

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 18, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

Bryan Bowen, Chair
John Putnam
John Gerstle
Leonard May
Liz Payton
Crystal Gray

STAFF PRESENT:

Susan Richstone, Deputy Director of Planning, Housing & Sustainability
Lesli Ellis, Comprehensive Planning Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Sloane Walbert, Planner I
Crystal Launder, Housing Planner
Jeff Yegian, Housing Division Manager

1. CALL TO ORDER

Chair, **B. Bowen**, declared a quorum at 6:09 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **J. Putnam** the Planning Board voted 6-0 to approve the January 28, 2016 minutes as amended.

3. PUBLIC PARTICIPATION

- **Kate Remley**, as a member of the working group for the Downtown Urban Design Guidelines (DUDG) and chair of the Landmarks Board, suggested a few modifications to the vision statement of the revised DUDG. She will email the revisions to staff and the Planning Board.
- **David Biek**, in regards to item 4B (1710 and 1750 29th Street) on tonight's agenda, spoke in support of the project.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS

A. AGENDA TITLE: Continuation of a Public Hearing to consider a motion to approve findings of fact and conclusions of law for the denial of the application for a Nonconforming Use Review, application no. LUR2015-00073, for the addition of two

bedrooms in the basement of an existing nonconforming duplex at 940 14th St.

Applicant: Lani King, Michael J Hirsch Companies

Owner: 20th Street Apartments 1 LLC and 20th Street Apartments 2 LLC

Motion:

On a motion by **L. Payton**, seconded by **C. Gray**, the Planning Board voted 4-2 (**B. Bowen, J. Putnam** opposed) to approve findings of fact and conclusions of law for the denial of the application for a Nonconforming Use Review, application no. LUR2015-00073, for the addition of two bedrooms and in the basement of an existing nonconforming duplex at 940 14th St.

- B. CALL UP ITEM:** Approval of a Minor Amendment to an Approved Site Plan to install two vendor kiosks and a walk-in cooler made from repurposed shipping containers in the public plaza between 1710 and 1750 29th St. within the Twenty Ninth Street shopping center. The kiosks will be for alcohol service and will include fenced areas with controlled points of entry. The project includes railings, outdoor seating, umbrellas, planters and other landscaping and furniture elements, including a public turf area adjacent to the new vendors. Approval includes an amendment to the Twenty Ninth Street Signage Program to include the central portion of the plaza in the sign program as a Type 4 Storefront type. The project site is zoned Business – Regional 1 (BR-1). Case No. LUR2015-00119.

This item was not called up.

5. DISCUSSION ITEM

- A.** Middle Income Housing Strategy – in preparation for a February 23, 2016 Council Study Session, staff requests feedback from the Planning Board on a recently completed Middle Income Housing Study and the proposed steps to create a middle income housing strategy.

Staff Presentation:

S. Richstone introduced the discussion item regarding Middle Income Housing Strategy.

L. Ellis discussed opportunities to integrate Middle Income Housing Strategy work items into the BVCP update effort.

C. Launder presented the Middle Income Housing Study, recently completed by BBC Research and Consulting.

Board Questions:

C. Launder, S. Richstone, L. Ellis and **J. Yegian** answered questions from the board.

Board Comments:

- The board made comments regarding the areas of focus for the Middle Income Housing Strategy.

- **C. Gray** and **B. Bowen** suggested reviewing more information regarding small, detached homes, small lots and tiny home neighborhoods and the benefits surrounding affordability and future benefits.
- **C. Gray** would like to see mobile home parks and the preservation of mobile home parks added to the areas of focus. In addition, she added that partnering with neighborhoods and neighborhood plans would be necessary to obtain these solutions.
- **B. Bowen** added that looking at land use and using it as a template for development, if the land use pattern is followed explicitly, is inefficient. It is low density and resource intensive. However if community oriented spaces would be created, and let go of micro-suburban patterns of mobile home parks, then the outcome could be highly beneficial and a good solution. A new design tool would need to be created for certain areas.
- **J. Putnam** echoed the earlier board comments that the document was well done and added that it would be important to better understand the generational effects and how senior housing would fit into this strategy. He emphasized that we should make the transition for older Boulder residents easier to move from one affordable category to another for example by changing zoning codes if needed. The city needs to think about how people throughout different stages of life transition from one type of house or situation to another and be able to stay in the city.
- **L. May** added that perhaps the city could play a role in a reverse mortgage structure whereby the ownership reverts back to the city at a more reasonable cost. The tradeoff could be that a person could pull the equity from the property to cover the increased aging needs.
- **C. Gray** added that she would like to see more emphasis/focus on Accessory Dwelling Units (ADU) and Owners Accessory Units (OAU) in regards to community benefit for allowing them in zones where they are not now allowed.
- **B. Bowen** mentioned that housing for seniors in the middle could benefit from age diverse neighborhoods. He suggested by working through the site review criteria or building into the design requirements, placing in writing the design aspects or requirements that would retain families.
- **J. Gerstle** agreed with the prior board comments. He also expressed his opinion that the city should not regard pure ownership as the only desirable relationship for a resident should have with their home, and that other arrangements, such as rentals and cooperatives, could also be acceptable.
- **L. May**, by quoting the following article ("*The Mortgage Mistake*", The New Yorker, dated January 12, 2015), agreed that there is no universal benefit of renting over ownership. The article was forwarded to the board. He stated that the presumption should not be on homeownership, but to look at the broader economic implications.
- **J. Putnam** suggested ensuring that there are both rentals and ownership opportunities for middle income households.
- **L. Payton** added that the missing middle is about homeownership and that there is not enough available within Boulder, but plenty available in surrounding areas. There are rentals available, but not homeownership opportunities. She stated that she supports the focus on homeownership. She added that Colorado University (CU) is a large entity but many of their faculty does not live in Boulder. She questioned staff regarding the housing of CU's staff. Staff informed the board that CU is concerned regarding this issue and evaluating what role they might have in providing housing for employees. If it were done,

it would be more of a rental product rather than homeownership. She suggested that through annexation requests that middle income ownership housing be required. In regards to the implementation of an anti-demolition ordinance, similar to San Francisco, she stated it would be useful in preserving existing affordable housing and should be reviewed. She suggested a survey to developers to determine how height would work with this kind of middle income housing. Finally she reminded the board that Boulder does have an example of small homes on small lots with seniors at Chautauqua.

Staff Presentation:

L. Ellis presented the Range of Potential Land Use Interventions related to the Boulder Valley Comprehensive Plan (BVCP).

Public Hearing:

1. **David Adamson** stated that often there is a concern that with density comes traffic. Middle class housing needs could be met by creating a person that is able to get around without the use of a car. He stated that within his neighborhood they are working together by doing car share, bike share and NPP around their site and think about how to add density without adding traffic.

Board Questions:

L. Ellis, S. Richstone and **J. Yegian** answered questions from the board.

Board Comments:

- The board made comments regarding the range of potential land use interventions related to the BVCP for potential housing.
- **L. Payton** stated that the character should be refined in areas. Change or adding land use categories to facilitate the types of housing that is needed is important. The tradeoffs between housing and jobs and addressing them through land use changes should be considered. She stated that if staff were looking for a metric for the goal of a better balance of incomes then it might be to get back to a distribution of incomes that were present twenty years ago, for example.
- **J. Gerstle** stated that recent discussions have focused on tradeoffs between jobs and housing. He believes, however, that there are many other factors to consider, including streets and parking issues, and that the discussion should not be limited to housing alone.
- **B. Bowen** clarified that figuring out what the overall goal is should be the goal and how do we create a community and Boulder that we envision. Land use code can be beneficial but some can be evasive for us to advance.
- **J. Putnam** suggested exploring community industrial as something that is still needed when looking at areas to put housing. Areas of art could be a tradeoff as well. He stated that there is currently focus on areas of potential change. To help shape discussions regarding OAU and ADUs, it would be beneficial to shape what that would mean and create scenarios to show what it would do for affordability. It would be beneficial to look at what will be affordable in Boulder in 10 yrs.
- **C. Gray** agreed with **L. Payton's** comments. If OAU's, or ADU's, are incentivized in zones where they are not now allowed they should not be allowed to have short term rentals if the goal of expanding OAU's or ADU's is to add to long term rentals. The city

code had incentivized housing in the DT zones by an increased FAR. Several years ago the FAR was also increased for commercial uses in the DT zones. Has this evening the playing field for housing and commercial in DT zones acted as a disincentive for housing downtown? It would be worth analyzing. **C. Gray** also suggested subcommunity planning and outreach to neighborhoods on housing strategy for middle income solutions.

- **L. May** agreed with staff's recommendations. He explained that we need to focus on where is the greatest good on limited resources that we have. The issue of in-commuting should not be confused with the housing issue. Medium and higher density housing should be analyzed. The focus cannot be solely on lower density. Focus on multi-family housing so there is less impact on zoning. He agreed with **J. Putnam's** comments regarding maintaining the light industrial community.

Additional Next Steps:

- **J. Putnam** mentioned that the zoning code needs to be reviewed especially where the types of housing desired are being discouraged.
- **C. Gray** suggested the Planning Board recommend to City Council to focus on creative housing types including smaller homes for the Middle Income Housing Strategy.
- All Board members agreed.
- **C. Gray** suggested adding, under "Range of Potential Interventions", to add the wording to partnership with neighborhoods on housing solutions as outlined in the Boulder Housing Strategy.
- **L. May**, under "Regulatory Interventions", there is a section pertaining to middle income housing bonuses. He pointed out that as long as incentives do not guarantee to be a one-time windfall, they are critical to maintain. The "compatible development" language should be explored and better defined. Occupancy and height limits make sure not to just a bonus to the property owner. A sales tax for affordable housing would be a regressive tax and would ultimately hurt the ones that we are trying to benefit through an affordable housing program.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

A. BVCP Update

Staff Presentation:

L. Ellis presented the item to the board and the 3-D mapping that is currently accessed from the website.

Board Questions:

L. Ellis answered questions from the board

Board Comments:

- **J. Gerstle** agreed that the potential value of the mapping tool is very high for the BVCP. As long as people are aware of the limitations and errors that may be incorporated within, we should move ahead.
- All Board members agreed.

B. Reve Project Call Up – City Council Update
B. Bowen presented the item to the board.

Board Comments:

- No one had any comments.

C. DUDG Adoption Process – City Council Update
B. Bowen presented the item to the board.

Board Comments:

- **J. Gerstle** recommended that when the Planning Board revisits this item that there is a full agreement on the matter.
- The board proposed to have the Planning Board revisit the DUDG and add revisions at the March 3, 2016 Planning Board meeting and to begin the meeting at 5:00p.m.
- Any board members that have proposed revisions should submit them to Planning Board, Sam Assefa and Kalani Pahoia prior to the meeting.

7. DEBRIEF MEETING/CALENDAR CHECK

A. Planning Board 2016 Retreat Date and Calendar Items

- Planning Board will meet on April 14, 2016 to discuss Form-Based Code at 6:00p.m. On this date, Planning Board would be asked to make a recommendation to City Council on the draft code.
- On March 17, 2016, Form-Based Code will appear under “Matters” as an update for Planning Board.
- The EAB joint meeting regarding climate commitment updates original date of April 6, 2016 is not working out. The EAB board secretary will poll the Planning Board to find an alternate date in April.
- Planning Board will meet on April 28, 2016 to discuss Hogan-Pancost at 6:00p.m. On this date, the annexation will be reviewed.
- The May 19, 2016 Planning Board meeting was canceled. All items were moved to May 26, 2016.
- The board agreed that the retreat would be held on May 6, 2016 at Wild Sage Community House, 12:00-4:00p.m.
 - Subject items will be sent to **C. Spence** to be compiled.
 - The board will discuss the agenda at the March 3, 2016 meeting.
 - Heidi Brinkman, with Brinkman Consulting, will facilitate.

8. ADJOURNMENT

The Planning Board adjourned the meeting at 9:09 p.m.

APPROVED BY

Board Chair

DATE

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