

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
October 2, 2014
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

STAFF PRESENT:

David Driskell, Director of Planning and Development Services
Susan Richstone, Deputy Director of Planning and Development Services
Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Lesli Ellis, Comprehensive Planning Manager
Sam Assefa, Senior Urban Designer
Charles Ferro, Development Review Manager for CP&S
Edward Stafford, Development Review Manager for PW
Elaine McLaughlin, Senior Planner
David Thompson, Civil Engineer III - Transportation
Jessica Stevens, Civil Engineer II
Jonathan Woodward, Associate Planner
Michelle Allen, Housing Planner

1. CALL TO ORDER

Chair, **A. Brockett**, declared a quorum at 6:04 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **J. Gerstle** and seconded by **J. Putnam** the Planning Board approved 7-0 the August 28, 2014 minutes as amended.

3. PUBLIC PARTICIPATION

1. **Steve Pomerance, 335 17th Street**, suggested that Quantitative planning should precede physical planning. He made some suggestions for items that the board might consider adding to their discussions with City Council.

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

- A. **Call Up Item: Wetland Permit (LUR2014-00072)**. 580 Euclid Wetland Boundary Revision. This decision may be called up before Planning Board on or before October 2, 2014.

5. PUBLIC HEARING ITEMS

- A. **SITE REVIEW** for construction of a 69,541 square foot mixed use residential/commercial building located at 1750 14th Street. New construction includes 10,232 square feet of commercial floor area, 20,881 square feet of common area (including under building parking) and 28,187 square feet of residential floor area containing 41 dwelling units. The existing 10,379 square foot James Travel commercial office building to remain on the same lot. Case no. LUR2014-00032.

Applicant: Kyle McDaniel

Owner: B&H, LLC

Staff Presentation:

C. Ferro introduced the item.

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin, S. Assefa and **David Driskell** answered questions from the board.

Applicant Presentation:

Scott Holton, 1539 Pearl St., Element Properties, the developer, presented the item to the board.

Rick Epstein, 2741 Mapleton, RE Architecture, the architect, presented to the board.

BDAB Presentation:

Jeff Dawson, 1350 Pine St., a board representative of BDAB, answered questions from the board.

Board Questions:

Scott Holton, the developer, and **Rick Epstein**, the architect, answered questions from the board.

Public Hearing:

1. **Melissa Schiltz, 4756 Edison Lane**, spoke in opposition to the scale and massing of the project. She did not think it was in line with the goals of the Design District.
2. **Kelly Klienman, 910 Washington, Apt. 302**, was concerned about the impacts that this would have on parking in the area. She opposed the parking reduction.
3. **Don Poe, 1210 Claremont Dr**, did not oppose a new building, but was opposed to the size, scale and lack of parking in the proposed design. He expressed concern about the proposed traffic load on 14th Street and icing in the winter.
4. **Brad Gilbert, 802 Hawthorn Ave**, thought the proposed development was too dense and massive. He was concerned about the impacts on parking and would like a smaller building.
5. **Eric Budd, 3025 Broadway #38**, spoke in support of the project. It is a strong, walk able, mixed use development that fits with the future plan for downtown.
6. **David Nugent, 2016 Walnut St.**, spoke in support of the proposed project. He thought that the downtown area needs new, clean and affordable housing.
7. **Chris Hess, 1737 15th St.**, from a neighboring business, spoke in support of the project. He has young employees who would love to have affordable housing in Boulder. He thought that it would contribute to the downtown area and provide more eyes on the street regarding the transient population in the area.
8. **Harmon Zuckerman, 280 30th St.**, a planner and law student spoke in support of the project. He thought that this would positively contribute to the area. The developer does an excellent job of outreach to neighbors and does

Board Comments:

Key Issues:

1. **Consistency with BVCP Policies and Zoning:**
 - The board felt that the project was generally consistent with the BVCP policies and zoning. The applicant did a good job of responding to the board's comments. It satisfies the concerns that were raised. This is how projects should happen in Boulder.
 - **L. Payton** did not think it was consistent with the sensitive infill and redevelopment policy in the BVCP Policy 2.30. BDAB responded to the guidelines and agreed with the comments about the staggered windows. She would like to see them stacked on the north and west facades. She did not think it was pedestrian friendly.
 - **L. Payton** wants to support people who want to live and work downtown, walk able and drive less.
 - **L. Payton** was concerned about the size and how it fits into this context.
 - **C. Gray** wanted an assurance that the applicant will follow through with the affordability and other promises.
 - **B. Bowen** stated that the zone is more focused on business in that zone than residential, but it is important and we need smaller, affordable housing, space for startups, bike storage and the pathway along the ditch will contribute with the neighborhood.

- **A. Brockett** liked the integration of residential and commercial use and space. This is going in all the right directions for downtown development. This hits city goals and is moving in the right direction.

2. Responsiveness to Concept Review Comments, Project consistent with the Non-Historic District Guidelines, Architecture and Design:

- Some board members thought that the design lost some of its vibrancy through the Concept Review and BDAB review processes. **L. Payton** thought the new design was an improvement.
- **B. Bowen** wanted assurance that the bottom floor could be converted to commercial space in the future.
- **L. May** This design lacks the “lightness” that it had in site review on the west elevation of the building. It is now masonry block with punched openings while it was more random and playful previously. It was a more active and kinetic composition before. **L. Payton** disagreed.
- **L. May** stated that the architectural interest has been removed from the James Travel building on the western side. The rest of it is good.
- The board liked the authenticity and rational way of assembling the building.
- **A. Brockett** was disappointed that BDAB looked for more traditional forms given the fact that there were not more modern gestures. It is clean and attractive and avoids a jumble of materials and design. Pleasing proportions on north side and approves of the butterfly roof. This is a clean, attractive building as proposed.
- The board liked that the mechanical systems are embedded in the building and not screened.
- **C. Gray** thought that removing the screening was okay. The applicants have captured some of the warehouse feel of the area on the SE corner which is appropriate.
- The board agreed that the fourth floor proportionality was improved per BDAB’s recommendation. The board liked the butterfly roof. Good to preserve the existing James building even though not historic.
- **L. Payton** did not think that this design respected the surrounding buildings, and would like to see it respond to the McAllister Lumber building and see a modification to address that building better. Liked the fourth floor and how it is setback and that it has intentionality. She liked the butterfly roof.
- **J. Gerstle** felt that the north and east walls are not attractive so he is pleased that there will be ivy. He shares concern about considering the McAllister Lumber building on the east side. Opening in the building could respond to the McAllister building. It needs to be acknowledged.
- **J. Putnam** thought this was high quality design and that the board did not need to provide design feedback. He liked the keyhole, glad that screens are omitted; current storefront design and revised atrium are more pedestrian friendly. He thought the window offsets were interesting but not distracting. In regards to the McAllister Lumber, any by right design would change things for that building and not concerned. This is appropriate for zoning code.

- The board appreciated that this uses a small, high quality palette of materials and makes good, logical transitions.
- **A. Brockett** agreed with J. Putnam regarding the improved atrium changes. He agreed that crosses the threshold of good design and do not need to send applicant back to make changes.
- **B. Bowen** agreed with previous comments made by J. Putnam and A. Brockett regarding the McAllister building. The surrounding parking lot will redevelop and create a new context.
- **B. Bowen** and **L. May** liked the screens.
- **L. May** stated that it would be okay if the applicant wants to disregard his comment about the stair tower.

3. Site Review Criteria:

- **B. Bowen** stated that it meets them well.
- **L. Payton** stated that it meets most criteria but not all. The proposed building will not be compatible with the area because it will be the first four-story building south of Canyon and it will stick out due to its scale.
- **L. May** stated that on balance it is consistent with the Site Review Criteria. There is tension with the BVCP regarding height but this project addresses these issues adeptly. The height is not consistently at full height. There is a varied roofline. Important to encourage this type of development as a model as it sets a high standard; does not max out FAR but provides high quality design.
- **A. Brockett** agrees that it is consistent with site review criteria. First DT-5 redevelopment project and establishes character for the area. Precedent for farther south is no been set. Not maxing out FAR.
- **J. Putnam** agrees that it meets site review criteria. Meets site review character established by plans for the area, including height. Appreciate sensitive use of heights, and placement of mechanical and PV panels within the height.
- **C. Gray** appreciated the embedding of mechanical systems and incorporation of PV panels. In regards to height, she would have liked the SW corner lowered to the McAllister building to provide more sunlight.
- **J. Gerstle** was concerned about the height per **L. Payton's** comments and compatibility with existing neighborhood. It needs to meet criteria because of Council's plan/vision for the area.

4. Parking:

- **C. Gray** stated that Downtown parking is difficult and it is becoming a theme. In addition, she mentioned that the 15th Street Parking Garage is rarely full and could provide a resource for the neighborhood.
- **L. May** addressed the limitation of parking and that it will discourage car ownership. Restricted parking and bike parking in right direction. **A. Brockett** agreed.
- **L. Payton** acknowledged small business needs for parking. May dedicate spaces in other downtown parking structures.

- **C. Gray** stated that the “parking theme” ball in City’s court. Downtown parking structures should be used creatively and effectively. **D. Driskell** answered questions regarding CAGID; as properties redevelop, typically not providing onsite parking to meet the demand on the particular site. Underutilized parking nearby is true. Redevelopment on south Canyon will create solution to parking demand.
- **J. Putnam** supports the City’s need to address the parking issues. If by-right commercial project, they would not be required to provide parking. Eco-passes, bike parking, etc. will not make it too difficult. Appreciate unbundled parking (agreement).
- **J. Gerstle** added that CAGID was formed so individual building owners wouldn’t need to provide parking. Parking is not an issue here.

5. Setbacks:

- **J. Gerstle**- had trouble with one property owner taking advantage of another property owner’s setback. Creates inequity.
- **C. Gray**- little bit of concern of building up to it when there is a setback requirement.
- **B. Bowen** stated that the ditch functions as an alley and setbacks are wider.
- **A. Brockett** sympathized with **J. Gerstle**’s point but did not find benefit in chopping building back by 15 feet and sunlight impacts will not change.
- **L. May** agreed with **J. Gerstle**’s point but thought there are enough benefits from the project. McAllister building will likely be landmarked so will have less setback leniency.
- **J. Putnam** thought the compact urban form would lose benefit to the city if had a full 15 ft. setback. This would not be appropriate in another context.
- **C. Gray** agreed. Thought corner could be set back.
- **L. Payton** has seen additions to historic structures and the McAllister building could be altered. She thought that this project could reduce the expansion potential for the McAllister building by leaving it with a very small setback.
- **J. Gerstle** was concerned about the driveway easement. The applicant’s portion will remain open and no gate with a lock.

Motion:

On a motion by **J. Putnam**, seconded by **L. May**, that the Planning Board voted 6-1 (**L. Payton** in opposition) approve Site Review case no. LUR2014-00032, as described in the staff memorandum, incorporating the staff memorandum and the attached Site Review criteria checklist as findings of fact, and subject to the recommended Conditions of Approval in the memo and as amended by the Errata sheet that was handed to the Board for the October 2, 2014 meeting.

Friendly amendment by **L. May** to invite the applicant to explore more modernist aspects of the site including the screening on the James Travel building. The friendly amendment was rejected by **J. Putnam**. **L. May** withdrew his motion.

L. Payton thought the proposed building met most of the criteria but did not feel that it was compatible with the context.

Other Comments:

- **C. Gray** agreed with J. Putnam. The Planning Board needs to make it clear to staff and applicant will be held accountable for what is submitted.

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

A. Meeting Management Discussion

- 1) **D. Driskell** proposed several measures for time management and enhanced efficiencies including scaled back meeting minutes, timing staff and applicant presentations, including estimated times on the agenda and aiming to end meetings by 10:30 p.m.

B. Preparation for October 14 Joint Study Session with City Council

- 1) The board would like to include the longer list of items in the packet in addition to a summary of the points in this discussion.
The summary is attached.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:49 p.m.

APPROVED BY

Board Chair

DATE

**Planning Board Meeting
October 2, 2014**

Motion to approve Site Review case no. LUR2014-00002, as described in the staff memorandum, incorporating the staff memorandum and the attached Site Review criteria checklist as findings of fact, and subject to the Conditions of Approval recommended in the staff memorandum with the following modifications:

- a. A paragraph c. shall be added to Condition 5. Which shall read as follows:

An approximately fifteen foot wide **public access easement** along the southern property line.

- b. Condition 6 shall be revised to read as follows:

Prior to a building permit application, the Applicant shall ensure that the owner of Lot 2, James Subdivision, County of Boulder, State of Colorado, dedicates to the City a twenty foot wide easement over the northern portion of Lot 2 for ingress and egress purposes for the benefit of the Applicant's property and for emergency access purposes for the benefit of the City to ensure ingress and egress to the Applicant's development. An equivalent arrangement may be approved by the City Manager instead of this easement.

Boulder Planning Board points for discussion with City Council on October 14th

1. Boulder Valley Comprehensive Plan
 - Where do we want to be?
 - Add more visualization
 - Link to Implementation Tools
 - Disagreement on the role of quantification
2. Importance of robust community engagement
3. Community benefit in relation to modifications. Tie requests for modifications to community benefit or not? (4 think yes, 3 think no)
 - An important conversation
 - All agree defining community benefit is key
4. Agree on desire/need to create affordable housing for middle income: need the right tools
 - Tools to get affordable housing on site
 - Need to provide both affordable housing and a variety of household types
 - Creative, grassroots approach
 - Organic, infill, include existing neighborhoods too
5. Update Site Review criteria and other regulations (e.g. Zoning, Use Tables, etc.)
 - Reflect Comp Plan goals
 - Tools to get affordable housing on site