



**TO:** Members of Council  
**FROM:** Dianne Marshall, City Clerk's Office  
**DATE:** October 21, 2014  
**SUBJECT:** Information Packet

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**1. CALL UPS**

- A. 1750 14<sup>th</sup> Street (LUR2014-00032)

**2. INFORMATION ITEMS**

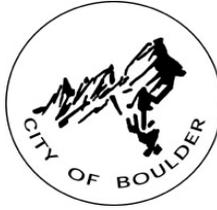
- A. Update to City Council and Notice of Planning Board Action on Density/Right-of-Way Draft Ordinance

**3. BOARDS AND COMMISSIONS**

- A. Beverages Licensing Authority – September 17, 2014
- B. Landmarks Board – October 1, 2014
- C. Planning Board – August 28, 2014
- D. Planning Board – October 2, 2014

**4. DECLARATIONS**

- A. Boulder History Museum Day – October 10, 2014
- B. Larry Donner Day – October 17, 2014
- C. Geography Awareness Week – November 16-22, 2014



**INFORMATION PACKET  
MEMORANDUM**

To: Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning + Sustainability  
Susan Richstone, Deputy Director of Community Planning + Sustainability  
Charles Ferro, Development Review Manager  
Elaine McLaughlin, Senior Planner

Date: October 21, 2014

**Subject: Call-Up Item: 1750 14<sup>th</sup> Street (LUR2014-00032)**

**EXECUTIVE SUMMARY**

On Oct. 2, 2014, the Planning Board approved with conditions (6-1, Payton opposed) the above-referenced application as provided in the attached Notice of Disposition (**Attachment A**), finding the project consistent with the Site Review criteria of Land Use Code section 9-2-14(h), B.R.C. 1981. Approval of the application would permit a four story, 52-foot tall mixed use building within the Downtown 5 (DT-5) zoning district.

The proposed project is for the construction of a four story, 69,541 square foot mixed use residential/commercial building that surrounds the existing two story, 28,187 square foot James Travel building. A total of 41 attached apartment units are proposed in 28,187 square feet, along with a 20,881 square feet of common area and 10,084 square feet of commercial floor area. The new building is proposed with three levels of commercial/office space on the western portion of the building and small “micro-office” space that wraps the first floor parking structure and aligns proposed multi-use path along the North Boulder Farmers Ditch. The Planning Board approved modifications to the development standards for height from 38 feet to 52 feet and number of stories from two to four stories; along with a rear yard setback modification from 15 to two feet, and a residential parking reduction from 1.25 spaces per unit to one space per unit.

The Planning Board decision is subject to City Council call-up within 30 days concluding on Nov. 3, 2014. There is one City Council meeting within this time period for call-up consideration on Oct. 21, 2014. The staff memorandum of recommendation to Planning Board and other related background materials are available on the city website for Planning Board, follow the links: [www.bouldercolorado.gov](http://www.bouldercolorado.gov) → A to Z → Planning Board → search for past meeting materials planning board → 2014 → 10.2.2014 PB Packet.

## BACKGROUND

The site is located approximately 150 feet from the intersection of 14<sup>th</sup> Street and Canyon Boulevard in what's been referred to as "South of Downtown Area" (or "SODA"). The site is currently occupied by the existing two-story James Travel company offices on the southwest corner of the site and there is a 62-space surface parking lot on the site surrounding the building on the north and east. The North Boulder Farmers Ditch aligns just outside of the south side of the property that is also lined by mature trees and vegetation. The site also interfaces with the Civic Area based upon the plan that was adopted last year.

Boulder Valley Comprehensive Plan: Regional Activity Center. The subject site is located within one of the three Regional Activity Centers identified within the Boulder Valley Comprehensive Plan. As noted on page 20 of the Boulder Valley Comprehensive Plan,

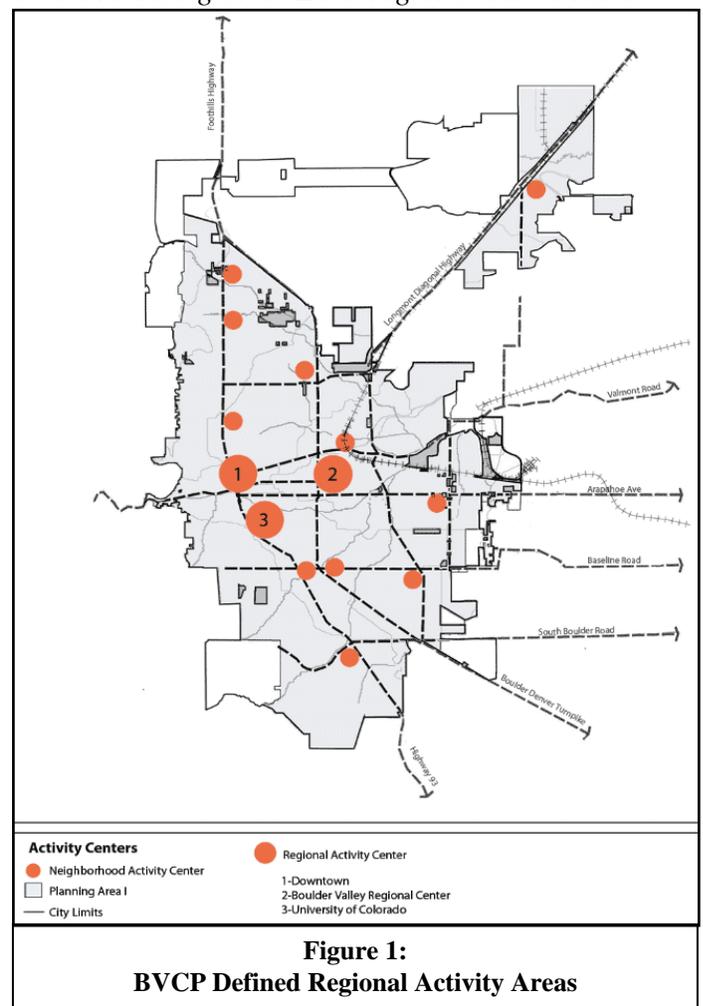
*Boulder's commercial, entertainment, educational and civic centers are focused in concentrated nodes of activities at a variety of scales distributed throughout the community. At the highest level of intensity are the city's three regional centers. They form a triangle at Boulder's geographic center: the Historic Downtown, the Boulder Valley Regional Center (BVRC), and the University of Colorado (CU) with the University Hill business district, which also serves as a neighborhood center for the surrounding area. 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.*

Consistent with the regional activity center designation, the land use under the Comp. Plan is Regional Business.

Zoning. Located in the highest intensity downtown zoning district of the downtown, the DT-5 zoning district is defined within the Land Use Code section 9-5-2, B.R.C. 1981 as follow:

*"The business area within the downtown core that is in the process of changing to a higher intensity use where a wide range of office, retail, residential and public uses are permitted. This area has the greatest potential for new development and redevelopment within the downtown.*

The DT-5 zoning district permits four stories with height up to 55 feet through Site Review analysis and approval.



Downtown Urban Design Guidelines. Like the downtown zoning, the Downtown Urban Design Guidelines were also an outgrowth of the Downtown Urban Design Plan of 1986 and the Downtown Alliance Report in the 1990s. The guidelines were adopted to provide guidance on the design and character of development within the downtown zoning districts. Under the guidelines, the site is part of the Non-Historic area defined as,

*“offering unique opportunities for design options and creation of variety in building forms. A focus on pedestrian activity and attention to massing, scale and alignment of building features are important design considerations.”*

Further, as noted on Page 8 of the guideline: *“The RB-IX zone (now termed DT-5) is the area likely to undergo the most significant change.”* Because of the location of the site within the “Non Historic” area of the downtown, a consistency analysis of the proposed project with the non-historic district was reviewed by the Planning Board who concluded that the project is in keeping with the guidelines.

Central Area General Improvement District. The site is located within CAGID and as such there is no parking requirement for non-residential uses, but the residential uses require a parking ratio of 1.25 spaces per dwelling unit. The site’s central location surrounded by transportation options makes it ideally suited for the mix of uses that are proposed. The site is also located across Canyon Boulevard from the regional RTD bus station. Similarly, there are a number of transit lines surrounding the site along Canyon Boulevard, 15<sup>th</sup> Street, and Arapahoe Avenue. The regional bike path along Boulder Creek is a quarter mile to the south. In light of the location and given the provision of long term and short term bike storage for up to 96 bikes on the site, the Planning Board approved a 14 percent parking reduction on the site, equating to one space per unit.

Transportation Master Plan (TMP). The Transportation Master Plan illustrates extension of a multi-use path along the North Boulder Farmers Ditch to connect from the Civic Area into Goss Grove neighborhood. The project plans illustrate this link which would meet the goals of the TMP. The city is also planning to extend the multi-use path from the site to 15<sup>th</sup> Street through the Missing Link’s transportation program.

South of Downtown Area Study. The project site is located within the study area for the South of Downtown Area (SODA) analysis that was used to inform code changes focused on those areas of DT-5 zoned land south of Canyon Boulevard, adopted on Sept. 20, 2011. Among the elements approved was the codification of a 65-foot building setback from the centerline of Canyon Boulevard for DT-5 and P (Public) zoning districts along Canyon Boulevard from 9<sup>th</sup> to 16<sup>th</sup> streets.

More importantly for this project site in particular, the SODA study affirmed that DT-5 zoning should be kept intact for the



**Figure 2: Excerpt from the South of Downtown Area study (preferred Option)**

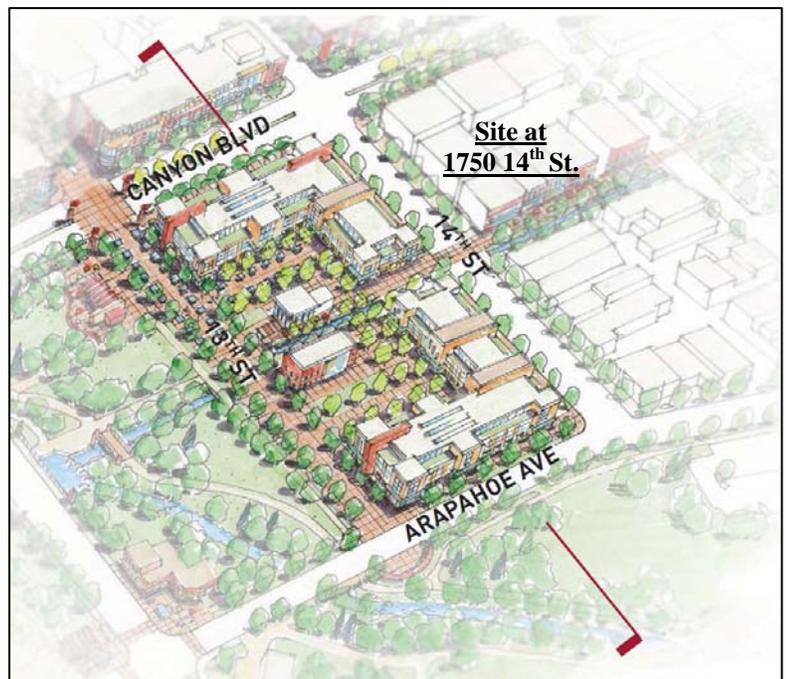
area south of Canyon Boulevard, including the allowance of the 2.7 FAR, four stories with a 4<sup>th</sup> story setback of 15 feet, on both sides of Canyon Boulevard. In the SODA analysis, the council evaluated three options for zoning, guidelines, and connections plan for the DT-5 zoning district south of Canyon Boulevard. As shown in Figure 2, “Option 3” massing study was the preferred option; it illustrates the 65-foot building setback from the centerline of Canyon Boulevard, along with the DT-5 zoning (on either side of Canyon Boulevard) mass and bulk. As can be seen, a portion of the illustration includes the site and the proposed project appears consistent with this massing study.

Plan for the Civic Area. The plan was adopted for an area generally bound by 14<sup>th</sup> Street west to 9<sup>th</sup> Street and from Arapahoe Avenue to Canyon Boulevard considered to be the “*symbolic, geographic and functional civic heart*” of Boulder. The plan is intended to provide the vision and guiding principles for the area. While the site is not specifically a part of the area encompassed within the Plan for the Civic Area, there are inherent assumptions about the build out the Civic Area that would require a certain level of intensity in the surroundings to activate the Civic Area. The plan’s intent is also in part to,

*“provide direction for the future of adjacent private lands, encouraging coordinated planning and proposals that are consistent with the intent of this plan.”*

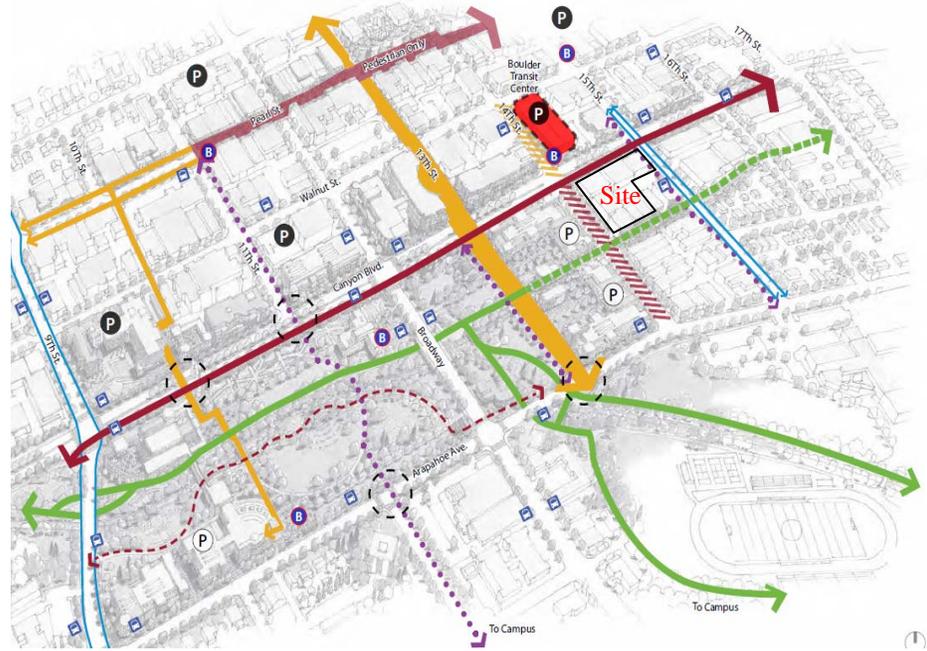
The area plan illustrates greater intensity on the project site which is adjacent to the area defined in the plan as the East End, see Figure 3 which is an excerpt of the overall vision plan. The East End of the civic area, located across 14<sup>th</sup> Street from the proposed project is described as follows:

*“The East End (from 13th Street to 14th Street between Canyon Boulevard and Arapahoe Avenue) will include an expanded Farmers' Market and plaza space, the Dushanbe Teahouse, the BMoCA building, possibly a public market hall, a mixed use community services /innovation center and performing arts space, and structured parking to support these functions. Additionally, small restaurants, cafes, incubator offices, hotel and/or residential units, will be mixed in with city services and civic functions, such as event and meeting space. This will ensure activity and interest throughout the day and night, all week long, all year round.”*



**Figure 3:**  
Site in context of the “East End” of the Civic Area Plan

As a part of the plan for the Civic Area, an Access and Mobility Plan was prepared to identify critical linkages throughout the civic area with emphasis placed on strong connectivity from the civic area to downtown; to the university campus and Boulder Creek, and to Goss Grove neighborhood via a new multi-use path connection along the Farmers Ditch. An excerpt from the Access and Mobility Plan is provided in Figure 4 that illustrates the site location. Among the goals for the plan is to create an “east west pedestrian corridor through the Goss/Grove neighborhood starting at 14<sup>th</sup> Street and continuing to 17<sup>th</sup> Street” with the intent to connect the civic area and the neighborhood, as shown in green dashed line. The red hatched line along 14<sup>th</sup> Street is defined as a “potential transit corridor” under the plan.



**Figure 4: Civic Area Access and Mobility Plan**

**PROPOSED PROJECT**

Figure 5 is the rendering of the proposed building looking toward the southeast that also illustrates the new building in relation to the existing James Travel building that will remain. Figure 6 illustrates a sketch of the proposed building with micro-offices aligning the planned multi-use path. The proposed building is planned to be predominately a light colored, stacked bond pattern of brick, with wood accents, hard coat smooth plaster, and several other accent materials including fiberglass green screen on the eastern parking structure elevation; steel mesh enclosures on the balconies of the residential units; and rainscreen paneling.



**Figure 5 Perspective Looking Southeast with Existing James Travel Building on Right**



**Figure 6: sketch of proposed building with “micro-offices” aligning the planned multi-use path along ditch**

Of the 41 units proposed, there are eight “compact units” ranging in size from 492 to 506 square feet that are essentially small one-bedroom units; 23 larger one-bedroom units from 626 to 777 square feet; and 10 two bedroom units 843 to 1,028 square feet.

The proposed project has an inclusionary housing requirement of 8.6 affordable units. While staff encourages all applicants to provide affordable units on-site, the Inclusionary Housing Ordinance provides several options for meeting the requirement all of which are acceptable and should be considered equal for purposes of Site Review. At this time, the applicant is pursuing funding to lower the affordability of four rental units that are proposed to be provided on-site with the remainder of the requirement being met by a cash-in-lieu contribution to the Affordable Housing Fund. Please note that no outcome can be assured at this time and every option for meeting the Inclusionary Housing requirement is available to the applicant up until the time of building permit issuance. The project plans in their entirety are available in for review in the City Council office of the City Manager’s Office.

**Public Comment and Participation.** Required public notice for Site Review was given in the form of written notification mailed to all property owners within 600 feet of the subject site and the public notification sign was posted on the property for at least 10 days, per the public notification requirements of Section 9-4-3, B.R.C. 1981. Prior to the Planning Board hearing, staff received four emailed letters regarding the project: three of the letters articulated support for the project, and one from a neighboring tenant expressed concerns about the impacts of a parking reduction to adjacent tenants, the planned height and intensity, as well as diminished viewshed from the property. During the public hearing, eight members of the public spoke about the project, four members articulated opposition to the project due to mass and scale, lack of parking, diminished viewshed. Four members of the public spoke in favor of the project noting the appropriateness of the mixed use building in the downtown context.

**Design Advisory Board Review.** The Boulder Design Advisory Board (BDAB) reviewed and discussed the application on May 14, 2014 and June 11, 2014 at regularly scheduled BDAB meetings. The BDAB provided the applicant with a written summary of the BDAB review specific to each applicable design guideline within BVRC guidelines along with recommended changes to the building. The applicant implemented several of the recommendations. Both staff and the Planning Board found that the unique location of the site within the non-historic district, and outside of the historic downtown didn’t necessitate strict application of the design guidelines given the limited existing pedestrian context of the site.

## **PLANNING BOARD HEARING**

The Planning Board reviewed the application on Oct. 2, 2014. At the hearing, the board discussed following key issues:

1. Consistency with BVCP policies and Zoning
2. Responsiveness to Concept Review Comments, project consistency with the Non-Historic District Guidelines along with Architecture and Design.
3. Consistency with Site Review Criteria
4. Parking Reduction Request
5. Setbacks Modification Request

In the discussion of Key Issues, the board found that the proposed project was consistent with the BVCP land use designation and policies, as well as the DT-5 zoning. The board also found that the application was responsive to comments received at Concept Plan review and that the project was consistent with the Downtown Urban Design Guidelines for the Non-Historic district. There was discussion about changes made to the earlier Concept Plan version of the building which some board members noted was a more interesting design, albeit not in alignment with all of the design guidelines. The board concluded that the mixed use building providing varied sizes of both residential and office, the provision of a significant amount of bike storage, and the proposed extension of the multi-use path aligning the ditch will contribute to the downtown and the neighborhood.

## SUMMARY OF ANALYSIS

In approving the application, a majority of the Planning Board found that the proposal to be consistent with the Site Review criteria of the Land Use Code subsection 9-2-14(h), B.R.C. 1981 and Design Guidelines, because:

1. The proposed project meets the Site Review Criteria for pedestrian oriented building design, high quality building materials, measures to reduce dependence on single occupant vehicles, and consistency with the policies of the BVCP.
2. The proposed project's massing, scale, design and materials are compatible with the surrounding context where a variety of building heights exist in an area anticipated for higher intensity redevelopment.
3. The application is consistent with the Downtown Urban Design Guidelines for the Non-Historic area for the following reasons:

- a. The building meets the stated intent of the guidelines,

*“areas offering unique opportunities for design options and creation of variety in building forms. A focus on pedestrian activity and attention to massing, scale and alignment of building features are important design considerations.”*

- b. The mass and scale of the building is articulated consistent with the guidelines with placement of a four story building mass stepped back from the front façade of the building.
  - c. The building will maintain a human scale with use of standard brick and traditional storefront elements on the ground floor to ensure pedestrian interest on the first floor, as recommended in the guidelines and as demonstrated below in Figure 7.
4. While the site is located within the Central Area General improvement District (CAGID), where parking is not required for non-



Figure 7:  
Front of proposed building with traditional building elements in a contemporary configuration.

residential uses, the project will provide 43 vehicle spaces for the residents. Given the planned provision of internal, secured bicycle parking is for up to 56 bicycles, and 40 exterior bike parking spaces (for a total of 96 bike parking spaces, in excess of the required five bike parking spaces); and given proximity to the regional bus facility, the citywide bike path connections; and the uses and services of downtown, the parking reduction was found to meet the review criteria.

## **CONCLUSION**

By a majority vote (6-1, Payton opposed) the Planning Board approved the application with conditions. Consistent with the land use code section 9-4-4(c), B.R.C. 1981, if the City Council disagrees with the decision of the Planning Board, it may call up the application within a 30-day call up period which expires on Nov. 3, 2014, and with one City Council meeting during that time, it may consider this application for call-up at its **Oct. 21, 2014** public meeting.

## **ATTACHMENTS:**

- A. Planning Board Notice of Disposition dated Oct. 2, 2014
- B. Project Plans and Written Statement



**CITY OF BOULDER**  
Community Planning & Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791  
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

**CITY OF BOULDER PLANNING BOARD  
NOTICE OF DISPOSITION**

You are hereby advised that on October 2, 2014 the following action was taken by the Planning Board based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

**DECISION: APPROVED with Conditions**  
**PROJECT NAME: THE JAMES**  
**DESCRIPTION: SITE REVIEW for construction of a 69,541 square foot mixed use residential/commercial building located at 1750 14<sup>th</sup> 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.**

**LOCATION: 1750 14TH ST**  
**COOR: N03W06**  
**LEGAL DESCRIPTION: Lot 1, James Subdivision, City of Boulder, County of Boulder, State of Colorado**

**APPLICANT: KYLE MCDANIEL**  
**OWNER: 14<sup>th</sup> Street Element LLC**  
**APPLICATION: Site Review, LUR2014-00032**  
**ZONING: DT-5**  
**CASE MANAGER: Elaine McLaughlin**  
**VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.**

**APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS:**

- Section 9-9-6, B.R.C.: Parking Reduction of 14 percent  
Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981:
- Height Modification to 52 feet when 38 feet is allowed by right
  - Four stories when two stories are permitted by-right
  - Rear yard setback of two feet where 15 feet is by-right

This decision may be called up before the City Council on or before **November 3, 2014** If no call-up occurs, the decision is deemed final thirty days after the Planning Board's decision.

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

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

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant

must begin and substantially complete the approved development within three years from the date of final approval. Failure to "substantially complete" (as defined in Section 9-2-12, Boulder Revised Code 1981) the development within three years shall cause this development approval to expire.

At its public hearing on October 2, 2014 the Planning Board approved the request with the following motion:

On a motion by J. Putnam, seconded by L. May, the Planning Board voted 6-1 (L. Payton in opposition) to 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 as amended by the Errata sheet that was handed to the Board for the October 2, 2014 meeting.

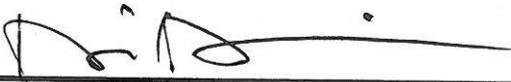
### CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** dated August 28, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following: the Subdivision Agreement recorded in the records of the Boulder County Clerk and Recorder at Reception No. 03272542 on December 6, 2012.
3. Prior to a building permit application, the Applicant shall submit a Technical Document Review application for the following items, subject to approval of the City Manager:
  - a. **Final architectural plans, including materials and colors, to ensure** compliance with the intent of this approval and compatibility with the surrounding area. The architectural intent shown on the approved plans dated August 28, 2014 is acceptable. Planning staff will review plans to assure that the architectural intent is performed.
  - b. A **final site plan** showing the corrections and additions requested by this approval, including building setbacks on fully dimensioned plans. A signed survey drawing should also be submitted.
  - c. A **final utility plan** meeting the City of Boulder Design and Construction Standards.
  - d. A **final storm water report and plan** meeting the City of Boulder Design and Construction Standards, which includes information regarding the groundwater conditions (geotechnical report, soil borings, etc.) on the Property, and all discharge points for perimeter drainage systems.
  - e. **Final transportation plans** in accordance with City of Boulder Design and Construction Standards, for all transportation improvements. These plans must include, but are not limited to: plan and profile drawings and construction plans for the public access drive and all public sidewalks.
  - f. A **detailed landscape plan**, including size, quantity, and type of plants existing and proposed; type and quality of non-living landscaping materials; any site grading proposed; and any irrigation system proposed, to insure compliance with this approval and the City's landscaping requirements. Removal of trees must receive prior approval of the Planning Department. Removal of any tree in city right-of-way must also receive prior approval of the City Forester.
  - g. A **detailed outdoor lighting plan** showing location, size, and intensity of illumination units, indicating compliance with section 9-9-16, B.R.C. 1981.
4. Prior to the approval of the Technical Document Review application as described in Condition No. 3 above, the Applicant shall provide to the City **written approval and permission from the Boulder and Lefthand,**

**North Boulder Farmers, and Boulder and White Rock ditch companies** to the Applicants for the approved plans dated August 28, 2014, in accordance with the City of Boulder Design and Construction Standards.

5. Prior to a building permit application, the Applicant shall dedicate to the City, at no cost, the following easements as shown on the approved plans, meeting the City of Boulder Design and Construction Standards, as part of Technical Document Review applications, the form and final location of which shall be subject to the approval of the City Manager:
  - a. A twenty foot wide **utility easement** over the northern portion of the property; and
  - b. A twenty foot wide **public access easement** over the northern portion of Lot 1, beginning at the eastern property boundary and extending to the western edge of the parking structure.
  - c. An approximately fifteen foot wide **public access easement** along the southern property line.
6. 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.
7. Prior to a building permit application, the Applicant shall **demonstrate compliance with Section 9-9-10, "Structures in Private Easement,"** B.R.C. 1981.
8. Prior to a building permit application, the Applicant shall **obtain revocable right-of-way permits** pursuant to section 8-6-6, B.R.C. 1981 for the proposed awnings, as shown on the approved plans, that project into the public right-of-way and public easements.

By:

  
\_\_\_\_\_  
David Driskell, Secretary of the Planning Board

*Note: Due to the size and number of pages of the plan set, Attachment B was too large to include in the memo. Therefore, a complete set of plans is available in the City Council office of the City Manager's Office.*



## INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning + Sustainability  
Susan Richstone, Deputy Director of Community Planning + Sustainability  
Charles Ferro, Development Review Manager  
Karl Guiler, Senior Planner/Zoning Code Amendment Specialist

Date: Oct. 21, 2014

**Subject: Information item:** Update to City Council and notice of Planning Board action on draft density/right-of-way draft ordinance.

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### EXECUTIVE SUMMARY

The purpose of this information packet memorandum is to update City Council on the Planning Board action and status of the density/right-of-way ordinance. The ordinance would permit land dedicated as right-of way for new transportation connections, as designated in adopted area plans or adopted transportation network plans, to be included in the calculations of lot area to determine allowable density (dwelling units per acre) and Floor Area Ratio (FAR) as well as open space requirements through Site Review.

Based on the recommendation of denial from Planning Board and concerns that the proposed code amendment may be more appropriately considered as a long-term action item, staff is not planning to advance the proposed ordinance to City Council. Rather, the proposed change will be identified as a potential work program item in 2015 to be prioritized with other potential code changes. Background on the proposal and links to relevant staff memoranda are found below.

### BACKGROUND

The proposed ordinance would amend the Land Use Code consistent with a recommended action of the [Economic Sustainability Strategy](#) as follows:

*Action 3.5, page 17, Economic Sustainability Strategy - Revise the land use regulations to allow, through Site Review, the density and floor area that would otherwise be permitted prior to the dedication of land for public right-of-way in areas where the city has adopted connections plans.*

The proposed amendment was also identified as a short-term action item of the Comprehensive Housing Strategy (CHS) as a way to remove regulatory barriers to housing creation. Further, the

ordinance was meant to remove barriers to redevelopment on sites in area plan areas with required public right-of-way dedications. Because right-of-way dedications can result in significantly smaller project sites, the dedication requirements can be a disincentive for dedication of planned connections for redevelopment, since this increases the costs of building new connections and reduces development potential. These deductions effectively reduce allowable density (dwelling units per acre) and/or the allowable floor area of a development. Without incentives it makes it difficult for the city to realize the connections envisioned within the adopted plans. In some zoning districts, lot area governs the number of units permitted and the total permitted FAR.

Planning Board reviewed the proposed ordinance to amend the Land Use Code on May 1, 2014 and recommended approval of the ordinance on a 4- 2 vote (*May and Gerstle, opposed, Brockett, absent*) . A link to the staff memorandum and audio from the meeting can be accessed [here](#). On May 20, 2014, City Council passed the ordinance on first reading. A link to the first reading memo can be found [here](#).

Since that time, Planning Board raised concerns about the ordinance and on June 5<sup>th</sup> voted to have rehearing of the ordinance. On Aug. 7, 2014, Planning Board recommended denial of the draft ordinance 4-2 vote (*Payton, Putnam, and Brockett opposed, B. Bowen absent*). A link to the rehearing memorandum and audio from the meeting can be accessed [here](#). The minutes from the Aug. 7<sup>th</sup> is also attached in **Attachment A**.

#### **ATTACHMENTS:**

- A. Planning Board (draft) minutes from Aug. 7<sup>th</sup> meeting

**CITY OF BOULDER  
PLANNING BOARD ACTION MINUTES  
August 7, 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:**

Aaron Brockett  
Crystal Gray  
John Gerstle  
Leonard May  
Liz Payton  
John Putnam

**PLANNING BOARD MEMBERS ABSENT:**

Bryan Bowen

**STAFF PRESENT:**

Susan Richstone, Deputy Director for CP&S  
Hella Pannewig, Assistant City Attorney  
Susan Meissner, Administrative Assistant III  
Chandler Van Schaack, Planner I  
Karl Guiler, Senior Planner  
Heidi Hansen, Civil Engineer II

**1. CALL TO ORDER**

Chair, **A. Brockett**, declared a quorum at 6:06 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

There were no minutes scheduled for approval

**3. PUBLIC PARTICIPATION**

No one from the public spoke.

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

- A. Call up: 28<sup>th</sup> St. Multi-Use Path, Iris Ave to Yarmouth Ave Floodplain Development Permit (LUR2014-00048). Expires: August 14, 2014.**
- B. Information Item: Floodplain mapping revisions for Lower Bear Creek and Upper Boulder Slough.**

**5. PUBLIC HEARING ITEMS**

- A. Public hearing and consideration of a Use Review application, no. LUR2014-00044, for expansion of the Escoffier Culinary School within the Table Mesa Shopping Center**

**at 693 Table Mesa Dr. The area of expansion is located within the Residential Medium-2 (RM-2) zone district. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981**

**Applicant: Vince Porreca**  
**Owner: W.W. Reynolds Companies**

**Staff Presentation:**

**C. Van Schaack** presented the item.

**Board Questions:**

**C. Van Schaack** answered questions from the board.

**Applicant Questions:**

**Bill Reynolds**, the applicant, answered questions from the board.

**Kurt Bachman** and **Bob Saiz** from the Cooking School, answered questions from the board.

**Public Hearing:**

**1. David Willard, 3975 Dehesa Ct.**, did not feel that this was a good use for the neighborhood; students would likely be coming from other parts of town.

**Board Discussion:**

**C. Gray** thought that this was a good proposal. It will provide a good buffer to the residential neighborhood to the south and will be a good addition to the area. She liked that it provided Eco-Passes.

**J. Putnam** thought this was a good use and noted that the site is very accessible by transit.

**Motion:**

On a motion by **C. Gray**, seconded by **J. Putnam** the Planning Board voted 6-0 (**B. Bowen** absent) to approve Use Review application LUR2012-00101, adopting the staff memorandum as findings of fact and subject to the recommended conditions of approval with the addition of hours on Saturday from 8am to 7 pm.

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** and the Applicant's written statement dated June 12, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.
3. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following: PUD# P-79-20 and Special Review #SR-79-22.

- B. Rehearing to consider a recommendation to City Council on an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) and achieve “early win” goals of the Comprehensive Housing Strategy (CHS) by amending Title 9, “Land Use Code,” B.R.C. 1981, by adding a new intensity standard to Chapter 9-8, “Intensity Standards,” B.R.C. 1981, to permit land dedicated as right-of way for new transportation connections as designated in adopted area plans or adopted transportation network plans to be included in the zoning calculations for lot area to determine allowable density (dwelling units per acre) and Floor Area Ratio (FAR) as well as open space requirements on lots.**

**Staff Presentation:**

**S. Richstone** introduced the item

**K. Guiler** presented the item.

**Board Questions:**

**K. Guiler** answered questions from the board.

**Public Hearing:**

- 1. Lois LaCroix, 2835 Elm Ave,** spoke in opposition to the proposed ordinance. She is not in favor of density in Boulder.
- 2. David Williard, 3975 Dehesa Ct.,** asked the board to consider the neighbors and property values when allowing for high density developments. He encouraged the city to add more parks and playgrounds to the new developments to disperse noise and congestion.
- 3. Richard Harris, 2645 Briarwood Dr.,** spoke in opposition to the proposed ordinance. He thought it was disingenuous and offensive to taxpaying citizens.
- 4. Patrick Dillard, 835 33<sup>rd</sup> Street,** spoke in opposition to the proposed ordinance. He felt it would be important to build a Boulder County train system and invest in local transit, similar to Aspen.
- 5. Amy Tremper, 1529 Easy Rider Lane,** spoke in support of the ordinance. She hoped it would create smaller affordable market rate units in Boulder. She thought that it would have been more widely supported by the public if it had been vetted during the North Boulder Subcommunity Plan update process.
- 6. Steve Pomerance, 335 17<sup>th</sup> Street,** spoke in opposition to the proposed ordinance. He thought there were other ways to achieve the desired outcomes and that it would be bad practice to change rules mid stream. He will send ideas to the board via email.
- 7. Sue Prant, 3172 29<sup>th</sup> Street,** the Director of Community Cycles, spoke in support of the proposed ordinance. She has seen many cases where developers are penalized by creating connections. The city should look for ways to make the connections possible. It would be a loss to miss the opportunity to break up super blocks.
- 8. Zane Selvans, 744 Marine Street,** supported the proposal. He encouraged the creation of walkable nodes throughout the city and thought that this ordinance would provide opportunities to do so.
- 9. Carolyn Hales, 3675 Aspen Ct.,** spoke in favor of more density and thought that this would only make a modest change. She noted that density is more sustainable than the alternatives; Boulder already has ample open space.

10. **Sally Eckert, 10005 Colb Hill Rd.**, spoke in support of the proposed ordinance and for providing places for people to gather.
11. **Gary Sprung, 3675 Aspen Court**, spoke in favor of density and the proposed ordinance.
12. **Will Toor, 3032 10<sup>th</sup> Street**, spoke in support of the ordinance on behalf of Better Boulder. This is a modest and reasonable fix. He noted that this would work with the city's goals and that the type of development within the vicinity of public transit stations would support the city's sustainability goals.
13. **Alan Boles, 525 College Avenue**, from Plan Boulder County, spoke in opposition to the proposed ordinance. He thought that Boulder is going through a development binge and thought that this change would benefit developers.
14. **Sandra Snyder, 3040 18<sup>th</sup> Street**, spoke in opposition to the proposed change. She did not think that this provided a clear quality of life improvement or that this was the right way to go about this issue.
15. **Jim Leach, 1680 Yellow Pine**, felt that north Boulder needed this ordinance. The west side of Broadway is currently adversely impacted by issues that this would mitigate. He thought that Boulder is moving away from a suburban culture; density has more to do with quality of life than profit.
16. **Cosima Krueger-Cunningham, 977 7<sup>th</sup> Street**, expressed a series of concerns pertaining to increased density and its repercussions on children, dogs and the urban forest.
17. **Adrian Sopher** (pooled time with **Elisabeth Patterson** and **Kenneth Hotard**), spoke in support of the proposed ordinance. He noted that 42% of his project area in the Transit Village that will incorporate affordable housing was required to be dedicated to roadways. Because it was the first project in the area, he was also required to accommodate all utilities and drainage. He did not think that it was clear that there was a difference between Net and Gross densities when the Transit Village was conceived.
18. **Steve Tremper, 1529 Easy Rider Lane**, spoke in support of the proposal. He did not think that this was a hoax to benefit developers. Density is an important for achieving sustainability.

#### **Board Comments:**

**J. Putnam** voted for this the last time and would vote for it again. He thought it was a small and reasoned extension of the Comp Plan and ESS. It makes basic planning sense and is tied into the established planning process. One of the critical goals of the Comp Plan is to make fine grained connections through public works as well as through private site development. This would allow for density in the planned and appropriate locations that have multi-modal corridors. It will marginally increase density to the designated areas but will not increase it over the zoning or other requirements. The public benefit is identified because it has been established through the TMP and Comp Plan. We need a certain intensity of development to support transit, Walkability and retail. He cited several sections of the code to support his views: 2.16 Mixed Use and High Density Development: The city will provide incentives and remove regulatory barriers. Section 2.22: Improve mobility grid- integrate land use and transportation planning. Other relevant sections included 4.04, 6.09, 7.01, 7.10. He thought the proposed ordinance change was acceptable given that all developments must go through Site Review. He did not think that this would create a windfall for developers and generally did not think that this should be the driving issue.

**L. May** agreed with much of what **J. Putnam** said, but would not support the ordinance. He did not think that a sufficient case was made that this would have a predictable outcome or would

target properties that are not redeveloping. He wanted to see a clear guiding policy goal and pathway to desired policy outcome. He thought that this was not an early win because it is more complex. The city has already incentivized redevelopment in these area plans via zoning changes and it has not worked. He did not see this as a density issue, but as a clear policy goal with specific outcomes.

**A. Brockett** supported the ordinance and agreed with many of **J. Putnam's** comments. He clarified that roads would not count as open space and building footprints would not change; this would simply allow for more, smaller units with the same amount of open space, and increase affordability thereby keeping families in town and providing housing for in-commuters who wish to live in Boulder. He thought that the connections piece was an important part of this as well. The current connection plans cannot function if all parcels do not redevelop. By removing the disincentives for redevelopment, it would be possible to achieve a finer street grid that would allow for pedestrian and cycling connectivity. He noted that there was a lot of citizen support and did not think it was a hallmark of a developer windfall. Projects would still be subject to Site Review, safeguarding against inappropriate development.

**L. Payton** supported walkability but did not think that this would achieve that end. Though the allowable FAR would increase, it would not ensure that developers would build more units. She cited a study by George Washington University that showed that units in walkable transit rich developments tend to sell for much more than comparable developments in less transit rich areas of town. She did not think that connections were an economic deterrent to developers because these areas of town are more marketable. She requested that this to be modified to have more teeth to get the desired outcomes.

**C. Gray** would not support this proposal as is. She thought this would be a big change and would benefit from more public input; the desired outcomes currently lack specificity and aspirations lack guidance. She thought that the Planning Board and public advocacy could do more to break up superblocks. She felt that Boulder was already seeing an influx of density and asked whether community benefits would be brought to the table in return for the increased densities. She thought that there were tools available via Council ordinance. Rather than applying this as a blanket solution, she would prefer to see specific area plan revisions to solve the specific problems.

**J. Gerstle** did not support this proposal. He did not think we should need to rely on this approach to achieve the stated density and transit goals. It is reasonable to expect developers to accommodate the stated goals of the transit network and should not be necessary for them to receive additional compensation.

**A. Brockett** noted that the board would not pass the ordinance given the straw poll. He asked if any modifications could be made to the proposal that would garner more support.

**L. May** saw the proposal as fundamentally flawed. He did not think that this was an easy win; it would benefit from a more in-depth study.

**L. Payton** agreed with **L. May**.

**J. Putnam** would not support changes because it would make things unduly complex. He did not want it to become so Byzantine that it would require special ordinances and rezoning.

**Motion:**

On a motion by **L. May**, seconded by **L. Payton** the Planning Board voted 4-2 (**J. Putnam** and **A. Brockett** opposed, **B. Bowen** absent), to deny the recommendation to City Council to adopt an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, by adding a new intensity standard to Chapter 9-8, "Intensity Standards," B.R.C. 1981, to permit land dedicated as right-of way for new transportation connections as designated in adopted area plans or adopted transportation network plans to be included in the zoning calculations for lot area to determine allowable density (dwelling units per acre) and Floor Area Ratio (FAR) as well as open space requirements on lots.

**L. May** would like the board to be a part of developing the solutions over the course of the BVCP update and to lay out a path with Council to identify issues and establish a process to resolve the problems. Quantify where we are headed and where we are relative to where we want to be. This is not an early win.

**J. Putnam** preferred to focus on the Comp Plan update and other quick wins. He did not want to think that there was an easy way to do this right now.

**A. Brockett** noted that the Comp Housing Strategy update is coming up and the board will be involved in that process.

**C. Gray** reminded staff that the **L. May** sent an email with several items for discussion and would like to schedule a retreat to address them. She would also like to discuss means for engaging the public.

**J. Putnam** pointed out that the board has dedicated three meetings to this issue and still has not identified the issues. He recommended that staff and Council determine what to do from here. The Planning Board has many other items to tackle. He would only recommend dealing with this through the BVCP and Comp Housing Strategy updates.

**L. Payton** thought it would be difficult for the board to find consensus on this.

**6. MATTERS**

**S. Richstone** discussed the calendar. Given the full upcoming schedule, she did not recommend that additional meetings be added to the agenda.

**L. May** would like to add more meetings or retreats for the board to discuss these issues.

**A. Brockett** explained that he does not have time to add more meetings.

**J. Putnam** recommended that the board use the annual letter to Council as a forum to discuss these items.

**C. Gray** liked **J. Putnam's** idea; the board could beef up its annual letter to City Council to highlight these issues.

**S. Richstone** will modify the calendar to allow the board to prepare for the joint study session with Council Calendar and to discuss the annual letter to Council. In relation to the "mitigate and

minimize energy” clause in the code, she noted that Boulder’s new building and energy codes are being touted as the most stringent in the country. The city is going to bring in consultants to see what this means and will report the findings to the board. She gave an update on the Hill Moratorium.

**L. May** asked that the Planning and other boards be included on the Comprehensive Housing Strategy work group lists.

**6. DEBRIEF MEETING/CALENDAR CHECK**

**7. ADJOURNMENT**

The Planning Board adjourned the meeting at 9:48 p.m.

APPROVED BY

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Date

DRAFT

**CITY OF BOULDER**  
**BEVERAGE LICENSING AUTHORITY**  
**\* \* \* MINUTES \* \* \***  
**WEDNESDAY, SEPTEMBER 17, 2014, 3:00 P.M.**  
**CITY COUNCIL CHAMBERS**  
**MUNICIPAL BUILDING – 2<sup>ND</sup> FLOOR**  
**1777 BROADWAY, BOULDER, COLORADO**

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**NAME OF BOARD/COMMISSION:** Beverage Licensing Authority (BLA)

**DATE OF MEETING:** September 17, 2014

**NAME & PHONE OF PERSON PREPARING SUMMARY:** Mishawn Cook, Licensing Manager (303-441-3010)  
Kristen Huber, Licensing Specialist (303-441-3034)

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**NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:**

**Board Members:** Steve Wallace, Harriet Barker, Lisa Spalding, David Timken, and Tim McMurray.

**Staff Present:** Sandra Llanes, Assistant City Attorney, Mishawn Cook, Licensing Manager, Michele Lamb, Tax and Licensing Administrator, and Kristen Huber, Licensing Specialist.

**QUASI-JUDICIAL MEETING OUTLINE OF AGENDA**

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**1. Member roll call; Approval of Beverage Licensing Authority (BLA) minutes from August 20, 2014, and hearing agenda issues from licensing clerk.**

Roll call was taken. A quorum of five BLA members attended with all members present. Member Spalding suggested one change to the August 20, 2014 draft minutes. Member Barker moved, McMurray seconded, to approve the August 20, 2014 minutes as amended. Motion approved 5:0.

Ms. Cook stated that a hearing would not be convened for Agenda Item #7 because Licensing staff did not receive a complete application.

Ms. Cook noted that she had additional comments for Agenda Item #13 regarding the Folsom Field and Coors Event Center temporary modifications which she would explain under that item.

Ms. Cook also stated that a representative of LYFE Kitchen had requested that Agenda Item #11 be moved to the beginning of the hearing. Rachel Mitchell, Member and Registered

Manager of LYFE Kitchen, then requested to have Agenda Item #11 moved to the beginning of the hearing. The BLA agreed to the change and Agenda Item #11 proceeded after Agenda Item #4.

**2. Matters from the Boulder Police Department (BPD).**

Officer Kaufman appeared on behalf of the BPD and stated that there were no matters to discuss.

**3. Matters from the Responsible Hospitality Group (RHG).**

Ms. Cook stated that the RHG would not be attending the hearing. Ms. Cook also noted that a state training for liquor licensees would be held in the Council Chambers on Thursday, September 18, 2014.

**4. Jennifer Korbelik, Community Coordinator, City of Boulder, and Susan Stafford, Director, Off-Campus Housing and Neighborhood Relations, University of Colorado Boulder.**

Ms. Korbelik and Ms. Stafford presented to the BLA about their collaborative efforts regarding alcohol in the community.

**5. Show cause hearing concerning a May 31, 2014 violation and whether the Hotel-Restaurant type liquor license held by Back Country Pizza and Tap House, LLC d/b/a Back Country Pizza and Tap House, 2319 Arapahoe Ave, Boulder, CO 80302, should be suspended or revoked.**

This item proceeded after Agenda Item #11. An audio CD was entered as Exhibit 1, a fully executed stipulation was entered as Exhibit 2, and a Proof of Training form was entered as Exhibit 3.

John Fayman, Registered Manager, and Mary Boerman, General Manager, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest.

Janet Michels, Assistant City Attorney, stated that a stipulation to the facts in this matter had been reached. The fully executed stipulation was entered as Exhibit 2. Member Spalding moved, Barker seconded, to accept the stipulation to the facts. Motion approved 5:0.

Mr. Fayman and Ms. Boerman provided testimony regarding mitigating evidence.

The BLA noted mitigating factors. Member Wallace moved, McMurray seconded, to set this violation penalty at 3 suspension days served with 11 days held in abeyance. Motion approved 5:0.

The licensee requested to serve the 3 suspension dates from October 6 to October 8, 2014. Member McMurray moved, Spalding seconded, to accept the requested 3 suspension dates from October 6 to October 8, 2014. Motion approved 5:0.

- 6. Public Hearing and Consideration of whether there is good cause for a non-renewal of a July 21, 2014 non-administrative renewal application from Xianfa Inc. d/b/a Yurihana, 6525 Gunpark Drive, Suite 330, Boulder, CO 80301; Lian Hua Xian, President and Registered Manager; with a premise business mailing address, for a renewal of a Hotel-Restaurant type liquor license.**

Lian Hua Xian, President and Registered Manager, and Kiki Choung, translator, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Ms. Cook stated that the sales tax division would now approve this license renewal.

Mr. Xian and Ms. Choung provided testimony regarding the renewal application.

Member Barker moved, Timken seconded, to approve this renewal application for a Hotel-Restaurant type liquor license with a condition of non-administrative renewal in 2015. Motion approved 5:0.

- 7. Public hearing and Consideration of an application from non-profit, The Humane Society of Boulder Valley, Inc, with Jeff Mason, Event Organizer, for the Boulder Marathon event at Boulder Reservoir, 5565 N. 51st Street, Boulder, CO 80301; for a Special Event Liquor Permit on Sunday October 5, 2014.**

This item was not discussed as Licensing staff did not receive a complete application.

- 8. Public hearing of a May 22, 2014 application from Jamieson S. St. John d/b/a Jamieson S. St. John, 1325 Broadway, Suite 201, Boulder, CO 80302; Jamieson St. John, Owner and Registered Manager; with a business mailing address at 8471 Turnpike Drive, Suite 222, Westminster, CO 80031; for a transfer of a Hotel-Restaurant type liquor license.**

Dan Carr appeared as the licensee's attorney. Jamieson St. John, Owner and Registered Manager, was sworn in and confirmed the ten day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. St. John provided testimony regarding the license transfer application.

Member Spalding moved, Barker seconded, to approve this transfer application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

- 9. Public hearing of a July 9, 2014 application from Botte Piccola d/b/a PMG, 2018 10th Street, Boulder, CO 80302; Emily Gold, Owner, and Burton Daniel, Registered Manager; with a premise business mailing address, for a transfer of a Hotel-Restaurant type liquor license.**

Emily Gold, Owner, and Burton Daniel, Registered Manager, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. Member McMurray

disclosed that he knew Mr. Daniel and Member Spalding disclosed that she read an article about PMG in the Daily Camera. No other BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Burton and Ms. Gold provided testimony regarding the transfer application. A copy of the restaurant menu and wine list was entered as Exhibit 1.

Member Spalding moved, Barker seconded, to approve this transfer application for a Hotel-Restaurant type liquor license. Motion approved 5:0.

- 10. Public hearing of a July 16, 2014 application from Boulder Indoor Soccer, Inc. d/b/a Boulder Indoor Soccer, 3203 Pearl Street, Boulder, CO 80301; Simone Smead, President and Owner, Patricia Amman, Vice President and Owner, Peter Ambrose, Secretary and Owner, and Patrick Keane, Treasurer, Owner, and Registered Manager, with no other members holding over a 10% interest; with a business mailing address at 2845 29th Street, Suite B, Boulder, CO 80301, for a new Beer and Wine type liquor license.**

Peter Ambrose, Secretary and Owner, was sworn in and confirmed the ten day premise posting under oath. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Mr. Ambrose provided testimony regarding the license application and neighborhood petition results.

Member McMurray moved, Barker seconded, to approve this new Beer and Wine type liquor license. Motion approved 5:0.

- 11. Public hearing of a July 21, 2014 application from Cita Corp, LLC d/b/a LYFE Kitchen, 1600 Pearl Street, Suite 100, Boulder, CO 80302; DJ Mitchell, Member, and Rachel Mitchell, Member and Registered Manager; with a business mailing address at P.O. Box 100505, Denver, CO 80250, for a new Hotel-Restaurant type liquor license.**

This item proceeded after Agenda Item #4 per the licensee's request. Carol Johnson, representative of Esquire Petitioning Services, DJ Mitchell, Member, and Rachel Mitchell, Member and Registered Manager, were sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest. No third parties requested interested party status and no public comments were received.

Ms. Johnson provided testimony regarding the neighborhood petitions.

Mr. Mitchell and Ms. Mitchell provided testimony regarding the license application.

Member McMurray moved, Barker seconded, to approve this new Hotel-Restaurant type liquor license. Motion approved 5:0.

**12. Matters from the Assistant City Attorney:**

Sandra Llanes, Assistant City Attorney, stated that the proposed changes to the BLA Rules of Procedure are on the City Council agenda for December 2, 2014.

**13. Matters from the Licensing Clerk:**

**A. Informational items:**

**i) September Special Events and Temporary Modifications**

Ms. Cook noted that the list included temporary modifications for Folsom Field East Stands and Folsom Field West Stands for home football games. Ms. Cook also noted that she anticipated a temporary modification application for the Coors Events Conference Center for home basketball games.

Ms. Cook stated that Licensing staff is increasing on-site inspections for Special Events.

**ii) September Liquor License renewal mailing list**

This material was stated to be in the hearing packet.

Ms. Cook stated that the videos for the BLA Special Hearing on October 30, 2014 for the Press Play matter would be distributed on flash drives.

**14. Matters from the Chair and Members of the Authority**

Member Spalding inquired about the temporary modifications for Folsom Field East and Folsom Field West and Ms. Cook further explained the modifications. Member Spalding also inquired about the new Illegal Pete's location on University Hill. Ms. Cook stated that she would research it.

**ADJOURNMENT**

Member Barker moved, McMurray seconded, to adjourn the meeting. Motion approved 5:0, thus the hearing was adjourned at 6:03 p.m.

**TIME AND LOCATION OF FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:**

3<sup>rd</sup> Wednesday of every Month at 3PM in City Council Chambers for 2014.

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Attested:

Approved:



**CITY OF BOULDER  
LANDMARKS BOARD  
October 1, 2014  
1777 Broadway, Council Chambers Room  
6 p.m.**

The following are the “*unapproved and unsigned*” action minutes of the October 1, 2014 City of Boulder Landmarks Board meeting. A digital recording and a permanent set of these minutes (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). You may also listen to the recording on-line at: [www.boulderplandevlop.net](http://www.boulderplandevlop.net).

**BOARD MEMBERS:**

Mark Gerwing, Chair

Kate Remley

Mike Schreiner

Fran Sheets

Deborah Yin

\*Crystal Gray                   *\*Planning Board representative without a vote*

**STAFF MEMBERS:**

Debra Kalish, Senior Assistant City Attorney

James Hewat, Senior Historic Preservation Planner

Marcy Cameron, Historic Preservation Planner

Lesli Ellis, Comprehensive Planning Manager

**1. CALL TO ORDER**

The roll having been called, Chair **M. Gerwing** declared a quorum at 6:00 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

On a motion by **M. Gerwing**, seconded by **K. Remley**, the Landmarks Board approved (5-0) the minutes as amended of the September 3<sup>rd</sup>, 2014 board meeting.

**3. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA**

**4. DISCUSSION OF LANDMARK ALTERATION AND DEMOLITION APPLICATIONS ISSUED AND PENDING**

- 747 12<sup>th</sup> St. – Stay-of-Demolition expires Oct. 20, 2014
- 445 College Ave. – Stay-of-Demolition expires Oct. 25, 2014
- 405 Valley View Dr. – Stay-of-Demolition expires Nov. 23, 2014
- Statistical Report

## 5. ACTION ITEMS

- A. Public hearing and consideration of a motion to adopt a resolution to initiate the process for the designation of the property at 445 College Ave. (on which a stay-of-demolition was imposed on June 4, 2014), as an individual landmark pursuant to Section 9-11-3, B.R.C. 1981; or alternatively, to issue a demolition permit pursuant to Section 9-11-23(g) of the Boulder Revised Code 1981 (HIS2014-00085). Owner: George Stark. Applicant: Stephen Sparn.**

### Motion

On a motion by **M. Schreiner**, seconded **F. Sheets**, the Landmarks Board voted to initiate individual Landmark designation for the property (3-2, **M. Gerwing** and **K. Remley** opposed) finding that it meets the criteria for such initiation pursuant to 9-11-3 “Initiation of Designation for Individual Landmarks and Historic Districts” of the Boulder Revised Code 1981, and in balance is consistent with the goals and policies of Section 2.33 of the Boulder Valley Comprehensive Plan.

**M. Gerwing** opposed the motion upon his consideration that landmark designation of this property does not meet the balance between private property rights and the public good. **K. Remley** stated she voted against the motion as she does not find the property to be of exceptional significance and, as such, should not be designated a landmark over the owner’s objection.

- B. Public hearing and consideration of an application to designate a new historic district located at the 700 Block of 12<sup>th</sup> St. as a local historic district per Section 9-11-5 of the Boulder Revised Code, 1981 (HIS2014-00268). Applicant: Ann Scarboro.**

### Motion

On a motion by **K. Remley**, seconded by **M. Gerwing**, the Landmarks Board initiate (5-0) historic district designation for the 700 block of 12<sup>th</sup> St., finding that it meets the criteria for such initiation pursuant to 9-11-3 “Initiation of Designation for Individual Landmarks and Historic Districts” of the Boulder Revised Code 1981, and in balance is consistent with the goals and policies of Section 2.33 of the Boulder Valley Comprehensive Plan.

- C. Public hearing and consideration of whether to initiate individual landmark designation for the property located at 747 12<sup>th</sup> St., per Section 9-11-3 of the Boulder Revised Code, 1981 (HIS2014-00070). Owner: 747 Twelfth Street, LLC.**

### Motion

On a motion by **M. Schreiner**, seconded by **D. Yin**, the Landmarks Board initiate (5-0) a landmark designation for the property located at 747 12th St., finding that it meets the criteria for such a hearing per 9-11-3 “Initiation of Designation for Individual Landmarks and Historic Districts” of the Boulder Revised Code, is consistent with the purpose and intent of 9-11-23 “Review of Permits for Demolition”, and in balance is consistent with the goals and policies of

Section 2.33 of the Boulder Valley Comprehensive Plan and adopt a resolution as contained in attachment 3 of the staff memorandum.

**6. MATTERS FROM THE LANDMARKS BOARD, PLANNING DEPARTMENT AND CITY ATTORNEY**

- A. Update Memo
- B. Subcommittee Update
  - 1) Demolition Ordinance
  - 2) Outreach
  - 3) Potential Historic Districts and Landmarks
  - 4) Design Guidelines

**7. DEBRIEF MEETING/CALENDAR CHECK**

**8. ADJOURNMENT**

The meeting adjourned at 9:34 p.m.

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**August 28, 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:**

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

**PLANNING BOARD MEMBERS ABSENT:**

**STAFF PRESENT:**

David Driskell, Director of Planning and Development Services  
Sam Assefa, Senior Urban Designer  
Lesli Ellis, Comprehensive Planning Manager  
Hella Pannewig, Assistant City Attorney  
Susan Meissner, Administrative Assistant III  
Elaine McLaughlin, Senior Planner  
David Thompson, Civil Engineer II- Traffic  
Jeff Hirt, Planner II

**1. CALL TO ORDER**

Chair, **M. Young**, declared a quorum at 6:02 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 voted 7-0 to approve the July 17, 2014 minutes.

**3. PUBLIC PARTICIPATION**

No one from the public spoke.

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

There were no items for discussion.

## 5. PUBLIC HEARING ITEMS

**A. A. CONTINUATION OF A SITE REVIEW AMENDMENT** for development of an existing surface parking lot into a 163 room Residence Inn hotel at the Village Shopping Center, case no. LUR2013-00057. The planned extended stay hotel is located on an approximate 1.65 acre site on the southwest corner of Canyon Boulevard and 26th Street in the Village Shopping Center, 2525 Arapahoe Ave., and 2550 Canyon Blvd. The hotel is proposed to be 128,346 square feet in a 4-5 story building. Below grade parking is proposed under the north wing of the hotel along Canyon Boulevard. Podium parking is proposed on the first floor of the south wing, with surface parking along the interior west property line. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981

**Applicants:** Bill Martinic, Stonebridge Properties  
**Property Owners:** Gart Properties

### **Staff Presentation:**

**E. McLaughlin** presented the item to the board.

### **Board Questions:**

**E. McLaughlin** answered questions from the board.

### **Applicant Presentation:**

**Tommy Nigro**, from Stonebridge Properties, presented the item to the board.

**Steve Newman**, from Newman Architecture, presented the item to the board.

**Daniel Aizenman**, from Stantec, presented the item to the board.

**John Ouellette**, the landscape architect, presented to the board.

### **Board Questions:**

**Steve Newman**, from Newman Architecture, answered questions from the board.

**Cesar Cervantez**, Newman Architecture, answered questions from the board.

**Tommy Nigro**, from Stonebridge Properties, answered questions from the board.

### **Public Hearing:**

No one from the public spoke.

### **Board Comments:**

**L. Payton** thanked the applicant for being responsive to the board's feedback, especially regarding the Canyon façade. It is much improved. She did not think the building's height and mass were consistent with site review criteria; the proposed height is almost 20 feet above what is allowed by right. She also questioned whether it was consistent with the BVRC. 5.1.c and 3.1.g.

**J. Putnam** thought that this was very responsive in the simplification of the façade and that the windows to the NW were much improved. The proposed heights are comparable with other nearby buildings; given its location in the North Boulder Regional Center, he thought it would be

appropriate. He did not think that this would create a monolith because there is much variety. He did not think that this was a place where significant view sheds would be impaired.

**L. May** thought that the design was much improved but did not think that this provided community benefit. Despite improvements made to the landscaping, the height and street activation do not meet the mark set in the guidelines. He did not think that the project should be approved as is.

**J. Gerstle** thanked the applicant for the modifications. He appreciated the changes to the setbacks, parking and sidewalks. However, he thought that the proposed building height along Canyon Blvd was unacceptable, and for that reason, he thought that it fails to meet the criteria for approving the project.

**C. Gray** thanked the applicant and agreed that the project is much improved. She liked the original banding, but that would not play a role in her assessment. She had concerns regarding the height and mass.

**B. Bowen** thought the proposed height was appropriate and that it did comply with the regulations. While not enamored with the architecture, he would feel comfortable approving the project.

**A. Brockett** appreciated the changes and noted that the applicant responded to all of the comments thoroughly and effectively, particularly the Canyon façade. He felt comfortable with the height; it is varied and provides interest. This project would move Boulder away from the suburban legacy and more toward an urban approach that would provide a pleasant pedestrian experience. Density and compact development patterns combat climate change; he would like to have a broader discussion on this topic with the board at a future date. He agreed with **L. May's** concerns about activating the street along Canyon but acknowledged that this is not possible with this use.

**L. May** thought **A. Brockett's** comments were good but was looking for improved architecture and energy conservation measures. He would like to strike a balance to provide a significant public benefit and achieving high goals. He did not think that the balance tipped in the favor of this project.

**J. Putnam** disagreed with **L. May**. He thought that Boulder needs a more sustainable and compact urban form to combat climate change. We will only get there by providing density in areas zoned for high density. By not allowing it, development will be pushed to neighboring communities which is less sustainable.

**L. Payton** did not think that Boulder should be held responsible for other communities' planning decisions. She reiterated from the previous Site Review that she would be okay with four stories because it is closer to the allowed 40 feet. She noted that there are some buildings in the vicinity that are 55 feet tall, but the contextual majority is much lower. The board is seeing many letters from the public discouraging tall buildings. The public should be in support before the board approves them.

**B. Bowen** strongly disagreed with **L. Payton's** assessment that the public did not want the height. The board only hears from those who are upset. Zoning is more reflective of a public process.

**A. Brockett** noted that this is a public process and that no one showed up to oppose this project. Some letters to the editor do not constitute widespread disapproval of this project. A 55 foot height is allowed by zoning if the board agrees.

**C. Gray** did not think that the previous approval was suburban in character and did not think that this application was either. She noted that 80 percent of the city is a low density zone. Other cities in the region have grown intentionally, not as a result of Boulder's planning initiatives.

**L. May** agreed that the letter writing may not be representative of the general public and that zoning is more of a product of public process, though most people are not involved in it. He did not think that climate change could be resolved through height. He thought the board went too far with previous approvals; they have fundamentally altered the character of the city.

**J. Putnam** noted that the BVCP does speak to what the community wants and it asks for higher density. The zoning allows for up to 55 feet. The zoning creates a by-right presumption that one can stay at a lower height without going to the board, but it does not say that one is more correct than the other.

**A. Brockett** agreed with **C. Gray** that the surrounding communities have grown because they want to grow, but he thought that a large demand for hotel rooms is generated within Boulder. We need to meet the need within our community to avoid additional vehicle miles travelled.

**L. Payton** could approve four stories and asked if it would be possible to add it as a condition.

**A. Brockett** noted that height was not brought up as a key issue at the previous hearing.

**J. Gerstle** clarified that he was not comfortable with the height along Canyon because the views from and along the street should be maintained. He was okay with a taller height along the southern portion.

**C. Gray** would prefer a less massive and lower building but would be okay with keeping some portions at 55 feet. She had thought that it stepped back but was incorrect.

**B. Bowen** was fine with the height as proposed. He agreed that variation between four and five stories is desirable.

**J. Putnam** agreed with **B. Bowen**. He would be open to hearing if there were a configuration that would work for the applicant. **A. Brockett** agreed.

**B. Bowen** suggested that the applicant could achieve a setback by removing the outer row of rooms along Canyon.

**Daniel Aizenman, the architect**, explained that the trees help to block and mitigate the building height. This building is smaller than some of the other buildings in the area.

**Tommy Nigro**, the applicant, felt confused because he thought that they left the last meeting with an understanding of the issues; height was not one of them. He noted that their competition has approval for 55 feet across the street. This would change the room count and therefore the economics. He wanted to build the project but it was not possible to assess the feasibility of this scenario on the fly.

**A. Brockett** did not think that there was a way to condition the height issue.

**L. May** did not think that all of the parts of the alchemy were working together or that the proposal met the environmental, design and pedestrian criterion. He would like to see a commitment to net zero for the portion of the building exceeding the by right height.

**B. Bowen** explained that this was well received by BDAB and is broken down into increments much smaller than 100 feet. It complies with many of the things that the board has looked for over the last few years and meets the standards of compliance. The applicant took the board's comments into account; he thought that it should be approved.

**Motion:**

On a motion by **A. Brockett**, seconded by **J. Putnam**, the Planning Board voted 3-4 (**L. May**, **J. Gerstle**, **C. Gray** and **L. Payton** opposed) to approve Site Review case no. LUR2013-00057, incorporating the staff memoranda as August 28, 2014 public hearings as findings of fact and the attached Site Review criteria checklist as findings of fact, and subject to the recommended Conditions of Approval found in the memo.

**L. Payton** made a motion, seconded by **L. May**, to deny Site Review LUR2013-00057 and to continue this item to September 18, 2014 for consideration and action on written findings.

This motion was later withdrawn by **L. Payton** and the withdrawal was accepted by the chair. There were no objections by the board to the withdrawal.

**Board Discussion:**

**L. May** and **L. Payton** felt reluctant to drag this out but thought that a solution could be reached.

**Tommy Nigro**, the applicant, asked for some consensus and guidance.

**L. May** could compromise and felt that the height was the most important issue. If they could come to agreement on that, the other issues would fall by the wayside.

**C. Gray** recommended stepping the building back and breaking down the massing. Most projects come to the board for Concept Review and provide more opportunities for board comment. She thought that the project would have benefitted from that process.

**B. Bowen** noted that this project went to BDAB several times.

**L. Payton** thought that four stories across the whole site should be the maximum and liked the four story façade on Canyon. This would fit with the context.

Five members would be comfortable with a four story building on the existing floor plate.

**L. Payton** withdrew her motion.

**Motion:**

On a motion by **B. Bowen**, seconded by **L. May**, the Planning Board voted 5-2 (**C. Cray** and **J. Gerstle** opposed) to approve Site Review case no. LUR2013-00057, incorporating the staff memoranda as August 28, 2014 public hearings as findings of fact and the attached Site Review criteria checklist as findings of fact, and subject to the recommended Conditions of Approval found in the memo and with the following additional conditions of approval:

- remove the fifth floor of the building without increasing the height of the remaining four floors
- attach the sidewalk at the southwest corner to the existing sidewalk on the adjacent property and to extend the sidewalk on the west property line to the sidewalk on Canyon

**L. May** made a friendly amendment, accepted by **B. Bowen**, that a condition be added to remove the fifth floor of the building without increasing the height of the remaining four floors.

**B. Public hearing and consideration a request to rezone a 0.99 acre parcel located at 5400 Spine Road currently zoned Industrial-General (IG) to Business – Community 2 (BC-2) for consistency with the Boulder Valley Comprehensive Plan and the Gunbarrel Community Center Plan**

**Applicant: Brian Bair**

**Owner: Winfield Partners, LLC**

**Staff Presentation:**

**E. McLaughlin** presented the item to the board.

**Board Questions:**

**E. McLaughlin** answered questions from the board.

**Applicant Presentation:**

**Brian Bair**, the applicant, presented the item to the board.

**C. Gray** was pleased that the applicant came forward with this request. It meets the intention of the Gunbarrel Community Plan.

**Motion:**

On a motion by C. Gray, seconded by J. Putnam, the Planning Board voted 7-0 to recommend approval of case no. LUR2014-00051 to City Council incorporating this staff memorandum and the review criteria checklist found in the memo as findings of fact.

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

**A. North Boulder Subcommunity Action Plan Update**

**Staff Presentation:**

**J. Hirt** presented the item to the board.

**Board Questions:**

**J. Hirt and L. Ellis** answered questions from the board.

**Public Comment:**

1. **Elizabeth Black, 4340 N. 13<sup>th</sup> Street** (pooled with Chris Brown, 4340 13<sup>th</sup> Street), asked that Fourmile Creek floodway improvements be taken into account to prevent future damage.
2. **Susan Douglass, 3045 Galena Way**, spoke on behalf of the Nobo Arts district, to support the plan. They 39 min. She personally would support very small spaces in the Armory redevelopment and would like a bit less density.
3. **Ed Byrne, 250 Arapahoe Ave**, asked that we look at channeling Fourmile to allow some properties to be removed from the high hazard zone to allow for residential development on the west of Broadway to allow for a two sided main street. Consider means to improve the multiuse path with a wall and buffer the traffic noise.
4. **Amy Tremper, 1529 Easy Rider Lane**, was pleased to see the marketing study and appreciated the staff collaboration on the Nobo Subcommunity Plan. She liked the idea of having a Business Improvement District in North Boulder. She hoped that subcommunity plans could be made for other neighborhoods as well.

**Board Comments:**

**A. Brockett** was interested in seeing how this goes through the next steps. He would like to have a feedback loop and check in stages. It is important for the long term success of the plan and to build in opportunities to keep it moving forward. He recommended that the Public Art program include murals on infrastructure such as power boxes, etc. The arts focus has been a great part of the evolution of this project. 2.1 Enhance Pedestrian Connections, is critical for the long term success of the area. Some of this pertains to flood issues and the current state of Broadway as a noisy and dangerous crossing barrier. Make improvements and assure that traffic is calmed. Additional businesses will slow traffic without having to lower speeds. Improve bicycle facilities and add bike lanes with buffers. Consider Community Cycles recommendations for a good boundary. Curb cut reductions should not be a separate item and can be addressed via bike lanes or redevelopment. TDM program may not need to be a separate line item from bike

infrastructure and parking. He gave the Business Improvement District a big thumbs up and thought it should be a priority. The modifications of Use tables that were addressed in the Armory discussion are important.

**B. Bowen** agreed with all of **A. Brockett's** comments. The mobility hubs and inclusion of a traffic light at Yarmouth are important. It is timely to consider moving the neighborhood center. The flood occurred in this center and he thought it would be okay for it to be a strip along Broadway. He supported a full service library in the neighborhood and modifications to the use table. Live Work and MU-1 lack flexibility and would be improved by loosening the reins. Find a mechanism to make west Broadway more permeable. For like lane improvements, look at test projects for enhanced bike facilities and the most desirable places for kids to ride. Study the deal breakers for cyclists and address those. He thought the plan was great.

**L. Payton** appreciated **A. Brockett's** and **B. Bowen's** comments. She thought the market study was fascinating and the Growing Up Boulder input was fantastic. She encouraged staff to incorporate kid-focused water opportunities.

**J. Putnam** thought the plan was inspiring and well organized. The financial element is a critical part of the action plan. Provide a big picture view and a summary of where these items are currently in the CIP. Be transparent and provide a prioritization of projects and timing. There is a lot of public support so have conversations earlier rather than later. He agreed that the use table and zoning requirements should be consistent with the arts uses. Flag which pieces depend on having a better understanding of flood related mitigation efforts and note which items are and are not dependent on the flood.

**C. Gray** thought that the community needs funding for the arts. She recommended providing a ballot issue for funding a decade for the arts similar to what Open Space did. Consider an arts zoning overlay and incentive. She did not want art spaces to change to restaurants because it becomes so desirable. She thought that the high speed traffic had a lot to do with the Broadway barrier. Connect Boulder Meadows mobile home park. Given the nature of the flood, not everyone will be taken out of the floodplain but look at means for being proactive. Move Elizabeth Black's suggestion to the forefront of the recommendations.

**J. Gerstle** thanked staff for the plan. He noted that the arts take place in certain areas because the rents are cheap. He did not know how we would deal with that reality. He thought that the proposed studios would be too expensive for many artists. Many of the spaces west of Broadway that are studios are inexpensive because they are modest and not especially desirable for other uses.

**L. May** thought it would be important to better understand the residents' concerns about affordable housing in the area. Model how 800 jobs and 500 housing units would manifest in physical form in Boulder. He wanted to better understand how the market study will influence the plan. It is important to model the study so we understand the implications. He cautioned that incentives for housing opportunities on Broadway may

not be necessary because they will be desirable due to their walkable location. We need a mechanism in place to preserve affordability. Storage spaces and services provide an amenity. He was curious to see how staff would decipher some of the divergent community feedback. He appreciated the Community Cycles memo, Elizabeth Black's letter and Ed Byrne's materials.

**A. Brockett** explained that many of the spaces on the west side of Broadway are self storage and other industrial uses that are important but do not necessarily need to be adjacent to the town center. He thanked staff and thought it was a phenomenal plan.

**C. Gray** asked that **J. Hirt** share the summary that will go to City Council with the Planning Board.

#### 6. DEBRIEF MEETING/CALENDAR CHECK

**D. Driskell** gave the board an overview of the upcoming meetings. AMPS, Civic Area Site Design Meeting and BDAB joint meeting.

**L. May** noted that the CAC Minutes said that Council would like to discuss development trends at the joint session with Planning Board. He would not like to dilute the conversation and proposed that a second session be planned.

The board thought the development trend topic warrants a separate meeting and that they would be interested in discussing it with Council, prior to the BVCP discussion. **D. Driskell** will communicate this to Council.

**A. Brockett** requested that the board have a debrief of the meeting. He noted that the Canyon Site Review summary omitted the height specifics. He thought they could have used more specific direction and help from other board members.

**C. Gray** thought that Concept Reviews should be requested for future PUD projects.

**A. Brockett** agreed. He thought that projects of that scope would benefit from the Concept Review step even though it is not specified in the code.

**B. Bowen** noted that it is difficult for applicants to decipher the direction and he encouraged board members to be as direct and clear as possible. He complimented the chair on the meeting.

#### 7. ADJOURNMENT

The Planning Board adjourned the meeting at 10:28 p.m.

APPROVED BY



Board Chair

10/2/14  
DATE



**CITY OF BOULDER  
PLANNING BOARD MEETING SUMMARY**

**DATE:** October 2, 2014

**TIME:** 6 p.m.

**PLACE:** Council Chambers, 1777 Broadway

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**1. CALL TO ORDER**

**2. APPROVAL OF MINUTES**

The August 28, 2014 minutes are scheduled for approval.

**Approved**

**3. PUBLIC PARTICIPATION**

**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.

**This item was not called up**

**5. PUBLIC HEARING ITEMS**

- A. SITE REVIEW for construction of a 69,541 square foot mixed use residential/commercial building located at 1750 14<sup>th</sup> 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

**Approved 6-1**

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.

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

- A. Preparation for October 14<sup>th</sup> Study Session with City Council

**7. DEBRIEF MEETING/CALENDAR CHECK**

**8. ADJOURNMENT**

- A. The Planning Board adjourned the meeting at 11:16 p.m.

**Boulder History Museum Day  
October 10, 2014**

**Whereas**, the Boulder Historical Society was formed on October 10, 1944, with the mission of preserving Boulder's historic artifacts and providing the Boulder community with quality programs and exhibitions so that its past can be remembered and its future can be discussed; and

**Whereas**, for the past 70 years, the Boulder Historical Society has operated a museum in the City of Boulder for these purposes, most recently called the Boulder History Museum; and

**Whereas**, with the good work of the Boulder History Museum, tens of thousands of children and adults have learned Boulder's history and have been inspired to lead it into the future; and

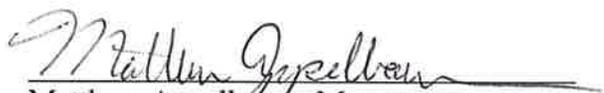
**Whereas**, the Boulder Historical Society plans to soon open a larger, more comprehensive museum in downtown Boulder, celebrating the community's history and its worldwide leadership in science, athletics, and natural foods, to be called the *Museum of Boulder*; and

**Whereas**, October 10, 2014, marks the 70th anniversary of the founding of the Boulder Historical Society.

**NOW THEREFORE, BE IT DECLARED** by the City Council of the City of Boulder, Colorado, that October 10 is

**Boulder History Museum Day**

in commemoration and recognition of the Museum's tremendous service to our community for the past seven decades and in anticipation of the great contributions it will make for many decades to come.

  
Matthew Appelbaum, Mayor



**Larry D. Donner Day  
October 17, 2014**

**WHEREAS**, Larry D. Donner has been the Fire Chief for the City of Boulder, Colorado, for the past 23 years; and

**WHEREAS**, Larry D. Donner has dedicated 43 years of his life to the fire service in Fort Collins, Iowa City, Iowa, and Boulder; and

**WHEREAS**, as Boulder's Fire Chief, he has demonstrated leadership during fires, floods and other major emergencies in the community; and

**WHEREAS**, he has served as a board member and chaired numerous committees, boards and panels locally, in Boulder County, for the State of Colorado and nationally, which include Boulder Regional Fire Training Center Board, Boulder Regional Telephone Service Authority, State of Colorado Emergency Mobilization Committee, State of Colorado Fire Chiefs Association, International Association of Fire Chiefs and is past President of the Missouri Valley Fire Chiefs Association; and

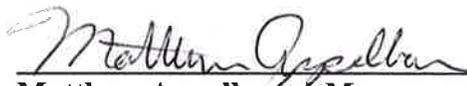
**WHEREAS**, he has been a tireless proponent of public fire safety and the safety of responding fire fighters by speaking at local, regional and national events and writing many articles published in national publications, including: *Fire Chief Magazine*, *Center for Campus Fire Safety*, and the *National Fire Protection Association*; and

**WHEREAS**, as Fire Chief in Boulder he enacted procedures to reduce response times to emergencies, created the wildland fire response division, oversaw the passage of an ordinance eliminating wood shingles, worked closely with the University of Colorado to improve campus-wide fire safety, negotiated a 5 year contract with AMR for medical transports services and initiated a pilot program for a light response vehicle; and

**WHEREAS**, after 43 years of dedicated public service and 23 years as the Fire Chief in the city of Boulder, Colorado, Larry D. Donner will retire October 17, 2014.

**NOW, THEREFORE, BE IT DECLARED** by the City Council of the city of Boulder, Colorado, that October 17, 2014, is

**Larry D. Donner Day**

  
**Matthew Appelbaum, Mayor**



**Geography Awareness Week  
November 16-22, 2014**

**WHEREAS**, geography education will be incorporated in classrooms and lessons throughout the country, increasing the geo-literacy of students nation-wide; and

**WHEREAS**, the focus on *The Future of Food* this year will encourage learning about our unique Colorado climate and what foods grow in our region; and

**WHEREAS**, geography education bolsters core environmental literacy in our K-12 students by featuring grade-appropriate geography literacy goals and content standards; and

**WHEREAS**, geography education will encourage schools and colleges to partner with local museums, nature centers, farms and gardens, science centers; and

**WHEREAS**, geo-education also prepares young people to deal with the challenges that they will face in their civic lives, as our society wrestles with globalization, military conflicts, community development, environmental threats, depletion of natural resources, and other issues; and

**WHEREAS**, Geography Awareness Week, coordinated by National Geographic Education, in cooperation with state geographic alliances, education associations, and agencies will become an annually anticipated event for local participation in schools and various education centers throughout Colorado during the third week of November.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the city of Boulder, Colorado, that November 16-22, 2014 is recognized as

**Geography Awareness Week**

  
**Matthew Appelbaum, Mayor**

