

MEMORANDUM

TO: Planning Board
FROM: Ayanna Reed, Case Manager
DATE: June 25, 2024
SUBJECT: **Call-Up Item:** SITE REVIEW AMENDMENT to the Boulder Jewish Commons Site Review (LUR2012-00005) to allow for subdivision of Lot 2 at 6079 Oreg Ave into two lots. The existing Jewish Community Center on Lot 1 will continue to meet all standards of the approved site review. This application is subject to potential call-up on or before **July 8, 2024**.
CASE NO: LUR2024-00011

The purpose of this item is for the Planning Board to consider the call-up of the attached Site Review Amendment for a public hearing. Attached is the disposition of approval for the site review amendment of the Boulder Jewish Commons Site Review (see [Attachment A](#)) to allow for the subdivision of Lot 2 at 6079 Oreg Ave into two lots.

Background. The Boulder Jewish Commons site is located south of Arapahoe Ave and east of Cherryvale Rd. Refer to **Figure 1** below.

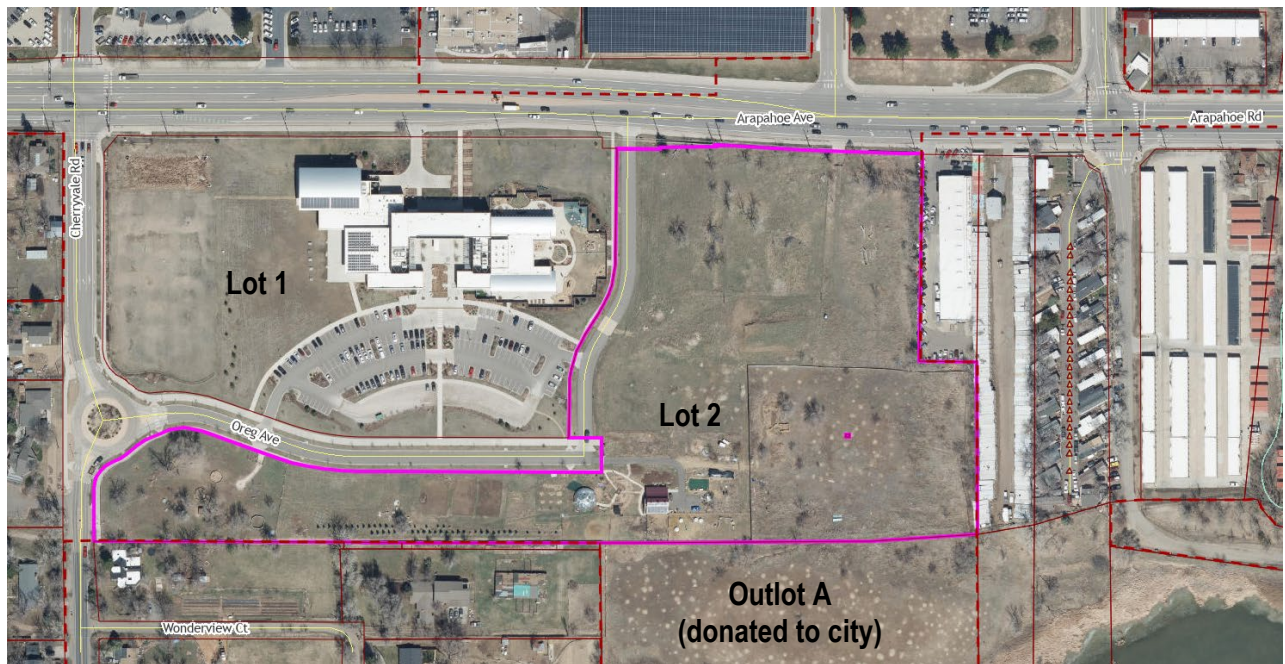


Figure 1 – Site Location

The property is zoned Residential - Rural 1 (RR-1), Residential - Medium 1 (RM-1), and Residential - Estate (RE). In 2014, City Council approved the Site Review and Use Review (LUR2012-0005) and an Annexation/Initial Zoning (LUR2000-AZ011) for Boulder Jewish Commons, which involved annexing a portion of the site and approved the approximately 60,000 square foot Jewish Community Center (JCC) building on Lot 1 for an adult education facility, daycare center, indoor recreation center, and athletic facility with a height modification and a parking deferral. Presently, Lot 2 is largely undeveloped and contains a greenhouse and barn approved by ADR2016-00009. A Final Plat was approved in 2014 to subdivide the property as the Boulder Jewish Commons Subdivision, including Lot 1 (JCC building), Lot 2 (future development), and Outlot A which was donated to the city as open space. See **Figure 2**, below.

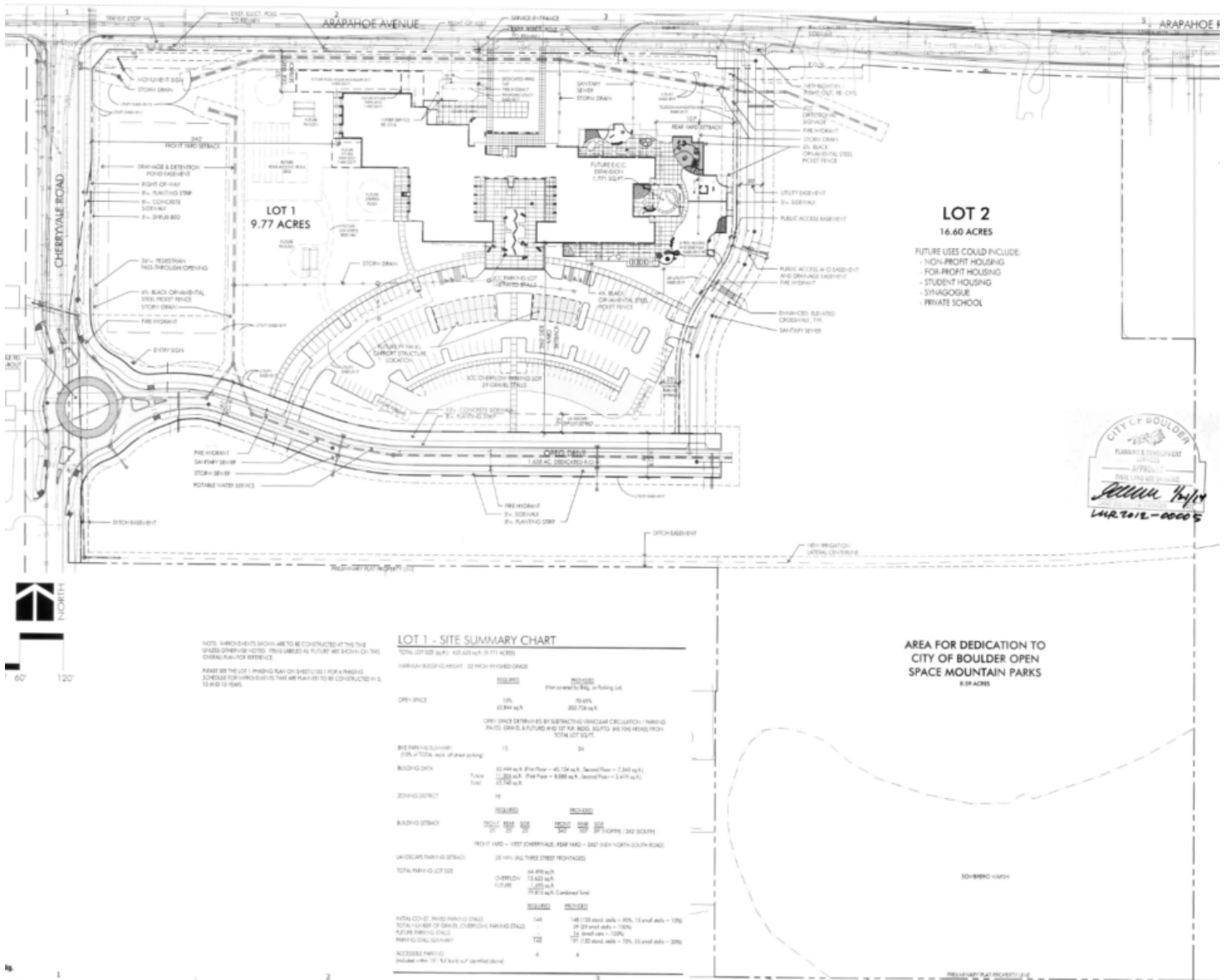


Figure 2 – Site Review LUR2012-0005

Lot 2 is owned by Cherryvale Commons, Ltd., who wishes to convey a 9.8-acre portion of the lot (proposed Lot 2A) to the JCC and donate a 2.54-acre portion of the lot (proposed Lot 2B) to Congregation Bonai Shalom. Refer to the applicant's Written Statement ([Attachment C](#)) for additional information.

Because the proposed change to Lot 2 was not part of the originally approved site review, this site review amendment was necessary to demonstrate that the proposal does not create any nonconformities to the existing development and meets applicable site review criteria.

Following the site review amendment, the applicant would be able to proceed with Preliminary and Final Plats to formalize the subdivision. Following the subdivision, the newly created lots can be conveyed and donated to the JCC and Congregation Bonai Shalom by the property owner or to other parties.

No development is proposed at this time; future development proposals on the site would be reviewed through a future Site Review amendment process.

Public Comment. Required public notice was provided in the form of written notifications to property owners within 600' of the subject property. In addition, a public notice sign was posted on the property. Therefore, all public notice requirements of Section 9-4-3, "Public Notice Requirements," B.R.C. 1981 were met. No public comment was received.

Review Process. A Site Review application is subject to the evaluation of the project with the Site Review criteria in Section 9-2-14(h), B.R.C. 1981. The analysis of these criteria is found in [Attachment B](#). Per Section 9-4-2, B.R.C. 1981, applications for Site Review are subject to call up by the Planning Board. There are no proposed modifications to the Land Use Code and no new development proposed. Staff found that the proposal maintains the existing JCC to consistent with the development standards of the Land Use Code and that the proposed change to the existing lots is, on balance, is consistent with the Site Review criteria. Refer to [Attachment A](#) for the conditions of approval. Refer to [Attachment B](#) for analysis of review criteria.

Conclusion. This application was approved by Planning and Development Services staff on June 24, 2024, and the decision may be called-up before Planning Board on or before **July 8, 2024**. There are no Planning Board meetings within the 14-day call-up period. If a Planning Board member wishes to call up the item, please email the case manager, Ayanna Reed, via email at reeda2@bouldercolorado.gov. The case manager will forward any questions and requests to the applicant, Kimberly Lord, via email at kim@packarddierking.com. Furthermore, any questions about the project or decision should be directed to the case manager, Ayanna Reed, via email at reeda2@bouldercolorado.gov.

Attachments.

Attachment A: Disposition of Approval

Attachment B: Criteria Checklist

Attachment C: Applicant's Written Statement

Attachment D: Applicant's Plan Set



**City of Boulder
Planning & Development Services**

**CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION**

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: **Approved with Conditions**

PROJECT NAME: **BOULDER JEWISH COMMONS**

DESCRIPTION: **Site Review Amendment to the Boulder Jewish Commons Site Review (LUR2012-00005) to subdivide Lot 2 at 6079 Oreg Ave into two lots. The existing Jewish Community Center on Lot 1 will continue to meet all standards of the approved site review.**

LOCATION: **6079 OREG AVENUE**

LEGAL DESCRIPTION: **Lot 2, Boulder Jewish Commons Subdivision, City of Boulder, County of Boulder, State of Colorado. also known as Unit BJC-2, Boulder Jewish Commons, according to the Community Declaration thereof recorded December 9, 2014 under Reception No. 3417179, and the Community Plat thereof recorded December 9, 2014 under Reception No. 3417180, in the records of the Clerk and Recorder of the County of Boulder, State of Colorado, as amended from time to time.**

APPLICANT: **RYAN HURST, HURST & ASSOC.
JULIE SHAFFER, CHERRYVALE COMMONS LTD.
CHERRYVALE COMMONS LTD.
CHRIS WARD, PACKARD AND DIERKING, LLC
KIMBERLY LORD, PACKARD AND DIERKING, LLC**

OWNER: **CHERRYVALE COMMONS, LTD., A COLORADO LIMITED LIABILITY COMPANY, WHO ACQUIRED TITLE AS CHERRYVALE COMMONS, LTD., A COLORADO NON-PROFIT CORPORATION**

APPLICATION: **Site Review Amendment, LUR2024-00011**

ZONING: **Residential - Rural 1 (RR-1), Residential - Medium 1 (RM-1), Residential - Estate (RE)**

CASE MANAGER: **Ayanna Reed**

VESTED PROPERTY RIGHT: **No; the owner has waived the opportunity to create such right under Section 9-2-20, B.R.C. 1981.**

APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS: *None.*

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

Approved On: June 24, 2024

Date 

By: Brad Mueller, Director of Planning & Development Services

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board Expires: July 8, 2024

Final Approval Date: July 9, 2024

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND FINAL PLANS FOR CITY SIGNATURE MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS. IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINETY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING DEPARTMENT APPROVAL AUTOMATICALLY EXPIRES.

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the Applicant must begin and substantially complete the approved development within three years from the date of final approval, or in compliance with the phasing plan if one was approved. Failure to "substantially complete" (as defined in Section 9-2-12) the development within three years or in compliance with the phasing plan, if one was approved, shall cause this development approval to expire.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on May 15, 2024, and the Written Statement dated February 8, 2024, all on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following:
 - Development Agreement recorded at Reception No. 03402227.
 - Development Agreement Amendment recorded at Reception No. 03415915.
3. Within 360 days of the date of this approval, the Applicant **shall submit for and receive approval of a subdivision process** pursuant to the requirements of Chapter 9-12, "Subdivision," B.R.C. 1981, that subdivides Lot 2, Boulder Jewish Commons, City of Boulder, County of Boulder, State of Colorado, also known as Unit BJC-2, Boulder Jewish Commons, as shown on the plans prepared by the Applicant on June 6, 2024.

CRITERIA CHECKLIST AND COMMENT FORM

SITE REVIEW SECTION 9-2-14(h)
 LUR2024-00011 – Site Review Amendment
 ADDRESS: 6079 Oreg Ave
 DATE: June 25, 2024

CRITERIA APPLICABLE TO ALL SITE REVIEW APPLICATIONS

(1) Boulder Valley Comprehensive Plan (BVCP) criteria: *Meets criteria*

(A) BVCP Land Use Map and Policies: *Yes*

The proposed project is consistent with the BVCP land use map and, on balance, with the goals and policies of the BVCP particularly those that address the built environment. In applying this, the approving authority shall consistently interpret and apply this criterion and consider whether a particular goal or policy is intended to be applied to individual development projects or is to guide city policy decisions, such as regulatory actions. The BVCP does not prioritize goals and policies, and no project must satisfy one particular goal or policy or all of them.

Staff Response: *No change from the prior approval; the subject proposal only amends the lot configurations to provide for subdivision of one existing lot into two lots. The existing site and use review approval (LUR2012-00005) was found consistent with many BVCP policies; for a complete list, refer to the January 21, 2014 City Council packet in the [records archive](#) (see page 101).*

(B) Subcommunity and Area Plans or Design Guidelines: *N/A*

If the project is subject to an adopted subcommunity or area plan or adopted design guidelines, the project is consistent with the applicable plan and guidelines.

Staff Response: *Not applicable; the proposal is not located in any subcommunity or area plan and no new development is proposed.*

(C) Reducing Greenhouse Gas Emissions: *N/A*

Any new commercial building greater than 30,000 square feet in floor area and any 30,000 square feet or greater addition to a commercial building shall either have a net site energy usage index (EUI) of zero or is designed to achieve a net site EUI that is 10 percent lower than required under the City of Boulder Energy Conservation Code. It shall be a condition of approval that the applicant demonstrate compliance with this criterion at time of building permit. For the purpose of this requirement, “commercial building” shall have the meaning defined in the City of Boulder Energy Conservation Code.

Staff Response: *Not applicable; no new buildings are proposed.*

(D) Urban Edge Design: *N/A*

If the project is located within the urbanizing areas along the boundaries between Area I and Area II or III of the BVCP, the building and site design provide for a well-defined urban edge, and, if, in addition, the project is located on a major street shown in Appendix A of this title, the buildings and site design establish a sense of entry and arrival to the city by creating a defined urban edge through site and building design elements visible upon entry to the city.

Staff Response: *Not applicable; the site is located at the boundary between Area I and III; however no specific development is proposed at this time. A future review process would evaluate this criterion for a future design.*

(E) Historic or Cultural Resources: *N/A*

If present, the project protects significant historic and cultural resources. The approving authority may require application and good faith pursuit of local landmark designation.

Staff Response: *Not applicable; there are no historic buildings on the site requiring application for a local landmark designation.*

Except in the RR, RE and RL-1 zoning districts, projects that are more than 50 percent residential by measure of floor area, not counting enclosed parking areas, meet the following housing and bedroom unit type requirements in (i) through (vi). For the purposes of this subparagraph, qualifying housing type shall mean duplexes, attached dwelling units, townhouses, live-work units, or efficiency living units, and bedroom type shall mean studios, one-bedroom units, two-bedroom units, or three-bedroom units.

Staff Response: *Not applicable; no housing is proposed.*

- (i) Projects five acres or less shall include at least one qualifying housing type. In projects with efficiency living units, at least one additional qualifying housing type shall be provided consistent with the requirements of this paragraph; *N/A*
- (ii) Projects greater than five acres shall include at least two qualifying housing types; *N/A*
- (iii) Projects ten acres or more shall include at least three qualifying housing types; *N/A*
- (iv) Projects greater than five acres shall include at least five dwelling units of each required qualifying housing type; *N/A*
- (v) Projects with more than 20 attached dwelling units shall include at least two different bedroom types, and; *N/A*
- (vi) If a project does not meet the requirements of subsections (i) through (v) above, the applicant shall demonstrate that the project fulfills another at least equivalent community need related to housing policies identified in the BVCP. *N/A*

(G) Environmental Preservation: Yes

Staff Response: *The proposal does not involve any additional physical development. The original site and use review approval (LUR2012-00005) preserved and dedicated to the city an 8.6-acre outlot containing Sombrero March as open space.*

- (i) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas, and species on the federal Endangered Species List and "Species of Special Concern in Boulder County" designated by Boulder County and their habitat. *Yes*
- (ii) Where excavation occurs, the location and design of buildings conforms to the natural contours of the land with tiered floor plates, and the site design avoids over-engineered tabling of land. Slopes greater than 50 percent should be avoided and, to the extent practicable, any such areas shall be stabilized with vegetation. *N/A*

(2) Site Design Criteria: Meets criteria

The project creates safe, convenient, and efficient connections for all modes of travel, promotes safe pedestrian, bicycle, and other modes of alternative travel with the goal of lowering motor vehicle miles traveled. Usable open space is arranged to be accessible; designed to be functional, encourage use, and enhance the attractiveness of the project; and meets the needs of the anticipated residents, occupants, tenants, and visitors to the project. Landscaping aesthetically enhances the project, minimizes use of water, is sustainable, and improves the quality of the environment. Operational elements are screened to mitigate negative visual impacts. In determining whether this is met, the approving agency will consider the following factors:

Staff Response: *No change from the prior approval. No physical site changes are proposed. The existing site and use review approval (LUR2012-00005) provided for a design meeting all criteria; for a complete list, refer to the January 21, 2014 City Council packet in the [records archive](#) (responses to site review criteria begin on page 104).*

(A) Access, Transportation, and Mobility:

- (i) The project enables or provides vehicular and pedestrian connectivity between sites consistent with adopted connections plans relative to the transportation needs and impacts of the project, including but not limited to construction of new streets, bike lanes, on-street parking, sidewalks, multi-use paths, transit stops, streetscape planting strips, and dedication of public right-of-way or public access easements, as applicable considering the scope of the project. Where no adopted connections plan

coordinate with adjacent property owners to establish, where practicable, reasonable and useful pedestrian connections or vehicular circulation connections, such as between parking lots on abutting properties, considering existing connections, infrastructure, and topography. *Yes*

- (ii) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and infrastructure that support and encourage walking, biking, and other alternatives to the single-occupant vehicle. *Yes*
- (iii) A transportation demand management (TDM) plan will be complied with including methods that result in a significant shift away from single-occupant vehicle use to alternate modes. *Yes*
- (iv) Streets, bikeways, pedestrian ways, trails, open space, buildings, and parking areas are designed and located to optimize safety of all modes and provide connectivity and functional permeability through the site. *Yes*
- (v) The design of vehicular circulation and parking areas make efficient use of the land and minimize the amount of pavement necessary to meet the circulation and parking needs of the project. *Yes*
- (vi) Where practicable and needed in the area and subject to coordination with the city manager, the project provides curbside parking or loading or both consistent with city policies on curbside management. *Yes*

Staff Response: *No change from the prior approval. No physical site changes are proposed. The existing site and use review approval (LUR2012-00005) provided for a design meeting all site criteria applicable at the time; for a complete list, refer to the January 21, 2014 City Council packet in the [records archive](#) (responses to site review criteria begin on page 104).*

(B) Open Space:

- (i) Useable open space is arranged to be accessible and designed to encourage use by incorporating quality landscaping, a mixture of sun and shade, hardscape areas and green spaces for gathering. *Yes*
- (ii) The open space will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property. In mixed-use projects, the open space provides for a balance of private and common areas for the residential uses and includes common open space that is available for use by residents of the residential uses and their visitors and by tenants, occupants, customers, and visitors of the non-residential uses. *Yes*
- (iii) If the project includes more than 50 dwelling units, including the addition of units that causes a project to exceed this threshold, and is more than one mile walking distance to a public park with any of the amenities described herein, at least 30 percent of the required outdoor open space is designed for active recreational purposes. *N/A*
- (iv) On-site open space is linked to adjacent public spaces, multi-use paths, city parks, or public open space if consistent with Department of Open Space and Mountain Parks or Department of Parks and Recreation plans and planning for the area, as applicable. *Yes*

Staff Response: *No change from the prior approval. No physical site changes are proposed. The existing site and use review approval (LUR2012-00005) provided for a design meeting all criteria applicable at the time; for a complete list, refer to the January 21, 2014 City Council packet in the [records archive](#) (responses to site review criteria begin on page 104).*

(C) Landscaping and Screening:

- (i) The project exceeds the minimum landscaping requirements of Section 9-9-12, "Landscaping and Screening Standards," B.R.C. 1981, by at least fifteen percent in terms of planting quantities, includes a commensurate area to accommodate the additional plantings, and, where practical, preserves healthy long-lived trees. *N/A*
- (ii) The landscaping design includes a variety of plants providing a variety of colors and contrasts in terms of texture and seasonality and high-quality hard surface materials, such as stone, flagstone, porous pavers, and decorative concrete. *N/A*
- (iii) The landscaping design conserves water through use of native and adaptive plants, reduction of exotic plant materials, and landscaping within stormwater detention facilities to create bioswales or rain gardens or other similar design strategies. *N/A*

- (iv) Operational elements, such as electrical transformers, trash storage and recycling areas, parking, and vehicular circulation, are screened from the public realm through design elements, such as landscaping, fencing, or placement of structures, to mitigate negative visual impacts. *N/A*

Staff Response: *No change from the prior approval. No physical site changes are proposed. The existing site and use review approval (LUR2012-00005) provided for a design meeting all criteria applicable at the time; for a complete list, refer to the January 21, 2014 City Council packet in the [records archive](#) (responses to site review criteria begin on page 104).*

(3) Building Siting and Design Criteria:

Building siting and design are consistent with the character established in any adopted plans or guidelines applicable to the site or, if none apply, are compatible with the character of the area or improves upon that character, consistent with the intent specified in this paragraph. Buildings are positioned and oriented towards the public realm to promote a safe and vibrant pedestrian experience including welcoming, well-defined entries and facades. Building exteriors are designed with a long-lasting appearance and high-quality materials. Building design is simple and to a human scale, it creates visual interest and a vibrant pedestrian experience. Building roof design contributes to a city skyline that has a variety of roof forms and heights. In determining whether this is met, the approving agency will consider the following factors:

(A) Building Siting and Public Realm Interface:

(B) Building Design:

(C) Building Materials:

Staff Response: *Not applicable; no new buildings are proposed. A future review process would evaluate this criterion for a future building design.*

ADDITIONAL CRITERIA FOR BUILDINGS EXCEEDING HEIGHT OR FLOOR AREA LIMITS

Eligible for height modification? *N/A*

9-2-14(b)(1)(E) Height Modifications:

A development which exceeds the permitted height requirements of Section 9-7-5, "Building Height," or 9-7-6, "Building Height, Conditional," B.R.C. 1981, or of Paragraph 9-10-3(b)(2), "Maximum Height," B.R.C. 1981, to the extent permitted by that paragraph for existing buildings on nonstandard lots, is required to complete a site review and is not subject to the minimum threshold requirements. No standard other than height may be modified under the site review unless the project is also eligible for site review. A development that exceeds the permitted height requirements of Section 9-7-5 or 9-7-6, B.R.C. 1981, must meet any one of the following circumstances in addition to the site review criteria:

Staff Response: *Not applicable; no new buildings are proposed. The existing site and use review (LUR2012-00005) approved the JCC building at up to 45 feet in height where 35 feet was allowed by right.*

(4) Additional Criteria for Buildings Requiring Height Modification or Exceeding the Maximum Floor Area Ratio: *N/A*

Any building exceeding the by-right or conditional zoning district height as permitted by Section 9-2-14(b)(1)(E), B.R.C. 1981, and any building exceeding the by-right floor area limits as permitted by Section 9-2-14(h)(6)(B), B.R.C. 1981, shall meet the following requirements:

(A) Building Form and Massing: *N/A*

(B) Building and Site Design Requirements for Height Modifications: N/A

Staff Response: Not applicable; no new buildings are proposed.

ADDITIONAL CRITERIA FOR POLES OR EMERGENCY OPERATIONS ANTENNAS

(5) Additional Criteria for Poles or Emergency Operations Antennas Above the Permitted

Height: N/A

No site review application for a pole or for an emergency operations antenna above the permitted height will be approved unless the approving agency finds the following:

(A) Poles: N/A

(B) Emergency Operation Antennas: N/A

Staff Response: Not applicable; no poles or antennas are proposed.

ADDITIONAL CRITERIA FOR LAND USE INTENSITY AND HEIGHT MODIFICATIONS

(6) Land Use Intensity and Height Modifications: N/A

Modifications to minimum open space on lots, floor area ratio (FAR), maximum height, and number of dwelling units per acre requirements will be approved pursuant to the standards of this subparagraph:

(A) Land Use Intensity Modifications with Open Space Reduction: N/A

(B) Land Use Intensity Modifications with Height Bonus: N/A

(C) Additional Criteria for a Height Bonus and Land Use Intensity Modifications: N/A

Staff Response: Not applicable; no land use intensity or height modifications are proposed.

ADDITIONAL CRITERIA FOR PARKING REDUCTIONS OR LOCATION

(7) Additional Criteria for Parking Reductions: N/A

The applicant demonstrates, and the approving authority finds, that any reduced parking on the site, if applicable, meets the parking reduction criteria outlined in Section 9-9-6, "Parking Standards," B.R.C. 1981.

Staff Response: Not applicable; no parking reduction is proposed. The existing site and use review (LUR2012-00005) approved a 10% parking deferral, to which this site review amendment makes no change.

February 8, 2024

Site Review Amendment Written Statement

The Boulder Jewish Community Center, a Colorado nonprofit corporation (the “JCC”), the owner of 6007 Oreg Avenue (“Lot 1”), an approximately 9.773 acre lot, and Cherryvale Commons Ltd., a Colorado limited liability company (“Cherryvale”), the owner of 6079 Oreg Avenue (“Lot 2”), an approximately 12.34 acre lot, submit this Simple Site Review Amendment Application (the “Application”) in connection with Lots 1 and 2 in the Boulder Jewish Commons Subdivision (collectively, the “Property”). The JCC and Cherryvale submit this Application together and are collectively “Applicant.” At the request of the City of Boulder (the “City”), this Application is being submitted concurrently with a subdivision application for Lot 2. Through the subdivision application, Cherryvale seeks to subdivide Lot 2 to create one additional lot, such that two (2) lots will result – Lot 2A (a larger lot that is approximately 9.80 acres) and Lot 2B (a smaller lot that is approximately 2.54 acres), both of which are shown on the proposed Boulder Jewish Commons Subdivision Replat A plats included in the Lot 2 subdivision application submitted contemporaneously herewith. The purpose of the subdivision is to allow Cherryvale to divest itself of the land so that it can convey: (i) Lot 2A to the JCC by sale with a partial donation and (ii) Lot 2B to Congregation Bonai Shalom by donation. This is the extent of the proposed project, and no new development is proposed on the Property at this time. At some point in the future, it is expected that there will be further development by the JCC on 2A for a use to be determined and/or by Congregation Bonai Shalom for a possible synagogue on Lot 2B, but nothing is proposed at this point. Cherryvale simply wants to transfer ownership of Lot 2 as two separate lots to two new owners (the JCC and Congregation Bonai Shalom), and they can pursue their own approvals for any proposed projects in the future.

The City is requiring a Simple Site Review Amendment Application to provide a process for it to confirm that the proposed subdivision of Lot 2 will not create any impacts or nonconformities on Lot 1, which is already developed with the Boulder Jewish Community Center building and is owned by the JCC. Both Lot 1 and Lot 2 are subject to the same Site Review approval (LUR2012-00005) that was approved with conditions in 2014. Since the original Site Review approval, a minor modification was approved by on Lot 2 for a barn and greenhouse. (approved through a minor modification – ADR2016-00009). All obligations under the Development Agreement recorded at Reception No. 03402227 (the “Development Agreement”) in the Boulder County, Colorado public records (the “Public Records”) and under the Subdivision Agreement recorded at Reception No. 03416729 (the “Subdivision Agreement”) in the Public Records are satisfied, including the completion of all required improvements and conveyance of all required open space. Applicant is not proposing any changes to the Property or to the current Site Review approval referenced in the Development Agreement, and there will be no impacts to Lot 1 as a result of the proposed subdivision of Lot 2, as absolutely no development is currently proposed.

The City has specifically inquired about stormwater and drainage impacts, and per the Lot 2A & 2B Boulder Jewish Commons Final Drainage Report dated January 17, 2024 prepared by Hurst and Associates, Inc., the existing stormwater plan that was required as a condition of approval under the original Site Review approval will remain as-is. With respect to the proposed

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subdivision of Lot 2 into Lot 2A and Lot 2B, nothing will change in connection with stormwater drainage or detention for these parcels, as no new development is currently proposed. The original stormwater plan was designed with a common plan in mind for Lots 1 and 2. As background, the final plat for the original subdivision of the Property (i.e. Boulder Jewish Commons) recorded at Reception No. 03416717 (the "Original Plat") of the Public Records that created Lot 1 and Lot 2 provided for numerous drainage easements, a detention pond and several utility easements. The Original Plat was then, per the Subdivision Agreement from 2014, submitted to a planned community, which included an association known as Boulder Jewish Commons. All of the easements and the detention pond were designated as general common elements for the benefit of all owners of the Property (i.e. the owners of Lot 1 and Lot 2) as shown on the Boulder Jewish Commons Community Plat recorded at Reception No. 03417180 of the Public Records, and all owners are subject to paying their share of assessments for maintenance performed by the association for these common elements under the association documents, including the Community Declaration of Boulder Jewish Commons recorded at Reception No. 03417179 in the Public Records. The association is still responsible for maintaining all common elements, and that will not change with the proposed subdivision of Lot 2. In other words, the proposed further replat of Lot 2 into two lots does not change the previously dedicated easements and detention pond, nor will it change the common maintenance scheme pursuant to the existing association documents.

In addition, the utility plan dated January 26, 2024 confirms compliance with current City of Boulder design standards. City utilities are already available to Lot 2.

As noted on the site plan submitted for Lot 1 with an updated Site Summary Chart, the proposed subdivision will not create any nonconformities on Lot 1.

Finally, Cherryvale would like to note that in connection with the proposed transfer of Lot 2A to the JCC, it will also transfer 26 density credits associated with Lot 2 that run with the land pursuant to that certain Annexation Agreement recorded at Reception No. 03373968 of the Public Records. Cherryvale will support the JCC in requesting the density credits from the City.

Site Review Criteria

The Site Review Amendment Application is submitted in accordance with the Boulder Revised Code (the "Code"). Pursuant to staff direction, this Application shall be reviewed as a simple amendment.

As no development is currently proposed for the Property and subdivision of Lot 2 is solely what is contemplated under this Application, the review criteria in Sections 9-2-14(h)(1)(C)-(D), (F), (G)(ii), and in 9-2-14(h)(2) and (3) of the Code are not applicable. To the extent there are applicable Site Review Criteria in connection with this Application, the Application satisfies such criteria as stated below (the applicable criterion is stated with the "ANSWER" written below the applicable criterion):

Section 9-2-14(h)(1)

February 8, 2024

(A) BVCP Land Use Map and Policies: The proposed project is consistent with the BVCP land use map and, on balance, with the goals and policies of the BVCP particularly those that address the built environment. In applying this, the approving authority shall consistently interpret and apply this criterion and consider whether a particular goal or policy is intended to be applied to individual development projects or is to guide city policy decisions, such as regulatory actions. The BVCP does not prioritize goals and policies, and no project must satisfy one particular goal or policy or all of them.

ANSWER: The proposed project is simply a subdivision of Lot 2 into two new lots (Lot 2A and Lot 2B), so that Cherryvale as the owner can convey these parcels to two new owners, divesting itself of this land. Pursuant to the BVCP land use map, different portions of Lot 2 are designated as very low density residential, low density residential and medium density residential. The proposed subdivision of Lot 2 does not contemplate any new development that is inconsistent with the BVCP land use map and the land will remain undeveloped (apart from the existing barn and greenhouse approved pursuant to the minor modification, ADR 2016-00009). Since no new development is proposed, which preserves the status quo, the built environment goals and policies of the BVCP are largely inapplicable at this stage. However, Applicant notes that the current use of Lot 2 as agricultural supports the food & agriculture policies in the BVCP (specifically, policies 9.01 Support for Agriculture, 9.02 Urban Gardening & Food Production, and 9.03 Sustainable Food Production and Agriculture Practices), which use will not change as a result of the subdivision project.

(B) Subcommunity and Area Plans or Design Guidelines: If the project is subject to an adopted subcommunity or area plan or adopted design guidelines, the project is consistent with the applicable plan and guidelines.

ANSWER: The project is not subject to an adopted subcommunity or area plan or adopted design guidelines in connection with the BVCP, so this criterion is not applicable. In addition, as stated, the project does not propose any new development.

(E) Historic or Cultural Resources: If present, the project protects significant historic and cultural resources. The approving authority may require application and good faith pursuit of local landmark designation.

ANSWER: No historic or cultural resources are present on the Property, and the project does not propose any new development, so this criterion is not applicable.

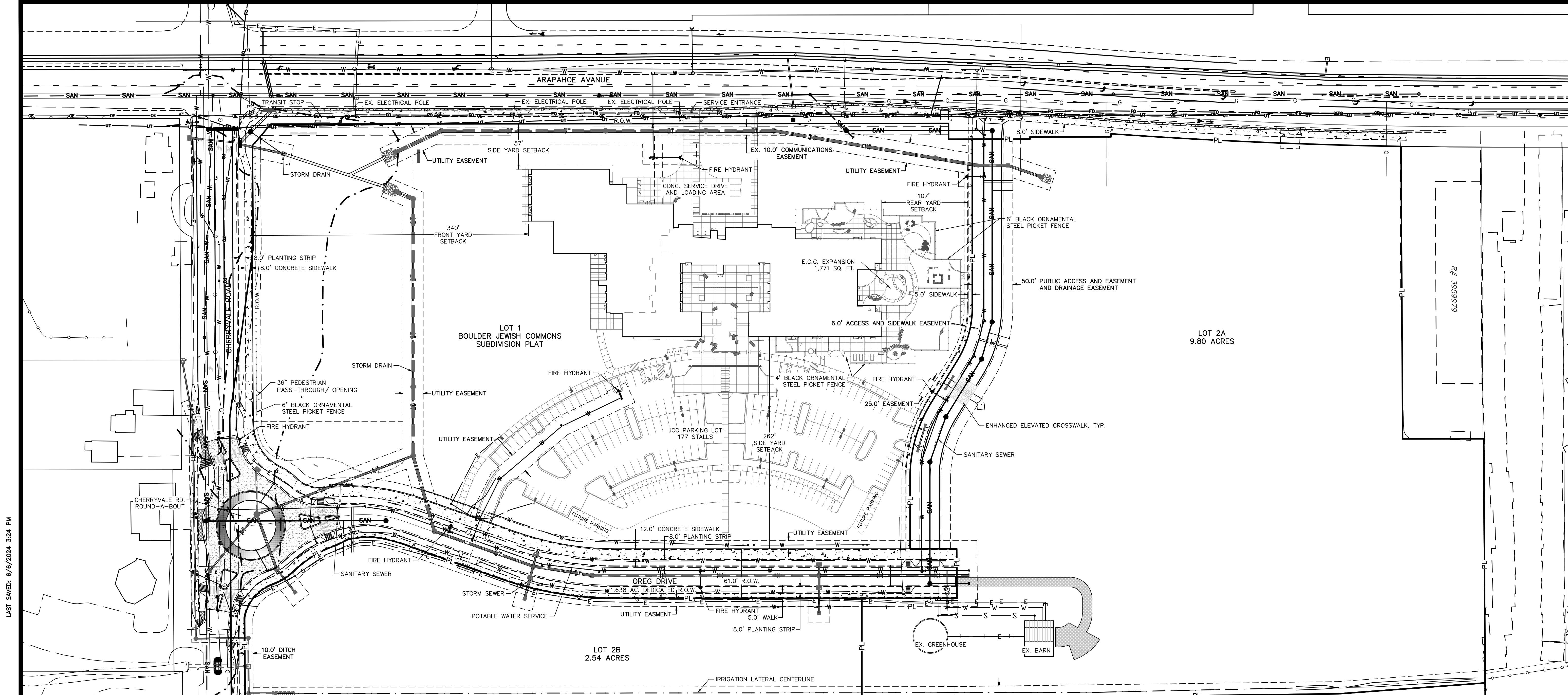
(G) Environmental Preservation:

(i) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas, and species on the federal Endangered Species List and "Species of Special Concern in Boulder County" designated by Boulder County and their habitat.

February 8, 2024

ANSWER: The proposed subdivision preserves existing natural features on the Property, as no new development is proposed in connection with this project. There will therefore be no adverse impacts to natural features as a result of the subdivision. The status quo with respect to existing trees, plant communities, ground and surface water, drainage areas, and all species will remain as-is.

Staff further directed that Applicant address whether the proposed subdivision of Lot 2 results in any nonconformities on Lot 1. To confirm, the proposed subdivision of Lot 2 results in no nonconformities on Lot 1, as no development is proposed. Per staff's direction, we are submitting a site plan with the original Lot 1-Site Summary Chart from the previous City-approved site plan.

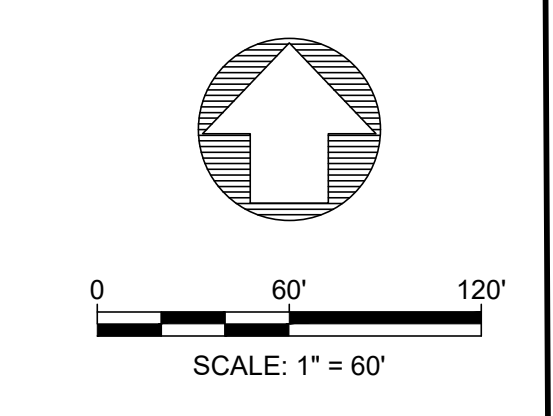
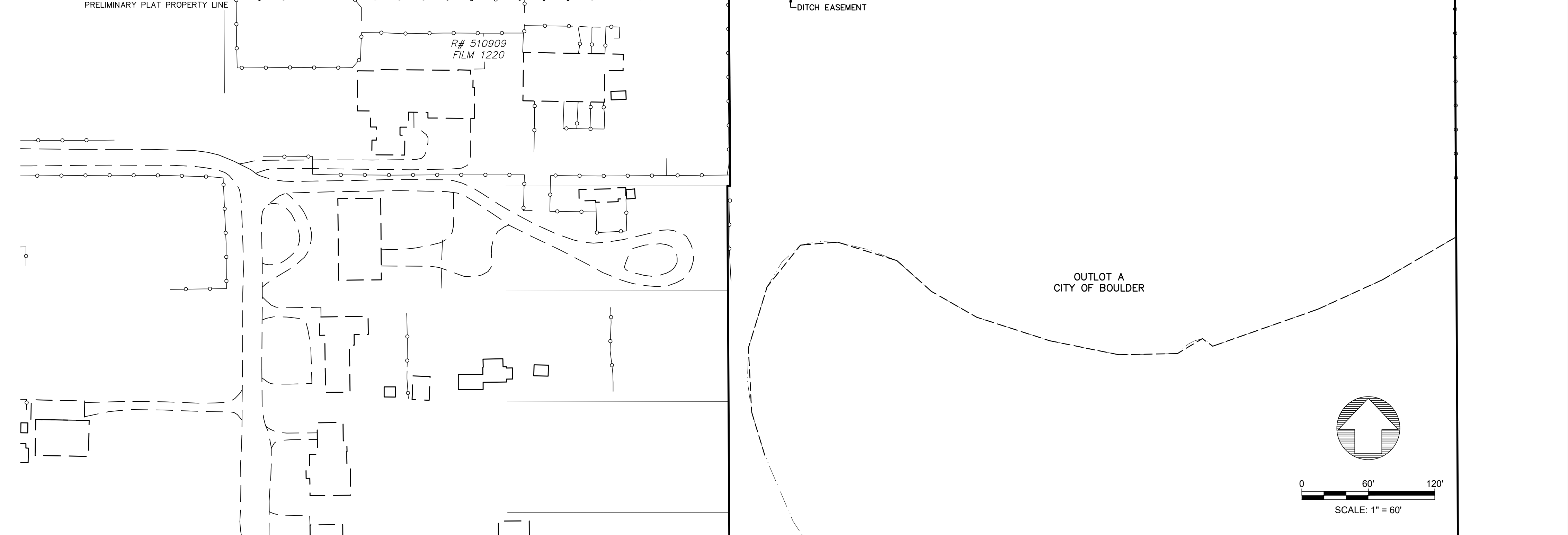


LOT 1 - SITE SUMMARY CHART

TOTAL LOT SIZE (SQ. FT.): 425,725 SQ. FT. (9.773 ACRES)

MAXIMUM BUILDING HEIGHT: 45' PER PRIOR SITE REVIEW APPROVAL

	REQUIRED	PROVIDED (NOT COVERED BY BLDG. OR PARKING LOT)
OPEN SPACE	15% 63,844 SQ. FT.	70.65% 300,706 SQ. FT.
OPEN SPACE DETERMINED BY SUBTRACTING VEHICULAR CIRCULATION/ PARKING (CURRENT & FUTURE) AND 1ST FLR. BLDG. SQ. FTG. (45,104) AREA(S) FROM TOTAL LOT SQ. FT.		
BIKE PARKING SUMMARY (10% of TOTAL req'd off street parking)	15	24
BUILDING DATA	52,444 SQ. FT. (FIRST FLOOR = 45,104 SQ. FT., SECOND FLOOR = 7,340 SQ. FT.)	11,304 SQ. FT. (FIRST FLOOR = 8,885 SQ. FT., SECOND FLOOR = 2,419 SQ. FT.)
FUTURE TOTAL	63,748 SQ. FT.	
ZONING DISTRICT	RE	
BUILDING SETBACK	REQUIRED: FRONT 25', REAR 25', SIDE 25'	PROVIDED: FRONT 340', REAR 107', SIDE 55' (NORTH) / 262' (SOUTH)
FRONT YARD = WEST (CHERRYVALE); REAR YARD = EAST (NEW NORTH-SOUTH ROAD)		
LANDSCAPE/ PARKING SETBACK	25' MIN. (ALL THREE STREET FRONTAGES)	
TOTAL PARKING LOT SIZE	68,498 SQ. FT.	13,622 SQ. FT.
OVERFLOW FUTURE	1,695 SQ. FT. DDE	79,815 SQ. FT. COMBINED TOTAL
INITIAL CONST. PAVED PARKING STALLS		
TOTAL NUMBER OF GRAVEL (OVERFLOW) PARKING STALLS	148	148 (133 stand. stalls = 90%, 15 small stalls = 10%)
FUTURE PARKING STALLS	-	14 (small cars = 100%)
PARKING STALLS SUMMARY	148	191 (133 stand. stalls = 70% 55 small stalls = 30%)
ACCESSIBLE PARKING (INCLUDED WITHIN 191 "FULL BUILD OUT" IDENTIFIED ABOVE)	6	6



72 HOURS BEFORE YOU DIG CALL THE UTILITY NOTIFICATION CENTER OF COLORADO (800) 455-8111			
811 GAS, ELECTRIC, TELEPHONE, CABLE AND FIREARMS EASTERN PIPELINE LOCATIONS			
NO.	DATE	BY	DESCRIPTION
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NOT FOR CONSTRUCTION			
HURST CIVIL ENGINEERING PLANNING SURVEYING HURST & ASSOCIATES, INC. 1285 S. Public Road, Suite 8 Lafayette, CO 80036 303.445.9105			
BOULDER JEWISH COMMONS BOULDER, CO OVERALL DEVELOPMENT SITE PLAN Prepared for: #####			
DRAWN BY:	EBB	DESIGNED BY:	RH
CHECKED BY:	RH	DRAWING NAME:	SITE PLAN
APPROVED BY:	RH	JOB NUMBER:	2312-010
DATE:	6/6/24	SCALE:	1" = 60'
SHEET NO.:	1 OF 1		

LAST SAVED: 6/6/2024 3:24 PM

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