGE shall make available to SIPA electronic information maintained and owned by EGE as is necessary to complete the agreed-upon work as set forth in an Order under this Agreement. As mutually agreed upon in subsequent Orders under this Agreement, EGE will provide reasonable levels of support in placing online with SIPA certain EGE-owned electronic information, as mutually agreed by EGE and SIPA, with due regard to the workload and priorities of EGE and SIPA.
2. SIPA may, with the authorization of EGE, through the statewide internal portal, make public electronic information made available to it available to the general public, including EGE's public electronic information. The Parties agree to use their best efforts to provide adequate and uninterrupted service under the terms of this Agreement. However, neither Party shall be liable for interruption of service when the same shall be due to circumstances beyond the reasonable control of either Party, its agents or employees, including but not limited to unanticipated equipment malfunction, periodic maintenance or update of the computer systems upon which such EGE electronic information resides, or interruption of service due to problems with the Colorado statewide area network or due to problems with any telecommunications provider.
3. SIPA and EGE may enter into an Order under this Agreement. Orders under this Agreement shall describe specific services and applications to be provided to EGE. EGE acknowledges that services and applications are usually offered by SIPA's suppliers. Orders shall cover the purchase of electronic information, products, and services from SIPA through the use of EGE funds. All Orders involving EGE funds may be approved by the EGE official with authority to execute such agreement. Orders shall contain specific time or performance milestones for SIPA's supplier(s), timelines for completion of relevant Orders, including design specifications and other criteria relevant to the completion of applicable Orders, criteria, and procedures for acceptance by EGE and remedying incomplete or inaccurate work for each phase of relevant Orders.
4. SIPA shall be responsible for the operation of, and all costs and expenses associated with, establishing and maintaining electronic access to EGE electronic information, databases or other software applications, including (but without limitation) the cost of purchasing, developing, and maintaining programs used to interface with EGE software applications that provide access to EGE-owned electronic information, products, and services. EGE acknowledges SIPA may at its discretion use suppliers to perform certain obligations. EGE's maximum financial obligation for establishing and maintaining electronic access to EGE databases or other software applications shall be limited to the amount(s) set forth and appropriated pursuant to each individual Order under this Agreement.
5. Each Party shall have the right to terminate this Agreement by giving the other Party 10 days' written notice. Unless otherwise specified in such notice, this Agreement will terminate at the end of such 10-day period, and the liabilities of the Parties hereunder for further performance of the terms of this

Agreement shall thereupon cease, but the Parties shall not be released from any duty to perform up to the date of termination. Work authorized under an individual Order under this Agreement will be subject to the terms and conditions of that document.

6. None of the terms or conditions of this Agreement gives or allows any claim, benefit, or right of action by any third person not a party hereto. Nothing in this Agreement shall be deemed as any waiver of immunity or liability limits granted to SIPA or EGE by the Colorado Governmental Immunity Act or any similar statutory provision.
7. This Agreement (and related Orders) constitutes the entire agreement of the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified, or changed, in whole or part, only by written agreement approved by each party.
8. Neither SIPA nor its suppliers have responsibility for the accuracy or completeness of the electronic information contained within EGE's databases. SIPA and its suppliers shall be responsible only for the accurate and complete transmission of electronic information to and from such EGE databases, in accordance with the specifications of any EGE-owned software. For the purposes of the Colorado Open Records Act, EGE shall be the custodian of record. Neither SIPA nor its suppliers shall be deemed to be either the custodian of record or the custodian's agent.
9. This Agreement and any written amendments thereto may be executed in counterpart, each of which shall constitute an original and together, which shall constitute one and the same agreement. Delivery of an executed signature page of this Agreement will constitute effective and binding execution and delivery of this Agreement.
10. Confidential information for the purpose of this Agreement is information relating to SIPA's or EGE's research, development, trade secrets, business affairs, internal operations, management procedures, and information not disclosable to the public under the Colorado Open Records Act or some other law or privilege. Confidential information does not include information lawfully obtained through third parties, which is in the public domain, or which is developed independently without reference to a Party's confidential information. Neither Party shall use or disclose, directly or indirectly, without prior written authorization, any confidential information of the other. SIPA shall use its reasonable best efforts to ensure that its suppliers protect EGE confidential information from unauthorized disclosure. Notwithstanding anything to the contrary herein, each Party acknowledges that given the subject matter of this Agreement, such Party shall not disclose confidential information of the other (whether in written or electronic form) to any third party, except as required by law or as necessary to carry out the specific purpose of this Agreement; provided, however, that if such disclosure is

necessary, any third party who receives such confidential information shall also be bound by the nondisclosure provisions of this Section 10. Upon termination of this Agreement, the Parties shall return or destroy (at the other Party's request) all confidential information of the other and if such information is destroyed, each Party shall demonstrate evidence of such destruction to the other.

11. SIPA must approve all requests from EGE CUSTOMERS for Electronic Information, Products, and Services pursuant to an Order under this Agreement.

MISCELLANEOUS PROVISIONS

Independent Authority. SIPA shall perform its duties hereunder as an independent authority and not as an employee of EGE. Neither SIPA nor any agent or employee of SIPA shall be deemed to be an agent or employee of EGE. SIPA acknowledges that SIPA and its employees or agents are not entitled to EGE employment or unemployment benefits unless SIPA or a third party provides such benefits and that EGE does not pay for or otherwise provide such benefits. SIPA shall have no authorization, express or implied, to bind EGE to any agreements, liability, or understanding except as expressly authorized by EGE. SIPA and its agents shall provide and keep in force workers' compensation (and provide proof of such insurance when requested by EGE) and unemployment compensation insurance in the amount required by law, and shall be solely responsible for the acts of SIPA, its employees and agents.

Non-discrimination. SIPA agrees to comply with the letter and the spirit of all applicable state and federal laws respecting illegal discrimination and unfair employment practices.

Choice of Law. The laws of the State of Colorado (except Colorado laws related to choice of law or conflict of law) and rules and regulations issued pursuant thereto shall be applied in the interpretation, execution, and enforcement of this Agreement. At all times during the performance of this Agreement, SIPA and EGE shall adhere to all applicable federal and state laws, rules, and regulations that have been or may hereafter be established. Any legal action related to this Agreement shall be brought in either a state or federal court within the City and County of Denver, Colorado.

Access to Data. SIPA shall have no access to EGE's data, including but not limited to PII and information protected by FERPA and HIPAA. All EGE data shall remain in possession of EGE. If a SIPA supplier may have access to PII, the SIPA supplier will be responsible for ensuring compliance with any regulations related to such access.

PCI Compliance. If at any point during the term of this Agreement, EGE performs payment processing through SIPA and the Portal Integrator, EGE agrees to identify a single point of contact for the EGE and maintain up to date contact information.

The single point of contact will:

- Assign security responsibility to a primary person;
- Ensure security policies are developed or adhere to state security policies and are practiced;

- Maintain an Information Security Policy that addresses Information Security for employees and contractors;
- Annually respond to the Compliance Validation Assessment or appropriate self-assessment questionnaires (SAQ);
- Annually train employees on security awareness that includes but is not limited to credit card payment account handling procedures, device inspection, and how to report security incidents. An online training link will be provided to the point of contact by SIPA or the Portal Integrator annually;
- Maintain an Incident Response Plan;
- Notify SIPA and the Portal Integrator, as soon as possible, whenever a suspected Incident has occurred involving cardholder data or credit card reading devices;
- Maintain up-to-date contact information with the Portal Integrator; and
- Identify the payment flow for the payment solutions implemented within its organization.

These requirements will be updated in writing by SIPA and the Portal Integrator if PCI security requirements change.

The above responsibilities will apply to all EGE payment processing, regardless of the supplier providing the services. Any EGE contracting with a payment processor supplier that is not the Portal Integrator may be subject to additional responsibilities related to the completion of the annual SAQ. In that event, the EGE or the payment processing supplier is responsible for management of the SAQ process as relates to that portion of the application capturing payment card information.

Website Accessibility. The Portal Integrator will comply with the requirements of HB21-1110 as relates to any website provided by SIPA to EGE to ensure that the platform on which the website is built and hosted is compliant. EGE agrees to comply with the requirements of HB21-1110 as relates to any website provided by SIPA to EGE to ensure that the content of any website provided by SIPA to EGE is compliant.

Software Piracy Prohibition. No State or other public funds payable under this Agreement shall knowingly be used for the acquisition, operation, or maintenance of computer software in violation of United States copyright laws or applicable licensing restrictions. SIPA hereby certifies that, for the term of this Agreement and any extensions, SIPA has in place appropriate systems and controls to prevent such improper use of public funds. If EGE determines that SIPA is in violation of this paragraph, EGE may exercise any remedy available at law or equity or under this Agreement, including, without limitation, immediate termination of the Agreement and any remedy consistent with United States copyright laws or applicable licensing restrictions.

Notices. All notices required or permitted under this Agreement shall be in writing and delivered personally, by facsimile, by email or by first class certified mail, return receipt. If delivered personally, notice shall be deemed given when received. If delivered by facsimile or email, notice shall be deemed given upon full transmission of such notice and confirmation of receipt during regular business hours. If delivered

by mail, notice shall be deemed given at the date and time indicated on the return receipt. Notices shall be delivered to:

If to SIPA:

Statewide Internet Portal Authority
Attn: EGE Administrator
950 South Cherry Street, Suite 900
Denver, CO 80246
Phone: (720) 409-5634
sipa@cosipa.gov

If to EGE:

Attn:
Street Address:
City, State, Zip:
Phone:
Email:

and/or

Attn:
Street Address:
City, State, Zip:
Phone:
Email:

and to other address or addresses as the parties may designate in writing.

Third Party Beneficiary. EGE shall enjoy those rights of a third party as may be set forth expressly in any contract between SIPA and its suppliers under which SIPA provides electronic information, products, and services to EGE.

Disputes. Any failure of either Party to perform in accordance with the terms of this Agreement shall constitute a breach of the Agreement. Any dispute concerning the performance of this Agreement which cannot be resolved at the operational level shall be referred to superior management and staff designated by each Party. Failing resolution at this level, EGE may ask the SIPA Board of Directors to address the dispute. If the dispute is not resolved after reference to the SIPA Board of Directors, the Parties may use whatever procedures may be available, including but not limited to termination of the Agreement.

This Agreement is entered into as of the day and year set forth above.

Ajay Bagal, Executive Director
Statewide Internet Portal Authority

Date Signed: _____

Sign _____

Print Name_____

Title _____

Entity_____

Date Signed:_____



Information Technology Department

East Wing Courthouse • 2025 14th Street Boulder, Colorado 80302 • Tel: 303.441.3920
Mailing Address: P.O. Box 471 Boulder, Colorado 80306-0471 • www.bouldercounty.gov

DATE: March 25, 2024

TO: Courtney Gabriel, Procurement Manager
Ashley Stolzmann, Board of County Commissioners
Marta Loachamin, Board of County Commissioners
Claire Levy, Board of County Commissioners

FROM: Paul Jannatpour, IT Director

SUBJECT: Waiver of Bid Requirements for Colorado Statewide Internet Portal Authority (SIPA)

Executive Summary:

The Department of Information Technology requests a waiver of the bid requirements for technology services procured by the Colorado Statewide Internet Portal Authority ("SIPA").

The Colorado General Assembly created SIPA to provide and assist local governments, state agencies, special districts, and public schools with technology solutions. *See C.R.S. § 24-.37.7-101 et seq.* SIPA procures and negotiates technology contracts for digital government services, CORA request and payment solutions, technology accessibility solutions, technology infrastructure licensing solutions, community engagement solutions, and cybersecurity solutions, among other technology services. SIPA provides a single access point for these technology services as a benefit for local governments and other Colorado governmental entities.

We anticipate ongoing purchases from SIPA for these and other technology services.

Not to Exceed Total Contract Amount: \$2,500,000 with no single year over \$500,000.

Action Requested:

Waive the formal bidding process for all technology goods and services directly purchased through SIPA.

Approvals:

Courtney Gabriel, Procurement Manager Courtney Gabriel Date March 25, 2024

Paul Jannatpour, IT Director Paul Jannatpour Date March 25, 2024

_____ - Receipt acknowledged by the Clerk to the Board of County Commissioners

Chair, Board of County Commissioners

Date

BOCC
INTERGOVERNMENTAL
AGREEMENT (IGA) AMENDMENT
(Funding)

AMENDMENT SUMMARY	
This amendment makes changes to the following terms:	
<input checked="" type="checkbox"/> IGA Amount	<input checked="" type="checkbox"/> Contract Dates <input type="checkbox"/> Scope of Work
Contract Identification from Original IGA	
Other Party's Legal Name	Boulder County Housing Authority
Other Party's Contact Information - Name	Kelly Stapleton
Other Party's Contact Information - Email	kstapleton@bouldercounty.org
County Office or Department	Office of Sustainability, Climate Action & Resilience
County Division /Program	OSCAR
Oracle Contract Number	302630
Oracle Version Number	2
IGA Amount	
<u>Not to Exceed</u> Amount of current contract, including all amendments	458,000.00
Amendment Amount (through New End Date)	458,000.00
New Cumulative <u>Not to Exceed</u> Amount	916,000.00
Contract Dates	
Amendment Effective Date	1/1/24
New End Date	12/31/24
Scope of Work	
Does this amendment remove any portion of the current scope of work?	no
Does this amendment add new requirements to the scope of work?	no
Scope of Work Changes IF ANY: Describe the changes to scope of work in this box and, if needed, attach an Exhibit B with the details of the changes to the scope of work, including updated fee and rate sheets, if applicable:	

IGA Amendment (Funding)
Approved for Use by County Attorney – March 2024

Additional IGA Documents
Check all that apply:
<input type="checkbox"/> Exhibit A: N/A
<input type="checkbox"/> Exhibit B: Scope of Work
<input type="checkbox"/> Exhibit C: _____
<input type="checkbox"/> Exhibit D: _____

This AMENDMENT (“Amendment”) to the above-referenced Original IGA (“IGA”) is entered into between the Board of County Commissioners of Boulder County on behalf of the County of Boulder, State of Colorado, a body corporate and politic, for the benefit of the Boulder County Housing Authority (“County”) and the “Other Party” identified above.

1. INCORPORATION OF AMENDMENT SUMMARY

The **Amendment Summary** and **Additional IGA Documents**, if any are listed, are incorporated into this IGA by reference.

2. EFFECTIVE DATE AND ENFORCEABILITY

This Amendment is effective and enforceable on the later of (a) the date it is fully executed by both parties or (b) the **Amendment Effective Date** (if any).

3. LIMITS OF EFFECT

The IGA and all prior amendments, if any, remain in full force and effect except as specifically modified by this Amendment.

4. MODIFICATIONS

The IGA Documents are updated to include any Additional IGA Documents where the corresponding box is checked above.

The IGA is also modified to the extent that a corresponding box is checked below:

- ☒ Term. The term of the IGA is extended through the New End Date identified in the Amendment Summary.
- ☒ IGA Amount. The IGA Amount is amended to include the Amendment Amount identified in the Amendment Summary. The total cost of all work performed is not to exceed the **New Cumulative Not to Exceed Amount** identified in the Amendment Summary.
- ☐ Scope of Work. The Scope of Work is amended as indicated under Scope of Work Changes in the Amendment Summary.

[SIGNATURE PAGE TO FOLLOW]

IGA Amendment (Funding)
Approved for Use by County Attorney – March 2024

IN WITNESS WHEREOF, the Parties have executed and entered into this Amendment as of the latter day and year indicated below.

SIGNED for and on behalf of Board of County Commissioners of Boulder County		SIGNED for and on behalf of Boulder County Housing Authority	
Signature:		Signature: <i>Susana Lopez-Baker</i>	
Name: Ashley Stolzmann		Name: Susana Lopez-Baker	
Title:		Title: HHS Deputy Director, Housing Division	
Date:		Date: March 25, 2024	
↓↓ For Board-signed documents only ↓↓			
Attest Signature:	Initial of EO/DH		
Attestor Name:			
Attestor Title:			

PURCHASE AGREEMENT AND LEASE

THIS PURCHASE AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2024, by and between the **COUNTY OF BOULDER**, a body corporate and politic ("County") and **EVERETT T. RANDLEMAN** ("Seller").

RECITALS

Seller owns approximately 101 acres of real property within the County of Boulder, State of Colorado, legally described in Exhibit A attached hereto and by this reference made a part of this Agreement (the "Property"). County desires to purchase the Property from Seller and all water rights owned by Seller and associated with the Property (the "Water Rights") as further defined below, from Seller.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals and the promises, payments, covenants, and undertakings hereinafter set forth, and other good and valuable consideration, which is hereby acknowledged and receipted for, County and Seller agree as follows:

PURCHASE PROVISIONS

1. In consideration of the payment of TEN THOUSAND DOLLARS (\$10,000.00) as Earnest Money, which shall be paid within twenty (20) days of execution of this Agreement and held by the Title Company identified in Paragraph 5 herein, Seller hereby agrees to sell and County hereby agrees to purchase the Property. Seller shall provide a copy of any available engineering and/or survey work of the Property to County.

1.1. Septic Systems. At least 30 days before the closing date set forth in Paragraph 8 below, Seller, at Buyer's expense, shall provide to County an Onsite Wastewater Treatment System Property Transfer Inspection Report ("Report") completed by a NAWT or NSF-certified inspector for each septic system located on the Property. For each septic system, if the Report indicates that repairs are required, Seller shall also provide to County detailed cost estimates of the required repairs prepared by three different professionals deemed qualified by the Boulder County Septic Smart Program to do the necessary repairs. Said cost estimates shall be provided to County at least 15 days before the closing date set forth in Paragraph 8 below. Once Seller has received the cost estimates, Seller shall adjust the sales price to deduct the average estimated cost of repair or replacement and Seller shall not have to conduct repairs. County shall pay the cost of the septic inspection at closing.

1.2. Survey. County may at its sole expense contract for an ALTA engineering survey of the Property sufficient to satisfy the requirements of the Title Company to delete the standard pre-printed exceptions from the County's title policy, as set forth in Paragraph 6 below. The survey shall be certified to Seller, County, and the Title Company and shall include a certificate of acreage of the Property. The survey must be acceptable to County, in County's sole discretion. Closing may be postponed for as long as is reasonably necessary for County to receive and approve the survey identified in this paragraph. Within one week of the execution of this Agreement, Seller shall notify County of any leases, tenancies or rental agreements, verbal and/or written, which affect the Property in any way.

1.3 Well Permit. At least 30 days before the closing date set forth in Paragraph 7 below, Seller, at Seller's expense, shall provide to County copies of well permits for all wells on the Property.

1.4 Home Inspection. At least 30 days before the closing date set forth in Paragraph 7 below, Seller will obtain a home inspection on the County's behalf, with the County listed as the client and a written report provided to County and Seller. Seller and County shall mutually agree upon the service provider for the inspection. County shall pay the cost of the home inspection at closing.

PURCHASE PRICE

2. The purchase price for the Property shall be TWO MILLION NINE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$2,975,000.00), payable in good funds at closing. The Earnest Money shall be applied to the purchase price for the Property. Additionally, Seller agrees to convey to County, at no extra cost, any quitclaim deeds requested by County to ensure that County receives title to the Property as historically described or to ensure that County receives Seller's right, title, and interest to any additional property adjacent to the Property for which Seller may have a claim by adverse possession or disputed boundary.

3. The purchase price for Parcel 1 shall include all surface and subsurface water and water rights, ditches and ditch rights, ponds and pond rights, springs and spring rights, wells and well rights, whether decreed or not, if any, attached or appurtenant to or used in connection with the Property and owned by Seller together with a 40% interest in 3.475 shares of the Palmerton Ditch, a 40% interest in 1 share of the Highland Ditch, and a 40% share in 0.1 shares of the Rough and Ready Ditch (collectively, the "Water Rights"). The purchase price will also include any and all minerals appurtenant to the Property.

4. The purchase of the Property shall also include any existing access to the Property in which Seller has any right, title or interest. If requested by County, Seller shall convey to County access to Parcel 1 over any additional properties owned by Seller.

TITLE

5. Within three weeks after the execution of this Agreement by the Board of County Commissioners of Boulder County, Seller shall furnish to County a title insurance commitment on all of the Property, to insure County's ownership of a fee simple interest in the Property, in the amount of the purchase price. The title commitment shall include copies of all exception documents identified in the commitment. The title insurance commitment shall be on a form acceptable to County, and issued by a title insurance company acceptable to County, which maintains an office in Boulder County, and is authorized to do business in the State of Colorado ("Title Company"). Seller shall be solely responsible for the cost of said title commitment and Buyer shall be responsible for the cost of an owner's policy of title insurance issued pursuant to the commitment, including Owner's Extended Coverage.

6. Title to the Property shall be merchantable in Seller, and the title commitment shall contain no exceptions other than:

6.1. Taxes and assessments for the current year, which shall be adjusted and prorated to the date of delivery of the deed; and

6.2. Rights-of-way, easements, restrictions, covenants, and mineral reservations that are acceptable to County; and

6.3. Seller shall execute an affidavit concerning mechanic's liens and take all steps necessary to obtain the deletion of the standard pre-printed exceptions found in the title commitment.

7. Should title not be merchantable as aforesaid, or if the title commitment includes additional exceptions which are not acceptable to County (even though such additional exceptions would not make the title unmerchantable), a written notice of the defects shall be given to Seller by County within fifteen (15) days after receipt of the title commitment and all exception documents provided for in Paragraph 6 of this Agreement. If Seller provides County with a title commitment and exception documents before the execution of this Agreement by the Board of Commissioners, County shall have fifteen (15) days from the date of the execution of the Agreement by the Board of Commissioners within which to provide Seller with a written notice of title defects. Seller agrees to attempt to correct such defects at Seller's expense within one hundred twenty (120) days from receipt of said notice of defects, and the closing may be postponed for up to one hundred twenty (120) days. If Seller has not corrected such defects within the 120 days, County, at its option, may complete the transaction notwithstanding the defects or may, upon

notice to Seller in recordable form, declare this Agreement terminated, whereupon all payment made by County to Seller shall be returned to County and both Parties shall be released herefrom.

CLOSING

8. Unless postponed pursuant to the provisions of this Agreement, closing will take place on April 30th, 2024, at a mutually agreeable time, or closing may be done virtually, or as may otherwise be mutually agreed to by the Parties. The closing will be handled by the title company issuing a title policy to the County. Seller shall have the title company provide County with an invoice at least 10 days before the closing.

8.1. At the closing of the sale of the Property to County, Seller shall deliver to County the following:

- a. A fully good and sufficient executed and acknowledged general warranty deed conveying to County good and merchantable title to Parcel 1, including any access rights as described in Paragraph 4, free and clear of all liens, tenancies, and encumbrances except those set forth in Paragraphs 7.1 and 7.2 above;
- b. Possession of the Property, free and clear of all existing leases and tenancies; except for those leases described in Paragraph 10.8. below, if any;
- c. Documents acceptable to County and the Title Company evidencing the authority of Seller to execute this Agreement and to convey the Property to County;
- d. All instruments, certificates, affidavits, and other documents necessary to satisfy the Requirements listed on Schedule B-1 of the title commitment;
- e. A current update of the title commitment, at Seller's expense, showing title subject only to the permitted exceptions determined by Paragraph 6.1-6.3 of this Agreement. Seller shall cause the Title Company to issue to County its standard form owner's policy of title insurance insuring good and merchantable title to the Property in County, with the standard pre-printed exceptions deleted and subject only to the permitted exceptions as determined in Paragraph 6.1-6.3 of this Agreement;
- f. A certification that the representations and warranties of Seller pursuant to Paragraph 10 hereof continue to be true and correct as of the date of closing;

g. If applicable, an affidavit by a professional engineer as described in Paragraph 12;

h. Any other documents required by this Agreement to be delivered by Seller to the Title Company or reasonably required by County or the Title Company in connection herewith;

i. All documents necessary for conveyance of the Water Rights, as set forth in Paragraph 3 of this Agreement; and

j. A copy of Seller's signed settlement/closing statement; and

k. Any quitclaim deeds as described in Paragraph 2 of this Agreement.

8.2. At the closing of the sale to County, County shall deliver to Seller:

a. The applicable purchase price by County warrant, or other good funds, for the Property and the Water Rights;

b. County shall cover all closing costs.

8.3. Prior to the closing of the sale of the Property to County, Seller shall remove all equipment, vehicles, salvage, rubbish (not including brush & tree limbs or concrete placed in the ditches), and other personal property from the Property. Closing may be postponed by County if equipment, vehicles, salvage, rubbish, and other personal property has not been removed prior to the scheduled closing date.

8.4. If closing does not occur because the County elects not to proceed with closing this transaction for any reason, County agrees to pay for inspection costs incurred by Seller under this Agreement for inspections of the Property's septic system and the home inspection with asbestos, mold, and radon tests. Seller shall present County with one set of all itemized invoices from all inspection contractors combined together so County can pay for all inspection costs at once.

9. It is agreed that time is of the essence hereof. If County should fail or default in prompt payment of the purchase price for the Property according to the terms and conditions of this Agreement, and such failure is not attributable to any failure by Seller to timely and fully perform all of Seller's obligations hereunder, Seller, at Seller's option, may in writing declare this Agreement terminated and retain all monies paid to Seller as liquidated damages. It is agreed that such payments are Seller's sole and only remedy for County's failure to perform the obligations of this Agreement. Seller expressly waives the

remedies of specific performance and/or additional damages. If Seller is in default: (1) County may elect to treat this Agreement as terminated, in which case all payments and things of value received hereunder shall be returned to County; or (2) County may elect to treat this Agreement as being in full force and effect, and County shall have the right to an action for specific performance or damages, or both.

REPRESENTATIONS AND WARRANTIES

10. Seller hereby represents and warrants to County that as of the date of the signing of this Agreement:

10.1. Seller has received no notice of and has no other knowledge of any litigation, claim, proceeding or investigation, pending or currently threatened, which in any manner affects the Property; and

10.2. Seller has received no notice and has no other knowledge of any current, existing violations or pending investigations into possible violations of any federal, state or local law, code, ordinance, rule, regulation or requirement affecting the Property; and

10.3. Seller has the full right, power and authority to transfer and convey a fee simple interest in the Property to County as provided in this Agreement and to carry out Seller's obligations under this Agreement; and

10.4. Each and every document, schedule, item, and other information delivered or to be delivered by Seller to County hereunder, or made available to County for inspection hereunder, is true, accurate, and correct to the best of Seller's knowledge; and

10.5. Seller has not entered into any agreement with any private person or entity or with any governmental or quasi-governmental entity with respect to the Property that may result in liability or expenses to County upon County's acquisition of all or any portion of the Property; and

10.6. There are no special assessments which now burden or encumber the Property and there are no special assessments currently proposed as to the Property; and

10.7. The execution and delivery of this Agreement and the performance of all of the obligations of Seller hereunder will not result in a breach of or constitute a default under any agreement entered into by Seller or under any covenant or restriction affecting the Property; and

10.8. There are no leases, tenancies or rental agreements relating to the Property, or to any part thereof, which cannot be terminated by Seller on or prior to the date of closing of the transactions provided in the Agreement; and

10.9. Seller has not granted or created, and has no knowledge of any third parties who may have the right to claim or assert any easement, right-of-way or claim of possession not shown by record, whether by grant, prescription, adverse possession or otherwise, as to any part of the Property; and

10.10. To the best of Seller's knowledge, no part of the Property has ever been used as a landfill, and no materials have ever been stored or deposited upon the Property which under any applicable governmental law or regulation would require that the Property be treated or such materials removed from the Property prior to the use of the Property for any purpose which would be permitted by law, but for the existence of said materials on the Property; and

10.11. To the best of Seller's knowledge, no underground storage tank, as that term is defined by federal statute or Colorado statute, is located on the Property which under applicable governmental law or regulation would require such underground storage tank to be upgraded, modified, replaced, closed or removed; and

10.12. To the best of Seller's knowledge, Seller has not caused or permitted the release of any hazardous substance on the Property. The terms "hazardous substance" and "release" as used herein shall have the same meaning and definition as set forth in Paragraphs (14), (22) and (23), respectively, of Title 42 U.S.C. Section 9601; provided, however, that the term "hazardous substance" as used herein also shall include "hazardous waste", as defined in Paragraph (5) of 42 U.S.C. Section 6903; and

10.13. Seller has received no actual notice from any oil company or related business of any intention to conduct operations for the drilling of any oil or gas well on the Property, whether such notice is in the form of a "thirty-day notice" under the rules of the Energy and Carbon Management Commission of the State of Colorado, a notice to commence earthwork for drilling operations, a notice for the location of access roads, or any other notice of any kind related to the conduct of operations for such drilling; and

10.14. Seller has no knowledge of any claims or purported claims of adverse possession or boundary disputes pertaining to the Property and/or any land adjacent thereto by reason of the location of any exterior boundary fence lines, or otherwise.

Seller shall, at the time of closing, certify to County in writing that the above and foregoing representations and warranties remain true and correct as of the date of closing. Seller agrees that if, at any time, it is discovered that any of the foregoing representations and warranties were not true and correct at the time they were made, Seller will indemnify County and hold it harmless from and against claims for any and all liabilities, costs or damages, including, but not limited to attorney fees, suffered by or claimed against the County as a result of the breach. This indemnity shall survive the closing of the Property.

11. In addition to all other rights and remedies of County and Seller as set forth and provided in this Agreement, Seller agrees that County shall have the right to terminate this Agreement and to make the same of no further force and effect:

11.1. If the representations and warranties of Seller as set forth and provided for in Paragraph 10 herein are not true and correct as of the date of the closing; or

11.2. If Seller fails or refuses to provide the title insurance commitment and title insurance policy to County within the time period and in the form and content required under the provisions of this Agreement; or

11.3. If any part of the Property is condemned, or if proceedings for such condemnation are commenced or notice of condemnation is received by Seller from a condemning authority prior to the date of closing; or

11.4. If any of the standards provided for in Paragraph 12 are not satisfied as of the date of closing; or

11.5. If the survey identified in Paragraph 1 is not acceptable to County as of the date of closing.

11.6. If any of the requirements of Paragraph 1.1 are not satisfied as of the date of closing.

If County terminates this Agreement pursuant to this provision, all sums paid hereunder by County to Seller shall be returned to County.

INSPECTION AND ENVIRONMENTAL AUDIT

12. At all reasonable times during the term of this Agreement, County shall have access to the Property for the purpose of conducting inspections, tests, studies, and surveys thereon, including, without limitation, environmental audits, soil and subsoil tests. County may have performed at its option and expense the following inspections:

12.1. Soil and percolation tests;

12.2. Inspections for asbestos, PCBs, underground tanks, or other hazardous substances;

12.3. Any other inspections, tests, and/or studies deemed necessary by County which do not materially damage the Property.

County shall promptly provide to Seller copies of the results of all such tests, inspections, and studies following the receipt of same by County. Any inspections conducted by or performed

for County shall not mitigate or otherwise affect Seller's representations and warranties above. Prior to closing of the Property, County may at its sole expense, obtain a Phase I environmental audit of the Property. The Phase I environmental audit and any follow up testing must be satisfactory to County, in the County's sole discretion. If the Phase I, or any other tests or inspections performed by or received by County, are not satisfactory to County, County shall give Seller written notice of the defects. Seller agrees to attempt to correct such defects at Seller's expense within one hundred twenty (120) days of said notice, or within a time agreed to, in writing, by both parties. If necessary, the closing set forth in Paragraph 8 of this Agreement, may be postponed for 120 days. If Seller has not corrected such defects within said one hundred twenty (120) days, County, at its option, may complete the transaction notwithstanding the defects or may, upon notice to Seller in recordable form, declare this Agreement terminated, whereupon all payments made by County to Seller shall be returned to County, and both parties released herefrom.

13. If any underground tanks are located on the Property, said tanks shall be removed by Seller at Seller's expense prior to the closing of the Property. If any underground tanks are removed prior to closing pursuant to this paragraph, Seller shall provide at the time of closing of the Property an affidavit, subscribed and sworn to by a registered professional engineer licensed in the State of Colorado and approved by County, stating that the Property meets all applicable federal, state and local laws, regulations, and standards regarding such sites, including without limitation, the following standards:

13.1. No more than 75 parts per million total petroleum hydrocarbons in the soil using an analytical test/tests which are standard in the industry for the detection of specific compound mentioned herein.

13.2. No more than 10 parts per million total petroleum hydrocarbons in ground water, other than drinking water, using an analytical test/s which are standard in the industry for the detection of the specific compound mentioned herein.

13.3. The BTEX (benzene, toluene, ethylbenzene and xylene) and the petroleum contaminants in the ground water shall not exceed the maximum contaminant levels for these components in the ground water as set forth by the state water quality provisions in effect at the time of the execution of this contract.

If Seller elects not to remove underground tanks on the Property, County shall have the option to either: (1) Purchase the Property notwithstanding the presence of the storage tanks; or (2) terminate this Agreement, in which case all payments made by County to Seller as of the date of the termination of the Agreement shall be refunded to County and this Agreement shall have no further force or effect.

CONVEYANCE OF WATER RIGHTS

14. Title to the Water Rights shall be merchantable in Seller at the time of closing, and upon County's compliance with the terms of this Agreement, Seller shall deliver to County a properly executed and acknowledged general warranty deed conveying the Water Rights together with all ditches and ditch rights, well and well rights, free and clear of all liens, encumbrances and assessments, except taxes and assessments for the current year, which shall be adjusted and prorated to the date on which the closing occurs. At the closing, Seller shall also deliver to County the following:

14.1. A properly executed and acknowledged Transfer Request in the form set forth in Exhibits C, D and E attached hereto and by this reference made a part of this Agreement, and addressed to each of the water companies representing the Water Rights requesting conveyance of the Water Rights to County; and

14.2. Stock certificate/s reflecting Seller's current ownership of the Water Rights. County, or the title company, shall send said stock certificate/s, along with the Transfer Request(s) to the appropriate Water Companies for the issuance of new stock certificates indicating County's ownership of the Water Rights; and

14.3. A letter from the Water Companies stating that Seller's ownership of the Water Rights represented by that company is free and clear of all liens, encumbrances and assessments; and

14.4. Any additional documents which County or the Water Companies require for the transfer of the Water Rights, including, without limitation, obtaining a lost instrument bond. County shall pay for all ordinary costs and fees imposed by the Water Companies to transfer the Water Rights to County with the documents set forth in this Subparagraph 14.1-14.3). Seller shall be responsible for any costs and fees associated with obtaining additional documentation, such as lost instrument bonds, required under this Subparagraph 14.4.

15. Seller hereby represents and warrants to County that as of the date of the signing of this Agreement:

15.1. Seller has received no notice of and has no other knowledge of any litigation, claim or proceeding pending or currently threatened, which in any manner affects the Water Rights and; and

15.2. Seller has the full right, power, and authority to sell and convey the Water Rights and to County as provided in this Agreement and to carry out its obligations under this Agreement; and

15.3. Seller has not entered into any agreement with any private person or entity or with any governmental or quasi-governmental entity with respect to the Water Rights that may result in liability or expense to County upon County's acquisition of the Water Rights; and

15.4. To Seller's knowledge, the execution and delivery of this Agreement and the performance of all of the obligations of Seller hereunder, will not result in a breach of or constitute a default under any agreement entered into by Seller or under any covenant or restriction affecting the Water Rights ; and

15.5. To Seller's knowledge, the Water Rights constitute all water rights used to irrigate the Property during the period Seller has owned the Property or used for domestic or other purposes, and there are no other water rights of any kind or character, including but not limited to any leased water, known to Seller, which have been utilized to irrigate the Property or for domestic purposes during the period Seller has owned the Property; and

15.6. The Water Rights have been fully used to irrigate the Property during the period Seller has owned the Property and during the historic irrigation season, subject only to the availability of water in priority for diversion upon the Property in accordance with such Water Rights; and

15.7. To Seller's knowledge, there are no agreements or operating procedures in effect between the Seller and any other water users which would preclude or diminish County's full and unencumbered utilization of the Water Rights upon the Property for the same purposes the Water Rights have historically been utilized.

LEASE BACK PROVISIONS

16. County hereby agrees to lease back to Seller, solely for residential purposes and for the residential use of existing improvements, and Seller hereby agrees to lease from County, the residential area of the Property described in Exhibit A The lease shall be entered into between County and Seller at closing using the County's standard lease form, attached as Exhibit F. The lease shall begin on the closing date and shall terminate on June 30, 2024.

REAL ESTATE COMMISSION

17. Any real estate commission due to any broker upon sale of the Property to County shall be paid by Seller. County represents to Seller that County is not a party to a contract which

requires the payment of any real estate commission upon sale of a fee simple interest in the Property to County.

PROPERTY TO REMAIN UNENCUMBERED

18. Seller agrees that Seller will not, so long as this Agreement is in effect, encumber or burden the Property or any part thereof without the consent of County. Seller further agrees that during the term of this Agreement and through the date of delivery of possession of the Property to County, Seller shall not develop the Property in any manner, including without limitation, constructing any improvements or erecting any structures on the Property, leasing mineral rights for the Property, or disturbing the surface of the Property.

ASSIGNMENT

19. Seller shall not assign Seller's rights and obligations hereunder unless County first consents thereto in writing, which consent shall not be unreasonably withheld.

County does, however, consent to Seller assigning Seller's rights hereunder in furtherance of an IRC Section 1031 tax-deferred exchange so long as County incurs no increased expense, delay of closing, or liability exposure and so long as the assignee complies with all of the provisions of this Agreement. Said consent does not give Seller the right to impose any responsibilities on County that are not set forth in this Agreement other than the consent to the assignment. Seller agrees that so long as County is not in default hereunder, Seller shall not sell or convey any of the Property except to County pursuant to this Agreement. County may assign its rights to purchase all or a portion of the Property or any interest in the Property, including without limitation development rights, without the consent of Seller and Seller shall cooperate in executing appropriate documentation for the transfer of all or part of the Property, or any interest in the Property, including without limitation development rights, to any assignee of County, so long as Seller incurs no increased expense or liability exposure and so long as the assignee complies with all of the provisions of this Agreement. Documentation for the transfer of development rights shall include transferrable development certificates, assignment documents and any additional documents required by the Title Company at closing.

CONDEMNATION

20.1. Condemnation of the Entire Property that is the Subject of this Agreement

If another governmental entity or agency exercises its powers of eminent domain to acquire title to the Property, County shall, in such event, release its rights and option to purchase as to the Property so condemned and shall make no claim as to the monies paid for the Property so taken by the condemning authority. In the event of such a condemnation, the money so paid by the condemning authority for the Property so taken shall be and become the sole and separate Property

of Seller. The provisions of this paragraph shall not be construed, however, as precluding or preventing County from condemning any property that it is statutorily authorized to condemn.

20.2. Condemnation of a Portion of the Property that is The Subject of this Agreement

If another governmental entity or agency exercises its powers of eminent domain to acquire title to a portion of the Property, County shall still retain the rights granted under this Agreement as to such of the Property described in Exhibit B which is not taken by the condemnation. In such event, the portion of the Property that is not condemned shall remain subject to the terms of the Agreement, if County so elects. The purchase price of the portion of the Property remaining shall be determined on a per acre basis for land and/or a per unit/share price for any Water Rights, as set forth in Paragraph 3 of this Agreement, notwithstanding the consideration paid to Seller for the part of said Property taken by virtue of said eminent domain proceedings. If no per acre price is set forth in this Agreement, the per acre price shall be determined by dividing the purchase price for land in the Property, by the total acreage of the Property.

TAX CONSEQUENCES

21. Seller acknowledges that neither County, nor any of its agents or attorneys have made any representations as to the tax treatment to be accorded to this Agreement or to any proceeds thereof by the Internal Revenue Service under the Internal Revenue Code or by the tax officials of the State of Colorado under Colorado tax law.

AGREEMENT TO SURVIVE CLOSING

22. The parties hereto agree that, except for such of the terms, conditions, covenants and agreements hereof which are, by their very nature fully and completely performed upon the closing of the purchase-sale transactions herein provided for, all of the terms, conditions, representations, warranties, covenants, and agreements herein set forth and contained shall survive the closing of any purchase-sale transaction herein provided for and shall continue after said closing to be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

ENTIRE AGREEMENT

23. This Agreement, including all exhibits made a part of this Agreement by reference and incorporated herein, contains the entire contract, understanding, and agreement between the parties and supersedes all prior understandings, warranties, representations, letters of intent, all of which are by execution hereof rendered null and void.

NOTICE

24. Within sixty (60) days after a change of a party's address, that party shall provide a written notice of any change of address to all other parties. Whenever notice is required to be given hereunder, it shall be in writing and may be mailed, or hand delivered to the party entitled thereto, and if mailed, it shall be done by registered or certified mail, return receipt requested. If mailed, said notice shall be effective and complete as of the date of mailing. If hand delivered, said notice shall be effective and complete upon completion of the hand delivery. Notice may also be accomplished by email, if emailed to a current email address specified in writing by the receiving party. Until changed by notice in writing, each party's mailing addresses are as follows:

To County:	The Director Boulder County Parks & Open Space 5201 St. Vrain Road Longmont, Colorado 80503
With a copy to:	The Boulder County Attorney's Office P.O. Box 471 Boulder, Colorado 80306
To Seller:	Everett T. Randleman PO Box 203 Hygiene, CO 80533

GOVERNING LAW

25. The validity and effect of this Agreement shall be determined in accordance with the laws of the State of Colorado.

COUNTERPARTS

26. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement. Digital signatures conforming with the Uniform Electronic Transactions Act, C.R.S. §§ 24-71.3-101 through 24-71.3-121 shall be acceptable to and binding upon all Parties.

RECORDING

27. This Agreement shall be recorded in the office of the Clerk and Recorder of Boulder County, Colorado.

SEVERABILITY

28. If any part of this Agreement is found, decreed or held to be void or unenforceable, such finding, decree or holding shall not affect the other remaining provisions of this Agreement which shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date set forth above.

COUNTY OF BOULDER,
a body corporate and politic

By: _____
Ashley Stolzmann, Chair, of the Board of
County Commissioners of Boulder County,
Colorado.

State of Colorado County of Boulder	
The foregoing instrument was acknowledged before me this ____ day of _____, 2024 by Ashley Stolzmann, Chair, of the Board of County Commissioners of Boulder County, Colorado.	
_____ (Notary official signature)	NOTARY SEAL
_____ (Commission expiration)	

SELLER:

Everett Randleman
Everett Randleman (Apr 25, 2024 1:00 PM MT)

Everett T. Randleman

25/03/24

EXHIBIT A

Legal Description

The Land referred to herein below is situated in the County of Boulder, State of Colorado, and is described as follows:

THE E $\frac{1}{2}$ OF THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$, AND THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$, SECTION 23, TOWNSHIP 3 NORTH, RANGE 70 WEST OF THE 6TH P.M.; EXCEPT THOSE TRACTS OF LAND CONVEYED BY DEEDS RECORDED IN BOOK 1139, PAGE 328, BOOK 1140, PAGE 274, AND BOOK 1283, PAGE 257, BOULDER COUNTY RECORDS; COUNTY OF BOULDER, STATE OF COLORADO

EXHIBIT B

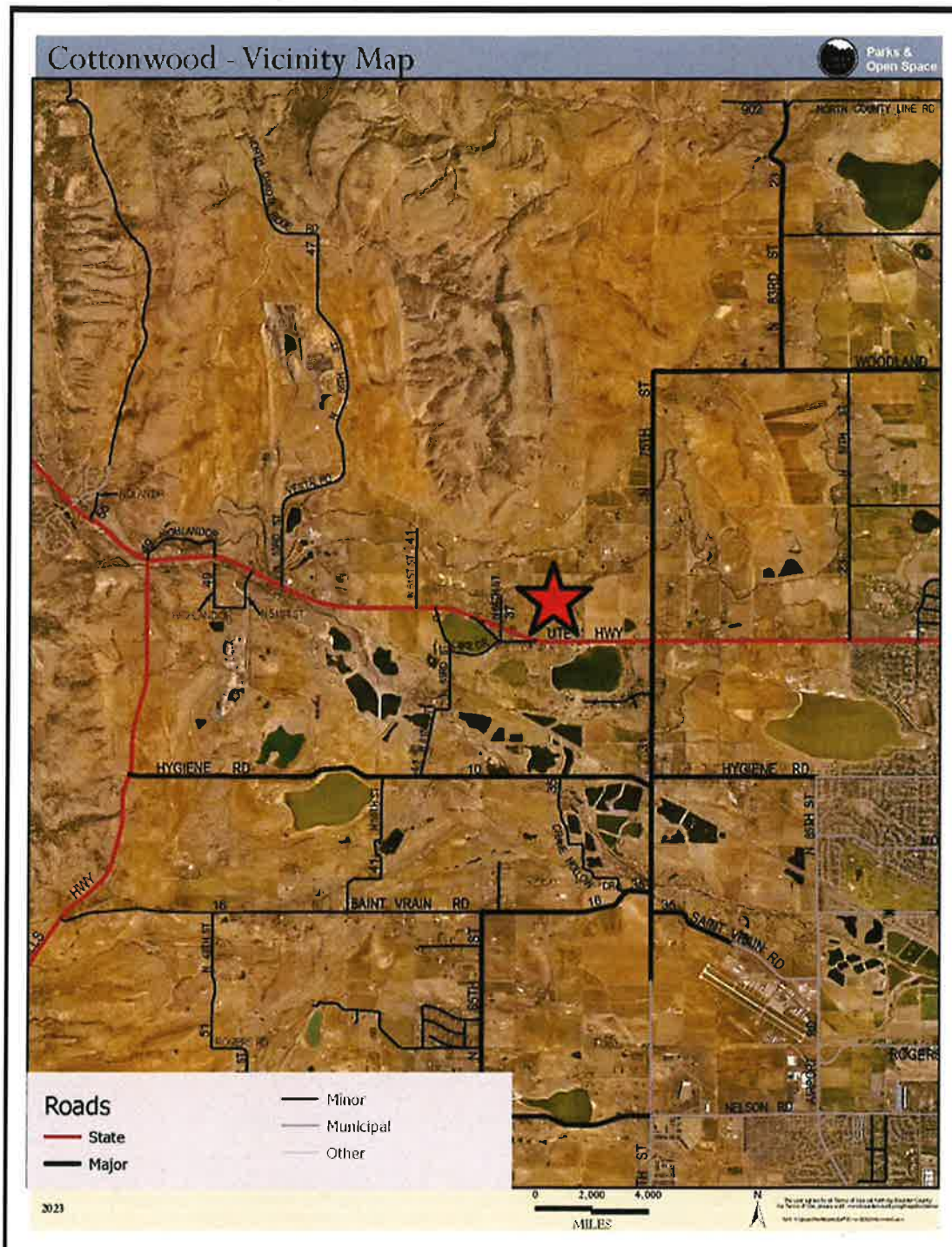


EXHIBIT C

WATER STOCK TRANSFER REQUEST

TO: Palmerton Ditch Water
12788 N. 66th St,
Longmont, CO 80503
303-678-8727

FOR VALUE RECEIVED, there is hereby assigned, transferred and set over (and you are directed to transfer on the books of said company) the following stock, which is standing in the name of the undersigned and is represented on your books and records by Certificate No. 562:

New Certificate:

The owner of 3.475 shares of the capital stock of said company is:

County of Boulder, a body corporate and politic

Assessments:

Boulder County will be responsible for ditch assessments on these shares, so please send all future ditch assessments to:

Water Resources Program Supervisor
Boulder County Parks & Open Space
Administration Building
5201 St. Vrain Road
Longmont, CO 80503

Original Certificate(s):

Please send the new certificate(s) via certified mail to the following address:

Erika Skufca
Boulder County Parks & Open Space Department
Administration Building
5201 St. Vrain Rd.
Longmont, CO 80503

Thank you for your attention to this request.

Signatures on next page

Everett T. Randleman

State of Colorado
County of Boulder

The foregoing Water Stock Transfer Request was acknowledged before me this ____ day of _____, 2024, by Everett T. Randleman.

(Notary Official Signature)

NOTARY
S E A L

(Commission Expiration)

NOTICE OF PROPERTY RESTRICTIONS FOR THE WALL STREET MILL PROPERTY

The **County of Boulder**, a body corporate and politic, owns an interest in the real property, described in Exhibit A, attached hereto and by this reference incorporated herein (the “Property”). The Property was acquired by a general warranty deed dated 12 March 2024, and recorded in the Boulder County Clerk and Recorder's Office at Reception Number 04040115. The Property was purchased with money acquired from a sales and use tax for acquisition of Open Space Land, approved by the voters of Boulder County. Pursuant to Resolution No. 2004-86, Resolution No. 2007-80, Resolution No. 2010-93, and Resolution No. 2016-77 of the Board of County Commissioners of Boulder County (“Resolutions”), which authorized the submission of the open space sales and use tax to the electors of Boulder County, the County is required to use the Property solely for passive recreational purposes, for agricultural purposes, or for environmental preservation purposes, as described in the Resolutions. The Resolutions also restrict the use of the Property as follows:

No open space interest in land acquired by Boulder County through the revenues provided by this sales and use tax may be sold, leased, traded, or otherwise conveyed, nor may any exclusive license or permit on such open space land be given, until approval of such disposal or transfer by the Board of County Commissioners. Prior to such disposal, the proposal shall be reviewed by the Parks & Open Space Advisory Committee, and a recommendation shall be forwarded to the Board of County Commissioners. Approval of the disposal may be given only by a majority vote of the members of the Board of County Commissioners after a public hearing held with notice published at least ten (10) days in advance in the official newspaper of the County and of each city and incorporated town within the County, giving the location of the land in question and the intended disposal thereof. No such open space land shall be disposed of until sixty (60) days following the date of Board of County Commissioners' approval of such disposal. If, within such sixty (60) day period, a petition meeting the requirements of § 29-2-104, C.R.S., as amended, or its successor statute, is filed with the County Clerk, requesting that such disposal be submitted to a vote of the electors, such disposal shall not become effective until a referendum held in accordance with said statute has been held. The provisions of this paragraph shall not apply to agricultural leases for crop or grazing purposes for a term of ten (10) years or less.

If the real property or any interest therein acquired by use of proceeds of said sales and use tax pursuant to the above paragraph of this resolution be ever sold, exchanged, transferred or otherwise disposed of, the consideration for such sale, exchange, transfer or disposition shall be subject to the same expenditure and use restrictions as those set forth herein for the original proceeds of said sales and use tax, including restrictions set forth in this paragraph; and if such consideration is by its nature incapable of being subject, then the proposed sale, exchange, transfer or disposition shall be unlawful and shall not be made.

Dated this ____ day of _____, 2024.

COUNTY OF BOULDER,
a body corporate and politic

By: _____
Printed Name: _____
Title: _____
of the Board of County Commissioners

State of Colorado
County of Boulder

The foregoing instrument was acknowledged before me this ____ day of _____, 2024,
by _____, _____, of the Board of County Commissioners.

(Notary official signature)

NOTARY
SEAL

(Commission expiration)

EXHIBIT A
Legal Description

THAT PART OF WALL STREET TOWNSITE, ACCORDING TO THE RECORDED PLAT THEREOF, DESCRIBED AS FOLLOWS:

THE TRACT MARKED “RESERVED” ON SAID PLAT, LYING NORTH OF THE STREET DESIGNATED AS ‘WALL STREET’ AND WEST OF LOT 13, BLOCK 6, AS SHOWN ON SAID PLAT, COUNTY OF BOULDER, STATE OF COLORADO.



Board of County Commissioners

TO: Claire Levy, Chair
Ashley Stolzmann, Vice Chair
Marta Loachamin, Commissioner

FROM: Robin A. Valdez

DATE: April 2, 2024

SUBJECT: Boards & Commissions – Appointments

ACTION
REQUESTED: Decision

VACANCIES & APPOINTMENTS

Community Action Programs Administering Board (Twelve Vacancies)

Re-appointment
Request: Patrick Dillon (Public Sector)

Claire Levy County Commissioner **Marta Loachamin** County Commissioner **Ashley Stolzmann** County Commissioner

Boulder County Courthouse • 1325 Pearl Street • Boulder, Colorado 80302 • Tel: 303.441.3500 • Fax: 303.441.4525
Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.org • commissioners@bouldercounty.org



Board of County Commissioners

TO: Ashley Stolzmann, Chair
Marta Loachamin, Vice Chair
Claire Levy, Commissioner

FROM: Robin A. Valdez

DATE: April 2, 2024

SUBJECT: Boards & Commissions – Appointments

ACTION
REQUESTED: Decision

VACANCIES & APPOINTMENTS

Planning Commission (One Vacancy)

New Applicant: Rita Manna (Member-at-Large)

Claire Levy County Commissioner **Marta Loachamin** County Commissioner **Ashley Stolzmann** County Commissioner

Boulder County Courthouse • 1325 Pearl Street • Boulder, Colorado 80302 • Tel: 303.441.3500 • Fax: 303.441.4525
Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.org • commissioners@bouldercounty.org



Board of County Commissioners

TO: Ashley Stolzmann, Chair
Marta Loachamin, Vice Chair
Claire Levy, Commissioner

FROM: Robin A. Valdez

DATE: April 2, 2024

SUBJECT: Boards & Commissions – Appointments

ACTION
REQUESTED: Decision

VACANCIES & APPOINTMENTS

Resource Conservation Advisory Board (Two Vacancies)

New Applicants: Michael Springer (Member-at-Large)

Claire Levy County Commissioner **Marta Loachamin** County Commissioner **Ashley Stolzmann** County Commissioner

Boulder County Courthouse • 1325 Pearl Street • Boulder, Colorado 80302 • Tel: 303.441.3500 • Fax: 303.441.4525
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RESOLUTION NO. 2024-025

A Resolution to Adopt a Section of the Colorado Procurement Code

RECITALS

A. Boulder County, as a political subdivision of the State of Colorado, is authorized under § 24-101-105(2), C.R.S. to adopt all or any part of the Colorado Procurement Code, § 24-101-101, C.R.S. *et seq.*

B. The Board of County Commissioners of Boulder County desires to support and create efficiency in Boulder County's procurement and contracting processes by adopting a portion of the Colorado Procurement Code.

C. Adoption of § 24-106-109, C.R.S. of the Colorado Procurement Code memorializes as a matter of law that Boulder County cannot be held liable for the negligence and other willful misconduct of third parties (contractors), particularly conduct that leads to bodily injury, death, or damage to tangible property of the County, and also provides limitations to arbitration and other extra-judicial dispute resolutions processes for Boulder County contracts.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to Section 24-101-105(2), C.R.S., the Board of County Commissioners adopts Section 24-106-109 of the Procurement Code of the State of Colorado as follows:

“Any term or condition in any contract entered into by Boulder County that requires Boulder County to indemnify or hold harmless another person, except as otherwise authorized by law, or by which Boulder County agrees to binding arbitration or any other binding extra-judicial dispute resolution process in which the final resolution is not determined by Boulder County, or by which Boulder County agrees to limit liability of another person for bodily injury, death, or damage to tangible property of Boulder County caused by the negligence or willful misconduct of such person or such person's employees or agents shall be void ab initio; except that the contract containing that term or condition shall otherwise be enforceable as if it did not contain such term or condition. All contracts entered into by Boulder County, except for contracts with another government, shall be governed by Colorado law notwithstanding any term or condition to the contrary.”

IT IS HEREBY DECLARED by the Board of County Commissioners of the County of Boulder and State of Colorado that this resolution shall be effective upon execution.

A motion to approve this Resolution 2024-025 was made by Commissioner _____, seconded by Commissioner _____, and passed by a _____ vote.

ADOPTED this ____ day of April 2024.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY**

Ashley Stolzmann, Chair

Marta Loachamin, Vice Chair

Claire Levy, Commissioner

ATTEST:

Clerk to the Board: _____



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING

April 2, 2024 at 9:30 a.m.

Boulder County Courthouse, 3rd Floor,
1325 Pearl Street, Boulder
Virtual and in-person

STAFF RECOMMENDATION

STAFF PLANNER: Pete L'Orange, Planner II

DATE ISSUED: March 26, 2024

Docket LU-23-0028: Boulder Country Club Use of Community Significance Designation

Request: Limited Impact Special Review to recognize existing nonconforming membership club as a Use of Community Significance on an approximately 190-acre parcel at 7350 Clubhouse Road.

Location: 7350 Clubhouse Road, located approximately 1.4 miles north of the intersection of Jay Road and N. 75th Street, in Sections 11-14, Township 1N, Range 70W.

Zoning: Rural Residential (RR)

Owner/Applicant: Boulder Municipal Sports Center d/b/a Boulder Country Club

Representative: Michael Larson, Boulder Country Club

PACKET CONTENTS

Item	Pages
Staff Recommendation	1 – 9
Application Materials (Attachment A)	A1 – A31
Supplemental Narrative – March 11, 2024 (Attachment B)	B1 – B3
Request to Withdraw Seasonal Structure Proposal (Attachment C)	C1 – C1
Referral Responses (Attachment D)	D1 – D48
Public Comments (Attachment E)	E1 – E83
Previous BOCC Resolutions (Attached F)	F1 – F13

SUMMARY

The subject application is for a Limited Impact Special Review to recognize an existing nonconforming use as a Use of Community Significance. Per Article 4-504.H.5.e of Boulder County Land Use Code (the Code), a Use of Community Significance is subject to the criteria in Article 4-602.E of the Code. With the recommended conditions of approval, staff finds the proposal can meet

Claire Levy County Commissioner **Marta Loachamin** County Commissioner **Ashley Stolzmann** County Commissioner

the criteria for a Use of Community Significance under Article 4-602.E of the Code and recommends the Board of County Commissioners approve the Use of Community Significance designation.

DISCUSSION

The subject property is an approximately 190-acre parcel known as the Boulder Country Club. The parcel is generally located southeast of Gunbarrel and east of Diagonal Highway, and surrounded by several subdivisions within the unincorporated county (see Figure 1 below). The parcel is a legal building lot because it exceeds the 35-acre threshold required for permit eligibility. Currently the vast majority of the parcel is taken up with the existing golf course, which was originally constructed in 1964 and has remained largely unchanged since that time. There are also several structures included in the Assessor's record on the parcel, totaling 91,651 square feet of floor area.

There are several access points to the parcel where the subdivision roads around it intersect with the golf course, but the primary access to the parcel is at 7350 Clubhouse Road, where most of the physical structures for the country club are located. This primary access is located approximately .3 miles west of the intersection of Clubhouse Road and North 7th Street.

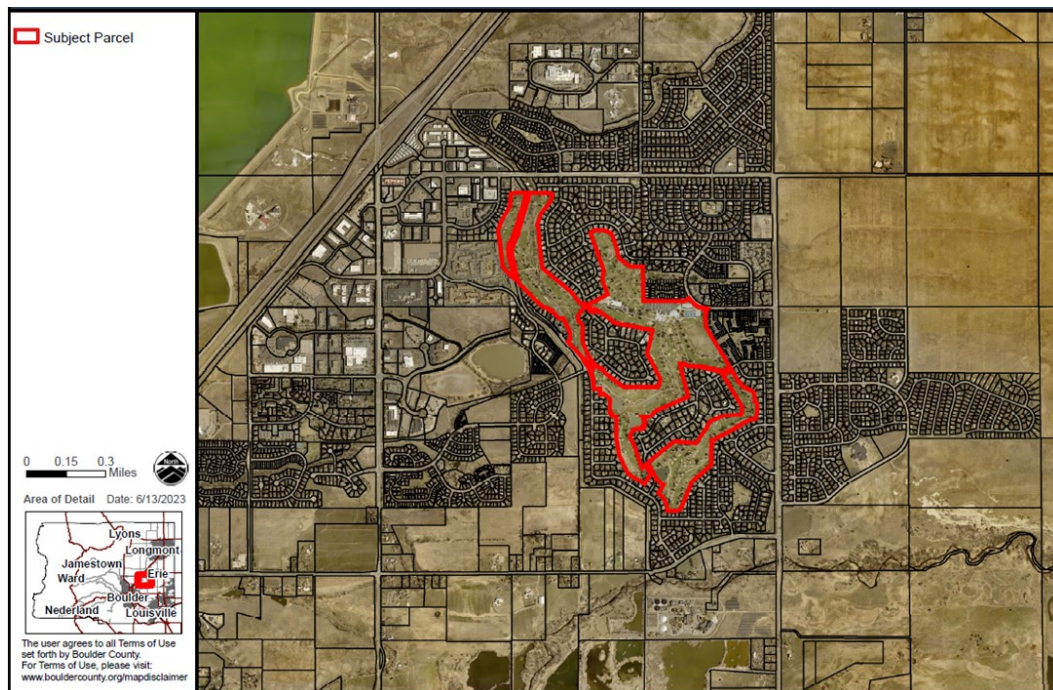


Figure 1: Aerial photograph of subject parcel

The applicants have requested that the existing country club, which is classified as a Membership Club under the Code, be recognized as a Use of Community of Significance. Under the Code, a Membership Club is not an allowed use in the Rural Residential zoning district. As such, the existing Membership Club is a non-conforming use, which limits the type and scope of any modifications or alterations that the applicants may wish to undertake. In order to facilitate current and future plans for the country club, the applicants have requested that it be recognized as a Use of Community Significance, which is defined as “An existing nonconforming use that the Board of County Commissioners determines to have at least two of the following characteristics: historic, cultural, economic, social, or environmental value” (Article 4-504.H.1). Designation as a Use of Community Significance would make the country club a conforming use, potentially allowing for current and future modifications and alterations to the country club, including new structures.

The application as originally submitted included a request to allow for the construction of a seasonal structure over the existing tennis/pickle-ball courts south of the athletic club building and a request to

approve a conceptual master plan for the country club. However, based on conversations with staff and referral agencies, the applicants withdrew that request on December 19, 2023 (see Attachment B). Additionally, no specifics were submitted for any of the potential future projects to be included in the master plan. As there are no specifics which can be reviewed or approved, the conceptual master plan cannot be reviewed or approved at this time. Therefore, neither the seasonal structure or the master plan requests are included in staff's review and analysis below, and staff's analysis is limited to the request to recognize the country club as a Use of Community Significance.

The Boulder County Comprehensive Plan ("the Plan") does not identify any relevant resources of note on the subject parcel; however, there are some identified Riparian areas and there are view protection scores associated with several nearby roadways (see Figure 2 below).

There are a few parcels identified as public lands near the subject parcel (see Figure 3 below). There are a number of parcels identified as Boulder County open space to the southeast, some county-held conservation easements to the northeast, and multiple City of Boulder Open Space and Mountain Park properties to the east of the subject parcel. However, there are no conservation easements on the subject parcel.

As detailed in the criteria review below, staff finds that the existing nonconforming membership club use can meet the Limited Impact Special Review Criteria in Article 4-602.E of the Code, with the recommended conditions of approval. As such, staff recommends approval of the designation of the Boulder Country Club as a Use of Community Significance, subject to the conditions of approval recommended by staff.

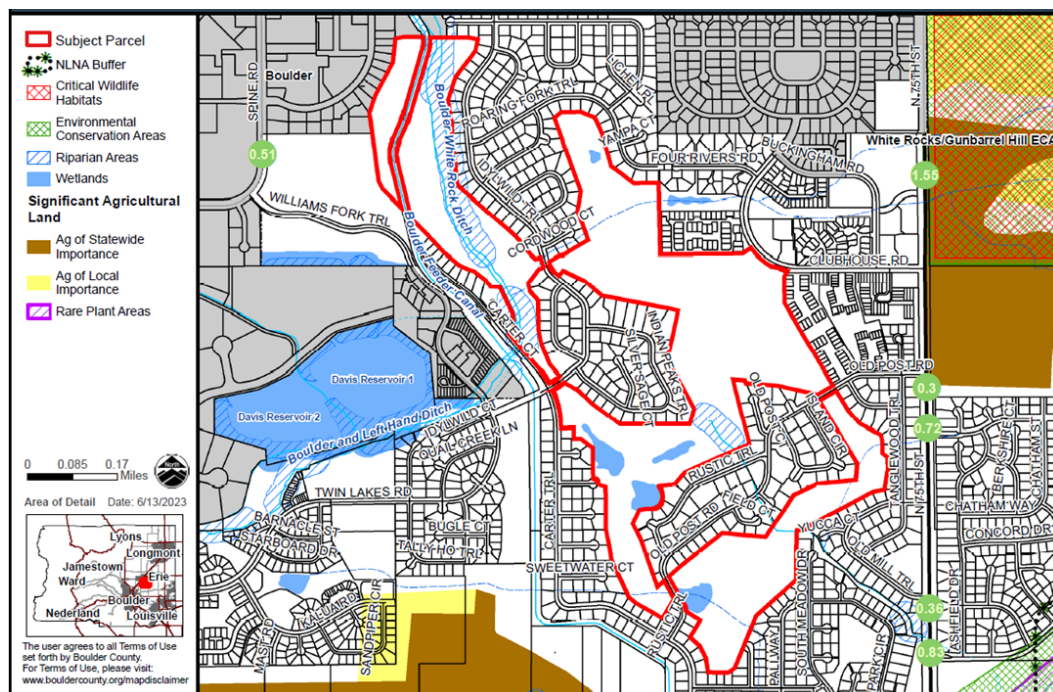


Figure 2: Comprehensive Plan map

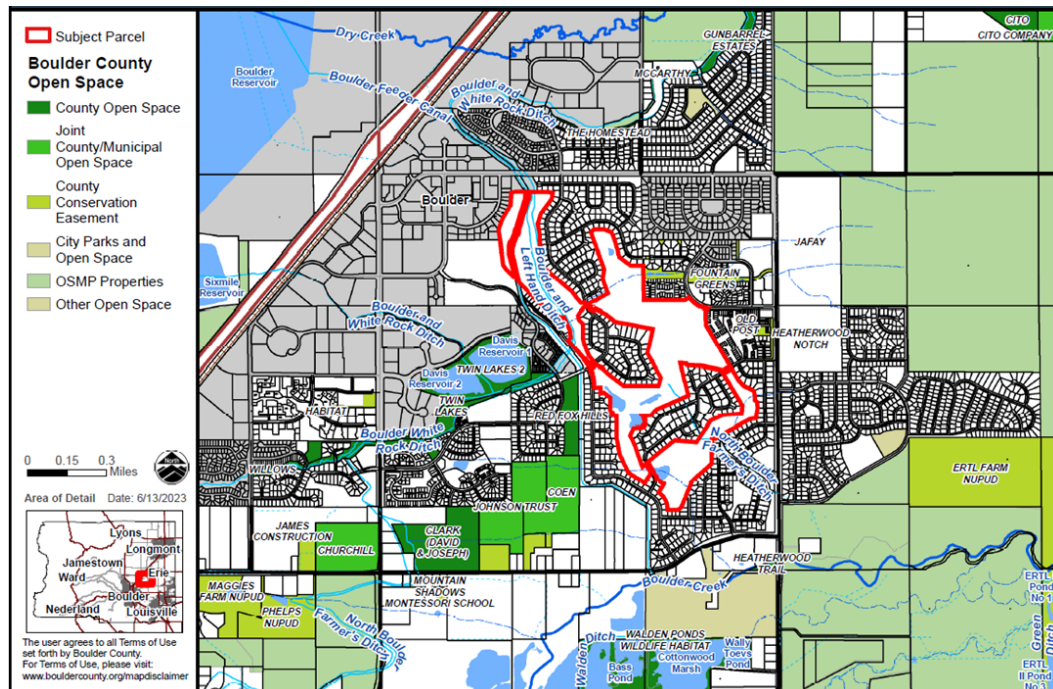


Figure 3: Public Lands map.

REFERRALS

This application was referred to the typical agencies, departments, and adjacent property owners. All responses received are attached and summarized below. Staff notes that a majority of the referral responses and public comments are focused on the seasonal structure that was originally proposed and later withdrawn by the applicants; agencies which submitted referral responses specific to the season structure include the Boulder County Building Safety & Inspection team, the Boulder County Stormwater team, and Boulder Rural Fire.

First Flintlock Homeowners Association: This HOA reviewed the application materials and responded that they opposed both the request for designation as a Use of Community Significance and the proposed seasonal structure. The HOA cited especial concerns related to the visual impacts of the proposed seasonal structure and lack of public engagement by the applicants.

Adjacent Property Owners: Notices were sent to property owners within 1,000 feet of the subject parcel. To date, staff have received 35 comments, mostly in opposition to the originally proposed seasonal structure. Several comments received objected to the applicants' request for the country club to be recognized as a Use of Community Significance, noting the country club does not benefit the county as a whole because it is a private membership club.

Agencies that responded with no conflict: Boulder County Access & Engineering; Boulder County Conservation Easement Team; Boulder County Public Health; City of Boulder Open Space and Mountain Parks; Xcel Energy; and Boulder Fire Rescue.

Agencies that did not respond: Boulder County Long Range Planning; Boulder County Assessor; Boulder County Attorney; Boulder County Sheriff; Boulder County Treasurer; Boulder County Surveyor; Boulder County Parks & Open Space – Natural Resources Planner; Boulder County Historic Preservation Team; Northern Colorado Water Conservancy; Boulder & Left Hand Ditch Company; Northern Boulder Farmer Ditch Company; and City of Louisville.

USE OF COMMUNITY SIGNIFICANCE CRITERIA

The Community Planning & Permitting staff has evaluated the Use of Community Significance standards per Article 4-602.E of the Code and finds the following:

- (1) *A Use of Community Significance may be approved through Limited Impact Special Review even though it does not meet the bulk or minimum lot size requirements of the zoning district in which it is located.*

The subject parcel is primarily located within a Rural Residential zoning district; however, a small portion of the parcel is in a Multifamily Residential zoning district (see Figure 4 below). At approximately 190 acres, the subject parcel meets the minimum lot size for both of these zoning districts. Additionally, the existing athletic center structure is located 25 feet from the front lot line of the subject parcel; this meets the minimum front setback requirements. As such, staff finds the subject parcel meets both the bulk and minimum lot size requirements.

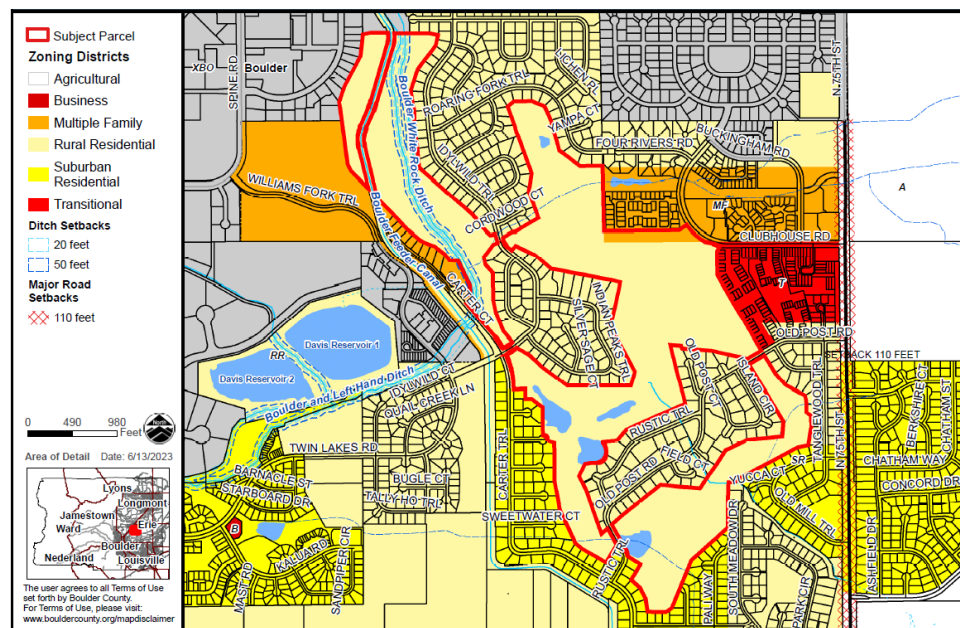


Figure 4: Zoning map, with subject parcel outlined in red. The Rural Residential zoning district is indicated in light yellow; the Multifamily Residential zoning district is indicated in orange.

Therefore, staff finds this criterion is met.

- (2) *The use must meet the following criteria rather than the standard Review Criteria for Uses Permitted by Special Review and Limited Impact Special Review:*
 - a. *The use does not impair the Goals and Policies of the Comprehensive Plan, considering the nature and history of the use.*

Staff has not identified any goals or policies of the Comprehensive Plan which would be impaired due to designation of the Boulder Country Club as a Use of Community Significance. The First Flintlock Homeowners Association stated they opposed the designation as a Use of Community Significance, citing concerns about “potential consequences for the community's well-being.” However, the designation as a Use of Community Significance does not exempt the property from any previous conditions of approval or any future review of proposed projects; as such, staff finds that any future development will be reviewed and potential impacts to the Comprehensive Plan will be addressed through any such review process.

Therefore, staff finds this criterion is met.

- b. The use has at least two of the following characteristics: historic, cultural, economic, social, or environmental value to the inhabitants of Boulder County as a whole, or to a recognized community of interest within the County such as through an adopted townsite plan or subarea plan.***

Staff finds the Use of Community Significance has the following characteristics:

Historic: As detailed in materials included in the staff recommendation packet for docket HP-19-0007, the development of the country club in the 1960s had significant ties to the overall development of the Gunbarrel community. Per the Historic Landmark Nomination form for the clubhouse structure, the development of the country club may have influenced other commercial (e.g. – IBM) and residential developers to invest in the develop of Gunbarrel. That same nomination form stated that the country club as a whole possessed enough historic significance for designation as a local landmark.¹ As such, staff finds the country club has historic value to both the county in general and, more specifically, the Gunbarrel community.

Social: The Boulder Country Club has long served as a significant social gathering location in Boulder County. While the country club is a private membership facility and is not open to the general public, it serves as a location for events such as weddings and meetings which do not require membership and therefore serves members of the general public. As such, staff finds the county club can be found to have social value to the county.

Therefore, staff finds this criterion is met.

- c. The use is not detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County considering the historic nature and use of the property including but not limited to traffic hazards, noise, odors, and pollutants.***

Staff have not identified any potential detrimental impacts to the health, safety, or welfare to the inhabitants of Boulder County; additionally, no referral agencies have responded to any such concerns.

Therefore, staff finds this criterion is met.

- d. The applicant has obtained, or commits to obtain as a condition of the Special Review approval, all applicable federal, state, and local licenses or permits, and is in compliance with all applicable federal, state, and local regulations.***

The requested designation as a Use of Community Significance does not remove any building permit or review requirements for any future development projects or modifications to existing facilities. Any proposed increases in floor area would continue to be subject to the requirements and limitations set forth in Article 4-602.C Special Review for Community Uses and Lodging Uses. Under this article, existing Community Uses (which includes both the Country Club's current use as a Membership Club and the proposed Use of Community Significance designation) may be allowed to increase their

¹ NOTE: Docket HP-19-0007 only sought to designate the club house structure as a local landmark; the country club as a whole has not been nominated or designated as a local landmark.

total floor area over that which was existing as of November 4, 2010, provided that additional Transferable Development Credits are obtained and specific mitigation measures are included to address an increases in traffic, water and energy usage, visual impacts, or noise impacts. As such, any future additional floor area proposed for the Boulder Country Club will continue to be subject to the provisions and requirements of Article 4-602.C of the Code, including review and mitigation requirements.

The subject property has gone through several previous reviews, including docket SU-93-0018 (expansions to the golf course, tennis facilities, and accessory structures), docket SU-19-0003 (expansion of the club house structure and modifications to the parking area), and docket LU-23-0008 (earthwork and grading related to stormwater management and reconfiguration of play areas). The request for designation as a Use of Community Significance does not alter or change any of the conditions of approval related to any of these dockets and the corresponding Board of County Commissioner resolutions. To ensure that the previous approvals continue to be in effect, staff recommends as a condition of approval that all the previous conditions of approval continue to apply.

Therefore, as conditioned, staff finds this criterion can be met.

- e. If a Use of Community Significance seeks a substantial modification, the standard Review Criteria for Uses Permitted by Special Review and Limited Impact Special Review must be met.*

With the applicants' withdrawal of the seasonal structure over the tennis/pickle-ball courts, this application does not include any modifications. However, any future modifications must be reviewed to determine if they are substantial in nature. Per Article 4-603.B of the Code, determining whether any specific proposal is minor or substantial includes the consideration of previous approvals (including any express conditions, limitations, or agreements) and the nature, character, and extent of the land use impacts of the approved use. The Code includes the following as modifications which are presumed to be substantial in nature: changes in the use approved; structural additions that exceed stated square footage limitations; changes to express conditions or agreements; or any other changes that significantly alter the nature, character, and/or extent of the land use impacts of the development or activity of the approved use.

Therefore, staff finds this criterion is met.

RECOMMENDATION

Staff has determined that the proposal can meet all the applicable criteria of the Boulder County Land Use Code a designation as a Use of Community Significance. Therefore, staff recommends the Board of County Commissioners ***CONDITIONALLY APPROVE docket LU-23-0028: Boulder Country Club Use of Community Significance Designation*** with the following conditions:

1. All conditions of approval for docket LU-23-0008 as set forth in Resolution 2023-058 of the Board of County Commissioners shall continue to apply.
 - a. The development is subject to the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes, as outlined in the referral comments, including, but not limited to permitting, plan review, inspection approvals, and observation reports.
 - b. The locations of earthwork and revegetation are approved as proposed in the submitted Grading and Grassing Plan illustrated on Pages 10-13 of the application materials dated March 6, 2023.

- c. At grading permit submittal, the submitted plans must include documentation for sizes and locations of staging and fueling areas, as well as verification of fueling practices and spill containment protocols.
 - d. At grading permit submittal, the Applicant must submit a Traffic Control Plan completed by a Traffic Control Supervisor.
 - e. At grading permit submittal, the Applicant must submit a Transportation Management Plan that details how progress and other information (such as commute interruptions) will be communicated to the public, indicates the anticipated routes for construction vehicles, and includes a parking plan for worker vehicles as appropriate.
 - f. Worker vehicles must be parked in designated approved areas outside of the travel way that do not conflict with project work.
 - g. Construction traffic is limited to the hours between 8:30 AM and 3:30 PM, Monday through Friday.
 - h. On-site work hours are limited to the hours between 8:00 AM and 6:00 PM, Monday through Friday, and between 9:00 AM and 4:00 PM on Saturday.
 - i. At grading permit submittal, the application must include a narrative detailing the actions that will be taken to minimize construction noise for the duration of the project.
 - j. Prior to the issuance of a grading permit, the Applicant must obtain an approved Stormwater Quality Permit.
 - k. At grading permit submittal, the Applicant must submit a final drainage report, for review and approval, that includes design calculations for the forebays shown in the Storm Drainage Plans that comply with Mile High Flood District Standards. The report must comply with the comments contained in the initial Development Review Team - Access & Engineering referral response dated April 18, 2023.
 - l. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket LU-23-0008: Boulder Country Club Course Improvements.
2. All conditions of approval for docket SU-19-0003 as set forth in Resolution 2019-73 of the Board of County Commissioners shall continue to apply.
 - a. Building permits are required for the proposed renovation and expansions.
 - b. Prior to issuance of a building permit, the clubhouse structure must be landmarked.
 - c. The proposed food service area remodel requires plan review by Boulder County Public Health prior to permitting.
 - d. The pool area remodel must comply with Colorado Department of Public Health and Environment standards for swimming pools.
 - e. The Club shall be subject to the terms, conditions, and commitments of record and in the file for Docket SU-19-0003: Boulder Country Club.
 3. All conditions of approval for docket SU-93-0018 as set forth in Resolution 94-5 and Resolution 94-201 of the Board of County Commissioners shall continue to apply.
 - a. The Applicant's withdrawal from the Docket of the requests for lighted tennis courts and the proposed lake on the Second Fairway is accepted.
 - b. The Applicant cannot proceed with construction of the two new clay tennis courts or with any realignment of the current golf cart path in the vicinity of the new courts, until the Board, at a future public hearing, approves appropriate screening and other visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east of the proposed courts, and which reduce the existing noise impacts of the Applicant's tennis facility.
 - c. The use of the outdoor tennis courts shall be limited to the hours between 8:00 a.m. and 9:00 p.m.
 - d. The Applicant shall coordinate with the City of Boulder on the questions raised regarding the acid system and shall resolve the issue with the irrigation lateral.

- e. Sound mitigation will be installed on the existing courts.
 - f. New courts will be depressed two feet into the ground, and have a maximum fence elevation of 107 feet. Such fences are to be removed seasonally.
 - g. The new courts are to be built as far north as possible.
 - h. Once details of these conditions are finalized, this plan will be brought back for approval at a business meeting.
4. The applicants are subject to the terms, conditions, and commitments of record and in the file for docket ***LU-23-0028: Boulder Country Club Use of Community Significance Designation.***



Boulder County Land Use Department

Courthouse Annex Building
2045 13th Street • PO Box 471 • Boulder, Colorado 80302
Phone: 303-441-3930
Email: planner@bouldercounty.org
Web: www.bouldercounty.org/lu
Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only

Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name	
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent	<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning	<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP	<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:
Location(s)/Street Address(es) 7350 CLUBHOUSE RD BOULDER CO 80301			
Subdivision Name			
Lot(s)	Block(s)	Section(s)	Township(s)
Area in Acres	Existing Zoning	Existing Use of Property	Number of Proposed Lots
Proposed Water Supply		Proposed Sewage Disposal Method	

Applicants:

Applicant/Property Owner BOULDER CC (MICHAEL LAWSON)		Email MLAWSON@BOULDERCC.ORG	
Mailing Address 7350 CLUBHOUSE RD.			
City BOULDER	State CO	Zip Code 80301	Phone 303-530 4600
Applicant/Property Owner/Agent/Consultant			Email
Mailing Address			
City	State	Zip Code	Phone
Agent/Consultant			Email
Mailing Address			
City	State	Zip Code	Phone

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner	Printed Name MICHAEL LAWSON	Date 9/10/23
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



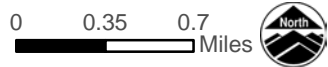
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

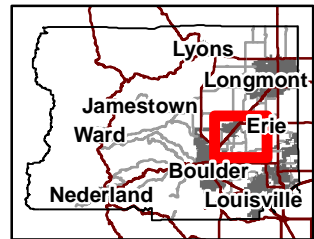
Vicinity

7350 CLUBHOUSE RD

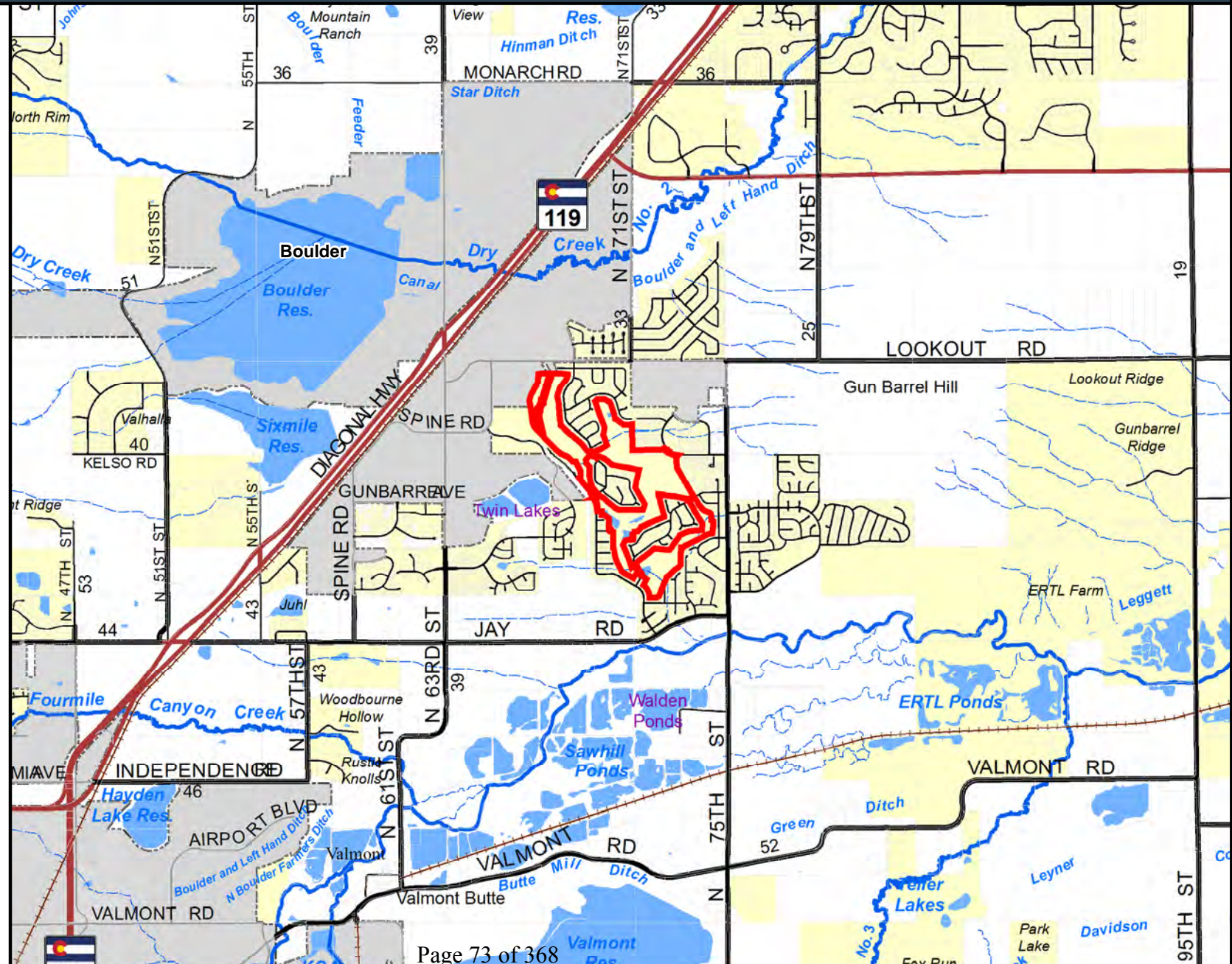
- Subject Parcel
- Municipalities
- Subdivisions**
- Subdivisions



Area of Detail Date: 6/13/2023



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Aerial

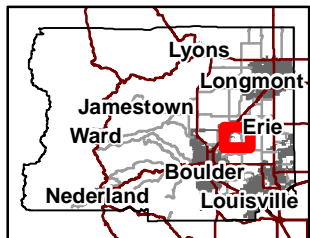
7350 CLUBHOUSE RD

 Subject Parcel

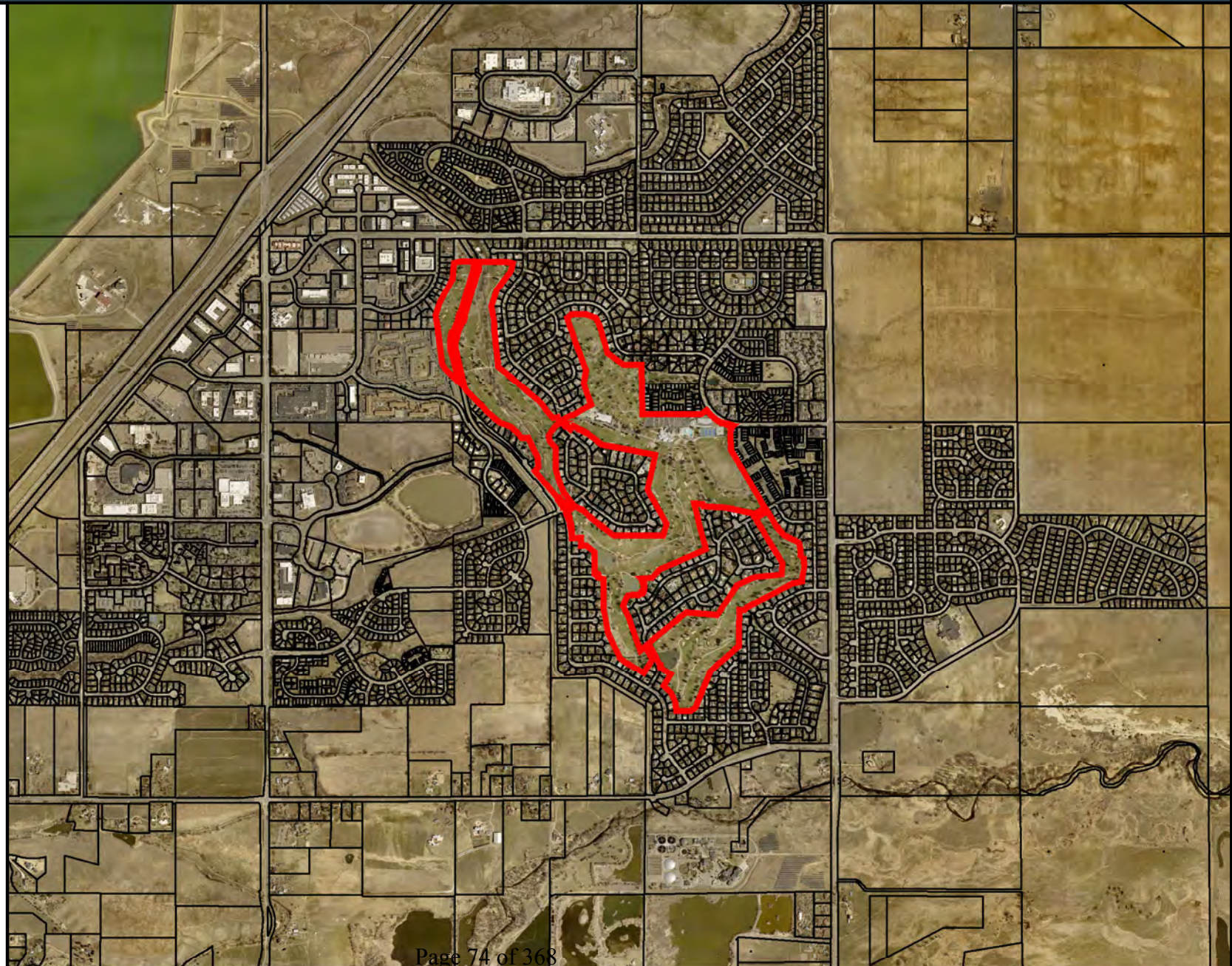
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Miles



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Aerial

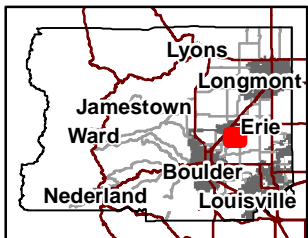
7350 CLUBHOUSE RD

 Subject Parcel

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Miles



Area of Detail Date: 6/13/2023



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Location

7350 CLUBHOUSE RD

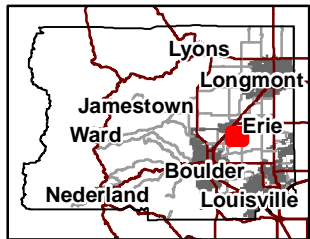
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Subdivisions

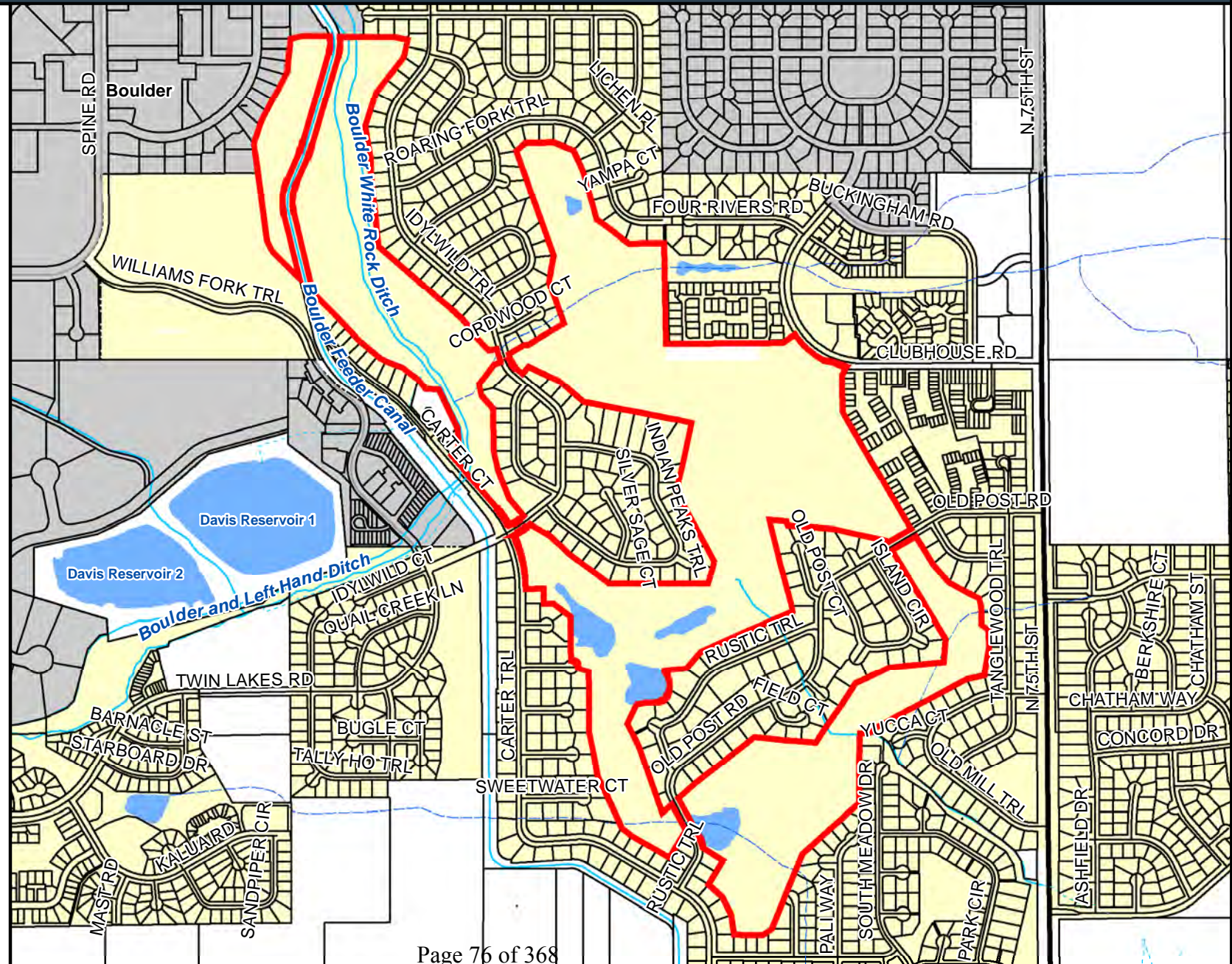
Subdivisions

0 0.085 0.17 Miles

Area of Detail Date: 6/13/2023



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Zoning

7350 CLUBHOUSE RD

Subject Parcel

Zoning Districts

- Agricultural
- Business
- Multiple Family
- Rural Residential
- Suburban Residential
- Transitional

Ditch Setbacks

- 20 feet
- 50 feet

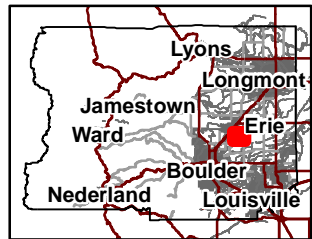
Major Road Setbacks

- 110 feet

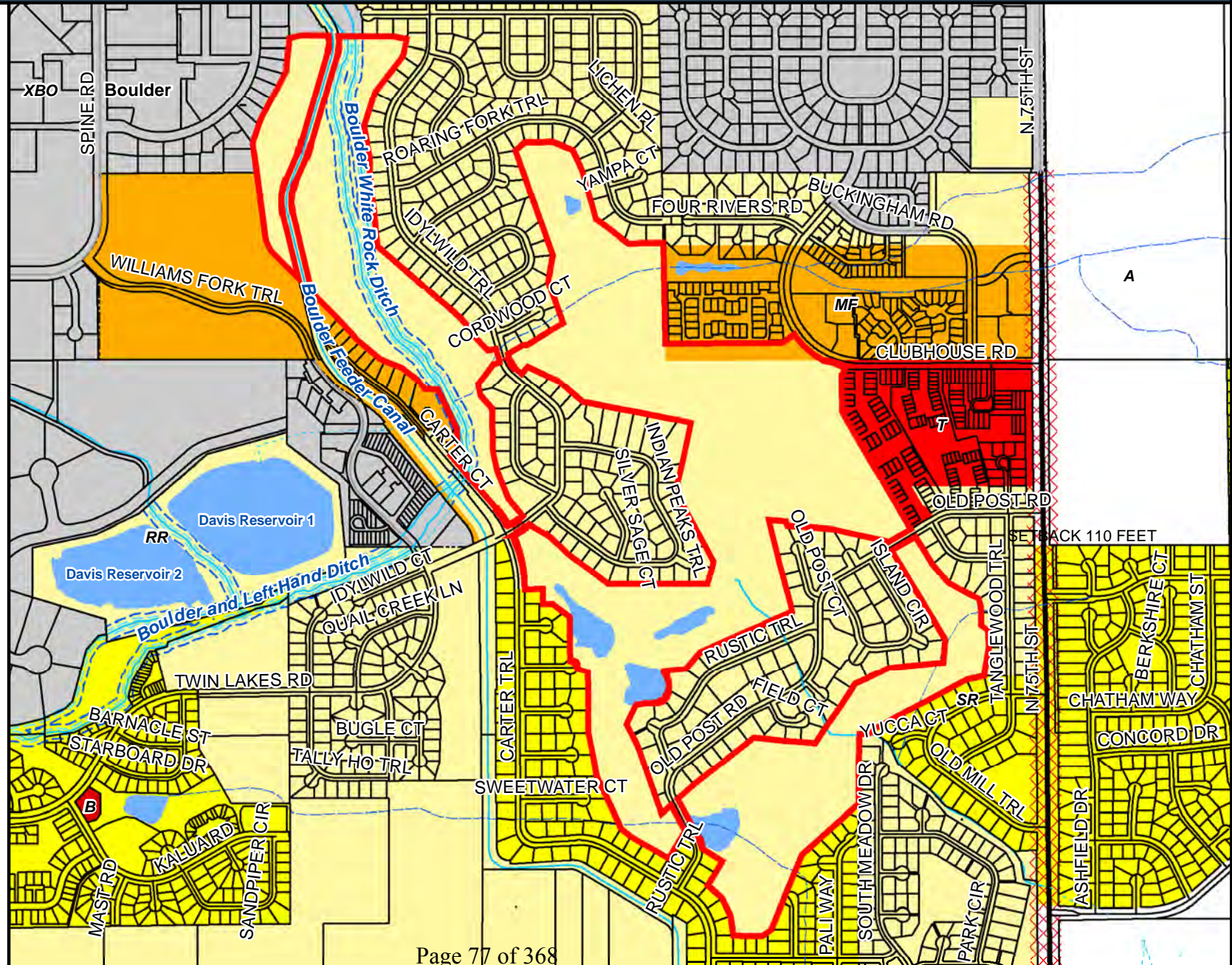
0 490 980 Feet



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Comprehensive Plan

7350 CLUBHOUSE RD

Subject Parcel

NLNA Buffer

Critical Wildlife Habitats

Environmental Conservation Areas

Riparian Areas

Wetlands

Significant Agricultural Land

Ag of Statewide Importance

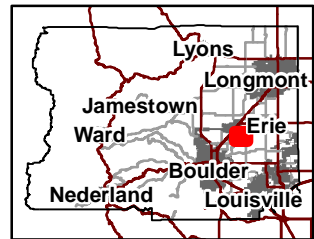
Ag of Local Importance

Rare Plant Areas

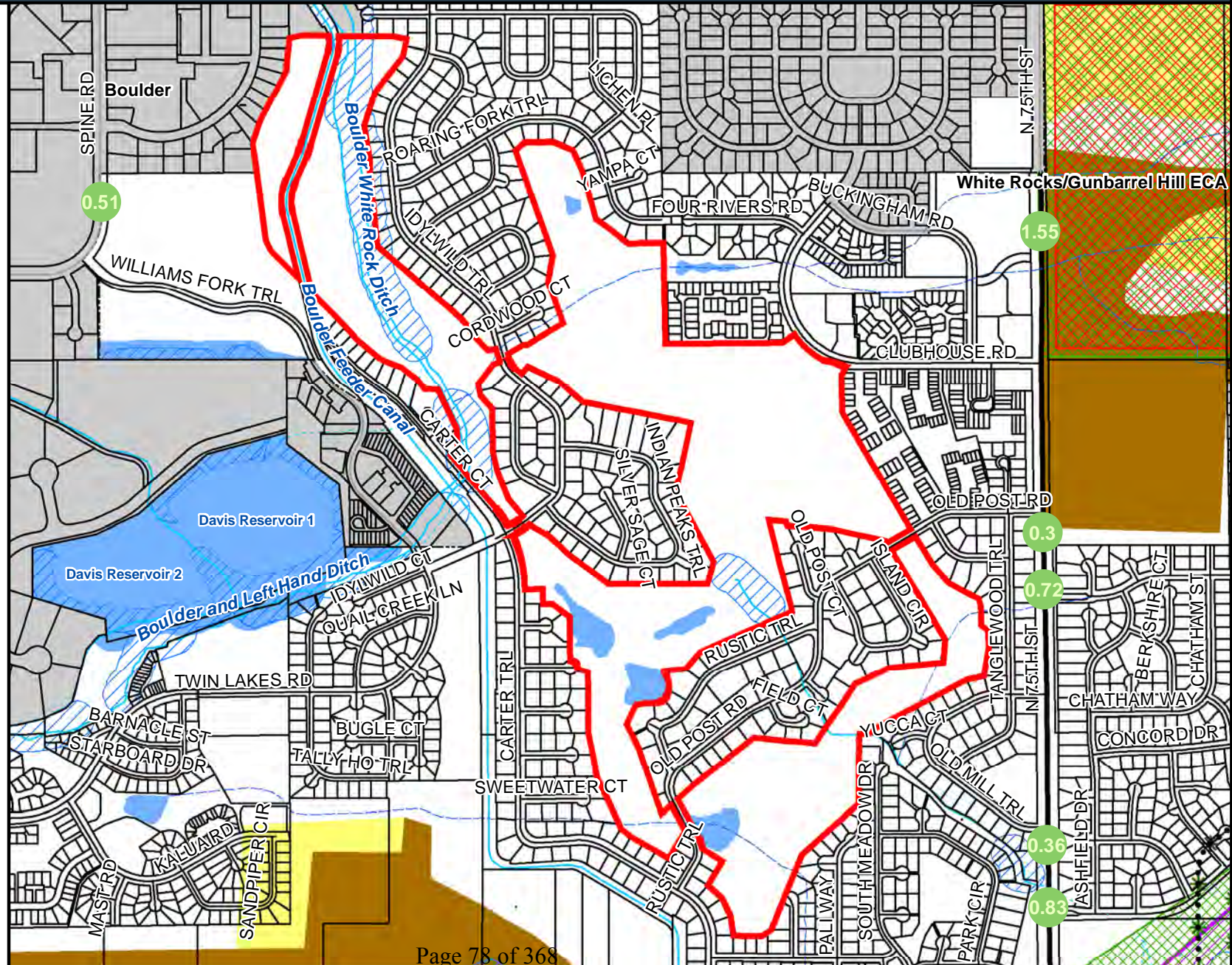
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Area of Detail Date: 6/13/2023



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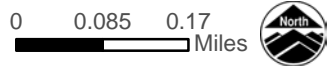
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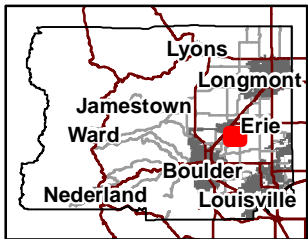
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7350 CLUBHOUSE RD

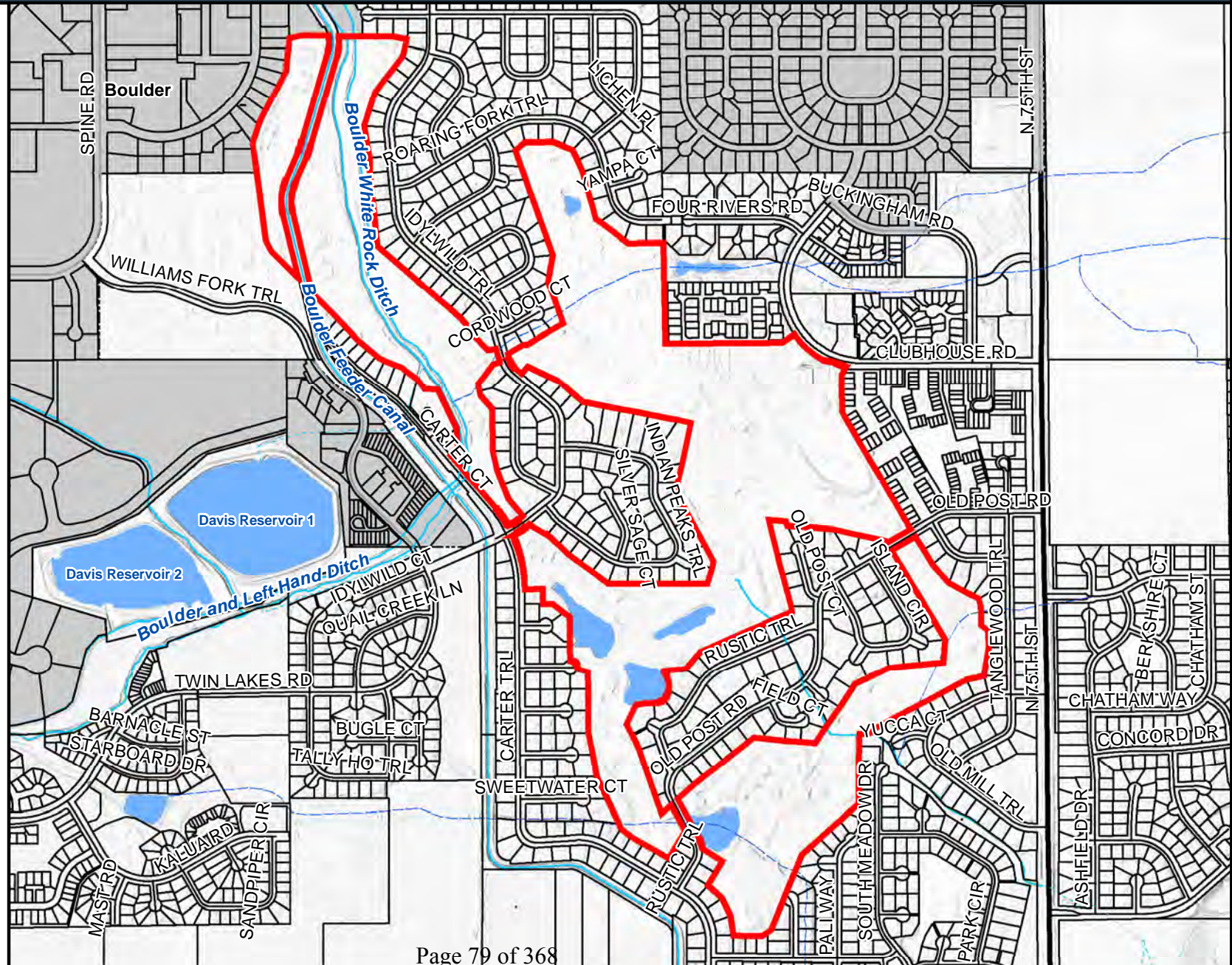
Subject Parcel



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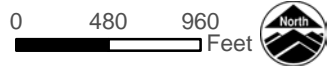
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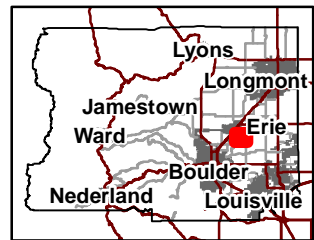
Geologic Hazards

7350 CLUBHOUSE RD

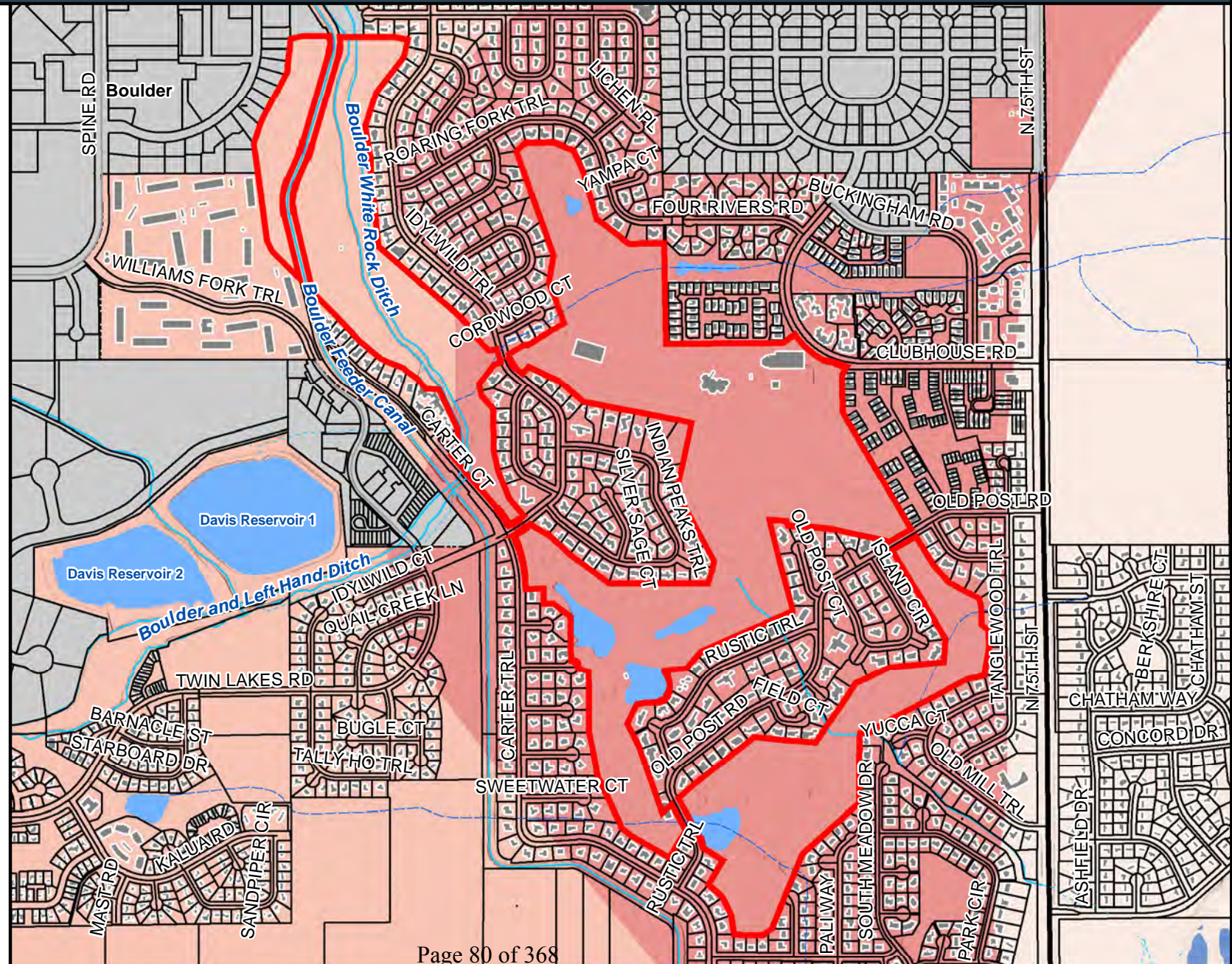
- Subject Parcel
- Very High Swelling Soil Potential
- High Swelling Soil Potential
- Moderate Swelling Soil Potential



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Planning Areas

7350 CLUBHOUSE RD

Subject Parcel

Airport Influence

Airport Influence

Active IGA Boundary

Active IGA Designation

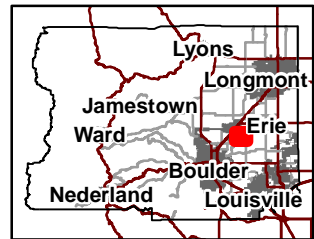
BVCP

PLAN AREA

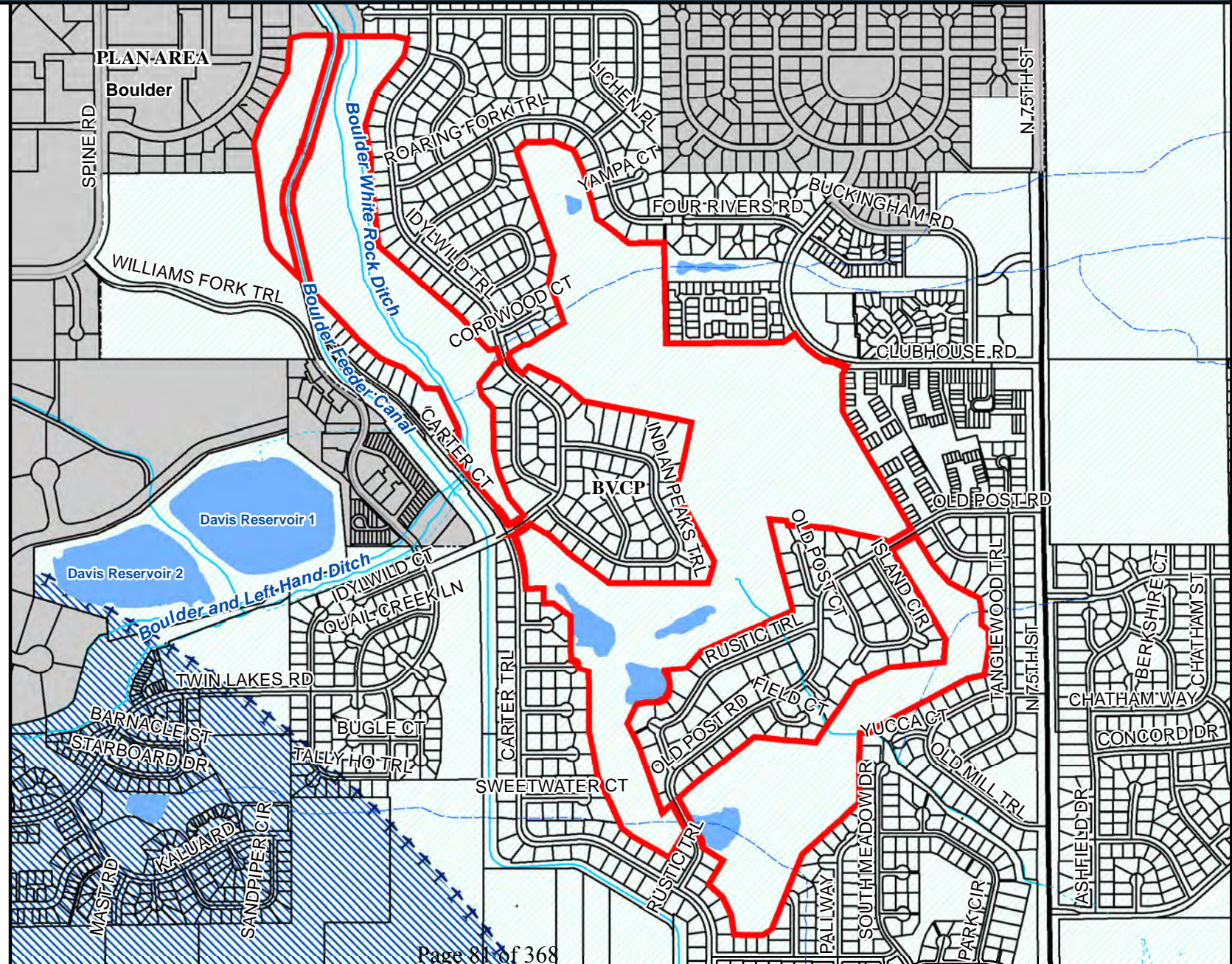
0 0.085 0.17 Miles



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Public Lands & CEs

7350 CLUBHOUSE RD

Subject Parcel

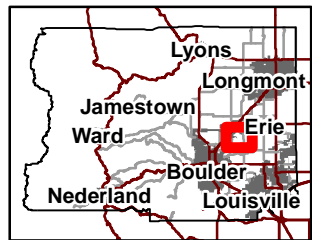
Boulder County Open Space

- County Open Space
- Joint
- County/Municipal Open Space
- County Conservation Easement
- City Parks and Open Space
- OSMP Properties
- Other Open Space

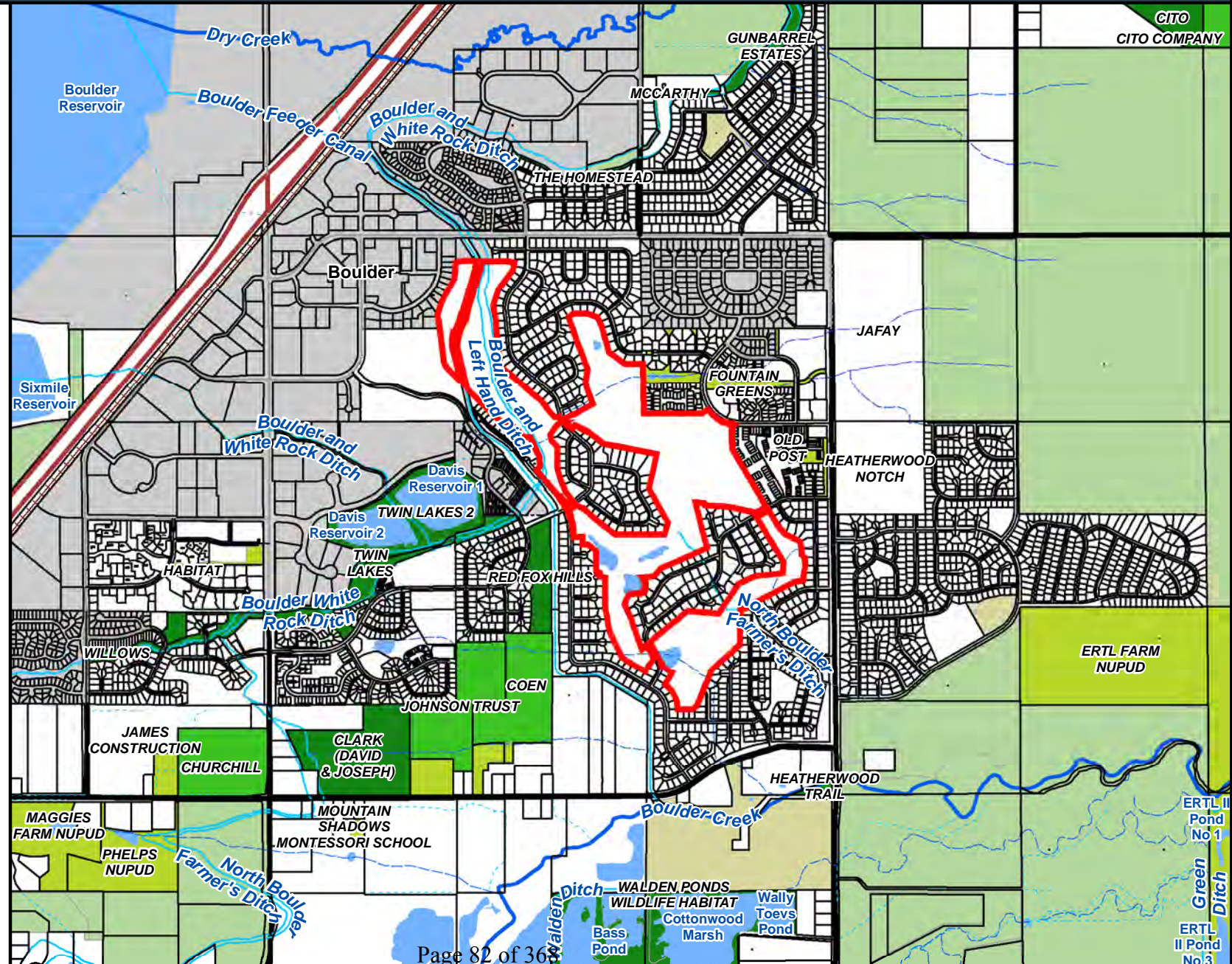
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To: Boulder County Board of County Commissioners

From: Michael Larson, General Manager Boulder Country Club

Re: Limited Impact Special Review Boulder Country Club

Four primary elements are included in this application for Limited Impact Special Review:

1. Classification of the Boulder Country Club (BCC) as a Use of Community Significance
2. Approval of the BCC as a Conforming Use
3. Approval of the tennis bubble (two tennis and six pickleball courts) as a seasonal structure covering existing identical uses during the winter season
4. Approval of a “long term” conceptual Master Plan for the BCC

As an integral part of the Limited Impact Special Review, please consider classification of the Boulder Country Club as Use of Community Significance. Several bases exist to support that designation.

1. Formation of the Gunbarrel Sub Community

The Gunbarrel Sub Community was authorized and formally initiated by joint action of Boulder County and the City of Boulder during the early 1960's as part of the "Spokes of the Wheel" long range Comprehensive Plan. At that time, the entire sub community was characterized by rural uses, primarily agricultural and minimal urban development.

By agreement, the area was to be developed over time, in phases, based upon the City of Boulder standards of development and densities, located within the unincorporated area of Boulder County. Special districts were designed to provide central water and sewer services, with major utility lines extended to the area by the City of Boulder. The sub community was created with the agreement that the entire area would be annexed to the City of Boulder when and as requested. All development was serviced by "revocable permits" which could be discontinued if the area refused annex when eligible and formally requested.

The primary catalyst for the formation of the Gunbarrel community, which created the historic, economic, social, and cultural basis for the entire sub community was the Boulder Country Club. The BCC established in 1964, provided essential recreational, social, cultural, etc., services to the future residents of the area, which otherwise were nonexistent. Additionally, at approximately the same time, IBM committed to construct a major facility within Gunbarrel to become a further economic catalyst to support the creation of the sub community.

Gunbarrel would not have been successfully undertaken without the establishment of the Country Club and of IBM. Clearly, as such, the Country Club justifies designation as a Use of Community Significance.

2. Services Provided

The Country Club (BCC) provides a comprehensive range of services and facilities to both residents of the Gunbarrel Community and to Boulder County residents at large.

Currently the BCC consists of 885 memberships. Of this amount, 392 members are current residents of the Gunbarrel community.

Services include a full range of year-round recreational and leisure services including golf, indoor and outdoor tennis, swimming, indoor gymnasium, and exercise equipment. Special programs and instruction are provided to kids, teens, and adults.

The clubhouse provides a comprehensive range of dining and entertainment services of all types, as well as multiple programs and activities for participants. The BCC also hosts special events and activities such as banquets, weddings, conferences, meetings, charity events, etc., for its members, guests, and organizations within Boulder County.

3. Future Expansion

The BCC has a full capacity of members. No future expansion is contemplated to increase the size of its membership or need for additional parking facilities, utilities, etc. Similarly, no change in the hours of operation to the club is proposed. Many of the members reside near the BCC, so they currently access the club by bicycle, golf cart, or by walking; therefore, vehicular impact on the residential community is limited and is not anticipated to increase to any significant extent.

During the winter months of November to April, overall average daily usage of the Club is significantly below that experienced during the peak summer season of May through October. This pattern is due to a number of factors.

By far the major drivers of member usage of the Club are the two golf courses and related facilities such as the practice greens, driving range, etc. These courses are infrequently used during much of the Winter period. Second, a relatively high percentage of members, estimated as much as 25%, own second homes and function as “snowbirds”, whereby during the winter months they reside in a variety of locations characterized by more favorable weather conditions and “winter” resort locations. Third, during the peak summer season, usage of the club house, including food and

beverage, meetings and conferences, clubs and activities, etc. are substantially more active than during the winter months. Fourth, the outdoor pool and snack bar, very popular for members and families, are closed for the season.

The proposed tennis bubble will only operate during the Winter months. It will be removed during the summer season. The addition of the bubble will convert to year-round of use for the six pickleball and two regular tennis courts, which currently operate only during the summer season. The availability of year-round use of the facilities will be of real value to those members who participate in tennis and pickleball and therefore are an important asset to the club. However, their conversion to year-round usage will only replace a small proportion of the decrease in average daily usage that occurs during the winter season to the rest of the club.

The same ratio would apply to the other club facilities. Parking capacity is significantly under utilized during the winter season as are other clubhouse facilities such as food and beverage, etc.

Thus, even with the installation of the proposed tennis bubble, net average daily usage of the BCC and corresponding off-site impacts on the larger neighborhood and infrastructure will be less during the winter months than the summer.

4. Designation of the BCC clubhouse as Historic Landmark by Boulder County Board of Commissioners

A fourth basis supporting the classification of the BCC as a Use of Community Significance is the following: In October of 2019, Boulder County, based upon recommendation of the Historic Preservation Advisory Board (HPAB) formally designated the BCC Clubhouse as a Historic Landmark. This action documents the importance of the Club to the community and to the architecture history of Boulder County. It also clearly supports the classification of the Boulder Country Club as a Use of Community Significance.

Change in status of the BCC from a legal non-conforming use operating under a classification as a Special Use to a “Conforming Use”

The BCC successfully operated from its inception in 1964 until 1991 as a permitted use within the Rural Residential Zoning District. In 1991, the County revised its zoning ordinance to remove “Membership Club” as an allowable use within the RR Zone. This effectively changed the status of the BCC to a pre-existing legal non-conforming use. In 1993, based upon an application to the Board of County Commissioners, the BCC was approved as a Special Use and was allowed to operate on that basis, consistent with an approved Master Plan for the property. This Master Plan has been periodically updated and amended, based upon formal actions by the County Commissioners.

The review process involved and required as part of the continued updating and periodic amendments to the Special Use is complex and cumbersome to effectively administer. Furthermore, based upon Section 4-1000 of the Land Use code, entitled Non-Conforming Structures and Uses, county policy states that “non-conforming uses and structures should be brought to conforming status as speedily as justice will permit...”

In so far as the BCC has been classified as a legal, non-conforming use since 1991 and as a Special Use for thirty years, it has been recommended by staff to change its status to become a Conforming Use. Approval of the BCC as a “Use of Community Significance” is an essential first step in that process.

The second step is to classify the BCC as a Conforming Use. As noted previously, the BCC was an allowed and a Conforming Use for almost thirty years at its current location and use. Through no action or application of its own and no change in use or intensity, it became a non-conforming use. This change then precipitated the application to the county to become a Special Use. The conversion of the BCC to a Conforming Use would be consistent with County Policy, and we believe, preferable to continued existence as a non-conforming or as a Special Use.

Dome Project Narrative

The BCC Tennis and Pickleball Dome will be a seasonal structure covering an existing hard-court surface that includes 6 outdoor pickleball courts and two outdoor tennis courts during the winter season, maximum of 180 days. The footprint of the dome to cover the courts would be 207' in length, 120' in width, maximum of 35' in height, covering a total 24,840 sq feet of court surface. Separate electrical and natural gas connections will provide for heat and inflation of the dome with the utilities located on a separate concrete pad, currently existing, to the west of the dome. The indoor dome lighting of the dome will be 40 480-watt LED fixtures. The dome will be opaque in color with very little light emission.

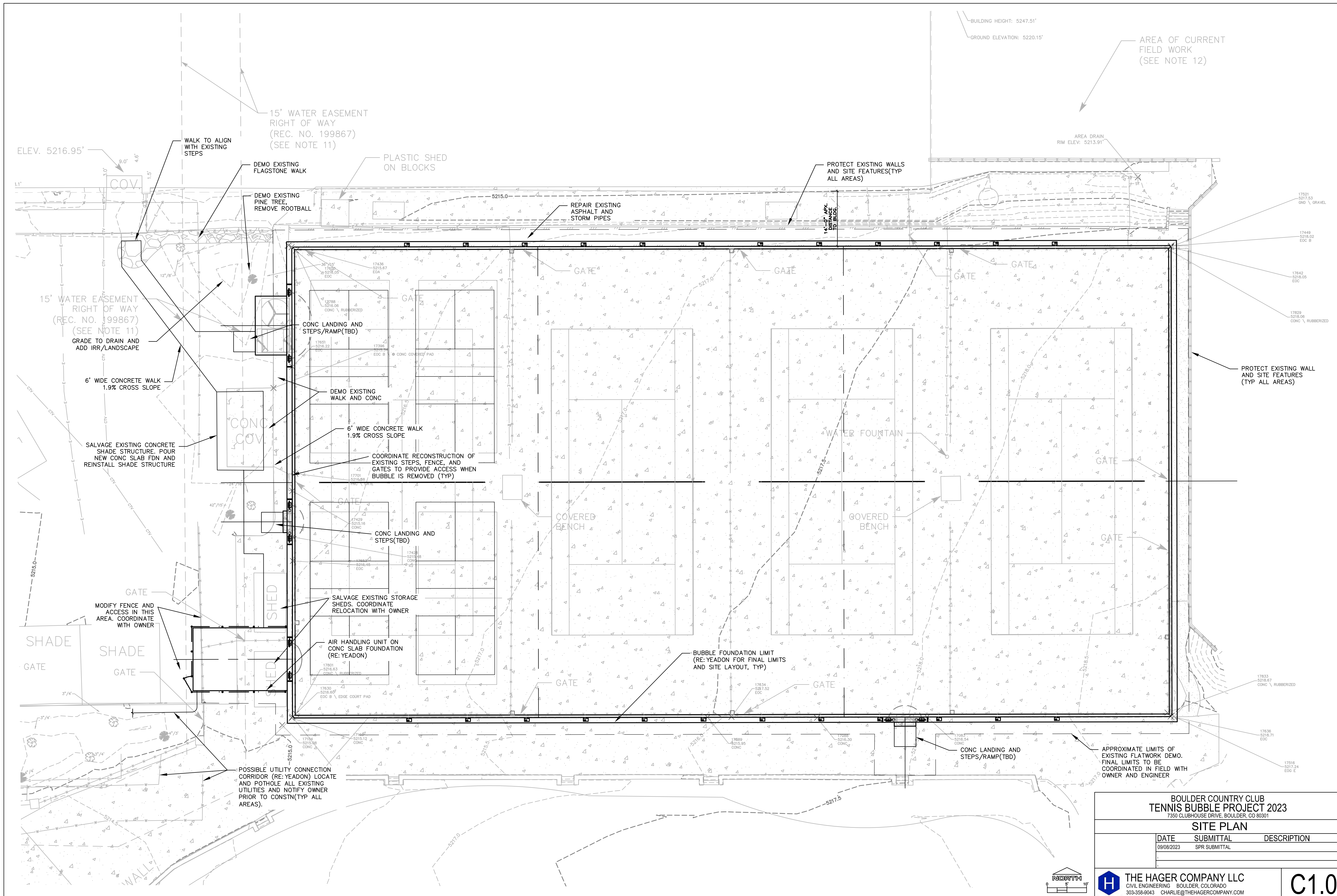
The addition of the dome structure does not increase club membership numbers. The seasonal dome provides the opportunity for Boulder Country Club to have a year-round tennis and pickleball program for its membership. The current year-round tennis facility is limited to three indoor tennis courts, which presents a challenge in providing indoor tennis playing options for our members during the winter months. The addition of pickleball to club programming has placed an increasing strain on the current indoor facility in providing both tennis and pickleball programming for the members during the indoor season. The availability of indoor and outdoor tennis courts in Boulder has become increasingly worrisome to the Boulder tennis community between the potential loss of the Rocky Mountain Tennis Facility along with the increase in popularity of pickleball causing several tennis facilities to combine their tennis courts with lines for pickleball competition. These challenges to the Boulder Tennis Community have been documented in a recent article in the Daily Camera on May 5th and an email sent to Boulder tennis clubs and facilities by Boulder Tennis Association League Coordinator, Jody Reenan, where she states, "As you probably know, the court availability situation in Boulder is dire. There are very few public court facilities with both enough courts and in acceptable enough condition for league play, and both RMTC and CU South may not be available after next year."

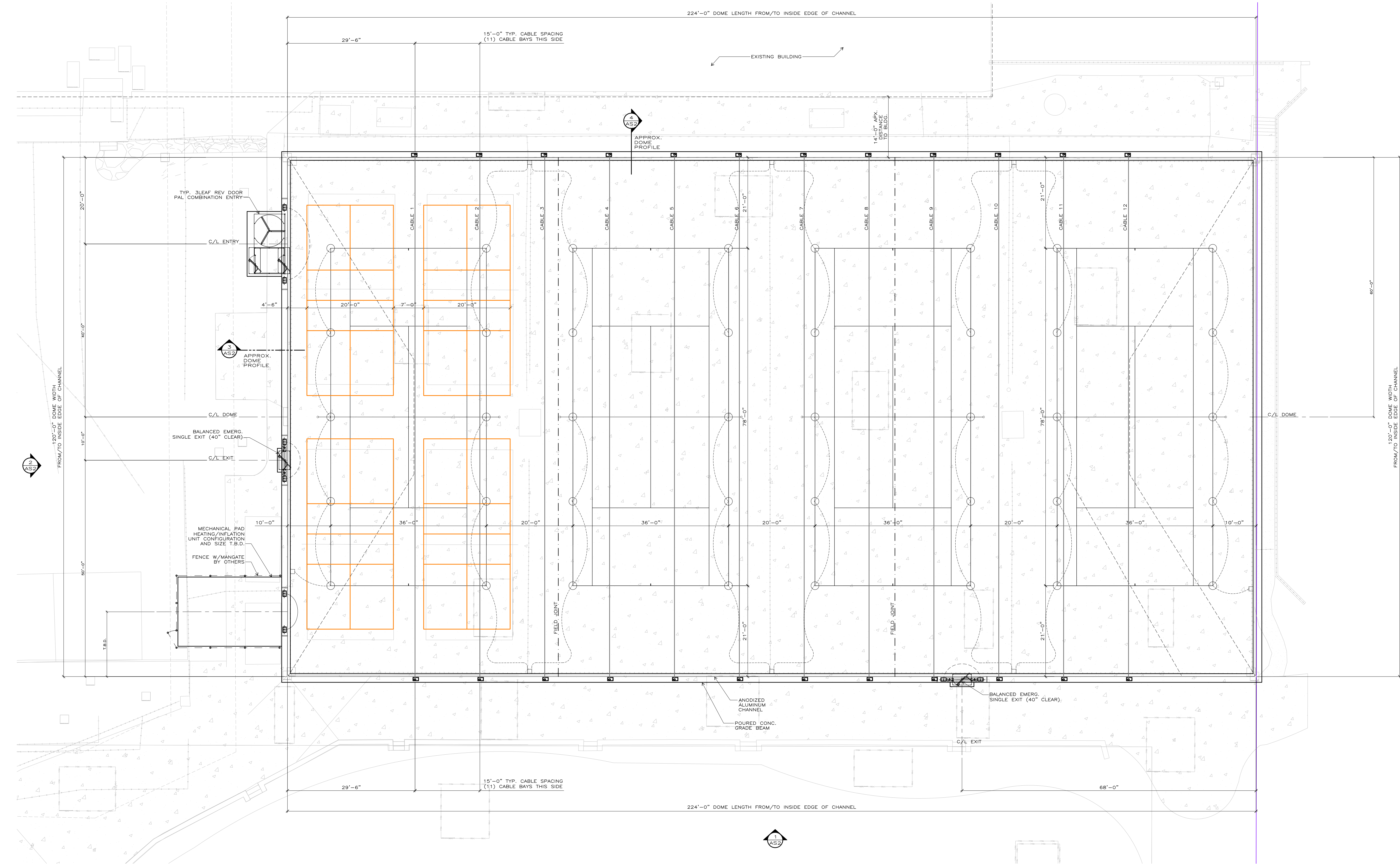
In an effort to minimize the impact on the surrounding areas, BCC has considered the following:

- a. Limiting light and sound emission while operating the dome. The dome is opaque with very little, if any, light emitting from the dome. There is a light indicating an emergency exit, as required, but that will be south facing towards the golf course. There is some sound emission expected with operating the inflation system. However, the maintenance pad for electrical and natural gas will be west of the dome next to our outdoor pool area. It has no impact on any surrounding residences or member use of the club facilities.
- b. The hours of operation will be the same as the BCC Athletic Center and Indoor Tennis Facility; 5:00am-9:00pm weekdays and 7:00am-9:00pm on weekends.
- c. There are no plans to increase membership capacities.
- d. Sight line will minimally affect two to three residences located to the East of the dome during the winter season while the dome is operating, 180 days or less, with the dome removed from the site during the outdoor season, May through October. Additionally, the townhomes to the East are situated approximately 175ft from the proposed dome, which further moderates any impacts. Residences to the North are effectively separated and screened from the dome by the existing permanent indoor tennis structure. The club driving range/golf course is to the South of the dome and the outdoor pool area and clubhouse located to the West, with no impact on surrounding residences in either direction.
- e. In the wintertime period, we have about 15% of our membership considered snowbirds. Essentially, they leave the Boulder area around the month of October, and most do not return until the month of May.

- f. Approximately an additional 10% of the membership owns a property up in the mountains which we believe they used for winter recreation. These members usually leave for the mountains.
- g. Based on our revenue data, we do approximately 67% of our revenues (taking dues out of the equation) in the months of April through September. This means that for the months of November through March we make 33% of our revenues (less dues revenue).
- h. Golf rounds see a huge reduction due to seasonality with 80% (these computes to about 19,200 rounds out of approximately 24,000 rounds a year) is done between April and September. October – March is 20%.
- i. We average total tennis visits at about 27,000 per total calendar year. This equals about 74 tennis visits a day. April through September our average tennis visits is 92 a day. Please note that in the summertime period we have the use of the 3 true-hard tennis courts outside along with the 4 pickleball courts. Total summer visits are about 16,000. October through March we average 60 visits per day resulting in wintertime totals visits to be about 11,000. We estimate with the use of the seasonal Tennis Bubble we move up to an average of 74 visits per day resulting in about a 23% increase in visits totaling 13,530 in the wintertime with the addition of the Tennis Bubble. In other words, because we are a seasonal club by nature, the Tennis Bubble would increase Tennis visits, but overall, the decrease in average daily visits to the club do to reduction in golf, food and beverage, meeting and activities more than compensate for the incremental trips generate by the seasonal Tennis Bubble.
- j. Total Tennis department revenues are approximately 10% of our total revenues excluding dues revenue.

It is our hope that we can provide the opportunity for our BCC Membership to enjoy participating in both tennis and pickleball program year-round without the challenge of limited court space. Additionally, it is our intention to assist Boulder Tennis Community with opportunities for tennis and pickleball competitions throughout the winter months by hosting local tournaments and events held in the BCC Tennis and Pickleball Dome.



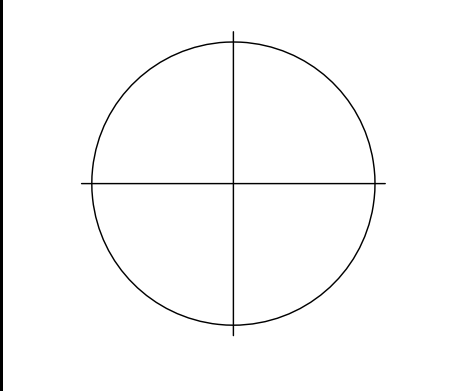


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NO.	DESCRIPTION	DATE

REVISIONS:

PROJECT NORTH



SEAL:

PROJECT:

**BOULDER
COUNTRY CLUB
MULTI-SPORT DOME**

PROJECT LOCATION:
BOULDER, CO

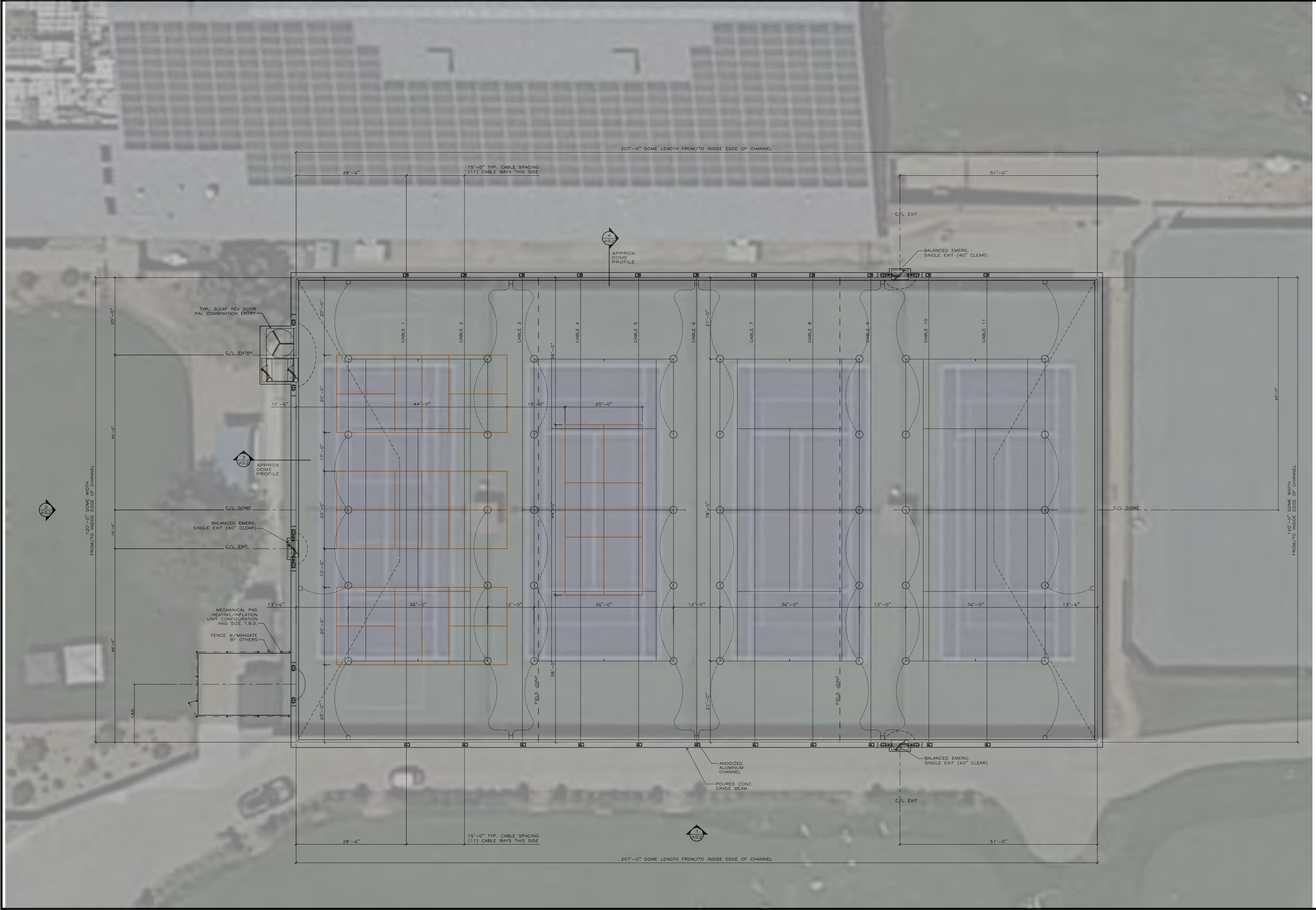
DRAWING:
PLAN VIEW

SCALE:
3/32"=1'-0"

DATE:
24/AUG/23

DRAWN BY:
K.K.

APPROVED BY:
AS-1





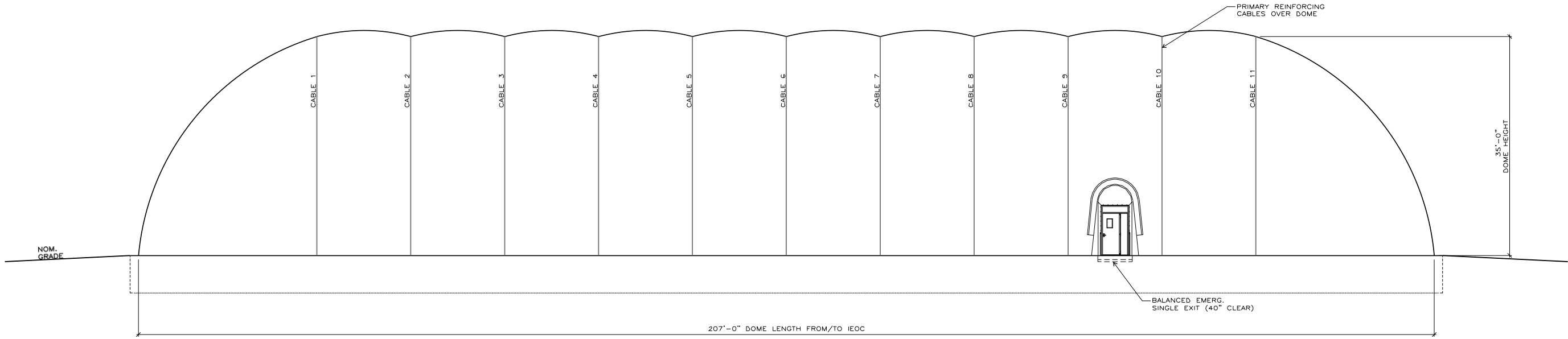
575 9th St. E., Suite 50, Minneapolis MN 55414
128 Woolwich St., Suite 201, Guelph Ont. N1H 3V2

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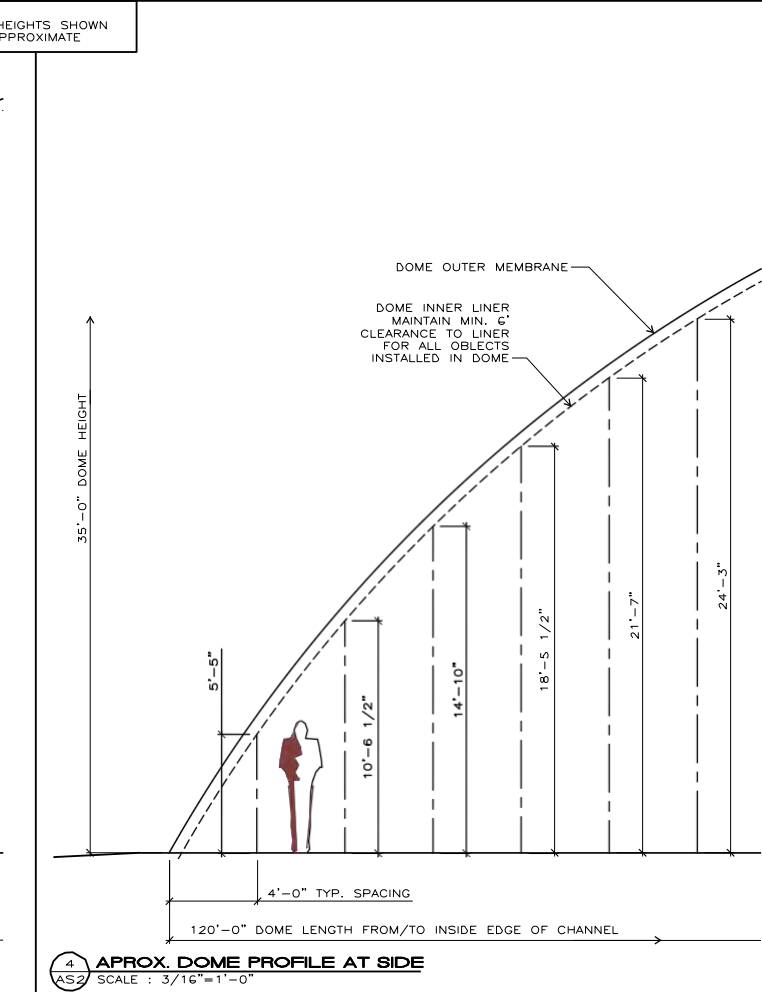
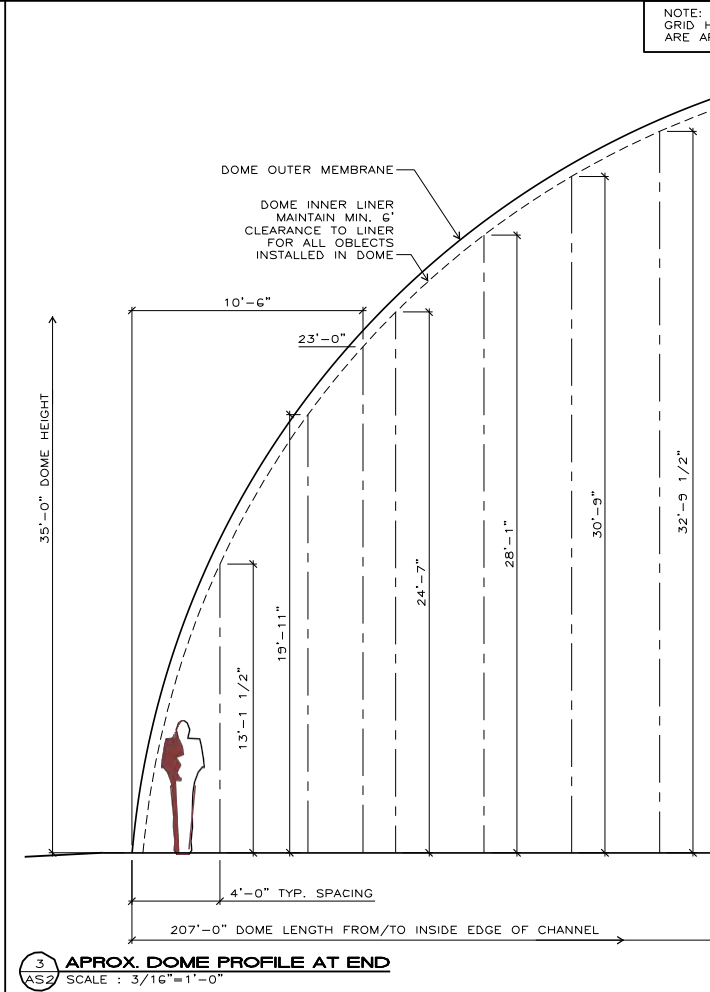
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NO. DESCRIPTION DATE	
REVISIONS:	
PROJECT NORTH	
PROJECT: BOULDER COUNTRY CLUB MULTI-SPORT DOME	
PROJECT LOCATION: BOULDER, CO	
DRAWING: PLAN VIEW	
SCALE: 3/32"=1'-0"	
DATE: 11/MAY/23	
DRAWN BY: K.K.	APPROVED BY:
PROJECT NO.:	DWG. NO: AS-1

1 SIDE ELEVATION
AS2 SCALE : 3/32"=1'-0"



2 END ELEVATION
AS2 SCALE : 3/32"=1'-0"



GENERAL NOTES:

1. DESIGN LOADS:

- i) THIS STRUCTURE IS AN AIR SUPPORTED STRUCTURE IN WHICH THE FABRIC IS SUPPORTED BY INTERNAL PRESSURE. THE INTERNAL PRESSURE IS MONITORED DAILY BY THE OWNER AND IS INCREASED PRIOR TO HIGHER WINDS OR TO SNOWFALLS, AS DIRECTED IN THE OWNER'S MANUAL, IN ORDER TO PROVIDE REQUIRED RESISTANCE TO THE WEATHER LOADS.
- ii) WIND : IN ACCORDANCE WITH 2015 IBC AND 2016 ASCE-7, 155 MPH (ULT). EXPOSURE C. PRESSURE DISTRIBUTION TO 2016 ASCE 7. - RISK CATEGORY II, MAXIMUM OCCUPANCY IN DOME < 300
- iii) INTERNAL DESIGN PRESSURE : - INTERNAL DESIGN PRESSURE IS : 13.46 PSF (2.59" W.C.). THIS IS REQUIRED IN ORDER TO MAINTAIN STRUCTURAL INTEGRITY DURING WEATHER EVENTS. - DURING NON-WEATHER EVENTS, THE OWNER MAY REDUCE THE INTERNAL PRESSURE, AT THEIR OWN DISCRETION. MINIMUM INTERNAL PRESSURE IS : 3.9 PSF (0.75" W.C.). - STANDBY SET FOR 0.12 kPa (2.6 PSF, 0.5" W.C.) FOR THE "ON" VALUE.
- iv) SNOW : - GROUND SNOW 40 PSF - SNOW IMPORTANCE FACTOR Is=1, SNOW EXPOSURE FACTOR Ce=0.3, THERMAL FACTOR Ct=0.85 - DOME WILL SHED SNOW DUE TO CURVATURE OF MEMBRANE INTERNAL PRESSURE AND HEAT. SNOW STARTS TO MELT ON CONTACT, THEN AS IT ACCUMULATES, A LAYER OF MELTWATER FORMS BETWEEN THE SNOW AND THE MEMBRANE SURFACE ALLOWING THE ACCUMULATED SNOW TO SLIDE OFF. - SNOW TO BE MANUALLY REMOVED BY OWNER IF EXTREME CONDITIONS EXIST (ASCE 55-16 6.11) - SNOW TO BE REMOVED FROM ALL SIDES OF DOME BY OWNER AFTER EVERY SNOWFALL - IF SNOW IS FORECAST, THE OWNER MUST HAVE PERSONNEL AVAILABLE TO MONITOR DOME OPERATION DURING THE SNOW EVENT.
- v) DEAD LOAD : SELF WEIGHT OF DOME, INSULATION AND CABLES

2. STRUCTURAL:

ALL WORK SHALL CONFORM TO THE APPLICABLE CODES, LOCAL REGULATIONS AND AUTHORITIES HAVING JURISDICTION.

THE ENGINEER SHALL BE GIVEN 48 HOURS MINIMUM NOTICE BY THE CONTRACTOR FOR ALL REQUIRED INSPECTIONS OF FOUNDATION, REINFORCING STEEL, STRUCTURAL STEEL AND FRAMING. THIS SET OF DRAWINGS REPLACES ALL PREVIOUS DRAWINGS.

ALL SITE DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. NO CHANGES SHALL BE MADE WITHOUT WRITTEN APPROVAL BY THE ENGINEER.

ALL SURFACES OF STRUCTURES DIRECTLY EXPOSED TO THE INTERIOR OF THE AIR STRUCTURE SHALL BE DESIGNED TO WITHSTAND A MINIMUM OF 30 PSF OF AIR PRESSURE.

FABRIC STRESS RELIEF CABLES ABOVE OPENINGS IN THE PRIMARY MEMBRANE SHALL BE DESIGNED AS CATENARY SPANS OF STEEL CABLE, SELECTED AND SUPPLIED BY YEADON FABRIC STRUCTURES IN ACCORDANCE WITH THE FABRIC STRESS CALCULATIONS PROVIDED BY THE ENGINEER FOR THIS PROJECT.

THIS AIR STRUCTURE HAS BEEN DESIGNED USING CSA DOCUMENT CSA S367-12 AND ASCE 55-16 AS GUIDES.

3. EXCAVATION AND BACKFILL:

SOIL CONDITIONS SHALL BE REPORTED TO THE ENGINEER AT THE TIME OF EXCAVATION AND AT HIS DISCRETION THE ENGINEER MAY REQUIRE FURTHER SOILS INVESTIGATION, OR MODIFICATIONS TO THE GRADE BEAM DESIGN.

REMOVE ALL TOP SOIL AND DELETERIOUS MATERIAL FROM BENEATH ALL STRUCTURE COMPONENTS.

USE ONLY ENGINEER APPROVED COMPACTED FILL TO RAISE GRADES WHERE REQUIRED BENEATH STRUCTURES.

COMPACT ALL GRANULAR FILL TO 98% SPDD. COMPACTION TESTING SHALL BE CARRIED OUT BY A QUALIFIED GEOTECHNICAL CONSULTANT PRIOR TO INSTALLATION OF ANY STRUCTURES SUPPORTED ON FILL.

SLOPE ALL GRADES AWAY FROM THE AIR STRUCTURE AND ITS COMPONENTS.

PROTECT EXCAVATIONS AND GRADE BELOW SLABS FROM FROST PENETRATION BY PROPER USE OF STRAW, THERMAL BLANKETS AND TARPS.

4. CONCRETE:

ALL CONCRETE AND REBAR SHALL CONFORM TO ACI CODE 318-LATEST EDITION.

CONCRETE STRENGTH SHALL BE 3000 PSI, 6% +/-1% AIR EN IN ALL CASES, UNLESS OTHERWISE SPECIFIED.

USE ONLY GRADE 60 (60,000 PSI) DEFORMED REBAR.

APPROPRIATE MEASURES SHALL BE TAKEN TO PROTECT CONCRETE FROM EXCESSIVE EVAPORATIVE WATER LOSS AND ENSURE PROPER CURING.

ALL CONCRETE SHALL BE TESTED BY AN ACI CERTIFIED CONCRETE TESTING LABORATORY.

USE HIGH FREQUENCY VIBRATION TO PLACE ALL CONCRETE.

APPROPRIATE MEASURES SHALL BE TAKEN TO PROTECT CONCRETE FROM EXPOSURE TO FREEZING TEMPERATURES FOR AT LEAST 7 DAYS FOLLOWING CONCRETE PLACEMENT.

PROVIDE DROUT CLEANED RUBBED FINISH IN ACCORDANCE WITH ACI 301-10 FOR ALL FORMED CONCRETE SURFACES EXPOSED TO VIEW.

ENSURE 2" MINIMUM COVER FOR ALL REBAR IN FORMED CONCRETE, 3" MINIMUM COVER FOR CONCRETE POURED AGAINST SOIL.

PROVIDE VERTICAL CONTROL JOINTS @ 20'-0" O.C. MAX. LOCATE MID DISTANCE BETWEEN CABLE ANCHORAGE. KEY EX FACE 1" MIN AND CAULK. CUT EVERY OTHER HORIZ. BAR.

RE-BAR LAP/SPICE LENGTHS:
#4 = 22"
#5 = 28"
#6 = 32"

5. ELECTRICAL NOTES:

(SEE ALSO ELECTRICAL DRAWINGS BY OTHERS ISSUED FOR THIS PROJECT)

EXITS:
THE CONTRACTOR SHALL PROVIDE (1) 277V/15A DEDICATED CIRCUIT FOR EMERGENCY LIGHTING ONLY AND ALL EMERGENCY LIGHTS SHALL BE POWERED BY THIS CIRCUIT.

POWER SUPPLY FOR EMERGENCY EXITS SHALL BE BROUGHT WITHIN 12" OF EACH EXIT DOOR OPENING AS LOCATED IN THE CONSTRUCTION DRAWINGS.

WHERE THE POWER SUPPLY IS RUN IN CONDUIT CAST INTO THE FOUNDATION GRADE BEAM, 10" CLEARANCE MUST BE PROVIDED BELOW FINISHED CONCRETE SURFACE TO AVOID CONTACT WITH ANCHOR BOLTS.

LIGHTING:
POWER SUPPLY FOR LIGHT FIXTURES SHALL BE BROUGHT TO RECEPTACLE BOXES AS LOCATED IN THE CONSTRUCTION DRAWINGS.

ELECTRICAL CONTRACTOR TO TRIM AND INSTALL PLUG ENDS ON EACH LIGHT CORD IN PROPER LOCATIONS.

VOLTAGE, AMPERAGE AND J-BOX LOCATIONS SHALL BE CONFIRMED BY THE CONTRACTOR TO YEADON FABRIC STRUCTURES, IN WRITING, PRIOR TO COMMENCEMENT OF ELECTRICAL WORK.

IT IS RECOMMENDED THAT LIGHTING CONTRACTORS BE USED WITH REMOTE LOCATION SWITCHING AT A CONTROL POINT, LOCATED BY THE OWNER / DEVELOPER.

FOR SUSPENDED LIGHTING, EVERY EFFORT IS MADE TO ALIGN LIGHTS VERTICALLY AND HORIZONTALLY, DUE TO THE CURVATURES OF THE DOME AND THE DIFFERING LOCATIONS OF THE FIXTURES ON THE INDIVIDUAL PANELS. VARIATIONS IN HEIGHT AND HORIZONTAL ALIGNMENTS MAY OCCUR, OTHER FACTORS SUCH AS DOME PRESSURE MAY ALSO AFFECT THE LOOK AND ALIGNMENT OF THE FIXTURES.

6. MECHANICAL EQUIPMENT:

SEE MECHANICAL DRAWINGS (BY OTHERS ISSUED FOR THIS PROJECT).

POWER SUPPLY FOR MECHANICAL EQUIPMENT SHALL BE BROUGHT TO LOCATIONS AS INDICATED ON THE CONSTRUCTION DRAWINGS. (NOTE: EQUIPMENT IS SUPPLIED WITH MAIN DISCONNECT).

VOLTAGE AND AMPERAGE REQUIREMENTS SHALL BE CONFIRMED BY THE CONTRACTOR TO YEADON FABRIC STRUCTURES IN WRITING, PRIOR TO COMMENCEMENT OF ELECTRICAL WORK.

THE ELECTRICAL CONTRACTOR SHALL COMPLETE ALL ELECTRICAL TERMINATIONS AND CONNECTIONS.

THE INFLATION UNIT IS SHIP IN SECTIONS FOR SHIPPING, FIELD ASSEMBLY REQUIRED, ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR CONNECTING THE ELECTRICAL SPLITS ON THE SECTIONS.

ELECTRICAL CONTRACTOR SHALL TEST ROTATION PRIOR TO MANUFACTURER FACTORY STARTUP.

FOR PRESSURE SENSING TUBING, ELECTRICAL CONTRACTOR TO PROVIDE AND INSTALL 3/4" CONDUIT FROM CONTR. PANEL TO STUB UP IN BOX INSTALLED IN GRADE BEAM IN DOME INTERIOR, AND FROM CONTROL PANEL TO ATMOSPHERE, TO TERMINATE IN BOX WITH SCREENED VENT.

FOR BOTTOM DISCHARGE UNITS, ELECTRICAL CONTRACTOR TO PROVIDE AND INSTALL TEMPERATURE SENSORS IN THE DISCHARGE AND RETURN AIR DUCTS.

FOR REMOTE PC/MOBILE ACCESS, ELECTRICAL CONTRACTOR TO PROVIDE CONDUIT AND INSTALL ETHERNET CABLE FROM REMOTE PC LOCATION TO INFLATION UNIT.

OWNER TO PROVIDE IP ADDRESS AND PC CONNECTED AT TIME OF INSTALL FOR REMOTE ACCESS OPTION.

7. FABRIC SPECIFICATIONS:

SHELTER RITE	STYLE 8028	STYLE 9032
BASE -TYPE	POLYESTER	POLYESTER
FABRIC -WEIGHT	(7.5 oz/yd ²)	(10.0 oz/yd ²)
FINISHED COATED WEIGHT	(28 +/-2/-1 oz/yd ²)	(32 +/-2/-1 oz/yd ²)
ASTM D751		
TONGUE TEAR	(8" x10" SAMPLE @ 12"/MIN.)	(8" x10" SAMPLE @ 12"/MIN.)
ASTM D751	(275/275 lbf)	(300/300 lbf)
TRAPEZOID TEAR	(85/85 lbf)	(100/100 lbf)
ASTM D4533		
GRAB TENSILE	(700/700 lbf)	(840/840 lbf)
ASTM D751		
STRIP TENSILE	(515/515 lbf/in)	(650/650 lbf/in)
ASTM D751 PROCEDURE B		
ADHESION (MINIMUM)	(10 lbf/in)	(10 lbf/in)
ASTM D751 DIELECTRIC WELD		
HYDROSTATIC RESISTANCE	(500 psi)	(500 psi)
ASTM D751 PROCEDURE A		
DEAD LOAD	(2" BEAM, 4 HRS, 1" STRIP)	(2" BEAM, 4 HRS, 1" STRIP)
MIL-T-52083E (MODIFIED)	(266 lbf @ ROOM TEMPERATURE)	(266 lbf @ ROOM TEMPERATURE)
PARA 4.5.2.19	(133 lbf @ 160° F)	(133 lbf @ 160° F)
LOW TEMPERATURE	(LTC: PASS @ -20° F)	(LTC: PASS @ -40° F)
ASTM D2135	(LTA: PASS @ -67° F)	(LTA: PASS @ -67° F)
1/8" MANDREL 4HRS		

FLAME RESISTANCE
MEETS NFPA 701; CAN/ULC-S109; ASTM E813-2 SECOND FLAMEOUT
REGISTERED BY CALIFORNIA FIRE MARSHAL (NO. F-10301); GB8824-2008;
ASTM E84 & ULC-S102 - FLAME SPREAD INDEX <25, SMOKE DEVELOPMENT RATING <450

PROJECT:

**BOULDER
COUNTRY CLUB
MULTI-SPORT DOME**

PROJECT LOCATION:

BOULDER, CO

DRAWING:

**ELEVATIONS
GEN. NOTES**

SCALE:

AS NOTED

DATE:

11/JUN/23

DRAWN BY:

K.K.

APPROVED BY:

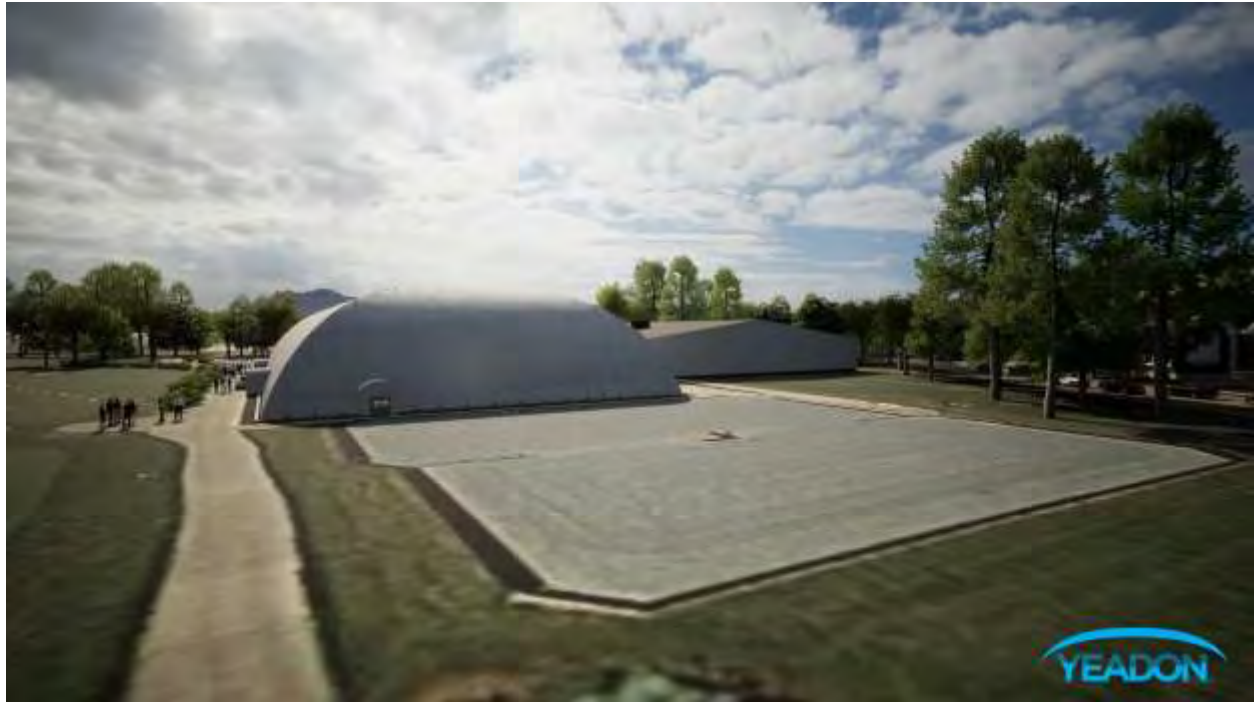
PROJECT NO.:

DWG. NO:

AS-2









Boulder Country Club

Conceptual Master Plan

2023

The following are conceptual master plan options for the Boulder Country Club. You will see a overhead map of the clubhouse and ground maintenance areas that we are reviewing for potential improvement. This Conceptual Master Plan is based on a ten-to-twelve-year life.

In addition, some of these potential improvement areas, we will be looking at remodeling existing décor in several areas of existing buildings which would consist of updating interior décor in existing buildings.

We do not have any plans on increasing our membership counts with any of these improvement concepts. These concepts are looked at to improve the existing membership experience.

The Key Chart with the different lettering will show what potential improvement we are looking for in each area. Please remember these improvements are concept based and we have not gone into detail in planning many of the conceptual projects.

- A. **Seasonal Tennis Bubble:** The Seasonal Dome is a project we are submitting for as of September 11, 2023. This concept is to have a seasonal dome (November – March or 178 days) over our existing 4 outdoor tennis/pickleball courts. Details of this project have been submitted to Boulder County.
- B. **Clay Court Re-Surfacing:** We are looking to change the clay court surface to a true hard or similar surface. This is due to the lack of use for the current clay court surface.
- C. **Remodeling of the Outdoor Pool area with pool deck:** Our current Outdoor Pool area is over 55 years old. The plan would be to remodel to a newer outdoor pool facility along with the decking area.
- D. **Replacing a kids' camp tent with a permanent kids' athletic child watch area:** We are researching a potential child watch area for our members while they utilize our services at the club.
- E. **Multi-Purpose Services Building:** We are investigating possible options for Spa & fitness services in this area of the club.
- F. **Multi-Purpose Area:** We are looking at several different possible services that could be offered here from creating a golf performance center or spa services or other options for additional sports such as bocce ball, etc.
- G. **Potential new Golf Pro Shop Building:** We are investigating the option of moving our Golf Pro Shop to this area. This would allow us to re-purpose the lower level of the clubhouse for different uses.
- H. **Multi-Purpose Area:** We are researching several different options here such as Bocce Ball Courts, pickle ball courts, performance area or a snack bar area.

Once again, we will not be increasing our membership levels and a few of these potential projects are a maintenance aspect of our operation.

We believe the Boulder Country club has been a huge asset to the Boulder County community. We do numerous events to benefit the community at large as well as many of the business leaders of the community are members of Boulder Country Club. Boulder Country Club at this current location has been in existence since 1964. The development of this club was a major factor in the creation of the Gunbarrel Community. The Gunbarrel community continues to grow, and the value of a private club continues to grow with it.

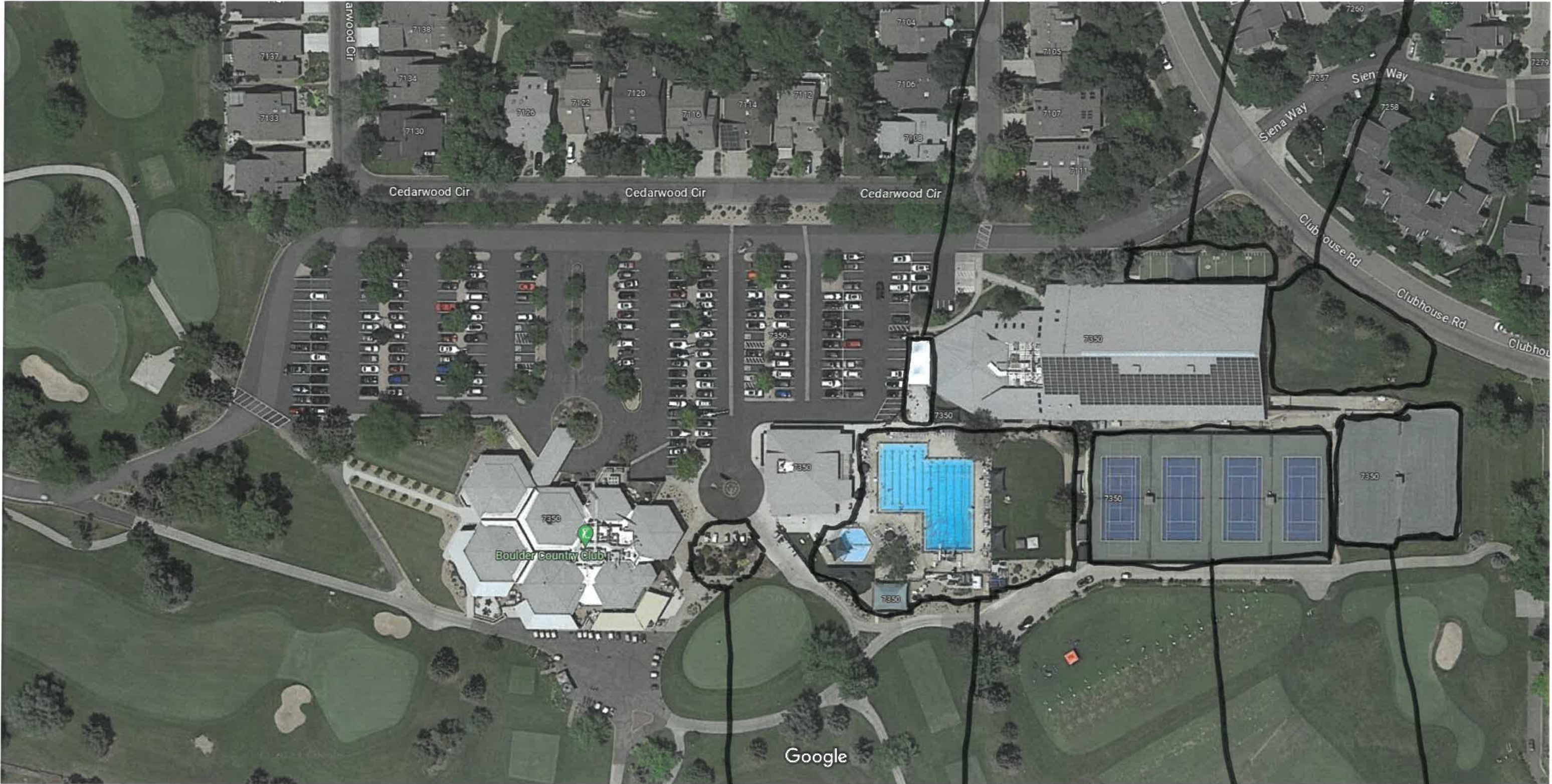
We appreciate the working relationship we have with Boulder County and would like to see it enhanced each year. We believe the future is bright for Boulder and feel that the Boulder County Club will be a big part of the success of Boulder now and into the future.

Please contact me at Boulder Country Club if you have any questions regarding the conceptual master plan.

Signed:

Michael Larson
GM/COO
Boulder Country Club

Google Maps



Imagery ©2023 Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2023 Google 50 ft



Imagery ©2023 Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2023 Google 50 ft

To: Boulder County Board of County Commissioners

CC: Pete L'Orange, Boulder County Community Planning & Permitting

From: Michael Larson, General Manager /COO Boulder Country Club

Re: Classification of Boulder Country Club (BCC) as a Use of Community Significance.

Date: March 11, 2024

Please consider the following supplemental narrative in support of our request for classification of the Boulder Country Club as a Use of Community Significance. We believe there are several additional reasons to support that designation. Thank you for your consideration and courtesy.

1. Formation of the Gunbarrel Sub-Community:

The Gunbarrel Sub-Community was authorized and formally initiated by joint action of Boulder County and the City of Boulder during the early 1960's as part of the "Spokes of the Wheel" long range Comprehensive Plan. At the time, the entire sub-community was characterized by rural uses, primarily agricultural and minimal urban development.

By agreement, the area was to be developed over time, in phases, based upon the City of Boulder standards of development and densities, located within the unincorporated area of Boulder County. Special districts were designed to provide central water and sewer services, with major utility lines extended to the area by the City of Boulder. The subcommunity was created with the agreement that the entire area would be annexed to the City of Boulder when and as requested. All the development was serviced by "revocable permits" which could be discontinued if the area refused to annex when eligible and formally requested.

The primary catalyst for the formation of the Gunbarrel community, which created the historic, economic, social, cultural basis for the entire sub-community was the Boulder Country Club. BCC was established in 1964 to provide essential recreational, social, cultural, etc., services to the future residents of the area, which otherwise were nonexistent. Additionally, at approximately the same time, IBM committed to constructing a major facility within Gunbarrel to become a further economic catalyst to support the creation of the sub-community.

Gunbarrel likely would not have been successfully undertaken absent the establishment of the County Club and IBM. We believe that the designation of Boulder Country Club as a Use of Community Significance is, in part, a recognition of that history.

2. Services Provided:

The Boulder Country Club provides a comprehensive range of services and facilities for both residents of the Gunbarrel Community and Boulder County residents at large. Currently Boulder Country Club consists of 881 memberships. Of this amount, 392 members are current residents of the Gunbarrel Community.

Services include a full range of year-round recreational and leisure activities including golf, indoor and outdoor tennis, indoor and outdoor aquatics, indoor gymnasium, and exercise

equipment. Extensive special programs and instruction are provided to the children, teenagers, and adults.

The clubhouse provides a comprehensive range of dining and entertainment services, of all types, as well as multiple programs and activities for participants. The Boulder Country Club also hosts member-sponsored special events and activities such as banquets, cultural wine dinners, weddings, fundraisers, conferences, meetings, speaker series educational events and many other charity programs.

3. Designation of the BCC Clubhouse as an Historic Landmark by Boulder County Board of County Commissioners.

The Boulder Country Club clubhouse was formally reviewed and designated by Boulder County historic preservation staff as well as the advisory Preservation Board as a Landmark of Historic Significance. This action occurred because of considerable research undertaken by both bodies. One of the criteria necessary for Boulder Country Club to qualify as a Use of Community Significance is the demonstration of the use as representing the historic value to the inhabitants of Boulder County as a whole or to a recognized community of interest within the County.

4. Aid in Boulder County Economics:

Boulder Country Club and the homes surrounding the Club have enhanced the economic value of the respective home sites. Due to the Boulder Country Club's presence, property values have steadily increased and along with that, ad valorem taxes, as well. In addition to the economic value created by higher property values, in every year since its founding, the Boulder Country Club has provided a substantial number of jobs, both full-time and seasonal, at many levels.

5. Environmental Enhancement to the Boulder County Community:

In recent golf course projects, Boulder Country Club has worked with Boulder County to help resolve some community storm water drainage issues both presently and in the future. In addition, Boulder Country Club is officially designated as an Audubon partner enhancing the wildlife and naturalist areas around the Club's property.

6. Historic Background and Recommended Next Steps

The Boulder Country Club operated from its inception in 1964 until 1991 as a permitted use within the Rural Residential Zoning District. In 1991, the County revised its zoning ordinance to remove "Membership Club" as an allowable use within the RR zone. This effectively changed the status of the Club to a pre-existing, legal non-conforming use. In 1993, based upon and application to the Board of County Commissioners, the Boulder Country Club Master Plan for its property was approved. This Master Plan has been periodically updated and amended, based upon formal actions by the County Commissioners.

The review process required as part of the continued updating and periodic amendments to the Special Use is complex, cumbersome, and time-consuming to effectively administer, both for the County and the Club. Further, based upon Section 4 -1000 of the Land Use Code, "Non-

Conforming Structures and Uses,” county policy states that “nonconforming uses and structures should be brought to conforming status as speedily as justice will permit.”

In furtherance of that principle and in recognitions that the Boulder Country Club has been classified as a legal, non-conforming use since 1991 and as a Special Use for thirty years, it has been recommended by county staff to change the Club’s status to becoming a Conforming Use. Approval of the Boulder Country Club as a “Use of Community Significance” is an essential first step in that process.

The second step is to classify the Boulder Country Club as a Conforming Use. As noted above, the Club has been approved and operating as a Conforming Use for almost thirty years at its current location. Historically, through no action or application of its own and no change in use or intensity, it became a non-conforming use. This change then precipitated the application to the County to become a Special Use. The designation of the Boulder Country Club as a Conforming Use would be consistent with county code and policy, and, we believe, preferable to continued existence as a non-conforming or as a Special Use.

With the formal designation as a Use of Community Significance, the Boulder Country Club will continue to be required to comply with county land use regulations and standards.

All future applications for development will be reviewed by county staff to determine the level of compliance and suitability for approval. Certain applications such as alterations to existing structures, minor accessory structures, uses that do not substantially increase traffic, do not require expansion of utilities available to the site, and other minor factors may be reviewed and evaluated by staff.

Applications that incorporate a substantial increase in square footage, substantial increase in traffic, improvements that are not consistent with the approved Master Plan, etc. will first be analyzed and evaluated by the county staff, and then scheduled for public hearing and final review and consideration by the Boulder County Board of County Commissioners.

From: [Michael Larson](#)
To: [L"Orange, Pete](#)
Cc: [Braden Mark](#); [Nolan Rosall \(nolanrosall@gmail.com\)](#); [Michael Summers](#); [Charlie Hager](#)
Subject: [EXTERNAL] Boulder Country Club
Date: Tuesday, December 19, 2023 12:52:15 PM

Dear Pete:

Thank you so much for the meeting today. I really appreciate your guidance on this project. Per our discussion today, Boulder Country Club would like to rescind the proposal for a seasonal Tennis Dome. We would like to go forward with the Conforming Use status and plan to be at the January 11, 2024 hearing to speak on this requests. We appreciate your candor if the conversation about the Tennis Dome and respect your opinion.

Please contact me if you have any questions. I have cc'd some members of my team so they are aware of us rescinding the Tennis Dome project.

I hope you have a great holiday season.

Sincerely,

Michael Larson
GM/COO
Boulder CC



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

Building Safety & Inspection Services Team

MEMO

TO: Pete L'Orange, Planner II
 FROM: Michelle Huebner, Plans Examiner Supervisor
 DATE: November 15, 2023

RE: Referral Response, LU-23-0028: Boulder Country Club Use of Community Significance Designation. Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre.

Location: 7350 Clubhouse Road

Thank you for the referral. We have the following comments for the applicants:

1. **Building Permit.** A building permit, plan review, inspection approvals, and a Certificate of Occupancy ("C.O.") are required for the proposed dome seasonal structure. Separate building permits are required for each structure or remodel.

Please refer to the county's adopted 2015 editions of the International Codes and code amendments, which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL:
[Amendments to Boulder County Building Code effective June 6, 2022](#)

Buildings with this use will be reviewed through the International Building Code (IBC) as a commercial building. A code analysis from a Colorado licensed design professional, an architect, is required.

The registered design professional of record shall provide a comprehensive code analysis on the plan set that identifies the following:

Referenced Codes and Reference Standards (adopted codes; [Amendments to Boulder County Building Code effective June 6, 2022](#)

- Construction type
- Building Area (allowed and existing)
- Building Height (allowed and existing)
- Occupancy Group Classification (existing and proposed)
- Occupant Load
- Fire Sprinkler system (partial or throughout or none)
- Fire Alarm system (partial or throughout or none)

- Plumbing Fixture Counts (compliance based on occupant load calculations for egress)
2. **Minimum Plumbing Fixtures.** The plumbing fixtures count needs to meet or exceed the requirements of IBC Chapter 29, including the need for accessible restrooms and fixtures.
 3. **2015 International Green Construction Code (“IGCC”).** Boulder County’s adoptions of the 2015 editions of the International Codes include the IGCC as applying to buildings or complexes of buildings on the same property with 25,000 sq. ft. or more of floor area. Thus, the provisions of the IGCC will apply to all new construction involved in the proposal.
 4. **2015 International Energy Conservation Code** - demonstrate compliance to 2015 International Energy Conservation Code (IECC) – Commercial provisions.
 5. **Design Wind and Snow Loads.** The design wind and snow loads for the property are 155 mph (Vult) and 40 psf, respectively.
 6. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
 7. **Accessibility.** Chapter 11 of the IBC and referenced standard ICC A117.1-09 provide for accessibility for persons with disabilities. Any building permit submittals are to include any applicable accessibility requirements, including **accessible parking**, signage, **accessible routes** and accessible fixtures and features.
 8. **Fire Department.** A separate referral response from the fire departments should be requested. The fire department may have additional requirements in accordance with their International Fire Code (“IFC”) adoption. Also, the Fire Protection District must provide written documentation to Boulder County Building Safety and Inspection Services approving the building permit plans and specifications of projects before the building permit can be issued.
 9. **Plan Review.** The items listed above are a general summary of some of the county’s building code requirements. A much more detailed plan review will be performed at the time of grading permit application.

If the applicants should have questions or need additional information, we’d be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

TO: Pete L'Orange, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: November 20, 2023
SUBJECT: Docket LU-23-0028, Boulder Country Club, 7350 Clubhouse Road

Staff has reviewed the submitted materials, and has no significant natural resource concerns, per se, with the court enclosure. Depending on size and design of the enclosure, off-site private property views could be impacted. However, this is a proposed new amenity intended to benefit some of those same property owners, as presumed members of the country club.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

Nov. 8, 2023

TO: Pete L'Orange, Planner II; Community Planning & Permitting, Development Review

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Access & Engineering

SUBJECT: Docket LU-23-0028: Boulder Country Club Use of Community Significance

7350 Clubhouse Road

The Development Review Team – Access & Engineering staff has reviewed the above referenced docket and has no concerns.

This concludes our comments at this time.



Public Works Department

2525 13th Street, Suite 203 • Boulder, Colorado 80304 • Tel: 303.441.3900 • Fax: 303.441.4594
 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

Date: November 7, 203

To: Peter L'Orange, Planner II, plorange@bouldercounty.gov

From: Jennifer Keyes, Boulder County Stormwater Quality Coordinator

Subject: LU-23-0028: Boulder Country Club Use of Community Significance

The Public Works Department MS4 Stormwater Quality Coordinator has reviewed the above referenced project, and has the following comments:

1. As a part of Boulder County's water quality protection and Municipal Separate Storm Sewer System (MS4) Construction Program, a stormwater quality permit (SWQP) is required for the proposed Tennis Bubble and any construction proposed in the referral packet. SWQPs can be submitted at the time of the Building Permit submittal.
2. Work associated with Master Plan will create construction activity is part of a larger common plan of development that will ultimately disturb one acre or more of surface area, even if multiple, separate, and distinct land development activities take place at different times. Consequently, future development of the site will require a Boulder County Stormwater Quality Permit (SWQP) when there is other construction occurring on the property.
3. The Boulder Country Club is within the municipal separate storm sewer system (MS4) urbanized area, which will require permanent stormwater management facilities as part of the development. A drainage report or potentially a letter will be required demonstrating that new construction meets the requirements of the Boulder County Storm Drainage Criteria Manual (SDCM) and MS4 program.

Please send any questions to stormwater@bouldercounty.gov and check on information on the Boulder County Stormwater Quality Permit website:
<https://www.bouldercounty.org/transportation/permits/stormwater-quality-permit/>

Claire Levy County Commissioner Marta Loachamin County Commissioner Ashley Stolzmann County Commissioner

Physical Location • 2525 13th Street • Boulder, Colorado 80304 • Tel: 303.441.3900
 Mailing Address: P.O. Box 471 • Boulder, CO 80306 • www.BoulderCounty.gov

From: [Carden, Timothy](#)
To: [L"Orange, Pete](#)
Cc: [Northrup, Elizabeth \(Liz\)](#)
Subject: RE: Referral Packet for Docket LU-23-0028: Boulder Country Club Use of Community Significance
Date: Thursday, November 2, 2023 10:21:15 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Pete,

Thank you for the opportunity to review LU-23-0028. I have completed my review of the referral packet and as proposed this project should not conflict with the terms of the nearby conservation easements.

Best,

Tim Carden | Conservation Easement Stewardship Specialist
Boulder County Parks & Open Space
Pronouns: he/him/his
5201 St. Vrain Road
Longmont, CO 80503
[303-413-7533](tel:303-413-7533) (office)
tcarden@bouldercounty.gov
[Boulder County Open Space Website](#)



*Boulder County has migrated all email to the .gov domain. Please update your contact lists to reflect the change from tcarden@bouldercounty.org to tcarden@bouldercounty.gov. **Emails sent to both .org and .gov addresses will continue to work.** This work is part of the migration to the .gov domain that began in July 2022 when the Boulder County website moved to www.bouldercounty.gov. This move to the .gov domain provides a higher level of cybersecurity protection.*

From: Morgan, Heather <hmorgan@bouldercounty.gov>
Sent: Thursday, November 2, 2023 7:58 AM
To: jstruble@northernwater.org; bflockhart@northernwater.org; BDRCO@xcelenergy.com; Donna.L.George@xcelenergy.com; liscohorse@aol.com; angie@dangrantbookkeeping.com; boblj21@aol.com; liscohorse@aol.com; boblj21@aol.com; Ranglos, Chris <ranglosc@bouldercolorado.gov>; bonnellj@bouldercolorado.gov; CollinsB@bouldercolorado.gov; CassidyJ@bouldercolorado.gov; drogers@brfr.org; Lowrey, D <lowreyd@bouldercolorado.gov>; gunbarrelgreen@gmail.com; Atherton-Wood, Justin <jatherton-wood@bouldercounty.gov>; Moline, Jeffrey <jmoline@bouldercounty.gov>; Flax, Ron <rflax@bouldercounty.gov>; Frederick, Summer

<sfrederick@bouldercounty.gov>; HealthWaterQuality-EnvironmentalBP LU <HealthWQ-EnvironBPLU@bouldercounty.gov>; Huebner, Michelle <mhuebner@bouldercounty.gov>; Milner, Anna <amilner@bouldercounty.gov>; Northrup, Elizabeth (Liz) <enorthrup@bouldercounty.gov>; Sanchez, Kimberly <ksanchez@bouldercounty.gov>; Transportation Development Review <TransDevReview@bouldercounty.gov>; West, Ron <rowest@bouldercounty.gov>; !LongRange <longrange@bouldercounty.gov>; Historic <historic@bouldercounty.gov>; #CodeCompliance <codecompliance@bouldercounty.org>; #AssessorReferral <AssessorReferral@bouldercounty.org>; #CAreferral <CAreferral@bouldercounty.gov>; #CEreferral <CEreferral@bouldercounty.gov>; Chamberlin, James <jchamberlin@bouldercounty.gov>; Allshouse, Alycia <aallshouse@bouldercounty.gov>; TD Stormwater Shared Mailbox <stormwater@bouldercounty.gov>; Stadele, Lee <leestadele@bouldercounty.gov>; Stadele, Lee <leestadele@flagstaffsurveying.com>

Cc: L'Orange, Pete <plorange@bouldercounty.gov>; Bowers, James <jbowers@bouldercounty.gov>

Subject: Referral Packet for Docket LU-23-0028: Boulder Country Club Use of Community Significance

Please find attached the public notice and referral packet for Docket **LU-23-0028: Boulder Country Club Use of Community Significance Designation** at **7350 Clubhouse Road**.

Please return responses and direct any questions to [Pete L'Orange](#) by **November 17, 2023**. (Boulder County internal departments and agencies: Please attach the referral comments in Accela.)

Thank you,

Heather Morgan | Lead Administrative Technician

Planning Division | Boulder County Community Planning & Permitting

P.O. Box 471, Boulder, CO 80306 | Courthouse Annex—2045 13th St., Boulder, CO 80302

hmorgan@bouldercounty.gov | (720) 864-6510 | www.boco.org/cpp

My usual working hours are Monday-Friday, 7:30 a.m.-4:00 p.m.

*Boulder County has migrated all email to the .gov domain. Please update your contact lists to reflect the change from hmorgan@bouldercounty.org to hmorgan@bouldercounty.gov. **Emails sent to both .org and .gov addresses will continue to work.** This work is part of the migration to the .gov domain that began in July 2022 when the Boulder County website moved to www.bouldercounty.gov. This move to the .gov domain provides a higher level of cybersecurity protection.*

Hannah Bowron
4864 Briar Ridge Ct
Boulder, Colorado 80301

November 29, 2023

Via U.S Mail and e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club Use of Community Significance Designation

Dear Board of County Commissioners:

I trust this letter finds you well. I am Hannah Bowron, the President of the First Flintlock Homeowners Association (First Flintlock), writing to express our deep-seated concerns regarding the proposed changes outlined in Docket #LU-23-0028 regarding the Boulder Country Club's request for a Limited Impact Special Use Review and the designation as a "Use of Community Significance". Our association is comprised of 49 homes, situated at the east side of the Club and is directly impacted by the proposed construction of a 24,840 square foot tennis bubble at the Boulder Country Club.

Our community's objections are rooted in the inadequacies of the notice, concerns about the Club's change in designation, the substantial impact of the proposed Tennis Bubble, and the failure of the Boulder Country Club's leadership to engage with affected homeowners. Below, I detail each of these concerns.

1. Inadequate Notice and Legal Deficiencies: Some members of the First Flintlock community received the postcard-style Notice on Thursday, November 16, 2023. However, it has come to our attention that only half of our HOA, specifically those on Clubhouse Court, received the notice. Surprisingly, residents on Briar Ridge Court, also impacted by the proposed Tennis Bubble, did not receive this critical information. This oversight has hindered the ability of a significant portion of our community to engage in the decision-making process. We urgently request a comprehensive re-notice to ensure that all affected homeowners receive accurate details about the size and location of the proposed improvements. This step is crucial to facilitate fair and inclusive community participation in this matter.

2. Club's Request for Change in Designation and Massive Tennis Bubble:

a. The Boulder Country Club's request for a change in status from a pre-existing legal non-conforming use to a "Use of Community Significance" and a conforming use is met with firm opposition from First Flintlock. This change raises concerns about transparency, adherence to zoning regulations, and potential consequences for the community's well-being.

b. The proposal includes a massive, 35-foot high Tennis Bubble on an existing two (2) foot high elevated concrete pad, resulting in a total height of 37 feet. The Tennis Bubble would house 6 pickleball courts and 2 tennis courts for up to 180 days, featuring heating and lighting. The negative impacts of this "seasonal structure" are significant.

The proposed Tennis Bubble represents a dramatic departure from the existing landscape, both in terms of size and function. Its imposing height and luminosity threaten the visual harmony of the community. The inclusion of heating and lighting intensifies concerns about potential disruptions to the tranquility of the neighborhood, especially during the winter months.

3. Impact on the First Flintlock Community: As the HOA president, I am deeply concerned about the collective impact on our community. The proposed Tennis Bubble, towering at 35 feet, threatens the very essence of our neighborhood – its open spaces, unobstructed views, and the shared sense of tranquility. The sheer size and luminosity of the structure will disrupt the carefully curated landscape, affecting the community's overall atmosphere and unity (as referenced in images on Exhibit A). These impacts are not trivial; they have significant consequences for the quality of life and property values of the residents in First Flintlock.

Moreover, the lack of engagement by the Boulder Country Club, specifically the General Manager, Mike Larson, with the affected homeowners is a cause for significant concern. Despite the substantial impacts that the proposed tennis bubble would have on our community, there has been a complete absence of dialogue with the homeowners who would be directly affected. It is disheartening that Mr. Larson and the Club's leadership have made no effort to contact us, our neighbors, or the First Flintlock HOA to discuss this substantial proposal. This lack of communication is not in line with the principles of good neighborliness and community engagement.

In essence, the First Flintlock community stands united against the proposed changes, recognizing that the negative ramifications extend beyond individual property lines. The historical significance of our community's mountain views cannot be overstated. These views have been a cornerstone of our neighborhood's appeal, a feature that attracted residents and contributed to the enduring value of our homes. The proposed tennis bubble, however, stands as a looming threat to this cherished aspect of our community, casting a shadow—both literally and figuratively—over the character and desirability of our neighborhood.

4. The Proposal Fails to Satisfy the Standard Special Use Review Criteria:

The proposed 24,840 square foot Tennis Bubble fails to meet the Special Review and Limited Impact Special Review Criteria set forth in Article 4-601. The structure's massive size, height, and luminosity are incompatible with the surrounding area, disregarding critical review criteria that ensure harmony with the neighborhood.

The proposed Tennis Bubble's size and height exceed the standards set by Article 4-601, compromising the visual harmony of our community. The luminosity, heating, and extended operational period also contradict the existing guidelines for limited impact special reviews. It is imperative to uphold these criteria to safeguard the well-being of our community.

Thank you for your attention to these concerns. I look forward to presenting our collective stance at the hearing on January 11, 2024, at 11:15 a.m.

Sincerely,

A handwritten signature in black ink, appearing to read "Hannah Bowron". The signature is fluid and cursive, with the first name "Hannah" written in a larger, more prominent script than the last name "Bowron".

Hannah Bowron
HOA President
First Flintlock Homeowners Association



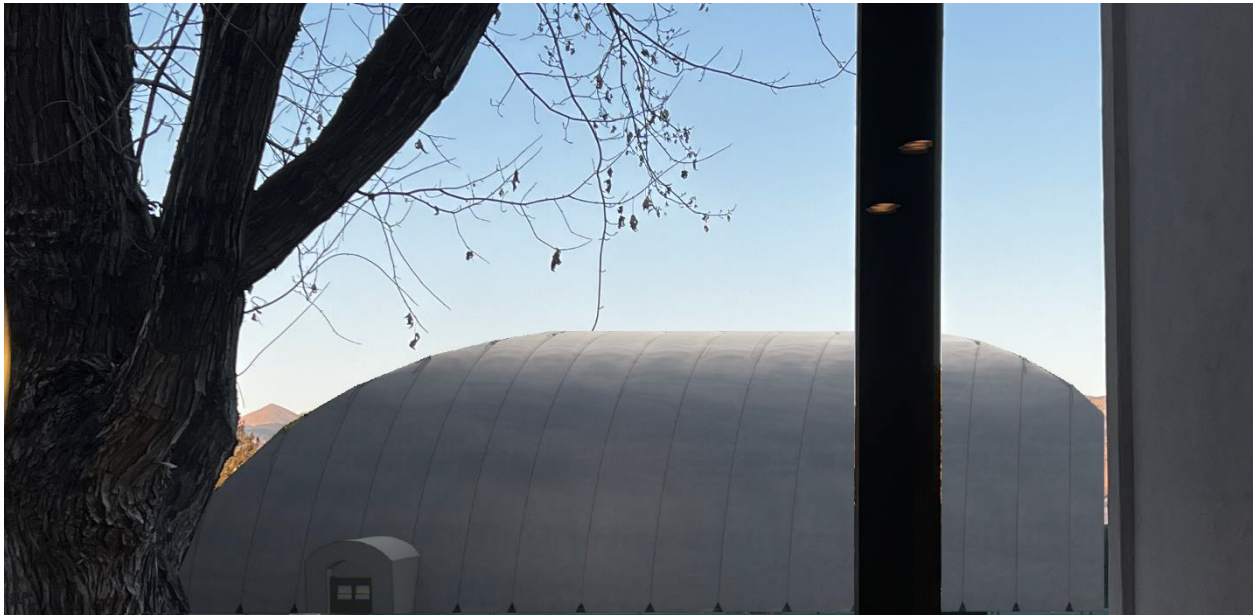
View 1 - Image of current resident view.



View 1 - With superimposed bubble, the resident's view is completely blocked by such proposed bubble.



View 2 - Image of current resident view.



View 2 - With superimposed bubble, the resident's view is completely blocked by such proposed bubble.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
 303-441-3930 • www.BoulderCounty.gov

MEMO TO: Agencies and Adjacent Property Owners
FROM: Pete L'Orange, Planner II
DATE: November 2, 2023
RE: Docket **LU-23-0028**

Docket LU-23-0028: Boulder Country Club Use of Community Significance

Designation

Request: Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre parcel at 7350 Clubhouse Road.

Location: 7350 Clubhouse Road, located approximately 1.4 miles north of the intersection of Jay Road and N. 75th Street, in Sections 11-14, Township 1N, Range 70W.

Zoning: Rural Residential (RR)

Applicant: Boulder Country Club c/o Michael Larson

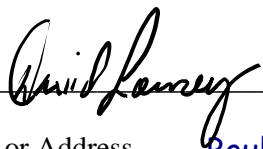
Limited Impact Special Review is required of proposed uses that may have greater impacts on services, neighborhoods, or the environment than those allowed by right under the Boulder County Land Use Code. This process will review conformance of the proposed use with the Boulder County Comprehensive Plan and the Land Use Code.

This process includes a public hearing before the Board of County Commissioners. Adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of this hearing.

The Community Planning & Permitting staff and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information. If you have any questions regarding this application, please contact me at 303-441-1418 or plorange@bouldercounty.gov.

Please return responses by **November 17, 2023.**

☒ We have reviewed the proposal and have no conflicts.
☐ Letter is enclosed.

Signed  PRINTED Name David Lowrey

Agency or Address Boulder Fire Rescue

Date 11/6/2023



Boulder County Land Use Department

Courthouse Annex Building
2045 13th Street • PO Box 471 • Boulder, Colorado 80302
Phone: 303-441-3930
Email: planner@bouldercounty.org
Web: www.bouldercounty.org/lu
Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only

Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name	
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent	<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning	<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP	<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:
Location(s)/Street Address(es) 7350 CLUBHOUSE RD BOULDER CO 80301			
Subdivision Name			
Lot(s)	Block(s)	Section(s)	Township(s)
Area in Acres	Existing Zoning	Existing Use of Property	Number of Proposed Lots
Proposed Water Supply		Proposed Sewage Disposal Method	

Applicants:

Applicant/Property Owner		Boulder CC (MICHAEL LAWSON)		Email	MICHAEL@BOULDERCC.ORG
Mailing Address					
7350 CLUBHOUSE RD.					
City	State	Zip Code	Phone	303-530 4600	
Applicant/Property Owner/Agent/Consultant			Email		
Mailing Address					
City	State	Zip Code	Phone		
Agent/Consultant			Email		
Mailing Address					
City	State	Zip Code	Phone		

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner	Printed Name	Date
	MICHAEL LAWSON	9/10/23
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



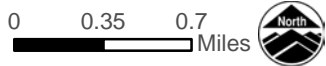
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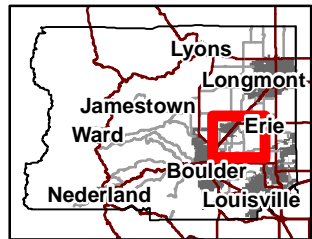
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7350 CLUBHOUSE RD

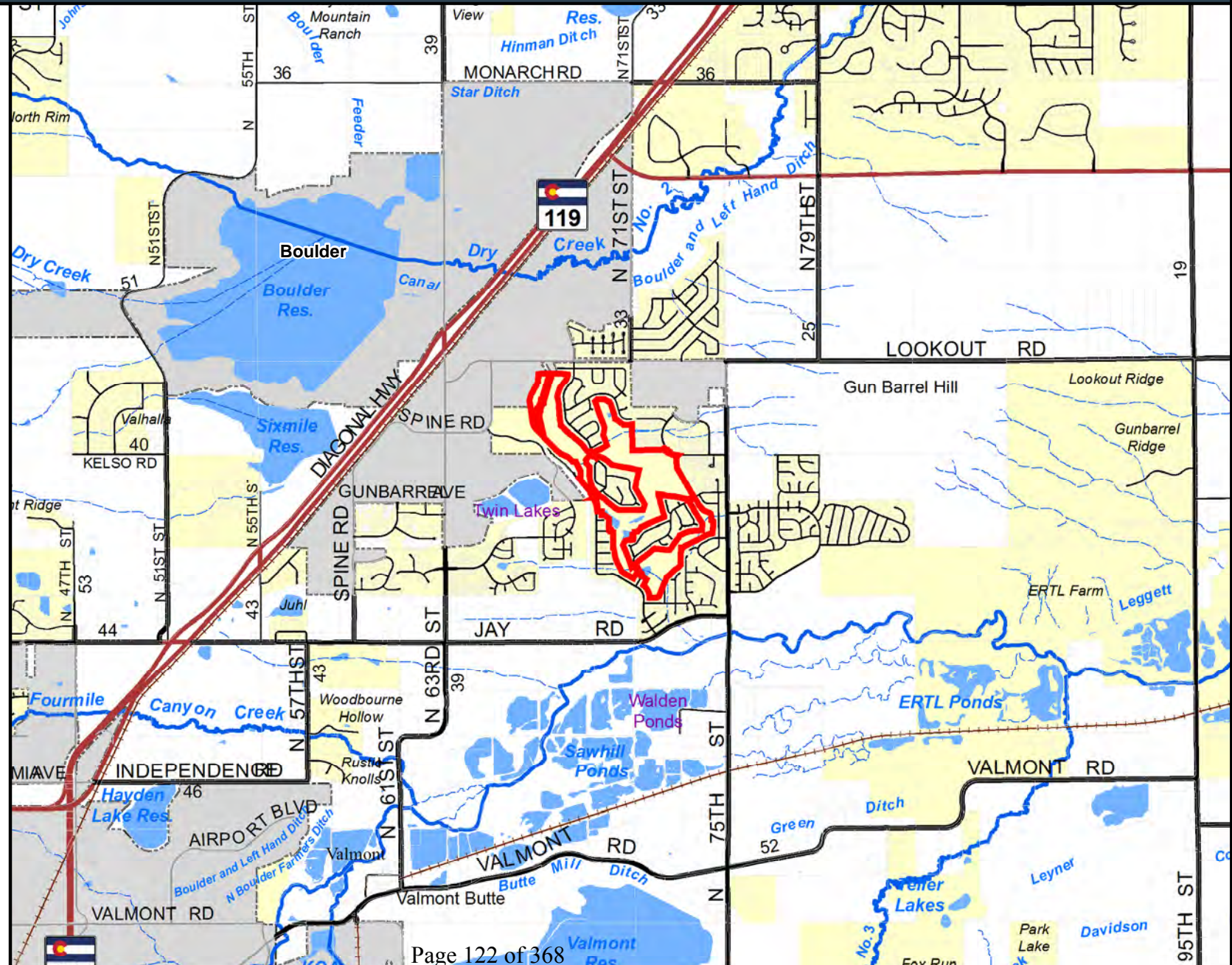
- Subject Parcel
- Municipalities
- Subdivisions**
- Subdivisions



Area of Detail Date: 6/13/2023



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Aerial

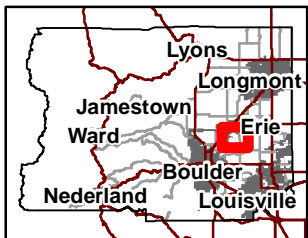
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 Subject Parcel

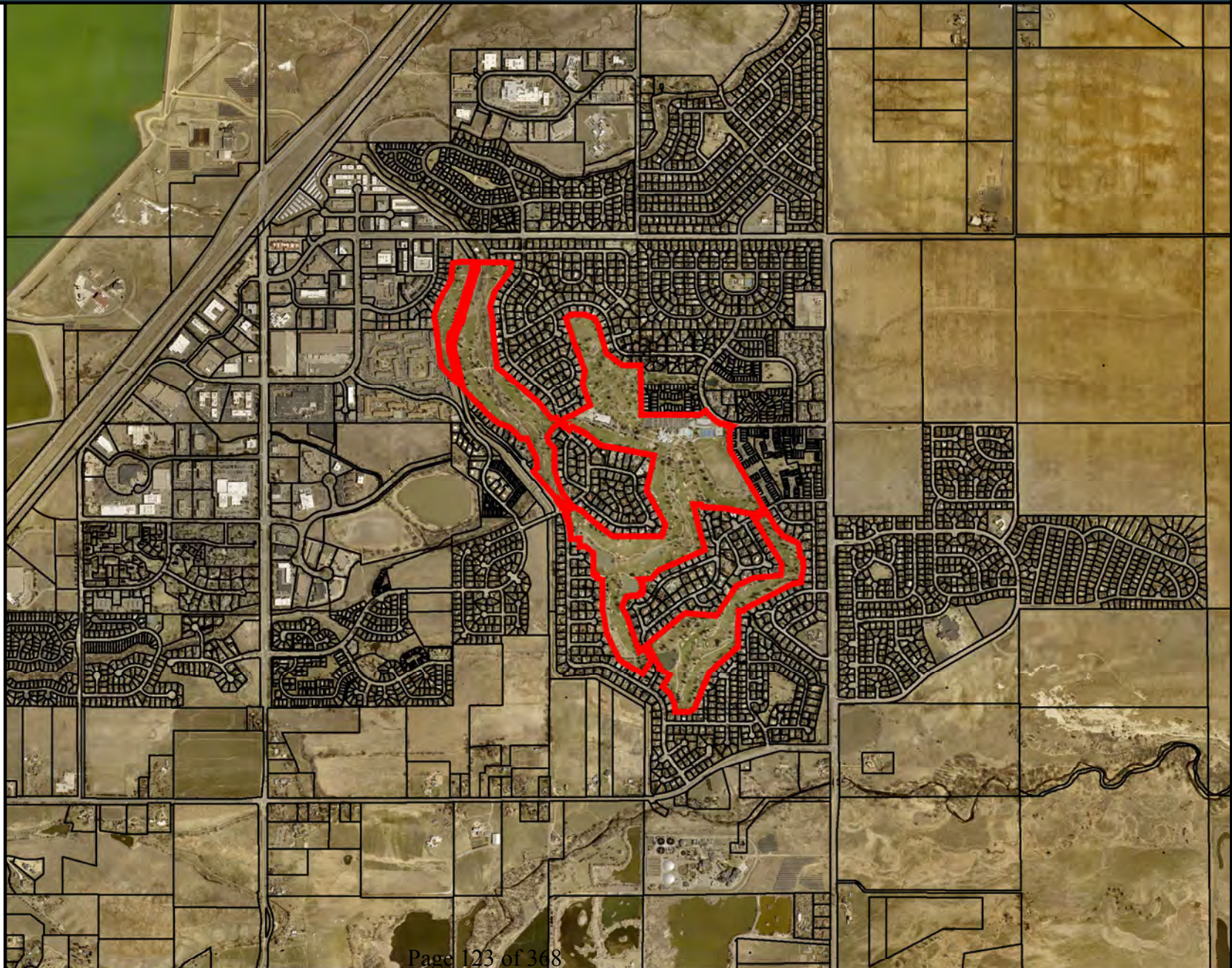
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Miles



Area of Detail Date: 6/13/2023



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Aerial

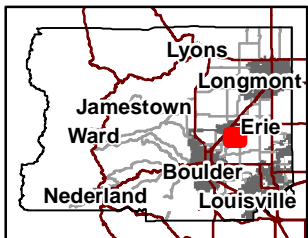
7350 CLUBHOUSE RD

 Subject Parcel

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Miles



Area of Detail Date: 6/13/2023



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Location

7350 CLUBHOUSE RD

Subject Parcel

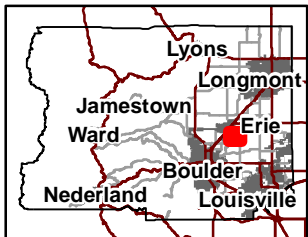
Subdivisions

Subdivisions

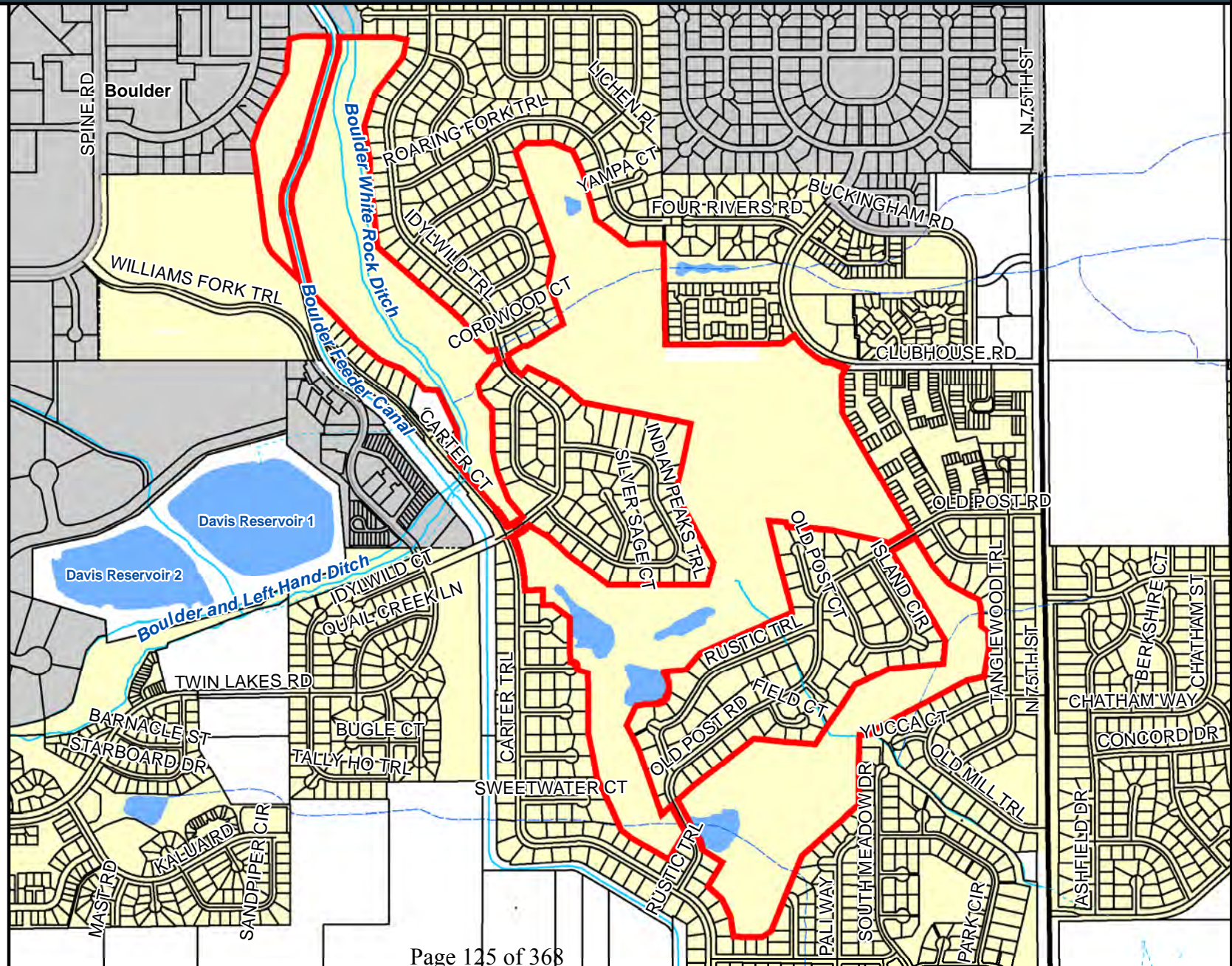
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Area of Detail Date: 6/13/2023



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Zoning

7350 CLUBHOUSE RD

Subject Parcel

Zoning Districts

- Agricultural
- Business
- Multiple Family
- Rural Residential
- Suburban Residential
- Transitional

Ditch Setbacks

- 20 feet
- 50 feet

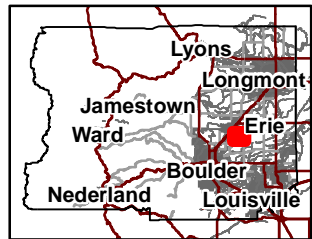
Major Road Setbacks

- 110 feet

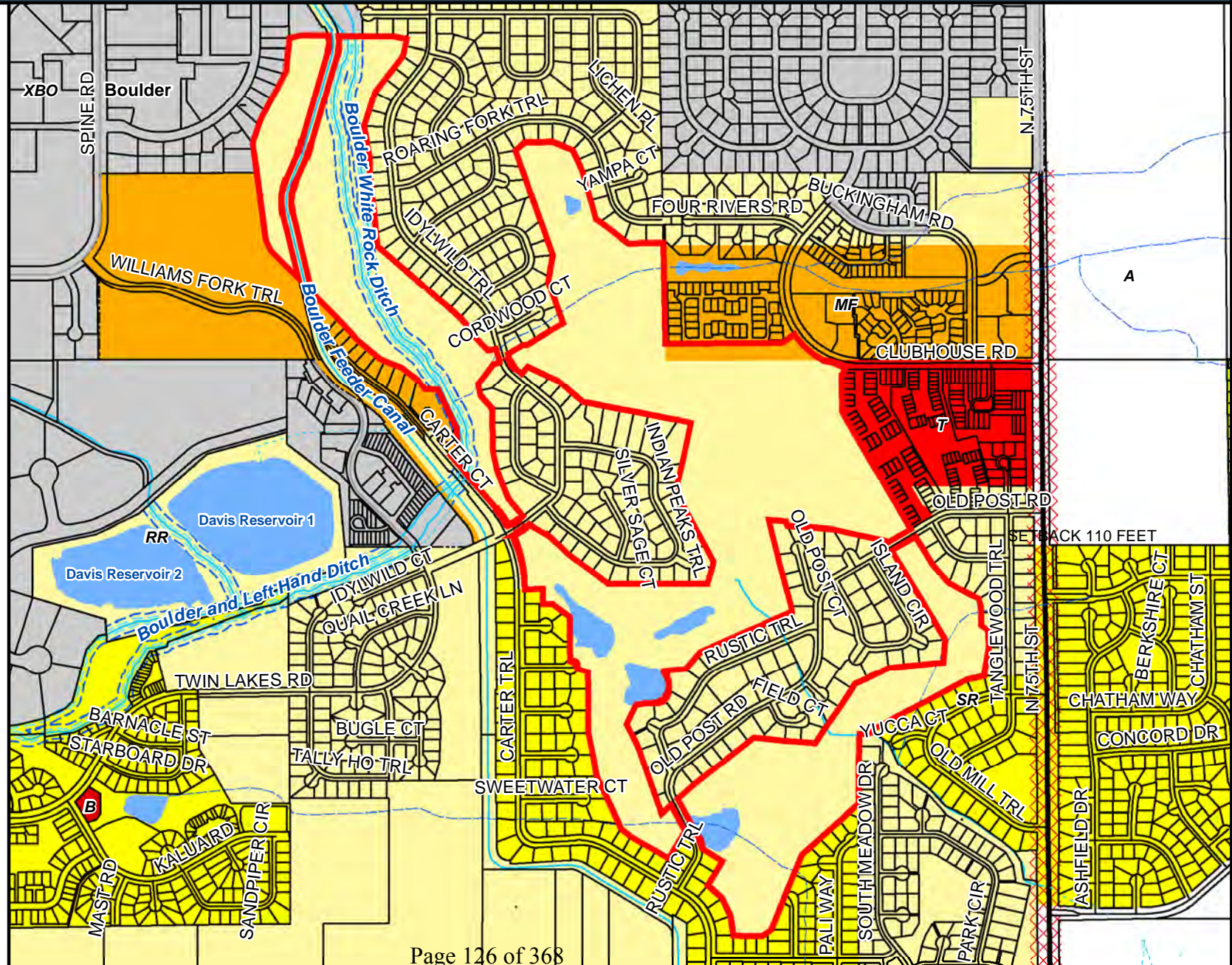
0 490 980 Feet



Area of Detail Date: 6/13/2023



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Comprehensive Plan

7350 CLUBHOUSE RD

Subject Parcel

NLNA Buffer

Critical Wildlife Habitats

Environmental Conservation Areas

Riparian Areas

Wetlands

Significant Agricultural Land

Ag of Statewide Importance

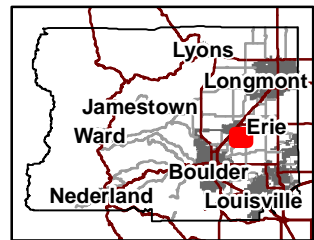
Ag of Local Importance

Rare Plant Areas

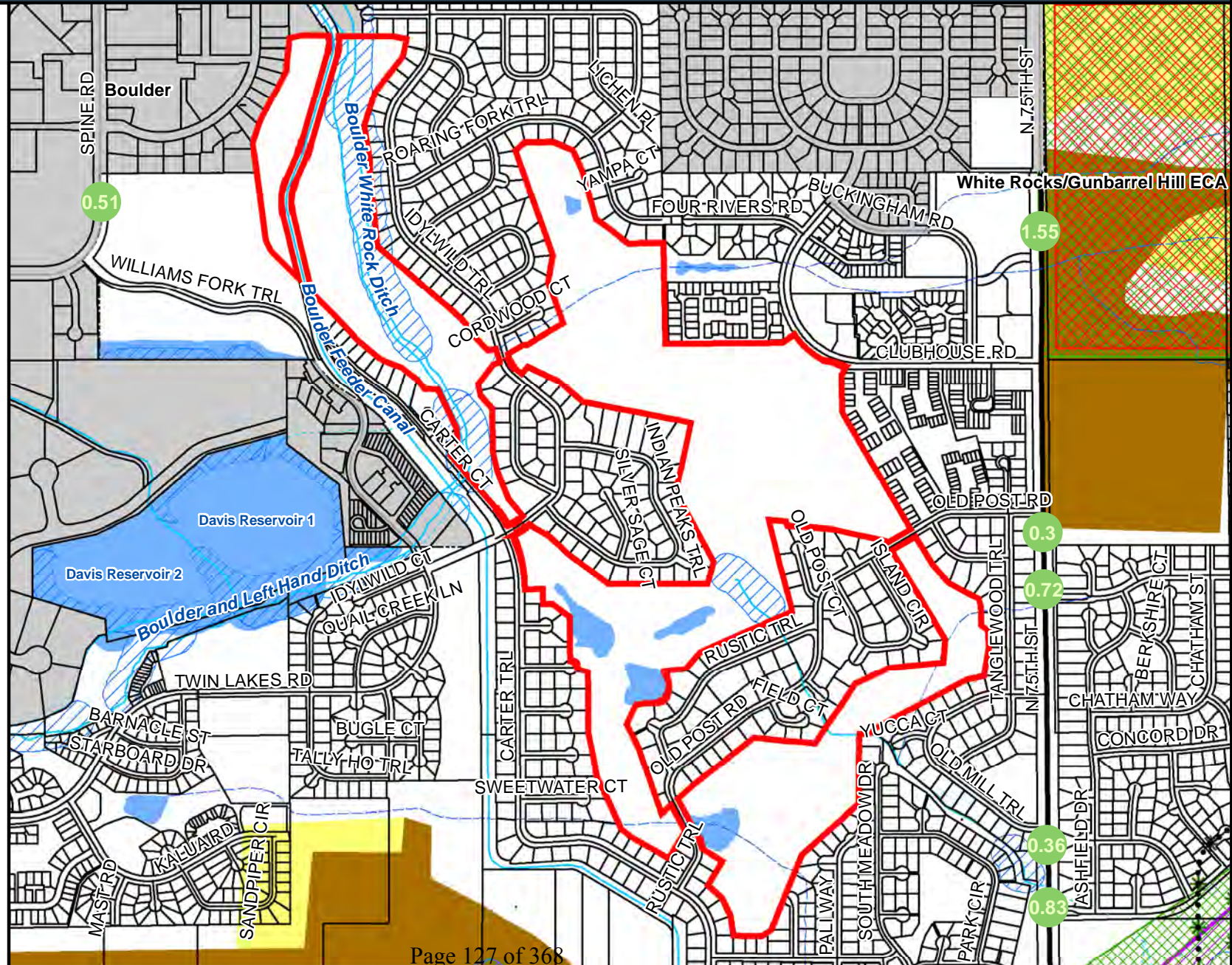
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Area of Detail Date: 6/13/2023



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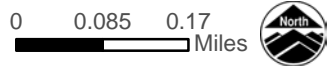
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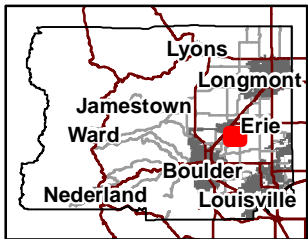
Elevation Contours

7350 CLUBHOUSE RD

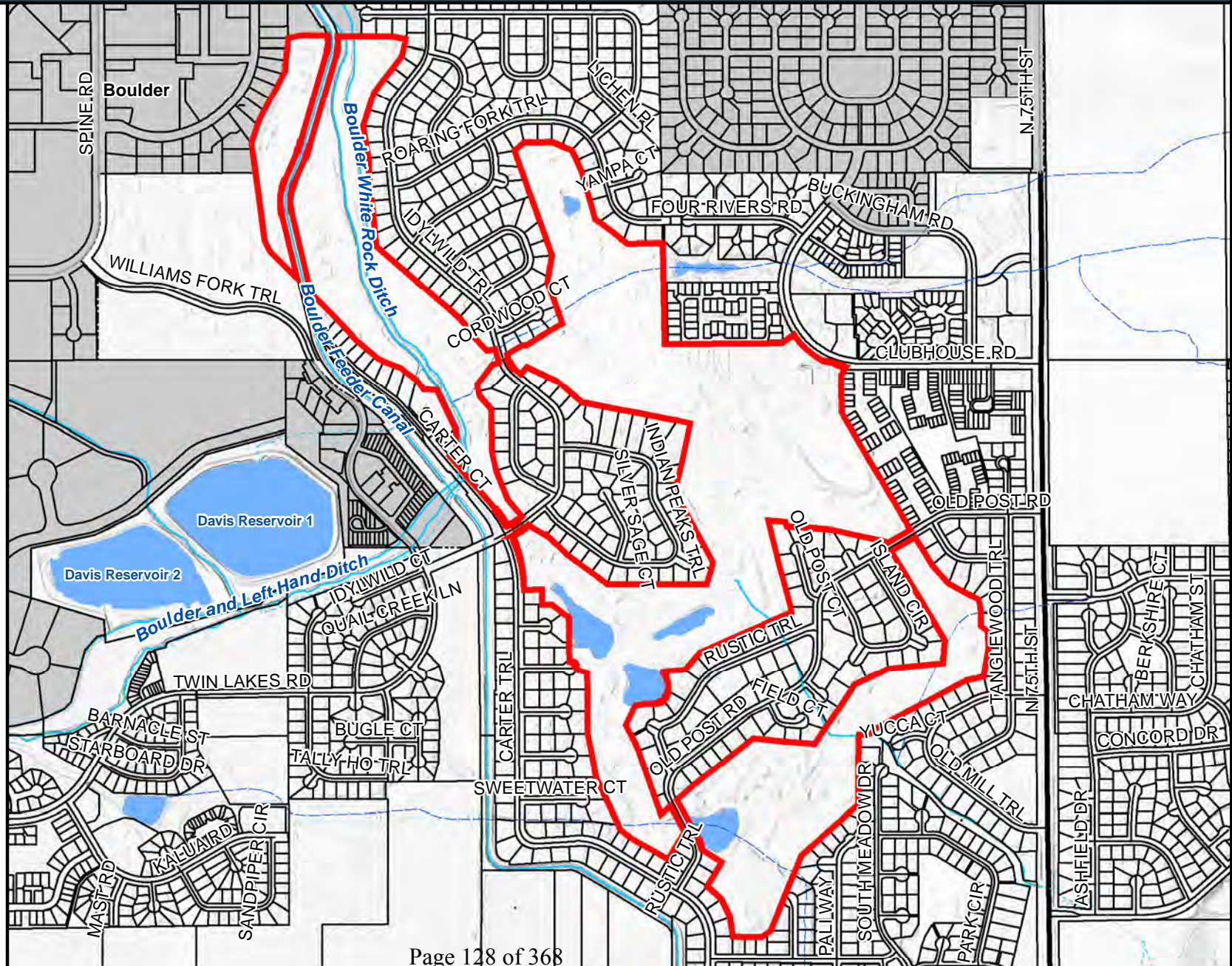
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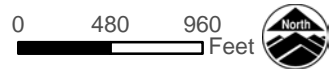
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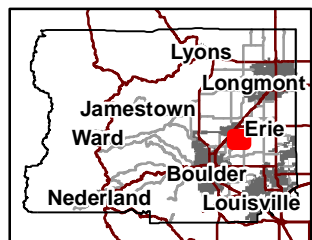
Geologic Hazards

7350 CLUBHOUSE RD

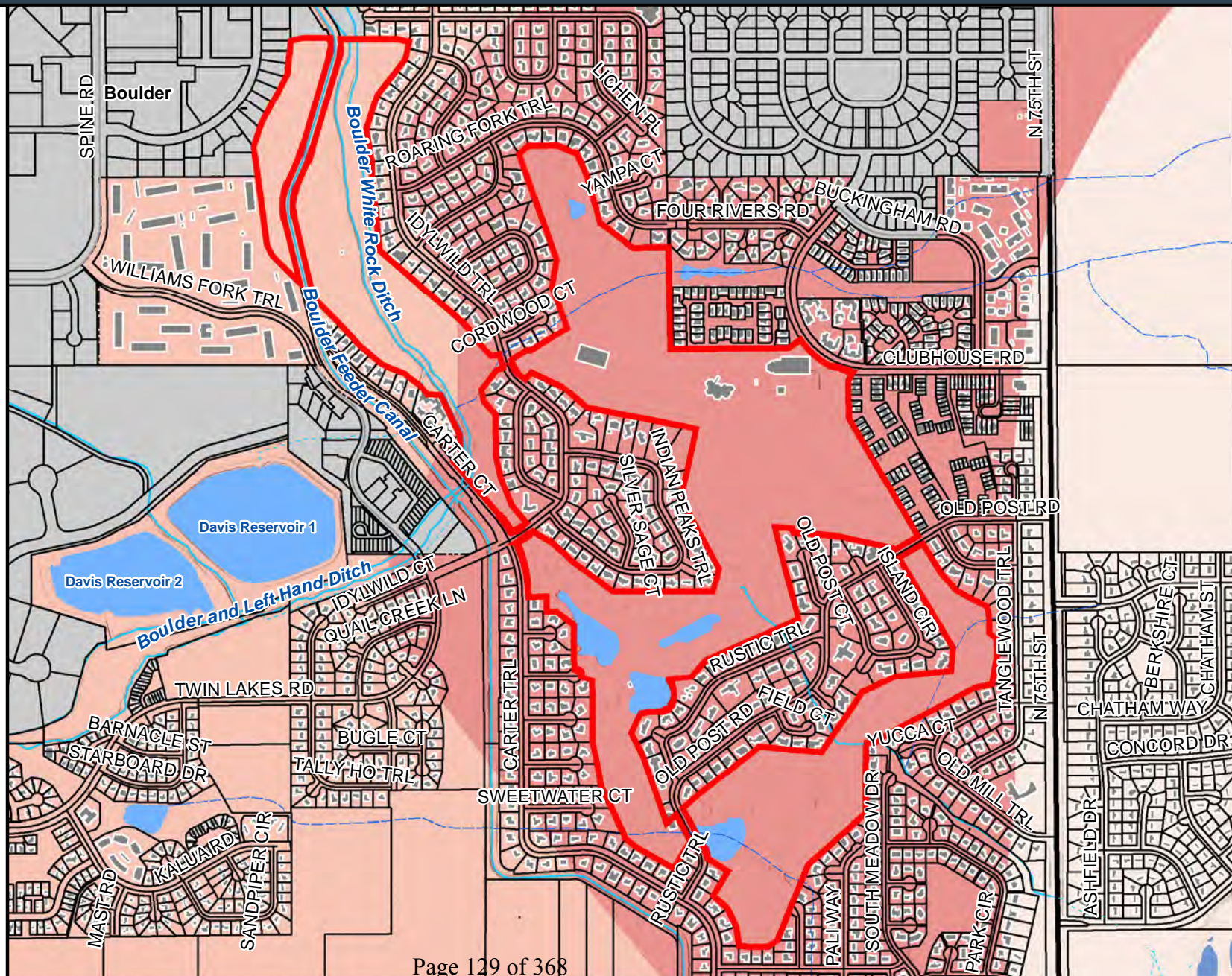
- Subject Parcel
- Very High Swelling Soil Potential
- High Swelling Soil Potential
- Moderate Swelling Soil Potential



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Planning Areas

7350 CLUBHOUSE RD

Subject Parcel

Airport Influence

Airport Influence

Active IGA Boundary

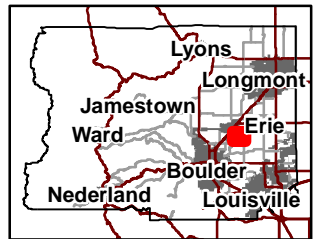
Active IGA Designation

BVCP

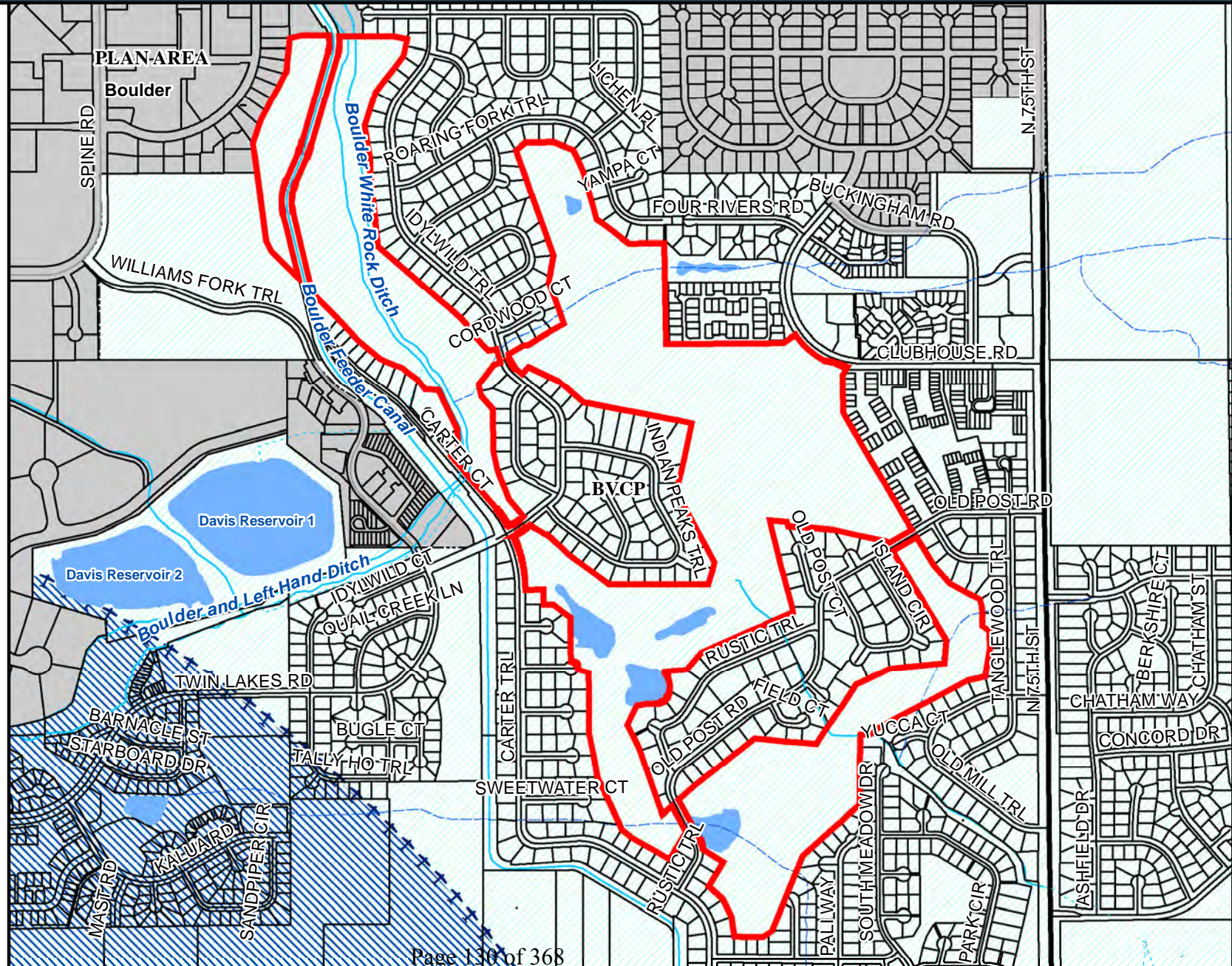
PLAN AREA

0 0.085 0.17 Miles

Area of Detail Date: 6/13/2023



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Public Lands & CEs

7350 CLUBHOUSE RD

Subject Parcel

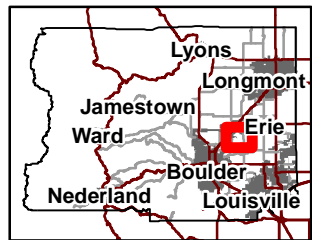
Boulder County Open Space

- County Open Space
- Joint
- County/Municipal Open Space
- County Conservation Easement
- City Parks and Open Space
- OSM Properties
- Other Open Space

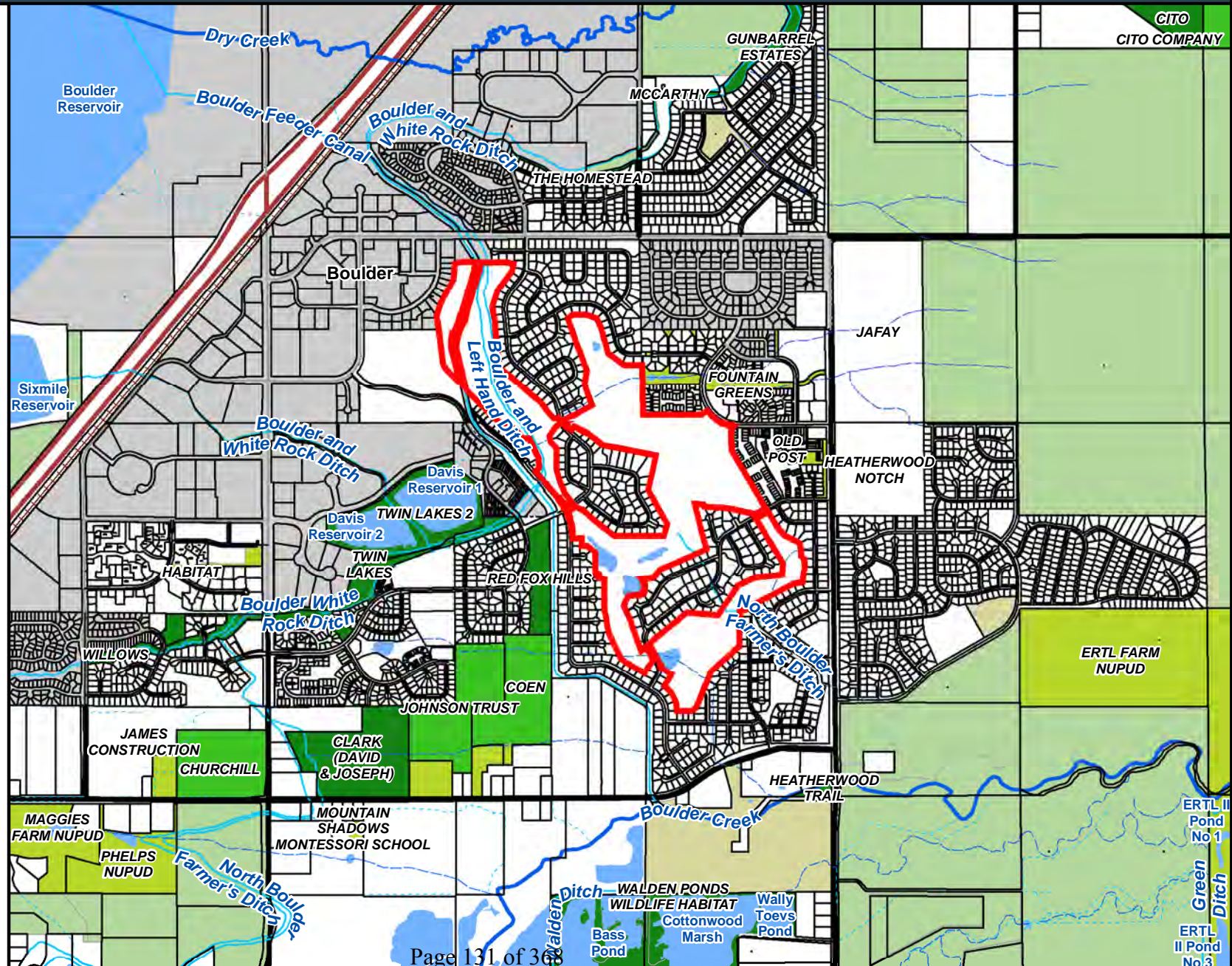
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Area of Detail Date: 6/13/2023



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To: Boulder County Board of County Commissioners

From: Michael Larson, General Manager Boulder Country Club

Re: Limited Impact Special Review Boulder Country Club

Four primary elements are included in this application for Limited Impact Special Review:

1. Classification of the Boulder Country Club (BCC) as a Use of Community Significance
2. Approval of the BCC as a Conforming Use
3. Approval of the tennis bubble (two tennis and six pickleball courts) as a seasonal structure covering existing identical uses during the winter season
4. Approval of a “long term” conceptual Master Plan for the BCC

As an integral part of the Limited Impact Special Review, please consider classification of the Boulder Country Club as Use of Community Significance. Several bases exist to support that designation.

1. Formation of the Gunbarrel Sub Community

The Gunbarrel Sub Community was authorized and formally initiated by joint action of Boulder County and the City of Boulder during the early 1960's as part of the "Spokes of the Wheel" long range Comprehensive Plan. At that time, the entire sub community was characterized by rural uses, primarily agricultural and minimal urban development.

By agreement, the area was to be developed over time, in phases, based upon the City of Boulder standards of development and densities, located within the unincorporated area of Boulder County. Special districts were designed to provide central water and sewer services, with major utility lines extended to the area by the City of Boulder. The sub community was created with the agreement that the entire area would be annexed to the City of Boulder when and as requested. All development was serviced by "revocable permits" which could be discontinued if the area refused annex when eligible and formally requested.

The primary catalyst for the formation of the Gunbarrel community, which created the historic, economic, social, and cultural basis for the entire sub community was the Boulder Country Club. The BCC established in 1964, provided essential recreational, social, cultural, etc., services to the future residents of the area, which otherwise were nonexistent. Additionally, at approximately the same time, IBM committed to construct a major facility within Gunbarrel to become a further economic catalyst to support the creation of the sub community.

Gunbarrel would not have been successfully undertaken without the establishment of the Country Club and of IBM. Clearly, as such, the Country Club justifies designation as a Use of Community Significance.

2. Services Provided

The Country Club (BCC) provides a comprehensive range of services and facilities to both residents of the Gunbarrel Community and to Boulder County residents at large.

Currently the BCC consists of 885 memberships. Of this amount, 392 members are current residents of the Gunbarrel community.

Services include a full range of year-round recreational and leisure services including golf, indoor and outdoor tennis, swimming, indoor gymnasium, and exercise equipment. Special programs and instruction are provided to kids, teens, and adults.

The clubhouse provides a comprehensive range of dining and entertainment services of all types, as well as multiple programs and activities for participants. The BCC also hosts special events and activities such as banquets, weddings, conferences, meetings, charity events, etc., for its members, guests, and organizations within Boulder County.

3. Future Expansion

The BCC has a full capacity of members. No future expansion is contemplated to increase the size of its membership or need for additional parking facilities, utilities, etc. Similarly, no change in the hours of operation to the club is proposed. Many of the members reside near the BCC, so they currently access the club by bicycle, golf cart, or by walking; therefore, vehicular impact on the residential community is limited and is not anticipated to increase to any significant extent.

During the winter months of November to April, overall average daily usage of the Club is significantly below that experienced during the peak summer season of May through October. This pattern is due to a number of factors.

By far the major drivers of member usage of the Club are the two golf courses and related facilities such as the practice greens, driving range, etc. These courses are infrequently used during much of the Winter period. Second, a relatively high percentage of members, estimated as much as 25%, own second homes and function as “snowbirds”, whereby during the winter months they reside in a variety of locations characterized by more favorable weather conditions and “winter” resort locations. Third, during the peak summer season, usage of the club house, including food and

beverage, meetings and conferences, clubs and activities, etc. are substantially more active than during the winter months. Fourth, the outdoor pool and snack bar, very popular for members and families, are closed for the season.

The proposed tennis bubble will only operate during the Winter months. It will be removed during the summer season. The addition of the bubble will convert to year-round of use for the six pickleball and two regular tennis courts, which currently operate only during the summer season. The availability of year-round use of the facilities will be of real value to those members who participate in tennis and pickleball and therefore are an important asset to the club. However, their conversion to year-round usage will only replace a small proportion of the decrease in average daily usage that occurs during the winter season to the rest of the club.

The same ratio would apply to the other club facilities. Parking capacity is significantly under utilized during the winter season as are other clubhouse facilities such as food and beverage, etc.

Thus, even with the installation of the proposed tennis bubble, net average daily usage of the BCC and corresponding off-site impacts on the larger neighborhood and infrastructure will be less during the winter months than the summer.

4. Designation of the BCC clubhouse as Historic Landmark by Boulder County Board of Commissioners

A fourth basis supporting the classification of the BCC as a Use of Community Significance is the following: In October of 2019, Boulder County, based upon recommendation of the Historic Preservation Advisory Board (HPAB) formally designated the BCC Clubhouse as a Historic Landmark. This action documents the importance of the Club to the community and to the architecture history of Boulder County. It also clearly supports the classification of the Boulder Country Club as a Use of Community Significance.

Change in status of the BCC from a legal non-conforming use operating under a classification as a Special Use to a “Conforming Use”

The BCC successfully operated from its inception in 1964 until 1991 as a permitted use within the Rural Residential Zoning District. In 1991, the County revised its zoning ordinance to remove “Membership Club” as an allowable use within the RR Zone. This effectively changed the status of the BCC to a pre-existing legal non-conforming use. In 1993, based upon an application to the Board of County Commissioners, the BCC was approved as a Special Use and was allowed to operate on that basis, consistent with an approved Master Plan for the property. This Master Plan has been periodically updated and amended, based upon formal actions by the County Commissioners.

The review process involved and required as part of the continued updating and periodic amendments to the Special Use is complex and cumbersome to effectively administer. Furthermore, based upon Section 4-1000 of the Land Use code, entitled Non-Conforming Structures and Uses, county policy states that “non-conforming uses and structures should be brought to conforming status as speedily as justice will permit...”

In so far as the BCC has been classified as a legal, non-conforming use since 1991 and as a Special Use for thirty years, it has been recommended by staff to change its status to become a Conforming Use. Approval of the BCC as a “Use of Community Significance” is an essential first step in that process.

The second step is to classify the BCC as a Conforming Use. As noted previously, the BCC was an allowed and a Conforming Use for almost thirty years at its current location and use. Through no action or application of its own and no change in use or intensity, it became a non-conforming use. This change then precipitated the application to the county to become a Special Use. The conversion of the BCC to a Conforming Use would be consistent with County Policy, and we believe, preferable to continued existence as a non-conforming or as a Special Use.

Dome Project Narrative

The BCC Tennis and Pickleball Dome will be a seasonal structure covering an existing hard-court surface that includes 6 outdoor pickleball courts and two outdoor tennis courts during the winter season, maximum of 180 days. The footprint of the dome to cover the courts would be 207' in length, 120' in width, maximum of 35' in height, covering a total 24,840 sq feet of court surface. Separate electrical and natural gas connections will provide for heat and inflation of the dome with the utilities located on a separate concrete pad, currently existing, to the west of the dome. The indoor dome lighting of the dome will be 40 480-watt LED fixtures. The dome will be opaque in color with very little light emission.

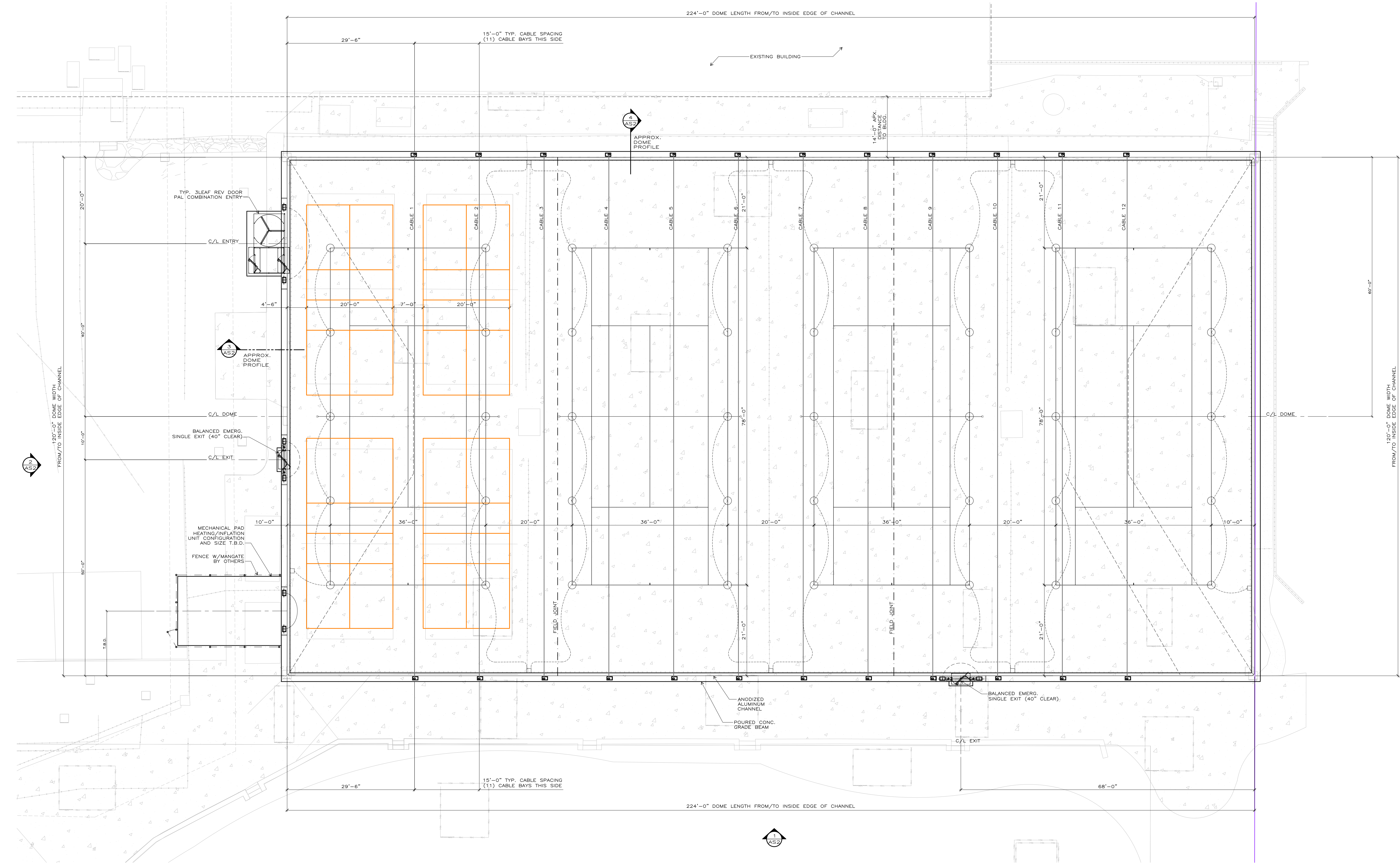
The addition of the dome structure does not increase club membership numbers. The seasonal dome provides the opportunity for Boulder Country Club to have a year-round tennis and pickleball program for its membership. The current year-round tennis facility is limited to three indoor tennis courts, which presents a challenge in providing indoor tennis playing options for our members during the winter months. The addition of pickleball to club programming has placed an increasing strain on the current indoor facility in providing both tennis and pickleball programming for the members during the indoor season. The availability of indoor and outdoor tennis courts in Boulder has become increasingly worrisome to the Boulder tennis community between the potential loss of the Rocky Mountain Tennis Facility along with the increase in popularity of pickleball causing several tennis facilities to combine their tennis courts with lines for pickleball competition. These challenges to the Boulder Tennis Community have been documented in a recent article in the Daily Camera on May 5th and an email sent to Boulder tennis clubs and facilities by Boulder Tennis Association League Coordinator, Jody Reenan, where she states, "As you probably know, the court availability situation in Boulder is dire. There are very few public court facilities with both enough courts and in acceptable enough condition for league play, and both RMTC and CU South may not be available after next year."

In an effort to minimize the impact on the surrounding areas, BCC has considered the following:

- a. Limiting light and sound emission while operating the dome. The dome is opaque with very little, if any, light emitting from the dome. There is a light indicating an emergency exit, as required, but that will be south facing towards the golf course. There is some sound emission expected with operating the inflation system. However, the maintenance pad for electrical and natural gas will be west of the dome next to our outdoor pool area. It has no impact on any surrounding residences or member use of the club facilities.
- b. The hours of operation will be the same as the BCC Athletic Center and Indoor Tennis Facility; 5:00am-9:00pm weekdays and 7:00am-9:00pm on weekends.
- c. There are no plans to increase membership capacities.
- d. Sight line will minimally affect two to three residences located to the East of the dome during the winter season while the dome is operating, 180 days or less, with the dome removed from the site during the outdoor season, May through October. Additionally, the townhomes to the East are situated approximately 175ft from the proposed dome, which further moderates any impacts. Residences to the North are effectively separated and screened from the dome by the existing permanent indoor tennis structure. The club driving range/golf course is to the South of the dome and the outdoor pool area and clubhouse located to the West, with no impact on surrounding residences in either direction.
- e. In the wintertime period, we have about 15% of our membership considered snowbirds. Essentially, they leave the Boulder area around the month of October, and most do not return until the month of May.

- f. Approximately an additional 10% of the membership owns a property up in the mountains which we believe they used for winter recreation. These members usually leave for the mountains.
- g. Based on our revenue data, we do approximately 67% of our revenues (taking dues out of the equation) in the months of April through September. This means that for the months of November through March we make 33% of our revenues (less dues revenue).
- h. Golf rounds see a huge reduction due to seasonality with 80% (these computes to about 19,200 rounds out of approximately 24,000 rounds a year) is done between April and September. October – March is 20%.
- i. We average total tennis visits at about 27,000 per total calendar year. This equals about 74 tennis visits a day. April through September our average tennis visits is 92 a day. Please note that in the summertime period we have the use of the 3 true-hard tennis courts outside along with the 4 pickleball courts. Total summer visits are about 16,000. October through March we average 60 visits per day resulting in wintertime totals visits to be about 11,000. We estimate with the use of the seasonal Tennis Bubble we move up to an average of 74 visits per day resulting in about a 23% increase in visits totaling 13,530 in the wintertime with the addition of the Tennis Bubble. In other words, because we are a seasonal club by nature, the Tennis Bubble would increase Tennis visits, but overall, the decrease in average daily visits to the club do to reduction in golf, food and beverage, meeting and activities more than compensate for the incremental trips generate by the seasonal Tennis Bubble.
- j. Total Tennis department revenues are approximately 10% of our total revenues excluding dues revenue.

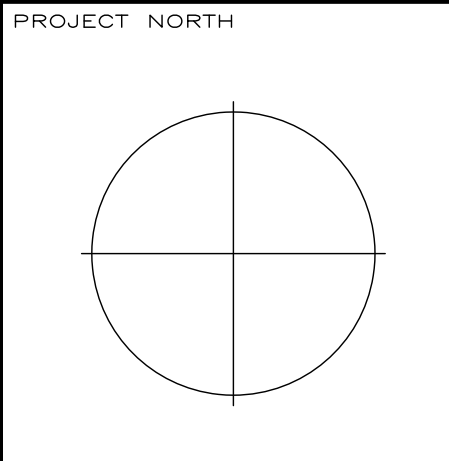
It is our hope that we can provide the opportunity for our BCC Membership to enjoy participating in both tennis and pickleball program year-round without the challenge of limited court space. Additionally, it is our intention to assist Boulder Tennis Community with opportunities for tennis and pickleball competitions throughout the winter months by hosting local tournaments and events held in the BCC Tennis and Pickleball Dome.



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DRAWINGS SHALL NOT BE SCALED

NO.	DESCRIPTION	DATE

REVISIONS:



SEAL:

PROJECT:
**BOULDER
COUNTRY CLUB
MULTI-SPORT DOME**

PROJECT LOCATION:
BOULDER, CO

DRAWING:
PLAN VIEW

SCALE:
3/32"=1'-0"

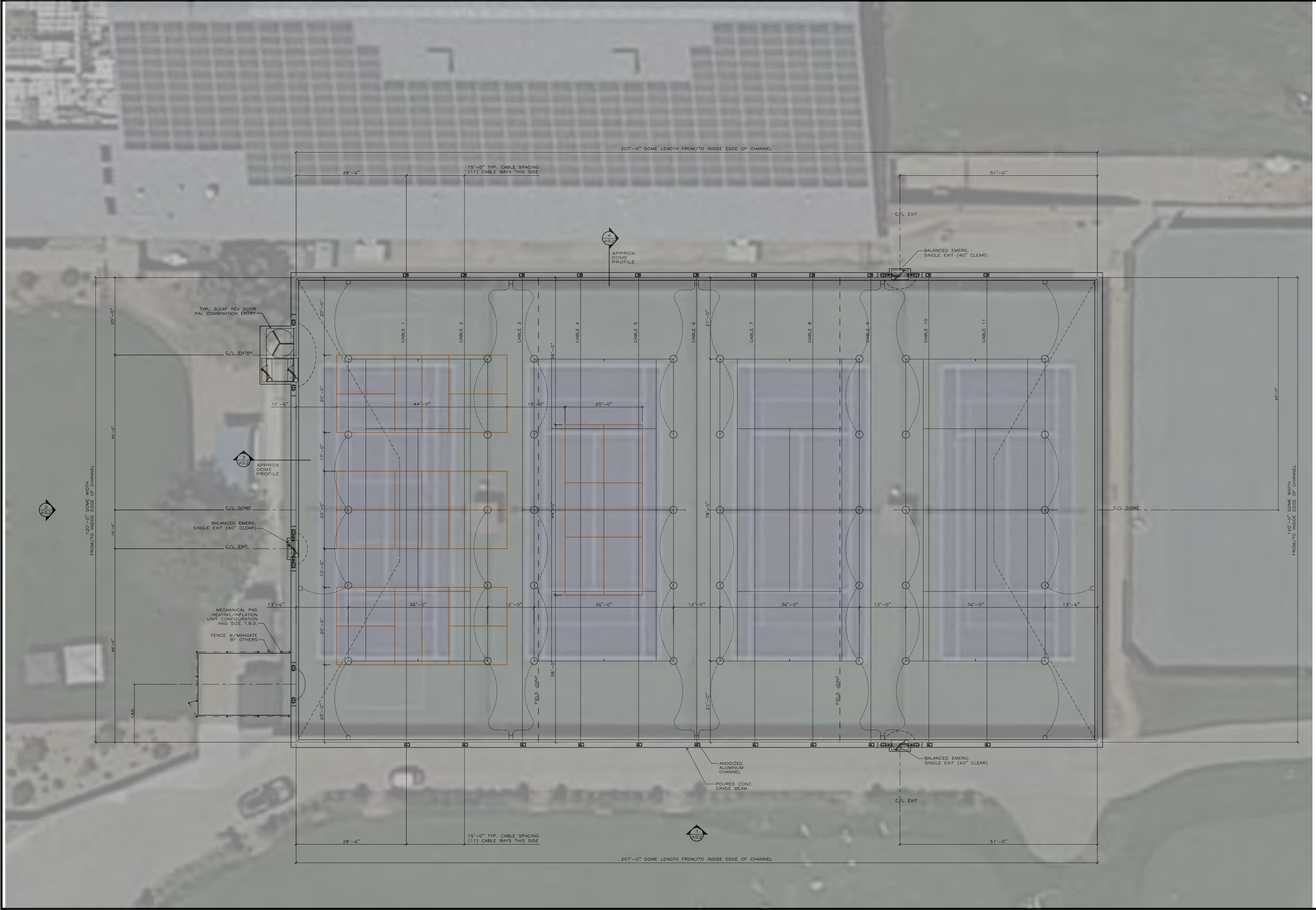
DATE:
24/AUG/23

DRAWN BY:
K.K.

APPROVED BY:

PROJECT NO.:
AS-1

DWG. NO.:
AS-1





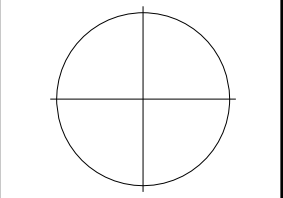
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NO.	DESCRIPTION	DATE
REVISIONS:		

PROJECT NORTH



SEAL:

PROJECT:

BOULDER COUNTRY CLUB MULTI-SPORT DOME

PROJECT LOCATION:

BOULDER, CO

DRAWING:

PLAN VIEW

SCALE:

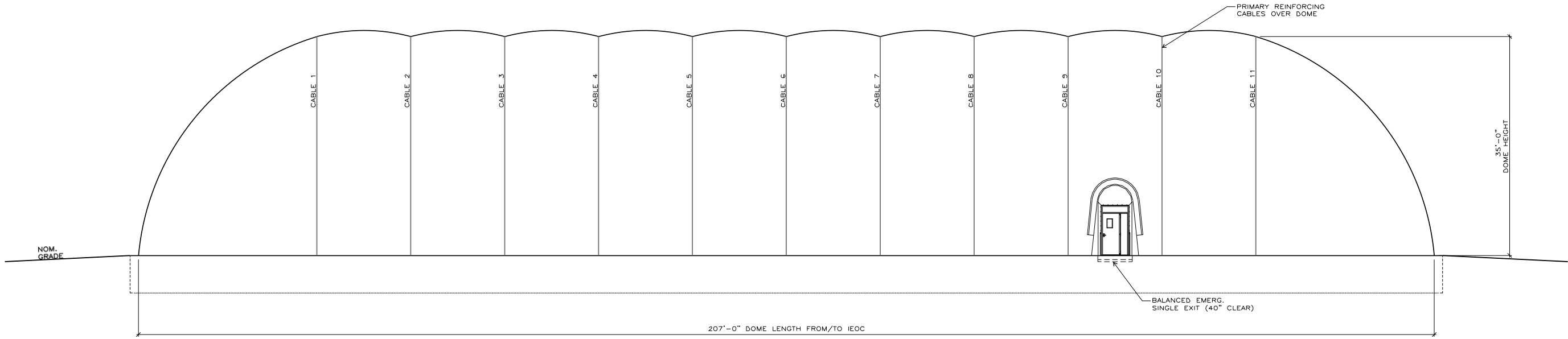
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DATE:

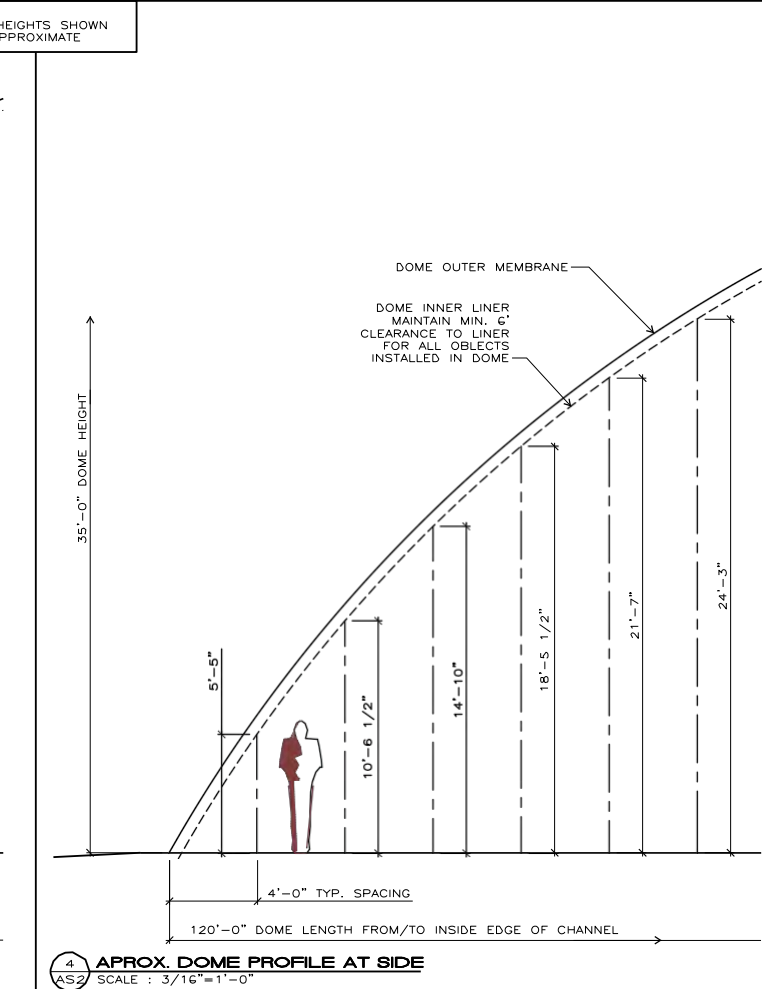
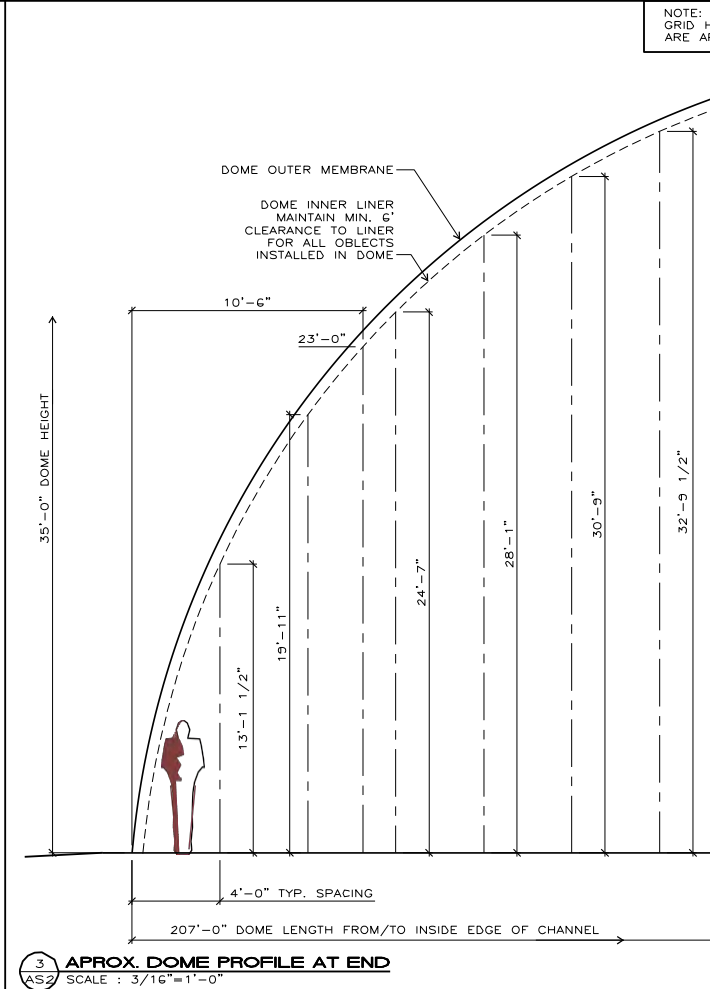
11/MAY/23

DRAWN BY:	APPROVED BY:
K.K.	
PROJECT NO.:	DWG. NO:
	AS-1

1 SIDE ELEVATION
AS2 SCALE : 3/32"=1'-0"



2 END ELEVATION
AS2 SCALE : 3/32"=1'-0"



GENERAL NOTES:

1. DESIGN LOADS:

- i) THIS STRUCTURE IS AN AIR SUPPORTED STRUCTURE IN WHICH THE FABRIC IS SUPPORTED BY INTERNAL PRESSURE. THE INTERNAL PRESSURE IS MONITORED DAILY BY THE OWNER AND IS INCREASED PRIOR TO HIGHER WINDS OR TO SNOWFALLS, AS DIRECTED IN THE OWNER'S MANUAL, IN ORDER TO PROVIDE REQUIRED RESISTANCE TO THE WEATHER LOADS.
- ii) WIND : IN ACCORDANCE WITH 2015 IBC AND 2016 ASCE-7, 155 MPH (ULT). EXPOSURE C. PRESSURE DISTRIBUTION TO 2016 ASCE 7.
 - RISK CATEGORY II, MAXIMUM OCCUPANCY IN DOME < 300
- iii) INTERNAL DESIGN PRESSURE :
 - INTERNAL DESIGN PRESSURE IS : 13.46 PSF (2.59" W.C.). THIS IS REQUIRED IN ORDER TO MAINTAIN STRUCTURAL INTEGRITY DURING WEATHER EVENTS.
 - DURING NON-WEATHER EVENTS, THE OWNER MAY REDUCE THE INTERNAL PRESSURE, AT THEIR OWN DISCRETION. MINIMUM INTERNAL PRESSURE IS : 3.9 PSF (0.75" W.C.).
 - STANDBY SET FOR 0.12 kPa (2.6 PSF, 0.5" W.C.) FOR THE "ON" VALUE.
- iv) SNOW :
 - GROUND SNOW 40 PSF
 - SNOW IMPORTANCE FACTOR Is=1. SNOW EXPOSURE FACTOR Ce=0.3. THERMAL FACTOR Ct=0.85
 - DOME WILL SHED SNOW DUE TO CURVATURE OF MEMBRANE INTERNAL PRESSURE AND HEAT. SNOW STARTS TO MELT ON CONTACT, THEN AS IT ACCUMULATES, A LAYER OF MELTWATER FORMS BETWEEN THE SNOW AND THE MEMBRANE SURFACE ALLOWING THE ACCUMULATED SNOW TO SLIDE OFF.
 - SNOW TO BE MANUALLY REMOVED BY OWNER IF EXTREME CONDITIONS EXIST (ASCE 55-16 6.11)
 - SNOW TO BE REMOVED FROM ALL SIDES OF DOME BY OWNER AFTER EVERY SNOWFALL
 - IF SNOW IS FORECAST, THE OWNER MUST HAVE PERSONNEL AVAILABLE TO MONITOR DOME OPERATION DURING THE SNOW EVENT.
- v) DEAD LOAD : SELF WEIGHT OF DOME, INSULATION AND CABLES

2. STRUCTURAL:

ALL WORK SHALL CONFORM TO THE APPLICABLE CODES, LOCAL REGULATIONS AND AUTHORITIES HAVING JURISDICTION.

THE ENGINEER SHALL BE GIVEN 48 HOURS MINIMUM NOTICE BY THE CONTRACTOR FOR ALL REQUIRED INSPECTIONS OF FOUNDATION, REINFORCING STEEL, STRUCTURAL STEEL AND FRAMING. THIS SET OF DRAWINGS REPLACES ALL PREVIOUS DRAWINGS.

ALL SITE DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. NO CHANGES SHALL BE MADE WITHOUT WRITTEN APPROVAL BY THE ENGINEER.

ALL SURFACES OF STRUCTURES DIRECTLY EXPOSED TO THE INTERIOR OF THE AIR STRUCTURE SHALL BE DESIGNED TO WITHSTAND A MINIMUM OF 30 PSF OF AIR PRESSURE.

FABRIC STRESS RELIEF CABLES ABOVE OPENINGS IN THE PRIMARY MEMBRANE SHALL BE DESIGNED AS CATENARY SPANS OF STEEL CABLE, SELECTED AND SUPPLIED BY YEADON FABRIC STRUCTURES IN ACCORDANCE WITH THE FABRIC STRESS CALCULATIONS PROVIDED BY THE ENGINEER FOR THIS PROJECT.

THIS AIR STRUCTURE HAS BEEN DESIGNED USING CSA DOCUMENT CSA S367-12 AND ASCE 55-16 AS GUIDES.

3. EXCAVATION AND BACKFILL:

SOIL CONDITIONS SHALL BE REPORTED TO THE ENGINEER AT THE TIME OF EXCAVATION AND AT HIS DISCRETION THE ENGINEER MAY REQUIRE FURTHER SOILS INVESTIGATION, OR MODIFICATIONS TO THE GRADE BEAM DESIGN.

REMOVE ALL TOP SOIL AND DELETERIOUS MATERIAL FROM BENEATH ALL STRUCTURE COMPONENTS.

USE ONLY ENGINEER APPROVED COMPACTED FILL TO RAISE GRADES WHERE REQUIRED BENEATH STRUCTURES.

COMPACT ALL GRANULAR FILL TO 98% SPDD. COMPACTION TESTING SHALL BE CARRIED OUT BY A QUALIFIED GEOTECHNICAL CONSULTANT PRIOR TO INSTALLATION OF ANY STRUCTURES SUPPORTED ON FILL.

SLOPE ALL GRADES AWAY FROM THE AIR STRUCTURE AND ITS COMPONENTS.

PROTECT EXCAVATIONS AND GRADE BELOW SLABS FROM FROST PENETRATION BY PROPER USE OF STRAW, THERMAL BLANKETS AND TARPS.

4. CONCRETE:

ALL CONCRETE AND REBAR SHALL CONFORM TO ACI CODE 318-LATEST EDITION.

CONCRETE STRENGTH SHALL BE 3000 PSI, 6% +/-1% AIR EN IN ALL CASES, UNLESS OTHERWISE SPECIFIED.

USE ONLY GRADE 60 (60,000 PSI) DEFORMED REBAR.

APPROPRIATE MEASURES SHALL BE TAKEN TO PROTECT CONCRETE FROM EXCESSIVE EVAPORATIVE WATER LOSS AND ENSURE PROPER CURING.

ALL CONCRETE SHALL BE TESTED BY AN ACI CERTIFIED CONCRETE TESTING LABORATORY.

USE HIGH FREQUENCY VIBRATION TO PLACE ALL CONCRETE.

APPROPRIATE MEASURES SHALL BE TAKEN TO PROTECT CONCRETE FROM EXPOSURE TO FREEZING TEMPERATURES FOR AT LEAST (7) DAYS FOLLOWING CONCRETE PLACEMENT.

PROVIDE DROUT CLEANED RUBBED FINISH IN ACCORDANCE WITH ACI 301-10 FOR ALL FORMED CONCRETE SURFACES EXPOSED TO VIEW.

ENSURE 2" MINIMUM COVER FOR ALL REBAR IN FORMED CONCRETE, 3" MINIMUM COVER FOR CONCRETE POURED AGAINST SOIL.

PROVIDE VERTICAL CONTROL JOINTS @ 20'-0" O.C. MAX. LOCATE MID DISTANCE BETWEEN CABLE ANCHORAGE. KEY EX FACE 1" MIN AND CAULK. CUT EVERY OTHER HORIZ. BAR.

RE-BAR LAP/SPLICE LENGTHS:
#4 = 22"
#5 = 28"
#6 = 32"

5. ELECTRICAL NOTES:

(SEE ALSO ELECTRICAL DRAWINGS BY OTHERS ISSUED FOR THIS PROJECT)

EXITS:
THE CONTRACTOR SHALL PROVIDE (1) 277V/15A DEDICATED CIRCUIT FOR EMERGENCY LIGHTING ONLY AND ALL EMERGENCY LIGHTS SHALL BE POWERED BY THIS CIRCUIT.

POWER SUPPLY FOR EMERGENCY EXITS SHALL BE BROUGHT WITHIN 12" OF EACH EXIT DOOR OPENING AS LOCATED IN THE CONSTRUCTION DRAWINGS.

WHERE THE POWER SUPPLY IS RUN IN CONDUIT CAST INTO THE FOUNDATION GRADE BEAM, 10" CLEARANCE MUST BE PROVIDED BELOW FINISHED CONCRETE SURFACE TO AVOID CONTACT WITH ANCHOR BOLTS.

LIGHTING:
POWER SUPPLY FOR LIGHT FIXTURES SHALL BE BROUGHT TO RECEPTACLE BOXES AS LOCATED IN THE CONSTRUCTION DRAWINGS.

ELECTRICAL CONTRACTOR TO TRIM AND INSTALL PLUG ENDS ON EACH LIGHT CORD IN PROPER LOCATIONS.

VOLTAGE, AMPERAGE AND J-BOX LOCATIONS SHALL BE CONFIRMED BY THE CONTRACTOR TO YEADON FABRIC STRUCTURES, IN WRITING, PRIOR TO COMMENCEMENT OF ELECTRICAL WORK.

IT IS RECOMMENDED THAT LIGHTING CONTRACTORS BE USED WITH REMOTE LOCATION SWITCHING AT A CONTROL POINT, LOCATED BY THE OWNER / DEVELOPER.

FOR SUSPENDED LIGHTING, EVERY EFFORT IS MADE TO ALIGN LIGHTS VERTICALLY AND HORIZONTALLY, DUE TO THE CURVATURES OF THE DOME AND THE DIFFERING LOCATIONS OF THE FIXTURES ON THE INDIVIDUAL PANELS. VARIATIONS IN HEIGHT AND HORIZONTAL ALIGNMENTS MAY OCCUR, OTHER FACTORS SUCH AS DOME PRESSURE MAY ALSO AFFECT THE LOOK AND ALIGNMENT OF THE FIXTURES.

6. MECHANICAL EQUIPMENT:

SEE MECHANICAL DRAWINGS (BY OTHERS ISSUED FOR THIS PROJECT).

POWER SUPPLY FOR MECHANICAL EQUIPMENT SHALL BE BROUGHT TO LOCATIONS AS INDICATED ON THE CONSTRUCTION DRAWINGS. (NOTE: EQUIPMENT IS SUPPLIED WITH MAIN DISCONNECT).

VOLTAGE AND AMPERAGE REQUIREMENTS SHALL BE CONFIRMED BY THE CONTRACTOR TO YEADON FABRIC STRUCTURES IN WRITING, PRIOR TO COMMENCEMENT OF ELECTRICAL WORK.

THE ELECTRICAL CONTRACTOR SHALL COMPLETE ALL ELECTRICAL TERMINATIONS AND CONNECTIONS.

THE INFLATION UNIT IS SHIP IN SECTIONS FOR SHIPPING, FIELD ASSEMBLY REQUIRED. ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR CONNECTING THE ELECTRICAL SPLITS ON THE SECTIONS.

ELECTRICAL CONTRACTOR SHALL TEST ROTATION PRIOR TO MANUFACTURER FACTORY STARTUP.

FOR PRESSURE SENSING TUBING, ELECTRICAL CONTRACTOR TO PROVIDE AND INSTALL 3/4" CONDUIT FROM CONTR. PANEL TO STUB UP IN BOX INSTALLED IN GRADE BEAM IN DOME INTERIOR, AND FROM CONTROL PANEL TO ATMOSPHERE, TO TERMINATE IN BOX WITH SCREENED VENT.

FOR BOTTOM DISCHARGE UNITS, ELECTRICAL CONTRACTOR TO PROVIDE AND INSTALL TEMPERATURE SENSORS IN THE DISCHARGE AND RETURN AIR DUCTS.

FOR REMOTE PC/MOBILE ACCESS, ELECTRICAL CONTRACTOR TO PROVIDE CONDUIT AND INSTALL ETHERNET CABLE FROM REMOTE PC LOCATION TO INFLATION UNIT.

OWNER TO PROVIDE IP ADDRESS AND PC CONNECTED AT TIME OF INSTALL FOR REMOTE ACCESS OPTION.

7. FABRIC SPECIFICATIONS:

SHELTER RITE	STYLE 8028	STYLE 9032
BASE -TYPE	POLYESTER	POLYESTER
FABRIC -WEIGHT	(7.5 oz/yd ²)	(10.0 oz/yd ²)
FINISHED COATED WEIGHT	(28 +/-2/-1 oz/yd ²)	(32 +/-2/-1 oz/yd ²)
ASTM D751		
TONGUE TEAR	(8" x10" SAMPLE @ 12"/MIN.)	(8" x10" SAMPLE @ 12"/MIN.)
ASTM D751	(275/275 lbf)	(300/300 lbf)
TRAPEZOID TEAR	(85/85 lbf)	(100/100 lbf)
ASTM D4533		
GRAB TENSILE	(700/700 lbf)	(840/840 lbf)
ASTM D751		
STRIP TENSILE	(515/515 lbf/in)	(650/650 lbf/in)
ASTM D751 PROCEDURE B		
ADHESION (MINIMUM)	(10 lbf/in)	(10 lbf/in)
ASTM D751 DIELECTRIC WELD		
HYDROSTATIC RESISTANCE	(500 psi)	(500 psi)
ASTM D751 PROCEDURE A		
DEAD LOAD	(2" BEAM, 4 HRS, 1" STRIP)	(2" BEAM, 4 HRS, 1" STRIP)
MIL-T-52083E (MODIFIED)	(266 lbf @ ROOM TEMPERATURE)	(266 lbf @ ROOM TEMPERATURE)
PARA 4.5.2.19	(133 lbf @ 160° F)	(133 lbf @ 160° F)
LOW TEMPERATURE	(LTC: PASS @ -20° F)	(LTC: PASS @ -40° F)
ASTM D2135	(LTA: PASS @ -67° F)	(LTA: PASS @ -67° F)
1/8" MANDREL 4HRS		

FLAME RESISTANCE
MEETS NFPA 701; CAN/ULC-S109; ASTM E813-2 SECOND FLAMEOUT
REGISTERED BY CALIFORNIA FIRE MARSHAL (NO. F-10301); GB8824-2008;
ASTM E84 & ULC-S102 - FLAME SMOKE INDEX <25, SMOKE DEVELOPMENT RATING <450

PROJECT:

**BOULDER
COUNTRY CLUB
MULTI-SPORT DOME**

PROJECT LOCATION:

BOULDER, CO

DRAWING:

**ELEVATIONS
GEN. NOTES**

SCALE:

AS NOTED

DATE:

11/JUN/23

DRAWN BY:

K.K.

APPROVED BY:

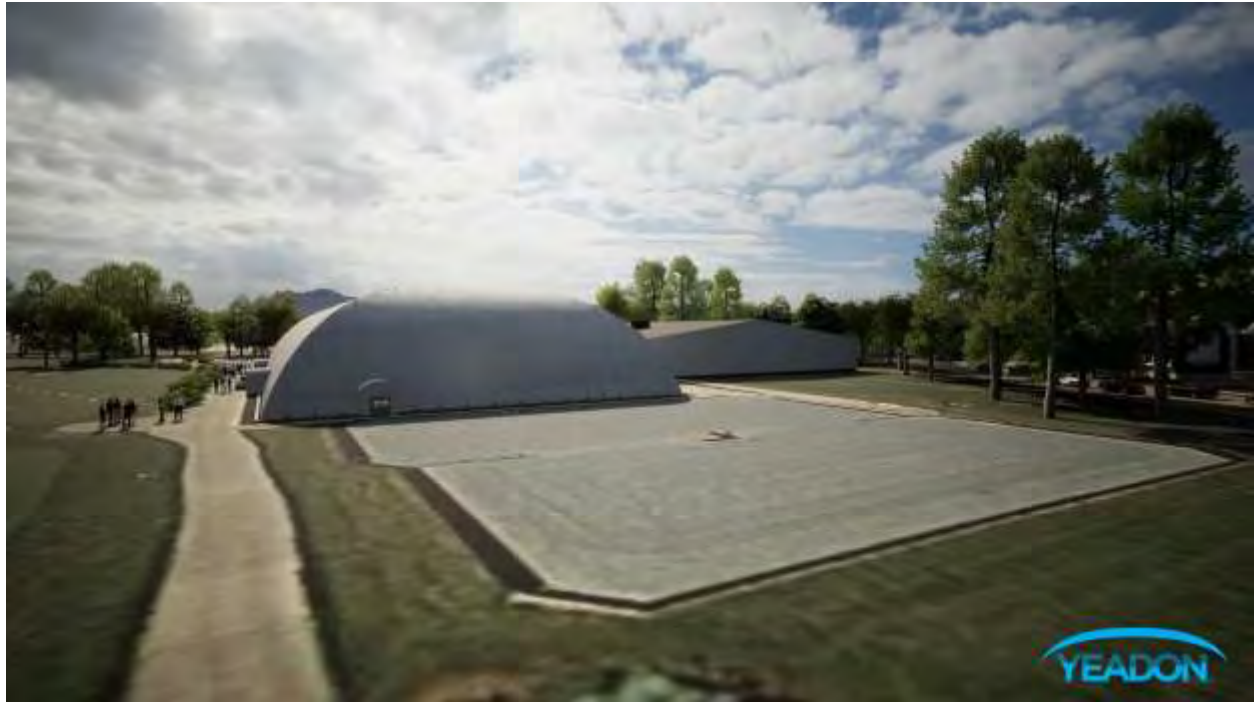
PROJECT NO.:

DWG. NO:

AS-2









Boulder Country Club

Conceptual Master Plan

2023

The following are conceptual master plan options for the Boulder Country Club. You will see a overhead map of the clubhouse and ground maintenance areas that we are reviewing for potential improvement. This Conceptual Master Plan is based on a ten-to-twelve-year life.

In addition, some of these potential improvement areas, we will be looking at remodeling existing décor in several areas of existing buildings which would consist of updating interior décor in existing buildings.

We do not have any plans on increasing our membership counts with any of these improvement concepts. These concepts are looked at to improve the existing membership experience.

The Key Chart with the different lettering will show what potential improvement we are looking for in each area. Please remember these improvements are concept based and we have not gone into detail in planning many of the conceptual projects.

- A. **Seasonal Tennis Bubble:** The Seasonal Dome is a project we are submitting for as of September 11, 2023. This concept is to have a seasonal dome (November – March or 178 days) over our existing 4 outdoor tennis/pickleball courts. Details of this project have been submitted to Boulder County.
- B. **Clay Court Re-Surfacing:** We are looking to change the clay court surface to a true hard or similar surface. This is due to the lack of use for the current clay court surface.
- C. **Remodeling of the Outdoor Pool area with pool deck:** Our current Outdoor Pool area is over 55 years old. The plan would be to remodel to a newer outdoor pool facility along with the decking area.
- D. **Replacing a kids' camp tent with a permanent kids' athletic child watch area:** We are researching a potential child watch area for our members while they utilize our services at the club.
- E. **Multi-Purpose Services Building:** We are investigating possible options for Spa & fitness services in this area of the club.
- F. **Multi-Purpose Area:** We are looking at several different possible services that could be offered here from creating a golf performance center or spa services or other options for additional sports such as bocce ball, etc.
- G. **Potential new Golf Pro Shop Building:** We are investigating the option of moving our Golf Pro Shop to this area. This would allow us to re-purpose the lower level of the clubhouse for different uses.
- H. **Multi-Purpose Area:** We are researching several different options here such as Bocce Ball Courts, pickle ball courts, performance area or a snack bar area.

Once again, we will not be increasing our membership levels and a few of these potential projects are a maintenance aspect of our operation.

We believe the Boulder Country club has been a huge asset to the Boulder County community. We do numerous events to benefit the community at large as well as many of the business leaders of the community are members of Boulder Country Club. Boulder Country Club at this current location has been in existence since 1964. The development of this club was a major factor in the creation of the Gunbarrel Community. The Gunbarrel community continues to grow, and the value of a private club continues to grow with it.

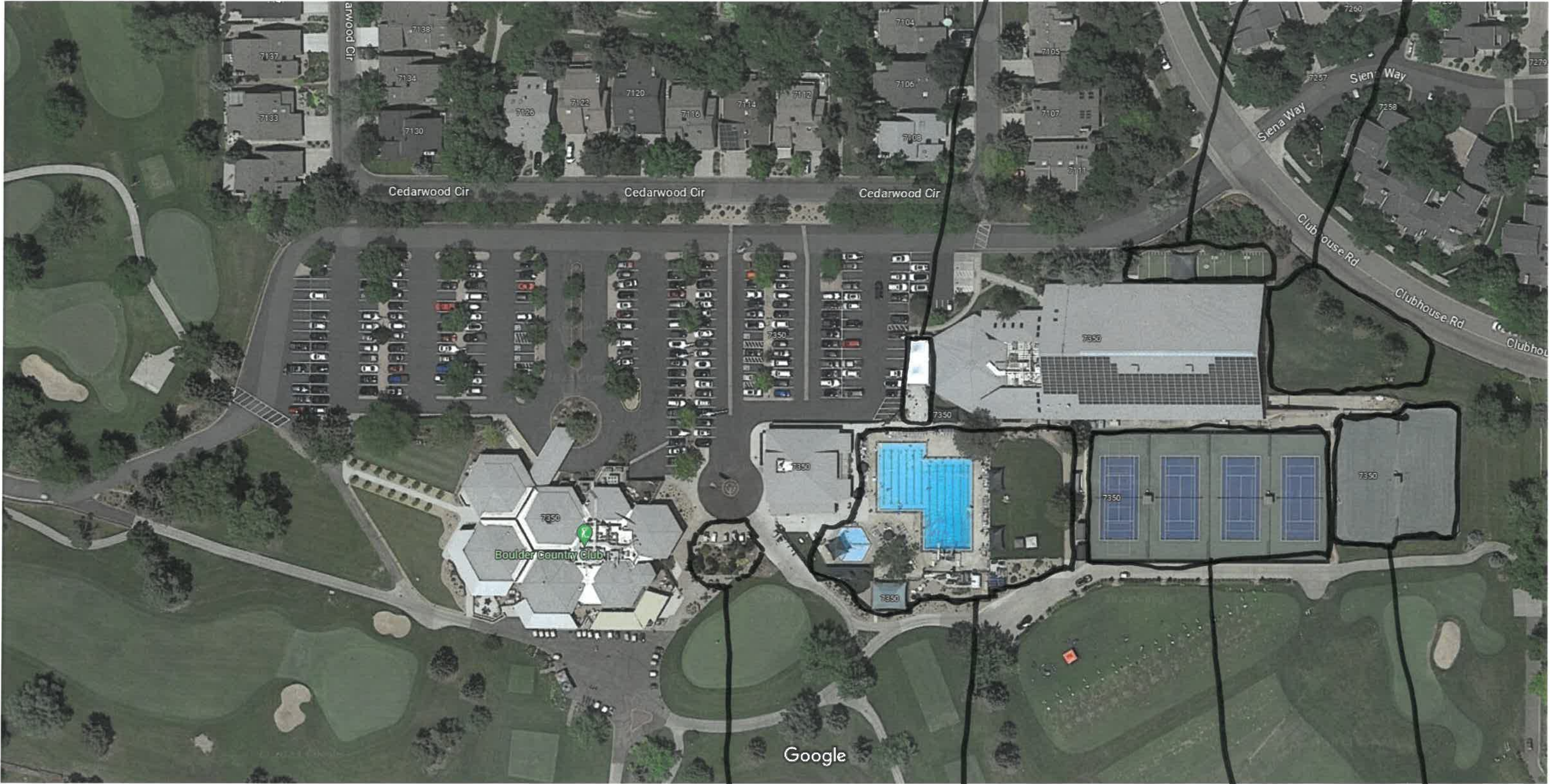
We appreciate the working relationship we have with Boulder County and would like to see it enhanced each year. We believe the future is bright for Boulder and feel that the Boulder County Club will be a big part of the success of Boulder now and into the future.

Please contact me at Boulder Country Club if you have any questions regarding the conceptual master plan.

Signed:

Michael Larson
GM/COO
Boulder Country Club

Google Maps



Imagery ©2023 Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2023 Google 50 ft



Imagery ©2023 Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2023 Google 50 ft

From: [Dean Rogers](#)
To: [L"Orange, Pete](#)
Subject: [EXTERNAL] LU-23-0028
Date: Friday, November 17, 2023 1:11:49 PM

Pete,

Boulder Rural has the following recommendations regarding LU-23-0028, the Boulder Country Club use of community significance at 7350 Clubhouse Road.

1. At the requested size of the tent (25,000 sq ft), per 2015 of the IFC, section 3103.8.3, requires at least a 50' separation between the tent and any structure. On a cursory view of the structure, there appears to be less than 15' and per google earth, less than 10'.
2. There is no separation requirement if the tent is 10,000 sq ft or less (includes several other requirements) (3103.8.2/exceptions).
3. If the tent is 15,000 sq ft or less, the separation distance is at least 20'.
4. The diagram shows two exits, this number is acceptable if all points within the tent are within 100' of an exit, otherwise, an additional exit would be required.

I spoke with Mr. Larson on Tuesday afternoon and explained the above requirements. He stated me may consider other options.

If I missed anything, or it there are any questions, please let me know.

Thank you,

Dean Rogers, Engineer

Boulder Rural Fire Rescue
6230 Lookout Road, Boulder, CO 80301
O 303-530-9575 | C 720-498-0019
drogers@brfr.org | www.brfr.org





Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: Agencies and Adjacent Property Owners
FROM: Pete L'Orange, Planner II
DATE: November 2, 2023
RE: Docket **LU-23-0028**

Docket LU-23-0028: Boulder Country Club Use of Community Significance

Designation

Request: Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre parcel at 7350 Clubhouse Road.

Location: 7350 Clubhouse Road, located approximately 1.4 miles north of the intersection of Jay Road and N. 75th Street, in Sections 11-14, Township 1N, Range 70W.

Zoning: Rural Residential (RR)

Applicant: Boulder Country Club c/o Michael Larson

Limited Impact Special Review is required of proposed uses that may have greater impacts on services, neighborhoods, or the environment than those allowed by right under the Boulder County Land Use Code. This process will review conformance of the proposed use with the Boulder County Comprehensive Plan and the Land Use Code.

This process includes a public hearing before the Board of County Commissioners. Adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of this hearing.

The Community Planning & Permitting staff and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information. If you have any questions regarding this application, please contact me at 303-441-1418 or plorange@bouldercounty.gov.

Please return responses by **November 17, 2023.**

☒ We have reviewed the proposal and have no conflicts.
☐ Letter is enclosed.

Signed Jacob Cassidy PRINTED Name Jacob Cassidy
Agency or Address City of Boulder Open Space and Mountain Parks
Date 11/17/2023

Claire Levy County Commissioner Marta Loachamin County Commissioner Ashley Stolzmann County Commissioner



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

November 10, 2023

Boulder County Community Planning and Permitting
PO Box 471
Boulder, CO 80306

Attn: Pete L'Orange

Re: Boulder Country Club Use of Community Significance, Case # LU-23-0028

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the limited impact special use for **Boulder Country Club Use of Community Significance** and has **no apparent conflict**.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

From: [Austin, Andrea](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Docket #LU-23-0028 comment
Date: Monday, November 13, 2023 8:31:28 PM

My residence is 7226 Four Rivers Road, Boulder, CO 80301, and I am personally affected by this proposal as a neighbor living 2 streets away from the club entrance.

In the event I'm traveling and not available to comment at the public meeting on January 11, 2024, I am registering my adamant opposition to the proposed "bubble" structure that would be in place 6 months out of the year. It's proposed height is roughly 3 stories high and would be a colossal eyesore in our community. Every day when I turn from 75th to Clubhouse Drive on my way home, I look at the lovely mountains, unobscured by a bubble structure that in no way belongs in a residential neighborhood. It's an abomination and should not be permitted for even 3 months out of the year, let alone 6. Even if the club says they're not going to increase members to take advantage of it, there's nothing prohibiting them from doing so. Frankly, I appreciate that there is less traffic in and out of the club during the winter months. I live here year-round, and the chaos that often ensues with haphazard golf cart drivers on public roads, higher than baseline level traffic and more pool parties and noise is thankfully gone for much of the winter. We shouldn't have to endure an eyesore of a giant bubble, more traffic, and potential further expansion of the club because some of their members leave for the winter – they've known that for decades, and it should not be the neighbors' burden to solve that for them by permitting new uses and a monstrosity of a structure that impacts our views. Imposing a horrific "fix" that burdens the rest of my neighborhood should not be the solution to their supposed woes, particularly when fewer than half of their members even live in Gunbarrel, and probably fewer yet who live on the surrounding streets. This should be a giant NO, as giant as that bubble is supposed to be. Next thing they'll want is to have outdoor pickleball courts year-round, when our peace and quiet will be permanently ruptured. I can't imagine a bigger way for the club to say they don't care anything about their neighbors than by suggesting this use.

Andrea Austin

Partner

HUSCH BLACKWELL LLP

1801 Wewatta Street,
Suite 1000

Denver, CO 80202-6318

Direct: 303-749-7264

Fax: 303-749-7272

Andrea.Austin@huschblackwell.com
huschblackwell.com

[View Bio](#) | [View VCard](#)

From: [alan wilson](#)
To: [L'Orange, Pete](#)
Subject: Re: [EXTERNAL] Ask a Planner - Alan Wilson - LU-23-0028, BCC ..non conforming land use - 7222 Old Post Road
Date: Tuesday, November 14, 2023 1:06:58 PM

Thank you Pete for a quick and clear explanation of what is what.

Bottom line is BCC was established under rules that today exclude such use and they also would like to "extend" some uses to cooler weather by using an enclosure, tent-like, to cover some key courts. All makes sense.

It probably would have been clearer to have:

- 1) an application to accommodate the **membership club** as established in the past, but now not allowed under newer ordinances and
- 2) another application to cover, part time/seasonally, the courts.

My only concern with #2 above is that it might be extended, quietly ..no pun intended! to hold big concerts, weddings, etc. that lead to lots of exterior noise. However, good, clear use language could control that.

alan wilson

On Tue, Nov 14, 2023 at 11:57 AM L'Orange, Pete <plorange@bouldercounty.gov> wrote:

Good afternoon!

The Country Club is currently considered a non-conforming use because the Boulder County Land Use Code has changed since the Country Club was established. When it was created, it was an allowed use, but subsequent changes to our Land Use Code made it so "membership clubs" (which is how we classify it) are no longer allowed in the Rural Residential zoning district. It is difficult for non-conforming uses to make any kind of substantial changes.

The "Use of Community Significance" designation is intended to allow a specific, non-conforming use to come into compliance with the Land Use Code if it is determined to have "at least two of the following characteristics: historic, cultural, economic, social, or

environmental value.” If it determined to be a “Use of Community Significance,” it would allow the Country Club to more easily make changes (still subject to County review). Per the application materials, the Country Club is not proposing to increase their hours of operation or number of members.

As for the seasonal structure, they are proposing a heated, inflatable dome/bubble over some of the existing tennis/pickleball courts, which is intended to allow those courts to continue to be used during colder months. The dome is more than just a tent like you would get from a rental company. You can get more information on the specifics of the proposed dome in the referral packet here: <https://boco.org/lu-23-0028> - use the “Application Materials” link.

Please don’t hesitate to reach out to me again with any additional questions. Thanks!

Pete L’Orange | Planner II

Boulder County Community Planning & Permitting

-----Original Message-----

From: Wufoo <no-reply@wufoo.com>

Sent: Tuesday, November 14, 2023 11:24 AM

To: LU Land Use Planner <planner@bouldercounty.gov>

Subject: [EXTERNAL] Ask a Planner - Alan Wilson - LU-23-0028, BCC ..non conforming land use - 7222 Old Post Road

Boulder County Property Address : 7222 Old Post Road If your comments are regarding a specific Docket, please enter the Docket number: LU-23-0028, BCC ..non conforming land use

Name: Alan Wilson

Email Address: alanwilsonx1@gmail.com

Phone Number: (303) 530-4619

Please enter your question or comment: What are we trying to say in this statement:

"Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre parcel at 7350 Clubhouse Road."

That is, what is Nonconforming use and how much area, why exists, times, etc. does this impact the local surrounding housing?

IMPACT?

What sort of seasonal structure..a Tent, a building, food trucks, vans, or what?

thx alan

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Brad and Nancy Olsen
4902 Clubhouse Court
Boulder, Colorado 80301

November 27, 2023

Via U.S Mail and e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

Re: *Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club Use of Community Significance Designation*

Dear Board of County Commissioners:

Thank you for the opportunity to comment on Docket #LU-23-0028. We live at 4902 Clubhouse Court, Boulder, Colorado 80301, in the First Flintlock HOA ("First Flintlock") directly east of the shared use cart path and driving range of the Boulder Country Club (the "Club"). We enjoy fabulous western views of the iconic Flatirons and Indian Peaks back range and northwestern views of the back range and Longs Peak. We enjoy living next to the Club and have been full golf members since 2005. The Club is requesting the following:

1. The Club is requesting that its current status as a pre-existing legal non-conforming use be changed to a "Use of Community Significance," and also a conforming use so that it is not subject to the more rigorous review now applicable as a legal non-conforming use. We **object** to this request for the reasons noted below.
2. Even more troubling, the Club is asking that it be allowed to erect a "seasonal," yet nonetheless massive, inflatable, 35 foot high tennis bubble ("Tennis Bubble") placed on an existing two (2) foot high elevated concrete pad (resulting in a total of 37 feet in height) so that 6 pickle ball courts and 2 tennis courts would be useable throughout the winter (that is, for up to 180 days from November through April). This "seasonal structure" would be heated and lit. Yikes. We **object** to this request for the reasons noted below.

Our detailed comments follow.

1. The Notice is legally insufficient and did not provide for time to provide comments.

We received the postcard style Notice on Thursday, November 16, 2023. The deadline for providing comments is November 17, 2023. The Notice itself is fairly innocuous and states: "Proposal: Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre parcel at 7350 Clubhouse Road." The Notice does not mention the location of the seasonal structure or that it is a massive Tennis Bubble. Because the Notice does not properly advise nearby property

Board of County Commissioners
November 27, 2023
Page 2

owners of the magnitude of the proposal, the matter should be re-noticed with proper information on the size and location of the proposed improvements. We also note that all of this is happening during the Holiday Season. We are nonetheless providing these written comments and trust they will be included in the record for this matter.

2. The Club is not a Use of Community Significance and is decidedly not a conforming use.

a. Special Use level review matters. Since 1991, when the County intentionally revised its zoning to remove "Membership Club" as an allowed use within the RR Zone, the Club has operated as a pre-existing legal non-conforming use. In 1993, the Club was approved as a special use and has operated as such with periodic special use amendments when there are proposed changes to its use. While this may be somewhat cumbersome as noted by the Club, it is a critically important process that protects neighbors and their investment backed reasonable expectations. Actions speak louder than words and the Club's actions have consistently demonstrated the importance of requiring a fulsome review by the Boulder County Commissioners. Without the Special Review process and attendant public input, the Club would not have agreed to changes in its plans back in the mid-90's and mid-2000's including,

- i. agreeing to not light the then new outdoor tennis courts,
- ii. agreeing to depress the new clay courts,
- iii. agreeing to install sound mitigation around the outdoor tennis courts,
- iv. agreeing to remove the fences around the new clay courts seasonally (though I have never seen them removed), and
- v. agreeing to reduce the height of the new screening nets around the driving range next to the path across from the First Flintlock homes (including our home) from 35' to about 6-7', install the smaller support poles at the property corners (and so minimize negative impacts on the western view corridor) and install a landscaped area to soften the visual impacts of the new nets.

b. The Club (and its leadership) must be held accountable through the Special Use Review Process: Their conduct feels sneaky. One of the most disappointing aspects of this situation is the complete lack of any hint that this proposal for a massive Tennis Bubble was being considered. We (and our neighbors) feel totally blindsided. Mike Larson, the Club's GM, knows how to reach me. I have been a full golf member since 2005 and was the President of First Flintlock for nearly 10 years. Even more surprising, there are 2 past Presidents of the Club and several members that have homes along the western edge of First Flintlock and they were not apprised of this proposal either. We pay attention to the updates from the Club leadership covering the significant changes occurring over the last few years relating to the golf course. There has been no hint of the Tennis Bubble. Why? Why the timing of the Notice and hearing in and

Board of County Commissioners
November 27, 2023
Page 3

around the Holidays? We suspect this was intentional and designed to trick all of us. This type of sneaky behavior is precisely why there must be a fulsome Special Use level review.

- c. The Club does not meet the required legal criteria to be a Use of Community Significance. The Club does not meet the standards of a Use of Community Significance. How could it? The Club is a private membership facility and is not available to the community as a whole. Zoning Code Article 4-602.E.2.b. requires the proposed Use of Community Significance meet at least two of the following characteristics: historic, cultural, economic, social or environmental values “to the inhabitants of Boulder County as a whole.” While the Club was certainly an important part of helping to establish Gunbarrel, its membership is and has been private and not open to Boulder County residents at large.

3. The proposal for a Tennis Bubble is incompatible with the neighborhood and does not satisfy the standard Special Use Review Criteria or, for that matter, the criteria under Zoning Code Article 4-602.E.2.

We (and our neighbors) invested in our homes relying on the Club honoring its obligations and being a good neighbor. We (and our neighbors) are keenly interested in protecting our views and being protected from encroachments and excessive noise. The value of the mountain views enjoyed by First Flintlock were recognized as an important feature of our neighborhood going all the way back to the beginning. I have attached a copy of a Boulder Daily Camera newspaper article from back in the day. Check out the photo over the new foundations with the caption: “View from Flintlock at Boulder Encompasses Mountain Scenes.” Things have changed but the magic of our mountain views has not.

The proposed Tennis Bubble is massive and visually intrusive. It will absolutely destroy several neighbors’ western mountain views. This impact alone should be sufficient for a denial. Homes in First Flintlock and across Clubhouse Road in the Ironwood Condo complex will have their beautiful western mountain views replaced with a large, glowing pimple. Yuck. And this is not limited to a few homes. We live fairly far South of the tennis courts (8 homes South) and our view will be negatively affected. One of our neighbors further South has a lovely view of Longs Peak from their dining room through a floor to ceiling window. That view will be gone and replaced with a large glowing pimple. The Tennis Bubble will draw visual attention to it and it will dominate the view.

The community at large will be negatively impacted too. Right now, when you drive west along Clubhouse Road you see a very pleasant, well designed, well landscaped building area with screened and depressed tennis courts and the majestic snow-capped Indian Peaks over it all. That view corridor will be destroyed by the seasonal Tennis Bubble. And for what? So that a few extra

Board of County Commissioners
November 27, 2023
Page 4

Club members can schedule tennis or pickle ball during winter months. If the Club is serious about adding indoor racquet sport courts, then a proper indoor facility should be designed and proposed. And in that regard, the Club's suggested area near its interior maintenance facility (Area H) seems like an excellent candidate.

Interestingly, here is what the Club said in its Special Use review proposal submitted to the County on March 4, 2019 (see pages 5 and 6 of 7 of that proposal):

The proposal is in general harmony with the character of its surroundings and compatible with the area. The site has been utilized as a year-round country club operation for over fifty years. It is compatible with and integral to the residential community that has grown up around it during that period. The edges where the country club and adjacent residential uses meet have evolved in a mutually compatible manner. The open space and landscaped character of the golf course(s) is harmonious with the residential community, and its character enhances and supports the community. The clubhouse, tennis building, and other high activity areas have been sited, landscaped, and screened in such a manner as to be harmonious with the surrounding community.

The country club site is a quality designed landscaped environment. As the adjacent residential areas have evolved, the visual and functional aspects of their boundaries with country club property have been carefully landscaped and/or screened to ensure that residential and country club uses exist harmoniously adjacent to each other. A continuation of present landscaped conditions is critical to the continued success of the country club and will be strongly adhered to. (emphasis added)

We generally agree. That would change dramatically in a very negative way if the current proposal were approved, and the Tennis Bubble installed.


The proposed Tennis Bubble does not meet the Special Review and Limited Impact Special Review Criteria set forth in Article 4-601. The proposal is clearly not compatible with the surrounding area. As stated in Article 4-601.A.2., the Board determines compatibility by considering location and "the size, height and massing of the structures..." The Board must also "assess the relevant area that the use is expected to impact; and to take note of important features in the area including, but not limited to, scenic vistas ... and the characteristics of nearby developments and neighborhoods." Other review criteria include requiring uses to be in accordance with the Comprehensive Plan (Article 4-601.A.3.), the use will be buffered or screened to mitigate any undue visual impacts of use (Article 4-601.A.9.), and the use will not be detrimental to the health, safety or welfare of present inhabitants of the County (such as First Flintlock) (Article 4-601.A.10.). The massive 35-37 foot high 24,840 square foot inflatable glowing bubble would be one of the largest structures on the Club's campus and must therefore be treated as a substantial modification.

Board of County Commissioners
November 27, 2023
Page 5

It is also worth noting that pickle ball is a significantly more intensive use than tennis. Instead of 1 tennis court with 2 (sometimes 4) players, there are 4 courts in the same area as 1 tennis court with 4 players on each court. And pickle ball is significantly louder than tennis. Applying the Special Review criteria, the current proposal must be denied by the Board.

Thank you for your consideration. We look forward to appearing at the hearing on January 11, 2024, at 11:15 a.m.

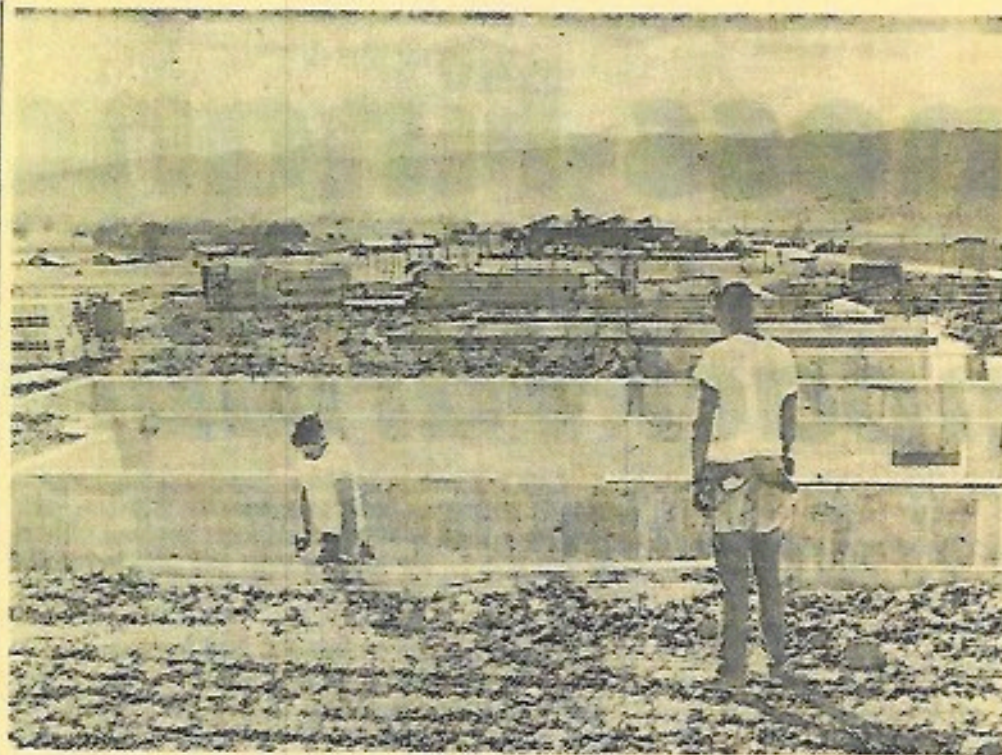
Very truly yours,



Brad Olsen



Nancy Olsen



VIEW FROM FLINTLOCK AT BOULDER ENCOMPASSES MOUNTAIN SCENE
Workmen expect to have homes ready by November, developer reports.

Flintlock Subdivision Near to Country Club

It's called Flintlock.

It's a new subdivision on Gun Barrel Hill overlooking the new and luxurious Boulder Country Club.

From any spot in Flintlock you can see the multimillion-dollar, five-building International Business Machines Corp. complex nearing completion.

And from any home built in Flintlock you'll be able to drive your golf cart from it's own garage onto the practice area or the first tee of the golf club.

The golf course, 18 holes of tough terrain designed by the nationally known master golf architect, Pres Maxwell, plus a par-three nine for the less ambitious, lies directly north and

adjacent to the Flintlock subdivision.

Flintlock is a joint venture of Ken C. Ensor, builder of more than 5,000 homes in the Denver area, and John Strauss of Trend Homes, whose firm also is active in the Columbine Knolls area.

Foundations for the show homes are in and construction is under way. Ensor and Strauss say homes will be open to the public in early November.

Despite its newness, Flintlock already has buyers — including one man who insisted on five bedrooms and five baths and offered cash, although Ensor said financing is available.

The plans call for 150 luxury homes and an 11-acre community park.

"This is not a condominium in the true sense," says Ensor. "We call it 'planned unit development.' You buy and own the house and the ground under it right up to the mid-sector of any common wall."

The walls are 10 inches thick, solid masonry plus noise-dampening acoustical materials.

Memberships in the new Boulder Country Club are available to all buyers at Flintlock. A majestic clubhouse and swimming pool are within walking distance.

The architect is Rene G. Chauzenoux of Littleton.

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Rick and Cindy Johnson
4973 Clubhouse Court
Boulder, Colorado 80301

November 27, 2023

Via U.S Mail and e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

*Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country
Club Use of Community Significance Designation*

Dear Board of County Commissioners:

Thank you for the opportunity to comment on Docket #LU-23-0028. We live at 4973 Clubhouse Court, Boulder, Colorado 80301, directly east of the 24,840 square foot tennis bubble proposed to cover the current four (4) raised outdoor tennis courts at Boulder Country Club (the "Club"). Our comments are as follows:

1. Notice. The Notice mailed to us was dated November 2, 2023. However, it was not received until Thursday, November 16, 2023. The Notice includes a November 17, 2023 response date for any comments (i.e., the next day after receipt). Clearly, there was some delay in mailing by staff or in the mail delivery service. Apart from the timing of the Notice, the Notice itself states: "Proposal: Limited Impact Special Review to recognize existing nonconforming use as a Use of Community Significance to permit a seasonal structure on an approximately 190-acre parcel at 7350 Clubhouse Road." The Notice is deficient in its complete failure to mention that the proposal is for a massive 24,840 square foot tennis bubble 35 feet in height. The Notice also fails to provide any particular location other than the entire 190-acre property location of the Club. As the Notice is actually deficient in practically advising nearby property owners of the magnitude of the proposal, the matter should be re-noticed with proper information on the size and location of the proposed improvements.

2. History. When the outdoor tennis courts were originally approved under special use review, our neighborhood, First Flintlock Homeowners Association ("First Flintlock") objected on the basis that its residents' views would be obstructed, nighttime play would be a nuisance with noise, and any lighting would interfere with the night skies. In response, the Club agreed to submerge the two (2) easternmost clay courts and that no lighting would be installed. Mike Larson and the current leadership of the Club are currently breaching that material commitment to its neighbors by destroying our mountain views and replacing them with a massive white bubble or dome that will obstruct mountain views, create glare during winter daytime hours and emit light during nighttime. The Club should be held to its original commitment upon which residents in First Flintlock relied and made reasonable investment-backed decisions in acquiring their properties.

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Board of County Commissioners
November 27, 2023
Page 2

3. Use of Community Significance. As indicated in the application materials, since 1991, when the County intentionally revised its zoning to remove “Membership Club” as an allowed use within the RR Zone, the Club has operated as a pre-existing legal non-conforming use. In 1993, the Club was approved as a special use and has operated as such to present with periodic special use amendments. The Club is now seeking to become a “Use of Community Significance,” and thus a conforming use. This designation would relax the Club’s review criteria. There are several flaws in this analysis.

First, the designation of a “Membership Club” was intentionally and purposefully removed from the Boulder County Land Use Code (the “Code”). The effect was to require the Club to proceed under special use criteria. This is entirely appropriate in that two (2) golf courses, a pool house and pool complex, Athletic Center and large clubhouse are a highly intensive land use for which a special use review is specifically designed.

Second, the Club does not by definition meet the standards of a Use of Community Significance. The Club is a private membership facility and thus not available to the community as a whole. Article 4-602.E.2.b. requires the use meet at least two of the following characteristics: historic, cultural, economic, social or environmental values “to the inhabitants of Boulder County as a whole.” Rather, in our experience, a Use of Community Significance is used in cases involving open space acquisitions, public parks, and water or other public infrastructure projects benefitting the entire community.

Third, Applicant argues that its place in helping establish Gunbarrel, its services provided to the Gunbarrel Community and Boulder County at large, its lack of expansion plans (full membership capacity), and historic designation of the clubhouse somehow supports the new classification. However, as mentioned above, its membership is private and thus not open to Boulder County residents at large (as opposed to a public recreation facility). Its expansion plans and summer versus winter usage levels are irrelevant to the Use of Community Significance analysis. Finally, the designation of the Club’s clubhouse as an historic landmark only pertains to the clubhouse structure itself and not the entire Club property (190 acres). Therefore, the Use of Community Significance cannot be applied to justify a massive 24,840 square foot inflatable bubble/dome structure elsewhere on non-historic portions of the property.

Fourth, Article 4-602.E.2. of the Code sets forth certain additional requirements or criteria if it is determined that Limited Impact Special Review for a Use of Community Significance is appropriate. The criteria in Article 4-602.E.2. are also not met in the instant case. The use would impair the goals and policies of the Comprehensive Plan in that it could essentially rezone the Club from a special use to a conforming use. Highly intensive uses are more properly analyzed under special use criteria. The use, if allowed to include the massive, inflatable bubble/dome, would be detrimental to the health, safety and welfare of present inhabitants of Boulder County. First Flintlock residents’ health and welfare (open space, view corridors destroyed, being subjected to noise and light emissions and traffic at all hours of the day) are clearly negatively impacted. And finally, the design itself, which includes steps to the south into an existing high volume private cart path behind the driving range presents obvious

Board of County Commissioners
November 27, 2023
Page 3

traffic hazards (see Exhibit A). As the massive, inflatable, 35 foot high bubble/dome placed on an existing two (2) foot high elevated concrete pad (resulting in a total of 37 feet in height) is a substantial modification of the pre-existing special use commitments under which the Club operated (sunken clay courts and no lighting), the new use must be reviewed under the Standard Review Criteria for Uses Permitted by Special Review. See Article 4-602.E.2.e.

4. The Proposal Fails to Satisfy the Standard Special Use Review Criteria. The proposed 24,840 square foot bubble/dome fails to meet the Special Review and Limited Impact Special Review Criteria set forth in Article 4-601. The proposal is clearly not compatible with the surrounding area. As stated in Article 4-601.A.2., the Board determines compatibility by considering location and “the size, height and massing of the structures....” The Board must also “assess the relevant area that the use is expected to impact; and to take note of important features in the area including, but not limited to, scenic vistas ... and the characteristics of nearby developments and neighborhoods.” Other review criteria include requiring uses to be in accordance with the Comprehensive Plan (Article 4-601.A.3.), the use will be buffered or screened to mitigate any undue visual impacts of use (Article 4-601.A.9.), and the use will not be detrimental to the health, safety or welfare of present inhabitants of the County (such as First Flintlock) (Article 4-601.A.10.). The massive 35-37 foot high 24,840 square foot inflatable glowing bubble would be one of the largest, if not the largest, structure on the Club’s campus, and must therefore be treated as a substantial modification. Applying the Special Review Criteria above the current proposal must be denied by the Board.

5. Mike Larson and the Club’s Leadership Completely Failed to Engage in Any Dialogue With Its Neighbors. Moving past the Code analysis above, it is shocking that Mike Larson (General Manager) and the Club’s Leadership made no attempt whatsoever to contact us, our neighbors or First Flintlock to discuss this eye-sore of a proposal. Rather, in their “Dome Project Narrative” they callously dismiss the impacts to our homes by stating “sight line will minimally affect two to three residences to the East of the dome....” First of all, the existing condition is two (2) sunken clay courts (below ground level) and a ten (10) foot high chain link fence surrounding the existing concrete platform with four (4) tennis courts (the westernmost court now transformed into four (4) pickle ball courts). Instead of a ten (10) foot high see-through chain link fence, the Club somehow wants the Board to believe a 35 foot high glowing or glaring (depending on the time of day) inflatable bubble is a “minimal” sight line disturbance. In reviewing the Club’s own engineering drawing (see Exhibit B), it is clear the bubble/dome will not only extend above the tree line but completely block the mountain view/scenic vista.

The complete lack of advance “legwork” by the Club stands in stark contrast to its communications with First Flintlock several years ago when it wished to first create outdoor pickle ball courts (a highly intensive new use). In that case, the parties met, noise was measured and it was agreed it would be more appropriate to place that kind of noisy, highly social and intensive use closer to the pool area. That seemed like a good and fair resolution. In the present case, the Club has tried to steamroll this proposal with no dialogue whatsoever and a Notice sent just prior to the holidays with a few days to respond. In this case, the Club has not acted as a good neighbor and with hardly any sense of community significance in mind. In addition, the

Board of County Commissioners
November 27, 2023
Page 4

Club contends “residences to the North are effectively separated and screened from the dome by the existing permanent indoor tennis structure.” This misleading statement is disproven by Exhibit C as the Ironwood Condo development North across Clubhouse Road enjoys mountain views to the southwest that would be blocked by the proposed 24,840 square foot dome/bubble. Finally, the bubble will be visible to the community in general driving west down Clubhouse Road from 75th Street. Thus, the Club has wrongly stated the impacts of its proposal.

6. By Applicant’s Own Admission the Slight Increase in Daily Tennis Visits Does Not Justify the Massive Bubble. In its Dome Project Narrative, Applicant shares that it averages 27,000 tennis visits a year or about 74 tennis visits per day. Applicant goes on to state “October through March we average 60 visits per day” . . . and with the addition of the Bubble “we move up to an average of 74 visits per day....” Thus, the proposal only results in 14 additional wintertime tennis visits which does not come close to justifying the extensive additional viewshed, neighborhood and other land use impacts. Finally, Applicant states that tennis only accounts for about 10% of its budget so 14 additional tennis visits per day against only 10% of the budget does not warrant the huge addition of square footage involved.

7. Other Impacts from Light, Sound, Location of Exits, Hours of Operation and Retreat on Past Commitments Demonstrates Lack of Consideration for Neighbors. Applicant claims there will be little, if any, light emitting from the bubble/dome. First, there is no lighting at the courts at present due to the Club’s prior commitments so any lighting is a substantial new impact. Second, there will surely be new light sources from inside and around the bubble. Applicant states “there is light indicating an emergency exit, as required, but that will be south facing toward the golf course.” This statement appears to be misleading as well, as Exhibit D also shows an entrance/exit on the East side of the bubble which means additional lighting, noise and pedestrian, golf cart and vehicle traffic for residences located nearby. Moreover, the hours of operation from 5:00 a.m. to 9:00 p.m. on weekdays and 7:00 a.m. to 9:00 p.m. on weekends mean that residences will be exposed to noise and disruption at all hours of the day. It should also be noted that First Flintlock has also been dealing with golfers accessing the range via its parking lot. The proposed massive, inflatable bubble will only add to the traffic and trespass already being experienced. The Applicant admits to a desire to host local tournaments and events which already cause parking to overflow way down Clubhouse Road. Lastly, the responsible fire marshal should specifically be asked to approve this project as it likely cannot pass applicable fire codes. In short, this proposal is ill-conceived and a shoot for the moon attempt to amass ridiculous entitlements with no consideration of neighborhood impacts.

8. The Club’s Proposal Should be Denied and It Should be Encouraged to Work with its Neighbors in Good Faith and Mitigate These Major Impacts. We recognize the growth and interest in pickle ball and understand the need for the Club to try and meet this demand. We wish to be reasonable in response to this limited need, but the lack of advance discussion before taking up the staff and Board’s time with a massive addition of square footage (whether for 180 days or not) is misguided. We believe the Board should deny the current application outright and encourage the club to come back, after discussion with First Flintlock and other neighbors, with a more modest proposal. We suggest perhaps covering the westernmost two (2) tennis

Board of County Commissioners
November 27, 2023
Page 5

courts with a shorter (perhaps 20 foot high) inflatable bubble that could accommodate six (6) regulation pickle ball courts. This would move the structure further from residences thus mitigating impacts. Entrances and exits could be located on the west and north sides of the structure. Further investigation would be needed to ensure that mountain views are preserved. It would also alleviate impacts to the condos north of the proposed bubble by actually positioning the bubble further behind the existing Athletic Center.

Another alternative is to place the bubble and/or permanent pickle ball facilities in a centralized, internal location on the Club's campus. As shown by its Conceptual Master Plan, Area H (identified as a Multi-Purpose Area) is supposedly already being researched by the Club for pickle ball courts. This would be a superior location not impacting prior commitments, view corridors, existing neighborhoods and creating other land use impacts (lights, noise, traffic, etc.) as is the case with the current proposal. (See Area H depicted on Exhibit E-2, Master Plan Map). It is also unclear from the proposal what the effect of including the Master Plan is on future reviews. Such reviews should be undertaken in greater detail using the Special Use Review criteria.

The length and detail of this comment letter is necessary given the project's severe implications for our property, our neighbors and First Flintlock generally. Thank you and we look forward to appearing at the hearing on January 11, 2024 at 11:15 a.m.

Very truly yours,

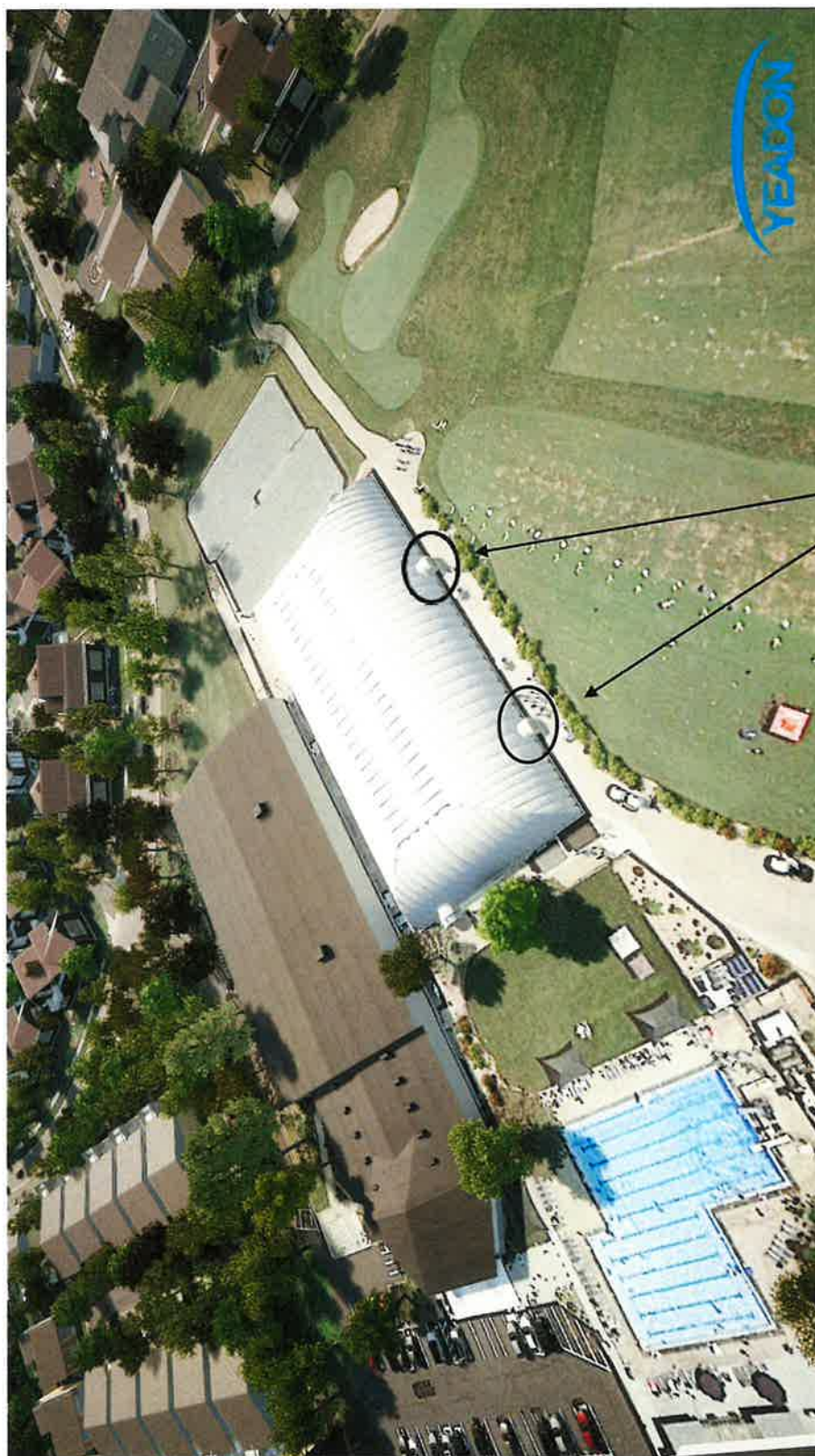


Rick Johnson



Cindy Johnson

Exhibit A



Steps and traffic hazards in high-volume cart path area behind range.

{00622001 / 1 } {00622001 / 1 }

Exhibit B

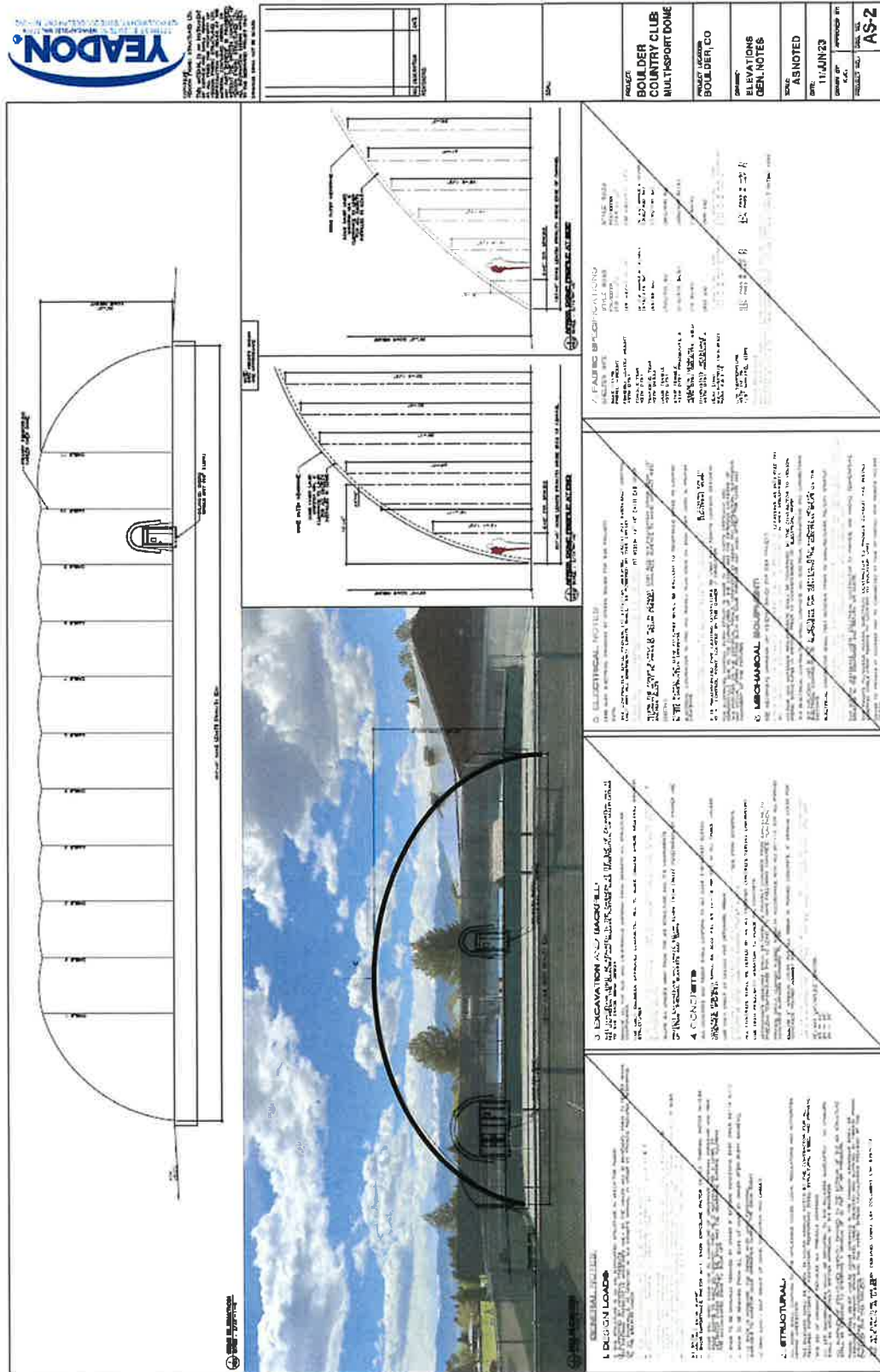


Exhibit C

Ironwood Condos



Exhibit D

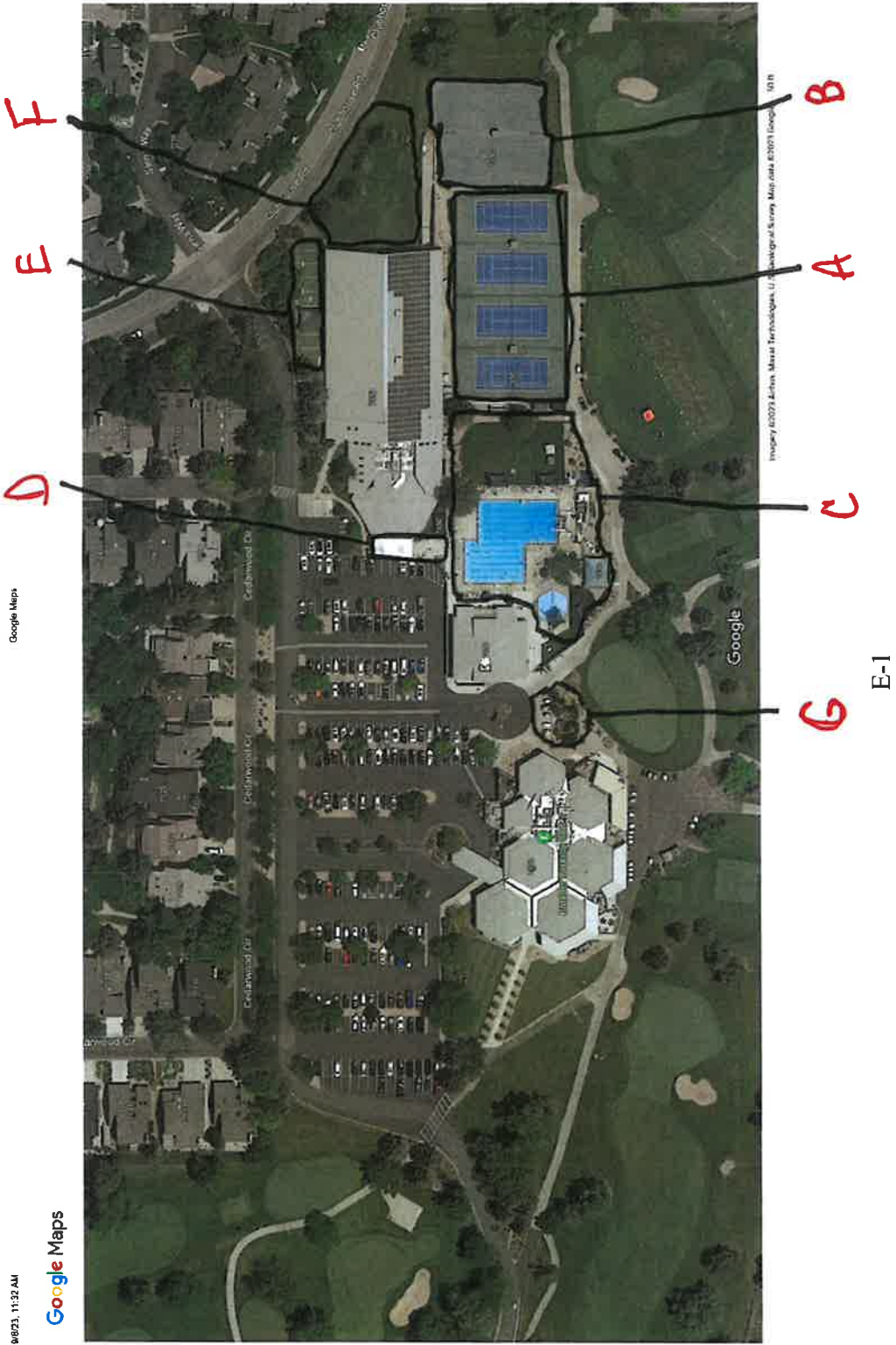


Entrance/Exit at East Side – Lighting
Noise and Traffic during wide array of
operating hours.

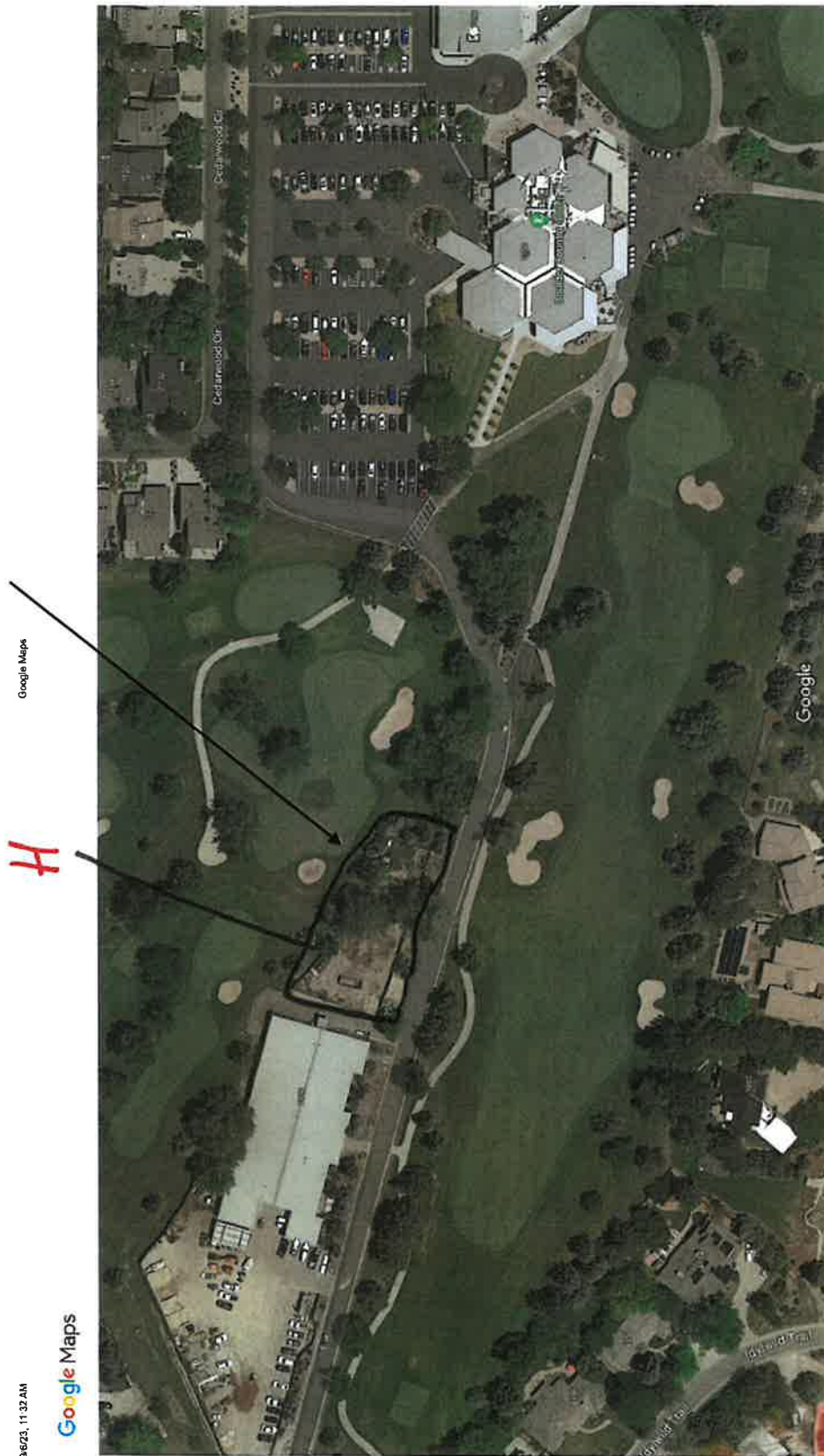
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Exhibit E

CONCEPTUAL MASTER PLAN MAP



Area H internal to the Club's campus – better location for pickle ball with fewer neighborhood impacts.



E-2

From: [Peter Bihari](#)
To: [LU Land Use Planner](#)
Cc: [Fred Ziel](#); wjbarrett457@aol.com; [Scott Pudalov](#); [Kenny Wolf](#)
Subject: [EXTERNAL] Re boulder country club
Date: Tuesday, November 28, 2023 11:09:22 AM

Dear sirs .
Re planning application
Lu23-0028

I believe there is an application to put a bubble over the four outdoor courts . Being a member (voting) for many years and an active user of the tennis courts , this seems like a terrible idea. Having a giant bubble next to the existing indoor court facility will take a delightful setting and make the entire area feel industrial and over developed .

The alternative of covering the two (presently clay) courts is a far better idea as the courts are approx. 8 feet below the level of the four other courts , will be less obtrusive and can have landscaping to soften the view of the structure .

The impact on the residents looking out at that massive , unsightly bubble will harm them immensely , both in the quality of there lives and the financial investment they made in their homes .

It is said you get one chance to make a good first impression .

The first impression for all the neighborhood and club members will be of an industrial , dense area , completely out of character with the area at the moment .

I hope this bubble over the four tennis courts is not approved .

Yours Truly
Peter Bihari
3917 orchard court
Boulder. Co 80304

Boulder resident for 27 years .

Sent from my iPhone

Nora and Fred Ziel
4983 Clubhouse Court
Boulder, CO 80301

November 28, 2023

Via U.S Mail and e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club Use of Community Significance Designation

Dear Board of County Commissioners,

We write today to comment on Docket #LU-23-0028 and thank you in advance for your consideration of our comments. We live at 4983 Clubhouse Court, Boulder, Colorado 80301, directly east of Boulder Country Club tennis courts and the proposed bubble. We have been members of the Club since 2005 and have lived in our current house since 2016 and the Gunbarrel area continuously since 1995. Both of us have been Boulder County residents since the 1980s.

As described in more detail below, we object both to the Country Club's request to change from its current status as legal non-conforming use to a "Use of Community Significance" and to the specific request to place a seasonal structure over the four elevated outdoor tennis courts.

1. Notice late and deficient -- The notice provided of these changes arrived at our house just days before the statement comment deadline of November 17th. We have spoken to neighbors and found that they experienced the same thing. The notice is dated November 2nd but seems to have been mailed much later given the arrival. (Alternately, if it was mailed on time, the standard timing of these notices needs to be reviewed as there are clearly issues with local mail delivery that need to be taken into account.)

Moreover, the notice in no way makes clear the scope or actual location of the proposal. The only publicly discussed 'seasonal structure' currently at the Country Club is the tent used for "Kids' Club" during the summer. Here we are talking about a 24,840 square foot, 35-foot (from the tennis course base which is elevated above natural grade) structure which will be – for "only" six months a year -- the largest, most visible structure at the Country Club.

2. The Country Club does not meet the definition of Use of Community Significance. As a private membership club, it would seem it was an intentional and purposeful target of the change to

the code in 1991. While we understand the Country Club's frustration with the additional oversight this requires, it seems that the Country Club has been able to complete many projects under this approach. In several cases, the process has been used to encourage collaboration with neighbors. From talking to neighbors who have lived here longer than we have, we are aware specifically of restrictions agreed to with regard to the tennis courts location and lighting as well as the driving range fencing. The current heightened review seems to encourage thoughtful collaboration and it seems that Boulder County, the Country Club and its neighbors benefit by continuing this process.

Instead the club seeks to bypass the collaborative approach with a change to Use of Community Significance citing its historical significance in the development of the Gunbarrel community in the 60s. Surely the County was aware of this history when it intentionally changed the code and made the Country Club a non-conforming use in 1991. Why only now, 32 years later, would this benefit to the community as a whole of a private country club at capacity with a multi-year waiting list become evident?

3. The process followed by the Country Club for this proposed status change and massive project stands in stark contrast to other similar projects. The Country Club has not engaged in any dialog with neighbors or neighboring HOAs such as ours ("First Flintlock") or Ironwood's regarding a project that will significantly impact many nearby residences as well as the many users of the trail behind our house and the sidewalk along Clubhouse Road. Likewise, no member town halls or announcements or artists conceptions in the club newsletter or website have been presented to the club membership. This stands in stark contrast to other Country Club projects of this magnitude. This could be an oversight. Perhaps Mike Larson and the current BCC administration can think only of the positives of the project and haven't given any thought to the negative impacts. In any event this lack of discussion with neighbors and members has led to a situation, exacerbated by the deficient and late notice, where people are unaware of the project and its impact and it may slide through "under the radar."
4. The discussion of impacts in the Country Club planning application on page 18 of the planning PDF ("Dome Project Narrative") materially misrepresents the impacts of the dome. We note specifically that item (d) misrepresents the sight line impact of this project in several regards:
 - a. The application notes that "Sight line will minimally affect two to three residences located to the East of the dome during the winter season." Our house is one of the "two to three" referenced. In Attachment A, you can see the 'minimal' impact on our exquisite back range view to west. This scenic vista is a source of joy to us every day – especially in the winter months. The impact cannot reasonably be described as minimal.
 - b. It is also the case that far more homes are affected than the "two or three" conceded in the narrative. We've spoken to other neighbors on our development whose views will be affected and the number is at least 8-10.
 - c. The narrative also explicitly dismisses any impact on neighbors to the north, but as you can see in Attachment B, our neighbors to the north in Ironwood who back to Clubhouse will have their Flatirons views impacted or eliminated. This adds another half-dozen or more residences whose view is directly impacted.

- d. Additionally, item (a) notes “little, if any, light emitting from the dome.” We take “little, if any” to mean “some.” This is concerning as currently there is no nighttime lighting on the tennis courts – a product of the Special Use review and collaboration with our HOA as we understand it. The amount of light that will be emitted through the dome needs to be carefully characterized and understood both in terms of direct impact on surrounding residences and the impact on adding ambient light to the environment. Unlike a point source, the light will be emitting from a massive surface area so even a very dim emission will have a large effect.

In closing, we ask the Board to reject the current application from the Country Club. The process followed by the Country Club here points out the need for the Special Use process and the Country Club’s status as a legal non-conforming use should not be changed. The Club should be encouraged to work with its neighbors to identify a lower impact solution to its desire for additional winter racquet sports capacity in a manner that is consistent with its earlier commitments and respectful of the surrounding neighborhood. Perhaps a lower bubble over the westernmost court or two or in area H would be found to not present the same issues as the current proposal.

Thank you for your consideration,

Nora Ziel

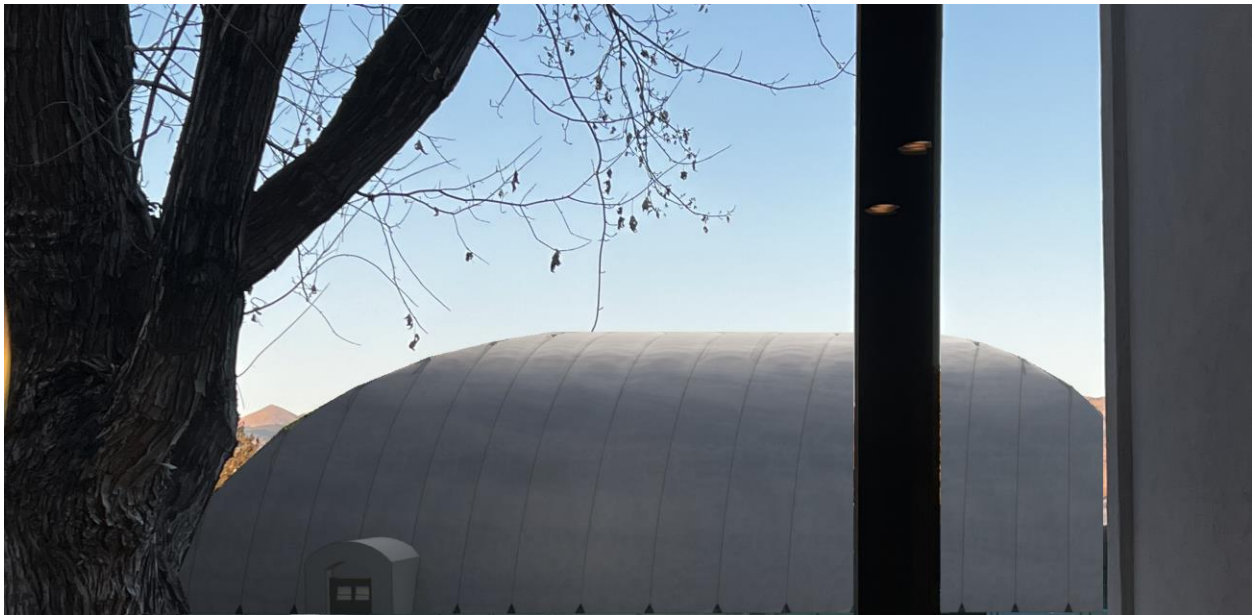
Fred Ziel

ATTACHMENT A – WESTWARD VIEW FROM OUR RESIDENCE

Here is a typical westward winter view from our residence



Here is a superposition of the bubble image provided in the Country Club's application (page 28 of the combined application documents PDF) scaled based on the ten-foot height of the fence around the upper four tennis courts.



ATTACHMENT B – SOUTHWEST VIEW FROM CLUBHOUSE ROAD BEHIND IRONWOOD RESIDENCES

Here is typical view for a neighbor to the north in Ironwood with scenic views of Flatirons over the current ten-foot fence of the courts. This is also the view that greets people arriving to the club or continuing to the neighborhoods north of it from 75th street. It was taken from the sidewalk across Clubhouse Road from the split-rail fence along the Country Club's northern boundary.



Here it is with the bubble superimposed. The bubble image is scaled based on the height of the ten-foot fence using the southeastern post. As with Attachment A, this is indicative and not a perfect rendering. This is not the aspect of the bubble that would be seen from this viewpoint as the bubble would extend further to the right. And again, the impact here is substantial rather than minimal.



From: [Fa Creighton](#)
To: [LU Land Use Planner](#)
Cc: [Fa Creighton](#); [Brad And Nancy Olsen](#)
Subject: [EXTERNAL] Re: Limited impact special use review docket # LU- 23- 0028: Boulder Country Club use of community significance designation.
Date: Wednesday, November 29, 2023 5:52:41 PM

November 29th, 2023

Dear Board of County Commissioners,

I own a lovely home at 4943 clubhouse court with a second floor deck, facing West and Northwest, Which overlooks the Boulder Country Club's driving range and the beautiful snow-capped Rockies.

Like my other neighbors, the placing of these high domes over these outside tennis courts/pickle ball courts, will directly impact my Northwestern stunning view.

And, any lighting at night of these domed Tennis courts would be quite intrusive, as well.

Also, I just received your notice through the mail, very late "in the game". So, I hope you will still Consider my concerns, even though the cut off date is listed as November 17th.

I thank you for your consideration in "my vote", So to speak, to have the Country Club's application rejected.

Most sincerely,

P.R. Creighton

From: [Rick Baker](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Proposed Boulder Country Club tennis and pickle ball bubble.
Date: Thursday, November 30, 2023 2:38:10 PM

Hi Brad,

I am a lifetime member of the Boulder community and a 30 year member of the Boulder Country Club. I am also an avid tennis and pickle ball player as well. I am very much against this proposed bubble at the BCC. This bubble will ruin mountain views of many neighbors who live and take walks near the club as well as cause light pollution from the inside and outside of this proposed bubble. Changing the BCC status from a pre-existing legal non-conforming use to a use of community significance should also be denied in my opinion. I really think this is ill advised and needs to be denied. The BCC has always been a clean minimal impact club that blends into the local community and neighborhood and this proposal goes against all of that. I appreciate your courtesy in reading this. Thank you.

Rick

[Rick Baker, CIC](#)

[Rick Baker Insurance](#)

[5360 Arapahoe Ave Ste. D Boulder CO 80303](#)

[Tel: 1 \(303\) 444-3334](#)

[Cell: 1 \(303\) 257-0602](#)

[Fax: 1 \(303\) 444-2716](#)

[Email: Rick@rickbakerinsurance.com](#) [Website: rickbakerinsurance.com](#)



From: DonJenkins@comcast.net
To: [LU Land Use Planner](#)
Cc: [Naureen Jenkins](#)
Subject: [EXTERNAL] Boulder Country Club tennis & pickleball bubble
Date: Friday, December 1, 2023 8:10:23 AM

I want to express my opposition to Boulder Country Club's proposed outdoor tennis bubble. I live close to the club and I find the proposed plan very intrusive and destructive to the views of the western Mountain and to the beauty of the area as a whole.

Donald Jenkins
4906 Clubhouse Court
Boulder, Co. 80301
Sent from my iPad

11/29/23

PROCTOR R. ANDERSON M.D.
4993 CLUBHOUSE COURT
BOULDER, CO 80301

RE: DOCKET# LU-23-0028

DEAR SIR:

I AM WRITING TO OBJECT TO THE PROPOSED TENNIS COURT COVERS AT THE BOULDER COUNTRY CLUB. I HAVE READ THE LETTER MY NEIGHBOR, MR. RICK JOHN SENT TO YOU ON 11/27/23. I AGREE WITH THE CONTENT OF THAT LETTER.

I AM ALSO CONCERNED THAT THE PROPOSED "ROOF" WOULD OBSTRUCT MY VIEW TO THE WEST OF MY HOME. I THINK IT WOULD ALSO DEVALUE MY HOME.

I APPRECIATE YOUR ASSISTANCE WITH THIS MATTER.

SINCERELY,

PR Anderson MD

Dean and Beth Gouin
7266 Siena Way
Boulder, Colorado 80301

December 5, 2023

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

*Re: Limited Impact Special Use Review Docket # LU-23-0028: Boulder Country Club Use of
Community Significance Designation*

Dear Board of County Commissioners,

Thank you for the opportunity to submit comment on Docket #LU-23-0028. We live at 7266 Siena Way, Boulder, Colorado 80301, directly north of the proposed 24,840 square foot tennis bubble to cover the current four (4) raised outdoor tennis courts at Boulder Country Club ("BCC"). Our comments are as follows:

1. **History.** Pursuant to the Development Agreement entered into on October 31, 1995, between the Boulder County Commissioners and BCC, BCC agreed to meet certain conditions and requirements for the construction of an indoor athletic facility and its outdoor tennis courts. Included in these conditions BCC agreed to take measures to mitigate "visual and noise" related issues from the facility and "protect the western views and privacy" of the surrounding neighbors. Specific hours of operation were established (between 8:00 am and 9:00 pm) and outside lighting was strictly prohibited. Any new courts were required to be depressed at least two feet into the ground and have a maximum elevation of 107 feet. The current proposal to construct a massive 24,840 square foot bubble violates these conditions. First the height of the bubble will exceed the existing roof line of the current athletic facility in excess of 10 feet. Second, with the addition of a bubble, lighting will be introduced into the facility creating light pollution and detracting from the neighbor's ability to quietly enjoy their properties. Regardless of the material used to create the bubble, surrounding neighbors will be exposed to a massive glow-in-the dark bubble.
2. **Architectural consistency:** The addition of a tennis bubble would violate the architectural consistency and congruence of BCC and the surrounding community. The BCC clubhouse has been designated as a historical site and the introduction of a massive, industrial style 24,840 square foot bubble would be inconsistent with existing BCC architecture and the surrounding neighborhood. The bubble would be an industrial eyesore nestled in the middle of a residential neighborhood significantly damaging the aesthetics of the neighborhood.

3. **Use of Community Significance designation:** In order to be considered for “Use of Community Service”, BCC must demonstrate that at least two of the following characteristics: historic, cultural, economic, social or environmental values to the inhabitants of Boulder County as a whole exist. Although it is true that the main club house has been given an historical designation this designation does not extend to the remaining facilities at BCC. This designation should not be applied to BCC’s outdoor tennis facilities. Furthermore, BCC is a private club with restricted membership that is not available to the Boulder County community at large. BCC appears to be requesting this designation to ease the burdens of permitting and avoid the scrutiny of the Special Use review process.

Recent decisions by BCC management and its Board have shown no regard for the surrounding neighborhood. As part of their recent capital campaign to improve the clubhouse and golf course facilities, BCC’s board decided to increase their membership levels by clearing their full golf waiting list. In doing so they gained access to the initiation fees associated with these memberships to help fund these capital improvements. Unfortunately, the increased membership levels have resulted in inadequate parking facilities for BCC. Without a solution for overflow parking, BCC members regularly park along Clubhouse Road and trespass into surrounding private communities. BCC management and their board have taken no measures to address this issue.

BCC’s lack of regard for the surrounding neighbors is further evidenced by submission of this Use of Community Service request. BCC Management and Leadership completely failed to engage in any dialogue with its neighbors. Instead, in its submission material it claims “sight line will minimally affect two or three residences to the East of the Dome....” Replacing a 10-foot-high chain link fence with a 35-foot-high massive tennis bubble. With regard to this application, BCC’s outgoing President has been attributed with saying that his fiduciary responsibility is only to BCC membership and not the surrounding neighborhood. This is not consistent with “meeting the needs of the community as a whole”.

We respectfully request that BCC’s request for Limited Impact Special Use Review Docket # LU-23-0028: Boulder Country Club Use of Community Significance Designation be denied. BCC has failed to comply with its Development Agreement from October 31, 1995 and does not meet the criteria to be considered as a Use of Community Significance.

From: [Mike Greenwood](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] LU-23-0028
Date: Wednesday, December 6, 2023 11:56:58 AM

Dear Boulder Board of County Commissioners,

I am writing to oppose the 24,840 square foot tennis bubble that the Boulder Country Club has applied to install on its campus. I am a long time full golf member of BCC and have lived in the neighborhood for much of my life.

The 35 foot high bubble is too massive. If installed it will ruin the mountain views from the north, east and southeast. Also, the bubble will ruin the dark nighttime skies with lighting inside and out. My family gathers at one of the homes that is directly affected and will ruin our views of the mountains.

Boulder Country Club failed to do the necessary legwork with the neighborhood and this proposal needs to be denied.

Thank you for your consideration

Michael Greenwood

--

Mike Greenwood
Funeral Director Greenwood & Myers Mortuary
Phone: 303-440-3960
Fax: 303-440-3944
Direct: 720-633-3475

Rick and Cindy Johnson
4973 Clubhouse Court
Boulder, Colorado 80301

December 7, 2023

Via U.S Mail and e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

*Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country
Club Use of Community Significance Designation*

Dear Board of County Commissioners:

This letter is to supplement our letter dated November 27, 2023, opposing Docket #LU-23-0028. We have further researched the Boulder Country Club's (the "Club") Development Agreement dated October 31, 1995, involving Docket #SU-93-18, as well as Resolution 94-5 and and Resolution 94-201. The purpose of this supplemental letter is to expand upon the "History" section of our initial letter.

In 1993, the Club filed for approval of a Special Use Review and Site Specific Development Plan to undertake certain expansions of and improvements to its facilities. The matter was assigned Docket #SU-93-18. Conditional approval of Docket #SU-93-18 is reflected by the Development Agreement dated October 31, 1995. That Development Agreement states, in part:

"WHEREAS, the County and the Developer mutually acknowledge and agree that the matters set forth are reasonable conditions and requirements to be imposed by the County in connection with its approval of the Development, and that such matters are necessary to protect, promote and enhance the general welfare"
(Emphasis added.)

The Development Agreement also contains provisions allowing for periodic review to ensure compliance (Section 4) and that the terms and conditions shall be covenants which run with the land (Section 10). The conditions of approval are set forth in Resolutions 94-5 and 94-201, copies of which are attached as Exhibits A and B to the Development Agreement.

Resolution 94-5 makes clear the Club was requesting approval for a Special Use Permit for the Club, a nonconforming golf course of over 100 acres in the Rural Residential Zoning District, including: improving the golf course (repairing cart paths, lining lakes, rebuilding greens and bunkers, realigning fairways and replacing maintenance building); modernizing the tennis and indoor recreational facilities, renovating the four existing hard surface courts, lighting two of the courts, constructing two new clay tennis courts, remodeling the tennis building to accommodate refurbished locker rooms, relocating the aerobic/weight rooms, providing for an indoor golf driving range; and remodeling and doing a minor expansion of the clubhouse. On

Board of County Commissioners
December 7, 2023
Page 2

September 15, 1993, the Planning Commission held a hearing and recommended conditional approval of the docket except for the two new proposed clay tennis courts. On November 29, 1993, the Board of County Commissioners held a hearing which was attended by “numerous adjacent property owners, residents of the general neighborhood of the Country Club, and other members of the public...”

Resolution 94-5 goes on to approve the docket, on the basis and terms set forth in the Resolution, and subject to the following conditions:

- “1. The Applicant’s withdrawal from the Docket of the requests for lighted tennis courts . . . is accepted.
2. The Applicant cannot proceed with construction of the two new clay tennis courts or with any realignment of the current golf cart path in the vicinity of the proposed new courts, until the Board, at a future public hearing, approves appropriate screening and other visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east of the proposed courts, and which reduce the existing noise impacts of the Applicant’s tennis facility.
3. The use of the outdoor tennis courts shall be limited to the hours between 8:00 a.m. and 9:00 p.m. (Emphasis added.)

* * * ”

The Club did subsequently file a Request for County Review and Approval of Tennis Courts and Noise Mitigation Designs as required by Resolution 94-5. After a hearing on August 16, 1994, the Board of County Commissioners passed Resolution 94-201 requiring additional conditions as follows:

- “1. Sound mitigation will be installed on the existing courts.
2. New courts will be depressed two feet into the ground, and have a maximum fence elevation of 107 feet. Such fences are to be removed seasonally.
3. The new courts are to be built as far north as possible.”

* * * ”

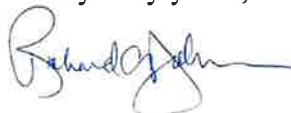
Despite these public processes, commitments of record and conditions of approval, to our knowledge no sound mitigation other than wind break netting has been placed on the existing four tennis courts or the two clay courts and no seasonal removal of fences around the clay courts has ever occurred. Instead, the Club has transformed the westernmost tennis court into four (4) pickle ball courts, effectively increasing the density of use from 2 tennis players to 16 pickle ball players. Pickle ball is much louder than tennis and more social with an increase in related noise. The Club changed this use without any County approval, having previously only obtained approval for tennis courts. **The Club should be required to commit to keeping any pickle ball use only on the westernmost one or two tennis courts.**

Board of County Commissioners
December 7, 2023
Page 3

Finally, the Club's latest submittal demonstrates a failure to honor its past commitments regarding no lighting on the four (4) tennis courts (proposal is for a lighted and heated bubble with entry and exit lighting), protecting the western views and privacy of neighbors to the east of the courts (as specifically set forth in Resolution 94-5), and limited hours of use to the outdoor courts to 8:00 a.m. to 9:00 p.m. (Club now seeking to extend weekday hours to 5:00 a.m. to 9:00 p.m.). All these issues were addressed and worked out between the County, the Club and adjacent neighbors after public hearings in 1993-1994. Our neighbors have relied on those commitments in investing in their properties. The Club's failure to adhere to these past commitments demonstrates perfectly why it must be held to the stricter Special Use Review criteria going forward.

Thank you for the opportunity to expand further on the historical approvals, conditions and commitments of record. Also, please make the Development Agreement dated October 31, 1995, and Resolution 94-5 and Resolution 94-201 (copies attached) part of the official record of these proceedings.

Very truly yours,



Rick Johnson



Cindy Johnson

#01565567 11/29/95 10:53 AM REAL ESTATE RECORDS
F2092 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

15-1

DEVELOPMENT AGREEMENT
RELATING TO THE DEVELOPER'S OBLIGATIONS FOR
DEVELOPMENT ACTIVITIES
AT THE
BOULDER COUNTRY CLUB

THIS AGREEMENT is made on this 31st day of October, 1995, by and between the Board of the County Commissioners of Boulder County, Colorado, hereinafter referred to as the "County," and Boulder Municipal Sports Center, Inc., doing business as Boulder Country Club and hereinafter referred to as the "Developer."

76

WHEREAS, the Developer has submitted to County for approval of a Special Use Review and Site Specific Development Plan to undertake certain expansions of and improvements to the facilities of the Boulder Country Club (Docket SU-93-18) hereinafter referred to as "Development"; and

WHEREAS, the County has fully considered the proposed Development and the requirements to be imposed upon the land and properties by reason of the proposed Development; and

WHEREAS, the County is willing to approve the Development upon the agreement of the Developer to the matters herein described; and

WHEREAS, the County and the Developer mutually acknowledge and agree that the matters hereinafter set forth are reasonable conditions and requirements to be imposed by the County in connection with its approval of the Development, and that such matters are necessary to protect, promote and enhance the general welfare; and

WHEREAS, County has determined that this Agreement is consistent with the Boulder County Comprehensive Plan and applicable county regulations;

NOW, THEREFORE, in consideration of the premises, the mutual covenants herein contained and the approval of the Development, it is agreed as follows:

1. The Development shall be consistent with the commitments of record and conditions of approval established in the Special Use approval for the Development (Docket SU-93-18), as set forth in the Board of County Commissioners' Resolutions 94-5 and 94-201 (copies of which are attached to this Agreement as Exhibits A and B, respectively); in the supporting materials in the Docket file; and in the attached plans (specifically, the approved site and landscape plan (Exhibit C hereto), the "Master Plan Revisions" for the proposed tennis courts (Exhibit D hereto), and the management plan for the irrigation lateral serving City of Boulder open space (Exhibit E hereto)), all of which are incorporated into this Agreement by this reference.

2. **Water Supply** - A water line from the Boulder Valley Water and Sanitation District is in place to the Boulder Country Club site, and the Club receives water through an existing tap(s). No additional water taps are needed from the water supplier as a part of the Development.

3. **Sewage** - A sewer service line from the Boulder Valley Water and Sanitation District is in place to the Boulder Country Club site, and the Club receives sewer collection and treatment services through an existing tap(s). No additional sewer taps are needed from the sewer supplier as a part of the Development.

4. Boulder County may conduct a periodic review of the status of the Development which is the subject of this Agreement, as necessary to ensure compliance with the terms of this Agreement.

5. In consideration of the above conditions and covenants, the County agrees to grant a vested property right for the proposed Development to proceed pursuant to the terms of this Agreement. The approval shall have a term of 3 years subject to the provisions for modification and termination contained herein. The Developer may request an extension of said vested right.

6. The vested property right granted herein may be terminated by Boulder County in accordance with law.

7. Subsequent regulations enacted by Boulder County that are not inconsistent with the vested property right shall be applicable to the proposed Development if necessary to protect the health and safety of the inhabitants of Boulder County or if general in nature and applicable to all properties subject to County land use regulations.

8. This Agreement may be canceled or amended on the mutual consent of the parties or to bring the proposed Development into conformance with applicable federal or state law.

9. Developer's compliance with the terms of this Agreement may be enforced by any legal means, including but not limited to, termination of Developer's vested right granted herein, revocation of Developer's approval, denial of building permits, or action for breach of contract.

10. The terms and conditions of this Agreement shall be covenants which run with the land and inure to the benefit of and are binding upon the heirs, successors in interest and assigns of the parties hereto.

11. This Agreement, upon execution, shall be recorded in the records of the Boulder County Clerk and Recorder.

12. **Enforcement** - Boulder County alone (with the consent of the Developer) may waive or modify requirements herein. It is agreed that Boulder County or any purchase of any land subject to the restrictions or requirements of this Development Agreement shall have the authority to bring an action in the Boulder District Court to compel the enforcement of this

Agreement and the restrictions and requirements herein provided for. If the property becomes included with the boundaries of any city or town, Boulder County's right to enforce this Agreement shall automatically pass to the governing body of the city or town. Boulder County shall have the right to waive its rights to enforce this Agreement or to modify the same (with the consent of the Developer) without obtaining the consent of any other entity or person; provided that if the property becomes included within the boundaries of any city or town, such rights of Boulder County shall automatically pass to the governing body of the city or town.

13. Recordation - The Developer shall file for recording with the Boulder County Clerk and Recorder of this Development Agreement, reduced site plan and/or any other documents required as part of the approval by the Board of County Commissioners of the above-referenced subdivision.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 20th day of October, 1995.

OWNER-DEVELOPER:

BOULDER MUNICIPAL SPORTS CENTER, INC.
d/b/a BOULDER COUNTRY CLUB

By: Joan Shepherd
Joan Shepherd, Vice President

STATE OF COLORADO)
)ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 20th day of October, 1995, by Joan Shepherd, Vice President of Boulder Municipal Sports Center, Inc., d/b/a Boulder Country Club.

WITNESS MY HAND AND OFFICIAL SEAL.



My Commission Expires 07/1/99

Marilyn Ann Whitman

EXHIBIT A

RESOLUTION 94-5

A RESOLUTION CONDITIONALLY APPROVING BOULDER COUNTY LAND USE DOCKET #SU-93-18 ("BOULDER COUNTRY CLUB"): A REQUEST FOR A SPECIAL USE PERMIT WITH ASSOCIATED SITE SPECIFIC DEVELOPMENT PLAN FOR THE BOULDER COUNTRY CLUB, INCLUDING CERTAIN PROPOSED EXPANSIONS TO AND IMPROVEMENTS OF THE GOLF COURSE, TENNIS FACILITIES, AND ACCESSORY STRUCTURES, ON THE BOULDER COUNTRY CLUB PROPERTY LOCATED IN GUNBARREL IN SECTIONS 11, 12, 13 & 14, T1N, R70W.

WHEREAS, Boulder Municipal Sports, Inc./Roger Wardlaw ("Applicant") has requested approval for a special use permit for the Boulder Country Club, a nonconforming golf course of over 100 acres in the Rural Residential zoning district in unincorporated Boulder County, with associated site specific development plan, including improving the golf course (repaving of cart paths, lining lakes, rebuilding greens and bunkers, realigning some fairways, and replacing the maintenance building); modernizing the tennis and indoor recreational facilities (renovating the four existing hard surface courts, lighting two of the courts, constructing two new clay tennis courts, remodeling the tennis building to accommodate refurbished locker rooms, relocating the aerobic/weight rooms, and providing for an indoor golf driving range; and remodeling and doing a minor expansion of the clubhouse; and

WHEREAS, the above-described request was processed and reviewed as Boulder County Land Use Docket #SU-93-18 ("the Docket"), all as further described in the Boulder County Land Use Department Planning Staff's Memorandum and written recommendation to the Boulder County Board of County Commissioners ("the Board") dated November 29, 1993, with its attachments ("the Staff Recommendation"), which is incorporated into this Resolution by this reference; and

WHEREAS, on September 15, 1993 the Boulder County Planning Commission ("the Planning Commission") held a duly-noticed public hearing on the Docket, and recommended conditional approval of the Docket to the Board, with the exception of the two new proposed clay tennis courts; and

WHEREAS, on November 29, 1993, the Board of County Commissioners held a duly noticed public hearing on the Docket ("the Public Hearing"), at which time the Board considered the recommendation of the Planning Commission and the Staff Recommendation, and also considered the documents and testimony presented by the County Land Use Department Planning Staff, as well as by the Applicant's Planning Consultant and Attorney and several management and member committee representatives of the Applicant, as well as by numerous adjacent property owners, residents of the general neighborhood of the Country Club, and other members of the public speaking both for and against the Docket; and

15.6

WHEREAS, at the Public Hearing the Applicant officially withdrew its requests for lighted outdoor tennis courts and the proposed lake on the Second Fairway from the Docket, subject to reserving its right to seek special use or site specific development plan approval, as appropriate, for these proposed improvements should the Applicant wish to pursue them at a future time; and

WHEREAS, based on the Public Hearing, the Board finds that the Docket meets the criteria for special use approval set forth in Article 20-301 of the Boulder County Zoning Resolution, and for a site-specific development plan under Article 19-301 of the Zoning Resolution, with the submission of the standard development agreement, and subject to the conditions stated below.

NOW, THEREFORE, BE IT RESOLVED that the Docket is hereby approved, on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The Applicant's withdrawal from the Docket of the requests for lighted tennis courts and the proposed lake on the Second Fairway is accepted.
2. The Applicant cannot proceed with construction of the two new clay tennis courts or with any realignment of the current golf cart path in the vicinity of the proposed new courts, until the Board, at a future public hearing, approves appropriate screening and other visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east of the proposed courts, and which reduce the existing noise impacts of the Applicant's tennis facility.
3. The use of outdoor tennis courts shall be limited to the hours between 8:00 a.m. and 9:00 p.m.
4. The Applicant shall coordinate with the City of Boulder on the questions raised regarding the acid system and shall resolve the issue with the irrigation lateral.

A motion to conditionally approve the Docket, as stated above, was made by Commissioner Stewart, seconded by Commissioner Hume, and passed by a 3-0 vote of the Board.

15.7

ADOPTED this 4th day of January, 1994, nunc pro
tunc the 29th day of November, 1993.

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:

Homer Page

Homer Page, Chair

Ronald K Stewart

Ronald K. Stewart, Vice Chair

Sandy Hume

Sandy Hume

ATTEST:

Dusan M. Ashcraft
Clerk to the Board

EXHIBIT B

15-8

RESOLUTION 94-201

A RESOLUTION CONDITIONALLY APPROVING BOULDER COUNTY LAND USE DOCKET #SU-93-18 ("BOULDER COUNTRY CLUB TENNIS COURTS"): A REQUEST FOR COUNTY REVIEW AND APPROVAL OF TENNIS COURTS AND NOISE MITIGATION DESIGNS AS REQUIRED AS PART OF THE NOVEMBER 1993 COUNTY APPROVAL OF BOULDER COUNTRY CLUB EXPANSION LOCATED AT BOULDER COUNTRY CLUB, IN GUNBARREL IN SECTIONS 11, 12, 13 & 14, T1N, R70W.

WHEREAS, Boulder Municipal Sports, Inc./Roger Wardlaw ("Applicant") has requested approval for tennis courts and noise-mitigation designs, as part of the November 1993 County approval; and

WHEREAS, the above-described request was processed and reviewed as Boulder County Land Use Docket #SU-93-18 ("the Docket"), all as further described in the Boulder County Land Use Department Planning Staff's Memorandum and written recommendation to the Boulder County Board of County Commissioners ("the Board") dated August 16, 1994, with its attachments ("the Staff Recommendation"), which is incorporated into this Resolution by this reference; and

WHEREAS, on August 16, 1994, the Board of County Commissioners held a duly noticed public hearing on the Docket ("the Public Hearing"), at which time the Board considered of the Staff Recommendation, and also considered the documents and testimony presented by the County Land Use Department Planning Staff, as well as by the Applicant's Planning Consultant; Jack Nunn, President, Boulder County Club; Roger Wardlaw, Club Manager; as well as by numerous adjacent property owners, residents of the general neighborhood of the Country Club, and other members of the public speaking both for and against the Docket; and

WHEREAS, based on the Public Hearing, the Board finds that the Docket meets the standards expressed in the conditional approval of Docket SU-93-18, and meets the criteria for special use approval review set forth in Article 20-301 of the Boulder County Zoning Resolution, and for a site-specific development plan under Article 19-301 of the Zoning Resolution, with the submission of the standard development agreement, and subject to to the post-approval conditions as described in the Land Use Department memorandum, with the additional conditions stated below.

1. Sound mitigation will be installed on the existing courts.
2. New courts will be depressed two feet into the ground, and have a maximum fence elevation of 107 feet. Such fences are to be removed seasonally.
3. The new courts are to be built as far north as possible.
4. Once the details of these conditions are finalized, this plan will be brought back for approval at a business meeting.

15-9

NOW, THEREFORE, BE IT RESOLVED that the Docket is hereby approved, on the basis and terms set forth in this Resolution, above, and subject to further approval once the details of these terms and conditions are finalized.

A motion to conditionally approve the Docket, as stated above, was made by Commissioner Page, seconded by Commissioner Stewart, and passed by a 3-0 vote of the Board.

ADOPTED this 16th day of December, 1994, nunc pro tunc the 16th day of August, 1994.

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:

Ronald K. Stewart
Ronald K. Stewart, Chair

Homer Page
Homer Page, Vice Chair

Sandy Hume
Sandy Hume

ATTEST:

Doreen M. Ashcraft
Clerk to the Board

From: [Francois Pradeau](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Comments regarding LU-23-0028
Date: Monday, December 11, 2023 9:46:46 AM

To Whom It May Concern,

As a unit owner in Ironwoods condominium (7241 Siena Way), I would like to express my concerns about the erection of a seasonal tennis bubble across the street at the Boulder Country Club. This will have a significant negative impact on our mountain scenery and overall vista, one of the highly valued aspects of living in this neighborhood. I would also like to point out that the Boulder Country Club already has covered tennis courts, and can provide access to this activity year round with their current buildings.

The access to BCC is extremely expensive, and we (as well as many other unit owners) cannot afford it, even if we live literally across the street. This means that this construction will in no way benefit us, but only have a negative impact on us homeowners.

Best regards,
François Pradeau

From: wsmail925@yahoo.com
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Docket LU-23-0028: Boulder Country Club Use of Community Significance Designation
Date: Monday, December 11, 2023 12:16:45 PM

As someone who is directly affected by the erection of a 'bubble' structure over the existing tennis courts by Boulder Country Club I strongly oppose the request.

I live on Siena Way across the street and I have enjoyed unrestricted views of the Flatirons from my second story windows. To lose this view at any time of the year will most definitely hurt my property value and desirability.

I am also opposed to the noise that is created from pickle ball rackets and balls as the game is being played. It is continuous and annoying. The sound travels quite a distance so even the enclosure will not muffle it.

The lights from the structure will be a blight on our peaceful evening vistas.

Anyone who thinks this is a good idea should ask themselves if they would like to see and hear it in their own backyard or neighborhood.

Wendy Smail
7258 Siena Way
Boulder, CO 80301

From: [Stella & Francois PRADEAU](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] BCC Tennis Bubble
Date: Tuesday, December 12, 2023 9:26:15 AM

This email is in regard to the proposed erection of a 24,840 sq. ft. 35 f.t high outdoor lighted tennis bubble at the Boulder Country Club off Clubhouse Road. As a homeowner in the Ironwood division, directly across the street from the county club, I'm concerned about this plan in light of the impact on my home value. Views on the mountains will be diminished if this project is realized. There will be yet more light pollution in the neighborhood which will not only impact us people, but even more importantly will impact the wildlife that we are lucky enough to have dwelling among us: notably the foxes!

I would be disappointed to see this project continue and the ultimate change to our community would be consequential. Please consider my opinion and that of my neighbors!

Thanks-

Stella Pradeau

7241 Siena Way, Boulder

Sent from [Mail](#) for Windows

From: [Wufoo](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Ask a Planner - Bogie Bogner - LU-23-0028 - 7350 CLUBHOUSE ROAD
Date: Wednesday, December 13, 2023 2:43:20 PM

Boulder County Property Address : 7350 CLUBHOUSE ROAD

If your comments are regarding a specific Docket, please enter the Docket number: LU-23-0028

Name: Bogie Bogner

Email Address: bogie1247@gmail.com

Phone Number: (303) 530-0543

Please enter your question or comment: I would like to attend the public hearing via zoom on 1/11/24 at 11:15 a.m. regarding the Docket number pertaining to the proposed installation of a tennis bubble at the above referenced property.

How do I register??

I live directly across the street in the Ironwood Condos and am 100% against this proposed invasion of our views of the beautiful flatirons and beyond. Boulder Country Club has a beautiful property and has maintained it very well however, there are issues with living near a CC. While I enjoy their kids summer camps for the kids sake the noise does impact our patio enjoyment as well as the early morning mower noise. In my opinion the affect to your views is over the top and totally unacceptable.

Thank you for asking our opinion on the subject.

Bogie

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: [Lillian Patrician](#)
To: [LU Land Use Planner](#); [Lillian Patrician](#)
Subject: [EXTERNAL] Proposed Tennis Bubble BCC
Date: Wednesday, December 13, 2023 12:50:00 PM

To: Community Planning & Permitting Department
P.O. Box 471
Boulder, Colorado
80306

Dear Members of the Boulder CPPD:

I own a home in the Ironwood community directly across from the Boulder Country Club (BCC) on Clubhouse Road. I oppose the proposal to erect a bubble over the BCC tennis courts that can be seen from Clubhouse Road. The bubble would have an especially negative impact on residences bordering Clubhouse Road of which I own one. Anyone driving along Clubhouse would also see this. Homeowners pay for maintenance of the natural beauty of three ponds in the Fountain Greens communities to which Ironwood belongs. I don't know any of my fellow homeowners who want an unnatural bubble structure among us.

I ask that you decide against the proposed bubble.

Kind regards,

Lillian Patrician, MS, MBA
7294 Siena Way, Boulder, Colorado 80301
lillian.patrician@gmail.com
(240) 645-7770

From: [dee britton](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] docket 0028-23-0028
Date: Thursday, December 14, 2023 9:34:52 AM

Please consider the horrible effect the proposed building at Boulder Country Club would have on the landscape surrounding our neighborhood. One of the reasons my daughter and I chose our home in the Ironwood neighborhood was because of the magnificent view from our unit. It has provided much pleasure in the years we have lived here. Your proposal will greatly affect the total ambience of our community as well as our property values.
Please reconsider.

Dee Britton
7264 Siena Way

From: [Jen Eilertson](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club Use of Community Significance Designation
Date: Thursday, December 14, 2023 9:46:57 AM

Letter in Opposition

December 13, 2023

Dear Board of Boulder County Commissioners,

I am Jennifer Eilertson and live in Ironwood at 7264 Siena Way. I am a year-round resident of my home. I live north across the street from the Boulder Country Club.

Property Values and Enjoyment

I enjoy a view of the Rocky Mountains and the Boulder Flatirons as seen in the photo below. The proposed dome would not only take away the Rocky Mountains for me but replace them with an unsightly glowing dome. As we all know, a mountain view is critical to home values here. I am very concerned that not only will the enjoyment of my home be diminished but also my property's value. It would seem that the impact on many homeowners in the neighborhood here should have a much higher priority over the enjoyment of Boulder Country Club winter tennis and pickleball players.

Not Critical to BCC Operations

As stated in the application, there are already existing indoor courts for the players and as also stated there are a number of members who leave during the winter months. Also stated is that the BCC does not intend to grow its membership. "Outdoor hard tennis and pickleball courts will be available for play through the fall and winter seasons, depending on weather" per September 2023 BCC newsletter. These are the courts that are proposed to be covered. With Colorado's up and down winter weather, this would provide some extra court time for players without installing a bubble.

Night Sky

The installation of a bubble in our neighborhood is completely inappropriate. In addition to its impact on me personally and my adjacent neighbors, it does not fit in with our beautiful natural environment here. A big plastic object 35 feet tall is an eyesore and not compatible with our surrounding area. Although the application says there will be "very little, if any, light emitting from the dome", I think ANY light would be unacceptable and have an impactful on our current view of the night sky. Currently there are no lights at night on the outdoor courts. This application calls for lights on until 9PM. A big glowing object. We don't even have streetlights here in order to preserve the view of the night sky. This dome does not belong here.

Sight Line

The application suggests that only "two to three residences to the East" would be affected and "residences to the North are effectively separated and screened". I am located primarily North and somewhat East of the structure. I can clearly see courts they propose to cover and the Rocky Mountains. This is a completely false statement by the Boulder Country Club. The installation of a 24,840 square foot dome in our line of sight is an unconscionable idea. We in Ironwood are greatly affected.

DENY APPLICATION

I respectfully request that this application be denied. In the interest of maintaining property values, continuity of our bedroom community environment, preservation of the night sky and simple enjoyment of our Rocky Mountains; please do not approve this application. This affects a lot of us,,,,,not just “two or three residences.” Surely these reasons outweigh more winter tennis and pickleball court time at the Boulder Country Club.

Kind regards,
Jennifer Eilertson

From: [John Osborn](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Docket LU-23-0028
Date: Thursday, December 14, 2023 10:10:37 AM

Dear Board of Boulder County Commissioners

We live in Ironwood Condos at 7273 Siena Way. We are year-round residents living across the road from Boulder Country Club, and are full members of the Club.

We oppose the “Limited Impact Special Use” application by the Club for the following reasons:

- The proposed tennis bubble will obstruct views of the mountains from ten homes in the Ironwood community (north east of the proposed bubble), from numerous homes east of the Club, and from pedestrians walking along Clubhouse Road.
- Related, the application states “residences to the North are effectively separated and screened from the dome by the existing permanent indoor tennis structure”; this is categorically false as the attach photo rendering clearly shows.
- The unsightly bubble will impact home values of the homes with exiting mountain views, but likely all other Ironwood homes.
- We are concerned that the bubble will disturb the night sky when illuminated at night. We cannot rely upon the application's statement that there will be “very little light emission” as the Club has made other misleading statements (see above).

We request BOCC reject the application.

On a related note, we would like to point out that neither the application review notice posted at the entrance to the Club, nor the notice sent to homeowners, informed us of the proposed tennis bubble. It was only by word of mouth and subsequent detailed reading of the application that we discovered that a tennis bubble was a major part of the application. We would appreciate greater transparency in these notices in future.

Thank you for your consideration.

John & Ursula Osborn

7273 Siena Way

Photo from outside 7286 Siena Way, part of Ironwood community. Bubble rendering is 35 feet high consistent with stated bubble specifications.



From: [Louis and Katrina Novak](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Special Use Review Docket#LU-23-0028
Date: Thursday, December 14, 2023 11:47:51 AM

Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club Use of Community Significance Designation

Letter in Opposition to the Proposed Construction of a Tennis Dome at the Boulder Country Club

December 14, 2023

Dear Board of Boulder County Commissioners

I am Louis Novak, my wife Katrina and I live in the Ironwood community at 7296 Siena Way. We are year-round residents of our home. Our home is located across Clubhouse Drive, north of the Boulder Country Club. As stated above, we are in opposition of the proposed Tennis Dome. Our points of contention are as follows.

Neighborhood Context

The Boulder Country Club is one part of a much larger residential neighborhood. As such, they are an integral and good neighbor primarily because they have maintained a low key residential character in the development of the Club. If the tennis dome was to be built, that relationship of the BCC to residential entities would be permanently altered in a negative manner.

Property Use, Enjoyment, and Value

We enjoy a view of the Flatirons and the Front Range mountain backdrop. The proposed dome would permanently alter that view with a view of an unsightly dome that is incompatible with the residential character of the surrounding neighborhood. Being 35 feet high and covering 24,840 square feet, the proposed dome would be a massive and extremely intrusive element to be placed in the community. In addition, the value of my residence is subject to being negatively affected by the loss of the views that we currently enjoy. Mountain views do have a positive effect on a property's value.

Is this Dome Actually Necessary

The Boulder Country Club already has existing indoor courts and during the winter there are a reduced number of members. The BCC has also stated that they are not intending to increase their membership. The courts that are currently available for play in the winter are the ones that are proposed to be covered with the dome. No additional courts are being added. With Colorado's variable weather, these courts would be available a good amount of time during the months that the dome would be in operation. The need for additional courts when measured against the permanent impositions placed on the BCC's neighbors to the north and east is hardly justified.

Night Sky Considerations

Having access to the night sky is a valuable asset for any property. Laws and ordinances have been enacted that attempt to mitigate the affects of incidental light sources that could negatively reduce access to the night sky. Placing a massive glowing structure in this neighborhood would go a long way to eliminating access to the night sky. These structures emit a substantial amount of light through their fabric coverings. Even a little is too much!

Views and Sight Lines

The BCC application states that only “two or three residences to the east would be affected” and “residences to the north are effectively separated and screened”. That statement, as regards the residences to the north, is patently false. I have a clear view that will have the dome centered in it with the Flatirons and mountain backdrops obscured if not completely covered by the dome. I am one of many Ironwood residents who will be affected by this 24,480 square foot, 35 foot high dome structure. This is an unconscionable proposal by the BCC and the Ironwood community will be greatly affected.

Deny the Application

I, along with my wife, request that this application be denied. The maintaining of property values, insuring that the residential character remains unchanged, preservation of the night sky, and having access to the majestic views of the Flatirons and mountain backdrops all supersede the shortsighted needs for more winter tennis and pickleball court time at the Boulder Country Club. In the long term, Ironwood residents will be affected.

Thank you for your consideration.

Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club
Use of Community Significance Designation

Letter in Opposition

December 12, 2023

Dear Board of Boulder County Commissioners

I am Merry Sue Clark and live in Ironwood at 7260 Siena Way. I am a year-round resident of my home. I live north across the street from the Boulder Country Club.

Property Values and Enjoyment

I enjoy a view of the Rocky Mountains and the Boulder Flatirons as seen in the photo below. The proposed dome would not only take away the Rocky Mountains for me but replace them with an unsightly glowing dome. As we all know, a mountain view is critical to home values here. I am very concerned that not only will the enjoyment of my home be diminished but also my property's value. It would seem that the impact on many homeowners in the neighborhood here should have a much higher priority over the enjoyment of Boulder Country Club winter tennis and pickleball players.

Not Critical to BCC Operations

As stated in the application, there are already existing indoor courts for the players and as also stated there are a number of members who leave during the winter months. Also stated is that the BCC does not intend to grow its membership. "Outdoor hard tennis and pickleball courts will be available for play through the fall and winter seasons, depending on weather" per September 2023 BCC newsletter. These are the courts that are proposed to be covered. With Colorado's up and down winter weather, this would provide some extra court time for players without installing a bubble.

Night Sky

The installation of a bubble in our neighborhood is completely inappropriate. In addition to its impact on me personally and my adjacent neighbors, it does not fit in with our beautiful natural environment here. A big plastic object 35 feet tall is an eyesore and not compatible with our surrounding area. Although the application says there will be "very little, if any, light emitting from the dome", I think ANY light would be unacceptable and have an impactful on our current view of the night sky. Currently there are no lights at night on the outdoor courts. This application calls for lights on until 9PM. A big glowing object. We don't even have streetlights here in order to preserve the view of the night sky. This dome does not belong here.

Sight line

The application suggests that only "two to three residences to the East" would be affected and "residences to the North are effectively separated and screened". I am located primarily North and somewhat East of the structure. I can clearly see courts they propose to cover and the Rocky Mountains and Flatirons. This is a completely false statement by the Boulder Country Club. The installation of a 24,840 square foot dome in our line of sight is an unconscionable idea. I am also a member of the Boulder Country Club and am greatly disappointed that no effort was made to contact neighbors. I have always thought of the BCC as a good neighbor. This has tainted that image. We in Ironwood are greatly affected.

Deny application

I respectfully request that this application be denied. In the interest of maintaining property values, continuity of our bedroom community environment, preservation of the night sky and simple enjoyment of our Rocky Mountains; please do not approve this application. This affects a lot of us,,,,,not just "two or three residences." Surely these reasons outweigh more winter tennis and pickleball court time at the Boulder Country Club.

Thank you for your consideration.

Merry Sue Clark



ALSO SENT VIA EMAIL ON 12/12/2023
FROM CLARKMS@AOL.COM

From: [Terry Smail](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Boulder Country Club proposed "Bubble/Dome"
Date: Monday, December 18, 2023 8:29:15 AM

Boulder Community Planning should reject the sports court dome proposed by the Boulder Country Club.

The proposed dome/bubble is contrary to the spirit of Boulder's community/nature policies of the last 50 years. Boulder has done a good job of: protecting open space for the community, enacting height restrictions that protect access to the beautiful views of our community, and ensuring neighborhoods have adequate open/park space.

All of these actions, and others, have provided our residents with a great place to live and a community that is recognized nationally for its eco-responsibility and commitment to nature.

The proposed Bubble is contrary to everything Boulder. It is not natural. It blocks the view of Boulder's environment for hundreds of Gunbarrel residents while providing value to only a privileged few. (By the way, the sports to be protected by the Bubble were intended to be played outdoors.) It is also completely inconsistent with the general architecture of the neighborhood.

In short, the Bubble is a bad idea that benefits very few, is detrimental to the majority of residents, and is completely inconsistent with past and current Boulder City policy.

Please reject this proposal!

Terry

Terry Smail
mobile: 206-251-9099

Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country Club
Use of Community Significance Designation

Letter in Opposition

December 12, 2023

Dear Board of Boulder County Commissioners

I am Julie Bosworth and live in Ironwood at 7262 Siena Way. I am a year-round resident of my home. I live north across the street from the Boulder Country Club.

Property Values and Enjoyment

I enjoy a view of the Rocky Mountains and the Boulder Flatirons as seen in the photo below. The proposed dome would not only take away the Rocky Mountains for me but replace them with an unsightly glowing dome. As we all know, a mountain view is critical to home values here. I am very concerned that not only will the enjoyment of my home be diminished but also my property's value. It would seem that the impact on many homeowners in the neighborhood here should have a much higher priority over the enjoyment of Boulder Country Club winter tennis and pickleball players.

Not Critical to BCC Operations

As stated in the application, there are already existing indoor courts for the players and as also stated there are a number of members who leave during the winter months. Also stated is that the BCC does not intend to grow its membership. "Outdoor hard tennis and pickleball courts will be available for play through the fall and winter seasons, depending on weather" per September 2023 BCC newsletter. These are the courts that are proposed to be covered. With Colorado's up and down winter weather, this would provide some extra court time for players without installing a bubble. I am an avid tennis player and have played in and have captained many leagues over the last 30 years. I also play Pickleball. With that being said, I am vehemently opposed to the building of this bubble as it negatively affects so many people for the benefit of the tennis and Pickleball players at the Boulder Country Club.

Night Sky

The installation of a bubble in our neighborhood is completely inappropriate. In addition to its impact on me personally and my adjacent neighbors, it does not fit in with our beautiful natural environment here. A big plastic object 35 feet tall is an eyesore and not compatible with our surrounding area. Although the application says there will be "very little, if any, light emitting from the dome", I think ANY light would be unacceptable and have an impactful on our current view of the night sky. Currently there are no lights at night on the outdoor courts. This application calls for lights on until 9PM. A big glowing

object. We don't even have streetlights here in order to preserve the view of the night sky. This dome does not belong here.

Sight line

The application suggests that only "two to three residences to the East" would be affected and "residences to the North are effectively separated and screened". I am located primarily North and somewhat East of the structure. I can clearly see courts they propose to cover and the Rocky Mountains. This is a completely false statement by the Boulder Country Club. The installation of a 24,840 square foot dome in our line of sight is an unconscionable idea. We in Ironwood are greatly affected.

Deny application

I respectfully request that this application be denied. In the interest of maintaining property values, continuity of our bedroom community environment, preservation of the night sky and simple enjoyment of our Rocky Mountains; please do not approve this application. This affects a lot of us,,,,,not just "two or three residences." Surely these reasons outweigh more winter tennis and pickleball court time at the Boulder Country Club.

Thank you for your consideration.

Julie Barworth



From: [Wufoo](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Ask a Planner - Bridget Gordon - LU-23-0028 - 7350 clubhouse rd
Date: Wednesday, December 27, 2023 12:31:31 PM

Boulder County Property Address : 7350 clubhouse rd

If your comments are regarding a specific Docket, please enter the Docket number: LU-23-0028

Name: Bridget Gordon

Email Address: Bridgetl13@gmail.com

Phone Number: (720) 236-5597

Please enter your question or comment: Can you please tell me the significance of this application/proposal? It is not very informational. It says "BCC Use of Community Significance Designation". What does this mean and what will happen if it passes?

Depending on your answer, I'd like to propose the county residents get something from BCC in exchange, like permitting access from BCC to connect the LOBO trails from Lookout Rd to Twin Lakes to avoid the street. The idea is to cover over the waterway ditch, to make a nature trail from Lookout Rd to Jay Rd or at least Lookout Road to the LOBO trail near Twin Lakes. This would include removing the ugly barb-wired fence. Someone told me that BCC is the reason this has not happened yet.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: [Wufoo](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Ask a Planner - Steve Albers - LU-23--0028 - 7350 Clubhouse Road
Date: Monday, January 1, 2024 11:23:44 AM

Boulder County Property Address : 7350 Clubhouse Road

If your comments are regarding a specific Docket, please enter the Docket number: LU-23--0028

Name: Steve Albers

Email Address: scalbers@webtv.net

Phone Number: (303) 530-5430

Please enter your question or comment: As a general comment about the Country Club - can we invigorate some creative mechanisms to work with the Club and Northern Water to allow a multi-use trail through this area? This would provide a more direct and enjoyable route option compared with the existing LoBo trail. Thanks!

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: [Richard Johnson](#)
To: [LU Land Use Planner](#); [L'Orange, Pete](#)
Subject: [EXTERNAL] Docket #LU-23-0028
Date: Wednesday, January 3, 2024 12:29:08 PM

Pete: Thank you for your time on the phone yesterday providing me with an update and for your professionalism throughout this matter. My wife, Cindy, and I live at 4973 Clubhouse Ct. immediately east of the Boulder Country Club ("BCC") tennis courts. I also serve as Vice President of the First Flintlock Homes Association which consists of 49 homes located east of and adjacent to BCC.

I understand from our discussion that the staff recommendation coming out tomorrow is likely to recommend approval of the change in zoning designation for BCC to a Use of Community Significance. As I informed you during our discussion, despite the proposed 24,840 square foot tennis bubble being dropped (for the time being according to applicant) many neighbors still have considerable concern with the proposed zoning designation change and therefore oppose the same.

First, BCC filed this application without any notice to its members, or dialogue with its neighbors. In fact, I have been informed by the current President that Mr. Larson filed the current application without any board or committee approval. Pete, you mentioned an authorization on file signed by Kent Soucup but he was President 3-4 years ago. So, it may be that Mr. Larson lacked any authority to file this application as BCC must act through its Board of Directors. In any event, the lack of any advance dialogue with the affected neighborhoods and the filing of the application with very suspect notice (it mentioned a seasonal structure but not a massive 24,840 square foot bubble) during the holiday season has resulted in a real loss of trust in Mr. Larson and BCC. This is the backdrop against which the request for a change in designation to a Use Of Community Significance must be viewed.

Second, with respect to the current/remaining request, BCC does not meet the standards in the Code for a Use of Community Significance. Under Article 4-602.E.2.b., the use must meet at least two of the following characteristics: historic, cultural, economic, social, or environmental value "to the inhabitants of Boulder County as a whole...." As a private membership club, its facilities are not available to residents of Boulder County as a whole. Rather, as BCC admits in the application materials, its membership numbers are limited and not planned to expand and it is charging a \$75,000 initiation fee. A Use of Community Significance is more often associated in land use matters with open space acquisitions, parks or other public infrastructure projects benefitting the entire community. You mentioned that BCC has been important in the historic development of the Gunbarrel area. Under such an analysis, King Soopers on Lookout Road might be more appropriately designated a Use of Community Significance as it actually serves the inhabitants of Boulder County as a whole. The historic characteristic required under Article 4-602.E.2.b. cannot be satisfied by some general notion of community longevity but rather historic importance or historic landmarking. However, BCC has only landmarked its clubhouse as historic and not the entire 190 acre campus. As such, the entire property fails to qualify as historic under Article 4-602.E.2.b. You also mentioned that BCC might qualify under the "social" criteria. However, BCC is private and while it has hosted some public events for a fee it is currently limited to days when members do not utilize the club, is a small portion of the operation and BCC is not required to offer its clubhouse on a going forward basis (in fact, there is considerable debate amongst the membership if it should continue). Moreover, the golf courses, Athletic Club and pool house and pool facilities are not open to the public. So, this factor/characteristic cannot be met as well. I have not heard a cogent argument made that cultural, economic, or environmental characteristics apply. It seems in this case staff may be trying to take the easy way out by not having to deal with so many special use amendments from BCC. That is not a legitimate reason for changing a zoning designation.

Third, in 1991, the BOCC intentionally revised the Code to remove membership clubs as a use by right in the RR District. If the County wants to allow for private clubs in the RR District it should change the Code back to specifically allow for this type of use as opposed to trying to fit BCC into a much broader zoning designation.

Fourth, I realize that Article 4-602.E.2.e. provides that if a Use of Community Significance seeks a

substantial modification, the standard Review Criteria for Uses Permitted by Special Review and Limited Impact Special Review come into play and must be met. But the problem is that whether a matter is a substantial modification is left to staff/Land Use Director to determine and the neighborhoods will be left with no input. Take for example the transformation of the western tennis court into four pickle ball courts. The unauthorized action by BCC resulted in a change in density from 2 players to 16 players including louder equipment and louder/more social activity between players. Would this be considered a substantial modification? The point here is that highly intensive uses such as clubhouses, pool house and pool, two golf courses and an Athletic Facility with outdoor tennis and now pickle ball are more properly analyzed under special use criteria. Special use criteria look at compatibility with the surrounding area, location, size, height, massing of structures, scenic vistas and the characteristics of nearby neighborhoods. The (withdrawn) tennis bubble proposal is a perfect example of why BCC should remain under special use review instead of being given flexibility under the Use of Community Significance designation. The misleading statements in the application ("sight line will minimally affect two or three residences") and failure to act as a good neighbor with advance discussions should not be rewarded with considerably less oversight.

Fifth and finally, if the County Commissioners should decide, for whatever reason, to change the zoning definition to a Use of Community Significance, we respectfully request that three simple conditions be required which would demonstrate that BCC understands what is significant to the community:

1. Limit pickle ball to the westernmost tennis court as it is a loud and social sport and is best kept in close proximity to the intensive uses surrounding the pool.
2. Prohibit a tennis bubble or similar type improvement from being pursued to cover any of the six tennis courts (includes two current clay courts closest to First Flintlock).
3. Just as the BOCC did in Resolution 94-5 when BCC was seeking approval for the two new clay courts (and lighting on the other tennis courts which was eventually withdrawn after neighborhood opposition), any new zoning designation must be subject to permanent "visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east..." (quoted language comes directly from Resolution 94-5 and protects First Flintlock). This condition should also be extended to protect the southwesterly views of neighbors in Ironwood.

The foregoing three conditions would go a long way toward rebuilding trust between BCC and the First Flintlock and Ironwood neighborhoods. Thank you for your consideration and please make this email available to the Commissioners and part of the record.

Rick Johnson
 Johnson & Repucci LLP
 850 W. South Boulder Road, Suite 100
 Louisville, CO 80027
 phone: (303)442-1900 x5601
 direct: 303-546-5601
 fax: 303-442-0191

www.j-rlaw.com

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From: [Wufoo](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Ask a Planner - Freeland Abbott - LU-23-0028 - 7034 Indian Peaks Trl
Date: Saturday, February 10, 2024 12:45:40 PM

Boulder County Property Address : 7034 Indian Peaks Trl

If your comments are regarding a specific Docket, please enter the Docket number: LU-23-0028

Name: Freeland Abbott

Email Address: freelandabbott@gmail.com

Phone Number: (706) 614-0199

Please enter your question or comment: I think my question is about whether "Use of Community Significance" requires *current* significance, or is a historical designation.

The Boulder Country Club takes pains to stress it does not plan to expand, and mentions that it serves 392 residents of Gunbarrel, and a further 493 members outside that community. Google says Gunbarrel has 10,494, and the county a hair under 330,000. I am not convinced that 889 households qualify as "significant" use. If, for example, they were considering expanding access during their less-busy winter months, either in a form of a winter membership or of limited public access during that time, or generally if they were offering today's broader community any direct benefit at all, I might be more favorable.

Clearly, BCC was important in Gunbarrel's formation, and they note that membership clubs were a permitted use for RR zoning until 1991 but are so no longer. I assume becoming a conforming use simplifies life for the club, but I am unclear whether or how the county benefits by revising the club's categorization. That side of the story was not addressed.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: [Wufoo](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Ask a Planner - Lynel Vallier - LU-23-0028 - 7121 Four Rivers Rd
Date: Friday, February 23, 2024 1:13:08 PM

Boulder County Property Address : 7121 Four Rivers Rd

If your comments are regarding a specific Docket, please enter the Docket number: LU-23-0028

Name: Lynel Vallier

Email Address: ldvallier@gmail.com

Phone Number: (303) 993-8228

Please enter your question or comment: This proposed dome enclosure does not fit in with the other buildings in the area. What you have here is something to benefit the privileged few to the detriment of many. I will see this ugly structure every day when I go past it on Clubhouse Road, walking bicycling, or driving. It will be visible from the street. It does not fit in this neighborhood.

We are all concerned about climate change. Heating this structure will put an enormous amount of hydrocarbons and pollution into our air. It's time to say enough is enough.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Brad and Nancy Olsen
4902 Clubhouse Court
Boulder, Colorado 80301

March 23, 2024

Via e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

*Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country
Club Use of Community Significance Designation*

Dear Board of County Commissioners:

Thank you for the opportunity to comment on Docket #LU-23-0028. We live at 4902 Clubhouse Court, Boulder, Colorado 80301, in the First Flintlock HOA ("**First Flintlock**") directly east of the shared use access-way and driving range of the Boulder Country Club (the "**Club**"). We enjoy fabulous western views of the iconic Flatirons and Indian Peaks back range and northwestern views of the back range and Longs Peak. We enjoy living next to the Club and have been full golf members since 2005.

Withdrawn request to erect a Tennis Bubble. We understand that the Club has withdrawn the ill-conceived (and apparently not even Board of Director approved) request to erect a "seasonal," yet nonetheless massive, inflatable, 35 foot high tennis bubble ("**Tennis Bubble**") placed on an existing two (2) foot high elevated concrete pad (resulting in a total of 37 feet in height) so that 6 pickle ball courts and 2 tennis courts would be useable throughout the winter (that is, for up to 180 days from November through April). We **opposed** this request for the reasons noted in our prior communication dated November 27, 2023.

Continuing request to become a "Use of Community Significance." The Club is requesting that its current status as a pre-existing legal non-conforming use be changed to a "Use of Community Significance," and also a conforming use so that it is not subject to the more rigorous review now applicable as a legal non-conforming use. We **oppose** this request for the reasons noted below and as noted in our prior communication dated November 27, 2023. Our concern is that the requested zoning change will make it easier for the Club to continue to disregard the interests of the community to further its own interests.

Our detailed comments follow.

1. The Club is not a "Use of Community Significance."
 - a. The Club does not meet the legally required standards of a Use of Community Significance. How could it? The Club is a private membership facility and is

Board of County Commissioners

March 23, 2024

Page 2

not available to the community as a whole. Zoning Code Article 4-602.E.2.b. requires the proposed Use of Community Significance meet at least two of the following characteristics: historic, cultural, economic, social or environmental values “to the inhabitants of Boulder County as a whole.” While the Club was certainly an important part of helping to establish Gunbarrel, its membership is and has been private and not open to Boulder County residents at large. The golf courses are gorgeous, and they provide open areas and buffering that ostensibly preserve views (if those views are actually protected). The public is not permitted to walk the golf courses to enjoy the scenic vistas viewed from the courses. The public is not permitted to enjoy the views, drinks and a meal from the decks of the Clubhouse. It is a private club.

Historically, the Club was certainly a part of Gunbarrel’s growth, but it did not drive that growth, IBM did. And so did Niwot. And so did King Soopers, for that matter. Just being an historic part of a community does not a “Use of Community Significance” make. There must be more. The Club property is 190 acres. Only the clubhouse is landmarked as an historic structure. It is not open to the public. Socially, the Club is a private, members only club. While there are a few opportunities for a wedding or some other event for a limited number of non-members, it would be an unreasonable stretch to say that this creates a community use. The golf courses, the Athletic Club, and the pool facilities are not open to the community.

b. The Club takes a Club-centric approach to the use of its property. The Club (and its leadership) have made it clear in several conversations that the Club will make its decisions regarding the use of its property based upon its leaders’ decisions as to what is best for its membership and no other stakeholders (such as neighbors). While that approach is understandable and perhaps even expected, it is inconsistent with the concept of a Use of Community Significance. This overall Club-centric approach, while understandable for a private club, is diametrically opposed to the consideration of the inhabitants of Boulder County as a whole.

This type of narrowly focused, Club-centric decision making is precisely why there must be a fulsome Special Use level review. If the Club wants to make changes to the approved uses of its property it must go through the Special Use review process. Without the protections afforded by the Special Use review process, neighbors of the Club (that is, members of the Community) will have no meaningful opportunity to make their concerns known to an independent decision maker (i.e., the County Commissioners) and to protect their interests such as views, noise, light, setbacks, massing, etc. These interests are all well recognized, important protected matters.

Board of County Commissioners

March 23, 2024

Page 3

2. Special Use level review matters: it is a critically important process that protects neighbors and their investment backed reasonable expectations.

a. The Club is a pre-existing legal non-conforming use. Since 1991, when the County intentionally revised its zoning to remove “Membership Club” as an allowed use within the RR Zone, the Club has operated as a pre-existing legal non-conforming use. In 1993, the Club was approved as a special use and has operated as such with periodic special use amendments when there are proposed changes to its use. While this may be somewhat cumbersome as noted by the Club, it is a critically important process that protects neighbors, their investment backed reasonable expectations and the community.

b. The Special Use review process works to balance the overall Community interests with the Club’s interests. Interestingly, here is what the Club said in its Special Use review proposal submitted to the County on March 4, 2019 (see pages 5 and 6 of 7 of that proposal):

The proposal is in general harmony with the character of its surroundings and compatible with the area. The site has been utilized as a year-round country club operation for over fifty years. It is compatible with and integral to the residential community that has grown up around it during that period. The edges where the country club and adjacent residential uses meet have evolved in a mutually compatible manner. The open space and landscaped character of the golf course(s) is harmonious with the residential community, and its character enhances and supports the community. The clubhouse, tennis building, and other high activity areas have been sited, landscaped, and screened in such a manner as to be harmonious with the surrounding community.

The country club site is a quality designed landscaped environment. **As the adjacent residential areas have evolved, the visual and functional aspects of their boundaries with country club property have been carefully landscaped and/or screened to ensure that residential and country club uses exist harmoniously adjacent to each other. A continuation of present landscaped conditions is critical to the continued success of the country club and will be strongly adhered to. (emphasis added)**

We generally agree. Importantly, it is the Special Use review process itself that protects the overall Community interests and ensures that the Club actually does what it

Board of County Commissioners

March 23, 2024

Page 4

promised to do: “ensure that residential and country club uses exist harmoniously adjacent to each other.”

c. Actions speak louder than words. The Club’s actions have consistently demonstrated the importance of requiring a fulsome review by the Boulder County Commissioners. Without the Special Use review process and attendant public input and risk of denial, the Club would not have agreed to changes in its plans back in the mid-90’s and mid-2000’s designed to protect neighbors’ interests including,

- i. agreeing to not light the then new outdoor tennis courts,
- ii. agreeing to depress the new clay courts,
- iii. agreeing to install sound mitigation around the outdoor tennis courts,
- iv. agreeing to remove the fences around the new clay courts seasonally (though they have never been removed), and
- v. agreeing to reduce the height of the new screening nets around the driving range next to the path across from the First Flintlock homes (including our home) from 35’ to about 9’, install the smaller support poles at the property corners (and so minimize negative impacts on the western view corridor) and install a landscaped area to soften the visual impacts of the new nets.

d. The Club (and its leadership) must be held accountable to do what it has promised to do through past Special Use reviews. We (and our neighbors in Ironwood, First Flintlock, Second Flintlock and other neighbors adjacent to the Club’s 190 acre property) invested in our homes relying on the Club honoring its obligations and being a good neighbor. We (and our neighbors) are keenly interested in protecting our views and being protected from encroachments, excessive light, excessive noise, excessive traffic, etc. The value of the mountain views enjoyed by all of us was recognized as an important feature of our neighborhood going all the way back to the beginning. The Club wants to claim a protected zoning status as a conforming use premised on its importance to the overall community from the very beginning, yet that protection could only be justified if it is required to actively consider and accommodate the interests of its neighbors-that is, the community. This is precisely what it has refused to do.

e. The Club acts in the interests of its members, only. There are multiple examples of the Club ignoring, and indeed acting directly contrary to, the interests of adjoining neighbors. Here are a few noteworthy examples.

- i. For example, the proposed (now withdrawn) Tennis Bubble would have been massive and visually intrusive. It would have absolutely destroyed several neighbors’ western and south-western mountain views. Homes in First Flintlock and across Clubhouse Road in the Ironwood Condo complex would have had their beautiful western mountain views replaced with a huge glowing bubble. And yet these dramatic and negative impacts were obvious. Worse they were dismissed as insignificant. The community at large would have been

Board of County Commissioners

March 23, 2024

Page 5

negatively impacted too. Right now, when you drive west along Clubhouse Road you see a very pleasant, well designed, well landscaped building area with screened and depressed tennis courts and the majestic snow-capped Indian Peaks over it all. That view corridor would have been destroyed by the seasonal Tennis Bubble. And for what? So that a few extra Club members could have scheduled tennis or pickle ball during winter months.

- ii. For example, in March 2021 the Club determined on its own to change the County approved use of an outdoor tennis court into 4 unapproved pickle ball courts. The initial Club plan was to convert the fourth, easternmost non-clay tennis court (closest to clay courts and, critically, several neighbors in First Flintlock) into 4 unapproved pickle ball courts. As we all now know, pickle ball is a significantly more intensive use than tennis. Instead of 1 tennis court with 2 (sometimes 4) players, there are 4 courts in the same area as 1 tennis court with 4 players on each court. As we all know now, pickle ball is significantly louder and more raucous than tennis. Fortunately, our neighbors became aware of the Club's plans and were able to convince the Club to locate the new pickle ball courts on the tennis court next to the pool activity area. The Club, to its credit, agreed to locate the pickle ball courts on the court furthest from the First Flintlock neighbors. Because this change took place without County input (and we believe that the change of use should have gone through the Special Use Review process), there is no permanent agreement in place to keep pickle ball close to the pool activity area and buffered by distance from our First Flintlock neighbors. We recently asked the Club to make the agreement permanent and they have refused. This is very troubling.
- iii. We now understand that the Club plans to unilaterally change the 2 approved clay courts into 2 standard tennis courts. While at first blush this seems to be innocuous, it is not. It is a significant increase in intensity of use because clay courts are specialty courts that are not used as often as the standard courts. In fact, this is why the Club wants to change the clay courts into standard courts. So, our First Flintlock neighbors can expect more tennis games being played on the currently clay courts. This is concerning. If this unilateral change is not subject to Special Use review and the opportunity for public input and risk of denial, the concern is that the next step will be to unilaterally change the currently clay courts into standard courts and then into **8 pickle ball courts**. This conversion is what they have done before without County approval and it would be devastating. The Club has refused to keep pickle ball courts (which are an unapproved use) on the courts furthest

Board of County Commissioners

March 23, 2024

Page 6

away from the First Flintlock and Ironwood neighbors. These actions show that the Club must be subject to the fulsome review associated with a nonconforming use changing uses.

3. **A Request for 3 straightforward conditions.** If the County Commissioners decide, somehow, that the Club is a Use of Community Significance, then we request the following conditions that would be consistent with a more community-centric perspective,
- a. Limit pickle ball to the westernmost tennis court where it is currently located as it is a loud and social sport and is best kept in close proximity to the intensive uses surrounding the pool.
 - b. Prohibit a tennis bubble or similar type improvement from being pursued to cover any of the six tennis courts (including the two current clay courts closest to First Flintlock).
 - c. Just as the County Commissioners did in Resolution 94-5 when the Club was seeking approval for the two new clay courts (and lighting on the other tennis courts which was eventually withdrawn after neighborhood opposition), any new zoning designation must be subject to permanent "visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east...." (quoted language comes directly from Resolution 94-5 and protects First Flintlock). This condition should also be extended to protect the southwesterly views of neighbors in Ironwood as well as surrounding neighbors who enjoy the beautiful views from Clubhouse Road.

We asked the Club to agree to these conditions and they refused.

Thank you for your consideration. We look forward to appearing at the hearing on April 2, 2024, at 9:30 a.m.

Very truly yours,



 Brad Olsen


 Nancy Olsen

Fred Ziel
4983 Clubhouse Court
Boulder, CO 80301

Boulder, Colorado 80301

March 25, 2024

Via e-mail (planner@bouldercounty.org)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

*Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country
Club Use of Community Significance Designation*

Dear Board of County Commissioners:

Thank you for the opportunity to comment on Docket #LU-23-0028. I am a neighbor of the Boulder Country Club (the “**Club**”) and enjoy fabulous western views of the iconic Flatirons and Indian Peaks back range. I invested in our home relying on the Club honoring its obligations and being a good neighbor. We (and our neighbors) are keenly interested in protecting our views and being protected from encroachments, excessive light, excessive noise, excessive traffic, etc. The Club wants to claim a protected zoning status as a conforming use premised on its importance to the overall community from the very beginning, yet that protection could only be justified if it is required to actively consider and accommodate the interests of its neighbors-that is, the community. This is precisely what the Club has refused to do.

Continuing request to become a “Use of Community Significance.” The Club is requesting that its current status as a pre-existing legal non-conforming use be changed to a “Use of Community Significance,” and also a conforming use so that it is not subject to the more rigorous review now applicable as a legal non-conforming use. We **oppose** this request for the reasons noted below. **Our concern is that the requested zoning change will make it easier for the Club to continue to disregard the interests of the community to further its own interests.**

1. **The Club is not a “Use of Community Significance.”**

a. The Club does not meet the legally required standards of a Use of Community Significance. How could it? The Club is a private membership facility and is not available to the community as a whole. The County Zoning Code requires the proposed Use of Community Significance meet at least two of the following characteristics: historic, cultural, economic, social or environmental values “to the inhabitants of Boulder County as a whole.” Historically, the Club was certainly a part of

Board of County Commissioners

March 25, 2024

Page 2

Gunbarrel's growth, but it did not drive that growth, IBM did. Just being an historic part of a community does not make it a "Use of Community Significance". There must be more. The Club property is 190 acres. Only the clubhouse is landmarked as an historic structure. It is not open to the public. Socially, the Club is a private, members only club. Community members who are not a member of the Club do not have access to the Club's property or amenities unless they are invited guests of a member of the Club.

b. The Club takes a Club-centric approach to the use of its property. The Club (and its leadership) have made it clear in several conversations that the Club will make its decisions regarding the use of its property based upon its leaders' decisions as to what is best for its membership and no other stakeholders (including neighbors). While that approach is understandable and perhaps even expected, it is inconsistent with the concept of a Use of Community Significance. This overall Club-centric approach, while understandable for a private club, is diametrically opposed to the consideration of the inhabitants of Boulder County as a whole.

c. The decision to make the Club a non-conforming use was explicit. The decision to make the Club a non-conforming use was certainly explicit. It was clearly the most prominent private membership club in the county that was affected by this change. The commissioners at the time would have been familiar with all of the Club's current arguments as to its significance other than the historical landmark status of the private, members-only clubhouse building and yet chose to move forward without a carve-out for it.

2. The Special Use review process works to balance the overall Community interests with the Club's interests. It is the Special Use review process itself that protects the overall Community interests and ensures that the Club actually does what it promised to do; namely, "ensure that residential and country club uses exist harmoniously adjacent to each other." (from the Club's Special Use review proposal submitted to the County on March 4, 2019 at pages 5 and 6 of 7 of that proposal). In that proposal, the Club also stated, that "[t]he clubhouse, tennis building, and other high activity areas have been sited, landscaped, and screened in such a manner as to be harmonious with the surrounding community."

The Club's actions have consistently demonstrated the importance of requiring a fulsome review by the Boulder County Commissioners. Without the Special Use review process and attendant public input and risk of denial, the Club would not have agreed to changes in its plans back in the mid-90's and mid-2000's designed to protect neighbors'

Board of County Commissioners

March 25, 2024

Page 3

interests. There are multiple examples of the Club ignoring, and indeed acting directly contrary to, the interests of adjoining neighbors. Here are a few noteworthy examples.

- i. The proposed (now withdrawn) Tennis Bubble would have been massive and visually intrusive. It would have absolutely destroyed several neighbors' western and south-western mountain views.
- ii. In March 2021 the Club determined on its own to change the County approved use of an outdoor tennis court into 4 unapproved pickle ball courts. Pickle ball is a significantly more intensive use than tennis. Instead of 1 tennis court with 2 (sometimes 4) players, there are 4 courts in the same area as 1 tennis court with 4 players on each court. And pickle ball is significantly louder and more raucous than tennis.
- iii. We now understand that the Club plans to unilaterally change the 2 approved clay courts into 2 standard tennis courts. While at first blush this seems to be innocuous, it is not, especially if it is just the first step to converting those courts into **8 pickle ball courts**. This conversion is what they have done before without County approval and it would be devastating.

3. A Request for 3 straightforward conditions. If the County Commissioners decide, somehow, that the Club is a Use of Community Significance, then we request the following documented conditions that would be consistent with a more community-centric perspective,

- a. Limit pickle ball to the westernmost tennis court where it is currently located as it is a loud and social sport that is best kept in close proximity to the intensive uses surrounding the pool.
- b. Prohibit a tennis bubble or similar type improvement from being pursued to cover any of the six tennis courts (including the two current clay courts closest to First Flintlock).
- c. Just as the County Commissioners did in Resolution 94-5 when the Club was seeking approval for the two new clay courts (and lighting on the other tennis courts which was eventually withdrawn after neighborhood opposition), any new zoning designation must be subject to permanent "visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east...." (quoted language comes directly from Resolution 94-5 and protects First Flintlock). This condition should also be extended to protect the southwesterly views of neighbors in Ironwood.

To date the Club has refused to agree to these conditions. In fact, it explicitly violated its previously agreed commitments noted in 3(c) in the original submission of approval for the proposed tennis bubble and from some comments may think those straightforward commitments do not apply. Even now that it has withdrawn that bubble request amid neighbor complaints and what seem to me to be intractable fire code constraints, it will go no further than suggesting that it won't reconsider the tennis bubble proposal in the next five years.

Board of County Commissioners

March 25, 2024

Page 4

I have been a member of the club for 19 years and my family and I have greatly enjoyed being members and having the club in our neighborhood. The point of this letter is not to demonize the club or blame it or its leadership for taking steps they believe are prudent. My point is that the special use designation has served its purpose and should continue. The club is not available to the community as a whole and has not always taken the surrounding community into account. The request to designate the club as a Use of Community Significance should be rejected.

Thank you for your consideration.

Very truly yours,

Leslie Hilton
7283 Siena Way
Boulder, Colorado 80301

March 24, 2024

Via e-mail (planner@bouldercounty.gov)

Board of County Commissioners
c/o Community Planning & Permitting
P.O. Box 471
Boulder, Colorado 80306

*Re: Limited Impact Special Use Review Docket #LU-23-0028: Boulder Country
Club Use of Community Significance Designation*

Dear Board of County Commissioners:

Thank you for the opportunity to comment on Docket #LU-23-0028. I am a neighbor of the Boulder Country Club (the “**Club**”) living in Ironwood. I enjoy fabulous western views of the iconic Flatirons and Indian Peaks back range and northwestern views of the back range and Longs Peak. I invested in my home relying on the Club honoring its obligations and being a good neighbor. I (and my neighbors) are keenly interested in protecting our views and being protected from encroachments, excessive light, excessive noise, excessive traffic, etc. The Club wants to claim a protected zoning status as a conforming use premised on its importance to the overall community from the very beginning, yet that protection could only be justified if it is required to actively consider and accommodate the interests of its neighbors-that is, the community. This is precisely what it has refused to do.

Continuing request to become a “Use of Community Significance.” The Club is requesting that its current status as a pre-existing legal non-conforming use be changed to a “Use of Community Significance,” and also a conforming use so that it is not subject to the more rigorous review now applicable as a legal non-conforming use. I **oppose** this request for the reasons noted below.

1. The Club is not a “Use of Community Significance.”
 - a. The Club does not meet the legally required standards of a Use of Community Significance. How could it? The Club is a private membership facility and is not available to the community as a whole. The County Zoning Code requires the proposed Use of Community Significance meet at least two of the following characteristics: historic, cultural, economic, social or environmental values “to the inhabitants of Boulder County as a whole.” Historically, the Club was certainly a part of Gunbarrel’s growth, but it did not drive that growth, IBM did. Just being an historic part of a community does not a “Use of Community Significance” make. There must be more.

Board of County Commissioners

March [], 2024

Page 2

The Club property is 190 acres. Only the clubhouse is landmarked as an historic structure. It is not open to the public. Socially, the Club is a private, members only club.

b. The Club takes a Club-centric approach to the use of its property. The Club (and its leadership) have made it clear that the Club will make its decisions regarding the use of its property based upon its leaders' decisions as to what is best for its membership and no other stakeholders (such as neighbors). While that approach is understandable and perhaps even expected, it is inconsistent with the concept of a Use of Community Significance. This overall Club-centric approach, while understandable for a private club, is diametrically opposed to the consideration of the inhabitants of Boulder County as a whole.

2. The Special Use review process works to balance the overall Community interests with the Club's interests. It is the Special Use review process itself that protects the overall Community interests and ensures that the Club actually does what it promised to do; namely, "ensure that residential and country club uses exist harmoniously adjacent to each other." (from the Club's Special Use review proposal submitted to the County on March 4, 2019 at pages 5 and 6 of 7 of that proposal). In that proposal, the Club also stated, that "[t]he clubhouse, tennis building, and other high activity areas have been sited, landscaped, and screened in such a manner as to be harmonious with the surrounding community."

The Club's actions have consistently demonstrated the importance of requiring a fulsome review by the Boulder County Commissioners. Without the Special Use review process and attendant public input and risk of denial, the Club would not have agreed to changes in its plans back in the mid-90's and mid-2000's designed to protect neighbors' interests. There are multiple examples of the Club ignoring, and indeed acting directly contrary to, the interests of adjoining neighbors. Here are a few noteworthy examples.

- i. The proposed (now withdrawn) Tennis Bubble would have been massive and visually intrusive. It would have absolutely destroyed several neighbors' western and south-western mountain views.
- ii. In March 2021 the Club determined on its own to change the County approved use of an outdoor tennis court into 4 unapproved pickle ball courts. Pickle ball is a significantly more intensive use than tennis. Instead of 1 tennis court with 2 (sometimes 4) players, there are 4 courts in the same area as 1 tennis court with 4 players on each court. And pickle ball is significantly louder and more raucous than tennis.
- iii. We now understand that the Club plans to unilaterally change the 2 approved clay courts into 2 standard tennis courts. While at first blush this seems to be innocuous, it is not, especially if it is just the first step

Board of County Commissioners

March [], 2024

Page 3

to converting those courts into **8 pickle ball courts**. This conversion is what they have done before without County approval and it would be devastating.

3. A Request for 3 straightforward conditions. If the County Commissioners decide, somehow, that the Club is a Use of Community Significance, then I request the following documented conditions that would be consistent with a more community-centric perspective,

a. Limit pickle ball to the westernmost tennis court where it is currently located as it is a loud and social sport that is best kept in close proximity to the intensive uses surrounding the pool.

b. Prohibit a tennis bubble or similar type improvement from being pursued to cover any of the six tennis courts (including the two current clay courts closest to First Flintlock).

c. Just as the County Commissioners did in Resolution 94-5 when the Club was seeking approval for the two new clay courts (and lighting on the other tennis courts which was eventually withdrawn after neighborhood opposition), any new zoning designation must be subject to permanent “visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east....” (quoted language comes directly from Resolution 94-5 and protects First Flintlock). This condition should also be extended to protect the southwesterly views of neighbors in Ironwood.

I understand the Club refused to agree to these conditions.

Thank you for your consideration.

Very truly yours,

Leslie Hilton

From: [Fa Creighton](#)
To: [LU Land Use Planner](#); [Fa Creighton](#)
Subject: [EXTERNAL] Re: Limited Impact Special Use Review Docket LU-23-0028 Boulder Country Club Use of Community Significance Designation....
Date: Sunday, March 24, 2024 2:27:02 PM

P.R. Creighton
4943 Clubhouse Ct.
Boulder, Co 80301

Via email (planner @[bouldercounty.gov](mailto:planner@bouldercounty.gov))

Board of County Commissioners
c/o Community Planning and Permitting

Post Office Box 471 Boulder, CO 80306

Re: Limited Impact Special Use Review Docket # LU 23 0028 Boulder Country Club use of community significance designation.

Dear Board of County commissioners:

I border the driving range of the Boulder Country Club, and one of the main reasons I bought it, was for the lovely Western view of the mountains.

I am opposed to the club's attempts to rezone their property from a "non-conforming use" to a "Use of Community Significance" and conforming use.

My concern is that the requested zoning change will make it easier for the club to not take into consideration its neighbors objectives, in preserving on going unobstructed Mountain Views in the future, noise control, etc.

We need to work together, to preserve this idyllic neighborhood, and have a platform to voice our concerns, with any proposals the Club may make that challenge that.

So, I am opposing the Club's recently request zoning change, so that the much needed, Special Use Review, mercifully now still in affect, can protect our neighborhood's rights.

Most Sincerely,

P.R. Creighton

From: [Marsha Zohar](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Docket LU-23-0028
Date: Tuesday, March 26, 2024 6:33:28 AM

This email is to formally indicate my opposition to the requested application by the Boulder County Country Club to re-zone their property.

Sincerely,
Marsha Zohar
7243 Siena Way, Boulder, CO 80301

RESOLUTION 2023-058

A resolution conditionally approving Boulder County Community Planning & Permitting Docket LU-23-0008: Boulder Country Club Course Improvements

Recitals

A. Michael Larson, on behalf of the Boulder Country Club (the “Applicant”), applied to Boulder County for Limited Impact Special Use Review under Article 4-601 of the Boulder County Land Use Code (the “Code”) to permit 146,000 cubic yards of non-foundational earthwork to restore water storage ponds, make drainage improvements, and reconfigure areas of play.

B. The subject property is located at 7350 Clubhouse Road, approximately 0.3 mile west of its intersection with North 75th Street, in a Rural Residential zoning district in unincorporated Boulder County (the “Property”).

C. The Property is approximately 190 acres in size, generally located southeast of Gunbarrel and east of Diagonal Highway and surrounded by several subdivisions within the unincorporated county.

D. The Property is a legal building lot because it exceeds the 35-acre threshold required for permit eligibility. Currently, the vast majority of the Property is taken up with the existing golf course, which was originally constructed in the mid-1960's and has remained largely unchanged since that time. There are also several structures on the Property, totaling 91,651 square feet of floor area; the Applicant does not propose any new structures or changes to existing structures.

E. There are several access points to the Property where the subdivision roads around it intersect with the golf course, but the primary access to the Property is at 7350 Clubhouse Road, where most of the physical structures for the country club are located. This primary access is located approximately 0.3 mile west of the intersection of Clubhouse Road and North 7th Street.

F. The Boulder County Comprehensive Plan does not identify any resources of note on the Property, although several are present in the vicinity and there are view protection scores associated with several nearby roadways. The Boulder Feeder Canal, Boulder White Rock Ditch, and Boulder and Left Hand Ditch, all cross the northwestern area of the golf course.

G. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket LU-23-0008 (the “Docket”), as further described in the memorandum and written recommendation to the Board of County Commissioners (the “Board”)

by Community Planning & Permitting Department planning staff dated June 22, 2023, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket could meet the criteria for approval with recommended conditions, and therefore, recommended that the Board conditionally approve the Docket.

H. At a public hearing on the Docket held on June 22, 2023 (the “Public Hearing”), as further reflected in the official record of the Public Hearing, the Board considered the Staff Recommendation, as well as documents and testimony presented by Community Planning & Permitting Department planning staff. The Board also heard testimony from Jay Orris, on behalf of the Applicant. Two members of the public spoke at the Public Hearing.

I. Based on the Public Hearing, the Board finds that the Docket meets the criteria for Limited Impact Special Use approval for earthwork and grading in excess of 500 cubic yards as set forth in Article 4-601 of the Code.

J. Therefore, the Docket can be approved, subject to the conditions stated below.

Therefore, the Board resolves:

Docket LU-23-0008 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The development is subject to the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes, as outlined in the referral comments, including, but not limited to permitting, plan review, inspection approvals, and observation reports.
2. The locations of earthwork and revegetation are approved as proposed in the submitted Grading and Grassing Plan illustrated on Pages 10-13 of the application materials dated March 6, 2023.
3. At grading permit submittal, the submitted plans must include documentation for sizes and locations of staging and fueling areas, as well as verification of fueling practices and spill containment protocols.
4. At grading permit submittal, the Applicant must submit a Traffic Control Plan completed by a Traffic Control Supervisor.
5. At grading permit submittal, the Applicant must submit a Transportation Management Plan that details how progress and other information (such as commute interruptions) will be communicated to the public, indicates the anticipated routes for construction vehicles, and includes a parking plan for worker vehicles as appropriate.

6. Worker vehicles must be parked in designated approved areas outside of the travel way that do not conflict with project work.

7. Construction traffic is limited to the hours between 8:30 AM and 3:30 PM, Monday through Friday.

8. On-site work hours are limited to the hours between 8:00 AM and 6:00 PM, Monday through Friday, and between 9:00 AM and 4:00 PM on Saturday.

At grading permit submittal, the application must include a narrative detailing the actions that will be taken to minimize construction noise for the duration of the project.

9. Prior to the issuance of a grading permit, the Applicant must obtain an approved Stormwater Quality Permit.

10. At grading permit submittal, the Applicant must submit a final drainage report, for review and approval, that includes design calculations for the forebays shown in the Storm Drainage Plans that comply with Mile High Flood District Standards. The report must comply with the comments contained in the initial Development Review Team - Access & Engineering referral response dated April 18, 2023.

11. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket LU-23-0008: Boulder Country Club Course Improvements.

[Signature Page to Follow]

A motion to approve the Docket was made by Commissioner Ashley Stolzmann, seconded by Commissioner Claire Levy, and passed by a 2-0 vote. Commissioner Marta Loachamin was excused from the Public Hearing.

ADOPTED as a final decision of the Board on this 1st day of August 2023.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**



Claire Levy, Chair



Ashley Stolzmann, Vice Chair

Excused June 22, 2023

Marta Loachamin, Commissioner

ATTEST:



Clerk to the Board

RESOLUTION 2019-73

A resolution conditionally approving Boulder County Land Use Docket SU-19-0003: Boulder Country Club

Recitals

A. Boulder Country Club, (the “Club”), requested Special Review approval, with associated site-specific development plan, under Article 4-600, of the Boulder County Land Use Code (the “Code”) for substantial modification of a previously approved Special Use and Site Specific Development Plan to allow for expansion and renovation of the existing clubhouse facility and modification of the parking lot area.

B. The subject property is located at 7350 Clubhouse Road, on the southwest side of Clubhouse Road, approximately one-third mile west of its intersection with N. 75th Street, in Section 11, Township 1 North, Range 70 West, in a Rural Residential zoning district of unincorporated Boulder County (the “Property”).

C. The roughly 189-acre Property on which the Club is located is just east of Gunbarrel on the southwest side of Clubhouse Road. The Club is surrounded by primarily single-family residential development within several established subdivisions that include Fountain Greens, Old Post, Heatherwood Notch, Heatherwood Trail, Twin Lakes, and Red Fox Hills. The surrounding area also includes some agricultural uses as well as commercial and office uses in nearby Gunbarrel. Existing development on the Property includes an outdoor pool and pool house, clubhouse, swimming and fitness center, indoor and outdoor tennis courts, and two golf courses, as well as associated parking and access paths. The clubhouse, golf course, outdoor pool and related structures were constructed in 1964. The outdoor hard surface tennis courts were added in 1967. The indoor tennis, swimming, and fitness center opened for use in 1985. At the time of its opening, the Club was classified as a Use by Right under the Rural Residential Zoning District.

D. In 1991, the County revised its zoning ordinance to remove Membership Club as an allowable use in the Rural Residential Zoning District. The 1993 Special Use (SU) approval (SU-93-18) allowed the Club to continue operating as a legally nonconforming Membership Club with the condition that no enlargement or alteration of the existing facilities would be permitted, only improvements considered necessary to public health and safety. As a condition of SU approval, the Club submitted a full Master Development Plan that identified a series of additional facilities and amenities that allowed the Club to better meet the needs of its members without significantly changing the mass and scale of the complex and without significantly altering the maximum number of Club memberships. The Club has since completed the construction of all

cd

the facilities identified as part of the 1993 Master Plan, and an update of the Master Plan is required to approve additional improvements.

E. The Club proposes to renovate and revitalize its main clubhouse which, since it was built in 1964, has only undergone minor alterations and cosmetic upgrades as allowed per the 1993 SU approval. The proposed clubhouse expansion consists primarily of interior improvements and upgrades that are within the existing building footprint. The mix of uses permitted within the clubhouse will remain relatively unchanged from what is currently approved in the Master Plan. The total floor area of the existing clubhouse is 29,277 square feet. The resulting floor area of the clubhouse is 31,367 square feet, which is an increase of approximately 2,090 square feet, or approximately 7 percent of the existing floor area. Roughly 93 percent of the proposed renovation is interior to the existing walls.

F. The proposed clubhouse expansion includes the following improvements:

- Main floor expansions/additions:
 - approximately 1,087 square feet for the Fireside Adult Lounge, Conference Room, and Lobby additions
 - approximately 289 square feet for the Family Dining area and Grill
 - approximately 215 square feet for back of house improvements
- Lower level expansion:
 - approximately 430 square feet for the Ladies Card room

G. The Club proposes to eliminate a portion of the existing outdoor deck area to accommodate the adult dining and lounge expansion on the west side of the building. The Club proposes a new deck that will be roughly 161 square feet smaller than the existing deck, reducing the total outdoor deck area from 5,023 square feet to 4,862 square feet. The associated non-foundational earthwork will be minimal. The proposal also includes a change to the existing roof where the Grill addition is proposed.

H. To incentivize alternate modes of transportation to the Club, a minimum of 50 bicycle parking spaces will be included as part of the facility, which is almost double what is required by the Boulder County Multimodal Transportation Standards (the “Standards”). In addition, the Club will provide approximately 75 designated golf cart parking spaces adjacent to the clubhouse and golf course to serve the members who reside near the Club and travel by cart.

I. Water and sanitary sewer services are provided by the City of Boulder and the proposed changes to the clubhouse are not expected to increase current service demands or uses. No

changes in use, hours of operation, or number of memberships are proposed and no additional off-street parking is required with the request.

J. The Boulder County Planning Commission considered the application on June 19, 2019, unanimously recommended approval subject to the conditions of approval as edited by staff and listed in the staff presentation, and certified the docket for action to the Board of County Commissioners (the “Board”).

K. The above-described request was processed and reviewed as Boulder County Land Use Docket SU-19-0003 (the “Docket”), as further described in the memorandum and written recommendation to the Board by Boulder County Land Use Department Planning Staff dated July 16, 2019, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket could meet the criteria for approval, and therefore, recommended that the Board conditionally approve the Docket.

L. At a public hearing on the Docket held July 16, 2019 (the “Public Hearing”), as further reflected on the official record of the hearing, the Board considered the Staff Recommendation as well as the documents and testimony presented by County Land Use planning staff. The Board also heard testimony from Nolan Roselle, Adrian Sopher, and Michael Larson, all on behalf of the Club. One member of the public spoke.

M. Based on the Public Hearing, the Board finds that the Docket meets the criteria for special use approval for a ground-mounted solar energy system, as set forth in Articles 4-601.A and 4-602.C of the Code.

N. Therefore, the Docket can be approved subject to the conditions stated below.

Therefore, the Board resolves:

Docket SU-19-0003 is approved, subject to the following conditions:

1. Building permits are required for the proposed renovation and expansions.
2. Prior to issuance of a building permit, the clubhouse structure must be landmarked.
3. The proposed food service area remodel requires plan review by Boulder County Public Health prior to permitting.
4. The pool area remodel must comply with Colorado Department of Public Health and Environment standards for swimming pools.

5. The Club shall be subject to the terms, conditions, and commitments of record and in the file for Docket SU-19-0003: Boulder Country Club.

A motion to approve the Docket with conditions as set forth above was made by Commissioner Deb Gardner, seconded by Commissioner Elise Jones, and passed by a 2-0 vote. Commissioner Matt Jones was excused.

ADOPTED as a final decision of the Board on this 3rd day of September 2019.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Elise Jones

Elise Jones, Chair

Deb Gardner

Deb Gardner, Vice Chair

Excused 7/16/19

Matt Jones, Commissioner

ATTEST:

Cecilia Lacey

Clerk to the Board

EXHIBIT A

RESOLUTION 94-5

A RESOLUTION CONDITIONALLY APPROVING BOULDER COUNTY LAND USE DOCKET #SU-93-18 ("BOULDER COUNTRY CLUB"): A REQUEST FOR A SPECIAL USE PERMIT WITH ASSOCIATED SITE SPECIFIC DEVELOPMENT PLAN FOR THE BOULDER COUNTRY CLUB, INCLUDING CERTAIN PROPOSED EXPANSIONS TO AND IMPROVEMENTS OF THE GOLF COURSE, TENNIS FACILITIES, AND ACCESSORY STRUCTURES, ON THE BOULDER COUNTRY CLUB PROPERTY LOCATED IN GUNBARREL IN SECTIONS 11, 12, 13 & 14, T1N, R70W.

WHEREAS, Boulder Municipal Sports, Inc./Roger Wardlaw ("Applicant") has requested approval for a special use permit for the Boulder Country Club, a nonconforming golf course of over 100 acres in the Rural Residential zoning district in unincorporated Boulder County, with associated site specific development plan, including improving the golf course (repaving of cart paths, lining lakes, rebuilding greens and bunkers, realigning some fairways, and replacing the maintenance building); modernizing the tennis and indoor recreational facilities (renovating the four existing hard surface courts, lighting two of the courts, constructing two new clay tennis courts, remodeling the tennis building to accommodate refurbished locker rooms, relocating the aerobic/weight rooms, and providing for an indoor golf driving range; and remodeling and doing a minor expansion of the clubhouse; and

WHEREAS, the above-described request was processed and reviewed as Boulder County Land Use Docket #SU-93-18 ("the Docket"), all as further described in the Boulder County Land Use Department Planning Staff's Memorandum and written recommendation to the Boulder County Board of County Commissioners ("the Board") dated November 29, 1993, with its attachments ("the Staff Recommendation"), which is incorporated into this Resolution by this reference; and

WHEREAS, on September 15, 1993 the Boulder County Planning Commission ("the Planning Commission") held a duly-noticed public hearing on the Docket, and recommended conditional approval of the Docket to the Board, with the exception of the two new proposed clay tennis courts; and

WHEREAS, on November 29, 1993, the Board of County Commissioners held a duly noticed public hearing on the Docket ("the Public Hearing"), at which time the Board considered the recommendation of the Planning Commission and the Staff Recommendation, and also considered the documents and testimony presented by the County Land Use Department Planning Staff, as well as by the Applicant's Planning Consultant and Attorney and several management and member committee representatives of the Applicant, as well as by numerous adjacent property owners, residents of the general neighborhood of the Country Club, and other members of the public speaking both for and against the Docket; and

WHEREAS, at the Public Hearing the Applicant officially withdrew its requests for lighted outdoor tennis courts and the proposed lake on the Second Fairway from the Docket, subject to reserving its right to seek special use or site specific development plan approval, as appropriate, for these proposed improvements should the Applicant wish to pursue them at a future time; and

WHEREAS, based on the Public Hearing, the Board finds that the Docket meets the criteria for special use approval set forth in Article 20-301 of the Boulder County Zoning Resolution, and for a site-specific development plan under Article 19-301 of the Zoning Resolution, with the submission of the standard development agreement, and subject to the conditions stated below.

NOW, THEREFORE, BE IT RESOLVED that the Docket is hereby approved, on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The Applicant's withdrawal from the Docket of the requests for lighted tennis courts and the proposed lake on the Second Fairway is accepted.
2. The Applicant cannot proceed with construction of the two new clay tennis courts or with any realignment of the current golf cart path in the vicinity of the proposed new courts, until the Board, at a future public hearing, approves appropriate screening and other visual and noise mitigation measures which protect the western views and privacy of the neighbors to the east of the proposed courts, and which reduce the existing noise impacts of the Applicant's tennis facility.
3. The use of outdoor tennis courts shall be limited to the hours between 8:00 a.m. and 9:00 p.m.
4. The Applicant shall coordinate with the City of Boulder on the questions raised regarding the acid system and shall resolve the issue with the irrigation lateral.

A motion to conditionally approve the Docket, as stated above, was made by Commissioner Stewart, seconded by Commissioner Hume, and passed by a 3-0 vote of the Board.

ADOPTED this 4th day of January, 1994, nunc pro
tunc the 29th day of November, 1993.

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:

Homer Page

Homer Page, Chair

Ronald K Stewart

Ronald K. Stewart, Vice Chair

Sandy Hume

Sandy Hume

ATTEST:

Dusan M. Ashcraft
Clerk to the Board

EXHIBIT B

15-8

RESOLUTION 94-201

A RESOLUTION CONDITIONALLY APPROVING BOULDER COUNTY LAND USE DOCKET #SU-93-18 ("BOULDER COUNTRY CLUB TENNIS COURTS"): A REQUEST FOR COUNTY REVIEW AND APPROVAL OF TENNIS COURTS AND NOISE MITIGATION DESIGNS AS REQUIRED AS PART OF THE NOVEMBER 1993 COUNTY APPROVAL OF BOULDER COUNTRY CLUB EXPANSION LOCATED AT BOULDER COUNTRY CLUB, IN GUNBARREL IN SECTIONS 11, 12, 13 & 14, T1N, R70W.

WHEREAS, Boulder Municipal Sports, Inc./Roger Wardlaw ("Applicant") has requested approval for tennis courts and noise-mitigation designs, as part of the November 1993 County approval; and

WHEREAS, the above-described request was processed and reviewed as Boulder County Land Use Docket #SU-93-18 ("the Docket"), all as further described in the Boulder County Land Use Department Planning Staff's Memorandum and written recommendation to the Boulder County Board of County Commissioners ("the Board") dated August 16, 1994, with its attachments ("the Staff Recommendation"), which is incorporated into this Resolution by this reference; and

WHEREAS, on August 16, 1994, the Board of County Commissioners held a duly noticed public hearing on the Docket ("the Public Hearing"), at which time the Board considered of the Staff Recommendation, and also considered the documents and testimony presented by the County Land Use Department Planning Staff, as well as by the Applicant's Planning Consultant; Jack Nunn, President, Boulder County Club; Roger Wardlaw, Club Manager; as well as by numerous adjacent property owners, residents of the general neighborhood of the Country Club, and other members of the public speaking both for and against the Docket; and

WHEREAS, based on the Public Hearing, the Board finds that the Docket meets the standards expressed in the conditional approval of Docket SU-93-18, and meets the criteria for special use approval review set forth in Article 20-301 of the Boulder County Zoning Resolution, and for a site-specific development plan under Article 19-301 of the Zoning Resolution, with the submission of the standard development agreement, and subject to to the post-approval conditions as described in the Land Use Department memorandum, with the additional conditions stated below.

1. Sound mitigation will be installed on the existing courts.
2. New courts will be depressed two feet into the ground, and have a maximum fence elevation of 107 feet. Such fences are to be removed seasonally.
3. The new courts are to be built as far north as possible.
4. Once the details of these conditions are finalized, this plan will be brought back for approval at a business meeting.

NOW, THEREFORE, BE IT RESOLVED that the Docket is hereby approved, on the basis and terms set forth in this Resolution, above, and subject to further approval once the details of these terms and conditions are finalized.

A motion to conditionally approve the Docket, as stated above, was made by Commissioner Page, seconded by Commissioner Stewart, and passed by a 3-0 vote of the Board.

ADOPTED this 16th day of December, 1994, nunc pro tunc the 16th day of August, 1994.

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:

Ronald K. Stewart
Ronald K. Stewart, Chair

Homer Page
Homer Page, Vice Chair

Sandy Hume
Sandy Hume

ATTEST:

Russa M. Ashcraft
Clerk to the Board



Community Planning and Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING

April 2, 2024 at 1:00 p.m.

All Commissioners' public hearings and meetings will be offered in a hybrid format where attendees can join **through Zoom** or **in-person** at the Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder.

STAFF PLANNER: Dana Yelton – Planner I

SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

Request: **PROPOSED:** Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

APPROVED: A single residential structure in the location of the existing structure with a maximum of 5,848 square feet and a maximum of 4,221 square feet above grade on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

Location: 5986 Heather Way
Zoning: Rural Residential (RR) Zoning District
Applicant: Anthony Piscopio and Huiqiong Huang
Agent: Kyle Callahan

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners uphold the Director's Determination for SPR-23-0108, Piscopio-Huang Residential Remodel and New Accessory Structure.

PACKET CONTENTS:

Item	Pages
○ Staff Recommendation	1 - 3
○ Appeal Request (Attachment A)	A1
○ Director's Determination Letter Packet (Attachment B)	B1 – B85
○ Applicant Appeal Narrative (Attachment C)	C1 – C8
○ Floodway Modeling Report (Attachment D)	D1 – D20
○ Floodplain Management Program Staff Response Memo (Attachment E)	E1

SUMMARY:

The applicants submitted a Site Plan Review application (SPR-23-0108) for the deconstruction of 1,699 square feet and the addition of 45 square feet and 245 square feet of covered porches to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure, resulting in a total of 5,835 square feet of residential floor area on the subject property. Per Article 4-802.A of the Boulder County Land Use Code (the Code), Site Plan Review was required for this proposed development because it would (1) result in a cumulative increase in floor area of more than 1,000 square feet over that existing as of September 8, 1998, and (2) result in a total residential floor area greater than 125% of the median residential floor area for the defined neighborhood in which the subject parcel is located. Accordingly, Community Planning & Permitting reviewed this application in accordance with the Site Plan Review standards provided for in Article 4-806.A of the Code.

On December 15, 2023, Community Planning & Permitting (CPP) issued a determination conditionally approving the proposal but limiting the size to a single residential structure in the location of the existing structure with a maximum of 5,848 square feet and a maximum of 4,221 square feet above grade and visible (Attachment B). The residential size that is presumed to be compatible within the defined neighborhood, the Brigadoon Glen subdivision, is 4,881 square feet. In addition to the size limitations of the residence, the Determination requires a Floodplain Development Permit (FDP) to remodel the existing residence.

On December 19, 2023, the applicants appealed the December 15, 2023, SPR-23-0108 Determination (Attachment A). On March 11, 2024 the applicants submitted an Appeal Narrative (Attachment C) noting objections to section 2 regarding the approved size and ability to overcome the size presumption, section 4 regarding the Floodplain Overlay (FO) District, and section 11 regarding the location of the proposed accessory structure.

DISCUSSION:

Article 4-807.B of the Code states that if the application is found to not meet the applicable standards of Article 4-806, the Director of Community Planning and Permitting must approve the application with reasonable conditions that will avoid or acceptably mitigate the significant adverse impacts of the development. In this case, the Director found conflicts with Article 4-806.A.2 and Article 4-806.A.4 of the Code. In particular, the Director found that impacts of the proposal could be mitigated by limiting the size to a single residential structure in the location of the existing structure. These standards and conditions are discussed further below.

A. Size of the Proposed Residence and Accessory Structure

Article 4-806.A.2 of the Code states that the size of resulting development (residential or nonresidential) must be compatible with the general character of the neighborhood, which is presumed to be 125% of the median residential floor area. Article 4-806.A.2.b of the Code describes a number of methods by which a development proposal can potentially overcome the presumption. As part of staff's analysis of this SPR application, staff considered all relevant factors outlined in Article 4-806.A.2.b of the Code to determine if the proposed development could exceed the presumed compatible size (4,881 square feet residential floor area). Of particular relevance to this proposal was 4-806.A.2.b.i.E of the Code, that allows for the demolition and rebuilding of legally existing residential floor area that is not in conflict with the other standards set forth in Section 4-806.

Staff determined that that the demolition and rebuilding of legally existing residential floor area may be applied to the legally existing residence but does not apply to the proposed accessory structure as the new structure does not constitute legally existing residential floor area currently existing on the parcel.

The distribution of legally existing residential floor area includes 4,221 square feet that is above grade and visible, with a 2,321-square-foot first floor, a 1,130-square-foot second floor, and a 770-square-foot attached garage. The applicants propose to deconstruct 1,699 square feet of the existing residence by converting the 1,627-square-foot basement to crawlspace and deconstructing 72 square feet of the first floor, and to construct 45 square feet of residential additions on the first floor, resulting in a total size of 4,194 square feet, all above grade and visible.

Staff found the dominant size range of above grade and visible residential floor area in the Brigadoon Glen subdivision is between 2,500 and 4,500 square feet. Given this above grade and visible size range in the surrounding neighborhood, staff found that the proposed above grade and visible residential floor area of 5,835 square feet, including the proposed 4,194-square-foot residential remodel and the proposed 1,641-square-foot accessory structure, would not be compatible with the neighborhood. However, staff found that 4,194 square feet for the existing residential remodel would be compatible with the neighborhood.

B. Location of the Structure

In addition to the issues related to above grade size limitations outlined above, the Director did not approve the application for the accessory structure due to its proposed location in the floodway. The accessory structure was proposed to be located within the Floodplain Overlay (FO) District, specifically within the Lefthand Creek Floodway. Article 4-404.B.1 of the Code prohibits the construction of new permanent buildings in the floodway. There are a few exceptions to this rule outlined in Article 4-404.C of the Code, such as some agricultural uses, but the proposed accessory structure does not qualify for any of these exceptions.

The applicants argue that Boulder County should conditionally approve the location of the proposed accessory structure because the current floodplain and floodway designations are not accurate, and they plan to apply for a Letter of Map Revision (LOMR) from FEMA. In addition to already determining that the proposed above grade size of the accessory structure is not compatible with the surrounding neighbor, Boulder County cannot recommend approval of a permanent residential structure in a location that is currently designated as a floodway. If the applicants successfully obtain a LOMR that places the proposed location of the accessory structure outside of the floodway, they can submit a new Site Plan Review application to the county for review. The new application will be reviewed according to the requirements of the Boulder County Land Use Code at the time of submittal.

RECOMMENDATION

Staff recommends that the Board of County Commissioners uphold the Director's Determination for SPR-23-0108, Piscopio-Huang Residential Remodel and New Accessory Structure.

From: [Kyle Callahan](#)
To: [Yelton, Dana](#); tpiscopio@proton.me
Cc: [Case, Dale](#)
Subject: [EXTERNAL] RE: CPP SPR Determination: SPR-23-0108 at 5986 Heather Way
Date: Tuesday, December 19, 2023 1:33:23 PM
Attachments: [image001.png](#)

Thanks Dana –

Disappointing, but not entirely unanticipated. Dana – based on our site visit together, the data analysis that I prepared demonstrating inconsistencies in water depth on the north and the south side of the creek, we’re going to appeal this decision to the BOCC. Please take the necessary actions to do that – thanks.

Anthony Piscopio and I were just on a call with Dale Case about this issue. Dale is aware of my observations regarding the topographic survey provided by BOCO, and my claim that it seems to not be consistent with the way flood water would behave. You and I were onsite together, and could observe the grades on the south side of the creek being far lower than the north side. So we have a legitimate concern that the floodway is incorrectly defined on this lot. Going forward – we’re developing a response as to how we fix it. In my understanding, based on maps available, FEMA doesn’t really adhere to the floodway definition – that’s a construct developed by Boulder County. Our first course of action is to have our flood engineer consider the hydrologic data and topo and see what conclusions he derives. If the floodway is incorrectly defined, then we have to figure out how it gets corrected. If it is somehow determined to be correct, then it is up to us to get a LOMR. If it’s a mistake in the mapping, then I would expect Boulder County to make the corrections. First step is engineering evaluation of the data.

This is a kind of long way of saying yes, we appeal the decision. However, we need to allay, for a bit, the scheduling of the hearing with the BOCC.

We will also want to confirm that the project would not otherwise be rejected. We have seen the neighbor’s similar structure (the loppolo family at the end of the street), so there seems to be precedence. Please advise if I am mistaken.

Thanks for your help on this interesting and challenging project.

Kyle Callahan



Community Planning & Permitting

ATTACHMENT B

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
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303-441-3930 • www.BoulderCounty.gov

Claire Levy County Commissioner

Marta Loachamin County Commissioner

Ashley Stolzmann County Commissioner

12/15/2023

Kyle Callahan
2975 Valmont Road
Suite 100
Boulder, CO 80301

Anthony Piscopio and Huiqiong Huang
5986 Heather Way
Longmont, CO 80503

Dear Applicant(s):

This letter certifies that in accordance with section 4-800 of the Boulder County Land Use Code, the Boulder County CPP Director has Approved with Conditions the site plan for the following, effective December 15, 2023.

Docket: SPR-23-0108 Piscopio-Huang Residential Remodel and New Accessory Structure

Request: PROPOSED: Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

APPROVED: A single residential structure in the location of the existing structure with a maximum of 5,848 square feet and a maximum of 4,221 square feet above grade on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

Location: 5986 HEATHER WAY

Zoning: Rural Residential

Applicant: Kyle Callahan

This is a Conditional Approval made by the CPP Director, and is not final until a 14-day referral period has transpired. During the next 14 days, the Board of County Commissioners (BOCC) may choose to call this docket up for a public hearing. If no hearing is required, this letter will serve as the final determination. Building, grading and access permits will be subject to any and all conditions of approval.

If the BOCC should decide to modify the CPP Director's approval, or determines that further review is necessary, a public hearing will be held. Upon completion of the public hearing and approval by the BOCC, if a building, grading or access permit has been applied for, it will continue in the process and permits may be issued subject to any and all conditions of approval.

In the event that you wish to appeal any conditions of the CPP Director's determination, you are entitled to appeal the determination to the BOCC. You must file an appeal for this purpose with the CPP Department in writing no later than 14 days after the date of this letter. If an appeal is requested, the BOCC will review the CPP Director's determination at a public meeting.

Please be aware that the attached Conditions of Approval become final if the docket is not called up by the BOCC at the end of the 14-day review period. There are no other administrative means to appeal. If you wish to resubmit information with regards to complying with any of the attached Conditions of Approval, and have this information reviewed for approval by staff prior to the end of the 14-day review period, your submissions must be received by the office no later than 10 days from the date of this letter.

Site Plan Review approval is valid for three years from the date of this letter although any changes in County regulations could affect the proposal prior to application for a building permit. In order to be issued a building permit, the project must comply with all policies and regulations in effect at the time of permit application.

A Building Permit cannot be issued for this project until the applicable conditions above have been met. Furthermore, a Certificate of Occupancy cannot be issued for this project until the applicable conditions above have been met. A SPR inspection will need to be scheduled with this department prior to the issuance of a Certificate of Occupancy. None of the conditions of approval will be waived or a Certificate of Occupancy issued for this project based upon the applicant's need to meet financial obligations (i.e., construction cost overruns or loan closing dates). Any future additions to the approved structure, regardless of size, will require SPR approval to amend this SPR.

The Public Notice sign must remain posted for 14 days after the date of this letter and then returned to the CPP Department in a timely manner after this date. Or, if your Site Plan Review application requires a public hearing, please return the sign after the final public hearing. We will begin processing a refund for the \$25 sign deposit when your sign is returned, and a check will be mailed to you within approximately 2 weeks.

Please carefully review the attached conditions of approval. Compliance with these conditions will be confirmed as is necessary throughout the process.



Dana Yelton
Planner I

SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure
 5986 Heather Way
 Page 1 of 13
 December 15, 2023

APPLICATION #: SPR-23-0108
 APPLICANTS: Anthony Piscopi & Huiqiong Huang
 PROJECT LOCATION: 5986 Heather Way
 PROJECT SUMMARY: PROPOSED: Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

APPROVED: A single residential structure in the location of the existing structure with a maximum of 5,848 square feet and a maximum of 4,221 square feet above grade on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

CONDITIONS OF APPROVAL

Per Article 4-802.A of the Boulder County Land Use Code (the Code), Site Plan Review is required for this proposed development because it is (1) resulting in a cumulative increase in floor area of more than 1,000 square feet over that existing as of September 8, 1998, and (2) resulting in a total residential floor area greater than 125% of the median residential floor area for the defined neighborhood in which the subject parcel is located. In this case, the applicants propose to deconstruct 1,699 square feet of the existing residence, construct 45 square feet of residential additions, and to construct a new 1,641-square-foot residential accessory structure resulting in a total of 5,835 square feet of residential square footage on the property, which is 954 square feet over the size presumed to be compatible with the defined neighborhood.

All Site Plan Review applications are reviewed in accordance with the Site Plan Review standards set forth in Article 4-806 of the Code. Accordingly, the Community Planning & Permitting Department has reviewed this application in accordance with the standards provided for in Article 4-806.A of the Code and has determined that approval is appropriate, with the conditions set forth below. ***Only those standards applicable to this project are included in this list.***

1. To provide a greater measure of certainty as to the applicable neighborhood relevant for comparison, the following definition of neighborhood shall be used to review proposed Site Plan Review applications:

a. For applications inside platted subdivisions, which have seven or more developed lots, the neighborhood is that platted subdivision.

The applicable neighborhood for the subject parcel is the platted subdivision of Brigadoon Glen.

2. The size of the resulting development (residential or nonresidential) must be compatible with the general character of the defined neighborhood.

- a. In determining size compatibility of residential structures within the defined neighborhood, it is presumed that structures of a size within the larger of a total residential floor area of either (1) 125% of the median residential floor area for that defined neighborhood or (2) of a total residential floor area of 1,500 square feet in the mapped townsites of Allenspark, Eldora, Eldorado Springs, Raymond, and Riverside, or 2,500 square feet for all other areas of the County, are compatible with that neighborhood, subject also to a determination that the resulting size complies with the other Site Plan Review standards in this section 4-806.A.*

A. SIZE PRESUMPTION

The presumed compatible size of residential structures within the defined neighborhood (see Standard 1 above for the applicable neighborhood) is 4,881 square feet.

Median (total residential floor area) in the defined neighborhood*	3,905 square feet
125% of the median residential floor area in the defined neighborhood	4,881 square feet
Total existing residential floor area on the subject parcel*	5,848 square feet
Total proposed residential floor area	5,835 square feet

**Source: Boulder County Assessor's records, as verified by CPP staff for the subject parcel.*

- b. Either the applicant or the Director may demonstrate that this presumption does not adequately address the size compatibility of the proposed development with the defined neighborhood.*

- i. Factors to be considered when determining the adequacy of this presumption and whether it can be overcome include:*

(E) Demolition and rebuilding of legally existing residential floor area that is not in conflict with the other standards set forth in this Section 4-806.

B. ABILITY TO OVERCOME THE SIZE PRESUMPTION

The presumed compatible size of residential structures within the defined neighborhood is 4,881 square feet. The applicants propose to deconstruct 1,699 square feet of the existing residence and construct 45 square feet of residential additions resulting in a 2,294-square-foot first floor, an 1,130-square-foot second floor, a 770-square-foot attached garage, and 245 square feet of covered porches. The applicants also propose to construct a 1,641-square-foot residential accessory structure, resulting in a total of 5,835 square feet of residential floor area, all above grade and visible. Per Article 18-162 of the Code, covered porch area attached to the primary structure does not count as residential floor area. Therefore, the 245 square feet of covered porches do not count as residential floor area.

Article 4-806.A.2.b. of the Code provides that either the applicants or Director may demonstrate that the presumed compatible size does not adequately address the size compatibility of the proposed development within the defined neighborhood. Per Article 4-806.A.2.b.i.E of the Code, a proposed development may be able to overcome the presumed compatible size due to the demolition and rebuilding of legally existing residential floor area that is not in conflict with the other standards set forth in this Section 4-806.

In this case, staff finds that the demolition and rebuilding of legally existing residential floor area may be applied to the legally existing residence but does not apply to the proposed accessory structure as the new structure does not constitute legally existing residential floor area currently existing on the parcel.

The distribution of legally existing residential floor area includes 4,221 square feet that is above grade and visible, with a 2,321-square-foot first floor, an 1,130-square-foot second floor, and a 770-square-foot attached garage. The applicants propose to deconstruct 1,699 square feet of the existing residence by converting the 1,627-square-foot basement to crawlspace and deconstructing 72 square feet of the first floor, and to construct 45 square feet of residential additions on the first floor, resulting in a total size of 4,194 square feet, all above grade and visible.

C. APPROVED SIZE

RESIDENTIAL FLOOR AREA*	
TOTAL approved resulting residential floor area	A single residential structure in the location of the existing structure with a Maximum 5,848 square feet / Maximum 4,221 square feet above grade and visible

**Residential Floor Area includes all attached and detached floor area on a parcel including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices, and workshops, excluding covered deck. Floor area does not include the area of any covered porch. Gazebos, carports, detached greenhouses and hoopouses up to a total combined size of 400 square feet are also exempt.*

The dominant size range of above grade and visible residential floor area in the Brigadoon Glen subdivision is between 2,500 and 4,500 square feet. Considering this, staff finds that the proposed above grade and visible residential floor area of approximately 4,194 square feet for the existing residential remodel is compatible with the neighborhood. However, staff finds that the resulting above grade and visible residential floor area of 5,835 square feet, including the proposed 4,194-square-foot residential remodel and the proposed 1,641-square-foot accessory structure, would not be compatible with the neighborhood. Thus, the Director approves only the 4,194-square-foot residential remodel.

For these reasons, staff finds that Article 4-806.A.2.b.i.E only allows the proposed development to the existing residence to overcome the presumed compatible size, with a maximum of 5,848 square feet of residential floor area and a maximum of 4,221 square feet above grade and visible. Further, staff finds no significant adverse impacts related to standards 3-15 of Article 4-806.A with the limitation outlined above.

3. ***The location of existing or proposed buildings, structures, equipment, grading, or uses shall not impose an undue burden on public services and infrastructure.***

ACCESS REQUIREMENTS

The subject property is accessed from Heather Way, an unpaved Boulder County owned but not maintained right-of-way (ROW) with a Functional Classification of Local. Legal access has been demonstrated via adjacency to this public ROW.

At building permit, an Access Improvement and Maintenance Agreement (AIMA) will be issued for the shared roadway. An AIMA is an agreement for future maintenance responsibility. The property owner must sign and notarize the AIMA as part of the building permit approval process.

A drainage letter that meets the requirements outlined in the attached Boulder County Public Works memo dated November 9, 2021 must be submitted to determine if a culvert is needed for the existing driveway. Driveway culverts must be a minimum 18-inch or equivalent capacity RCP or CMP in public ROW per Standard Drawing 15.

At building permit, submit a drainage letter that determines the sizing of any required culverts.

Prior to issuance of a Certificate of Occupancy, the Community Planning & Permitting Department must inspect and verify that any required culvert has been installed and meets the size requirement as specified on plans submitted at building permit.

During construction, all vehicles, materials, machinery, dumpsters, and other items shall be staged on the subject property or to one side of the private road so as to not impede the travel way.

4. ***The proposed development shall avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors. Natural hazards may be identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Site Plan Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies. Development within or affecting such natural hazards may be approved, subject to acceptable measures that will satisfactorily mitigate***

all significant hazard risk posed by the proposed development to the subject property and surrounding area, only if there is no way to avoid one or more hazards, no other sites on the subject property can be reasonably developed, or if reasonably necessary to avoid significant adverse impacts based upon other applicable Site Plan Review criteria.

FLOODPLAIN OVERLAY DISTRICT

The proposed accessory structure is located within the Floodplain Overlay (FO) District, specifically within the Lefthand Creek Floodway. Construction of new permanent buildings is prohibited in the Floodway, per Article 4-404.B.1 of the Code. Additionally, the proposed accessory structure is not approved for the reasons stated in section 2 of this determination.

The existing residential structure is located within the FO District. A Floodplain Development Permit (FDP) is required to remodel the existing residence, per Article 4-404 of the Code.

5. ***The site plan shall satisfactorily mitigate the risk of wildfire both to the subject property and those posed to neighboring properties in the surrounding area by the proposed development. In assessing the applicable wildfire risk and appropriate mitigation measures, the Director shall consider the referral comments of the County Wildfire Mitigation Coordinator and the applicable fire district, and may also consult accepted national standards as amended, such as the Urban-Wildland Interface Code; National Fire Protection Association (NFPA); International Fire Code; and the International Building Code.***

WILDFIRE MITIGATION

The proposed project is in Wildfire Zone 2 (eastern area of unincorporated Boulder County). In response to catastrophic wildfire events of the recent past and continued hazards of a changing climate, on May 12, 2022, the Board of County Commissioners adopted revisions to the Boulder County Building Code to ensure a minimum level of ignition resistance for all structures in Wildfire Zone 2. The approved updates to the Building Code took effect on June 6, 2022, and require the use of ignition-resistant materials for construction and a minimum three-foot non-combustible perimeter around the structure. Please contact the Building Division to learn more about the updated ignition-resistant construction requirements included in the Building Code Amendments.

7. ***The development shall avoid significant natural ecosystems or environmental features, including but not necessarily limited to riparian corridors and wetland areas, plant communities, and wildlife habitat and migration corridors, as identified in the Comprehensive Plan or through the site plan review process. Development within or affecting such areas may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.***

ECOSYSTEMS OR ENVIRONMENTAL FEATURES IDENTIFIED

The parcel is designated as having Riparian Areas as identified by the [Boulder County Comprehensive Plan](#). The proposed residential additions will be located in the same location as the existing residence on this parcel, which should not further impact the Riparian Areas. To ensure protection of the Riparian Areas, a construction fence must be installed immediately south of the proposed silt fence, as shown on the submitted site plan dated November 13, 2023, to protect the southeastern portion of the property. Installation of the construction fence must be examined by the county before any ground disturbance begins, and must be maintained until re-vegetation is complete. No machinery entry or ground disturbance may occur south of the construction fence.

Prior to issuance of building or grading permits, details regarding the placement and construction of the construction fence must be submitted to and approved by the Community Planning & Permitting Department. The placement and profile of the construction fence may be shown the Revegetation Plan. The construction fence must be installed before construction commences and remain in place until vegetation is sufficiently established on the disturbed soil.

Prior to any grading or site disturbance, the construction fence location and materials must be installed as required per the approved plans.

At the time of the footing foundation inspection and all subsequent inspections, the Community Planning & Permitting Department must confirm the construction fence location and materials have been installed as required per the approved plans.

9. ***The development shall avoid significant historic or archaeological resources as identified in the Comprehensive Plan or the Historic Sites Survey of Boulder County, or through the site plan review process. Development within or affecting such resources may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.***

ARCHEOLOGICALLY SENSITIVE AREA

An Archeologically Sensitive Area is present on the subject parcel, as identified by the [Boulder County Comprehensive Plan](#) meaning that the potential for the presence of archaeological resources is considered higher than other areas. If human remains or burials are found, local law enforcement must be contacted. The Colorado Historical Society Office of Archaeology and Historic Preservation has conducted a search of the Colorado Inventory of Cultural Resources and found no sites located in the designated area.

10. ***The development shall not have a significant negative visual impact on the natural features or neighborhood character of surrounding area. Development shall avoid prominent, steeply sloped, or visually exposed portions of the property. Particular consideration shall be given to protecting views from public lands and rights-of-way, although impacts on views of or from private properties shall also be considered. Development within or affecting features or areas of visual significance may be***

approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.

- b. For development anywhere in the unincorporated areas of the county, mitigation of visual impact may include changing structure location, reducing or relocating windows and glazing to minimize visibility, reducing structure height, changing structure orientation, requiring exterior color and materials that blend into the natural environment, and/or lighting requirements to reduce visibility at night.*

	APPROVED
Location:	Residential remodel as shown on the site plan dated 11/13/2023 and identified in the field
Elevations:	Residential remodel as shown in the application materials dated 11/13/2023, except for the south elevation (see glazing requirements in section 10.A)
Height:	26 feet from existing grade for the residential remodel
Exterior Materials:	Fiber Cement & Stone siding and EPDM & Standing Seam Metal roofing for the residential remodel
Exterior Colors:	Dark Brown and Cream siding and Bronze roofing for the residential remodel

A. SOUTH ELEVATION GLAZING

The submitted narrative dated November 13, 2023 that was included with application materials states that the existing basement will be converted to crawlspace. However, the elevations and floor plans dated November 13, 2023 include existing windows to remain on the south elevation at the basement level. To comply with the Building Code, windows are not permitted in a crawlspace.

At time of building permit, submit revised elevations reflecting removal of the basement level glazing on the south-facing façade for review and approval by Community Planning & Permitting Staff.

B. EXTERIOR COLORS AND MATERIALS

Digital samples of proposed exterior colors and materials were included with the application materials, including brown wood vertical siding, Limestone (light gray) stone siding, black panther (dark gray) accent paint, and black corrugated steel siding. The submitted color samples are approved as proposed, except for the black corrugated steel siding. The application materials indicate dark brown and cream will be used for the siding and bronze will be used for the roofing, although, no color samples were provided. Metal is also proposed to be used for the siding and roofing. Due to the structure's visible position in the landscape, samples of the exterior colors and metallic materials shall be provided to ensure visual impacts of the development are minimized. Colors should be carefully selected to blend in with the natural environment and neighborhood character of surrounding area and materials should have a matte finish. This ensures that they are

compatible with the policies and goals established by the Comprehensive Plan and provisions of the Land Use Code and will not result in an adverse impact on surrounding properties.

Prior to issuance of building permits, submit to the Community Planning & Permitting Department for review and approval, exterior color samples (color chips, brochure, or catalog page) and material samples to be used including roof, siding and trim. Please note that digital samples may be submitted and will be kept for the record. Samples should be included as part of the building plan set required at the time of permit application.

Prior to issuance of a Certificate of Occupancy/At the final inspection, the Community Planning & Permitting Department must inspect and verify that the approved color samples are used on the new structure.

C. EXTERIOR LIGHTING

The locations of exterior lighting fixtures are approved as proposed on the elevations for the residential remodel dated November 13, 2023. The Abra Yoga Rectangular LED Outdoor Wall Sconce exterior light fixture that was submitted with application materials is not approved because it does not meet [down lighting](#) requirements.

Prior to issuance of building permits, lighting cut sheets (manufacturer's specifications with picture or diagram) of all proposed exterior fixtures must be submitted to the Community Planning & Permitting Department for review and approval. [Down lighting](#) is required, meaning that all bulbs must be fully shielded to prevent light emissions above a horizontal plane drawn from the bottom of the fixture.

Prior to issuance of a Certificate of Occupancy/At the final inspection, the full installation of the approved lighting plan must be inspected and approved by the Community Planning & Permitting Department.

11. ***The location of the development shall be compatible with the natural topography and existing vegetation and the development shall not cause unnecessary or excessive site disturbance. Such disturbance may include but is not limited to long driveways, over-sized parking areas, or severe alteration of a site's topography. Driveways or grading shall have a demonstrated associated principal use.***

A. LOCATION

The location of the residential remodel shown on the site plan dated November 13, 2023 and identified in the field is approved as proposed. The location of the accessory structure is not approved.

B. EARTHWORK AND GRADING

The following earthwork and grading requirements are approved.

Foundational Earthwork: (exempt from 500 cubic yards threshold)	0 cubic yards cut and 91 cubic yards backfill to convert the existing basement to crawlspace
---	--

C. GRADING NARRATIVE

The application materials indicate that deconstruction of the existing basement, the residential remodel, and construction of a new accessory structure will require 13 cubic yards of foundation cut and 91 cubic yards of backfill. 13 cubic yards of non-foundational grading is also proposed for a new driveway to the accessory structure. The accessory structure is not approved, and therefore, only the foundational fill required to convert the basement of the existing residence to crawlspace is approved; any foundational or non-foundational grading associated with the accessory structure is not approved.

Prior to issuance of building or grading permits, submit to this office revised grading calculations to include only the foundational fill required to convert the basement of the existing residence to crawlspace.

All reasonable efforts shall be made to minimize the site disturbance associated with this development proposal. Total earthwork (excluding normal excavation contained within structure footings and foundations) approaching the 500 cubic yard trigger for [Limited Impact Special Use Review](#) will require grading plans certified by a registered Professional Engineer.

12. ***Runoff, erosion, and/or sedimentation from the development shall not have a significant adverse impact on the surrounding area.***

A. REVEGETATION PLAN

A revised revegetation plan is required regarding the proposed method of revegetation for site disturbances associated with construction of the residential remodel.

Prior to issuance of building or grading permits, submit to the Community Planning & Permitting Department for review and approval one copy of the proposed Revegetation Plan that conforms to the requirements as described on the materials located on our [Revegetation Page](#).

The plan must also show the location of all erosion control devices such as silt fence, straw bales, riprap and retaining walls. Cut and fill slopes are not to exceed a slope of 2:1 (slopes of 1.5:1 may be allowed in areas with soils and exposures conducive to good revegetation or if the plan takes steps to improve the revegetative properties of the site.) The grade of all cut and fill slopes must be included on the revegetation plan. The plan must include details regarding the reclamation of existing and proposed cut and fill slopes. New horticultural plantings should emphasize xeriscaping principles

Prior to issuance of a Certificate of Occupancy /At the time of final inspection, the full installation of the approved revegetation plan must be inspected and approved by the Community Planning & Permitting Department. If weather is not conducive to seeding or if adequate revegetation efforts have not occurred and vegetation is not adequately established at the time of final inspection request, an irrevocable letter of credit or monies deposited into a County Treasurer account will be required to assure the success of

revegetation. You should consider the following well in advance of your revegetation inspection:

- a. Whether you are applying for a Certificate of Occupancy, final inspection, or the return of funds held in escrow for completion of revegetation, some level of germination and growth of grass seed is required.
- b. Keep in mind that the steeper the slopes and dryer the soil, the greater the attention needed to establish a level of germination adequate to obtain revegetation approval.
- c. Areas of disturbance found at inspection not included on the revegetation plan are still subject to reseeding and matting.

Incomplete revegetation is the leading cause for delays in obtaining a Certificate of Occupancy.

B. EROSION CONTROL

A silt barrier must be installed down slope of all disturbed areas prior to construction and maintained throughout the construction process until revegetation has been established. Silt barrier construction shall be in accordance with the Colorado Storm Water regulations (see our [silt barrier](#) handout). If any surface water is channeled around or through the disturbed areas, anchored straw bale barriers shall also be installed to filter and slow channeled flow.

Prior to issuance of building or grading permits, details regarding the placement and construction of the silt barrier must be submitted to and approved by the Community Planning & Permitting Department. The placement and profile of the silt barrier may be shown on the Revegetation Plan. The silt barrier must be installed before construction commences and remain in place until vegetation is sufficiently established on the disturbed soil.

Prior to any grading or site disturbance, the silt barrier location and materials must be installed as required per the approved plans.

At the time of the footing foundation inspection and all subsequent inspections, the Community Planning & Permitting Department must confirm the silt barrier location and materials have been installed as required per the approved plans. Any other areas on site are subject to installation of silt fences, if needed.

15. ***The proposal shall be consistent with the Comprehensive Plan, any applicable intergovernmental agreement affecting land use or development, and this Code.***

LOCATION: SETBACK SURVEY REQUIREMENT

The site plan dated November 13, 2023 submitted with the application materials indicates that the footprint of the proposed residential remodel is within 20 percent of the minimum required 25-foot front (i.e., north) yard setback for the Rural Residential Zoning District.

SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure
 5986 Heather Way
 Page 11 of 13
 December 15, 2023

Therefore, a [Setback Survey Verification Form](#) is required. This form will be provided at the time a building permit is processed.

Prior to the foundation form inspection, the [Setback Survey Verification Form](#) must be completed by a licensed surveyor and submitted to the Community Planning & Permitting Department.

ADDITIONAL REQUIREMENTS AND INFORMATION:

BUILDING PERMIT: A building permit, plan review, inspections approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed residential addition.

Please refer to the county’s [adopted 2015 editions of the International Codes and code amendments](#), which can be found under the link:

2015 Building Code Adoption & Amendments:
[Amendments to Boulder County Building Code effective June 6, 2022](#)

AUTOMATIC FIRE SPRINKLER SYSTEM: According to R313.2.1 of the currently adopted 2015 Boulder County Building Code this addition triggers the requirement for an automatic residential fire sprinkler system to be installed throughout the home. This system shall be designed and installed in accordance with NFPA 13D or IRC Section P2904.

***R313.2.1 Additions to existing one- and two-family dwellings.** An automatic residential fire sprinkler system shall be installed throughout existing one- and two-family dwellings with additions when the sum of the total floor area of the addition plus the existing one- and two-family dwelling is increased to 4,800 sq. ft. or greater. The floor area of detached structures having floor areas of 120 square feet or greater that are located less than 50 feet from the dwelling shall be included in the floor area calculated for the dwelling.*

Exceptions:

1. One-time additions not exceeding 200 square feet in floor area, and
2. Carport additions which are exempt from the definition of “Residential Floor Area” in Section 18-189D of the Boulder County Land Use Code.

BUILDSMART: Please refer to the county’s adoption and amendments to Chapter 11 of the IRC, the county’s “BuildSmart” program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.

DESIGN WIND AND SNOW LOADS: The design wind and ground snow loads for the property are 155 mph (Vult) and 40 psf, respectively.

SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure
 5986 Heather Way
 Page 12 of 13
 December 15, 2023

IGNITION-RESISTANT CONSTRUCTION AND DEFENSIBLE SPACE: Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.

PLAN REVIEW: The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our [Residential Plan Check List](#) and other Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)

PUBLIC HEALTH ONSITE WASTEWATER TREATMENT SYSTEM REQUIREMENTS:

OWTS:

1. Boulder County Public Health issued a new permit for the installation of an absorption bed system on 02/29/1996. The permit was issued for an onsite wastewater treatment system (OWTS) adequate for a 3-bedroom house. Boulder County Public Health approved the installation of the OWTS on 01/31/1997.

Avoid Damage to OWTS:

1. Heavy equipment should be restricted from the surface of the absorption field during construction to avoid soil compaction, which could cause premature absorption field malfunction. Caution should be used in conducting trenching and excavation activities so that sewer lines and other OWTS components are not damaged.

FLOODPLAIN DEVELOPMENT PERMITTING REQUIREMENTS:

The applicants must submit to floodplainadmin@bouldercounty.gov an itemized list of project costs using the guidance found online: [Individual Floodplain Development Permit \(FDP\) Checklist – Buildings](#). Article 4-413 of the Boulder County Land Use Code requires nonconforming structures to track major repairs, remodeling, additions, and other improvements to determine when such work would constitute a Substantial Improvement as defined in Article 18-206. To make a Substantial Improvement determination, Boulder County compares the cost of the proposed improvement to the market value of the building (excluding land, accessory structures, landscaping, bridges, water wells, onsite wastewater treatment systems, and other incidental items). If the resulting ratio equals or exceeds 50%, the entire structure must be brought into compliance with the flood protection requirements in LUC Article 4-405. If the resulting ratio is less than 50%, the new work must meet the flood protection requirements in LUC Article 4-405. All improvements made to a structure after September 11, 2013 are cumulative towards reaching the 50% limit.

Flood-resistant materials must be used up to the Flood Protection Elevation (FPE).

New service equipment, including but not limited to electrical, heating, ventilation, plumbing, and air conditioning equipment must be located at or above the FPE.

The crawlspace must:

- a. Have an interior grade no lower than two feet below the Lowest Adjacent Grade;

SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure
 5986 Heather Way
 Page 13 of 13
 December 15, 2023

- b. Not exceed four feet in height at any point, as measured from the interior grade to the top of the foundation wall;
- c. Have an adequate drainage system that allows floodwaters to drain from the interior area; and
- d. Be “wet-floodproofed” with a minimum of two openings on at least 2 walls having a total net area of not less than one square inch for every square foot of enclosed area. The bottom of all openings must be no higher than one foot above grade.

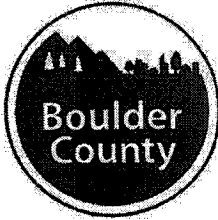
The applicant must submit an FDP application with the building permit application for the residential remodel. The FDP application must include:

- a. A Site Plan showing the proposed building and all staging/storage areas in relation to regulatory floodplain and property boundaries.
- b. Construction design, stamped, signed, and dated by a Colorado-licensed Professional Engineer (P.E.) that depicts the Base Flood Elevation (BFE) and Flood Protection Elevation (FPE) on all design plans and demonstrates conformance with all applicable flood protection measures required in Land Use Code Article 4-405, including those listed above.
- c. Certification by a Colorado-licensed P.E. that demonstrates the retrofitting will withstand the loads associated with a 1%-annual-chance flood event.

The BFE for the existing residence is 5193.0 feet (NAVD88). The FPE is two feet above the BFE.

Prior to issuance of a Certificate of Occupancy/At the final inspection, pursuant to Article 4-405.J, a “Final Construction” FEMA Elevation Certificate must be completed by a Colorado-registered land surveyor and submitted to floodplainadmin@bouldercounty.gov.

SANITARY FACILITIES: Sanitary facilities must be provided during construction and shall consist of a portable chemical toilet fabricated from steel, fiberglass or wood. Each facility must be well ventilated, must conform to State law, and must have a vented chemical tank and a separate urinal.



Boulder County Land Use Department

Courthouse Annex Building
2045 13th Street • PO Box 471 • Boulder, Colorado 80302
Phone: 303-441-3930
Email: planner@bouldercounty.org
Web: www.bouldercounty.org/lu
Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only
Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name	
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent		<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning <input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input checked="" type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP <input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:	
Location(s)/Street Address(es) 5986 Heather Way			
Longmont, Colorado 80503			
Subdivision Name Brigadoon Glen			
Lot(s) 7	Block(s)	Section(s) 27	Township(s) 2N
Area in Acres 0.83	Existing Zoning RR	Existing Use of Property Single Family Detached	Range(s) 70 W
Proposed Water Supply Public (Lefthand)		Proposed Sewage Disposal Method	

Applicants:

Applicant/Property Owner Anthony Piscopio			Email tpiscopio@proton.me
Mailing Address 5986 Heather Way			
City Longmont	State CO	Zip Code 80503	Phone 720-323-9110
Applicant/Property Owner/Agent/Consultant Kyle Callahan			Email kyle@clearwaterdesignstudio.com
Mailing Address 2975 Valmont Road, suite 100			
City Boulder	State CO	Zip Code 80301	Phone 303-545-2007
Agent/Consultant			Email
Mailing Address			
City	State	Zip Code	Phone

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner	Printed Name Anthony D. Piscopio	Date 11/3/23
Signature of Property Owner	Printed Name Hui-giang Huang	Date 11/14/23

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



Community Planning & Permitting

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ATTACHMENT B

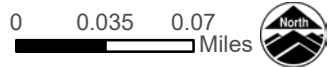
Location

5986 HEATHER WAY

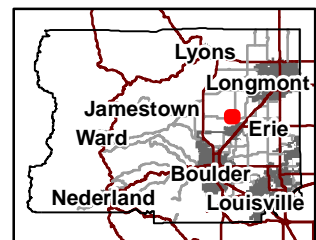
 Subject Parcel

Subdivisions

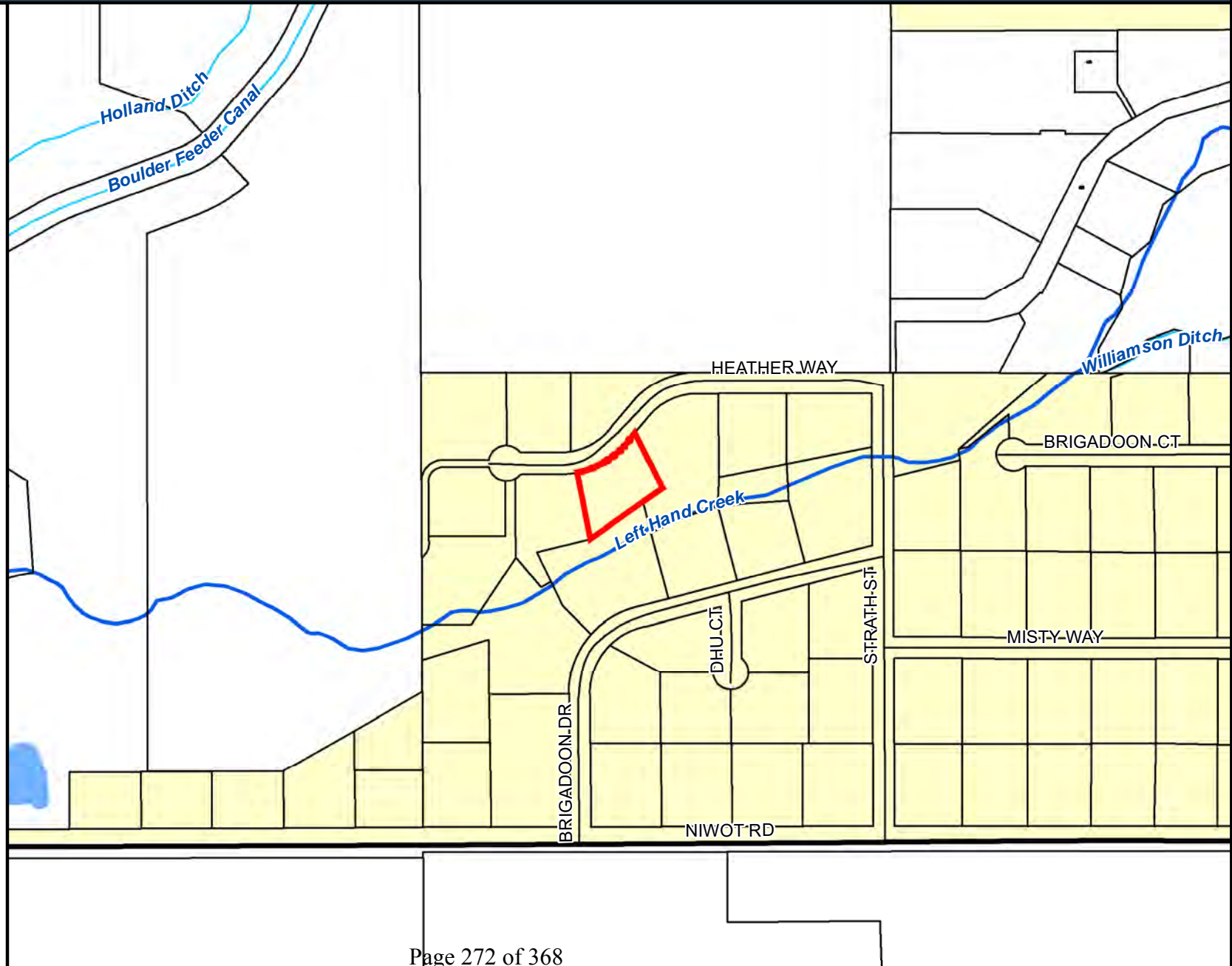
 Subdivisions



Area of Detail Date: 8/21/2023



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ATTACHMENT B

Aerial

5986 HEATHER WAY

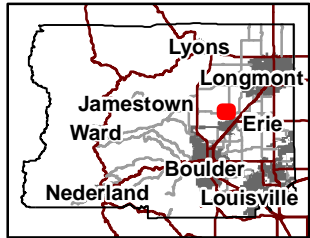
 Subject Parcel



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ATTACHMENT B

Aerial

5986 HEATHER WAY

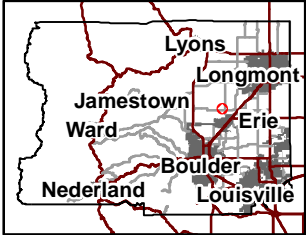
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Miles



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ATTACHMENT B


Comprehensive Plan


5986 HEATHER WAY

 Subject Parcel

Archeologically Sensitive Travel Routes

 Archeologically Sensitive Travel Routes

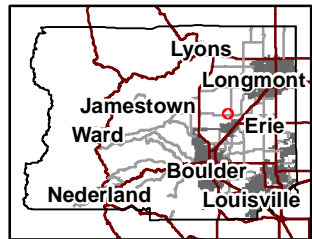
 Riparian Areas

 Riparian Habitat Connectors

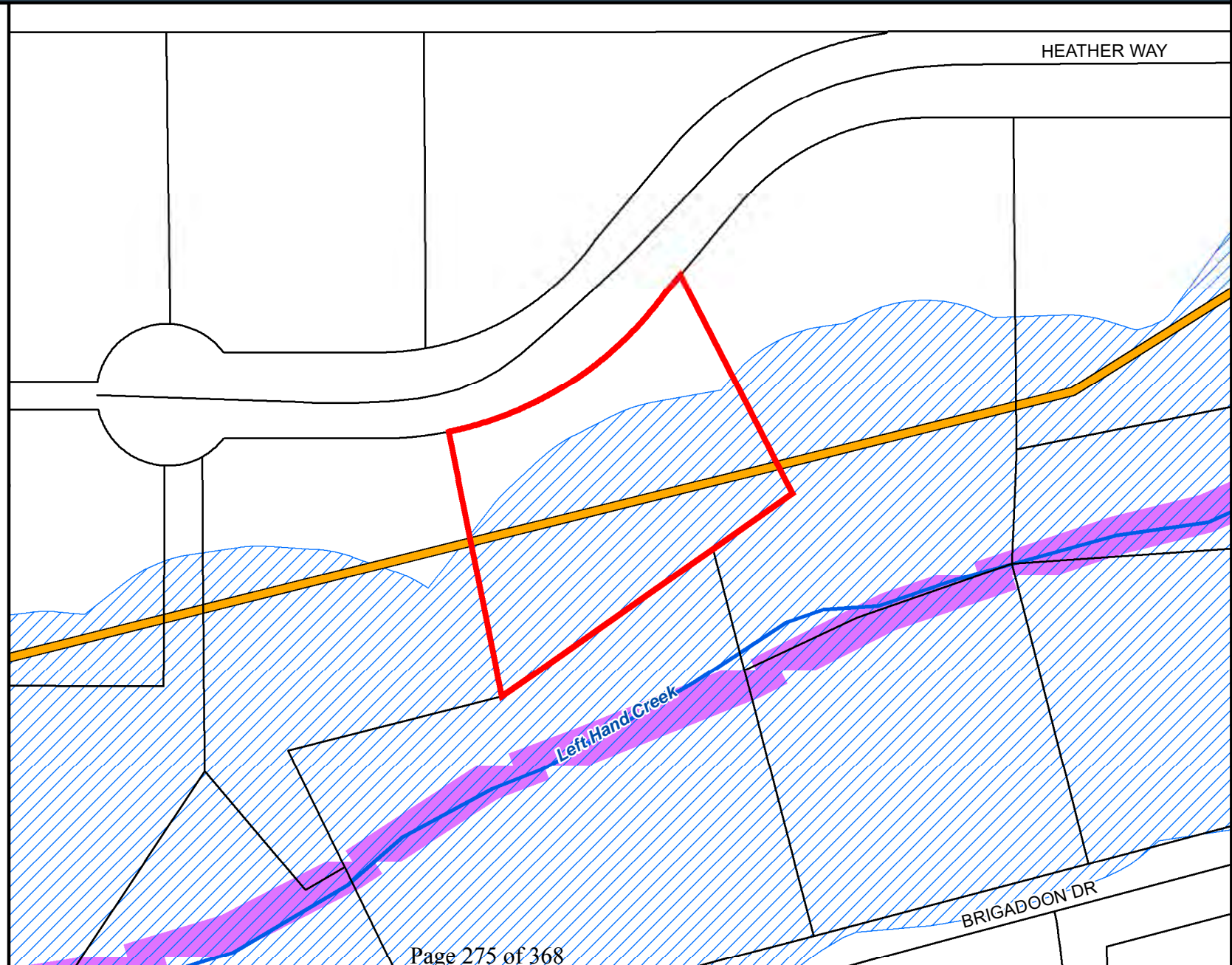
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Area of Detail Date: 8/21/2023



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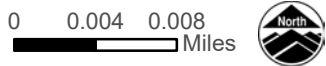
2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

ATTACHMENT B

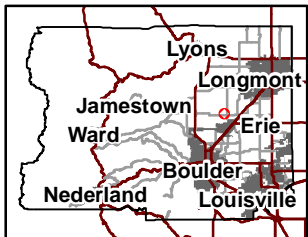
Elevation Contours

5986 HEATHER WAY

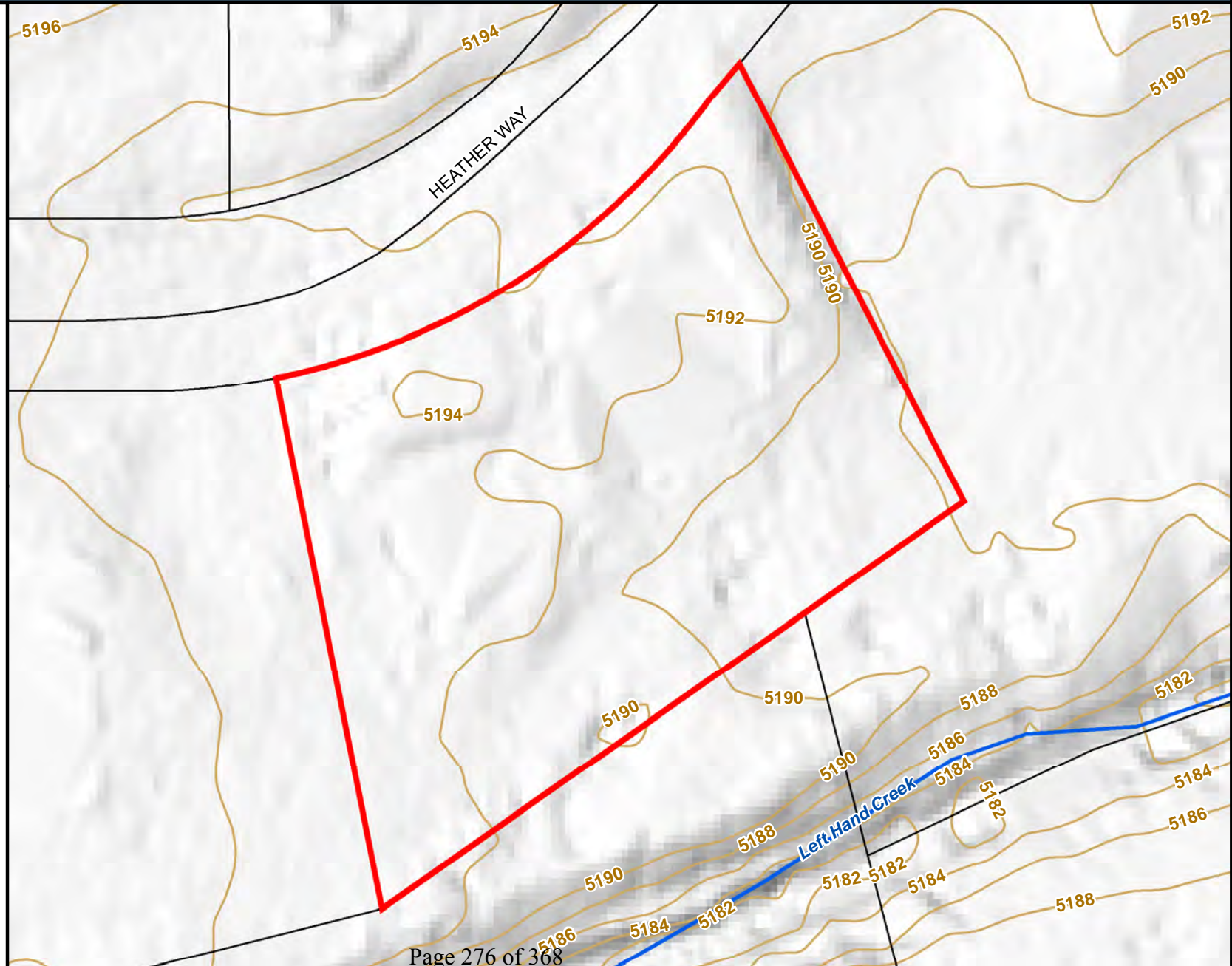
-  Subject Parcel
-  Contours 2'



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ATTACHMENT B

Floodplain

5986 HEATHER WAY

 Subject Parcel

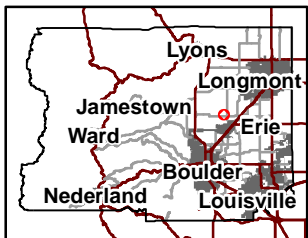
Floodplain

- 100-Year Floodplain
 - Zones AE, A, AO and AH
-  Floodway
- 500-Year Floodplain
 - Zone X500

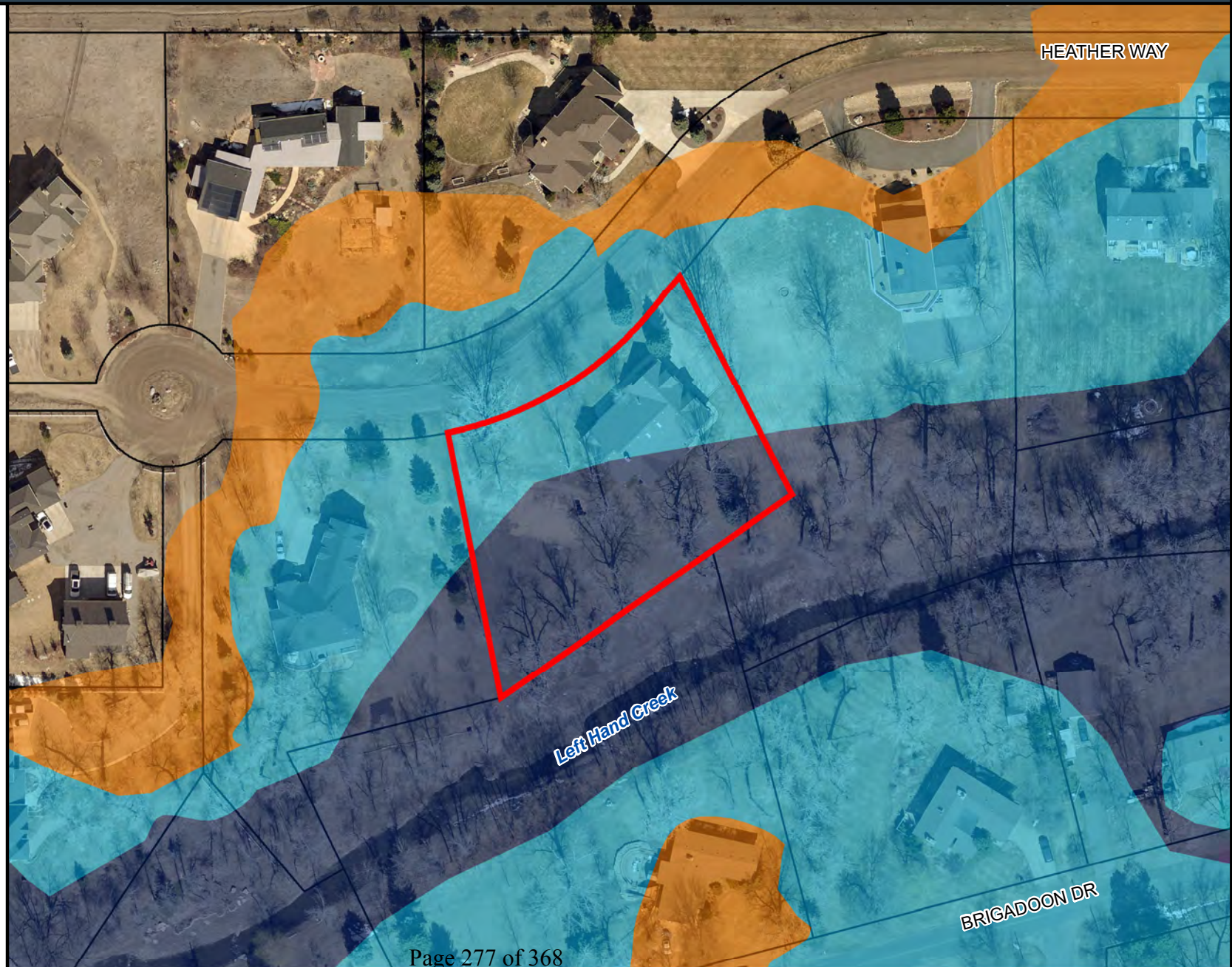
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Miles



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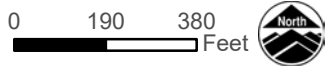
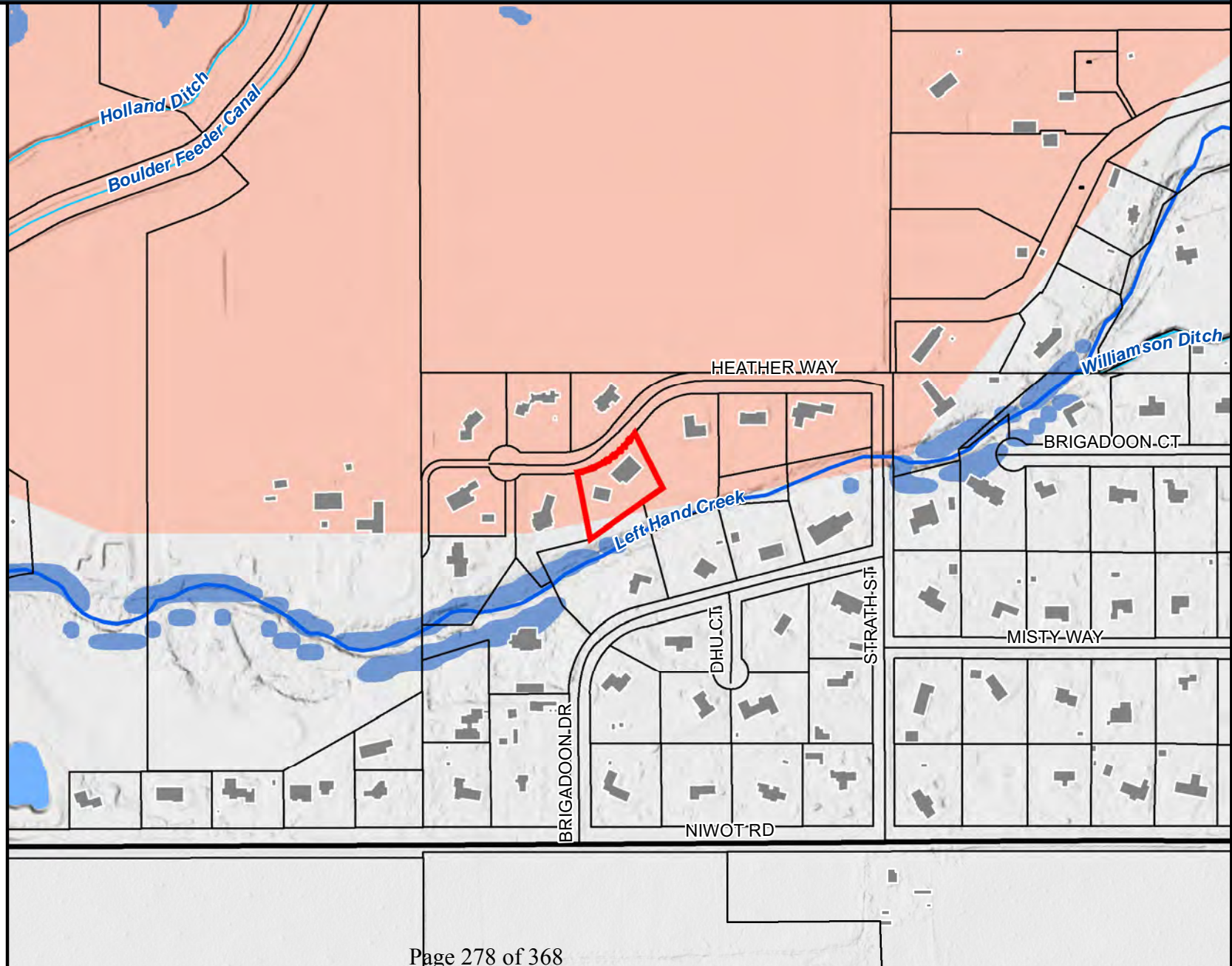
2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

ATTACHMENT B

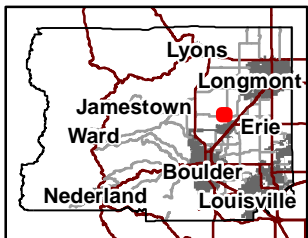
Geologic Hazards

5986 HEATHER WAY

-  Subject Parcel
-  High Swelling Soil Potential



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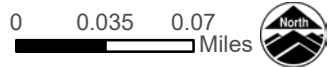
Planning Areas

5986 HEATHER WAY

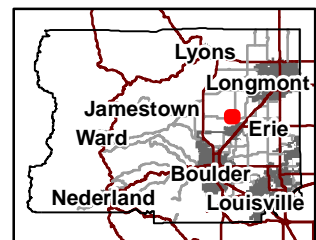
- Subject Parcel
- Telecom Protection
- Active IGA Boundary

Active IGA Designation

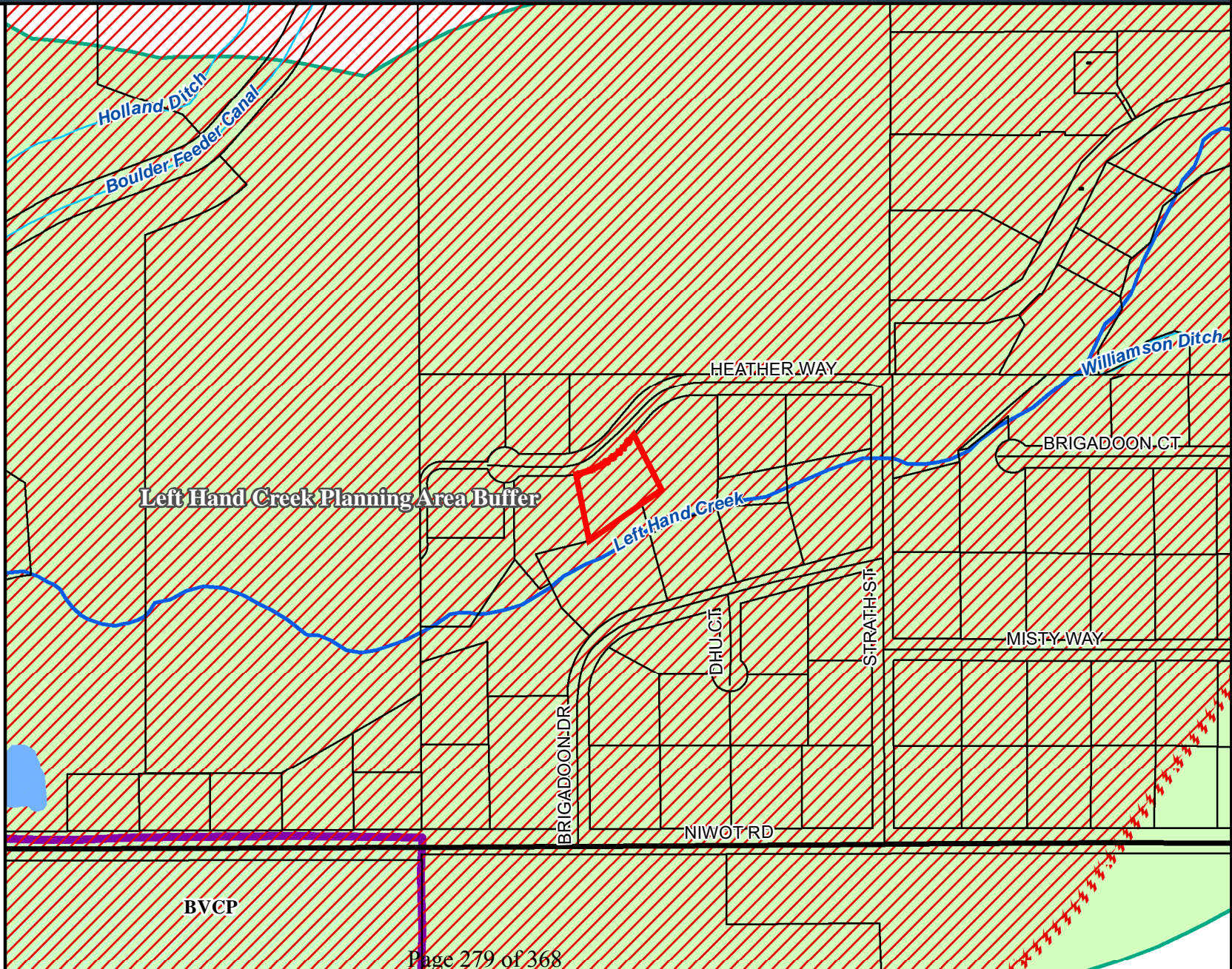
- BVCP
- Creek Planning Area



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ATTACHMENT B

Public Lands & CEs

5986 HEATHER WAY

 Subject Parcel

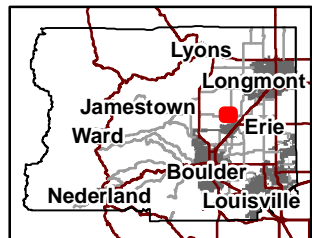
Boulder County Open Space

-  County Open Space
-  County Conservation Easement
-  OSMP Properties

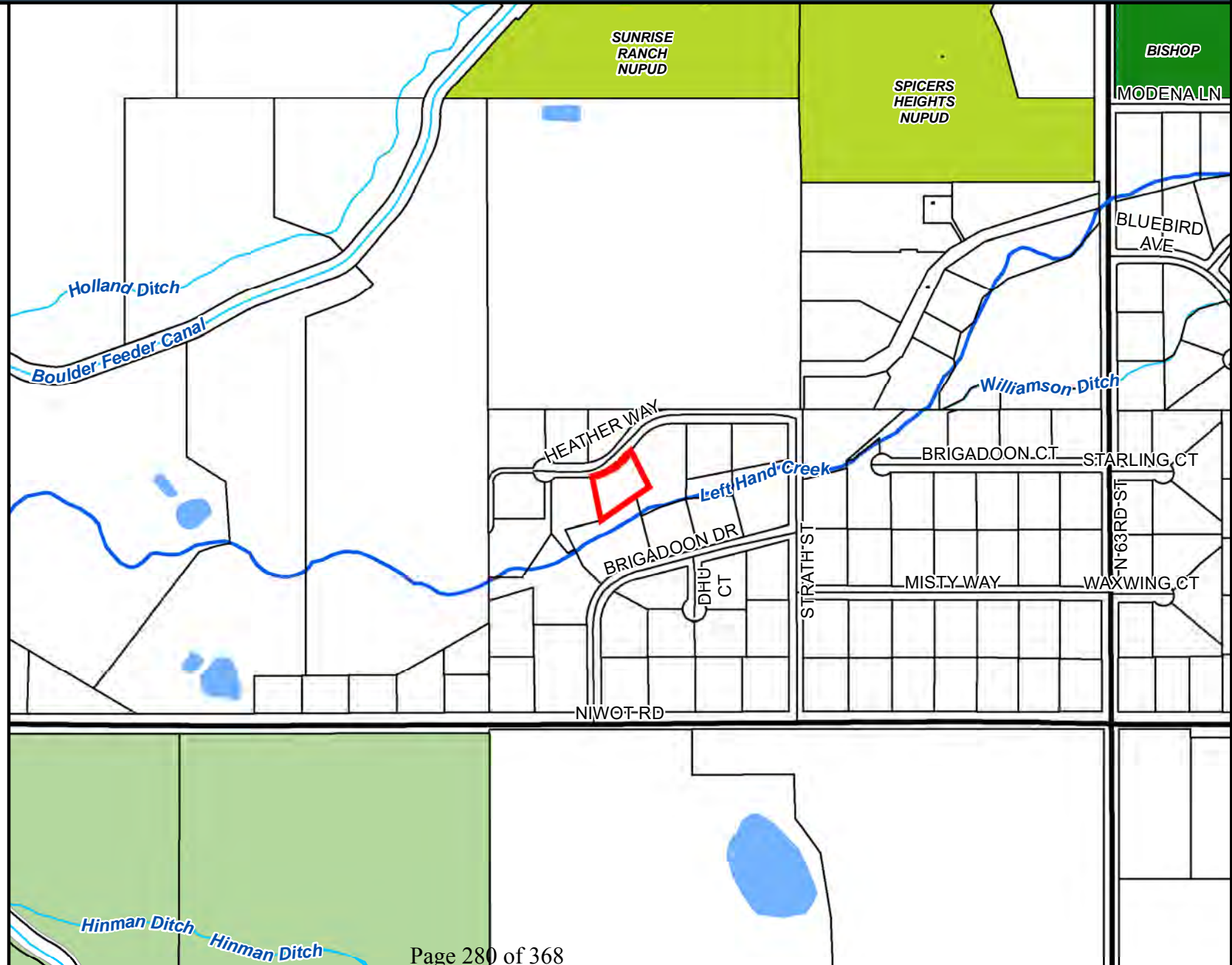
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ATTACHMENT B

Zoning

5986 HEATHER WAY


 Subject Parcel

Zoning Districts

 Agricultural


 Rural Residential

Ditch Setbacks

 20 feet

 50 feet

Major Road Setbacks

 90 feet

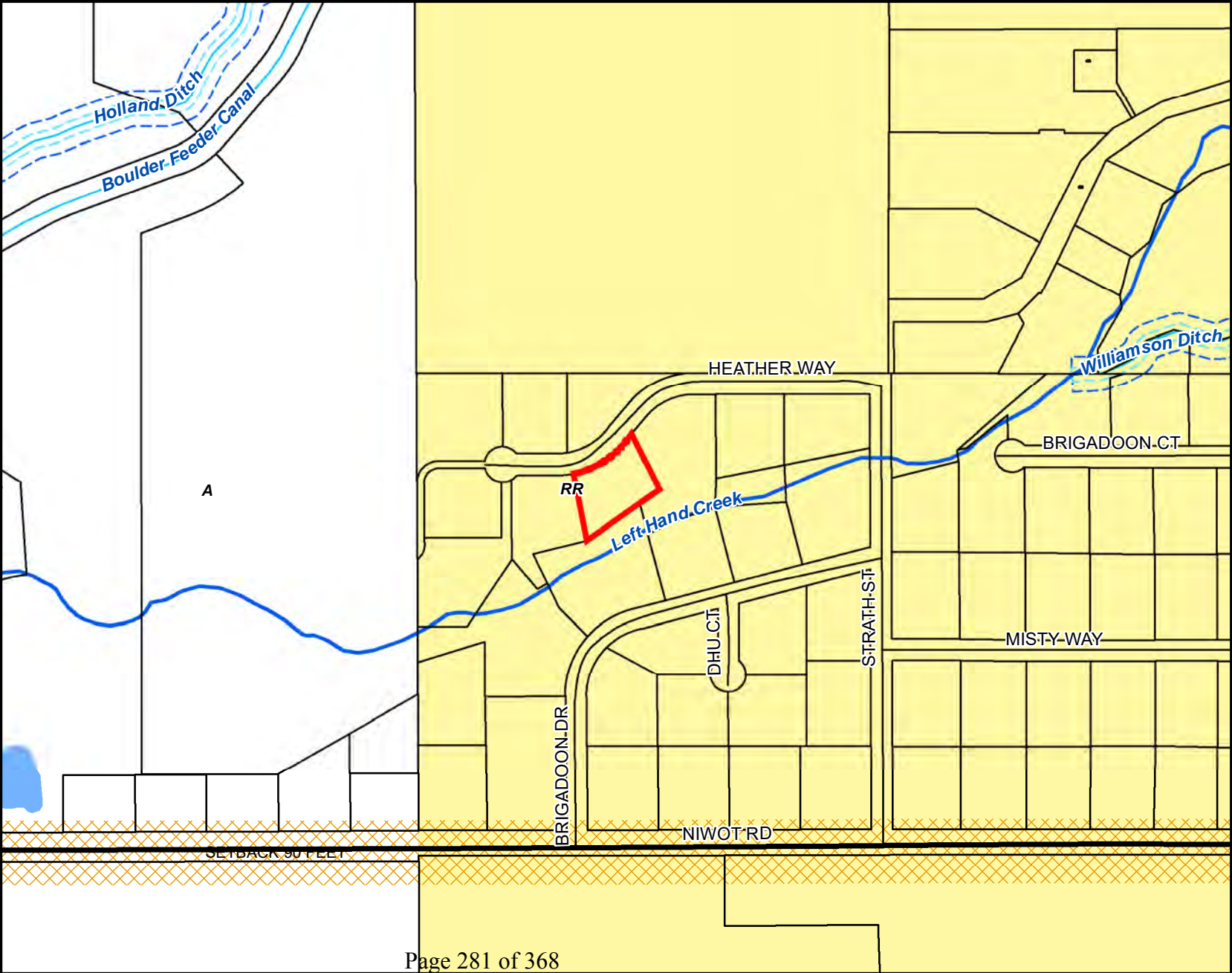
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Area of Detail Date: 8/21/2023



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Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expedite the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #1 Information

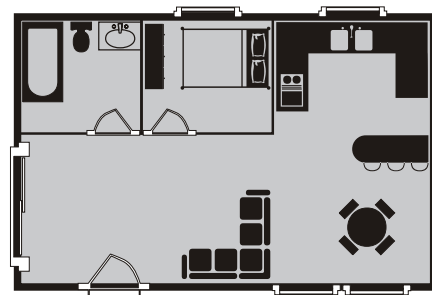
Type of Structure: (e.g. residence, studio, barn, etc.)				Accessory Structure	
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)				0 sq. ft.	Deconstruction: sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	
Basement:	0 sq. ft.	0 sq. ft.	0 sq. ft.	26'-9"	
First Floor:	242 sq. ft.	0 sq. ft.	242 sq. ft.	Exterior Wall Material	fiber cement stone
Second Floor:	801 sq. ft.	0 sq. ft.	801 sq. ft.	Exterior Wall Color	dark brown cream
Garage: <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Attached	0 sq. ft.	598 sq. ft.	598 sq. ft.	Roofing Material	std seam metal, epdm
*Covered Porch:	0 sq. ft.	0 sq. ft.	0 sq. ft.	Roofing Color	Bronze
Total:	1,043 sq. ft.	598 sq. ft.	1,641 sq. ft.	Total Bedrooms	0

Project Identification:

Project Name: Piscopio Residence and Accessory
Property Address/Location: 5986 Heather Way
Current Owner: Anthony Piscopio
Size of Property in Acres: 0.83

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the exterior walls including garages and basements. **Covered porch area that is attached to the principal structure is not included (see Article 18-131A).** The shaded area on the diagram indicates the area counted as square feet.



Structure #2 Information

Type of Structure: (e.g. residence, studio, barn, etc.)				Primary residence	
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)				5,848 sq. ft.	Deconstruction: 1,699 sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	
Basement:	0 sq. ft.	0 sq. ft.	0 sq. ft.		
First Floor:	45 sq. ft.	0 sq. ft.	45 sq. ft.	Exterior Wall Material	fiber cement stone
Second Floor:	0 sq. ft.	0 sq. ft.	0 sq. ft.	Exterior Wall Color	dark brown cream
Garage: <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Attached	0 sq. ft.	0 sq. ft.	0 sq. ft.	Roofing Material	std seam metal, epdm
*Covered Porch:	0 sq. ft.	0 sq. ft.	0 sq. ft.	Roofing Color	dark bronze
Total:	45 sq. ft.	0 sq. ft.	45 sq. ft.	Total Bedrooms	3

Residential vs. Non-Residential Floor Area

Residential Floor Area includes all attached and detached floor area (as defined in Article 18-162) on a parcel, including principal and accessory structures used or customarily used for residential purposes, such as garages, studies, pool houses, home offices and workshops. Gazebos and carports up to a total combined size of 400 square feet are exempt. Barns used for agricultural purposes are not considered residential floor area.

Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Pre-Application conference for the Limited Impact Special Review.

*See Article 18-131A for definition of covered porch.

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Review is required. Limited Impact Special Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

	Cut	Fill	Subtotal
Driveway and Parking Areas		44	44
Berm(s)			
Other Grading			
Subtotal			44

Box 1

* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.

	Cut	Fill	Total
Foundation	13	91	104
Material cut from foundation excavation to be removed from the property			0

Excess Material will be Transported to the Following Location:

Excess Materials Transport Location:
There will be no export material - this is a fill site

Narrative

Use this space to describe any special circumstances that you feel the Land Use Office should be aware of when reviewing your application, including discussion regarding any factors (listed in Article 4-806.2.b.i) used to demonstrate that the presumptive size limitation does not adequately address the size compatibility of the proposed development with the defined neighborhood. If more room is needed, feel free to attach a separate sheet.

see attached

Is Your Property Gated and Locked?

Note: If county personnel cannot access the property, then it could cause delays in reviewing your application.

Certification

I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

Signature Kyle Callahan	Digitally signed by Kyle Callahan Date: 2023.11.13 12:46:37 -07'00'	Print Name Kyle Callahan	Date 11/13/2023
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Architecture

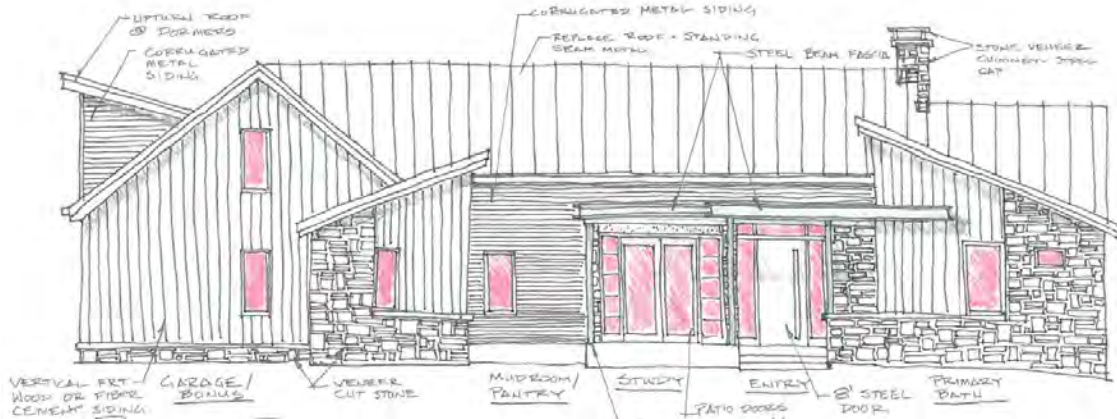
Planning

Interiors

Landscape
Design

November 13, 2023

Site Plan Review Narrative 5986 Heather Way, Longmont (Boulder County)



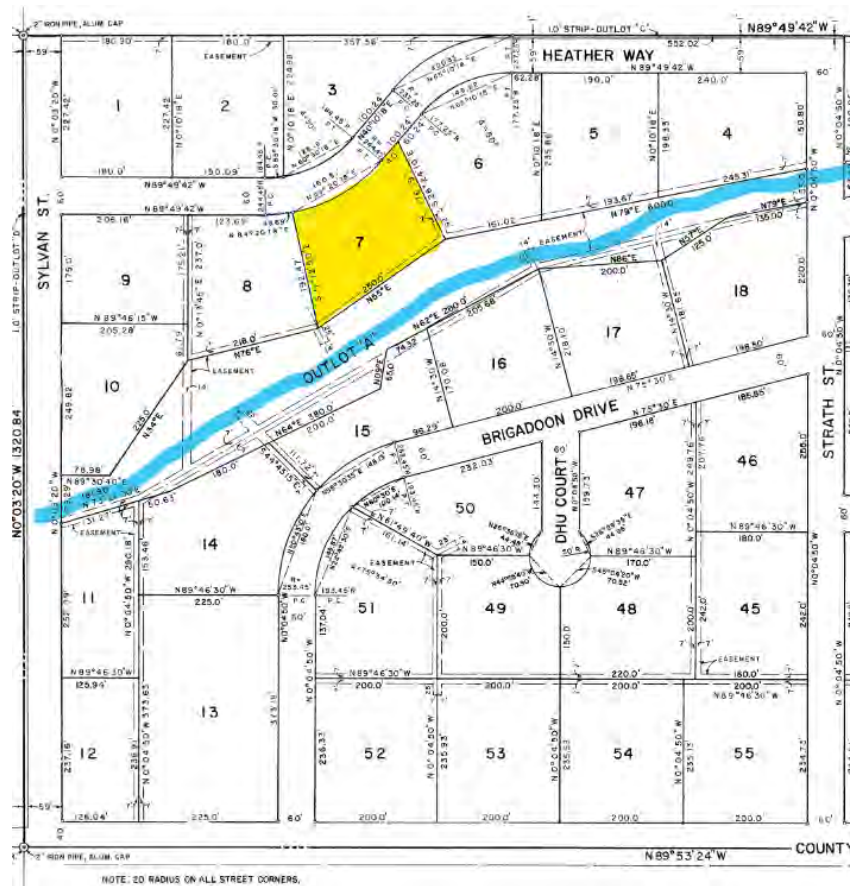
Project Description and background

The project at 5986 Heather Way, described in this narrative and illustrated by the included site plan and Architectural Design Drawings is made up of two related components:

1. Remodeling the existing residence.
2. Construction of a new detached accessory structure.

This site plan review application and accompanied information presents the materials in support of the work necessary to do so.

The Lot upon which this existing dwelling is built is part of the Brigadoon Glen subdivision. Brigadoon Glen is zoned Rural Residential (RR) per Boulder County Land Use. The subdivision is made up of a variety of lot sizes and configurations positioned north of County Road 34 (Monarch road) and west of County Road 39 (63rd street) in north central Boulder County – approximately 7 miles northeast of the City of Boulder. Many of the lots in Brigadoon Glenn are set in a traditional street grid. Lefthand Creek crosses through the subdivision, with larger and less uniformly shaped and proportioned lots north of Brigadoon Drive and on both sides of Heather Way. This subject Lot 7 is one of the larger, uniquely shaped lots north of Lefthand Creek and south of Heather Way. The lot slopes down at a moderate pitch from northwest towards the southeast, eventually spilling into the Lefthand creek south of the property line. The general alignment of existing contours is from southwest to northeast. The lot is fairly large and is populated with numerous existing mature trees and vegetation in a parklike backyard, and along the perimeter of the existing lot, complemented with grasses and low growing shrubs and bushes. A snip of the original plat is shown on the following page, with the subject lot being highlighted in yellow, and the approximate alignment of Lefthand Creek being shown in cyan.



The property is bordered on the east and west, and across Lefthand Creek, by improved lots and residential development. An existing concrete driveway and parking area serve the existing 2 car attached garage. Owing to the passing of Lefthand Creek directly south of this lot, the entire lot is situated within the presently-defined extents of 100 year floodplain and floodway of Lefthand Creek.

The lot has been previously improved with a 3-bedroom residence and a livestock barn. The existing residence was constructed circa 1996 – replacing the original residence, which was deconstructed. The barn was constructed circa 1986 and was deconstructed in 2019 by the Piscopio Family – shortly after they moved into the residence.

The residence is served by a septic system and lift station positioned north and west of the footprint. Installed in 1997 by Richard Gapter, the septic system is sized for 3 bedrooms. The residence is served by municipal water from Lefthand Water District. Electricity and natural gas service is supplied by Xcel Energy. An existing well is positioned in the backyard, south of the residence.

The Piscopio family purchased Lot 7, the existing home and the unfinished barn at 5986 Heather way in late December of 2018. The site and building features that the family found attractive are the generally quiet neighborhood, large lots and mature vegetation. The



Piscopio family are longtime residents of Boulder County, have been members of the community for over 25 years. The family has had a profound and positive impact on the local environment and economy – having created businesses and supported major job creation over that time. It's important to recognize that they are not motivated by speculative development but by improving the home and community to more closely align with their needs.

At the time of purchase, the existing home was serviceable for the Piscopio family, albeit being dated and generally low performing in terms of energy and space efficiency. The existing 1,728 SF onsite barn – erected circa 1987 – proved to be less useful for the family's needs and was deconstructed in 2019, shortly after the home was purchased.

Proposed improvements and overall project sequencing

Given the age and marginal energy performance of the exterior envelope of the existing residence, existing window placement that does not suitably address the onsite and offsite natural features, fragmented and inefficient interior layout of the home, and the existing unused garden-level basement set below the Base Flood Elevation of Lefthand Creek, the Piscopio family has determined the need to improve their existing home significantly. To that end, we have laid out a program for the improvements to the existing home and construction of an additional structure intended to perform as follows:

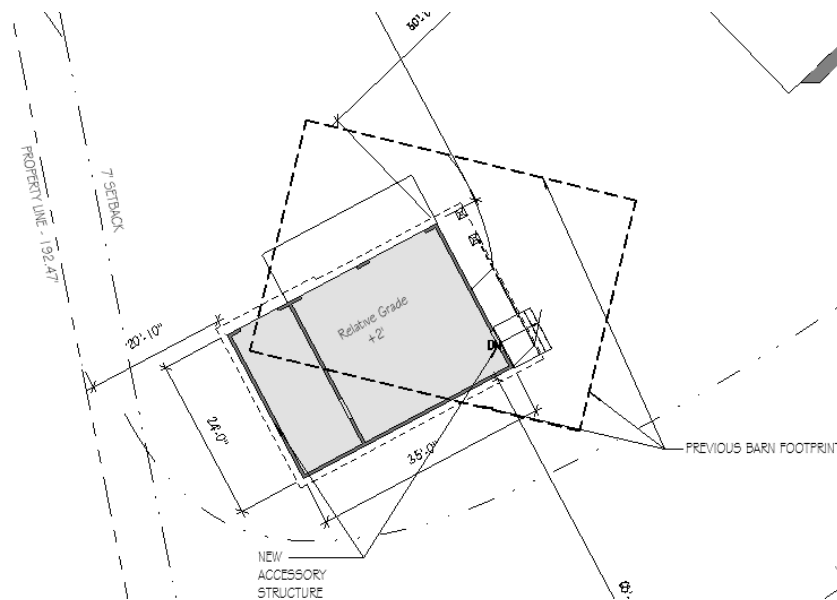
- Update the energy efficiency and durability / maintainability of both the interior and exterior of the home with new finishes, increased insulation, higher performing modern windows, and integrate roof forms to accommodate a PV solar array unencumbered by the existing tree cover.
- Provide onsite renewable energy production systems in the form of roof-mounted photovoltaic solar panels.
- Update the exterior materials and forms to provide a more contemporary image.
- Open up the interior of the home to connect more seamlessly with the surrounding exterior space.
- Increase the privacy of bedrooms and other more intimate areas within the home through integration of layers of seclusion imposed by the interior space plan.
- Repair damaged and deficient construction, such as the exterior decking, exterior siding and roofing.
- Eliminate the existing unused garden-level basement floor area, which is below the Base Flood Elevation of Lefthand Creek, by constructing a new crawl space floor 3' clear below the existing main floor, utilizing the lumber and materials from the deconstruction.
- Create additional above-grade storage for personal property and vehicle storage and for recreation / entertainment above the Base Flood Elevation.

We understand from discussion with General Contractor Robert Henson, and in consultation with the Piscopio family, that the work needed to construct these improvements will be very invasive, preventing the Piscopio family from living in the home during the renovation. As such, we have considered the opportunity to develop a longer-term holistic site improvement program based on construction of a temporary dwelling for the family and their dogs, to then



renovate the home, and finally convert the temporary dwelling to serve as the recreation/storage space removed from the project by infilling the basement. This phased project that will accomplish the various improvements incrementally. The following is our proposed approach to the site-wide improvements:

1. Deconstruct the existing Barn to clear that portion of the site for a new Accessory Structure (completed previously).
2. Execute a flood plain analysis – to be conducted by Don Ash of Siteworks – to demonstrate that the Floodway will remain unaffected by the construction of a new accessory structure, particularly considering the smaller 800 SF footprint of the proposed accessory structure when compared with the 1,728 SF footprint of the original barn structure. The site plan snip below shows the location of the existing barn (dashed lines) relative to the proposed location of the new accessory building (light gray poche) described next in item 3. Per Don Ash's initial review, the affect on the floodway by the construction of this small footprint accessory structure will be negligible. Further, the orientation of the new building is in parallel alignment with any potential flood waters from Lefthand Creek, and directly "upstream" in orientation with the existing residence, shown at the very upper right edge of the snip.



3. Construct a new accessory structure to be used long term as storage for the Piscopio family's personal property and vehicles, plus a recreation room on the upper level of a two-story structure. The position for this accessory structure will be within the general area of the footprint of the original barn. The new structure will be set with the lower floor slab set 2' above the base flood elevation. There will be a small amount of landfill placed on the north side of the structure to provide access to the main floor garage area for vehicles. The south side of the structure will be raised atop a low retaining wall foundation, thus minimizing the changes required to the land.



Over the short term, the Piscopio family will use the accessory structure for their temporary accommodation while the primary residence is renovated, and as such the interior of the accessory structure will be configured with two temporary sleeping rooms, a bathroom, and an efficiency kitchen. We'll connect the accessory structure to the existing onsite utility infrastructure and improve the pre-existing driveway alignment that served the original barn to provide vehicle access to this structure.

4. Upon temporary relocation of the Piscopio family to the accessory structure to live in the upper level and store furnishings and equipment in the lower level – set 2' above the Base Flood Elevation, General Contractor Robert Henson's crew will partly deconstruct the existing residence to allow for a renovation and improvements to support the family's program listed previously herein. Robert Henson's crews will then create the necessary improvements and additionally construct an infill floor in the basement of the existing residence to remove the garden level area below, thus converting this space to "crawl space". We will reposition mechanical equipment in this crawl space and provide access from the main floor to the crawl space through an interior scuttle.
5. The Piscopio family will then move back into the renovated 3-bedroom home. In doing so, the sleeping and cooking improvements in the accessory structure will be removed, and the interior will be reconfigured to serve as recreation space and a work-from-home office for Anthony Piscopio on the upper floor, with a workshop and vehicle storage on the main floor – 2' above the Base Flood Elevation.

Site Plan Review required

We have discovered through our initial research and the preapplication conference that there are several challenges to address prior to completing this project as described above:

1. Residential Floor Area maximum already exceeded, and the net reduction of 73 SF RFA

As currently configured, the residential floor area (RFA) of the existing residence exceeds the maximum size as determined by Boulder County Planning staff (Sam Walker), shown by the Neighborhood Size Analysis (NSA) provided to us on June 23, 2023. The existing floor area considers all RFA in the garden level, main level and upper level of the existing home as presented by the Boulder County Assessor. The neighborhood is defined as Brigadoon Glen Subdivision. The NSA shows that the maximum floor area (125% of the neighborhood median) to be **4,881 SF** of RFA. Based upon county records and consideration of the original blueprints, we find that the existing residence includes **5,849 SF** of total RFA allocated over the main floor (2,321 SF), existing attached garage (770 SF), the partial second floor (1,131 SF) and the partial garden level daylit basement (1,627 SF). Below are the floor area records excerpted from Boulder County Assessor data:



Section: 1
Class: SINGLE FAM RES IMPROVEMENTS
Built: 1996
Design: 2-3 Story

Number of rooms:

Total: 9
Bedrooms: 3
Full Bath: 2
3/4 Bath: 0
Half Bath: 2

Areas of levels in sq. ft.

FIRST FLOOR (ABOVE GROUND) FINISHED AREA	2321
2ND FLOOR AND HIGHER FINISHED AREA	1130
GARDEN BASEMENT UNFINISHED AREA	1627
ATTACHED GARAGE AREA	770

The existing garden level of the home currently houses the mechanical equipment for the home but is otherwise unused owing to its position below the Base Flood Elevation. The Piscopio family has provided an elevation certificate from FEMA (attached for reference to this SPR and a snip of which is below) showing the Base Flood Elevation to be **5187.0**. This certificate indicates that the lowest floor area should be **5189.0**. The flood certificate states that the existing residence main floor elevation is **5191.0**. Considering the floor structure and height of the daylit garden level walls, the floor elevation of the garden level is determined to be +/- **5181.9** – about 5' below the Base Flood Elevation where 2' above Base Flood Elevation is required.

SECTION A PROPERTY INFORMATION

BUILDING OWNER'S NAME DUANE AND RUTH BACON	FOR INSURANCE COMPANY USE POLICY NUMBER
STREET ADDRESS (INCLUDING APT. UNIT, SUITE, PHASE, BOX NUMBER) OR P.O. ROUTE AND BOX NUMBER 5986 HEATHERWAY	COMPANY NAME NUMBER
OTHER DESCRIPTION (Lot and Block Numbers, etc.) LOT 7 BRIGADDON GLEN	
CITY BOULDER COUNTY	STATE COLORADO
	ZIP CODE 80503

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM (See Instructions):

1. COMMUNITY NUMBER 080023	2. PANEL NUMBER 0465	3. SURVEY F	4. DATE OF FIRM INDEX JUNE 2, 1995	5. FIRM ZONE AE	6. BASE FLOOD ELEVATION (in AO Zones, see sheet) 5187.0
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7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☒ NGVD '29 ☐ Other (describe on back)

8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE: _____ feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION C BUILDING ELEVATION INFORMATION

Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level: **8. DGV**

2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of **5191.0** feet NGVD (or other FIRM datum—see Section B, Item 7).

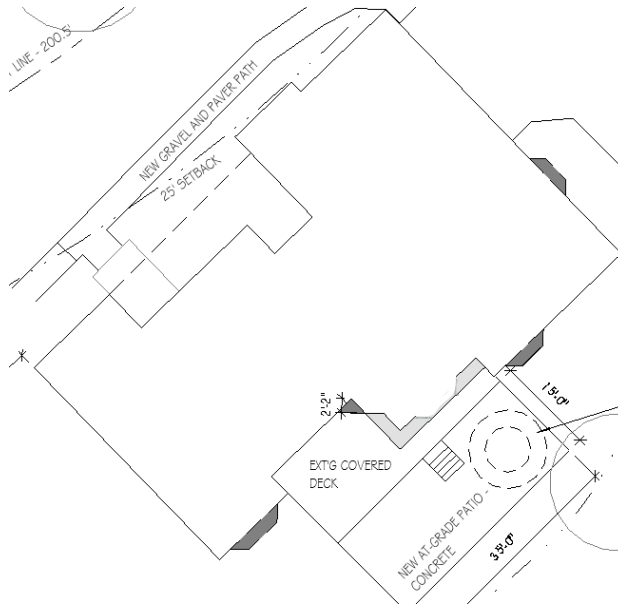
2(b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from

The garden level basement floor, being roughly 5' below the Base Flood Elevation, is not useful for the family, although the storage and recreation space that a flood-plain-compliant structure would provide is essential for their needs. Further, the family would benefit immeasurably from having onsite accommodation in which to reside while the home is being renovated. We have determined that the residential floor area of a detached accessory structure that will meet the Piscopio family's needs, plus two bays of parking and a storage area/workshop space would be approximately equal the size of the garden level space. As

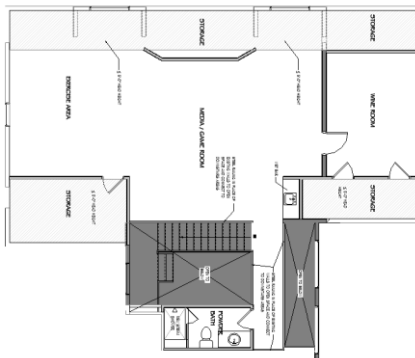


such, and through the process of site plan review, we submit the following scope for consideration:

1. Eliminate the existing garden level floor area by infilling the entire space with framing to raise the floor area of the garden level to <4' below the bottom of the existing lower-level floor joists. This will result in conversion of the garden level basement to a crawl space, and thus amount to a corresponding **1,627 SF** decrease in Residential Floor Area (RFA). Further, this infill of the garden level removes all of the garden level floor area from below the Base Flood Elevation – thus increasing life safety, as occupancy of this lower level would be precluded.
2. Reposition the mechanical equipment to the new floor of the crawl space.
3. Remove the angled projecting bays (4 of them) from the exterior of the home, thus providing a reduction of **43 SF** of RFA (shown as dark gray regions on the site plan – a snip below):

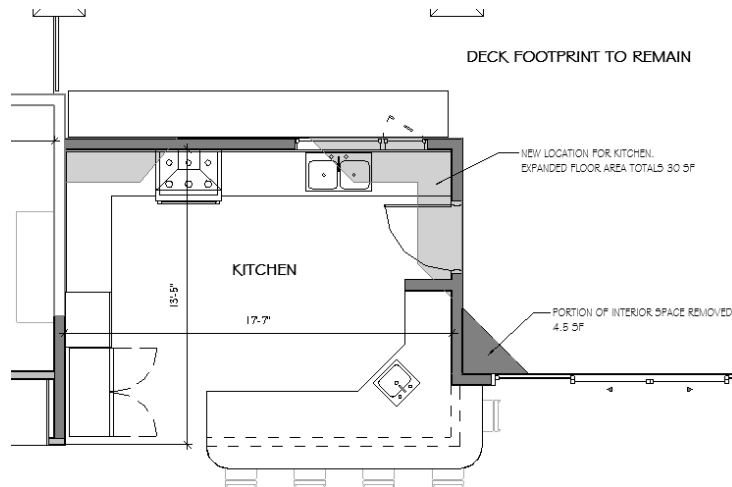


4. Remove a portion of floor area from the second floor resulting in a further reduction of **75 SF** of RFA.





5. Increase the area of the relocated kitchen by **30 SF**, with the increased floor area of the kitchen being fully offset with the reduction in floor area of the removed projecting bays articulated in point #3 above. Light gray shows the added floor area below



6. Construct the new detached accessory structure with an upper level containing two bedrooms, one bathroom, efficiency kitchen, family room, and main level spaces including storage and two car parking spots. These would all be minimally 2' above the Base Flood Elevation. This new building will be located within the footprint of the original barn. The sleeping and cooking spaces will be removed upon the family relocating back into the remodeled residence.
7. Connect the new building to existing utilities (water, power, natural gas, sewer).

The resulting residential floor area is shown on the plans provided along with this project narrative. By removing a portion of the existing floor area and the entire basement floor area, there will actually be a **net reduction of 73 SF of residential floor area** after renovation of the residence and construction of the new accessory structure.

The position on the lot that we have chosen to situate the accessory structure is in the approximate location of the previously deconstructed barn structure (deconstructed in 2019). This position will utilize the previous driveway alignment along the west edge of the site that connected Heather Way to the barn. That portion of the site is fairly level and does not include mature vegetation. Further, owing to the barn having been previously constructed in that position, there would be little topographic changes necessary. The footprint of the Barn and its massing were more impactful than the relatively smaller accessory building. An image of the former barn is shown on Page 15 of this narrative.

2. Accessory unit use for temporary residence

The construction of the accessory structure as indicated above provides the opportunity for the Piscopio family to continue living on the site during the renovation of the existing



residence. We recognize that this accessory structure could be used for occupancy only during the renovation of the existing residence, when the existing residence is uninhabitable. Upon completion of the renovation of the existing residence, the kitchen in the accessory structure will be removed and the bedrooms in the accessory structure converted to home office and recreation / fitness use. This strategy requires construction of the accessory structure first, in advance of the renovation of the existing residence. In doing so, we will have effectively removed **1,714 SF** of residential floor area from the site and added **1,641 SF** of residential floor area back to the site in the form of a more useful and safer building and set of spaces. The result is a net reduction of **73 SF** residential floor area.

The temporary use as a residence serves both short term and long term needs for the Piscopio family, creating material efficiency and the opportunity for the family to be present during renovation of their home.

3. Flood way / Flood Plain Development

Our initial inquiries into the potential development of the site revealed that a portion of the site – generally passing between the existing residence and Lefthand Creek – is located in the floodway. The remainder of the site is located within the 100-year floodplain. The extent of the existing floodway as provided by Boulder County is shown on the included site plan as a dashed line at the south side of the site.

The Piscopio family has provided an elevation certificate from FEMA (attached for reference to this SPR) showing the Base Flood Elevation to be **5187.0**, and also showing the lowest grade adjacent to the building to be **5186.0**. This certificate indicates that the lowest floor area allowable is to be **5189.0** – or 2' above the BFE.

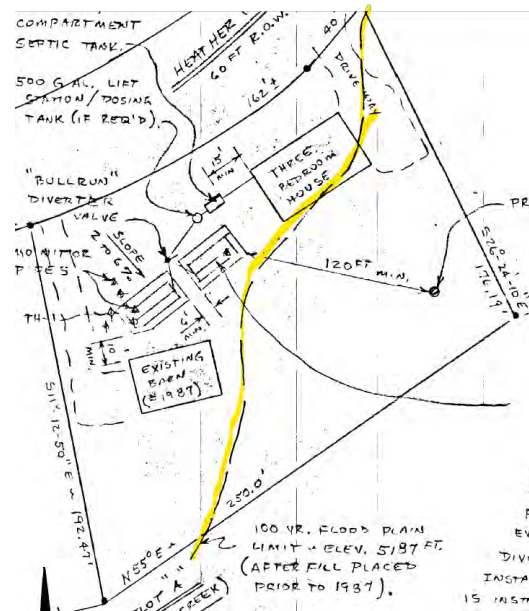
We have made several inspection trips to the site, with the General Contractor and the Piscopio family. Further, we have engaged **Don Ash of Siteworks** to counsel us on this endeavor. Several conditions are readily apparent from our site visits:

1. The extents of the floodway seem inaccurate based upon observation of the landforms at the site. The Floodway is determined by FEMA mapping procedures and are based upon less granular survey / topographic studies.
2. Building lots that are situated alongside the south bank of Lefthand creek have been observed to be lower in elevation than this site, yet the extents of the floodway does not encroach upon those sites to the extent that the floodway is shown to encroach upon 5986 Heather Way, even though they appear to be lower in elevation.
3. There are landforms on the site that do not seem to be integrated with the floodway modeling. It appears, from observation, that the proposed building footprint is up to 2' above the lowest elevation of the lot at the back of the house, referred to as elevation **5186.0** in the FEMA elevation certificate. That would put the lowest elevation of the structure at 5186, which is a foot above the BFE. A detailed survey will determine this all with great accuracy. If necessary after the survey, our engineering team will prepare and submit a LOMR with FEMA, or if finding that the build site is actually not in the floodway, engineering will submit a Floodplain



Development Permit.

4. A line drawn on a former septic system plot plan and labeled as the "100 year flood plain – elevation 5187' "that shows a different position for the floodway than shown by more recent Boulder County flood mapping. The line which does not match the current definition of the Floodway / Flood plain, in shown in yellow highlighter below. This alignment seems to more closely match what can be gleaned from a site visit, and seems closer to the actual topography.



As shown by our included site plan, the position we have selected for the new accessory structure - formerly occupied by the barn - is located within the floodway as currently defined by Boulder County mapping, however would be well outside of the floodway shown above. We understand that a new structure would not normally be permitted to be constructed within the floodway, even considering that the original barn building was situated in the same approximate location. We have engaged **Don Ash, with Site Works** – a well known and respected local engineering practice with great depth of experience in hydrologic studies, to provide the necessary engineering required to determine the exact position on this site of the flood plain and flood way. At the completion of their engineering work, and upon their most likely finding no impact being imposed by the new accessory structure, we anticipate that Site Works will provide the necessary work and submissions to file a Letter of Map Revision (LOMR) with FEMA. Upon receipt of the approvals, with the building site being found outside of the floodway and of no impact to the floodway, Siteworks will file with Boulder County the application for a flood plain development permit.

We also understand that the total cost for the improvements to the existing home are limited by the assessed value of the improvements onsite without the need to fully incorporate



floodproofing of that structure – currently **\$1,293,400**. This floodplain work is scheduled to begin after the completion of and as a condition of this Site Plan Review.

Included Plan Set:

Sheet 1 – combined Site Plan / Revegetation plan

This plan is provided to illustrate the general overall site development. On this sheet, we show the entirety of the site at 1" = 16' scale – to illustrate the developable and non-developable portions of the site. The site plan illustrates the following information:

- The footprints of both the proposed accessory building and the existing home.
- The former location of the barn (demolished)
- Property, setback, and easement lines are shown, as well as dimensions for the closest point of the proposed accessory building to the nearest property line.
- A cross-hatched region showing the current flood plain / floodway delineation.
- The newly proposed driveway – in the location of the previous driveway which served to access the barn
- The existing driveway and guest parking.
- Existing well and septic system locations.
- The edge of gravel of Heather Way.
- Large existing deciduous trees.

Included Building Plan Sheets

Drawing sheets 2 and 3 show the floor plans and roof plan, as well as the exterior elevations of the proposed accessory structure. Sheets 4, 5, 6 and 7 show the proposed floor plans for the existing residence after renovation is complete. Sheets 8, 9, 10, and 11 show the existing and proposed exterior elevations of the residence.

Boulder County Land Use Site Plan Review Standards – Article 4-806 of the Boulder County Land Use Code

Neighborhood

Standard 1 – To provide a greater measure of certainty as to the applicable neighborhood relevant for comparison, the following definition of neighborhood shall be used to review proposed Site Plan Review application:

- a. For applications inside platted subdivisions with seven or more developed lots, the neighborhood is the platted subdivision*

The lot is situated in Brigadoon Glen subdivision, which has been used for evaluation purposes of the home size – in particular the more closely situated homes along Heather Way – north of Lefthand Creek.

General character of the neighborhood

Standard 2 – The size of the resulting development (residential or nonresidential) must be compatible with the general character of the defined neighborhood.



Site plan review standards require the use of Boulder County Assessor data for determining the existing floor area of the residence and the barn. It has been our experience that the records are frequently incorrect. However – the existing floor area is as stated by the assessor. If demonstrated to be different by any County staff in subsequent approvals processes, such as building permit application, that will be considered moot. We are assuming a net change of 58SF less than the existing residence – regardless of what that may be.

Site Plan Review Standard 2 b i €

The existing home already exceeds the floor area maximum calculated for the neighborhood. It is acceptable to demolish and rebuild legally existing residential floor area that is not in conflict with other Site Plan Review standards.

We are removing a measure of existing residential floor area from the project by infilling the daylighted basement – removing 1,627 SF of RFA. This garden level basement area is served with exterior windows in three locations and is thus not to be considered subterranean and unoccupied space by previous land use decisions concerning visibility of an exterior wall above grade.

This removal of the garden level basement floor area has the corollary advantage of removing the floor area below the Base Flood Elevation for the Lefthand Creek floodway.

Site Plan Review Standard 2 b i (A)

The new accessory building will be constructed upon the footprint of the previously existing barn structure, and thus will be no more visible than the previously constructed building.

Additionally, the footprint of the accessory structure will cover less than 50% of the area of the former barn structure, and thus will be less visually intrusive from the locations listed in the SPR guidelines.

Site Plan Review Standard 2 b i (F)

The proposed renovation of the existing residence is intended to substantially increase the energy efficiency of the residence through incorporation of high performance glazing, increase insulation performance in the walls and roof planes, create roof forms that will allow integration of a photovoltaic solar array for the production of onsite renewable energy.

Public Services and Infrastructure

Standard 3 – The location of existing or proposed buildings, structures, equipment, grading, or uses shall not impose an undue burden on public services and infrastructure

This site is currently served with all necessary utilities of water (Lefthand), Electricity and Natural Gas (Xcel) and an onsite waste treatment system (Septic system). A public road fronts the Lot – Heather Way. Heather Way ends at a cul de sac on the west terminus that allows for reversing the direction of travel for emergency vehicles (the plat shows Sylvan Way connecting through to Heather – which did not occur). There currently exists a fire



hydrant along Heather way. An existing driveway serves the house, and the driveway that served the former barn will be reincorporated into the site. The home is occupied by a single family, and there is no increased density planned for the site. As such, we anticipate no additional impact to infrastructure.

Natural Hazards

Standard 4 – The proposed development shall avoid natural hazards, including those on the subject property and those originating offsite with a reasonable likelihood of affecting the subject property.

There are no geologic hazards associated with this site – it is reasonably flat. The only natural event that could have an effect would be a flood of Lefthand Creek. There's no evidence in the existing home that the flood of 2013 rose to impact the house, although the Piscopio family did not live there at the time. This is one piece of evidence that supports our previously-described endeavor to evaluate the floodway definition based on a more thorough and granular investigation, with Don Ash of Siteworks, into the definition of the floodway. Given our team's visual inspection of the landforms on this north side of Lefthand Creek, those on the south side of the creek, plus considering the hydraulic behavior of floodwater flow, we have a reasonable expectation of modifying the actual floodway. Don Ash supports this conclusion and is prepared to embark upon the detailed study upon our successful navigation of the Site Plan Review process.

An additional consideration is that the proposed accessory structure will be significantly smaller in footprint than the original barn building that it will be effectively replacing. The barn had a footprint of 1,728 SF, while the proposed accessory structure has a footprint of slightly over 800 SF – roughly half the size of the barn. Thus considered, the accessory structure will provide less of an impediment to the floodway than the previously approved and constructed barn.

Wildfire

Standard 5 – The site shall satisfactorily mitigate the risk of wildfire both to the subject property and those posed to neighboring properties in the surrounding area by the proposed development.

Wildfire mitigation will begin with our working with Wildfire Partners to achieve certification through that program (alternatively we will follow the regulatory path if demonstrated to be more effective). Additionally, all construction details will be considered for ignition resistant construction.

1. Mature stands of trees near the proposed footprint of the structure will be trimmed and/or removed to provide a suitable defensible space from the structure.
2. We propose planting several new trees as part of the visual screening we think should be done to buffer and screen the accessory structure. We will keep them offset a fair bit and will respond to comments from the BOCO wildfire coordinator review that we anticipate receiving during the site plan review process.



3. Roofs, overhangs and patio covers will be fire rated per the requirements established by Boulder County, and details will appear on the future construction plans.
4. The exterior siding for the new accessory structure and the renovation of the existing residence will be finished with ignition resistant materials.
5. Hardscape, patios, and a 3' wide rock mulch perimeter will surround the new accessory structure and existing home.

Site Drainage

Standard 6 – The proposed development shall not alter the historic drainage patterns and / or flow rates or shall include acceptable mitigation measures to compensate for anticipated drainage impacts.

The site is pitched moderately down towards the southeast to Lefthand Creek. The drainage flow will continue downhill in that basic direction, being conducted around the accessory structure with graded swales to the south and west.

A corrugated Metal Pipe (CMP) will be placed at the point of connection between the reconstructed driveway and Heather way to conduct flow of the borrow ditch north of the existing home and accessory structure.

The footprint of the roof of the accessory structure will be approximately half of the previous barn structure. As such, the permeable lot area will be increased, and concentrated sources of drainage flow, such as downspouts, will be reduced by virtue of the smaller impervious roof area.

Significant Features and Ecosystems

Standard 7 – The development shall avoid significant natural ecosystems or environmental features, including but not necessarily limited to riparian corridors and wetland areas, plant communities, and wildlife corridors.

There are no such natural spaces associated with this site as it has been previously developed. Natural / riparian corridors do occur adjacent to the site in Outlot A, which holds the Lefthand Creek Bed. All development proposed will be suitably distanced from this part of the site.

The creek and all neighboring properties and Outlot A will be protected during construction with a correctly placed and inspected silt barrier to prevent construction activities from causing sediment to encroach upon these areas.

Significant Agricultural lands

Standard 8 – The development shall avoid agricultural lands of local, state or national significance.



This is not applicable. The proposed residence is located in a developed subdivision and does not impact agricultural lands of local, state, or national significance.

Historic or Archaeological resources

Standard 9 – *The development shall avoid significant historic or archaeological resources.*

Being previously developed, there does not appear to be any sites of historic or archaeological significance.

In preparation for this Site Plan Review, we have consulted both the Boulder County historic and The Colorado Office of Archeology and Historic Preservation for their consideration of this site. Neither organization found any sites of significance associated with this area. Documentation is provided as attachments to this Site Plan Review submission:

Letter from History Colorado, dated October 6, 2023

Boulder County Historic Preservation Referral Form, dated September 06, 2023

Significant negative visual impact

Standard 10 – *The development shall not have significant negative visual impact on the natural features or neighborhood character of the surrounding area.*

The proposed accessory structure is to be located in a position occupied previously by a much larger barn structure, which has been since removed. Below is a photo from Boulder County records of the original barn – note the height of the structure being +/- 2 stories, reflective roof finish, bright white color:



Exterior finish materials for the proposed accessory structure and for the renovation of the home will be comparable to those installed on other homes in the neighborhood. Roof materials will be matte and not reflective. Exterior finishes will be stone and fiber cement boards either natural by their integral materials or otherwise finished in natural colors.



Exterior lighting will be upgraded to fixtures which screen the source of illumination.

Compatibility with existing topography and vegetation

Standard 11 – The location of the development shall be compatible with the natural topography and existing vegetation and the development shall not cause unnecessary or excessive site disturbance.

Remodeling of the existing residence will cause no changes to the natural topography, although several trees may be necessarily removed due to their proximity to the residence and for fire mitigation purposes.

The accessory structure will be constructed in the position where the original barn was previously situated. As such, any sitework or topographic changes would have to do with raising the structure to 2' above the base flood elevation. The driveway to serve this new accessory structure will match the alignment of the original driveway serving the barn. The 1996 septic system plan (provided as an attachment) shows the barn as being outside of the floodway, the diagram for which is also included on Page 6 of this narrative. Thus, we consider that the maximum imported fill to raise the garage slab to be floodplain compliant would be somewhat less than 2'. The accessory structure will be set up on a low foundation wall and thus any such required grading would be below the structure itself (foundational grading) and would not extend beyond the footprint other than as required to slope up to the slab elevation for vehicular access.

Erosion and sedimentation

Standard 12 – Runoff, erosion, and/or sedimentation from the development shall not have a significant adverse impact on the surrounding area.

During the construction period for the accessory structure and renovation of the existing residence, adjacent lots, including Outlot A (Lefthand Creek) will be protected from silt through a properly installed and maintained silt fence. Post construction, a primary consideration would be the position for the accessory structure – which is approximately 75' from Lefthand Creek. The space between the accessory structure and the creekbed is currently and will be blanketed with turf grass and other normal landscape improvements. Such landscape features would serve to interrupt any concentrated overlot flow and allow for settling out of any sediment carried by the flow. There will be no bare areas or hardscape between the new structure and the creek to concentrate drainage flow.

Flow from the impervious area and roof of the new accessory structure will be less than the previous barn owing to the smaller footprint. The roof drainage will be directed to a landscaped swale.

Natural Landmarks and Natural areas

Standard 13 – The development shall avoid Natural Landmarks and Natural Areas designated by the Comp plan and zoning district maps of Boulder County.



There are no Natural Landmarks or natural areas on the site.

Replacement structures

Standard 14 – Where an existing principal structure is proposed to be replaced by a new principle structure, construction or subsequent enlargement of the new structure shall not cause significantly greater impact (with regards to these standards) than the original structure.

The existing principle structure will remain. The original barn, since removed, was more visually and site impactful than the proposed accessory structure.

Consistency with the comprehensive plan

Standard 15 – The proposal shall be consistent with the Comp plan, any intergovernmental agreement affecting land use or development, and the Boulder County Land Use Code.

There is no change to the proposed land use or other aspects of the comp plan. The proposed development is compliant with the Land Use Code in all aspects and is consistent with pre-existing developments in the surrounding neighborhood.

PROJECT ADDRESS: 5986 HEATHER WAY
LONGMONT, COLORADO 80503
LEGAL DESCRIPTION: LOT 7 - BRIGADOON GLEN
YEAR CONSTRUCTED: 1996 (EXISTING RESIDENCE)
ZONING CLASSIFICATION: RR - RURAL RESIDENTIAL
LOT AREA: 36.282 SF / 0.83 ACRES
FLOOD ZONE: AE - FLOOD WAY, 100 YR FLOOD PLAIN

MAXIMUM HEIGHT	
MAXIMUM ALLOWABLE	PROVIDED AT NEW STRUCTURE
35'-0"	24'-6"

SETBACKS (AT NEW ACCESSORY STRUCTURE)		
	REQUIRED	PROVIDED AT NEW ACCESSORY STRUCTURE
NORTH (FRONT)	25'-0"	70'-5 1/2"
WEST (SIDE)	7'-0"	20'-9 1/2"
SOUTH (REAR)	15'-0"	68'-4 1/2"
EAST (SIDE)	7'-0"	155'-8 1/2"

FLOOR AREA		EXISTING		NEW		TOTAL
RESIDENTIAL FLOOR AREA	PROPOSED ACCESSORY STRUCTURE	UNFINISHED	FINISHED	UNFINISHED	FINISHED	
FIRST FLOOR		0 SF	0 SF	0 SF	242 SF	242 SF
SECOND FLOOR		0 SF	0 SF	0 SF	801 SF	801 SF
GARAGE		0 SF	0 SF	598 SF	0 SF	598 SF
TOTAL ACCESSORY STRUCTURE		0 SF	0 SF	598 SF	1,043 SF	1,641 SF
EXISTING RESIDENCE						
BASEMENT		1,627 SF	0 SF	-1,627 SF	0 SF	0 SF
FIRST FLOOR		0 SF	2,321 SF	30 SF	-42 SF	2,309 SF
SECOND FLOOR		0 SF	1,130 SF	0 SF	-75 SF	1,055 SF
GARAGE		0 SF	770 SF	0 SF	0 SF	770 SF
TOTAL RESIDENCE		1,627 SF	4,221 SF	-1,597 SF	-117 SF	4,134 SF
TOTAL RESIDENTIAL FLOOR AREA						5,775 SF

NON-RESIDENTIAL FLOOR AREA		EXISTING		NEW		TOTAL
GENERAL PURPOSE BARN NRFA (DEMOLISHED)		UNFINISHED	FINISHED	UNFINISHED	FINISHED	
FIRST FLOOR		1,728 SF	0 SF	-1,728 SF	0 SF	0 SF
TOTAL BARN (NRFA)		1,728 SF	0 SF	-1,728 SF	0 SF	0 SF
TOTAL NON-RESIDENTIAL FLOOR AREA						0 SF

PROJECT NARRATIVE

THE PISCOPIO FAMILY INTENDS TO RENOVATE THEIR EXISTING RESIDENCE IN ORDER TO MORE CLOSELY ALIGN WITH THEIR NEEDS FOR SPACE, AND TO INCREASE THE ENERGY EFFICIENCY AND EQUIPMENT PERFORMANCE FOR THE 28 YEAR OLD STRUCTURE. TOWARDS THAT END, THE HOMEOWNERS PROPOSE TO:

1. UPDATE THE EXTERIOR APPEARANCE OF THE HOME
2. REMOVE EXTERIOR FINISHES AND INSULATE THE EXTERIOR OF THE HOME
3. INSTALL NEW DURABLE AND FIRE RESISTIVE EXTERIOR FINISHES
4. REMOVE THE EXISTING ROOF FINISH AND REPLACE WITH NEW FINISH
5. REMOVE AND REPLACE WINDOWS
6. REMODEL INTERIOR
7. IMPROVE AND FINISH THE EXTERIOR BASEMENT FOR RECREATION AND OFFICE SPACE
8. IMPROVE AND ENHANCE LANDSCAPE FEATURES

DURING THE INVESTIGATION PROCESS FOR THE PROPOSED RENOVATION, WE DISCOVERED THAT THE LOWER GARDEN LEVEL FLOOR IS BELOW THE BASE FLOOD ELEVATION. FROM THE INVESTIGATION, WE HAVE DECIDED IT TO REMOVE BASEMENT IMPROVEMENTS FROM THE SCOPE OF WORK, AND TO FURTHER ELEVATE THE MECHANICAL EQUIPMENT AT LEAST TO THE BASE FLOOD ELEVATION AND TO INFILL THE GARDEN LEVEL. THIS DOES NOT NEGATE THE HOMEOWNERS NEED FOR THE SPACE THAT THE BASEMENT PROVIDED TO MEET THEIR PROGRAM REQUIREMENTS.

IN CONSULTATION WITH THE SELECTED GENERAL CONTRACTOR, WE HAVE DETERMINED THAT CONDITIONS WOULD NOT BE SUITABLE FOR THE HOMEOWNERS TO CONTINUE TO RESIDE IN THE HOUSE DURING RENOVATION AND CONSTRUCTION. AS SUCH, THE HOMEOWNERS WILL NEED TO MOVE OUT OF THE HOME DURING THAT TIME FRAME.

REMOVING THE FLOOR AREA OF THE GARDEN LEVEL FROM THE HOME, COMBINED WITH THE HOMEOWNERS' NEED TO RELOCATE DURING RENOVATION, HAS CREATED AN OPPORTUNITY TO RESOLVE BOTH ISSUES SIMULTANEOUSLY. THUS WE HAVE DERIVED THE CONCEPT OF BUILDING A NEW ACCESSORY STRUCTURE TO FILL BOTH NEEDS. THE STRUCTURE WOULD BE BUILT AS A PLACE TO PROVIDE FOR THE OWNERS' NEED FOR STORAGE IN THE FUTURE, AND ADDITIONALLY PROVIDE SPACE RECREATION AND HOME OFFICE SPACE. IN THE INTERIM, DURING THE RENOVATION OF THE HOME, IT WILL BE CONFIGURED TO PROVIDE A PLACE FOR THE HOMEOWNERS TO RESIDE.

THE POSITION ON THE SITE THAT WOULD BE OPTIMAL FOR THIS NEW ACCESSORY STRUCTURE IS IN THE POSITION FORMERLY OCCUPIED BY A BARN STRUCTURE CONSTRUCTED IN 1987. THIS POSITION IS SUITABLY SET BACK FROM THE STREET AND FRONT PROPERTY LINE, IS FURTHER BACK FROM THE STREET THAN THE EXISTING RESIDENCE, IS NOT ENCUMBERED BY MATURE VEGETATION, IS REASONABLY FLAT FROM HAVING HELD THE BARN FOR 30+ YEARS. THE EXISTING BARN WAS DECONSTRUCTED AND REMOVED IN 2019. SHORTLY AFTER THE HOMEOWNERS PURCHASED THE PROPERTY, IT IS NOTED THAT THE BARN MAY HAVE BEEN LOCATED IN THE LEFT HAND CREEK FLOODWAY, BUT WE HAVE DISCOVERED CONFLICTING POSITIONS FOR THE FLOODWAY. AS A PART OF THIS PROCESS, AND AFTER CONDITIONED APPROVAL OF THE SITE PLAN REVIEW, WE WILL DETERMINE THE POSITION OF THE FLOODWAY FROM GRANULAR ON-THE-GROUND SURVEYS AND MODELING THE FLOWS AT 100 YEAR FLOOD CONDITIONS (SITEWISSE IN BOULDER IS RETAINED TO PROVIDE THIS INVESTIGATION), APPLY FOR A LETTER OF MAP REVISION (LOMR) FROM FEMA, AND FOR A FLOOD PLAIN DEVELOPMENT PERMIT FROM BOULDER COUNTY.

WE ENVISION THE FOLLOWING SEQUENCE OF CONSTRUCTION AND RENOVATION:

1. DECONSTRUCT THE EXISTING BARN COMPLETED 2019
2. CONSTRUCT THE 1,641 SF ACCESSORY STRUCTURE CONFIGURED FOR STORAGE AND TEMPORARY RESIDENCE
3. IMPROVE A GRAVEL DRIVEWAY ALONG THE ALIGNMENT THAT SERVED THE FORMER BARN
4. HOMEOWNERS RELOCATE INTO THE UPPER LEVEL OF THE ACCESSORY AND ATORE POSSESSIONS IN THE LOWER LEVEL
5. RENOVATE THE EXISTING RESIDENCE AS DESCRIBED ABOVE
6. HOMEOWNERS RELOCATE INTO THE NEWLY REMODELED HOME
7. REMODEL THE ACCESSORY STRUCTURE TO RECREATION AND FITNESS SPACE ON THE SECOND FLOOR

SITE PLAN SYMBOL LEGEND

	AREA OF FILL OUTSIDE 10' PERIMETER
	AREA OF INCIDENTAL CUT & FILL (UP TO 10' FROM FOOTPRINT)
	NEW FLOOR AREA (RESIDENCE)
	DEMOLISHED FLOOR AREA (RESIDENCE)
	FLOOD WAY / FLOOD PLAIN BOUNDARY (APPROXIMATE)
	SILT FENCE
	ORIGINAL CONTOUR (REMAINS)
	EXISTING CONTOUR (REVISED / REMOVED)
	NEW CONTOUR
	PROPERTY LINE
	SETBACK (MIN.)
	EASEMENT
	2x6 FRAMED WALL
	2x4 FRAMED WALL

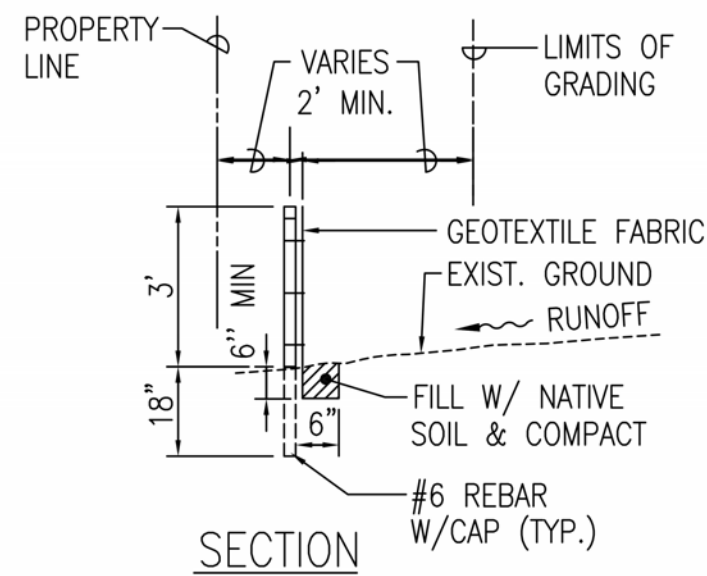
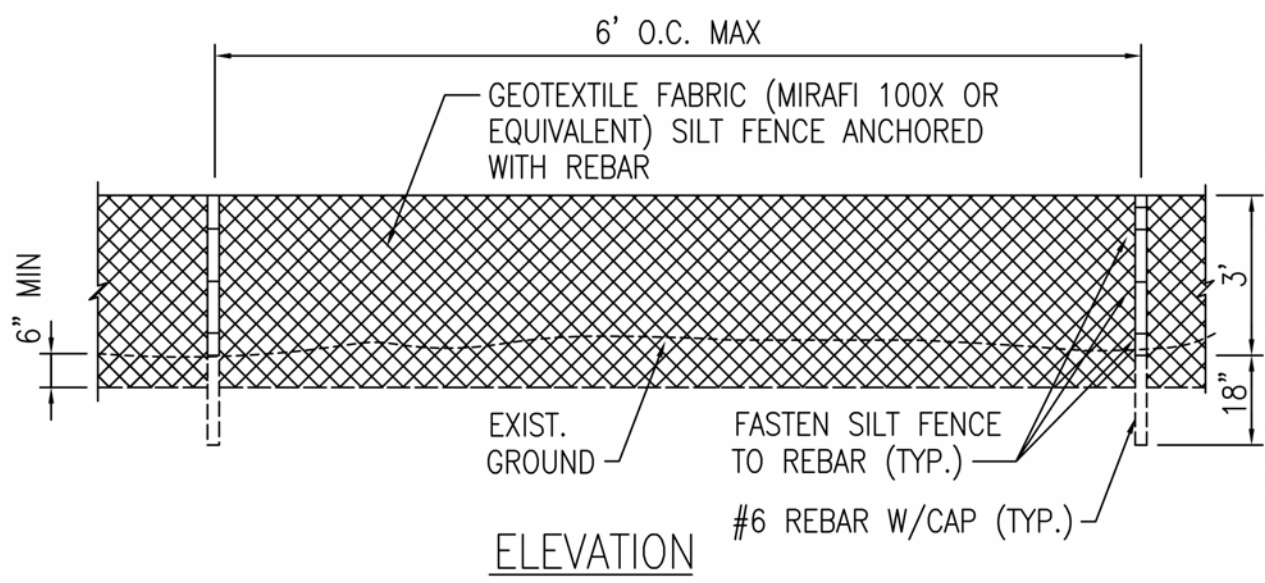


SITE / REVEGETATION PLAN

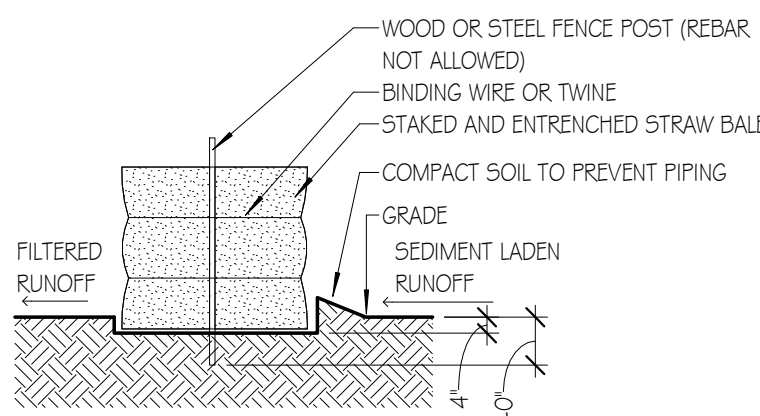
ISSUE DATE
11/13/2023

1

Symbol Legend	Revegetation Seed Mix (RECOMMENDED)		
	FOOTHILLS SEED MIX		
	COMMON NAME	VARIETY	% OF MIX
	BLUE GRAMA	NATIVE, ALMA, OR HACHITA	15%
	SIDE OATS GRAMA	VRAUGHN	10%
	SLENDER WHEATGRASS	SAN LUIS	20%
	WESTERN WHEATGRASS	ARRIBA	10%
	WESTERN WHEATGRASS	NATIVE	10%
	SWITCHGRASS	BLACKWILL OR NEBRASKA 28	7%
	JUNEGRASS	NATIVE	10%
	LITTLE BLUESTEM	COMARRON OR PASTURA	8%
	GREEN NEEDLEGRASS	LOOORM OR NATIVE	10%
	TOTAL:		100%
	PLS= PURE LIVE SEED		



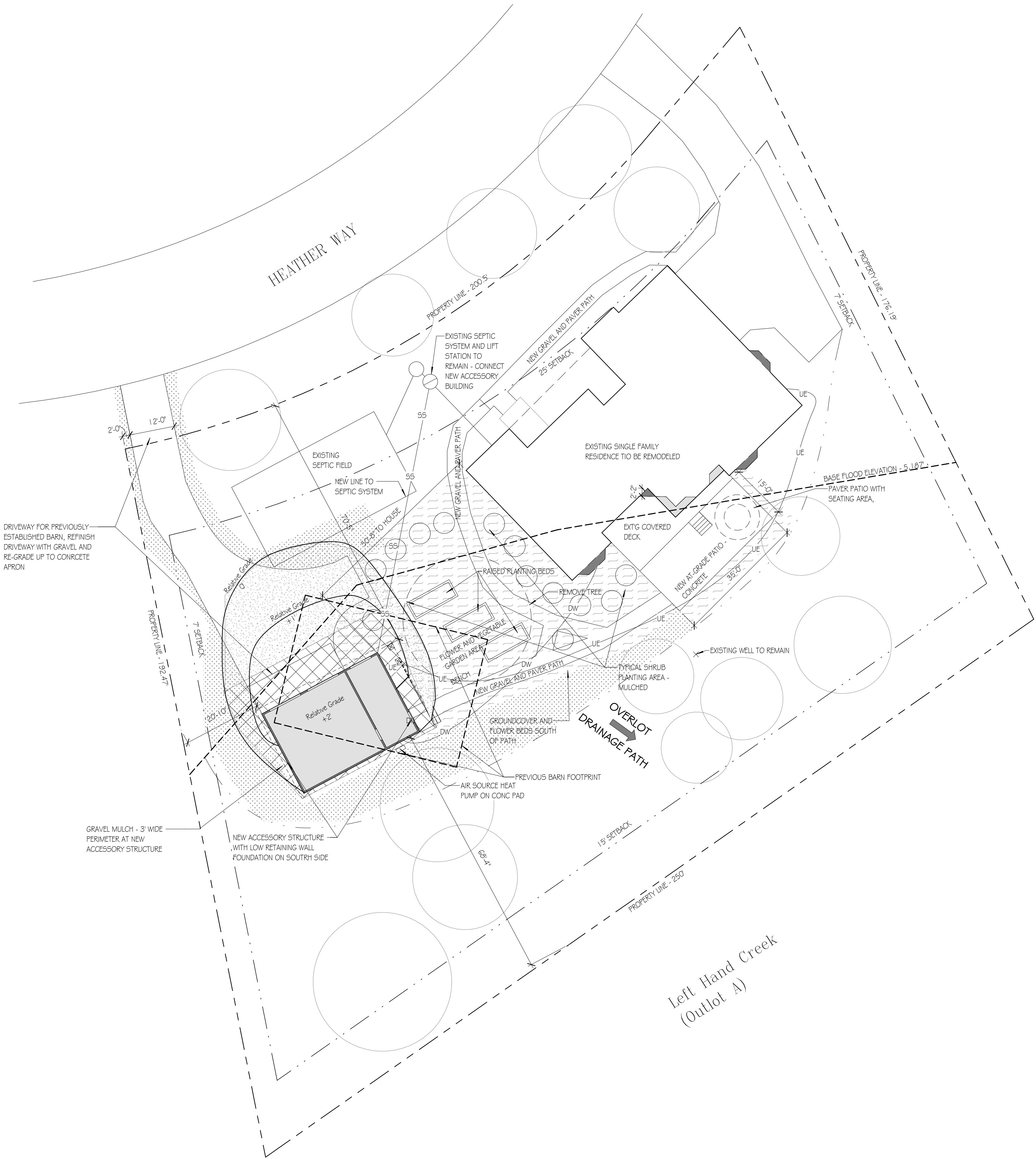
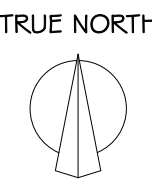
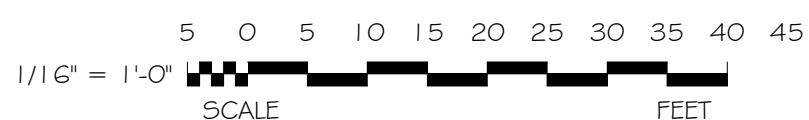
3 SILT FENCE
1/4" = 1'-0"



STRAW BALE DIKE INSTALLATION DETAILS

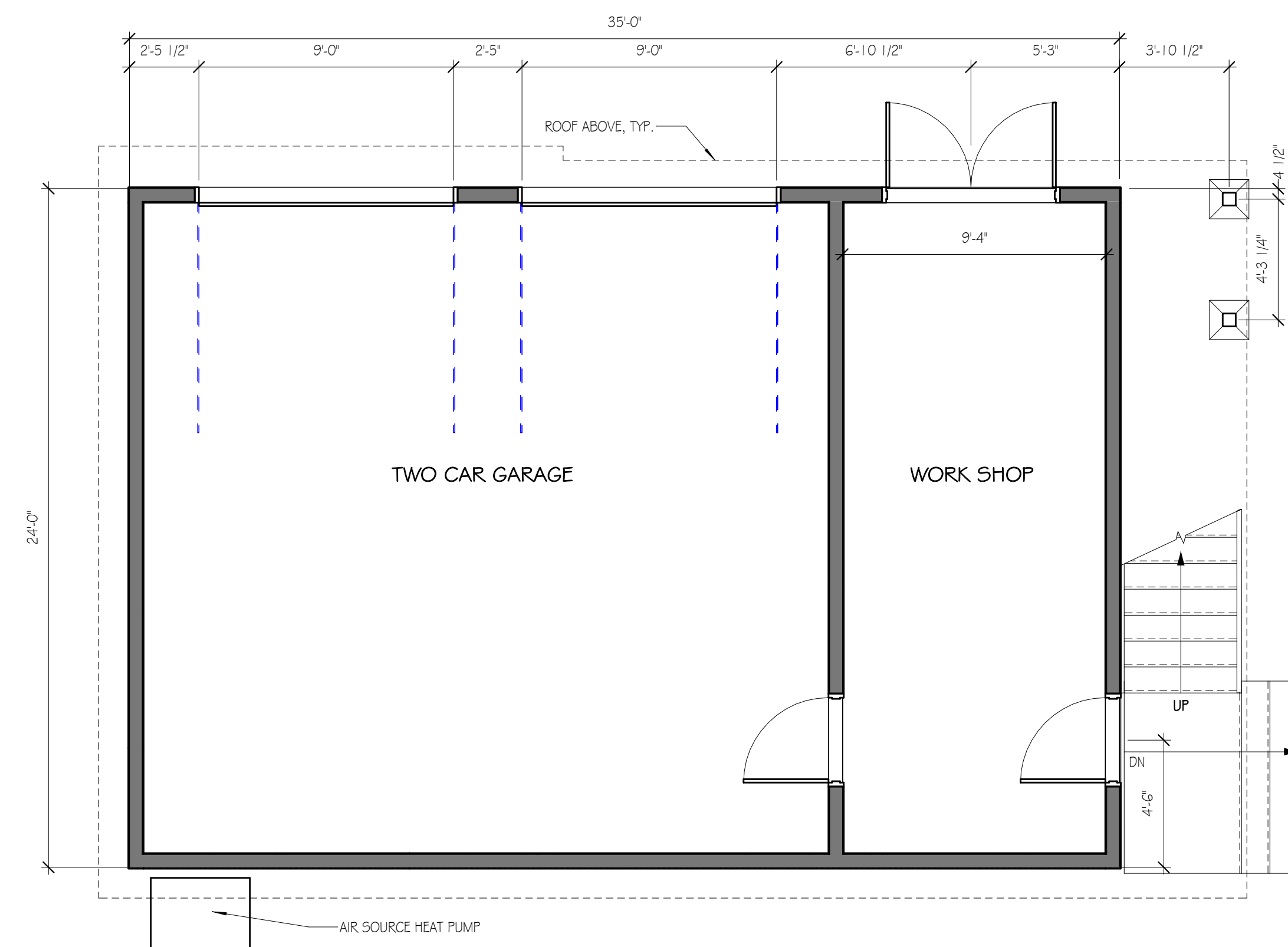
1. BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR, AND IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 4', AND PLACE SO THE STRING OR WIRE IS HORIZONTAL.
3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO STAKES DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARDS THE PREVIOUSLY Laid BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE TOP OF THE BALE.
4. BARRIERS MUST BE IN PLACE BEFORE SCHEDULING FIRST BUILDING INSPECTION.
5. BARRIER MUST BE MAINTAINED AND REMAIN UNTIL VEGETATION HAS ESTABLISHED.

2 STRAW BALE
1/4" = 1'-0"

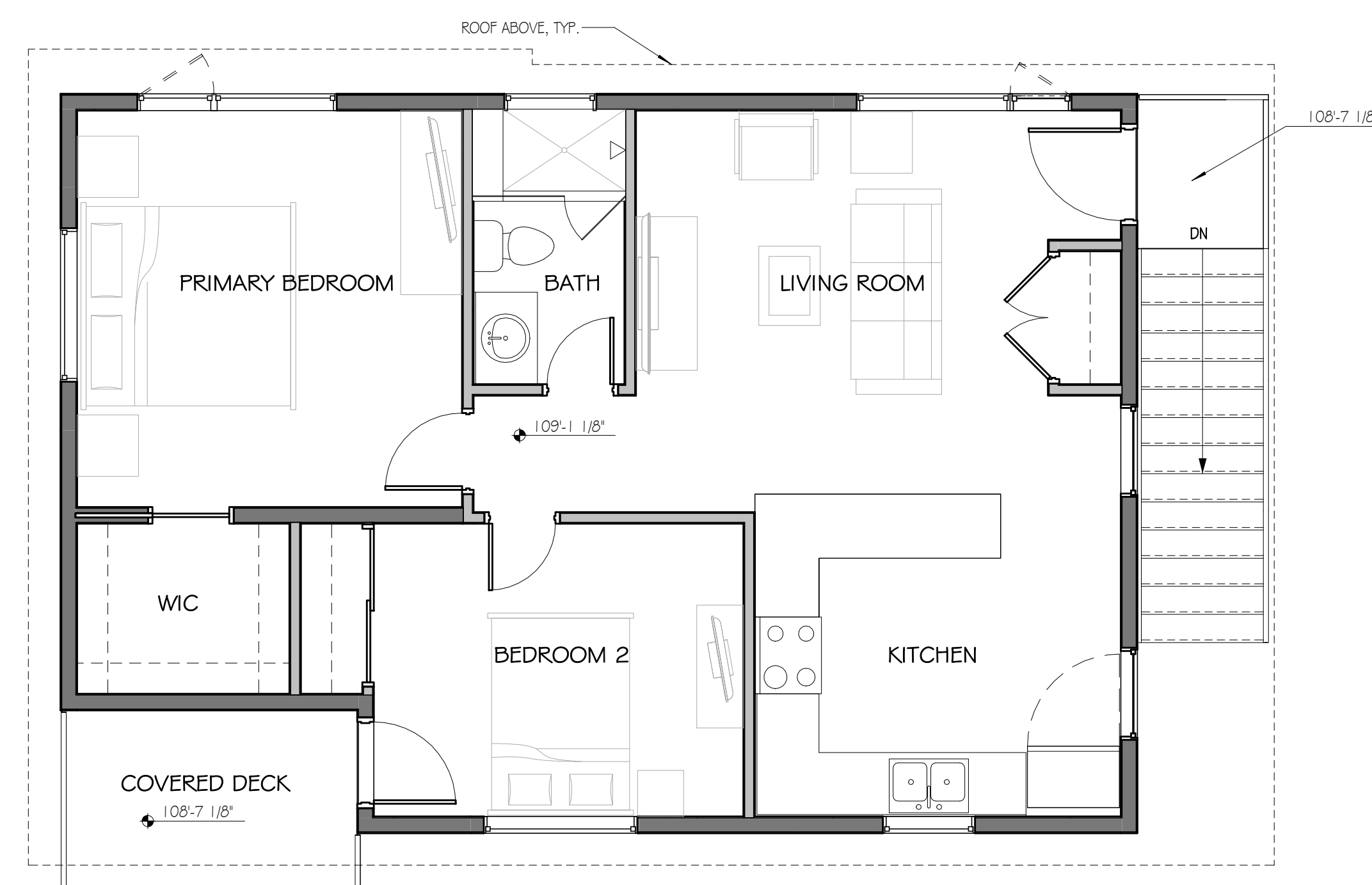


1 Site Plan
1/16" = 1'-0"

PISCOPIO FAMILY RESIDENCE
REMODEL EXISTING RESIDENCE AND BUILD NEW ACCESSORY STRUCTURE

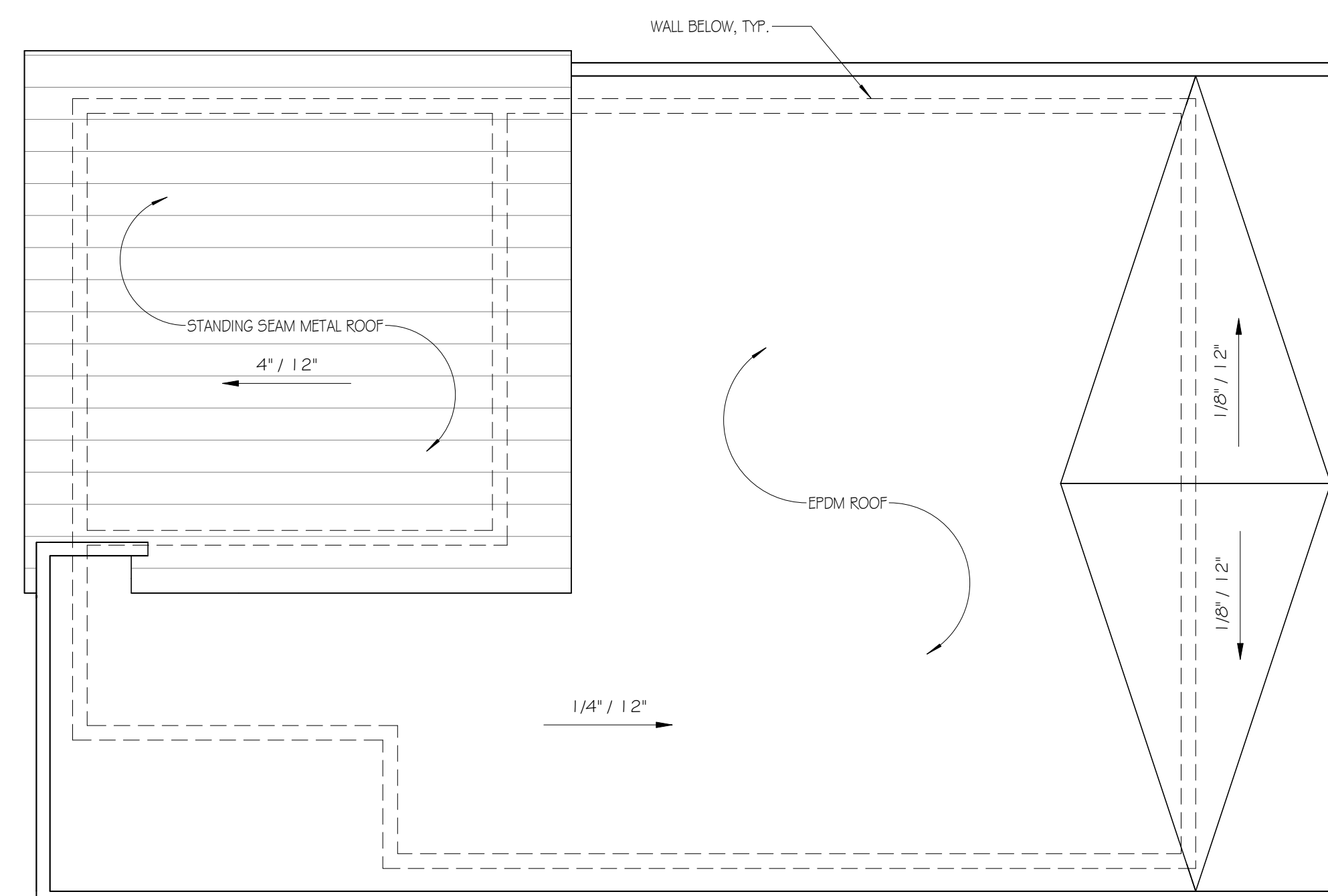


1 *Main Floor Plan*
1/4" = 1'-0"

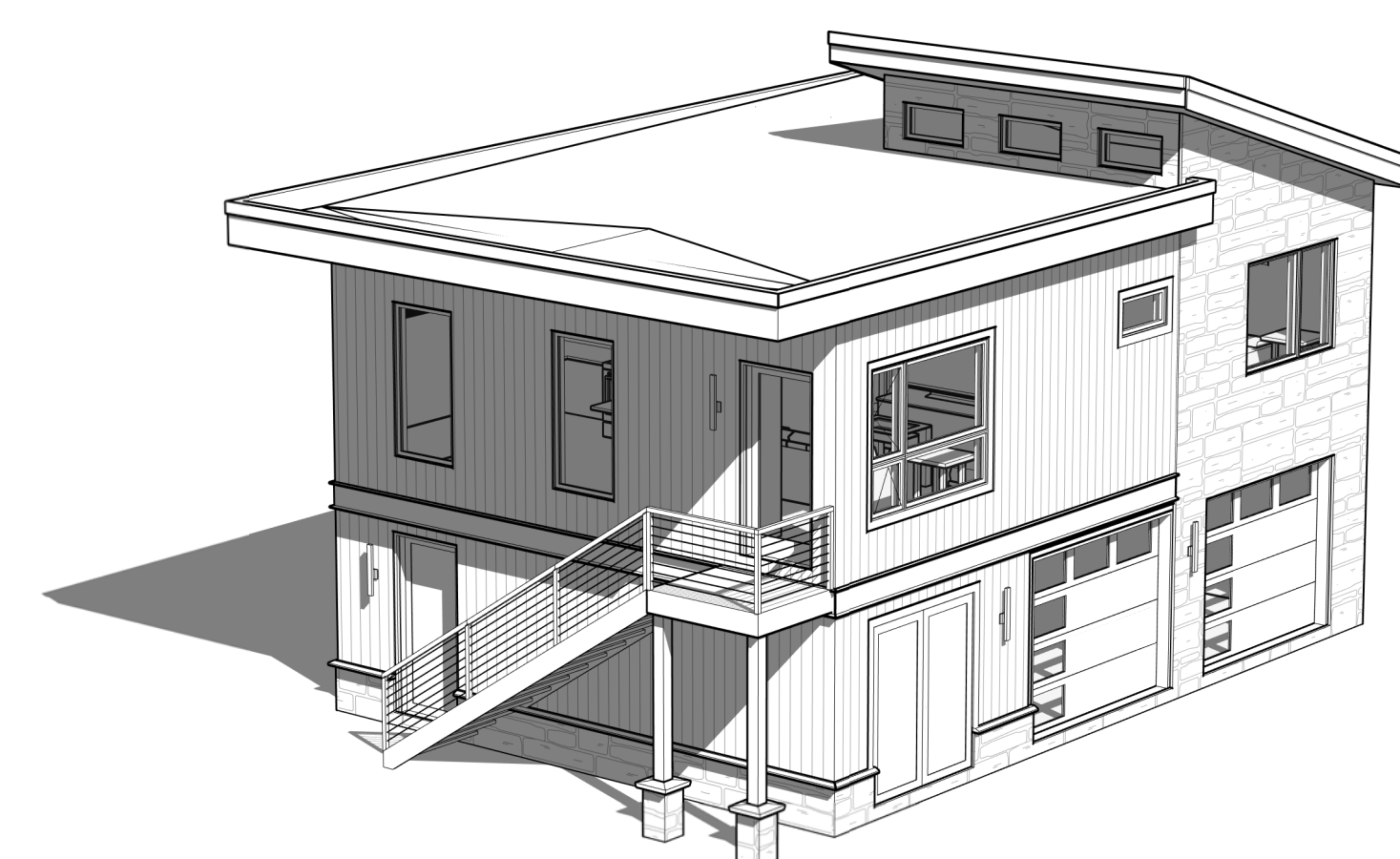


2 Upper Floor Plan
1/4" = 1'-0"

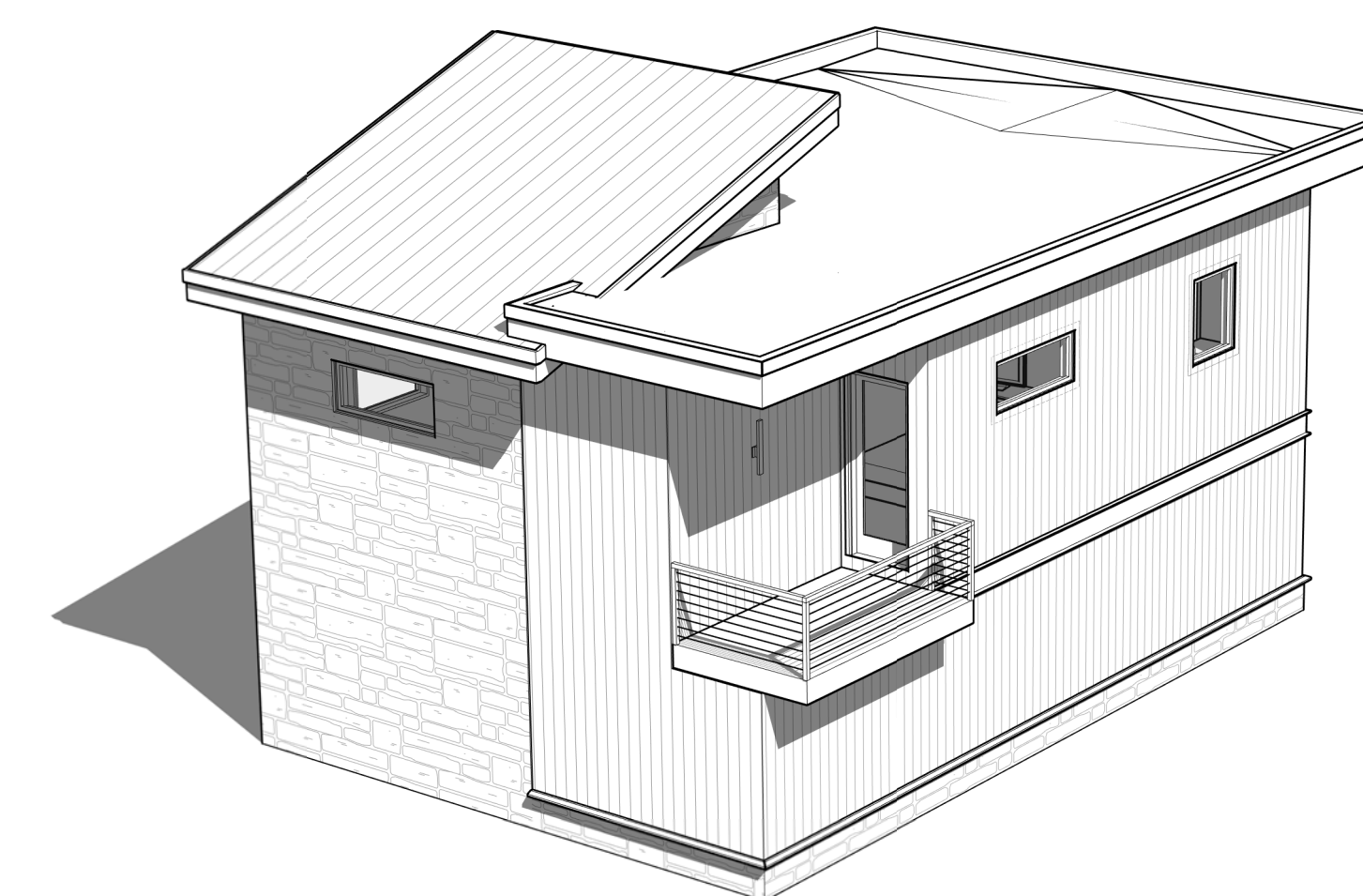
NOT APPROVED



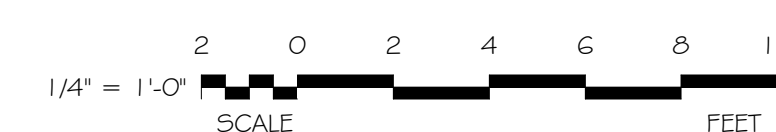
3 *Roof Plan*
1/4" = 1'-0"



4 North West Perspective

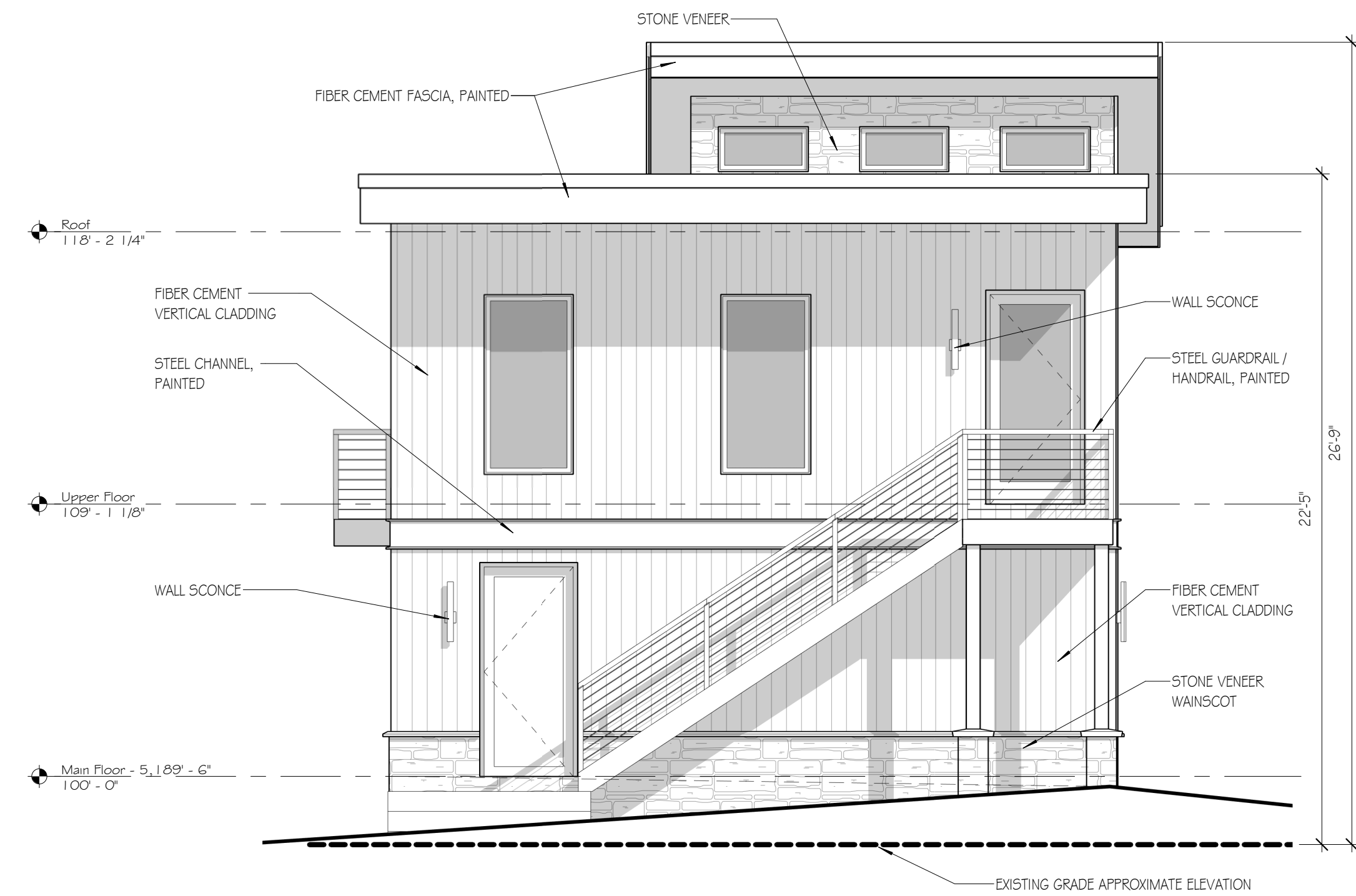


5 *South East Perspective*



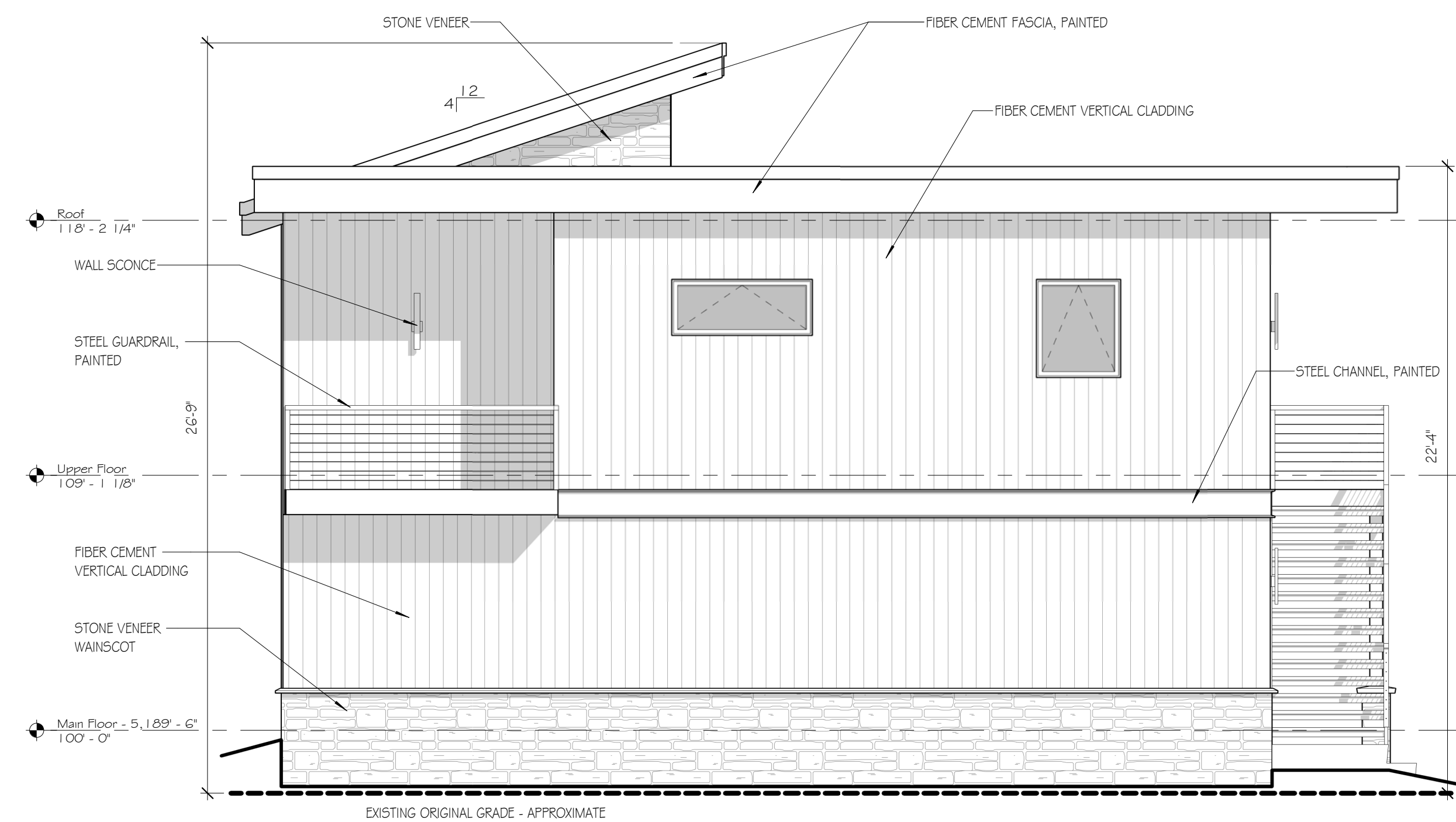


1 North Exterior Elevation
1/4" = 1'-0"

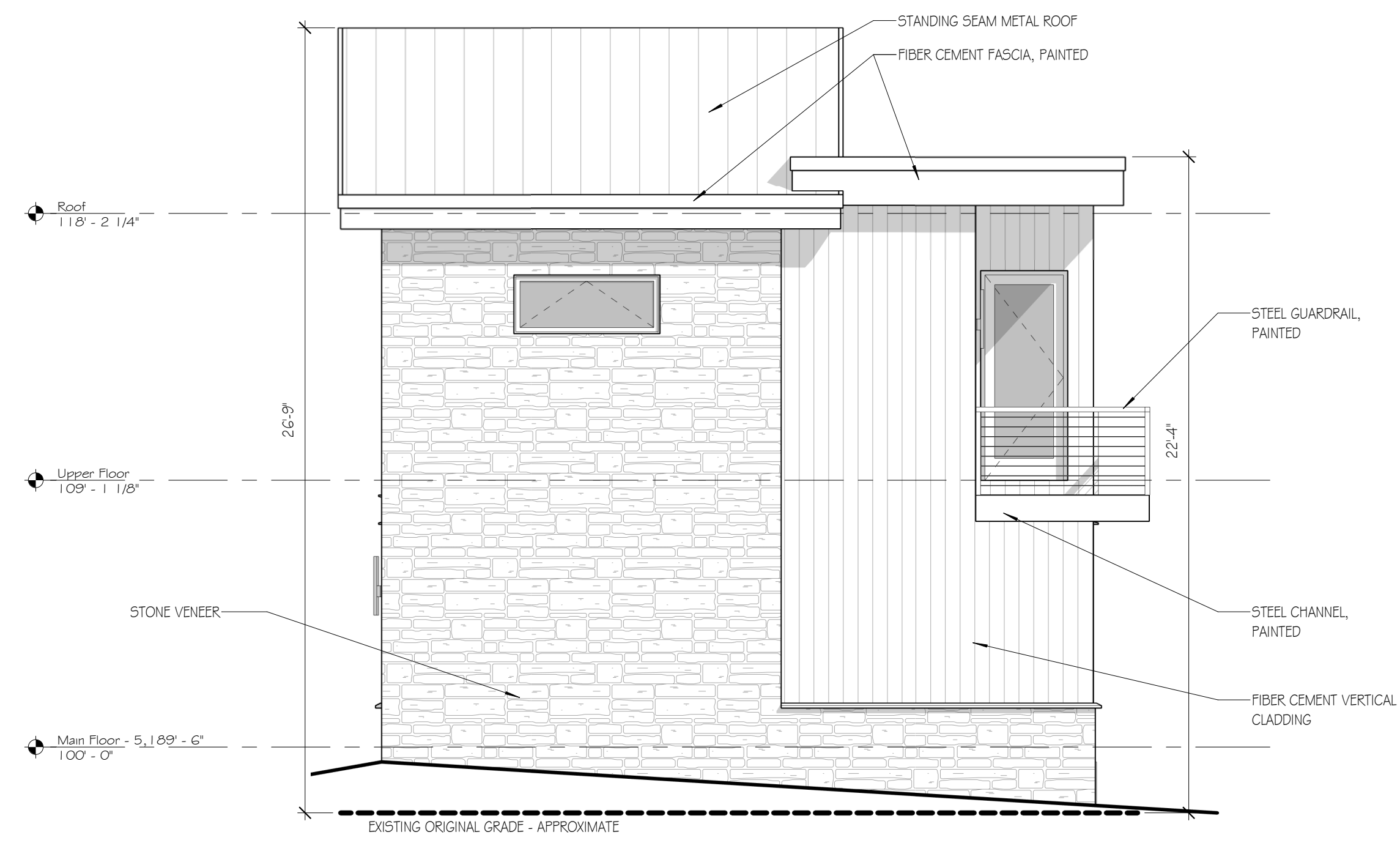


2 East Exterior Elevation
1/4" = 1'-0"

NOT APPROVED

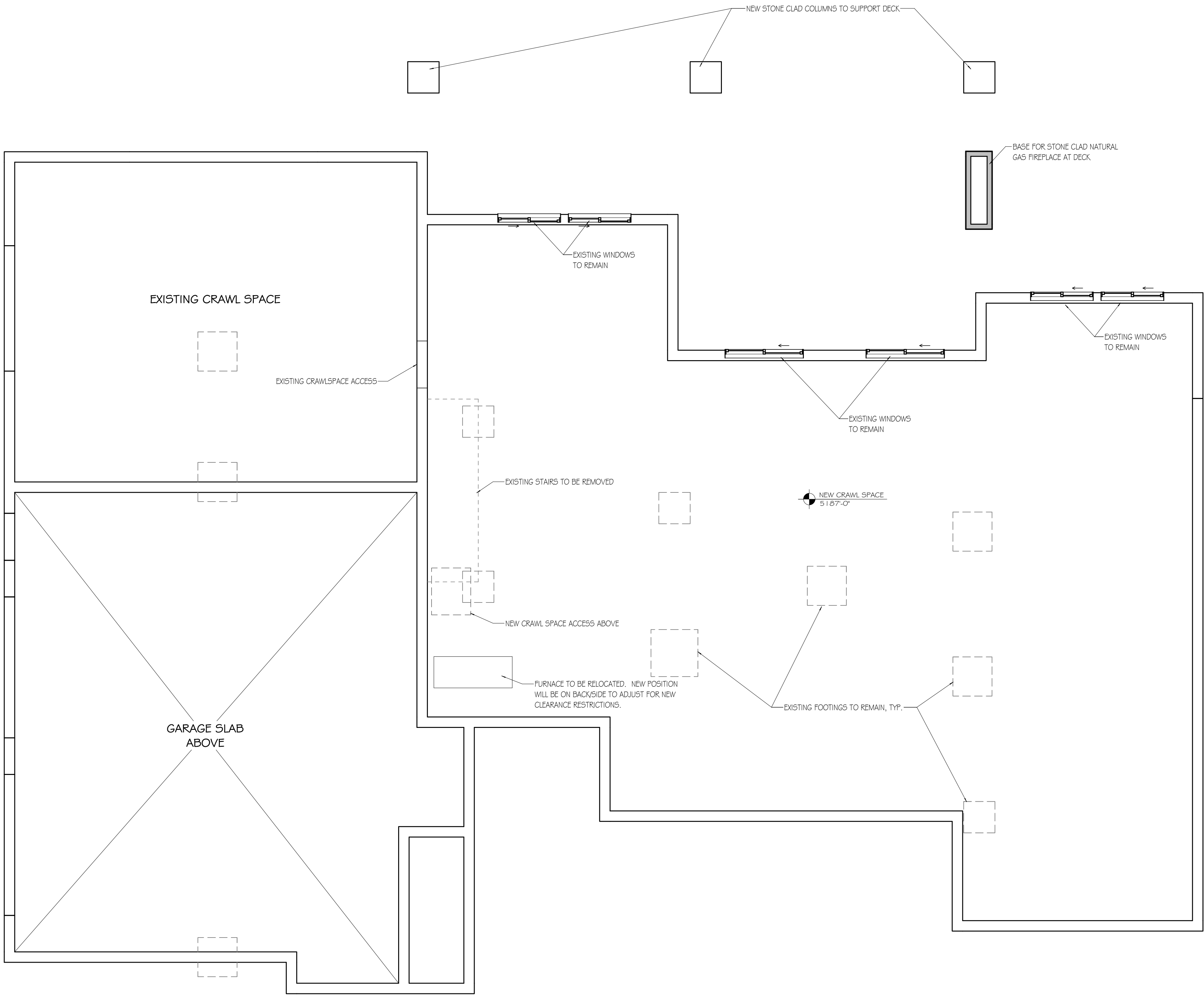


3 South Exterior Elevation
1/4" = 1'-0"

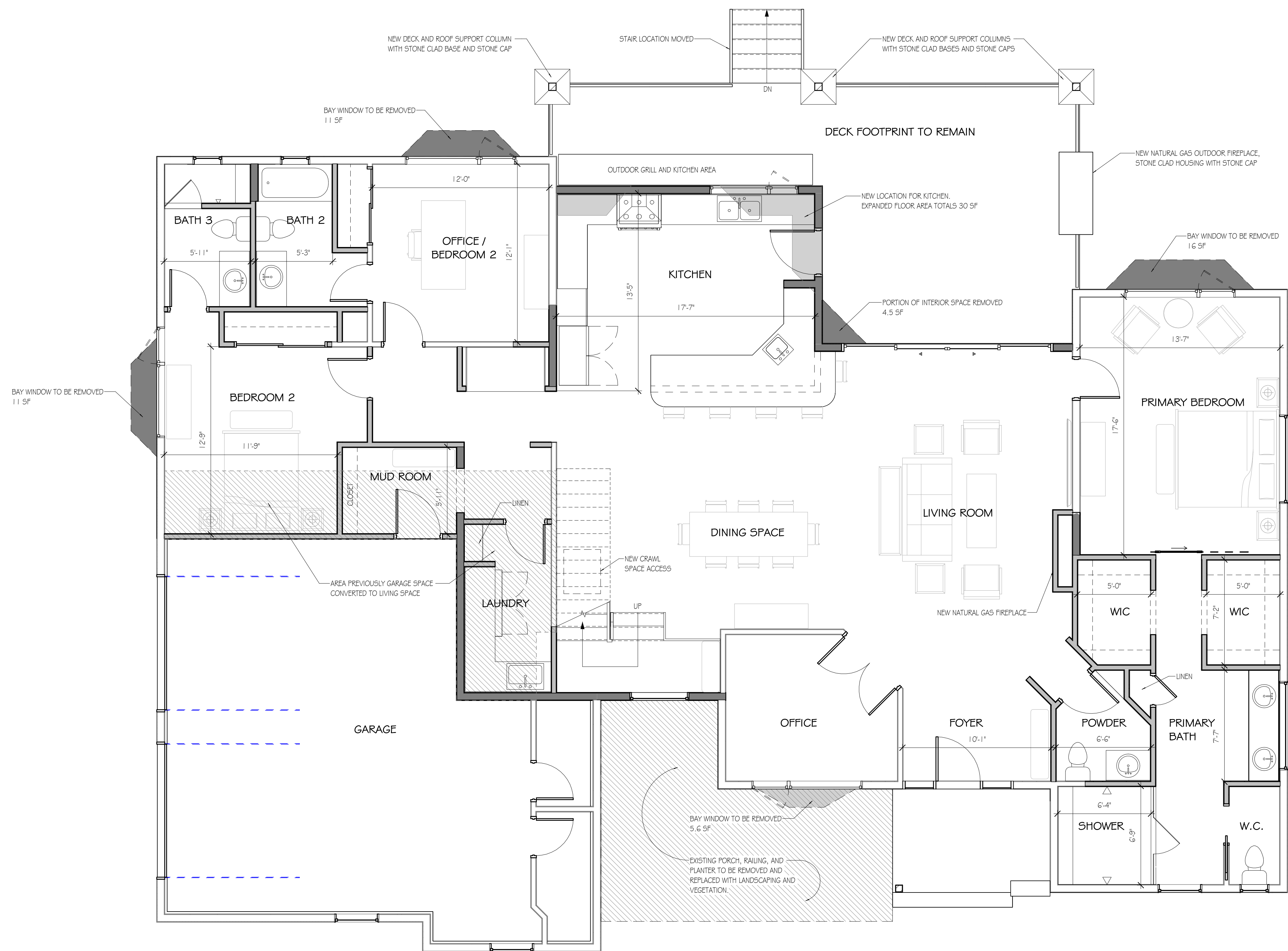


4 West Exterior Elevation
1/4" = 1'-0"

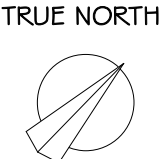
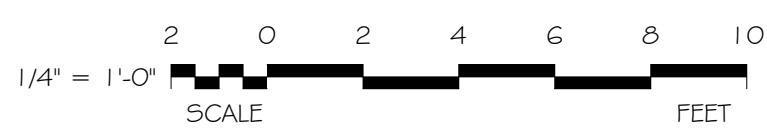


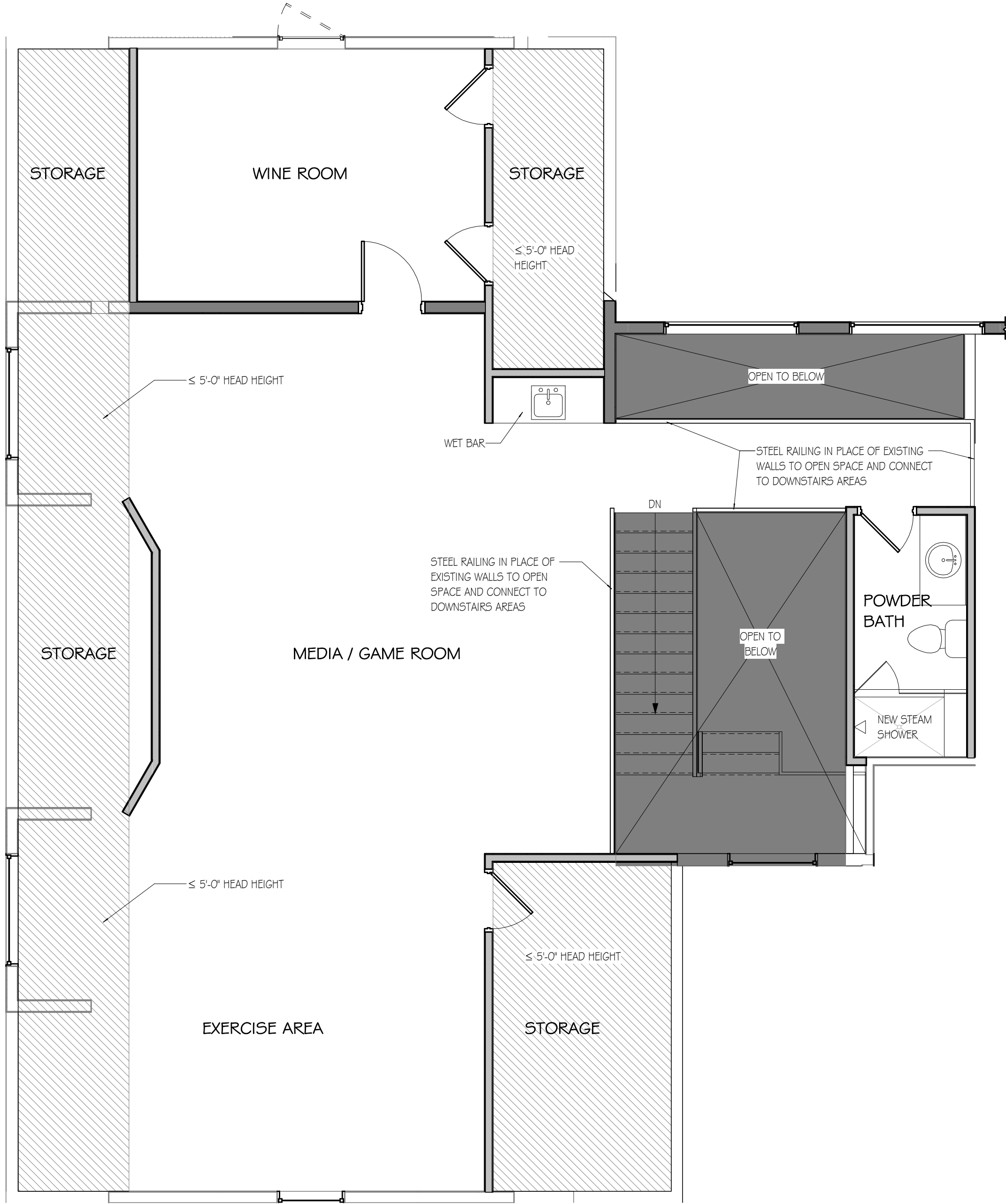


NOTE:
LEVEL OF CRAWL SPACE TO BE BUILT UP TO USGS 51'67'-0" TO REMOVE AREA FROM FLOODPLAIN LEVEL. CRAWLSPACE ACCESS WILL BE AT LOCATION SHOWN AND EXISTING FURNACE WILL BE MOVED TO IMMEDIATE VICINITY, AND LAIN ON SIDE TO ACCOUNT FOR NEW, LOW CLEARANCE SPACE.

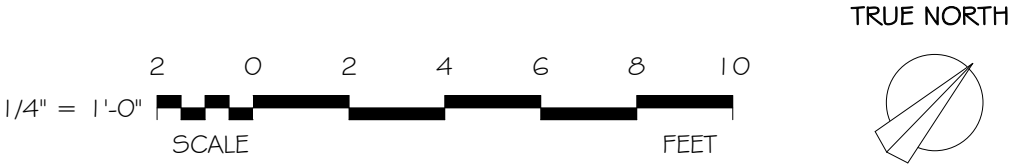


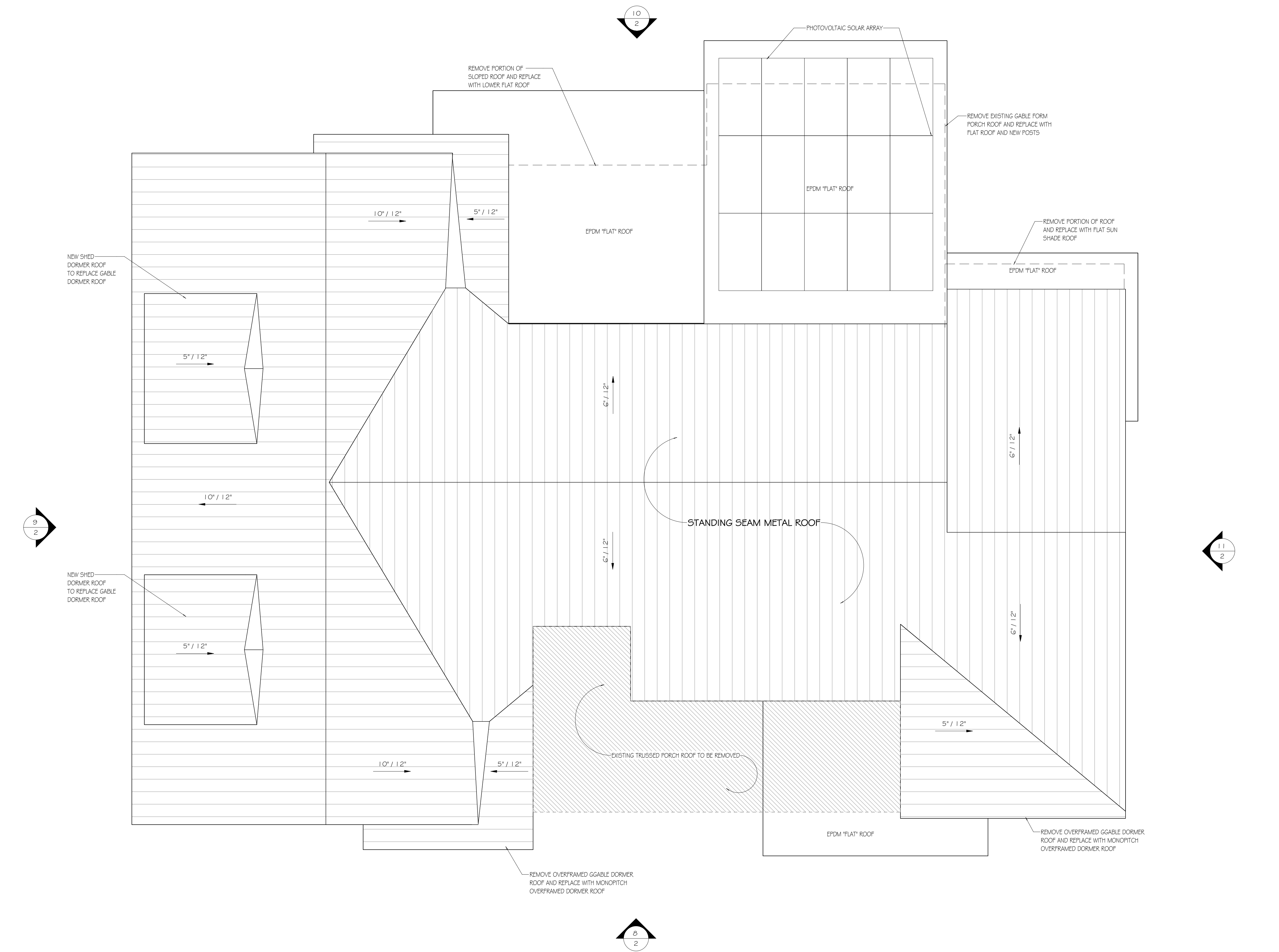
1 Main Floor Plan
1/4" = 1'-0"





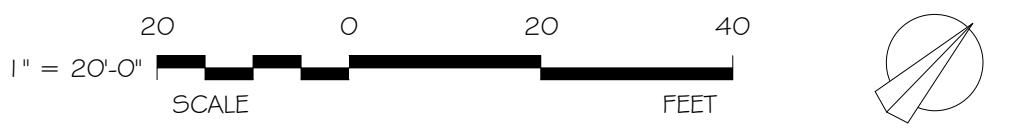
1 Upper Floor Plan
1/4" = 1'-0"





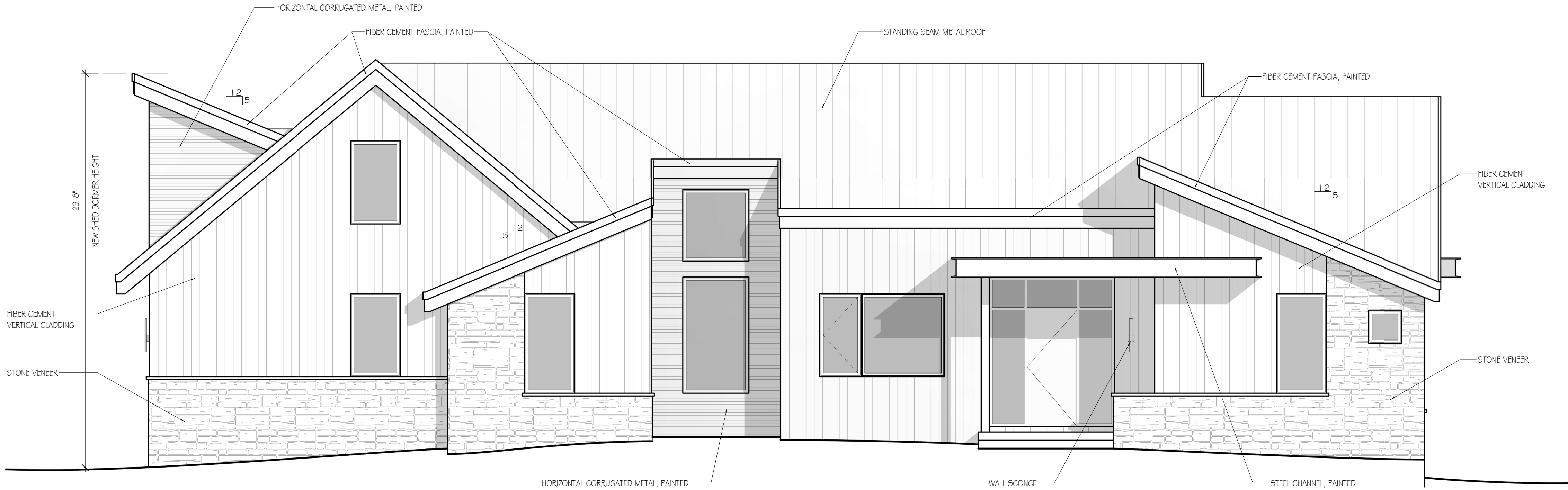
1 *Roof Plan*
1/4" = 1'-0"

PISCOPIO FAMILY RESIDENCE
REMODEL EXISTING RESIDENCE AND BUILD NEW ACCESSORY
STRUCTURE





1 Existing North Exterior Elevation
1/4" = 1'-0"

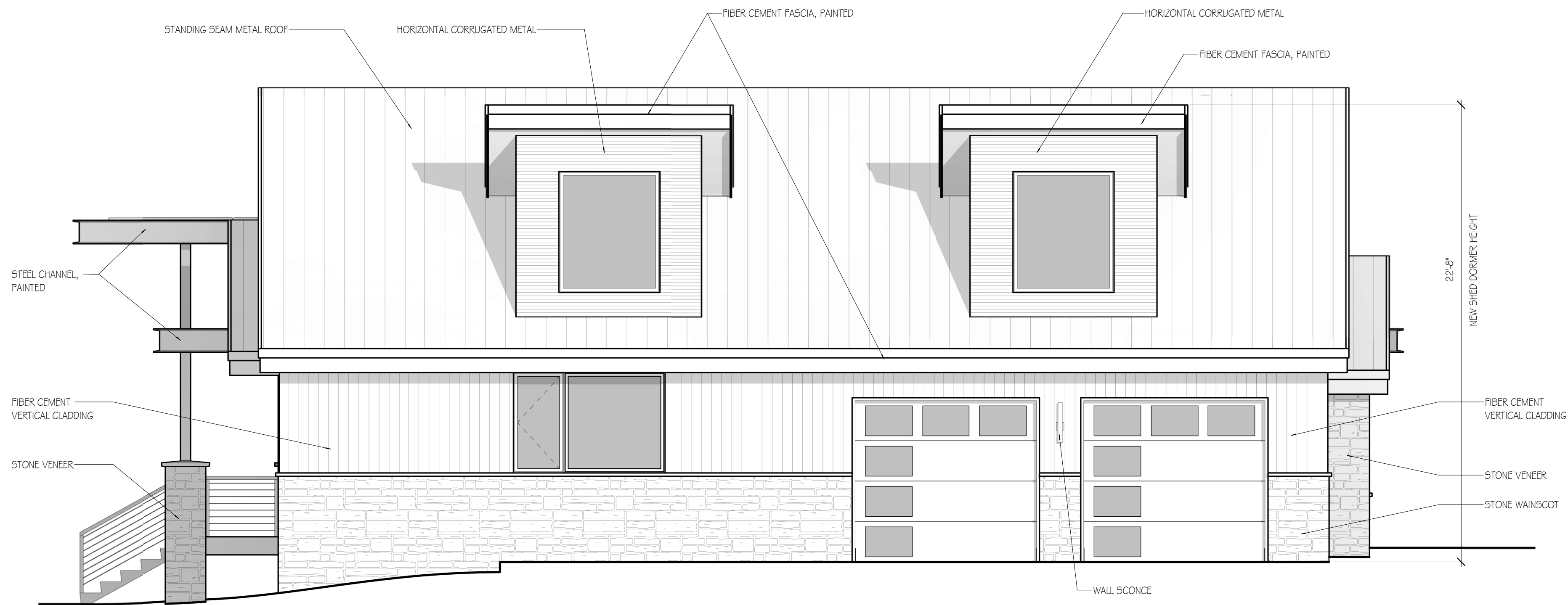


2 Proposed North Exterior Elevation
1/4" = 1'-0"





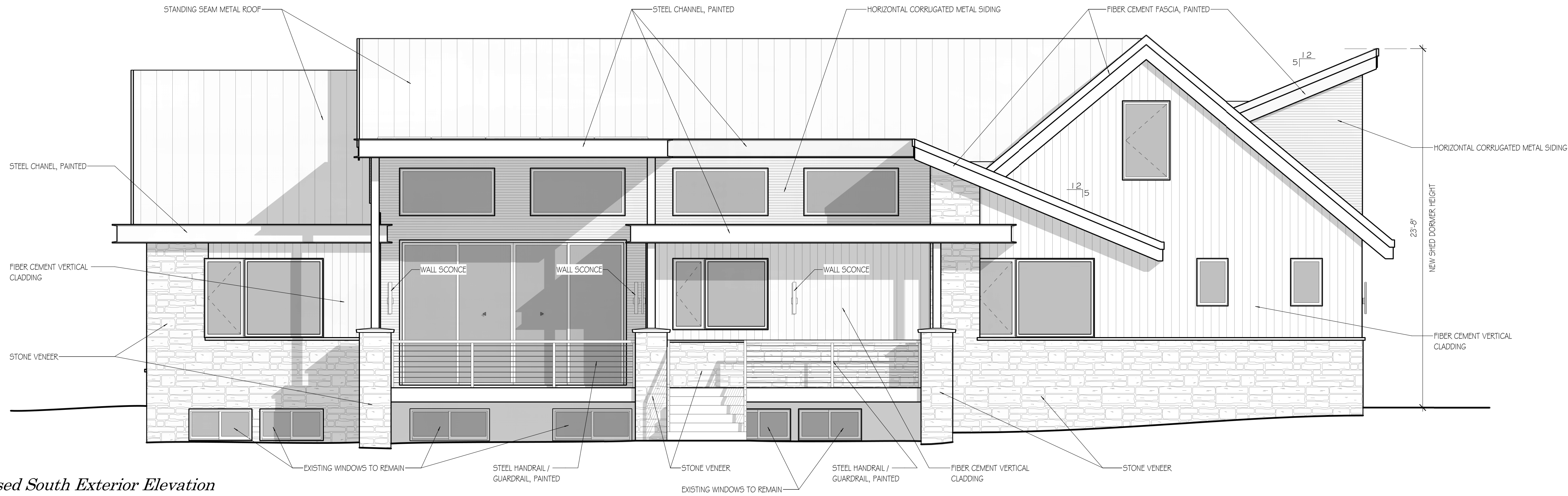
1 Existing East Exterior Elevation
1/4" = 1'-0"



2 Proposed East Exterior Elevation
1/4" = 1'-0"

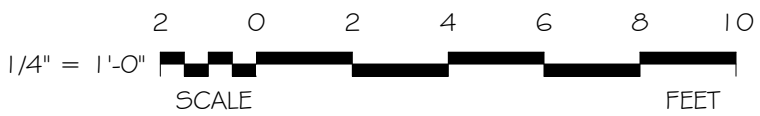


1 Existing South Exterior Elevation
1/4" = 1'-0"



2 Proposed South Exterior Elevation
1/4" = 1'-0"

PISCOPIO FAMILY RESIDENCE
REMODEL EXISTING RESIDENCE AND BUILD NEW ACCESSORY
STRUCTURE

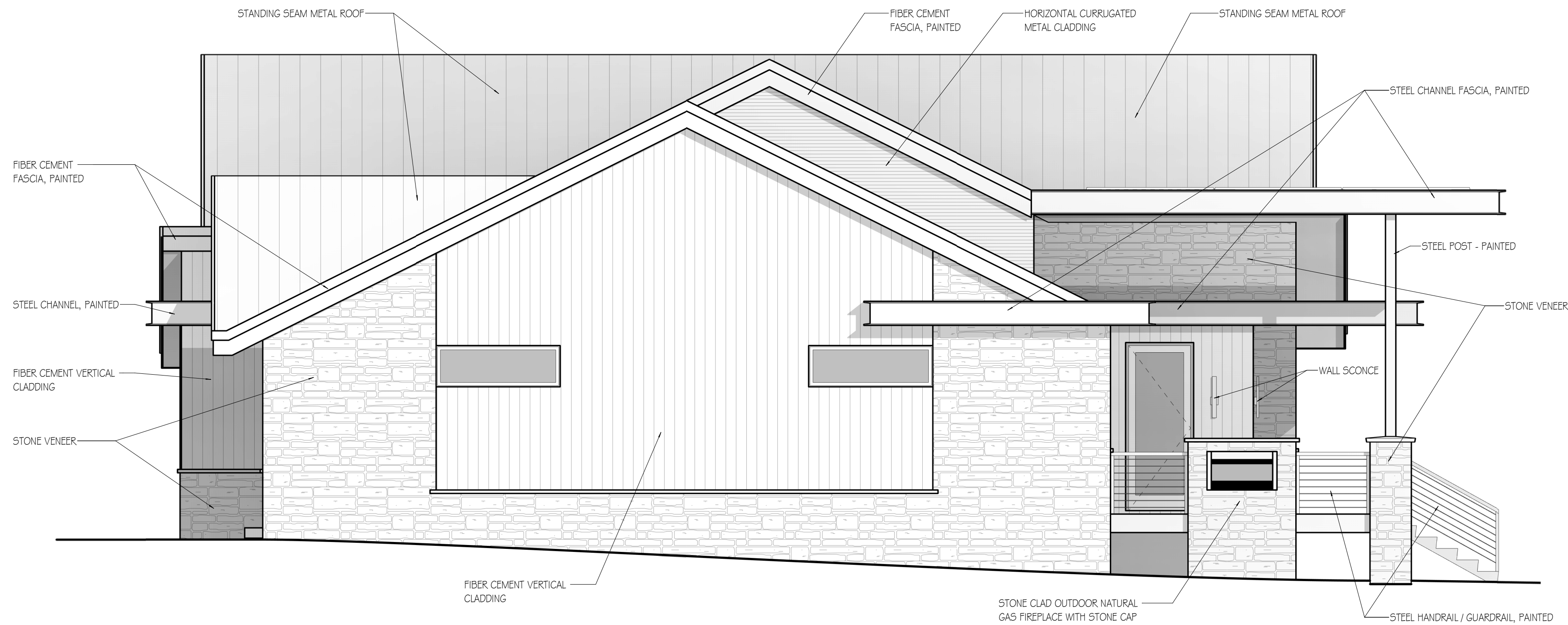


RESIDENCE SOUTH
EXTERIOR
ELEVATIONS

ISSUE DATE
11/13/2023



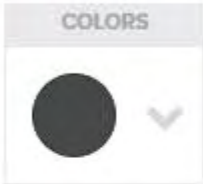
1 Existing West Exterior Elevation
1/4" = 1'-0"



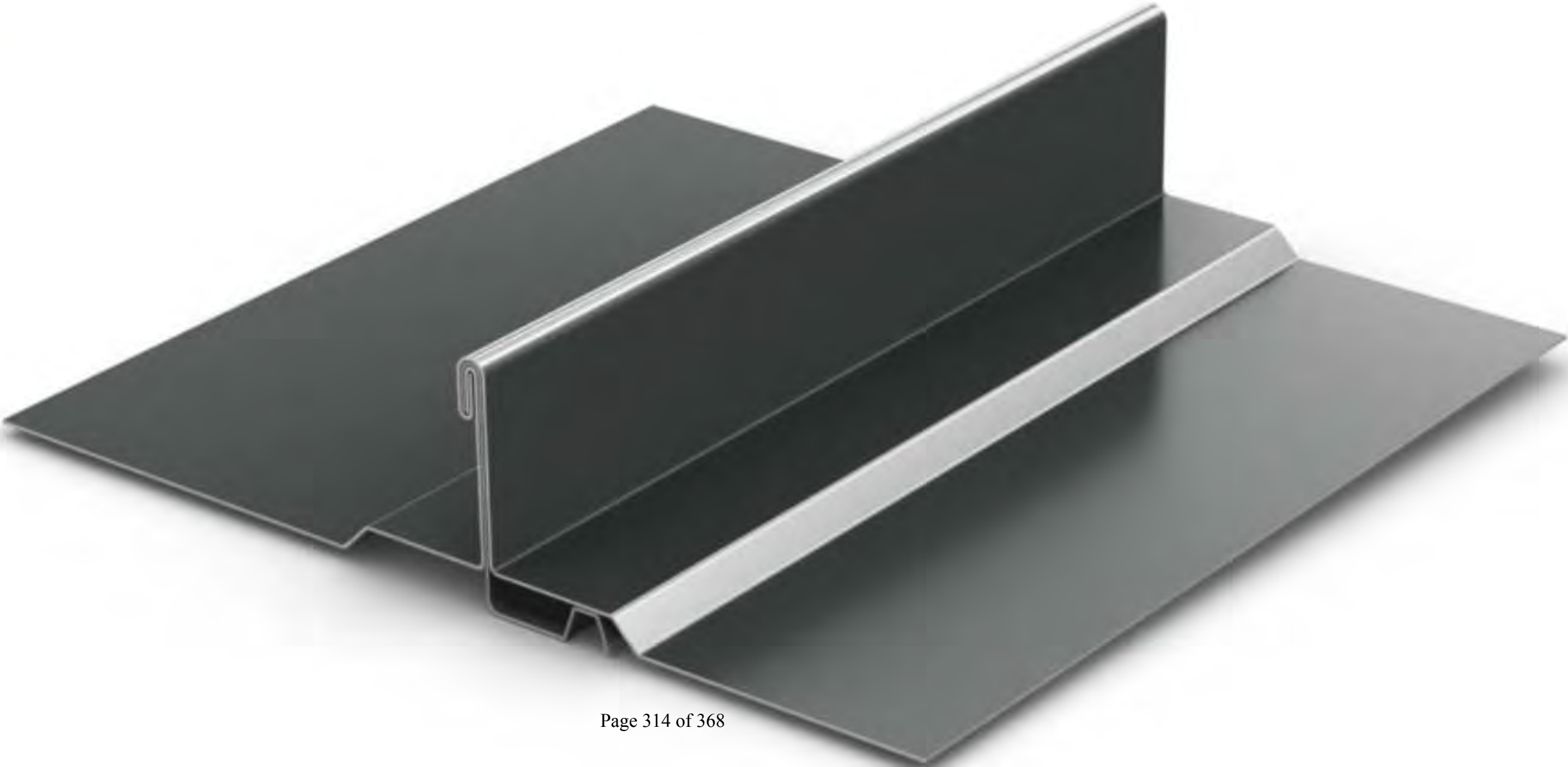
2 Proposed West Exterior Elevation
1/4" = 1'-0"



- PRODUCT INFO
- PROFILES
- TECHNICAL
- DOWNLOADS
- GENERAL
- ACCESSORIES



COLORS



ATTACHMENT B



Black Rundle Limestone



Print this page

Yoga Rectangular LED Outdoor Wall Sconce

By Abra

Yoga Rectangular LED Outdoor Wall Sconce

By Abra

Product Options

Finish: Matte Black

Details

Mounts to a 4 inch octagonal junction box
 Material: Steel
 Shade Material: Frosted Acrylic
 Dimmable when used with a Electronic low voltage (ELV)
 Dimmer (Not Included)
 ADA compliant
 ETL Listed Wet
 Marine Grade
 Made In China

Dimensions

Backplate: Width 4.53", Height 4.53"

Fixture: Width 4.53", Height 24", Depth 3.18", Weight 12Lbs

Lighting

Lamp Type	LED Built-in
Total Lumens	1785
Total Watts	28.00
Volts	120
Color Temp	3000 (Soft White)
Average Lifespan (Hours)	50,000
CRI	90
Equivalent Halogen, CFL or LED Bulb Can Be Used	No

Additional Details

Product URL:

<https://www.lumens.com/yoga-rectangular-led-outdoor-wall-sconce-by-abra-ABA1926480.html>

Rating: ETL Listed Wet

ITEM#: ABA1926480



Notes:

Prepared
by:

Prepared for:
Project:
Room:
Placement:
Approval:

ELEVATION CERTIFICATE

FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No 1047-0077
Expires May 31, 1991

ATTENTION: Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Instructions for completing this form can be found on the following pages.

SECTION A PROPERTY INFORMATION

BUILDING OWNER'S NAME <u>DUANE AND RUTH BACON</u>	FOR INSURANCE COMPANY USE
STREET ADDRESS (including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>5986 HEATHER WAY</u>	POLICY NUMBER
OTHER DESCRIPTION (Lot and Block Numbers, etc.) <u>LOT 7 BRIGADOON GLEN</u>	COMPANY NAIC NUMBER
CITY <u>BOULDER COUNTY</u>	STATE <u>COLO</u>
	ZIP CODE <u>80503</u>

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM (See Instructions):

1. COMMUNITY NUMBER <u>080023</u>	2. PANEL NUMBER <u>0405</u>	3. SUFFIX <u>F</u>	4. DATE OF FIRM INDEX <u>JUNE 2, 1995</u>	5. FIRM ZONE <u>AE</u>	6. BASE FLOOD ELEVATION (In AO Zones, use datum) <u>5187.0</u>
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7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☒ NGVD '29 ☐ Other (describe on back)
8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate a community's BFE: _____ feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION C BUILDING ELEVATION INFORMATION

- Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level: 8. DW
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation OK of 5191.0 feet NGVD (or other FIRM datum—see Section B, Item 7).
- (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of _____ feet NGVD (or other FIRM datum—see Section B, Item 7).
- (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is _____ feet above _____ or below _____ (check one) the highest grade adjacent to the building.
- (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is _____ feet above _____ or below _____ (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: ☒ NGVD '29 ☐ Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: ☐ Yes ☒ No (See Instructions on Page 4)
5. The reference level elevation is based on: ☒ actual construction ☐ construction drawings
(NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. Elevation of the lowest grade immediately adjacent to the building is: OK 5186.10 feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION D COMMUNITY INFORMATION

- If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: _____ feet NGVD (or other FIRM datum—see Section B, Item 7)

PERMIT NUMBER: 96-7 FP
 BUILDING PERMIT # 96-744
**BOULDER COUNTY
FLOODPLAIN/FLOODWAY DEVELOPMENT PERMIT**
DATE: 5/29/96EFFECTIVE DATE: 5/29/96

1. Applicant Information

 Name: DVANE AND RUTH BACON Phone: 651-0165
 Address: 6099 BRIGADOON DRIVE
LONGMONT, CO 80503 530-3969

2. Engineers Information

 Name: NONE Phone: _____
 Address: _____

3. Location of Development

 Name of Water Course: LEFT HAND CREEK
 Floodplain Station No.: STA 451+80 (AT CROSS SECTION #95)

4. Description of Development

NEW SFR AT 6000 HEATHER WAY, LOT 7 BRIGADOON GLEN
100 YEAR FLOOD WATER SURFACE ELEVATION = 5187 FT.
LOWEST FLOOR MUST BE AT FLOOD PROTECTION ELEVATION 5189 FT.
FEMA ELEV. CERTIFICATE MUST BE COMPLETED BY PLS PRIOR
TO CERT. OF OCCUPANCY (BLANK COPY ATTACHED)

5. Checklist

- (☒) a. Location map (2000' scale U.S.G.S. topo)
- () b. Development plan stamped by a Colorado Registered Professional Engineer addressing those items set forth in Section 24-602.9 of the Boulder County **Floodplain Regulations**.
- () c. Valley cross-section at site
- (☒) d. Construction and material specifications
- () e. Description of extent to which water course will be altered
- () f. Title report for Floodway Permit
- () g. Floodway analysis (if required)
- () h. Engineering report addressing those standards set forth in Section 24-603 of the Boulder County **Floodplain Regulations**
- () i. Floodway Permit advertised (proof attached)

6. I/We hereby acknowledge and agree to the above design conditions, requirements and floodplain revisions.

Dvane & Bacon
 OWNER'S SIGNATURE

\$50.00 FEE PAID

CHECK DATED 7/16/96APPROVED ON: 5/29/96
DATE
 BY: Curt Parker
 FLOODPLAIN ADMINISTRATOR



Post Office Box 471 • Boulder, Colorado 80306

Transportation Department

2045 13th Street • Boulder, Colorado 80302 • (303) 441-3900 • FAX (303) 441-4594

To: Philip Anderson, ISO/CRS Specialist

From: Dave Webster, P.E., Water Resources Engineer *DN*

Subject: Correction of Elevation Certificate for Bacon Residence, 5986 Heather Way, Longmont, Colorado 80503.

Date: May 7, 2001

Based on a site visit on May 7, 2001 and a follow-up discussion with the property owner, the following information was obtained:

PROPERTY ADDRESS: The address noted on the original certificate was incorrect. The correct address is provided on the attached corrected certificate.

DIAGRAM NUMBER: The structure on the property consists of a building (single family residence) in which the main floor was constructed above an unfinished space (crawl space), and most closely resembles a **Diagram Number 8**, rather than the Diagram Number 7. The certificate has been corrected to reflect this.

REFERENCE FLOOR: The structure's reference floor elevation remains 5191.0' NGVD, or 4.0 feet above the determined Base Flood Elevation of 5187.0' NGVD.

LOWEST ADJACENT GRADE (Section C6): A site visit revealed a steady drop in grade from the front of the structure to the rear, which is nearest to the Lefthand Creek. However, the lowest adjacent grade (LAG) of 5186.0' NGVD appears correct.

c: File: Elevation Certificates
File: CRS

ELEVATION CERTIFICATE

FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM

ATTENTION: Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Instructions for completing this form can be found on the following pages.

SECTION A PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
BUILDING OWNER'S NAME <u>DUANE AND RUTH BACON</u>	POLICY NUMBER	
STREET ADDRESS (including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>6000 HEATHERWAY</u>	COMPANY NAIC NUMBER	
OTHER DESCRIPTION (Lot and Block Numbers, etc.) <u>LOT 7 BRIGADOON GLEN</u>		
CITY <u>BOULDER COUNTY</u>	STATE <u>COLORADO</u>	ZIP CODE <u>80503</u>

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM (See Instructions):

1. COMMUNITY NUMBER	2. PANEL NUMBER	3. SUFFIX	4. DATE OF FIRM INDEX	5. FIRM ZONE	6. BASE FLOOD ELEVATION (in AO Zones, use depth)
<u>080023</u>	<u>0405</u>	<u>F</u>	<u>JUNE 2, 1995</u>	<u>AE</u>	<u>5187.0</u>

7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☒ NGVD '29 ☐ Other (describe on back)
8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE: _____ feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION C BUILDING ELEVATION INFORMATION

- Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level: 7
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of 5191.0 feet NGVD (or other FIRM datum—see Section B, Item 7).
- (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of _____ feet NGVD (or other FIRM datum—see Section B, Item 7).
- (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is _____ feet above _____ or below _____ (check one) the highest grade adjacent to the building.
- (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is _____ feet above _____ or below _____ (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: ☒ NGVD '29 ☐ Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: ☐ Yes ☒ No (See Instructions on Page 4)
5. The reference level elevation is based on: ☒ actual construction ☐ construction drawings
(NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. The elevation of the lowest grade immediately adjacent to the building is: 5186.0 feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION D COMMUNITY INFORMATION

- If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: _____ feet NGVD (or other FIRM datum—see Section B, Item 7).
2. Date of the start of construction or substantial improvement _____

SECTION E CERTIFICATION

Certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

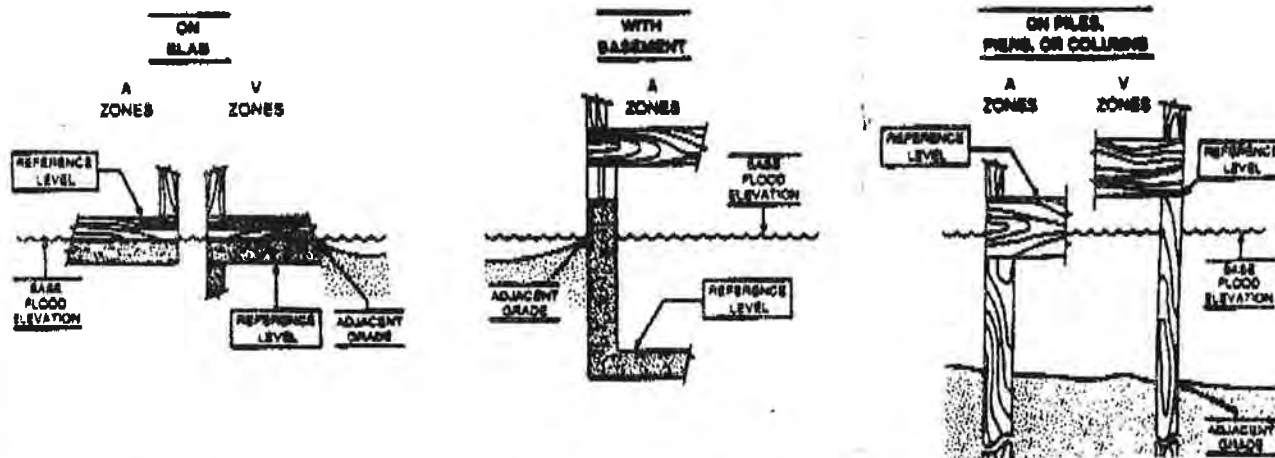
Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available.
I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME A. MICHAEL HASCALL LICENSE NUMBER (or AMI Seal) COLO 83560
TITLE PRESIDENT COMPANY NAME HASCALL SURVEYS INC.
ADDRESS 1132 N. MAIN ST CITY LONGMONT STATE CO ZIP 80501
SIGNATURE [Signature] DATE 8/23/96 PHONE 303 678 8324

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

COMMENTS:



The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones.

Elevations for all A Zones should be measured at the top of the reference level floor.

Elevations for all V Zones should be measured at the bottom of the lowest horizontal structural member.



Kyle Callahan
 Clearwater Design Studio
 2975 Valmont Road, Suite 100 Boulder CO 80301

October 6, 2023

Re: Piscopio Accessory building
 File Search No. 25733

At your request, the Office of Archaeology and Historic Preservation has conducted a search of the Colorado Inventory of Cultural Resources based on your specified search criteria (within the parcel boundary of the provided address), located in the following areas:

PM	T	R	S
6th	2N	70W	27

0 sites and 0 surveys were located in the search area(s).

If any site, district, building, structure, object, or survey area was identified within the search area, a spreadsheet of detailed information* accompanies this letter. Our records may not represent all cultural resources in Colorado, nor can they be considered comprehensive, as most of the state has not been surveyed for cultural resources. There is the possibility that as yet unidentified cultural resources exist within the proposed impact area.

This letter is not considered formal consultation under Section 106 of the National Historic Preservation Act (36 CFR 800) or the Colorado Register of Historic Places (CRS 24-80.1). In the event that there is federal or state agency involvement, please note that it is the responsibility of the agencies to meet the requirements of these regulations.

We look forward to consulting with you regarding the effect of the proposed project on significant cultural resources in accordance with the Advisory Council on Historic Preservation regulations titled "Protection of Historic Properties" or the Colorado Register of Historic Places, as applicable (<http://www.historycolorado.org/consultation-guidance>).

If you have any questions, please contact the Office of Archaeology and Historic Preservation at (303) 866-3392. Thank you for your interest in Colorado's cultural heritage.

Dawn DiPrince
 State Historic Preservation Officer

*Information regarding significant archaeological resources is excluded from the Freedom of Information Act. As such, legal locations of these resources must not be included in documents for public distribution.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

Building Safety & Inspection Services Team

MEMO

TO: Dana Yelton, Planner I
FROM: Michelle Huebner, Plans Examiner Supervisor
DATE: November 27, 2023

RE: Referral Response, SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure: Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

Location: 5986 Heather Way

Thank you for the referral. We have the following comments for the applicants:

1. Building permits must follow all adopted **Floodplain regulations**. If Floodplain doesn't allow development a building permit cannot be approved.

If the Floodplain items are resolved, then:

2. **Building Permits.** A building permit, plan review and inspections approvals are required for the proposed addition. A separate building permit is required for the detached accessory structure (single family dwelling).

The proposed accessory structure is to be used as a **dwelling** during the construction of the existing home. This accessory structure will be required to be constructed as a dwelling with a fire sprinkler system, radon system and meet BuildSmart to name a few items.

Please refer to the county's [adopted 2015 editions of the International Codes and code amendments](#), which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL:
[Amendments to Boulder County Building Code effective June 6, 2022](#)

3. **Automatic Fire Sprinkler System.** Under the 2015 International Residential Code ("IRC") as adopted by Boulder County, all new one- and two-family dwellings and

townhouses are required to be equipped with an automatic fire sprinkler system that is designed and installed in accordance with NFPA 13D or IRC Section P2904.

4. **Automatic Fire Sprinkler System.** According to R313.2.1 of the currently adopted 2015 Boulder County Building Code this addition triggers the requirement for an automatic residential fire sprinkler system to be installed throughout the home. This system shall be designed and installed in accordance with NFPA 13D or IRC Section P2904.

R313.2.1 Additions to existing one- and two-family dwellings. *An automatic residential fire sprinkler system shall be installed throughout existing one- and two-family dwellings with additions when the sum of the total floor area of the addition plus the existing one- and two-family dwelling is increased to 4,800 sq. ft. or greater. The floor area of detached structures having floor areas of 120 square feet or greater that are located less than 50 feet from the dwelling shall be included in the floor area calculated for the dwelling.*

Exceptions:

1. One-time additions not exceeding 200 square feet in floor area, and
 2. Carport additions which are exempt from the definition of "Residential Floor Area" in Section 18-189D of the Boulder County Land Use Code.
5. **BuildSmart.** Please refer to the county's adoption and amendments to Chapter 11 of the IRC, the county's "BuildSmart" program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.
 6. **Design Wind and Snow Loads.** The design wind and snow loads for the property are 155 mph (Vult) and 40 psf, respectively.
 7. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
 8. **Plan Review.** The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be

performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Residential Plan Check List and other Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org



Community Planning & Permitting

ATTACHMENT B

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

December 4, 2023

To: Dana Yelton, Planner I

From: Sarah Heller, Floodplain Program Planner

Docket: SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

Request: Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

Location: 5986 Heather Way, Section 27, Township 2N, Range 70W

The Community Planning & Permitting Department – Floodplain Management Program has reviewed the above referenced docket and has the following comments:

1. The proposed accessory structure is located within the Floodplain Overlay (FO) District, specifically within the Lefthand Creek Floodway. Construction of new permanent buildings is prohibited in the Floodway. Therefore, the project cannot be constructed as proposed.
2. The applicant proposes submitting a Letter of Map Revision (LOMR) to FEMA to change the Floodway boundary. The applicant's engineer should contact floodplainadmin@bouldercounty.gov to obtain the effective model for Lefthand Creek. This referral does not indicate that the county will approve or sign the MT-2 form for any future LOMR. The LOMR must comply with all FEMA and State of Colorado guidelines and standards for Floodways and cannot result in higher Base Flood Elevations on existing insurable structures.
3. If the applicant obtains an approved LOMR from FEMA such that the proposed accessory structure location is within the flood fringe (within the 100-year floodplain but outside the Floodway), the following requirements would apply to the new accessory structure:
 - a. The structure must be adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic forces;
 - b. The structure must have its longitudinal axis parallel to the flow of floodwaters;
 - c. Flood-resistant materials must be used up to the Flood Protection Elevation (FPE);
 - d. The lowest floor and all new service equipment, including but not limited to electrical, heating, ventilation, plumbing, and air conditioning equipment must be located at or above the FPE; and

- e. **At the time of Building Permit application submittal**, the applicant must submit a Floodplain Development Permit (FDP) application with the Building Permit application. The FDP application must include:
 - i. A Site Plan showing the proposed building and all staging/storage areas in relation to regulatory floodplain and property boundaries; and
 - ii. Construction design, stamped, signed, and dated by a Colorado-licensed Professional Engineer (P.E.) that depicts the Base Flood Elevation (BFE) and Flood Protection Elevation (FPE) on all design plans and demonstrates conformance with all applicable flood protection measures required in Land Use Code Article 4-405, including those listed above.
 - f. **Prior to foundation inspection**, pursuant to Article 4-405.J, a “mid-construction” FEMA Elevation Certificate must be completed by a Colorado-registered land surveyor and submitted to FloodplainAdmin@bouldercounty.gov; and
 - g. **Prior to final inspection or issuance of a Certificate of Occupancy**, pursuant to Article 4-405.J, a “Final Construction” FEMA Elevation Certificate must be completed by a Colorado-registered land surveyor and submitted to FloodplainAdmin@bouldercounty.gov.
4. The existing residential structure is located within the FO District. A Floodplain Development Permit (FDP) is required to remodel the existing residence.
- a. The applicant must submit to floodplainadmin@bouldercounty.gov an itemized list of project costs using the guidance found online at <https://assets.bouldercounty.gov/wp-content/uploads/2018/07/floodplain-development-permit-requirements-buildings.pdf>. Article 4-413 of the Boulder County Land Use Code requires nonconforming structures to track major repairs, remodeling, additions, and other improvements to determine when such work would constitute a Substantial Improvement as defined in Article 18-206. To make a Substantial Improvement determination, Boulder County compares the cost of the proposed improvement to the market value of the building (excluding land, accessory structures, landscaping, bridges, water wells, onsite wastewater treatment systems, and other incidental items). If the resulting ratio equals or exceeds 50%, the entire structure must be brought into compliance with the flood protection requirements in LUC Article 4-405. If the resulting ratio is less than 50%, the new work must meet the flood protection requirements in LUC Article 4-405. All improvements made to a structure after September 11, 2013 are cumulative towards reaching the 50% limit.
 - b. Flood-resistant materials must be used up to the Flood Protection Elevation (FPE);
 - c. New service equipment, including but not limited to electrical, heating, ventilation, plumbing, and air conditioning equipment must be located at or above the FPE;
 - d. The crawlspace must:
 - i. Have an interior grade no lower than two feet below the Lowest Adjacent Grade;

- ii. Not exceed four feet in height at any point, as measured from the interior grade to the top of the foundation wall;
 - iii. Have an adequate drainage system that allows floodwaters to drain from the interior area; and
 - iv. Be “wet-floodproofed” with a minimum of two openings on at least 2 walls having a total net area of not less than one square inch for every square foot of enclosed area. The bottom of all openings must be no higher than one foot above grade.
- e. **At the time of Building Permit application submittal**, the applicant must submit an FDP application with the Building Permit application. The FDP application must include:
 - i. A Site Plan showing the proposed building and all staging/storage areas in relation to regulatory floodplain and property boundaries; and
 - ii. Construction design, stamped, signed, and dated by a Colorado-licensed Professional Engineer (P.E.) that depicts the Base Flood Elevation (BFE) and Flood Protection Elevation (FPE) on all design plans and demonstrates conformance with all applicable flood protection measures required in Land Use Code Article 4-405, including those listed above.
 - iii. Certification by a Colorado-licensed P.E. that demonstrates the retrofitting will withstand the loads associated with a 1%-annual-chance flood event.
- f. The BFE for the existing residence is 5193.0 feet (NAVD88). The FPE is two feet above the BFE.
- g. **Prior to final inspection or issuance of a Certificate of Occupancy**, pursuant to Article 4-405.J, a “Final Construction” FEMA Elevation Certificate must be completed by a Colorado-registered land surveyor and submitted to FloodplainAdmin@bouldercounty.gov.

Additional Information:

Portions of the property are located in the Floodway. Any future development within the Floodplain Overlay District will require an FDP and must adhere to Article 4-404B (Uses Prohibited in Floodway) and 4-404C (Uses Allowed in Floodway under Certain Conditions).

The proposed development is within a known fluvial hazard zone, which is the area a stream has occupied in recent history, could occupy, or could physically influence as it stores and transports water, sediment and debris. Parts of the proposed ditch that are outside the regulatory FO District are still within the fluvial hazard zone and may be subject to excessive erosion, sedimentation, and/or wholesale changes in the location of the stream channel. The Floodplain Management Program strongly encourages the applicant to consider scour and flood protection measures above and beyond the minimum requirements of the Land Use Code.

Please contact Sarah Heller, Floodplain Program Planner, at sheller@bouldercounty.gov to discuss this referral.

This concludes our comments at this time.



Community Planning & Permitting

ATTACHMENT B

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 •
Tel: 303-441-3930 • www.BoulderCounty.gov

December 4, 2023

TO: Dana Yelton, Planner I; Community Planning & Permitting, Development Review Team - Zoning

FROM: Brian P. Kelly, Planner II; Community Planning & Permitting, Development Review Team – Access & Engineering

SUBJECT: Docket # SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure – 5986 Heather Way.

The Development Review Team – Access & Engineering staff has reviewed the above referenced docket and has the following comments:

1. The subject property is accessed from Heather Way, an unpaved Boulder County owned but not maintained right-of-way (ROW) with a Functional Classification of Local. Legal access has been demonstrated via adjacency to this public ROW.
2. An Access Improvement and Maintenance Agreement (AIMA), which is an agreement for future maintenance responsibility, will be issued for the shared roadway during building permit review. The AIMA will be prepared by the Access & Engineering staff, signed by the property owner and notarized, and approved as part of the building permit process.
3. The driveway to the proposed accessory structure is generally in compliance with the [Boulder County Multimodal Transportation Standards](#) (MMTS, the Standards) for residential development in the plains. However, the access is located within the side yard setback. In order to comply with Standard Drawing 12 of the MMTS, the access point to Heather Way must be a minimum of 7 (side zoning setback) feet away from western lot line
4. The Earth Work and Grading Worksheet indicate 44 cubic yards of fill will be required for the proposed driveway improvements. The improved driveway must comply with the Standards for residential development in the plains, including without limitation:
 - a. Table 5.5.1 – Parcel Access Design Standards (1-Lane Plains Access)
 - b. Standard Drawing 11 – Private Access
 - c. Standard Drawing 15 – Access Profiles

The access drive must be between 10 and 16 feet in width.

5. The access drive to the new structure does not indicate a culvert being present, nor is there a culvert at the existing driveway to the residence. A drainage letter that meets the requirements outlined in the attached memo must be submitted to determine if culverts are needed. Driveway culverts must be a minimum 18-inch or equivalent capacity RCP or CMP in public ROW per Standard Drawing 15.

At building permit, submit a drainage letter that determines the sizing, of any required culverts.

At building permit, submit a grading plan that clearly shows the following information: existing and proposed contours, and drainage details drainage patterns.

At building permit, revised drawings submitted for permitting must demonstrate that the proposed earthwork will not alter or increase the historic drainage patterns from the site to adjacent properties.

Be aware that Section J108 of the 2015 IBC prohibits grading within 2 feet of all property lines.

6. Appropriate erosion control measures such as erosion control logs shall be installed downslope and parallel to contours for all disturbed areas including staging areas. The location and types of erosion control shall be shown on site plans submitted for building permit approval.
7. During construction, all materials, machinery, dumpsters, and other items shall be staged on the subject property; no items shall be stored or staged on Heather Way.
8. During construction (i.e. during the day while work is being performed), all vehicles shall be parked on site or to one side of Heather Way so as to not impede the travel way.

This concludes our comments at this time.



Public Works

2525 13th Street • Boulder, Colorado 80304 • Tel: 303-441-3900

MEMORANDUM

November 9, 2021

Subject: Allowance of the use of Drainage Letters on Private Development and Public Capital Projects

At the discretion of the County Engineer, proposed projects may be allowed to utilize a drainage letter to satisfy the requirements of Section 204 of the Boulder County Storm Drainage Criteria Manual (SDCM), adopted November 2016. All other requirements that are not otherwise addressed by the Drainage Letter are still in force. The elements of the letter shall include, at a minimum, the following:

- Description of property location with size of property; alternately, include a vicinity map, with North arrow and nearby waterway features.
- Description of the proposed project
- Site plan showing entire property, with North arrow, scale, property size, disturbance area, and distance to waterways shown.
- Identify and address effects on adjacent or nearby major drainage features or waterways
- Existing (dashed) and proposed (solid) contours with tie-ins shown (2-foot or better resolution), and contour intervals and major contours clearly identified
- Proposed flow directions for current and proposed conditions
- Peak discharge calculations for the minor and major storm events as identified in the SDCM
- Peak flow rates to determine the sizing of drainage infrastructure, including, but not limited to, swales, inlets, storm drains, culverts, and any other infrastructure affected by the site development
- Infrastructure sizing calculations and supporting documentation
- Demonstration that detention is not required by applying one or more of the exemptions listed in SDCM section 1203.1
- Identification of potential impacts to adjacent down-gradient properties, proposed mitigation features, and certification that the project will not adversely affect downstream structures or infrastructure
- For projects that disturb an acre or more and are located within the County's MS4 permitted area, an explanation of stormwater management facilities (SWMFs) is required. The explanation may include calculations for proposed SWMF or documentation that such measures are not required.
- Lots that are within a subdivision that have an approved drainage report may reference and supply the approved drainage report as well as a statement that the lot conforms to the original drainage report criteria.

Matt Jones County Commissioner **Claire Levy** County Commissioner **Marta Loachamin** County Commissioner

- Letter must be stamped and signed by a Colorado registered Professional Engineer in a related field
- Any other information that is necessary to satisfy drainage analysis and design for the site based on the judgement of the County Engineer.

After review of the initial letter submittal, the County Engineer may require additional information deemed necessary for adequate and appropriate drainage analysis on the site.



By: _____

Michael A. Thomas, P.E.
County Engineer, Boulder County Public Works

Effective Date: November 17, 2021



Public Health

Environmental Health Division

ATTACHMENT B

November 30, 2023

TO: Staff Planner, Community Planning and Permitting

FROM: Carl Job, Environmental Health Specialist

SUBJECT: SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

OWNER: PISCOPIO & HUANG

PROPERTY ADDRESS: 5986 HEATHER WAY

SEC-TOWN-RANGE: 27 -2N -70

The Boulder County Public Health – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

OWTS:

1. Boulder County Public Health issued a new permit for the installation of an absorption bed system on 02/29/1996. The permit was issued for an onsite wastewater treatment system (OWTS) adequate for a 3-bedroom house. Boulder County Public Health approved the installation of the OWTS on 01/31/1997.
2. The proposed scope of work will involve renovation of the existing 3-bedroom home and the construction of a new 2-bedroom residential accessory structure. The residential accessory structure will serve as a temporary residence during renovation of the primary residence. Following completion of the renovation work, the 2-bedrooms in the residential accessory structure will be converted back to a non-dwelling structure.
3. The owner or their agent must apply for an OWTS minor repair permit to connect the sewer line to the foundation of the new residential accessory structure:
<https://bouldercounty.gov/environment/water/septicmart/permit-and-fee-schedule/>
4. The OWTS permit must be issued prior to installation and before a building permit can be obtained. The OWTS must be installed, inspected, and approved before a Certificate of Occupancy or Final Building Inspection approval will be issued by Community Permitting and Planning.
5. Additionally, since the exiting OWTS is permitted for a total of 3-bedrooms, the Certificate of Occupancy for the renovations on the primary residence will only be issued after the residential accessory structure is converted back into a non-dwelling.
6. Setbacks between all buildings and the OWTS serving this property and OWTS serving neighboring properties, must be in accordance with the Boulder County OWTS Regulations, Table 7-1.

Avoid Damage to OWTS:

1. Heavy equipment should be restricted from the surface of the absorption field during construction to avoid soil compaction, which could cause premature absorption field malfunction. Caution should be used in conducting trenching and excavation activities so that sewer lines and other OWTS components are not damaged.

This concludes comments from the Boulder County Public Health – Environmental Health division at this time. For additional information on the OWTS application process and regulations, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to email HealthOWS@bouldercounty.org

Cc: OWTS file, owner, Community Permitting and Planning



Community Planning & Permitting

ATTACHMENT B

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health and Parks Departments, FPD
FROM: Dana Yelton, Planner I
DATE: November 16, 2023
RE: Site Plan Review application SPR-23-0108

Docket SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

Request: Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

Location: 5986 Heather Way, Section 27, Township 2N, Range 70W
Zoning: Rural Residential (RR) Zoning District
Owner/
Applicant: Anthony Piscopio & Huiqiong Huang
Agent: Kyle Callahan

Site Plan Review by the Boulder County Community Planning & Permitting Director is required for new building/grading/access or floodplain development permits in the plains and mountainous areas of unincorporated Boulder County. The subject review process considers potential significant impact to the ecosystem, surrounding land uses and infrastructure, and safety concerns due to natural hazards.

The Community Planning & Permitting staff values comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information.

Please return responses by **December 4, 2023.**

☒ We have reviewed the proposal and have no conflicts.
☐ Letter is enclosed.

Signed Name  Printed Name Jessica Fasick

Agency or Address CP&P Historic Review

Date 11/20/23



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

ATTACHMENT B

TO: Dana Yelton, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: December 1, 2023
SUBJECT: SPR-23-0108, Piscopio-Huang, 5986 Heather Way

Staff has reviewed the submitted materials, and has visited very similar properties in the subdivision in the past. The entire lot is dominated by turf grass, horticultural trees, and existing developments. Staff has no specific resource concerns with the proposal (except a construction fence, as below). There appear to be many questions on the floodplain/floodway locations, and grading and developments within, but staff defers to the floodplain team on those complex issues.

Recommendations

A construction fence must be installed immediately south of the proposed silt fence, as shown in the Site Plan, to protect the entire southeastern property line area. This must be examined by the county before any ground disturbance begins, and must be maintained until re-vegetation is complete. No machinery entry or ground disturbance can occur south of this fence.

A Revegetation Plan is required that includes native grass species to be used, an explanation of how topsoils will be stockpiled and reused, mapped delineation of all disturbance areas (this includes construction staging areas, driveway, utility lines, and septic system), and locations of silt fence or erosion control logs down slope of disturbed areas. New horticultural plantings should emphasize xeriscaping principles (Article 7-200-B-8, Land Use Code).



Community Planning & Permitting

ATTACHMENT B

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health and Parks Departments, FPD
FROM: Dana Yelton, Planner I
DATE: November 16, 2023
RE: Site Plan Review application SPR-23-0108

Docket SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

Request: Site Plan Review for the deconstruction of 1,699 square feet and the addition of 45 square feet to the existing 5,848-square-foot residence and a new 1,641-square-foot residential accessory structure on a 0.83-acre parcel where the size presumed to be compatible with the neighborhood is 4,881-square-feet.

Location: 5986 Heather Way, Section 27, Township 2N, Range 70W
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Owner/
Applicant: Anthony Piscopio & Huiqiong Huang
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Please return responses by **December 4, 2023.**

☐ We have reviewed the proposal and have no conflicts.
☒ Comments Below

We have no issues as long as Boulder County can ensure the accessory dwelling is removed when the home remodel is finished. Otherwise, the tap will need an upgrade per District Policy 25.2.I.B.3.c. The applicant will need to submit a Tap Availability Request to the District and pay for a meter upgrade should the accessory dwelling remain.

Signed Name Steven J. Buckbee Printed Name Steve Buckbee

Agency or Address Left Hand Water District

Date 12-6-2023



Community Planning & Permitting

ATTACHMENT B

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health and Parks Departments, FPD
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Please return responses by **December 4, 2023.**

☒ We have reviewed the proposal and have no conflicts.
☐ Letter is enclosed.

Signed Name LuAnn Penfold Printed Name LuAnn Penfold

Agency or Address Mountain View Fire District

Date 11-17-23



Architecture

Planning

Interiors

Landscape
Design

March 11, 2024

Board of County Commissioners Hearing Appeal of the Land Use Director's Decision on the Site Plan Review Application Site Plan Review – 23-0108

Purpose

Thank you all for the opportunity to discuss the fine points of this project. We have appealed the Land Use Director's determination for the recent site plan review. It is our opinion and understanding that the determination does not recognize key aspects of this site, such as the following, referenced to the sheet of the Land Use Director's determination letter:

1. **Determination Letter – page 3 of 13**

For the maximum size presumption, the land use director has not allowed Boulder County Land Use Code section **4-806-2 b I (B) (1) (E)**, which allows for demolition and rebuilding previously-existing residential floor area that exceeds the maximum allowable floor area. There is no reason given for not allowing this section.

2. **Determination letter – page 5 of 13**

The flood plain and flood way that encroach upon this entire site are not positioned accurately and can be repositioned to take the footprint out of the flood way, as determined by our engineering team. Upon acceptance of this design by the Board of County Commissioners, we will apply for and receive a Letter of Map Revision (LOMR) from FEMA prior to application for a building permit.

3. **Determination letter – page 8 of 13**

The location of the proposed accessory structure has been called into question by the Land Use Director. The property was purchased by the current homeowner with an existing 1,728 SF barn, which was demolished shortly after the homeowner took possession of the property. The barn is considered Non-residential floor area, and we are not suggesting that it should be considered as such. We are however recognizing that the previously existing barn was a **large building**, constructed legally in 1987, considerably larger in both footprint and massing than the residential building that we propose to erect in its previous position.

These individual issues are further elaborated below.

Project Description and background

The Piscopio family purchased Lot 7 of Brigadoon Glen, along with the existing 5,848 SF ranch home with partial second floor and garden level, and the existing 1,728 SF barn at 5986 Heather way in late December of 2018. The site and building features that the family found attractive are the generally quiet neighborhood, large lots and mature vegetation. The Piscopio family are longtime residents of Boulder County, have been members of the community for over 25 years. The family has had a profound and positive impact on the local environment and economy – having created businesses and supported major job creation over that time. It's important to recognize that they are not motivated by speculative



development but by improving the home and community to more closely align with their needs.

At the time of purchase, the existing home was serviceable for the Piscopio family, albeit being dated and generally low performing in terms of energy and space efficiency. The existing 1,728 SF barn – erected circa 1987 – proved to be less useful for the family's needs and was deconstructed in 2019, shortly after the home was purchased.

The project at 5986 Heather Way, described in the narrative for SPR 23-0108 and illustrated by the included site plan and Architectural Design Drawings is made up of **two related components**:

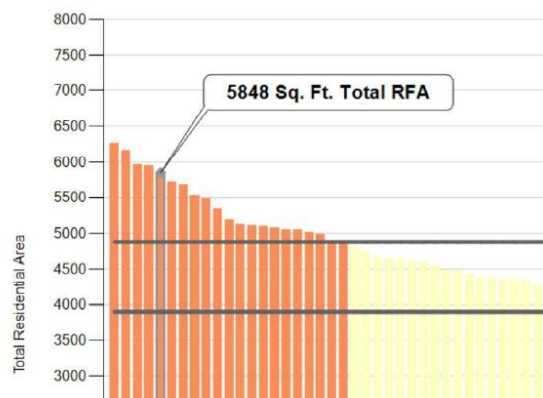
1. **Project Component 1 - Remodeling the existing residence**

This part of the project has been developed in order to revise the space plan and exterior envelope energy performance. This part will be quite invasive and render the existing residence unlivable, as many existing windows, walls, and roof planes will be partly or fully deconstructed in order to achieve the level of performance required by the owners. In addition to the remodeling of the main and upper levels of the home, the owners will demolish by infill the existing garden level of the home. The Garden level floor elevation is roughly 5' below the base flood elevation for this site and 4' below the lowest adjacent grade – thus removal of the garden level floor area eliminates existing residential floor area from the flood plain. This Garden Level floor area is **existing residential floor area** per Boulder County Land Use definitions and is recognized as such by the Boulder County Assessor, as shown by the following illustrations copied from Boulder County Records:

Areas of levels in sq. ft.

FIRST FLOOR (ABOVE GROUND) FINISHED AREA	2321
2ND FLOOR AND HIGHER FINISHED AREA	1130
GARDEN BASEMENT UNFINISHED AREA	1627
ATTACHED GARAGE AREA	770
DECK AREA	559
PORCH AREA	245

From the Neighborhood Size Analysis:





During this portion of the project, the owners will effectively **reduce** the residential floor area by an area greater than the **1,627 Square feet basement** by removing this garden level floor plus several interior and exterior renovations that remove residential floor area. Considering all demolition and addition, the net change in residential floor area proposed will be a combined **reduction of 1,714 SF.**

2. **Project Component 2 - Construction of a new detached accessory structure**

This part of the project has been developed in order to provide temporary accommodations and storage for the homeowners during the renovation of their home. For sequencing, this accessory structure would be built first, thus allowing the homeowners to relocate their possessions, and themselves, into this building onsite – adjacent to the existing residence. They will continue to live there, onsite, during the renovation project for their home. Upon completion of the renovation of the home, the accessory structure will be converted to a detached storage, entertainment and home office use after the family moves back into the home – all will be considered Residential Floor Area. The lower level of the accessory structure will provide space to store much of the family's possessions that are to be removed from the home. After renovation of the home, the grade level will provide necessary vehicle storage and gardening / workshop space.

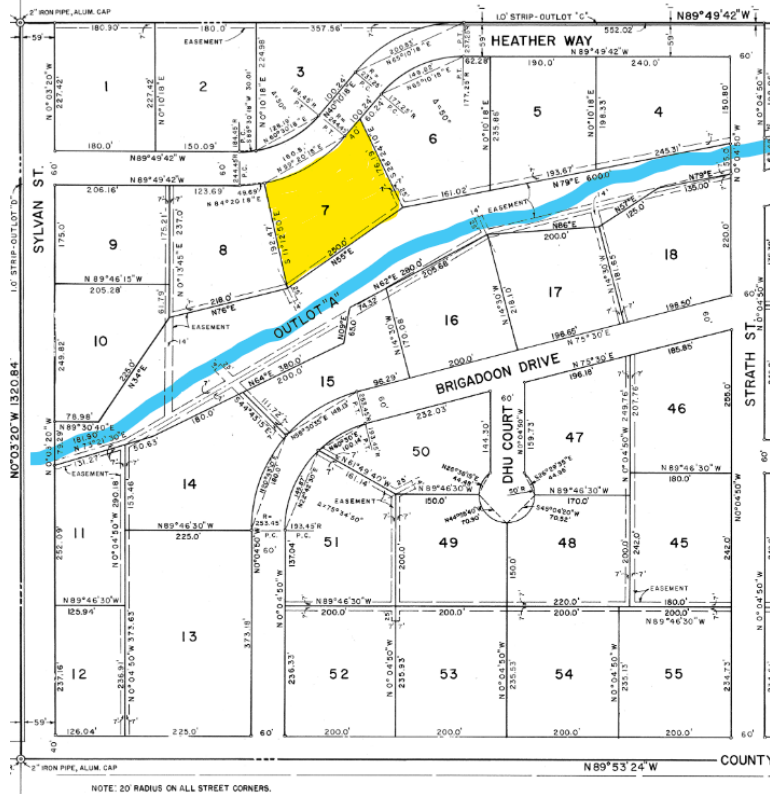
It is important to note that the combined floor area for both floors of the new accessory structure will be **1,641 SF** of residential floor area added back to the site, where **1,714 SF** has been removed, for a net **reduction of 73 SF** of residential floor area.

Lot Considerations

The Lot upon which this existing dwelling and demolished barn were built is part of the Brigadoon Glen subdivision. Brigadoon Glen is made up of a variety of lot sizes and configurations positioned north of County Road 34 (Monarch Road) and west of County Road 39 (63rd street) in north central Boulder County – approximately 7 miles northeast of the City of Boulder. Lefthand Creek crosses through the subdivision. This subject Lot 7 is one of the larger, uniquely shaped lots north of Lefthand Creek and south of Heather Way. The lot slopes down at a moderate pitch from northwest towards the southeast, approaching Lefthand creek south of the property line. The general alignment of existing contours is from southwest to northeast. The lot is fairly large and is populated with numerous existing mature trees and vegetation in a parklike setting. A snip of the original plat is shown below, with the subject lot being highlighted in yellow, and the approximate alignment of Lefthand Creek



being shown in blue.



The property is bordered on the east and west, and across Lefthand Creek, by improved lots and residential development. The entire lot is situated within the presently-defined extents of 100 year floodplain and floodway of Lefthand Creek. However, site observations and a review of the existing topography of the lot suggests that the floodway extents are incorrectly defined.

Site Plan Review Determination by the Land Use Director

The project has been submitted to Boulder County Land Use department for consideration under Article 4-806 of the Boulder County Land Use Code. All submittal plans, narratives, and other documentation are included in this appeal by reference.

The Land Use Director provided a conditional approval for the project on December 15, 2023. However, the approval denied the construction of the accessory structure, which is essential to the entire project. Of most critical concern is the director's apparent rejection of our removing **1,627 SF** of below flood elevation floor area and not allowing a practical or legal alternative to reconstruct that floor area on the site. We do not agree with the Land Use director's conclusions for Article 4-806, standard 2 and Article 4-806, standard 4. The discussion that follows addresses our considerations for the rejection by the Director and articulates why we consider the Land Use Director's determination to be erroneous and subject to amendment by the Board of County Commissioners.



1. Determination Letter – page 3 of 13

SPR Standard 2 – The size of the resulting development (residential or nonresidential) must be compatible with the general character of the defined neighborhood.

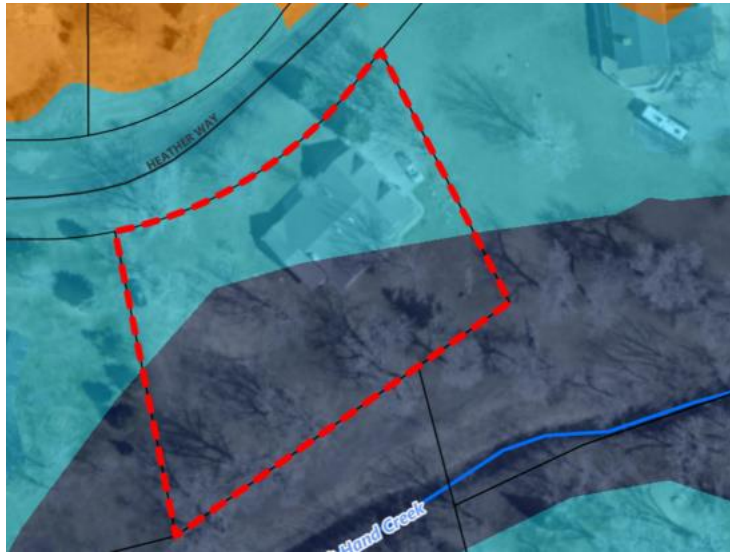
For the maximum size presumption, the land use director has not allowed Boulder County Land Use Code section 4-806-2 b I (B) (1) (E), which provides for demolition and rebuilding previously existing residential floor area that exceeds the maximum allowable floor area. The floor area proposed for removal is dangerous floor space situated below the Base Flood Elevation. The proposed reconstruction can ONLY be reconstructed above grade, as the site is completely encumbered by the floodway and flood plain. To suggest otherwise results in a taking from the client.

Site Plan Review Standard 2 b i (E)

As originally built, the existing home already exceeds the floor area maximum for the neighborhood by **967 SF**. Per Site plan review standard **4-806-2 b I (B) (1) (E)**, a homeowner is allowed to demolish and rebuild legally existing residential floor area that is not in conflict with other Site Plan Review standards. Thus, even in non-conforming situation such as this, where the existing onsite residential floor area already exceeds the presumptive maximum for the site, it would be acceptable to remove some floor area and reconstruct it elsewhere onsite. Our proposed development removes **1,714 SF** of existing floor area and builds back **1,641 SF**, for a net reduction of 73 SF.

A key consideration is that the removal of the garden level floor area results in removing **1,627 SF** of floor area that is **Below the Base Flood Elevation** and rebuilding a similar amount of floor area above the base flood elevation and outside of the projected amended floodway. Removing residential floor area from dangerous locations, such as in the floodway and below the BFE, is a goal of Boulder County. The floor area of the Garden Level is roughly **5' below** the adjacent BFE as shown by the Elevation Certificate provided by FEMA in 1995.

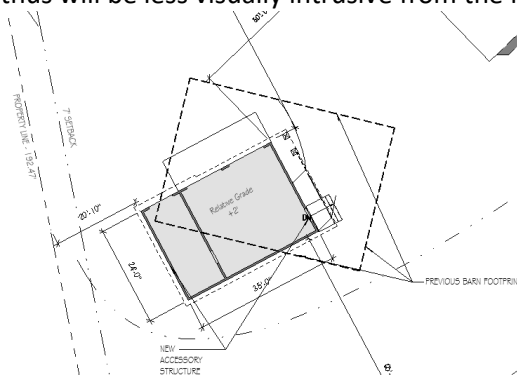
Staff's recommendation on Page 4 of the determination letter is inconsistent with the above listed Site Plan Review standard **4-806-2 b I (B) (1) (E)** and with practical considerations of development constraints having to do with the floodway and flood plain. It is our intent through this project to remove the existing floor area that is currently situated with a floor elevation below the base flood elevation and reconstruct it elsewhere on the site outside and above the Base Flood Elevation as is allowed per the land use code, Article 4-806. In the determination letter, Boulder County planning staff concludes that the maximum floor area buildable above grade at this site to be **4,221 SF** above grade, where **5,848 SF** of above grade floor area currently exists. That staff recommendation is impractical as the entire site is situated in either floodway or flood plain and as such it would be impossible to reconstruct this removed floor area below grade, as staff suggests. Please see the following diagram, by which one can see that the site is either encumbered with floodway (purple) or flood plain (light blue).



As it is our intent to remove the existing garden level from the site through infill, then reconstruction can only be affected above grade, as it is illegal to construct less than 2' above the base flood elevation in the floodplain, or to construct within the floodway at all. The floor area being reconstructed as a small detached accessory structure is the best solution, indeed the only legal and possible solution, and positioning that new reconstruction on part of the site that had been previously occupied with a legally-constructed and larger barn building for 31 years.

Site Plan Review Standard 2 b i (A)

The new accessory building will be constructed in a position that places it mostly upon the footprint of the previously existing barn structure. Below is a partial site plan – showing the footprint for the barn as a dashed line, and the footprint of the proposed accessory structure poched in gray. Heather way is located above and to the north. The new structure will be more distant from the roadway than the pre-existing barn (22'-6" further from Heather Way) and thus will be less visually intrusive than the barn. The proposed accessory structure will be 50'-6" from the existing home where the barn was 27'-4" from the home – thus providing more openness at the project site. The footprint of the accessory structure will cover **less than 50%** of the coverage area of the former barn structure, and thus will be less visually intrusive from the locations listed in the SPR guidelines.





The proposed accessory structure will have a footprint of **840 SF**, whereas the previous barn building had a footprint of **1,728 SF**. The smaller footprint will result in less displacement of floodwaters in the flood plain and will be removed from the floodway through the LOMR process.

2. **Determination letter – page 5 of 13**

SPR Standard 4 – The proposed development shall avoid natural hazards, including those on the subject property and those originating offsite with a reasonable likelihood of affecting the subject property.

The flood plain and flood way that pass over this site are not positioned correctly as has been determined by the findings of our engineering team. Upon acceptance of the design proposed in the Site Plan Review Application on November 13, 2023 by the Board of County Commissioners, we will apply for and receive a Letter of Map Revision (LOMR) from FEMA prior to application for a building permit.

Our engineering team, comprised of Don Ash and Mike Friesen of SiteWorks, in Boulder, have been retained to evaluate the extent of the floodway over this site. Based upon visual evidence, the floodway as currently shown by Boulder County seems to not relate to existing onsite topography and the positioning of the Lefthand Creek Channel. Using the floodplain model – identical to the model used by Boulder County and by FEMA - Siteworks has been able to demonstrate that repositioning the floodway to bypass the newly proposed obstruction in the detached accessory structure is in compliance with both Boulder County and FEMA considerations for the positioning, rise, and other characteristics of the Floodway. A meeting was conducted virtually on March 7, 2024 between the engineers of SiteWorks, County representatives Kevin Doyle, Kelly Watson, Sarah Heller, and the Architect. During that meeting, Siteworks was able to demonstrate real time that the floodway and flood plain could be repositioned onsite to miss the proposed new building obstruction and remain within the criteria used by FEMA to evaluate and define the floodway. Thus, we have concluded that it would be possible to amend the floodway definition through the LOMR process, redefine the floodway to miss the new building and its incidental backfill as shown by the site plan review documents submitted to Boulder County during the site plan review process.

Because the LOMR process is significantly more costly and time consuming, we have not yet begun the process. We will apply for and obtain a LOMR from FEMA prior to our submitting for and receiving a building permit for the new building. As such, we propose to address the 3 issues causing rejection of the project by the Land Use Director in his determination letter that would prevent development, listed in this letter. Upon approval of the project by the Board of County Commissioners in this appeals process, we will immediately embark upon the LOMR process.



3. Determination letter – page 8 of 13

SPR Standard 11 – The location of the accessory structure is not approved

There is no reasoning specified in the Land Use director's rejection of the location for the accessory structure, leaving us to conclude that it can only be related to standard 4. We find it inconsistent otherwise to reject any proposed development that otherwise conforms with all planning and zoning regulations, including all setbacks, height, and visibility, among others.

The proposed accessory structure is to be located in a position occupied previously by a much larger barn structure, which has been since removed. Below is a photo of the original barn – note the height of the structure being +/- 2 stories, reflective roof finish, bright white color:



Exterior finish materials for the proposed accessory structure and for the renovation of the home will be comparable to those installed on other homes in the neighborhood. Roof materials will be matte and not reflective. Exterior finishes will be stone and fiber cement boards either natural by their integral materials or otherwise finished in natural colors.

The accessory structure will be constructed in the position where the original barn was previously situated. As such, any sitework or topographic changes would only have to do with raising the structure to 2' above the base flood elevation as required for building within the flood plain. The driveway to serve this new accessory structure will occur along the alignment of the original driveway serving the barn. We believe that the maximum imported fill to raise the garage slab to be floodplain compliant (2' above the BFE) would be somewhat less than 2'. The accessory structure will be set up on a low foundation wall and thus any such required grading would be below the structure itself (foundational grading) and would not extend beyond the footprint other than as required to slope up to the slab elevation for vehicular access.



March 12, 2024

Dana Yelton
Boulder County
Community Planning & Permitting
PO Box 471
Boulder, CO 80306

Reference: Floodway Modeling – Piscopio Residence
5986 Heather Way – Boulder County, Colorado
SiteWorks Project No. 23181A

Dear Dana:

Attached are the preliminary results of our HEC-RAS modeling for the above referenced project.

We had a meeting with Kelly Watson on February 7, 2024, to discuss the floodway modeling adjacent to the site. We discussed the limits of the floodway, and how the existing floodway modeling did not conform to the 0.5' rise under FEMA guidelines. We also shared the results of our proposed floodway modeling, which shows the limits of the floodway 70' further south on the site. The results show that the proposed building envelope is outside of the regulatory floodway.

Kelly suggested that we submit the digital model to staff for them to review and confirm the results. Once that occurs, then we would prepare the full Letter of Map Revision (LOMR) Report which would first be submitted to Staff, and then to FEMA for approval. That process would remove the building envelope from the regulatory floodway. We are separately submitting the digital data to Kelly under this letter.

Should you have any questions or comments concerning this letter, kindly give us a call.

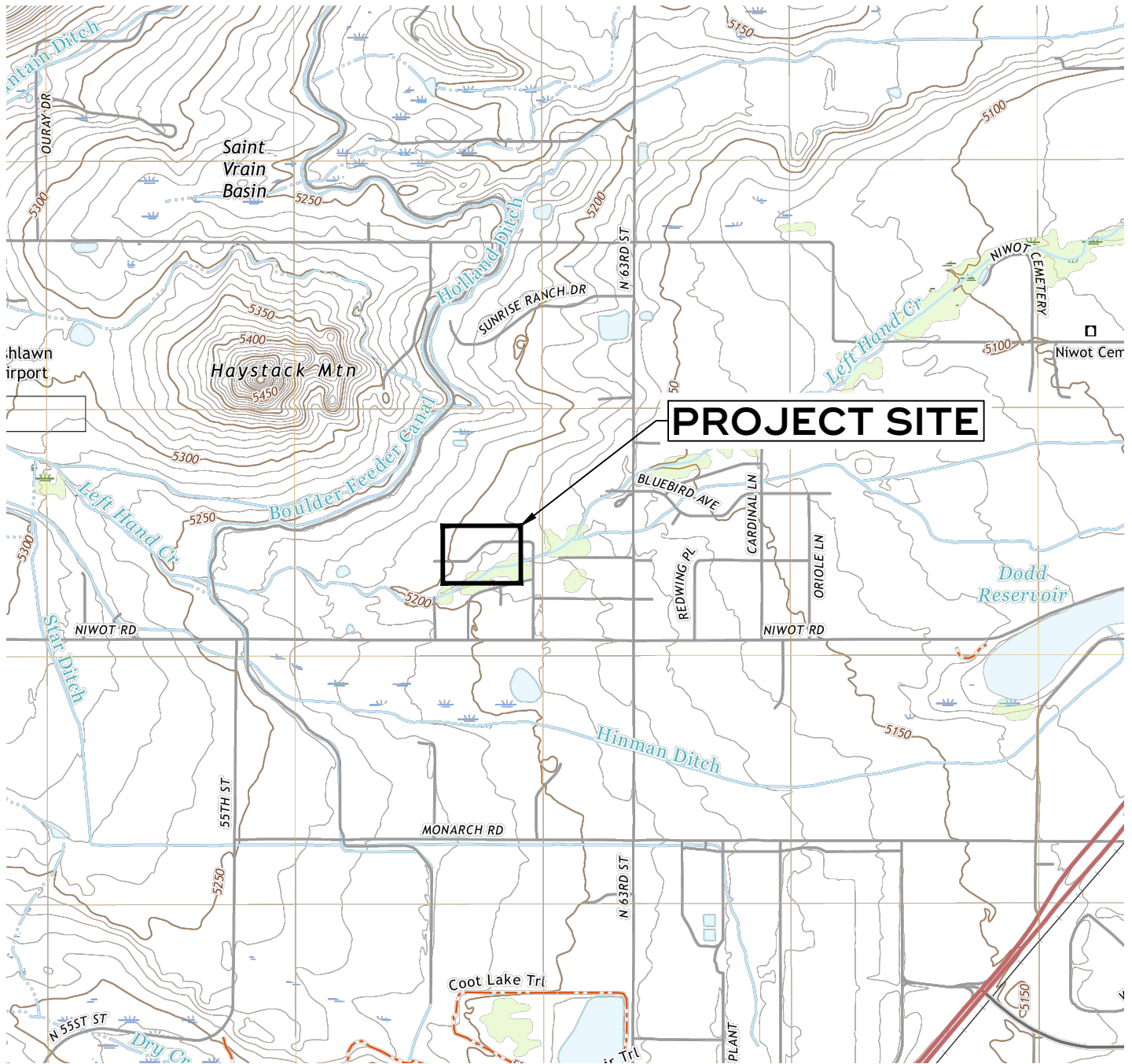
Sincerely,

Donald P. Ash, P.E.
Principal – SiteWorks



Attachments: Location Map
Site Plans
HEC-RAS Modeling Results
Digital Data of Above

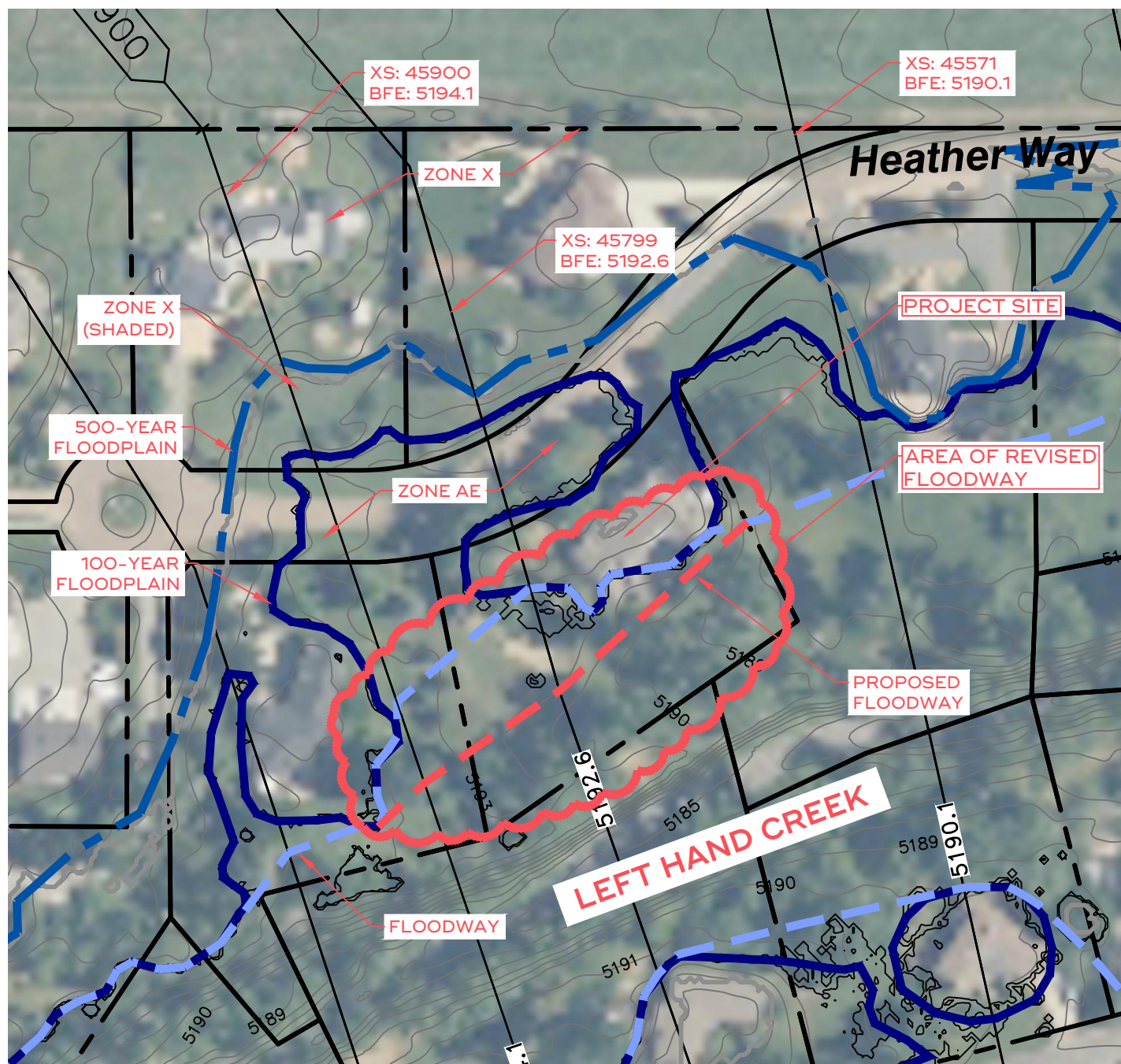




1 LOCATION MAP

SCALE: 1" = 2000'





1 SITE PLAN

SCALE: 1" = 100'



Draft
03/11/24

Piscopio
Residence
5986 Heather Way
Boulder County, CO 80503

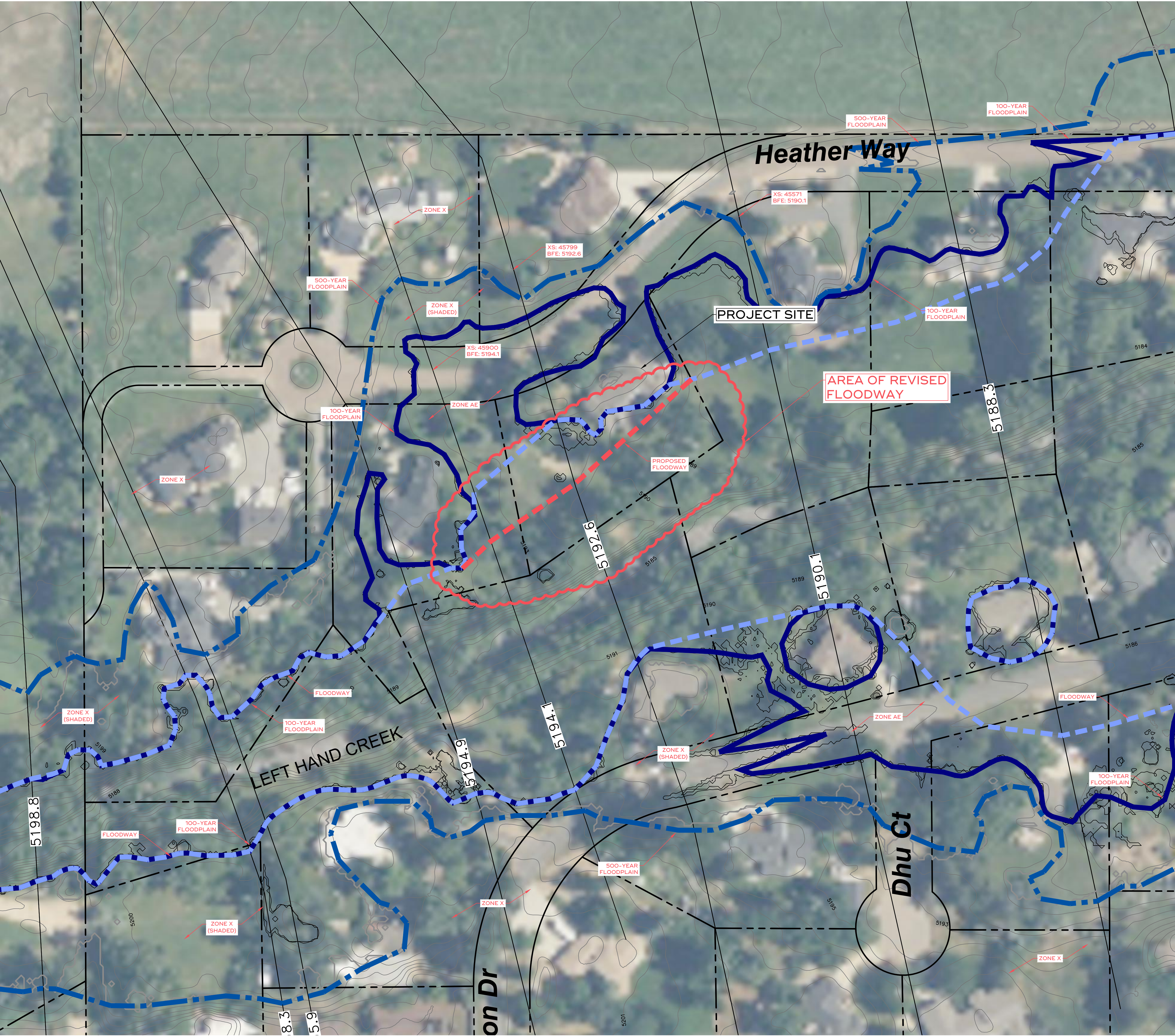
#	Date	Description
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Project No: 23181A
By: JAS/MRF/DASH
File: 23181A-1.dwg

FDP Site Plan

Sheet

C-101



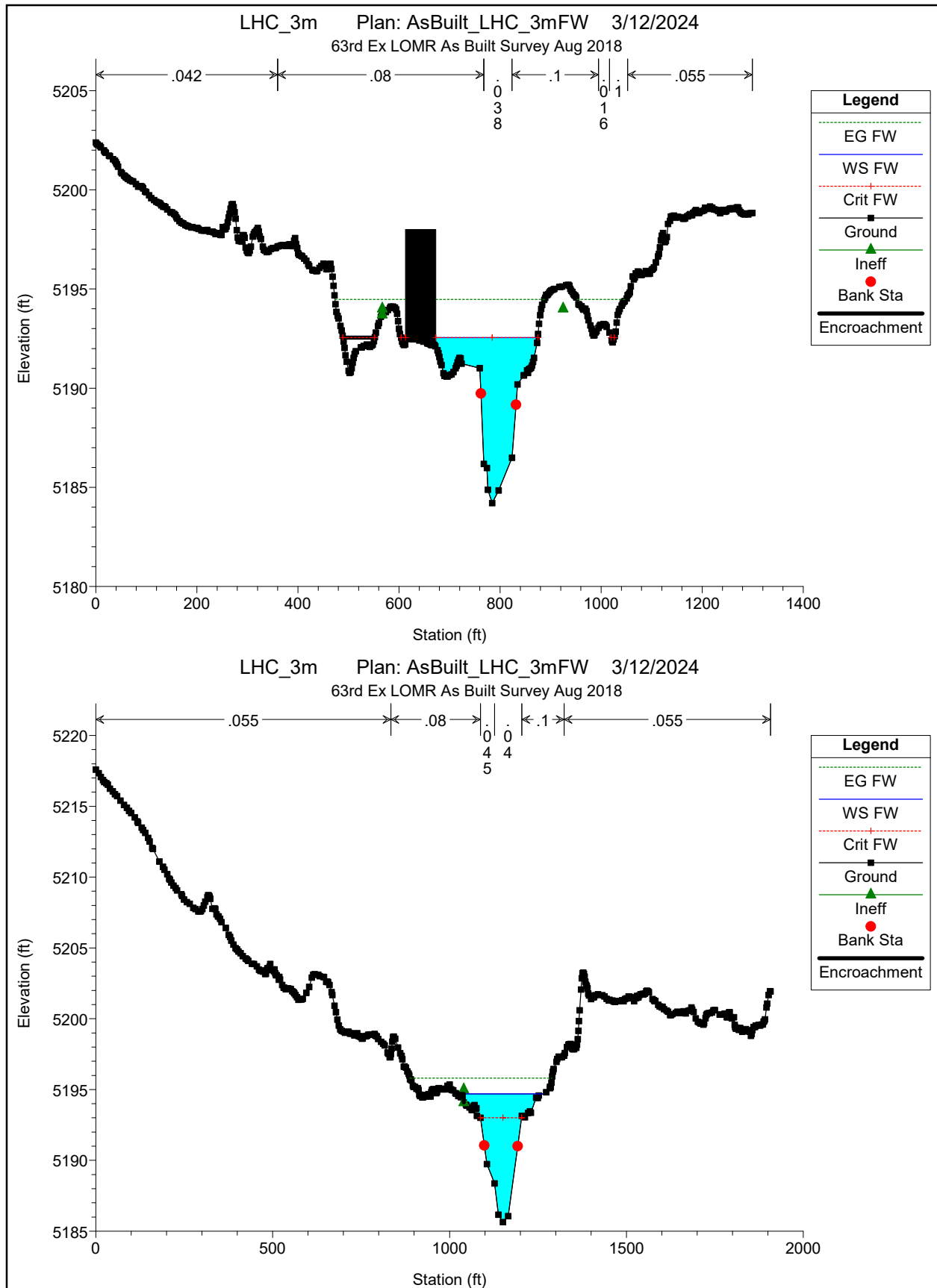
AS-BUILT LOMR HEC-RAS OUTPUT

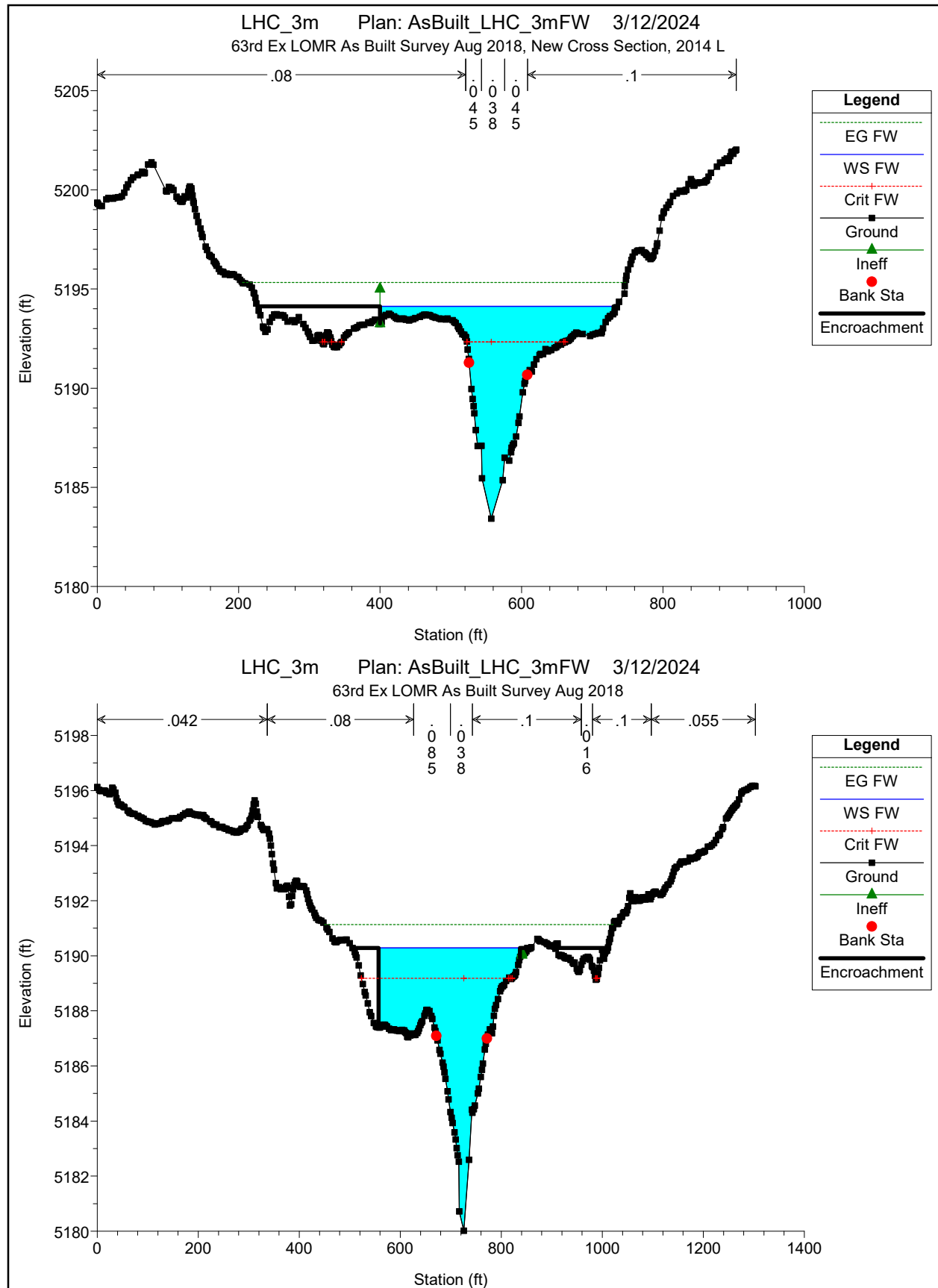
HEC-RAS Plan: AsBuilt FW River: LHC_3m Reach: LHC_3m (Continued)

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
LHC_3m	49292	1%	5994.00	5225.79	5233.69	5233.69	5234.48	0.010306	10.68	1168.35	652.24	0.79
LHC_3m	49292	FW	5994.00	5225.79	5234.08	5234.08	5235.22	0.011590	11.84	906.91	326.00	0.84
LHC_3m	49118	1%	5994.00	5226.00	5230.81	5230.61	5231.34	0.012796	8.80	1149.87	685.43	0.80
LHC_3m	49118	FW	5994.00	5226.00	5231.22	5230.83	5231.89	0.012949	9.49	1035.64	426.23	0.81
LHC_3m	48665	1%	5994.00	5219.49	5226.10	5225.94	5226.91	0.010368	9.86	1034.01	622.72	0.77
LHC_3m	48665	FW	5994.00	5219.49	5226.25	5226.01	5227.15	0.011525	10.23	959.06	569.29	0.78
LHC_3m	48330	1%	5994.00	5215.46	5223.84	5223.84	5224.69	0.007126	9.47	1288.62	943.50	0.65
LHC_3m	48330	FW	5994.00	5215.46	5223.77	5223.77	5224.70	0.007650	9.75	1199.11	599.08	0.67
LHC_3m	47972	1%	5994.00	5210.63	5219.66	5219.66	5221.02	0.008666	10.54	761.52	535.99	0.70
LHC_3m	47972	FW	5994.00	5210.63	5219.66	5219.66	5221.02	0.008666	10.54	761.52	338.40	0.70
LHC_3m	47561	1%	5994.00	5207.25	5214.05	5214.05	5215.14	0.010740	10.50	861.66	337.73	0.77
LHC_3m	47561	FW	5994.00	5207.25	5214.30	5214.30	5216.33	0.015178	12.84	569.29	130.57	0.92
LHC_3m	47089	1%	5994.00	5197.53	5207.54	5207.54	5209.47	0.009385	11.83	752.36	339.60	0.74
LHC_3m	47089	FW	5994.00	5197.53	5207.24	5207.24	5209.45	0.011122	12.54	671.73	254.78	0.81
LHC_3m	46858	1%	5994.00	5192.97	5204.46	5204.46	5206.77	0.007553	13.18	749.93	422.29	0.77
LHC_3m	46858	FW	5994.00	5192.97	5204.46	5204.46	5206.77	0.007555	13.19	749.83	220.21	0.77
LHC_3m	46819		Culvert									
LHC_3m	46779	1%	5994.00	5192.22	5201.65	5201.65	5203.99	0.009247	12.55	600.52	179.22	0.88
LHC_3m	46779	FW	5994.00	5192.22	5201.65	5201.65	5203.99	0.009263	12.56	599.95	178.65	0.88
LHC_3m	46479	1%	5994.00	5188.83	5198.70	5197.36	5200.25	0.005400	10.09	615.92	107.52	0.69
LHC_3m	46479	FW	5994.00	5188.83	5198.80	5197.36	5200.30	0.005117	9.92	626.47	106.32	0.67
LHC_3m	46262	1%	5994.00	5186.51	5198.18	5195.53	5199.00	0.002794	7.43	909.43	251.40	0.48
LHC_3m	46262	FW	5994.00	5186.51	5198.33	5195.53	5199.11	0.002575	7.24	938.90	193.20	0.47
LHC_3m	46249		Bridge									
LHC_3m	46235	1%	5994.00	5186.63	5195.92	5195.92	5198.23	0.008685	12.48	521.82	155.99	0.88
LHC_3m	46235	FW	5994.00	5186.63	5195.92	5195.92	5198.23	0.008695	12.48	521.82	155.99	0.88
LHC_3m	46007	1%	5994.00	5185.64	5194.71	5193.01	5195.81	0.004364	8.69	810.41	279.04	0.59
LHC_3m	46007	FW	5994.00	5185.64	5194.70	5193.01	5195.81	0.004378	8.70	809.21	223.40	0.59
LHC_3m	45900	1%	5994.00	5183.42	5194.12	5192.33	5195.33	0.004923	9.15	912.23	509.18	0.59
LHC_3m	45900	FW	5994.00	5183.42	5194.12	5192.33	5195.33	0.004904	9.14	912.14	330.00	0.59
LHC_3m	45799	1%	5994.00	5184.20	5192.56	5192.56	5194.48	0.013202	11.62	675.64	280.51	0.79
LHC_3m	45799	FW	5994.00	5184.20	5192.55	5192.55	5194.48	0.013239	11.63	674.58	209.92	0.79
LHC_3m	45571	1%	5994.00	5180.02	5190.05	5189.21	5190.96	0.006504	8.38	1050.35	419.34	0.61
LHC_3m	45571	FW	5994.00	5180.02	5190.28	5189.19	5191.14	0.005863	8.10	1043.80	280.00	0.58
LHC_3m	45351	1%	5994.00	5178.79	5188.47	5188.47	5189.70	0.007044	10.49	1146.55	437.82	0.72
LHC_3m	45351	FW	5994.00	5178.79	5188.47	5188.47	5189.70	0.007044	10.49	1146.55	437.82	0.72
LHC_3m	45109	1%	5994.00	5176.73	5186.91	5186.91	5188.01	0.004513	10.55	1477.27	612.44	0.64
LHC_3m	45109	FW	5994.00	5176.73	5186.93	5186.93	5188.01	0.004408	10.44	1493.24	610.32	0.63
LHC_3m	45042	1%	5994.00	5175.25	5185.62	5185.62	5186.75	0.007863	9.71	1172.72	549.03	0.60
LHC_3m	45042	FW	5994.00	5175.25	5185.62	5185.62	5186.75	0.007863	9.71	1172.72	549.03	0.60
LHC_3m	45009		Mult Open									
LHC_3m	44976	1%	5994.00	5174.53	5184.46	5184.46	5185.72	0.008097	10.16	1190.61	645.95	0.70
LHC_3m	44976	FW	5994.00	5174.53	5184.48	5184.48	5185.72	0.007983	10.10	1199.88	546.58	0.70
LHC_3m	44847	1%	5994.00	5172.92	5182.20	5181.51	5183.99	0.006551	10.94	743.92	590.45	0.75
LHC_3m	44847	FW	5994.00	5172.92	5182.20	5181.51	5183.99	0.006542	10.93	730.01	350.32	0.75
LHC_3m	44652	1%	5994.00	5170.38	5179.24	5179.24	5182.10	0.015034	13.78	506.25	176.26	0.96
LHC_3m	44652	FW	5994.00	5170.38	5179.23	5179.23	5182.10	0.015128	13.81	504.51	153.68	0.96
LHC_3m	44404	1%	5994.00	5169.65	5177.14	5177.14	5178.13	0.005040	9.46	1156.15	710.75	0.64
LHC_3m	44404	FW	5994.00	5169.65	5177.19	5177.19	5178.81	0.006930	11.15	751.06	265.17	0.75
LHC_3m	44228	1%	5994.00	5164.59	5174.50	5174.50	5175.66	0.005648	10.13	1150.12	537.58	0.66
LHC_3m	44228	FW	5994.00	5164.59	5174.54	5174.54	5176.36	0.007554	11.76	793.93	227.48	0.77
LHC_3m	44111	1%	5994.00	5164.75	5172.03	5172.00	5173.57	0.010216	11.91	866.54	419.95	0.88

HEC-RAS Plan: AsBuilt FW River: LHC_3m Reach: LHC_3m (Continued)

Reach	River Sta	Profile	W.S. Elev (ft)	Prof Delta WS (ft)	E.G. Elev (ft)	Top Width Act (ft)	Q Left (cfs)	Q Channel (cfs)	Q Right (cfs)	Enc Sta L (ft)	Ch Sta L (ft)	Ch Sta R (ft)	Enc Sta R (ft)
LHC_3m	46858	1%	5204.46		5206.77	218.24	42.50	5094.76	856.74		957.00	998.88	
LHC_3m	46858	FW	5204.46	0.00	5206.77	218.21	42.46	5094.94	856.60	932.00	957.00	998.88	1206.00
LHC_3m	46819		Culvert										
LHC_3m	46779	1%	5201.65		5203.99	179.22	0.83	5719.98	273.18		996.00	1068.00	
LHC_3m	46779	FW	5201.65	0.00	5203.99	178.65	0.79	5720.61	272.60	995.00	996.00	1068.00	1232.00
LHC_3m	46479	1%	5198.70		5200.25	107.52	50.02	5871.56	72.43		1099.59	1186.00	
LHC_3m	46479	FW	5198.80	0.10	5200.30	106.32	54.05	5862.17	77.78	1087.59	1099.59	1186.00	1193.91
LHC_3m	46262	1%	5198.18		5199.00	197.46	256.57	5697.90	39.52		1098.42	1202.92	
LHC_3m	46262	FW	5198.33	0.15	5199.11	193.20	282.42	5663.12	48.46	1027.59	1098.42	1202.92	1220.79
LHC_3m	46249 BR U	1%	5198.18		5199.00	197.47	778.49	4991.38	218.11		1098.42	1202.92	
LHC_3m	46249 BR U	FW	5198.33	0.15	5199.11	193.20	570.92	4027.46	1391.62	1027.59	1098.42	1202.92	1220.79
LHC_3m	46249 BR D	1%	5197.95		5199.00	310.35	778.49	4991.38	218.11		1109.00	1181.14	
LHC_3m	46249 BR D	FW	5197.52	-0.43	5199.11	142.02	570.92	4027.46	1391.62	1027.59	1109.00	1181.14	1346.00
LHC_3m	46235	1%	5195.92		5198.23	117.95	125.04	5652.84	216.12		1109.00	1181.14	
LHC_3m	46235	FW	5195.92	0.00	5198.23	117.95	125.04	5652.84	216.12	1027.59	1109.00	1181.14	1346.00
LHC_3m	46007	1%	5194.71		5195.81	223.86	187.33	5616.79	189.88		1098.28	1193.00	
LHC_3m	46007	FW	5194.70	-0.01	5195.81	223.40	186.12	5618.42	189.46	1040.00	1098.28	1193.00	1271.00
LHC_3m	45900	1%	5194.12		5195.33	335.47	114.59	5553.47	325.94		525.93	608.29	
LHC_3m	45900	FW	5194.12	0.00	5195.33	330.00	114.78	5547.11	332.11	400.00	525.93	608.29	730.00
LHC_3m	45799	1%	5192.56		5194.48	210.51	362.94	5459.30	171.76		762.00	831.45	
LHC_3m	45799	FW	5192.55	0.00	5194.48	209.92	361.42	5460.40	172.19	604.00	762.00	831.45	874.00
LHC_3m	45571	1%	5190.05		5190.96	329.85	967.95	4891.59	134.47		671.53	771.46	
LHC_3m	45571	FW	5190.28	0.23	5191.14	280.00	910.07	4913.42	170.51	557.00	671.53	771.46	837.00
LHC_3m	45351	1%	5188.10		5189.19	568.33	1234.71	3991.53	761.68		707.87	767.86	
LHC_3m	45351	FW	5188.47	0.08	5189.70	437.82	1070.48	4173.71	749.81	560.00	707.87	767.86	1040.00
LHC_3m	45109	1%	5186.91		5188.01	612.44	1302.96	3741.11	949.93		544.06	586.05	
LHC_3m	45109	FW	5186.93	0.03	5188.01	610.32	1312.31	3716.21	965.47	306.85	544.06	586.05	917.17
LHC_3m	45042	1%	5185.62		5186.75	549.03	945.76	4572.31	475.93		545.46	604.03	
LHC_3m	45042	FW	5185.62	0.00	5186.75	549.03	945.76	4572.31	475.93	335.97	545.46	604.03	886.28
LHC_3m	45009		Mult Open										
LHC_3m	44976	1%	5184.46		5185.72	542.05	861.98	4637.05	494.97		535.20	604.92	
LHC_3m	44976	FW	5184.48	0.02	5185.72	543.18	868.26	4624.20	501.54	323.70	535.20	604.92	886.00
LHC_3m	44847	1%	5182.20		5183.99	435.47	136.76	5770.71	86.53		527.20	607.00	
LHC_3m	44847	FW	5182.20	0.00	5183.99	350.32	138.99	5772.43	82.58	319.00	527.20	607.00	698.00
LHC_3m	44652	1%	5179.24		5182.10	156.18	148.45	5809.85	35.70		565.63	631.59	
LHC_3m	44652	FW	5179.23	-0.01	5182.10	153.68	147.69	5810.94	35.37	307.00	565.63	631.59	738.00
LHC_3m	44404	1%	5177.14		5178.13	573.66	1321.75	4123.30	548.95		601.78	665.28	
LHC_3m	44404	FW	5177.19	0.05	5178.81	265.17	855.51	4898.31	240.19	366.00	601.78	665.28	685.28
LHC_3m	44228	1%	5174.50		5175.66	537.58	1062.53	4288.60	642.87		631.31	689.38	
LHC_3m	44228	FW	5174.54	0.04	5176.36	227.48	977.31	5008.44	8.25	463.03	631.31	689.38	690.51
LHC_3m	44111	1%	5172.03		5173.57	387.67	662.40	3889.50	1442.10		677.96	735.25	
LHC_3m	44111	FW	5172.53	0.49	5174.25	223.00	938.11	4293.94	761.96	542.00	677.96	735.25	765.00
LHC_3m	44027	1%	5171.50		5172.81	469.27	857.36	4548.23	588.41		691.52	753.47	
LHC_3m	44027	FW	5171.87	0.37	5173.21	228.16	794.63	4720.29	479.08	518.66	691.52	753.47	774.82
LHC_3m	43896	1%	5170.60		5171.62	588.94	1354.91	3964.23	674.87		689.73	750.54	
LHC_3m	43896	FW	5170.57	-0.03	5172.25	248.46	1096.82	4686.31	210.87	439.78	689.73	750.54	759.24
LHC_3m	43797	1%	5168.56		5169.46	638.19	1696.42	3387.53	910.05		600.32	650.00	
LHC_3m	43797	FW	5168.99	0.44	5170.22	330.56	2083.71	3904.92	5.37	320.00	600.32	650.00	650.56
LHC_3m	43681	1%	5167.31		5168.43	509.10	1025.25	4422.11	546.63		538.17	597.63	
LHC_3m	43681	FW	5167.38	0.07	5168.99	247.63	960.57	5033.44		350.00	538.17	597.63	597.63
LHC_3m	43611	1%	5165.77		5166.77	591.76	1699.98	3671.14	622.89		628.02	681.53	
LHC_3m	43611	FW	5165.89	0.11	5167.33	281.53	1791.91	4202.09		400.00	628.02	681.53	681.53
LHC_3m	43308	1%	5160.84		5164.01	126.24	74.21	5839.54	80.25		707.66	763.84	
LHC_3m	43308	FW	5160.84	0.00	5164.01	125.90	74.44	5839.47	80.09	385.00	707.66	763.84	831.94
LHC_3m	43224	1%	5160.80		5162.94	176.36	463.29	5416.05	114.65		916.22	971.84	
LHC_3m	43224	FW	5160.80	0.00	5162.94	175.54	462.28	5417.24	114.47	791.87	916.22	971.84	1001.62
LHC_3m	43195	1%	5161.20		5162.25	124.10	407.63	5519.08	67.29		746.85	820.49	
LHC_3m	43195	FW	5161.19	-0.01	5162.25	124.08	395.28	5531.42	67.30	710.00	746.85	820.49	834.08
LHC_3m	43154 BR U	1%	5161.05		5162.18	115.76	457.39	5460.13	76.48		746.85	820.49	





Plan: AsBuilt FW LHC_3m LHC_3m RS: 46007 Profile: 1%

E.G. Elev (ft)	5195.81	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.10	Wt. n-Val.	0.057	0.041	0.055
W.S. Elev (ft)	5194.71	Reach Len. (ft)	102.00	102.00	102.00
Crit W.S. (ft)	5193.01	Flow Area (sq ft)	80.43	646.65	83.33
E.G. Slope (ft/ft)	0.004364	Area (sq ft)	90.38	646.65	83.33
Q Total (cfs)	5994.00	Flow (cfs)	187.33	5616.79	189.88
Top Width (ft)	279.04	Top Width (ft)	113.46	94.72	70.86
Vel Total (ft/s)	7.40	Avg. Vel. (ft/s)	2.33	8.69	2.28
Max Chl Dpth (ft)	9.07	Hydr. Depth (ft)	1.38	6.83	1.18
Conv. Total (cfs)	90731.9	Conv. (cfs)	2835.6	85022.1	2874.2
Length Wtd. (ft)	102.00	Wetted Per. (ft)	58.63	95.57	71.11
Min Ch El (ft)	5185.64	Shear (lb/sq ft)	0.37	1.84	0.32
Alpha	1.30	Stream Power (lb/ft s)	0.87	16.01	0.73
Frctn Loss (ft)	0.47	Cum Volume (acre-ft)	176.83	89.09	103.00
C & E Loss (ft)	0.01	Cum SA (acres)	115.17	15.08	67.22

Plan: AsBuilt FW LHC_3m LHC_3m RS: 46007 Profile: FW

E.G. Elev (ft)	5195.81	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.11	Wt. n-Val.	0.057	0.041	0.055
W.S. Elev (ft)	5194.70	Reach Len. (ft)	102.00	102.00	102.00
Crit W.S. (ft)	5193.01	Flow Area (sq ft)	80.12	646.14	82.95
E.G. Slope (ft/ft)	0.004378	Area (sq ft)	80.12	646.14	82.95
Q Total (cfs)	5994.00	Flow (cfs)	186.12	5618.42	189.46
Top Width (ft)	223.40	Top Width (ft)	58.28	94.72	70.40
Vel Total (ft/s)	7.41	Avg. Vel. (ft/s)	2.32	8.70	2.28
Max Chl Dpth (ft)	9.06	Hydr. Depth (ft)	1.37	6.82	1.18
Conv. Total (cfs)	90589.3	Conv. (cfs)	2812.8	84913.1	2863.4
Length Wtd. (ft)	102.00	Wetted Per. (ft)	59.23	95.57	70.65
Min Ch El (ft)	5185.64	Shear (lb/sq ft)	0.37	1.85	0.32
Alpha	1.30	Stream Power (lb/ft s)	0.86	16.07	0.73
Frctn Loss (ft)	0.47	Cum Volume (acre-ft)	105.44	92.37	72.31
C & E Loss (ft)	0.01	Cum SA (acres)	49.55	15.08	35.38

Plan: AsBuilt FW LHC_3m LHC_3m RS: 45900 Profile: 1%

E.G. Elev (ft)	5195.33	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.21	Wt. n-Val.	0.069	0.042	0.099
W.S. Elev (ft)	5194.12	Reach Len. (ft)	109.00	109.00	109.00
Crit W.S. (ft)	5192.33	Flow Area (sq ft)	89.11	606.80	216.32
E.G. Slope (ft/ft)	0.004923	Area (sq ft)	276.71	606.80	216.32
Q Total (cfs)	5994.00	Flow (cfs)	114.59	5553.47	325.94
Top Width (ft)	509.18	Top Width (ft)	299.64	82.36	127.18
Vel Total (ft/s)	6.57	Avg. Vel. (ft/s)	1.29	9.15	1.51
Max Chl Dpth (ft)	10.70	Hydr. Depth (ft)	0.71	7.37	1.70
Conv. Total (cfs)	85430.9	Conv. (cfs)	1633.2	79152.1	4645.5
Length Wtd. (ft)	109.00	Wetted Per. (ft)	126.17	84.96	127.31
Min Ch El (ft)	5183.42	Shear (lb/sq ft)	0.22	2.19	0.52
Alpha	1.80	Stream Power (lb/ft s)	0.28	20.09	0.79
Frctn Loss (ft)	0.78	Cum Volume (acre-ft)	176.40	87.62	102.65
C & E Loss (ft)	0.07	Cum SA (acres)	114.69	14.87	66.98

Plan: AsBuilt FW LHC_3m LHC_3m RS: 45900 Profile: FW

E.G. Elev (ft)	5195.33	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.20	Wt. n-Val.	0.069	0.042	0.099
W.S. Elev (ft)	5194.12	Reach Len. (ft)	109.00	109.00	109.00
Crit W.S. (ft)	5192.33	Flow Area (sq ft)	89.54	607.08	215.52
E.G. Slope (ft/ft)	0.004904	Area (sq ft)	89.54	607.08	215.52
Q Total (cfs)	5994.00	Flow (cfs)	114.78	5547.11	332.11
Top Width (ft)	330.00	Top Width (ft)	125.93	82.36	121.71
Vel Total (ft/s)	6.57	Avg. Vel. (ft/s)	1.28	9.14	1.54
Max Chl Dpth (ft)	10.70	Hydr. Depth (ft)	0.71	7.37	1.77
Conv. Total (cfs)	85595.0	Conv. (cfs)	1639.1	79213.3	4742.6
Length Wtd. (ft)	109.00	Wetted Per. (ft)	127.04	84.96	122.20
Min Ch El (ft)	5183.42	Shear (lb/sq ft)	0.22	2.19	0.54
Alpha	1.79	Stream Power (lb/ft s)	0.28	19.99	0.83
Frctn Loss (ft)	0.78	Cum Volume (acre-ft)	105.25	90.91	71.96
C & E Loss (ft)	0.07	Cum SA (acres)	49.34	14.87	35.15

Plan: AsBuilt FW LHC_3m LHC_3m RS: 45799 Profile: 1%

E.G. Elev (ft)	5194.48	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.92	Wt. n-Val.	0.080	0.052	0.100
W.S. Elev (ft)	5192.56	Reach Len. (ft)	243.54	227.94	207.48
Crit W.S. (ft)	5192.56	Flow Area (sq ft)	133.84	469.94	71.86
E.G. Slope (ft/ft)	0.013202	Area (sq ft)	179.65	469.94	72.80
Q Total (cfs)	5994.00	Flow (cfs)	362.94	5459.30	171.76
Top Width (ft)	280.51	Top Width (ft)	161.15	69.45	49.91
Vel Total (ft/s)	8.87	Avg. Vel. (ft/s)	2.71	11.62	2.39
Max Chl Dpth (ft)	8.36	Hydr. Depth (ft)	1.37	6.77	1.67
Conv. Total (cfs)	52168.0	Conv. (cfs)	3158.8	47514.3	1494.9
Length Wtd. (ft)	229.15	Wetted Per. (ft)	99.23	71.29	43.38
Min Ch El (ft)	5184.20	Shear (lb/sq ft)	1.11	5.43	1.37
Alpha	1.57	Stream Power (lb/ft s)	3.01	63.11	3.26
Frctn Loss (ft)	2.26	Cum Volume (acre-ft)	175.83	86.27	102.29
C & E Loss (ft)	0.30	Cum SA (acres)	114.11	14.68	66.76

Plan: AsBuilt FW LHC_3m LHC_3m RS: 45799 Profile: FW

E.G. Elev (ft)	5194.48	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.92	Wt. n-Val.	0.080	0.052	0.100
W.S. Elev (ft)	5192.55	Reach Len. (ft)	243.54	227.94	207.48
Crit W.S. (ft)	5192.55	Flow Area (sq ft)	133.37	469.60	71.62
E.G. Slope (ft/ft)	0.013239	Area (sq ft)	133.37	469.60	71.62
Q Total (cfs)	5994.00	Flow (cfs)	361.42	5460.40	172.19
Top Width (ft)	209.92	Top Width (ft)	97.92	69.45	42.55
Vel Total (ft/s)	8.89	Avg. Vel. (ft/s)	2.71	11.63	2.40
Max Chl Dpth (ft)	8.35	Hydr. Depth (ft)	1.36	6.76	1.68
Conv. Total (cfs)	52094.8	Conv. (cfs)	3141.1	47457.2	1496.5
Length Wtd. (ft)	229.01	Wetted Per. (ft)	99.16	71.29	42.95
Min Ch El (ft)	5184.20	Shear (lb/sq ft)	1.11	5.44	1.38
Alpha	1.57	Stream Power (lb/ft s)	3.01	63.30	3.31
Frctn Loss (ft)	2.19	Cum Volume (acre-ft)	104.97	89.56	71.60
C & E Loss (ft)	0.32	Cum SA (acres)	49.06	14.68	34.95

Plan: AsBuilt FW LHC_3m LHC_3m RS: 45571 Profile: 1%

E.G. Elev (ft)	5190.96	Element	Left OB	Channel	Right OB
Vel Head (ft)	0.91	Wt. n-Val.	0.081	0.048	0.100
W.S. Elev (ft)	5190.05	Reach Len. (ft)	221.29	219.31	217.64
Crit W.S. (ft)	5189.21	Flow Area (sq ft)	374.01	583.53	92.82
E.G. Slope (ft/ft)	0.006504	Area (sq ft)	374.01	583.53	118.80
Q Total (cfs)	5994.00	Flow (cfs)	967.95	4891.59	134.47
Top Width (ft)	419.34	Top Width (ft)	160.23	99.93	159.18
Vel Total (ft/s)	5.71	Avg. Vel. (ft/s)	2.59	8.38	1.45
Max Chl Dpth (ft)	10.03	Hydr. Depth (ft)	2.33	5.84	1.33
Conv. Total (cfs)	74325.5	Conv. (cfs)	12002.5	60655.6	1667.4
Length Wtd. (ft)	219.55	Wetted Per. (ft)	160.38	101.96	69.83
Min Ch EI (ft)	5180.02	Shear (lb/sq ft)	0.95	2.32	0.54
Alpha	1.80	Stream Power (lb/ft s)	2.45	19.48	0.78
Frctn Loss (ft)	1.45	Cum Volume (acre-ft)	174.28	83.52	101.84
C & E Loss (ft)	0.02	Cum SA (acres)	113.21	14.24	66.27

Plan: AsBuilt FW LHC_3m LHC_3m RS: 45571 Profile: FW

E.G. Elev (ft)	5191.14	Element	Left OB	Channel	Right OB
Vel Head (ft)	0.85	Wt. n-Val.	0.082	0.048	0.100
W.S. Elev (ft)	5190.28	Reach Len. (ft)	221.29	219.31	217.64
Crit W.S. (ft)	5189.19	Flow Area (sq ft)	328.94	606.90	107.97
E.G. Slope (ft/ft)	0.005863	Area (sq ft)	328.94	606.90	107.97
Q Total (cfs)	5994.00	Flow (cfs)	910.07	4913.42	170.51
Top Width (ft)	280.00	Top Width (ft)	114.53	99.93	65.54
Vel Total (ft/s)	5.74	Avg. Vel. (ft/s)	2.77	8.10	1.58
Max Chl Dpth (ft)	10.26	Hydr. Depth (ft)	2.87	6.07	1.65
Conv. Total (cfs)	78280.5	Conv. (cfs)	11885.4	64168.3	2226.8
Length Wtd. (ft)	219.51	Wetted Per. (ft)	117.47	101.96	66.02
Min Ch EI (ft)	5180.02	Shear (lb/sq ft)	1.02	2.18	0.60
Alpha	1.67	Stream Power (lb/ft s)	2.84	17.64	0.95
Frctn Loss (ft)	1.40	Cum Volume (acre-ft)	103.67	86.74	71.18
C & E Loss (ft)	0.04	Cum SA (acres)	48.46	14.24	34.69

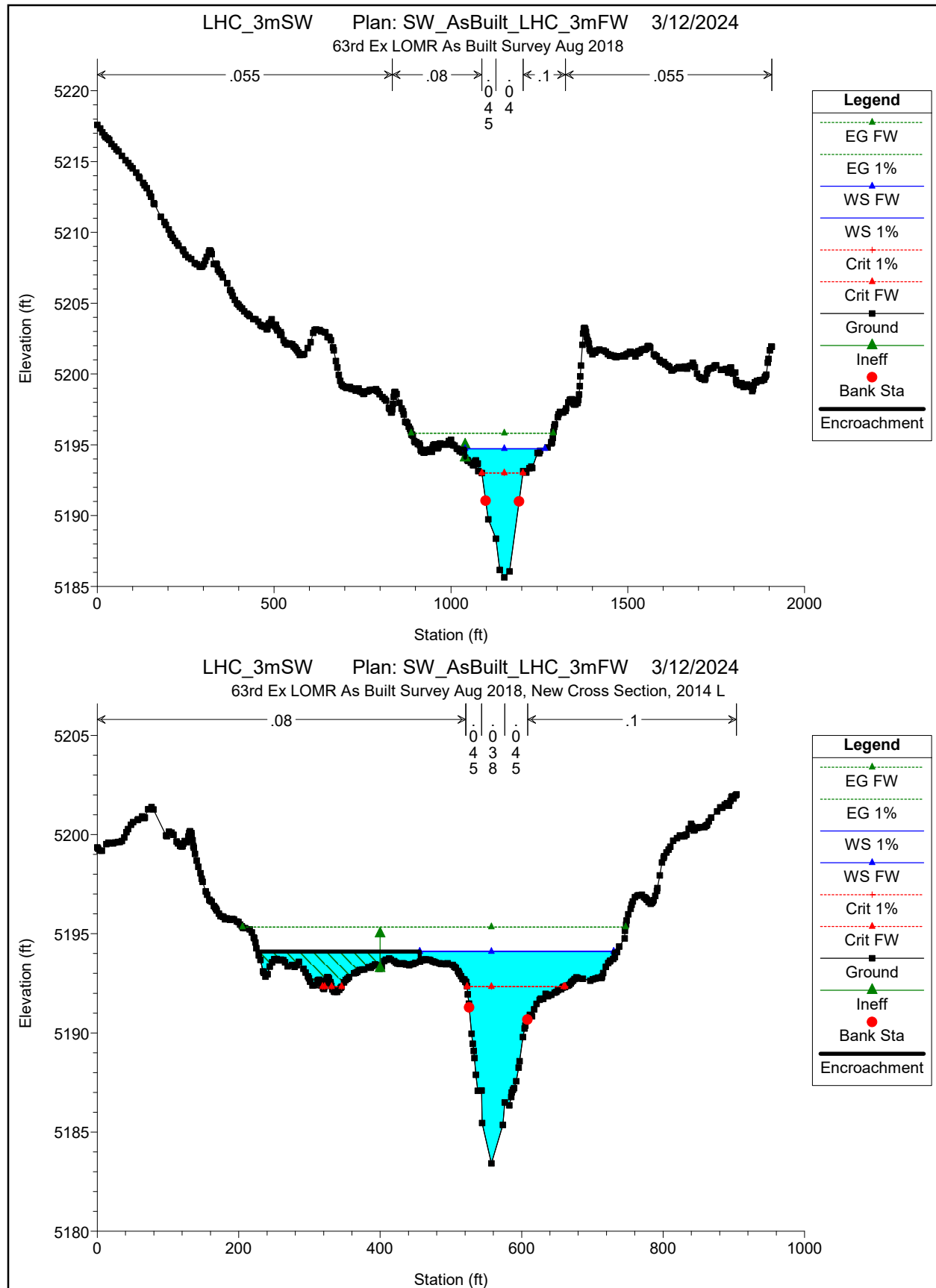
**PROPOSED FLOODWAY REVISIONS
HEC-RAS OUTPUT**

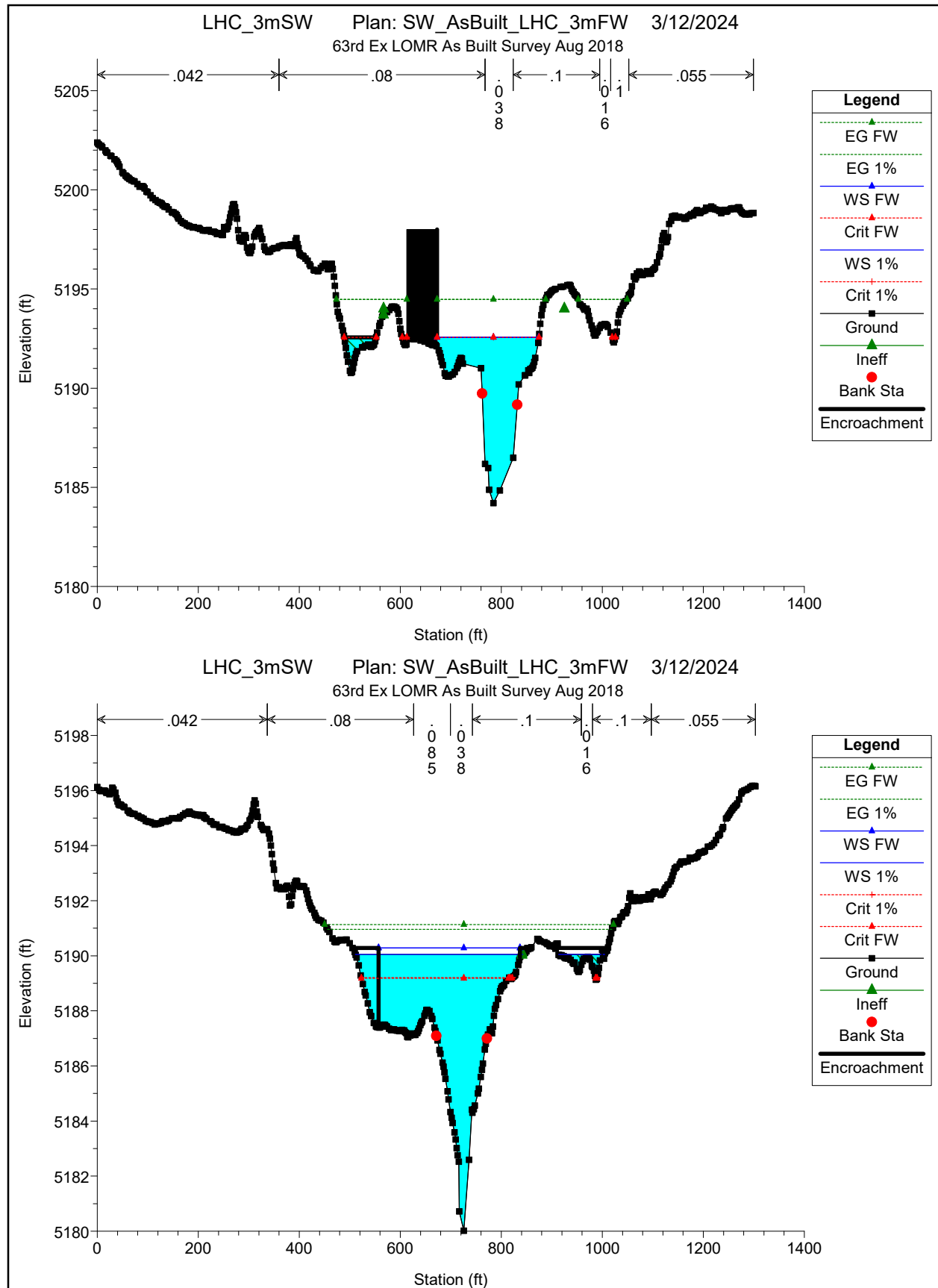
HEC-RAS Plan: SW AsBuilt FW River: LHC_3m Reach: LHC_3m (Continued)

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
LHC_3m	49292	1%	5994.00	5225.79	5233.69	5233.69	5234.48	0.010306	10.68	1168.35	652.24	0.79
LHC_3m	49292	FW	5994.00	5225.79	5234.08	5234.08	5235.22	0.011590	11.84	906.91	326.00	0.84
LHC_3m	49118	1%	5994.00	5226.00	5230.81	5230.61	5231.34	0.012796	8.80	1149.87	685.43	0.80
LHC_3m	49118	FW	5994.00	5226.00	5231.22	5230.83	5231.89	0.012949	9.49	1035.64	426.23	0.81
LHC_3m	48665	1%	5994.00	5219.49	5226.10	5225.94	5226.91	0.010368	9.86	1034.01	622.72	0.77
LHC_3m	48665	FW	5994.00	5219.49	5226.25	5226.01	5227.15	0.011525	10.23	959.06	569.29	0.78
LHC_3m	48330	1%	5994.00	5215.46	5223.84	5223.84	5224.69	0.007126	9.47	1288.62	943.50	0.65
LHC_3m	48330	FW	5994.00	5215.46	5223.77	5223.77	5224.70	0.007650	9.75	1199.11	599.08	0.67
LHC_3m	47972	1%	5994.00	5210.63	5219.66	5219.66	5221.02	0.008666	10.54	761.52	535.99	0.70
LHC_3m	47972	FW	5994.00	5210.63	5219.66	5219.66	5221.02	0.008666	10.54	761.52	338.40	0.70
LHC_3m	47561	1%	5994.00	5207.25	5214.05	5214.05	5215.14	0.010740	10.50	861.66	337.73	0.77
LHC_3m	47561	FW	5994.00	5207.25	5214.30	5214.30	5216.33	0.015178	12.84	569.29	130.57	0.92
LHC_3m	47089	1%	5994.00	5197.53	5207.54	5207.54	5209.47	0.009385	11.83	752.36	339.60	0.74
LHC_3m	47089	FW	5994.00	5197.53	5207.24	5207.24	5209.45	0.011122	12.54	671.73	254.78	0.81
LHC_3m	46858	1%	5994.00	5192.97	5204.46	5204.46	5206.77	0.007553	13.18	749.93	422.29	0.77
LHC_3m	46858	FW	5994.00	5192.97	5204.46	5204.46	5206.77	0.007555	13.19	749.83	220.21	0.77
LHC_3m	46819		Culvert									
LHC_3m	46779	1%	5994.00	5192.22	5201.65	5201.65	5203.99	0.009247	12.55	600.52	179.22	0.88
LHC_3m	46779	FW	5994.00	5192.22	5201.65	5201.65	5203.99	0.009263	12.56	599.95	178.65	0.88
LHC_3m	46479	1%	5994.00	5188.83	5198.70	5197.36	5200.25	0.005400	10.09	615.92	107.52	0.69
LHC_3m	46479	FW	5994.00	5188.83	5198.80	5197.36	5200.30	0.005117	9.92	626.47	106.32	0.67
LHC_3m	46262	1%	5994.00	5186.51	5198.18	5195.53	5199.00	0.002794	7.43	909.43	251.40	0.48
LHC_3m	46262	FW	5994.00	5186.51	5198.33	5195.53	5199.11	0.002575	7.24	938.90	193.20	0.47
LHC_3m	46249		Bridge									
LHC_3m	46235	1%	5994.00	5186.63	5195.92	5195.92	5198.23	0.008685	12.48	521.82	155.99	0.88
LHC_3m	46235	FW	5994.00	5186.63	5195.92	5195.92	5198.23	0.008685	12.48	521.82	155.99	0.88
LHC_3m	46007	1%	5994.00	5185.64	5194.71	5193.01	5195.81	0.004364	8.69	810.41	279.04	0.59
LHC_3m	46007	FW	5994.00	5185.64	5194.73	5193.01	5195.82	0.004316	8.65	815.02	225.61	0.58
LHC_3m	45900	1%	5994.00	5183.42	5194.12	5192.33	5195.33	0.004923	9.15	912.23	509.18	0.59
LHC_3m	45900	FW	5994.00	5183.42	5194.11	5192.33	5195.34	0.005004	9.21	874.38	274.00	0.60
LHC_3m	45799	1%	5994.00	5184.20	5192.56	5192.56	5194.48	0.013202	11.62	675.64	280.51	0.79
LHC_3m	45799	FW	5994.00	5184.20	5192.56	5192.56	5194.48	0.013182	11.61	673.67	201.00	0.79
LHC_3m	45571	1%	5994.00	5180.02	5190.05	5189.21	5190.96	0.006504	8.38	1050.35	419.34	0.61
LHC_3m	45571	FW	5994.00	5180.02	5190.28	5189.19	5191.14	0.005863	8.10	1043.80	280.00	0.58
LHC_3m	45351	1%	5994.00	5178.79	5188.40	5188.40	5189.49	0.006666	10.15	1201.69	568.32	0.70
LHC_3m	45351	FW	5994.00	5178.79	5188.47	5188.47	5189.70	0.007044	10.49	1146.55	437.82	0.72
LHC_3m	45109	1%	5994.00	5176.73	5186.91	5186.91	5188.01	0.004513	10.55	1477.27	612.44	0.64
LHC_3m	45109	FW	5994.00	5176.73	5186.93	5186.93	5188.01	0.004408	10.44	1493.24	610.32	0.63
LHC_3m	45042	1%	5994.00	5175.25	5185.62	5185.62	5186.75	0.007863	9.71	1172.72	549.03	0.60
LHC_3m	45042	FW	5994.00	5175.25	5185.62	5185.62	5186.75	0.007863	9.71	1172.72	549.03	0.60
LHC_3m	45009		Mult Open									
LHC_3m	44976	1%	5994.00	5174.53	5184.46	5184.46	5185.72	0.008097	10.16	1190.61	645.95	0.70
LHC_3m	44976	FW	5994.00	5174.53	5184.48	5184.48	5185.72	0.007983	10.10	1199.88	546.58	0.70
LHC_3m	44847	1%	5994.00	5172.92	5182.20	5181.51	5183.99	0.006551	10.94	743.92	590.45	0.75
LHC_3m	44847	FW	5994.00	5172.92	5182.20	5181.51	5183.99	0.006542	10.93	730.01	350.32	0.75
LHC_3m	44652	1%	5994.00	5170.38	5179.24	5179.24	5182.10	0.015034	13.78	506.25	176.26	0.96
LHC_3m	44652	FW	5994.00	5170.38	5179.23	5179.23	5182.10	0.015128	13.81	504.51	153.68	0.96
LHC_3m	44404	1%	5994.00	5169.65	5177.14	5177.14	5178.13	0.005040	9.46	1156.15	710.75	0.64
LHC_3m	44404	FW	5994.00	5169.65	5177.19	5177.19	5178.81	0.006930	11.15	751.06	265.17	0.75
LHC_3m	44228	1%	5994.00	5164.59	5174.50	5174.50	5175.66	0.005648	10.13	1150.12	537.58	0.66
LHC_3m	44228	FW	5994.00	5164.59	5174.54	5174.54	5176.36	0.007554	11.76	793.93	227.48	0.77
LHC_3m	44111	1%	5994.00	5164.75	5172.03	5172.00	5173.57	0.010216	11.91	866.54	419.95	0.88

HEC-RAS Plan: SW AsBuilt FW River: LHC_3m Reach: LHC_3m (Continued)

Reach	River Sta	Profile	W.S. Elev (ft)	Prof Delta WS (ft)	E.G. Elev (ft)	Top Width Act (ft)	Q Left (cfs)	Q Channel (cfs)	Q Right (cfs)	Enc Sta L (ft)	Ch Sta L (ft)	Ch Sta R (ft)	Enc Sta R (ft)
LHC_3m	46858	1%	5204.46		5206.77	218.24	42.50	5094.76	856.74		957.00	998.88	
LHC_3m	46858	FW	5204.46	0.00	5206.77	218.21	42.46	5094.94	856.60	932.00	957.00	998.88	1206.00
LHC_3m	46819		Culvert										
LHC_3m	46779	1%	5201.65		5203.99	179.22	0.83	5719.98	273.18		996.00	1068.00	
LHC_3m	46779	FW	5201.65	0.00	5203.99	178.65	0.79	5720.61	272.60	995.00	996.00	1068.00	1232.00
LHC_3m	46479	1%	5198.70		5200.25	107.52	50.02	5871.56	72.43		1099.59	1186.00	
LHC_3m	46479	FW	5198.80	0.10	5200.30	106.32	54.05	5862.17	77.78	1087.59	1099.59	1186.00	1193.91
LHC_3m	46262	1%	5198.18		5199.00	197.46	256.57	5697.90	39.52		1098.42	1202.92	
LHC_3m	46262	FW	5198.33	0.15	5199.11	193.20	282.42	5663.12	48.46	1027.59	1098.42	1202.92	1220.79
LHC_3m	46249 BR U	1%	5198.18		5199.00	197.47	778.49	4991.38	218.11		1098.42	1202.92	
LHC_3m	46249 BR U	FW	5198.33	0.15	5199.11	193.20	570.92	4027.46	1391.62	1027.59	1098.42	1202.92	1220.79
LHC_3m	46249 BR D	1%	5197.95		5199.00	310.35	778.49	4991.38	218.11		1109.00	1181.14	
LHC_3m	46249 BR D	FW	5197.52	-0.43	5199.11	142.02	570.92	4027.46	1391.62	1027.59	1109.00	1181.14	1346.00
LHC_3m	46235	1%	5195.92		5198.23	117.95	125.04	5652.84	216.12		1109.00	1181.14	
LHC_3m	46235	FW	5195.92	0.00	5198.23	117.95	125.04	5652.84	216.12	1027.59	1109.00	1181.14	1346.00
LHC_3m	46007	1%	5194.71		5195.81	223.86	187.33	5616.79	189.88		1098.28	1193.00	
LHC_3m	46007	FW	5194.73	0.02	5195.82	225.61	189.33	5613.09	191.58	1040.00	1098.28	1193.00	1271.00
LHC_3m	45900	1%	5194.12		5195.33	335.47	114.59	5553.47	325.94		525.93	608.29	
LHC_3m	45900	FW	5194.11	-0.01	5195.34	274.00	83.73	5580.40	329.87	456.00	525.93	608.29	730.00
LHC_3m	45799	1%	5192.56		5194.48	210.51	362.94	5459.30	171.76		762.00	831.45	
LHC_3m	45799	FW	5192.56	0.00	5194.48	201.00	361.61	5459.26	173.13	673.00	762.00	831.45	874.00
LHC_3m	45571	1%	5190.05		5190.96	329.85	967.95	4891.59	134.47		671.53	771.46	
LHC_3m	45571	FW	5190.28	0.23	5191.14	280.00	910.07	4913.42	170.51	557.00	671.53	771.46	837.00
LHC_3m	45351	1%	5188.46		5189.70	437.82	1070.48	4173.71	749.81	560.00	707.87	767.86	1040.00
LHC_3m	45351	FW	5188.47	0.08	5189.70	437.82	1070.48	4173.71	749.81	560.00	707.87	767.86	1040.00
LHC_3m	45109	1%	5186.91		5188.01	612.44	1302.96	3741.11	949.93		544.06	586.05	
LHC_3m	45109	FW	5186.93	0.03	5188.01	610.32	1312.31	3716.21	965.47	306.85	544.06	586.05	917.17
LHC_3m	45042	1%	5185.62		5186.75	549.03	945.76	4572.31	475.93		545.46	604.03	
LHC_3m	45042	FW	5185.62	0.00	5186.75	549.03	945.76	4572.31	475.93	335.97	545.46	604.03	886.28
LHC_3m	45009		Mult Open										
LHC_3m	44976	1%	5184.46		5185.72	542.05	861.98	4637.05	494.97		535.20	604.92	
LHC_3m	44976	FW	5184.48	0.02	5185.72	543.18	868.26	4624.20	501.54	323.70	535.20	604.92	886.00
LHC_3m	44847	1%	5182.20		5183.99	435.47	136.76	5770.71	86.53		527.20	607.00	
LHC_3m	44847	FW	5182.20	0.00	5183.99	350.32	138.99	5772.43	82.58	319.00	527.20	607.00	698.00
LHC_3m	44652	1%	5179.24		5182.10	156.18	148.45	5809.85	35.70		565.63	631.59	
LHC_3m	44652	FW	5179.23	-0.01	5182.10	153.68	147.69	5810.94	35.37	307.00	565.63	631.59	738.00
LHC_3m	44404	1%	5177.14		5178.13	573.66	1321.75	4123.30	548.95		601.78	665.28	
LHC_3m	44404	FW	5177.19	0.05	5178.81	265.17	855.51	4898.31	240.19	366.00	601.78	665.28	685.28
LHC_3m	44228	1%	5174.50		5175.66	537.58	1062.53	4288.60	642.87		631.31	689.38	
LHC_3m	44228	FW	5174.54	0.04	5176.36	227.48	977.31	5008.44	8.25	463.03	631.31	689.38	690.51
LHC_3m	44111	1%	5172.03		5173.57	387.67	662.40	3889.50	1442.10		677.96	735.25	
LHC_3m	44111	FW	5172.53	0.49	5174.25	223.00	938.11	4293.94	761.96	542.00	677.96	735.25	765.00
LHC_3m	44027	1%	5171.50		5172.81	469.27	857.36	4548.23	588.41		691.52	753.47	
LHC_3m	44027	FW	5171.87	0.37	5173.21	228.16	794.63	4720.29	479.08	518.66	691.52	753.47	774.82
LHC_3m	43896	1%	5170.60		5171.62	588.94	1354.91	3964.23	674.87		689.73	750.54	
LHC_3m	43896	FW	5170.57	-0.03	5172.25	248.46	1096.82	4686.31	210.87	439.78	689.73	750.54	759.24
LHC_3m	43797	1%	5168.56		5169.46	638.19	1696.42	3387.53	910.05		600.32	650.00	
LHC_3m	43797	FW	5168.99	0.44	5170.22	330.56	2083.71	3904.92	5.37	320.00	600.32	650.00	650.56
LHC_3m	43681	1%	5167.31		5168.43	509.10	1025.25	4422.11	546.63		538.17	597.63	
LHC_3m	43681	FW	5167.38	0.07	5168.99	247.63	960.57	5033.44		350.00	538.17	597.63	597.63
LHC_3m	43611	1%	5165.77		5166.77	591.76	1699.98	3671.14	622.89		628.02	681.53	
LHC_3m	43611	FW	5165.89	0.11	5167.33	281.53	1791.91	4202.09		400.00	628.02	681.53	681.53
LHC_3m	43308	1%	5160.84		5164.01	126.24	74.21	5839.54	80.25		707.66	763.84	
LHC_3m	43308	FW	5160.84	0.00	5164.01	125.90	74.44	5839.47	80.09	385.00	707.66	763.84	831.94
LHC_3m	43224	1%	5160.80		5162.94	176.36	463.29	5416.05	114.65		916.22	971.84	
LHC_3m	43224	FW	5160.80	0.00	5162.94	175.54	462.28	5417.24	114.47	791.87	916.22	971.84	1001.62
LHC_3m	43195	1%	5161.20		5162.25	124.10	407.63	5519.08	67.29		746.85	820.49	
LHC_3m	43195	FW	5161.19	-0.01	5162.25	124.08	395.28	5531.42	67.30	710.00	746.85	820.49	834.08
LHC_3m	43154 BR U	1%	5161.05		5162.18	115.76	457.39	5460.13	76.48		746.85	820.49	





Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 46007 Profile: 1%

E.G. Elev (ft)	5195.81	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.10	Wt. n-Val.	0.057	0.041	0.055
W.S. Elev (ft)	5194.71	Reach Len. (ft)	102.00	102.00	102.00
Crit W.S. (ft)	5193.01	Flow Area (sq ft)	80.43	646.65	83.33
E.G. Slope (ft/ft)	0.004364	Area (sq ft)	90.38	646.65	83.33
Q Total (cfs)	5994.00	Flow (cfs)	187.33	5616.79	189.88
Top Width (ft)	279.04	Top Width (ft)	113.46	94.72	70.86
Vel Total (ft/s)	7.40	Avg. Vel. (ft/s)	2.33	8.69	2.28
Max Chl Dpth (ft)	9.07	Hydr. Depth (ft)	1.38	6.83	1.18
Conv. Total (cfs)	90731.9	Conv. (cfs)	2835.6	85022.1	2874.2
Length Wtd. (ft)	102.00	Wetted Per. (ft)	58.63	95.57	71.11
Min Ch El (ft)	5185.64	Shear (lb/sq ft)	0.37	1.84	0.32
Alpha	1.30	Stream Power (lb/ft s)	0.87	16.01	0.73
Frctn Loss (ft)	0.47	Cum Volume (acre-ft)	176.83	89.09	103.00
C & E Loss (ft)	0.01	Cum SA (acres)	115.17	15.08	67.22

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 46007 Profile: FW

E.G. Elev (ft)	5195.82	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.10	Wt. n-Val.	0.057	0.041	0.055
W.S. Elev (ft)	5194.73	Reach Len. (ft)	102.00	102.00	102.00
Crit W.S. (ft)	5193.01	Flow Area (sq ft)	81.62	648.59	84.80
E.G. Slope (ft/ft)	0.004316	Area (sq ft)	81.62	648.59	84.80
Q Total (cfs)	5994.00	Flow (cfs)	189.33	5613.09	191.58
Top Width (ft)	225.61	Top Width (ft)	58.28	94.72	72.61
Vel Total (ft/s)	7.35	Avg. Vel. (ft/s)	2.32	8.65	2.26
Max Chl Dpth (ft)	9.09	Hydr. Depth (ft)	1.40	6.85	1.17
Conv. Total (cfs)	91237.0	Conv. (cfs)	2881.9	85439.1	2916.1
Length Wtd. (ft)	102.00	Wetted Per. (ft)	59.26	95.57	72.86
Min Ch El (ft)	5185.64	Shear (lb/sq ft)	0.37	1.83	0.31
Alpha	1.30	Stream Power (lb/ft s)	0.86	15.83	0.71
Frctn Loss (ft)	0.47	Cum Volume (acre-ft)	105.36	92.37	72.31
C & E Loss (ft)	0.01	Cum SA (acres)	49.38	15.08	35.38

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 45900 Profile: 1%

E.G. Elev (ft)	5195.33	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.21	Wt. n-Val.	0.069	0.042	0.099
W.S. Elev (ft)	5194.12	Reach Len. (ft)	109.00	109.00	109.00
Crit W.S. (ft)	5192.33	Flow Area (sq ft)	89.11	606.80	216.32
E.G. Slope (ft/ft)	0.004923	Area (sq ft)	276.71	606.80	216.32
Q Total (cfs)	5994.00	Flow (cfs)	114.59	5553.47	325.94
Top Width (ft)	509.18	Top Width (ft)	299.64	82.36	127.18
Vel Total (ft/s)	6.57	Avg. Vel. (ft/s)	1.29	9.15	1.51
Max Chl Dpth (ft)	10.70	Hydr. Depth (ft)	0.71	7.37	1.70
Conv. Total (cfs)	85430.9	Conv. (cfs)	1633.2	79152.1	4645.5
Length Wtd. (ft)	109.00	Wetted Per. (ft)	126.17	84.96	127.31
Min Ch El (ft)	5183.42	Shear (lb/sq ft)	0.22	2.19	0.52
Alpha	1.80	Stream Power (lb/ft s)	0.28	20.09	0.79
Frctn Loss (ft)	0.78	Cum Volume (acre-ft)	176.40	87.62	102.65
C & E Loss (ft)	0.07	Cum SA (acres)	114.69	14.87	66.98

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 45900 Profile: FW

E.G. Elev (ft)	5195.34	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.23	Wt. n-Val.	0.065	0.042	0.099
W.S. Elev (ft)	5194.11	Reach Len. (ft)	109.00	109.00	109.00
Crit W.S. (ft)	5192.33	Flow Area (sq ft)	55.46	605.59	213.32
E.G. Slope (ft/ft)	0.005004	Area (sq ft)	55.46	605.59	213.32
Q Total (cfs)	5994.00	Flow (cfs)	83.73	5580.40	329.87
Top Width (ft)	274.00	Top Width (ft)	69.93	82.36	121.71
Vel Total (ft/s)	6.86	Avg. Vel. (ft/s)	1.51	9.21	1.55
Max Chl Dpth (ft)	10.69	Hydr. Depth (ft)	0.79	7.35	1.75
Conv. Total (cfs)	84737.0	Conv. (cfs)	1183.7	78890.0	4663.3
Length Wtd. (ft)	109.00	Wetted Per. (ft)	70.67	84.96	122.18
Min Ch El (ft)	5183.42	Shear (lb/sq ft)	0.25	2.23	0.55
Alpha	1.69	Stream Power (lb/ft s)	0.37	20.52	0.84
Frctn Loss (ft)	0.79	Cum Volume (acre-ft)	105.20	90.91	71.96
C & E Loss (ft)	0.07	Cum SA (acres)	49.23	14.87	35.15

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 45799 Profile: 1%

E.G. Elev (ft)	5194.48	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.92	Wt. n-Val.	0.080	0.052	0.100
W.S. Elev (ft)	5192.56	Reach Len. (ft)	243.54	227.94	207.48
Crit W.S. (ft)	5192.56	Flow Area (sq ft)	133.84	469.94	71.86
E.G. Slope (ft/ft)	0.013202	Area (sq ft)	179.65	469.94	72.80
Q Total (cfs)	5994.00	Flow (cfs)	362.94	5459.30	171.76
Top Width (ft)	280.51	Top Width (ft)	161.15	69.45	49.91
Vel Total (ft/s)	8.87	Avg. Vel. (ft/s)	2.71	11.62	2.39
Max Chl Dpth (ft)	8.36	Hydr. Depth (ft)	1.37	6.77	1.67
Conv. Total (cfs)	52168.0	Conv. (cfs)	3158.8	47514.3	1494.9
Length Wtd. (ft)	229.15	Wetted Per. (ft)	99.23	71.29	43.38
Min Ch El (ft)	5184.20	Shear (lb/sq ft)	1.11	5.43	1.37
Alpha	1.57	Stream Power (lb/ft s)	3.01	63.11	3.26
Frctn Loss (ft)	2.26	Cum Volume (acre-ft)	175.83	86.27	102.29
C & E Loss (ft)	0.30	Cum SA (acres)	114.11	14.68	66.76

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 45799 Profile: FW

E.G. Elev (ft)	5194.48	Element	Left OB	Channel	Right OB
Vel Head (ft)	1.92	Wt. n-Val.	0.080	0.052	0.100
W.S. Elev (ft)	5192.56	Reach Len. (ft)	243.54	227.94	207.48
Crit W.S. (ft)	5192.56	Flow Area (sq ft)	131.58	470.14	71.95
E.G. Slope (ft/ft)	0.013182	Area (sq ft)	131.58	470.14	71.95
Q Total (cfs)	5994.00	Flow (cfs)	361.61	5459.26	173.13
Top Width (ft)	201.00	Top Width (ft)	89.00	69.45	42.55
Vel Total (ft/s)	8.90	Avg. Vel. (ft/s)	2.75	11.61	2.41
Max Chl Dpth (ft)	8.36	Hydr. Depth (ft)	1.48	6.77	1.69
Conv. Total (cfs)	52206.0	Conv. (cfs)	3149.5	47548.6	1507.9
Length Wtd. (ft)	229.01	Wetted Per. (ft)	89.95	71.29	42.96
Min Ch El (ft)	5184.20	Shear (lb/sq ft)	1.20	5.43	1.38
Alpha	1.56	Stream Power (lb/ft s)	3.31	63.02	3.32
Frctn Loss (ft)	2.18	Cum Volume (acre-ft)	104.96	89.56	71.60
C & E Loss (ft)	0.32	Cum SA (acres)	49.03	14.68	34.95

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 45571 Profile: 1%

E.G. Elev (ft)	5190.96	Element	Left OB	Channel	Right OB
Vel Head (ft)	0.91	Wt. n-Val.	0.081	0.048	0.100
W.S. Elev (ft)	5190.05	Reach Len. (ft)	221.29	219.31	217.64
Crit W.S. (ft)	5189.21	Flow Area (sq ft)	374.01	583.53	92.82
E.G. Slope (ft/ft)	0.006504	Area (sq ft)	374.01	583.53	118.80
Q Total (cfs)	5994.00	Flow (cfs)	967.95	4891.59	134.47
Top Width (ft)	419.34	Top Width (ft)	160.23	99.93	159.18
Vel Total (ft/s)	5.71	Avg. Vel. (ft/s)	2.59	8.38	1.45
Max Chl Dpth (ft)	10.03	Hydr. Depth (ft)	2.33	5.84	1.33
Conv. Total (cfs)	74325.5	Conv. (cfs)	12002.5	60655.6	1667.4
Length Wtd. (ft)	219.55	Wetted Per. (ft)	160.38	101.96	69.83
Min Ch EI (ft)	5180.02	Shear (lb/sq ft)	0.95	2.32	0.54
Alpha	1.80	Stream Power (lb/ft s)	2.45	19.48	0.78
Frctn Loss (ft)	1.45	Cum Volume (acre-ft)	174.28	83.52	101.84
C & E Loss (ft)	0.02	Cum SA (acres)	113.21	14.24	66.27

Plan: SW AsBuilt FW LHC_3m LHC_3m RS: 45571 Profile: FW

E.G. Elev (ft)	5191.14	Element	Left OB	Channel	Right OB
Vel Head (ft)	0.85	Wt. n-Val.	0.082	0.048	0.100
W.S. Elev (ft)	5190.28	Reach Len. (ft)	221.29	219.31	217.64
Crit W.S. (ft)	5189.19	Flow Area (sq ft)	328.94	606.90	107.97
E.G. Slope (ft/ft)	0.005863	Area (sq ft)	328.94	606.90	107.97
Q Total (cfs)	5994.00	Flow (cfs)	910.07	4913.42	170.51
Top Width (ft)	280.00	Top Width (ft)	114.53	99.93	65.54
Vel Total (ft/s)	5.74	Avg. Vel. (ft/s)	2.77	8.10	1.58
Max Chl Dpth (ft)	10.26	Hydr. Depth (ft)	2.87	6.07	1.65
Conv. Total (cfs)	78280.5	Conv. (cfs)	11885.4	64168.3	2226.8
Length Wtd. (ft)	219.51	Wetted Per. (ft)	117.47	101.96	66.02
Min Ch EI (ft)	5180.02	Shear (lb/sq ft)	1.02	2.18	0.60
Alpha	1.67	Stream Power (lb/ft s)	2.84	17.64	0.95
Frctn Loss (ft)	1.40	Cum Volume (acre-ft)	103.67	86.74	71.18
C & E Loss (ft)	0.04	Cum SA (acres)	48.46	14.24	34.69



Community Planning & Permitting

ATTACHMENT E

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
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303-441-3930 • www.BoulderCounty.gov

March 20, 2024

To: Dana Yelton, Planner I

From: Kelly Watson, Principal Floodplain Planner

Docket: SPR-23-0108: Piscopio-Huang Residential Remodel and New Accessory Structure

Location: 5986 Heather Way, Section 27, Township 2N, Range 70W

On March 12, 2024, the Community Planning & Permitting Department – Floodplain Management Program received additional data related to the above referenced docket. The data included a memo stating the applicant’s intention to apply to FEMA for a Letter of Map Revision (LOMR) following Boulder County staff review, as well as a preliminary hydraulic model and revised Floodway delineation. Floodplain staff have reviewed the data and have the following comments:

1. The preliminary hydraulic model shows that the Floodway can be narrowed on this property such that the existing building and proposed accessory structure are outside the Floodway but still within the 100-year floodplain (“flood fringe”) while still meeting FEMA’s standards and guidelines for hydraulic modeling and mapping. The proposed Floodway revision does not impact neighboring properties. If the applicant goes forward with the project, they should submit a full LOMR submittal to the county for review and concurrence. LOMR submittal guidance and checklists are available on the Colorado Water Conservation Board website: <https://coloradohazardmapping.com/lomr>. This letter does not indicate that the county will approve or sign the MT-2 form for any future LOMR. The LOMR must comply with all FEMA and State of Colorado guidelines and standards for Floodways and cannot result in higher Base Flood Elevations on existing insurable structures.
2. See comments #3 and #4 from our previous referral response for permitting requirements for the proposed accessory structure and improvements to the existing residence.

Additional Information:

Portions of the property will remain in the Floodway. Any future development within the Floodplain Overlay District will require an FDP and must adhere to Article 4-404B (Uses Prohibited in Floodway) and 4-404C (Uses Allowed in Floodway under Certain Conditions).

Please contact Kelly Watson and Sarah Heller, Floodplain Planners, at FloodplainAdmin@bouldercounty.gov to discuss this referral.

This concludes our comments at this time.

Claire Levy County Commissioner Marta Loachamin County Commissioner Ashley Stolzmann County Commissioner