



TO: Mayor and Members of City Council
FROM: Jordan Matthews, City Clerk's Office
DATE: June 21, 2016
SUBJECT: Information Packet

1. CALL UPS

- A. Vacation of a 35 square foot portion of a utility easement along with north property line of the property located at 215 30th Street. (ADR216-00109).
- B. Concept Plan Review, 3200 Bluff Street (LUR2016-00028)
- C. 2949 Broadway Site Review (LUR2014-00097)
- D. Nonconforming Use Review (LUR2015-00118) request to amend the approved operating characteristics for the Alpine Modern Café at 904 College Ave. within the RL-1 zone district to allow for beer and wine sales during regular business hours, and to extend the closing time from 7:00 p.m. (existing) to 9:00 p.m. (proposed) Mondays through Thursdays. No other changes to the existing operating characteristics are proposed. The call up period expires on Jul. 5, 2016.
- E. Community and Environmental Assessment Process (CEAP) Report Recommendations for the Fourmile Canyon Creek Greenways Improvement Project from Upland Avenue to West of Broadway
- F. Vacation of an existing 1,224 square foot emergency access easement located in the northeast corner of the property and the vacation of emergency access easement rights in an existing 9,591 square foot Water, Sanitary Sewer, and Emergency Access Easement located in the northeast portion of the property at 3107 Iris Ave. (ADR2016-00108).

2. INFORMATION ITEMS

None

3. BOARDS & COMMISSIONS

- A. Board of Zoning Adjustment – May 19, 2016
- B. Environmental Advisory Board – April 6, 2016
- C. Environmental Advisory board – May 4, 2016

- D. Landmarks Commission – April 6, 2016
- E. Landmarks Commission – May 4, 2016
- F. Open Space Mountain Parks – June 8, 2016
- G. Planning Board – May 12, 2016
- H. Planning Board – May 26, 2016
- I. Transportation Advisory Board – May 9, 2016

4. DECLARATIONS

- A. General Aviation Appreciation Month – June, 2016



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Planning, Housing & Sustainability
Susan Richstone, Deputy Director of Planning, Housing & Sustainability
Charles Ferro, Development Review Manager
Caeli Hill, Associate Planner

Date: June 21, 2016

Subject: Call-Up Item: Vacation of a 35 square foot portion of a utility easement along the north property line of the property located at 215 30th Street. (ADR2016-00109).

EXECUTIVE SUMMARY:

The applicant requests vacation of a 35 square foot portion of a utility easement located at 215 30th St. (refer to **Attachment D** for exact location). The easement was dedicated on the final plat for the First Addition to Highland Park recorded at Plat Book No. 5, Page 78 on Aug. 6, 1953. This easement has never contained any utilities, however, at some point (a search of City records indicates sometime before the 1980s) a carport was built in the easement without a permit. Once the 35 square foot portion of this easement is vacated, the owner will pursue the opportunity to obtain after-the-fact permits to legally establish the carport and any previous work that has been done within the existing easement without a permit. There are no indications that the 35 square foot portion of this easement will be needed in the future creating no further public need for the easement. The proposed vacation was approved by staff on May 23, 2016. There are two scheduled City Council meetings within the 30-day call-up period on June 7, 2016 and June 21, 2016.

CODE REQUIREMENTS:

Pursuant to the procedures for easement vacations set forth in subsection 8-6-10(b), B.R.C. 1981, the city manager has approved the vacation of the 35 square foot portion of the utility easement. The date of staff approval of the easement vacation was May 23, 2016 (refer to **Attachment E, Notice of Disposition**). This vacation does not require approval through ordinance based on the following criteria:

- It has never been open to the public; and
- It has never carried regular vehicular or pedestrian traffic.

The vacation will be effective 30 days later on June 22, 2016 unless the approval is called up by City Council.

FISCAL IMPACTS:

None identified.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

Economic: None identified.

Environmental: None identified.

Social: None identified.

BACKGROUND:

The subject property is approximately 6,344 square feet in area located in South Boulder (refer to **Attachment A, Vicinity Map**). The site is located in a Residential-Low 1 (RL-1) zone district. The easement was originally established on the plat for the First Addition to Highland Park recorded at Plat book No. 5, page 78 on Aug. 6, 1953. The owner of this property is requesting the vacation of the 35 square foot portion of this easement in order to legally establish and repair a carport that is currently located within the existing easement. This carport was built a number of years ago without a permit and has always been located within the easement. The fact that this carport is located in an easement was identified at the end of 2015 when the owner attempted to apply for a building permit to correct and complete repair work that had been performed without a permit on the carport's roof and structural elements. The owner has indicated that he will pursue obtaining after-the-fact building permits for any work that has been performed without a permit.

There have never been any utilities located in this easement and there are no plans to locate utilities in this easement in the future. All utilities that serve this property are located within the 30th St. right-of-way. Additionally, approval of the easement vacation has been received from electric/gas, telephone and cable company representatives. There is no further public need for the 35 foot portion of this easement.

Given that there is no public need for the 35 square foot portion of the easement for which it was intended, failure to vacate the requested easement would cause hardship to the property owner by limiting the development potential of the property.

ANALYSIS:

Staff finds the proposed vacation of a utility easement consistent with the standards set forth in subsection (b) of section 8-6-10, "Vacation of Public Easements", B.R.C. 1981. Specifically, staff has determined that no public need exists for the 35 square foot portion of this easement to be vacated.

No vacation of a public easement shall be approved unless the approving agency finds that:

- ✓ 1. Change is not contrary to the public interest.
- ✓ 2. All agencies having a conceivable interest have indicated that no need exists, either in the present or conceivable future, for its original purpose or other public purpose.

- ✓ 3. Consistent with the Comprehensive Plan and Land Use Regulations.
- ✓ a. Failure to vacate the easement would cause a substantial hardship to the use of the property consistent with the Comprehensive Plan and Land Use Regulations; or

This property is designated Low Density Residential per the Boulder Valley Comprehensive Plan and is being developed to be consistent with that designation.

There is an encroachment currently located in the easement. A carport was constructed in the easement many years ago without a permit. If this easement vacation is approved, the encroachment may remain if the applicant applies and receives after-the-fact building permits to legally establish the entirety of the carport and any other work done within it. If the applicant does not obtain after-the-fact building permits or this easement vacation is denied the carport structure must be removed.

- N/A b. Would provide a greater public benefit than retaining the property in its present status.

PUBLIC COMMENT AND PROCESS:

Notice of the vacation will be advertised in the Daily Camera within the 30-day call up period. Staff has received no written or verbal comments adverse to the vacation.

NEXT STEPS:

If the requested vacation is not called up by City Council then the Deed of Vacation (**Attachment C**) will be recorded. If the requested vacation is called up, and subsequently denied, the applicant will be limited to development on the property outside of the easement area.

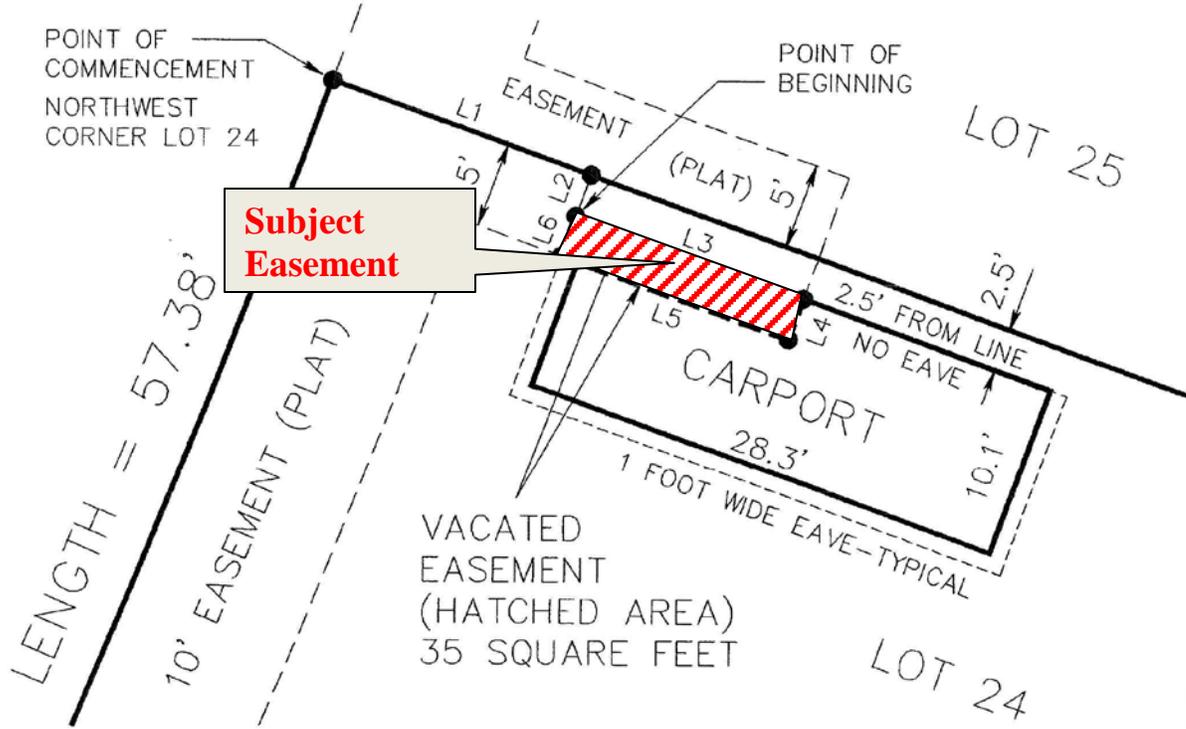
ATTACHMENTS:

- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Deed of Vacation
- Attachment D: Exhibit A
- Attachment E: Notice of Disposition



EXHIBIT A

A PORTION OF LOT 24 . BLOCK 8 . FIRST ADDITION TO HIGHLAND PARK
 IN THE NW 1/4 OF SECTION 5 . T 1 S . R 70 W OF THE 6TH P.M.
 IN THE CITY OF BOULDER . BOULDER COUNTY . COLORADO

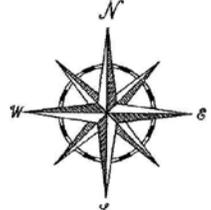


- Line Table -

L1	- SOUTH 70-10-37 EAST / 16.0 FEET
L2	- SOUTH 19-49-23 WEST / 2.5 FEET
L3	- SOUTH 70-10-37 EAST / 14.0 FEET
L4	- SOUTH 19-49-23 WEST / 2.5 FEET
L5	- NORTH 70-10-37 WEST / 14.0 FEET
L6	- NORTH 19-49-23 EAST / 2.5 FEET

DEGREES-MINUTES-SECONDS/DECIMAL FEET

PREPARED BY LEE STADELE / PLS 26300



SCALE : 1" = 10'



U.S. SURVEY FEET

17298a-1.dwg . 21 April 2016

For Administrative Purposes Only

Address: 215 30th Street

Case No.: ADR2016-00109

DEED OF VACATION

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, a portion of a utility easement previously dedicated to the City of Boulder on the final plat for the First Addition to Highland Park and recorded in the records of the Boulder County Clerk and Recorder at Plat Book No. 5, Page 78 – Tube 1, Page 27 on the 6th day of August, 1953 located at 215 30th Street and as more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The above easement vacation and release of said easement at 215 30th Street shall extend only to the portion and the type of easements specifically vacated. The within vacation is not to be construed as vacating any rights-of-way, easements or cross-easements lying within the description of the vacated portion of the easement.

Executed this _____ day of _____, 2016, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado.

CITY OF BOULDER, COLORADO

By: _____
Jane S. Brautigam, City Manager

Attest:

City Clerk

Approved as to form:

Hela Pannu
City Attorney's Office

6-7-2016
Date

Exhibit A

Page 01 of 02

A portion of the easement located on Lot 24, Block 8,
FIRST ADDITION TO HIGHLAND PARK,
a subdivision in the City of Boulder,
located in the northwest quarter of Section 5,
Township 1 South, Range 70 West of the 6th Principal Meridian,
County of Boulder, State of Colorado, described as follows:

Commencing at the northwest corner of Lot 24;

thence South 70 degrees 10'37" East,
along the north line of Lot 24, a distance of 16 feet;

thence South 19 degrees 49'23" West, a distance of 2.5 feet
to the northwest corner of the eave covering the frame carport
that is located on Lot 24, said point being the **Point of Beginning**;

thence South 70 degrees 10'37" East, along the northerly edge
of the eave and the frame carport, a distance of 14.0 feet to the
easterly edge of the 10 foot by 30 foot platted easement;

thence South 19 degrees 49'23" West, a distance of 2.5 feet to
the southeast corner edge of the platted easement;

thence North 70 degrees 10'37" West, along the south edge of
the easement, a distance of 14.0 feet to the west edge of
the eave covering the frame carport;

thence North 19 degrees 49' 23" East, along the west edge of the
eave covering the frame carport, a distance of 2.5 feet to the
Point of Beginning.

The vacated portion of the easement contains 35 square feet.

prepared by Lee Stadele
Registered Professional Land Surveyor
Colorado License Number 26300

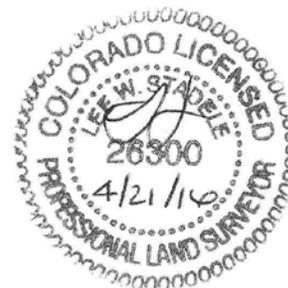
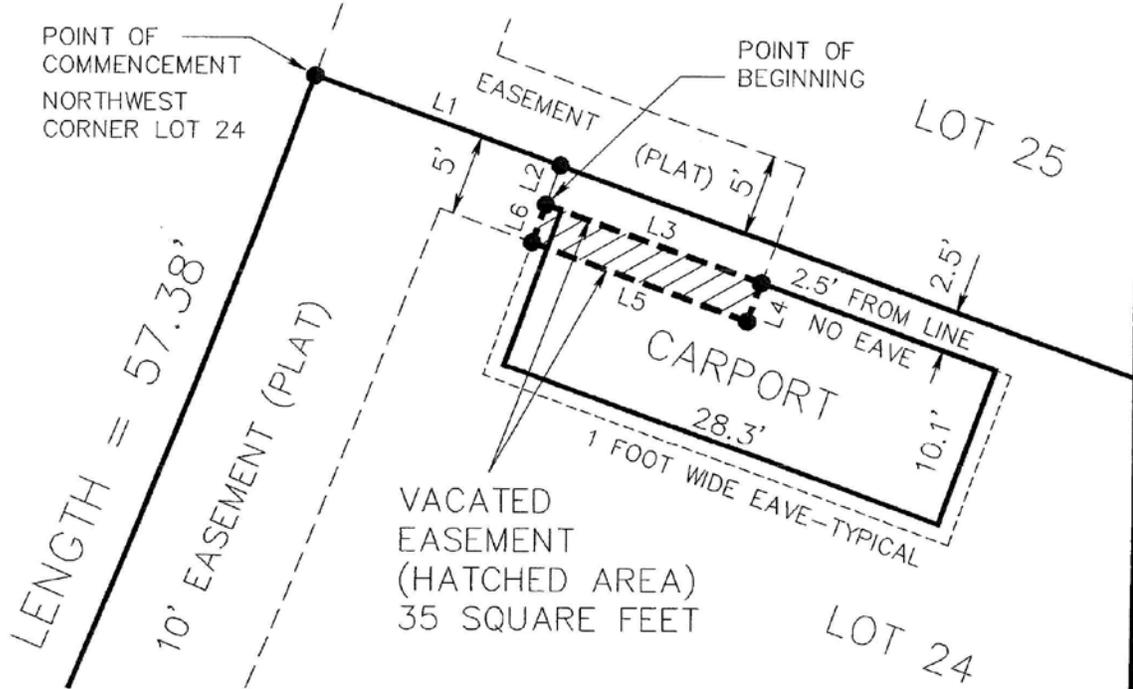


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DEGREES-MINUTES-SECONDS/DECIMAL FEET

PREPARED BY LEE STADELE / PLS 26300



SCALE : 1" = 10'



U.S. SURVEY FEET

17298a-1.dwg . 21 April 2016



INFORMATION PACKET MEMORANDUM

To: Members of City Council

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

Date: June 21, 2016

Subject: Call-Up Item: Concept Plan Review, 3200 Bluff Street (LUR2016-00028)

EXECUTIVE SUMMARY

On May 26, 2016 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. The call up period concludes on June 27, 2016, because the end of date of the thirty-days falls on a Saturday, the thirty day call up period concludes on the following Monday. City Council call-up consideration within this time period is on June 21, 2016. The staff memorandum to Planning Board, minutes, meeting audio, and the applicant's submittal materials along with related background materials are available on the city website for Planning Board [here](#) (or follow the links: www.bouldercolorado.gov → A to Z → Planning Board → search for past meeting materials planning board → 2016 → 5.26.2016 PB Packet). The minutes from the Planning Board hearing are provided in Attachment A.

The Concept Plan presented to Planning Board was for two buildings totaling 98,000 square feet in size comprised of 43,000 square feet of residential space with 36 rental units, 55,000 square feet of commercial space, and a 102 space underground parking garage. Preliminary consideration of a rezoning from Industrial Mixed Service (IMS) to Mixed-Use - 4 (MU-4) was also discussed.

At the Planning Board Hearing, there were no neighborhood comments, although written comments were received prior to the hearing and one after (see Attachment B). The Planning Board was generally supportive of the uses and design of the project and found it consistent with the Transit Village Area Plan (TVAP). Some board members had concerns about the massing of the buildings along the streetscapes. Other site design comments related to opportunities for pedestrian connections through the site and the proposed number of garage entries and their locations.

Consistent with 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 27, 2016.

ATTACHMENT

- A. Approved May 26, 2016 Planning Board Minutes
- B. Public comments

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
May 26, 2016
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:

John Gerstle, Chair
John Putnam
Leonard May
Liz Payton
Crystal Gray
Harmon Zuckerman

PLANNING BOARD MEMBERS ABSENT:

Bryan Bowen

STAFF PRESENT:

Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Sloane Walbert, Planner II
David Thompson, Civil Engineer – Transportation
Karl Guiler, Senior Planner
Kalani Pahoa, Urban Designer
Louise Ferguson, Administrative Specialist II
Scott Kuhna, Civil Engineer – Utilities and Drainage
Jeff Yegian, Program & Policy Manager
Jay Sugnet, Senior Planner
Kurt Firnhaber, Deputy Director of Housing
Michelle Allen, Inclusionary Housing Program Manager

1. CALL TO ORDER

Chair, **J. Gerstle**, declared a quorum at 5:05 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **J. Putnam** the Planning Board voted 6-0 (**B. Bowen** absent) to approve the May 5, 2016 minutes as amended,

3. PUBLIC PARTICIPATION

- 1. Christine Klein** spoke in regards to the proposed design of the project located at 1440 Pine St., which Planning Board will hear at an upcoming meeting.

2. **Mark Ely** spoke in opposition to the size and density of the project located at 1440 Pine St., which Planning Board will hear at an upcoming meeting.
3. **Juliet Gopinath (pooling time with Dinah McKay, Chris Brown and Miho Shida)** presented new information to the Planning Board regarding the Twin Lakes land use change request and spoke in support of Request #36 to convert to open space, and against Request #35 to convert to MXR.
4. **Susan Dawson** spoke in opposition to the size and density of the project located at 1440 Pine St., which Planning Board will hear at an upcoming meeting.

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

There were no items on the agenda.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE: Consideration of a motion to adopt an additional revision to the 2016 Downtown Urban Design Guidelines.

Staff Presentation:

K. Paho presented the item to the board.

Public Hearing:

No one spoke.

Motion:

On a motion by **L. Payton** seconded by **J. Putnam** the Planning Board voted 6-0 (**B. Bowen** absent) to adopt the additional revision to the Guidelines, as adopted by Council on May 3, 2016, removing "Solar panels should be as unobtrusive as possible" from Item 2.1.B.2.

- B. AGENDA TITLE: Public hearing and consideration of a Site Review (case no. LUR2016-00027) to redevelop a 3.2-acre vacant property at 4525 Palo Parkway. The proposal includes the construction of 44 residential units and a community center in nine buildings surrounding a central park. The development will be 100% permanently affordable housing managed by Boulder Housing Partners, in partnership with Flatirons Habitat for Humanity. The project site is zoned Residential - Mixed 2 (RMX-2).

Applicant: Lauren Schevets, Boulder Housing Partners

Owner: Boulder Housing Partners

Board members were asked to reveal any ex-parte contacts they may have had on this item.

All board members made site visits and reviewed all incoming emails from the public. **L. May** declared that he worked for Habitat for Humanity approximately twenty years ago in Africa. **C. Gray** stated that she was a founding board member of an affordable housing homeowner occupied properties group in Boulder approximately twenty years ago.

Staff Presentation:

C. Ferro introduced the item.

S. Walbert presented the item to the board.

Board Questions:

S. Walbert, C. Ferro, H. Pannewig, S. Kuhna and **D. Thompson** answered questions from the board.

Applicant Presentation:

Lauren Schevets, with Boulder Housing Partners, presented the item to the board.

Board Questions:

Lauren Schevets, Don Ash with Scott, Cox & Associates, **Tim Ross** with Studio Architecture, and **Betsy Martens** with Boulder Housing Partners, representing the owners, answered questions from the board.

Public Hearing:

1. **Ed Byrne**, presented on behalf of Better Boulder, spoke in support to the project.
2. **Jenny Bux** spoke in support of the project.
3. **Susan Lythgoe**, presented on behalf of Habitat for Humanity, spoke in support of the project.
4. **Olive Stacy**, a current Boulder Housing Partners development resident, spoke in support of the project.
5. **Stephanie Warren**, a future Habitat of Humanity resident, spoke in support of the project.
6. **Harma Drenth**, currently living in Four Mile Creek, spoke in opposition to the three story buildings and height modification.
7. **David Willard**, currently living in the Palo Park neighborhood, supports the work of the Boulder Housing Partners but has concerns regarding the interactions between Boulder Housing Partners, the City and the County. He opposed the project as proposed.
8. **Val Soraen**, currently a resident of Red Oak Park and Commissioner of the Boulder Housing Partners Board, spoke in support of the project. She was in support of a two-way circulation and the proposed community center.
9. **Judy Langberg (pooling time with Judy Wakeland, Diane Rieck)**, spoke in opposition of the project.
10. **Harold Hallstein (polling time with Bremer, Kirschenbaum, Gould, Blane and RK Pipani)**, presented a PowerPoint. He asked for a reduction of density on the site and to pull development away from the floodplain and wetlands. He expressed concerns about the authenticity of the public participation process.
11. **Sara Toole (pooling time with Dave Potas, Sean Potas, Susie Levin, Melissa Nipper and Ed Shalho)** spoke in opposition of the project due to the proposed density. She stated the proposal does not meet the BVCP policies and has concerns regarding the traffic.
12. **Karen Klerman**, a board member of the Boulder Housing Partners, spoke in support of the project.

13. **Greg Harms**, executive director of the Boulder Shelter for the Homeless, spoke in support of the project.
14. **Nolan Rosall**, as chair of the Flatirons Habitat for Humanity Board of Directors, spoke in support of the project.
15. **Daphne McCabe** spoke in support of the project.
16. **Ben Blazey**, currently living in affordable housing in Northfield Commons, stated that flood relief funds should not be used to build in the floodplain. He is in support of affordable housing in that location, but he is in opposition of the project.
17. **Michael Fitzgerald**, currently living in a Boulder Housing Partners project, spoke in support of the project.

Board Questions:

S. Walbert, C. Ferro, H. Pannewig, S. Kuhna, D. Thompson, Lauren Schevets, and Jeff Dawson, with Studio Architecture, answered questions from the board.

Board Comments:

Key Issue #1: Does the development proposal meet the Site Review criteria found in section 9-2-14(h), B.R.C. 1981, including Boulder Valley Comprehensive Plan (BVCP) policies?

➤ **1(a): Density (Number of Units)**

- **C. Gray** stated that the majority of the board members approved the annexation. In her opinion, all annexations should be for affordable housing including homeownership and for maintaining the middle income. She recognized the quality work by BHP and Habitat for Humanity. Density can come down to a group feeling they have not been heard. Compromises need to be made. She suggested that the proposed density for the project is slightly high but the project overall could make a better community.
- **L. Payton** stated that most of the public speakers seemed to be in support of doing the project but that it was too dense. She agreed that as proposed it is just too much and that is why there were so many impacts related to height, parking and traffic. She is uncertain if it makes more sense to reduce the number of units or the number of bedrooms in the stacked flats in order to reduce the overall size, but the architecture was such that there were a number of bays and voids that could possibly be reconfigured so that the project would have fewer impacts. She suggested that if the financing is based on the number of units, then reduce the number of bedrooms.
- **J. Putnam** stated that under the Comp Plan, the project was contemplated within the proposed density. This project is not a radical departure in terms on density. In terms of impacts, he is struggling to find evidence that 44 units vs. 35 units would have a significant community impact. He cannot justify moving down from the proposed 44 units. In regards to bedrooms vs. units, he stated that removing some of the three-bedroom units would be worst thing to do because Boulder needs homes for families. If units were removed, then remove some of the one-bedroom units. Reducing bedrooms would not necessarily reduce the number of cars or trips. Therefore, he recommended keeping the mix of units as proposed.
- **L. May** agreed with **J. Putnam**. The density proposed is what the current zoning suggests and the applicant isn't asking for anything more. He stated that the other elements of the project (i.e. height and parking) could be impacts. In addition, there is no

justification according to our site review criteria to suggest a change in number of bedroom units. The location is near bike trails and not too bad transit (though not good), which would be beneficial for an affordable housing project.

- **H. Zuckerman** stated that, the proposed project is compliant with its RMX-2 zoning in terms of parking and density. The RMX-2 requirement that no one housing type make up more than 50% of total units, while not met to the letter (one type of units makes up 54% of the total), is nonetheless met within the spirit of the code, as there are three distinct housing types present. The density that is being proposed is supportable, and if we want to talk about the need for affordable housing, we need to accept projects that can provide such housing where they do not require unreasonable modifications. The density proposed here is acceptable.
- **L. Payton** informed the board that the site review criteria does not require the board to consider loss of funding. The board needs to evaluate the project according to site review criteria.
- **J. Putnam** responded that the board also needs to look at Comp Plan objectives, which are to promote affordable housing, which is relevant.
- **J. Gerstle** added that the proposed density is in accordance with the Comprehensive Plan.
- **C. Gray** added that the neighborhood said they had not been heard regarding this issue. She suggested that Planning Board have this discussion about this larger issue citywide.

➤ **1(b): Parking**

- **C. Gray** stated that she would support a change to the design of the parking if it enables the height of some buildings to be reduced, even if it resulted in a parking reduction. While the site is not isolated, it is not on a transit line. She does not suggest a large parking reduction
- **L. Payton** suggested parking on the northeast corner could be converted to parallel parking to save more habitat and open space. This would result in a small reduction in parking.
- **J. Putnam** agreed. This is a unique site as that there is no luxury to spill out onto streets as a result of the soccer field proximity and neighborhood impact should be avoided. He encouraged but did not want to require that some of the parking be thought of as flex space in the long run, like a parklet, basketball court or community gardens.
- **L. May** stated that he does not find one parking space per unit to be inappropriate. Forty-four parking spaces would be appropriate for this project. The issuance of ECO-Passes and location to bike paths would help to migrate people to alternative modes. We need to start constraining parking access as a policy if we want to see mode shift.
- **H. Zuckerman**, in looking at the proposed design, it does not create the parking island effects that are currently problems. In addition, he would not want to see neighborhood spillover effects. He suggested keeping the parking as is.
- **L. Payton** commented that the comparison to Red Oak Park is not a good benchmark since Red Oak Park it is in a much more walkable area than the proposed site. This site will have more cars than at Red Oak Park.
- **C. Gray** stated that she would want to make sure neighbors are not fighting for parking. However, companion programs must be instituted for traffic or parking mitigation if infill development is going to be done in a neighborly way.

- **J. Gerstle** agreed with **J. Putnam**. He added that a car-share plan should be considered in the TDM.
- **J. Putnam** complimented the staff and applicant's plans for EV charging stations.

➤ **1(c): Site Design and Height Modifications**

- **C. Gray** stated that there are many creative ways that height could be reduced on the site and suggested that they give the applicant the opportunity to suggest alternative designs, rather than leaving it up to staff to ensure that they meet the Board's intent. If the board would like to get the height as close to 35 feet and have less of a modification, this has implications on how buildings are arranged on site.
- **H. Zuckerman** offered moving Building D to the south to reduce the requested height modification due to typography. Then, further reduce the site modification through architecture (e.g., with a flat roof design). If the applicant were to go with flat roofs, there should be a cornice, an outstanding architectural feature. Flat roofed buildings with cornices can effectively hide rooftop solar panels. The reduction in height caused by moving Building D and eliminating the pitched roofs would be a compromise. He suggested the southern façade of Building D, lining up with the community center, should then be better articulated than currently proposed since it would be highly visible and a gateway to the project. The entrances to the community center and Building D would bookend the pedestrian connection. Finally, he suggested moving the parking directly to the north of Building D and northeast of Building E for convenience and to make the north corner of the site a larger natural feature for flood control and the community garden.
- **L. Payton** expressed concern that that grid pattern would be lost if the proposed building moves were done. The tall buildings should be in the back so that they are not as visible.
- **L. May** stated that the relationship between buildings would be better if they were moved because they enclose and relate to the triangular commons much better and to each other much better. He stated the taller buildings would still be in the rear of the site.
- **J. Putnam** does not have concern regarding the height in general because the taller buildings are at the rear of the site and away from view corridors for most people. He approves of **H. Zuckerman** and **L. May's** solution. He stated that it would be a mistake to not provide a safer connection to the multi-use path to the east. He would like to see facilitating an east-west connection along northwest connector along east side of property, even if they lose two to four parking spaces. In general, he supports the connection proposed by Community Cycles. The connection would generally line up with the gap between Buildings D and E.
- **L. Payton** stated that the buildings would be better located where they are currently proposed. The height should be in the rear of the site. In addition, she supports the idea of the grid as an urban design principle.
- **C. Gray** stated the big issue is the height and impact on surrounding areas.
- **J. Gerstle** expressed concern regarding the height issue. He would hate to lose the proposed play area but if it were to be moved to the north of Building D, that would be acceptable.
- **L. May** explained that with **H. Zuckerman's** proposal, the play area might not be a play area per se, but more of a contiguous, natural open space.

➤ **1(d): Architecture**

- **L. Payton** stated the materials (i.e. vinyl windows, hardie board and stone veneer) are not high quality. She is concerned that the materials will communicate that this is a low-income neighborhood. She would like to see clad windows, better materials and/or lap siding with narrow spacing to look more refined. On the architecture, the rear elevation of the Habitat homes (page SR.A4.32 of the applicant's plans, northeast perspective), the porch is truncated and the materials change. She finds this design strange and jarring.
- **C. Gray** generally agreed. The proportions on the rear elevations are awkward and agree with **L. Payton's** suggestions.
- **J. Putnam** had no comments but offered caution regarding costs because the project would be utilizing public funds to build affordable housing. This project has hit a good balance.
- **L. May** generally agreed with **J. Putnam**; however, the Habitat houses are fragmented in their composition.
- **H. Zuckerman** stated the architecture on the site is reasonable for the purpose.
- **J. Gerstle** agreed with **L. Payton** regarding materials. This project should fit in the neighborhood. The proposed walls with no windows or doors (i.e. east side of Community Center) should be avoided.
- **L. Payton** stated that a condition regarding the railings and stone veneers, on the Palo Parkway side (south), of Buildings A, B and C, should be added and shown on the elevations.

➤ **1(e): TDM**

- **L. Payton** suggested adding a condition that ECO-Passes are provided for an extended length of time due to the nature of the population being served.
- **J. Putnam** disagreed with extending the ECO-Passes due to the lack of knowledge of the cost in three years. Given that they are not asking for a parking reduction or a large mode shift in the TDM, there is too much uncertainty and not enough justification to impose an extra cost. The key to this site is the bike paths and to keep working with cycle groups instead.
- **H. Zuckerman** suggested a condition that BHP facilitates the creation of an ECO-Pass district when still one year left of free ECO-Passes. The board cannot mandate that it is a success, however perhaps agree on a condition that the applicant attempt to create a Neighborhood ECO-Pass district and provide facilitation to the adjacent neighborhoods.
- **L. May** supported the condition for a five year ECO-Pass.
- **C. Gray** supported the condition for a five year ECO-Pass.
- **J. Putnam** stated that until RTD provides better service in this area it will be difficult to justify an ECO-Pass district.
- **L. May** stated there is potential for residents to get usage out of ECO-Passes.

➤ **1(f): Hydrology, Sewer and Flood**

- **J. Putnam** stated that the community has identified this issue. He agrees with staff that there is not a significant flood or ground water issue. He is not convinced there is a sanitary sewer issue. There is no site review criterion that makes this unique.

- **L. May** noted that this site is not at a low point as several recent site review applications have been and has reasonable drop off to the stream and will be well drained. He expressed concern about future sewer back up given recent experiences with that and how creating additional flows to something that has already backed up exacerbates that circumstance.
- **L. Payton** said that this site is not as flood prone as other sites and that the groundwater is not as shallow as found in other sites. She does not foresee disturbance of the alluvial aquifer on the south side of Four Mile Creek being propagated across the creek and affecting the groundwater hydrology on the north side.
- **J. Gerstle** agreed.

Key Issue #2: Do the requested height modifications meet the Site Review criteria, especially subsection 9-2-14(h)(2)(F), “Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area”?

- **J. Putnam** added that the project could meet the **criteria as is**, but it would be better with flat roof and/or cornice design and adjusting the building location, as discussed earlier. A smaller modification would still be required but would be more appropriate.
- **C. Gray** reminded the board that in regards to the site criteria for height, there is no community benefit referenced with a requested height modification. In this neighborhood, one cannot make the case for 43 feet based on the built environment. Therefore, she would like to have the roofs modified.
- **L. May** stated that the board would not have to establish exactly what that height is, only the maximum it can be.
- **H. Zuckerman** offered to word the motion so that the height modification for Building D (as amended) would be the applicant-proposed modification minus (1) the difference in height created by a change to a flat roof and (2) the difference in height associated with the movement of the building to the south. For Building E, the height modification as amended would be the applicant-proposed modification minus the difference in height created by a change o a flat roof.
- **L. May** suggested adding, “The current low wall plate submitted with a ¼ inch per foot slope roof”.
- **L. Payton** suggested simply capping the height at 40 feet.
- Based on the response by the applicant, **H. Zuckerman** stated that he would be comfortable with a 41-foot limit because he would not want to limit the architecture style and end up with a building that does not fit with the rest of the development.
- **L. Payton** mentioned if the board decided to cap the building height at 41 feet they could have the buildings remain in the proposed locations on the site. She does not agree with how the grid would be broken up and the larger building would be visible from the street. It does not appear that the board is in agreement on this issue.
- **L. May** said the buildings should move. Connections are not being lost.
- **J. Gerstle** agreed that height should be the chief determinant and the site design should be left to the applicant.
- **H. Zuckerman** agreed that if the applicant cannot make the site work with the board’s suggestions, then perhaps the board should not move the buildings around. However, if the applicant believes the modified plan is doable, then he prefers the board’s modified plan.

- **J. Putnam** stated he is less concerned about the height being the driving factor. The other benefits to changing the site arrangement are much more compelling and interesting. The visibility of Building D from the street would not change substantially. He expressed interest in removing the pitched roofs from Building D and provide an acceptable cornice.
- **C. Gray** clarified that the proposed condition would only lessen the height by 2.5 feet.
- **J. Putnam** stated that he would like to include a performance standard that the sloped roof is eliminated and to move Building D without providing a particular height limit.
- **L. May** said that he agreed with the architect's request for flexibility in the design. The performance standard should be 41 feet not the configuration of the roof.
- **J. Putnam** stated there seemed like a majority interest in providing some sort of height cap that would reduce height but also provide flexibility in design.
- **J. Gerstle** stated there appears to be a majority interest in favor of the revised site layout.
- Based on feedback from the applicant, **L. May** said that the neighborhood communicated conflicting concerns about providing pitched roofs and about height maybe not realizing how they impact each other. He felt that the overwhelming concern was height.
- **L. Payton** stated that she felt the overwhelming concern of the neighborhood was whether the board granted a modification to the standards, not a specific height number. Given that, she stated that she supported the modification as requested and let the applicant design the project.
- **H. Zuckerman** stated that by capping the height at 41 feet, the roof will not be steeply pitched and make an impact on the skyline for the neighbors. With the constraints the board has just put in place on the project, the buildings will fit within the design of the neighborhood. There is a variety of roof forms in the surrounding neighborhood.
- **C. Gray** stated that they would not be able to increase the floor to ceiling height either.
- **H. Zuckerman** agreed that all other aspects of the design would have to be held constant.

Key Issue #3: Does the design of the community center building meet the Site Review criteria, especially subsection 9-2-14(h)(2)(F), "Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area"?

- **L. Payton** stated that it is a modest building and the architecture is fine.
- **J. Gerstle** finds the modest structure acceptable.
- **H. Zuckerman** stated it creates an entry feature with the movement of Building D and J.

Motion:

On a motion by **J. Putnam**, seconded by **L. May**, the Planning Board voted 6-0 (**B. Bowen** absent and recused from this item) to approve Site Review case no. LUR2016-00027, incorporating the staff memorandum and the attached analysis of the Site Review criteria as findings of fact and subject to the recommended Conditions of Approval, amended as follows:

Condition 2.a. to be amended by adding:

2.a.i. The heights of Buildings D and E shall be limited to 41 feet.

2.a.ii. Simplify the porch design and materials of Buildings F, G and H to address fragmentation, considering, including but not limited to, the continuity of the porch and changes in materials.

2.a.iii. Refine the siding of all buildings to improve texture by measures, including but not limited to, using shake shingles instead of lap siding or reducing the exposure of the lap siding.

2.a.iv. Railings and stone veneer be included on the Palo Parkway elevation of Buildings A, B and C.

Condition 2.b. to be amended by adding:

2.b.iii. To add a pedestrian connection to the multi-use path to the east of the site and internal pedestrian crossing zone to it.

Condition 4 to be amended by adding:

4.a. To include ECO-Passes to five years instead of three years. The applicant shall undertake good faith efforts to try to establish a Neighborhood ECO-Pass zone. No later than four years after issuance of certificate of occupancy, the applicant will begin work to facilitate an effort to secure RTD approval of the project area as an ECO-Pass neighborhood, opening the process to the neighboring community, if appropriate. Nothing in this condition shall require the applicant to achieve such approval.

A new condition to be added reading:

The applicant shall provide ECO-Passes for the residents of the development for five years from issuance of a certificate of occupancy.

Motion by **J. Putnam**, seconded by **L. May**, to amend the main motion so as to further modify the recommended conditions of approval, in particular, to add a new condition 2.b.iv. that Building D shall be moved south, along with the northern parking lot, while Building J will be moved west into the site identified as the play area on the Site Plan. Passed 5-1 (**L. Payton** opposed, **B. Bowen** absent and recused from this item).

Motion by **L. May**, seconded by **J. Putnam**, to amend the main motion so as to further modify the recommended conditions of approval, in particular, that the TDM plan needs to include a program to encourage bike usage and maintenance, which can include a partnership with a third party non-profit. Passed 6-0 (**B. Bowen** absent and recused from this item).

- C. AGENDA TITLE:** Public hearing for consideration of a Concept Plan proposal to redevelop the AirGas site, LUR2016-00028, at 3200 Bluff Street (a roughly 1-acre property) with a mixed-use development in two buildings totaling 98,000 square feet in size comprised of 43,000 square feet of residential in 36 rental units and 55,000 square feet of commercial space with a 102 space underground parking garage in accordance with the adopted Transit Village Area Plan (TVAP). Preliminary consideration of a rezoning from Industrial Mixed Service (IMS) to Mixed-Use - 4 (MU-4) is also proposed.

Applicant: Kirsten Ehrhardt, Coburn Development, Inc.
Property Owner: AirGas InterMountain, Inc.

Staff Presentation:

K. Guiler presented the item to the board.

Board Questions:

K. Guiler answered questions from the board.

Applicant Presentation:

Andy Bush, with Morgan Creek Ventures, and **Bill Holicky**, with Coburn Architecture, the applicants, presented the item to the board.

Board Questions:

Andy Bush and **Bill Holicky**, the applicants, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

Key Issues: Compliance with TVAP, Site and Building Design, Proposed rezoning to MU-4, Form-Based Code, Others?

- **L. Payton** read **C. Gray's** comments to the board since **C. Gray** was not present at the time of this Concept Review. **C. Gray's** comments stated that she would support net zero. She suggested a higher percentage of residential. In regards to architecture, the west elevation steps down to two stories, and the building reads as one 55' continuous building and should be broken up. There should be more connections through the building and the paseo seems cramped and tunnel-like.
- **L. Payton** appreciated the applicant's efforts to be energy efficient. She expressed concern that the project will have to be welcoming and interesting enough to compete with other places to shop, dine, and hang out in Boulder. She was not in support of the pedestrian tunnel. It should be open to the sky, but if not, then it should have some treatment on the ceiling that makes passing through the tunnel a special experience. She appreciated the staff's comments regarding the connections, such as shifting retail towards the rail plaza. She is interested in a terminated vista at the end of the pedestrian pathway along Junction Place.
- **J. Putnam** stated that the project is very close to consistency with the TVAP plan. In terms of the residential location, more residential would be better. He suggested locating the residential at the corner away from the railroad noise. He supports placing more ground level retail at the northeast corner. He suggested and agreed that the pedestrian connections at the east-west vista could be critical and perhaps the Steelyards connection should be dominant. A terminated vista needs to be considered. In terms of parking, he was curious if there would be a way to get it down to one point of access, which could improve the pedestrian activation and reduce impacts on the streetscape. He suggested pre-wiring for EV charging stations for the 60 spaces. Portions of the architecture read as a flat 2-dimensional piece. It is important to try to limit garage access to one-entry instead of two-entry points.

- **L. May** agreed. He suggested using solar panels to cantilever over the street as a nice architectural element like Bullet Center in Seattle.
- **H. Zuckerman** agreed. He added that he was not sure the proposed project respects neighbors living on the other three corners in terms of residential. The northeast corner could be reinforced with something stronger than entirely residential.
- **L. Payton** agreed with **J. Putnam** regarding the garage access.
- **J. Gerstle** agreed. He stressed that the applicant should develop a single entrance for the garage access. In regards to the footpath through the “Four C’s”, while residents are concerned about foot traffic, there is potential for an attractive pedestrian path and that they may be the most appropriate connection points.

Board Summary:

J. Gerstle gave a summary of the board’s recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. Generally, the board’s comments were positive. The board had concern with the scale of the massing along the street and the tunnels being less desirable. Some on the board suggested treating the solar panels as architectural elements by extending beyond the walls. The garage and pedestrian paths were central issues as well. The amount of residential use should be as large as possible. Some board members supported more residential use at the northwest corner, while others supported more commercial at this location. There was some split among the board regarding the tunnel and whether it would be a dedicated paseo. However, all board members agreed that it must be done effectively and not sterile. Most members supported reducing garage access to one point instead of two.

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

A. Addition of Planning Board Meeting, July 14, 2016

Board Comments:

- After some discussion, it was determined that an additional Planning Board meeting would be scheduled for July 14, 2016 in Council Chambers to begin at 6:00 p.m. to discuss 1440 Pine Street Concept Plan.

B. EAB to work with Planning Board

Board Comments:

- **J. Gerstle** informed the board that he had been in contact with the Environmental Advisory Board (EAB). They would like to establish a closer relationship with the Planning Board. David Driskell and Brett KenCairn will be discussing the nature of how the EAB would like to proceed and will be in contact with the Planning Board later.
- **J. Putnam** suggested informing the EAB of the procedural guidelines of how the Planning Board operates (Quasi-Judicial mode) which may differ from how the EAB operates (Legislative mode). The Planning Board has constraints.

C. Landmarks Board Liaison

Board Comments:

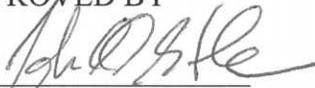
- **H. Zuckerman** and **J. Putnam** mentioned they have not been contacted regarding the next Landmarks Board Meeting so that they could attend.
- **C. Spence** informed the board members that she would contact the Landmarks Board Secretary and have her contact them in time for the June Landmarks Board meeting.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 12:02 p.m.

APPROVED BY



Board Chair

2 June 2016
DATE

From: Giuliana de Toma [<mailto:detoma@ucar.edu>]
Sent: Wednesday, May 25, 2016 11:09 PM
To: Guiler, Karl; detoma@ucar.edu
Subject: AirGas site (LUR2016-00028)

Dear Karl,

I am a resident of the Boulder Steel Yards. I am not sure I will be able to attend the Public Meeting tomorrow due to my work schedule, so I decided to email you about the proposed redevelopment of the AirGas site (LUR2016-00028) made by Coburn Development Inc.

First, I would like to introduce myself. I am originally from Europe but I have lived and worked in Boulder for 20 years and I recently bought a condo in the Steel Yards.

I think the City of Boulder has done a great job in Boulder Junction. I am in favour of a mixed-used area that includes residential and commercial units and is pedestrian and bike friendly. I am one of the many residents here who takes full advantage of the bike-paths and public transportation. However, some of the recent and future additions to Boulder Junction rise some worries and do not seem to fit the original idea of the Steel Yards which include many open areas and wide walkways.

When I talked to my neighbours, they were all quite concerned (including myself)

about the AirGas redevelopment because of the size of the buildings, the 36 rental

units, and the car traffic that will come with them. They seem a lot of rental units for a relatively small lot like the AirGas site. It appears that, now that space is scarce at Boulder Junction, the new buildings become more and more crowded.

My main concern is the request of Coburn Development Inc. to have only a 3' front yard setback instead of the standard 20'. I think this is too small for a building of this kind and I really hope the City will not allow it. The 3200 Bluff building is going to be well into the residential area of the Steel Yards and future S'Park.

This is not Denver downtown. I am not opposed to tall buildings but, as a pedestrian, I do not like them to be right on the sidewalk. I personally think a larger setback (maybe 12-15') with some landscaping will make a nicer transition between the new buildings and the public area.

I thank you very much for contacting us and asking for our feed-back. I hope the City of Boulder will not turn Boulder Junction into a crowded area and will preserve the nice character that it has now.

Warmest Regards,
Giuliana de Toma
3210 Iron Forge Place, Apt 104
Boulder CO 80301

From: Guiler, Karl
Sent: Thursday, May 19, 2016 3:17 PM
To: Susan Schwalb
Subject: RE: Comments on Concept Plan for Redevelopment of 3200 Bluff Street (Airgas Site)

Susan,

I had sent out notice of the upcoming Planning Board meeting to review the concept plan for the AirGas site. I wanted you to be aware that the Planning Board meeting will start earlier than previously noticed due the number of items on the agenda. The meeting will start at 5pm instead of 6pm. The AirGas item is later on the agenda and will not be heard before 6pm, but I wanted you to be aware of the earlier start. A link to the agenda is here: <https://bouldercolorado.gov/boards-commissions/planning-board-agenda>.

Please let me know if you have any questions.

Karl

Karl Guiler, AICP
Senior Planner/Code Amendment Specialist
City of Boulder Department of Community Planning & Sustainability
Planning & Development Services Center
1739 Broadway, 3rd Floor
Boulder, CO 80306-0791

Phone: 303.441.4236
Fax: 303.441.3241
Email: guilerk@bouldercolorado.gov

From: Susan Schwalb [<mailto:seascotdc@aol.com>]
Sent: Thursday, May 12, 2016 10:00 AM
To: Guiler, Karl
Cc: planningboard@bouldercolorado.gov
Subject: Comments on Concept Plan for Redevelopment of 3200 Bluff Street (Airgas Site)

Dear Mr. Guiler and Planning Board Members:

We own two properties in the Steel Yards development (3101 Iron Forge Place #205 and 3210 Iron Forge Place #103). We endorse the redevelopment of the Airgas Site - we believe the site redevelopment will benefit the overall neighborhood and we have had an excellent experience with and have great confidence in Coburn Development.

Our comments relate to a feature that we believe the City of Boulder needs to incorporate into this redevelopment plan, as well as into the overall planning and development standards (if our recommendation is already so incorporated, we apologize for our ignorance of the standards). Namely, given the high per capita dog ownership in Boulder, we believe that the standards for

all new multi-resident projects should require the inclusion of a grass-covered area for dogs to relieve themselves.

As you are aware, Steel Yards has a small park that was included in the plan. It is well maintained by the HOA and, generally, the residents with dogs are conscientious about picking up after their dogs

Our concern is that with all the new development in this area (aside from the subject redevelopment, there are several other multi-resident plans under development for the area between Bluff and Valmont, not to mention the future development of the Jeep dealer property, the new Google campus two blocks away, and the multi-resident properties on the south side of Pearl) properties like the Steel Yards park will become magnets for dog walkers. Not only will the park not be able to sustain a substantially increased volume of dogs urinating on the grass, since many of the dog owners will not be residents of the Steel Yards neighborhood, there will inevitably be an increase in dogs not being picked up after.

Given the trend in increased use of public transportation (facilitated by the nearby transit center), bicycling and walking to work, it seems foreseeable that the need to plan for and require dog walking/relieving space will take on a greater significance for multi-resident properties than perhaps even parking.

In sum, we endorse the redevelopment of the Airgas Site, with the condition that the developer be required to include in the plan space(s) for dogs to walk and relieve themselves. Fortunately, this proposed development is bounded on the east side by the railroad tracks. There is probably area associated with this and related development that would be inappropriate for formal development but would lend itself to an ideal dog area.

Thanks very much for your consideration of our comments. If you have any questions, please feel free to contact us.

Steve and Susan Schwalb
206-851-4002
seascotdc@aol.com

From: Brian Alfonso [<mailto:brian@ABLandCo.com>]
Sent: Friday, May 06, 2016 2:37 PM
To: Guiler, Karl
Cc: don@bloomin.com
Subject: REDEVELOPMENT OF 3200 BLUFF STREET (AIRGAS SITE) -- OPPOSED TO PARKING PROPOSAL

Dear Mr. Guiler,

OPPOSITION TO 3200 BLUFF STREET PARKING PROPOSAL

I am an owner of 3020 Carbon Place #102 in the Steel Yards complex that abuts the 3200 Bluff Street proposed redevelopment.

Me, my staff, all of the home owners and all of the business workers in the Steel Yards will be **MATERIALLY NEGATIVELY IMPACTED** by the **LACK OF ONSITE PARKING** in proposed redevelopment. The proposal is a pure and simple profit grab by Coburn (the developer) a highly profitable company, which used to be my upstairs neighbor in the Steel Yards. A one-time profit grab leaves everyone else behind with overcrowding issues FOREVER.

The plan proposes 102 parking spaces for 98,000 square feet of building. 102 spaces is nowhere near sufficient parking for a development of that size and I vehemently oppose allowing the project to go forward with so few spaces.

Every space to park in the Steel Yards complex is occupied EVERY DAY. Bluff street looks like Chernobyl and there is nothing along the rail corridor, yet OUR PROPERTY IN THE STEEL YARDS IS ALREADY OVERCROWDED.

It is a fantasy to expect that the occupants and customers using 3200 Bluff will come to the property via mass transit, which is pathetic, and by bicycle.

Our staff, for example, include a 55 year old who commutes from Magnolia (the mountains) and frequently has to plow his driveway just to get to the dirt road portion of Magnolia.

One staffer is 70+ and comes from Erie.

Another staffer is 60+ and comes from Westminster.

Yet, another staffer from Westminster also makes multiple client visits during the day and must use a personal automobile.

During the “tax season” we sometimes work past midnight.
It is neither reasonable, nor safe, to expect my employees to get to work via mass transit or bicycles.

I am sure a survey of the Upslope employees and the other employees that will work at 3200 Bluff will show that they do not reside in Boulder and that they commute into Boulder each day with a personal automobile.
Paris has wonderful mass transit. New York has wonderful mass transit. Boulder does not.

It seems apparent that our city planners think they can force residents and employees into not driving by **INTENTIONIALLY ALLOWING INSUFFICIENT PARKING** in all of the new developments around town.

As an aside, it is interesting that all of the new housing stock in Boulder is in the LUXURY category and none is reasonably priced or “affordable”, further exacerbating the commuting issue since the vast majority of employees in Boulder **CANNOT AFFORD TO LIVE IN BOULDER**. Boulder is thereby adding to global warming by knowingly, intentionally increasing the total number of commutes into the city from outside the city each and every day. To say otherwise would be insipid and preposterous.

Thank you,
Brian Alfonso

Brian Alfonso, J.D. Enrolled Agent

t 303 449 4570

We have expanded our accounting practice. As of June 1st, our new address in the Steel Yards:

3020 Carbon Place Ste 102

Boulder CO 80301

Our new look:



Any U.S. tax advice included in this written or electronic communication was not intended or written to be used, and it cannot be used by the taxpayer, for the purpose of avoiding any penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions.

Attachment B - Public Comments

The content of this transmission does not constitute a professional service, merely the sender's personal unresearched thoughts. No opinions are included or rendered herein, and the recipient may not rely on the thoughts of the sender without doing their own research of the underlying authoritative rules, regulations and or law. Further, we require an engagement letter and a related invoice for services from us for any advice for which the recipient wishes to rely upon. Without both an engagement letter and an invoice for our services, the advice rendered herein is merely our un-researched or verified thoughts on the topics.

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From: Guiler, Karl
Sent: Thursday, June 09, 2016 9:07 AM
To: 'rebekahrd@gmail.com'
Cc: boulderplanningboard
Subject: Questions/comments on the 3200 Bluff Concept Plan

Hi Rebekah,

Thanks for the email.

I will include your email in the file and forward it to the applicant for consideration in their formulation of a Site Review application.

Additionally, I've provided a few brief responses to your questions below.

Please feel free to contact me with any questions.

Best,

Karl

Karl Guiler, AICP
Senior Planner/Code Amendment Specialist
City of Boulder Department of Community Planning & Sustainability
Planning & Development Services Center
1739 Broadway, 3rd Floor
Boulder, CO 80306-0791

Phone: 303.441.4236

Fax: 303.441.3241

Email: guilerk@bouldercolorado.gov

Planning Board:

I attended the May 26 meeting to learn more about the 3200 Bluff St development but left a little after 10pm, due to the long discussion on the Palo Parkway development.

I am a Boulder Junction neighbor of the 3200 Bluff project and am looking forward to this new development, new neighbors and new businesses.

I have the following questions regarding the development at 3200 Bluff and the overall Boulder Junction Phase I plan:

1. It is my understanding that the parking garages are privately owned and therefore not included in the Boulder Junction parking district. How can the city integrate private garages into the parking district to help manage demand across Boulder Junction? For example, the commercial garage may be used after hours for the new restaurants but also for the existing Depot restaurant overflow. At the same time, a fair number of Steelyards commercial parking spaces along the alley by the warehouses are empty at

night, but they are privately owned rather than managed as part of the district. Will parking be bundled into the residential rent for 3200 Bluff, or available to other uses if residents do not have cars? As long as we continue to treat each project separately for parking and are unable to pool all non-residential parking spots as public spots, we risk overbuilding parking in the district.

At this time, the applicant's proposal includes private parking for the site. The property is currently not within the Boulder Junction Access and Parking District, although the applicant has indicated their intent to petition to be part of the district. It would be part of that process to determine if and how many spaces in the proposed garage could be allotted to the shared parking of the district. If the property is rezoned MU-4 (Mixed-Use 4), as the applicant requests, unbundled parking would be required per the land use code section 9-9-6(i), which states,

Parking Costs Separated From Housing Costs in New Residential Buildings: In the RH-7 and MU-4 zoning districts, all off-street parking spaces accessory to residential uses in new structures of ten dwelling units or more, or in new conversions of nonresidential buildings to residential use of ten dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. Parking spaces that are unused or unsold with a residential unit may be leased or otherwise permitted to be used by persons who are not residents, tenants, or visitors to the property.

2. It would be nice to see a comprehensive traffic and parking plan for all of the projects under construction and in review rather than viewing trip estimates in isolated reviews. What are the total counts for The Commons, 3200 Bluff, and S'Park? What percentage of those trips will go through the pedestrian plaza? Visiting drivers have a difficult time navigating the pedestrian plaza on Junction Place, which is compounded by funneling restaurant and Hyatt traffic through the plaza to enter the garage. Several bollards in the pedestrian plaza have been knocked over in the past six months. How can the city add design elements such as planted medians (not more signs) to help drivers safely navigate the plaza?

A Trip Generation study was required as a part of Concept Plan and was necessary to determine whether the project would trigger enough trips to require a Traffic Study at time of Site Review. In this case, a Traffic Study would be required and would need to be prepared taking the context of the area into account. This includes the traffic counts of other approved and existing projects in the vicinity. This information is used to determine what possible impacts could result from the proposal. If the applicant requests a parking reduction, a parking study that takes into consideration the neighborhood parking conditions would be required.

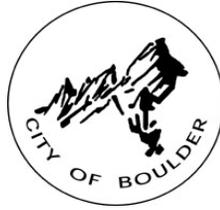
3. Residents in multifamily housing give up personal outdoor space for shared resources in the neighborhood, however it appears that amenities within 3200 Bluff will be private use (the roof deck with its flatiron views and the courtyard). It is unclear when the pocket park across from the pedestrian plaza will be completed (If it will not extend past the MUP into the Pollard lot, it is a very small sloped area for all of the new residents at Depot Square, Solana, Nickel Flats, S'Park and 3200 Bluff). I believe the new Reve development on the south side of Pearl Parkway will include small public dog parks (on the back side which may not appear to be publicly accessible), but there are no corresponding services on the north end of Boulder Junction.

While open space is required as part of most projects, allowing public access to private property is allowed at the discretion of the property owner. Please note that the recently approved S'PARK development to the north (at the former Sutherland's Lumber site) will have a few publicly accessible, privately owned and managed open spaces. Note that the city's pocket park that you reference is expected to be completed by 2018.

Finally, there needs to be continued pressure on RTD to increase service at the Depot station. Currently, there is no local bus service (the nearest HOP stop is at Barnes and Noble, ~.5 mi away from The Commons site), no airport service, no night or weekend Flatiron Flyer service from the Depot Station. The ongoing HOP transit study will hopefully address the local service gap, but today it is very difficult to call this area "Transit Village" or TOD.

In short, I ask that the planning board look at the district as a whole and discuss parking, traffic, and public amenities across all developments rather than piece by piece so that the entire neighborhood is cohesive. Boulder Junction is an exciting neighborhood with a lot of potential in these new developments. Thank you for all of your work!

Regards,
Rebekah Dumouchelle



INFORMATION PACKET MEMORANDUM

To: Members of City Council

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

Date: June 7, 2016

Subject: Call-Up Item: 2949 Broadway Site Review (LUR2014-00097)

EXECUTIVE SUMMARY

On June 2, 2016, the Planning Board unanimously approved (7-0) the above-referenced applications with conditions as provided in the attached Notice of Disposition (Attachment A), finding the project consistent with both the Site Review Criteria of Land Use Code sections 9-2-14(h), B.R.C. 1981. Approval of the application would permit the conversion of single family residence into a three dwelling unit complex with a request for a 37.5 percent parking reduction and a reduction in lot area per dwelling unit from 3,000 square feet to 2,076 square feet.

The Planning Board decision is subject to City Council call-up within 30 days concluding on July 5, 2016. Because the 30 day call-up period concludes on a Saturday, the land use code section 1-1-10(b), B.R.C. 1981 requires that if the last day of the call-up period is on a Saturday, the period is extended to include the next day which is not a Saturday, Sunday or legal holiday. There is one City Council meeting within this time period for call-up consideration on: June 21, 2016. The staff memorandum of recommendation to Planning Board and other related background materials are available on the city website for Planning Board [here](#).

BACKGROUND

The subject site is shown **Figure 1** and is located on Broadway near Dellwood Avenue within the RH-2 zoning district, which is defined in the land use code section 9-5-2(c)(1)(F), B.R.C. 1981 as:

“high density residential areas primarily used for a variety of types of attached residential units, including without limitation, apartment buildings, and where complementary uses may be allowed.”

The zoning map for the site and surroundings is presented in Figure 1. The context of the site is varied: along Broadway primarily are attached residential buildings including Red Arrow Apartments and Washington Square Condominiums and the Washington Village Mixed Use. There are also non-residential uses including a Shell Gas Station, the CBIZ Meyers Dining Insurance Agency, and a small mixed use building adjacent to the site with office along Broadway and residential in back. To the west is single family residential. Further to the south are the former Boulder Community Hospital Campus and medical offices, along with neighborhood serving retail and offices.

The 6,228 square foot lot contains an existing 1,240 square foot house that was originally constructed in 1913 with Edwardian Vernacular elements that have been largely retained. Figure 2 is a photo from 1949 of the house and Figure 3 is a photo of the house today. Given the historic significance, staff recommended that the applicant submit an application to designate the property as a local historic landmark. The application to landmark was submitted on April 22, 2015 with a request that review of the application by the Landmarks Board and the City Council only proceed if Site Review approval is granted. Because the application to designate the property is pending, a Landmark Alteration Certificate request for the rehabilitation of the historic house and the construction of a rear addition was submitted for review by the to the Landmarks Design Review Committee (Ldrc)(HIS2016-00067). On April 13th, 2016, the Ldrc approved the current plans to rehabilitate and add to the house. Revisions to the design would require a new LAC application.

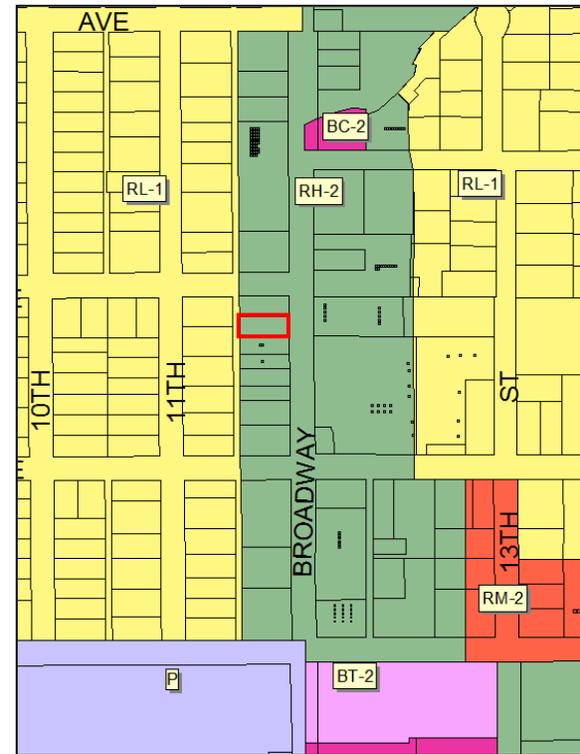


Figure 1: Zoning Map

Proposed Project. The applicant is proposing to construct a 766 square foot, two-story addition to the rear of the existing house. The resulting floor area would total 2,066 square feet with three units. The applicant requests a reduction in lot area per dwelling unit from 3,000 square feet to 2,076 square feet. The Triplex would be comprised of: one 3-bedroom unit in the front and two units at the rear of the property: a 4-bedroom unit located partially above grade and partially below grade; and a 4-bedroom unit located on a portion of the first floor and on the second floor. Figure 5 illustrates a perspective sketch of the building from Broadway. There are eight parking spaces per standards, and five proposed, for a 37.5 percent parking reduction request as part of the application.

PUBLIC COMMENT AND PROCESS

Public Comment. Required public notice was provided in the form of written notifications to property owners within 600 feet of the subject property in December 2014 at the receipt of the application; along with notification of the Planning Board hearing on

May 11, 2016. In addition, a public notice sign was posted on the property and therefore, all public notice requirements of section 9-4-3, “*Public Notice Requirements*,” B.R.C. 1981 were met. There were six comments letters received on the application (four were received several days prior to the Planning Board hearing) that articulated concerns primarily about the parking reduction.

PLANNING BOARD HEARING

At the June 2, 2016 Planning Board hearing, the board found that the application is consistent with the applicable Site Review criteria of the Land Use Code sections 9-2-14(h), B.R.C. 1981 including the following reasons:

The Land Use Code Section 9-2-14(h)(2)(K), B.R.C. 1981 includes criteria for approval of a parking reduction. In particular, the proposed parking reduction is proposed in a service- and transit-rich area where alternatives to single occupancy vehicles (SOVs) can readily be utilized. In particular, the site is on several major bus lines, the CLIMB, the 208, the Y and the SKIP which runs every 10 minutes until midnight. In addition, the applicant provided a Transportation Demand Management (TDM) Plan that included elements to reduce the need for SOVs such as additional bike parking, provision of EcoPasses.

CONCLUSION

By a unanimous vote (7-0) the Planning Board approved the application with conditions. Consistent with the land use code section 9-4-4(c), B.R.C. 1981, if the City Council disagrees with the decision of the Planning Board, it may call up the application within a 30-day call up period which expires on July 5, 2016 the City Council may consider this application for call-up at the **June 21, 2016** City Council public hearing.

ATTACHMENTS:

A. Planning Board Notice of Disposition dated June 2, 2016



CITY OF BOULDER
Planning and Development Services

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

CITY OF BOULDER PLANNING BOARD
NOTICE OF DISPOSITION

You are hereby advised that on June 2, 2016 the following action was taken by the Planning Board based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: APPROVED WITH CONDITIONS
PROJECT NAME: 2949 BROADWAY SINGLE-FAMILY CONVERSION
DESCRIPTION: SITE REVIEW for conversion of single family residential into a three dwelling unit complex with a request for a 37.5 percent parking reduction and a reduction in lot area per dwelling unit from 3,000 square feet to 2,076 square feet.
LOCATION: 2949 BROADWAY
COOR: N04W07
LEGAL DESCRIPTION: LOTS 29 AND 30, BLOCK 4, NEWLANDS SUBDIVISION, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO
APPLICANT: MICHAEL BOSMA
OWNER: ALR INVESTMENTS, LLC
APPLICATION: Site Review, LUR2014-00097
ZONING: RH-2
CASE MANAGER: Elaine McLaughlin
VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.

APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS:

- Section 9-2-14(h)(2)(K), B.R.C.: 37.5 percent parking reduction (5 parking spaces provided where 8 are required)
- Section 9-8-3, B.R.C.: a reduction in the minimum lot area per dwelling unit from 3,000 square feet to 2,076 square feet.

This decision may be called up before the City Council on or before **July 5, 2016**. If no call-up occurs, the decision is deemed final thirty days after the Planning Board's decision.

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

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

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

At its public hearing on June 2, 2016 the Planning Board APPROVED WITH CONDITIONS the request with the following motion:

On a motion by H. Zuckerman, seconded by B. Bowen, the Planning Board voted 6-0 (C. Gray absent) to approve Site Review application # LUR2014-00097 subject to the conditions of approval listed below and adopting the staff memorandum and its attachments as findings of fact, with the addition of two conditions:

1. The south sidewalk be extended across the entire property from east to west replacing the "Landscape Area 6" with pavement for bicycle access and pedestrian access.
2. The addition be located as far west as can be accommodated by site constraints, particularly the back-up area, to create as much separation as possible between the massing of the primary structure and the addition.

Friendly amendment made by L. Payton, that Planning Board recommend a condition that the finishes on the addition be adjusted to be more sympathetic and compatible with the historical structure. Friendly amendment was accepted by H. Zuckerman.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the development **shall be in compliance with all plans** prepared by the Applicant on February 12, 2016 and the Transportation Demand Management (TDM) Plan on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant has filed an application seeking **Individual Landmark designation** of the property located at 2949 Broadway. The Applicant shall pursue such designation in good faith. Prior to a building permit application, the Applicant **shall obtain a final decision on the application for Individual Landmark designation** of the property.
3. Prior to a building permit application, the Applicant shall submit a Preliminary Plat and a Technical Document Review application for a **Final Plat**, subject to the review and approval of the City Manager and execute a subdivision agreement meeting the requirements of chapter 9-12, "Subdivision," B.R.C. 1981 and which provides, without limitation and at no cost to the City, for the following, unless otherwise approved by the City Manager:
 - a. The elimination of the lot line between existing Lot 29 and Lot 30, Block 4, Newland Addition, City of Boulder, County of Boulder, State of Colorado; and
 - b. The dedication, to the City, of an 8½- foot wide +/- public access easement for the detached sidewalk along Broadway.
4. Prior to a building permit application, the Applicant shall submit, and obtain City Manager approval of, a Technical Document Review application for the following items:
 - a. **Final architectural plans**, including material samples and colors, to insure compliance with the intent of this approval and compatibility with the surrounding area. The architectural intent shown on the plans prepared by the Applicant on February 10, 2016 is acceptable. Planning staff will review plans to assure that the architectural intent is performed. The final plans shall illustrate the building to be prewired for future photovoltaic systems, from the roof-top to the primary electrical panel of the building. The finishes on the addition shall be adjusted to be more sympathetic and compatible with the historical structure.
 - b. A **final site plan** which includes detailed floor plans and section drawings.
 - c. A **final utility plan** meeting the City of Boulder Design and Construction Standards.
 - d. A **final storm water report and plan** meeting the City of Boulder Design and Construction Standards.

- e. **Final transportation plans** meeting the City of Boulder Design and Construction Standards, the CDOT Access Code Standards, and the Manual on Uniform Traffic Control Devices (MUTCD) for all transportation improvements. The final transportation plans must include, but are not limited to, a plan and profile drawing for the detached sidewalk.
 - f. A **detailed landscape plan**, including size, quantity, and type of plants existing and proposed; type and quality of non-living landscaping materials; any site grading proposed; and any irrigation system proposed, to insure compliance with this approval and the City's landscaping requirements. Removal of trees must receive prior approval of the Planning Department. Removal of any tree in City right of way must also receive prior approval of the City Forester.
 - g. A **detailed outdoor lighting plan** showing location, size, and intensity of illumination units, indicating compliance with section 9-9-16, B.R.C.1981.
5. Prior to a building permit application, the Applicant shall submit a **financial guarantee**, in a form acceptable to the Director of Public Works, in an amount equal to the cost of providing eco-passes to the residents of the development for three years after the issuance of a certificate of occupancy for each dwelling unit as proposed in the Applicant's Transportation Demand Management (TDM) plan.
 6. The Applicant shall ensure that the **south sidewalk be extended across the entire property** from east to west replacing the "Landscape Area 6" with pavement for bicycle access and pedestrian access.
 7. The Applicant shall ensure that the **addition be located as far west as can be accommodated by site constraints**, particularly the back-up area, to create with as much separation as possible between the massing of the primary structure and the addition.

By: _____

David Driskell, Secretary of the Planning Board



INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Planning, Housing & Sustainability
Susan Richstone, Deputy Director of Planning, Housing & Sustainability
Charles Ferro, Development Review Manager

Date: June 21, 2016

Subject: Call-Up Item: Nonconforming Use Review (LUR2015-00118) request to amend the approved operating characteristics for the Alpine Modern Café at 904 College Ave. within the RL-1 zone district to allow for beer and wine sales during regular business hours, and to extend the closing time from 7:00 p.m. (existing) to 9:00 p.m. (proposed) Mondays through Thursdays. No other changes to the existing operating characteristics are proposed. The call up period expires on **Jul. 5, 2016**.

EXECUTIVE SUMMARY

On June 2, 2016, the Planning Board voted 6-0 (**C. Gray** absent), to approve a Nonconforming Use Review at 904 College Ave. The proposal is to amend the approved operating characteristics for the Alpine Modern Café to allow for beer and wine sales during regular business hours, and to extend the closing time from 7:00 p.m. (existing) to 9:00 p.m. (proposed), Mondays through Thursdays. No other changes to the existing operating characteristics are proposed, and the weekend hours of operation will not be changed. **Attachment A** contains the Planning Board Notice of Disposition of Approval with associated conditions of approval. **Attachment B** contains the approved plans and the applicant's written statement / management plan. **Attachment C** includes staff's analysis of the Non Conforming Use Review criteria. The Draft Minutes from the June 2, 2016 Planning Board hearing are included as **Attachment D**.

The Planning Board's approval is subject to a 30-day call-up period by City Council which expires on **Jul. 5, 2016** (the end of the call up period falls on a weekend and so is extended to the Tuesday following the city holiday). City Council is scheduled to consider this application for call-up at its **Jun. 21, 2016** public meeting.

The staff memorandum to Planning Board and other related background 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 → 2016 → 06 JUN → 06.02.16 → 06.02.2016 PB Packet.

BACKGROUND

Existing Site/Site Context:

As depicted below in **Figure 1** below, the roughly 3,700 square foot (.08-acre) project site is located at 904 College Ave., at the southeast corner of 9th St. and College Ave. within the Residential – Low 1 (RL-1) zoning district. Per section 9-5-2(c)(1)(A), B.R.C. 1981, the RL-1 zone district is defined as *single-family detached residential dwelling units at low to very low residential densities.*

The existing 1-story building was constructed in 1927, and was the former location of Delilah’s Pretty Good Grocery, followed by the Second Kitchen Food Cooperative and most recently the Alpine Modern Cafe. The existing retail/ personal service use is considered a legal nonconforming use because it was established prior to the adoption of the current zoning regulations which make the use prohibited under RL-1 zoning. There are currently three off-street parking spaces provided in a paving parking area that is accessed directly off of 9th Street via a large curb cut. A shared driveway south of the building also provides access to the project site and adjacent property to the south.

The project site lies within the University Hill neighborhood, and is surrounded primarily by low-density single-family homes. The Columbia Cemetery sits diagonally adjacent to the site across the intersection of 9th and College. A few blocks to the east is the University Hill commercial district. The existing coffee shop use has been in operation since 2014. The existing use is the most recent substitution of use in a series of nonconforming retail/personal service uses that have occupied the site continuously over the last 90 years, and currently maintains the historic hours of operation of 7:00 a.m. to 7:00 p.m., Monday through Thursday, and from 8:00 a.m. to 10:00 p.m., Friday through Sunday.



Figure 1: Vicinity Map

Project Description:

The proposal is to amend the approved operating characteristics for the Alpine Modern Café to allow for beer and wine sales during regular business hours, and to extend the closing time from

7:00 p.m. (existing) to 9:00 p.m. (proposed), Mondays through Thursdays. No other changes to the existing operating characteristics are proposed, and the weekend hours of operation will be maintained. The proposal includes several site improvements, including the addition of seven new bike parking spaces (6 short-term and 1 long-term), new street trees along College Ave., and the removal of the existing noncompliant access off of 9th St. through the addition of a new split-rail metal fence to the west of the parking area. Following the addition of the new fence, access to the site and parking area will be taken from the alley south of the building, and it will no longer be possible for cars to back directly across the sidewalk (which is located within a school zone) out of the parking area onto 9th Street.

As mentioned above, the proposed hours of operation for the use are from 7:00 a.m. to 9:00 p.m., Monday through Thursday, and 8:00 a.m. to 10:00 p.m., Friday through Sunday. Outdoor seating will be available for patrons during regular business hours. Noise will be kept to a minimum as no amplified music will be played outdoors on the patio, at any time. Please see **Attachment B** for Applicant's proposed plans and management plan. These commitments have also been memorialized in the recommended conditions of approval included in this memorandum. If this application is approved, any future changes to the conditions of approval, the management plan or the operational characteristics would require a new Use Review.

Process:

The property is currently considered non-conforming as to parking and use. While the current proposal would not increase the degree of non-conformity with regards to parking because no floor area is being added, the proposal to allow alcohol sales constitutes an expansion of the existing nonconforming use because it is a "change in the operational characteristics which may increase the impacts or create adverse impacts to the surrounding area" (section 9-16-1, B.R.C. 1981). Pursuant to section 9-10-3(c)(2), B.R.C. 1981, any request for a change of use that constitutes expansion of a nonconforming use must be reviewed under procedures of section 9-2-15, "Use Review," B.R.C. 1981. Pursuant to section 9-2-15(d)(1), B.R.C. 1981, applications for a Use Review of a non-residential use in a residential zone district require a recommendation by staff with a final decision by the Planning Board at a public hearing.

ANALYSIS

The following key issue was identified by staff for the project:

- 1. Is the proposal consistent with the Use Review criteria including the additional criteria for Modifications to Nonconforming Uses set forth in Sections 9-2-15(e) and (f), B.R.C. 1981?**

Refer to **Attachment C** for staff's analysis of the Non Conforming Use Review Criteria.

PLANNING BOARD ACTION:

One June 2, 2016, the Planning Board voted 6-0 (**C. Gray** absent) to approve the Non Conforming Use Review application.

Please see **Attachment D** for the meeting minutes from the June 2, 2016 Planning Board meeting and **Attachment A** for the Planning Board Notice of Disposition and associated conditions of approval.

PUBLIC COMMENT AND PROCESS:

Required public notice was provided in the form of written notifications to property owners within 600 feet of the subject property. In addition, a public notice sign was posted on the property and therefore, all public notice requirements of section 9-4-3, "*Public Notice Requirements*," B.R.C. 1981 were met. Staff initially received comments from several individuals opposed to the request based on concerns over noise and other potential impacts. Staff also received comments from individuals as well as the University Hill Neighborhood Association (UHNA) Executive Committee expressing strong support for the proposal. No one spoke in opposition of the proposal at the June 2, 2016 Planning Board hearing.

NEXT STEPS

The Planning Board decision is subject to City Council call-up within 30-days. The Site Review request is scheduled as an informational call-up item for the **Jun. 21, 2016** meeting. **The call up period expires on Jul. 5, 2016.**

ATTACHMENTS

- A. Planning Board Notice of Disposition dated June 2, 2016
- B. Applicant's Proposed Plans & Management Plan
- C. Nonconforming Use Review Criteria Analysis
- D. Draft June 2, 2016 Planning Board Minutes



CITY OF BOULDER
Planning and Development Services

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

CITY OF BOULDER PLANNING BOARD
NOTICE OF DISPOSITION

You are hereby advised that on June 2, 2016 the following action was taken by the Planning Board based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: **APPROVED WITH CONDITIONS**
PROJECT NAME: **ALPINE MODERN CAFE**
DESCRIPTION: **NON-CONFORMING USE REVIEW to amend the approved operating characteristics for the Alpine Modern Café within the RL-1 zone district to allow for beer and wine sales during regular business hours and to extend the hours of operation.**
LOCATION: **904 COLLEGE AVE**
COOR: **N01W06**
LEGAL DESCRIPTION: **LOTS 1-2, BLOCK 8, UNIVERSITY PLACE, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO**
APPLICANT: **LON MCGOWAN**
OWNER: **JAMES CARTER**
APPLICATION: **Use Review, LUR2015-00118**
ZONING: **RL-1**
CASE MANAGER: **Sloane Walbert**
VESTED PROPERTY RIGHT: **NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.**

This decision may be called up before the City Council on or before **July 5, 2016**. If no call-up occurs, the decision is deemed final thirty days after the Planning Board's decision.

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

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

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

At its public hearing on June 2, 2016 the Planning Board APPROVED WITH CONDITIONS the request with the following motion:

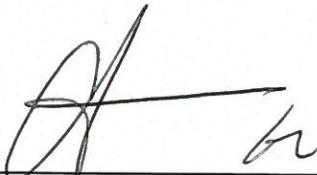
On a motion by **B. Bowen**, seconded by **J. Putnam**, the Planning Board voted 6-0 (**C. Gray** absent) to approve the Use Review application LUR2015-00118, adopting the staff memorandum as findings of fact, including the attached analysis of review criteria, and subject to the recommended conditions of approval

found in the packet.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant on May 1, 2016 and the Applicant's written statement dated May 9, 2016** on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:
 - a. The hours of operation for the approved use shall be from 7:00 a.m. to 9:00 p.m. Monday – Thursday and from 8:00 a.m. to 10:00 p.m. Friday – Sunday. The use shall be closed outside of these hours of operation.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.
3. The Applicant **shall comply with all previous standards or conditions** contained in any previous approvals, except to the extent that any previous standards or conditions may be modified by this approval, including, but not limited to, the Final Decision Standards contained in the Administrative Review Notice of Disposition of approval for ADR2014-00137 dated August 5, 2014.
4. This approval **shall be limited to a coffee shop use** operated consistent with the Applicant's written statement dated May 9, 2016.

By:

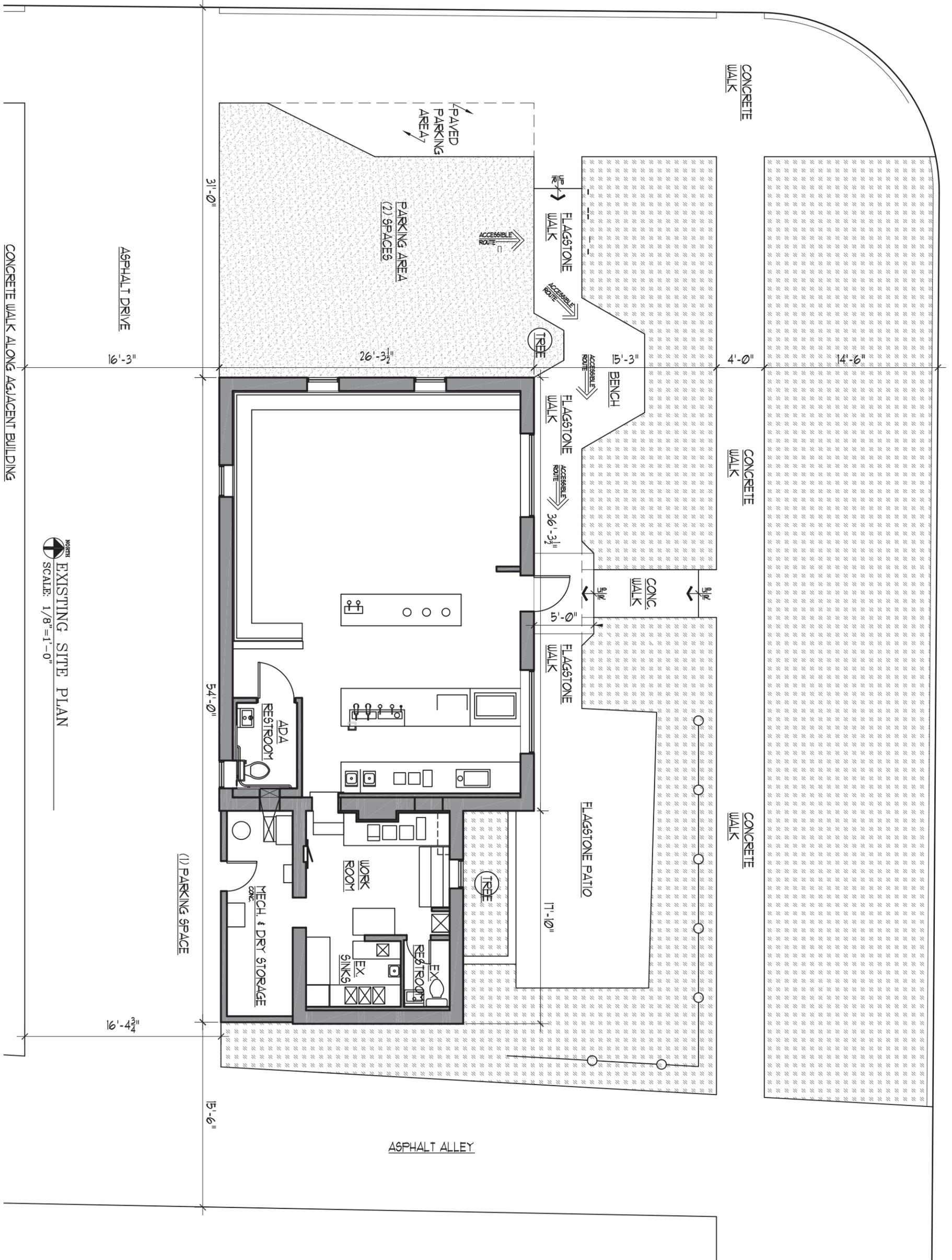


David Driskell, Secretary of the Planning Board

Existing Site Plan

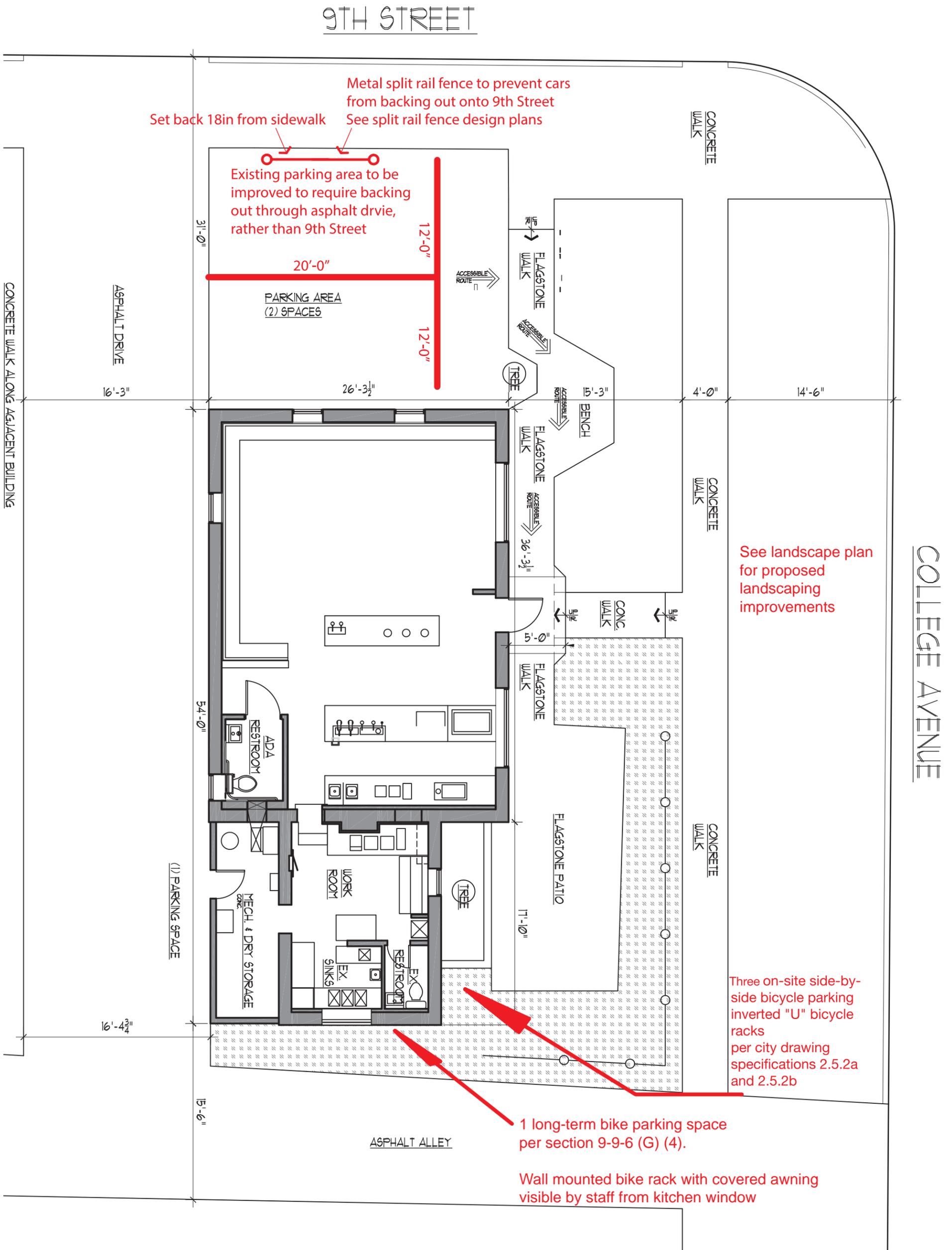
9TH STREET

COLLEGE AVENUE



NORTH
EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

Proposed Site Plan



Metal split rail fence to prevent cars from backing out onto 9th Street
 Set back 18in from sidewalk See split rail fence design plans

Existing parking area to be improved to require backing out through asphalt drive, rather than 9th Street

PARKING AREA
 (2) SPACES

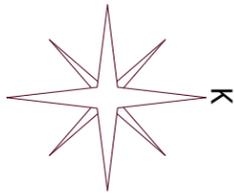
See landscape plan for proposed landscaping improvements

Three on-site side-by-side bicycle parking inverted "U" bicycle racks per city drawing specifications 2.5.2a and 2.5.2b

1 long-term bike parking space per section 9-9-6 (G) (4).

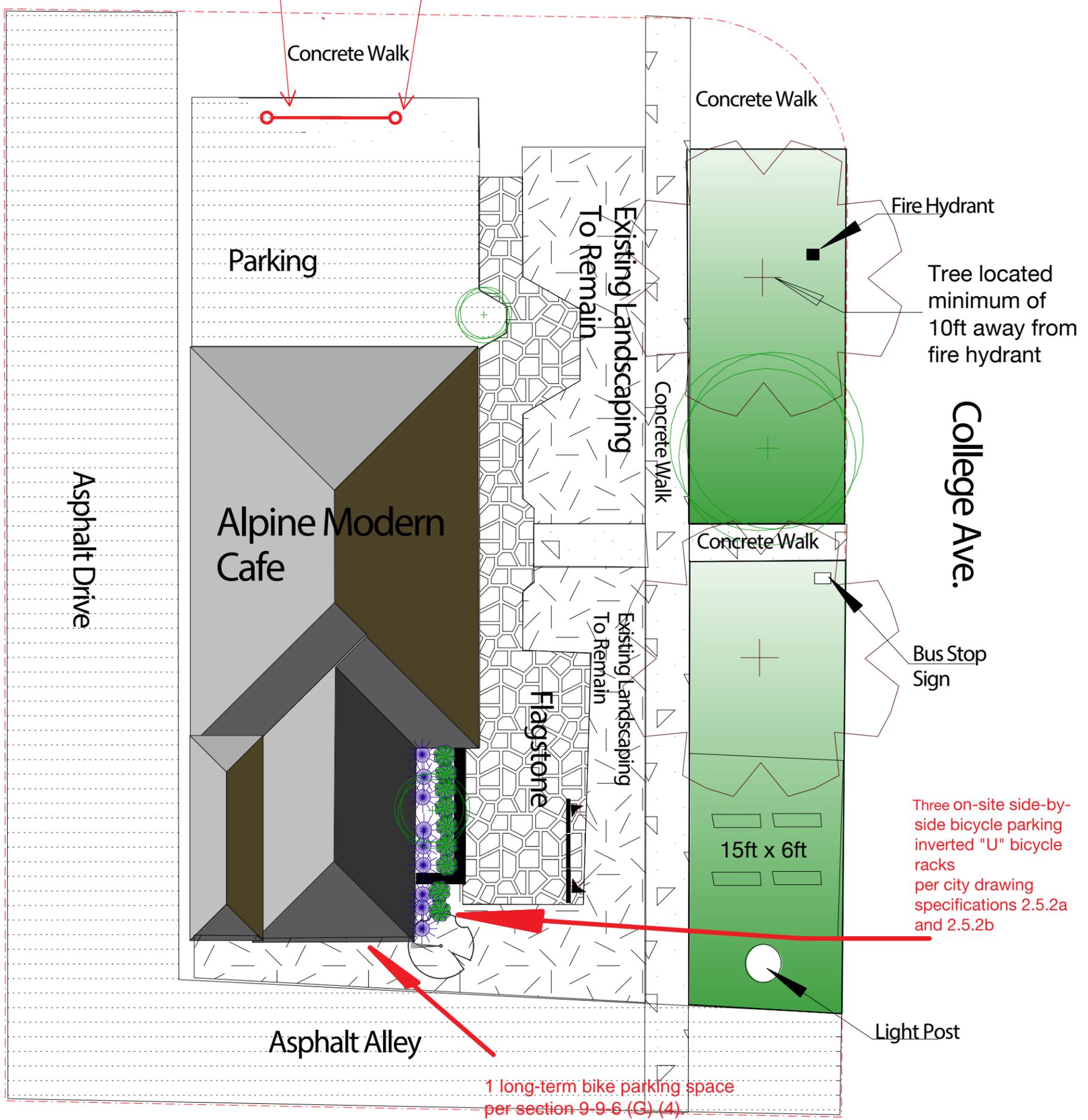
Wall mounted bike rack with covered awning visible by staff from kitchen window

Legend		
Common Name	Qty	
Flower Perennial		
Columbine, Rocky Mountain	9	
Purple Palace Coral Bells	9	
Shrub, Evergreen Conifer		
Pine, Big Tuna Mugo	1	
Tree, Deciduous		
Crabapple, Spring Snow	3	
Existing Tree	3	



9th Street

Metal split rail fence to prevent cars from backing out onto 9th Street
 Set back 18in from sidewalk See split rail fence design plans



1 long-term bike parking space per section 9-9-6 (C) (4)

Wall mounted bike rack with covered awning visible by staff from kitchen window

Scale:

1" = 10"

Landscape Plane: 1

904 College Ave

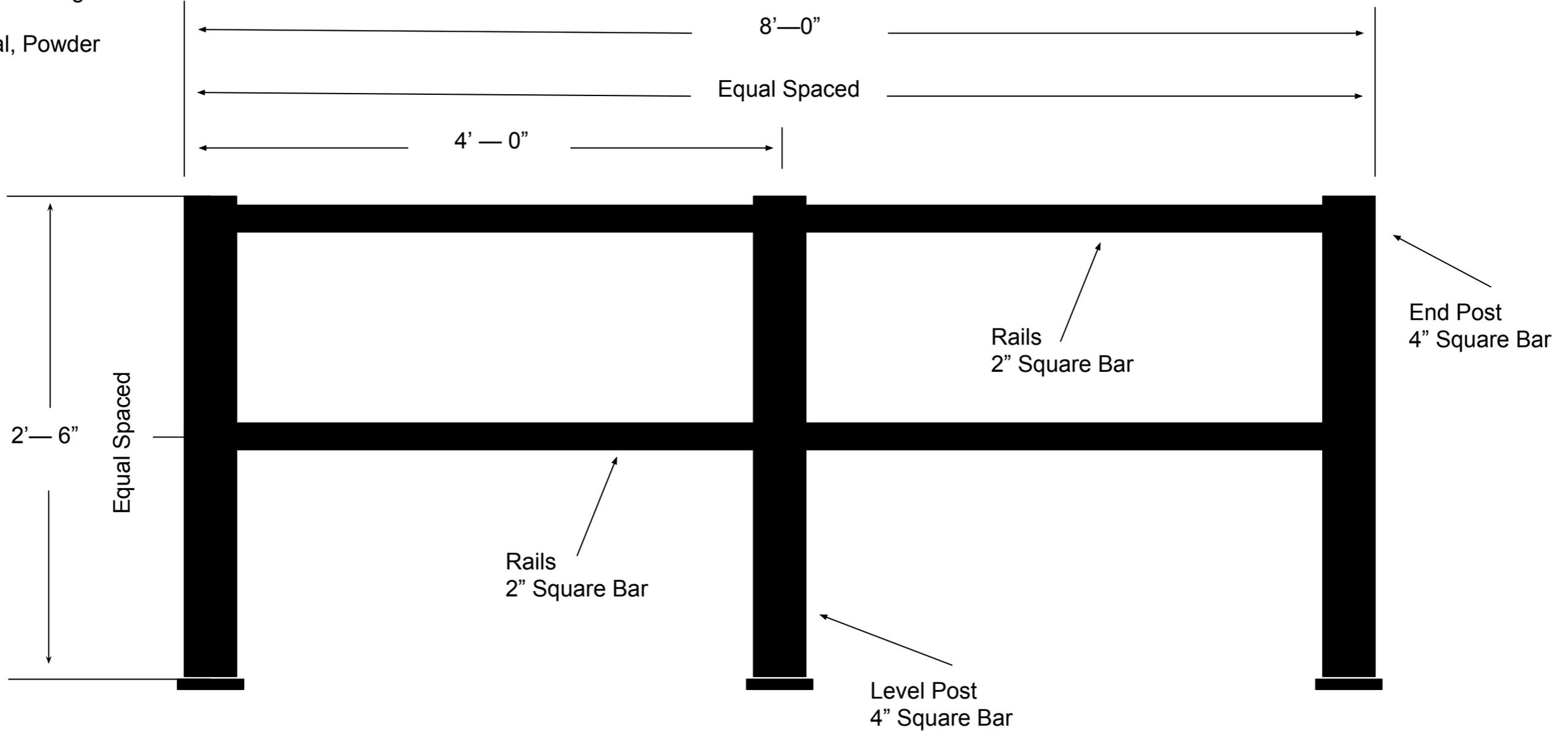
Call Up
904 College Avenue

Landscape Design By: LR

Bowman Custom Landscaping, Inc

904 College
LUR2015-0118
Split Rail Fence Design

Material: Metal, Powder
Coated Black



City of Boulder

Alpine Modern Cafe - Written Statement & Management Plan

Original Letter : December 7, 2015

Revised: May 9, 2016

Also see Use Review Comments Reply Letter for additional information.

Re: 904 College Ave LUR2015-00118

We are requesting a Change of Nonconforming Use to allow for the conversion of the former grocery store to a cafe with the ability to sell (and apply for a license to sell) wine and beer for consumption on-site. No changes to the site or building are being proposed. A previous approval for the use of this site as a cafe was already approved on 8/5/14. This request is for the same use and details, outlined below, but with the addition of the sale of wine and beer to be consumed on-site. Essentially, we are simply adding a menu item (wine and beer) and wish to be able to apply for a wine and beer license.

We have asked many citizens in our neighborhood if they would support this location selling wine and beer and we have received a resounding, yes. This location exists to serve its neighborhood and this is a service with which the neighborhood is in favor of having.

In reviewing the operations of the grocery store, our cafe has had, and we project it will continue to have, less impact on the surrounding neighborhood. The grocery store offered, among other items, coffee, pastries, and pre-made sandwiches. We have and would continue to offer these same items. However, we do not stock the general assortment of goods and prepacked fresh foods that the grocery did.

Because we are asking for a change of nonconforming use we will address the following for your understanding:

Occupancy: There is no change to the size of the floor plan that would increase the space and therefore will not create any expansion in the occupancy.

Floor Area: We do not intend to expand the existing floor area in any way.

Required Parking and Traffic:

- We have already created three dedicated off-street parking spaces for customers. These parking spaces were not open to the public when the grocery store was open.

- Traffic comes from local neighbors that live within walking distance to the location. Our customer base will not change. There will be no impact in regards to parking or traffic with this change.
- The former grocery store received multiple deliveries, daily, because of its requirement for fresh produce and other dry goods from multiple commercial distributors. We have and will continue to have less impact with our less frequent deliveries (3-4 per week)
- The former grocery previously made off-site deliveries. We would not be making any off site deliveries of any kind and therefore decrease the impact.

Outdoor Storage: No changes to the outdoor storage.

Hours of Operation: We wish to increase the hours of operation to 7am—9pm every day. Noise will be kept to a minimum as no amplified music will be played outdoors on the patio, at any time. Signs will be posted asking customers to keep noise levels down. Our outdoor patio area will be closed promptly at 9:00 pm every night. We have strong relationships and open dialogue with our immediate neighbors which will continue to foster even with the increased hours.

Number of Employees: The former grocery operated with 3-4 staff members per shift. We will maintain the same level of staff at the cafe of 3-4 staff members per shift, thereby not creating any impact.

Exterior Changes: No exterior changes to the building or site are being planned or requested.

Thank you for your consideration. Best regards-

Lon McGowan

Owner

Alpine Modern Cafe (Tenant)

(e) Criteria for Review: No use review application will be approved unless the approving agency finds all of the following:

✓ (1) Consistency With Zoning and Nonconformity: The use is consistent with the purpose of the zoning district as set forth in section 9-5-2, "Zoning Districts," B.R.C. 1981, except in the case of a nonconforming use;

The existing use is considered nonconforming as to use and parking. The project site is located within the RL-1 zone district, defined in section 9-5-2(c)(1)(A) of the land use code as "Single-family detached residential dwelling units at low to very low residential densities." Pursuant to section 9-6-1, "Schedule of Permitted Land Uses," B.R.C. 1981, "Convenience retail sales" and "Personal service uses" are prohibited in the RL-1 zone district. Because the use was legally established prior to the adoption of the existing regulations that make such use prohibited, the use is considered to be a legal non-conforming use. Pursuant to section 9-10-3(c)(2), "*Any...change of use that constitutes expansion of a nonconforming use must be reviewed under procedures of section 9-2-15, "Use Review," B.R.C. 1981.*"

(2) Rationale: The use either:

N/A (A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;

N/A (B) Provides a compatible transition between higher intensity and lower intensity uses;

N/A (C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and nonresidential mixed uses in appropriate locations and group living arrangements for special populations; or

✓ (D) Is an existing legal nonconforming use or a change thereto that is permitted under subsection (f) of this section;

The existing retail/ personal service use is considered a legal non-conforming use, as the use was legally established prior to the adoption of the existing regulations that make such use prohibited in the RL-1 zone district. The proposed expansion of the use is permitted pursuant to subsection (f) of this section.

✓ (3) Compatibility: The location, size, design and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The existing 1-story building was constructed in 1927, and was the former location of Delilah's Pretty Good Grocery, followed by the Second Kitchen Food Cooperative and most recently the Alpine

Modern Cafe. The existing use is the most recent substitution in a series of nonconforming retail/personal service uses that have occupied the site continuously over the last 90 years. The existing use has been in operation since 2014 and has become a popular establishment for the surrounding neighborhood, which contains a mix of student rental housing and single-family homeowners. The Alpine Modern Café currently maintains the historic hours of operation of 7:00 a.m. to 7:00 p.m., Monday through Thursday, and from 8:00 a.m. to 10:00 p.m., Friday through Sunday. In addition to the request to allow for the sale of beer and wine, the applicant is also requesting a later closing time of 9:00 p.m. Mondays through Thursdays (the use currently closes at 7:00 p.m. on those days). Aside from these requests, no other changes to the existing operating characteristics are proposed as part of this application. Given that the use is already a popular establishment with the neighborhood and that the existing hours of operation have been in place since 1927, adding beer and wine to the menu while extending those hours slightly on weekdays will allow the use to remain compatible with and have minimal negative impact on the use of nearby properties. In addition, the applicant has indicated in their written statement (see **Attachment A**) that no amplified music will be played outside at any time.

In addition, the applicant is proposing to make several site improvements which will improve the overall site design, particularly with regards to access and landscaping. Specifically, the existing noncompliant access to the site off of 9th Street will be closed so that access to the site will be taken from the existing shared alley south of the building, and street trees will be added to the front of the lot along College Ave. to bring the site into compliance with city landscaping standards. Thus, staff finds that no new impacts will be created by the proposed changes, and that the overall site design will be improved, thereby reducing potential negative traffic safety and visual impacts on surrounding properties.

✓ (4) Infrastructure: As compared to development permitted under section 9-6-1, "Schedule of Permitted Land Uses," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater and storm drainage utilities and streets;

Standard met. The proposed project will not significantly adversely affect the infrastructure of the surrounding area compared to the existing level of impact of the nonconforming use.

✓ (5) Character of Area: The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area; and

As mentioned above, the existing building has contained some form of retail and/or personal service use since it was constructed in 1927. As such, the presence of a retail/ personal service use at this site has become an integral part of the predominant character of the area. The existing use currently operates under the historic operating characteristics, which most notably include the limited hours of operation of 7:00 a.m. to 7:00 p.m., Monday through Thursday, and from 8:00 a.m. to 10:00 p.m., Friday through Sunday. Similar to the previous uses that have occupied the site, the current use includes an outdoor seating area and is a popular hub for neighborhood residents. The owner wishes to maintain the existing operating characteristics but to allow for the sale of beer and wine on their menu and extend the closing time to 9:00 p.m. Mondays through Thursdays. Given the popularity of the establishment and the overall community support for the proposal (see **Attachment B** for correspondence from the University Hill Neighborhood

Association in support of the proposed project) as well as the limited hours of operation (restaurants on the Hill serving alcohol are allowed to remain open until 11:00 p.m. seven days per week), staff finds that the current request to allow for beer and wine sales will not change the predominant character of the surrounding area and will indeed improve a use that has been a popular neighborhood establishment for many years.

N/A (6) Conversion of Dwelling Units to Nonresidential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts to nonresidential uses that are allowed pursuant to a use review, or through the change of one nonconforming use to another nonconforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental or recreational need in the community, including, without limitation, a use for a daycare center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum or an educational use.

Not applicable, as the request does not include a change from a residential use to a nonresidential use.

(f) Additional Criteria for Modifications to Nonconforming Uses: No application for a change to a nonconforming use shall be granted unless all of the following criteria are met in addition to the criteria set forth above:

✓ (1) Reasonable Measures Required: The applicant has undertaken all reasonable measures to reduce or alleviate the effects of the nonconformity upon the surrounding area, including, without limitation, objectionable conditions, glare, adverse visual impacts, noise pollution, air emissions, vehicular traffic, storage of equipment, materials and refuse, and on-street parking, so that the change will not adversely affect the surrounding area.

The applicant has indicated in their written statement that the intent is to maintain a low-noise environment on the outdoor patio area, and that there will be no amplified music played outdoors at any time. In addition, the applicant has met with the University Hill Neighborhood Association to explain the proposal, and has received a letter expressing their support of the proposed changes. In terms of vehicular traffic, the applicant will be decreasing the impacts to the surrounding area by removing the existing noncompliant access point off of 9th Street, thereby eliminating the current unsafe condition of having cars back directly onto 9th Street from the parking area on-site. In addition, the applicant is proposing to add street trees to the north side of the property along College Ave., which will not only bring the site into compliance with current streetscape standards but will also help to mitigate potential visual and noise impacts on surrounding properties.

✓ (2) Reduction in Nonconformity/Improvement of Appearance: The proposed change or expansion will either reduce the degree of nonconformity of the use or improve the physical appearance of the structure or the site without increasing the degree of nonconformity.

The proposed change will reduce the degree of nonconformity with regards to site access and parking while improving the physical appearance of the site. The use is considered

nonconforming as to parking because it does not meet current parking standards. 3 parking spaces are provided where 5 parking spaces are required for the 1,404 square foot building, and the existing parking spaces do not meet current code standards. The current proposal includes adding a new split-rail fence to the western side of the property to block off the existing noncompliant access to the parking area and reconfiguring the parking so that three spaces are maintained and code-compliant backing distances are provided. While the use will remain nonconforming as to parking, overall the parking and access to parking will become significantly more code compliant as a result of the proposed changes. The site is also considered nonconforming as to bike parking due to the fact that the existing bike parking does not meet current city standards. The current proposal includes the addition of new short- and long-term bike parking in accordance with city standards, which will reduce the degree of nonconformity in that regard. Finally, in terms of improving the appearance of the site, the applicant is proposing to add new street trees along College Ave. as well as new landscaping on the north side of the building. Both of these additions will improve the appearance of the site and will also help to bring the site into compliance with city landscaping standards.

✓ (3) Compliance With This Title/Exceptions: The proposed change in use complies with all of the requirements of this title:

✓ (A) Except for a change of a nonconforming use to another nonconforming use; and

The current proposal is for a change to a nonconforming use. While the existing use will remain nonconforming after the proposed changes, the proposed changes to the site access, parking configuration and landscaping will bring the site into compliance with a number of code standards which it currently does not meet.

N/A (B) Unless a variance to the setback requirements has been granted pursuant to section 9-2-3, "Variances and Interpretations," B.R.C. 1981, or the setback has been varied through the application of the requirements of section 9-2-14, "Site Review," B.R.C. 1981.

✓ (4) Cannot Reasonably Be Made Conforming: The existing building or lot cannot reasonably be utilized or made to conform to the requirements of chapter 9-6, "Use Standards," 9-7, "Form and Bulk Standards," 9-8, "Intensity Standards," or 9-9, "Development Standards," B.R.C. 1981.

The existing building has been used as a grocery store and neighborhood service use since it was constructed in 1927. The only way to make the building conform to the RL-1 zone standards would be to discontinue the existing use and convert the building to a single family residence. Therefore, staff finds that the use cannot reasonably be made conforming.

✓ (5) No Increase in Floor Area Over Ten Percent: The change or expansion will not result in a cumulative increase in floor area of more than ten percent of the existing floor area.

The current proposal does not include any expansion of the existing floor area.

N/A (6) Approving Authority May Grant Zoning Variances: The approving authority may grant the variances permitted by subsection 9-2-3(d), B.R.C. 1981, upon finding that the criteria set forth in subsection 9-2-3(h), B.R.C. 1981, have been met.

No zoning variance has been requested or granted through this application.

**CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
June 2, 2016
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:

John Gerstle, Chair
John Putnam
Bryan Bowen
Leonard May
Liz Payton
Harmon Zuckerman

PLANNING BOARD MEMBERS ABSENT:

Crystal Gray

STAFF PRESENT:

Charles Ferro, Development Land Use Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Chandler Van Schaack, Planner II
Elaine McLaughlin, Senior Planner
Lane Landrith, Business and Special Events Coordinator, Community Vitality
Molly Winter, DUHMD Executive Director
Sandra Llanes, Assistant City Attorney

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

On a motion by **B. Bowen** and seconded by **J. Putnam** the Planning Board voted 6-0 (**C. Gray** absent) to approve the May 12, 2016 and May 26, 2016 minutes as amended.

3. PUBLIC PARTICIPATION

1. **John Driver** spoke in opposition to 1440 Pine and presented a handout.
2. **Rebecca Shoag** spoke in opposition to 1440 Pine.
3. **Scott Curry** spoke in opposition to 1440 Pine.

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

- A. Call Up Item: SPARK Subdivision (TEC2016-00006) located at 3390 Valmont Road; 3085, 3155, and 3195 Bluff Street: Final Plat to replat the existing site into four lots and two outlots.

This item was not called up.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE: Public hearing and consideration of a motion to recommend approval of an ordinance amending section 9-6-5(d) "Mobile Food Vehicle Sales," amending section 9-16-1(c) "Definitions" to redefine "Mobile Food Vehicle" to include human powered vehicles, amending section 7-6-28, B.R.C. 1981 "Bicycle Parking" and setting forth related details.

Staff Presentation:

- C. **Ferro** introduced the item.
L. **Landrith** presented the item to the board.

Board Questions:

- L. **Landrith**, S. **Llanes** and M. **Winter** answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

Key Issue: Does Planning Board support the staff recommendation regarding ordinance changes for human-powered mobile food vehicles, including:

- **Parking on roadway while conducting mobile food vehicle sales?**
- **Prohibiting sales in transit along paths where bikes are allowed?**
- L. **Payton** supports the ord but since bike, maybe should go where cars can't go (parks). Would be more organic experience. Better not in parking lot.
- J. **Putnam** agreed. Find balance. Might be helpful to zone some parks and spaces to do that.
- B. **Bowen**, park environment safer for kids than a parking lot.
- J. **Putnam**, like to capture idea of zones in city to allow use. Intrigued by push carts. Like to look into.
- H. **Zuckerman**, going forward as presented is acceptable. Like idea of other places, they could go. Like to look into how we would do that. Want to limit distance where prepare food and sell. Have staff look into pursue. Not concerned with push cart idea.

Motion:

On a motion by J. Putnam, seconded by H. Zuckerman, the Planning Board voted 6-0 (C. Gray absent) to recommend approval of an ordinance amending section 9-6-5(d) "Mobile Food Vehicle Sales," amending section 9-16-1(c) "Definitions" to redefine "Mobile Food Vehicle" to

include human powered vehicles, amending section 7-6-28, B.R.C. 1981 “Bicycle Parking” and setting forth related details. Planning Board further recommends amending the current draft ordinance to include provisions for off-pavement sales in appropriate locations identified by the city in parks and other such places.

On a motion by **J. Gerstle**, seconded by **L. May**, the Planning Board voted 4-2 (**B. Bowen** and **H. Zuckerman** opposed, **C. Gray** absent) to recommend that staff consider and develop additional proposals that would address the use of push carts in public areas for vending food.

- B. AGENDA TITLE:** Public hearing and consideration of a request for a two-story, 766 square foot rear addition to an existing single family home to convert the residence into a tri-plex, located at 2949 Broadway with a request for a 37.5 percent parking reduction and a reduction in lot area per dwelling unit from 3,000 square feet to 2,076 square feet within the RH-2 zoning district. Case no. LUR2014-00097.

Applicant: Michael Bosma
Owner: ALR Investments LLC

Board members were asked to reveal any ex-parte contacts they may have had on this item.

L. May, due to the historic nature of the home, disclosed his wife currently sits on Landmarks Board and he is currently on the Historic Boulder Board. This item has not been discussed. The architect on the project was once a client of his approximately seven years ago.

L. Payton – on LB discussed

Staff Presentation:

C. Ferro introduced the item.

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

Applicant Presentation:

Michael Bosma, the applicant, presented the item to the board.

Board Questions:

Michael Bosma the applicant and **Tom Jarmon** with ESA Architects answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

Key Issue #1: Does the project, with its proposed reduction in lot area per dwelling unit meet the Site Review Criteria?

Key Issue #2: Does the 37.5 percent parking reduction meet the review criteria under section 9-2-14(h)(2)(K), B.R.C.?

- **L. Payton**, great to landmark. Agree with applicant. Only issue is with the requirement to diff the new structure from old in excessive way. No one will be confused. Strike and encourage to use same siding and colors as main hist structure to be more compatible. Many ways to diff. Don't have to use all of them. Condition to encourage LB to make finishes more compatible. Support project and not parking issues.
- **J. Putnam** agreed. Meets BVCP and site review. New units where need it. Given TDM, agree with parking reduction. Looked at for wide variety of uses.
- **L. May**, agreed but like to add max extent possible addition shift west to give space from hist structure. Recommend to LB. 3ft to west.
- **B. Bowen**, backing distance may be governing. Not the setback.
- **L. May** agreed. If not 3ft, the more distance the better.
- **B. Bowen** offer condition to connect bike/pest connection all the way thru. On South side all the way thru the alley. Landscape area 6 and replace with hardscape.
- **H. Zuckerman**, re **L. May's** condition, create breezeway between additions.
- **L. May**, not a breezeway. Not change anything just give more separation.
- **H. Zuckerman**, great project. Variety of reasons, parking not an issue. Density support.
- **J. Gerstle**, agree and like the project. Re unbundled parking, clarified all spaces will be unbundled with requirement if desired, each unit would have a priority spot with payment. He agreed with this.

Motion:

On a motion by **H. Zuckerman** seconded by **B. Bowen** the Planning Board voted 6-0 (**C. Gray** absent) to approve Site Review application # LUR2014-00097 subject to the conditions of approval listed below and adopting the staff memorandum and its attachments as findings of fact, with the addition of two conditions:

1. The south sidewalk be extended across the entire property from east to west replacing the landscape area "6" with pavement for bicycle access and pedestrian access.
2. The addition be located as far west as can be accommodated by site constraints in particular the back-up area to create as much separation as possible between the massing of the primary structure and the addition.

Friendly amendment made by **L. Payton**, that Planning Board recommend a condition that the finishes on the addition be adjusted to be more sympathetic and compatible with the historical structure. Friendly amendment was accepted by **H. Zuckerman**.

- C. AGENDA TITLE: Public hearing and consideration of a NONCONFORMING USE REVIEW (LUR2015-00118) request to amend the approved operating characteristics for the Alpine Modern Café at 904 College Ave. within the RL-1 zone district to allow for beer and wine sales during regular business hours, and to extend the closing time from 7:00 p.m. (existing) to 9:00 p.m. (proposed) Mondays through Thursdays. No other changes to the existing operating characteristics are proposed.

Applicant: Lon McGowan
Owner: James Carter

Board members were asked to reveal any ex-parte contacts they may have had on this item.

J. Gerstle used to live in the neighborhood

J. Putnam rides bike by that spot

Staff Presentation:

C. Ferro introduced the item.

C. Van Schaack presented the item to the board.

Board Questions:

C. Van Schaack answered questions from the board.

Applicant Presentation:

Lon McGowan, the applicant, presented the item to the board.

Board Questions:

Lon McGowan, the applicant, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

Key Issue #1: Is the proposal consistent with the Use Review criteria including the additional criteria for Modifications to Nonconforming Uses set forth in Sections 9-2-15(e) and (f), B.R.C. 1981?

- **B. Bowen**, great this place exists. Should be happening. More walkable in the neighborhood. Steel split rail concern. Do something artful.
- **L. Payton**, other places with no amplified music, still loud. If only 12-15 ppl, not sure how to keep it there. Staff said would have to obey the noise ord. Liquor license controls from going outside.

Motion:

On a motion by **B. Bowen** seconded by **J. Putnam** the Planning Board voted 6-0 (**C. Gray** absent) approve the Use Review application LUR2015-00118, adopting the staff memorandum as findings of fact, including the attached analysis of review criteria, and subject to the recommended conditions of approval found in the packet.

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

- A. Changes to Tax Credits Available for Residential and Commercial Restoration of Historic Structures**

After attending the June Landmarks Board meeting, **L. Payton** informed the Planning Board of the details regarding tax credits that are available for residential and commercial restoration of historic structures.

B. Collaboration between the EAB and Planning Board

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 8:26 p.m.

APPROVED BY

Board Chair

DATE

DRAFT



INFORMATION PACKET MEMORANDUM

To: Mayor and Members of Council

From: Jane S. Brautigam, City Manager
Maureen Rait, Executive Director of Public Works
Mike Sweeney, Director of Public Works for Transportation
Jeff Arthur, Director of Public Works for Utilities
Annie Noble, Acting Principal Engineer for Flood and Greenways
Ward Bauscher, Engineering Project Manager, Flood and Greenways
Dave Kemp, Transportation Planner II
Christin Shepherd, Civil Engineer I, Flood and Greenways

Date: June 21, 2016

Subject: Call-up Item: Community and Environmental Assessment Process (CEAP) Report
Recommendations for the Fourmile Canyon Creek Greenways Improvement Project
from Upland Avenue to West of Broadway

EXECUTIVE SUMMARY

This item provides the City Council with an opportunity to review and call up the Community and Environmental Assessment Process (CEAP) report recommendations for the Fourmile Canyon Creek Greenways Improvement Project from Upland Avenue to West of Broadway. The objective of this project is to apply flood mitigation and multi-use paths to improve flood safety and accessibility in the area east of Crest View Elementary School.

On May 17, 2016, the Greenways Advisory Committee (GAC) approved (5-0) the recommended flood mitigation and multi-use path alternatives that included:

- Underpasses at Violet Avenue and Upland Avenue
- Sediment capture within Violet Park
- Future collaboration with Open Space and Mountain Parks (OSMP) to address sediment and flood issues upstream of Broadway
- Future 50-year channel improvements from 9th to 19th Street
- Multi-use path Options 1, 2A and 3A:
 - Connection to Countryside Village (mobile home park)
 - North Alignment through Violet Park

- Connect Upland Avenue to Violet Avenue via Fourmile Canyon Creek

The approved motion by the GAC is included as Attachment A, and a map illustrating the recommended alternatives is included as Attachment B.

Final CEAP report recommendations for the The Fourmile Canyon Creek Greenways Improvement Project from Upland Avenue to West of Broadway are subject to call up for 30 days (June 22 – July 22). If City Council does not call up the CEAP recommendations, the design and permitting processes for the recommendations from Violet Park to 19th Street will begin in the fall of 2016.

The final CEAP report (dated June 6, 2016) is available at: https://www-static.bouldercolorado.gov/docs/FINAL_2016_Fourmile_Upland_to_Broadway_CEAP-1-201606060914.pdf. The audio recording of the GAC meeting is available at: <https://bouldercolorado.gov/boards-commissions/greenways-meetings-and-events>.

FISCAL IMPACT

Funding for all CEAP recommendations (excluding 50-year channel improvements) is being proposed in the 2017-2022 Capital Improvements Program (CIP), with a portion of the funding already included in the 2016 budget. Council will be asked to consider the funding through the 2017 budget process.

On April 18, 2016, the Water Resources Advisory Board (WRAB) received public feedback requesting that staff expand the original recommendation for flood mitigation alternatives to accommodate a 50-year storm event between Broadway and 19th Street. This work would begin once the flood improvements between Violet Avenue and Upland Avenue are completed. The cost for the 50-year channel improvements is not currently included in the proposed 2017-2022 CIP, and council will be asked to consider funding for the 50-year channel improvements at a later time.

The following table highlights proposed CIP funding for this project:

<i>CIP Year</i>	<i>Contribution from Flood</i>	<i>Contribution from Greenways</i>
2016	\$500,000	\$270,000
2017-2022*	\$5,000,000	\$800,000
Total	\$6,570,000	

**includes UDFCD Contribution: \$1.45 Million*

Concept level costs for the recommended improvements are as follows:

Underpasses at Violet Avenue and Upland Avenue (including channel improvements between)	\$6,300,000
Sediment Capture at Violet Park	\$80,000
Preferred Multi-Use Path Alternatives	\$170,500
Total Cost	\$6,550,500

The cost for 50-year channel improvements is estimated to be an additional \$8.2 Million.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic:** The recommended underpasses and multi-use path would complete a missing link in the multi-use path system. Completing multimodal travel connections supports Boulder's economic vitality by connecting more neighborhoods to schools, parks and commercial properties while also improving the efficiency of the transportation system.
- **Environmental:** The multi-use path connection would help reduce greenhouse gas emissions by promoting non-motorized transportation, which helps meet the goals of the Transportation Master Plan and Climate Action Plan. Construction of the recommended multi-use path connections involves construction activities in and around Fourmile Canyon Creek, which will likely temporarily remove habitat during construction. After construction, native vegetation will be replaced, and it is anticipated that disturbed species will return to an enhanced habitat area at the project site. Increased use by humans or domestic animals is not anticipated to greatly impact the wildlife. Precaution will be taken during design to keep path alignments out of the wetlands and wetland buffer as much as possible to allow for the ecology of the stream corridor to remain continuous.
- **Social:** The recommended path and underpasses would improve health and safety by providing a safe crossing at Violet Avenue and Upland Avenue for students and other path users by separating bikes and pedestrians from vehicles. The underpasses may also encourage more students to bike or walk to school.

BACKGROUND

In 2009, City Council accepted the Fourmile Canyon Creek and Wonderland Creek Flood Mitigation Final Plan. At that time, council stated the importance of flood improvements at Crest View Elementary School to provide safer vehicular access during a major storm event. Crest View Elementary School is located at the northwest corner of 19th Street and Sumac Avenue, and flooding during a 100-year storm event would prohibit safe vehicular access to and from the school.

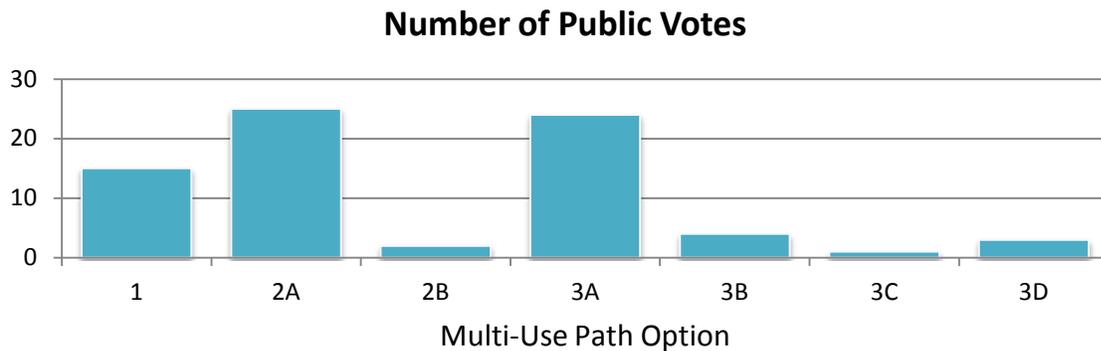
The 2009 Mitigation Final Plan originally called for 100-year floodplain containment from Violet Avenue to 26th Street, but due to lack of public support, this recommendation was changed to high hazard containment, floodproofing and providing safer access to Crest View Elementary School. The September 2013 flooding event caused significant flooding damage to homes, public infrastructure and utilities, in addition to significant sediment transport throughout the Fourmile Canyon Creek length. It also increased public awareness and created a desire to mitigate flood risk. As a result of the 2013 flood event, staff re-examined the conclusions in the 2009 Mitigation Final Plan to address spill flows, sediment containment, high hazard zone containment and feasible multi-use paths.

In early 2015, staff reviewed alternatives and plans for greenway trail extensions and connections along Fourmile Canyon Creek. The review determined that potential improvements for greenway multi-use paths could reasonably combine with floodplain mitigation efforts to make a singular, more beneficial project. This project would serve a two-fold purpose. First, it would complete a missing link in the multi-use path system between 19th Street and Broadway as shown in the Greenways Master Plan, Transportation Master Plan and the North Boulder Sub-Community Plan. Second, the project would likely decrease risk for structures currently within

the 100-year floodplain along Fourmile Canyon Creek. This effort would also allow vehicular access to Crest View Elementary School during major flood events and would reduce costs for both multi-use path and flood mitigation alternatives compared to completing these alternatives separately.

Public Feedback

On November 18, 2015, in conjunction with a listening session for the Boulder Valley Comprehensive Plan update, a variety of city departments hosted an open house at Crest View Elementary School to showcase projects in north Boulder. Approximately 124 people attended the open house, and 30 people provided feedback on multi-use path alternatives. The multi-use path alternatives were divided into three segments (segment 1, 2, and 3) with the option to provide feedback on more than one segment. Based on public comment, multi-use path options 1, 2A and 3A were the preferred options and are all being recommended for construction. Additional public comments from the open house focused on maximizing sediment capture in Violet Park and upstream of Broadway to minimize impacts on private property.



ANALYSIS

The CEAP evaluated seven flood mitigation alternatives:

- FM1: Multiple Detention Facilities (west of Broadway)
- FM2: Single Detention Facility (west of Broadway)
- FM3: Fourmile Canyon Creek 100-year Channel Improvements
- FM4: Spill Flow Diversion to Wonderland Creek
- FM5: Fourmile Canyon Creek 50-year Channel Improvements
- FM6: Fourmile Canyon Creek Sediment Capture Facility
- FM7: 2009 Fourmile Canyon Creek and Wonderland Creek Flood Mitigation Final Plan recommendations: safer access to Crest View Elementary through increased channel capacity from Violet Park to 19th Street

All Fourmile Canyon Creek flood mitigation measures that were evaluated require significant financial resources. However, the relative cost of the recommended flood mitigation alternative (FM7), as compared to other improvements evaluated as part of this CEAP, is significantly lower. In addition, these improvements address critical needs such as:

- Removing a fire station from the 500-year floodplain

- Reducing flood risk within the project limits, including safer vehicular access to Crest View Elementary School
- Increasing use of alternative modes of transportation and a corresponding decrease in greenhouse gas emissions by extending the city's multi-use path system
- Integrating flood mitigation improvements with recommended multi-use path options
- Increasing safety of pedestrians and bicyclists by eliminating the at-grade crossing at Violet Avenue and Upland Avenue
- Increasing recreational opportunities for the neighborhood by extending the multi-use path system to and through Violet Park

Multi-use path alternatives were evaluated based on the North Boulder Sub-Community Plan, Greenways Master Plan and the Transportation Master Plan. These master plans identify a missing link in the multi-use path system between 19th Street and Broadway. In 2012, a CEAP was completed and recommended a multi-use path underpass at 19th Street, and a multi-use path and secondary emergency access extension between 19th Street and Tamarack Avenue. The design for the 2012 CEAP recommendations is currently underway, and construction funds are provided in the Flood Utilities and Greenways CIP.

The CEAP, from Upland Avenue to West of Broadway, evaluated seven multi-use path alignment alternatives to complete the missing link in the multi-use path system between 19th Street and Broadway. The following options were evaluated:

- Option 1: Connection to Countryside Village (mobile home park)
- Option 2A: North Alignment through Violet Park
- Option 2B: South Alignment through Violet Park
- Option 3A: Connect Upland Avenue to Violet Avenue via Fourmile Canyon Creek
- Option 3B: Connect Upland Avenue to Violet Avenue via 17th Alignment
- Option 3C: Connect Upland Avenue to Violet Avenue via South Alignment on Violet Avenue
- Option 3D: Connect Upland Avenue to Violet Avenue via North Alignment on Violet Avenue

Multi-use path Options 1, 2A and 3A had significant public support and were approved (5-0) by the GAC. These alternatives allow for safer access to Crest View Elementary School and minimize disturbance by taking advantage of the area that is already being impacted by the recommended flood mitigation alternative.

NEXT STEPS

The Fourmile Canyon Creek Greenways Improvement Project from Upland Avenue to West of Broadway CEAP is subject for call-up through July 22, 2016. If the CEAP is not called-up, staff will begin the design work and permitting process for the recommended flood mitigation and multi-use path improvements. Coordination with the Parks and Recreation and OSMP Departments will continue through the design and construction phases. Council will be asked to consider funding for this project through the 2017 budget process.

For more information on this project, contact Ward Bauscher, Engineering Project Manager, at 303-441-4199 or bauscherw@bouldercolorado.gov.

ATTACHMENTS

Attachment A - Greenways Advisory Committee Approved Motion (May 17, 2016)

Attachment B - Recommended Flood Mitigation and Multi-Use Path Alternatives

ATTACHMENT A: Greenways Advisory Committee Approved Motion (May 17, 2016)

Staff recommends a motion from the Greenways Advisory Committee to City Council to accept the CEAP for the Fourmile Canyon Creek Greenways Improvements from Upland Avenue to West of Broadway. This recommendation includes:

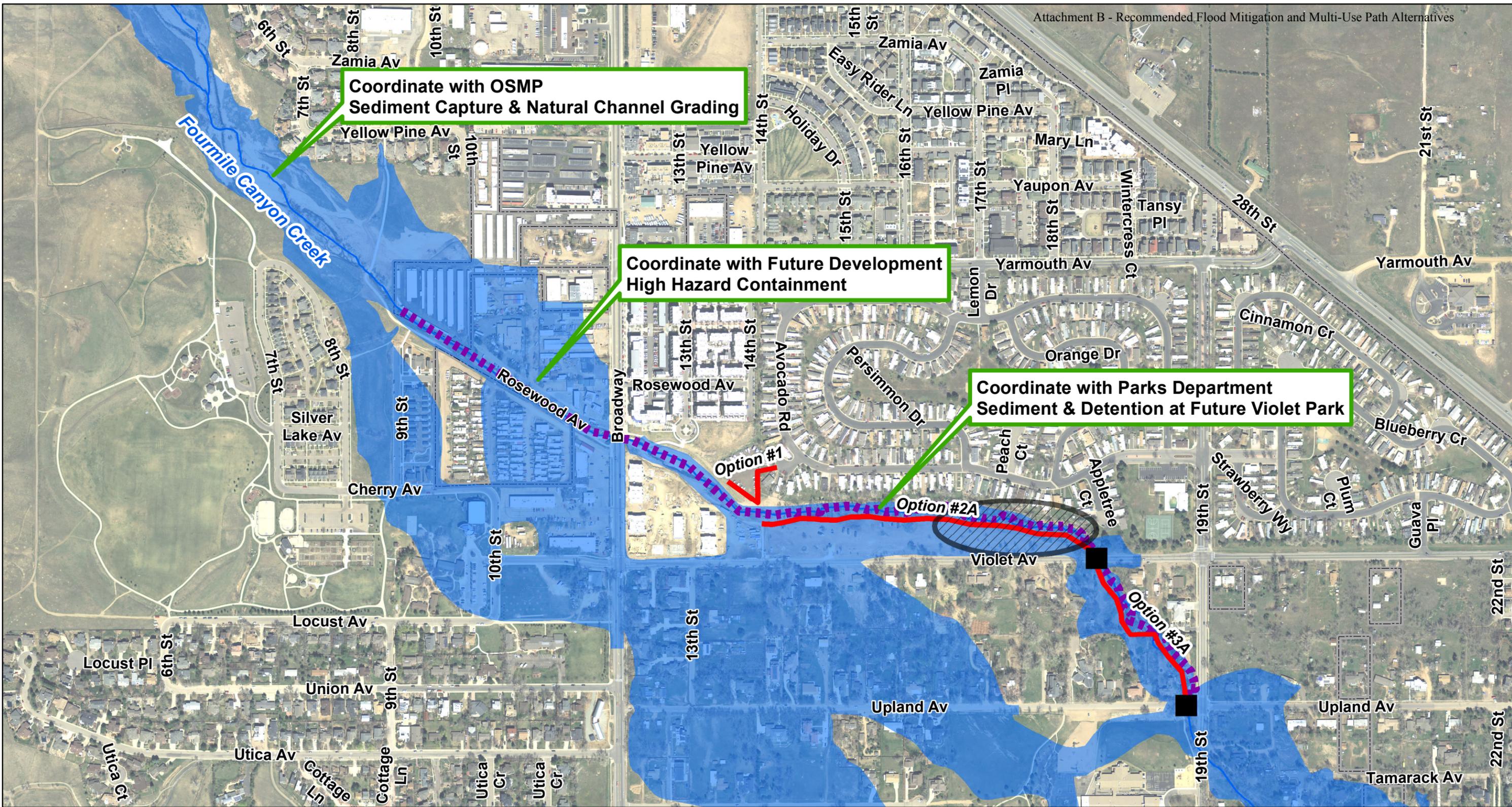
- Flood Mitigation Alternative 7 (FM7) - Provide safer access to Crest View Elementary which includes:
 - Underpasses at Violet Avenue and Upland Avenue,
 - Channel improvements between Violet Avenue and Upland Avenue, and
 - Sediment capture within Violet Park while balancing meaningful multi-use path and park development opportunities.

- Multi-Use Path Options:
 - Option 1: Connection to Countryside Village (mobile home park)
 - Option 2A: North Alignment through Violet Park
 - Option 3A: Connect Violet Avenue and Upland Avenue via Fourmile Canyon Creek

- Future collaboration with OSMP to address sediment and flood issues upstream of Broadway as:
 - Multi-stage, natural channel in conjunction with habitat and restoration improvements in the upstream area
 - Evaluation of sediment detention basin close to storage units in conjunction with habitat and restoration improvements

- Upon completion of Flood Mitigation Alternative 7, incorporation of 50-year channel improvements from 9th to 19th Street including addressing downstream impacts on Wonderland Creek.

Pending GAC approval, City Council will receive the CEAP as a call-up item in the summer of 2016.



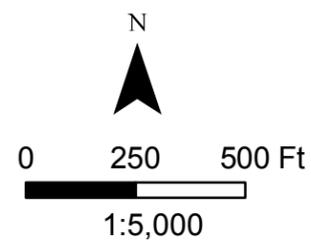
Legend

-  Effective 100-year Floodplain
-  Creek

 Future Coordination Opportunities

-  50-year Channel Improvements
-  Multi-Use Path Alignment

-  Sediment Capture
-  Underpass Location



**Fourmile Canyon Creek
Community & Environmental
Assessment Process**

Staff Recommendations



**INFORMATION PACKET
MEMORANDUM**

To: Members of City Council

From: Jane S. Brautigam, City Manager
David Driskell, Executive Director of Planning, Housing and Sustainability
Susan Richstone, Deputy Director of Planning, Housing and Sustainability
Charles Ferro, Development Review Manager
Caeli Hill, Associate Planner

Date: June 21, 2016

Subject: Call-Up Item: Vacation of an existing 1,224 square foot emergency access easement located in the northeast corner of the property and the vacation of emergency access easement rights in an existing 9,591 square foot Water, Sanitary Sewer, and Emergency Access Easement located in the northeast portion of the property at 3107 Iris Ave. (ADR2016-00108).

EXECUTIVE SUMMARY:

The applicant requests vacation of an existing 1,224 square foot emergency access easement located in the northeast corner of the property and the vacation of emergency access easement rights in an existing 9,591 square foot Water, Sanitary Sewer, and Emergency Access Easement on Outlot A. Both easements are located at 3107 Iris Ave. (refer to **Attachment D** for exact locations). The smaller one was dedicated to the City of Boulder on the final plat of the Replat of Lots 2 & 3, Bank of Boulder Park (Reception No. 394931) on May 9, 1980. The larger one was dedicated to the City of Boulder pursuant to the Water, Sanitary Sewer, and Emergency Access Easement and recorded at Film No. 1093, Reception No. 371661 on November 26, 1979.

These easement vacations are requested in order to develop the property to be consistent with the Conditions of Approval (**Attachment F**, *Notice of Disposition for Site Review*) for the approved site review (LUR2015-00088). A new configuration for emergency access has been approved through the site review process. These emergency access easements have never been open to pedestrian or vehicular traffic and are not recognized by emergency services creating no further public need for them. The proposed vacations were approved by staff on May 23, 2016. There are two scheduled City Council meetings within the 30-day call-up period on June 7, 2016 and June 21, 2016.

CODE REQUIREMENTS:

Pursuant to the procedures for easement vacations set forth in subsection 8-6-10(b), B.R.C. 1981, the city manager has approved the vacations of a 1,224 square foot emergency access easement, and the emergency access easement rights in a 9,591 square foot Water, Sanitary Sewer and Emergency Access Easement. The date of staff approval of the easement vacation was May 23, 2016 (refer to **Attachment E, Notice of Disposition**). These vacations do not require approval through ordinance based on the following criteria:

- It has never been open to the public; and
- It has never carried regular vehicular or pedestrian traffic.

These vacations will be effective 30 days later on June 22, 2016 unless the approval is called up by City Council.

FISCAL IMPACTS:

None identified.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

Economic: None identified.

Environmental: None identified.

Social: None identified.

BACKGROUND:

The subject property is approximately 41,285 square feet in area located in the Crossroads area of Boulder (refer to Attachment A, *Vicinity Map*). The site is located in a Business-Transitional 1(BT-1) zone district. Both easements are officially established on Outlot A of the Replat of Lots 2 & 3, Bank of Boulder Park, which is otherwise known as 3105 Iris Ave. The smaller easement was dedicated to the City of Boulder in the records of the Boulder County Clerk at Recorder on the final plat of Replat of Lots 2 & 3, Bank of Boulder Park (Reception No. 394931) on May 9, 1980. The larger easement was dedicated to the City of Boulder pursuant to the Water, Sanitary Sewer, and Emergency Access Easement recorded at Film No. 1093, Reception No. 371661 on November 26, 1979.

Planning Board approved a Site Review (LUR2015-0008) for the redevelopment of the existing Bank of Boulder office park that consists of an approximately 42,000 square foot office building and redesign of the site for efficiency. This new site design provides for a reconfiguration of the parking and emergency access within the existing Bank of Boulder Planned Unit Development (P.U.D.) (**Attachment B, Site Plan**).

Given that the vacation of the subject easements were a requirement of a Site Review approval and that there is no public need for the easements, failure to vacate the requested easements would cause hardship to the property owner by limiting the development potential of the property.

ANALYSIS:

Staff finds the proposed vacation of these emergency access easements consistent with the standards set forth in subsection (b) of section 8-6-10, "*Vacation of Public Easements*", B.R.C. 1981. Specifically, staff has determined that no public need exists for the easements being vacated.

No vacation of a public easement shall be approved unless the approving agency finds that:

- ✓ 1. Change is not contrary to the public interest.
- ✓ 2. All agencies having a conceivable interest have indicated that no need exists, either in the present or conceivable future, for its original purpose or other public purpose.
- ✓ 3. Consistent with the Comprehensive Plan and Land Use Regulations.
- N/A a. Failure to vacate the easement would cause a substantial hardship to the use of the property consistent with the Comprehensive Plan and Land Use Regulations; or
- ✓ b. Would provide a greater public benefit than retaining the property in its present status.

The new site configuration, approved through site review (LUR2015-00088) provides for fire apparatus access that is: better designed, meets International Fire Code requirements and is in a more centralized location providing for a safer environment for the public and visitors to this property.

PUBLIC COMMENT AND PROCESS:

Notice of these vacations will be advertised in the Daily Camera within the 30-day call up period. Staff has received no written or verbal comments adverse to the vacation.

NEXT STEPS:

If the requested vacations are not called up by City Council then the Deed of Vacation (**Attachment C**) will be recorded. If the requested vacations are called up, and subsequently denied, the applicant will be limited to development on the property outside of the easement areas.

ATTACHMENTS:

- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Deed of Vacation
- Attachment D: Exhibit A & Exhibit B
- Attachment E: Notice of Disposition- Easement Vacation
- Attachment F: Notice of Disposition- Site Review Approval



For Administrative Purposes Only
Address: 3107 Iris Avenue
Case No.: ADR2016-00108

DEED OF VACATION

The City of Boulder, Colorado, does hereby vacate and release to the present owner of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, the following easements:

- 1) an emergency access easement dedicated to the City of Boulder on the Replat of Lots 2 & 3, Bank of Boulder Park on May 9, 1980 and recorded in the records of the Boulder County Clerk and Recorder at Reception No. 394931 containing 1,224 square feet located at 3107 Iris Avenue and more particularly described on Exhibit A attached hereto and incorporated herein; and
- 2) the emergency access easement rights of the Water, Sanitary Sewer and Emergency Access Easement dedicated to the City of Boulder and recorded in the records of the Boulder County Clerk and Recorder at Film No 1093, Reception No. 371661 on November 26, 1979 containing 9,591 square feet at 3107 Iris Avenue and more particularly described on Exhibit B attached hereto and incorporated herein

The above easement vacations and releases of said easements at 3107 Iris Avenue shall extend only to the portions and the types of easements specifically vacated. The within vacations are not to be construed as vacating any rights-of-way, easements or cross-easements lying within the description of the vacated portions of the easements.

Executed this _____ day of _____, 2016, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado.

CITY OF BOULDER, COLORADO

By: _____
Jane S. Brautigam, City Manager

Attest:

City Clerk

Approved as to form:


City Attorney's Office

6-10-16
Date

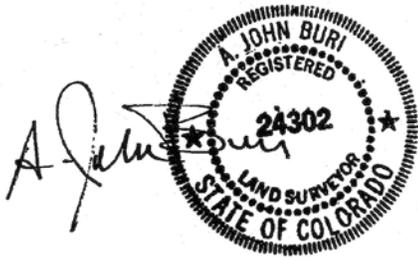
**EXHIBIT A
(PAGE 1 OF 2)**

LEGAL DESCRIPTION – EMERGENCY ACCESS EASEMENT

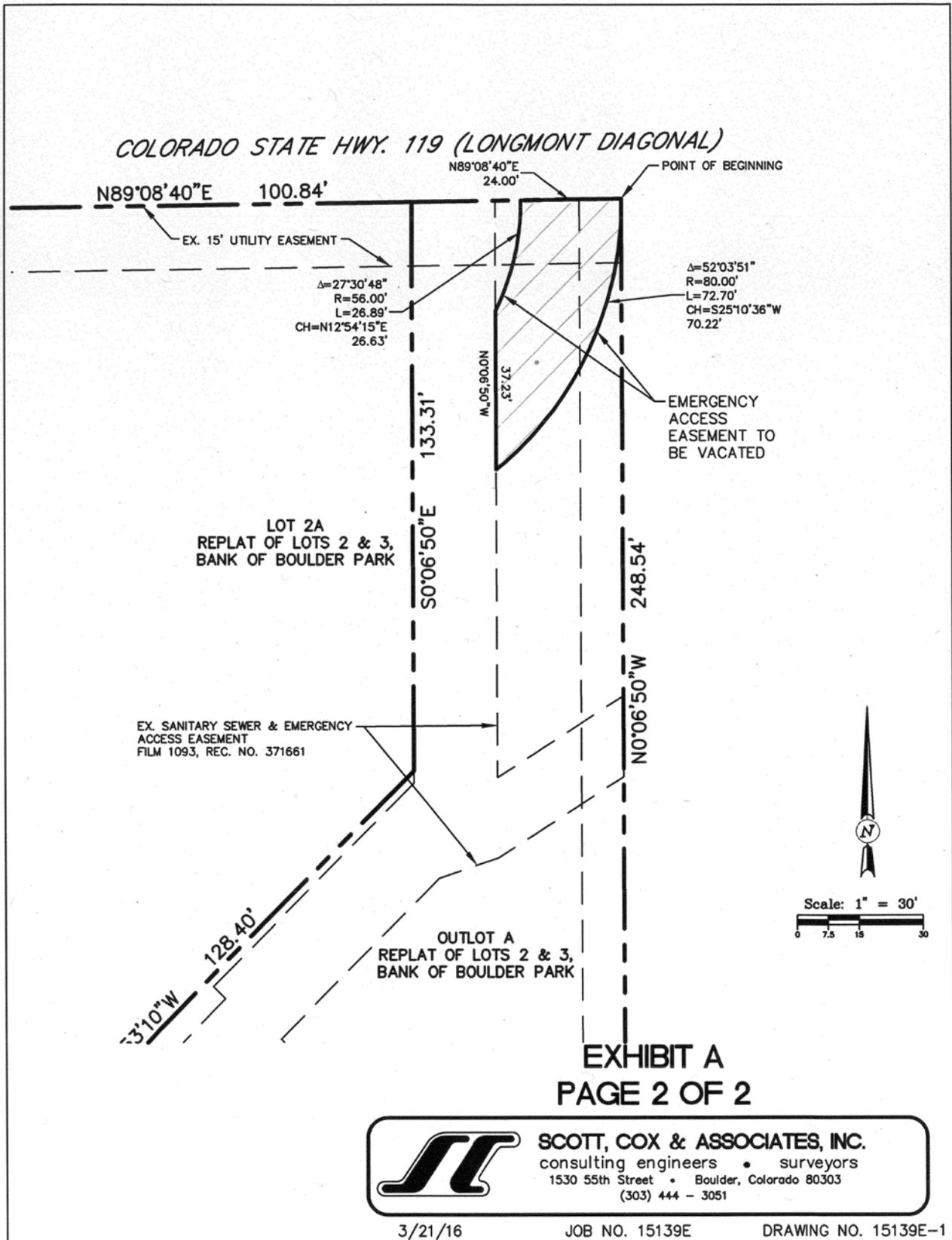
AN EMERGENCY ACCESS EASEMENT BEING A PORTION OF OUTLOT A, REPLAT OF LOTS 2 & 3 BANK OF BOULDER PARK, A PLAT RECORDED MAY 9, 1980 AT RECEPTION NUMBER 394931 OF THE BOULDER COUNTY RECORDS, LOCATED IN THE NE 1/4 OF SECTION 20, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID OUTLOT A, WHENCE THE NORTH LINE OF SAID OUTLOT A BEARS N89°08'40"E, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE SOUTHERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 52°03'51" AND BEING SUBTENDED BY A CHORD WHICH BEARS S25°10'36"W, 70.22 FEET, 72.70 FEET;
THENCE N00°06'50"W, 37.23 FEET;
THENCE NORTHERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 56.00 FEET AND A CENTRAL ANGLE OF 27°30'48" AND BEING SUBTENDED BY A CHORD WHICH BEARS N12°54'15"E, 26.63 FEET, 26.89 FEET TO THE NORTH LINE OF SAID OUTLOT A;
THENCE N89°08'40"E, ALONG SAID NORTH LINE 24.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 1224 SQUARE FEET OR 0.028 ACRES.



A. JOHN BURI P.L.S. #24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.
1530 55TH STREET
BOULDER, COLORADO 80303
303.444.3051
03/21/16
PROJECT NO. 15139E



SCOTT, COX & ASSOCIATES, INC.
 consulting engineers • surveyors
 1530 55th Street • Boulder, Colorado 80303
 (303) 444 - 3051

3/21/16 JOB NO. 15139E DRAWING NO. 15139E-1

EXHIBIT B
(Page 1 of 2)

LEGAL DESCRIPTION – EMERGENCY ACCESS EASEMENT

AN EMERGENCY ACCESS EASEMENT BEING A PORTION OF OUTLOT A, REPLAT OF LOTS 2 & 3 BANK OF BOULDER PARK, A PLAT RECORDED MAY 9, 1980 AT RECEPTION NUMBER 394931 OF THE BOULDER COUNTY RECORDS, LOCATED IN THE NE 1/4 OF SECTION 20, T1N, R70W OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID OUTLOT A, WHENCE THE NORTH LINE OF SAID OUTLOT A BEARS N89°08'40"E, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE S89°08'40"W, 30.00 FEET TO A POINT ON AN EXISTING SANITARY SEWER & EMERGENCY ACCESS EASEMENT RECORDED AT RECEPTION NO. 371661, THE POINT OF BEGINNING;

THENCE ALONG SAID EASEMENT THE FOLLOWING ELEVEN (11) COURSES:

- 1) S00°06'50"E, 135.20 FEET;
- 2) N57°26'40"E, 35.55 FEET;
- 3) S00°06'26"E, 18.96 FEET;
- 4) S57°26'40"W, 35.55 FEET;
- 5) S71°38'20"W, 14.89 FEET;
- 6) S44°53'10"W, 53.14 FEET;
- 7) S45°06'50"E, 38.44 FEET;
- 8) N89°53'10"E, 54.54 FEET;
- 9) S00°06'50"E, 20.00 FEET;
- 10) S89°53'10"W, 128.90 FEET;
- 11) S44°53'10"W, 19.86 FEET;

THENCE N45°06'50"W, 20.00' TO A POINT ON SAID EXISTING SANITARY SEWER & EMERGENCY ACCESS EASEMENT;

THENCE ALONG SAID EASEMENT THE FOLLOWING SEVEN (7) COURSES:

- 1) N44°53'10"E, 64.01 FEET;
- 2) S45°06'50"E, 4.00 FEET;
- 3) N44°53'10"E, 20.00 FEET;
- 4) N45°06'50"W, 4.00 FEET;
- 5) N44°53'10"E, 67.43 FEET;
- 6) N00°06'50"W, 136.14 FEET;
- 7) N89°08'40"E, 20.00 FEET TO THE POINT OF BEGINNING;

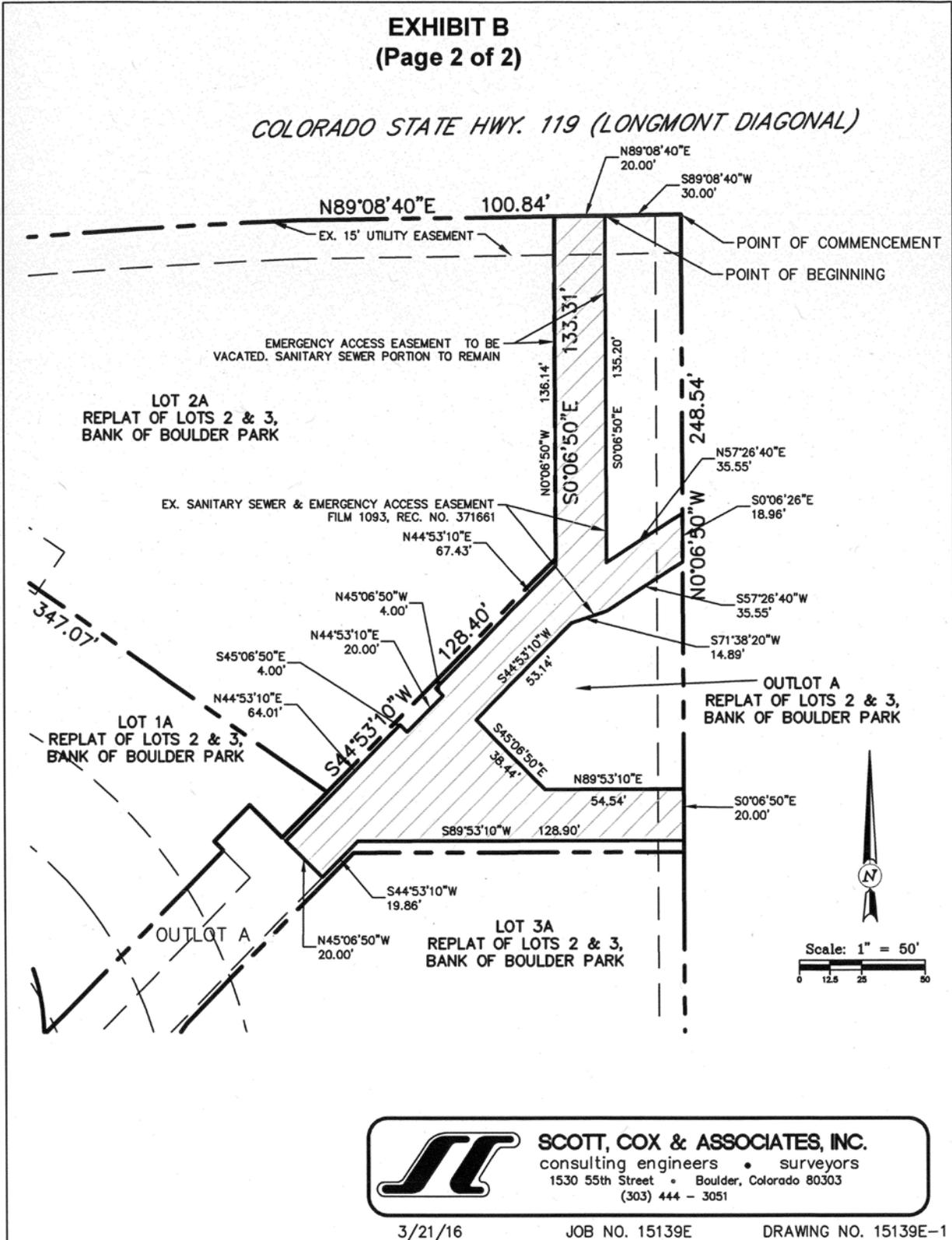
SAID PARCEL CONTAINS 9,591 SQUARE FEET OR 0.220 ACRES.



A. JOHN BURI P.L.S. #24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.
1530 55TH STREET
BOULDER, COLORADO 80303
303.444.3051
03/21/16
PROJECT NO. 15139E

EXHIBIT B
(Page 2 of 2)

COLORADO STATE HWY. 119 (LONGMONT DIAGONAL)



SCOTT, COX & ASSOCIATES, INC.
 consulting engineers • surveyors
 1530 55th Street • Boulder, Colorado 80303
 (303) 444 - 3051

3/21/16 JOB NO. 15139E DRAWING NO. 15139E-1



CITY OF BOULDER
Planning, Housing & Sustainability

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

CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION

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

DECISION: APPROVED WITH CONDITIONS
PROJECT NAME: Bank of Boulder Park PUD Amendment
DESCRIPTION: SITE REVIEW for a new 42,250 sq. ft. office building within the Bank of Boulder Park PUD.
LOCATION: 3107 Iris Ave.
COOR: N06W03
LEGAL DESCRIPTION: Lot 2A, Replat of Lots 2 and 3, Bank of Boulder Park, County of Boulder, State of Colorado
APPLICANT: Erik Hartronft
OWNER: DellaCava Family LLC
APPLICATION: Site Review, LUR2015-00088
ZONING: BT-1
CASE MANAGER: Chandler Van Schaack
VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.

APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS:

- Section 9-7-1, "Form and Bulk Standards"
– Reduction of front yard setback from 20 feet to 15 feet
– Reduction of rear yard setback from 20 feet to 0 feet
- Section 9-9-6, "Parking Standards" – 16% parking reduction to allow for 219 parking spaces where 262 are required per the nonresidential parking standards for the BT-1 zone.

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

Approved On: 12/14/15
Date

By: David Driskell
David Driskell, Executive Director of Community Planning and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: 12/28/15

Final Approval Date: 12/29/15

Address: 3107 Iris Ave.

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

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

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on November 9, 2015 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following:
 - a. Annexation Agreement recorded at Film No. 780, Reception No. 00026810 on July 18, 1972;
 - b. Subdivision Agreement recorded at Film No. 913, Reception No. 00165150 on January 27, 1976;
 - c. Subdivision Agreement recorded at Film No. 1116, Reception No. 00394932 on May 9, 1980; and
 - d. Bank of Boulder Office Park PUD dated April 12, 1972, as amended, including # P-90-55.
3. Prior to a building permit application, the Applicant shall submit, and obtain City Manager approval of, a Technical Document Review application for the following items:
 - a. **Final architectural plans**, including material samples and colors, to insure compliance with the intent of this approval and compatibility with the surrounding area. The architectural intent shown on the approved plans dated November 9, 2015 is acceptable. Planning staff will review plans to assure that the architectural intent is performed.
 - b. A **final site plan** which includes detailed floor plans and section drawings.
 - c. A **final utility plan** meeting the City of Boulder Design and Construction Standards.
 - d. A **final storm water report and plan** meeting the City of Boulder Design and Construction Standards.
 - e. **CDOT access permit** meeting the CDOT Access Code Standards, for the closure of the existing access point from State Highway 119.
 - f. A **detailed landscape plan**, including size, quantity, and type of plants existing and proposed; type and quality of non-living landscaping materials; any site grading proposed; and any irrigation system proposed, to insure compliance with this approval and the City's landscaping requirements. Removal of trees must receive prior approval of the Planning Department. Removal of any tree in City right of way must also receive prior approval of the City Forester.
 - g. A **detailed outdoor lighting plan** showing location, size, and intensity of illumination units, indicating compliance with section 9-9-16, B.R.C.1981.

Address: 3107 Iris Ave.

Attachment F - Notice of Disposition - Site Review Approval

- h. A **detailed shadow analysis** to insure compliance with the City's solar access requirements of section 9-9-17, B.R.C.
- 4. Prior to a building permit application, the Applicant shall dedicate to the City, at no cost, the following easements as shown on the approved plans, meeting the City of Boulder Design and Construction Standards, as part of Technical Document Review applications, the form and final location of which shall be subject to the approval of the City Manager:
 - a. A **25-foot wide utility easement** for the installation of a fire hydrant near the southwest corner of the proposed building; and
 - b. A **utility easement** for the placement of the domestic water and irrigation meters near the southeast corner of the proposed building.
- 5. Prior to a building permit application, the Applicant shall submit a **financial guarantee**, in a form acceptable to the Director of Public Works, in an amount of \$50,362.00 equal to the cost of providing eco-passes to the employees of the development for three years after the issuance of a certificate of occupancy as proposed in the Applicant's Travel Demand Management (TDM) Plan.
- 6. Prior to issuance of a building permit, the Applicant shall **vacate a portion of an emergency access easement which runs south from State Highway 119** in the northeast corner of property, the form and final location of the vacation shall be subject to the approval of the City Manager:

Address: 3107 Iris Ave.

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
May 19, 2016, 5 p.m.
1777 Broadway, Council Chambers

Board Members Present: David Schafer (Chair), Jill Grano (V. Chair), Ellen McCready, Jill Lester, Michael Hirsch

Board Members Absent: N/A

City Attorney Representing Board: Erin Poe

Staff Members Present: Brian Holmes, Robbie Wyler, Cindy Spence

1. CALL TO ORDER:

D. Schafer called the meeting to order at 5:08 p.m.

BOZA first discussed Public Hearing Item 2E (Docket No.: BOZ2016-11) to request a continuation. Followed by Public Hearing Item 2D (Docket No.: BOZ2016-10) regarding modifications to site plan, proper public notice and to ask BOZA if a continuance is recommended.

2. BOARD HEARINGS:

A. Docket No.: BOZ2016-07

Address: 2335 Pine Street

Applicant: Rachel Sours-Page

Setback Variance: As part of a proposal for a second story addition and remodel of an existing non-standard residence on a non-standard lot, including a proposal to rebuild the existing first floor rear porch, the applicant is requesting a variance to the rear yard (north) setback. The resulting rear yard setback will be 10'-10 1/4" where 25 feet is required and where approximately 10'-10 1/4" exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

J. Grano recused herself from this item.

Staff Presentation:

B. Holmes presented the item to the board.

Board Questions:

B. Holmes answered questions from the Board.

Applicant's Presentation:

Rachel Sours-Page and **Alan McCluney**, the applicant, presented the item to the board.

Board Questions:

Rachel Sours-Page and **Alan McCluney**, the applicant, answered questions from the Board.

Public Hearing:

Greg Ekrem, a current neighbor, spoke in support of the project.

Board Discussion:

- **E. McCready** stated that the proposal appears in mass and scale similar to the home next door. Any addition would be difficult with the restrictions with the current lots. The proposal is minimal and would be adding a bedroom space. Wanted to state that it is not necessarily a given that everyone is allowed to expand to the size they want but she supports this project.
- **J. Lester** agreed that it is important to have structures to accommodate new families. This expansion is modest and does not exceed FAR. She expressed some concern with the mass. This is a modest proposal and does not impact neighbors.
- **M. Hirsch** stated the proposal is keeping with the neighborhood. It does not breach the side yard.
- **D. Schafer** agreed and supports the project.

Motion:

On a motion by **M. Hirssh**, seconded by **E. McCready**, the Board of Zoning Adjustment approved (4-0, **J. Grano** recused) the application (**Docket 2016-07**) as submitted.

J. Grano rejoined the meeting.

B. Docket No.: BOZ2016-08

Address: 1507 Pine Street

Applicant: Susan Dawson

Building Coverage Variance: As part of a proposal to construct a new 4-car detached garage which will provide parking for a landmarked structure (to be converted to a residential duplex), the applicant is requesting a variance to the 500 sq. ft. total cumulative building coverage of accessory buildings between the principal building rear yard setback and the rear yard property line. The resulting building coverage for the detached garage within the primary structure's rear yard setback will be approximately 924 square feet where 500 square feet is allowed and no structure exists today. Section of the Land Use Code to be modified: Section 9-7-8, BRC 1981

Staff Presentation:

R. Wyler presented the item to the board.

Board Questions:

R. Wyler answered questions from the Board.

Applicant's Presentation:

Kristen Lewis, the architect, presented the item to the board.

Board Questions:

Kristen Lewis, the architect, answered questions from the Board.

Public Hearing:

No one from the public addressed the board.

Board Discussion:

- **J. Grano**, in terms to Criteria 4, recommended deferring to Landmarks' opinion regarding the historic nature of the home and preservation.
- **M. Hirsch** noted that it is a large lot and the house has a large street presence. He agreed with the house returning to residential use. He commented that it seems like a lot of parking along the alley and a large structure.
- **E. McCready** asked if it would be in keeping with the historic nature of the lot if had the garage were split into two smaller buildings. However, she noted that directly across the alley, a five-bay structure currently exists. She supports the project and but hopes that the garage is used and appropriately sized.
- **J. Lester** concerned with the mass as well. Fortunate that the proposed garage will be in-line with the house to the north which will help minimize the mass.
- **D. Schafer** stated that the applicants could build by-right if the building were moved south. However, Landmarks wants to preserve the open space around the house and this becomes the driving force to push the building north toward the alley. The historic component and response to the open space allows for him to have support for the project. It is an urban environment and the proposal would fit within the neighborhood.

Motion:

On a motion by **J. Grano**, seconded by **J. Lester**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-08**) as submitted.

C. Docket No.: BOZ2016-09

Address: 3040 17th Street

Applicant: Lydia & Richard Dissly

Setback Variance: As part of a proposal for an addition/renovation to the entire house which includes enclosing an existing carport and converting it into a single-car attached garage, the applicant is requesting a variance to the side (south) yard setback in order to meet the combined side yard setback requirements of the zoning district. The resulting side yard setback will be approximately 5 feet where 9.5 feet is required and approximately 4.3 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

Staff Presentation:

R. Wyler presented the item to the board.

Board Questions:

R. Wyler answered questions from the Board.

Applicant's Presentation:

Richard and **Lydia Dissly**, the applicant, and **Juana Gomez**, the architect, presented the item to the board.

Public Hearing:

No one from the public addressed the board.

Board Discussion:

- **E. McCready** appreciated that the side yard setback will be pulled back to come under compliance. The five foot minimum is an important dimension to keep. With Criteria 5, in keeping with the neighborhood, almost all the homes have an enclosed garage. Therefore, she supports the proposal.
- **M. Hirsch** stated that an enclosed garage would be an improvement over the existing carport.

Motion:

On a motion by **J. Lester**, seconded by **M. Hirsch**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-09**) as submitted.

After this item, BOZA discussed Public Hearing Item 2F (Docket No.: BOZ2016-12).

D. Docket No.: BOZ2016-10

Address: 3079 10th Street

Applicant: Hugh Josephs

Building Coverage Variance: As part of a proposal to construct a 352 sq. ft. carport addition in the 25'-0" rear yard principal building setback (where an existing 374 sq. ft. accessory building exists and will remain), the applicant is requesting a variance to the 500 sq. ft. total cumulative building coverage of accessory buildings between the principal building rear yard setback and the rear yard property line. The resulting cumulative building coverage of the existing building and proposed carport within the primary structure's rear yard setback will be 726 sq. ft. where 500 sq. ft. is the maximum permitted. Section of the Land Use Code to be modified: Section 9-7-8, BRC 1981.

At the start of the meeting, BOZA discussed whether a continuance is recommended due to modifications in the description and the square footage proposed.

Staff Presentation:

B. Holmes presented the item to the board stating that modifications in square footage within the description have been altered. Public notice was completed with the incorrect square footage amounts. **B. Holmes** asked the board if a continuance should be granted based on the fact that public notice was not given with the correct amounts. The plans remain unchanged.

Motion:

On a motion by **M. Hirsch**, seconded by **J. Grano**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-10**) to be heard tonight, May 19, 2016.

After this motion, BOZA reverted back to the standard agenda order and started with Public Hearing Item 2A (Docket No.: BOZ2016-07)

Staff Presentation:

B. Holmes presented the item to the board. Modifications in sq ft. in description. Public notice was different. Asked board if should give a continuance.

Board Questions:

B. Holmes answered questions from the Board.

Applicant's Presentation:

Hugh Josephs, the applicant, and **Matthew Schexnyder**, with Caddis Architects, presented the item to the board.

Board Questions:

Hugh Josephs, the applicant, and **Matthew Schexnyder**, with Caddis Architects, answered questions from the Board.

Public Hearing:

No one from the public addressed the board.

Board Discussion:

- **M. Hirsch** stated that the submitted letters in the packet speak for themselves and a hardship exists.

Motion:

On a motion by **J. Lester**, seconded by **M. Hirsch**, the Board of Zoning Adjustment approved (4-0, E. McCready absent) the application (**Docket 2016-10**) as submitted.

E. Docket No.: BOZ2016-11

Address: 603 North Street

Applicant: Richard Roosen

Setback Variance: As part of a proposal to add an enclosed entry/mudroom to the front of the house as well as enlarge the area of an existing rooftop deck (previously approved

by BOZA), the applicant is requesting a variance to the front (south) yard setback and the side (west) yard setbacks. The resulting front yard setback for the new entry will be approximately 3.5 feet where 25 feet is required and where approximately 9.5 feet exists today. The resulting west side yard setback for the new entry will be approximately 8.16 feet where 9.8 feet is required and where 1 foot exists today. For the rooftop deck, the resulting west side yard setback will be approximately 6.6 feet (taken from the spiral stairs which were previously approved by BOZA) where 9.8 feet is required and 1 foot exists today. A proposal to enlarge the size of the rooftop deck area within the BOZA approved setbacks is proposed at this time. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

Staff Presentation:

R. Wyler presented the item to the board. Applicant is requesting a continuation due to new survey information and to bring the 2014 application up to date. The applicant will resubmit for the June 2016 BOZA meeting.

Applicant's Presentation:

Brendan Kennedy, the applicant, requested the continuance from the board in light of the new information and resubmit for the June 2016 BOZA meeting.

Motion:

On a motion by **J. Grano**, seconded by **J. Lester**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-11**) to be continued.

M. Hirsch recused himself from this item.

F. Docket No.: BOZ2016-12

Address: 735 Walnut Street

Applicant: Andrew & Wendy Cookler

Setback Variance: As part of a conversion/renovation from a commercial space to residential duplex which includes replacing exterior walls and adding a rooftop deck/cover to the single-story structure, the applicant is requesting a variance to both the east and west side yard setbacks in order to meet the combined side yard setback requirements of the zoning district. The resulting east and west side yard setback will each be approximately 10 feet where 20 feet each is required and 0 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981

Staff Presentation:

R. Wyler presented the item to the board.

Board Questions:

R. Wyler and **B. Holmes** answered questions from the Board.

Applicant's Presentation

EJ Meade and **James Trewitt**, with Arch11, Inc., and **Andy** and **Wendy Cookler**, the applicant, presented the item to the board.

Board Questions:

EJ Meade, **James Trewitt**, **Andy** and **Wendy Cookler** answered questions from the Board.

Public Hearing:

No one from the public addressed the board.

Board Discussion:

- **J. Lester** suggested that often roof top decks are not always practical. She suggested other options besides the roof top deck. Hardship needs to be considered.
- **J. Grano** stated the decision is subjective in nature. The proposal would be additional open space for a home which is a huge benefit.
- **D. Schafer** argued that the decision is not subjective. He stated that the Crisscross Rule is difficult to interpret. It often results in limited ability to use space on the site. The criterion regarding Minimal Relief asks to overlook the Crisscross Rule. He would lean more toward the unusual circumstance that created the problem and only waiving one obscure rule in the Code to allow the proposal.
- **E. McCready** suggested that due to the physical circumstances of the property, it could not be developed.
- **D. Schafer** noted that many residents in that area have rooftop decks and it is a consistent development pattern.

Motion:

On a motion by **D. Schafer**, seconded by **J. Grano**, the Board of Zoning Adjustment approved (4-0, **M. Hirsch** recused) the application (**Docket 2016-12**) as submitted.

M. Hirsch rejoined the meeting.

After this item, BOZA finished discussing Public Hearing Item 2D (Docket No.: BOZ2016-10).

E. McCready dismissed herself from the meeting.

3. GENERAL DISCUSSION:

A. Approval of Minutes

On a motion by **D. Schafer**, seconded by **J. Lester**, the Board of Zoning Adjustments voted 4-0 (**E. McCready** absent) to approve the April 14, 2016 minutes.

B. Matters from the Board

- **D. Schafer** informed the board that he would be absent from the June 9, 2016 BOZA meeting. All other board members stated they would be present.

C. Matters from the City Attorney

There were no matters from the City Attorney.

D. Matters from Planning and Development Services

- Staff informed the board that are a potential for four agenda items on the June 9, 2016 BOZA meeting.
- **B. Holmes** will be absent at the June meeting.

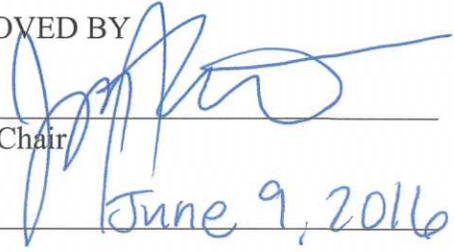
4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 7:42 P.M.

APPROVED BY

Board Chair

DATE



June 9, 2016

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

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: April 6, 2016

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sandy Briggs, 303-441-1931.

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Environmental Advisory Board Members Present: Tim Hillman, Morgan Lommele, Brad Queen, Karen Crofton and Christina Gosnell.

Staff Members Present: Brett KenCairn, Elyse Hottel, Eitan Kantor, Valerie Matheson and Jennifer Riley.

Community Members Present: Brenda Lee and Odile Fazioni.

MEETING SUMMARY:

❖ **Public Participation – Black Bear Protection Ordinance**

- **K. Crofton** asked about equal representation from the community and if the Boulder Bear Coalition could guarantee their ability to speak for everyone. This will be addressed during **V. Matheson's** staff presentation.

❖ **Sustainability Dashboard Memo, Q&A with Elyse Hottel**

- The board made the following points and requests:
 - The structure and data presented should be audience-driven, succinct and easy to digest at high levels before becoming more detailed the deeper one dives.
 - The objectives were questioned – is the reporting intended to influence behavior or validate the value of city expenditures? Or both?
 - They would like to understand both what the objectives are as well as how dashboard design is intended to accomplish them.
 - They requested an update in July before the soft rollout.

❖ **Black Bear Protection Ordinance Update Memo, Q&A with Valerie Matheson**

- The board questioned whether the data accurately reflects bear activity when the bears may simply be moving to other areas that are not being monitored.
- They also asked if any other mitigation options were being considered to compare to the current plan.
- The board agreed about the need to determine where the allotted funds would do the most good but questioned whether the CPW study would be useful in resolving the problem.
- They disagreed about the necessity and feasibility of creating a cost/benefit analysis for what is ultimately considered research.

❖ **Planning for Joint Board Open House**

- The board suggested including an introduction to the presentation explaining the mandate of the EAB, the background and context for having a joint meeting, along with an explanation as to why the other boards were invited and what their roles are in the larger picture.

- It was also suggested that a Council Member be invited to present a short Key Note speech reminding the group that Boulder’s Climate Commitment is the number one city priority and highlight the value of integrating and coordinating together towards addressing this main concern.
- It was reiterated that the purpose of having a joint meeting is to consider objectives that are not part of the specific mandate of any individual board and to engage more diverse opinions and plant seeds for where the community wants and needs to go.
- The board agreed there needs to be a consensus regarding what the desired outcomes are and what the EAB is advocating. It’s the EAB’s job to help the other boards understand how the Climate Commitment affects their decisions and how to make those decisions with Climate Commitment in mind.
- The board decided to facilitate breakout groups consisting of one EAB member and other present board members together with their respective boards. The assignments are as follows:
 - **T. Hillman** – Parks & Recreation Advisory Board
 - **M. Lommele** – Open Space Board of Trustees
 - **B. Queen** – Planning Board
 - **K. Crofton** – Landmarks Board
 - **C. Gosnell** – Transportation Advisory Board
- The EAB will provide each group with three tailored questions relevant to the particular board’s expertise and purview. For example:
 - [Something specific to the particular board and how their work relates to Climate Commitment.]
 - What are your core concerns?
 - How would you engage the community? What are the mechanisms, strategies and issues around accomplishing this?

1. CALL TO ORDER

Environmental Advisory Board Chair **T. Hillman** declared a quorum called the meeting to order at 6:05 pm.

2. ADMINISTRATIVE MATTERS

A. Approval of Minutes

On a motion by **B. Queen**, seconded by **K. Crofton**, the Environmental Advisory Board voted 5-0 to approve the March 9, 2016 meeting minutes.

B. Welcome and swearing in of new board member, Christina Gosnell

C. Gosnell read and signed the Oath of Office and was officially welcomed by the other members.

3. PUBLIC PARTICIPATION

- ❖ **Odile Fazoni**, community member, addressed the board regarding the proposed Colorado Parks & Wildlife (CPW) study relating to bear management and her belief in the need for a community voice in the proceedings. She stressed that better communication could reduce the amount of misinformation and mistrust. Since the community is looking to the Boulder Bear Coalition (BBC) for answers about what is going on, she suggested they could be the bridge for this communication between the community, CPW and the city.

She and the BBC would like to attend CPW meetings as the bear management study gets underway and asked about CPW's protocol for allowing outside attendance. She would like to receive a schedule of future meetings by the end of April so she and the BBC can arrange to participate.

- ❖ **Brenda Lee**, founder of the Boulder Bear Coalition, addressed the board about enforcement of the Bear Protection Ordinance. She would like to see a system of checks and balances and more definitive plan in place for cross-jurisdictional communication about where the bears are and what they are doing.

She further believes when the CPW study begins the BBC needs to be fully engaged with the conversations and act as a liaison and voice for the community with CPW and the city. She stressed that since everyone's working together towards the same objectives, everything needs to be transparent and on the table.

4. PUBLIC HEARING ITEMS

None.

5. DISCUSSION ITEMS

None.

6. OLD BUSINESS/UPDATES

A. Sustainability Dashboard Memo, Q&A with Elyse Hottel

E. Hottel, Sustainability Data Analyst for the Department of Planning, Housing + Sustainability, provided an overview of the citywide dashboard pilot and Open Records concepts that will launch on April 27. She answered questions regarding the progress of the C+S-specific Dashboard and the memo regarding its development provided to the board last month.

The board's comments are captured in the meeting summary.

B. Black Bear Protection Ordinance Update Memo, Q&A with Valerie Matheson

V. Matheson, Urban Wildlife Conservation Coordinator, updated the board on the progression of ordinance implementation with a three part presentation:

- Status of the phased enforcement approach,
- Bear activity waste cart monitoring,
- The proposed CPW study looking at urban bear activity and the options available to measure and mitigate human/bear confrontation while responsibly administering resources and management decisions.

J. Riley, Code Enforcement Supervisor, provided specific enforcement details regarding numbers of violations and tickets issued. She further explained the usefulness of learning where bears are going and what they are doing in determining where enforcement and education are needed most. She also clarified that Code Enforcement will respond to reports outside the Enforcement Area as needed.

The board's comments are captured in the meeting summary.

7. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY

A. Planning for Joint Board Open House

B. KenCairn provided an outline of the proposed agenda for the Climate Commitment

portion of the joint meeting and reminded the board that the biggest question is still how to bring the topic to the public in a meaningful way. This includes drawing from the purviews of the different boards to enlist their assistance in determining how total systems transformation can occur from their perspectives. Additionally, he advocated widespread use of the public Climate Commitment survey in order to obtain the greatest possible amount of information and data.

The board discussed presentation content and physical logistics to ensure the meeting's greatest impact and success.

The board's comments are captured in the meeting summary.

8. DEBRIEF MEETING/CALENDAR CHECK/ACTION ITEMS

- A. B. KenCairn** will obtain the CPW meeting schedule regarding bear management and determine whether the public will be allowed to attend.

9. ADJOURNMENT

Environmental Advisory Board adjourned at 8:35 pm.

Approved:

Chair

Date

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

NAME OF BOARD/COMMISSION: Environmental Advisory Board

DATE OF MEETING: May 4, 2016

NAME/TELEPHONE OF PERSON PREPARING SUMMARY: Sandy Briggs, 303-441-1931.

NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:

Environmental Advisory Board Members Present: Tim Hillman, Morgan Lommele, Brad Queen, Karen Crofton and Christina Gosnell.

Staff Members Present: Brett KenCairn, Casey Earp, Mackenzie Boli and Sandy Briggs

MEETING SUMMARY:

❖ **Draft Resilient Strategic Plan**

- The lack of modeling and a quantitative approach was identified, along with the need for stress tests and scenario planning.
- It was suggested that clearly capturing the identification and prioritization of vulnerabilities in the document before creating strategies for addressing them could be a more useful framework for discussion.
- The board asked about engagement and how the actions came about chronologically with results of the community risk assessment.
- The board agreed that the city should look towards creating a full Resiliency Department that isn't just a "grafting in" of a whole new mission to existing departmental structure.
- It was suggested that strategic planning around resiliency could be measured with an actuarial model.
- It was also suggested that delineating more clearly how the strategies are tied to the challenges would be helpful. This could be accomplished by placing the identified challenge icons near the descriptions of the strategies.
- Tangible first steps and clear messaging emerged as over-arching necessities.
- Case studies were suggested as a potential framework for answering the "whys" and justifying the strategies.
- The board expressed concerns about so many large initiatives losing the attention of the public and reiterated the need for clear communication from staff, consistent messaging and to facilitate the evolution of the various initiatives into a more unified approach.

❖ **Fourmile Canyon Creek CEAP Draft Document and Flood & Greenways Capital Improvement Program**

- The board found these memos difficult to parse and felt the information was too abstract for text only.
- The Greenways Advisory Committee's (GAC) EAB Representative, **M. Lommele**, may not be available to attend the GAC meeting this month and requested another volunteer.
- The board would like additional direction and visual details (photos, maps) relating to the memos in order to provide constructive feedback.
- **S. Briggs** will request this information and provide it to the board prior to the GAC

meeting in case someone is able to attend.

1. CALL TO ORDER

Environmental Advisory Board Chair **T. Hillman** declared a quorum called the meeting to order at 6:02 pm.

2. APPROVAL OF MINUTES

On a motion by **B. Queen**, seconded by **K. Crofton**, the Environmental Advisory Board voted 5-0 to approve the April 6, 2016 meeting minutes as amended.

3. PUBLIC PARTICIPATION

None.

4. PUBLIC HEARING ITEMS

A. Draft Resilient Strategic Plan (C. Earp)

Casey Earp, Assistant City Manager, provided a broad overview of the Draft Resilient Strategy and requested board feedback on behalf of Chief Resilience Officer Greg Guibert. The open public comment period is now through May 20, there is a Council Study Session on May 26, and adoption is sought in August.

The project, started in 2014, is funded for two years by the Rockefeller Foundation through its 100 Resilient Cities initiative. Boulder was one of the first of these chosen 100 cities to proceed with writing a strategic plan.

Due to the unavoidable impacts to the community, shocks and stresses – and the linkages between them – were identified as two of the most important areas to address.

What a Resiliency Plan is NOT was clarified, and that it is a conceptual strategy that will evolve and iterate over time was emphasized.

One of the bigger challenges of the project was to create a comprehensive community assessment stemming from 18 months of public engagement.

Within the larger conceptual framework, three broad strategies for action emerged:

- Connect and Prepare
- Partner and Innovate
- Transform and Integrate

Investing in the future (called the “Frontier” in the draft document), was identified as a main point to emphasize under each strategy.

The following questions were asked of the board:

- Is anything important missing from the draft strategy?
- Are there actions that align well with your strategic roadmap?

The board’s comments are captured in the meeting summary.

5. DISCUSSION ITEMS

A. Fourmile Canyon Creek CEAP Draft Document (All)

A memo was provided in the packet for board review.

The board’s comments are captured in the meeting summary.

B. Flood & Greenways Capital Improvement Program (All)

A memo was provided in the packet for board review.

The board’s comments are captured in the meeting summary.

6. OLD BUSINESS/UPDATES

- ❖ It is still to be determined what the schedule is and whether public attendance will be allowed at the Colorado Parks & Wildlife meetings regarding bear management. **S. Briggs** will determine the CPW meeting schedule and protocols and report back to the board and community members **B. Lee** and **O. Fazioni**.

7. MATTERS FROM THE ENVIRONMENTAL ADVISORY BOARD, CITY MANAGER AND CITY ATTORNEY

- A. M. Lommele** heard from a resident who feels the County EV incentives are being incorrectly advertised as a completely funded program. There has been some confusion regarding the negotiated group purchase discount on electric bicycles and which vendors are directly involved, or not, and from where the funding comes. Brad Smith with Boulder County is the main contact regarding these incentives. **M. Lommele** will follow-up with the community member to explain.
- B. Portland/Eugene Trip Report Back (B. Queen)**
B. Queen shared his observations with the board and mentioned that while there was not too much about the trip that falls under the EAB's purview, it was an interesting delegation full of productive interaction. He was impressed by Eugene City Council Member Chris Pryor, who echoed similar challenges in Eugene with what the EAB believes is a central issue in Boulder – public engagement. Because of this connection regarding concerns about the lack of community outreach, public engagement and clear messaging, he felt making the trip was productive for not only himself, but he was also encouraged to see some of Boulder's council members engaging in discussions around the EAB's main concern. He added that the political wrangling about the trip was way off base and he believes it served a useful and productive purpose.
- C. Joint Board Open House Debrief (All)**
The board discussed observations and outcomes stemming from the Joint Board Open House held last week. The general consensus was that all the boards were receptive and appreciative, and the meeting allowed their members to conceptualize their mandates from a different frame of mind. It was also agreed that the full measure of the meeting's success will be in the EAB's follow-up. The overall takeaways and next steps are:
- A joint meeting of boards with overlapping purviews is recommended every year, if not more frequently, with the hosting board rotating.
 - Council should mandate sustainability issues be considered by every board regularly in their day-to-day decisions.
 - It would be useful to identify topics in the Climate Commitment Document specific to each board's purview that would help their members focus on those areas directly.
 - A list of prioritized, overlapping, board-specific topics could be created and shared with other board's staff liaisons and secretaries for inclusion on their future

agendas for discussion and action.

- Landmarks and Planning Boards have unique challenges. The Landmarks Board charter makes energy efficient upgrades difficult to approve while still preserving historical significance. Planning Board doesn't feel they have the latitude or tools to make decisions with their own discretion since the process is driven by statute and regulation. They suggested a new approach that would include cursory, advisory reviews of projects brought before them by the EAB and Transportation Advisory Board.
- **B. Queen** will learn more about how Planning Board processes work in order to determine how the rubric might be changed.
- Each board member will prepare a proposition for what their assigned board should prioritize on its agenda and report back at next month's meeting.

8. DEBRIEF MEETING/CALENDAR CHECK

A. Boards & Commissions City Council Subcommittee meeting attendance

Any meeting from July through the end of the year is good to host subcommittee members Matt Appelbaum and Jan Burton. **S. Briggs** will inform CMO and/or invite them directly.

B. S. Briggs reminded the board about the Boards & Commissions Appreciation Event on May 12 from 5:30-7:30 at eTown Hall. **B. Queen** will attend but the other board members are unavailable.

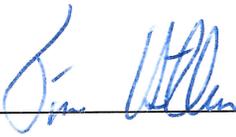
C. M. Lommele intends to attend all meetings, only depending on the timing of her new baby's arrival.

D. T. Hillman will be available for the June and July meetings.

9. ADJOURNMENT

The Environmental Advisory Board adjourned at 8:01 pm.

Approved:

 _____
Chair


Date

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

Name of Board/ Commission: Library Commission	
Date of Meeting: April 6, 2016 at the Main Boulder Public Library, 1001 Arapahoe Ave.	
Contact information preparing summary: Jennifer Bray, 303-441-4160	
Commission members present: Paul Sutter, Joni Teter, Tim O'Shea, Juana Gomez Commission members absent: Alicia Gibb	
<p>Library staff present: David Farnan, Director of Library & Arts Antonia Gaona, Public Services Manager Hillary Dodge, Meadows Branch Manager</p> <p>City staff: Jennifer Bray, Communication Specialist III Sam Veucasovic, Facilities Coordinator II Bill Cowern, Transportation Operation Engineer Kathleen Bracke, GO Boulder Manager Molly Winter, Executive Director of Community Vitality Lisa Smith, Communication Specialist Noreen Walsh, Senior Transportation Planner</p> <p>Members of the public present: Nikki McCord Joel Koenig</p>	
Type of Meeting: Regular	
Agenda Item 1: Call to order and approval of agenda	[6:02 p.m.]
The meeting was called to order at 6:02 p.m	
Agenda Item 2: Public comment	[6:04 p.m.]
Joel Koenig spoke about National History Day, which BPL is involved in, and he has volunteered for these past few years. Boulder Public Library participates with Research Rendezvous in the fall, to help the students as they are developing their papers. His opinion: America and the youth are fantastic!	
Nikki McCord spoke to thank the commission for their leadership in the decision to disarm the security officers, and she feels safer in the library as a member of the community. Thanks to the Library Commission	
Agenda Item 3: Consent agenda	[6:05 p.m.]
Item 3A, Approval of March 2, 2016 meeting minutes	
Teter had sent in some comments and edits over email. O'Shea had a minor addition on page 5 in his comments in the 2 nd bullet: "The incident reports show that we are not dealing with <u>a significant number of</u> violent behavioral issues." (The change/addition to the sentence is underlined.)	
Agenda Item 4: Welcome new commissioner and elections	[6:06 p.m.]
<ul style="list-style-type: none"> a. Administer oath of office to new commissioner Juana Gomez; Sutter administered. b. Commission officer election: Teter nominated Sutter to continue as chair, O'Shea seconded. Approved with vote of 4-0. Sutter nominated Teter to continue as vice chair, O'Shea seconded. Approved with vote of 4-0. c. Boulder Library Foundation board member appointments: Tim O'Shea and Alicia Gibb. Teter moved, Sutter seconded, approved with vote of 4-0. d. Commission photo taken in gallery. (Gibb absent) 	
Agenda Item 5: Presentation: Data on Civic Area parking change implementation – Molly Winter, executive director of Community Vitality; Bill Cowern, transportation operation engineer; Kathleen Bracke, GO Boulder	

Winter introduced topic, and Smith presented the information on how the Civic Area parking changes have gone since they were implemented in January. Cowern, Bracke, and Winter added information for commissioners about employee transportation demand management, parking studies, and that evaluation and study of the changes will continue.

Commission discussion, questions, and comments included:

- Sutter asked about numbers regarding parking utilization. Cowern responded with the numbers dropping from 78% utilization to 75%. In Library lot, was previously utilized above 90% in peak periods; after parking changes, utilization dropped below 80%. Sutter stated that is probably due to higher parking turnover, so more people are able to park there. Parking in surrounding neighborhood did increase, and about 15 city employees on average are parking in the former Boulder Community Hospital parking garage for free now that it's available. Canyon parking lot is experiencing higher utilization, which is likely library patrons and other Civic Area users.
- Sutter asked about warnings and citations numbers. Smith responded that there have been over 500 warnings issued so far. Tickets are still only being issued after at least one warning has been issued first, sometimes two. Smith asked for Library Commission's thoughts on how long to continue issuing warnings? Sutter liked continuing the warnings, and mentioned how some library patrons may not return to the library frequently enough to still be aware of these parking changes. Gomez mentioned the seasonal changes and that area users coming to the park and the creek may also not be aware of the new parking system. Winter mentioned that the explanation language on the kiosks is not intuitive and that staff is working on improving the directions with CALE, the kiosk manufacturer.
- Teter mentioned the difficulty adding time to the free 90 minutes in the kiosks. Staff will look into this.
- O'Shea asked about numbers of repeat offenders. Smith said they'd look into it and get back to commission. Smith mentioned the city looking at fee changes, including graduated fines for parking violations, to increase fines for offenders who continue to repeat the violation. Sutter agreed that is a good way to proceed.
- Teter asked about how the planned removal of the 20 spaces in the Canyon parking lot and asked if this will bring us back to the same high utilization rate that prior to these changes. She also mentioned the free 90 minutes in the Civic Area, but that since no other downtown area lots offer this free time, which could be increasing the pressure on the Civic Area lots. She asked whether staff might consider adding the free 90 minutes to downtown parking – a conversation we may continue to have.
- Teter mentioned the ParkMobile app works wonderfully, even with the 35 cent fee for the “free parking” so that is good. Using the credit card, it seems you can only pay to add 90 minutes with the app, instead of less time (like 30 minutes or one hour). Winter replied that staff can check if there is a way to have finer increments for purchasing time. You are currently able to pay for less time by using coins or tokens.
- Teter asked about future discussion items, such as ending the pay parking during the week at 6 p.m. instead of 7 p.m., or about 90 minutes not being enough time, looking at the different user groups at the library for a better discussion. Maybe looking at doing a survey of library patrons. Sutter replied that we are looking for what the “sweet spot” is for the free time amount for using the library. Teter mentioned that she is still concerned about the fact that library volunteers now are a cost to the library budget, in paying for their parking time, unlike volunteers for city departments like Open Space or Parks & Recreation, who don't have facilities in pay parking areas, so their budgets are not impacted by volunteer parking costs. Winter mentioned that this same issue comes up as far as city employees, as some work in areas where they have to pay for parking near their office, and some work in buildings where there is free parking (OSMP/P&R) as well --- this is a wider discussion and issue.
- Sutter asked how important revenue is. Winter said that revenue is not the driving factor -- it is a management tool. The equipment is expensive, for example, the kiosks cost \$7,000 each. Smith stated that revenue is actually down in this area right now.
- Sutter also hopeful that employee parking in the area will decrease, as it has not really changed at all. Cowern responded that the most likely factor to decrease city employees parking here is to have them moved to buildings outside of the downtown area, like the former hospital site. Bracke added that more employees are carpooling, and in the warmer months, typically more employees use alternative modes such as biking/busing/walking, and also that they anticipate that more employees will park at the free satellite parking site on Broadway.
- Teter asked when the next presentation would be, with additional data. Cowern replied that they are collecting more data later this month. Bracke thought that coming back for the June commission meeting, might be good timing. (Teter promised to bring brownies 😊)

Agenda Item 6: Presentation: Meadows Branch Library renovations – Antonia Gaona, public services manager; Hillary Dodge, Meadows Branch manager; and Sam Veucasovic, facilities coordinator II. [6:59 p.m.]

Gaona presented a PowerPoint and sketch up of the goals and plans for the branch renovation, and presented that the renovations will occur while the branch is closed from May 9-29, 2016. Signs announcing the closure are already posted and patrons have been asking about the renovation and seem excited by the improvements coming to the Meadows Branch. The closure for the renovation will also be communicated in the library e-newsletter and in a news release, as well as on the website, and via social media.

- Gomez asked if any of the plumbing fixtures will be replaced, or if they will be repaired and reinstalled? Veucasovic replied that he will look into and confirm, but that if fixtures are near the end of their lifecycle, they would be replaced, and with low-flow toilets and urinals.
- O’Shea asked about the staff restroom and if any work was being done there. Veucasovic replied that none was really planned, but they could install a low-flow toilet. O’Shea asked if any work was being done on the conference room. Staff: not much, some freshening up with paint and lighting.
- Teter asked about the furniture being purchased. Gaona explained that new computer stations, new OPAC stations, new circulation desk. Some furniture alternates are reupholstering the wave couch, new lounge seating, a new custom-built teen bench, new staff chairs, etc. Dodge mentioned that the new laptop bar will have more power outlets, and USB ports.

Agenda Item 7: Canyon Boulevard complete street study – Noreen Walsh, senior transportation planner [7:40 p.m.]

Walsh presented a general description of the complete streets project they have begun, and are talking to advisory boards and commissions to learn preferences for all users of Canyon Boulevard and improvements that can be made. Explained how staff wants to remove the fact that Canyon Blvd. is a barrier between the downtown area and the rest of the Civic Area – difficult to cross. The project is a two phase process, they are in phase 1. Started in late 2015 to evaluate the corridor. Invited commissioners to the public meeting on April 27, from 6:30-8:30 p.m., at Boulder High School, with an open house style meeting.

- Sutter asked about the phrase “complete street” and all modes? Walsh said that the definition of a complete street is that it is for all users. Sutter asked about the aesthetics as well, and how that plays a role. Sutter mentioned library’s main concern might be getting people across Canyon, and asked Walsh what they were looking at. Walsh said the team is looking at all of the crossings there are now, and how they are used; and mentioned that one of the aesthetics they look at is that of a promenade.
- Gomez asked about the 130 feet and how it’s measured. Walsh: Code 65 foot setback from the center of Canyon Blvd. and that gets you the 130 feet of right of way. Gomez: is the speed limit on Canyon set by CDOT or does the city have any oversight of that to get traffic to slow down? Walsh: checking into that. Some of the features they are planning should calm the traffic down as well, and should be able to travel by all the modes there. Gomez mentioned speed humps on 55th where the crosswalks are, which help people see/feel the crosswalks where they should yield to pedestrians and slow down. Walsh: Canyon is a 4-lane road versus 55th, but those are the exact kind of thing we want to hear – hearing that it may be important to slow the traffic down a bit? Gomez: yes, even a bit scary as a driver or a pedestrian.
- O’Shea echoed the statements of Sutter and Gomez that it is hard to get across Canyon Blvd. Long ago there was a vision of a bridge across Canyon, and it’s a major thoroughfare. O’Shea also asked about lessons learned from the Folsom “rightsizing” process. Walsh: Currently there are six options, which could also be broken into combinations of the options – the team is pretty open and doing a lot of engagement to hear how the street is working or not working, and they’re trying to hear all opinions and viewpoints. Hoping this will all build a better community relationship, for the boulevard to be designed with the community.
- Teter stated that Canyon is a tough street. Asked about the May 18 joint board meeting (Planning, Transportation, Parks & Rec, Landmarks, DMC, etc.) at First Presbyterian Church on 15th St., from 6-7:30 p.m. Do commissioners want to participate in this joint meeting. General agreement that at least some commissioners would probably attend.
- Gomez mentioned that the negative public reaction to Folsom last summer could have been the term “right-sizing” itself, so she suggested caution about the term “complete streets.”

Agenda Item 8: 2016 budget update and review first round Adjustment to Base requests [8:06 p.m.]

Commission discussion, questions, and comments included:

- Teter noted grant funds are deposited into the dedicated library fund, not the general fund. This is important for two reasons: Under the Charter, expenditures from the library fund are subject to Commission approval (rather than Commission “advice” for general fund expenditures). Second, revenues in the library fund remain dedicated to the library - they cannot be returned to the general fund for other purposes (like general fund revenues can). The annual re-appropriation of revenues derived from grants/library fund is a book-keeping exercise necessitated by City budget practices - not a true re-appropriation of dollars. We should make sure that our budget tracking information makes this distinction clear. Table 4 in the April packet does not make this distinction currently. Note that several of the items reflect Boulder Library Foundation contributions; a long standing concern of Foundation supporters has been the fear the BLF moneys will be subject to re-appropriation for non-library purposes within the City.
- O’Shea noted use of language of the charter change did not require creation of the Library Fund; language that should be changed in the memo in the agenda packet: “as a result of the charter change....”
- Sutter asked about requesting additional funding (page 5) for ideas coming down the pike: gender neutral restrooms, additional consultants for master plan process, additional staffing for BLDG 61 makerspace.

Agenda Item 9: Library Master Plan Update

[8:15 p.m.]

Farnan: We have completed interviews for consultants, made a selection, and are finalizing the contract. The consultant should be coming to the May Library Commission meeting. Three great consultants responded this time, it was a difficult choice, and this one we chose really challenged our thinking and did a nice job.

Agenda Item 10: Library Commission updates

[8:16 p.m.]

Foundation update – O’Shea: At the last meeting, we had some great presentations and introductions from library staff, foundation board seemed very appreciative and impressed. The library offers a wealth of programming and content that the foundation has a hand in. Discussion about Jaipur and that the library should be central to the event, putting in a few more metrics, there are no other literary festivals like it anywhere in Colorado. This is a critical year to determine the future of this festival, fundraising, etc.

Teter: Foundation committing to giving library \$250k per year, and are moving away from an investment percentage donation. O’Shea: increasing goals for fundraising. Teter: Foundation meets again next week and four new members have been recommended to join the board.

10a. i. Creation of a Library Commission/Boulder Library Foundation (BLF) subcommittee to draft a community outreach presentation. Farnan outlined that this is to create a presentation explaining library funding and how the foundation plays an important role, etc. out to the community. Promised by May. Stress how important community funding is to library programs. BLF pays for about 90% of library programming.

Discussion: Teter happy to help, O’Shea happy to help make the presentations, Gibb might be interested (not in attendance), Gomez interested but not sure. O’Shea and Teter: We will ask BLF who would be interested in helping with this.

Sutter highlighted that April 17 is the BoulderReads Reading Progress Celebration – it’s a wonderful event where you can see how lives are being changed from this program.

Teter on commission calendar: plan a date for the retreat soon. Have it in July, and then not have a July commission meeting. Commissioners should let others know of dates they are not available in July. Sutter will plug in a July date for the retreat.

Discussion of the Library Commission’s recommendation to City Council about the Civic Area process.

Teter: One of the outcomes of last night’s meeting was a decision that staff resources for the Civic Area will be focused on the East Bookend, especially the Market Hall. Civic area staff will not take up any further work on the West Bookend until after the Library Master Plan is complete. The primary factor driving this decision is limited staff resources. The situation on the north side is very complicated, and we may need to ask for additional budget to hire technical consultants to help with this discussion, since cit staff appears to be unavailable. Complications include the flood mapping around the Main Library, and how that affects the north building especially with where the high hazard zone sits, as well as an some interest in the community to possibly landmark the 1961 building, which would preclude major changes.

Farnan talked about improvements to engage boards and commissions around the Civic Area, planning for activating the Civic Area. May 4 meeting at the Main Library, 8-10 a.m., with breakfast. Inviting 7 or 8 boards and commissions to discuss Civic Area. Civic pad discussions at last night’s council meeting. Farnan: thank you for the letter – it really

helped and was constructive with city staff in generating response and how to articulate plans for presentation to council and the public. Teter: would like to have a meeting with Parks and Recreation Advisory Board about activation and programming in the Civic Area.

Agenda Item 11: Library & Arts Director's report

[8:50 p.m.]

a. Boulder Library Foundation funding and update

b. Update on contract security officers at the Main Library

G4S company policy is to not have one guard at an event where alcohol is served (BAC), but this is not a city code requirement.

c. Update on gender neutral restroom research

Investigating options at Main Library, and will look into possibility for Meadows Branch Library of offering some kind of public access to the staff restroom. Will need more research and thought. Gomez: Boulder Valley School District is also looking into providing gender-neutral restrooms as well. Farnan: public restrooms are a very important part of the customer service experience, and ours are not good. We should have the best restrooms around, and he's hopeful that we can get something going in this area, and put it in for a budget request for the 2017 budget.

d. CO Play & Learn

Can't find the app on iTunes yet. Farnan will talk to Aimee Schumm.

e. BLDG 61 gift announcement

f. Invitations

Agenda Item 12: Adjournment

[9:01 p.m.]

There being no further business to come before the commission at this time, the meeting was adjourned at 8:29 p.m.

Date, time, and location of next meeting:

The next Library Commission meeting will be at 6 p.m. on Wednesday, May 4, 2016, in the George Reynolds Branch, 3595 Table Mesa Dr.

Commissioner Sutter approved these minutes on June 1, 2016; and Jennifer Phares attested to it.

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

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

Name of Board/ Commission: Library Commission	
Date of meeting: May 4, 2016 at the George Reynolds Branch Library, 3595 Table Mesa Drive	
Contact information preparing summary: Jennifer Bray, 303-441-4160	
Commission members present: Paul Sutter, Joni Teter, Tim O’Shea, Alicia Gibb, Juana Gomez Commission members absent: none	
<p>Library staff present: David Farnan, Director of Library & Arts Jennifer Phares, Deputy Library Director Eileen McCluskey, Principal Librarian Kathy Lane, Programs, Events, and Outreach Coordinator Linda Cumming, Reynolds Branch Manager</p> <p>City staff: Devin Billingsley, Senior Budget Analyst Greg Guibert, Chief Resiliency Officer Jennifer Bray, Communication Specialist III</p> <p>Members of the public: Joel Koenig, future library commissioner (taking office in June) Mandy Steen – AmeriCorps member working with Greg Guibert</p>	
Type of meeting: Regular	
Agenda Item 1: Call to Order and Approval of Agenda	[6:00 p.m., 00:00:22 Audio min]
The meeting was called to order at 6:05 p.m. Two small things were added to the end of the agenda: letter to City Council, and scheduling the July Library Commission Retreat, as well as adding an update from the Civic Area reactivation breakfast meeting.	
Agenda Item 2: Public Comment	[6:01 p.m., 01:28 Audio min]
None	
Agenda Item 3: Consent Agenda	[6:01 p.m., 01:42 Audio min]
<p>Item 3A, Approval of April 6, 2016 meeting minutes Teter had submitted some edits and clarifying comments to the summary minutes from the April meeting via email. O’Shea motioned to approve the minutes with the recommended changes, and Gomez seconded. Vote 4-0, unanimous (Gibb abstained as she was not at April meeting).</p>	
Agenda Item 4: Presentation: Resilient Strategic Plan – Greg Guibert, chief resiliency officer	[6:05 p.m. 05:10Audio min]
Guibert presented the City of Boulder Resilience Strategy draft, April 2016, to the commission.	
Commission discussion, questions, and comments included:	
<ul style="list-style-type: none"> - Gibb wondered if there could be more about how these things might get funded within constrained budgets and resources. Guibert responded that exactly for that reason, this draft strategy is presented to come in advance of the 2017 city budgeting process. Many strategies have some alignment with community partners as well. - Teter asked if Guibert has a sense of how much the community, especially in various sectors, understands the concept of resiliency. Guibert responded that the understanding is not where they’d like it to be, so working with AmeriCorps and the city’s neighborhood liaison to help message more about what resiliency is. Teter mentioned cross-generational discussions about resiliency, to help broaden the understanding (having young people help older people understand and vice versa). 	

- Gomez asked about the transform and integrate concepts, and whether Guibert has done some outreach with Better Boulder and other community groups. Guibert said that they have been invited to some of the public meetings.
- Teter asked where the libraries fit into the Resiliency Strategy? Guibert replied that libraries will be part of some of the mapping pieces, examples of high hazard zones or places where people convene, etc. She also mentioned interacting with the city's Youth Opportunities Advisory Board.
- Sutter mentioned his kids were involved in a school program about resiliency, and Guibert replied that yes this concept really seems to be taking off nationally.

Agenda Item 5: Presentation: 2016 Summer Reading Program– Kathy Lane, programs, events, and outreach coordinator. [6:27 p.m., 0:27:09 Audio min.]

Lane presented the 2016 Boulder Public Library Summer Reading Program

Commission discussion, questions, and comments included:

- Sutter asked what the participation was in 2015, as the goal this year is a 20% increase. Lane replied that in 2015, the participation increased 100% over the 2014 program.
- Gomez asked about how the sign-up works. Lane replied that registration is at the libraries and online, beginning May 31.
- Teter asked how we could let City Council know about this excellent program.
- O'Shea mentioned that the SRP team made a great impression on the Library Foundation, and asked about how the commission could help get the word out about the SRP. Lane mentioned that commissioners could take the fliers (in Spanish/English) out to their neighborhood, and Cumming added it would be great for all of us to talk up the program. Teter suggested posting information about the SRP onto NextDoor.

Agenda Item 6: Library Commission input on the proposed 2017 library budget – Devin Billingsley, senior budget analyst [6:43 p.m., 43:22 Audio min.]

Billingsley presented the proposed 2017 library budget.

Commission discussion, questions, and comments included:

- Teter asked about the employee request for the maker space. Farnan replied that currently, they are having a turn people away for BLDG 61 programs, and they'd like to add to the two employees in the maker space to be able to put on more programs – currently, 16 programs a week. Teter followed up by asking if hiring a part-time, temporary employee to help vet and train the volunteers for BLDG 61 just to get the help going in that way? Farnan replied that our current volunteer coordinator is working to help with this, but that position also has many other responsibilities. One area staff are trying to figure out how to address, are how to accommodate school groups or home school students, etc.
- Gibb mentioned that she is very supportive of this employee request in the budget as this first few months/year is a fragile time for the maker space in building the culture and making it a welcoming place.
- Gibb mentioned possibly creating a wish list for materials or equipment for the maker space.
- O'Shea wanted to clarify that many of the new BLDG 61 users are also new library users? Farnan agreed.
- Sutter asked if the early literacy app request is a one-time funding request. Farnan said it was. Farnan also mentioned looking for other libraries to help continue the funding for the app as it needs improvement and development to improve and refine the product.
- Sutter asked if the \$20,000 request for the app not coming from existing library funds is because there is no room in the library budget, and Farnan confirmed that. Farnan also confirmed that he did not ask the Library Foundation for continual development funding.
- Teter asked about the home school groups and if there were foundations or other funding sources in that area? Gibb agreed that there are foundations for home school groups. Farnan mentioned thinking about a crowd sourcing campaign but decided not to go that direction at this time.
- O'Shea asked which funding ideas did not make the budget request list. Billingsley and Phares mentioned that the restroom renovations did not make the list because staff does not have enough information on costs at this time, but the information is in the document as information only. Farnan also mentioned the Main Library's north building and the future planning around the Civic Area and a performing arts facility, as well as the library's master plan update.
- Gomez asked who owns the land under the library. Farnan and Billingsley confirmed that the city owns all of the land in the Civic Area, between 9th and 13th streets.
- More discussion followed about the timing of the Civic Area reactivation and the question / request for a

- performing arts center, and the library master plan, etc.
- Sutter made a motion that the commission enthusiastically support BPL's budget requests, Gibb seconded. Vote was 5-0 in favor. Sutter also moved, in light of a request that came from a patron, that the Library Commission strongly support the provision of gender-neutral bathrooms, and the necessary funding for such. Gibb seconded. Vote was 5-0 in favor.

Agenda Item 7: Library Master Plan Update

[7:24 p.m., 1:24:20, Audio min.]

Commission discussion, questions, and comments included:

- Teter asked about the different phases, and where Margaret Sullivan Studio will be helping? Farnan replied that she is currently working on the first phase, the community needs assessment. The other phases are: the community engagement process (2nd phase). The third phase is a "Future Libraries" type of phase, with workshops, best practices. Fourth phase is writing, drafting, and checking back in with stakeholders and community groups, the public. Margaret Sullivan Studio is onboard currently for the first phase. Teter asked if staff will have to do additional RFPs for more consultants for the future phases, and Farnan replied that they are waiting to see how this first phase goes.
- Farnan mentioned that there will be a draft in June.

Agenda Item 8: Library Commission Update

[7:30 p.m., 1:30:28 Audio min.]

- A. Review draft of letter to City Council concerning Right to Rest legislation. Commission discussed timing of the letter, and some of the language around how the public library is impacted especially. Teter motioned to accept letter with changes mentioned, O'Shea seconded. Vote 5-0 in favor. (Letter is attached.)
- B. Boulder Library Foundation (BLF) update. O'Shea updated about the last meeting being spent discussing in great detail the Library Foundation's bylaws. Teter has gone off the Library Foundation. Several new members have joined, including Alicia Gibb. Financial advisor position applications were reviewed. Jane Sykes Wilson is leaving the foundation, and will be the new community partnership manager.
- C. Discussion of the Library Commission representation on Boulder Library Foundation's marketing and community outreach committee. O'Shea mentioned that the committees are being formed. Next BLF meeting is May 31, 2016.
- D. Retreat discussion. Looking at the last two Saturdays in July, the 23rd or the 30th. Locations being discussed are OSMP on Cherryvale, NCAR, Chautauqua, or the library as we did last year. Saturday, July 30 works for everyone. Staff will look for locations. Potential topics: master plan update, priorities, Make planning the retreat an agenda item for the next Library Commission meeting in June.
- E. Responses to patron emails from the Library Commission
- F. Report on the Civic Area breakfast this morning with other boards and commissions. Landmarks Board, Parks & Recreation Advisory Board, Human Relations, Arts Commission, other boards. Staff wanted feedback about what the board and commissioners thoughts on the Civic Area plan. Big subjects at the meeting: the Bandshell was a big subject, parking in the Civic Area, involving the immediate neighbors around the Civic Area, outreach to employees who work in the area around the Civic Area, outreach to seniors who live around the Civic Area, the Main Library as the west anchor and the north building, access across Canyon Boulevard. Civic Area team was responding to the feedback that the messaging had not been unified and consistent. Building an advocacy team and meeting semi-regularly. O'Shea thanked and acknowledged Molly Winter and her group around the parking changes, and how the parking and other city staff were in communication with the Library Commission and responsive to concerns, which was much appreciated. Many ideas from the boards and commissions were very interesting and seemed new to the staff, and also ideas for more groups to engage with were given to the staff. Question of how to pay for a lot of the ideas is still unknown.
- G. City Council has a committee on boards and commissions, and Jan Burton and Matt Appelbaum would like to come to talk with the Library Commission at some time? September or October sound like a good time, staff can communicate that back to the appropriate people. Other boards or commissions the Library Commission would like to meet with? Parks & Recreation Advisory Board, possibly Landmarks Board, Arts Commission, and generally, topics around the master plan update and goals. Civic Area activation: Library Commission, Arts Commission, Parks and Recreation Advisory Board (PRAB). Also, around homeless issues and services, meeting with the Human Relations Commission and PRAB as well.

<p>Agenda Item 9: Library & Arts Director's report</p> <ul style="list-style-type: none"> A. Boulder Art Cinema status B. Library sponsorships C. Gallery opening D. Web resources report 	<p>[8:22 p.m., 2:22:30 Audio min.]</p>
<p>Agenda Item 10: Adjournment [8:34 p.m., 2:34:53 Audio min.]</p> <p>There being no further business to come before the commission at this time, the meeting was adjourned at 8:39 p.m.</p>	
<p>Date, time, and location of next meeting:</p> <p>The next Library Commission meeting will be at 6:00 p.m. on Wed., June 1, 2016, in the Canyon Meeting Room at the Main Library, 1001 Arapahoe Ave., Boulder, CO 80302.</p>	

Commissioner Teter approved these minutes on June 7, 2016; and Jennifer Phares attested to it.

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

May 24, 2016

To the Boulder City Council:

Several months ago it came to the attention of the Boulder Library Commission that the Colorado Legislature was considering a “Right to Rest Bill” (House Bill 16-1191 – “A Bill for an Act Concerning the Creation of a Bill of Rights for Persons Experiencing Homelessness”) that included within it an unqualified right “to rest in public spaces without discrimination.” While we understand that this bill failed to make it out of House Committee, we would still like to go on record expressing our opposition to such a sweeping bill and its potential impacts on the Boulder Public Library, and to urge the Boulder City Council to lobby against such a bill if it is reintroduced in future legislative sessions.

The Library Commission’s opposition to such legislation does not spring from a lack of empathy for the plight of those among Colorado’s population that are experiencing homelessness. We recognize that people experiencing homelessness need places to rest safely and securely, and we encourage the provision of such places by both municipal governments and non-governmental organizations. Nor should our opposition to such legislation be read as a sign that the Library Commission does not welcome Boulder’s homeless population to make appropriate use of Boulder Public Library’s spaces, resources, and services. We enthusiastically welcome all members of the public, and we hope that Boulder Public Library can be an essential resource for those experiencing homelessness. Rather, our major concern, simply put, is that the legal establishment of a blanket right “to rest in public spaces without discrimination” would risk transforming the public library into a de facto day shelter in ways that would interfere with Boulder Public Library’s core mission and its ability to serve the entire Boulder community. This is not a question of who is welcome in the library; it is a question of what the appropriate uses of the library are. As our [Library Rules](#) state: “Our libraries are spaces for reading, studying, writing, listening to written or electronically transmitted materials, attending library or community-sponsored programs and meetings, and working collaboratively in the spirit of community.” We do not see sleeping or lying down as appropriate uses of library spaces and, with that in mind, we adopted as one of our rules that “no person shall lie down, doze or sleep in any library facility except this rule shall not apply to children.” The enactment of such right to rest legislation would not only make it illegal for the Boulder Public Library to continue to enforce this rule, but it would compromise the Boulder Public Library’s ability serve its intended purposes.

Over the last several years, the Boulder Library Commission and the Boulder Public Library’s leadership and staff have devoted considerable energy and effort into vitalizing and activating the Main Library and the various library branches as public spaces where all are welcome, and we believe that we have met with considerable success. We fear that the enactment of legislation that would guarantee a sweeping right to rest without discrimination could lead to the transformation of the library as a public space in ways that would substantially set back these efforts. It is with these thoughts in mind that we urge you to oppose and lobby against such legislation.

Sincerely,

The Boulder Library Commission



CITY OF BOULDER
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees			
DATE OF MEETING: June 8, 2016			
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025			
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:			
MEMBERS: Frances Hartogh, Molly Davis, Kevin Bracy Knight, Tom Isaacson, Curt Brown			
STAFF: Tracy Winfree, Jim Reeder, John Potter, Mark Davison, Cecil Fenio, Alycia Alexander, Leah Case, Brian Anacker, Lynn Riedel, Will Keeley, Ericka Pilcher, Kacey French, Dan Burke			
GUESTS: Kathy Haddock, Senior Assistant City Attorney; Brett KenCairn, Senior City Environmental Planner; Chris Meschuk, City Planner II			
TYPE OF MEETING:	<u>REGULAR</u>	CONTINUATION	SPECIAL
SUMMATION:			
AGENDA ITEM 1 - Approval of the Minutes Molly Davis moved that the Open Space Board of Trustees approve the minutes from April 13, 2016 as amended. Curt Brown seconded. This motion passed four to zero; Kevin Bracy Knight abstained.			
AGENDA ITEM 2 - Public Participation Elizabeth Black, Boulder, spoke about climate change and possible carbon sequestration techniques for Boulder County.			
AGENDA ITEM 3 - Matters from Staff Brett KenCairn, Senior City Environmental Planner, presented on the Boulder's Climate Commitment and OSMP. Kathy Haddock, Senior Assistant City Attorney, presented on the City Blue Line. Brian Anacker, Science Officer, presented on the 2016 Funded Research Program. Jim Reeder, Trails and Facilities Manager, gave several trails updates. Kacey French, Planner I, gave an update on the agricultural plan.			

AGENDA ITEM 4 - Matters from the Board

Molly Davis gave an update on the Fourmile Canyon Greenways improvement project. This is on the city website.

AGENDA ITEM 5 - Review of and recommendation regarding the 2017 Open Space and Mountain Parks Department Capital Improvement Program Budget and a portion of the Lottery Fund Capital Improvement Program Budget.

Abbie Poniatowski, Central Services Manager, presented this item.

This item spurred one motion:

Molly Davis moved the Open Space Board of Trustees approve, and recommend that Planning Board approve, an appropriation of \$9,530,000 in 2017 from the Open Space Fund CIP as outlined in the June 8 memorandum and related attachments; and recommend that \$766,450 be appropriated from the city's Lottery Fund CIP in 2017 as outlined in that memorandum and related attachments. Curt Brown seconded. This motion passed unanimously.

ADJOURNMENT: The meeting adjourned at 8:58 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:

None.

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

The next OSBT meeting will be Wed. July 27 at 6 p.m. at 1777 Broadway in the Council Chambers

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
May 12, 2016
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:

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

PLANNING BOARD MEMBERS ABSENT:

N/A

STAFF PRESENT:

Susan Richstone, Deputy Director of Planning Housing and Sustainability
Hella Pannewig, Assistant City Attorney
Lesli Ellis, Comprehensive Planning Manager
Cindy Spence, Administrative Specialist III
Molly Winter, DUHMD Executive Director
Greg Guibert, Chief Resilience Officer
Elaine McLaughlin, Senior Planner
Chandler Van Schaack, Planner II
Chris Hagelin, Senior Transportation Planner
Jean Gatza, Senior Planner

1. CALL TO ORDER

Chair, **J. Gerstle**, declared a quorum at 7:04 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **L. May** the Planning Board voted 6-0 (**J. Putnam** absent for this item) to approve the April 21, 2016 and April 28, 2016 minutes as amended,

3. PUBLIC PARTICIPATION

1. **Phil Ecklund** spoke in opposition to the Holiday Inn Express proposed at 3365 Diagonal Hwy.
2. **John H. Stewart II** spoke in opposition to the Holiday Inn Express proposed at 3365 Diagonal Hwy.

3. **Elizabeth Black** spoke concerning the Boulder Valley Comprehensive Plan and Soil Sequestration.

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

- A. Call Up Item: (Case # LUR2015-00039): Site Review request to expand the existing Table Mesa Shopping Center PUD to include the 0.63-acre site located at 601 S. Broadway, and to redevelop the subject site with a new, 13,188 sq. ft. Walgreen's pharmacy. The project site is zoned Business – Community 2 (BC-2).

This item was not called up.

At this time, the Planning Board discussed Item 6A under MATTERS.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE: Public hearing and consideration of a Non-Conforming Use Review application, case no. LUR2016-00014 and simple Site Review, case no. LUR2016-00025 for expansion of the Quality Inn Boulder Creek/Basecamp Motel and 33 percent parking reduction with 43 existing parking spaces where 60 are required. The site is located at 2020 Arapahoe Ave. Because this is an existing non-residential use within a residential zoning district (Residential – High 1), the use is considered non-conforming. The applicant requests to expand the exterior patio from 159 square feet to 346 square feet, and convert existing floor area to increase the room count from 47 to 50 rooms that includes the addition of one fully compliant Americans with Disabilities Association (ADA) room. The applicant is requesting Vested Rights per Land Use Code section 9-2-7(b)(1), B.R.C. 1981.

Applicant: Christian Stroebel
Owner: Boulder Motel Group, LLC

Staff Presentation:

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

Applicant Presentation:

Christian Stroebel, the applicant, presented the item to the board.

Board Questions:

Christian Stroebel answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

- The board discussed the staff's suggestion of an additional condition recommending closure hours for the patio. The board did not feel the need for an additional condition restricting the hours of the patio due to noise ordinances that are currently in place. The patio would be self-regulating.

Motion:

On a motion by C. Gray seconded by J. Putnam the Planning Board voted 7-0 to approve the Site Review application LUR2016-00025 and Use Review application LUR2016-00014 adopting the staff memorandum as findings of fact and subject to the recommended conditions of approval in the staff memorandum.

Friendly amendment made by C. Gray to modify the conditions in the staff memorandum to include a new condition 5 to read:

“The patio shall be closed from 11:00 p.m. until 6:00 a.m. seven days per week.”

The friendly amendment was not supported by a second.

After this item, the Planning Board discussed Items 6B, 6C, 6D, 6E and 6F under MATTERS.

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

- A. AGENDA TITLE:** Presentation of Central Area General Improvement District (CAGID) Development and Access Projections

Staff Presentation:

M. Winter presented the item to the board.

Board Questions:

M. Winter, S. Richstone, C. Hagelin, Bill Fox, with Fox Tuttle Hernandez, and **David Becher,** with RRC Associates, answered questions from the board.

After this item, the Planning Board discussed Item 5A under PUBLIC HEARINGS.

- B. AGENDA TITLE:** City of Boulder Resilience Strategy

Staff Presentation:

G. Guibert presented the item to the board and asked for suggestions or observations that may be missing from the draft Resilience Strategy.

Board Comments:

- **J. Putnam** stated that the Resilience Strategy is important to have however the strategy itself seemed hidden and hard to find. It was difficult to find the strategy as opposed to plan and what those things mean. The document needs more detail and the strategy needs to be pulled out. There needs to be a transition from the document to actionable plans. In regards to the Comp Plan and other land use decisions, Site Review decisions have implications for resilience (i.e. floods and fires). These could be opportunities for

community or resilience connections. If there are interim pieces along the way to think about, it would be helpful to include more detail.

- **L. May** suggested the paper version of the Resilient Strategy have a companion electronic version with hyper links taking one to the additional detail. The current document seems more promotional. It needs more substance. He commented that the “*Shocks Expose Stresses*” section on page 4 of the Strategy suggests that we need to grow in order to be sustainable and resilient, which itself is unsustainable. There is a difference between not having commerce going on adequate to sustain vs. trying to grab every dollar that is available which ultimately a zero sum game for the region. That a company can’t grow to the size it wants to, here, and moves to Denver is good for Denver and arguably good for us. The vacancy rate is low and the company that moves makes room for another. If hogging every dollar is our goal, where does that leave surrounding communities? Quality of life also is a sustainability and resilience issue. Boulder is frequently cited as one of the happiest places in the US. Much of that is attributable to the balance we have striven for between growth and quality of life. Happier people are healthier, kinder to others, etc. This suggests that we need to try to be like most other cities that are plagued with high stress lifestyles, congestion, overcrowding lack of open space etc.
- **L. Payton** agreed with **L. May**. She stated the focus of the document seems to be more reactive strategies rather than preventive strategies. Prevention should be part of resilience. She stated that the document does not mention any strategies to prevent exposure to wildfires or flooding. Management plans and preventive aspects were not mentioned yet we know there is the potential for these events to happen. The Resilience Strategy should to be embedded in the Code as well as the Comp Plan. Finally, she suggested that the resilience benefits of open space should be included.
- **H. Zuckerman** stated that the document comes across as a prescriptive document. The document is a document of “thought leadership” and should be inspiring. That should be indicated up front. The document did make connections and pointed out ideas of diversity and affordable housing, all which create resiliency. He suggested the idea addressing the fifteen minute neighborhood and fewer vehicles.
- **C. Gray** encouraged people to subscribe to “*100 Resilient Cities*” via email for more information. She approved the mentioning of the social cohesion and the community resilient centers. She observed one missing piece of getting from the Comp Plan and sub-areas (9) in the city to community-area plans. She suggested beginning at the sub-area level to refine the planning process on a neighborhood level and discuss the resilience strategy. Talk with people that live in the neighborhoods. Discussion should be at a smaller level.
- **B. Bowen** observed that co-housing communities currently exist in Boulder which have built-in resilience mechanisms. He suggested they be included in this document.
- **J. Gerstle** suggested that Boulder’s plans for resilience should avoid the notion that Boulder is in competition with other cities; Boulder should instead work together with neighboring communities. Economically, Boulder is better off when it works together with other cities. In addition, in regards to fifteen minute neighborhoods, at some point there needs to be consideration of the potential for such policies to weaken Boulder’s downtown economy, as they could divert commerce from the center of town and thus weaken our economic sustainability and resilience. He also has observed diminished

levels of interaction among neighbors which could have an impact on resilience. Previously, when there was a potentially dangerous or significant event (i.e. fire or flood), one generally knew how to contact their neighbors. Now, due to increasingly common automatic gates and diminished neighborhood interaction, the ability to warn neighbors of potential problems or address issues is diminished. Interaction should be encouraged to ensure the ability of neighbors to assist each other in times of need, and perhaps automatic and remotely controlled access gates should allow for emergency assistance by neighbors.

- **J. Putnam**, to help people visualize social connections and what a neighborhood may have to be resilient against, suggested inserting photos of people helping others during the flood in September 2013 or a recent wildfire.

C. AGENDA TITLE: Boulder Valley Comprehensive Plan Update

Staff Presentation:

L. Ellis presented the item to the board and shared the materials that were presented at the BVCP Public Meeting that took place on May 11, 2016.

Board Questions:

L. Ellis answered questions from the board.

D. Charter Height Limit Discussion (Rescheduling)

Board Discussion:

- The board has shown interest in rescheduling a discussion regarding the Charter Height Limit since it was postponed from their agenda at a prior Planning Board meeting.
- **L. May** suggested letting City Council know their interest or placing it on the Planning Board's agenda.
- **H. Pannewig** informed the board that the Planning Board does not have a role under Charter Amendments. The item will go to City Council on May 17, 2016 to ask Council if the matter should be brought back to Planning Board.
- **C. Gray** would like to forward City Council emails received by Planning Board.
- **C. Spence** will compile all emails received by Planning Board and send to City Council regarding the Charter Height Limit.
- **J. Putnam** added that the Planning Board may not need to take any action on this issue.
- After a straw poll, **L. May**, **L. Payton** and **J. Gerstle** would like to inform Council that they are eager to review the Charter Height Limit. The remaining board members would rather have Council take the initiative.
- **S. Richstone** informed the board that if Council on May 17, 2016 indicates they want input from the Planning Board, the item could be added to the June 2, 2016 agenda.

E. Hogan Pancost Withdrawal

Board Discussion:

- The board discussed the circumstances surrounding the withdrawal of the Hogan Pancost annexation application.

- **H. Pannewig** explained that there has not been an official withdrawal of the annexation petition. The applicant has requested that the hearing originally scheduled for May 23, 2016 be continued. The Planning Board procedural rules do allow this if the request comes in 48 hours before the hearing was to occur. Therefore, the hearing was continued. She stated that we believe the applicant may come back with a Concept Plan. Therefore, the public hearing on April 28, 2016 was closed. When the applicant resubmits, the public hearing will be reopened, the applicant will have the opportunity to present again and the public will be allowed to make comments. The continuance is neither a staff decision nor a board decision. The procedural rules allow it.

F. Scheduling for the July 21, 2016 Planning Board Meeting:

Staff Presentation:

S. Richstone presented some alternative items for discussion on that date to the board.

Board Comments:

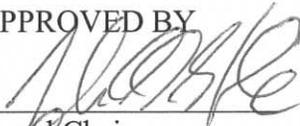
- The board discussed several items that they would like to discuss. They agreed that “*Barriers to Development and Disclosures of Conflict*” would be on the agenda. In addition, perhaps a consultant would be brought in to go over meeting process and management with the board.
- The July 21, 2016 Planning Board meeting will be offsite and not televised.
- The board discussed possible meeting topics for the future to include the following:
 - Groundwater 101
 - Floodplain 101

7. DEBRIEF MEETING/CALENDAR CHECK

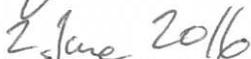
8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:43 p.m.

APPROVED BY



Board Chair



DATE

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
May 26, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

John Gerstle, Chair
John Putnam
Leonard May
Liz Payton
Crystal Gray
Harmon Zuckerman

PLANNING BOARD MEMBERS ABSENT:

Bryan Bowen

STAFF PRESENT:

Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Sloane Walbert, Planner II
David Thompson, Civil Engineer – Transportation
Karl Guiler, Senior Planner
Kalani Pahoa, Urban Designer
Louise Ferguson, Administrative Specialist II
Scott Kuhna, Civil Engineer – Utilities and Drainage
Jeff Yegian, Program & Policy Manager
Jay Sugnet, Senior Planner
Kurt Firnhaber, Deputy Director of Housing
Michelle Allen, Inclusionary Housing Program Manager

1. CALL TO ORDER

Chair, **J. Gerstle**, declared a quorum at 5:05 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **J. Putnam** the Planning Board voted 6-0 (**B. Bowen** absent) to approve the May 5, 2016 minutes as amended,

3. PUBLIC PARTICIPATION

1. **Christine Klein** spoke in regards to the proposed design of the project located at 1440 Pine St., which Planning Board will hear at an upcoming meeting.

2. **Mark Ely** spoke in opposition to the size and density of the project located at 1440 Pine St., which Planning Board will hear at an upcoming meeting.
3. **Juliet Gopinath (pooling time with Dinah McKay, Chris Brown and Miho Shida)** presented new information to the Planning Board regarding the Twin Lakes land use change request and spoke in support of Request #36 to convert to open space, and against Request #35 to convert to MXR.
4. **Susan Dawson** spoke in opposition to the size and density of the project located at 1440 Pine St., which Planning Board will hear at an upcoming meeting.

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

There were no items on the agenda.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE: Consideration of a motion to adopt an additional revision to the 2016 Downtown Urban Design Guidelines.

Staff Presentation:

K. Paho presented the item to the board.

Public Hearing:

No one spoke.

Motion:

On a motion by **L. Payton** seconded by **J. Putnam** the Planning Board voted 6-0 (**B. Bowen** absent) to adopt the additional revision to the Guidelines, as adopted by Council on May 3, 2016, removing “Solar panels should be as unobtrusive as possible” from Item 2.1.B.2.

- B. AGENDA TITLE: Public hearing and consideration of a Site Review (case no. LUR2016-00027) to redevelop a 3.2-acre vacant property at 4525 Palo Parkway. The proposal includes the construction of 44 residential units and a community center in nine buildings surrounding a central park. The development will be 100% permanently affordable housing managed by Boulder Housing Partners, in partnership with Flatirons Habitat for Humanity. The project site is zoned Residential - Mixed 2 (RMX-2).

Applicant: Lauren Schevets, Boulder Housing Partners
 Owner: Boulder Housing Partners

Board members were asked to reveal any ex-parte contacts they may have had on this item.

All board members made site visits and reviewed all incoming emails from the public. **L. May** declared that he worked for Habitat for Humanity approximately twenty years ago in Africa. **C. Gray** stated that she was a founding board member of an affordable housing homeowner occupied properties group in Boulder approximately twenty years ago.

Staff Presentation:

C. Ferro introduced the item.

S. Walbert presented the item to the board.

Board Questions:

S. Walbert, C. Ferro, H. Pannewig, S. Kuhna and **D. Thompson** answered questions from the board.

Applicant Presentation:

Lauren Schevets, with Boulder Housing Partners, presented the item to the board.

Board Questions:

Lauren Schevets, Don Ash with Scott, Cox & Associates, **Tim Ross** with Studio Architecture, and **Betsy Martens** with Boulder Housing Partners, representing the owners, answered questions from the board.

Public Hearing:

1. **Ed Byrne**, presented on behalf of Better Boulder, spoke in support to the project.
2. **Jenny Bux** spoke in support of the project.
3. **Susan Lythgoe**, presented on behalf of Habitat for Humanity, spoke in support of the project.
4. **Olive Stacy**, a current Boulder Housing Partners development resident, spoke in support of the project.
5. **Stephanie Warren**, a future Habitat of Humanity resident, spoke in support of the project.
6. **Harma Drenth**, currently living in Four Mile Creek, spoke in opposition to the three story buildings and height modification.
7. **David Willard**, currently living in the Palo Park neighborhood, supports the work of the Boulder Housing Partners but has concerns regarding the interactions between Boulder Housing Partners, the City and the County. He opposed the project as proposed.
8. **Val Soraen**, currently a resident of Red Oak Park and Commissioner of the Boulder Housing Partners Board, spoke in support of the project. She was in support of a two-way circulation and the proposed community center.
9. **Judy Langberg (pooling time with Judy Wakeland, Diane Rieck)**, spoke in opposition of the project.
10. **Harold Hallstein (polling time with Bremer, Kirschenbaum, Gould, Blane and RK Pipani)**, presented a PowerPoint. He asked for a reduction of density on the site and to pull development away from the floodplain and wetlands. He expressed concerns about the authenticity of the public participation process.
11. **Sara Toole (pooling time with Dave Potas, Sean Potas, Susie Levin, Melissa Nipper and Ed Shalho)** spoke in opposition of the project due to the proposed density. She stated the proposal does not meet the BVCP policies and has concerns regarding the traffic.
12. **Karen Klerman**, a board member of the Boulder Housing Partners, spoke in support of the project.

13. **Greg Harms**, executive director of the Boulder Shelter for the Homeless, spoke in support of the project.
14. **Nolan Rosall**, as chair of the Flatirons Habitat for Humanity Board of Directors, spoke in support of the project.
15. **Daphne McCabe** spoke in support of the project.
16. **Ben Blazey**, currently living in affordable housing in Northfield Commons, stated that flood relief funds should not be used to build in the floodplain. He is in support of affordable housing in that location, but he is in opposition of the project.
17. **Michael Fitzgerald**, currently living in a Boulder Housing Partners project, spoke in support of the project.

Board Questions:

S. Walbert, C. Ferro, H. Pannewig, S. Kuhna, D. Thompson, Lauren Schevets, and Jeff Dawson, with Studio Architecture, answered questions from the board.

Board Comments:

Key Issue #1: Does the development proposal meet the Site Review criteria found in section 9-2-14(h), B.R.C. 1981, including Boulder Valley Comprehensive Plan (BVCP) policies?

➤ **1(a): Density (Number of Units)**

- **C. Gray** stated that the majority of the board members approved the annexation. In her opinion, all annexations should be for affordable housing including homeownership and for maintaining the middle income. She recognized the quality work by BHP and Habitat for Humanity. Density can come down to a group feeling they have not been heard. Compromises need to be made. She suggested that the proposed density for the project is slightly high but the project overall could make a better community.
- **L. Payton** stated that most of the public speakers seemed to be in support of doing the project but that it was too dense. She agreed that as proposed it is just too much and that is why there were so many impacts related to height, parking and traffic. She is uncertain if it makes more sense to reduce the number of units or the number of bedrooms in the stacked flats in order to reduce the overall size, but the architecture was such that there were a number of bays and voids that could possibly be reconfigured so that the project would have fewer impacts. She suggested that if the financing is based on the number of units, then reduce the number of bedrooms.
- **J. Putnam** stated that under the Comp Plan, the project was contemplated within the proposed density. This project is not a radical departure in terms on density. In terms of impacts, he is struggling to find evidence that 44 units vs. 35 units would have a significant community impact. He cannot justify moving down from the proposed 44 units. In regards to bedrooms vs. units, he stated that removing some of the three-bedroom units would be worst thing to do because Boulder needs homes for families. If units were removed, then remove some of the one-bedroom units. Reducing bedrooms would not necessarily reduce the number of cars or trips. Therefore, he recommended keeping the mix of units as proposed.
- **L. May** agreed with **J. Putnam**. The density proposed is what the current zoning suggests and the applicant isn't asking for anything more. He stated that the other elements of the project (i.e. height and parking) could be impacts. In addition, there is no

justification according to our site review criteria to suggest a change in number of bedroom units. The location is near bike trails and not too bad transit (though not good), which would be beneficial for an affordable housing project.

- **H. Zuckerman** stated that, the proposed project is compliant with its RMX-2 zoning in terms of parking and density. The RMX-2 requirement that no one housing type make up more than 50% of total units, while not met to the letter (one type of units makes up 54% of the total), is nonetheless met within the spirit of the code, as there are three distinct housing types present. The density that is being proposed is supportable, and if we want to talk about the need for affordable housing, we need to accept projects that can provide such housing where they do not require unreasonable modifications. The density proposed here is acceptable.
- **L. Payton** informed the board that the site review criteria does not require the board to consider loss of funding. The board needs to evaluate the project according to site review criteria.
- **J. Putnam** responded that the board also needs to look at Comp Plan objectives, which are to promote affordable housing, which is relevant.
- **J. Gerstle** added that the proposed density is in accordance with the Comprehensive Plan.
- **C. Gray** added that the neighborhood said they had not been heard regarding this issue. She suggested that Planning Board have this discussion about this larger issue citywide.

➤ **1(b): Parking**

- **C. Gray** stated that she would support a change to the design of the parking if it enables the height of some buildings to be reduced, even if it resulted in a parking reduction. While the site is not isolated, it is not on a transit line. She does not suggest a large parking reduction
- **L. Payton** suggested parking on the northeast corner could be converted to parallel parking to save more habitat and open space. This would result in a small reduction in parking.
- **J. Putnam** agreed. This is a unique site as that there is no luxury to spill out onto streets as a result of the soccer field proximity and neighborhood impact should be avoided. He encouraged but did not want to require that some of the parking be thought of as flex space in the long run, like a parklet, basketball court or community gardens.
- **L. May** stated that he does not find one parking space per unit to be inappropriate. Forty-four parking spaces would be appropriate for this project. The issuance of ECO-Passes and location to bike paths would help to migrate people to alternative modes. We need to start constraining parking access as a policy if we want to see mode shift.
- **H. Zuckerman**, in looking at the proposed design, it does not create the parking island effects that are currently problems. In addition, he would not want to see neighborhood spillover effects. He suggested keeping the parking as is.
- **L. Payton** commented that the comparison to Red Oak Park is not a good benchmark since Red Oak Park it is in a much more walkable area than the proposed site. This site will have more cars than at Red Oak Park.
- **C. Gray** stated that she would want to make sure neighbors are not fighting for parking. However, companion programs must be instituted for traffic or parking mitigation if infill development is going to be done in a neighborly way.

- **J. Gerstle** agreed with **J. Putnam**. He added that a car-share plan should be considered in the TDM.
- **J. Putnam** complimented the staff and applicant's plans for EV charging stations.

➤ **1(c): Site Design and Height Modifications**

- **C. Gray** stated that there are many creative ways that height could be reduced on the site and suggested that they give the applicant the opportunity to suggest alternative designs, rather than leaving it up to staff to ensure that they meet the Board's intent. If the board would like to get the height as close to 35 feet and have less of a modification, this has implications on how buildings are arranged on site.
- **H. Zuckerman** offered moving Building D to the south to reduce the requested height modification due to typography. Then, further reduce the site modification through architecture (e.g., with a flat roof design). If the applicant were to go with flat roofs, there should be a cornice, an outstanding architectural feature. Flat roofed buildings with cornices can effectively hide rooftop solar panels. The reduction in height caused by moving Building D and eliminating the pitched roofs would be a compromise. He suggested the southern façade of Building D, lining up with the community center, should then be better articulated than currently proposed since it would be highly visible and a gateway to the project. The entrances to the community center and Building D would bookend the pedestrian connection. Finally, he suggested moving the parking directly to the north of Building D and northeast of Building E for convenience and to make the north corner of the site a larger natural feature for flood control and the community garden.
- **L. Payton** expressed concern that that grid pattern would be lost if the proposed building moves were done. The tall buildings should be in the back so that they are not as visible.
- **L. May** stated that the relationship between buildings would be better if they were moved because they enclose and relate to the triangular commons much better and to each other much better. He stated the taller buildings would still be in the rear of the site.
- **J. Putnam** does not have concern regarding the height in general because the taller buildings are at the rear of the site and away from view corridors for most people. He approves of **H. Zuckerman** and **L. May's** solution. He stated that it would be a mistake to not provide a safer connection to the multi-use path to the east. He would like to see facilitating an east-west connection along northwest connector along east side of property, even if they lose two to four parking spaces. In general, he supports the connection proposed by Community Cycles. The connection would generally line up with the gap between Buildings D and E.
- **L. Payton** stated that the buildings would be better located where they are currently proposed. The height should be in the rear of the site. In addition, she supports the idea of the grid as an urban design principle.
- **C. Gray** stated the big issue is the height and impact on surrounding areas.
- **J. Gerstle** expressed concern regarding the height issue. He would hate to lose the proposed play area but if it were to be moved to the north of Building D, that would be acceptable.
- **L. May** explained that with **H. Zuckerman's** proposal, the play area might not be a play area per se, but more of a contiguous, natural open space.

➤ **1(d): Architecture**

- **L. Payton** stated the materials (i.e. vinyl windows, hardie board and stone veneer) are not high quality. She is concerned that the materials will communicate that this is a low-income neighborhood. She would like to see clad windows, better materials and/or lap siding with narrow spacing to look more refined. On the architecture, the rear elevation of the Habitat homes (page SR.A4.32 of the applicant's plans, northeast perspective), the porch is truncated and the materials change. She finds this design strange and jarring.
- **C. Gray** generally agreed. The proportions on the rear elevations are awkward and agree with **L. Payton's** suggestions.
- **J. Putnam** had no comments but offered caution regarding costs because the project would be utilizing public funds to build affordable housing. This project has hit a good balance.
- **L. May** generally agreed with **J. Putnam**; however, the Habitat houses are fragmented in their composition.
- **H. Zuckerman** stated the architecture on the site is reasonable for the purpose.
- **J. Gerstle** agreed with **L. Payton** regarding materials. This project should fit in the neighborhood. The proposed walls with no windows or doors (i.e. east side of Community Center) should be avoided.
- **L. Payton** stated that a condition regarding the railings and stone veneers, on the Palo Parkway side (south), of Buildings A, B and C, should be added and shown on the elevations.

➤ **1(e): TDM**

- **L. Payton** suggested adding a condition that ECO-Passes are provided for an extended length of time due to the nature of the population being served.
- **J. Putnam** disagreed with extending the ECO-Passes due to the lack of knowledge of the cost in three years. Given that they are not asking for a parking reduction or a large mode shift in the TDM, there is too much uncertainty and not enough justification to impose an extra cost. The key to this site is the bike paths and to keep working with cycle groups instead.
- **H. Zuckerman** suggested a condition that BHP facilitates the creation of an ECO-Pass district when still one year left of free ECO-Passes. The board cannot mandate that it is a success, however perhaps agree on a condition that the applicant attempt to create a Neighborhood ECO-Pass district and provide facilitation to the adjacent neighborhoods.
- **L. May** supported the condition for a five year ECO-Pass.
- **C. Gray** supported the condition for a five year ECO-Pass.
- **J. Putnam** stated that until RTD provides better service in this area it will be difficult to justify an ECO-Pass district.
- **L. May** stated there is potential for residents to get usage out of ECO-Passes.

➤ **1(f): Hydrology, Sewer and Flood**

- **J. Putnam** stated that the community has identified this issue. He agrees with staff that there is not a significant flood or ground water issue. He is not convinced there is a sanitary sewer issue. There is no site review criterion that makes this unique.

- **L. May** noted that this site is not at a low point as several recent site review applications have been and has reasonable drop off to the stream and will be well drained. He expressed concern about future sewer back up given recent experiences with that and how creating additional flows to something that has already backed up exacerbates that circumstance.
- **L. Payton** said that this site is not as flood prone as other sites and that the groundwater is not as shallow as found in other sites. She does not foresee disturbance of the alluvial aquifer on the south side of Four Mile Creek being propagated across the creek and affecting the groundwater hydrology on the north side.
- **J. Gerstle** agreed.

Key Issue #2: Do the requested height modifications meet the Site Review criteria, especially subsection 9-2-14(h)(2)(F), “Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area”?

- **J. Putnam** added that the project could meet the **criteria as is**, but it would be better with flat roof and/or cornice design and adjusting the building location, as discussed earlier. A smaller modification would still be required but would be more appropriate.
- **C. Gray** reminded the board that in regards to the site criteria for height, there is no community benefit referenced with a requested height modification. In this neighborhood, one cannot make the case for 43 feet based on the built environment. Therefore, she would like to have the roofs modified.
- **L. May** stated that the board would not have to establish exactly what that height is, only the maximum it can be.
- **H. Zuckerman** offered to word the motion so that the height modification for Building D (as amended) would be the applicant-proposed modification minus (1) the difference in height created by a change to a flat roof and (2) the difference in height associated with the movement of the building to the south. For Building E, the height modification as amended would be the applicant-proposed modification minus the difference in height created by a change o a flat roof.
- **L. May** suggested adding, “The current low wall plate submitted with a ¼ inch per foot slope roof”.
- **L. Payton** suggested simply capping the height at 40 feet.
- Based on the response by the applicant, **H. Zuckerman** stated that he would be comfortable with a 41-foot limit because he would not want to limit the architecture style and end up with a building that does not fit with the rest of the development.
- **L. Payton** mentioned if the board decided to cap the building height at 41 feet they could have the buildings remain in the proposed locations on the site. She does not agree with how the grid would be broken up and the larger building would be visible from the street. It does not appear that the board is in agreement on this issue.
- **L. May** said the buildings should move. Connections are not being lost.
- **J. Gerstle** agreed that height should be the chief determinant and the site design should be left to the applicant.
- **H. Zuckerman** agreed that if the applicant cannot make the site work with the board’s suggestions, then perhaps the board should not move the buildings around. However, if the applicant believes the modified plan is doable, then he prefers the board’s modified plan.

- **J. Putnam** stated he is less concerned about the height being the driving factor. The other benefits to changing the site arrangement are much more compelling and interesting. The visibility of Building D from the street would not change substantially. He expressed interest in removing the pitched roofs from Building D and provide an acceptable cornice.
- **C. Gray** clarified that the proposed condition would only lessen the height by 2.5 feet.
- **J. Putnam** stated that he would like to include a performance standard that the sloped roof is eliminated and to move Building D without providing a particular height limit.
- **L. May** said that he agreed with the architect's request for flexibility in the design. The performance standard should be 41 feet not the configuration of the roof.
- **J. Putnam** stated there seemed like a majority interest in providing some sort of height cap that would reduce height but also provide flexibility in design.
- **J. Gerstle** stated there appears to be a majority interest in favor of the revised site layout.
- Based on feedback from the applicant, **L. May** said that the neighborhood communicated conflicting concerns about providing pitched roofs and about height maybe not realizing how they impact each other. He felt that the overwhelming concern was height.
- **L. Payton** stated that she felt the overwhelming concern of the neighborhood was whether the board granted a modification to the standards, not a specific height number. Given that, she stated that she supported the modification as requested and let the applicant design the project.
- **H. Zuckerman** stated that by capping the height at 41 feet, the roof will not be steeply pitched and make an impact on the skyline for the neighbors. With the constraints the board has just put in place on the project, the buildings will fit within the design of the neighborhood. There is a variety of roof forms in the surrounding neighborhood.
- **C. Gray** stated that they would not be able to increase the floor to ceiling height either.
- **H. Zuckerman** agreed that all other aspects of the design would have to be held constant.

Key Issue #3: Does the design of the community center building meet the Site Review criteria, especially subsection 9-2-14(h)(2)(F), "Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area"?

- **L. Payton** stated that it is a modest building and the architecture is fine.
- **J. Gerstle** finds the modest structure acceptable.
- **H. Zuckerman** stated it creates an entry feature with the movement of Building D and J.

Motion:

On a motion by **J. Putnam**, seconded by **L. May**, the Planning Board voted 6-0 (**B. Bowen** absent and recused from this item) to approve Site Review case no. LUR2016-00027, incorporating the staff memorandum and the attached analysis of the Site Review criteria as findings of fact and subject to the recommended Conditions of Approval, amended as follows:

Condition 2.a. to be amended by adding:

2.a.i. The heights of Buildings D and E shall be limited to 41 feet.

2.a.ii. Simplify the porch design and materials of Buildings F, G and H to address fragmentation, considering, including but not limited to, the continuity of the porch and changes in materials.

2.a.iii. Refine the siding of all buildings to improve texture by measures, including but not limited to, using shake shingles instead of lap siding or reducing the exposure of the lap siding.

2.a.iv. Railings and stone veneer be included on the Palo Parkway elevation of Buildings A, B and C.

Condition 2.b. to be amended by adding:

2.b.iii. To add a pedestrian connection to the multi-use path to the east of the site and internal pedestrian crossing zone to it.

Condition 4 to be amended by adding:

4.a. To include ECO-Passes to five years instead of three years. The applicant shall undertake good faith efforts to try to establish a Neighborhood ECO-Pass zone. No later than four years after issuance of certificate of occupancy, the applicant will begin work to facilitate an effort to secure RTD approval of the project area as an ECO-Pass neighborhood, opening the process to the neighboring community, if appropriate. Nothing in this condition shall require the applicant to achieve such approval.

A new condition to be added reading:

The applicant shall provide ECO-Passes for the residents of the development for five years from issuance of a certificate of occupancy.

Motion by **J. Putnam**, seconded by **L. May**, to amend the main motion so as to further modify the recommended conditions of approval, in particular, to add a new condition 2.b.iv. that Building D shall be moved south, along with the northern parking lot, while Building J will be moved west into the site identified as the play area on the Site Plan. Passed 5-1 (**L. Payton** opposed, **B. Bowen** absent and recused from this item).

Motion by **L. May**, seconded by **J. Putnam**, to amend the main motion so as to further modify the recommended conditions of approval, in particular, that the TDM plan needs to include a program to encourage bike usage and maintenance, which can include a partnership with a third party non-profit. Passed 6-0 (**B. Bowen** absent and recused from this item).

- C. AGENDA TITLE:** Public hearing for consideration of a Concept Plan proposal to redevelop the AirGas site, LUR2016-00028, at 3200 Bluff Street (a roughly 1-acre property) with a mixed-use development in two buildings totaling 98,000 square feet in size comprised of 43,000 square feet of residential in 36 rental units and 55,000 square feet of commercial space with a 102 space underground parking garage in accordance with the adopted Transit Village Area Plan (TVAP). Preliminary consideration of a rezoning from Industrial Mixed Service (IMS) to Mixed-Use - 4 (MU-4) is also proposed.

Applicant: Kirsten Ehrhardt, Coburn Development, Inc.
Property Owner: AirGas InterMountain, Inc.

Staff Presentation:

K. Guiler presented the item to the board.

Board Questions:

K. Guiler answered questions from the board.

Applicant Presentation:

Andy Bush, with Morgan Creek Ventures, and **Bill Holicky**, with Coburn Architecture, the applicants, presented the item to the board.

Board Questions:

Andy Bush and **Bill Holicky**, the applicants, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:**Key Issues: Compliance with TVAP, Site and Building Design, Proposed rezoning to MU-4, Form-Based Code, Others?**

- **L. Payton** read **C. Gray's** comments to the board since **C. Gray** was not present at the time of this Concept Review. **C. Gray's** comments stated that she would support net zero. She suggested a higher percentage of residential. In regards to architecture, the west elevation steps down to two stories, and the building reads as one 55' continuous building and should be broken up. There should be more connections through the building and the paseo seems cramped and tunnel-like.
- **L. Payton** appreciated the applicant's efforts to be energy efficient. She expressed concern that the project will have to be welcoming and interesting enough to compete with other places to shop, dine, and hang out in Boulder. She was not in support of the pedestrian tunnel. It should be open to the sky, but if not, then it should have some treatment on the ceiling that makes passing through the tunnel a special experience. She appreciated the staff's comments regarding the connections, such as shifting retail towards the rail plaza. She is interested in a terminated vista at the end of the pedestrian pathway along Junction Place.
- **J. Putnam** stated that the project is very close to consistency with the TVAP plan. In terms of the residential location, more residential would be better. He suggested locating the residential at the corner away from the railroad noise. He supports placing more ground level retail at the northeast corner. He suggested and agreed that the pedestrian connections at the east-west vista could be critical and perhaps the Steelyards connection should be dominant. A terminated vista needs to be considered. In terms of parking, he was curious if there would be a way to get it down to one point of access, which could improve the pedestrian activation and reduce impacts on the streetscape. He suggested pre-wiring for EV charging stations for the 60 spaces. Portions of the architecture read as a flat 2-dimensional piece. It is important to try to limit garage access to one-entry instead of two-entry points.

- **L. May** agreed. He suggested using solar panels to cantilever over the street as a nice architectural element like Bullet Center in Seattle.
- **H. Zuckerman** agreed. He added that he was not sure the proposed project respects neighbors living on the other three corners in terms of residential. The northeast corner could be reinforced with something stronger than entirely residential.
- **L. Payton** agreed with **J. Putnam** regarding the garage access.
- **J. Gerstle** agreed. He stressed that the applicant should develop a single entrance for the garage access. In regards to the footpath through the “Four C’s”, while residents are concerned about foot traffic, there is potential for an attractive pedestrian path and that they may be the most appropriate connection points.

Board Summary:

J. Gerstle gave a summary of the board’s recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. Generally, the board’s comments were positive. The board had concern with the scale of the massing along the street and the tunnels being less desirable. Some on the board suggested treating the solar panels as architectural elements by extending beyond the walls. The garage and pedestrian paths were central issues as well. The amount of residential use should be as large as possible. Some board members supported more residential use at the northwest corner, while others supported more commercial at this location. There was some split among the board regarding the tunnel and whether it would be a dedicated paseo. However, all board members agreed that it must be done effectively and not sterile. Most members supported reducing garage access to one point instead of two.

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

A. Addition of Planning Board Meeting, July 14, 2016

Board Comments:

- After some discussion, it was determined that an additional Planning Board meeting would be scheduled for July 14, 2016 in Council Chambers to begin at 6:00 p.m. to discuss 1440 Pine Street Concept Plan.

B. EAB to work with Planning Board

Board Comments:

- **J. Gerstle** informed the board that he had been in contact with the Environmental Advisory Board (EAB). They would like to establish a closer relationship with the Planning Board. David Driskell and Brett KenCairn will be discussing the nature of how the EAB would like to proceed and will be in contact with the Planning Board later.
- **J. Putnam** suggested informing the EAB of the procedural guidelines of how the Planning Board operates (Quasi-Judicial mode) which may differ from how the EAB operates (Legislative mode). The Planning Board has constraints.

C. Landmarks Board Liaison

Board Comments:

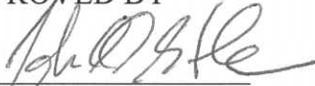
- **H. Zuckerman** and **J. Putnam** mentioned they have not been contacted regarding the next Landmarks Board Meeting so that they could attend.
- **C. Spence** informed the board members that she would contact the Landmarks Board Secretary and have her contact them in time for the June Landmarks Board meeting.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 12:02 p.m.

APPROVED BY



Board Chair

2 June 2016
DATE

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

Name of Board/ Commission: Transportation Advisory Board	
Date of Meeting: May 9, 2016	
Contact Information Preparing Summary: Meredith Schleske 303.441.3204	
Board Members Present: Bill Rigler, Chair; Jennifer Nicoll, Dom Nozzi, Anna Reid, Zane Selvans Board Members Absent:	
Staff Present: Michael Gardner-Sweeney, Director of Public Works for Transportation Kathleen Bracke, GO Boulder Manager Noreen Walsh, Senior Transportation Planner Bill Cowern, Acting Principal Traffic Engineer Carey Sager, Maintenance Supervisor Gerrit Slatter, Principal Transportation Project Engineer Molly Winter, Director, Department of Community Vitality Greg Guibert, Chief Resilience Officer Lesli Ellis, Comprehensive Planning Manager Meredith Schleske, Board Secretary	
Consultants Present: Carlos Hernandez, Fox Tuttle Hernandez	
Type of Meeting: Advisory/ Regular	
Agenda Item 1: Call to Order	[6:30 p.m.]
The meeting was called to order at 6:30 p.m.	
Agenda Item 2: Approval of minutes from April 2016	[6:30 p.m.]
Move to approve minutes as presented.	
Motion: Nozzi Second: Reid	
5:0:0 Motion Passes	
Agenda Item 3: Public Participation	[6:31 p.m.]
none	
Agenda Item 4: Staff briefing and TAB discussion regarding TMP Implementation Progress Update including Canyon Corridor Study in advance of May 31, 2016 City Council Study Session (Rutsch/Bracke)	[6:31 p.m.]
Executive Summary:	
<p>The Transportation Master Plan (TMP) is the city's policy document establishing the goals, objectives and investment priorities for transportation. Since 1989, the TMP has reflected a consistent policy direction of accommodating increased person travel, managing the impacts of automobile travel, and developing a multimodal transportation system with the pedestrian as the primary mode. The TMP aligns with the community's broader goals expressed in the Boulder Valley Comprehensive Plan (BVCP) and the city's Sustainability Framework. The 2014 TMP includes an extensive analysis of transportation's role and needed contributions for Boulder's Climate Commitment. The measurable objectives of the 2014 TMP support accommodating the increase in person trips while reflecting the reductions needed to reduce the impacts of automobile traffic in support of the community's sustainability and resiliency goals. The 2014 TMP also included a detailed Action Plan to guide work efforts in implementing the plan.</p> <p>This update to the Transportation Advisory Board (TAB) on May 9 and upcoming City Council Study Session on May 31 provides an opportunity to check in with TAB and council regarding the progress to-date on the TMP since council acceptance of the plan in August 2014. This is the third study session on implementation, including the activities occurring since the last study session on the TMP on Aug. 25, 2015.</p> <p>Transportation Division staff is sharing updates regarding pedestrian-related projects, plans and programs, as well as status report on core services in the areas of operations, maintenance, capital projects.</p> <p>Staff is seeking input and guidance from TAB and City Council on several key areas of the TMP Complete Streets work program for 2016-17, including updates on the Canyon Corridor study and the Living Lab Phase II Folsom Street pilot project, as well as a check-in on next steps for the city's Renewed Vision for Transit.</p> <p>Additional highlights are provided as information items regarding the other TMP focus areas of Regional Travel,</p>	

Transportation Demand Management (TDM), Funding, and Integration with Sustainability Initiatives.

Future transportation study sessions in 2016 will focus on progress reports on transportation funding (June), Renewed Vision for Transit (September), the multi-departmental Access Management and Parking Strategy (October), and TMP progress on Complete Streets, Transportation Demand Management (TDM), and Funding (December). Prior to each of these council study sessions, TAB will have an opportunity to review and share feedback with staff and council.

Questions for TAB

1. Does TAB have questions and feedback regarding the overall TMP implementation to-date? As well as suggestions for next steps?
2. Does TAB have questions and feedback regarding the Canyon Corridor study goals, objectives, evaluation measures, and conceptual design options?
3. Does TAB have questions and feedback regarding the Living Lab Phase II Folsom Street pilot project update?
 - i. Does TAB have questions and feedback on the national cities research and input to guide preparations for the proposed practitioners' panel planned for fall 2016?
4. Does TAB have input to guide next steps on the elements of the city's Renewed Vision for Transit 2016 work program items?

Kathleen Bracke gave the presentation to the board.

Board discussion and comments included:

i. Canyon Complete Streets:

- Questions regarding where the additional width would come from, the concept of reversible lanes, discussion of the vision statement, definition of "efficient" roadway, and lowering car speeds.
- Questions regarding the staging at the downtown bus transit station and support for separating the bike and pedestrian paths downtown.
- Questions regarding the logic of developing seven preliminary designs and suggestions to include examples from other cities in the memo to City Council. A request for several bike treatments that TAB could consider as well.
- Support for separate paths for bikes and pedestrians, protected bike lanes as shown in design option 6.
- Questions as to whether bike traffic signals would be considered if bike lanes are only on one side of the street.

ii. Living Labs:

- Questions regarding whether the case for staff's recommendation has been made.
- Recommendations to focus on facts.
- Suggestions that at least two years of tracking are required for valid data, factoring in influences such as seasonality and whether schools are in session. Suggestion to modify the presentation to reflect this.
- Suggestions to include "lessons learned" and to use care with terminology.

iii. Renewed Vision for Transit

- Questions regarding what criteria limit further transportation improvements.
- Suggestion to give citizens background and information to be able to make informed suggestions.
- Suggestion to emphasize focusing on "headlines" for City Council – profile achievements. Are we making progress or not? How are they impacting TMP goals?
- Request for an update on the status of a community-wide Eco-Pass.
- Suggestion that transit stop improvements be viewed from a marketing perspective. Branding and bus wraps have been good in the past.
- Suggestion to ensure that the memo and presentation tell those receiving them why they should care.

**Agenda Item 5: Staff briefing and TAB discussion regarding the Chautauqua Access Management Plan (CAMP) (Covern/Winter)
[8:07 p.m.]**

Executive Summary:

The purpose of this briefing is to provide the Transportation Advisory Board (TAB) with materials associated with the 2016 work program for the development of the Chautauqua Access Management Plan (CAMP).

The development of the CAMP is a process involving city staff from multiple departments, including the Transportation

Division of Public Works, Community Vitality, Open Space and Mountain Parks, Parks and Recreation and the City Manager's Office. The CAMP will explore ways to manage existing demand for transportation access (including parking) to and from the Chautauqua area in ways that minimize vehicular and parking impacts to surrounding neighbors, visitors and the area's natural and cultural resources. The CAMP will not be exploring resource management or visitor use of OSMP land in the Chautauqua area. At this early stage in the CAMP development project, city staff are interested in gathering feedback from the public, city boards, and city council on the proposed planning process, including the scope of work, schedule, and community engagement.

City Council will be receiving an information item concerning this topic in their June 7th packet. Input from the TAB and other related boards and commissions will be provided in that memorandum.

Bill Cowern gave the presentation to the board.

Board discussion and comments included:

- Questions regarding the scope and schedule.
- Expression of concerns around safety along Baseline.
- Expressions of excitement that this is happening.
- Recommendations to consider including the Gregory trailhead, extending the CAMP past Chautauqua, and considering months other than summer.
- Expressions of concern about parking management and proper pricing and suggestions that it be addressed in the communication plan.

TAB members may contact Bill Cowern with further questions and comments.

Agenda Item 6: Staff briefing and TAB input regarding the 2017-2022 Transportation Capital Improvement Program (CIP)-- Part II of III (Slatter) [8:26 p.m.]

Executive Summary:

Every year the city goes through a budget process that creates a six-year planning budget, this year for the time period of 2017 through 2022. Within this process, funds are appropriated for the first year, 2017. The Transportation Advisory Board's (TAB) role in this process is defined in the Boulder Revised Code (BRC) TITLE 2 GOVERNMENT ORGANIZATION, Chapter 3 Boards and Commissions, Section 14 - Transportation Advisory Board; ". . . to review all city transportation environmental assessments and capital improvements." It is within this context that the board is asked to hold a public hearing and provide a recommendation on the Capital Improvements Program (CIP) to Planning Board and City Council.

TAB Action Requested:

Staff asks that the TAB review the recommended draft 2017-2022 Transportation and Transportation Development Funds CIPs and provide feedback.

Gerrit Slatter gave the presentation to the board.

Board discussion and comments included:

- A suggestion to increase user fees.
- Expressions of support for funding for traffic mitigation.
- A request for information regarding the tradeoff if NTMP funding is added back to the CIP.
- Questions regarding what defines an issue as quality of life versus safety.
- Confirmation that the project from Violet to Highway 36 is in coordination with greenways.
- Inquiry about the correlation of projects with housing density and provision for emerging technologies.

Agenda Item 7: Staff briefing and TAB input regarding the city's draft Resilient Strategic Plan (Guibert) [8:54 p.m.]

Executive Summary:

The purpose of this memo is to provide select boards and commissions the draft of the City of Boulder's Resilience Strategy and receive feedback.

TAB Action Requested – Key Questions for the TAB:

1. Is anything important missing from the draft strategy?
2. Are there proposed actions that the board feels aligns well with their strategic roadmap?

Greg Guibert gave the presentation to the board.

Board discussion and comments included:

- Questions regarding recommendations for what TAB should consider at their planning retreat, and how to overcome silos.
- Encouragement towards consideration of other factors such as disruptions or changes such as food, fuel supply or demographic changes. "Plan B" may be better terminology for the public. Are we trying to achieve self-sufficiency?
- Suggestions to include land use transportation system and fiscal responsibility.

TAB members may contact Greg Guibert at guibertg@bouldercolorado.gov with further questions and comments.

Agenda Item 8: Matters

[9:14 p.m.]

A. Matters from the Board

- **Greenways Advisory Committee Referrals – Comments regarding the Fourmile Canyon Creek CEAP and the Greenways CIP (Nicoll)** [9:14 p.m.]

1. **Fourmile Canyon Creek CEAP**
2. **Greenways CIP**

TAB members are asked to contact Jennifer Nicoll with questions and comments.

- Updates re: collaboration with other city boards – Anna Reid serves on the East Arapahoe Corridor Study workgroup with 21 other volunteers. They have met once; updates will be provided as it progresses. Bill Rigler is on the HOP workgroup, meeting next week.
- Dom Nozzi requested his report on the Portland/Eugene trip be tabled due to time.

B. Matters from the Staff/ Non-Agenda

[9:18 p.m.]

- Boulder Valley Comprehensive Plan Update (Ellis/Rutsch)
Lesli Ellis gave the presentation to the board. The purpose is to compare the Boulder Valley Comprehensive Plan (BVCP) to the TMP and other documents to ensure alignment. A public engagement event is planned this week. TAB members may contact Randall Rutsch or Kathleen Bracke with questions and comments.
- Chautauqua Pedestrian Safety, Access, and Lighting Final Improvements update (Walsh/Sloan) – Mike Sweeney reported that the goal is to enhance pedestrian access. Funding is through a limited term sales tax. There is concern over the impact to an historic district and onsite lighting was removed from project. The summary will be forwarded to TAB.
- Board Retreat Planning – date in process.
- CIP Tour Planning – date in process.
- Regional studies update (Gardner-Sweeney) –there is a potential statewide road-centric transportation funding ballot measure. Metro mayors opposed the language.
- Other matters - the TAB to-do list is generated in part by planning retreat discussions. There will be a joint boards meeting in August regarding the Arapahoe Underpass project.

Agenda Item 9: Future Schedule Discussion

[9:33 p.m.]

Agenda Item 10: Adjournment

[9:34 p.m.]

There being no further business to come before the board at this time, by motion regularly adopted, the meeting was adjourned at 9:34 p.m.

Motion: moved to adjourn: Nozzi, seconded by: Selvans

Motion passes 5:0

Date, Time, and Location of Next Meeting:

The next meeting will be a regular meeting on Monday, 13 June 2016 in the Council Chambers, 2nd floor of the Municipal Building, at 6 p.m.; unless otherwise decided by staff and the Board.

APPROVED BY:


Board Chair

ATTESTED:


Board Secretary

13 June 2016

Date

6/13/16
Date

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

**General Aviation Appreciation Month
June 2016**

WHEREAS, the City of Boulder, Colorado, has a significant interest in the continued vitality of general aviation, aircraft manufacturing, aviation educational institutions, aviation organizations and community airports; and

WHEREAS, general aviation and the Boulder Municipal Airport have an immense economic impact on the City of Boulder; and

WHEREAS, Colorado is home to 61 public-use general aviation airports, which serve 17,435 pilots and 5,412 active general aviation aircraft; and

WHEREAS, Colorado is home to 70 fixed-base operators, 71 repair stations, 447 heliports, 9 FAA-approved pilot schools, 3,528 flight students and 2,817 flight instructors; and

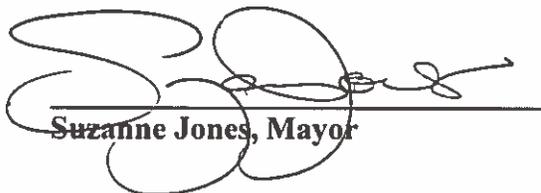
WHEREAS, general aviation airports in Colorado contribute \$2.4 billion to the state's economy; and

WHEREAS, general aviation not only supports Colorado's economy, it improves overall quality of life by supporting emergency medical and healthcare services, law enforcement, firefighting and disaster relief, and by transporting business travelers to their destinations quickly and safely; and

WHEREAS, the nation's aviation infrastructure represents an important public benefit, and Congressional oversight should be in place to ensure stable funding of this system.

NOW THEREFORE BE IT DECLARED by the City Council of the City of Boulder, Colorado, that general aviation is a vital strategic resource to the City of Boulder and declare June as

GENERAL AVIATION APPRECIATION MONTH


Suzanne Jones, Mayor

