



TO: Members of Council
FROM: Danielle Sears, City Clerk's Office
DATE: June 2nd, 2015
SUBJECT: Information Packet

1. CALL UPS

- A. Concept Plan Review 3600 Hwy. 119 (LUR2015-00028)**

2. INFORMATION ITEMS

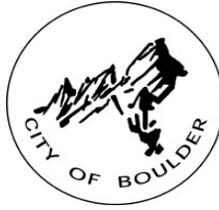
None.

3. BOARDS AND COMMISSIONS

- A. Beverages Licensing Authority – April 15, 2015**
- B. Human Relations Commission – May 18, 2015**
- C. Landmarks Board – May 6, 2015**
- D. Library Commission – March 4, 2015**
- E. Library Commission – April 8, 2015**
- F. Open Space Board of Trustees – May 13, 2015**
- G. Water Resource Advisory Board – February 23, 2015**
- H. Water Resource Advisory Board – April 27, 2015**

DECLARATIONS

- A. Aphasia Awareness Month Declaration – June 2015**
- B. Honoring the Uniformed Services Declaration – May 2015**



**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: June 2, 2015

Subject: Call-Up Item: Concept Plan Review 3600 Hwy. 119 (LUR2015-00028)

EXECUTIVE SUMMARY

On May 7, 2015 the Planning Board reviewed and commented on the above-referenced application. City Council may vote to call-up the Concept Plan to review and discuss within 30 days of the Planning Board hearing. There is one City Council meeting within this time period for call-up consideration on June 2, 2015. The draft minutes from the Planning Board hearing are provided in Exhibit A and the staff memorandum Concept Plan analysis is provided in Exhibit B. Additional materials including Planning Board hearing audio and the applicant's submittal materials are available on the city website for Planning Board, follow the links: www.bouldercolorado.gov → A to Z → Planning Board → search for past meeting materials planning board → 2015 → 5.7.2015 PB Packet.

During the review process there were 16 public comment letters and two neighbor phone calls received. Since that time an additional letter was received that is provided at the end of Exhibit B. At the Planning Board Hearing, there were seven members of the public who spoke. The majority of public comments were consistent with staff findings and Planning Board comments that the site is not optimal for residential. Concerns included traffic, noise, and visual quality. The Planning Board noted that the site may be more suitable for sensitively designed and understated office, retail or service industrial with very intensive landscaping that would allow the Flatirons to serve as the primary gateway element into Boulder from Highway 119. The Planning Board suggested that the property owners may want to explore other uses on the site or consider a land use change and rezoning, and that the Boulder Valley Comprehensive Plan Update process would be the best opportunity to explore those options.

Consistent with recently amended land use code section 9-2-13(a)(2), B.R.C. 1981 City Council shall vote to call up the application to review and comment on the concept plan within a 30-day call up period which expires on June 8, 2015.

EXHIBITS

- A. Draft May 7, 2015 Planning Board Minutes
- B. May 7, 2015 Planning Board Memo

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
May 7, 2015
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, Chair
Bryan Bowen
Crystal Gray
John Putnam
John Gerstle
Leonard May
Liz Payton

PLANNING BOARD MEMBERS ABSENT:

STAFF PRESENT:

Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Charles Ferro, Development Review Manager for CP&S
Elaine McLaughlin, Senior Planner
David Thompson, Civil Engineer- Traffic

1. CALL TO ORDER

Chair, **A. Brockett**, declared a quorum at 6:03 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

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

3. PUBLIC PARTICIPATION

1. **Dean Dinair, 1507 Bluebell Avenue**, thanked Sloane Walbert for explaining the Bluebell project to him. He wanted to assure that the project is sensitive to the neighborhood character. He also felt that the limits for subdivision should be limited.

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

- A.** Call Up Item: USE REVIEW to establish a 1,605 square foot restaurant, "Troovi Eatery & Juice Bar" in currently unoccupied retail space at Solana Apartments 3060 Pearl Parkway under case no. LUR2015-00025. Expires May 8, 2015.

- B.** Call-Up Item: Minor subdivision review, case no. LUR2015-00008, for the creation of a second residential lot with frontage on 15th Street. Lot 1A to be 7,605 square feet and Lot 2A to be 7,404 square feet. This approval is subject to potential call-up on or before May 11, 2015.
- C.** Call-Up Item: NONCONFORMING USE REVIEW (LUR2015-00017): Request for an expansion to a nonconforming use to remodel the kitchen facilities at the Alpha Chi Omega house located at 1162 12th Street, including mechanical equipment and screening located on the building rooftop and associated ductwork within the rear yard setback. The project site is zoned Residential - High 5 (RH-5). The call-up period expires on May 15, 2015.

Board Questions:

- C. Gray** asked a question about item 4B.
- D. Thompson** answered board questions.

None of these items were called up.

5. PUBLIC HEARING ITEMS

- A.** CONCEPT PLAN & REVIEW - Proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600 Highway 119 (Diagonal Highway), that includes 295 market-rate multi-family units, 83 affordable-rate multi-family units, associated community buildings and 54,000 SF of commercial office space (with options for partial retail and coffee shop). Reviewed under case no. LUR2015-00028.

Applicant: Bill Holicky
Property Owner: Birch Mountain, LLC

Staff Presentation:

- C. Ferro** introduced the item.
- E. McLaughlin** presented the item to the board.

Board Questions:

- E. McLaughlin** answered questions from the board.
- D. Thompson** answered questions from the board.

Applicant Presentation:

Matt Schildt, the applicant, presented the item to the board.
Bill Holicky, the architect, presented the item to the board.

Board Questions:

Bill Holicky, the architect, answered questions from the board.

1. **Michael O’Keeffe, 4520 Nassau Place**, asked for clarification and spoke in opposition to the project. He did not feel that the location was conducive to residential for health and transportation reasons.
2. **David Williard, 3975 Hesa Court**, expressed some concerns about this development. He supports affordable housing but noted that this is a loud area and is not a pleasant place to be. He did not think that people would use the proposed open space and would instead go to the

park adjacent to his house. He thought it would put pressure on the existing community. He asked that the applicant put a playground into the complex in an area that would be utilized.

3. **Hunter Smith, 5105 Independence Rd**, is a neighbor and felt that this development would impact the rural character of the properties to the north and east. He was concerned about the impacts on traffic and noted that the intersection at Independence is a dangerous intersection; he recommended slowing traffic or adding a traffic light.
4. **John Harneg, 3880 N. 57th Street**, lives east of the development and expressed concerns regarding safety and traffic. The Intersection at Independence and the Diagonal is very dangerous. He thought the impact of the residential units and commercial space would be problematic. Traffic speeds are fast on Independence and 57th Street. The airport is close by and asked where this sits in relation to the flight path.
5. **Holly Hyatt Langdon, 3702 Star Lane**, expressed concerns about the impact of the views of open space and surrounding areas. She did not think that the community would be conducive to bike and bus connections for seniors. She felt that it was in a median and would not be a nice place to live.
6. **Jean Aschenbrenner, 4816 Baldwin Place**, noted that the train tracks will be loud for residents. She noted that the current traffic bottlenecks at that location and causes backups. She did not think that there would be sufficient space to expand the highway. Consider the cost of flood repairs to the open space area.
7. **Bob Murphy, 4075 N. 57th Street**, expressed concerns about the air traffic over that development. Other neighbors in the area already do not like the air traffic. He had traffic concerns as well; there are already traffic jams and this would add pressure to that area. He noted that there are many runners, cyclists and horses that use Independence Road; he wanted to assure the safety of all users.

Board Comments:

Summary:

- Board members did not find the proposed project to be entirely compliant with the BCVP.
- Though the residential use is allowed per the zoning, many did not feel that it was an appropriate use. Though not currently allowed, business industrial or other light commercial uses could be more appropriate given traffic, noise, siting and accessibility concerns.
- Members recommended that Open Space consider purchasing or rezoning the property with the BVCP update.
- Some board members recommended that the site be considered for a park and ride. Others did not feel that it would be appropriate given the traffic congestion
- The edge conditions of the site are challenging. The board members felt that the proposed plan allowed for views of the Flatirons and liked that “soft” edge to the city.
- Move the historic well out into the open space on the site.

Detailed Comments:

Consistency with the BVCP and Land Use

J. Putnam was unsure about this project as it has many contradictory cross currents. Though the current vacant state seems to provide a good edge, it is private property and allowed to be developed. Unless the city changes its mind about acquiring this property, they must allow for it to be developed. Service industrial uses, especially with the Kum and Go adjacent to the property, could be an appropriate use.

L. May did not think that the proposal was entirely consistent with the BVCP policies; it would be better suited as an infill project within the city. He agreed that service industrial uses might make better sense on the site. Given that it has a current land use designation, he didn't think it was appropriate to say that nothing should be built there. He did not think that office space would be appropriate for the same reason as residential because it is a large traffic generator. He thought uses like service industrial with light traffic impacts were most appropriate.

J. Gerstle agreed that service industrial would be a better use for the site. He expressed concerns about senior housing given the transportation limitations for residents who may not drive. Though the residential use was granted by-right, he did not think that it met the BVCP intentions.

A. Brockett thought that this site would function best as open space and expressed concern about putting residential uses on this site. He did not think that this would be a good place to live given the fumes and noise from the two highways, trains and planes. He thought service industrial or office would be a better use for the site. He could possibly imagine a small amount of residential cloaked within other uses. Though there are bus stops, they are difficult to access and thought cyclists would not likely use the path regularly to run errands. Community Cycles did not advocate for this proposal.

B. Bowen felt warmer to the site than the others. He used to commute by bike through this site and understood why cycling could be a theme for the project and the way to tackle residential on this site.

C. Gray thought that the applicant did a good job with a tough site but did not think the predominant use should be residential. She worried that it would not be a liveable place for residents and felt the site was isolated on an island. She would prefer to see commercial uses and buffer the site as has been proposed.

L. Payton appreciated the staff memo and wanted to incorporate staff's concerns into her comments without reiterating them. She noted that when a development was last proposed on this site, the Planning Board said it was uninhabitable. The DRCOG report said that the traffic will increase considerably in the future and habitability will get worse. She did not think that the residents would open windows or go out to use the open space.

Edge Conditions

J. Putnam felt that the site is challenged, but he did not consider this to be a median. He did not think that a park and ride would be appropriate in this location as the traffic was already problematic. He thought that the McKenzie well should be sited to stand out by itself in the field. This could serve as an historical reminder of fossil fuel use.

L. May thought a natural edge to the city would be most effective and suggested that the city should buy this site.

J. Gerstle thought that a park and ride or rest station would be a good use and was worth considering in conjunction with service industrial.

A. Brockett agreed with the applicant that the view of the Flatirons should be the gateway, but thought the proposal was less of a gateway and more of an edge. Keep it subtle to let the views of the Flatirons be the edge. He cited the large art project at the entry point to Longmont. Something of that nature could be incorporated on this site.

B. Bowen agreed that softer edge to town was more appropriate than a large and powerful building. Small houses make good edges from rural highways. The gateway is the view to the flatirons.

C. Gray liked the landscape concept but felt that it would be more natural to continue the softer edge from Four Mile Creek. She did not think that iconic architecture was appropriate and noted that it is unlikely that the city would purchase the site for open space; the city's policy is not to buy Area 1 properties due to cost.

Residential Use

J. Putnam noted that there are other residential sites that have higher noise loads and asked that the applicant address acoustic considerations through design. This will be a rental property and therefore will likely have a higher tolerance for noise. He asked the applicant to return with noise levels in terms of LEQ and day/night levels integrating the train and aircraft considerations. His largest concern about residential uses on this site pertained to the islanding effect. Bike connections could help. Use alternate transit data to show that the site will not be isolated.

A. Brockett thought this site would always be predominantly accessed by cars. Consider incorporating retail that is predominantly accessed by car, i.e. washing machine vendors.

B. Bowen agreed that the site could be good for other uses with less traffic and trips. He thought the proposed neighborhoods functioned well without the open space within them as mountains and views work as open space.

C. Gray thought transition and office uses would be okay for the property but expressed concern about residential use. Some office uses generate less traffic than others. Keep bike connection concept. Don't underestimate Boulder bikers and where they'll ride.

L. Payton felt that the site should be used as a well designed rest stop as opposed to residential. Incorporate interpretive signage with the history of the oil rig, Diagonal Highway, etc. Consider AMPS goals as well; this could be a site for well-designed parking outside of the city to connect to bus service. She felt that the site is a median; the continuity of the median from Boulder to Longmont is important

Transportation and Access

J. Putnam requested that the applicant provide an intense traffic analysis with a TDM plan that

includes a large amount of alternate modes and traffic generation potential. Look at planned improvements to sidewalks and access. Include vehicle charging infrastructure. He liked the proposed bike and locker infrastructure.

A. Brockett noted that the proposed underpass is critical and important.

B. Bowen noted that the traffic concerns were important and questioned what the surrounding roads will be like in the future. Look at means for mitigating and funneling traffic. Have good retail exposure and mental mapping for parking. Look at simplifying traffic circulation specifically driving through retail to get to residential areas and the absence of a left hand turn onto Jay Road. Work with the County to add infrastructure connections through adjacent open space.

C. Gray wanted to see a vibrant TDM plan and possible Eco Passes through she noted that bus access is difficult from this site.

L. Payton requested that the applicant provide an analysis of the expected traffic on all adjacent roads in the future, not just traffic to and from the development.

Other Comments

B. Holicky, the applicant, noted that service industrial and some of those uses discussed by the Planning Board are not currently allowed on this site.

L. May recommended that the BVCP update consider this parcel and make other uses allowable. He did not feel that the current land use and zoning are appropriate for this parcel because of its isolation and location between highways.

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

- The Planning Board will meet at 5 p.m. before the next meeting to discuss findings from the APA conference.
- **Brockett** mentioned that staff might consider a two night hearing for the SPARK project.
- BDAB would like feedback from the Planning Board where they would be the most useful.
- **B. Bowen** noted that it is difficult for the Planning Board to make changes to architecture during site review; it could be appropriate to send such items to BDAB and to clarify their focus areas.
- **L. May** thought it would be valuable for BDAB to focus on the architecture. There have been times that projects went to BDAB before they came to Planning Board and there were problems with discrepancies in feedback/opinions. He thought it would be better for projects to go to BDAB after Concept Review and before Site Review. That

would allow the boards to work together better. He thought Design Review on Landmarks Board works well and suggested instating a similar process utilizing BDAB.

- **A. Brockett** requested that BDAB concentrate on architecture and refrain from commenting on use, scale and mass.
- **C. Gray** agreed and asked that BDAB also address public realm.
- **L. May** noted that he and **C. Gray** are on the Housing Process Committee. Council is interested in having a similar committee for the Comp Plan update. Reserve space to discuss this at the June agenda.

6. DEBRIEF MEETING/CALENDAR CHECK

7. ADJOURNMENT

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

APPROVED BY

Board Chair

DATE

**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM
MEETING DATE: May 7, 2015**

AGENDA TITLE: CONCEPT PLAN & REVIEW - Proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600 Highway 119 (Diagonal Highway), that includes 295 market-rate multi-family units, 83 affordable-rate multi-family units, associated community buildings and 54,000 SF of commercial office space (with options for partial retail and coffee). Reviewed under case no. LUR2015-00028
Applicant: Bill Holicky
Property Owners: Birch Mountain LLC

REQUESTING DEPARTMENT:

Community Planning & Sustainability
David Driskell, Executive Director
Susan Richstone, Deputy Director
Charles Ferro, Land Use Review Manager
Elaine McLaughlin, Senior Planner

OBJECTIVE:

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

SUMMARY: CONCEPT PLAN & REVIEW - Proposed mixed-use development (Alexan Flatirons) located at McKenzie Junction, 3600 Highway 119, that includes 295 market-rate multi-family units, 83 affordable-rate multi-family units, associated community buildings and 54,000 SF of commercial office space (with options for partial retail and coffee).
Reviewed under case no. LUR2015-00028

Project Name: Alexan Flatirons
Location: 3600 Highway 119, north of Independence Road at Highway 119
Size of Tract: 20 acres
Zoning: Business Transition-1 (BT-1)
Comprehensive Plan: Transitional Business
Key Issues: Staff is recommending three key issues for discussion of the Concept Plan:

- Consistency with the BVCP Land Use Designations;
- Predominate use on site of residential consistent with BVCP Policies;
- Concept Plan responsiveness to City "Edge and Entryway" Design Considerations

I. INTRODUCTION AND BACKGROUND

The vacant 20-acre property was annexed and zoned Transitional Business in 1981. The previous review history for this property includes an issues identification review in 1995 and a non-binding concept plan review in 1998 for an office and hotel development; a site review in 2000 for five office buildings that was withdrawn; and a Concept Plan review in 2006 for a mixed use development. In addition, in 1998, the Open Space Board of Trustees was asked to consider purchase of the property given the context and surroundings with open space.

At that time the OSBT declined to purchase the property based on the very high market price as a business-zoned property. Attachment A provides minutes from the two previous Planning Board Concept Plan review discussions. In previous discussions, this site has been referred to as a “gateway” given the high visibility of the site entering Boulder from the north on Highway 119.

II. PROJECT DESCRIPTION

The proposed Concept Plan consists of 295 market rate multi-family residential and 83 permanently affordable on-site senior attached units, along with two commercial buildings for office and retail totaling 54,000 square feet. Community amenities proposed include landscaping and open space along with two swimming pools. The applicant noted that the development is organized around an internal greenway to provide connections into an existing trail network, opportunities for a variety of open space and to create a transition from the lower density scale of the north end of the site to the larger buildings of the south side. A reduced version of the Concept Plan is provided in Figure 1, and a link to the Concept Plan submittal is provided in Attachment A. Tables 1 and 2 provide a preliminary tally of the number of bedrooms proposed for each type of apartment building. While the applicant has not identified specific demographics anticipated for the site, the number of bedrooms per building type can be summarized as follows:

Figure 1: Concept Plan

Market Rate: 295 Units Total

- 2 Bedroom: 88
- 1 Bedroom: 177
- Studio: 30

Affordable Rate: 82 Units Total

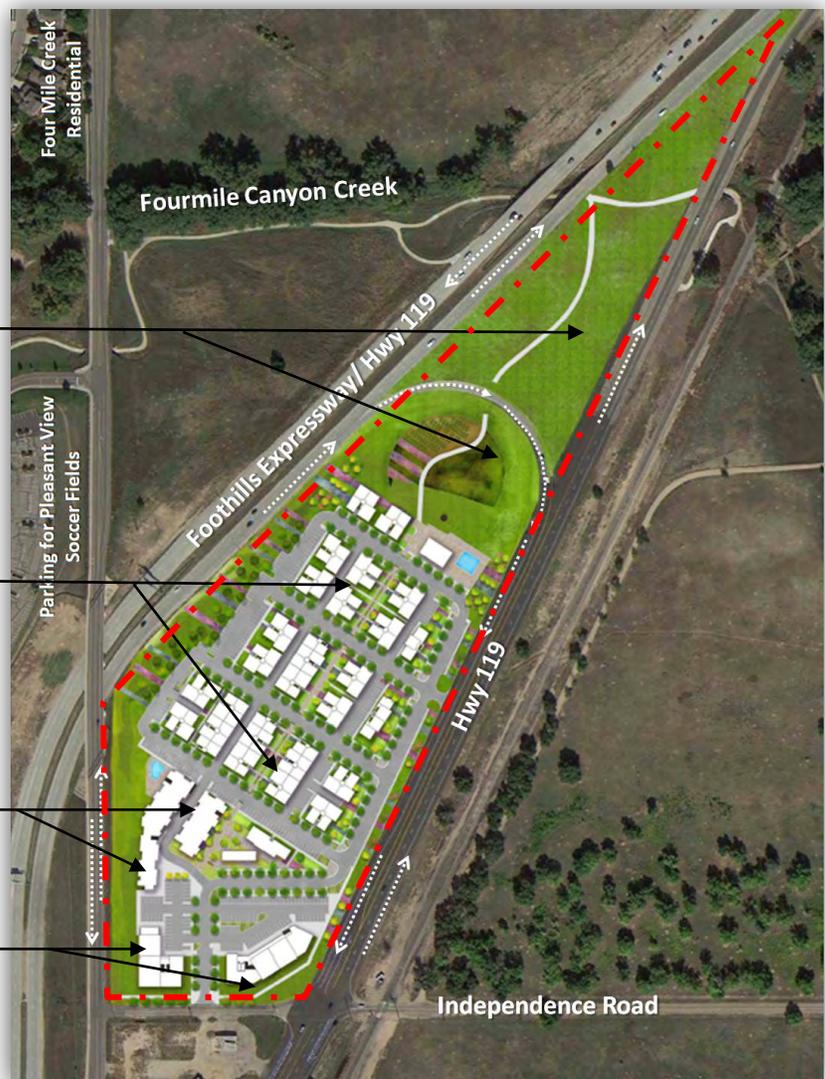
- 2 Bedroom: 19
- 1 Bedroom: 63

Open Space

256 Apartment Units

83 P.A. Senior Housing Units

Commercial/Office



Figures 2a thru 2e: Conceptual Massing Sketches:

2a: Senior Attached Residential Units Massing



2b: Market Rate Apartment Building Massing



2c: Market Rate Apartment Buildings Massing



2d: Office/Retail Massing



2e: Office/Retail Massing



BUILDING A1 X 1	GROSS AREA	STUDIO	1 BEDROOM	2 BEDROOM
1ST FLOOR	2,407 SF		3	
2ND FLOOR	2,407 SF		3	
3RD FLOOR	2,407 SF		3	
TOTALS PER BUILDING	7,221 SF		9	
BUILDING A2 X 2	GROSS AREA	STUDIO	1 BEDROOM	2 BEDROOM
1ST FLOOR	3,341 SF	1	3	
2ND FLOOR	3,341 SF	1	3	
3RD FLOOR	3,341 SF	1	3	
TOTALS PER BUILDING	10,023 SF	3	9	
BUILDING B X 4	GROSS AREA	STUDIO	1 BEDROOM	2 BEDROOM
1ST FLOOR	4,264 SF	2	2	1
2ND FLOOR	8,712 SF	2	6	2
3RD FLOOR	8,712 SF	2	6	2
TOTALS PER BUILDING	21,688 SF	6	14	5
BUILDING C1 X 8	GROSS AREA	STUDIO	1 BEDROOM	2 BEDROOM
1ST FLOOR	1,964 SF		1	1
2ND FLOOR	3,927 SF		2	2
3RD FLOOR	3,927 SF		2	2
TOTALS PER BUILDING	9,818 SF		5	5
BUILDING C2 X 6	GROSS AREA	STUDIO	1 BEDROOM	2 BEDROOM
1ST FLOOR	1,627 SF		2	
2ND FLOOR	3,892 SF		2	2
3RD FLOOR	3,892 SF		2	2
TOTALS PER BUILDING	9,411 SF		6	4
BUILDING C3 X 2	GROSS AREA	STUDIO	1 BEDROOM	2 BEDROOM
1ST FLOOR	3,627 SF		3	1
2ND FLOOR	3,627 SF		3	1
3RD FLOOR	2,535 SF		3	
TOTALS PER BUILDING	9,789 SF		9	2

FLOOR	GROSS AREA	1 BEDROOM	2 BEDROOM
1ST FLOOR	10,913 SF		9
2ND FLOOR	27,400 SF	29	8
3RD FLOOR	27,400 SF	29	8
GRAND TOTAL	65,713 SF	58	25

III. CONCEPT PLAN REVIEW AND COMMENT per Section 9-2-13

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

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

Existing Site. As shown in the aerial of Figure 3 and the street views of Figures 4a and 4b, the approximately 20 acre site is located on the northeast side of the main part of the city, in a prominent location and entryway from southbound Highway 119, the Diagonal Highway. The site is flanked on both the east and west by the separated highway, as well as an access ramp on the north side of the site to the highway and Independence Road on the south side of the highway. An elevated and bermed portion of 47th Street also flanks a portion of the western side of the site.

The site is currently vacant with no previous site development except for previous oil drilling. There's a landmarked remnant oil well located on the northern portion of the site. Historic information about the oil well is provided in the comment section under "Landmarks Preservation."

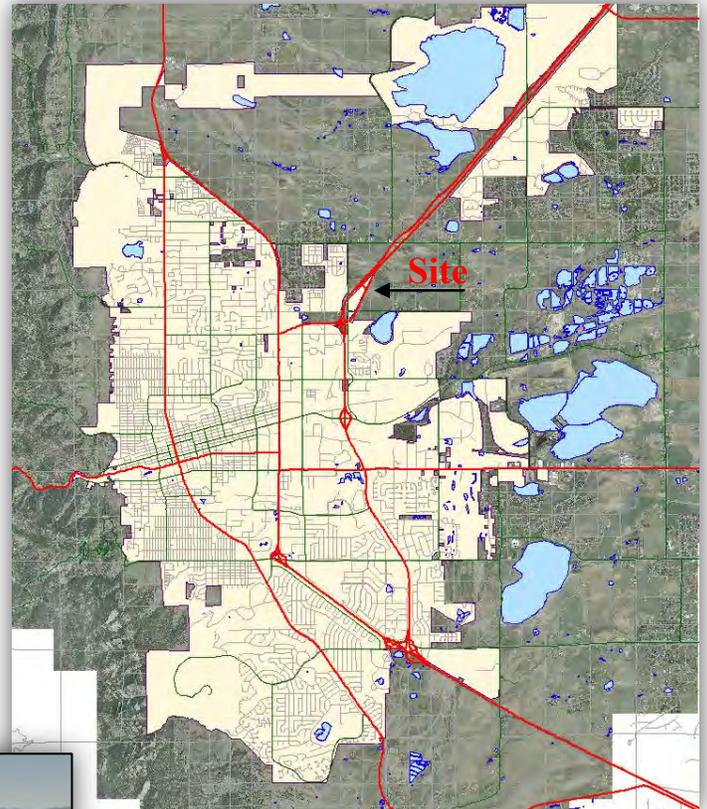


Figure 3: Site Location
Figure 4a: View of Site from Hwy 119
Figure 4b: View of Site from on-ramp portion of Hwy 119



As shown in Figure 5, the topography of the site is essentially flat across the 20 acres. However, there is a low point on the northern end of the site, below the on-ramp to the highway. A topographic map is illustrated below with the direction of the slight slope on the site.

Fourmile Canyon Creek is located at the northern most point of the site. The northern triangular shaped portion of the site is entirely within the 100 year flood zone and a portion of the point includes high hazard flood zone along with “high functioning” wetland area.

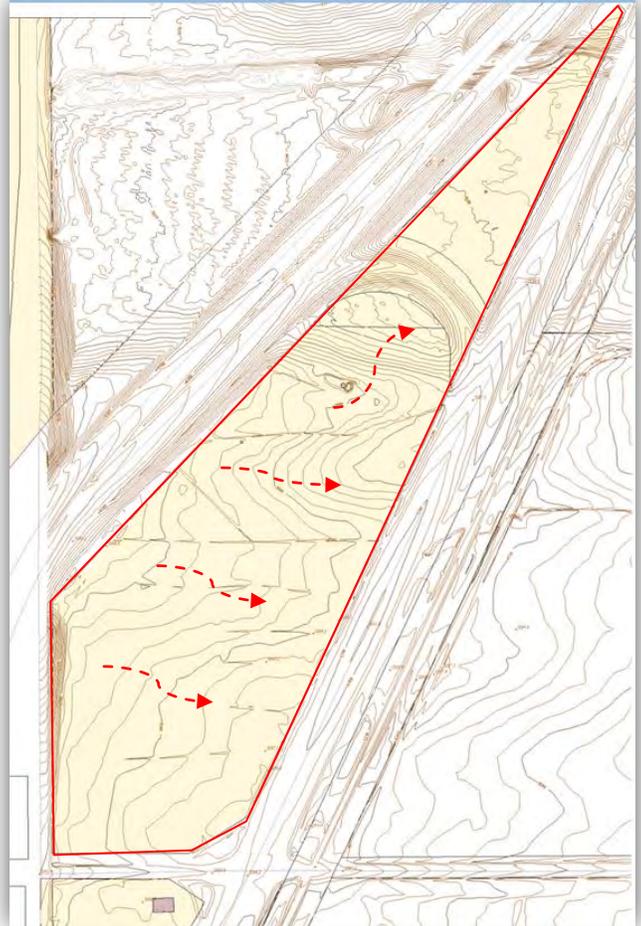


Figure 5: Topographic Map of the Site

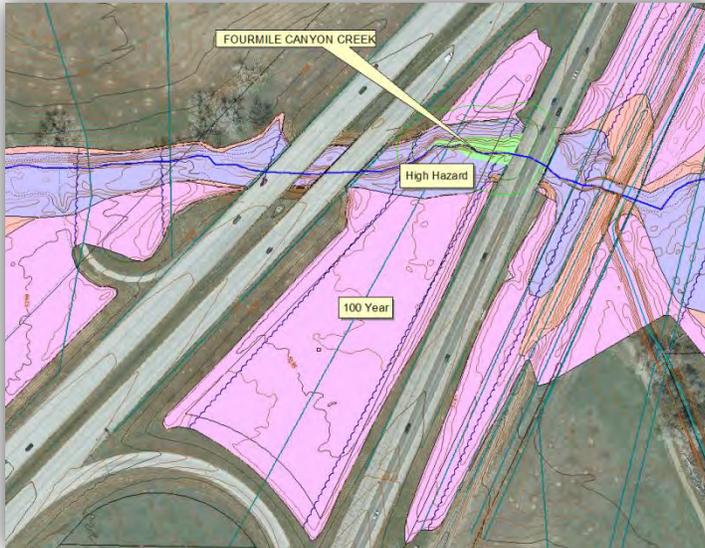


Figure 6: Flood Mapping of the Site

The site contains mostly “weedy” type plant species and there’s essentially no trees with the exception of the farthest point of the site on the north where mature trees such as willow and cottonwoods align the Fourmile Canyon Creek as shown in Figure 7.



Figure 7: Looking toward Fourmile Canyon Creek on North Portion of the Site

The site surroundings are varied and include rural agricultural land that historically has been an area of farming and cattle ranching. Cattle are still grazed on the property to the east.

Hayden Lake to the southeast is a man-made reservoir which is owned by Boulder & Left Hand Ditch Company where water is stored and then released later in the season into Boulder & Left Hand Ditch. A trailhead for the Cottonwood Trail east of Highway 119 is located on the north side of Hayden Lake. A recently approved Kum and Go Gas Station is located to the south as a redevelopment of the site to the south of Independence Road.

To the west directly across 47th Street is the city owned Pleasant View Soccer Fields. Further west is the low and medium density residential developments of Northfield Village and the Four Mile Creek neighborhoods. There are photos of the surroundings in Figure 9 on page 7.

Also located nearby is the Boulder Municipal Airport and the subject property is located within an Airport Influence Zone (AIZ) and would be required to comply with the Land Use Code section 9-3-10(e) that states,

(1) Zone Four:(A) A person annexing to the city and thereafter constructing a new principal structure in the city shall be required to sign an aviation easement as a condition of obtaining a building permit, and the easement shall be recorded. An applicant for a development permit pursuant to [chapter 9-2](#), "Review Processes," B.R.C. 1981, may be required to sign an aviation easement as a condition of obtaining a building permit, and the easement shall be recorded. (B) All new utility lines shall be placed underground.

A map of the Airport Influence Zone in relation to the site is provided along with images of the surrounding context on the following page.

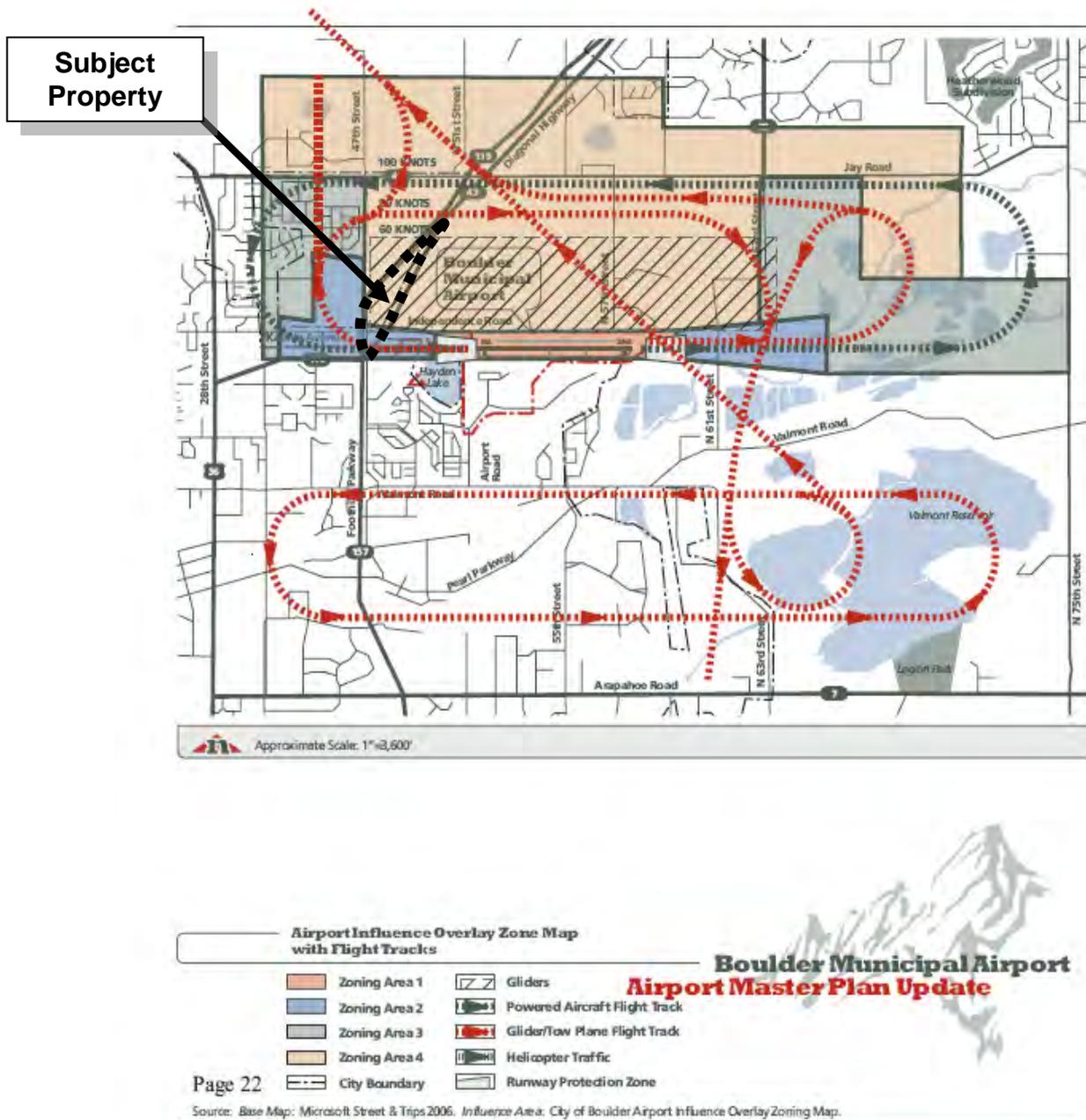


Figure 8: Site in Context of Airport Influence Overly Zone Map

Figure 9: Photos of Site Surroundings



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

Shown in Figure 9, the site is designated as Transitional Business under the Comprehensive Plan defined as:

"along certain major streets of the valley. These are areas usually zoned for less intensive business uses than in the General Business areas, and they often provide a transition to residential areas."

While the comprehensive plan land use designation indicates an intent for "less intensive business" the BT-1 zoning on the site permits attached residential by-right, Figure 10 illustrates the zoning on the site. Other policies are related to the need for housing and in particular permanently affordable housing, as is provided in the plan. Refer to criteria #8.

Other comprehensive plan policies help to inform development on this site. In particular, the site is considered a community edge and entryway and would need to be consistent with policy 2.05 as follows:

2.05 Design of Community Edges and Entryways

Well-defined edges and entryways for the city are important because they support an understanding and appreciation of the city's image, emphasize and preserve its natural setting, and create a clear sense of arrival and departure. Natural features are most effective as edges, but public open land, major roadways or heavy tree planting can also function as community edges. As new areas are developed, the definition of a community edge will be a design priority. Major entryways into the Boulder Valley will be identified, protected and enhanced.

The applicant would need to provide greater information on how to establish a feature that would establish an "effective" edge as is recommended in the policy. Today, just the roadway establishes the site as an edge. In previous Concept Plan reviews recommendations were made to either establish iconic architecture on the site and/or tree plantings. Staff notes that the surface parking lots shown on the Concept Plan would not be acceptable as defining features within this city entryway. Refer to Key Issue 3 for additional discussion.

(3) Applicable criteria, review procedures, and submission requirements for a site review;

- Site Review Criteria of the Land Use Code section 9-2-14(f), B.R.C. found [here](#).
- Boulder Valley Comprehensive Plan policies
- Traffic Impact Study is required since the project's trip generation is shown to exceed the residential threshold of 20 vehicles during the peak hour, as described in Section 2.02 of the City of Boulder Design and Construction Standards (DCS).
- Transportation Demand Management (TDM) plan consistent with section 2.03(l) of the DCS and section 9-2-14(h)(2)(D)(iv) and (v) of the Boulder Revised Code (BRC) which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternate modes of travel.
- A CDOT Access Permit will be required for the proposed $\frac{3}{4}$ access from the Diagonal Highway. The CDOT Access Permit must be applied for concurrently with Site Review submittal for preliminary CDOT approval

and must have final approval prior to final engineering plan approval.



Figure 9: Comprehensive Plan Land Use Map

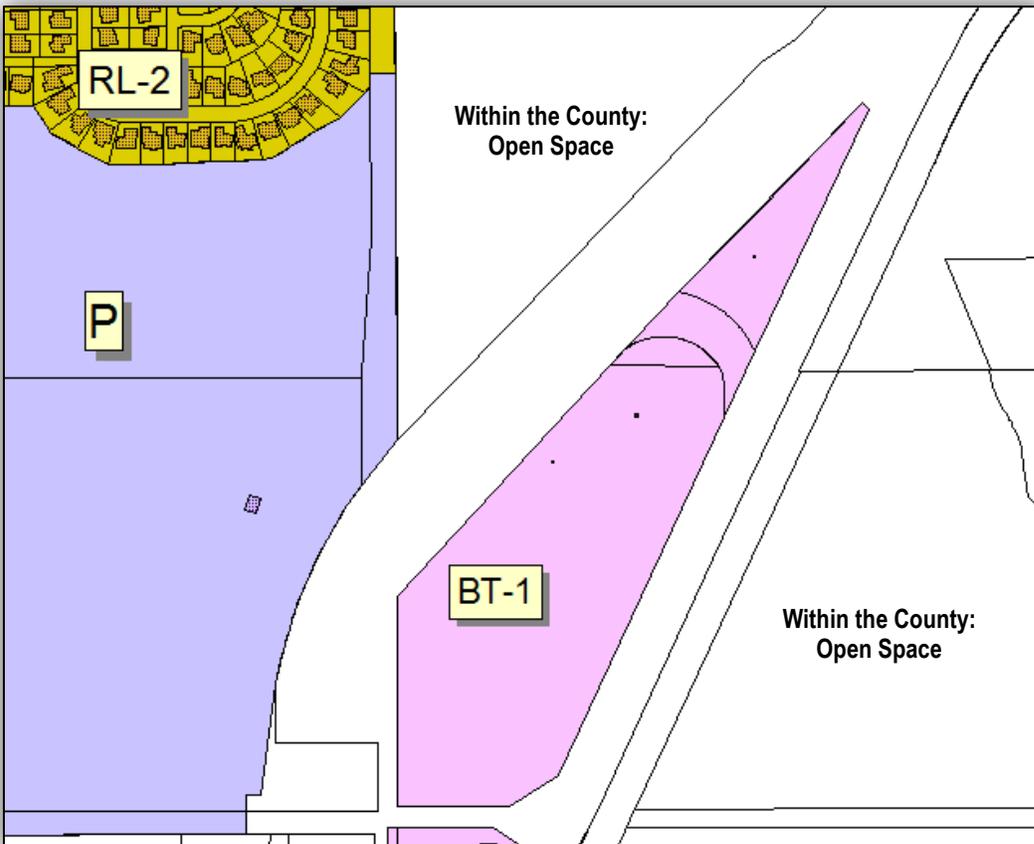


Figure 10: Zoning Map
Call Up 5800 Hwy 19

(3) Applicable criteria, review procedures, and submission requirements for a site review (continued);

- Inclusionary Housing: each new residential unit developed on the property is subject to 9-13 B.R.C., 1981, "Inclusionary Housing." The general Inclusionary Housing (IH) requirement is that all residential developments must dedicate 20 percent of the total dwelling units as permanently affordable housing. For rental projects this requirement may be met through the provision of on-site affordable rental units or comparable existing or newly built off-site permanently affordable rental units or through the dedication of land appropriate for affordable housing or by payment of a cash-in-lieu contribution. The proposed 387 units result in an inclusionary requirement of 77.4 permanently affordable units. The applicant's proposal to provide 83 permanently affordable senior units on-site would meet or exceed that requirement.
- Inclusionary Housing: Per 9-13 B.R.C., 1981, and associated regulations, permanently affordable dwelling units must be proportionate in type (such as detached, attached or stacked units) and number of bedrooms to the market rate units. Attached permanently affordable units must have an average floor area no less than 80 percent of the market-rate units, however this is a minimum and larger units are encouraged. Permanently affordable dwelling units must meet the "Livability Standards for Permanently Affordable Housing." No unit shall be considered a permanently affordable unit until the location, construction methods, floor plan, fixtures, finish and the cabinetry of the dwelling unit have been approved by the city manager.
- Inclusionary Housing: Any required documents including the Determination of Inclusionary Housing Compliance form, Covenants to secure the permanent affordability of the units, and an Agreement must be signed and if necessary recorded prior to application for any residential building permit. On or off-site permanently affordable units must be marketed and constructed concurrently with the market-rate units.
- Inclusionary Housing: Rental developments that meet the requirement with a cash contribution are required to acknowledge and agree to comply with that portion of the IH Ordinance which requires that if an owner chooses to convert the rental units to for-sale units within five years they will be required to pay the difference between the rental and for-sale CIL amount that was due when the building permit was issued.
- Inclusionary Housing: Any applicable cash-in-lieu contribution must be made prior to receipt of a residential building permit. The cash-in-lieu due is based on the amounts in place when paid.

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

Assuming the applicant pursues a Site Review application after Concept Plan, other types of permits may be necessary as the project plans progress:

- Technical Document for final plans (i.e. landscape, irrigation, architecture, lighting, engineering)
- A CDOT access permit must be reviewed and approved through a separate Technical Document Review process.
- A Special Use Permit will be required for the public improvements to be constructed within the CDOT right-of-way. The CDOT Special Use Permit must be applied for concurrently with Site Review submittal for preliminary CDOT approval and must have final approval prior to final

engineering plan approval.

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

The site is situated with Highway 119, 47th Street and Independence Road along with highway access lanes surrounding property. Opportunities exist to connect the project to the Fourmile multi-use path network that extends east to the Cottonwood Trail shown to the right. The site is challenged by the lack of close proximity to transit stops. As shown below, there are existing bus routes along the Diagonal Highway including the BOLT and the "J." However, as indicated on the map, there is one bus stop located within one-quarter mile of the site for north bound BOLT route only.

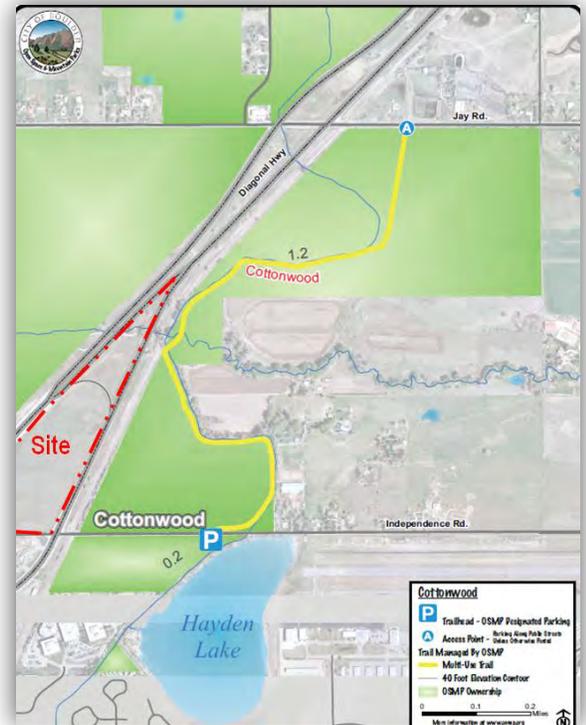


Figure 11: Fourmile Multi-Use Path

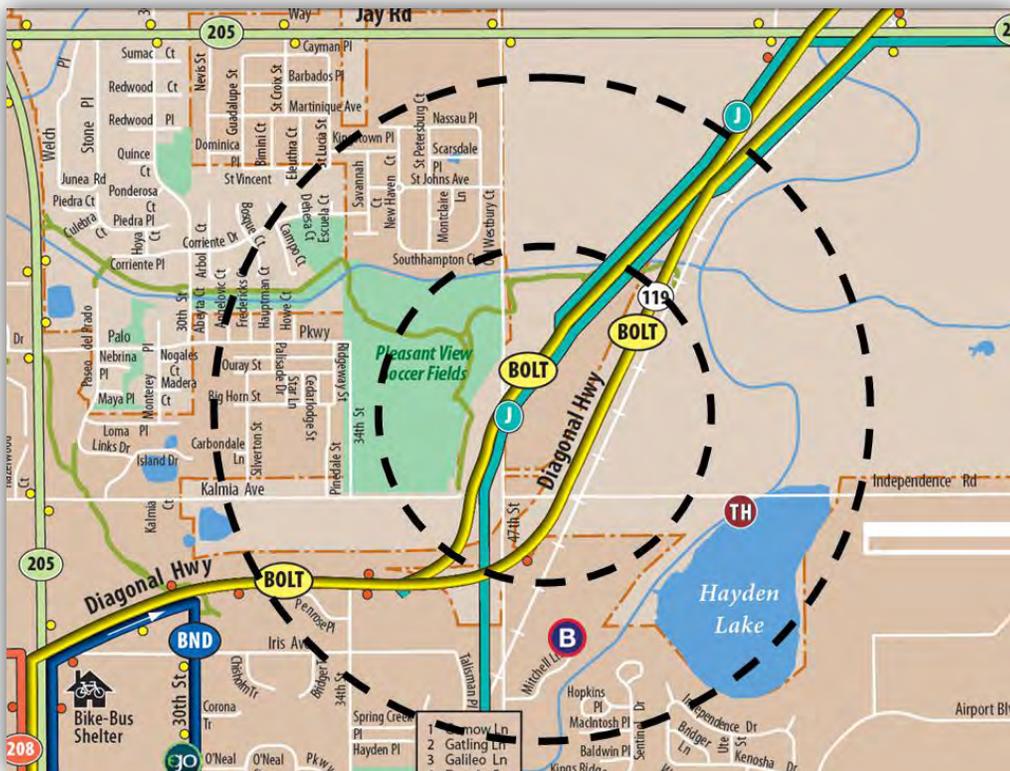


Figure 12: Walking Distances from Site to Bus Stop

In addition, given that the applicant is proposing a parking reduction, the challenge will be the preparation of a Transportation Demand Management plan without the benefit of transit on the site.

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

Portions of the site are located in the Four Mile Creek floodplain. The northernmost “triangular area” north of the off-ramp is primarily located in the conveyance and high hazard flood zones and development in these areas will be restricted in accordance with city floodplain regulations. The applicant will be required to dedicate a public flood control easement for the conveyance zone. A small area of the site south of the highway off ramp is also in the 100-year floodplain, and partially located in the high hazard and conveyance zones. Refer to the graphic on page 10.

There are no known special status species on the property. There are a number of large, mature trees on the northern most point of the site where the point of the site interfaces with the Fourmile Canyon Creek. That portion of the site doesn't appear to have any plans for redevelopment. However, at the time of Site Review an existing Tree Inventory will be warranted.

The property contains the individually landmarked #1-21 McKenzie Oil Well. Dating from 1901-1902, the Boulder Oil Field's McKenzie Well was designated a Landmark by Boulder City Council in November of 2002 and listed in the National Register of Historic Places in 2004. The well has significance not only for its association with the Boulder Oil Field, but the impact that the discovery of crude had on the growth and development of the city during the first decade of the twentieth century. These events have been recognized as making a significant contribution to the broad patterns of Boulder history.

Any physical change to the pump jack or well itself, including relocation, would require review by the Landmarks Board. Relocation of the pump jack would disassociate that element of the landmark from the well itself and would likely be found to be inconsistent with the historic preservation ordinance and the General Design Guidelines. Shown below is the original oil derrick from 1902, and as the pump appears today.



Figure 13: Images of the McKenzie Oil Well (from 1902 on the left and today on the right)

(7) Appropriate ranges of land uses;

The existing Transitional Business zoning supports a mix of uses as the intent in the zoning is to provide a transition between business and residential uses. This site is unique and differs from most sites in the Transitional Business zone in that there's little in the way of a built context surrounding the site with the exception of the highway. Typically, transitional business exists where there is a change in zoning from commercial or business uses and residential. The intent is to buffer the residential. The closest residential to this site, is ¼ to ½ mile away, as is the nearest business or office buildings. Therefore, while the existing zoning is intended to create a transition, there's little in the way of land use to transition to or from.

The appropriateness of the site for residential uses was a key issue raised during previous Concept Plan review discussions. Concerns about the lack of bicycle and pedestrian connections, safety and noise impacts from the nearby airport, traffic noise from the surrounding highway and lack of nearby services were discussed as reasons why this site may not be very livable. This is particularly true for the proposed senior housing on the site. Therefore, the question of residential on the site is less an issue of compatibility or appropriateness of land uses, but rather one of addressing the challenges of the site's location to create a desirable neighborhood.

Shown to the right are the ¼ to ½ mile distances surrounding the center of the site. As is noted, there's little in the way of walkable proximity to services or employment.

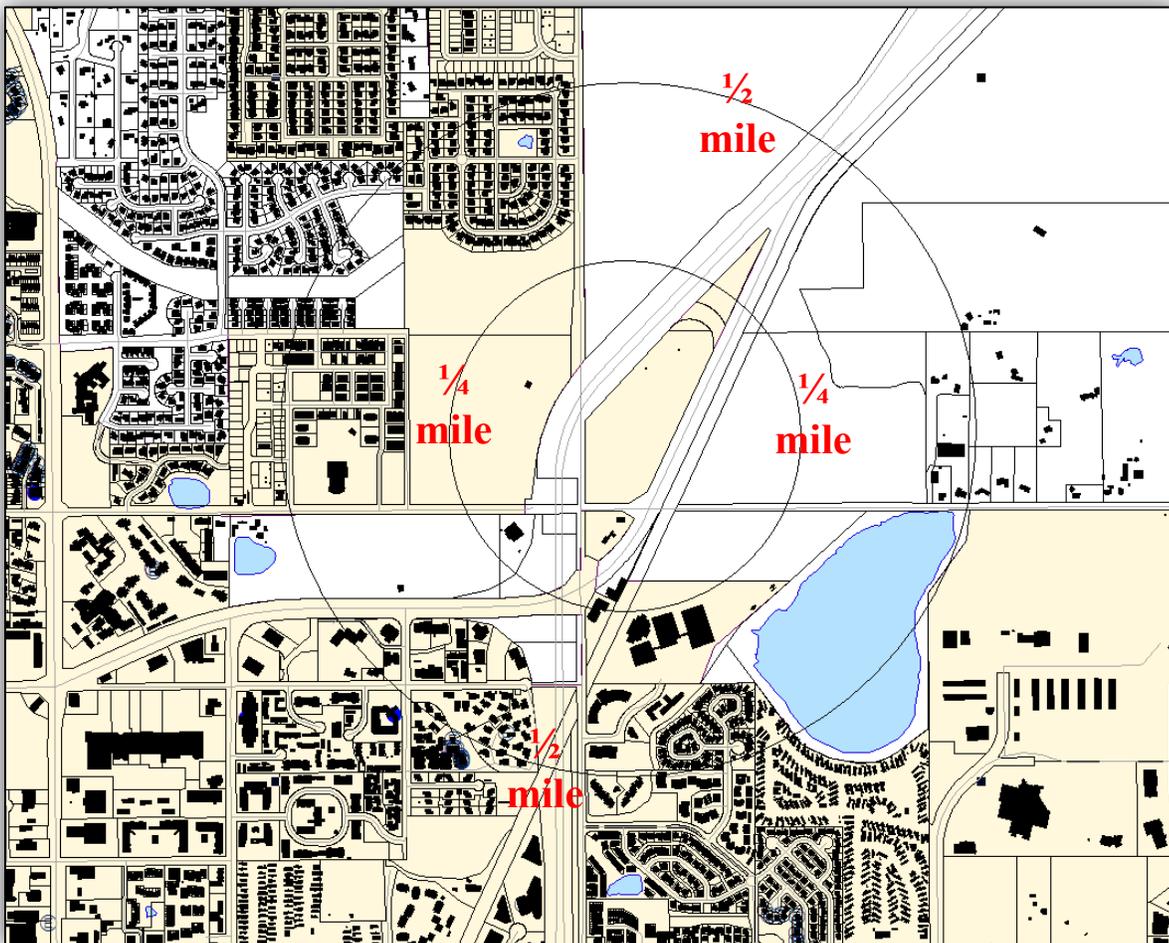


Figure 14: Walkable proximity to services or employment

8) The appropriateness of or necessity for housing

The proposed project's provision of housing, particularly affordable senior housing on site, along with a diversity of housing would help to meet several BVRC policies that address the need for housing. The challenge for this particular site, while meeting many of the policies for housing, is that the location doesn't meet the intent for mixed use and multi-family development proximate to transit, employment or services. The need for transit facilities in this location along with other services beyond the small retail and/or coffee shop proposed on site makes the site less appealing for residential and senior residential than other locations within the city. The following are the BVRC policies regarding the need for and provision of housing:

7.01 Local Solutions to Affordable Housing

The city and county will employ local regulations, policies, and programs to meet the housing needs of their low and moderate income households and workforce. Appropriate federal, state and local programs and resources will be use locally and in collaboration with other jurisdictions. The city recognizes that affordable housing provides a significant community benefit and will continually monitor and evaluate its policies, programs and regulations to further the city's affordable housing goals.

7.02 Permanently Affordable Housing

The city will increase the proportion of permanently affordable housing units to an overall goal of at least ten percent of the total existing housing stock through regulations, financial subsidies and other means. City resources will also be directed toward maintaining existing permanently affordable housing units and securing replacements for lost low and very low income units.

7.03 Populations with Special Needs

The city and county will encourage development of housing for populations with special needs including residences for people with disabilities, populations requiring group homes or other specialized facilities, and other vulnerable populations where appropriate. The location of such housing should be in proximity to shopping, medical services, schools entertainment and public transportation. Every effort will be made to avoid concentration of these homes in one area.

7.06 Mixture of Housing Types

The city and county, through their land use regulations and housing policies will encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes and densities, to meet the housing needs of the full range of the Boulder Valley population.

7.09 Housing for a Full Range of Households

The city and county will encourage preservation and development of housing attractive to current and future households, persons at all stages of life and to a variety of household configurations. This includes singles, couples, families with children and other dependents, extended families, non-traditional households and seniors.

7.10 Balancing Housing Supply with Employment Base

Expansion of the Boulder Valley housing supply should reflect to the extent possible current employer locations, projected industrial/commercial development sites, variety of salary ranges, and the demand such developments bring for housing employees. Key considerations include housing type, mix, and affordability. The city will explore policies and programs to increase housing for Boulder workers by fostering mixed-use and multi-family development proximate to transit, employment or services and by considering the conversion of commercial and industrial zoned or designated land to residential use.

7.13 Integration of Permanently Affordable Housing

Permanently affordable housing, whether publicly, privately or jointly financed will be designed as to be compatible, dispersed, and integrated with housing throughout the community.

KEY ISSUE 1: Is the proposed project consistent with the BVRC Transitional Business Land Use

The intent of Transitional Business is to provide less intensive business uses than General Business and provide a transition to residential areas. The BVCP land uses for the entire city are illustrated with the Transitional Business land use areas circled in Figure 15a below. As can be noted, the majority of these areas do serve as a transition from higher intensity business or industrial land use to residential. The exception is the subject site given that it is straddled on both the east and west sides with open space, as shown in Figure 15b. Because of this distinction, there are few precedents to compare to the site.

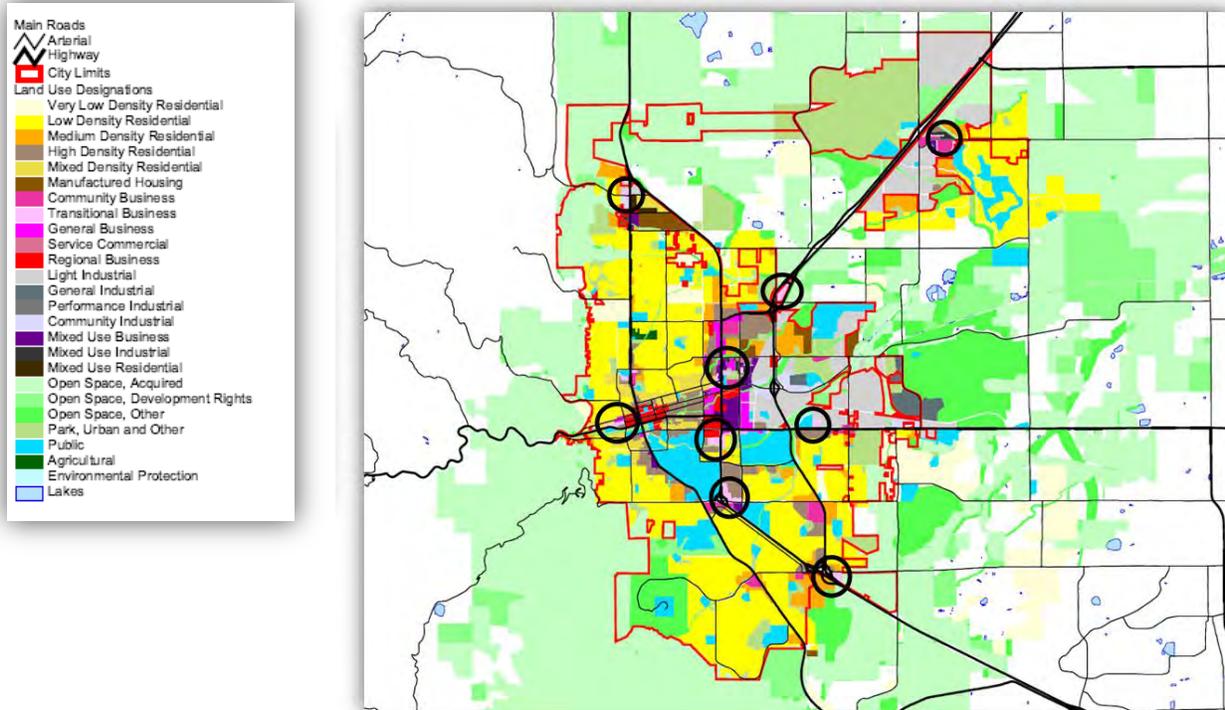
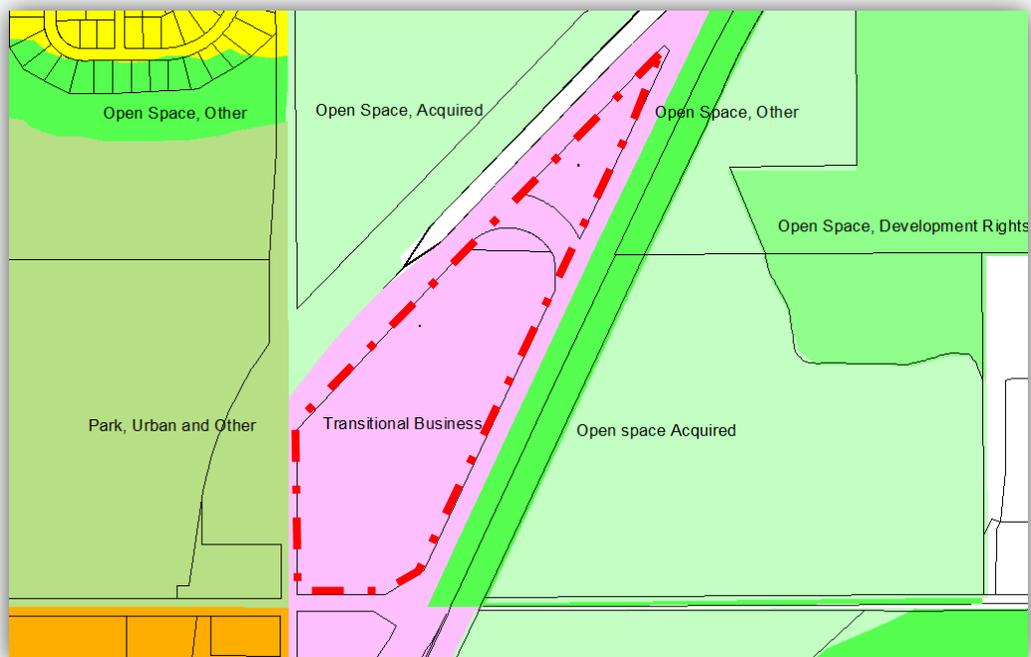


Figure 15a: Transitional Business Areas throughout the City (above); 15b: Land Use Context of Site (below)



The closest land use precedent in the city that is a “transitional business” area surrounded by open space and major roadways is another “entryway” site located at the southeast end of the city at the apex of Highway 36/Foothills Expressway and South Boulder Road as shown in Figure 16. In that case, office buildings were constructed and are considered consistent with the intent of the Transitional Business Land Use.

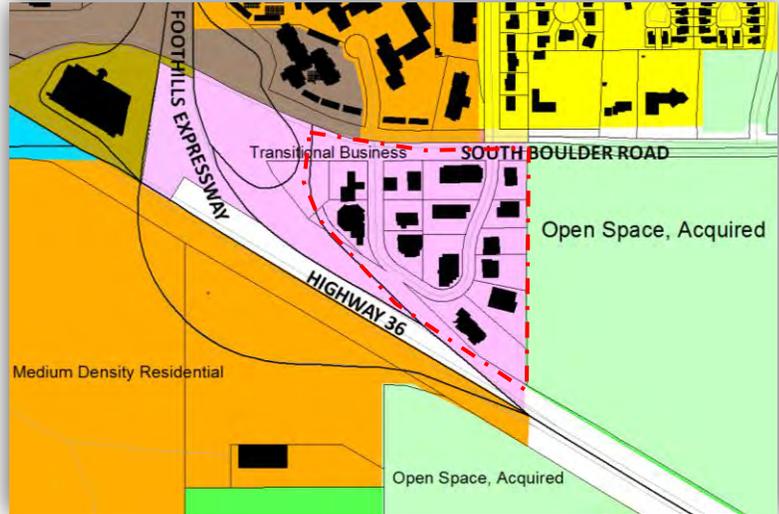


Figure 16: Comparable “Entryway” Transitional Business Site

Given the more intensive highway context of the subject site and the predominant use of the site for residential, rather than office, the Concept Plan is arguably contrary to the intent of the BVRC Transitional Business Land Use. However, it is important to note, that while the BVRC Transitional Business Land Use is intended to provide for “less intensive business uses” the Business Transition – 1 (BT-1) zoning does permit attached residential as a by-right use. Because the development on the site would require Site Review, analysis of the consistency of a site with the vision of the BVCP land use and policies is important to consider appropriateness of a use for the context.

KEY ISSUE 2: Is the predominant use of the site for residential consistent with relevant BVCP Policies?

While the Concept Plan does illustrate a mix of uses, the predominant use on the site is residential, with 295 attached residential units along with 83 permanently affordable senior units shown to occupy approximately three quarters of the development area. The question of appropriateness of the site for residential was discussed in previous Concept Plan reviews where residential was also the main use proposed on the site. At that time, the board acknowledged the need for residential in the city but questioned the site as a livable place for residential and comments noted that the site “in the middle of a cloverleaf” and that, “people would be living in a sea of traffic.” Another comment noted that there would be a need to, “demonstrate that the site is livable.” These issues remain with this Concept Plan.

Staff notes that with the surrounding highway traffic, noise and air quality would be among the impacts to any future residential. Accessibility for residents, particularly seniors, from this site to other services and transit outside of this site would be challenging as well. In previous reviews, there was a suggestion that an underpass for pedestrian connections would be important. While in the previous review, one board member suggested that perhaps the site would be more appropriate for seniors because of “fewer auto trips” and the ability for development to be “inward focused” as well as “residents may not be as affected by noise.” Staff notes that there are BVCP policies that apply universally to residential development.

For example, BVCP policy 2.14 “*Mix of Complementary Land Uses*” states,

“The city and county will strongly encourage, consistent with other land use policies, a variety of land uses in new developments... Wherever land uses are mixed, careful design will be required to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.”

The adjacent Highway 119 has a significant intensity creating impacts. Given that there is little ability to mitigate these impacts on the site through an “appropriate transition” staff finds that this policy would not be met

by the Concept Plan.

Similarly, BVCP policy 2.21, "Commitment to a Walkable and Accessible City" states,

"The city and county will promote the development of a walkable and accessible city by designing neighborhoods and business areas to provide easy and safe access by foot to places such as neighborhood centers, community facilities, transit stops or centers, and shared public spaces and amenities. The city will consider additional neighborhood-serving commercial areas where appropriate and supported by the neighbors they would serve."

While the applicant is illustrating 53,000 square feet of retail office, there is little in the way of neighborhood serving commercial. There is also little opportunity to provide easy and safe access given the surrounding highway on the majority of the site. In addition, the site would need to create a sense of a neighborhood for residents that mitigates external impacts and provides for daily on-site services, something difficult to achieve in the highway context.

KEY ISSUE 3: Does the Concept Plan respond to the Design of the Community Edge and Entryway context?

In past Concept Plan and Site Reviews for the site, reference has been made to the site being a "gateway" or at an "entryway" to the city as defined in BVCP Policy 2.05. This is evident in Figure 17, aerial photo; Figures 18 & 19, street views, the site is not only an "edge" or "entryway" into the main part of the city, but also is in the foreground of significant views from Highway 119 of the Flatirons.

2.05 Design of Community Edges and Entryways

Well-defined edges and entryways for the city are important because they support an understanding and appreciation of the city's image, emphasize and preserve its natural setting, and create a clear sense of arrival and departure. Natural features are most effective as edges, but public open land, major roadways or heavy tree planting can also function as community edges. As new areas are developed, the definition of a community edge will be a design priority. Major entryways into the Boulder Valley will be identified, protected and enhanced.



Figure 17: Birds Eye Aerial Showing Entryway Context of Site and in Relation to Flatiron Views



Figure 18: Distant view of the site when approaching from southbound Highway 119



Figure 19: Close in view of the site when approaching from southbound Highway 119

There are no images provided which depict the proposed massing on the site from this viewshed. However, because of the high visibility of this site from Highway 119, the development plans would need to make a strong statement for design excellence and simultaneously preserve the significant view corridor toward the Flatirons. Previous discussions about development on this the site have noted that this unique site context would warrant emphasis on iconic architecture yet in a style that would simultaneously be understated in relation to the views.

As currently configured, there are parking areas that are shown to abut the highway. While typically such an approach could provide a buffer for the buildings for the living/working areas of the site from a highway, in this case, parking lots would not be an appropriate design response to the “entryway” context.

CONCLUSION:

The Concept Plan is challenged by questions of consistency with the BVCP Land Use designation of Transitional Business, by accessibility and compatibility of the site in relation to the surrounding highway as well as the responsibility of building upon a city entryway site.

PUBLIC COMMENT AND PROCESS:

Required public notice was given in the form of written notification mailed to all property owners within one-half mile of the subject site and a sign posted on the property for at least 10 days. It is important to note that while the Land Use Code standards for mailing are to property owners within 600 feet, given the surrounding open space to the site, staff determined that a radius of ½ mile would better serve the process by notifying the nearest neighbors. Therefore, all notice requirements of section 9-4-3, B.R.C. 1981 have been

met. At the time of the memo preparation, eleven comment letters were received and are provided in Attachment B.

STAFF FINDINGS AND RECOMMENDATION:

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

Approved By:

David Driskell, Executive Director
Community Planning & Sustainability

ATTACHMENTS:

- A: Planning Board Minutes from previous Concept Plan review 2001 and 2006**
- B: Community Comments**
- C: Concept Plan Submittal**

**MCKENZIE JUNCTION CONCEPT PLAN
DECEMBER 13, 2001 PLANNING BOARD MEETING
SUMMARY OF PLANNING BOARD COMMENTS**

"Gateway" Site

- Cowles:** A gateway property marks a transition between open space and the city.
- I like the mixed use concept but this proposed project turns inward, which is the opposite of what we want. A mixed use project should have well defined connections with the area outside its boundaries, so that there will be a flow of life and energy between the project and its surroundings.
- Gunter:** A gateway should symbolize Boulder and its values; an oil well does not symbolize Boulder values.
- Nielsen:** This gateway should be an edge with landscaping; less is more.
- Pommer:** The proposal gives some of what the community wants but it is a unique setting.
- Use the "triangle" north portion of the site as a landscaped edge.

Land Uses

- Board:** Concur that a hotel (maximum three stories) should be considered as a potential use.
- Board:** Unanimously supports some type of land swap so alternative uses can be developed on the site.
- Cowles:** The development proposed is too dense; cut the number of offices and jobs to help our jobs/population balance (TB sites are under consideration for less density allowed). Less on this site is better. I'd rather see housing than commercial, since the city actually needs housing.
- Look at park uses.
- A hotel use may be appropriate since those visitors would be driving in cars anyway; also, there is no campground in Boulder – could this be a possible site?
- Gunter:** Underground parking may not be a great idea for this site, given environmental and water resource concerns.
- The applicant has done an excellent job with a site that's a disaster.
- The previous concept plan for a hotel was rejected due to the building height, not the land use; a limited service hotel could be a good use for this site (safer since much of the building would be unoccupied during daytime flights).
- How would the flex space units get sold together (residential and commercial unit)?
- Local "support" uses (e.g. coffee, bagel shops) would be key; surrounding properties may also provide these support uses.

Nielsen: Are there civic uses (soccer fields, transit hub, etc.) that would preserve the views and keep the oil well? Has the city explored if those options are possible?

The flex space concept is intriguing. How workable will it be for business with visiting clients?

Consider a special district to assist city purchase of the site.

O'Hashi: What is the reason for City Open Space not purchasing the site?

Pommer: Adequate parking is key; there is no place for parking to "spill out".

The site may have a carrying capacity that doesn't match its acreage; the applicant would have to demonstrate that the land use intensity is appropriate

Residential Uses

Cowles: The site is in the middle of a cloverleaf; who would want to live there? People would be living in a sea of traffic.

Could the site be more appropriate for a residential community for seniors? This use would have fewer auto trips, can focus inward, and residents may not be as affected by noise (an underpass for pedestrian connections would be important).

Gunter: Due to the surrounding roads, it could be a bad place to live; but the city is residence-starved. Can you make the site livable and sellable?

Pommer: Which schools will serve the site?

The inclusion of service uses will be important.

The applicant will need to demonstrate that the site is livable. We want more housing but are not convinced that housing is appropriate on every site; commercial uses make more sense on this site. We try to balance on all individual sites.

Perhaps find someone with a commercial site who would rather develop residential units

Transportation

Cowles: Almost all trips to and from the site would be by car because the 47th street flyover to the SW, the Diagonal to the NW and the offramp and Diagonal that wrap most of the rest of the property create a wall of severance which can be safely traversed only with a car well equipped with air bags.

Gunter: The transportation study should be conservative in its assumptions about the site; include trips to be generated by future development; use up-to-date traffic numbers; for TDM plans, assume a large number of trips (perhaps charge employees \$2.00 per day and distribute fees to people who use alternate modes).

Nielsen: Would want to see underpasses to the west and east (to the open space and soccer fields).

O'Hashi: Traffic impacts and a TDM program are key.

Architecture

Cowles: I like the elevations, but concerned that the buildings create an urban space that works.

The proposed commercial architecture is noble for a gateway and reflects our plains heritage.

The street orientations may need to shift to protect the best views

Gunter: Cover buildings with landscaping for a more natural look rather than making an architectural statement.

Enhance the landscaping to help with noise buffering (e.g. evergreen trees).

The commercial architectural style shown doesn't work – the rest of the architectural character is OK.

Consider going to DDAB Board for review – great free advice and their comments are not binding

O'Hashi: The architectural style reflecting the McKenzie history complements the design. Be careful not to create fake history – may not be appropriate

Nielsen: Doesn't like the "silo" feature design; understands that the design is very conceptual

Pommer: The architectural design is important – need a street façade for highway users to view, but the buildings must focus inward also. Likes the conceptual architectural design.

There should be some consistency between the different building types (e.g. use of flagstone or tile materials) so that they appear as one development.

For a previous concept plan review, the Planning Board indicated that 55 feet would not be an acceptable building height

Noise

Gunter: What disclosure will be given to tenants and owners re: noise?

Pommer: Compare this site with the noise generated and traffic counts from streets adjacent to other residential developments, e.g. The Boulders, Wellman Creek, Tantra, Moorehead residences backing onto US 36, and the condos at US 36 and Table Mesa Drive.

Oil Well

Board: Concur that the well should be considered for landmarking.

O'Hashi: If the oil well is in production, consider how it may affect the plan if it is kept active.

What will the reclamation plan be, given the city landmarks and COGCC processes?

Where is the oil well reservoir? The holders of the surface rights may have the right to drill additional wells on the property

Airport Influence Zone

Gunter: Has observed planes and gliders going over the site. The real issue is that there have been some crashes.

Has concern about the building height proposed. Buildings should be under 35 feet, for safety from flight paths.

Would like more information on glider and plane flight paths.

The applicant will be required to underground all utilities

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
August 3, 2006

BOARD MEMBERS PRESENT:

Elise Jones, Chair
Simon Mole, Vice Chair
John Spitzer
Phil Shull
Adrian Sopher
Claire Levy
Richard Sosa

STAFF PRESENT:

Robert O. Cole, Land Use Review Manager
Ruth McHeyser, Acting Planning Director
David Gehr, Assistant City Attorney
Brent Bean, Senior Planner
Steve Durian, Engineer
Jody Jacobson, Communications
Mary Wolff, MRW & Assoc.

ACTION ITEMS

A. Public hearing and consideration of Concept Plan LUR2006-00044, McKenzie Junction. Concept Plan proposal includes the development of up to 344 residential units and 35,000 square feet of non-residential use.

Applicant: Scott McFadden, Trammell Crow Residential Development
Owner: Birch Mountain Limited Liability Company

Elise Jones:

The site is a median, not good for residential. It is an entrance to the city though. What might go there - perhaps a church, one piece of incredible architecture or more soccer fields. Residential doesn't work on the perimeter. Service Industrial might work on the south end where it's less visible. Disagreed with Commissioner Spitzer that this site was appropriate for affordable housing because the site is so undesirable. Keep the connection to the bike path on 4-mile creek. Not adverse to some residential but it needs to address noise, open space, and have a lower density and a different configuration. The notion that it's a glorified highway median is what the developer has to overcome.

Simon Mole:

Is the proposal compliant with the park service area requirements? Concerned about the access; ingress and egress. Perhaps we can transfer Service Industrial zoning from somewhere else in the city. This site is just about uninhabitable due to noise etc. but some kind of building would be acceptable here. I do not believe you can get a neighborhood or community here. This is a place that is auto-oriented, maybe service industrial with some live-work. Height is not an issue at this location. If the developer can answer the question of who and how people will live residential may be supportable.

Noise is a problem overall, building techniques can mitigate the indoor impacts but it's a problem for outdoor living.

John Spitzer:

Development that results in a fortress will create a sound wall, but as a gateway site is a wall of buildings appropriate. Site needs less density and more of a whimsical flavor. Affordable housing, this site has potential because it is so undesirable that the developer might be able to meet an affordable price point. Perhaps a live/work, service industrial environment.

Phil Shull:

I don't think the site will ever work as a gateway. There's no distinguishing characteristics to celebrate. It is an abrasive even hostile site for residential. The commercial tenants would also struggle, the location is wrong, and the site is too small. The Site has a limited chance of surviving as a mixed-use site. Some built form won't damage the view-shed irreparably. Biggest issue is the noise buffering, how to mitigate. Service industrial could be a viable use for this site. I do think limited residential could work on the interior, with a campus feel. View impacts are not an issue at this location. The site is auto oriented but doesn't need all the streets proposed. Density does not work here – half what is proposed. There would be a high turnover of rentability, no one would want to live here for any length of time.

Adrian Sopher:

The site is not a gate way, it projects out and is disconnected from the rest of the community. The site is designated Area I on the BVCP. Only at the center of the site is the sound reduced to a point where housing might work. I can see small scale estate residential buffered by trees in the center, if you wanted to do res. here. High density residential is not appropriate for this site. As a gateway, no building on the site will block the views of the mountains, this is not a concern. Do not put residential on the perimeter, office or service commercial would work to protect the interior for possible residential. The central area should have a fair amount of green/park space. Not sure the egress on the East works because of acceleration distances. The balance of uses is not supportable to make this a viable community. The noise issue must address. The site is not a comfortable place for residential with traffic on all sides at all times.

Claire Levy:

This really is a median. I can't see putting a community of people here. Though we need affordable housing, this location is disconnected and has access issues. This is a place for service industrial. The site is not appropriate for retail due to access and location. Three story structures would be acceptable at this location. But could work for small services and to get things fixed. I don't think development will mar the view to the flatirons. I wouldn't object to something messy on the site, we need places for messy things to happen in the community. Housing on this site would be a real challenge due mainly to the noise. Access is also a challenge, what's proposed is circuitous. Residential density will need to be lower. The site is an island, hemmed in with no connectivity, nowhere to walk.

Richard Sosa:

Site should be Open Space, because it has noise issues that probably can't be resolved.

Health and safety for residents is difficult given that the site is surrounded by highways. The corridor is an important view-shed as an entryway. The proposal does not have discernible entryways. The noise issue will be difficult to overcome. Walls are not a good idea as a planning feature. The proposed site plan has cluttered roads and too many. I want to see more usable, functional green space/park area.

Attachment B: Community Comments

From: Sharon Penny [mailto:████████████████████@████████████████████.com]
Sent: Monday, April 20, 2015 4:51 PM
To: McLaughlin, Elaine
Subject: Alexan Flatirons project

I would like to make known my objection to the Alexan Flatirons project at 3600 SH 119, review #LUR2015-00028.

1. Traffic issues: The area is basically the median of the diagonal highway, and the intersection of many roads. Traffic congestion is already bad there, and adding this project would seriously impact people's ability to get to and from work in a timely fashion, as well as increase the number of accidents.
2. Size: The project is way too ambitious for the size of the property.
3. Lack of parking: The notification letter did not specify whether any parking would be provided. But I would point out that the soccer fields right across the street already have issues with inadequate parking, causing illegal parking in the adjoining neighborhoods. This problem would only exacerbate the problem.
4. No public transportation: To my knowledge there is no public transportation to the area, so all access would be by private vehicle.
5. Comment: If this project were suggested for the area north of BT-1, it might be a feasible use of the space, but the BT-1 area in question would serve the city better as a small green area or park to greet visitors coming into town from the NE.

Thank you for your consideration of my input.

Sharon Penny
4894 Hopkins Pl.
Boulder

-----Original Message-----
From: K.C. Gordon [mailto:kc9989@comcast.net]
Sent: Tuesday, April 14, 2015 7:18 PM
To: McLaughlin, Elaine
Subject: Concept plan comment

Elaine,

I'm commenting on the concept plan LUR2015-00028.

After receiving in the mail from the City of Boulder Planning and Development Services a notice on this plan I have only one comment for consideration. I think you will need a traffic signal at the intersection of RH-4, Diagonal Hy and Independence Rd. It almost needs one now as the traffic entering that intersection from the east on Independence Rd. has been increasing. Travelers usually want to go into Boulder, south on RH-4, Diagonal Hy from Independence Rd., and with the speed of cross traffic, it can be a tricky maneuver.

Adding this density to this area will certainly require some safety improvement, like a traffic signal. Speed limits in RH-4, Diagonal Hy are 55mph north and 45mph south.

Thank you,

Kenneth Gordon
3265 34th Street Apt.53
Boulder, CO 80301-1964
tel-303-444-6689
kg0080@comcast.net

April 17, 2015

City of Boulder
Planning and Development Services
P.O. Box 791
Boulder, CO 80306

Dear Sirs:

Subject: Neighbor Input Re: LUR2015-00028

As residents of the Four Mile Creek neighborhood in north Boulder, we received notice of a concept plan and review of the proposed "Alexan Flatirons" project. Because we will be out of town on May 7, we would like to comment via this letter.

We believe the project is unsuitable for the site for several reasons:

1. Site too small for the proposed density – Three-story buildings holding 378 residential units (and a small amount of commercial) would greatly impact surrounding neighborhoods.
2. Lack of parking – The project proposes 570 parking spaces plus one small "community" parking area, which seems inadequate. Having all parking on-street makes entrance and egress more difficult (compare with the Northfield Commons neighborhood, where this is also the case).
3. 2.62 acre "park" – Though a small "community" garden is proposed, there is no real park for the neighborhood, only a long, thin triangle of leftover land (called a "greenway"). We believe a new apartment complex development would attract small families with children. The lack of facilities will increase pressure on the overcrowded Palo Park East, which is now already serving four neighborhoods: Palo Park, Four Mile Creek, Northfield Commons, and Northfield Village. (We have heard that the vacant plot to the south of East Palo Park is also proposed for residential development.)
4. Site is between two highways – Of course, people desperate for housing might consider this an acceptable alternative, but it poses health and safety hazards (high-speed traffic and exhaust from the Longmont Diagonal). A new entrance would be required, or an upgrade to Independence Road, and it is unclear who would pay for this (city, county, or developer?).

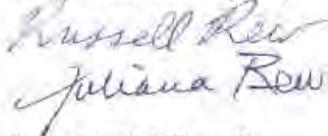
5. Encroachment on buffer between Boulder and cities to the east. The proposed residential project adds to further eastward urban sprawl from Boulder. Avoiding this has been a long-standing goal of the Boulder County Comprehensive Plan.

6. Lack of public transportation – RTD at 47th and Iris goes to Longmont, not Boulder. The nearest bus stop into Boulder is across a busy exit off the Longmont Diagonal. If a goal of adding higher density housing is desirable for Boulder, the city should be required to negotiate with RTD for improved public transportation facilities.

The site may be more suitable for a single hotel or doctor's office, etc., and is zoned for that use, although we would prefer to see it preserved as open space (similar to the fenced plot along 47th Street between Cottonwood Trail (Kalmia?) and Jay Streets). (Of course, this property would have to be purchased from the current owners to become open space.)

We recognize that Boulder is a desirable place to live, but we also recognize that with careful planning it has grown slowly—until recently. Compare it to Colorado Springs, which 20 years ago was about the same size as Boulder, and which now has a population of over 400,000, or Austin, Texas, which has grown from 100,000 to 800,000 in the same period.

Thanks and best regards,



Russell and Juliana Rew
4101 S Hampton Cir
Boulder, CO 80301

From: Josh Kahn [mailto:████████████████████@boulderco.gov]

Sent: Thursday, April 16, 2015 5:45 PM

To: McLaughlin, Elaine

Subject: LUR2015-00028

All those family units and surrounded by major roads. Is there any retail nearby that will not keep everyone out of their cars? I cannot see how this development makes any sense? Maybe retail but a neighborhood surrounded by the highway and other roads with no other infrastructure nearby?

Josh Kahn
3990 Montclair Lane
Boulder, CO 80301

From: suzywolf@gmail.com [mailto:████████████████████]
Sent: Thursday, April 23, 2015 11:17 AM
To: Dean E. Wolf
Cc: McLaughlin, Elaine; dean wolf
Subject: Neighbor Comments/Concerns regarding Alexan flatirons development.

Dear Elaine,

I would like to submit the following comments/concerns to be placed in the Staff memorandum to the Planning Board.

I agree with my husband, Dean Wolf's, comments (below) and would like to add a concern for the prairie dogs who currently reside in that field. Is it possible to relocate them and then dig a barrier so that they do not come back? What is the plan to avoid killing them while building any development on this property. Our nine year old daughter is very worried about them and we wanted that to be on the record.

Thank you!

~Suzy Wolf
4 Mile Creek Resident

From: Dean E. Wolf [mailto:████████████████████]
Sent: Thursday, April 23, 2015 2:01 PM
To: McLaughlin, Elaine
Cc: law@ipmls.com
Subject: RE: Neighbor Comments/Concerns regarding Alexan flatirons development.

1. The developer is seeking approval to build 368 high density multi-family units on the property. That number seems very high (and greedy). The families would be packed in like sardines with so many units. I'm curious to know how many persons total would inhabit this development. If one assumes 3 persons per unit, then we're talking 1,104 additional persons.
2. The proposed development would essentially be an isolated island of 368 high density multi-family units surrounded by freeways (Hwy 157), high-speed roadways, and train tracks. The noise and pollution factors alone would seem to make this development prohibitive of such a large residential development. The location of this development seems much more suited for low density residential with a larger proportion of the property allocated for business/commercial use.
3. Noise of Train - I am a resident of 4 mile Creek Development, and live near 47th street. Trains running on the train tracks near the proposed development site frequently blow their horns multiple times between 12am and 4am. From my house, the noise of these train horns sounds very loud, even with the windows of our home closed. these train horns would most definitely be very disruptive to the residence of the proposed development.
4. No sidewalks/pedestrian access. As far as I can tell, the proposed development plan does not include any plans for building sidewalks around the entire development. this presents a major safety issue, as it is very likely that the residents of the development will wish take the shortest path (e.g., via

jaywalking across diagonal highway and other nearby streets) to access (via foot) the Pleasant View Soccer fields and open space areas (e.g. cottonwood trail)

5. Possible toxic environmental/soil contamination due to presence of existing oil well on property. Has any study been conducted to determine the extent to which the soil and groundwater on the property has been contaminated by the oil well? If such contamination exists, it could be very harmful for children living in the development, as well as adults.

6. Increased probability of pedestrians attempting to illegally cross over the train tracks to access open space areas (e.g., cottonwood trail). There is already an issue with users of the multi-use path (on the north side of train tracks) illegally crossing over the train tracks to access open space areas (e.g., cottonwood trail). The addition of 1000 additional nearby residents would greatly exacerbate this problem.

7. Insufficient allocation of outdoor recreational space in development plan. where would the children of the development play outside? In the development's concrete parking lots? For the development of this size, one would expect that adequate outdoor recreation space be allocated for the recreation of the residents of the development, including, for example, a large grass field (for sports such as soccer, baseball, football), a playground area and play structure for younger children, picnic tables, shade structures, etc.

8. Wetlands issue. There currently exists a wetlands on the property. Has the developer conducted an adequate environmental impact report (EIR) to determine how the development might affect the wetlands and native species which inhabit the wetlands?

9. Traffic congestion issue. in addition to the obvious traffic congestion issues relating to 400-800 vehicles attempting to enter/exit the development property, there is also the issue of southbound on ramp to the Diagonal Highway at 47th St., which, currently, is accessible only via a left turn lane that can accommodate at most 20 vehicles before the line backs up into the intersection of Diagonal Highway/47th

10. School Over Enrollment Issues. Where would the children from this development attend school? Has the developer addressed this issue at all? Which elementary school would be the "local" school? Which middle school? The closest public elementary school Crest View Elementary, which is already over capacity (with over 600 students). I am a member (and former chairperson) of the Crest View Elementary School Accountability Committee (SAC), and I know that Crest View Elementary is already struggling with significant issues relating over enrollment of students at that school. There is ongoing concern that these over enrollment issues will further be exacerbated by the enrollment of additional new students from the new development communities just west of Pleasant View Fields. Similar over enrollment issues also currently exist at Centennial Middle School. it is not feasible or practical to assume that there is adequate space at either Crest View elementary or Centennial middle school to accommodate the children of the proposed Alexan flatirons development.

Dean E. Wolf
Intellectual Property Attorney
Corporate Counsel

Tel: 510.655.9111
Fax: 510.868.2711
Telecon: 712-832-8310 x 3887328
<http://www.linkedin.com/in/deanwolf>

From: McLaughlin, Elaine
Sent: Thursday, April 23, 2015 1:56 PM
To: 'Dean E. Wolf'
Cc: 'dean wolf'
Subject: RE: Neighbor Comments/Concerns regarding Alexan flatirons development.

Hi Dean-

We appreciate your thoughtful concerns. Could you please authorize attachment of these comments into the staff memo that goes to the Planning Board? Your email has a disclaimer statement that requires authorization. Then, per your request, I've provided some preliminary responses to your questions in ***bold italic*** below. Some of the points you bring up were similarly identified by staff in comments to the applicant and in the draft memo to Planning Board. Additional or expanded information will come from other disciplines (such as transportation or engineering) prior to Planning Board, but I did want to respond to your request to address the comments.

All the best-
Elaine

Elaine McLaughlin, Senior Planner
Department of Community Planning + Sustainability
City of Boulder
1739 Broadway, 3rd Floor
Boulder, CO 80306-0791

303-441-4130 (phone)
303-441-3241 (fax)

<http://www.boulderplandevlop.net>
<http://www.bouldercolorado.gov/>



From: Dean Wolf (iPhone) [mailto:████████████████████@boulder.gov]
Sent: Thursday, April 23, 2015 11:13 AM
To: McLaughlin, Elaine
Subject: Re: Neighbor Comments/Concerns regarding Alexan flatirons development.

Thanks for confirming, Elaine. Unfortunately, I will be out of town on May 7, and will not be able to personally attend the planning board meeting.

Just curious... Are you able to address any of my comments/concerns with me either by phone or email?

Dean E. Wolf
Intellectual Property Attorney
law@ipmls.com • 510.290.8866
www.provisionalpatentlawyer.com

From: Dean E. Wolf [<mailto:> ██████████]
Sent: Thursday, April 23, 2015 2:48 AM
To: McLaughlin, Elaine
Cc: 'dean wolf'; [law@ipmls.com](mailto:)
Subject: Neighbor Comments/Concerns regarding Alexan flatirons development.
Importance: High

Dear Elaine:

I am a resident of 4 Mile Creek Development, and wish to submit the following comments/concerns to be placed in the Staff memorandum to the Planning Board regarding Alexan flatirons development.

Kindly confirm receipt of this email communication.

Thank you.

Regards,
--Dean Wolf
Resident of 4 Mile Creek Development

1. The developer is seeking approval to build 368 high density multi-family units on the property. That number seems very high (and greedy). The families would be packed in like sardines with so many units. I'm curious to know how many persons total would inhabit this development. If one assumes 3 persons per unit, then we're talking 1,104 additional persons. *At this stage of the review process, Concept Plan, the applicant hasn't prepared detailed plans illustrating the number of bedrooms so it's difficult to be definitive at this early stage. The plans include 83 senior residential units, so the number of residents per unit may be less than the three. Beyond that information, there is no definitive demographic data at this point.*

2. The proposed development would essentially be an isolated island of 368 high density multi-family units surrounded by freeways (Hwy 157), high-speed roadways, and train tracks. The noise and pollution factors alone would seem to make this development prohibitive of such a large residential development. The location of this development seems much more suited for low density residential with a larger proportion of the property allocated for business/commercial use. *Staff has noted this in comments to the applicant as well as the draft staff memo. The zoning on the site is Business Transition – BT-1 which is intended for lower intensity office/commercial, but for which attached residential is permitted by-right.*

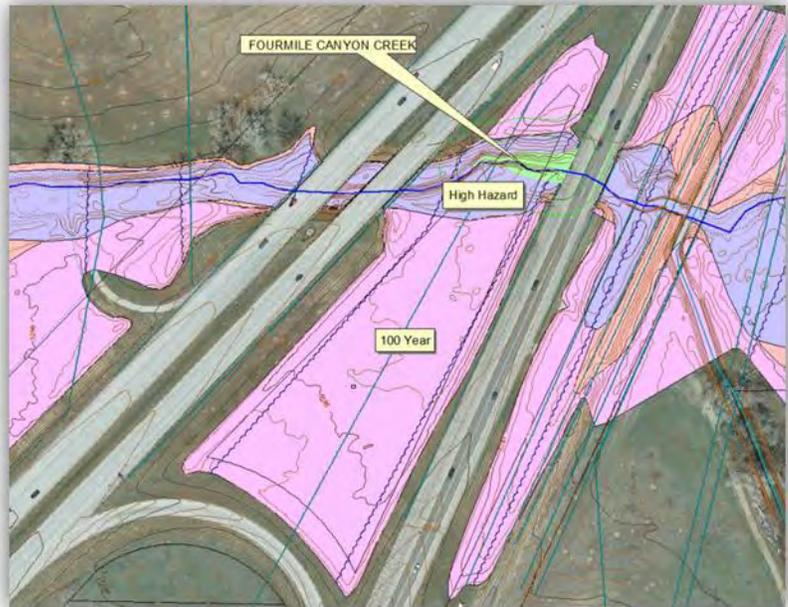
3. Noise of Train - I am a resident of 4 mile Creek Development, and live near 47th street. Trains running on the train tracks near the proposed development site frequently blow their horns multiple times between 12am and 4am. From my house, the noise of these train horns sounds very loud, even with the windows of our home closed. these train horns would most definitely be very disruptive to the residence of the proposed development. ***The proximity of residential to trains are not currently regulated. There are discussions about creating “quiet zones” in limited places in the city which require implementing infrastructure at crossings in coordination with the BSNF Railroad.***

4. No sidewalks/pedestrian access. As far as I can tell, the proposed development plan does not include any plans for building sidewalks around the entire development. this presents a major safety issue, as it is very likely that the residents of the development will wish take the shortest path (e.g., via jaywalking across diagonal highway and other nearby streets) to access (via foot) the Pleasant View Soccer fields and open space areas (e.g. cottonwood trail) ***Staff recognizes this concern and has indicated this in comments to the applicant and the staff memo.***

5. Possible toxic environmental/soil contamination due to presence of existing oil well on property. Has any study been conducted to determine the extent to which the soil and groundwater on the property has been contaminated by the oil well? If such contamination exists, it could be very harmful for children living in the development, as well as adults. ***Drainage reports are required for development and if contamination is indicated it the report, regulation of any mitigation is through the State of Colorad .***

6. Increased probability of pedestrians attempting to illegally cross over the train tracks to access open space areas (e.g., cottonwood trail). There is already an issue with users of the multi-use path (on the north side of train tracks) illegally crossing over the train tracks to access open space areas (e.g., cottonwood trail). The addition of 1000 additional nearby residents would greatly exacerbate this problem. ***Independence Road on the south end of the site does connect to the trailhead for Cottonwood Trail east of Highway 119. The information about illegal crossings is helpful to understand however, and I will share this with our transportation engineers.***

7. Insufficient allocation of outdoor recreational space in development plan. where would the children of the development play outside? In the development's concrete parking lots? For the development of this size, one would expect that adequate outdoor recreation space be allocated for the recreation of the residents of the development, including, for example, a large grass field (for sports such as soccer, baseball, football), a playground area and play structure for younger children, picnic tables, shade structures, etc. ***This would need to be further studied as***



project plans progress as what they are illustrating today is very general. Staff concurs that adequate open space would be important and the applicant will be required to meet and exceed city standards for open space for BT-1 zoning which requires 1,200 square feet of open space per dwelling unit that can be aggregated together. This is a good point particularly about the qualitative nature of opens space provided, particularly given the highway surroundings.

8. Wetlands issue. There currently exists a wetlands on the property. Has the developer conducted an adequate environmental impact report (EIR) to determine how the development might affect the wetlands and native species which inhabit the wetlands? ***The wetland appears to be confined to the area aligning Fourmile Canyon Creek (shown in green on the attached map). They are not showing any development near the creek or north of the round access ramp.***

9. Traffic congestion issue. in addition to the obvious traffic congestion issues relating to 400-800 vehicles attempting to enter/exit the development property, there is also the issue of southbound on ramp to the Diagonal Highway at 47th St., which, currently, is accessible only via a left turn lane that can accommodate at most 20 vehicles before the line backs up into the intersection of Diagonal Highway/47th ***At the time of Site Review, if the applicant chooses to proceed, a Traffic Impact Study will be required to be prepared.***

10. School Over Enrollment Issues. Where would the children from this development attend school? Has the developer addressed this issue at all? Which elementary school would be the "local" school? Which middle school? The closest public elementary school Crest View Elementary, which is already over capacity (with over 600 students). I am a member (and former chairperson) of the Crest View Elementary School Accountability Committee (SAC), and I know that Crest View Elementary is already struggling with significant issues relating over enrollment of students at that school. There is ongoing concern that these over enrollment issues will further be exacerbated by the enrollment of additional new students from the new development communities just west of Pleasant View Fields.

Similar over enrollment issues also currently exist at Centennial Middle School. it is not feasible or practical to assume that there is adequate space at either Crest View elementary or Centennial middle school to accommodate the children of the proposed Alexan flatirons development. *There is not an identified school for students at this point as there's little information provided at this conceptual stage about the potential tenants. A portion of the development is intended for senior housing and that's the only demographic that the applicant has defined at this stage. If and when project plans progress, additional information would need to be provided about the number of bedrooms and the likely demographic that the units would be marketed to or if there's any units planned that would be appealing to families with young children in this location.*

--Dean Wolf

Dean E. Wolf
Intellectual Property Attorney
WolfIP Law Group | Gaming IP Specialists
Tel: 510.655.9111
Fax: 510.868.2711
Telecon: 712-832-8310 x 3887328
<http://www.linkedin.com/in/deanwolf>
<http://gamingipattorney.com/>

PLEASE CONSIDER OUR ENVIRONMENT BEFORE PRINTING THIS E-MAIL

=====

This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Jean Aschenbrenner [mailto:]
Sent: Thursday, April 23, 2015 8:22 AM
To: McLaughlin, Elaine
Subject: Alexan Flatirons Concept Plan

I am writing to present my objection to the Alexan Flatiron Plan.

I live at 4816 Baldwin Place, east of 47th St., North of Kings Ridge.
I am currently retired but I spent 25 years working at IBM north of Boulder before that and have lived in this house for 26 years.

The area proposed for development is not large so, given the number of multi-family units, it will be densely populated. Traffic in and out of the development will be a major problem. It appears it will need to exit onto 47th Street. It will flow to the intersection of 47th St and the Diagonal where they

join with Foothills Parkway. This intersection area seems to be designed creatively to deal with complicated traffic merging. Feeding lots more traffic into that intersection will cause major problems.

Further, given that Boulder is growing, one could expect more traffic at the Foothills/Diagonal junction. If the area is developed as proposed, it will preclude other necessary enlargements of the roads and intersections in the area.

Note that there is a railway line also in this area which limits road expansion. Already there are backups on 47th Street south of the Diagonal due to trains. Supposedly Light Rail will be using those lines in the future. The large amount of extra traffic will not be able to be supported.

There are ball parks just west of the proposed development. These are important for our youth and should not be moved or diminished. The large amount of extra traffic on 47th Street may require road widening and will also complicate access to the ball fields.

I sincerely hope that this Concept Plan is modified to become more reasonable.

Jean Aschenbrenner

303-786-9411

jeanaseb@hotmail.com

Sent from Windows Mail

-----Original Message-----

From: Sam Lloyd [mailto:s[REDACTED]@boulder.net]
Sent: Thursday, April 23, 2015 12:29 PM
To: McLaughlin, Elaine
Subject: Re: Alexan Flatirons Concept Plan

Greetings Ms. McLaughlin. One of my neighbors forwarded the message about the Alexan Flatirons Concept Plan & Review and I would to provide some thoughts for consideration.

The proposal would seem to be a high density apartment complex plus some commercial properties. The majority of the residents in our development (Four Mile Creek) use 47th Street as one of our primary entrances and route into the city of Boulder and we have some concern about the increased volume of traffic that would result from this development.

378 multi-family units sounds like a very large number of homes (houses, apartments, condominiums?) for that rather compact area of land!

We also have a very high rate of usage of 47th Street by bicyclists. Even though there are bicycle lanes on that street the proposed development could create a more hazardous route for the bicycle riders!

We appreciate your notification and information.

Best regards,

Sam Lloyd
4012 Mustique Court
Boulder, CO 80301
[s\[REDACTED\]@boulder.net](mailto:s[REDACTED]@boulder.net)
303-998-0248 Work/Home/Cell

From: Micki [mailto:m[REDACTED]@boulder.net]
Sent: Friday, April 24, 2015 10:47 AM
To: McLaughlin, Elaine
Subject: Alexan Flatirons

This is in response to the notification that the project known as Alexan Flatirons - 3600 SH 119.

I am not in agreement that this is a good place to build the number of homes and businesses as presented in the letter sent out. The land is far too small to handle the number of people that will be moving in there. The congestion alone is reason enough to find another location - such as property to the north on the west side of the Diagonal Highway.

The accessibility to the proposed homes is going to cause a huge increase of the use of 47th Street. This street was meant to be a frontage road and already experiences very high levels of traffic during rush hour times.

I am an affordable housing condominium owner in the NoBo Holiday Theater area. I am happy to see that Boulder is continuing to add affordable housing. I have lived in Boulder for 40+ years now and have watched the housing developments cram as many homes as is possible into the properties purchased. I am saddened to see numerous overcrowded neighborhoods with next to nothing yards for children to play in,, smaller streets that are very difficult to navigate particularly when it snows, lack of adequate parking, and a very high turnaround of homes up for sale as families begin to grow.

The properties chosen for these developments are always in the least desirable parts of town so that a developer can buy at a the lowest possible price in a city that everyone wants to live in. I may be wrong but I don't see these kinds of neighborhoods developed anywhere west of Broadway. I see nothing wrong with trying to get the most for your money but as the influx of families continues to rise at a very fast rate, I think the quality of our town's neighborhoods should be taken into consideration. Too many rats in the box causes havoc.

Micki Sugar
1735 Yaupon Avenue
Boulder, CO 80304

From: Susan Enfield [mailto:s[REDACTED]@boulderco.gov]
Sent: Thursday, April 23, 2015 9:43 PM
To: McLaughlin, Elaine
Subject: Alexan Flatirons proposed development

Hi Elaine,

I am a neighbor of Dean Wolf & just read his letter & your replies. Although in general, I support higher density within Boulder to theoretically mitigate the number of people commuting to work here, I think Dean raises several good points.

In particular, the Diagonal has had some terrible accidents on it, given that people drive at speeds of 55-70 mph (speeding on their commute), but people also turn on & off it from a dead stop, often without a stop light. I regularly use Independence Rd as a "shortcut" to get to 47th when stuck at the long red light at the Diagonal. That turn is very poorly marked, especially for night driving. At the same time as I am trying to turn west onto Independence, people often turn south onto the Diagonal from the eastern extension of Independence, crossing traffic and potentially causing collisions if they don't properly assess all the different vehicle directions & speeds.

As a Crestview & Centennial parent, I can also attest to those schools becoming more over-enrolled. In contrast to the abundance of elementary & middle schools in South Boulder, it seems that North Boulder needs another school or two, not just bigger schools!

Thanks,
Susan

.....
Susan Enfield
cell: 720-289-2301
email: susan.enfield@yates.com

From: david williard [mailto:williard@boulder.gov]
Sent: Friday, April 24, 2015 2:22 PM
To: McLaughlin, Elaine
Subject: Alexan Flatirons Development

Hi Elaine,

Thanks for the opportunity to submit comments regarding the Alexan Flatirons development.

I live on East Palo Park (which is within 1/3 of a mile of the new development) which has seen a huge rise in use over the last two years, for several reasons:

- 1.) The city recently redeveloped the playground (it is beautiful) which attracts lots more kids to the park.
- 2.) The city thus far has refused to enforce the leash law at the park, resulting in as many as 15 dogs running around the park off-leash. There is a lot of barking, as you can probably imagine.
- 3.) In addition to many people driving to the park so that their kids can use the playground, many people drive from other areas to the park to let their dogs run off leash. It is considered a dog park by many.
- 4.) As Palo Park is one of the last affordable areas in Boulder, many families are moving to the area, resulting in a higher proportion of homeowners with young children.

The result -- an extremely loud park that feels like a free-for-all and is incredibly crowded on the weekends. I now no longer enjoy going outside my home because of so many screaming kids at the playground. I hear them all day inside my home, too, especially on the weekends. I have tried to roll with this, but I'm frustrated with the city because developments are going in around us that include NO amenities for children.

I have mentioned these issues to city officials in several city council meetings involving the planned affordable housing development on east Palo Parkway. What I see in developments like Northfield Commons, the development at Jay and 47th near us, and the upcoming affordable housing development is a lack of attention on spreading noise out and having consideration for people who live along East Palo Park who didn't realize 10 years ago that the city was going to overload the area with dense housing and not put in any additional playgrounds or parklands. Now the city is considering an additional 400 units in a really weird spot, and I am concerned that there are no plans to develop a park for these people. the ONLY park in the area is east palo park, and I assume it will be overrun even further if the development is allowed to proceed. If so, I fear that I will have to move because the park will be used all the time, and my wife and I will have no peace and quiet.

Thanks for hearing me out.

Regards,
David Williard
303-641-7761

RECEIVED SINCE THE MAY 7, 2015 PLANNING BOARD HEARING

-----Original Message-----

From: Pegi [mailto:pegipat@boulder.gov]
Sent: Friday, May 15, 2015 3:40 PM
To: McLaughlin, Elaine; Council
Subject: Alexan Flatirons

I am a Boulder resident in Four Mile Creek (47th and Jay). I do not support the Alexan Flatirons development for the following reasons:

- Traffic congestion - there is too much traffic!
- School Over Enrollment Issues. Need I say more? Crestview is the fullest, busiest school there is. To say these people won't have families is just not accurate.
- Area NOT conducive to that much housing - the open space and the train and the fact that it is surrounded by streets is really strange for that many houses.

Thanks,

Pegi Patwardhan
303.887.9998

Attachment C: Concept Plan Submittal

Found at the following weblink:

www.bouldercolorado.gov → A to Z → Planning Board → search for past meeting materials planning board → 2015 → 5.7.2015 PB Packet.

**CITY OF BOULDER
BEVERAGE LICENSING AUTHORITY
* * * MINUTES * * *
WEDNESDAY, APRIL 15, 2015, 3:00 P.M.
CITY COUNCIL CHAMBERS
MUNICIPAL BUILDING – 2ND FLOOR
1777 BROADWAY, BOULDER, COLORADO**

NAME OF BOARD/COMMISSION: Beverage Licensing Authority (BLA)
DATE OF MEETING: April 15, 2015
NAME & PHONE OF PERSON PREPARING SUMMARY: Michele Lamb, Licensing Administrator (303-441-3436)
Kristen Huber, Licensing Specialist (303-441-3034)

NAMES OF MEMBERS, STAFF, AND INVITED GUESTS PRESENT:

Board Members: Steven Wallace, David Timken, Harriet Barker, Lisa Spalding, and Matthew Califano
Staff Present: Sandra Llanes, Assistant City Attorney, Michele Lamb, Tax and Licensing Administrator, and Kristen Huber, Licensing Specialist

QUASI-JUDICIAL MEETING OUTLINE OF AGENDA

1. Swearing in of new BLA Member Matthew Califano.

Mishawn Cook, Tax and License Manager, conducted the swearing in of Matthew Califano.

Ms. Lamb noted that the election of the BLA Chair and Vice Chair would occur at the next BLA hearing on May 20, 2015.

2. Member roll call; Approval of Beverage Licensing Authority minutes from March 18, 2015 hearing; and hearing agenda issues from licensing clerk.

Roll call was taken. A quorum of five BLA members attended. Member Spalding moved, Barker seconded, to approve the March 18, 2015 minutes. Motion approved 3:0 with Chair Wallace and Member Califano abstained due to absence.

Ms. Lamb stated that Green Rush Café requested a continuance of Agenda Item 10. Member Barker moved, Timken seconded, to continue this agenda item to May 20, 2015. Motion approved 5:0.

3. Matters from the Boulder Police Department (BPD).

Officer Daniel Bergh appeared on behalf of the BPD and discussed fraudulent identification cards that were turned in to the BPD by liquor licensed establishments. The BLA requested historical data regarding fraudulent identification cards turned in by liquor licensed establishments.

4. Matters from the Responsible Hospitality Group (RHG).

Mike Absalom provided an update to the BLA on behalf of the RHG. The RHG attendance list for March was entered as Agenda Item 4, Exhibit 1 and a marijuana questionnaire from the March RHG meeting was entered as Agenda Item 4, Exhibit 2.

5. Show cause hearing concerning a February 13, 2015 violation and whether the 3.2% Beer Off Premise type liquor license held by Dillon Companies, Inc. d/b/a King Soopers 61, 1650 30th Street, Boulder, CO 80301, should be suspended or revoked.

Robert Dill appeared as the licensee's attorney.

Barbara Osness, Property Manager, Jeff Philips, Head of Training, Chris Sexton, Store Manager, and Jeremy Grim, Employee, were sworn in. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest.

Lucas Markley, Assistant City Attorney, stated that a stipulation to the facts in this matter had been reached. Member Spalding moved, Timken seconded, to accept the stipulation. Motion approved 5:0.

Ms. Osness, Mr. Grim, and Mr. Philips provided testimony regarding mitigating evidence.

The BLA noted mitigating and aggravating factors. Member Spalding moved, Barker 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 days from April 23 to April 25, 2015. Member Barker moved, Timken seconded, to accept the requested 3 suspension days from April 23 to April 25, 2015. Motion approved 5:0.

Mr. Dill requested that Agenda Item 7 be heard after Agenda Item 5. Member Barker moved, Member Califano seconded, to hear Agenda Item 7 after Agenda Item 5. Motion approved 5:0.

6. Show cause hearing concerning a February 13, 2015 violation and whether the Retail Liquor Store type liquor license held by Joy Corp d/b/a Willow Springs Liquor, 2795 Iris Avenue, Boulder, CO 80304, should be suspended or revoked.

Byung Man Yoo, Owner and Registered Manager, was sworn in. Hearing procedures were read. No BLA members disclosed ex-parte communications or conflicts of interest.

Mr. Markley stated that a stipulation to the facts in this matter had been reached. Member Timken moved, Barker seconded, to accept the stipulation. Motion approved 5:0.

Mr. Yoo provided testimony regarding mitigating evidence.

The BLA noted mitigating and aggravating factors. Member Califano moved, Barker seconded, to set this violation penalty at 2 suspension days served with 7 days held in abeyance. Motion approved 3:2 with Chair Wallace and Member Timken opposed.

The licensee requested to serve the 2 suspension days from April 25 to April 26, 2015. Member Barker moved, Califano seconded, to accept the requested 2 suspension days from April 25 to April 26, 2015. Motion approved 5:0.

7. Show cause hearing concerning a February 13, 2015 violation and whether the 3.2% Beer Off Premise type liquor license held by Dillon Companies, Inc. d/b/a King Soopers 33, 3600 Table Mesa Drive, Boulder, CO 80305, should be suspended or revoked.

This item was heard after Agenda Item 5 per the licensee's request.

Robert Dill appeared as the licensee's attorney.

Bob DiCroce, Store Manager, John McNeill, Assistant Store Manager, and John LaChance, Employee, were sworn in. Barbara Osness and Jeff Philips remained sworn in from Agenda Item 5. Hearing procedures were waived. No BLA members disclosed ex-parte communications or conflicts of interest.

Mr. Markley stated that a stipulation to the facts in this matter had been reached. Member Spalding moved, Barker seconded, to accept the stipulation. Motion approved 5:0.

Mr. Dill requested that statements and information related to mitigating evidence under Agenda Item 5 be incorporated and considered under this Agenda Item. Mr. DiCroce provided testimony regarding mitigating evidence.

The BLA noted mitigating and aggravating factors. Member Wallace moved, Spalding seconded, to set this violation penalty at 4 suspension days served with 10 days held in abeyance. Motion approved 4:1 with Member Timken opposed.

The licensee requested to serve the 4 suspension days from April 23 to April 26, 2015. Member Spalding moved, Barker seconded, to accept the requested 4 suspension days from April 23 to April 26, 2015. Motion approved 5:0.

8. Public Hearing and Continued Consideration of whether there is good cause for a non-renewal of a January 15, 2015 application from Running Deer LLC d/b/a Volta, 2480 Canyon Boulevard, Unit M-1, Boulder, CO 80301; Jonathan Deering, 23% Owner, Managing Member and Registered Manager, Eleni Deering, 23% Owner and Managing Member, Robert Deering, 25% Owner and Managing Member, Bonnie Deering, 25% Owner and Managing Member, with no other owners over a 10% interest; with a premise business mailing address, for a renewal of a Hotel-Restaurant type liquor license.

John Deering, Co-owner, Managing Member, and Registered Manager, was 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. Lamb stated that the licensee was scheduled for a hearing due to a late filed renewal application and sales tax denial of the renewal application.

Mr. Deering stated that the business had closed and the landlord had requested Volta to renew their liquor license in order to transfer it to the next tenant. Mr. Deering requested a continuance in order to become current on taxes.

Member Timken moved, Barker seconded, to continue this renewal application for a Hotel-Restaurant type liquor license for one final month to May 20, 2015. Motion approved 5:0.

- 9. Public Hearing and Consideration of whether there is good cause for a non-renewal of a March 3, 2015 application from Blooming Beets Kitchen, LLC d/b/a Blooming Beets Kitchen, 3303 30th Street, Boulder, CO 80301; Iva Paleckova, 50% Owner and Registered Manager, and Sam Placette, 50% Owner; with a business mailing address of 49 Brook Circle, Boulder, CO 80302, for a renewal of a Beer and Wine type liquor license.**

Iva Paleckova, 50% Owner and Registered Manager, and Sam Placette, 50% Owner, were 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.

Ms. Lamb stated that the licensee was scheduled for a hearing due to a late filed renewal application. An email from Jon Balliet regarding TIPS training was entered as Agenda Item 9, Exhibit 1. A Proof of Training form and copies of TIPS cards were entered as Agenda Item 9, Exhibit 2.

Ms. Paleckova provided testimony regarding the renewal application.

Member Spalding moved, Califano seconded, to approve this renewal application for a Beer and Wine type liquor license. Motion approved 5:0.

- 10. Public Hearing and Continued Consideration of a December 22, 2014 application from Green Rush Café, LLC d/b/a Green Rush Café, 2018 Broadway, Boulder, CO 80302; Gregory DiSilvestri, CEO and Owner, and Rod Feiner, COO and Owner, and Stephen Replin, Investor, with no other owners over a 10% interest; with a premise business mailing address, for a Transfer of a Beer & Wine type liquor license.**

This Agenda Item was continued to May 20, 2015.

- 11. Public Hearing and Consideration of a February 13, 2015 application from Chankanaab, Inc. d/b/a Salvaggio's Deli, 1335 Broadway, Unit B, Boulder, CO 80302; Stephen Salvaggio, Owner, Director, President, Vice President, Secretary, Treasurer, and Registered Manager;**

with a business mailing address of 3267 Ouray Street, Boulder, CO 80301, for a Transfer of a Hotel-Restaurant type liquor license.

Kevin Coates appeared as the licensee's attorney.

Stephen Salvaggio, Owner, Director, President, Vice President, Secretary, Treasurer, 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. Salvaggio provided testimony regarding the transfer application.

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

12. Public hearing and consideration of a February 17, 2015 application from Medbread LLC d/b/a Basil Flats, 2900 Baseline Road, Unit 3, Boulder, CO 80303; Robert J. Serafin Jr., 41% Owner, Managing Partner, and Registered Manager, Aaron Kennedy, 32% Owner and Member, and Robert Serafin, 27% Owner and Member; with a business mailing address of 1709 Stones Peak Drive, Longmont, CO 80503, for a New Hotel-Restaurant type liquor license.

Robert Joseph Serafin, Jr., Co-owner, Managing Partner, and Registered Manager, was sworn in and confirmed the ten day premise posting under oath. Hearing procedures were read. No BLA members disclosed ex-parte communications. No third parties requested interested party status and no public comments were received. Chair Wallace disclosed a conflict of interest and recused himself for this Agenda Item. No other BLA members disclosed a conflict of interest.

Mr. Serafin provided testimony regarding the license application.

Member Spalding asked Mr. Serafin to update the premise diagram to reflect 18 total seats upstairs. Member Spalding also asked Mr. Serafin to amend the petitions to remove incomplete signatures.

Member Barker moved, Califano seconded, to approve this application for a New Hotel-Restaurant type liquor license. Motion approved 4:0.

13. Matters from the Assistant City Attorney

No matters were discussed.

14. Matters from the Licensing Clerk

Ms. Lamb stated that an updated diagram for World of Beer was entered as Agenda Item 14, Exhibit 1, and an email to the BLA was entered as Agenda Item 14, Exhibit 2.

A. Neighborhood boundary settings for application for May 20, 2015 BLA hearing

- i) JTR Boulder LLC d/b/a World of Beer – Permanent Modification of a Hotel-Restaurant type liquor license at 921 Pearl Street, Boulder, CO 80302**

The following neighborhood boundaries were discussed Maxwell Extended on the North, Arapahoe Avenue on the South, 20th Street on the East, and Boulder city limits on the West. Chair Wallace moved, Barker seconded, to set the neighborhood boundaries for this application as described above. Motion approved 5:0.

- ii) Boulder Beer Inc. d/b/a Boulder Beer Company – Permanent Modification of a Brew Pub type liquor license at 2880 Wilderness Place, Boulder, CO 80301**

The following neighborhood boundaries were discussed: Iris Avenue on the North, Walnut Street Extended on the South, Airport Road Extended on the East, and Folsom Street on the West. Chair Wallace moved, Timken seconded, to set the neighborhood boundaries for this application as described above. Motion approved 5:0.

- iii) Makin Moves LLC d/b/a Cheba Hut Toasted Subs – Permanent Modification of a Hotel-Restaurant type liquor license at 1315 College Avenue, Boulder, CO 80302**

The following neighborhood boundaries were discussed: University Avenue on the North, Columbine Avenue Extended on the South, Folsom Street to Colorado Avenue to 28th Street on the East, and 6th Street on the West. Member Califano moved, Barker seconded, to set the neighborhood boundaries for this application as described above. Motion approved 5:0.

- iv) Food Lab LLC d/b/a Food Lab – New Beer and Wine type liquor license at 1825 Pearl Street, Unit A, Boulder, CO 80302**

The following neighborhood boundaries were discussed: Maxwell Avenue to High Street to Sunset Boulevard to Bluff Street on the North, Arapahoe Avenue on the South, Folsom Street on the East, and 9th Street on the West. Chair Wallace moved, Spalding seconded, to set the neighborhood boundaries for this application as described above. Motion approved 5:0.

- v) **Pearl Dive LLC d/b/a Oyster Road – Permanent Modification of a Hotel-Restaurant type liquor license at 1043 Pearl Street, Boulder, CO 80302**

The following neighborhood boundaries were discussed: Maxwell Avenue to High Street on the North, Arapahoe Avenue on the South, 17th Street on the East, and 6th Street on the West. Member Spalding moved, Wallace seconded, to set the neighborhood boundaries for this application as described above. Motion approved 5:0.

B. Informational items

- i) **April Special Events and Temporary Modifications**

This material was stated to be in the hearing packet.

- ii) **April Liquor License renewal mailing list**

This material was stated to be in the hearing packet.

- iii) **Letter from Philip Wortham, Food and Beverage Director of The Hotel Boulderado, to Kelly Haralson regarding state inspection**

This material was stated to be in the hearing packet.

- iv) **Letter from Patrick Maroney, Director of Liquor Enforcement Division, regarding powdered alcohol**

This material was stated to be in the hearing packet.

- v) **Email to BLA from Mishawn Cook regarding Eco Passes**

This material was stated to be in the hearing packet.

- vi) **Letter from Jon Stonbraker, attorney for Noble – Interstate Management Group, LLC d/b/a Hyatt Place Boulder, regarding request for administrative amendment of floor plan**

This material was stated to be in the hearing packet. Ms. Lamb noted that the liquor license for Hyatt Place Boulder had been issued and released to the licensee.

- vii) **Discussion of BLA Retreat including potential dates and agenda topics**

Ms. Lamb requested that the BLA members send her an email with their preferred dates and agenda topics.

15. Matters from the Chair and Members of the Authority

Member Spalding inquired about the background check results for Green Rush Café.

Ms. Lamb stated that the Beer and Wine type liquor license held by A Café Boulder expired on March 20, 2015 and the license must be renewed within 90 days of expiration.

Member Timken discussed the Felony DUI bill.

Ms. Llanes discussed the types of convictions that could be considered by the BLA for license applications.

ADJOURNMENT

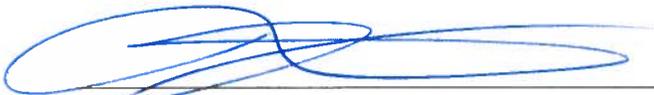
Member Spalding moved, Timken seconded, to adjourn the meeting. Motion approved 5:0, thus the hearing was adjourned at 5:35 p.m.

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

3rd Wednesday of every Month at 3PM in City Council Chambers for 2015.

Attested:

Approved:



Mishawn J. Cook, Tax and License Manager



Vice Chair of Beverage Licensing Authority

City of Boulder
BOARDS AND COMMISSIONS MEETING SUMMARY FORM

NAME OF BOARD/COMMISSION: Human Relations Commission
DATE OF MEETING: May 18, 2015
NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Robin Pennington 303-441-1912
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT: Commissioners – Amy Zuckerman, Shirly White, Nikhil Mankekar, Emilia Pollauf Staff – Carmen Atilano, Robin Pennington Commissioners absent – José Beteta
WHAT TYPE OF MEETING (CIRCLE ONE) [REGULAR] [SPECIAL] [QUASI-JUDICIAL]
AGENDA ITEM 1 – CALL TO ORDER – The May 18, 2015 HRC meeting was called to order at 6 p.m. by A. Zuckerman .
AGENDA ITEM 2 – AGENDA ADJUSTMENTS – Add Nomination of HRC Chair and Deputy Chair as Action Item 5. A. and Community Action Programs (CAP) Request as Action Item 5. B.
AGENDA ITEM 3 – APPROVAL OF MINUTES – E. Pollauf moved to approve the April 20, 2015 minutes with amendments. A. Zuckerman seconded. S. White abstained. Motion carries 3-0.
AGENDA ITEM 4 – COMMUNITY PARTICIPATION (non-agenda action items) – Community member Darren O’Connor addressed the commission regarding homelessness, policing, the city spam blocker and racial issues. Rob Smoke spoke on homelessness.
AGENDA ITEM 5 – ACTION ITEMS A. Nomination of Chair and Deputy Chair – S. White nominated A. Zuckerman as Chair. E. Pollauf seconded. A. Zuckerman nominated S. White as Deputy Chair. E. Pollauf seconded. N. Mankekar nominated himself as Deputy Chair. A. Zuckerman seconded. B. CAP Request – S. White moved that the HRC purchase an ad in the CAP Multicultural Awards Banquet program. N. Mankekar seconded. Motion carries 4-0. C. 2015 HRC Work Plan 1. Funding Allocations – N. Mankekar moved to re-open the Community Impact Fund (CIF) to applicants. S. White seconded. Motion carries 4-0. Allocations of \$6,000 will remain in reserve for Celebration of Immigrant Heritage and \$8,530 for the Community Impact Fund.
AGENDA ITEM 6 – DISCUSSION/INFORMATIONAL ITEMS A. Inclusive and Welcoming Community Work Plan – Staff and commissioners discussed the HRC partnering with the City Manager’s office on a community survey as part of their work plan development related to a safe and welcoming community. Commissioners agreed that two commissioners would participate on a rotating basis in the development of the RFP, selection of the consultant and survey design process. B. Living Wage Update – C. Atilano gave an update on work of the city staff committee on Living Wage. C. Civic Area Master Plan Update – C. Atilano will forward commissioner comments and questions on the plan to the Civic Area Team. D. June HRC Meeting Venue – The June 15 HRC meeting will be held at the West Senior Center. E. Event Reports – S. White attended the Dia Del Nino event on April 25. N. Mankekar and A. Zuckerman spoke on the Right to Rest Act at the April 21 City Council meeting and N. Mankekar attended Boulder Startup Week events the week of May 11-15. F. Follow Up Items – Obtain information about city spam filter, revise the April minutes, reopen the CIF application and place on the city website, update the City Manager’s office on HRC

participation in the Safe and Welcoming Community Work Plan and survey, forward comments and questions on Civic Area Master Plan to appropriate staff, provide commissioners with upcoming event dates for Community Event Fund grantees.

AGENDA ITEM 7 – IMMEDIATE ACTION ITEMS – None.

AGENDA ITEM 8 – Adjournment – N. Mankekar moved to adjourn the May 18, 2015 meeting. **S. White seconded. Motion carries 4-0.** The meeting was adjourned at 7:42 p.m.

TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS: The next regular meeting of the HRC will be June 15, 2015 at 6 p.m. at the West Senior Center, 909 Arapahoe Ave.

**CITY OF BOULDER
LANDMARKS BOARD
May 6, 2015
1777 Broadway, Council Chambers Room
6 p.m.**

The following are the “*unapproved and unsigned*” action minutes of the 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.

BOARD MEMBERS:

Kate Remley, Chair

Mike Schreiner

Fran Sheets

Deborah Yin

*John Gerstle **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

Angela Smelker, Historic Preservation Intern

1. CALL TO ORDER

The roll having been called, Chair **K. Remley** declared a quorum at 6:01p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **M. Schreiner**, seconded by **F. Sheets**, the Landmarks Board approved (4-0) the minutes as amended of the April 1, 2015 board meeting.

3. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA

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

- 1035 Kalmia Ave. Stay of Demolition expires August 29th, 2015
- Statistical Report

5. ACTION ITEMS

- A. Public hearing and consideration of a Landmark Alteration Certificate to remove a second-story gambrel roof at the rear addition and in its place to construct a 529 sq. ft. second story at the contributing house at 801 Maxwell Ave. in the Mapleton Hill Historic District, per section 9-11-18 of the Boulder Revised Code (HIS2015-00080). Applicant: Kristin Lewis. Owner: Michael and Susan Shepard.**

Motion

On a motion by **F. Sheets**, seconded by **D. Yin**, the Landmarks Board approved (3-1) (**M. Schreiner** opposing) the proposed removal of the second story addition and construction of a new second story addition as shown on plans dated May 6, 2015 finding that they generally meet the standards for issuance of a Landmark Alteration Certificate in Section 9-11-18, B.R.C. 1981, subject to the conditions below, and adopts the staff memorandum dated May 6, 2015 as findings of the board with the following conditions:

CONDITIONS OF APPROVAL

1. The applicant shall be responsible for constructing the house and in compliance with the approved plans dated May 6, 2015, except as modified by these conditions of approval.
2. Prior to submitting a building permit application and final issuance of a Landmark Alteration Certificate, the applicant shall submit design details to the Landmarks design review committee (Ldrc) including: window and door details, wall material details, siding material details, paint colors, roofing material details and details regarding any hardscaping on the property to ensure that the approval is consistent with the *General Design Guidelines* and the *Mapleton Hill Historic District Guidelines* and the intent of this approval.

This recommendation is based upon staff's opinion that the modification of the roof form of a contributing building will be consistent with Section 9-11-18, Boulder Revised Code 1981, the *Mapleton Hill Historic District Design Guidelines* and the *General Design Guidelines*.

B. Public hearing and consideration of issuance of a demolition permit for the house located at 2245 Arapahoe Ave., a non-landmarked building over 50 years old, pursuant to Section 9-11-23 of the Boulder Revised Code (HIS2015-00053). Applicant/ Owner: Blake Heren.

Motion

On a motion by **K. Remley**, seconded by **M. Schreiner**, the Landmarks Board issued (5-0) a stay of demolition for the building located at 2245 Arapahoe Ave., for a period not to exceed 180 days from the day the permit application was accepted by the city manager, in order to explore alternatives to the demolition of the building, and adopted the following as findings of the board:

Staff encourages the applicant to consider landmark designation of the accessory buildings and their incorporation into future redevelopment plans for the site. A 180-day stay period would expire on Sept.14, 2015.

Should the board choose to issue the demolition permit, or if the permit is allowed to expire, staff recommends that prior to demolition the following be submitted to CP&S staff for review, approval and recording with Carnegie Library:

1. A site plan showing the location of all existing improvements on the subject property; and
2. Color medium format archival quality photographs of the interior and exterior of the house and shed.

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

- A. Administrative Rule – Clarifying the Demolition Review Process
- B. Letter to City Council
- C. Update Memo
- D. Subcommittee Update
 - 1) Demolition Review
 - 2) Design Guidelines and Code Revisions
 - 3) Outreach and Engagement
 - 4) Potential Resources

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The meeting adjourned at 8:59 p.m.

**CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES**

Name of Board/ Commission: Library Commission	
Date of Meeting: March 4, 2015 at the Carnegie Branch Library for Local History, 1125 Pine St.	
Contact Information Preparing Summary: Carrie Mills, 303-441-3106	
Commission Members Present: Anne Sawyer, Paul Sutter, Joni Teter and Alicia Gibb Commission Members Absent: Donna O'Brien	
Library Staff Present: David Farnan, Director of Library & Arts Wendy Hall, Carnegie Library branch manager Carrie Mills, Administrative Specialist II	
City Employees: Joe Paulson, Transportation Engineer (Signals & Lighting) Bill Cowern, Transportation Operation Engineer Glenn Magee, Facilities Design and Construction Manager Devin Billingsley, Senior Budget Analyst	
Public Present: Peter Richards Celeste Landry	
Type of Meeting: Regular	
Agenda Item 1: Call to Order and Approval of Agenda	[6:02 p.m., Audio 0:11 min]
The meeting was called to order at 6:02 p.m.	
Agenda Item 2: Public Participation	[6:02 p.m., Audio 0:28 min]
Richards thanked Sawyer for her time on the commission. Further, Richards spoke about a recent visit to the Salida Regional Library. He was impressed with Salida, noting that while the Boulder Public Library spends money on new furniture, the Salida Regional Library has original 1906 furniture. He was also pleased with Salida's collections of newspapers and periodicals.	
Agenda Item 3: Consent Agenda	[6:05 p.m., Audio 3:00 min]
Item 3A, Approval of Feb. 4, 2015 minutes (p. 2-5) Teter moved for approval of the minutes as presented. Gibb seconded. Approved unanimously, 4-0.	
Agenda Item 4: Update on Yarmouth/Broadway Intersection – Joe Paulson and Bill Cowern (p. 6-10)	[6:05 p.m., Audio 3:35 min]
Paulson and Cowern distributed documents to the commissioners, found here: https://boulderlibrary.org/wp-content/uploads/2014/12/2015-Mar-LC-Handouts.pdf . Cowern began by explaining why Boulder installs pedestrian crossing treatments, noting that the intent is not for safety, but for keeping transportation moving. He explained that while most believe crosswalks are for pedestrian safety, there is no research to support that claim. For the Yarmouth/Broadway intersection, Cowern gave a brief history of departmental evaluations. Other analysis must occur and warrant an enhanced crossing treatment before one can be installed. Paulson discussed the series of 9 warrants, like vehicle volume and accident history, used to determine the need for a traffic signal. Ultimately, analysis seeks to evaluate whether a signal would more likely than not make the intersection better. Paulson added that based on the scenarios at this intersection, the focus moved to the accident experience warrant (minimum of 5 correctable accidents in 5 year period with less intensive intervention) and the peak hour delay warrant (extreme undue delay on the side street). Ultimately, the intersection does not meet the threshold for intervention, concluding that a signal would do more harm than good. For additional information, please consult the Commission report from the April 2015 packet on page 22: https://boulderlibrary.org/wp-content/uploads/2014/12/2015-April-LC-Packet.pdf .	
Commission discussion, questions, and comments included:	
<ul style="list-style-type: none"> Referencing the handout, Teter asked why traffic has decreased since a peak in 2006. Paulson marked it as a citywide trend, citing the citywide master plan and a vehicle decrease likely associated with economic 	

downturn.

- Sawyer asked how bicycles are classified in the data. Paulson explained that bicycles are counted based on how they behave, where bicyclists on the road are counted as cars, and those in the crosswalk are counted as pedestrians. Sawyer responded that bicyclists often assemble near this intersection and wondered if the analysis will occur at varying times of year.
- Gibb confirmed with Paulson that the data was publically available.
- Teter asked Cowern to detail the possible pedestrian treatments. Cowern listed them in order of implementation from marked crosswalk to crosswalk with ballard to flashing crosswalks. Cowern reiterated that none are categorically safer than the next, but encourage higher compliance.
- Sawyer asked for possibilities for improving the sight line. Sutter imparted his experience maneuvering this intersection, noting that some drivers may become so involved in road traffic that they become “pedestrian-blind.”

Agenda Item 5: Feedback from the City Attorney’s Office about the Library Commission’s proposed changes to the city charter (p. 11-12) [6:35 p.m., Audio 33:24 min]

Sutter moved to use this document as amended as a recommendation for charter changes. Teter seconded. Approved unanimously, 4-0.

Commission discussion, questions, and comments included:

- Farnan reviewed the recommended language changes proposed by the City Attorney’s Office.
- Following a comment from Teter, the commissioners agreed to strike “community” from the recommended title in Sec. 92.
- Sawyer echoed Teter’s written comments regarding Sec. 91, noting that nothing in text is authorized explicitly. Farnan suggested striking the clause.

Agenda Item 6: Main Library renovation project update – Glenn Magee (p. 6-7) [6:47 p.m., Audio 44:50 min]

Magee confirmed that work has begun on the bridge, noting that the framing is complete for the café. At this time, the café is slated to open in mid to late April. The crew is preparing for the LEED certification process for commercial interiors. Magee believed that the building may make it to silver. Further, Magee distributed budget statistics on the renovation, found here: <https://boulderlibrary.org/wp-content/uploads/2014/12/2015-Mar-LC-Handouts.pdf>

Agenda Item 7: 2015 Library budget update: 1st round of budget adjustments – Devin Billingsley (p. 15)

[7:10 p.m., Audio 1:08:06 hr]

Billingsley stated that the first adjustment to base (ATB) goes to council in May, remarking that this is earlier than usual. He reiterated that the list of adjustments are proposed and are changeable until the end of April.

Commission discussion, questions, and comments included:

- Sawyer asked about the remaining balance considering so much is coming out of the library fund. Billingsley replied that at the end of 2014, the balance was roughly \$2.2 million. Projecting out into 2015, he anticipates \$1.4 million after adjustments.
- Farnan responded to Teter’s written comments on filtering, Meadows renovation, and more, found here: <https://boulderlibrary.org/wp-content/uploads/2014/12/2015-Mar-LC-Handouts.pdf>.
- Sawyer asked about the \$75,000 request for e-book collection. Farnan noted this was a one-time expense with anticipations for an increased budget in the future to develop the consortium’s e-book collection. Sutter noted a strategic dimension of contributing to the consortium based on use.

Agenda Item 8: Library Commission review and approval of The Foundry terms of use (p. 16-19)

[7:51 p.m., Audio 1:33:29 hr]

Farnan prefaced the discussion by explaining that while the commission’s feedback at the last meeting prompted staff to reconsider the idea of how broadly the Foundry should be opened to broader use, deciding that the space is no conducive to wide-scale use by the community at large. Sutter responded that the staff response was reasonable in so far as there is a plan for a large maker space. He recommended a focus on more programming in the space for teens.

Commission discussion, questions, and comments included:

- Gibb asked about the available hours during the day. Farnan noted that this window is for homeschoolers and seniors. Gibb inquired about the orientation process, and Farnan assured that it was not required for teens because of the supervision.
- Sawyer and Gibb discussed the wording in #9 of the Terms of Use. Gibb inquired about the intention behind “receiving.” After debate about removing the word, commissioners ultimately agreed to keep it in the text. Commissioners considered striking the second sentence, but Teter noted that leaving in the sentence provided some protection for the library.

Agenda Item 9: Library Commission review the draft policy on security cameras in the library

[8:11 p.m., Audio 1:53:40 hr]

Sawyer explained that the policy is still being reviewed by the attorneys, noting that there may be revisions in the future. Farnan indicated that the review is complete and the recommendations have been incorporated. Sawyer decided to postpone approval until the April meeting to ensure that Jennifer Miles, deputy library director, could be in attendance.

Commission discussion, questions, and comments included:

- Sutter asked about the history of this policy. Farnan explained that there is no existing policy, but it is recommended that libraries do have a policy. Farnan noted that the library has had cameras for some time.
- Sawyer asked if the police department would have access to the footage. Farnan replied that access would be given if a crime was committed. Sawyer was surprised that the images fell under the Colorado Open Records Act.
- The commissioners recommended changes for grammar and clarity.

Agenda Item 10: Thank you to Library Commissioner, Anne Sawyer, whose terms ends Mar. 31, 2015

[7:31 p.m., Audio 1:29:41 hr]

Note: This item was bumped up on the agenda during the meeting.

Sutter presented Sawyer with a scanned and framed Polson and Fine print. Farnan presented Sawyer with an award for her dedication to the Library Commission.

Agenda Item 11: Library Commission update (from memo) (p. 21-26)

[8:17 p.m., Audio 1:59:35 hr]

Item 11A, Update on email responses to Library Commission (p. 22)

Sutter asked if there were any remedies to the patron concern regarding low shelves. Farnan noted that the bottom shelf is 10 inches off of the ground, and staff excluded use of the bottom shelf. However, excluding the two bottom shelves would require a new set of furniture. Farnan suggested that patrons who have difficulty should ask staff for assistance. Teter posited that some staff reinforce this problem while in discussion with patrons. Ultimately, the commissioners agreed that the shelving is not any lower than it was prior to the renovation.

Item 11B, Internet Filtering – Commission Strategy

Sawyer asked the commission if they wanted to post a press release or hold a public forum on this topic. Teter asked Farnan for his recommendation, to which he said that he had initially anticipated taking a very public approach. However, he noted that this issue had been published in the newspaper as part of the Library Commission’s agenda three times and this issue still had not resulted in public comment. In light of this, Teter recommended that the commission proceed without a specific public comment period. Sutter largely agreed but saw no harm in including a public hearing for this issue in an upcoming meeting. Commissioners decided to hold an informational session in the April meeting, and finalize a decision at the May meeting.

Item 11C, Discussion on Library Commission Job Description

Sawyer recommended that this task be handled by a subcommittee following Commissioner O’Brien’s return. Teter suggested holding off on Library Commission bylaw changes until the recommended charter language is approved.

Item 11D, Library Commission Handbook update – review process document revision (p. 25-26)

In response to a question from Sutter, Teter recommended posting commissioner comments on the website prior to the meeting. Sawyer explained that this suggestion was denied previously by the city. Sawyer recommended that email discussions between commissioners should go in the packet. Commissioners discussed points of the document, ultimately electing to keep or further refine existing passages.

Agenda Item 12: Library and Arts Director’s Report (p. 27-29)

[8:44 p.m., Audio 2:26:30 hr]

Item 12A, Update on the Flatirons Library Consortium (p. 27)

The commissioners did not have any questions or comments on this item.

Item 12B, STEAM Saturdays: Play-Well event (p. 27-28)

Farnan reported that this event pulled in about 1000 attendees as kids worked to build the city of Boulder. Gibb heard positive remarks from many about the event.

Item 12C, RFID Update (p. 28)

The commissioners did not have any questions or comments on this item.

Item 12D, Update on Spring 2015 Boulder Library Foundation funding requests (p. 28)

Teter asked if a funding request had been submitted for the Jaipur Literature Festival. Farnan confirmed that a request was made for \$50,000, but it had not yet been determined who would administer the grant.

Item 12E, Bees at the Library (p. 29)

The commissioners did not have any questions or comments on this item.

Agenda Item 13: Future Items/Scheduling**[9:07 p.m., Audio 2:49:25 hr]**

- Welcome/swear in new commissioner
- Elect new officers and Boulder Library Foundation members
- Take commission photo for website
- Public works/Facilities and Assets Management to discuss impact fees
- Main Library Renovation Celebration and RFID updates
- Review of policies for security cameras and The Foundry
- Meeting room schedule of non-library events
- Demo of new Discovery layer
- Information about filtering software options
- Report on the Foundation grants

Before adjourning the meeting, Sawyer shared some parting words and wisdom with fellow commissioners.

Agenda Item 14: Adjournment**[9:14 p.m., Audio 2:56:14 hr]**

There being no further business to come before the commission at this time, the meeting was adjourned at 9:14 p.m.

Date, Time, and Location of Next Meeting:

The next Library Commission meeting will be at 6 p.m. on Wed., Apr. 8, 2015, in the Canyon Meeting Room at the Main Library, 1001 Arapahoe Ave., Boulder, CO 80302.

Commissioner Sutter approved these minutes on May 6, 2015; and Carrie Mills attested to this approval on May 6, 2015.

An audio recording of the full meeting for which these minutes are a summary, is available on the Library Commission web page at <https://boulderlibrary.org/about/commission/>.

**CITY OF BOULDER
BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING
MINUTES**

Name of Board/ Commission: Library Commission	
Date of Meeting: April 8, 2015 in the Canyon Meeting Room, Main Library, 1001 Arapahoe Ave.	
Contact Information Preparing Summary: Carrie Mills, 303-441-3106	
Commission Members Present: Paul Sutter, Donna O'Brien, Joni Teter and Alicia Gibb Commission Members Absent: Tim O'Shea	
Library Staff Present: David Farnan, Director of Library & Arts Jennifer Miles, Deputy Library Director Jennifer Bray, Communication Specialist III Kathy Lane, Programs Specialist Carrie Mills, Administrative Specialist II	
City Employees Present: Susan Richstone, Deputy Director of Community Planning and Sustainability Glenn Magee, Facilities Design and Construction Manager Devin Billingsley, Senior Budget Analyst Peggy Bunzli, Budget Officer	
Type of Meeting: Regular	
Agenda Item 1: Call to Order and Approval of Agenda The meeting was called to order at 6:00 p.m.	[6:00 p.m., Audio 0:10 min]
Agenda Item 2: Public Participation There was no one from the public in attendance.	[6:01 p.m., Audio 1:20 min]
Agenda Item 3: Consent Agenda	[6:01 p.m., Audio 1:27 min]
Item 3A, Approval of Mar. 4, 2015 minutes (p. 2-5) Teter submitted changes prior to the meeting, which can be found here: https://boulderlibrary.org/wp-content/uploads/2014/12/LC-Handouts-2015-Apr.pdf . Sutter offered a change to page 2, changing "quickly" to "efficiently" in regards to the movement of pedestrians in a crosswalk. Teter suggested that the sentence should refer to traffic including pedestrians, instead of solely pedestrians. Gibb motioned to approve with the suggested changes. Teter seconded. Vote 3-0, O'Brien abstained because she was not in attendance at the previous meeting.	
Agenda Item 4: Elections	[6:03 p.m., Audio 3:26 min]
Item 4A, New Commission Officers Teter nominated Sutter for commission chair. O'Brien seconded. Sutter accepted the nomination. Vote 3-0. O'Brien nominated Teter for commission vice chair. Sutter seconded. Vote 3-0. O'Brien nominated Gibb for commission secretary. Teter seconded. Vote 3-0.	
Item 4B, Boulder Library Foundation Board Members Sutter nominated Teter and O'Brien for Boulder Library Foundation (BLF) board members. Gibb seconded. Vote 4-0, unanimous. Sutter raised the question on the number of commissioners that can serve as foundation board members. Teter combed through foundation documents and discovered that the current BLF bylaws call for three commissioners as board members. Teter supported additional commission representation on the foundation board, but reminded others that this is a time commitment. Teter recommended discussing long-term representation at the July retreat. Sutter asked if three commissioners on the BLF board triggered legal requirements for open meetings. Farnan agreed to consult with the City Attorney's Office on this issue. Sutter recommended that the commission revisit this topic at the May meeting.	

Agenda Item 5: Impact Fees Discussion – Susan Richstone**[7:26 p.m., Audio 1:26:04 hr]**

Richstone distributed a handout with answers to some of the commissioners' questions, found here:

<https://boulderlibrary.org/wp-content/uploads/2014/12/LC-Handouts-2015-Apr.pdf> Richstone provided a brief history to the use of impact fees in the city. Richstone addressed issues and comments with definitions and specifics while describing the underlying methodology for use. Billingsley reported that there are development excise taxes and impact fees available to the library in the amounts of \$2.1 million and \$520,000 respectively. Teter asked if the excise tax total included unspent funds collected for the NoBo Corner Library. Sutter asked how the library accesses the money, and Richstone confirmed that it goes through the usual budget process.

Agenda Item 6: Main Library renovation project update – Glenn Magee (p. 6)**[6:09 p.m., Audio 9:36 min]**

Magee reported great progress on the bridge. Seeds Library Café anticipates opening on April 24, 2015. Magee confirmed that the bridge will be open during The Main Event on April 11, but that not all equipment will be installed at that time. Further, the furniture for the bridge will be delivered on Friday, April 10, and ready to go for The Main Event. Teter asked if Magee would be involved in the creation of the new maker space. Farnan and Magee agreed that he would likely be involved.

Agenda Item 7: Main Library Renovation Celebration update- Kathy Lane and Jennifer Bray**[6:12 p.m., Audio 12:20 min]**

Lane distributed a schedule of events, scavenger hunt, and giveaways, found here: <https://boulderlibrary.org/wp-content/uploads/2014/12/LC-Handouts-2015-Apr.pdf>. Lane shared details about story times, STEAM events, PlayWell Teknologies, dancers, music, screen printing, and tours. Refreshments by the Seeds Library Café will be served at 12 p.m. and 2 p.m. on the bridge. There is a plan for a hula hoop contest, sponsored by Hoopla. The day will begin with African drumming at 9:30a.m., followed by a ribbon cutting at 9:45a.m. by David Farnan and other city and library officials.

Commission discussion, questions, and comments included:

- Sutter asked about the types of publicity for the event. Bray expects 4-6,000 attendees. Publicity includes social media outreach, a news release, a walk through with Daily Camera, print ads, and digital invitations.
- O'Brien asked if there would be advertisements at the Farmer's Market for The Main Event. Bray and Lane noted that this was a good idea that could be arranged.

Agenda Item 8: Review and/or approval of draft policies**[6:23 p.m., Audio 21:42 min]****Item 8A, Approval of The Foundry Terms of Use policy (p. 8-10)**

Sutter submitted changes prior to the start of the meeting, which can be found here: <https://boulderlibrary.org/wp-content/uploads/2014/12/LC-Handouts-2015-Apr.pdf> Commissioners confirmed the changes made since the last review regarding age limits and supervision. Teter moved to approve the policy as written with Sutter's changes. Sutter amended the motion to include allowing staff leeway to accept or reject his changes as appropriate. O'Brien seconded. Vote 4-0, unanimous.

Item 8B, Review and approval of the Boulder Public Library Security Camera policy (p. 11-12)

Sutter submitted changes prior to the start of the meeting, which can be found here: <https://boulderlibrary.org/wp-content/uploads/2014/12/LC-Handouts-2015-Apr.pdf>. Commissioners reviewed changes proposed by Sutter. Gibb moved to approve the policy with Sutter's changes. Teter seconded. Vote 4-0, unanimous.

Item 8C, Review of the draft Computer and Internet Use, and Filtering policy (p. 13-14)

Teter expressed concerns about the limitations of the purpose of the policy relating only to children. Gibb understood that scope to be driven by the law requiring the filtering service. Sutter recommended opening the policy with reference to the law to make the motivation clear. Commissioners discussed language, grammar, and syntax throughout the policy to ensure clarity and accuracy. Sutter recommended a more elegant title for the policy. Commissioners will revisit this policy at their May meeting.

Agenda Item 9: Update on filtering software and Connect Boulder**[6:50 p.m., Audio 50:35 min]**

Farnan confirmed that the wireless Internet in the city will not be filtered, but stated that devices provided by the library must be filtered by law. O'Brien asked if patrons could bring their personal devices into the children's area and access inappropriate material, which Farnan confirmed was possible. Miles and Farnan noted that doing so would be a violation of the library's rules of conduct, and possibly the law. Sutter pointed out that the new layout of the children's area made policing that behavior easier than before.

Agenda Item 10: Library Commission update (from memo) (p. 18-23)**[6:52 p.m., Audio 52:36 min]****Item 10A, Update on email responses to Library Commission (p. 19-22)**

Commissioners agreed that Sutter would serve as the point of contact for the commission when receiving emails from the public. In regards to one message received, Sutter asked about how the lower shelves have been received by the public. Farnan noted that chairs and stools are available for patron use, and staff stopped stocking the lowest shelves.

Item 10B, Main Library meeting room update (p. 24)

Teter felt that the memo included by staff addressed her concerns raised in her email.

Agenda Item 11: Library and Arts Director's Report (p. 25-37)**[7:00 p.m., Audio 1:00:21 hr]****Item 11A, Results of Boulder Public Library Foundation 2015 Spring Grant Round (p. 28)**

Farnan reported that the BLF agreed to fund all of the proposed programs. Sutter asked for more details regarding the early literacy app. Farnan explained that the app is part of the Every Child Ready to Read (ECRR) program. Many libraries agreed to share their ECRR materials. Staff plans to market the app to parents statewide. The Colorado Early Literacy Group will help design content. Staff hopes to solicit donations from other libraries to match the grant from the foundation. If they exceed the match with donations, they plan to put the money towards a Spanish translation. Commissioners inquired about plans for the new maker space. Farnan explained where the space would be located and the early ideas of what equipment would be included. Teter expressed sentiments from the foundation regarding the number of proposals that came with community partners, noting that the board members were excited by the larger involvement.

Item 11B, Civic Area update (p. 25)

Farnan said that the study session went well. The most debated issues in the plan relate to parking and the band shell. Many council members agreed that the band shell is not functional and should be moved, though not too far. Teter recommended putting the band shell on top of a parking structure to solve two problems at once.

Item 11C, Jaipur Literature Festival update (p. 25)

Farnan reported that organizers have decided to centralize the festival on the municipal campus and in the library. Staff is considering limiting services during the festival to allow space for events. Farnan cited his inclination to limit services for the event, but recognized the impact that this will have on many patrons.

Item 11D, Nature Play (p. 25, 29-36)

Farnan introduced the Nature Play details. Teter recommended signage along the creek to announce that a Nature Play area is coming. Lane noted that there will be buzz for the area during the Summer Festival on June 6, 2015.

Item 11E, Service levels per capita (p. 25, 37)

Farnan noted that the collection circulation levels are not as high as desired, citing the need for more e-books and materials that appeal to library users. During this discussion, Susan Richstone joined the meeting. The commissioners returned to Agenda Item 5.

Agenda Item 12: Future Items/Scheduling**[7:46p.m., Audio 1:46:23 hr]**

Sutter announced that he will move the alcohol policy from May to June. Sutter reminded commissioners that the commission photo will be taken in June.

Agenda Item 13: Adjournment**[7:48 p.m., Audio 1:48:11 hr]**

There being no further business to come before the commission at this time, the meeting was adjourned at 7:48 p.m.

Date, Time, and Location of Next Meeting:

The next Library Commission meeting will be at 6 p.m. on Wed., May 6, 2015, in the Canyon Meeting Room at the Main Library, 1001 Arapahoe Ave., Boulder, CO 80302.

Commissioner Sutter approved these minutes on May 19, 2015; and Carrie Mills attested to this approval on May 19, 2015.

An audio recording of the full meeting for which these minutes are a summary is available on the Library Commission web page at <https://boulderlibrary.org/about/commission/>.



CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees			
DATE OF MEETING: May 13, 2015			
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x3440			
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:			
MEMBERS: Shelley Dunbar, Frances Hartogh, Kevin Bracy Knight, Tom Isaacson			
STAFF: Tracy Winfree, Jim Reeder, Mark Gershman, Kelly Wasserbach, Jim Schmidt, Steve Armstead, Annie McFarland, Don D'Amico, Deryn Wagner, Don D'Amico, Alyssa Frideres, Alycia Knutson, Leah Case			
GUESTS: Annie Noble, Greenways Program Coordinator; Kurt Bauer, Engineering Project Manager; Kristin Dean, Utilities Planner; Jeff Arthur, Director of Public Works for Utilities; George Gerstle, Boulder County Transportation; Julian Maskeroni, Central Federal Lands Highway Division of the U.S. Dept of Transportation			
TYPE OF MEETING:	<u>REGULAR</u>	CONTINUATION	SPECIAL
SUMMATION:			
AGENDA ITEM 1- Approval of the Minutes			
Tom Isaacson moved the Open Space Board of Trustees to approve the minutes from April 8, 2015 as amended. Frances Hartogh seconded. This motion passed unanimously.			
AGENDA ITEM 2- Public Participation			
Mike Barrow, Boulder Mountainbike Alliance (BMA), said he appreciates the positive change in how OSMP is communicating with the public.			
Janet Streater, Boulder, urged staff to move forward with the foot bridge over Anderson Ditch.			
Suzanne Webel, Longmont, thanked staff for putting Chapman Drive and Joder Ranch Trailhead on the agenda.			
AGENDA ITEM 3- Matters from Staff			
Tracy Winfree, Open Space and Mountain Parks (OSMP) Director, gave an update on the 2016 Workplan.			

Annie McFarland, Visitor Access Coordinator, gave a presentation on the status of closed trails due to the recent rain.

Kelly Wasserbach, Engineering Manager, gave a presentation on Chapman Drive and Joder Ranch Trailhead.

Steve Armstead, Environmental Planner, gave an update on the status of the North TSA planning process.

AGENDA ITEM 4- Matters from the Board

The Board expressed their support for televising of OSBT meetings to continue.

Tom Isaacson and Annie Noble summarized information from the Greenways CIP.

AGENDA ITEM 5- Public hearing and consideration of a recommendation to City Council regarding the South Boulder Creek Major Drainageway Flood Mitigation Plan.

Don D'Amico, Ecological Systems Supervisor and Kristin Dean, Utilities Planner gave a presentation on the South Boulder Creek flood mitigation.

This item spurred one motion:

Tom Isaacson moved the Open Space Board of Trustees to support staff's recommendation for City Council to accept the South Boulder Creek Major Drainageway Flood Mitigation Plan, specifically Option D (single berm using Colorado Department of Transportation Right of Way - and requiring no disposal of City of Boulder Open Space and Mountain Parks lands) which significantly lessens environmental impacts to Open Space Lands for Regional Detention at US 36. This is conditioned upon staff returning to the Open Space Board of Trustees in the event staff determines construction will involve non-trivial impacts to Open Space. Shelley Dunbar seconded. This motion passed unanimously.

AGENDA ITEM 6 – Recommendation to dispose of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the conveyance of three (3) acres of Right of Way plus an additional 7 acres for the associated slope easements to Boulder County for the realignment and rebuilding of Lefthand Canyon Drive between Buckingham Park and Jamestown Road and a further recommendation to accept fee ownership to all lands currently owned by Boulder County between the south boundary of the new Right of Way and Left Hand Creek.

George Gerstle, Boulder County Transportation, gave a presentation on a possible disposal in Lefthand Canyon.

This item spurred one motion:

Tom Isaacson moved the Open Space Board of Trustees approve and recommend that City Council approve 1) the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the conveyance of no more than five (5) acres of Right of Way plus an additional seven (7) acres for the associated slope easements to Boulder County for the realignment and rebuilding of Lefthand Canyon Drive between Buckingham Park and James Canyon Drive, and 2) acceptance of fee ownership to all lands currently owned by Boulder County between the boundary of the new Right of Way and Left Hand Creek. Kevin Bracy Knight seconded. This motion passed unanimously.

AGENDA ITEM 7 – Consideration of a motion to approve and recommend that City Council approves the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the grant of easements to Public Service Company of Colorado for overhead power lines along Thomas Lane and on the T.H.P. Open Space property, as described in Attachment D, conditioned upon Public Service Company of Colorado executing a quit claim deed in a form acceptable to the city

terminating whatever rights and interest it may have to the Lower Big Bluestem power line access route.

Jim Schmidt, Property Agent, gave a presentation on a possible disposal along Thomas Lane.

This item spurred one motion:

Frances Hartogh moved the Open Space Board of Trustees approve and recommend that City Council approve the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the grant of easements to PSCo for overhead power lines along Thomas Lane and on the T.H.P. Open Space property, as described in Attachment D, conditioned upon PSCo executing a quit claim deed in a form acceptable to the city terminating whatever rights and interest it may have to the Lower Big Bluestem power line access route. Shelley Dunbar seconded. This motion passed unanimously.

ADJOURNMENT: The meeting adjourned at 9:53 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:

Many people spoke in favor of the staff recommendation regarding the South Boulder Creek flood mitigation plan. One person said he was skeptical that the proposed plan could happen without damaging the native grasslands on OSMP.

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

The next OSBT meeting will be Mon. June 15th at 6 p.m. at 1777 Broadway in the Council Chambers

**CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES**

Name of Board / Commission: Water Resources Advisory Board	
Date of Meeting: 23 February 2015	
Contact Information of Person Preparing Minutes: Andrea Flanagan 303.413.7372	
Board Members Present: Vicki Scharnhorst, Mark Squillace, Dan Johnson, Lesley Smith, Ed Clancy Board Members Absent: None	
Staff Present: Jeff Arthur, Director of Public Works for Utilities Bob Harberg, Principal Engineer-Utilities Annie Nobel, Flood and Greenways Engineering Program Coordinator Bret Linenfelter, Water Quality and Environmental Services Manager Kurt Bauer, Engineering Project Manager Russ Sands, Watershed Sustainability and Outreach Supervisor MaryAnn Nason, Water Conservation Outreach Coordinator Heidi Hansen, Floodplain and Wetlands Administrator/ Civil Engineer Edward Stafford, Development Review Manager Andrea Flanagan, Board Secretary	
Cooperating Agencies Present: Monica Bortolini, Consultant with Leonard Rice Engineers, Inc.	
Meeting Type: Regular	
Agenda Item 1 – Call to Order	[7:05 p.m.]
Agenda Item 2 – Approval of the 26 January 2015 Meeting Minutes: [7:06 p.m.] Motion to approve minutes as amended from January 26 as presented. Moved by: Johnson; Seconded by: Squillace Vote: 4:0 (Ed Clancy abstaining)	
Agenda Item 3 – Public Participation and Comment	[7:10 p.m.]
Public Comment:	
Patrick McAteer Chief Financial Officer at Frasier Meadows Retirement Community. Campus severely impacted by 2013 floods, lost about 40% of operating capacity, only half-way returned to normalcy. Requesting advocacy for Frasier Meadows, which is in its 55 th year assisting seniors in Boulder. Lost entire bottom level of skilled nursing and entire assisted living wing, and much more infrastructure, including independent living structures, approximately \$7.5 to 10 million in loss. Here for long-term needs for seniors in Boulder community. They are coming out of the flood and recreating what the organization will provide in the long run. Would appreciate continued advocacy of the Board.	
Chuck Howe Emphasized how severe the effects of the flood were on Frasier Meadows and is here to ask Board to promote maximum flood control off Highway 36 and any other alternatives. Qualla Drive area was badly impacted with 100 damaged homes, as well as Frasier Meadows. On the basis of FEMA’s first ruling, Frasier Meadows would be out of the floodplain if they built a retaining wall around its campus. FEMA recently reversed their decision, saying that they would still fall in the floodplain due to two structures being out of compliance with construction regulations. All residents would then be subject to flood insurance, with current rates quoted, causing a tremendous impact to residents. Feels that adequate storage around Hwy. 36 would protect the Qualla Drive area and would give grounds for appealing FEMA ruling, which has severe implications for Frasier. Hopes Board will consider the alternative, which would provide a legitimate argument to FEMA to have them reconsider their decision. Final recommendation is to consider other alternatives on the other side of Highway 36.	
Tom LeMire President HOA of 100-unit, 5 building complex, which is about 15 years old, north of Frasier Meadows Manner. As with Frasier, their building was under water during flood, small fraction of loss compared to what Frasier endured. \$42,000 worth of electrical damage to meters, with biggest issue being with settlement with insurance company. In their 80-page umbrella insurance document, they didn’t see exemption that insurance company found, which stated that they should not be covered for upgrading electric meters even though City of Boulder says that meters should be upgraded, per the 2011 code. The	

insurance company does not cover upgrading, which is a catch-22.

There were so much mechanical repairs and now years of frustrating efforts that require very expensive insurance policy. Experienced 3 feet of water that probably came from Bear Creek/ NCAR area. Asks that Board please work with CU to open South Campus for natural retention in large low-lying areas around CU.

Rick Mahan

Member South Boulder Creek Action Group. Wants to reemphasize that the group’s main priority is to stop the overtopping of US36 during floods.

Agenda Item 4 - Matters From Staff: [7:21 p.m.]

- a) Update on South Boulder Creek Mitigation Study
- b) Update on National Flood Insurance Program – Community Rating System
- c) 2015 Flood Outreach Program
- d) Water Conservation Program

Agenda Item 5 – Matters from the Board: [8:55 p.m.]

Board Member Smith brought up the below matter(s):

- Attended Watershed Forum, which was fantastic and thought-provoking.
- Feels that the more our public can be educated about water use and average per-capita consumption, and the more information people have, the more they may realize that it is a critical resource.

Board Member Johnson brought up the below matter(s):

- Thanked Board Secretary for receiving the meeting packet in one succinct package this month, as opposed to separate documents and attachments.
- Stated that he will miss April meeting and questioned whether date could be changed?
- Questioned status of snowpack in the watershed?

Board Member Clancy brought up the below matter(s):

- Questioned whether the city’s water supply lines’ range of leakage falls between 7% and 14%.
- Discussed email that was sent to Board about study regarding “submarines” that were sent through collection systems and that it would be nice to see this subject revisited by city staff.
- Questioned if we are going to be doubling our existing collection system rehabilitation efforts.
- Questions about flow meters that were put in sewage lines and what current infiltration rate is?
- Questioned if Frasier Meadows is an area that would be metered to determine flows?
- Questioned conditioning monitors and the status of the “big pipes” in the city’s sewer mains.
- Questioned if the problem with Casey Middle School is related to sewer main issues?

Agenda Item 6 – Future Schedule [9:05 p.m.]

Several board members expressed interest in rescheduling future meetings due to conflicts. Staff will follow up.

Adjournment [9:07 p.m.]

There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at 9:07 p.m.

Motion to adjourn by: Johnson; **Seconded by:** Squillace

Motion Passes 5:0

Date, Time, and Location of Next Meeting:

The next WRAB meeting will be **Monday, 16 March 2015 at 7:00 p.m.**, at the **City's Municipal Services Center, 5050 Pearl St., Boulder, CO 80301**

APPROVED BY:

Board Chair

Date

ATTESTED BY:

Board Secretary

Date

An audio recording of the full meeting for which these minutes are a summary, is available on the Water Resources Advisory Board web page.

<https://bouldercolorado.gov/boards-commissions/water-resources-advisory-board-next-meeting-agenda-and-packet>

**CITY OF BOULDER, COLORADO
BOARDS AND COMMISSIONS MEETING MINUTES**

Name of Board / Commission: Water Resources Advisory Board	
Date of Meeting: 27 April 2015	
Contact Information of Person Preparing Minutes: Andrea Flanagan 303.413.7372	
Board Members Present: Vicki Scharnhorst, Dan Johnson, Ed Clancy, Mark Squillace Board Members Absent: Lesley Smith	
<p>Staff Present: Jeff Arthur, Director of Public Works for Utilities Annie Noble, Flood and Greenways Engineering Program Coordinator Katie Knapp, Engineering Project Manager Kristin Dean, Utilities Planner Ken Baird, Utilities Financial Manager Douglas Sullivan, Acting Principal Engineer for Water, Wastewater and Stormwater Tom Settle, Water Treatment Manager Ward Bauscher, Engineering Project Manager Kevin Clark, Utilities Project Manager, Sourcewater Infrastructure Steve Buckbee, Engineering Project Manager Christin Shepherd, Civil Engineer Milford John-Williams, Budget Analyst Andrea Flanagan, Board Secretary</p> <p>Cooperating Agencies Present: Alan Turner, Senior Project Manager, CH2M HILL Shea Thomas, Urban Drainage and Flood Control District</p>	
Meeting Type: Regular	
Agenda Item 1 – Call to Order	[7:00 p.m.]
<p>Agenda Item 2 – Approval of the 16 March 2015 Meeting Minutes [7:00 p.m.] Motion to approve minutes from March 16 as presented. Moved by: Squillace; Seconded by: Johnson Vote: 4:0 (Lesley Smith absent)</p>	
<p>Agenda Item 3 – Swearing In/ Election of Officers [7:03 p.m.] Ed Clancy was sworn in for his term on the WRAB.</p> <p>Motion by: Clancy; Seconded by: Squillace Move to postpone election of officers until such a time as all five board members are present to vote. Current arrangement of officers would continue until that time. Vote: 4:0 (Lesley Smith absent)</p>	
<p>Agenda Item 4 – Public Participation and Comment [7:04 p.m.] Public Comment:</p> <p>Karl Anuta, Crif Crawford, Bruce Thompson (each speaker took a portion of the pooled time) Karl Anuta spoke on behalf of residents of Frasier Meadows Retirement Community and presented a petition with signatures to the Board to ask for their support in the construction of a flood control facility, south of highway US 36. Citizens are concerned about the South Boulder Creek area, which the city has studied for many years. Over 300 homes of the total homes damaged by the flood event were on the west side of Foothills. This is not a flood that came up through basements, or caused by an over-taxed sewer system. This flood damage was caused strictly by surface water flowing over the turnpike and into homes, as well as the retirement community. Much of the Frasier Meadow’s infrastructure was severely damaged, including several major buildings. Asking for Board support for construction of this area.</p> <p>Crif Crawford: Showed videos of flooding at: Table Mesa and US 36, Frasier Meadows (from Thunderbird), Underground Garage to illustrate the flows and seriousness of the flood waters in their community.</p> <p>Bruce Thompson Asking for Board support to further prevent water from South Boulder Creek Basin from topping over US 36 and overflowing into residential areas, west of Foothills Parkway. Highest priority is saving lives. If</p>	

anyone had been in the Frasier Meadows parking garage, they might not have survived. It took less than 15 minutes to take 88 cars. Residents had to be carried across 3 feet of water to safety, which is a miracle that no one was lost. 43 residents of Frasier Meadows are present today and instead of speaking individually, they signed a sheet agreeing to these comments.

Al LeBlang

Concurs with the aforementioned statements.

Clinton Heiple

This was not a gently rising flood; this was water that came on very quickly and if anyone had been sleeping in their basement they could have died. Primary responsibility of government is to protect the lives and safety of its citizens. Hopes for Board to move forward.

Laura Tyler

Member of the South Boulder Creek Steering Committee, shared update about what the group is doing. Concerned that safety piece was not addressed at earlier study session. Group has reached out to City Council members, as well as University of Colorado (CU) staff. Reactions have been overwhelmingly positive. Council sees this as an opportunity to cooperate with CU. CU representatives are very positive and both groups clearly see the seriousness of this situation. There is a feeling of momentum. Shared a clip from Daily Camera about annexation and shared quote about the city's plans for South Boulder Creek Mitigation Project and Southeast Boulder section and wanted to include this as part of the conversation. This conversation is happening and it is very positive.

Payson Sheets

Spoke about a possible future hazard that he would like to have avoided, with regard to expansion of Eldora ski area. Family moved to Boulder in 1920's and remembers ski area working cooperatively with residents, but they are now unwilling to listen to residents. Sediment load is going into Peterson Lake and they would like to build additional trails, which would cause greater sediment issues. The ski area has been granted an expansion in both directions. EPA in Denver looked at their plans and found that the environmental impact statement was incomplete, and they were unable to assess the environmental impacts. Feels that this needs to be reassessed by the City. Nederland Advisory Board is preparing objections and he urges Board to file a firm objection to the expansion. Read from a key statement by Bret Linenfelser from April, 2014. Appreciates anything the Board can do to protect Boulder Creek.

Jim Johnson

Represents Southeast Boulder Neighborhood Association, which includes surrounding neighborhoods. Appreciates Board hearing the group's message, which is that they want to work together with the City, County and FEMA to prevent water from further flooding these neighborhoods. Held up a map to show the Board. Hopes group can plan ahead with University of Colorado and would appreciate anything the Board can do to work with these entities to help protect residents. Mitigation is needed badly.

Agenda Item 5 –

[7:28 p.m.]

Public Hearing and Consideration of a Recommendation to City Council Regarding the Gregory Creek Mitigation Study

Katie Knapp and Utilities staff presented the item to the board.

Executive Summary from the Packet Materials:

The purpose of this memorandum is to present the Gregory Canyon Creek Draft Flood Mitigation Plan (**Attachment A**) for the WRAB's consideration, input and recommendation to Council.

The city has retained CH2MHill to evaluate potential alternatives to help alleviate future flooding along Gregory Canyon Creek. CH2MHill's Alternative Analysis Memorandum ("Analysis") is included as Appendix A of the Draft Flood Mitigation Plan (**Attachment A**). This Analysis contains a detailed description of the data and models used to determine the improvements which would help flood conveyance along Gregory Canyon Creek. The intent of the Analysis was to identify various types of improvements which could be constructed along the creek corridor, assess the costs and benefits associated with each improvement, and include an engineer's recommendation.

Staff reviewed the Analysis and developed a staff recommended plan based on the engineering recommendation, input from the public and observations from the 2013 flood event. The staff

recommended plan is illustrated graphically in Section 6 of the Draft Flood Mitigation Plan (**Attachment A**) which also includes additional information about the Gregory Canyon Creek watershed, the planning process and the alternatives considered. Please note that not all sections of the document have been completed. Pending consideration and input from WRAB, conceptual drawings will be developed and the mitigation plan will be finalized and presented to City Council for acceptance.

WRAB Discussion Included:

- Question about four private culverts and asked if property owners agree to dedicate easements in order for city to install
- Question if residents support installing a pedestrian bridge.
- Stated that it is likely that we will exceed a ten-year flood and questioned if infrastructure will support anything greater than a 10-year flood.
- Asked about the cost-to-benefit analysis and questioned the numbers presented because they did not match what is in the report.
- Commented that a 7% discount rate is not realistic. Concerned that if the discount rate is changed, the numbers will be skewed.
- Suggests the calculations be made under different discount rates. Numbers seem speculative.
- Stated that the culvert replacement over the ten-year event does make sense.
- Asked for further clarification on method used for property acquisition.
- Stated that it is odd that city would agree to pay for the easements and suggested further discussion of this topic.
- Asked if there is a consideration at this time for what would come first as a priority, so that larger problems are not created and requested further clarification of the overall timeline approach.
- Questioned how the benefits get assessed in this situation.
- Requested further clarification on road improvements and property acquisition and whether these aspects could not be made part of the recommendation and instead, be a part of another program?
- Stated that this project affects neighborhoods directly and recommends a more adaptive approach that allows adjustments as more information is found out and suggests adding this to recommendation.
- Requested clarification on whether there is a reason that street improvements need to be included in the recommendation.
- Stated that Board has been discussing Gregory Creek since 2008 and something needs to happen.
- Requested whether it is normal practice for landscaping to be replaced, if damaged.
- Recommended that residents be asked to grant easements without compensation, as to allow funding to be stretched.
- Stated that if property value increases, it seems odd that the city would pay for easements.

Public Comment:

Holly Pearen

Stated that staff and Board have been very open and solicitous to the neighborhood concerns. As the plan has developed, the landowners have some concerns, both on macro and micro scales. Inconsistencies lead to deep concern. Glad that benefit-cost analysis has been addressed. The value of the damages presented in the documents are inconsistent. Has to be some sort of calibration to what actually happened. Understands that the damages are estimated, but this cannot be accurate. No realistic assumptions about the value can be made based on these numbers. Open to hearing explanation as to how these numbers were arrived at from CH2M Hill. Landowners would appreciate if city and CH2M Hill could be more transparent about the cost to landowners. If in fact properties gain or lose value, tell them how much and reflect this in the budget. If easements will be given to the city for free, this may not be realistic, especially based on her experience throughout this process.

Stewart Machle

Would like to thank city for all the help given to him since the flood. Rock walls have been rebuilt. Question about intersection of Anderson Ditch and Gregory Creek. Heard comment about an overhead culvert or culvert separate from Gregory Creek and agrees they should be separated. Asks if a decision has been made about what is going to be done with this location, as this is a critical area.

Laz Nemeth

Asked why everyone is in favor with box culverts. They are ugly. Preference is for keeping Anderson

Ditch open so children can play there. Running water is aesthetically pleasing. Based on personal experience, Anderson Ditch was actually shut off during the flood. There was no more flow in Gregory Creek afterwards. Something needs to be done. Asks if there is a reason for always having two box culverts and if it is more cost-effective.

Rebecca Roser

Part of her property is Anderson Ditch, which goes to the edge of her property. Flows stopped in Anderson Ditch, because it was filled to the top with silt during the flood. Agrees that the area where Gregory Creek and Anderson Ditch come together is an issue because it's at the edge of her property. Appreciates that neighbors have been solicited and looking forward to working with city with regard to easements.

Motion by: Squillace; **Seconded:** Johnson

Vote: 4:0 (Lesley Smith absent)

Motion Passes

Staff requests Water Resources Advisory Board consideration of this matter and action in the form of the following motion:

Motion to recommend the Gregory Canyon Creek Flood Mitigation Plan be finalized based on the Staff Recommended Plan and presented to City Council for acceptance.

Agenda Item 6 –

[8:40 p.m.]

Information Item – Preliminary Draft 2016 Utilities Budget (Water, Wastewater and Stormwater/ Flood Management) including the 6-year Capital Improvement Program (CIP)

Douglas Sullivan, Ken Baird, Annie Noble, Kevin Clark, Steve Buckbee, and other Utilities staff presented the information item to the board.

As part of the city's annual budget process, Utilities develops a six-year planning budget, this year for the time period of 2016 through 2021. The Water Resources Advisory Board (WRAB) role in this process is defined in the Boulder Revised Code: ". . . to review all environmental assessments and capital improvements conducted or proposed by the utilities division." Utilities staff has formulated initial revenue and expenditure projections for each of the three utility funds through the year 2021. Within the budget process, City Council approves and appropriates funds only for the first year, 2016. In addition to the six year CIP described above, Utilities staff develops a 20-yr CIP. The purpose of the 20-yr CIP is to look at long range needs for all three utilities. The 20-yr CIP is a valuable mechanism to look at upcoming regulatory requirements, asset management needs for aging facilities, and the associated debt service for existing bonds.

This agenda item provides an opportunity for the WRAB to discuss a "preliminary draft" of the CIP. Input from WRAB will guide staff in preparation of a draft CIP for discussion by WRAB at the May meeting. WRAB will be asked to make a recommendation to City Council regarding the 2016-2021 CIP at its June meeting. The Planning Board will review the complete city CIP, including utilities, in July. City Council generally plans for two study sessions in September, prior to adopting the 2016 budget.

WRAB Discussion Included:

- Stated that there is some concern that the rate increases may be a bit heavy, considering they have been flat for so long. Concerned that rate increases won't stop. This could largely impact commercial users.
- Stated that perhaps we should exercise more thoughtfulness on how we conserve water and consider the possibility of selling our product (water) while we have it. If we continue to conserve, what are we losing in revenue?
- Stated that the issue is complicated, because if we don't conserve, then we need to acquire new water supplies.
- Stated that these changes could be more significant than the public may even understand.
- Expressed concern that we may be on a track that is not aligned with inflation.
- Stated that what some local communities want that is in the best interest of protecting their properties, may not actually be what's best for the community at large.
- Commented that we do need to play catch-up on sewage updates, as we saw what happened during

<p>the flood event in 2013.</p> <ul style="list-style-type: none"> • Stated that CII was never completed and suggest revisiting. • Asked whether there is any potential to sell any of our resources to generate additional revenue. • Questioned whether our plant investment fee is high enough and whether or not it is fair for people who buy in later. • Questioned if there was any conclusion that came from the inspection of sewer lines that were inspected by a pipeline ‘submarine.’ 	
<p>Agenda Item 7 – Matters from the Board:</p> <p>Board Member Clancy brought up the below matter(s):</p> <ul style="list-style-type: none"> • Requested clarification on dates for future open houses. • Requested to find out if PowerPoint presentations will be posted following meetings. <p>Board Member Johnson brought up the below matter(s):</p> <ul style="list-style-type: none"> • Requested more information on Eldora expansion, with regard to public comment. 	[10:12 p.m.]
<p>Agenda Item 8 – Matters from Staff:</p> <ul style="list-style-type: none"> • Kim Hutton provided an update on water supply for 2015. There is no need to implement water restrictions at this time, based on current snow pack conditions. • Department of Health and Human Services has recently released a fluoride recommendation. City is determining next steps and will follow up at future meeting. 	[10:15p.m.]
<p>Agenda Item 9 – Future Schedule</p> <p>May:</p> <ul style="list-style-type: none"> • South Boulder Creek Mitigation • Skunk Creek Mapping Update • Update on Wastewater and Stormwater Collection System Master Plans • Preliminary Capital Improvements Program update • Boulder Civic Area Update • Boulder Creek Mitigation Plan Update 	[10:24p.m.]
<p>Adjournment</p> <p>There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at 10:31p.m.</p> <p>Motion to adjourn by: Johnson; Seconded by: Squillace</p> <p>Motion Passes 4:0 (Lesley Smith absent)</p>	[10:31 p.m.]
<p>Date, Time, and Location of Next Meeting: The next WRAB meeting will be Monday, 18 May 2015 at 7:00 p.m., at the City's Municipal Services Center, 5050 Pearl St., Boulder, CO 80301</p>	

APPROVED BY:

Board Chair

Date

ATTESTED BY:

Board Secretary

Date

An audio recording of the full meeting for which these minutes are a summary, is available on the Water Resources Advisory Board web page.

<https://bouldercolorado.gov/boards-commissions/water-resources-advisory-board-next-meeting-agenda-and-packet>

**APHASIA AWARENESS MONTH
JUNE 2015**

Whereas, aphasia is a communication impairment caused by brain damage, typically resulting from a stroke but can occur in other neurological disorders, such as in the case of a brain tumor; and

Whereas, many people with aphasia also have weakness or paralysis in their right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body; and

Whereas, the effects of aphasia may include a loss or reduction in ability to speak, comprehend, read and write, while intelligence remains intact; and

Whereas, stroke is the third largest cause of death and is a leading cause of serious, long-term disability in the United States; and

Whereas, aphasia affects at least 1,000,000 people in the United States and more than 200,000 Americans acquire the disorder each year; and

Whereas, the National Aphasia Association mission is to educate the public to understand that the word aphasia describes an impairment of the ability to communicate, not an impairment of intellect; and

Whereas, the National Aphasia Association is celebrating 28 years of service to people with aphasia and their families; and

Whereas, as an advocacy organization for people with aphasia, their families and their caregivers, the National Aphasia Association envisions a society where people with aphasia can reclaim their quality of life.

NOW, THEREFORE, BE IT DECLARED by the City Council of the city of Boulder, Colorado, that the month of June is designated

APHASIA AWARENESS MONTH



Matthew Appelbaum, Mayor



**HONORING THE UNIFORMED SERVICES
OF THE UNITED STATES OF
AMERICA**

WHEREAS, members of our Armed Forces are currently in harm's way; and

WHEREAS, they are faithfully executing their oath to uphold and defend the Constitution of the United States against all enemies, foreign and domestic; and

WHEREAS, they are members of an all volunteer force, dedicated to the principles and beliefs of our nation; and

WHEREAS, there are a significant number of present and past Boulder residents currently serving in the active, reserve, and Colorado National Guard forces engaged in the Afghanistan conflict and elsewhere; and

WHEREAS, they are carrying out their duties in homeland defense and security within the United States, in combat and support missions on ships at sea, in aircraft, and on foreign soil; and

WHEREAS, there is a significant number of veterans who are Boulder residents and have honorably served our Nation through periods of active conflict and the Cold War.

NOW, THEREFORE, BE IT DECLARED by City Council of the City of Boulder, Colorado, that May 18 through May 25, 2015 is

Military Appreciation Week

and urge all citizens of our community to give recognition of the past and continuing service of Boulder area residents to the Uniformed Services of the United States of America in defense of our nation and our values.

Matthew Appelbaum

Matthew Appelbaum, Mayor

