



CITY OF BOULDER
PLANNING BOARD MEETING AGENDA
DATE: June 5, 2014
TIME: 6 p.m.
PLACE: Council Chambers, 1777 Broadway

1. CALL TO ORDER

2. APPROVAL OF MINUTES

The [May 1, 2014 Planning Board Minutes](#) are scheduled for approval.

3. PUBLIC PARTICIPATION

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

5. PUBLIC HEARING ITEMS

- A. [CONCEPT PLAN REVIEW AND COMMENT:](#)** Request for public and Planning Board comment on a proposal for the redevelopment of properties located at the southeast corner of Pearl Parkway and 30th Street, including the addresses 3000 Pearl Street; 2170, 2100 30th Street and 2120 32nd Place that currently include an office building and auto dealerships. Proposal is for the redevelopment of the property with four residential buildings of four to five stories along with a corner office building with ground floor retail and restaurant.

Applicant: Vince Porreca

Property Owners: Bridge Partners IV, Hollister Property, and Alan Baker

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

- A. [Request for Feedback regarding AMPS Near Term Strategies and new TDM Toolkit](#)**
B. Parking Code Change Update
C. May 27th City Council Study Session Recap
D. Discussion regarding Right of Way Density Code Changes
E. Update on Upcoming Code Changes

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

**CITY OF BOULDER PLANNING BOARD
MEETING GUIDELINES**

CALL TO ORDER

The Board must have a quorum (four members present) before the meeting can be called to order.

AGENDA

The Board may rearrange the order of the Agenda or delete items for good cause. The Board may not add items requiring public notice.

PUBLIC PARTICIPATION

The public is welcome to address the Board (3 minutes* maximum per speaker) during the Public Participation portion of the meeting regarding any item not scheduled for a public hearing. The only items scheduled for a public hearing are those listed under the category PUBLIC HEARING ITEMS on the Agenda. Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.

DISCUSSION AND STUDY SESSION ITEMS

Discussion and study session items do not require motions of approval or recommendation.

PUBLIC HEARING ITEMS

A Public Hearing item requires a motion and a vote. The general format for hearing of an action item is as follows:

1. Presentations

- a. Staff presentation (5 minutes maximum*)
- b. Applicant presentation (15 minute maximum*). Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.
- c. Planning Board questioning of staff or applicant for information only.

2. Public Hearing

Each speaker will be allowed an oral presentation (3 minutes maximum*). All speakers wishing to pool their time must be present, and time allotted will be determined by the Chair. No pooled time presentation will be permitted to exceed ten minutes total.

- Time remaining is presented by a Green blinking light that means one minute remains, a Yellow light means 30 seconds remain, and a Red light and beep means time has expired.
- Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
- Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record.
- Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the Board uses to decide a case.
- Any exhibits introduced into the record at the hearing must be provided in quantities of ten (10) to the Secretary for distribution to the Board and admission into the record.
- Citizens can send a letter to the Planning staff at 1739 Broadway, Boulder, CO 80302, two weeks before the Planning Board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the Board meeting.

3. Board Action

- d. Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
- e. Board discussion. This is undertaken entirely by members of the Board. The applicant, members of the public or city staff participate only if called upon by the Chair.
- f. Board action (the vote). An affirmative vote of at least four members of the Board is required to pass a motion approving any action. If the vote taken results in either a tie, a vote of three to two, or a vote of three to one in favor of approval, the applicant shall be automatically allowed a rehearing upon requesting the same in writing within seven days.

MATTERS FROM THE PLANNING BOARD, DIRECTOR, AND CITY ATTORNEY

Any Planning Board member, the Planning Director, or the City Attorney may introduce before the Board matters which are not included in the formal agenda.

ADJOURNMENT

The Board's goal is that regular meetings adjourn by 10:30 p.m. and that study sessions adjourn by 10:00 p.m. Agenda items will not be commenced after 10:00 p.m. except by majority vote of Board members present.

*The Chair may lengthen or shorten the time allotted as appropriate. If the allotted time is exceeded, the Chair may request that the speaker conclude his or her comments.

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
May 1, 2014
1777 Broadway, Council Chambers

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: <http://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

Aaron Brockett

STAFF PRESENT:

David Driskell, Director of Planning and Development Services
Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Charles Ferro, Development Review Manager for CP&S
Karl Guiler, Senior Planner/Code Amendment Specialist
Elaine McLaughlin, Senior Planner
Chandler Van Schaack, Planner I
Beth Roberts, Housing Planner
Kristin Hyser, Community Investment Program Manager

1. CALL TO ORDER

Vice Chair, **B. Bowen**, declared a quorum at 6:02 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **J. Putnam** and seconded by **L. Payton** the Planning Board approved 6-0 (**A. Brockett** absent) the January 30, February 6, February 20, February 27, and April 3, 2014 minutes.

3. PUBLIC PARTICIPATION

No one from the public spoke.

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

- A.** Information Item: TEC2014-00017: Final Plat for the elimination of the lot lines between lots 23, 24, and part of lot 25 to create one lot addressed as 2925 4th Street. The project site is zoned Residential - Low 1.
- B.** Call Up: Minor subdivision review, case no. LUR2013-00035, for the creation of a second residential lot fronting on 7th Street. Lot 11A is proposed to be 10,013 square feet and Lot 12A is proposed to be 16,242 square feet. This approval is subject to call-up on or before May 1, 2014.
- C.** Call Up: USE REVIEW (LUR2014-00024): Request to allow a new 3,788 square foot indoor athletic facility within an existing office building. The property is located at 5500 Central Ave. in the IG zone district. The call-up period expires on May 8, 2014.

None of these items were called up.

5. PUBLIC HEARING ITEMS

- A.** Public hearing to consider a recommendation to City Council on an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, in particular:
 - 1. Revising the land use regulations to allow, through Site Review, on properties that are subject to right-of-way dedications consistent with adopted right-of-way plans the density and floor area that would be permitted in the absence of such dedications (Action 3.5, ESS), and
 - 2. Updating the land use regulations that require site improvements and upgrades if a project exceeds a certain percentage of the value of any existing structures on the property by allowing the value of existing structures to be established through a professional appraisal of the fair market value of such structures (Action 3.6, ESS).

Staff Presentation:

D. Driskell introduced the item.

K. Guiler presented the item to the board.

Board Questions:

K. Guiler answered questions from the board.

Public Hearing:

- 1. **Adrian Sopher, 1919 14th Street**, spoke in favor of staff's recommended ROW code changes. He noted that there are impacts to allowable buildable area for affordable housing. He also noted that for valuation purposes, the County has little incentive to reassess sites owned by nonprofits.

Board Comments:

C. Gray was okay with both parts of the ordinance except for B2, lines 22 and 23. She would like add “BVCP or within a subarea plan or any connection plan”. She thought that the BVCP was too broad and that it would allow for too many loopholes.

J. Putnam thought that both items would help the city to achieve its goals but would like more clarification. He suggested that the board make a motion recommending that staff and CAO work to clarify it further before it goes to Council.

L. May agreed with the objective of the ordinance but thought the wording was circuitous. He would prefer the Open Space be calculated in a less obtuse manner. He cautioned that there may be unforeseen consequences as a result of the complexity.

L. Payton agreed with **L. May**. She thought that the proposed ordinance changes would benefit affordable housing while giving market-rate developments an unwarranted windfall. She asked for clarification as to whether the ordinances would apply to only to nonprofits or to all developers.

B. Bowen explained how the ROW Ordinance changes would have affected the Holiday neighborhood. The current code incentivized larger units as opposed to more, smaller and additional affordable units. He thought that the proposed changes were positive but would benefit from simplification.

L. May did not think that this was the right approach. He would like to see changes to underlying triggers and but not make changes to the valuation method.

B. Bowen thought that the proposed revision to right-of-way dedications was equitable, would allow the city to reach its objectives, and would ease the most critical criterion. The board would still be looking at height, open space, architecture, bulk, massing, etc. The proposed revision to valuation would encourage better places because smaller projects currently reduce their scope of work to avoid triggering requirements. He would like to see one metric to determine valuation and fewer, simplified triggers that are easier to administer. The current system is sloppy; it has many different moving pieces that are not linked.

J. Putnam thought, on the valuation issue, that there were systemic problems with the way that the County assesses land values. It is preferable to have the tool reflect real market-rate property values. Per **L. Payton’s** earlier comment regarding right-of-way and land use dedications, he would not support a distinction between for- and non-profit developers. The proposed changes support the city’s goals to support transit and to create vibrant walkable neighborhoods. He agreed with **L. May** that this did not seem to be the most streamlined approach to achieve these goals, but cautioned that an approach that opened and remedied all of the underlying issues could create other unforeseen problems and take too long.

L. May thought that the city’s vision was clear, but that there was an easier and safer way to achieve the desired outcomes. Change some of the underlying problems in order to simplify this.

J. Gerstle agreed with **L. May** that the proposed ordinance is unnecessarily complex. He opposed the proposed valuation solution; the government would be undermined by allowing

development and taxes to be based on different values. He proposed that property owners who get their own appraisals be required to provide a copy to the County Assessor as well.

J. Putnam noted fundamental problems with how the County Assessor's office values property; it is not fair. It would be better to allow the city to determine a fair property value while leaving the city and county to deal with the other issues separately. **J. Gerstle's** proposal will not solve the larger issue. The problem is systemic.

B. Bowen agreed with **J. Putnam**.

L. May thought that triggers lie at the root of the problem and the assessed property value is of lesser importance. However, he felt that **J. Gerstle** was approaching the property value issue from a more systemic viewpoint. The county should be included in a dialogue about property values.

B. Bowen disagreed with **L. May**. He thought that triggers could reference separate values and should reference the same information.

C. Gray suggested that the board add a condition to the motion that would request that staff return to Planning Board with additional wording. The question of valuation can be addressed through an amendment once a motion has been made.

L. Payton noted that if the scope of ordinance included only area and subarea plans, it would be more limited and subject to Site Review.

J. Putnam recommended that the ordinance specify to which plans the ordinance would apply.

L. May thought it was premature for the board to make a recommendation; he would prefer that staff return with a revised and simplified proposal based on the board's comments. He suggested that staff address and simplify the complicated issues such as areas where development intensity is determined by Open Space and a multiplier as opposed to FAR. Find easier ways to achieve density.

J. Putnam thought that **L. May's** recommendation would require making revisions zone by zone as opposed to the proposed ordinance which would still require that properties undergo Site Review. He thought it would only exchange one set of complications for another. There is a cost to waiting to implement this. Seeking perfection could preclude us from getting a good solution.

C. Gray thought the ESS was a great document. She recommended explaining how the proposed ordinance would help to create better places. She liked that it starts to get to the issue of intensity as opposed to density.

J. Putnam asked to bifurcate the two issues for the motion and vote. He thought that it would be inequitable to single out the areas with area plans because areas of town without plans would be left out. It is better to do something rather than nothing but he would prefer a larger scope.

J. Gerstle thought that given the lack of clarity on the issue, staff should redraft the arguments and return to Planning Board with a revised version. He would vote against the recommendation now, not because he disagrees with the item, but because there is a lack of sufficient clarity.

C. Gray felt comfortable with the ordinance but wanted assurance that there are no giant loopholes.

J. Putnam thought that there was sufficient clarity and would prefer to make this incremental improvement now. For future reference, he recommended that staff present the alternatives that were also considered. He would prefer to include the Transportation Mater Plan in the scope but will still support a motion without it.

B. Bowen agreed with the intent of the changes but thought they should be simplified. Consider possible unintended consequences and how this might affect other parts of the code .

C. Gray thought that Site Review and height modifications serve as a backup controls, but suggested that they be clearly decoupled. Just because the development potential is there, it is not a foregone conclusion.

Motion:

On a motion by **C. Gray**, seconded by **L. Payton**, the Planning Board voted 4-2 (**L. May** and **J. Gerstle** opposed; **A. Brockett** absent) to recommend approval to the City Council of an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, in particular:

1. Revising the land use regulations to allow, through Site Review, on properties that are subject to right-of-way dedications consistent with adopted right-of-way plans the density and floor area that would be permitted in the absence of such dedications (Action 3.5, ESS) with the recommendation that City Council change the wording under Section 9-8-8(b)(2) from "or any other right of way plan approved by City Council and as part of the project under review" to "or within a subarea plan or a transportation network plan and as part of the project under review".

L. May supported the sentiment of what it was trying to achieve but did not feel that it was the right way to go about it.

J. Gerstle opposed the motion because he did not feel that the board understood the proposed ordinance sufficiently to recommend it to Council.

On a motion by **L. May**, seconded by **B. Bowen** the Planning Board voted 6-0 (**A. Brockett** absent) to recommend that Council direct staff to investigate how to simplify the calculation to achieve the city's goals for density in non-FAR governed areas, where the zoning currently controls the allowed density and intensity.

J. Putnam thought that this should be considered in the housing strategy as well.

On a motion by **J. Putnam**, seconded by **B. Bowen**, the Planning Board voted 4-2 (**B. Bowen** and **J. Putnam** opposed, **A. Brockett** absent) recommend approval to the City Council of an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, in particular:

1. Updating the land use regulations that require site improvements and upgrades if a project exceeds a certain percentage of the value of any existing structures on the property by allowing the value of existing structures to be established through a professional appraisal of the fair market value of such structures (Action 3.6, ESS).

On an amendment by **J. Gerstle**, seconded by **L. May**, the Planning Board voted 4-2 (**B. Bowen** and **J. Putnam** opposed, **A. Brockett** absent) to recommend that if a private appraisal is used in this process, that information shall be provided to the County Assessor.

B. Bowen and **J. Putnam** opposed the motion because they did not agree with **J. Gerstle's** amendment. **J. Putnam** thought that it undermined the intent of the ESS and was concerned that it would have negative consequences. **B. Bowen** was concerned that there are many other places in the code where an appraisal is used and where this is not required.

- B. Public hearing and consideration of a recommendation to City Council for an ordinance to modify intensity standards; along with consideration of Site and Use Review applications for 2200 Broadway, referred to as the Trinity Commons, to redevelop the existing surface parking lot with a new Fellowship Hall; 24 permanently affordable attached senior housing units; office space for the Trinity Lutheran Church and other non-profit organizations; and partially below grade parking. The parking will be shared with other off-site users through a Use Review management plan. The application includes a condition of approval for landmarking the existing, historic portion of the Trinity Lutheran Church. The applicant is requesting vested rights. The project is reviewed under two separate case no. LUR2013-00048 and LUR2014-00013.

Applicant: Hartronft Associates

Property Owners: Trinity Evangelical Lutheran Church of Boulder, Colorado

Staff Presentation:

C. Ferro introduced the item.

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

C. Gray disclosed that she had been on City Council when this first came before them and spoke about the project briefly with a Boulder Housing Partners staff member.

Applicant Prensation:

Eric Hartronft the architect, presented to the board.

Mark Tweitmeyer, the applicant and pastor of the church, presented to the board.

Board Questions:

Eric Hartronft the architect, answered questions from the board.

Marvin Dehne, the president of the church council, answered questions from the board.

Public Hearing:

No one from the public spoke.

Board Comments:

Continuity with the 2007 Concept Plan

C. Gray thought that this proposal was an improvement over the previous submittal.

J. Putnam agreed that this proposal was an improvement and thought it was a clear evolution from the last iteration.

J. Gerstle liked this proposal better than the previous one.

B. Bowen thought that this proposal met the criteria and was an improvement.

Site Review Consistency with BVCP

J. Putnam thought that the proposal will provide great public benefit and that staff did a good job of identifying reasons why it is consistent. The energy criteria could be improved but he feared that requiring too much more could make it difficult to keep the units affordable. He did not think that a better project would be achieved if this proposal were denied.

L. May thought it generally met the criteria and would provide a public benefit. The quality of architecture, relationship with the neighboring buildings, placemaking and design could be improved.

C. Gray thought that in addition to the criteria outlined by staff, the proposal also supports criterion 2.10: Preservation and Support of Residential Neighborhoods. It will bring more people into a neighborhood that is rich in amenities and transportation. It also supports criterion 2.13: Protection of Residential Neighborhoods. She applauded the applicant for providing affordable housing and more residential units downtown; it will create a wider demand for services downtown. She thought that the applicant already does a good job of screening the corner of Mapleton and Broadway with landscaping. She is therefore not too concerned what will happen if phase three is not completed.

L. Payton thought that this was an ideal infill project. It creates a pleasant streetscape at the human scale, has architectural interest, and meets city goals for affordability and walkability.

J. Gerstle echoed **L. Payton**. He thought the applicant did a beautiful job and that the project meets the city goals.

J. Putnam encouraged the applicant to look for creative solutions for accessibility. He expressed concern about the stairs but thought they could be acceptable given the constraints.

B. Bowen thought it was reasonable to include stairs, but thought it might be worth the compromise for a taller building to provide other accessibility. He suggested that the applicant look at the accessibility requirements in the code.

Condition 10(c)(ii)

The board agreed with the condition.

Architecture

L. May thought that this design was less urban than the previous iteration; it appears to be more suburban and corporate in nature. He noted that it seems to take good inspiration from Mapleton Terrace but is too busy with the square sliding windows and changes of materials and colors. He advised that more proportionate window openings and simplicity would better serve this building given the historical context and reference. The arches don't connect with the mass and volume behind it. He suggested that the design be less literal in mimicking the adjacent building. Refine and distill the architecture to its core elements.

C. Gray noted that the board's goal is to approve places and not projects. She liked this better than the version seen at Concept Review. She thought that the sculpted elements help to create a campus that unifies the two sides of the alley. The addition of the loggia adds a different dimension. She thought that it was okay to have a campus similar to the other churches downtown and did not think that it was too suburban.

J. Putnam agreed with **C. Gray** about the arches. They identify the religious component and differentiate it from the secular portion. He thought the architecture was good but suggested that they look for means for improvement in the Tec Doc phase.

B. Bowen liked the arches as a symbol for the use and thought that the streetscape will be interesting. He agreed with **L. May** that the details are important. He thought that BDAB could help to work out the details and suggested adding a condition that the project go to BDAB to discuss increasing simplicity, window proportions and patterning, railing detailing. He would also like to make a condition that there be no vinyl windows.

L. Payton liked the design, arches and the way that it ties into the historic church. She wanted to assure that BDAB could not change the major elements.

B. Bowen thought that the building could be simplified but was not concerned with the number of materials.

J. Putnam would encourage the applicant to go to BDAB to review the materials and design, but did not feel comfortable making it a requirement.

C. Gray recommended that the applicant pay close attention to the human scale and detail.

L. May noted that his comments had not resonated with the board and therefore thought that the application could move forward.

J. Gerstle thought that it was a nice design. He liked the continuity with the existing church but did not think that the board should place too many restrictions on the project. He had faith that the applicant would move forward in a reasonable manner.

Landmarking Process

L. Payton did think that staff's recommendation to landmark only a portion of the building made sense. She would prefer that the applicant apply to landmark the entire building and later determine the boundaries with staff.

B. Bowen agreed with **L. Payton** but did not want to mandate the boundary of the landmarked area.

J. Putnam recommended leaving the condition as is. Landmarks could advocate to expand it if they felt that it were appropriate.

Motion:

On a motion by **C. Gray**, seconded by **J. Putnam**, the Planning Board voted 6-0 (**A. Brockett** absent) to approve Site Review no. LUR2013-00048 and Use Review no. LUR2014-00013, incorporating this staff memorandum and the attached Site and Use Review Criteria Checklists as findings of fact, subject to the conditions of approval recommended in the memo with an amendment to Site Review Condition No. 10.c.ii) which shall be revised to read:

10.c. ii) To ensure an attractive east elevation of the office and Fellowship Hall, and in the event that Phase III construction of the housing does not occur, the applicant shall, as part of a Technical Document review application for Phase II, provide architectural drawings that detail the retaining walls and parking area screening in the area of Phase III and utilize site design techniques that enhance the appearance of the area and reduce any visual impact of the parking area.

On a motion by **L. Payton**, seconded by **J. Gerstle** the Planning Board rejected 2-4 (**A. Brockett** absent, **L. May**, **B. Bowen**, **J. Putnam** and **C. Gray** opposed) the following amendment to Condition of Approval 6: Prior to a building permit application, the Applicant shall submit to the City an application for and pursue in good faith an Individual Landmark designation of the church building located at 2200 Broadway with a designation boundary that includes the entire building of the existing Trinity Lutheran Church.

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

C. Gray requested additional information regarding the Comprehensive Housing Strategy. Comprehensive Planning will provide that information. She will send her comments to staff.

L. May proposed a study session retreat to discuss what is important in a Development

Policy. These will be cued for a future discussion. He thought that betterment capture will relate to the housing strategy and he wanted to assure that it would be structured to get into the meat of the issues.

B. Bowen noted that the detailing on some of the buildings at Boulder Junction was poorly done. He wanted assure that the things that come before the Planning Board are done correctly.

D. Driskell explained that there will be some modifications to 3100 Pearl. Some of the building was not executed according to the approved plans.

C. Ferro noted that some of the way that projects are executed in the field is of concern to staff but difficult to regulate.

B. Bowen recommended that the board revisit some of the approved projects to see how they have been executed.

D. Driskell urged the board to refrain from last minute emails the day of the meeting. He requested that they be sent early in the week.

B. Bowen said that he would be okay with staff sending packets one week in advance.

L. May and **D. Driskell** updated the board on the Resiliency Workshop.

C. Gray noted that the city does not have neighborhood support anymore and recommended that there be more.

6. DEBRIEF MEETING/CALENDAR CHECK

7. ADJOURNMENT

The Planning Board adjourned the meeting at 10:41 p.m.

APPROVED BY

Board Chair

DATE

CITY OF BOULDER
PLANNING BOARD AGENDA ITEM
MEETING DATE: June 5, 2014

AGENDA TITLE: CONCEPT PLAN REVIEW AND COMMENT: Request for public and Planning Board comment on a proposal for the redevelopment of properties located at the southeast corner of Pearl Parkway and 30th Street, including the addresses 3000 Pearl Street; 2170, 2100 30th Street and 2120 32nd Place that currently include an office building and auto dealerships. Proposal is for the redevelopment of the property with four residential buildings of four to five stories along with a corner office building with ground floor retail and restaurant.

Applicant: Vince Porreca

Property Owners: Bridge Partners IV, Hollister Property, and Alan Baker

REQUESTING DEPARTMENT:

Community Planning & Sustainability

David Driskell, Executive Director

Susan Richstone, Deputy Director

Charles Ferro, Land Use Review Manager

Elaine McLaughlin, Senior Planner

OBJECTIVE:

1. Hear applicant and staff presentations
2. Hold public hearing
3. Planning Board discussion of Concept Plan. No action is required by Planning Board.

SUMMARY:

CONCEPT PLAN REVIEW AND COMMENT: Request for public and Planning Board comment on a proposal for the redevelopment of properties located at the southeast corner of Pearl Parkway and 30th Street, including the addresses 3000 Pearl Street; 2170, 2100 30th Street and 2120 32nd Street. Proposal is for the redevelopment of the property with four residential buildings of four to five stories for a total of 285 multi-family residential units, along with an approximately 98,000 square foot office building along with ground floor retail and restaurant. The proposed project would require a rezoning consistent with Transit Village Area Plan (TVAP) to MU-4 for the northern portion of the site, along with a request for Boulder Valley Comprehensive Plan Land Use Change and rezoning on the south portion.

Project Name:

Southeast Corner of 30th & Pearl

Location:

3000 Pearl Street; 2170, 2100 30th Street and 2120 32nd Place

Size of Tract:

6.01 Acres (186,676 square feet)

Zoning:

Business Regional-1 (BR-1)

Comprehensive Plan:

General Business (GB) on the south and Mixed Use Business (MUB) on the north.

Key Issues:

Staff is recommending three key issues for discussion of the Concept Plan:

- Consistency with the BVCP Land Use Designations;
- Building mass and scale in the context of TVAP and BR-1 zoning;
- Preliminary consistency with BVRC and TVAP guidelines; and
- Consistency with the TVAP Transportation Connections Plans.

I. INTRODUCTION AND BACKGROUND

The existing site includes an office building at the corner of Pearl Parkway and 30th Street, built in 1978 with a surface parking lot. The site also includes two sales buildings and associated surface parking display areas for a Chrysler automobile dealership. The Boulder and Left Hand Ditch bisects the roughly inverted “T” shaped site that extends from 30th Street to 32nd Street. The property at 2120 30th Street is occupied by a small quonset hut that today is Gene’s Auto Repair. Junction Place, the new roadway through Boulder Junction and serving as access to the recently constructed Solana Apartments, is planned to extend across the existing ditch to connect to 32nd Street in this location.

The site’s northern properties, north of the North Boulder Farmer’s Ditch, are included in both the Transit Village Area Plan as well as the Boulder Valley Regional Center.

II. PROJECT DESCRIPTION SUMMARY

The concept plan is for redevelopment of the approximately 6.01 acre into a mixed use development that would include four buildings of attached residential units, along with an office/retail/restaurant building and two small pedestrian-serving retail restaurant buildings. Approximately 285 residential units, 98,000 square feet of office and ground floor retail/restaurant; and 24,000 square feet of stand-alone retail/restaurant are proposed. The proposed project also includes a request for a BVCP land use change and rezoning a portion of the property to permit a greater number of residential units on the south side of the site (outside of the TVAP area). A rezoning is also proposed on the north side of the site which is consistent with the TVAP and BVCP land use designations. The applicant has posed a rezoning on the southern portion of the site to increase allowable density due to land and development costs. Currently, approximately 150 units could be constructed under existing zoning. As indicated, the applicant is proposing 285. For the residential, the applicant is proposing a mix of micro-units, studios, one, two and three-bedroom units along with Live/Work units; with a unit size range from 400 square feet to 1,600 square feet, as the applicant indicated to give potential for a greater range in the demographic of the residents. **Figure 1** provides character images from the Concept Plan, with a number of precedent images provided to help illustrate the anticipated architectural style and quality of materials. Figure 2 is the conceptual layout planned. Refer to **Attachment A** for project plans and the full applicant submittal.



Figure 1: Conceptual Architectural Character

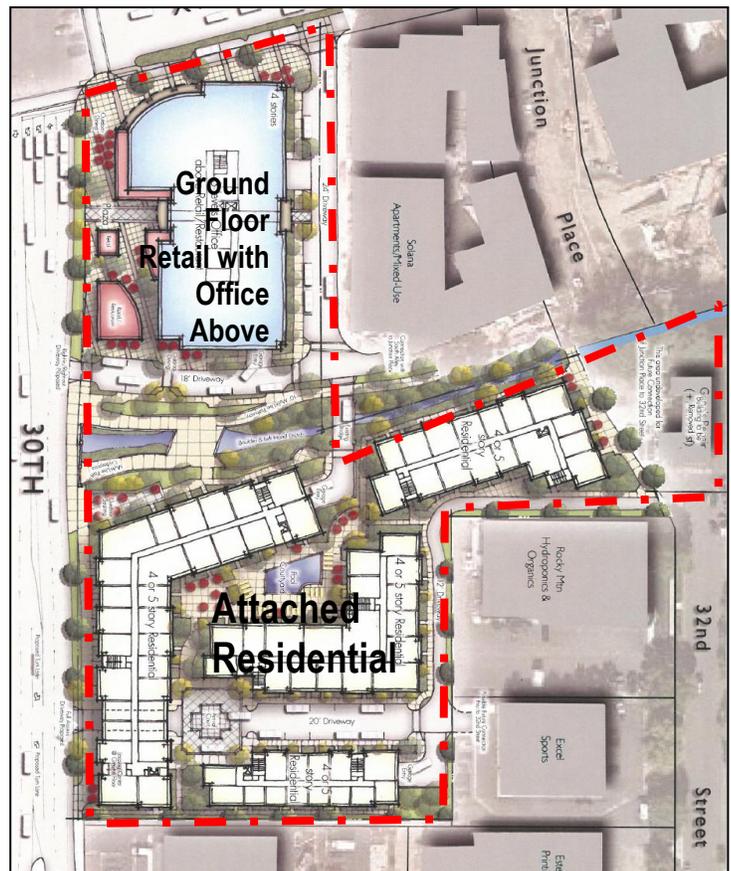


Figure 2: Overview of the Concept Plan

III. Concept Plan Review Criteria for Planning Section 9-2-13(e), B.R.C. 1981

The following guidelines will be used to guide the planning board's discussion regarding the site. It is anticipated that issues other than those listed in this section will be identified as part of the concept plan review and comment process. The Planning Board may consider the following guidelines when providing comments on a concept plan:

- (1) **Characteristics of the site and surrounding areas, including, without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including, without limitation, mature trees, watercourses, hills, depressions, steep slopes and prominent views to and from the site;**

Site Context. As shown in Figure 3, the northern portion of the property is included in both the [Transit Village Area Plan \(TVAP\)](#) as well as the [Boulder Valley Regional Center \(BVRC\)](#). While the existing character in the area west and north of the site is auto-oriented with big box retailers that include Barnes & Noble Booksellers, Whole Foods, Target, and the Twenty Ninth Street shopping center, the area east of the site, within Boulder Junction and governed by the [Transit Village Area Plan \(TVAP\)](#), is undergoing a significant transformation. The area is anticipated to be a new urban neighborhood and mixed use, transit oriented development. Currently under construction within Boulder Junction are the 3100 Pearl Solana Apartments recently built to four stories and 55 feet with 319 residential units. Across Pearl Parkway, also under construction, is Depot Square, planned as a mixed use transit center to include a 150 room Hyatt Hotel, 71 permanently affordable apartment units, a below grade bus facility, and a new public plaza surrounding the restored historic depot building. Across 30th Street is a site that recently was reviewed twice in Concept Plan for 300,000 square feet of office space, Pearl Place. That project is currently within a Site Review process. Directly adjacent and to the south of Pearl Place, is the 250 residential unit, Two-Nine North apartments, built in 2012. The images of the surroundings are provided in Figure 4 illustrate the varied context.

Existing Site. The six-acre site is shaped roughly like an inverted "T" and extends from 30th Street to 32nd Street and from Pearl Parkway to the south by approximately 730 feet of street frontage. The site is occupied by an office building, an auto repair shop, and an auto dealership. The 3000 Pearl office building at the southeast corner of Pearl Parkway and 30th Street was built in 1978 and is a two story brick building with a side-loaded surface parking lot. Occupying approximately three-quarters of the site is an existing Chrysler Auto Dealership with two, separate freestanding sales offices and approximately 4.5 acres of surface parking and auto display area.

The autodealership is bisected by the Boulder and Left Hand Ditch that extends from the west, below 30th Street then daylights between the property. The ditch extends to the east where it will include a bike path extension as a part of the currently constructed Solana Apartments. The eastern "flag" portion of the property, located at 2120 30th Street is occupied by a small quonset hut that today is Gene's Auto Repair. Junction Place which the new roadway through Boulder Junction and serving as access to the recently constructed Solana Apartments, is planned to extend across the existing ditch to connect to 32nd Street in this location.

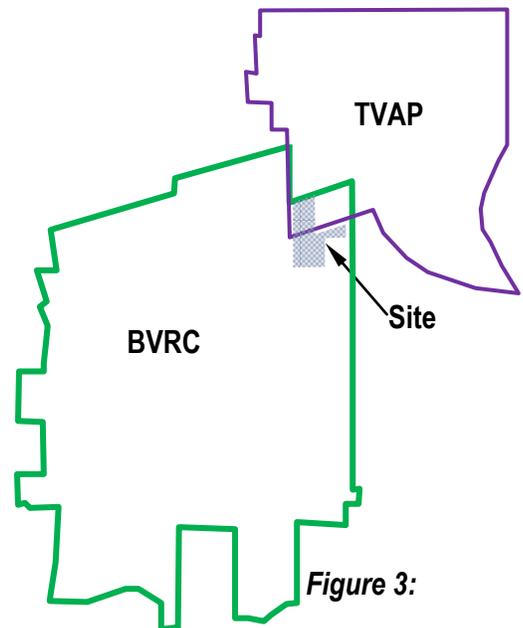


Figure 3:
Site Location within both TVAP and BVRC



Whole Foods



Barnes and Nobel



Chase Bank



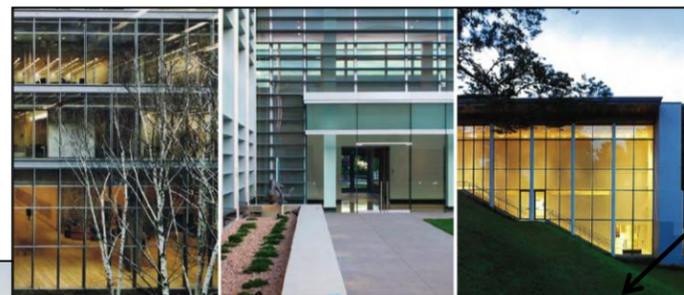
Figure 4:
Site Context



Depot Square Mixed Use Transit Center



3100 Pearl Solana Apartments



Existing site at 2950 Pearl (bottom) and character images on top



Two-Nine North Apartments



Christy Sports



Figure 5:
Photos of Concept Plan Site

- 2) **Community policy considerations including, without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan (BVCP) and other ordinances, goals, policies, and plans, including, without limitation, subcommunity and subarea plans;**

Boulder Valley Comprehensive Plan (BVCP) Land Use Designation. As shown in Figure 6, the northern portion of the property (located within TVAP) is designated as Mixed Use Business by the [BVCP](#). As noted in the BVCP Mixed Use Business is defined as,

“Mixed Use-Business development may be deemed appropriate and will be encouraged in some business areas. These areas may be designated Mixed Use-Business where business or residential character will predominate. Housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desire intensity, mix, location and design characteristics of these uses.”

And General Business (GB) is defined as,

“The General Business areas are located, for the most part, at junctions of major arterials of the city where intensive commercial uses exist. The plan proposes that these areas continue to be used without expanding the strip character already established.”

Zoning Designation. Consistent with the General Business land use designation, the site is zoned Business Regional-1 (BR-1); a small eastern-most portion is zoned Industrial General (IG) which is not consistent with the BVCP land use designation of General Business. Per (section 9-5-2(c), B.R.C. 1981) the BR-1 zone district is defined as: *“Business centers of the Boulder Valley, containing a wide range of retail and commercial operations, including the largest regional-scale businesses, which serve outlying residential development; and where the goals of the Boulder Urban Renewal Plan are implemented. Residential uses are also permitted as a use by-right in the BR-1 zone.”* The IG zoning district that encompasses the property at 2120 32nd street and Gene’s Auto Repair is defined as: *General industrial areas where a wide range of light industrial uses, including research and manufacturing operations and service industrial uses, are located. Residential uses and other complementary uses may be allowed in appropriate locations.*

As shown in Figure 7, properties adjacent to the project site to the north and east were rezoned to MU-4 in accordance with TVAP and the BVCP to accommodate redevelopment of the Boulder Junction area. Properties to the west and northwest across Pearl Parkway are zoned Business Regional-1 (BR-1); to the south and east, the properties are zoned Industrial General (IG). As described in the key issues, because a significant portion of the property was not included in TVAP, the applicant would need to request a change to the BVCP Land Use Designation for the area to the south of the ditch and which would in turn require a request to rezone the property to allow for the 285 residential units proposed on the site. Approximately 163 units would be permitted on the site if the properties south of the ditch remained BR-1 and the properties north of the ditch were rezoned to MU-4 in accordance with TVAP.

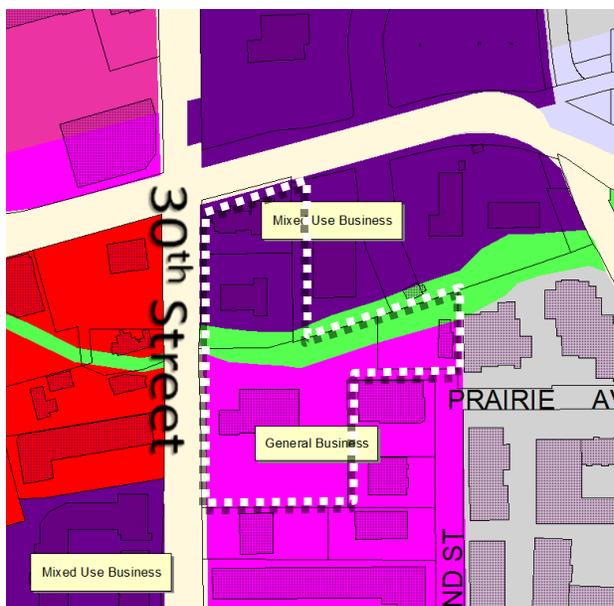


Figure 6: BVCP Land Use Designation

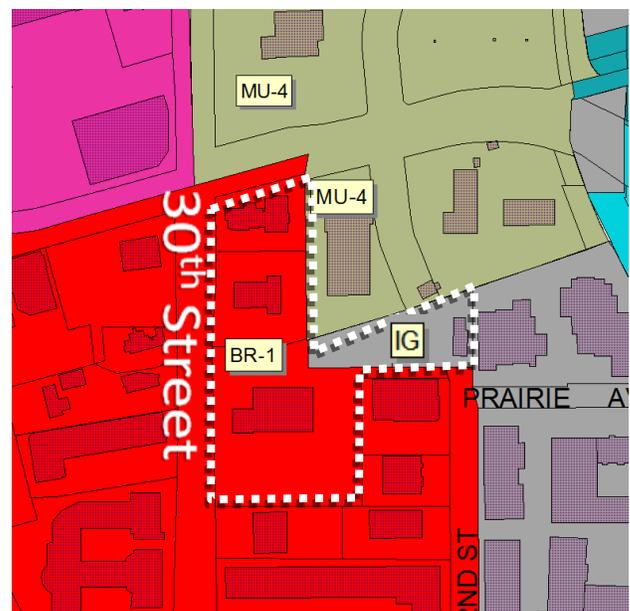


Figure 7: Zoning Page 6 of 46

In moving forward with Site Review, the following Boulder Valley Comprehensive Plan Policies have been identified for consideration:

- 2.17 Variety of Activity Centers
- 2.18 Role of Central Area
- 2.21 Commitment to a Walkable and Accessible Community
- 2.23 Trail Corridors/Linkages
- 2.30 Sensitive Infill and Redevelopment
- 2.31 Design of Newly-Developing Areas
- 2.32 Physical Design for People
- 2.33 Environmentally Sensitive Urban Design
- 2.34 Importance of Street Trees and Streetscapes
- 2.37 Enhanced Design for Private Sector Projects

Boulder Valley Regional Center (BVRC). The project site is somewhat unique in that it is included within the area defined as Boulder Valley Regional Center (BVRC) as well as a portion of TVAP. The three regional centers also include Downtown and the University of Colorado, as shown in Figure 8. These important regional centers are defined in the comprehensive plan,

“Boulder’s commercial, entertainment, educational and civic centers are focused in concentrated nodes of activities at a variety of scales distributed throughout the community. At the highest level of intensity are the city’s three regional centers center: the Historic Downtown, the Boulder Valley Regional Center (BVRC), and the University of Colorado (CU).... They form a triangle at Boulder’s geographic center. Each regional center has a distinct function and character, provides a wide range of activities and draws from the entire city as well as the region.”

The boundaries of the BVRC are shown in Figure 9 and properties within the BVRC are subject to the [BVRC Design Guidelines](#) as well as the [BVRC Transportation Connections Plan](#).

The BVRC Design Guidelines communicate the city’s design goals and objectives for the BVRC, they are intended to create, maintain, and enhance a high-quality regional commercial center in the area that will optimize current and future tax revenues to the City of Boulder.

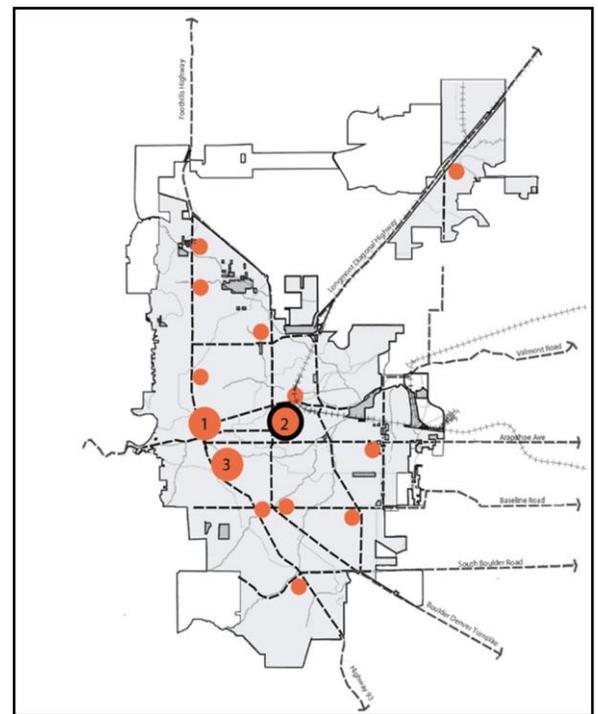


Figure 8: Boulder’s Three Regional Centers



Figure9
Site located within the BVRC

The guidelines are also meant to “bring predictability to the development objectives in the BVRC,” while helping to facilitate the development review process by providing clear direction regarding design. The design guidelines articulate, in terms of physical environment, what a “high-quality” center means and how a development project should achieve the design goals in each component of the development, including site design and layout, parking, building orientation, etc. As indicated in Section 1 of the BVRC Design Guidelines, the guidelines are to be used primarily in the Site Review process. The plan also states that some guidelines may be unsuitable for each development and may be modified through the Site Review process as long as the proposed development remains consistent with the intent of the guidelines. A cursory consistency analysis is provided below under **Key Issue #3**.

Transit Village Area Plan (TVAP). As shown in Figure 10, the northern portion of the project site is also within TVAP. With the site is located within both the BVRC and TVAP, only TVAP provides planned land use designation and gross densities whereas the BVRC only provide physical design guidelines. Within TVAP, the northern portion of the site is within the MU2 land use designation with the intent as described on page 17 of TVAP as, “Three- to four-story mixed use buildings. Predominant use may be business or residential. Mostly structured or first-floor parking; may have some surface parking.” The MU-4 zoning was developed to implement the MU2 land use in TVAP and the BVCP land use designation for these areas was changed to Mixed Use Business to be consistent with TVAP.

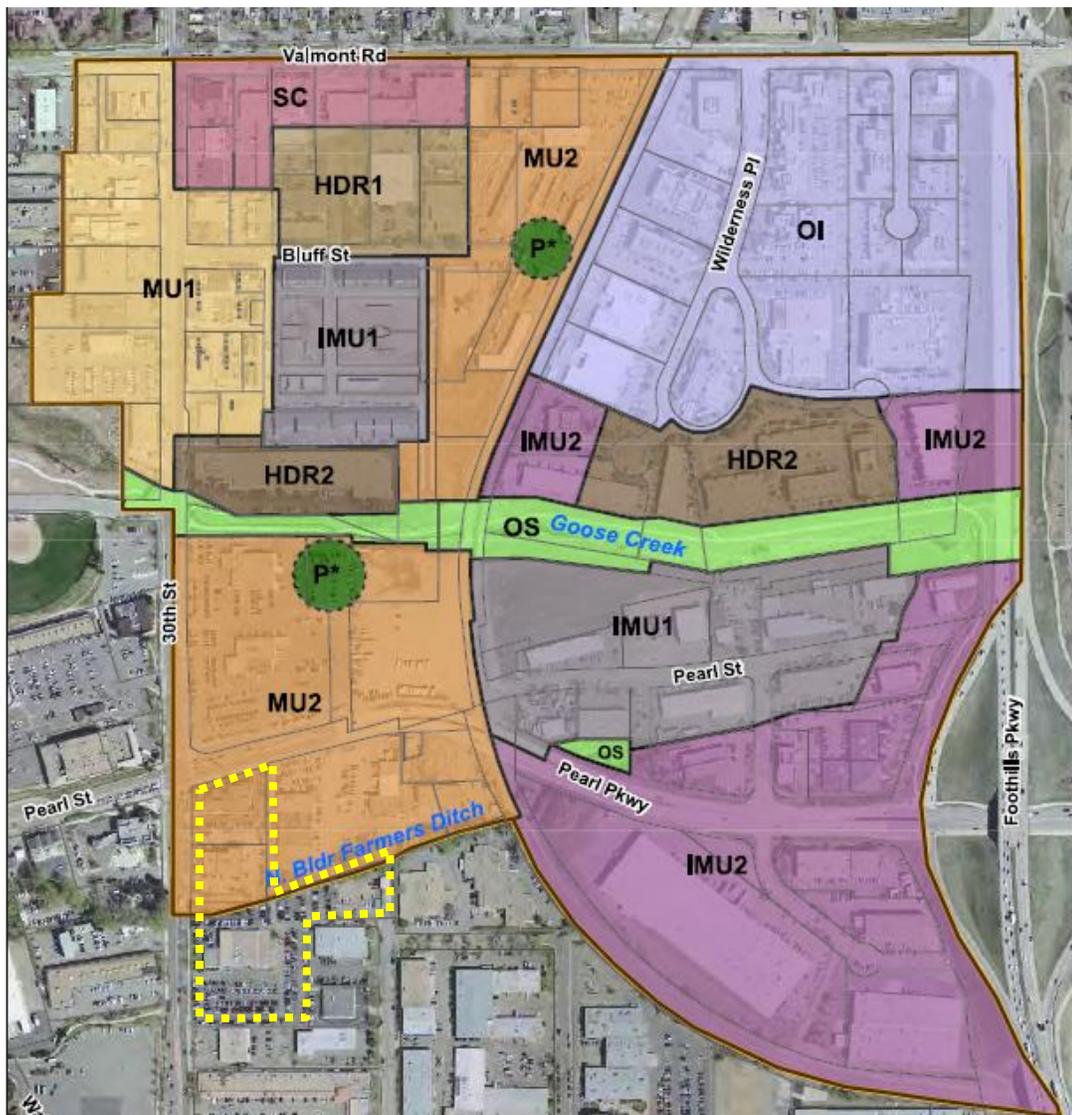


Figure 10
 Site Location within the Transit Village Area Plan Land Use Map Agenda Item 5A Page 8 of 46

There are prototypes offered in TVAP for the anticipated mass and scale of the buildings, shown in figures 11 and 12 below. There are also defined “Character Districts” within TVAP intended to provide a vision for build-out individual areas within the overall planning area, and the northern part of the site is located within the Pearl Street Center Character District as shown in Figure 13.



Figures 11 and 12:
Images Illustrating the Land Use Prototypes within the TVAP-MU-2, page 17.

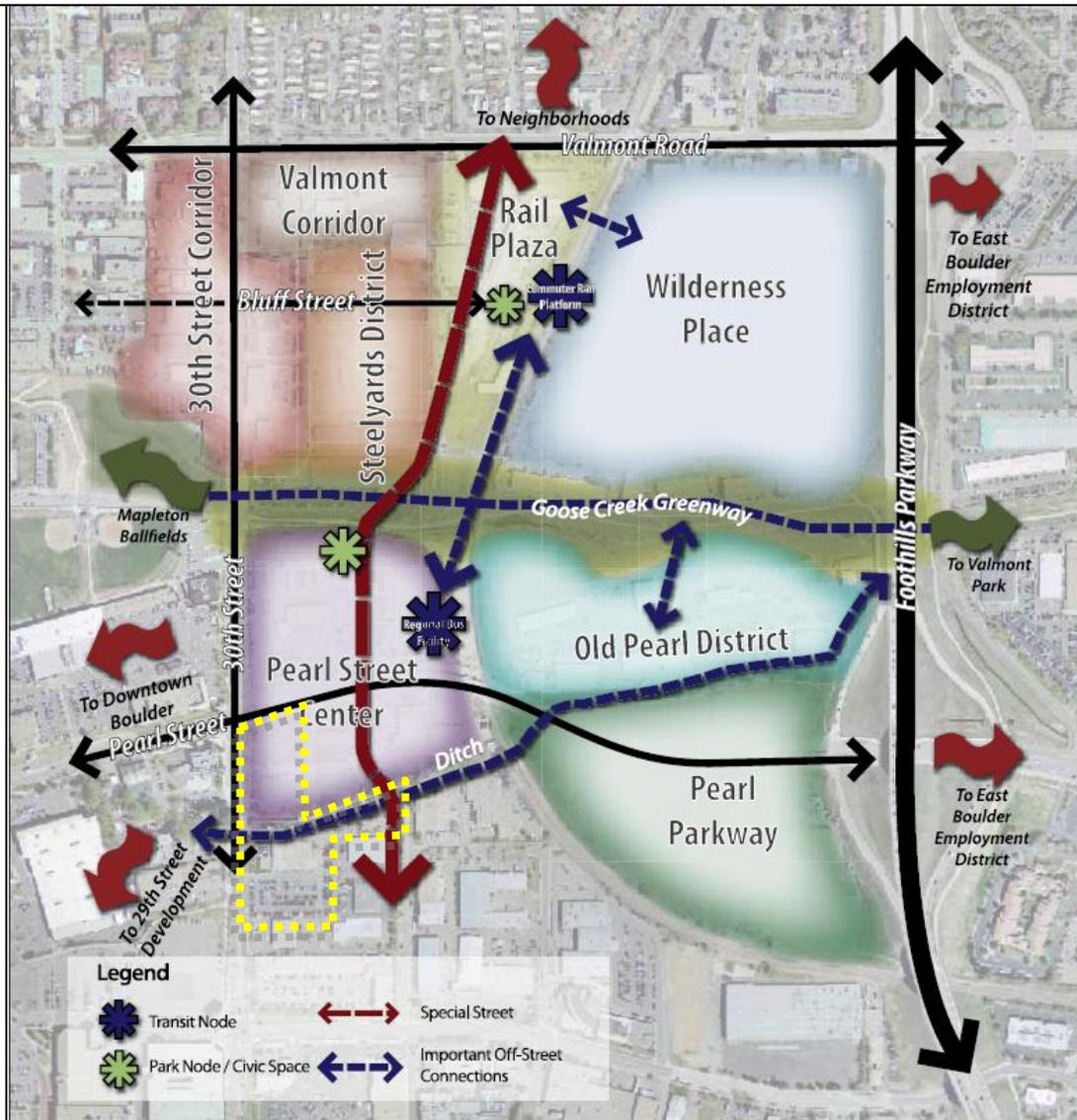
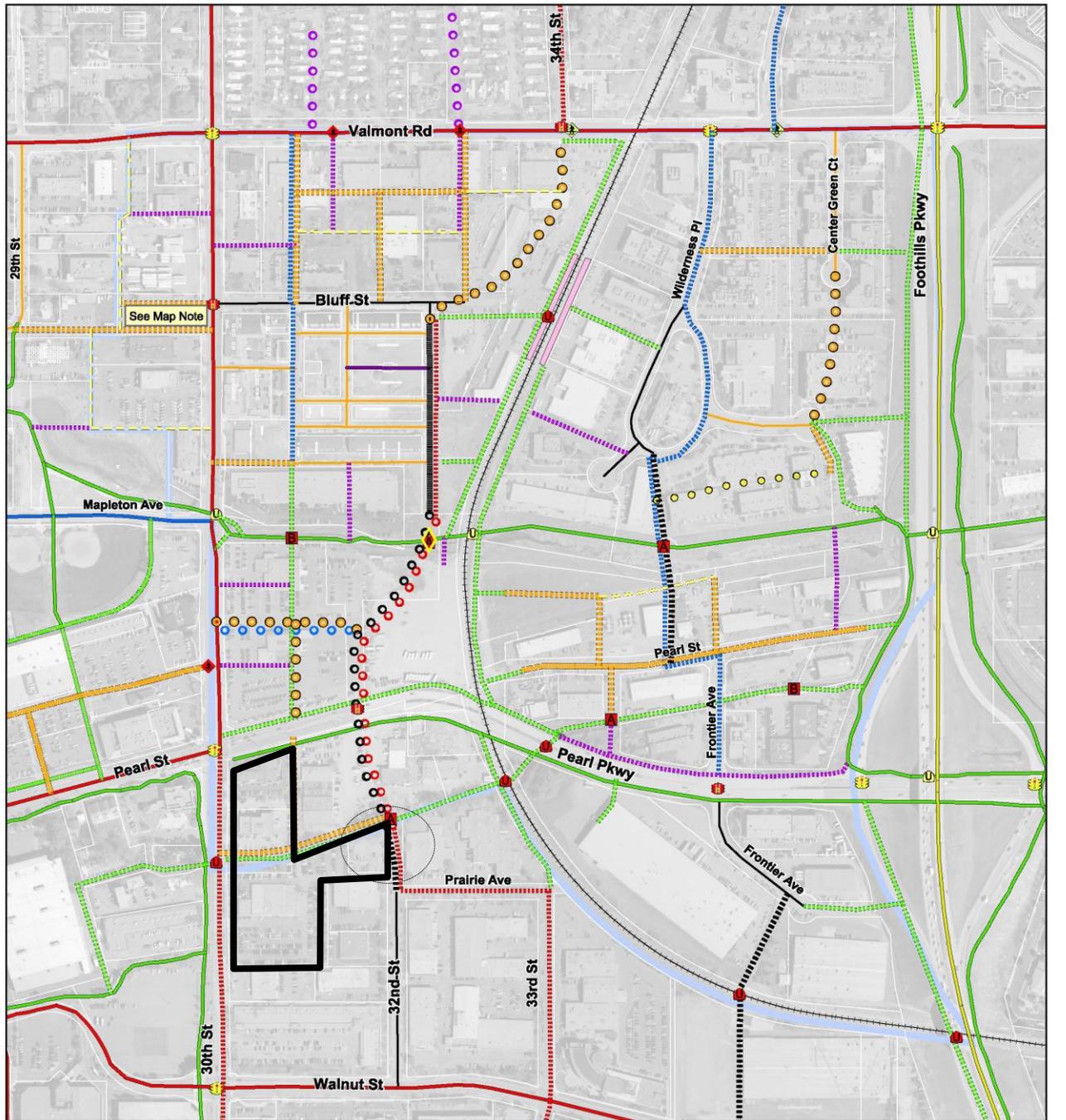


Figure 13:
Site Context within Transit Village Area Plan Character Districts

A connections plan was also adopted as a part of TVAP. Shown in Figure 13, the connections planned in and around the site include a local street connection or alley at the rear of the 3000 Pearl property and a local roadway connection along one side of the ditch with a multi-use path on the south side of the ditch. A Collector street is planned as the extension of Junction Place and bridge crossing the ditch at Junction Place is part of the Connections Plan as shown circled in Figure 14.



- | | | | | | |
|------------------------------------|--|--|---|------------------------------------|------------------------------------|
| Existing Street Connections | Proposed Street Connections | Existing Bike and Ped Connections | Proposed Bike and Ped Connections | Existing Bike/Ped Crossings | Proposed Bike/Ped Crossings |
| Collector Street | Collector Street | Multi Use Path | Multi Use Path | Enhanced Crossing | Traffic Signal |
| Local Street | Collector Street - Flexible Alignment* | On Street Bike Lane | Multi Use Path Existing Upgrade | Underpass | Roadway Bridge |
| Railroad | Collector Street - Upgrade Existing | Designated Bike Route | On Street Bike Lane | Traffic Signal | Enhanced Crossing |
| Plan Area Boundary | Local Street | Sidewalk Connection | On Street Bike Lane - Flexible Alignment* | | Bridge |
| Proposed Rail Platform | Local Street - Flexible Alignment* | Paved Shoulder | Designated Bike Route | | Underpass |
| | Local Street - Upgrade Existing | | Designated Bike Route - Flexible Alignment* | | |
| | Alley | | Sidewalk Connection | | |
| | Alley - Flexible Alignment* | | Sidewalk Connection - Flexible Alignment* | | |

* The start and end points of flexible alignments are fixed (with the exception of #24 in Appendix 3: Connections Explanation).

Map Note: Two alternative alignments are shown for Bluff Street west of 30th Street. The final alignment will be determined as part of a financial feasibility analysis for Bluff Street. For more information see Public Improvement Funding and Phasing Section 2 of the Implementation Plan.



Figure 14
Site Location within the Transit Village Area Plan: Connections Plan
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3) Applicable criteria, review procedures, and submission requirements for a site review;

Given the size of the project site that is in excess of three acres and the proposed floor area (290,000 square feet) is in excess of 50,000 square feet, Concept Plan and Site Review are required pursuant to section 9-2-14, Table 2-2, "Site Review Threshold Table," B.R.C. 1981. However, a change to the BVCP land use designation for the south half of the site along with a rezoning would be required before or concurrent with the Site Review.

Under the BR-1 zoning, residential is a permitted use and density is based upon a minimum lot area per dwelling unit of 1,600 square feet. The BR-1 zoning permits up to a maximum 4.0 FAR for non-residential uses through various performance standards such as increased open space, but there is no mechanism under the land use code for modifying density for residential uses. The density under the current zoning results in a potential for 163 dwelling units. Because Concept Plan illustrates 285 multi-family units, of varying sizes including potential for micro-units, rezoning to a higher density would be the only means to achieve that density. There are several considerations with regard to any potential rezoning on the property. Given that the north side of the property (north of the N. Boulder Farmer's Ditch) is located within TVAP with a land use designation of TVAP-MU2, a rezoning to a higher density would be consistent with TVAP and, in turn, the BVCP.

Rezoning for the Area South of the N. Boulder Farmer's Ditch). The approximately 3.4 acre area of the site that is located south of the ditch is not located within TVAP and the BVCP land use is identified as General Business. Given that the Concept Plan illustrates all of the residential to be located south of the ditch, where the maximum number of units would be limited to 163 dwelling units, the only means to achieve this density is through a rezoning. A rezoning could only be considered with a simultaneous change to the BVCP land use and the request would need to meet one of the following criteria. Staff believes the only relevant criteria would be for the zoning to be consistent with the BVCP (criteria e-1). Land Use Code, section 9-2-17, B.R.C. 1981 establishes a high threshold criteria for a rezoning:

(e) Criteria: The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. In order to establish and maintain sound, stable, and desirable development within the city, rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the city council shall grant a rezoning application only if the proposed rezoning is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, and, for an application not incidental to a general revision of the zoning map, meets one of the following criteria:

(1) The applicant demonstrates by clear and convincing evidence that the proposed rezoning is necessary to come into compliance with the Boulder Valley Comprehensive Plan map;

(2) The existing zoning of the land was the result of a clerical error;

(3) The existing zoning of the land was based on a mistake of fact;

(4) The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;

(5) The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or

(6) The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Boulder Valley Comprehensive Plan.

Changes to the BVCP land use designation are subject to Chapter II of the BVCP: Amendment Procedures. As stated on page 58 of the BVCP:

Boulder Valley Comprehensive Plan is a joint policy document that is adopted by the City of Boulder and Boulder County in their legislative capacities. Any amendment to the plan is also legislative in nature. The plan is updated periodically to respond to changed circumstances or community needs. Changes to the comprehensive plan fall into three categories:

- *Changes that may be considered at any time*
- *Changes that may be considered during a mid-term review*
- *Changes that may only be considered during the five-year update*

A change to the BVCP land use that is related to a rezoning can be considered at any time. Alternatively, the city is initiating the five-year update to the comprehensive plan in 2015, and the applicant could make a request during that update. For land use map changes that can be considered at any time, section II(a)(1) of the BVCP states:

The Land Use Map is not intended to be a zoning map. It is intended to provide policy direction and definition for future land uses in the Boulder Valley. Thus, a change to the land use designations may be considered at any time if it is related to a proposed change in zoning or proposed annexation and meets all of the following criteria:

- (a) *The proposed change is consistent with the policies and overall intent of the comprehensive plan.*
- (b) *The proposed change would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city.*
- (c) *The proposed change would not materially affect the land use and growth projections that were the basis of the comprehensive plan.*
- (d) *The proposed change does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder.*
- (e) *The proposed change would not materially affect the adopted Capital Improvements Program of the City of Boulder.*
- (f) *The proposed change would not affect the Area II/Area III boundaries in the comprehensive plan.*

Another consideration for a potential BVCP land use designation change and rezoning is that during the City Council study session on May 27th the council indicated interest in a potential code change that would permit referral of Concept Plans to City Council. A Concept Plan review by City Council could provide a “quick read” on the policy issues associated with a potential rezoning prior to the applicant actually applying.

Rezoning of the Area to the North of the Ditch that is within TVAP. The approximately 1.84 acre area of the site that is located north of the N. Boulder Farmers Ditch is designated as MU2 land use under TVAP. Because TVAP is a subarea to the comprehensive plan, the rezoning from BR-1 to MU-4 in this circumstance would bring the area into compliance with the BVCP and would be consistent with TVAP.

If the applicant selects to move forward with a rezoning to MU-4 consistent with TVAP, there is additional criteria in section 9-2-18 of the Land Use Code, B.R.C. 1981. As follows:

(f) Additional criteria for the MU-4, RH-3, RH-6 and RH-7 zoning districts zoning districts for an application not incidental to a general revision of the zoning map, the city council shall also find that the rezoning meets the following criteria, in addition to subsection (e) above:.

(1) *Transportation. The land proposed for rezoning is:*

(A) *Subject to a right of way plan for the immediate area;*

(B) *The ROW plan is capable of being implemented to the extent necessary to serve the property and to connect to the arterial street network through collector and local streets, alleys, multi-use paths and sidewalk concurrent with redevelopment; and*

(C) *The public infrastructure can be paid for by way of redevelopment under the provisions of section 9-9-8, "Reservations, Dedication and Improvement of Rights-of-Way", B.R.C 1981, without contribution of funds by the city, or that there is a plan for financing and construction that has been approved by city council through the capital improvement program and the city council anticipates appropriating such funds within two years of the rezoning.*

In addition, for a rezoning in MU-4, a Transportation Demand Management (TDM) plan is required:

(3) Travel Demand Management Services. In the MU-4, RH-6 and RH-7 zoning districts, the property subject to the rezoning is located within an area that has parking and transportation related service provided by a general improvement district or an equivalent organization or otherwise meets the trip generation requirements of section 9-9-22, Trip Generation Requirements for the MU-4, RH-6 and RH-7 Zoning Districts," B.R.C. 1981.

It is possible for the applicant, if interested in rezoning, to meet this criterion by meeting the trip generation requirements of section 9-9-22 of the Land Use Code and providing a TDM plan and corresponding plan for performance evaluation. Or, the applicant may choose to request to join the General Improvement District (Boulder Junction Access District).

4) *Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;*

Assuming a Rezoning and a Site Review could be approved, the following are the additional the standard reviews and permits required, other types of permits may be necessary as the project plans progress:

- Technical Document for final plans (i.e. landscape, irrigation, architecture, lighting, engineering)
- Lot Line Elimination or equivalent subdivision
- Building Permit

4) *Opportunities and constraints in relation to the transportation system, including, without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study.*

Both the TVAP Connections Plan and the BVRC Transportation Connections Plan identify key vehicular and pedestrian connections required to improve the safety, mobility, and linkages for pedestrians and vehicles as the area redevelops. The Site Review criteria, TVAP Guidelines and BVRC Design Guidelines also recommend enhancing multi-modal connectivity through the use of a hierarchy of internal and external linkages; as well as, distinguishing and enhancing pedestrian pathways, utilizing distinctive paving, providing crosswalks, minimizing vehicular-pedestrian conflicts, and utilizing landscape to provide a buffer from vehicular circulation, etc. Both the TVAP and BVRC Transportation Connections Plans (TCPs) illustrate connections through the project site. As part of the development proposal the applicant is illustrating a connection of the multi-use path along the ditch,

and a 24-foot wide alleyway (labeled as a “driveway” on the east side of the site, shown on the TCPs as a “local street” connection.

The applicant is also illustrating the east-west “local street” connection, again labeling that connection as a “driveway” where a Local Street is required. Both of these connections could become alleys as they serve a similar purpose. The east-west connection would connect to an alley-configured street at the adjacent 3100 Pearl, and the north south connection could become an alley given the need to serve, primarily, the uses along 30th Street. This is further discussed in **Key Issue #4**. The TVAP connections plan does distinguish between alleys and local streets. To reduce the size of the connections, an amendment to the connections plan would be required with both Planning Board and City Council approval.

5) Environmental opportunities and constraints including, without limitation, the identification of wetlands, important view corridors, floodplains and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site and at what point in the process the information will be necessary;

The North Boulder Farmers Ditch bisects the site and there are existing trees that align both sides of the ditch, primarily on the east end of the site. A tree inventory will need to be undertaken as a part of any Site Review application to determine the type and health of the tree species along the ditch. The site is within the 500-year flood zone which does not require any special construction mitigations.



Figure 15: Aerial that illustrates the tree-lined North Boulder Farmer's Ditch

6) Appropriate ranges of land uses

As indicated above, the BVCP land use designation and zoning identify the project site as being suitable for Mixed Use Business and Regional Business land uses and where complementary uses, including residential uses, may be located (refer to Concept Plan criteria analysis 2 above under Section III).

7) The appropriateness of or necessity for housing

A study session was held on May 27, 2014 with City Council to kick-off the Comprehensive Housing Strategy and which precedes the Planning Board Concept Plan for this application's review discussion. The council will provide direction on the housing strategy in the months to come, but some of the draft findings of the staff memo point to a city-wide need for housing. A link to the staff memo for the Comprehensive Housing Strategy that is provided [here](#). The housing strategy is intended to provide a policy framework that focuses on key issues related to based on several facts:

- *The shrinking of Boulder's economic middle (households earning \$65-150K annually) and how to create policies, programs and tools to reverse this trend;*
- *The tale of two Boulder housing types: detached single-family homes are increasingly only affordable to the wealthy in Boulder, while attached homes, such as condos and apartments, provide better affordability for middle-income households (however, are less attractive to families);*
- *The growing 59 percent of Boulder workers who live in surrounding communities, including city employees, CU faculty, police and fire professionals, school teachers, and service workers;*
- *Shifting demographics and changes in housing preferences (e.g., millennials, seniors, single-person households); and*
- *The challenge of limited land supply and how to redevelop existing areas in ways that respond to the community's evolving housing needs in a manner consistent with other community values and priorities.*

The study demonstrates the need for work-force housing and for a diversity of housing choices based on changing demographics which the Concept Plan seeks to address through market-rate and permanently affordable housing. The housing strategy notes that in the 2010 BVCP update a number of goals were affirmed regarding housing:

- Local Support for Community Housing Needs;
- Preserve Housing Choices;
- Advance and Sustain Diversity; and
- Integrate Growth and Community Housing Goals
- Create 15 minute neighborhoods

Key Issue 1: Is the proposed project consistent with the BVCP Land Use Designations?

As noted, the BVCP land use designation for the northern portion of the site (north of the North Boulder Farmer's Ditch) is Mixed Use Business, consistent with the TVAP land use designation of MU2. Rezoning this portion of the project site to MU-4 would be consistent with the BVCP Land Use Designation. Under Mixed Use Business land use designation, there is an option for business or residential character; and the definition specifically recommends "housing and public uses supporting housing will be encouraged and may be required." The northern portion of the site as currently planned is for an office building with ground floor retail and restaurants.

For the southern portion of the site, south of the ditch, where General Business land use is designated the comprehensive plan identifies these areas as "*where intensive commercial uses exist and proposes that these areas continue to be used without expanding the strip character already established.*" Therefore, while residential uses are permitted, the intent of the General Business land use is to continue intensive commercial uses. While the zoning does permit up to a 4.0 FAR, the residential uses have a limited density of up 1,600 square feet of lot area per dwelling unit, far less than is shown in the concept plan. The area currently zoned as Industrial General but designated as General Business land use, is not consistent with the BVCP. While residential uses are allowed in Industrial General, the land use with General Business anticipates that existing commercial uses would continue.

As noted in the discussion under review criteria 4, a comprehensive plan land use change can be considered at any time in conjunction with a rezoning, however, the five year update to the Comprehensive Plan will begin in 2014 and the applicant could request a change at that time.

For the area on the south side of the site, within BR-1, the density would not be consistent with existing BR-1 zoning (which is based on one dwelling unit per 1,600 square feet of lot area at a maximum of 27.2 dwelling units per acre). While the residential density cannot be modified through Site Review, non-residential intensity can be modified up to a 4.0 FAR based upon specific criteria:

(iii) Criteria for the BR-1 District: The FAR may be increased in the BR-1 district to the extent allowed in subparagraph (h)(2)(J)(ii) of this section if the approving agency finds that the following criteria are met:

- a. Site and building design provide open space exceeding the required useable open space by at least ten percent: an increase in FAR not to exceed 0.25:1.*
- b. Site and building design provide private outdoor space for each office unit equal to at least ten percent of the lot area for buildings twenty-five feet and under and at least twenty percent of the lot area for buildings above twenty-five feet: an increase in FAR not to exceed 0.25:1.*
- c. Site and building design provide a street front facade and an alley facade at a pedestrian scale, including, without limitation, features such as awnings and windows, well-defined building entrances, and other building details: an increase in FAR not to exceed 0.25:1.*
- d. For a building containing residential and nonresidential uses in which neither use comprises less than twenty-five percent of the total square footage: an increase in FAR not to exceed 1:1.*
- e. The unused portion of the allowed FAR of historic buildings designated as landmarks under [chapter 9-11](#), "Historic Preservation," B.R.C. 1981, may be transferred to other sites in the same*

zoning district. However, the increase in FAR of a proposed building to which FAR is transferred under this subparagraph may not exceed an increase of 0.5:1.

- f. For a building which provides one full level of parking below grade, an increase in FAR not to exceed 0.5:1 may be granted.

The BR-1 zoning district is intended for regional or general business, and given the maximum possible FAR of 4.0 this is a zoning district where the city would anticipate large commercial buildings. Residential land uses, while permitted in the zoning district, could have an equivalent building mass as there is no maximum FAR for residential uses. Residential densities are controlled by property size. Therefore, theoretically, BR-1 zoning could produce 27.2 dwelling units per acre, as long as the density doesn't exceed one dwelling unit per 1,600 square feet of lot area. The massing study shown in Figure 16 could be for a large commercial structure as well as mixed use development with residential units. In either scenario, it is possible that the massing could be similar.

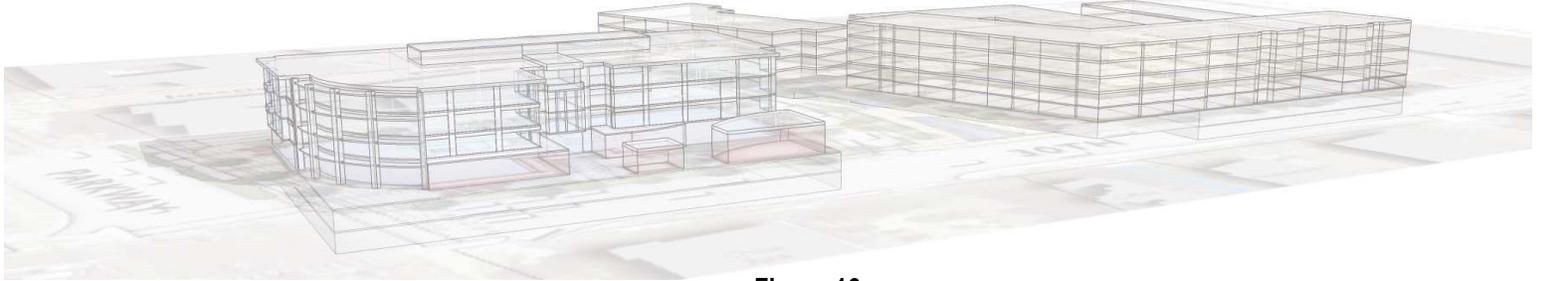


Figure 16:
Massing model of proposed project looking toward the south east

Shown below in Figure 17 is a site configuration that would be both in keeping with the TVAP-MU2 land use (a mixed use with ground floor retail and residential above) as well as the BR-1 on the south side of the site with commercial office and retail/restaurant. Under the BR-1 zoning, up to a 4.0 FAR is permitted only based on the criteria above. For the IG zoning district, and the location of the existing Gene's Auto Repair, the residential density is based on 1,600 square feet of lot area per unit, as it is in the BR-1 zoning district. While a configuration



Figure 17:
Illustrative with TVAP Land Uses (on north) and BR-1 and IG zoning on the south and east

such as this would produce significantly fewer residential dwelling units, multifamily residential could be accomplished without the need for a rezoning. However, the applicant has indicated to staff that the rezoning would be necessary for the following reasons:

- *It's very inefficient from a staffing standpoint to operate 163 units (minimum size for operating efficiencies is 250 units),*
- *Micro units and diverse unit mix adds to inefficiencies, but is desired to serve a broader range of housing needs,*
- *We must balance the mix of uses to attract debt and equity capital,*
- *"Speculative Office" and Retail are considered a higher risk by the capital markets as opposed to multi-family, so we need to balance the two uses, and*
- *With high land and construction costs in Boulder, we must maximize the density on the site to insure the project is financial viable.*

Key Issue 2: Is the massing and scale appropriate for the context and for properties within TVAP and within BR-1?

The Concept Plan is proposed with four and five story massing throughout. Shown in Figure 18 is the conceptual "wire frame" massing study from the applicant that illustrates the proposal. What is not shown in the massing study are the new buildings within TVAP constructed to four stories to the north.

Area within TVAP

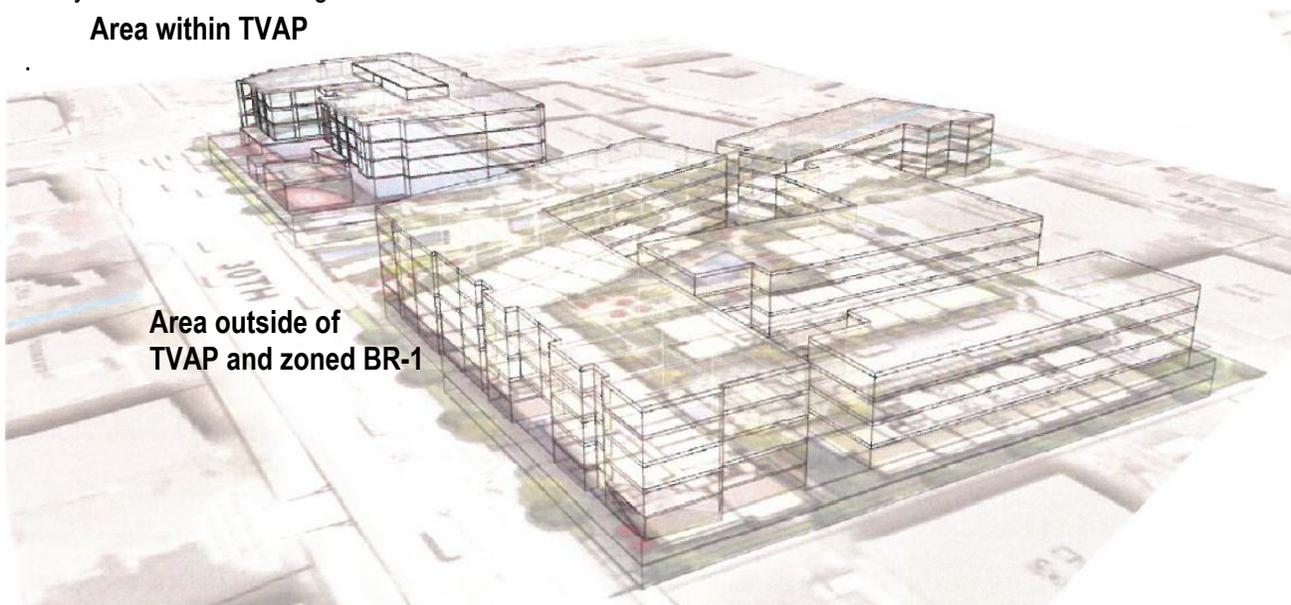


Figure 18:
**Massing Sketch of the Concept Plan: northern portion of site is planned as office,
southern portion of site is planned as residential**

Both TVAP and the BR-1 zone anticipate large buildings. Under TVAP, the area on the north end of the site is located within the MU2 land use designation with the intent as described on page 17 of TVAP as, *"Three- to four-story mixed use buildings. Predominant use may be business or residential. Mostly structured or first-floor parking; may have some surface parking."*

Similarly, the intent of the district is defined in TVAP as:

“The Pearl Street Center District will become a high-intensity mixture of housing and retail, capitalizing on its central location and the future regional bus facility. A significant amount of affordable housing will be constructed on the city-owned portion of the site. Urban-format mid-box uses may be considered near the busy, highly visible Pearl and 30th intersection, whereas neighborhood-serving retail could occur throughout the district.”

Overall, the Concept Plan appears to fit the defined vision for the Pearl Street Center District of TVAP in that it is planned as a “high-intensity mixture of housing and retail.” However, only the office building planned at the corner of Pearl and 30th Street is actually within TVAP while the remainder of the site is located within the BVRC, where the guidelines are more qualitative in nature, particularly in the pedestrian realm, rather than those that establish mass, bulk and scale.

Key Issue 3: Is the project generally consistent with the Boulder Valley Regional Center (BVRC) Design Guidelines?

The proposed project is subject to the Boulder Valley Regional Center Design Guidelines [BVRCDG](#) as well as TVAP and there’s overlap between the two guideline documents. Overall, the Concept Plan was found to be consistent with the intent of guidelines related to improved pedestrian design and connectivity. The conceptual lot layout is illustrated in Figure 19 with “building forward” showing the zero lot line development, and outward

accessed units. A number of precedent images are presented in the Concept Plan packet which illustrate fenestration and building detailing focused on the pedestrian. Figure 19 illustrates one of the precedent images that illustrate the intended activity and pedestrian orientation within the Concept Plan.



Figure 19:
Concept Plan that illustrates outward focused, building-forward design with direct access to units and a mix of uses for street life

The following BVRC guidelines that require a project to address the pedestrian and for which the Concept Plan appears to preliminarily meet:

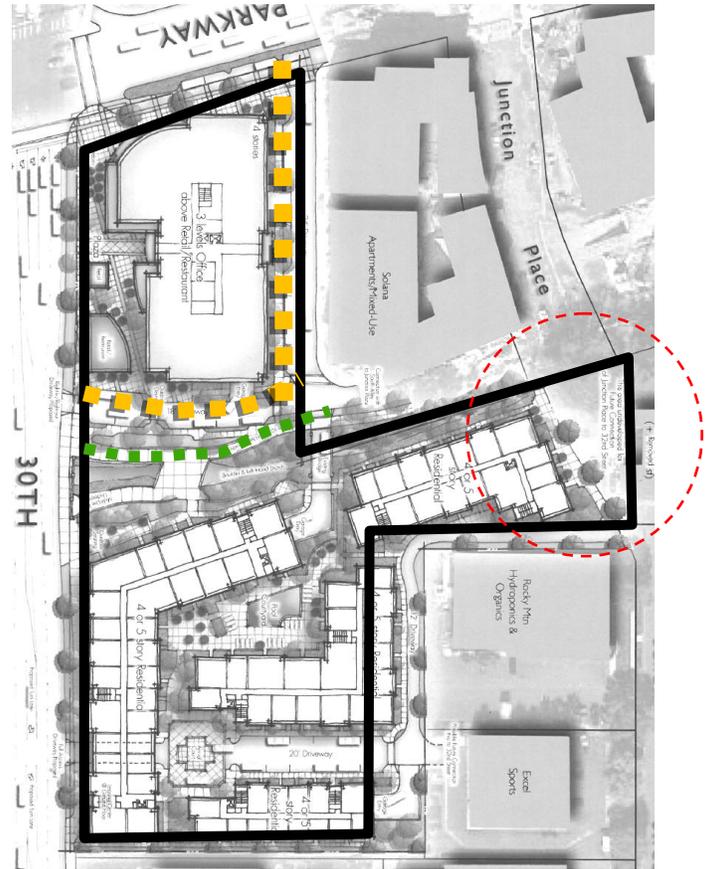
- *Utilize four-sided architecture, including authentic human scale materials (brick, glass, wood and stone, etc.), and pedestrian scale architectural details, including awnings, additional glazing, etc. at the street level;*
- *Locate active uses (restaurants, retail, etc.) on the ground floor and well defined and pronounced building entrances at the street level;*
- *Locate buildings as close to the street as possible and emphasizing main building entrances along pedestrian pathways;*
- *Provide breaks in the building façade and massing to allow more permeability into the site;*
- *Minimize the mass of the buildings at the street level; and*
- *Utilize vertical articulation along the street to break down the building mass and create opportunities to add to the visual interest of the building at the street.*

Key Issue 4: Does proposed circulation respond to the TVAP Connections Plan?

One of the Key Issues for discussion of Transportation Connections is the overall circulation plan for the site. Staff recommends access to the site be from a combination of a right-in, right-out at 30th Street on the north side of the ditch, a full movement access to 30th Street on the south side of the project that aligns with the proposed access point across the street and a full movement access with Junction Place / 32nd Street on the east side of the project. Staff does not support the proposed driveway connection crossing the ditch that would serve as access to the residential parking structure south of the ditch

Another of the part of the circulation key issue is the lack of definitive illustration of the extension of Junction Place and the bridge connection over the ditch. This connection is shown on the TVAP connections plan with the symbol: 

The bridge and extension of Junction Place onto 32nd Street is considered a required link and at a minimum, the applicant would need to pay their pro-rata share of the connection, as 3100 Pearl had done. A comparison of the required connection and how comparable connections are shown on the concept plan is shown in Figure 20. The circle represents the location of the future bridge. It is important for this project to provide a clear connection to Junction Place, which then provides a clear path to both Pearl Parkway and the transit center that is currently under construction.



**Figure 20:
TVAP Connections Plan Compared to the Concept Plan**

The proposed concept plan appears to meet the intent of other TVAP connections, in particular providing the local roadway connections shown within the site, albeit in configurations that may require amending the connections plan slightly. In the locations of the two local roadways shown on the site, the applicant is illustrating roadways with on-street parking however, the roadways appear to be narrower than TVAP would permit for a local roadway.

Inherent within the Concept Plan is the plan to return the existing site’s altered topography back to the original grading, shown in Figure 21a from a 1958 USGS topographic map. As has been suggested, a number of years ago, the property owner of the existing auto dealership property filled the east portion of the site and placed a retaining wall at the property line with the intent to slope the property toward 30th Street for auto display, as can be seen in the current topographic map in Figure 21b. The plan to remove the fill and retaining wall will help to bring to fruition, the proposed access at the rear of the 3000 Pearl property as envisioned in TVAP. As shown in Figures 22a and 22b is the retaining wall on-site and where the wall is located in relation to the TVAP connections plan. The existing retaining wall usurps the opportunity to create the connection for both properties to use that connection without extraneous pavement.

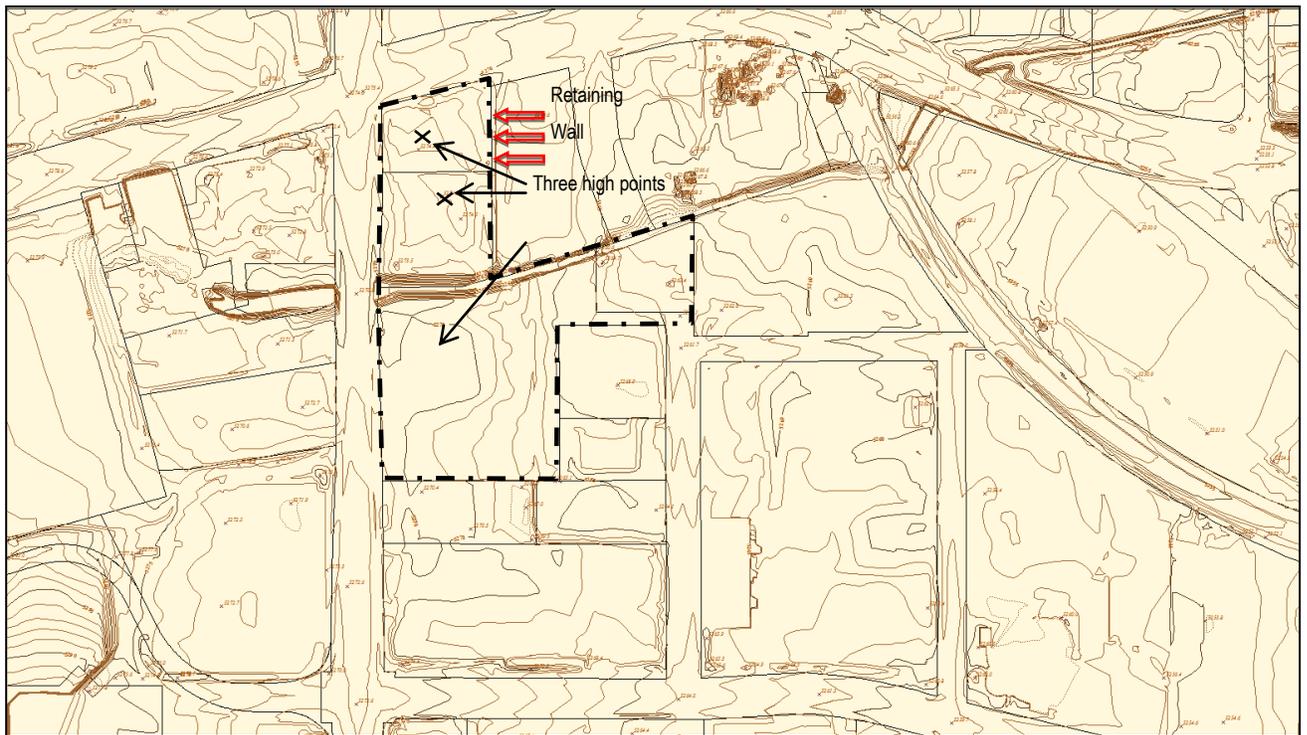
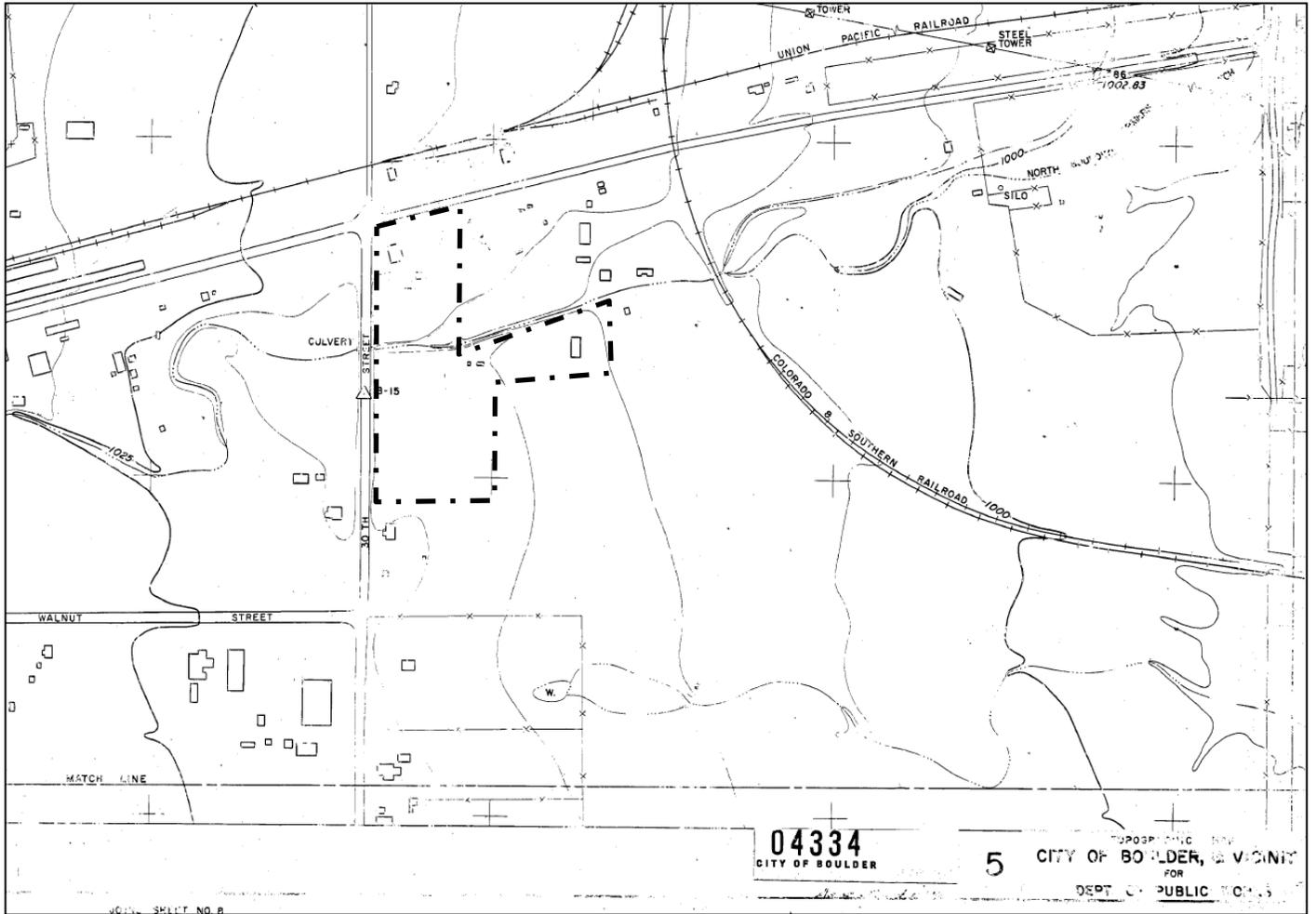


Figure 21a and b
Site Location with Natural Grade (above in 1958 USGS topo) compared to Altered Grade today (below)

PUBLIC COMMENT AND PROCESS:

Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject site and a sign posted on the property for at least 10 days. All notice requirements of section 9-4-3, B.R.C. 1981 have been met. No comments were received.

STAFF FINDINGS AND RECOMMENDATION:

No action is required on behalf of the Planning Board. Public comment, staff, and Planning Board comments will be documented for the applicant's use. Concept Plan Review and comment is intended to give the applicant feedback on the proposed development plan and provide the applicant direction on submittal of the Site Review plans.

Approved By:



David Driskell, Executive Director
Department of Community Planning and Sustainability

ATTACHMENTS:

A: [Concept Plan Submittal](#)

Southeast Corner of 30th & Pearl

Boulder, CO

CONCEPT PLAN PROPOSAL



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SLC Raleigh, NC



SLC Nashville, TN



SLC Philadelphia, PA



Development Approach

Southern Land Company, a high-end mixed-use development firm headquartered in Franklin, Tennessee has been in business for twenty five years. Our vision is simple: deliver distinctive settings where people want to live, work and shop; uphold stringent standards for community, residential, and commercial development; and enhance quality of life through diversity in architecture, design and mix of uses. As a vertically integrated organization, our team applies the highest standard of aesthetics and quality to create functional and attractive developments that enhances and strengthens the fabric of each community. We believe the attention to detail and the resources devoted to the time, energy and creativity of each project is vital to long term value and success.

The opportunity to create a well-executed mixed-use development at 30th & Pearl brings great responsibility. It's our belief the ideal combination of financial strength, design and creativity, proven ability to execute and skilled asset management will enable SLC to efficiently and effectively deliver a signature project within the City of Boulder.

Our development approach seeks to apply our diverse in-house capabilities through each stage of the development process. Our team represents years of experience in:

- pre design and entitlement negotiation
- architectural and planning design
- construction management
- leasing and asset management



SLC Plano, TX



SLC Nashville, TN

Project Overview

As Southern Land Company has grown, the passionate goals and objectives of the company have remained consistent. Aspiring to build highly successful developments, prime locations are identified where there is a need for uses which can help to fill a void and improve the quality of a community. As early as 2012, SLC began research in Boulder, Colorado to understand which areas of the city had growth potential and the investment necessary to procure a development which would allow for expansion into the market. In late 2013, SLC identified several parcels at 30th & Pearl that provided a unique opportunity to redevelop a key intersection in the city that would not only enhance these corridors, but contribute to the redevelopment that is already taking place at this hub of exciting growth.

The project site area totals approximately 6 acres and consist of four parcels which are currently either under contract or in negotiations with current ownership. Currently, the properties include private office, an automobile dealership and an automobile repair shop. The property is bounded by Pearl Parkway to the north, 30th Street to the west, and existing businesses to the south. To the east, adjacencies include 32nd Street, neighboring businesses and the recently constructed Solana project. Besides the prime location and large site area in this proposal, the Boulder & Left Hand Ditch, which bisects the properties, provides an amenity that the city has already invested in by providing a multi-use pathway connection under 30th Street to extend it's network throughout the community. From a regional and community planning perspective, the property is located within Area 1 of the Boulder Valley Comprehensive Plan and it's entirety is within

the northeast area of the Boulder Valley Regional Center. For the two parcels located north of the Boulder & Left Hand Ditch, these are within the southwest corner of the Transit Area Village Plan which provides another unique attribute to this premier location. All three documents tied to these parcels reinforce what this proposal would like to develop within the City of Boulder.

Early in the process, SLC began contacting city officials about this particular site and the prospects of a proposal which included a Mixed-use Multi-Family development with ground floor Retail and Restaurant space. In February 2014, a Pre-Application meeting was scheduled with city staff to discuss an initial concept and specifically address questions SLC had regarding the existing zoning and entitlements process. In particular, challenges with current zoning requirements, a greater need for diversity of housing types, and a broader range or mix of uses were identified as areas of the plan needing more discussion. Further research, multiple refinements to the original concept, and additional conversations with city officials has led to the proposal before you which has been a collaborative effort.

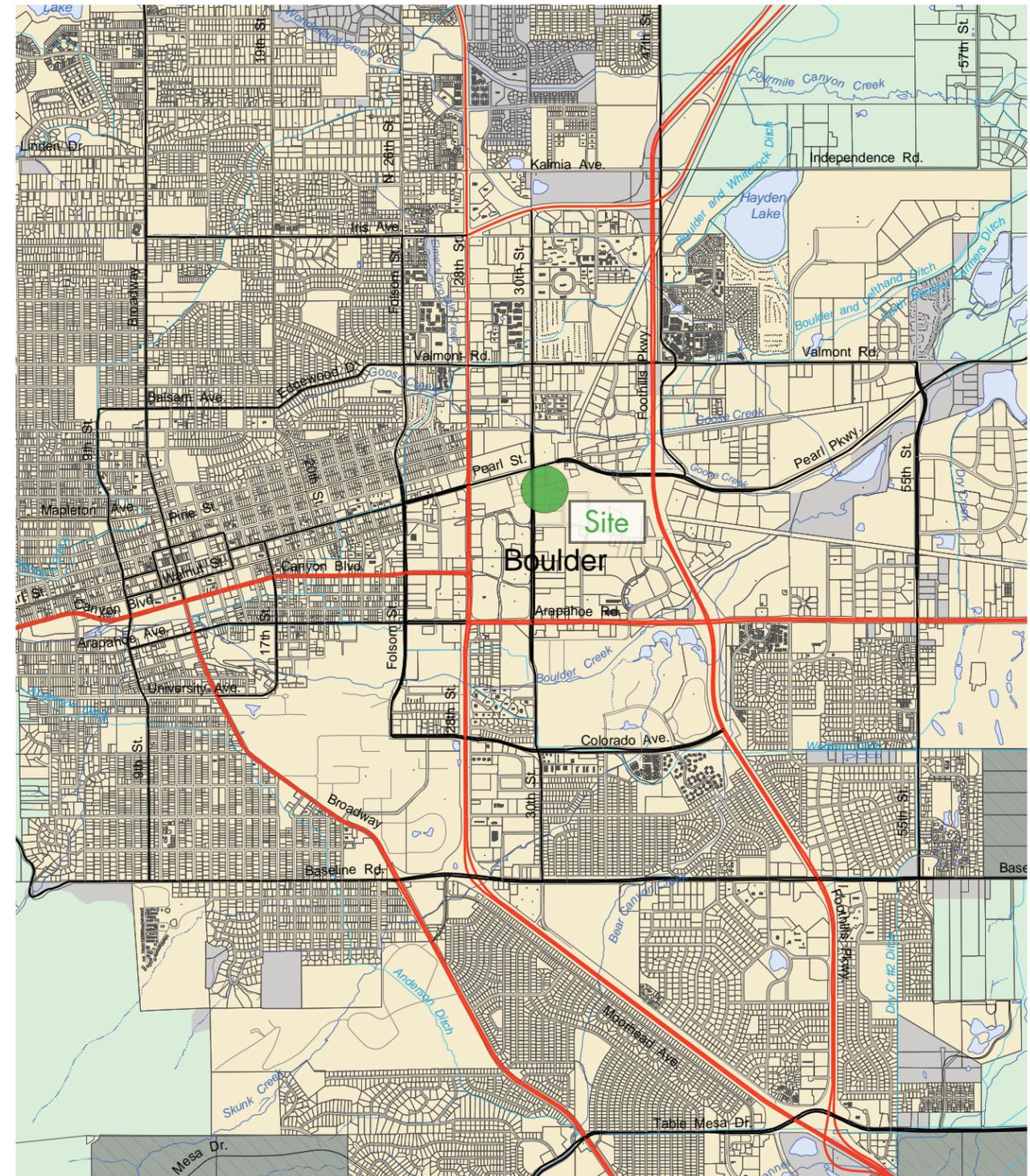
The current development proposal consists of Office, Retail and Restaurant, and Multi-Family Apartments with below grade parking. With it's high visibility at the intersection of 30th & Pearl, the property north of the ditch is proposed to have Office above Retail and Restaurant and be further enhanced by a Plaza for outdoor dining and gathering. South of the ditch is the multi-family component which consists of multiple buildings with internal outdoor courtyards to serve the residents. Recognizing that there is a need for a diversity of housing, SLC is



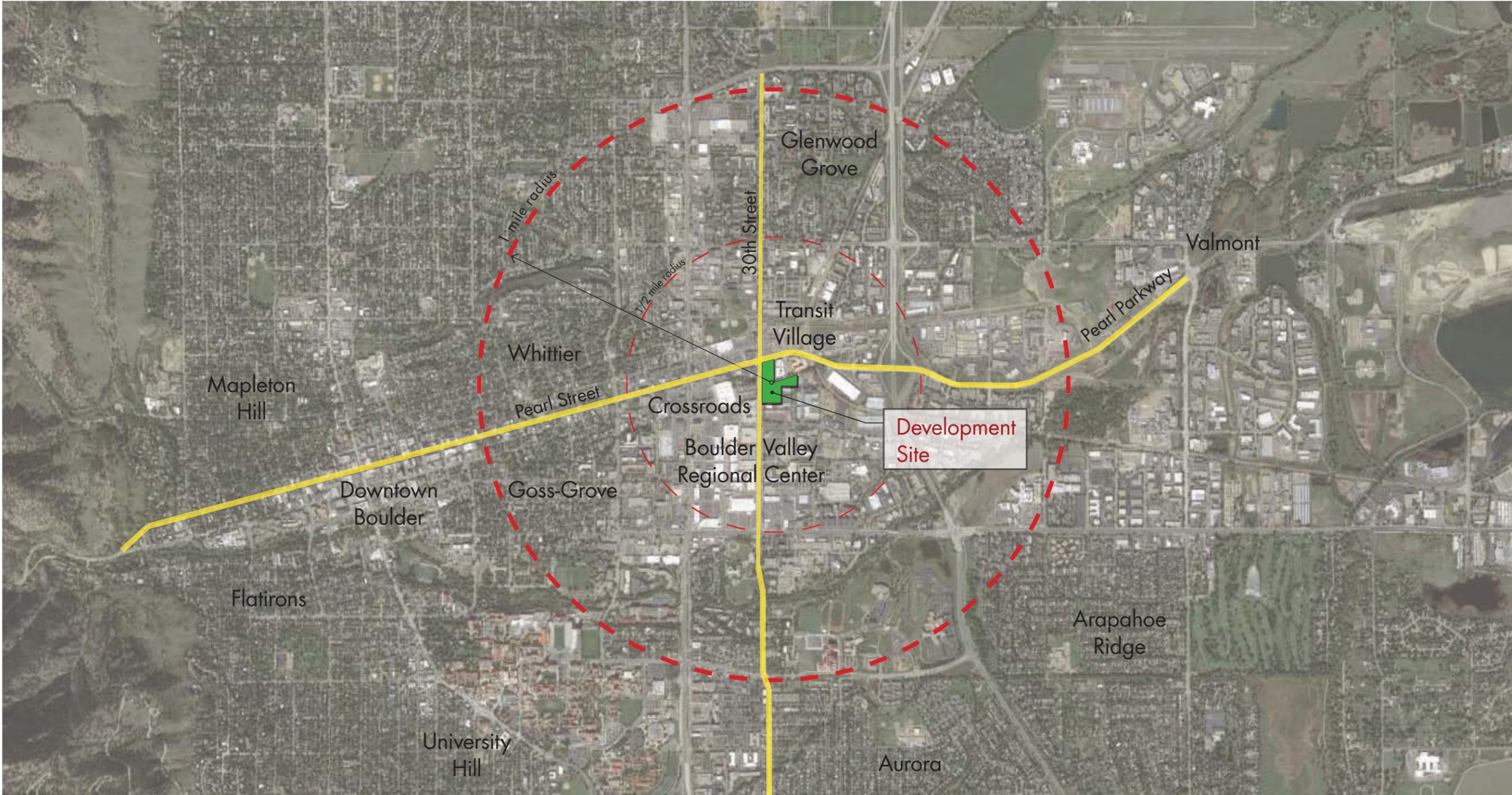
proposing to provide a mix which consists of 'micro-units', studio's, 1 bedroom, 2 bedroom, 3 bedroom and Live/Work units. This variety of unit types will provide a range of 400 sf to 1600 sf which gives the potential for a greater range in the demographic of the residents. Parking for both sides of the ditch is proposed in below grade parking garages allowing for greater intensity, but also allows for more usable open spaces and an overall greater aesthetic quality for the development. While the ditch itself physically separates the site, SLC would like to open it up to greater visibility, enhance it's attributes, and allow it to act as a unifying element for the development.

More detail is provided herein about the site and the proposal, as well as the challenges that need to be addressed to allow for this development. SLC would like strong consideration of the potential positive impact of this development in the community and greater City of Boulder. This initial Concept Plan hopefully serves as a catalyst for further collaboration and ultimately leads to a formal site review in the near future. In fact, should this Concept Plan review be well received, SLC plans to conduct a design charrette in Boulder to address comments received and provide an opportunity for a wide range of ideas and further input for advancing the design, including the invitation for the cities participation.

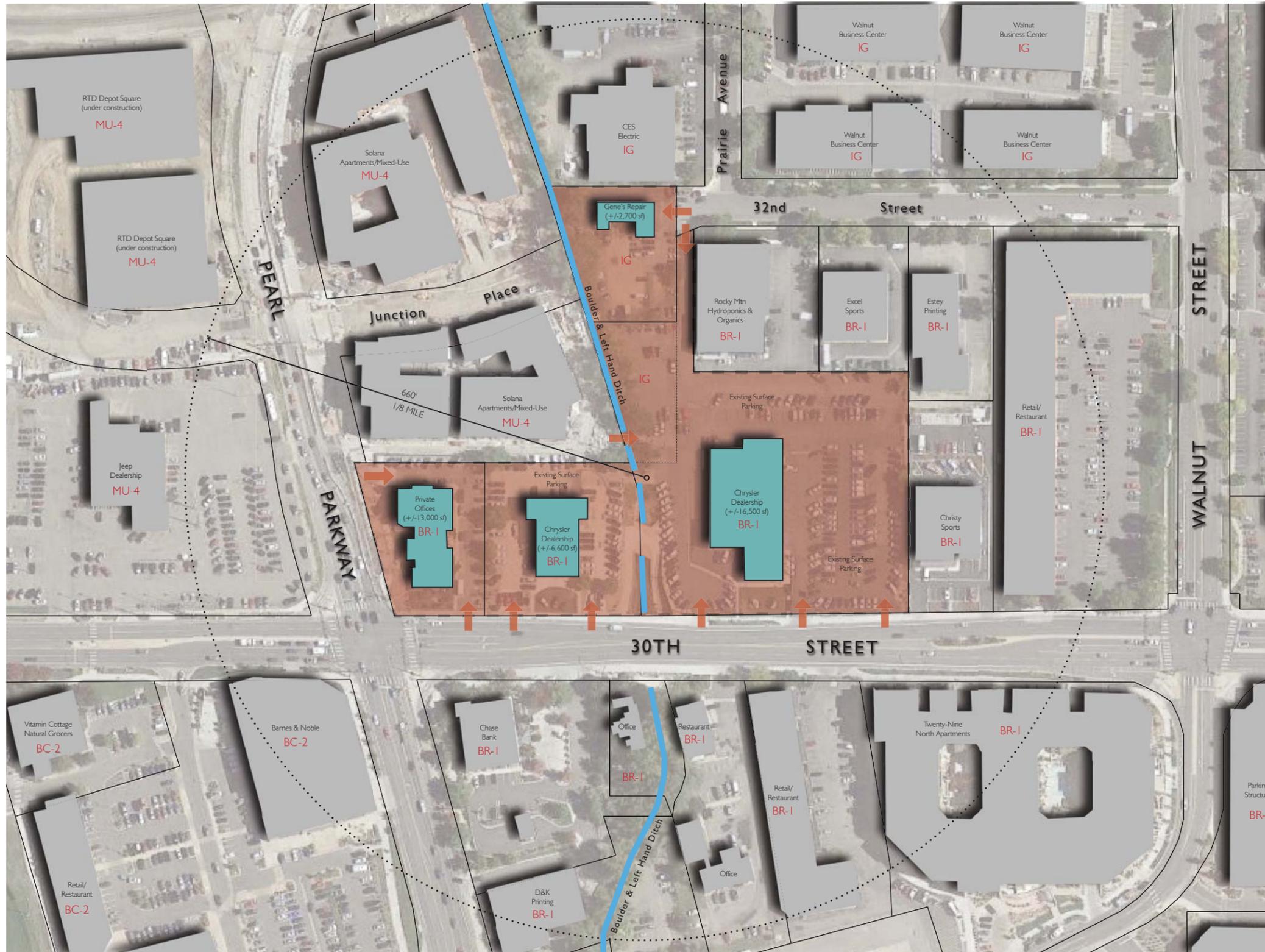
Southern Land Company looks forward to becoming a neighbor in the greater Boulder community and appreciates the city's consideration and review of this Concept Plan.



Regional Context & Site Location



REGIONAL CONTEXT PLAN ↻



Existing Site

Site Area = 6.01 Acres

Current Uses:

Private Office	+/-13,000 sf
Chrysler Automobile Dealership	
Building One	+/-6,600 sf
Building Two	+/-16,500 sf
Gene's Auto Repair	+/-2,700 sf

- Existing Building Proposed To Be Removed
- 10 Existing Curb Cuts and Points of Entry

30TH & PEARL | BOULDER, CO

SITE LOCATION PLAN 1"=160'

Regional Planning

Boulder Valley Comprehensive Plan

The site for the proposed development has multiple designations for land uses on the BVCP plan. The majority of the site is primarily Mixed-Use Business and General Business, with Open Space designated along the ditch and then a small portion of the site to the east is Light Industrial. As a whole, the site is within the Crossroads subcommunity and further defined by area plans for the Transit Village Area and the Boulder Valley Regional Center. This concept aligns with many of the policies established within the BVCP and helps to define the city's goal to evolve into a more urban form that supports sustainability.

Residential

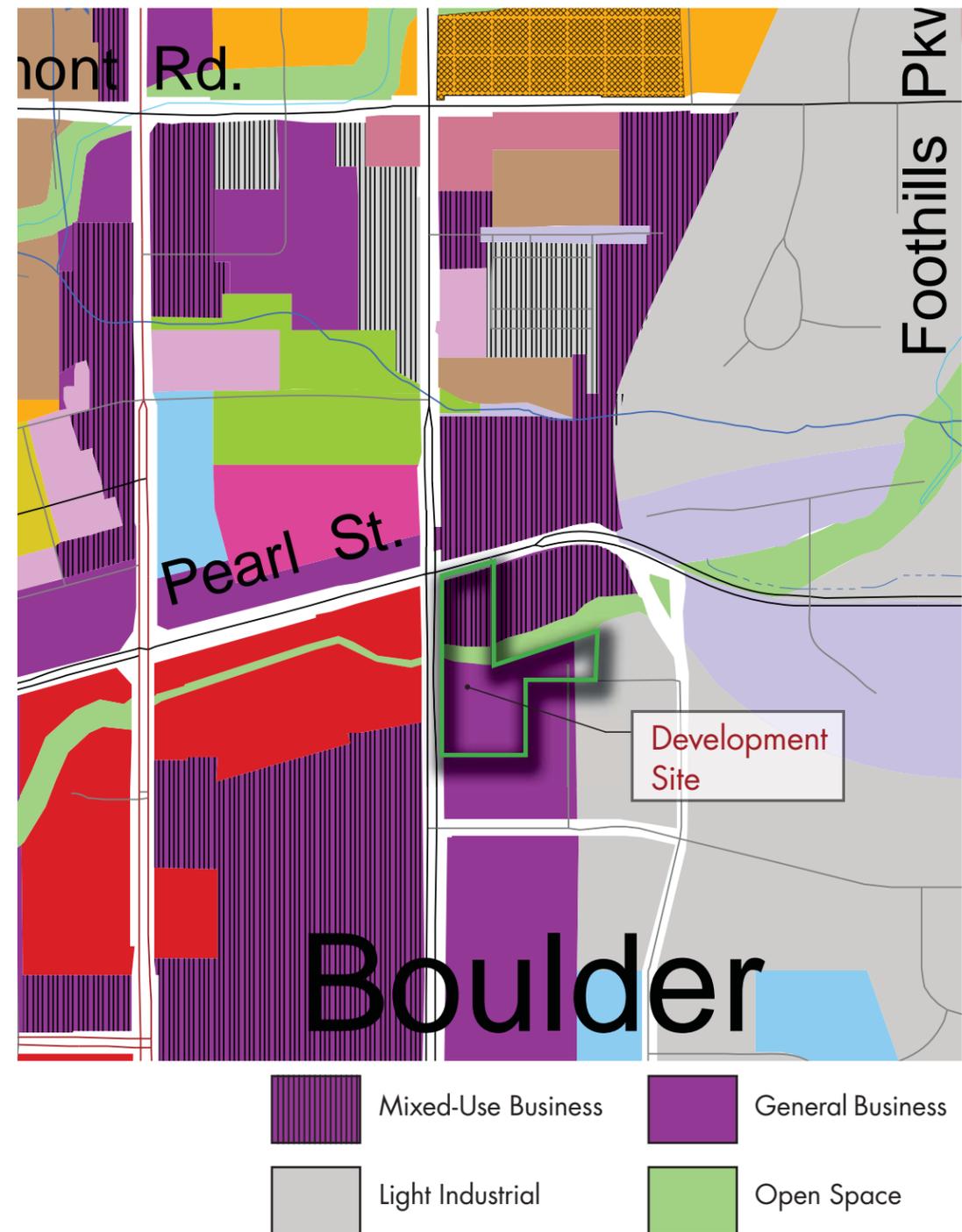
Due to the location within the Transit Village Area, the BVCP recognizes that Residential will generally be of a higher density in proximity to transit opportunities which aligns with this proposal. Additionally, the variety of unit types planned will contribute to the desired mix the BVCP has encouraged.

Business

The BVCP identifies the Crossroads area as a major Regional Business area where there is a dominant focus for business activity. The office and retail/restaurant uses proposed will only reinforce this activity where it is already established, but will repurpose it into new development to serve the needs of residents in the area.

Open Space

The BVCP has identified the Boulder & Left Hand Ditch as an Open Space and this proposal fully intends to preserve that designation. While connecting the multi-use pathway network along this open space, this proposal would like to further enhance the qualities this open space can provide.



Boulder Valley Regional Center

The BVRC plan set forth five goals for guiding redevelopment within its boundaries.

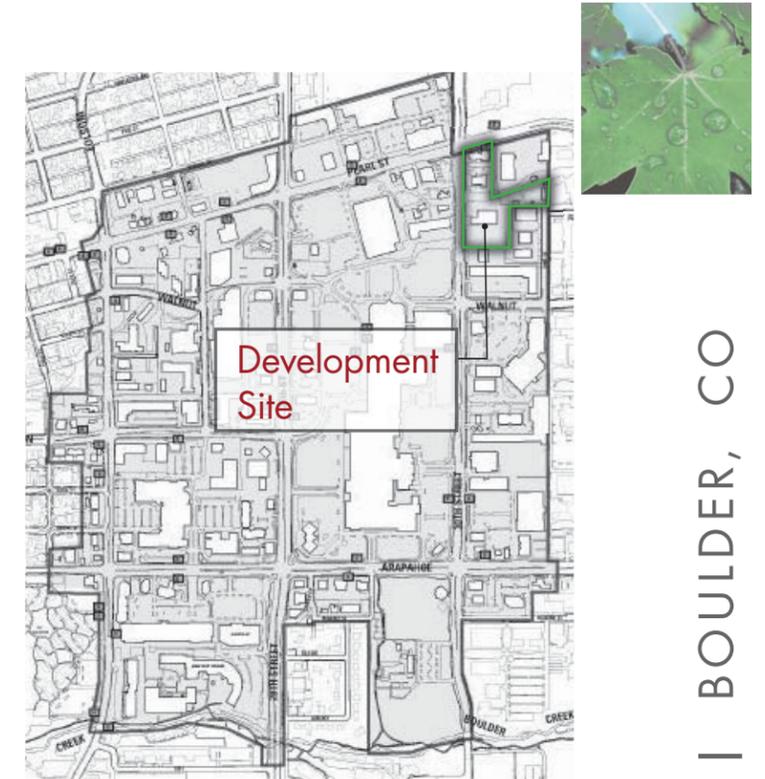
- Continue to upgrade the BVRC through high-quality redevelopment
- Make the BVRC a memorable, people-oriented place
- Develop a more fine-grained and complete transportation network
- Incorporate a greater diversity of land uses
- Strengthen ties to Downtown and the University

This proposal will focus on adhering to the specific design guidelines the BVRC has set forth where possible. The existing buildings will be removed and redevelop into a high-quality development. With the types of land uses proposed and through the design of the open space and the architecture, the project will certainly be a people-oriented place. The plan has proposed connections for multi-use pathways, sidewalks, and the street network to enhance the overall mobility network.

Design Guidelines

While all of the guidelines within the BVRC are applicable, certain ones were identified as having more importance. Some of these which this development will certainly adhere to are below:

- Buildings close to street, or street corner
- Internal access joins together public streets or adjacent private drives
- Direct vehicular links to abutting properties
- Minimize/reduce number of curb cuts
- Complete pedestrian network
- Direct pedestrian links to abutting properties
- Direct bicycle links to abutting properties
- Structured parking considered by applicant
- Usable outdoor open space
- City site landscaping requirements
- Min. 8-foot or 10-foot wide landscape strip, depending on street type
- Min. 6-foot or 10-foot wide sidewalk or 12-foot wide multi-use path, depending on street type
- Breakdown mass of building
- Pedestrian break where needed
- Orient building to street, entrance on streetside
- Address street corner
- Minimize large blank walls
- Pedestrian interest along ground level
- Sign program if multi-tenant building



Community Planning

Transit Village Area Plan

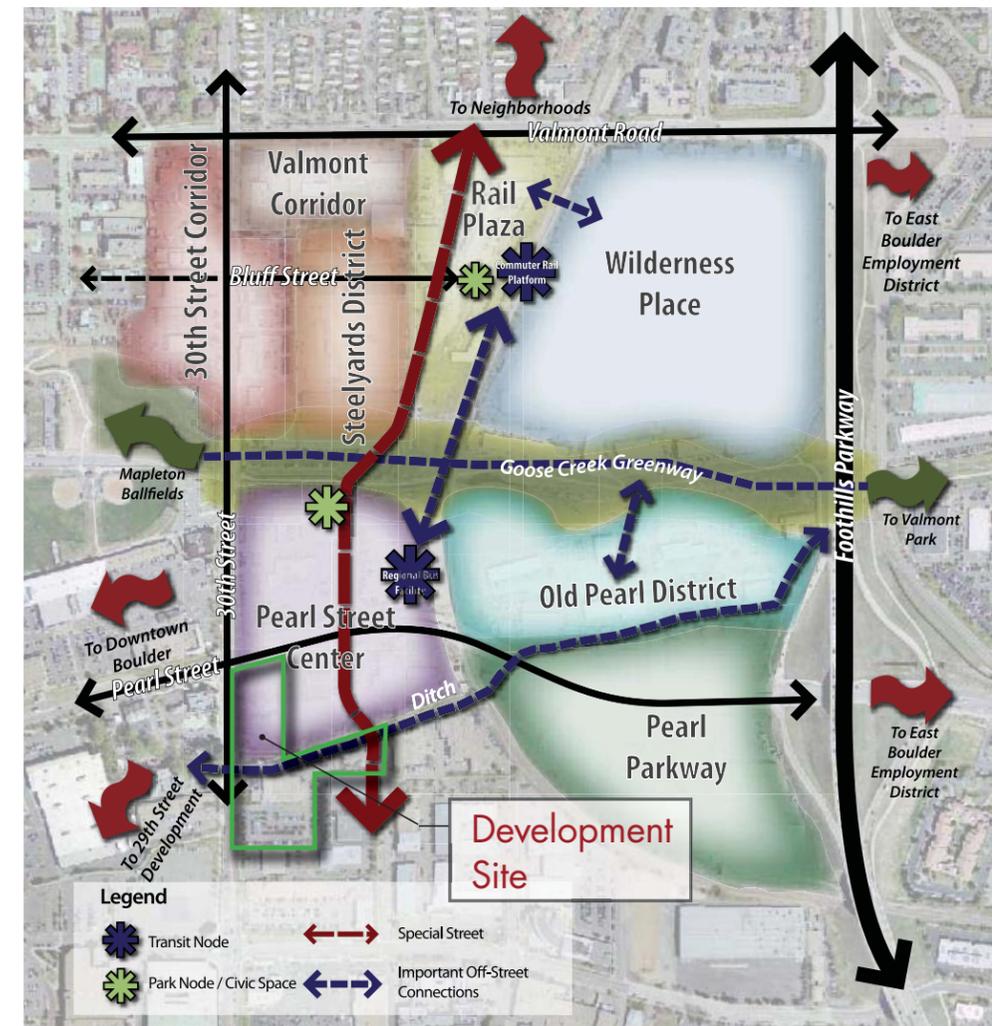
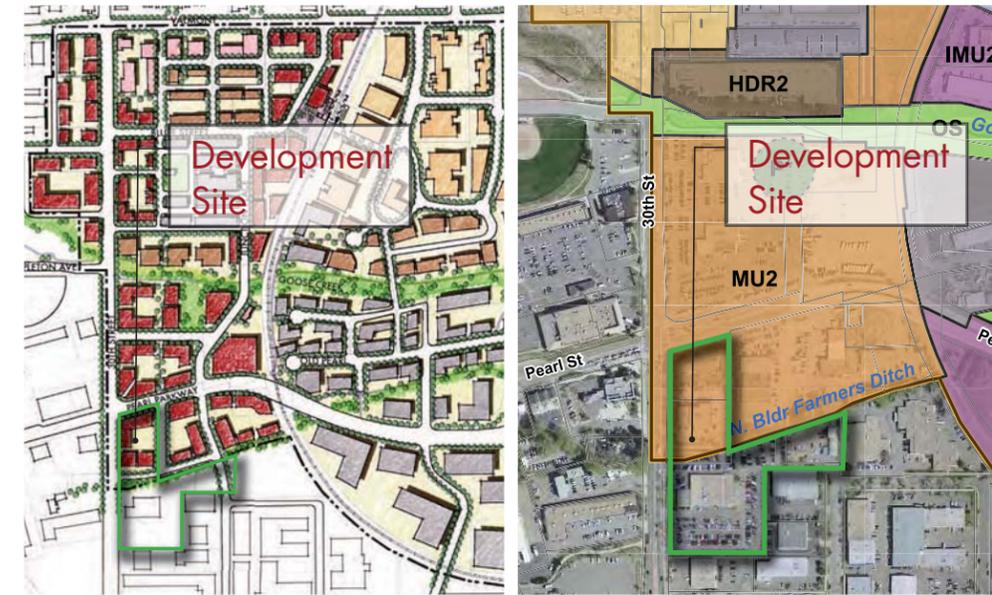
A portion of the site, north of the ditch, is located within the TVAP. The vision adopted to guide the plan states the Transit Village area will be:

- A lively and engaging place with a diversity of uses, including employment, retail, arts and entertainment, with housing that serves a diversity of ages, incomes, and ethnicity.
- A place that is not overly planned, with a “charming chaos” that exhibits a variety of building sizes, styles, and densities where not everything looks the same.
- A place with both city-wide and neighborhood-scale public spaces.
- A place that attracts and engages a broad spectrum of the community, not just people who live and work here or come to access the transit in the area.
- A place that emphasizes and provides for alternative energy, sustainability, walking, biking and possible car-free areas, e.g. “eco-village.”

Additionally, the TVAP set forth 6 goals and objectives:

- Create a well-used and well-loved, pedestrian-oriented place
- Support diversity
- Enhance economic vitality
- Connect to the natural and built environment
- Maximize the community benefit of the transit investment
- Create a plan that will adapt to and be resilient for Boulder’s long-term future

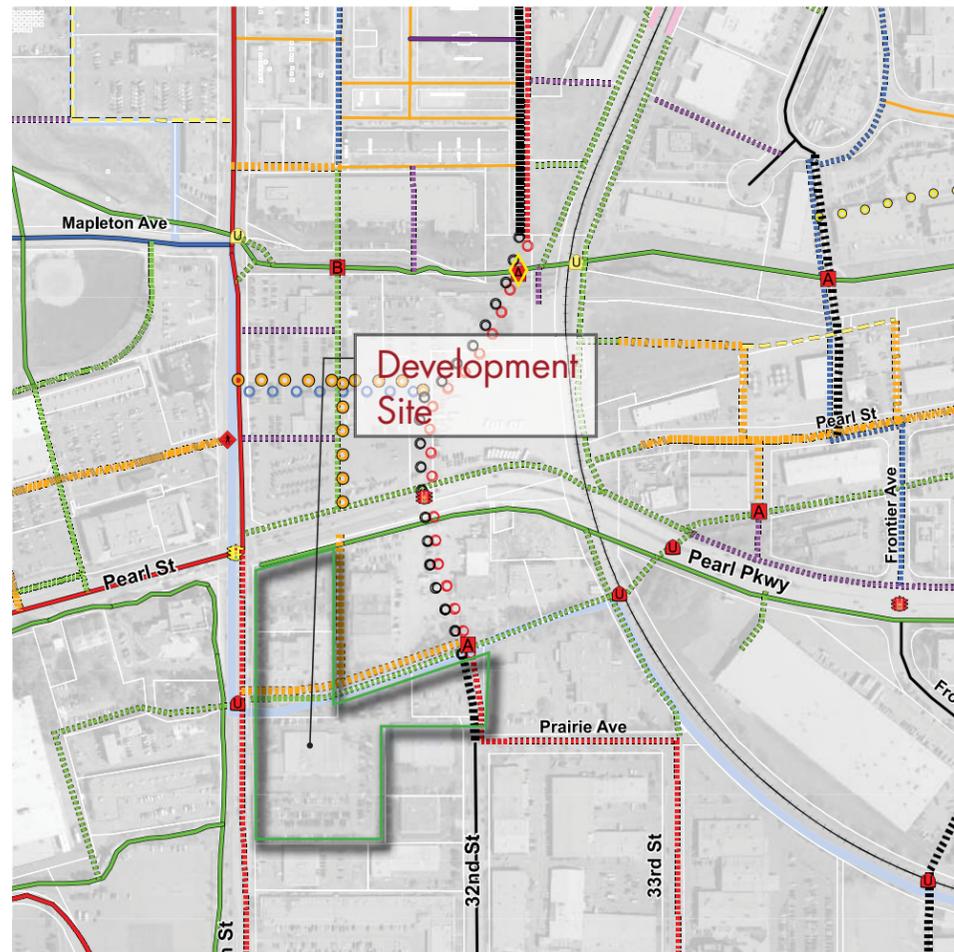
This proposal identifies well with the objectives of the TVAP and seeks to complement these important ideas that guide new development in this particular area.





Although the TVAP area does not include the entirety of the property within this proposal, these same goals and objectives should be applied to all of the development to ensure compatibility between uses and transportation connections. The land use identified for the area of the site within the boundary is Mixed Use 2 (MU-2), which is classified as mixed-use buildings with predominant uses as business or residential and mostly structured parking. The proposal follows this prototype by providing a variety of housing types, neighborhood serving retail and restaurant, and placement of office close to transit facilities and residential uses.

Pearl Street Center is the character district within the TVAP that includes this development site. This district is stated to become a high-intensity mixture of housing and retail which has been proposed for this site. Guidelines for the Pearl Street Center indicate buildings shall have entries along Pearl and 30th, providing active first-floor uses, integrate a multi-use path along the ditch along with aesthetic improvements to the banks, and placing buildings to face the ditch. All of these components are addressed in this proposal.

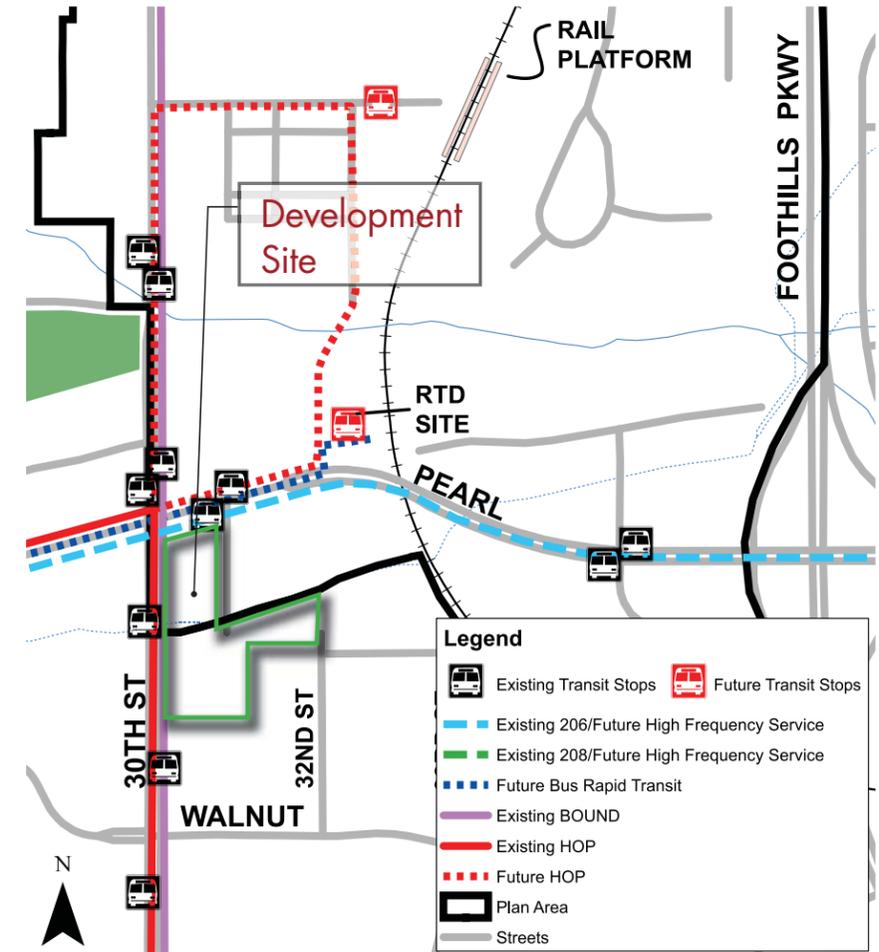


Transportation Connections Plan

The TVAP strives to provide a fine-grained street network and multi-use path connections through this particular site. The proposal either follows the alignments as shown or provides for the future connection as indicated.

Existing and Future Transit

The TVAP indicates all of the transit opportunities this particular development can utilize to promote the use of these services rather than solely relying on a vehicle or bicycle for long distance mobility. The proposal does not impede any of the future planning of the transit network or stops. With a mix of uses provided including office, retail and restaurant and multi-family residential the multitude of transit opportunities will be well utilized to and from this development.



Site Development Concept Plan

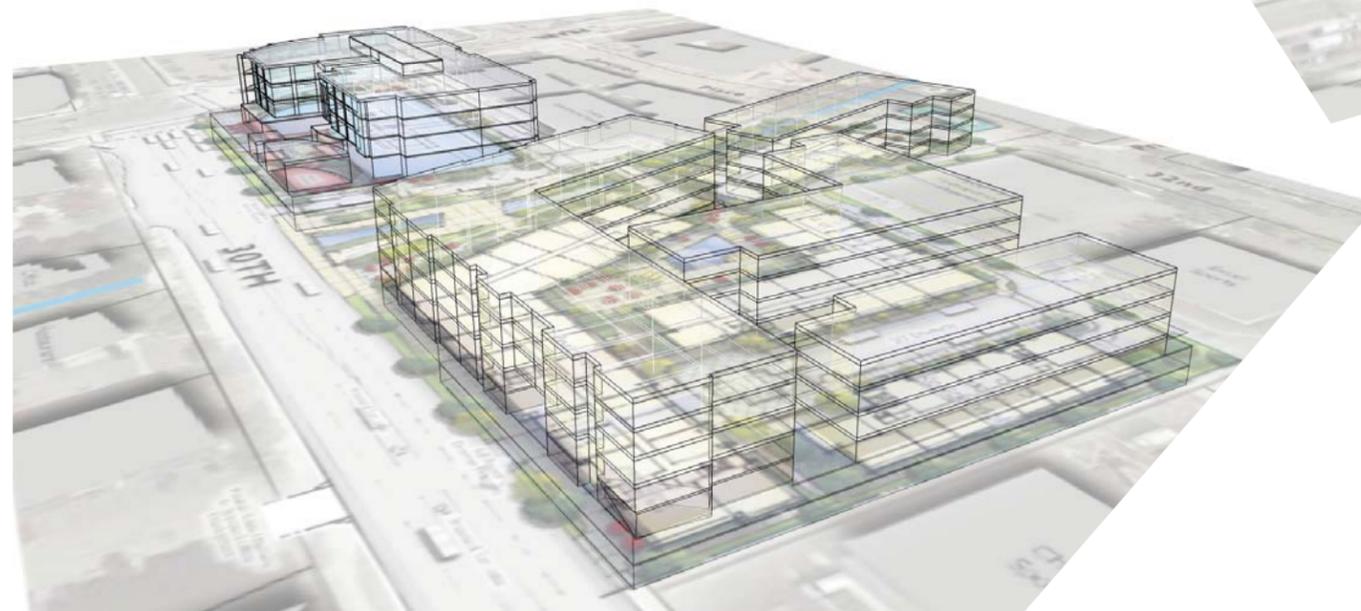
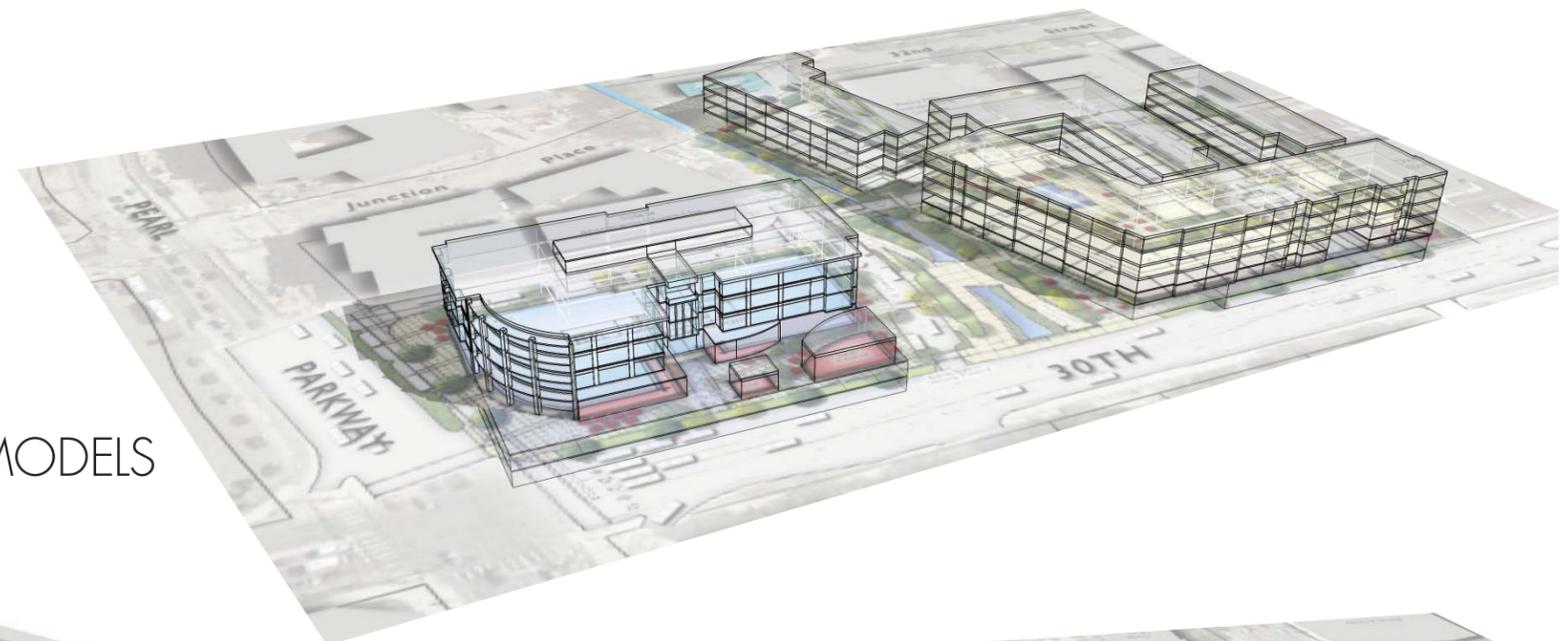
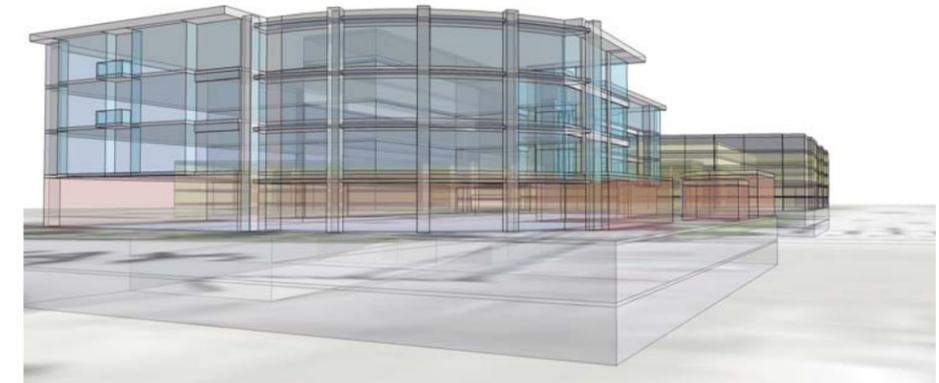
Concept Program

Multi-level Mixed-Use Development

- +/-98,000 sf Class A Office**
- +/-24,000 sf Retail & Restaurant**
- +/-285 Multi-family Residential Units**

*Building plans are conceptual in nature and may vary upon completion. Actual calculations shown above may be refined to reflect revised plans.

CONCEPTUAL FORM & MASSING MODELS





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CONCEPTUAL SITE PLAN 1"=80' 

Architectural Character



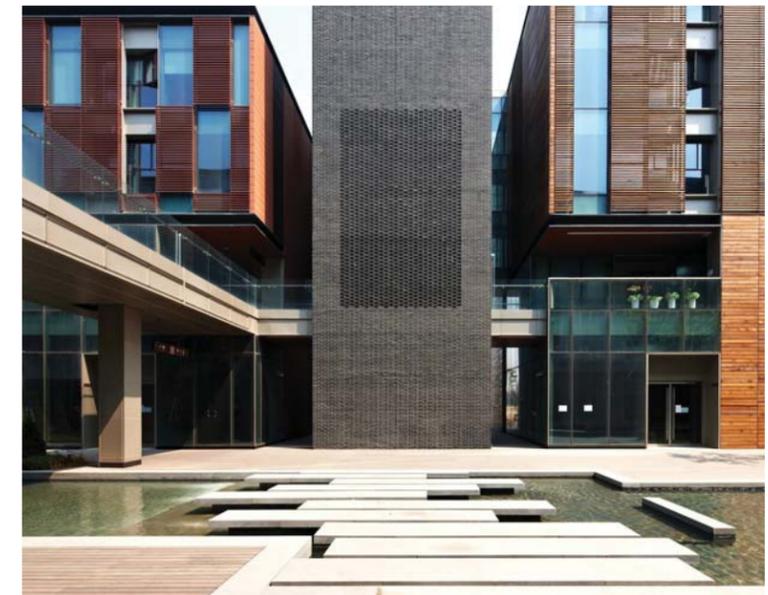
Form



Texture

Character

Plaza & Open Space Character



Form



30TH & PEARL | BOULDER, CO

Texture

Character

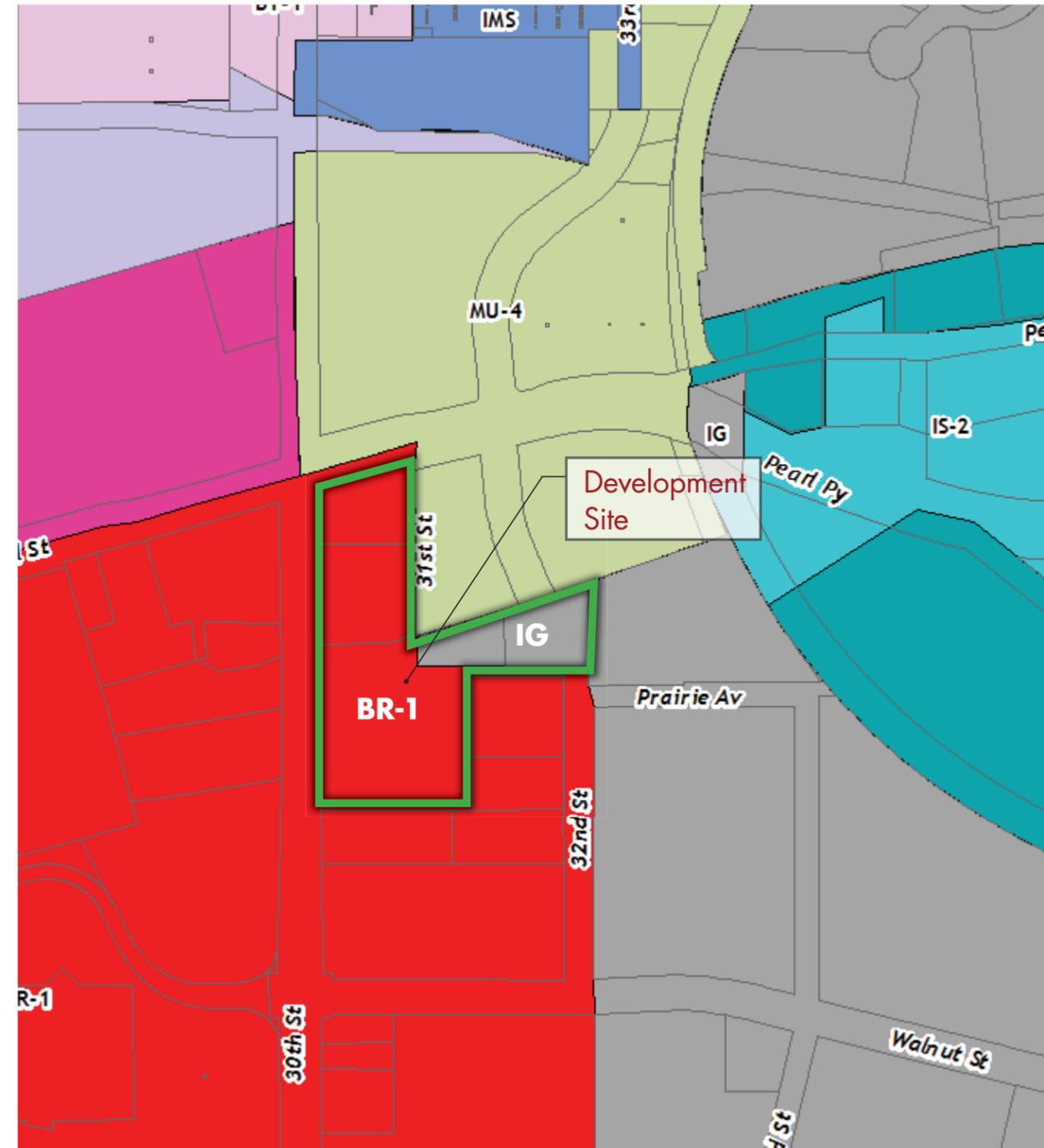
Zoning

Existing Zoning

The proposed site is currently zoned in two separate classifications. The majority of the site is located within the Business - Regional 1 (BR-1) while a node to the east is within Industrial - General (IG). Both of these classifications allow for the types of uses this proposal has identified and have similar Form and Intensity Standards for which to follow.

However, during the Pre-Application process and follow-up discussions with the city officials it was indicated that there is one specific provision that does not allow for the intensity the development has proposed related specifically to the residential density. Under both current zoning classifications, a minimum lot area per dwelling unit of 1,600 sf is required which does not allow for the residential density needed for this development. The 6.01 acres would only be entitled to 163 total units and the ability to achieve an additional 25% increase with bonus criteria met. This proposal seeks to achieve +/-285 units yielding a similar density to the neighboring apartment developments of Solona and Twenty-Nine North, which are immediately adjacent to this site.

The office and retail/restaurant uses proposed are allowable under current zoning.





Proposed Rezoning

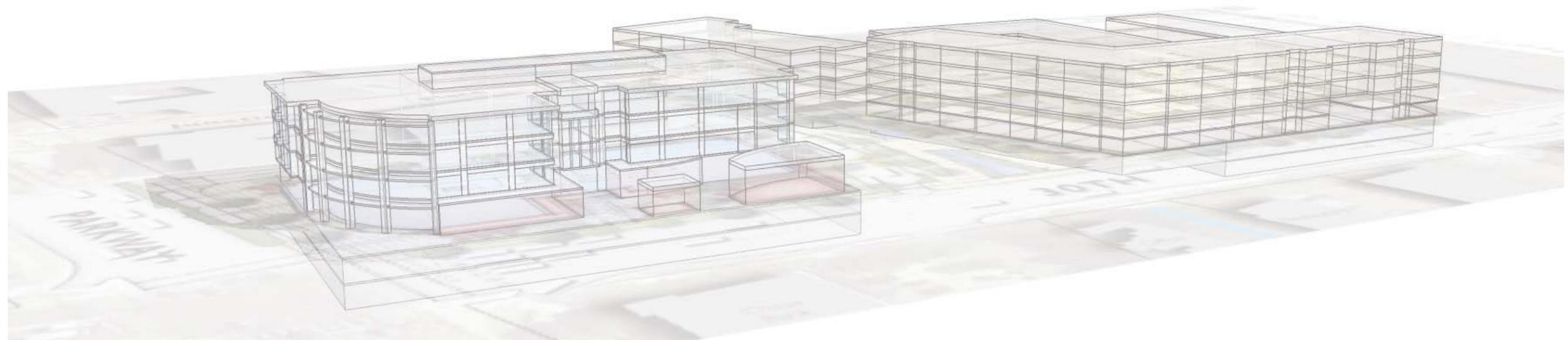
Due to the current limit to the residential density entitled on this development site, the proposal is seeking a rezoning to a classification that would allow for the development to proceed. Through ordinance research and discussion with city officials, a couple of options were identified that would allow for the density this proposal is trying to achieve. Mixed Use 4 (MU-4) or a Flex District (F) could be classifications that are appropriate. The site is adjacent to MU-4 zoning to the north and east, which was applied during the Transit Village Area Plan process. Although there are not many parcels within the City of Boulder that utilize the Flex zoning, perhaps a project of this size along with the high profile location give some possibility to it's application in this case.

The concept proposal has a need to understand the support of a rezoning for these parcels. Given the proposal aligns with the goals and objectives of the Boulder Valley Comprehensive Plan, Boulder Valley Regional Center Design Guidelines, and the Transit Village Area Plan the development would like to move forward in a collaborative effort with both the city and neighbors to build a great asset in the community.

Additional Variances

These additional variances would likely be sought, but the specifics may vary depending on the outcome of the potential rezoning and the exact classification deemed most appropriate. Any variances necessary that have not been identified at this time based on the need for a rezoning will be included in the future.

- Additional height necessary to a maximum of 55 feet
- Additional floor area to the maximum of any principal building





MEMORANDUM

To: Transportation Advisory Board (TAB)
Planning Board (PB)
Downtown Management Commission (DMC)
University Hill Commercial Area Management Commission (UHCAMC)
Boulder Junction Access Districts Commissions (BJAD)

From: Molly Winter, Director, Downtown and University Hill Management Division/
Parking Services
Kathleen Bracke, GO Boulder Manager
Lesli Ellis, Comprehensive Planning Manager
Jay Sugnet, Senior Planner

Date: May 1, 2014

Subject: Update on the Access Management and Parking Strategy (AMPS)

EXECUTIVE SUMMARY

The purpose of the briefings to the various city Boards is to:

1. Receive feedback on the draft Access Management and Parking Strategy (AMPS) project purpose, goals, and guiding principles;
2. Review progress since 2013 Council Study Session on AMPS; and,
3. Receive feedback on proposed 2014 schedule and work program.

The city of Boulder's parking management system has a long history. Parking meters were first installed on Pearl Street in 1946. Over the past decades, Boulder's parking system has evolved into a nationally recognized, district-based, multi-modal **access** system incorporating all modes of travel (walking, biking, transit, and autos) to meet community goals, including support for the vitality of the city's historic commercial and employment centers, and livability of its neighborhoods.

The AMPS encompasses updating the current access and parking management policies and programs and developing a new, overarching citywide strategy for access and parking management in alignment with city-wide goals. The project goal is to evolve and continuously improve Boulder's citywide access and parking management strategies and programs tailored to address the unique character and needs of the different parts of the city.

The AMPS project approach emphasizes collaboration among city departments and acknowledges the numerous current and anticipated planning efforts and initiatives such as the Transportation Master Plan (TMP) Update, Economic Sustainability Strategy, and Climate Commitment.

Elements of the AMPS project approach are:

- AMPS is a **strategy** which is defined as an integrated planning approach coordinated with other master planning efforts and plans which focuses on a particular set of goals and principles that are cross-cutting and create an adaptable set of tools and methods allowing the city to continually improve and innovate to achieve its goals.
- Evaluating existing parking and access management policies and practices within existing districts and across the community based on the city's Sustainability Framework.
- Developing context appropriate strategies using the existing districts as role models for other transitioning areas within the community and incorporating national best practices research.

Outreach to the city advisory boards and the public is essential with the dual purpose of educating the community about the multi-modal access system and seeking input and ideas about the future opportunities for enhancements. City Council is holding a Study Session on the AMPS project on June 10, 2014. Staff will share feedback from the May Board meetings with City Council as part of the June Study Session.

Questions for Board Members

1. Does the Board have feedback regarding the draft project purpose, goals, and guiding principles?
2. Does the Board have questions or feedback on the proposed approach and timeline for AMPS?
3. Does the Board have feedback on the AMPS list of 2014 work program topics? Are any missing?

DRAFT PROJECT PURPOSE, GOALS, AND GUIDING PRINCIPLES

Purpose

Building on the foundation of the successful multi-modal, district-based access and parking system, the Access Management and Parking Strategy (AMPS) will define priorities and develop over-arching policies, and tailored programs and tools to address citywide access management in a manner consistent with the community's social, economic and environmental sustainability principles.

Goals

The Access Management and Parking Strategy (AMPS) will:

- Be consistent with and support the city's sustainability framework: safety and community well-being, community character, mobility, energy and climate, natural environment, economic vitality, and good governance.

- Be an interdepartmental effort that aligns with and supports the implementation of the city’s master plans, policies, and codes.
- Be flexible and adapt to support the present and future we want while providing predictability.
- Reflect the city’s values: service excellence for an inspired future through customer service, collaboration, innovation, integrity, and respect.

Guiding Principles

1. Provide for All Transportation Modes: Support a balance of all modes of access in our transportation system: pedestrian, bicycle, transit, and multiple forms of motorized vehicles—with the pedestrian at the center.
2. Support a Diversity of People: Address the transportation needs of different people at all ages and stages of life and with different levels of mobility – residents, employees, employers, seniors, business owners, students and visitors.
3. Customize Tools by Area: Use of a toolbox with a variety of programs, policies, and initiatives customized for the unique needs and character of the city’s diverse neighborhoods both residential and commercial.
4. Seek Solutions with Co-Benefits: Find common ground and address tradeoffs between community character, economic vitality, and community well-being with elegant solutions—those that achieve multiple objectives and have co-benefits.
5. Plan for the Present and Future: While focusing on today’s needs, develop solutions that address future demographic, economic, travel, and community design needs.
6. Cultivate Partnerships: Be open to collaboration and public and private partnerships to achieve desired outcomes.

WORK SINCE 2013 COUNCIL STUDY SESSION AND WORK PROGRAM

Over the course of the last year, work on AMPS has proceeded on several levels. Consultant firms have been hired – Kimley Horn with Urban Trans as a sub consultant, and Fox Tuttle. Joint board workshops focusing on the TMP Update, Climate Commitment and AMPS were conducted in August 2013 and April 23, 2014, as well as individual board outreach providing valuable feedback. Finally, a public open house is scheduled on May 12 in conjunction with the Comprehensive Housing Strategy.

Staff teams in the seven focus areas have developed detailed work programs for each of the seven focus areas, including both the short and long term tasks. Each topic has a link to a detailed matrix that provides additional descriptions and issue identification.

- District Management (includes review of existing districts as well as exploration of future opportunities for new managed parking districts community-wide), https://www-static.bouldercolorado.gov/docs/amps_District_Management_matrix-1-201405020821.pdf;
- On and Off-Street Parking,; https://www-static.bouldercolorado.gov/docs/AMPS_On_and_Off_Street_matrix-1-201405020828.pdf;

- Transportation Demand Management (TDM), https://www-static.bouldercolorado.gov/docs/amps_Travel_Demand_Mgmt_Programs_matrix-1-201405020846.pdf;
- Technology and Innovation, https://www-static.bouldercolorado.gov/docs/AMPS_Technology_and_Innovation_matrix-1-201405020849.pdf;
- Code Requirements (includes exploration of parking maximums) https://www-static.bouldercolorado.gov/docs/AMPS_Parking_Code_Requirements_Matrix-1-201405020904.pdf,
- Enforcement, https://www-static.bouldercolorado.gov/docs/amps_Enforcement_matrix-1-201405020906.pdf; and,
- Parking Pricing (includes exploration of various pricing strategies/mechanisms), https://www-static.bouldercolorado.gov/docs/AMPS_Parking_Pricing_Matrix-1-201405020908.pdf.

The first phase of work, April through September 2014, includes:

- A draft report on best practices on incorporating Transportation Demand Management (TDM) in Development Review, available at: www.BoulderTMP.net and described in more detail in the following section below;
- Based on the best practices report, opportunities to refine and enhance the city's [Transportation Options Tool Kit](#) for private development will be considered as a component of the Transportation Master Plan (TMP) Update and the AMPS work program.
- Miscellaneous “quick fix” parking code changes such as updating the code to match current Americans with Disabilities Act (ADA) standards, and adjusting parking requirements for aircraft hangers and warehouses to more appropriate parking levels not based on floor area. Exploration of potential parking code changes to consider parking maximums will occur as part of AMPS 2014 work program;
- Best practices research will be conducted on topics in all AMPS focus areas;
- Assessment and recommendations will be made for replacement of the garage parking access and revenue control equipment;
- Development of parking and access management demand software;
- Design of the public and stakeholder engagement process; and,
- Development of an integrated planning framework to provide an overall structure for all the AMPS focus areas.

Concurrently, ongoing projects are in process or have been completed in the following areas:

District Management:

- Analysis, outreach and negotiations for a public private partnership between the University Hill General Improvement District (UHGID) and Del Mar Interests for a mixed use (residential and parking) development on UHGID's 14th Street parking lot;
- Initial analysis and access demand projections for a range of development options for the Civic Area Plan;

- Feedback on options for access and parking management as part of the North Boulder Plan Update;
- Update of development projections and access demand for the Boulder Junction Access District;
- Discussions with Trinity Lutheran Church regarding CAGID's role in providing parking in the Trinity Commons project;
- An update to the downtown development projections and future access and parking demand for the downtown area including the Civic Area; and
- Development of an alley management program associated with the public and private construction projects in the West End area.

On and Off Street Parking:

- Commencement of a “parklet” planning process with the pilot “parklet” competition and installation in the Hill commercial district May through October 2014; and,
- Installation of a variable messaging system in the five downtown CAGID garages.

Code requirements:

- Research of peer communities on “best practice” parking regulations;
- Consultation of American Planning Association (APA) publications and other planning resources on suggested updates to parking codes;
- Development of list of short-term “quick fix” parking changes and long-term, more comprehensive parking changes; and
- Analysis of existing shopping center parking requirements and coordination with the airport manager on updates to the parking code for aircraft hangers.

Technology and Innovation:

- Introduction of pay by cell on-street parking payment option with Parkmobile in all access districts;
- Inventory of existing technology systems in preparation for a system-wide evaluation; and
- Installation of a solar-powered electric charging station in the Broadway Spruce parking lot in downtown Boulder.

The second phase of work will be influenced by the results of the Phase I best practices research and will include next steps that could include analysis of options, program development or refinement, or policy review and recommendations depending on the topic. There will be on-going integration with other planning efforts such as the Transportation Master Plan Update, North Boulder Plan Update, Envision East Arapahoe and the Climate Commitment dependent on those project schedules. The final phase will be crafting the overarching, citywide access and parking management strategy and finalizing the document. The AMPS is projected to be completed by June 2015.

PROJECT OVERVIEW

Attachment A is a graphic representation of the project and the list of topics proposed to be address. It is referred to as “the compass.”

TIMELINE AND ENGAGEMENT OPPORTUNITIES

Attachment B includes a timeline of the project – along with major milestones and outreach activities.

EARLY ACTION ITEM – UPDATES TO TDM TOOL KIT FOR PRIVATE DEVELOPMENT

As an early action item for AMPS as well as the TMP Update, the city is exploring opportunities to enhance the existing Transportation Demand Management (TDM) program’s [Transportation Options Tool Kit](#) for new development projects. Findings from the Best Practices Report, currently available as a draft report at www.BoulderTMP.net, are being used to identify potential new tools and strategies that can be used to improve the options and effectiveness of the toolkit as well as identification of innovative parking strategies, infrastructure improvements and TDM programs that can maximize the benefits associated with TDM in the city.

The draft Best Practices Report explains how other communities with effective demand management programs have incorporated transportation options into the development review process. The communities included in the report are Fairfax County, Virginia; Montgomery County, Maryland; Bloomington, Minnesota; Cambridge, Massachusetts; and Pasadena, California. For each best practice city, the following information was sought:

- The process communities use to develop TDM plans;
- What TDM and parking strategies they require;
- What triggers TDM requirements;
- How TDM program funding is guaranteed and sustained;
- Internal staffing costs;
- Enforcement policies;
- Incentives to encourage developer participation;
- Processes for benefit estimation;
- Inclusion of bike- and carshare requirements;
- Funding of transportation management organizations (TMOs) to meet TDM requirements
- Land use regulations that enhance TDM plans; and,
- Lessons learned.

The Best Practices Report will be used to develop potential recommendations for refining the Transportation Options Toolkit. The toolkit is used by staff and developers to design TDM plans to mitigate the impacts of new commercial and residential developments on the transportation system and sets expectations on what strategies should be included in TDM plan for Planning Board as they evaluate the design of new developments. It will also identify methods to measure the impacts associated with combinations of TDM strategies and the costs and resource requirements associated with strategy implementation for new developments.

All draft recommendations for toolkit changes will be reviewed through a public outreach process with developers, the TAB and Planning Board, community and City Council. Feedback obtained from that process will be used to update and improve the draft recommendations. Final recommendations will include estimates of the toolkit’s impacts on vehicle trip generation and the community cost savings associated with anticipated vehicle trip, vehicle miles traveled and greenhouse gas (GHG) reductions.

Within the TDM program, city staff is working with Boulder Transportation Connections (formerly Boulder East), Boulder's non-profit transportation management organization, to implement a TDM Plan evaluation program that will measure the effectiveness of TDM plans currently in place for recent commercial and residential developments. This evaluation program will also inform recommended adjustments to the toolkit over time.

NEXT STEPS

City Council will hold a work session on June 10 to review similar project materials. Input from the Boards will be incorporated into staff's memo to City Council and Board members will receive a link to the full Council packet of information. Staff will continue to engage stakeholders over the summer and fall and return to Council in October with the results of the policy and code analysis along with program options.

Staff will return to the Boards at key milestones throughout the project and Board members are encouraged to participate in the broader community outreach as described in attachment B.

For more information, please contact Molly Winter at winterm@bouldercolorado.gov, or Kathleen Bracke at brackek@bouldercolorado.gov or www.bouldercolorado.gov/amps.

ATTACHMENTS

A: Project Overview – Compass Diagram

B: Project Timeline

