

CU Boulder South Draft Annexation Agreement

Questionnaire – BeHeard Boulder.org – Draft Results 7.20.21 (approx. 13 responses)

The questions below are provided for community members to review the key annexation terms and submit feedback to decision-makers and staff in an organized and useful way. *Please note the information presented on each of these pages is a very high-level summary of key points and concerns. Please review the Draft Annexation Agreement for specific details.*

- A. General Terms
- B. Development Zone
- C. Open Space Zone and Environmental Protection
- D. Flood Control Zone, Public Access & Recreation Amenities
- E. Transportation and Mobility
- F. Overall Annexation Agreement

A. General Terms

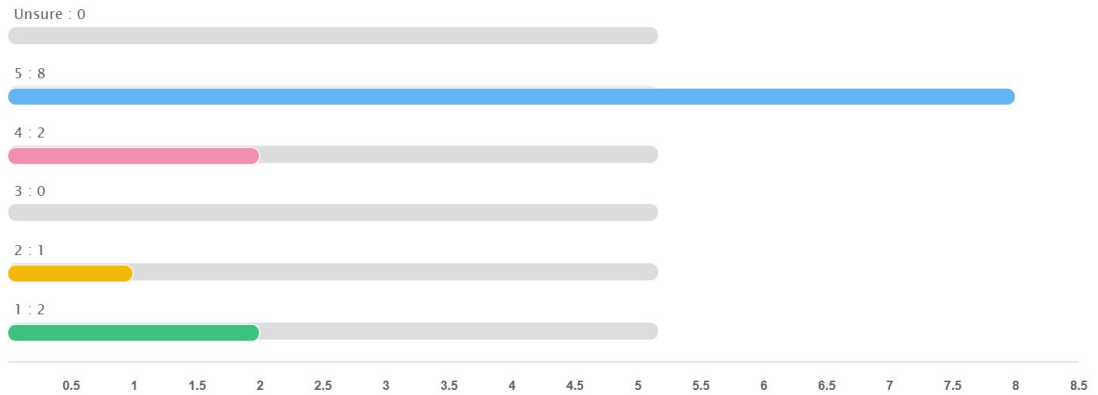
The Draft Agreement includes several terms to address phasing, future potential sale of the property and other definitions and terms to ensure control and address contingencies. Key general terms include:

- **Public Access** – The university will permit public access to recreational facilities, sidewalks, trails, etc.
- **Annexation is contingent on flood mitigation** - The city’s flood mitigation project is the primary driver of the proposed agreement. As such, the annexation will be contingent upon the city receiving the necessary approvals and land needed to implement the project. The city may initiate a “de-annexation” process if it fails to receive the required approvals and land necessary for the project within 3 – 5 years of the annexation.
- **Initial Development** - The university may only construct recreational facilities within the next 3 years while the city obtains permits for the flood mitigation project.
- **First Right of Refusal** - The city will have the right to review any offer by a third party to purchase all or portions of CU Boulder South.
- **Transfer of Land** - The terms of the agreement will remain in effect if the property were ever sold to a non-university entity.
- **Review of Plans** - The city will review and comment on the CU Boulder South Master Plan. The city will also have a 60-day window to review and comment on 90 percent conceptual design plans for the property. The city’s comments will include a “compliance review” to ensure compliance with the annexation agreement and discretionary comments intended to further the city’s goals and policies.

- **Definitions** – agreement includes definitions for key terms and specific uses, many such as building height and use definitions were taken directly from Boulder’s land use code.

Q1 To what degree do you support the General Terms of the agreement that address initial phasing, review and contingencies?

On a scale of 1 -5 with 1 being strongly oppose and 5 being strongly support



Comments – Do you have suggestions for improvement?

7/14/2021 04:28 PM

No. Thank you for your work. Let's make it happen.

7/14/2021 04:29 PM

I just dont trust CU

7/15/2021 12:57 PM

I feel that CU has enough land already and that doubling their space by adding CU South isn't a good choice. I also feel that it's wrong to put the tax burden on the citizens of Boulder. Why are we spending our taxes to support CU extension south?

7/16/2021 03:01 PM

This feels like the city gets a lot of say, considering how other development processes have worked. I've seen CU pretty slammed publicly for this space - a broader statement of support from the city would be appropriate!

B. Development Zone

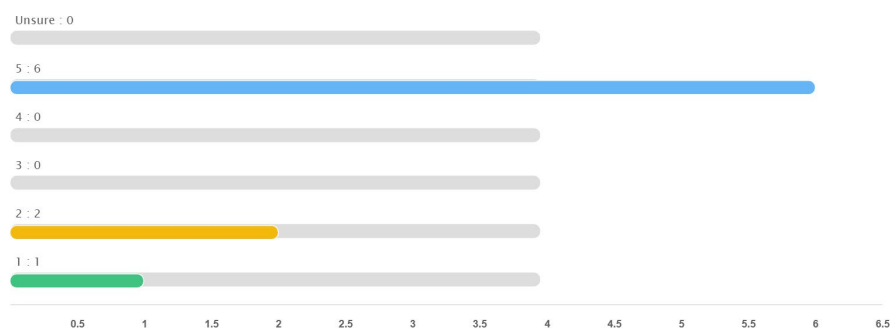
The Development Zone consists of 129 acres of the 308-acre site. This area is designated “Public” in the Boulder Valley Comprehensive Plan. Key terms related to the Development Zone include:

- **Housing will be the predominant use** on the property with 1,100 units anticipated for faculty, staff, graduate students and non-first year students. The final number of units will be determined by housing demand and University plans, limited by transportation performance and other site constraints.

- The agreement includes a commitment to provide up to five acres of the property to an **affordable housing** development for permanent, deed-restricted affordable housing on CU Boulder South aiming for approximately 110 affordable units.
- The **cumulative limit of non-residential development** will be 750,000 square feet of floor area, with no single building greater than 175,000 square feet. This equates to about four non-residential buildings similar in size to the [Aerospace Building](#) on the East Campus.
- Some limited **accessory uses** will be allowed, and are intended primarily for on-site residents, employees and visitors (e.g., restaurants, daycare, and community gardens.)
- **No large-scale research complexes**, high-rise buildings, or large sporting venues will be allowed.
- Dedication of two acres or long-term lease of land for a **public safety facility**.
- A **“Use Transition Zone”** on the southwest portion of the site includes only residential development that is contextually appropriate to neighboring properties.
- **Building Height** is limited to 55 feet and be further limited as the elevation increases to the west through a “Building Height Ceiling”. In practice, the height ceiling will allow 4 – 5 story buildings in the lower areas of the eastern portion of the Development Zone, with progressively shorter buildings permitted as the site grade increases toward the west. The intent is to match neighboring development while also protecting views of the mountain backdrop from Highway 36.
- **Development Standards** – The annexation agreement for CU Boulder South includes numerous city development standards that otherwise do not apply to other campuses, like **building setbacks** (increased setback along the western property line), **floodplain and wetland regulations** (no habitable space in the 500-year floodplain), and **outdoor lighting standards and noise limits**.

Q1 Recognizing that some people are opposed to any development of the site, assuming there will be development, to what degree do you support the terms outlined for the 129 acres in the Development Zone?

On a scale of 1-5 with 1 being strongly oppose and 5 being strongly support



Comments – Do you have suggestions for improvement?

Anonymous

7/14/2021 04:31 PM

Affordable housing - is it 5 acres or up to 5 acres?

Anonymous

7/17/2021 07:31 AM

We don't need any more of the university in Boulder. Stop this madness!

Anonymous

7/18/2021 09:05 AM

The proposed density and high limits are overly conservative. We really should be allowing even more housing/height/density here to help Boulder achieve its equity and climate goals.

Anonymous

7/18/2021 04:34 PM

Glad to see the child-care center. Young families will need it. I suggest space for other services to support them.

Anonymous

7/18/2021 05:59 PM

I'm glad to see the child-care center mentioned. Young families will need it and perhaps other child-centered services.

C. Flood Control Zone

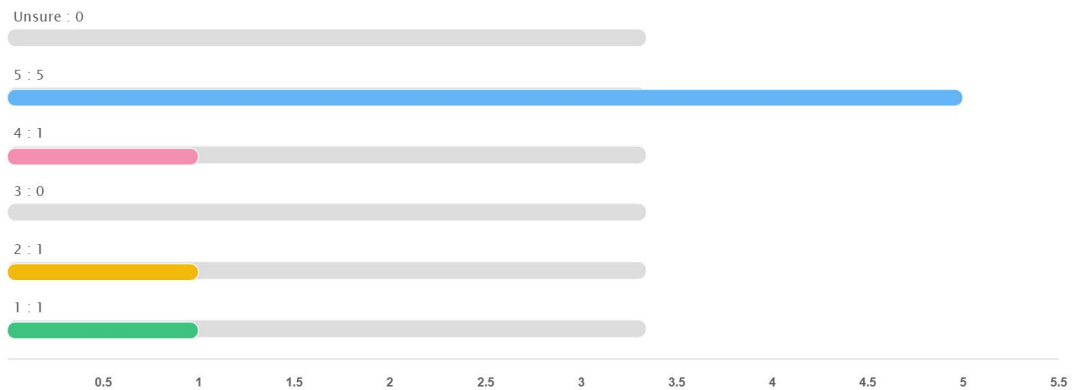
The flood control zone area consists of 60 acres along the north portion of the site, consistent with the BVCP Park, Urban and Other (PK-U/O) land use and is intended to include public lands used for a variety of active and passive recreational purposes and for flood control purposes.

Key terms relating to the flood control zone include:

- **Land for Flood Mitigation.** The university will dedicate 80 acres of the property to the city for its flood mitigation project and open space.
- **Amended Fill Alternative.** Included is an alternative flood mitigation layout that reduces the volume of fill and associated cost from \$10 M to \$3M. The alternative layout utilizes a roadway embankment for South Loop Drive along the boundary between the Development Zone and Flood Control Zone.
- **CU Boulder Recreational Facilities.** The university will develop recreational facilities on up to 30 acres in this zone. The specific facilities are not yet known, though the agreement does prohibit any large-scale sport venue that is defined as exceeding a fixed seating capacity of 3,000 people (e.g., smaller than Boulder High Sports Facility).
- **Running Track and Dog Park.** The city and university will jointly consider a formal running track and dog park with public access.

Q1 To what degree do you support the terms outlined for the 60 acres in the Flood Control Zone?

On a scale of 1 -5 with 1 being strongly oppose and 5 being strongly support



Comments – Do you have suggestions for improvement?

Anonymous

7/14/2021 04:36 PM

I didnt catch the "trade" in cost in todays meeting between CU and city for water? or other things? I think City allowing CU to annex is a pretty big give already. I dont thinkwe need to OVER give to CU

Anonymous

7/16/2021 03:06 PM

Fairview had to deal with members of the public defecating in their space because of the running track. I appreciate how open this plan is to the public and would want to see shared enforcement with a commitment from BPD to protect university assets. I lived adjacent to this property during the flood, and flooding was significant in areas that look to be designated as access points/roads.

Anonymous

7/17/2021 07:32 AM

A formal running track and dog park is hugely disappointing compared to running and dog walking options currently available at the site.

Anonymous

7/18/2021 06:00 PM

As a resident of Frasier, I'm very interested in flood mitigation.

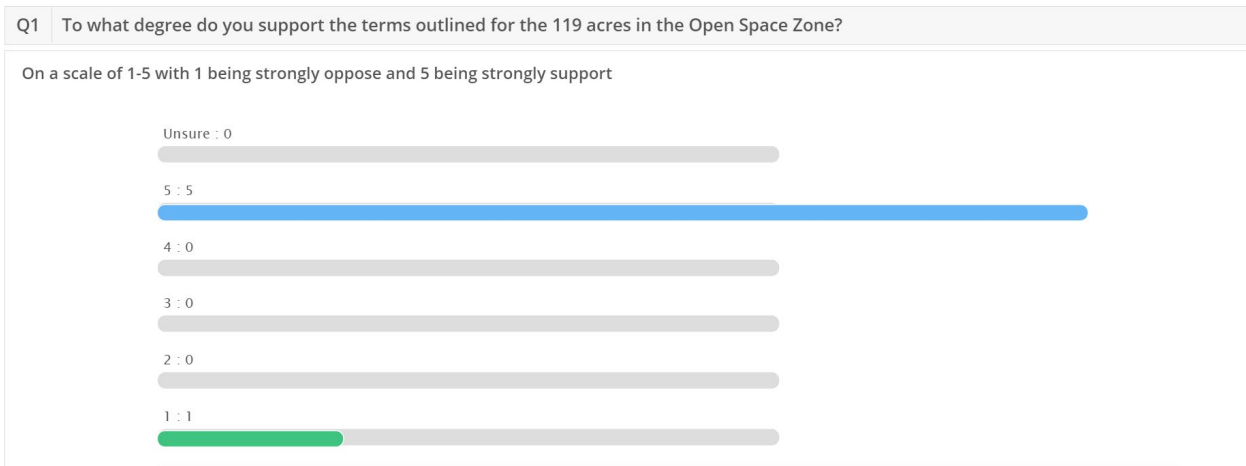
D. Open Space Zone

The Open Space Zone consists of 119 acres of land on CU Boulder South that is designated Open Space – Other (OS-O) in the Boulder Valley Comprehensive Plan. Key terms relating to the Open Space Zone include:

- **Land for Open Space** - CU Boulder will dedicate a portion (currently estimated at 44 acres) of the Open Space Zone as part of its 80-acre dedication noted in the previous question. The city will purchase the remaining 75 acres of land in the Open Space Zone. **Water Rights** – In order to restore and manage 119 acres of the Open Space Zone, the university will convey 30.2 shares of Dry Creek Ditch #2 to the city in exchange for relief from irrigation-related Plant Investment Fees and for the city supplying credits for 140

acre-feet of irrigation water annually to the university, except during a drought emergency.

- **Protection of valuable wetlands and natural habitat** – The university will comply with city wetland regulations and no habitable space, including offices and residential uses, will be constructed in the 500-year floodplain.
- **Mitigation Area** - The city will design and construct a comprehensive environmental mitigation plan within the Open Space Zone to offset impacts elsewhere from the city’s flood mitigation project and university development.
- **Noise and Light Pollution** – The university will comply with the city’s noise and outdoor lighting standards.
- **Wildlife Habitat Collaboration** - The city and university will collaborate to restore and protect wildlife habitat and incorporate open space values, particularly relating to noise, lighting and other impacts to the adjacent State Natural Area.
- **Landscape Screening** – The university and the City will plant trees and shrubs to screen buildings and built infrastructure in the Development Zone from viewsheds on city open space.
- **Levee Removal** - At its expense, the city plans to remove the existing levee system in this area as part of the flood mitigation project. Removal of the levee system will aid in reconnecting the natural floodplain and promoting environmental connectivity. Some portion of the removed levee may be used for fill material in the Flood Control Zone.



Comments – Do you have suggestions for improvement?

7/18/2021 06:01 PM

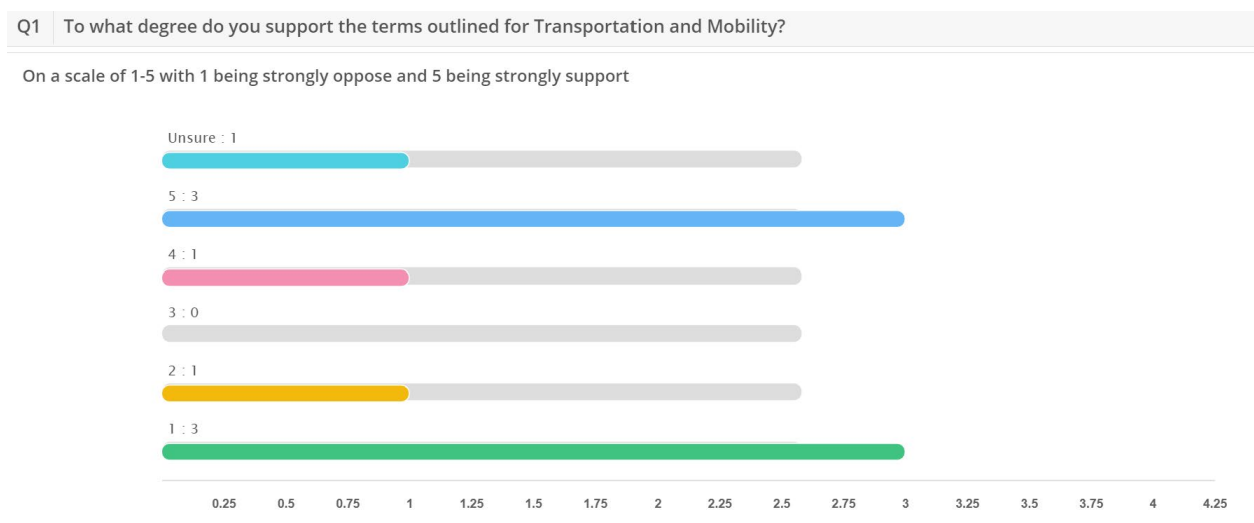
The needs of orchids, mice, other wildlife, and wetlands are being well protected.

E. Transportation and Mobility

The intent of the proposed annexation terms is to ensure that the needs generated by future development on CU Boulder South do not unduly impact the transportation networks that serve the community, including the CU-South property. Key terms relating to transportation include:

- **Primary access** will be taken from the existing South Loop Drive, with a new access established to State Highway 93. The university will be responsible for obtaining all necessary permits, design and right-of-way acquisition necessary to establish access to the property.
 - o Secondary access will be taken from Tantra Drive, though it will be controlled (e.g., gated) and accessible only to emergency vehicles and transit. Electric busses will be prioritized along Tantra Drive.
- **A trip cap program** will establish a maximum number of daily automobile trips to and from the property. The total trip count was derived from a traffic impact study submitted by the university and limits trips to 5,550 daily trips for South Loop Drive and 750 daily trips for State Highway 93.
- **Trip cap monitoring and enforcement** mechanisms for annual monitoring and reporting, special event allowances, requirements for non-compliance and trip reduction strategies.
- A **maximum parking ratio** will be applied to residential and non-residential improvements, as will the city's bicycle parking standards. Assuming development of 1,100 residential units and 750,000 square feet of non-residential space, there will be approximately 2,350 parking spaces on the property. The parking ratios are (a) one space for each attached dwelling unit and (b) one space for each 600 square foot of non-residential floor area. Development limitation such as a 2:1 ratio of residential to non-residential space (discussed in Development Zone question) and the trip cap will govern ultimate levels of development and, by extension, the maximum number of parking spaces on the site.
- **Transportation Demand Management (TDM)** strategies are identified and employed (e.g. shared micro mobility program memberships, a carpool and vanpool subsidy program and parking management.)
- A **multi-modal mobility hub** will be constructed by the university with minimum requirements for the hub that are based on the city's Transportation Master Plan. Multi-modal mobility features are intended to provide seamless transitions between different modes of transportation.
- **Site Access Improvements** will be constructed by the university. Improvements under discussion include:
 - o a 12-foot wide multi-use path along the western boundary

- o South Loop Drive will be constructed as a “complete street” with a detached multi-use path and buffered bicycle lane.
- o The reconstruction of the existing Table Mesa Drive / South Loop Drive / US-36 off-ramp intersection.
- o A new access to State Highway 93
- **Off-site improvements** will be constructed by the university in collaboration with City projects. Improvements under discussion include:
 - o A cost-sharing arrangement for a new multi-use path underpass under Table Mesa Drive connecting the RTD Park-n-Ride lot to Thunderbird Drive.
 - o Other improvements identified in the university’s traffic impact analysis.



Comments – Do you have suggestions for improvement?

Anonymous

7/14/2021 04:38 PM

The above is dealing with transportation and mobility - nt the 119 acres of open space?????

Anonymous

7/16/2021 02:58 PM

DO NOT ANNEX THE PROPERTY. DO NOT ALLOW CU TO DEVELOP THIS PROPERTY. AT THE VERY LEAST DO NOT FINANCE THIS ADVENTURE BY ANNEXING AND THEN PROVIDING INFRASTRUCTURE WHICH JUST FACILITATES CU'S EXPANSION INTO THIS INAPPROPRIATE RESIDENTIAL AREA

Anonymous

7/17/2021 07:37 AM

Traffic is already too heavy in South Boulder. I don't believe, for one second, development of the site will do anything other than add to the congestion. And then those of us who live in South Boulder will have to live with it. South Boulder cannot sustain more university, more housing and more traffic on the roads.

Anonymous

7/18/2021 09:11 AM

This still seems like a lot of parking for mainly student housing. Building less parking is always good. Focusing all of the design around sharing on one ever really needs to drive here would be ideal. Also, the buffered bike lane on South Loop Drive sounds be an actual protected bone lane. Paint does not save lives.

Anonymous

7/18/2021 06:02 PM

I like the cap. The underpass between Table Mesa and Thunderbird looks like a good idea.

Anonymous

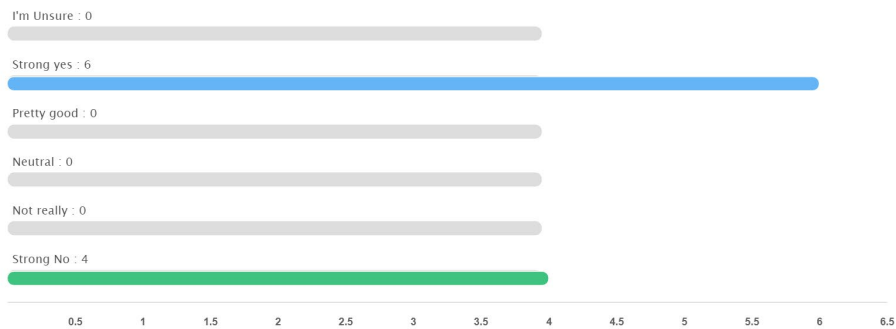
7/19/2021 06:23 PM

Automobile access should not be encouraged as the primary access. Buses, trolleys, etc should be significantly expanded.

F. Overall Draft Annexation Agreement

On balance, do you think the proposed annexation agreement adequately provides adequate community benefits and mitigates the impacts of development of the CU Boulder South property?

Q1 On balance, do you think the proposed annexation agreement provides adequate community benefits and mitigates the impacts of development of the CU Boulder South property?



Recognizing that the agreement has trade-offs and exchanges of value between CU Boulder and the city, are there terms you strongly object to and/or areas for improvement that should be addressed?

Anonymous

7/14/2021 04:44 PM

I oppose CU being given credits for \$\$ that wuld typically be expected. I am very concerned CU wont follow any agreement signed or not. I object to 3000 seat sports venue . I dont think City of Boulder has any money to develop this site at this point. We have so many other concerns not being addressed in Boulder but all this effort is going toward this. I am really worried about wet lands. I am worried about cost to open space department- they dont have enough money to manage land we all ready have in open space

Anonymous

7/16/2021 02:57 PM

I strongly object to developing the CU Boulder South site. The City of Boulder should not approve annexation of the CU South property without prior knowledge of CU's development plans for this property. Once the property is annexed and services added (at City of Boulder residents' expense), the University can do whatever it wants with the property. This is a bad deal for the City and Residents of the City of Boulder. South Boulder residents will absorb the impacts of increased traffic and crowding as well as the expense of adding roads, water, sewer, fire and police protection to this area. This is an ill conceived idea that is bad for the people of Boulder. DO NOT APPROVE. PLEASE.

Anonymous

7/17/2021 07:43 AM

Building housing on the site should NOT be under consideration. South Boulder cannot sustain the additional traffic that will come along with the additional residents. Boulder, as a community, endured multiple UNACCEPTABLE events, during the pandemic, due to the university's existence in the city. We do NOT need an additional university campus in Boulder. While the university is an integral part of Boulder, Boulder NOT become a backdrop to the university.

Anonymous

7/18/2021 09:12 AM

Overall, it's a good agreement.

Anonymous

7/18/2021 10:54 AM

It's time to move forward on annexation. The experts in the city have made recommendations, followed council direction and been considerate of public views. It's time to move forward.

Anonymous

7/18/2021 06:03 PM

No.

Anonymous

7/19/2021 04:25 PM

I hold fast to climate science that encourages the protection of wetlands, native habitats and carbon sequestering grasslands, which is also stated in the City of Boulder's Climate Initiative as read: "Following recent guidance from the Intergovernmental Panel on Climate Change, the city will also look to employ innovative carbon drawdown and sequestration efforts. Leveraging living systems such as trees, vegetation and soils to absorb carbon and build resilience, drawdown will play a pivotal role in helping us to narrow the gap between current emissions and achievement of net zero." Therefore, how can we in good conscience approve of the development of hundreds of acres of our wetlands and Tall Grass Prairie, for the addition of playing fields, academic buildings, a running track, dog park, etc? I see zero community benefit to development and full benefit to CU.

Optional question (7 response(s), 3 skipped)

Conversely, are there terms you support and would not want to see modified?

Anonymous

7/16/2021 02:57 PM

No. The only plan I could support would be one where CU tells the City exactly what it plans to do with the property BEFORE the City agrees to annex the property. That way, the decision would be based on facts and knowledge rather than empty promises from CU.

Anonymous

7/18/2021 10:54 AM

Time to stop modifying. It's a word game that could alter agreed upon direction. Let it be, it's been hashed over enough.

Anonymous

7/18/2021 06:03 PM

No.

Anonymous

7/19/2021 04:25 PM

Flood mitigation first, City's ability to de-annex, City's first right of purchase

If you have other feedback or suggestions that were not captured in the questions above, please add them here.

This question has 2 text responses

Anonymous

7/14/2021 04:34 PM

I have always dreamed of a weekend farmers market in South Boulder. This would be an ideal location for the new housing as well as the other established South and East Boulder neighborhoods to gather at the market by bike or walking. Could a use like a farmers market be considered at this site?

Anonymous

7/19/2021 04:31 PM

I resent CU's inability to hold Fraiser Meadow residents' well-being more valuable than the power move to have the City of Boulder annex CU South first. This feels like we Boulder residents are being held hostage by CU, as they demand annexation first, despite not submitting a site plan for annexation, and the City's willingness to agree with this.