



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: February 29, 2016

AGENDA TITLE

Consideration of a motion on the initial screening of public requests for map changes in Area II and Area III as part of the Boulder Valley Comprehensive Plan Major Update

PRESENTERS

David Driskell, Executive Director, Planning, Housing & Sustainability (PH&S)
Susan Richstone, Deputy Director, PH&S
Lesli Ellis, Comprehensive Planning Manager, PH&S
Jeff Hirt, Planner II, PH&S
Caitlin Zacharias, Associate Planner, PH&S
Dale Case, Land Use Director, Boulder County Land Use
Nicole Wobus, Land Use Manager, Boulder County Land Use
Abby Shannon, Senior Planner, Boulder County Land Use
Pete Fogg, Senior Planner, Boulder County Land Use
Steven Giang, Planner I, Boulder County Land Use

EXECUTIVE SUMMARY

The purpose of this item is City Council action on the initial screening of public requests in Area II and Area III as part of the Major Update to the Boulder Valley Comprehensive Plan (BVCP). The memo provides information on the actions taken by Planning Board, the Boulder County Planning Commission, and Board of County Commissioners (BOCC).

For the joint county hearings on Jan. 26, 2016 regarding Area II and Area III requests, city and county staff provided initial recommendations. The county bodies modified and advanced the motion to the City Council and Planning Board for the joint public hearing on Feb. 2, 2016. On Feb. 2, Planning Board recommended advancing four requests as follows:

- **3261 3rd St.** – *Minor Adjustment to Service Area Boundary (Area III to II) (Request 25)*
- **3000 N. 63RD St. & 6650 Valmont Rd.** (“**Valmont Butte**” #1) – *OSO to PUB (Request 26)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2** - *LR & PUB to MXR (Request 35)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3** – *LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation) (Request 36)*

The board also did not recommend further analysis on 2802 Jay Rd. #1 – Change from Public to MR or MXR (Request 29) and recommended that City Council ask the county Planning Commission and BOCC to reconsider two requests that were not advanced by the county:

- **2801 Jay Rd. #2** – *Change to Area III - Planning Reserve (Request 30)*
- **5399 Kewanee Dr. & 5697 South Boulder Rd** “Hogan Pancost” – *Change to Area III (Request 32)*

The work sheet in **Attachment A** notes the actions of the Planning Board, BOCC, and Planning Commission. Draft minutes from the Planning Board meeting are in **Attachment B**.

STAFF RECOMMENDATION

The revised recommended motion language below carries forward the action of the Planning Board except for the board’s recommendation to reconsider the two requests (i.e., 30 and 32) for several reasons noted later in the memo.

Suggested Motion

Staff requests consideration of this matter and action in the form of the following motion:

Motion to further consider and analyze the following land use map changes for Area II and Area III properties:

- **3261 3rd St.** – *Minor Adjustment to Service Area Boundary (Area III to II) (Request 25)*
- **3000 N. 63RD St. & 6650 Valmont Rd.** (“Valmont Butte” #1) – *OSO to PUB (Request 26)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2** - *LR & PUB to MXR (Request 35)*
- **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3** – *LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation) (Request 36)*

CHANGE REQUESTS FOR AREA II AND AREA III

The city and county received 15 requests for changes to the map for Area II and III properties. The initial screening is intended to determine which BVCP change requests submitted by the public will receive additional study and analysis as part of the five year major update to the plan, and ultimately narrow the range of requests to the ones that are highest priority, most relevant for the major update, and manageable in terms of workload moving forward. During the initial screening phase, staff evaluates requests against criteria to determine which should move forward in the process; more detailed analysis of each request occurs in the further analysis phase.

The city completed its initial screening of requests in Area I, Area II enclaves, and for policy and text changes (requests #1 through 23). The memo for the Dec. 15, 2015 joint Planning Board/City Council public hearing is available [here](#). The memo for the Jan. 5, 2016 City Council meeting is available [here](#). The city advanced five property requests and three policy requests in the first set of initial screening hearings.

The memo provided for the Feb. 2, 2016 City Council and Planning Board joint hearing included a full description of the criteria used for analysis for the Area II and Area III requests, the original requests, and staff reports and analysis. The Feb. 2 memo can be found [here](#) with the analysis in [Attachment A](#). On Feb. 2, Planning Board voted on the recommendations advanced by the

BOCC and Planning Commission and advanced four requests and asked for reconsideration of two as noted in the executive summary and motion below.

The Feb. 29, 2016 vote of City Council should conclude the initial screening process for the BVCP Major Update, unless initial screening requests are reconsidered by the county. Requests that receive approval for further study by the four review bodies will move forward and be analyzed over the coming months. Analysis of some request are likely to be complete by summer and others may take a bit longer, according to a schedule to be determined by staff and to be shared with the four decision bodies.

Requests Recommended by Three Decision-Making Bodies for Further Analysis

This section provides brief summaries of the requests in Area II and III recommended for further analysis by three of four approval bodies.

- Request 25) **3261 3rd St. – Minor Adjustment to Service Area Boundary (Area III to II)**
Request to adjust the service area boundary from Area III to Area II for a property that has both an existing residential use and a BVCP land use designation of Low Density Residential. Further study is needed to determine if the request meets the criteria for a minor adjustment to the service area boundary and transportation access, utilities, and adjacent city open space implications. The property is currently not eligible for annexation and was recently approved for a county subdivision exemption provided they pursue annexation to the city, which represents a changed condition.
- Request 26) **3000 N. 63RD St. & 6650 Valmont Rd. (Valmont Butte) #1 – OS-O to PUB**
Request for a land use change from Open Space- Other (OS-O) to Public (PUB) at Valmont Butte. This request was submitted by the city with the intent to annex the property into the city, undertake historic landmark designation for the mill buildings, expand open space areas to include 12 acres of undisturbed historic areas, and to allow for the remainder of the site to be used for existing radio communications use as well as future material/equipment storage and renewable energy uses. The request for public use is not intended to convey that the site would have public access. The requested land use designation change should be considered further to support city operations and meet other climate-related goals.
- Request 35) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2 – LR & PUB to MXR**
Two requests made by the property owners for a land use change from Low Density Residential (LR) and Public (PUB) to Mixed Density Residential (MXR). Demand for a school at this location has not materialized, which makes the PUB land use designation inconsistent with BVSD’s interest in the property. The proposal to create affordable housing on the site appears to be consistent with a variety of BVCP policies. Further study is needed on the proposed land use change with Request 36.
- Request 36) **6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3 – LR & PUB to OS (w/Natural Ecosystems or Environmental Preservation designation)**
Eleven requests, which include requests from individuals as well as the Twin Lakes Action Group (TLAG), asked generally to change the land use designation of both parcels to Open Space (OS). Generally the requests include preserving

wildlife habitat, maintaining existing neighborhood character, and meeting the open space needs of the surrounding neighborhood. Further study is needed with Request 35. Both Open Space and Mountain Parks (city) and Parks and Open Space (county) have indicated that the site does not meet their criteria for acquisition for community or regional open space. However, an OS land use designation could be appropriate if the site were to be privately acquired for that purpose.

Requests Recommended by Planning Board for Reconsideration

Planning Board asked that City Council consider and the county bodies reconsider two requests that the BOCC did not advance. They are:

Request 30) **2801 Jay Rd. #2** – *Service Area Contraction (Area II to Area III- Planning Reserve)*

The city and county received four requests to change the service area designation from Area II to Area III-Planning Reserve because of concerns related to consistency of redevelopment with neighborhood character, incremental development, traffic, and safety, among other reasons. The property has been developed and used as a place of worship since 1990. The purpose of the Planning Reserve is to maintain the option of future service area expansion and is an interim classification until it is decided whether the property should be placed in Area III-Rural or in the Service Area (Area II). Because of existing urban development on the property, Area II and Public land use designations, and contiguity with the city's existing service area, staff did not recommend further analysis of this request. The BVCP also does not contain clear criteria regarding how to change the designation of a property from Area II to Area III-Planning Reserve. BOCC discussed that Area II is more appropriate for the property. Planning Commission was interested in studying this request if the housing land use request (Request 29) was to move forward. Planning Board requested further study as they expressed concerns about intensifying uses on the property.

Request 32) **5399 Kewanee Dr. & 5697 South Boulder Rd. (Hogan Pancost)** – *Service Area Contraction (Area II to III)*

Southeast Boulder Neighborhood Association requested to change the designation of the property from Area II to Area III. The property owner also submitted a rebuttal requesting that the designation remain Area II. Planning Board's 2013 denial of a development proposal for the site initially suggested the need for further study to determine if a reclassification to Area III might be appropriate and whether the proposal would meet the BVCP's criteria for a service area contraction (BVCP Amendment Procedures section 3.b.2), therefore staff originally recommended that this be studied further. However, Planning Commission thought the appropriate intensity, use, and environmental, and technical issues could be more appropriately addressed as part of an annexation request. The BOCC did not comment on the request as Planning Commission had previously screened the property from further analysis as part of the BVCP update. Planning Board requested reconsideration as noted below with additional information.

Next Steps for Analysis of BVCP Public Requests

Given the volume of questions about the next phase of BVCP analysis, staff would like to clarify what to expect regarding level of detail and timing. Additionally, staff is sorting the remaining requests according to level of complexity, required review (two or four-body), and expected level of community engagement, among other factors. That sorting process may then determine the schedule for later hearings.

In general, the BVCP analysis following the initial screening has focused on issues such as intensity of development, mix of uses, and ability to provide urban services to a property or area. Criteria for further analysis will be based on BVCP criteria that are outlined in the Amendment Procedures (p. 59, land use map changes, 2010 BVCP) and minor adjustments to the service area boundary (p. 61, 2010 BVCP). These criteria include consistency with the policies and overall intent of the comprehensive plan, compatibility with the surrounding area, and minimal effect on service provision, among others.

Specifically, staff analysis during the further analysis phase in past major updates has entailed the following:

1. Summary Data: zoning and future BVCP land use designations, parcel acreage, square footage of existing buildings, and dwelling units and jobs based on current and proposed land use designations
2. Site Location and Context: including a description of what is permitted under the current land use designation, surrounding land uses, transit, and any environmental concerns
3. Discussion of relevant history and key issues: key issues vary by property and may included the following, among others: land use discrepancy with BVCP, development potential after floodplain re-mapping, consistency with adopted area plans, previous council direction, preservation of rural or historic character, and compatibility with surrounding area
4. Summary points from public engagement: most requests involved a public engagement component

In past updates, staff has not provided detailed analysis regarding environmental resources, hydrology, or site design – some of the issues that have been brought up for properties such as Twin Lakes. In addition to the criteria in the Amendment Procedures, compatibility with policies and land use designations in existing subcommunity or area plans and priorities for the major update are among additional considerations used in the further analysis phase. In 2010, for example, staff recommendations were based on prior or ongoing detailed studies or adopted plans and did not include any new detailed studies for the BVCP process (e.g., recommendations based on adopted plans (TVAP and the North Boulder Subcommunity Plan) and prior studies (RH-2 zoning district study, University Hill Study)). In general, the 2010 staff recommendations cite existing policies and regulations without conducting technical analysis to comprehensively examine the implications of potential alternative land use designation and zoning scenarios.

In 2010, the volume of public comment was substantially less for final decisions than staff has already seen for the 2015 requests so far. Nevertheless, of the ten 2010 requests that made it to the final stages, four had at least one public meeting, and some had several focused smaller group meetings with community members.

With the increasing complexity of infill and redevelopment projects, and the increased number of requests, new questions have arisen about how much detail to provide so decision makers are able

to determine whether a land use change is merited. If the city or county direct staff to look at alternative processes or approaches, staff would want to consider engaging consulting resources to support an added level of analysis or facilitation and engagement. *(Note: BVCP Process Subcommittee will be discussing a possible facilitated approach for the Twin Lakes requests. Staff will also provide more information regarding what level of information applicants provide during an annexation request or site review.)*

STAFF RECOMMENDATION

Staff recommends advancing the four requests advanced by Planning Board for further study but does not recommend sending additional requests back to the county for reconsideration for the following reasons.

1. **The four body review process is complex and time consuming.** The initial screening process is intended to gauge the level of interest from different bodies in studying a request before investing staff time and other resources or demanding more time on the part of the public or the bodies to review staff analysis. The county decision making bodies carefully deliberated on the change requests and formed their positions regarding which requests warrant further study. It is not clear that further deliberation would result in a four-body consensus on the items for which Planning Board requests further consideration. Furthermore, eight sets of deliberations have already occurred for the initial screening of BVCP requests. Rescheduling hearings and reconsidering requests would take additional resources and potentially detract from other commonly agreed-on aspects of the BVCP major update.
2. **Depth of study.** For Hogan Pancost, many technical studies and peer reviews have been performed for the project already. Upon further consideration and discussions with engineering staff and development review, it is unclear how additional analysis through the BVCP could address the technical and environmental matters being questioned. Much of the analysis that took place in 2013 focused on the site design that was proposed at the time, including associated engineering to mitigate environmental impacts. The deliberation in 2013 was not as much about the merits of whether or not to develop the property as how to mitigate impacts. Staff believes those topics should be addressed through the annexation review and conditions attached to it. The annexation request for this property, which was submitted after the BVCP change request and will be scheduled for council review, is the appropriate track for addressing the more complex environmental and technical issues. More detailed studies and analysis occur at the time of annexation and Site Review. At that time council may determine whether or not it is appropriate to annex the property.
3. **Change in staff resources.** Since preparation of the memo for the joint hearings on Jan. 26, the project manager for the BVCP has resigned and is no longer with the city, which means that the planning team has one less person to conduct reviews and work on other aspects of the project.

Summary of Action of the Three Approval Bodies

Planning Board's Action (Feb. 2, 2016)

The Planning Board voted to support the requests in the revised recommended motion as indicated above, but the board recommended removing 2801 Jay Road #1 from the list advanced

by the county bodies (Request 29) because they had concerns about the mixed residential intensity being out of character with the adjacent uses.

The board also asked that City Council consider and ask the county to reconsider requests for two properties: 2801 Jay Road #2 (Request 30) and Hogan Pancost (Request 32). They passed two motions to further consider and analyze the following: (a) recommendation to council to approve further analysis, and (b) request council to ask the county bodies to reconsider the two requests.

1. For 2801 Jay Road #2, the Planning Board would like to continue analysis of the request for a Service Area Contraction for 2801 Jay Road, and
2. For Hogan Pancost, the board would like to reconsider the Service Area Contraction and move to Area III.

Draft minutes from the Planning Board meeting are in **Attachment B**.

BOCC Action (Jan. 27, 2016)

The BOCC voted to support the revised recommended motion as indicated on the page above. They discussed 2801 Jay Road (Requests 29 and 30) and decided to move forward with the request to study compatible uses, affordable housing, and address the concerns of neighbors through the process (Request 29). However, they voted to remove the request for a Service Area Contraction (Request 30), an item that Planning Commission had added for further consideration, because they do not think it meets BVCP criteria for a move to Area III. They cited its current and historic use and longstanding Area II classification.

The BOCC also voted to move forward the three policy requests advanced by the city bodies (Requests 16-18). They made the point that enhancing public benefit, clarifying ditches, and addressing renewable energy and carbon footprint reduction are all important issues, especially the topic of public benefit as it relates to development and growth. **Planning Commission Action (Jan. 26, 2016)**

The Planning Commission supported further consideration of five of the six requests initially recommended by staff and made two changes to the original motion. Specifically they recommended:

3. For Request 30, continuing analysis of the request for a Service Area Contraction for 2801 Jay Road, stating that while staff is analyzing appropriate uses for the property as part of Request 29 it could be helpful to study the possibility of moving it to the Planning Reserve, and
4. For Request 32, not continuing analysis of the request for a Service Area Contraction - Area II to Area III - for Hogan Pancost. Several of the members commented that further study in the context of the BVCP would not be able to resolve technical issues such as hydrology and that those types of issues should be addressed during development review.

The Planning Commission also voted to move forward the three policy requests recommended by Planning Board and City Council (Requests 16-18).

ATTACHMENTS

- A. Worksheet with Planning Commission, Board of County Commissioners, and Planning Board Recommendations
- B. Draft Planning Board Minutes February 2, 2016

PUBLIC REQUEST WORKSHEET

(P. 1)

<i>Land Use Map and Area Change Requests: AREA II AND AREA III (Requests 24-38)</i>								
#	Description	Staff Recommendation (further study?)	PC Direction	BOCC Direction	PB Direction	CC DIRECTION		Notes
						Yes	No	
24	2975 3 rd St. – Minor Adjustment to Service Area Boundary (Area III to II)	No	No	--	No			
25	3261 3 rd St. – Minor Adjustment to Service Area Boundary (Area III to II)	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>			
26	3000 N. 63 rd St. & 6650 Valmont Rd.* ("Valmont Butte") #1 – Land use designation change from Open Space – Other to Public (*staff-initiated; portion of property)	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>			
27	3000 N. 63 rd St. & 6650 Valmont Rd.* ("Valmont Butte") #2 – Minor Adjustment to Service Area Boundary (Area III to II); Land use designation change appropriate for arts campus (*portion of property)	No	No	--	No			
28	1468 Cherryvale Rd. – Land use designation change from Very Low Density Residential to Low Density Residential	No	No	--	No			
29	2801 Jay Rd. #1 – Land use designation change from Public to Mixed Density Residential	<u>YES</u>	<u>YES</u>	<u>YES</u>	No			

PUBLIC REQUEST WORKSHEET

(P. 2)

<i>Land Use Map and Area Change Requests: AREA II AND AREA III (Requests 24-38)</i>								
#	Description	Staff Recommendation (further study?)	PC Direction	BOCC Direction	PB Direction	CC DIRECTION		Notes
						Yes	No	
30	2801 Jay Rd. #2 – Service Area Contraction (Area II to Area III - Planning Reserve) - 4 submissions received	No	<u>YES</u>	No	<u>YES</u> (Request for reconsideration)			
31	7097 Jay Rd. – Land use designation change from Open Space – Other to Low Density Residential	No	No	--	No			
32	5399 Kewanee Dr. & 5697 South Boulder Rd. (Hogan Pancost) - Service Area Contraction (Area II to III)	<u>YES</u>	No	--	<u>YES</u> (Request for reconsideration)			
33	4525 Palo Pkwy. - Land use designation change from Medium Density Residential to Low Density Residential	No	No	--	No			
34	6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #1 – Maintain Low Density Residential designation - 3 submissions received	No	No	--	No			
35	6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #2 – Land use designation change from Low Density Residential and Public to Mixed Density Residential - 2 submissions received	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>			

PUBLIC REQUEST WORKSHEET

(P. 3)

<i>Land Use Map and Area Change Requests: AREA II AND AREA III (Requests 24-38)</i>								
#	Description	Staff Recommendation (further study?)	PC Direction	BOCC Direction	PB Direction	CC DIRECTION		Notes
						Yes	No	
36	6655 & 6500 Twin Lakes Rd., 0 Kalua Rd. #3 – Land use designation change from Low Density Residential and Public to Open Space (with Natural Ecosystems or Environmental Preservation designation) – <i>11 submissions received</i>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>			
37	6655 Twin Lakes Rd. #4 – Service Area Contraction (Area II to III) – <i>2 submissions received</i>	No	No	--	No			
38	0, 2300, & 2321 Yarmouth Ave., 4756 28th St. & 4815 N. 26th St. (Planning Reserve) – Service Area Expansion (Area III - Planning Reserve to Area II)	No	No	--	No			

PUBLIC REQUEST WORKSHEET

(P. 4)

<i>Policy & Text Change Requests (Requests 16-18)</i>							
#	Description	Staff Recommendation (further study?)	PC Direction	BOCC Direction	PB Direction	CC Direction	Notes
16	Enhance public benefit (<i>Chapter 2- Built Environment</i>) in as many subsections of this chapter as possible	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u> (Dec. 15)	<u>YES</u> (Jan. 5)	
17	Clarification regarding ditches (<i>Chapter 2- Built Environment, Chapter 9- Agriculture and Food, VI- Urban Service Criteria and Standards</i>)	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u> (Dec. 15)	<u>YES</u> (Jan. 5)	
18	Reflect public interest in renewable energy and reduction of carbon footprint (<i>Chapter 4- Energy and Climate</i>) by expanding this chapter	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u> (Dec. 15)	<u>YES</u> (Jan. 5)	

CITY OF BOULDER
JOINT MEETING WITH CITY COUNCIL & PLANNING BOARD ACTION MINUTES
February 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: <https://www.bouldercolorado.gov/>

CITY COUNCIL MEMBERS PRESENT:

Suzanne Jones, Mayor
Aaron Brockett
Jan Burton
Lisa Morzel
Andrew Shoemaker
Sam Weaver
Bob Yates
Mary Young

PLANNING BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Tom Carr, Deputy City Attorney
Jane Brautigam, City Manager
Heidi Leatherwood, Assistant City Clerk
Lynette Beck, City Clerk
Susan Richstone, Deputy Director of Planning, Housing and Sustainability
Lesli Ellis, Comprehensive Planning Manager
Cindy Spence, Administrative Specialist III
Courtland Hyser, Senior Planner, PH&S
Caitlin Zacharias, Associate Planner, PH&S
Joe Castro, Facilities & Fleet Manager

COUNTY STAFF PRESENT:

Abigail Shannon, Senior Planner, Boulder County Land Use
Pete Fogg, Senior Planner, Boulder County Land Use
Therese Glowacki, Boulder County Open Space

1. CALL TO ORDER AND ROLL CALL

Mayor, **S. Jones**, declared a quorum at 6:03 p.m. and the following business was conducted.

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE

3. CONSENT AGENDA

4. POTENTIAL CALL-UP CHECK IN

5. PUBLIC HEARING ITEMS

- A.** Update and direction on the following item related to the 2015 Major Update to the Boulder Valley Comprehensive Plan (BVCP): Initial Screening of Public Requests for Map Changes in Area II and Area III, Policy and Text Changes.

Staff Presentation:

L. Ellis, C. Hyser and **A. Shannon** presented the item to the City Council and Planning Board.

City Council and Planning Board Questions and Comments:

L. Ellis and **C. Hyser** answered questions from the City Council and Planning Board.

Public Hearing:

(Please note that public hearing comments are a summary of actual testimony. Full testimony is available on the web at: <https://www.bouldercolorado.gov/>.)

PART I: REQUESTS RECOMMENDED FOR ADDITIONAL ANALYSIS BY COUNTY

- **Request 25 (3261 3rd Street)**
 1. **Ed Byrne**, requestor, would like this location to be under consideration for annexation. He gave a short history of the lot and to why it has not been annexed and explained no plans to subdivide the property. The owners would like to be able to sell the property which they cannot do because it is an “unrecognized lot” in Boulder County. The building is currently not occupied.
- **Request 29 (2801 Jay Road #1 – Change to MXR)**
 1. **Margaret Freund**, requestor, pooling with **Benita Duran** and **Ali Gifar**, asked for the Council and Planning Board to support continued analysis of this site. Would like the land use changed to a mixed use because there is currently a need for a wide range of housing types. She stated that they would like to do a mixed use rather than affordable housing and would create a mixed income housing that is affordable and of high quality. In addition, they are proposing a café at the southwest corner of the site. This property will define the edge of Boulder and act as a gateway.
 2. **Maureen Taylor** spoke against changing the property designation to MXR because the property is on the fringe of the city and there are still many other areas in the core of the city that could be developed.
 3. **Shawn Barry** spoke in support of the annexation because it will offer opportunities for other families that need affordable housing and to be a part of Boulder.
 4. **Wyley Hodgeson** spoke against the annexation because it would not be compatible with the adjacent land uses and the neighborhood.

5. **Paulina Hewatt** stated that the request does not meet the gateway guidelines therefore she is not in support of the rezoning.
 6. **Matthew Karowe** opposed the rezoning as the surrounding properties are rural and the rezoning of this property would alter the area considerably and would make a precedent for the Area III.
 7. **Heather Hosterman** opposed the rezoning because it would create a noncontiguous and inconsistent boundary for the Area III planning reserve. In addition, it would not maintain an urban/rural corridor for Boulder.
- **Request 35 (6655 & 6500 Twin Lakes Rd., 0 Kalua Rd., #2 – Change to MXR)**
 1. **Willa Williford**, requestor, Deputy Director of Boulder County Housing Authority (BCHA), stated that the school district and BCHA share a goal to provide attainable housing for the community. Together they are seeking approval for the mixed land use residential designation to be studied. This will allow a diversity of housing options for families, school district employees and seniors. In addition, it could create wildlife buffers and trails across the site. BCHA is committed to six-twelve units per acre and is aware of the concerns of the area and also the need for affordable housing.
 2. **Glen Segrue**, requestor, representing the school district stated that the BVSD has an interest in conducting further water and wildlife studies. This property has always been viewed as a buildable site by BVSD. The BVSD is concerned that as the number of teachers and employees who live outside the district rises, they will not have affordable housing within the district. This project could provide housing for teachers. BVSD is exploring options.
 3. **Aria Ratten** spoke in support of affordable housing at Twin Lakes. This would be an opportunity to contribute to our community.
 4. **Andy Coco** spoke in support of the affordable housing project and to continue researching this project.
 5. **Jim Williams**, pooling with **Chris Campbell** and **Maggie Crosswy**, spoke in support of affordable housing project and presented data to show the tremendous need.
 6. **Marty Streim**, pooling with **Jeff Cohen** and **Annie Brook**, asked this item to be tabled. He stated that we need to think about how development should happen in Gunbarrel and not in a piecemeal approach. He stated that development should be consistent with land use patterns.
 7. **Gordon McCurry**, pooling with **Jason Hill** and **Paul Sadauskas**, is a hydrologist who performed an independent study of Twin Lakes. He stated high ground water is present on the site and development will raise the water table in adjacent properties. He stated that it would not be good to build in this neighborhood.
 8. **Samantha Ricklefs** pooling with **Sandra Ireland** and **Kelly Disckson**, requested that the item not be accepted by council and the Planning Board. She stated that BCHA does not understand the needs of Gunbarrel or its residents. Twin Lakes is a rural, residential community and not suitable for higher density housing and does not have the amenities to support it. She cited comp plan policies.
 9. **Brian Lay**, pooling with **Dan Rabin** and **Valerie Hotzcallis**, asked that the item be denied because every other aspect of the request (social, community and the neighborhood aspect) can be satisfied with the current land use designation. MXR and annexation are not needed to meet the needs of housing.

10. **Patrick Madden**, pooling with **Dennis Dickson** and **Dave Dickson** representing the Twin Lakes Action Group, stated that they are not against affordable housing but are not in support of this request. He asked that development be slowed down to address the shortfalls in infrastructure and amenities already present. He proposed a moratorium on development in Gunbarrel to initiate studies and surveys. The goal is a final common long range vision for the future growth of Gunbarrel.
11. **Donna George** pooling with **Dinah McKay** and **Frank Karash** asked that the housing proposal not be considered for further analysis. It lacks contiguity for annexation. The site has provided scenic vistas for decades. Affordable housing should be dispersed. It violates BVCP policies. .
12. **Mike Smith**, pooling with **Kate Chandler** and **Doug Johnson**, stated that Boulder does need affordable housing, and the density is flawed, but it should be built as infill closer to downtown and located closer to infrastructure and consistent with the BVCP. He expressed concerns about hydrology, wildlife, and infrastructure.
13. **Miho Shida**, pooling with **Yvonne Lopez** and **Dave Rechberger**, stated that opposition to this request is community wide. They would like the area to remain open space, and they have an active petition which currently over 700 people have signed. The change in designation and the creation of over 300 rental units would destroy the character of this neighborhood and would be violation of the BVCP.
14. **Jessica Hartung**, pooling with **Jen Murphy** and **Suzan Yeshida**, stated that affordable housing is a critical need yet she opposes the method of this proposed land use change to achieve it. She asked that this request be denied and read Jim Wilson's letter stating this area is not appropriate for development.
15. **Mark George**, pooling with **Jill Skuba** and **Dee George**, stated that he is concerned about hydrology and soil impacts and water that would run off from development and the impact it would have on the existing wetlands.
16. **Susan Lambert**, pooling with **Myrna Besley** and **Karen Looney**, stated that the Open Space Alliance is ready to form an improvement district. A change to the land would alter the character of surrounding neighborhoods. She stated that they would prefer that affordable housing be closer to downtown.
17. **Bill Brown** stated that having high density housing on the outside of the city will not help with carbon reduction. Individuals living in the proposed housing would have long commutes and single occupancy cars.
18. **Rolf Munson**, pooling with **Martha McPherson** and **Caroline Hogue**, stated the request is inadequate and contradicts the BVCP. He stated that no studies have been done, there is no plan for missing services, and the proposal would violate ten sections of the BVCP. He stated that Gunbarrel is not interested in annexation.
19. **Betsy Marten** pooling with **Ian Swallow** and **Penny Hannegan**, representing BHP, stated strong support for housing on the site. She highlighted her experience with affordable housing in the Boulder community over the past 29 years. Look at the evidence of the projects that were opposed where concerns have not borne out. Neighborhood concerns would be addressed by thoughtful development and mitigate hydrology. Compatible development is important.
20. **Audry Gunn**, stated that she is against Request 35 and that she is concerned for the owls' existence that currently live on the land.

21. **Jennifer Johnson** stated that she is in support of affordable housing in this area. The neighborhood already has open space and single family homes. These should not be the reasons to exclude affordable housing and segregate middle and low-income people. She stated that generally fear of the poor underlies much of the opposition.
 22. **Steve Whitehead** stated that he is against the rezoning of the property to a higher density. It would not be appropriate and that higher density should be more centrally located towards the urban areas.
 23. **Doyle McClure** stated that since the flood of September 2013, he noticed a lot of damage along Twin Lakes Road. In addition, he has noticed continual flooding along that road.
 24. **Frank Alexander** stated that affordable housing is the number one community issue. Gunbarrel has the opportunity to develop 20 acres which are needed. He stated that no land parcel is simple to develop.
 25. **Amy Chu** stated that she could be on both sides of the issue. She stated that there is not much diversity in that location in terms of animals and plants so would be a good location for development. As a teacher, she would be in favor of affordable housing.
 26. **Renee Morgan** stated that hydrology concerns are not valid. Affordable housing would offer other people the opportunity to live in that area. The people that are providing the great services in the county cannot afford to live in Boulder County. Women are disproportionately affected.
 27. **Nolan Rosell** spoke on behalf of the Habitat for Humanity board members. He stated that they are in support of the change to support and construct affordable housing. It is the single top priority to be addressed from the BVCP survey. This is a 20 acre site and the opportunity is high.
 28. **Will Toor** stated that he is in favor of affordable housing. Boulder has done a great job at preserving the environment and acquiring open space but has not provided affordable housing. He cited the BVCP survey and election results to support housing. Boulder would have no housing if views of neighbors are only concern.
 29. **Mary Duvall**, CEO of Thistle Communities, stated that it would be appropriate to consider what the community desires. She stated that this parcel of land would be appropriate to be developed and it would be a diverse and inclusive community.
- **Request 36 (6655 & 6500 Twin Lakes Rd., 0 Kalua Rd., #3 – Change to OS)**
 1. **Mike Chiropalos**, requestor, pooling with **Wendy Miller** and **Jerry George**, stated that this would be Gunbarrel's last chance for protecting the parcels. He stated that the three parcels totaling 20 acres warrant permanent protection. The proposed mixed residential use would be inappropriate and must be denied.
 2. **Sandy Stewart** stated that he supports Request 35 affordable housing on the site and is asking for "age restrictive" and high quality development.
 3. **Eliberto Mendoza**, spoke in regards to Request 35, and stated it is currently difficult to find housing in this community. He said that affordable housing would be an investment that would give back to the community.
 4. **Robin Bohannon** said that affordable housing is needed and valuable. She asked council and Planning Board how to make (Request 35) happen. She suggested asking others to give up existing privileges.

5. **Tracey Bennett** stated that this community cherishes open space and yet has seen an increase in homelessness. Boulder is currently lacking in affordable housing. In her opinion, this project would not be a threat to the owls. She stated that there is a need for affordable housing.
6. **Erin Jones** stated she is in support of the land designation change for affordable housing (Request 35). Affordable and stable housing has been linked with improved health, education and economic outcomes for families and children. Affordable housing is a platform and a foundation. She stated that she is concerned that the lack of affordable housing is impacting our local work force.
7. **Mike Stratton** stated that only a few of his co-workers live and work in Boulder. All of them could benefit from moderate income housing. He asked the council and Planning Board to approve the Request 35.
8. **Monica Rotner**, in regards to Request 35, suggested it move forward for further study. She stated that all citizens are all one step away from needing affordable housing.
9. **Daphne McCabe** stated that she is in support of Request 35 (housing) and against the Request 36 for open space.
10. **Kristen Bjornsen**, pooling with **Maryann Bjornsen** and **Michelle Caolo**, spoke in support of Request 36 for open space. The mixed density change would harm animal species of special concern and violates policies of the BVCP.
11. **Lauren Kovsky**, pooling with **Milan Sefcik** and **Jeremy Kalan**, spoke against the development of affordable housing at this location and that it would violate policies of the BVCP.
12. **Juliet Gopinath**, pooling with **John Collis** and **Kristen Aldretti** stated that Request 36 is consistent with the current comp plan values and it is in keeping with the neighborhood. Green spaces and open spaces should be conserved such as those found on the two parcels.
13. **Lisa Sundell**, pooling with **Claudia Coppoli** and **Nancy Thompson**, stated that she is in support of keeping the designation of the three parcels of land as they currently are. Density on this land would not be appropriate due to lack of amenities and transportation options available, this land provides a wildlife corridor and finally the permanently high water table in the area.
14. **Ken Beitel**, pooling with **Lenni Ducanson** and **Matt Ferren**, explained the nature and nurture of the owls at Twin Lakes. No studies were done by County Open Space or the requestors. He suggested erecting an owl preserve.
15. **Carl Boen** voiced opposition to high density development and to preserve the owls' habitat in the proposed area.

PART II: REQUESTS NOT RECOMMENDED FOR ADDITIONAL ANYALYSIS BY COUNTY

• **Request 31 (7097 Jay Road)**

1. **Brent Aanerud**, requestor, stated that his proposal would be to rezone from Open Space-Other (OS-O) to Low Density Residential (LR). He stated that he would want to develop this area for affordable housing.

- **Request 32 (Hogan-Pancost)**

1. **Rich Lopez**, requestor, informed the Council and Planning Board that he would not want the request to change the property from Area II to Area III to be forwarded for any further analysis. He stated that claims in the request are false.
2. **Steve Meyer** stated that the area would be unsuitable for annexation and development. He mentioned that the threats of legal action made by the requestor to the county may have swayed the county's previous decisions. In addition, the information provided by the development group does not give an accurate depiction of what took place on the property during the 2013 flood. This may also have biased the commission's decision. He requested that the city ask the county bodies allow the request to continue through the review process.
3. **Deb Grojean**, pooling with **Lois Hayes** and **Gabriella Sattler**, stated that there has been legal intimidation and threats of being sued for slander for speaking of flood damage. Water has been displaced into homes, and the Hogan-Pancost property flooded. She requested that Boulder County Planning Commission reconsider their denial to proceed with the comp plan change request. The Planning Commission was provided incorrect information regarding the 2013 flood.
4. **Christine Rubin** stated that she wants to have another hearing with the Boulder County Commission and move Hogan-Pancost to Area III. The Commission did not understand the history of the area.
5. **Ari Rubin** informed council and Planning Board that it has been 25 years that developers have been attempting to pave over the wetlands. He asked they help stop this from continually happening.
6. **Suzanne DeLucia** explained that during the 2013 flood her home experienced substantial flooding. She reminded them that shortly after the 2013 flood, the developer pulled their annexation request.
7. **Mireille Key**, pooled with **Jeff Rifken** and **Maryann McWhirter**, stated that at the county meeting the previous week, the developer had claimed the 2013 flood was over by "Thursday morning, September 12th". She stated that was a misrepresentation of the truth and presented pictures from the same area showing flood issues. The developer's claim is false. She stated that she is not in support of the annexation.
8. **Carol Atkinson** informed the Council and Planning Board that over the past 20 years, as development have occurred on the land east of her property; the water table has risen and come closer. She stated that she worries about the next development completely flooding everyone. In addition, she expressed concern regarding the ground water and asked that the county analyze this issue again.
9. **Gene Treppeda** asked council and Planning Board to move this item back to the County Commission for review.
10. **Jim Johnson** informed council and Planning Board that he had 18 inches of water in his home during the 2013 flood which had never happened before and any construction would change things more. He asked that the County reconsider their previous decision.
11. **Robert Prostko** discussed the debris and pick up of debris from the 2013 flood and expressed concern that if high density housing were placed in that area, the debris would be even more.

12. **Alan Taylor** stated that he is a hydrologist retained by the owner to review the floodplain information for this property. He presented information declaring that the property would not be too dangerous to develop.

City Council adjourned for the evening. Planning Board continued deliberations following the Public Hearing.

6. CONTINUED DELIBERATIONS BY PLANNING BOARD

Chair, **B. Bowen**, declared a quorum at 11:09 p.m. of the Planning Board and the following business was conducted.

Board Deliberations:

MAP CHANGES FOR AREA II & AREA III

- **Request 25 (3261 3rd Street)**
 - Based on action taken by the county, the Planning Board recommended support to further consider and analyze the following request for land use map changes.
- **Request 26 (3000 N. 63rd St. & 6650 Valmont Rd.)**
 - Based on action taken by the county, the Planning Board recommended support to further consider and analyze the request for land use map changes.
- **Request 29 (2801 Jay Road #1)**
 - **C. Gray** stated that she was in disagreement with the Planning Commission and staff recommendation and recommends not changing the designation from PUB to MXR as it would be out of character with the surrounding area. The process should be incorporated into the planning reserve.
 - **L. Payton, J. Gerstle** and **L. May** agree with the PUB use designation.
 - **J. Putnam** stated that it should be considered under the BVCP process, even if he is not certain the requested designation for this property is appropriate. This process is the right time to consider.
 - **B. Bowen** added that if we had active analysis of the site, he would be interested in having staff evaluate the area for compatibility and appropriateness for area III.
 - Based on action taken by the county, the Planning Board recommended not further analyzing Request 29.
- **Request 35 (6655 & 6500 Twin Lakes Rd., 0 Kalua Rd., #2) / Request 36 (6655 & 6500 Twin Lakes Rd., 0 Kalua Rd., #3)**
 - **J. Putnam** stated that both Requests 35 and 36 should move forward and deserve further study.
 - **C. Gray** added, in regards to Request 35, to maintain the area as RL-2 to provide flexibility and to be compatible with the area. Therefore she stated that she would be voting no on Request 35 but would like to see Request 36 have further study.

- **L. Payton** added that the location for housing is a concern as it would add a burden of car ownership when housing and services are far from each other. She mentioned that we have crisis of affordable housing and we need to find a solution for on-site affordable housing. She also mentioned ground water, annexation, wildlife corridor, and access to open space as concerns. She did not believe there was much outreach or engagement to neighbors. She stated that she is in support of Request 36 but undecided about Request 35.
- **B. Bowen** stated that we need listen to the neighbors. He was in support of advancing Request 35, yet skeptical regarding Request 36, however he saw no harm to let it move forward.
- **J. Gerstle** was in support of moving ahead with Request 35 and Request 36.
- **L May** stated three issues are at hand: affordable housing, density, and whether development should happen. He expressed concern making a land use change framed around a specific project that in the future may be sold and become a different, bigger project. However, he stated that he would be in support of moving this Request 35 forward for further study in addition to Request 36.
- Based on action taken by the county, the Planning Board recommended support to further consider and analyze the Request 35 for land use map changes.
- Based on action taken by the county, the Planning Board recommended support to further consider and analyze the Request 36 for land use map changes.

Motion:

On a motion by **J. Putnam**, seconded by **B. Bowen**, the Planning Board voted 6-0 to further consider and analyze the following land use map changes for Area II and Area III properties:

- 1) 3261 3rd Street – Request 25
- 2) 3000 N. 63rd Street & 6650 Valmont Road (Valmont Butte) – Request 26

On a motion by **J. Putnam**, seconded by **B. Bowen**, the Planning Board voted 5-1 (**C. Gray** opposed) to further consider and analyze the following land use map changes for Area II and Area III properties:

- 1) 6655 & 6500 Twin Lakes Rd., 0 Kalua Rd., #2 – Request 35

On a motion by **J. Putnam**, seconded by **B. Bowen**, the Planning Board voted 6-0 to further consider and analyze the following land use map changes for Area II and Area III properties:

- 1) 6655 & 6500 Twin Lakes Rd., 0 Kalua Rd., #3 – Request 36

• **Request 32 (Hogan-Pancost)**

- **L. Payton** thought the staff recommendation and neighborhood testimony was compelling. Given the flood of 2013, development of the area is no longer within the public interest.
- **J. Putnam** stated that he will support the motion for further study but is not sure if the area should be moved to Area III. He stated that the city should review this issue.

Motion:

On a motion by L. Payton, seconded by C. Gray, the Planning Board voted 5-1 (B. Bowen opposed) to further consider and analyze Request 32, a service area contraction request, for 5399 Kiwani Drive and 5697 South Boulder Road Hogan-Pancost to change the properties from Area II to Area III.

On a motion by L. Payton, seconded by J. Putnam, the Planning Board voted 5-1 (B. Bowen opposed) to recommend that City Council approve further consideration and analysis of Request 32 and approve a motion to ask the Boulder County Planning Commission and Board of County Commissioners to reconsider their decisions on Request 32.

• **Request 30 (2801 Jay Road #2)**

- L May questioned if this property and possibly moving to Area III would be worth studying. L. Payton stated she would be in support.
- J. Putnam stated that he would not support this as it does not meet the criteria. B. Bowen agreed and stated that public use makes more sense.

Motion:

On a motion by L. May, seconded by C. Gray, the Planning Board voted 4-2 (B. Bowen, J. Putnam opposed) to further consider and analyze Request 30, a service area contraction for 2801 Jay Road #2 change the property from Area II to Area III-Planning Reserve.

On a motion by L. May, seconded by L. Payton, the Planning Board voted 4-2 (B. Bowen, J. Putnam opposed) to recommend that City Council approve further consideration and analysis of Request 30 and approve a motion to ask the Boulder County Planning Commission and Board of County Commissioners to reconsider their decisions on Request 30.

(Note: The Boulder County Planning Commission supported this request and Board of Commissioners voted did not support additional analysis.)

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 12:29 a.m.

APPROVED BY

Board Chair

DATE