

RESOLUTION 2024-026

A resolution denying Boulder County Community Planning & Permitting Docket SU-22-0002: Alexander Dawson School SU-SSDP

Recitals

A. George Moore, on behalf of Alexander Dawson School, LLC (the “Applicant”), requested Special Review under Article 4-601 of the Boulder County Land Use Code (the “Code”) to modify an existing Special Use/Site Specific Development Plan approval (SU-13-0002) for an Educational Facility to increase the maximum number of students allowed from 540 to 700 and remove the previously imposed caps on energy, gas, water, and traffic.

B. The subject property is located at 10455 Dawson Drive, west of Highway 287 and approximately 1.5 miles south of Lookout Road, in Section 10, Township 1 North, Range 69 West, in an Agricultural zoning district of unincorporated Boulder County (the “Property”).

C. The Property is comprised of three parcels, Boulder County Assessor Parcel Nos. 146510000055, 146510000036, and 146510000049. The three parcels are approximately 94 acres, although the campus buildings are all located on the 59-acre parcel 146510000036. The other two parcels are either undeveloped or are used for sports fields. The Property is accessed via a driveway from Highway 287.

D. The Boulder County Comprehensive Plan indicates the Property is located in Agricultural Lands of both Statewide and National Importance. There is also a small section of the northernmost parcel that is within the White Rock/Gunbarrel Hill Environmental Conservation Area. The Boulder and White Rock Ditch and the Leggett Ditch both cut through the Property. Finally, the section of Highway 287 adjacent to the Property has a Viewshed Protection score of 1.75 out of 5.

E. The southeast parcel and a portion of the main (central) parcel are encumbered by county-held conservation easements. Designated County Open Space properties lie to the north, east, and south of the Property.

F. The Boulder County Planning Commission considered the application on August 16, 2023, and voted 6-2 to recommend approval of the increased enrollment to a maximum of 700 students, denial of the removal of the caps on electricity, gas, and water usage, and modification of the cap of average daily trips to be the higher of 1,674 or 3.1/student based on that year’s enrollment, and certified the docket for action to the Board of County Commissioners (the “Board”).

G. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket SU-22-0002 (the “Docket”), as further described in the memorandum and written recommendation to the Board by Boulder County Community Planning & Permitting Department planning staff dated March 5, 2024, together with its attachments (the “Staff Recommendation”).

H. In the Staff Recommendation, staff determined that the proposed increase in enrollment would not be compatible with the rural nature of the surrounding area, would not be in accordance with the Comprehensive Plan, and would be an over-intensive use of the land. As such, staff recommended denial of the increase in enrollment. Additionally, because staff determined the increase in enrollment does not meet the criteria for Special Review and should be denied, staff determined the modification to the cap on average daily trips recommended by the Planning Commission would not be necessary or appropriate and recommended denial. Finally, staff determined the removal of the caps on electricity, gas, and water is not appropriate and would conflict with the requirements of the Code for the expansion of existing Community Uses and recommended denial of modification or removal of any of the previously established caps.

I. The Staff Recommendation found the Docket could not meet the criteria for approval, and therefore, recommended that the Board deny the Docket.

J. 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 documents and testimony presented by County Community Planning & Permitting Department planning staff. The Board also heard testimony from George Moore on behalf of the Applicant. Three members of the public spoke at the Public Hearing.

K. Based on the Public Hearing, the Board finds that the Docket does not meet all applicable criteria for Special Review as set forth in Article 4-601(A) of the Code for the reasons set forth in the Staff Recommendation and stated on the record.

L. Therefore, the Docket is not approved.

Therefore, the Board resolves:

Docket SU-22-0002 is denied on the basis and terms set forth in this Resolution.

A motion to deny the Docket was made by Commissioner Levy, seconded by Commissioner

Stolzmann, and passed by a 2-1 vote. Commissioners Levy and Stolzmann voted in favor, and Commissioner Loachamin voted opposed.

ADOPTED as a final decision of the Board on this _____ day of March 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

