



**TO:** Members of Council  
**FROM:** Dianne Marshall, CAP-OM, City Clerk's Office  
**DATE:** July 22, 2014  
**SUBJECT:** Information Packet

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**1. CALL UPS**

- A. Vacation of a 25 foot utility easement running perpendicular to the 28th Street Frontage Road and east-to-west at 800 28th Street (4DR2014-00082). This easement vacation is subject to City Council call-up no later than July 22, 2014.
- B. Landmark Alteration Certificate to construct a one-story, 425 sq. ft., two-car garage, remove a portion of the contributing garage and construct a fence along the north, south, east and property lines at 730 Pine St. in the Mapleton Hill Historic District, per section 9-1 1-18 of the Boulder Revised Code 1981 (HIS2014-00087). This Landmark Alteration Certificate is subject to City Council call-up no later than July 22, 2014.
- C. Landmark Alteration Certificate to construct a one-story, four car garage at the northeast corner of the lot where a four car garage was previously located on the landmarked property at 1507 Pine St., per section 9-11-18 of the Boulder Revised Code (HIS2014-00174). This Landmark Alteration Certificate is subject to City Council call-up no later than July 22, 2014.

**2. INFORMATION ITEMS**

- A. Flood Recovery Status

**3. BOARDS AND COMMISSIONS**

- A. Beverages Licensing Authority Annual Retreat – April 29, 2014
- B. Beverages Licensing Authority – June 24, 2014
- C. Human Relations Commission – June 16, 2014
- D. Landmarks Board – May 7, 2014
- E. Landmarks Board – June 4, 2014
- F. Open Space and Mountain Parks Board – June 11, 2014
- G. Open Space and Mountain Parks Board – July 9, 2014

**4. DECLARATIONS**

- A. First Congregational Church of Boulder Day – July 17, 2014



**INFORMATION PACKET  
MEMORANDUM**

To: Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning & Sustainability  
Charles Ferro, Development Review Manager  
Jonathan Woodward, Associate Planner

Date: July 16, 2014

**Subject: Call-Up Item and Extension of the Call-up Period:** Vacation of a 25 foot utility easement running perpendicular to the 28<sup>th</sup> Street Frontage Road and east-to-west at 800 28<sup>th</sup> Street (ADR2014-00082). This easement vacation is subject to City Council call-up no later than July 22, 2014.

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**EXECUTIVE SUMMARY:**

The applicant requests vacation of a 25 foot utility easement at 800 28<sup>th</sup> Street (refer to **Attachment D** for exact location) for a residential multi-family development project that was approved by the Planning Board in October 2013. The area to be vacated will be used for an internal sidewalk and site amenities. This site is the current location of the “Boulder Outlook Hotel.” The easement was originally dedicated in 1982 to accommodate utilities. The easement is no longer needed since utilities are not present at this location and will not be needed in the future. All requisite utility companies have approved the request.

The proposed easement vacation was originally approved by staff on June 2, 2014, and one scheduled City Council meeting occurred on June 17, 2014. The 30 day call-up period occurred during City Council’s summer recess; therefore, a second call-up date of July 22, 2014 was added to allow City Council adequate time for review.

Section 9-4-4(c) of B.R.C. 1981 states: “The city council may call up any board decision within thirty days of the board's action. The city manager may extend the call-up period until the council's next regular meeting, if the manager finds in writing within the original call-up period that the council will not receive notice of a decision of the board in time to enable it to call up the decision for review.”

The city manager finds that, because the next regularly scheduled City Council meeting is after the call-up period, it did not receive notice of the board’s decision regarding 800 28<sup>th</sup> Street in time to

consider call-up within 30 days. Therefore, the City Manager extends the call-up period for this application until the City Council's next scheduled meeting on July 22, 2014.

**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 a 25 foot existing utility easement. The date of final staff approval of the easement vacation was June 2, 2014 (refer to **Attachment E**, *Notice of Disposition*). The vacation will be effective 30 days from the second potential call-up date of July 22, 2014, which would be August 21, 2014, unless the approval is called up by City Council.

**FISCAL IMPACTS:**

This vacation of this easement was required as a condition of approval for Site Review, and it is a key part of the larger site plan for the Boulder Outlook Hotel redevelopment. A denial of this request could cause the applicant to make significant changes to the approved site plan and site design.

**COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:**

- Economic: None identified.
- Environmental: No impacts are anticipated through this utility easement vacation.
- Social: None identified.

**BACKGROUND:**

The subject property is a 4.2 acre lot located in a Business Transitional 1 (BT-1) zone district (refer to **Attachment A**, *Vicinity Map*). It is being developed as the future American Campus Communities Student Housing. The property has a 25 foot utility easement that runs perpendicular to the west property line (refer to **Attachment B**, *Site Plan*).

The portion of easement to be vacated was originally dedicated for utility purposes in 1982. There are no public or private utilities or structural encroachments located in the easement to be vacated.

Given that there is no public need for the portion of easement for which it was intended, failure to vacate the requested portion of easement would cause hardship to the property owner, and it would interfere with the site plan and design of the future residential multi-family redevelopment.

**ANALYSIS:**

Staff finds the proposed vacation of a 25 foot utility easement (25 feet x 255 feet) consistent with the standard 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 this utility easement.

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
- 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.

Approved By:



Jane S. Brautigam,  
City Manager

**ATTACHMENTS:**

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





For Administrative Purposes Only  
Address: 800 28<sup>th</sup> Street  
Case No.: ADR2014-00082

**DEED OF VACATION**

The City of Boulder, Colorado does hereby vacate and release to the present owner(s) of the subservient land, in a manner prescribed by Subsection 8-6-10(b), B.R.C. 1981, the following utility easement previously dedicated to the City of Boulder and recorded in the records of Boulder County Clerk and Recorder at Film 1235, Reception No. 527442 on January 7, 1983, located at 800 28<sup>th</sup> Street and as more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

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

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the City Manager after having received authorization from the City Council of the City of Boulder, Colorado.

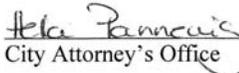
CITY OF BOULDER, COLORADO

By: \_\_\_\_\_  
Jane S. Brautigam, City Manager

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

  
City Attorney's Office

5-28-2014  
Date



EXHIBIT A  
PAGE 1 OF 2

Engineers/Surveyors

Boulder  
Colorado Springs  
Steamboat Springs  
Grand Junction

1800 38<sup>th</sup> Street  
Boulder, CO 80301-2620  
303.442.4338  
303.442.4373 Fax

Drexel, Barrell & Co.

JANUARY 21, 2014

**LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 32 T1N, R70W OF THE 6<sup>TH</sup> P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND AS DESCRIBED IN ON FILM 1235 AS RECEPTION NO. 527442 IN THE BOULDER COUNTY RECORDS.

Legal Description Prepared By

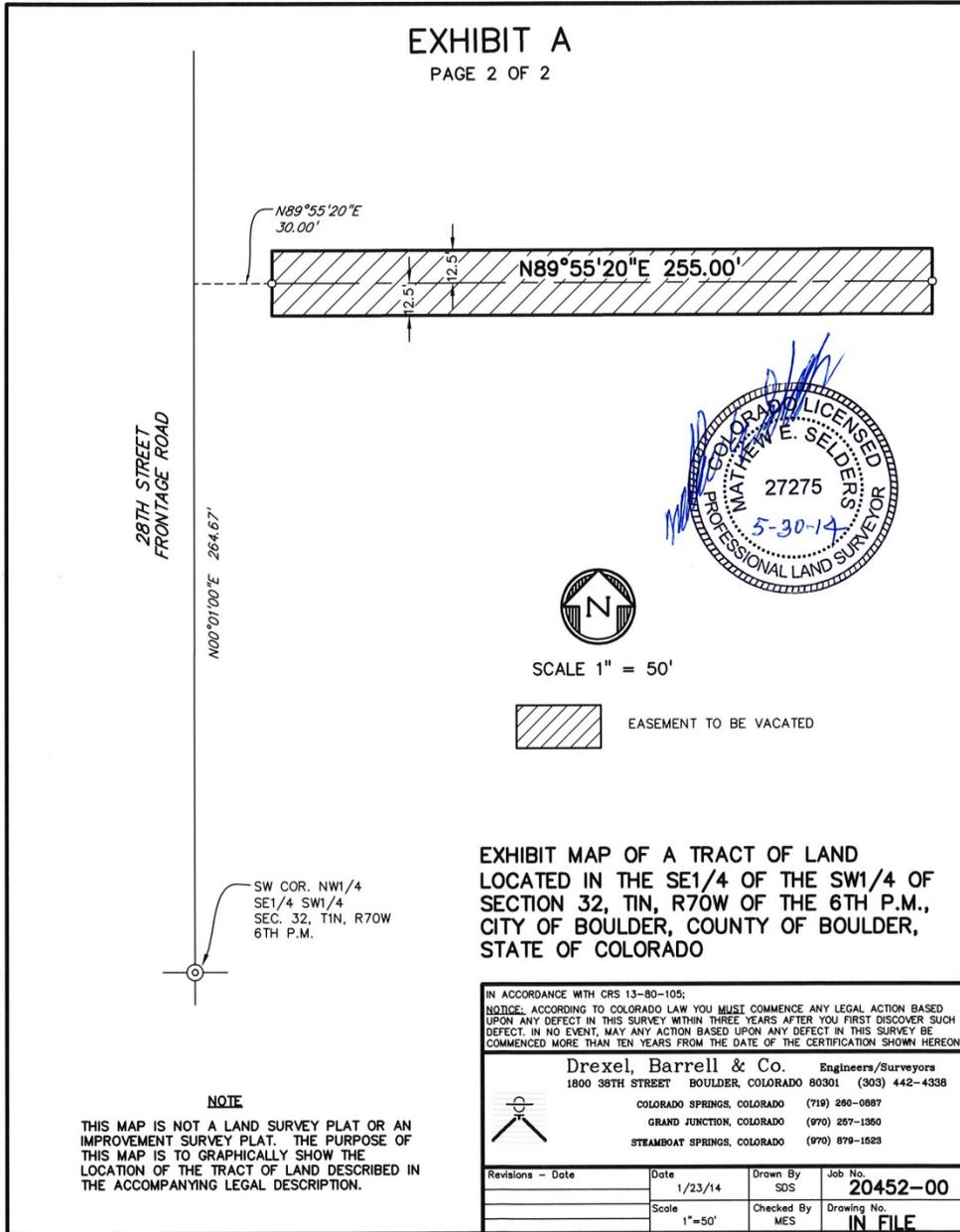
Mathew E. Selders  
Colorado License No. 27275  
1800 38<sup>th</sup> Street  
Boulder, CO 80301  
303-442-4338



H:\20452-00 BLCV\Survey\Documents\Legals\Vacation Utility Easement Film 1235, Rec. No. 527442.doc

**EXHIBIT A**

PAGE 2 OF 2



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**CITY OF BOULDER**  
**Community Planning and 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

**ADMINISTRATIVE REVIEW**  
**NOTICE OF DISPOSITION**

You are hereby advised that the following action was taken by the Planning Department:

**DECISION:** Approved  
**DATE:** June 2, 2014  
**REQUEST TYPE:** Vacation/Easement  
**ADDRESS:** 800 28<sup>th</sup> Street  
**APPLICANT:** Xavier Garcia  
**CASE #:** ADR2014-00082  
**LEGAL DESCRIPTION:** See Exhibit A.  
**DESCRIPTION:** EASEMENT VACATION to vacate a 25 foot utility easement along the west property line and running perpendicular to the 28<sup>th</sup> Street Frontage Road at 800 28<sup>th</sup> Street.

**FINAL DECISION STANDARDS:**

Approved as submitted. This application is approved per the criteria for Vacation of Public Easements as set forth in section 8-6-10, B.R.C. 1981. This approval does not constitute building permit approval.

This approval is limited to the vacation of a 25 foot utility easement, previously dedicated to the City of Boulder and recorded in Film 1235 as Reception No. 527442 in the Boulder County Records.

**INFORMATIONAL COMMENTS:**

Pursuant to section 8-6-10(b), B.R.C. 1981, approval of an easement vacation "is not effective until thirty days after the date of its approval. Promptly after approving the vacation, the manager will forward to the city council a written report, including a legal description of vacated portion of the easement and the reasons for approval. The manager will publish notice of the proposed vacation once in a newspaper of general circulation in the City within thirty days after the vacation is approved. Upon receiving such report and at any time before the effective date of the vacation, the council may rescind the manager's approval and call up the vacation request for its consideration at a public hearing, which constitutes a revocation of the vacation."

A 25 foot utility easement was dedicated on December 15, 1982 (Film 1235, Reception No. 527442). The utilities companies have consented to sign off on the request.

This decision is final and may not be appealed. A new request may be considered only as a new application.

Approved By:

Jonathan Woodward, Planning Department



## INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning and Sustainability  
Susan Richstone, Deputy Director of Community Planning and Sustainability  
Lesli Ellis, Comprehensive Planning Manager  
James Hewat, Senior Historic Preservation Planner  
Marcy Cameron, Historic Preservation Planner

Date: July 16, 2014

**Call-Up Item and Extension of the Call-up Period:** Landmark Alteration Certificate to construct a one-story, 425 sq. ft., two-car garage, remove a portion of the contributing garage, and construct a fence along the north, south, east and property lines at 730 Pine St. in the Mapleton Hill Historic District, per section 9-11-18 of the Boulder Revised Code 1981 (HIS2014-00087). This Landmark Alteration Certificate is subject to City Council call-up no later than **July 22, 2014**.

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### **Executive Summary**

The proposal to remove a portion of the contributing accessory building, construct a garage and construct fences along the south and west property lines at 730 Pine St. as shown on plans dated 05.27.2014 was approved by the Landmarks Board (4-0) at the July 2, 2014 meeting. The decision was based upon the Board's consideration that the proposed construction meets the requirements in Section 9-11-18, B.R.C. 1981.

### **Fiscal Impact**

None. The review of landmark alteration certificates is an anticipated and ongoing function of the historic preservation program.

### **Community Sustainability Assessments and Impacts**

- Economic: The Historic Preservation Ordinance was adopted to "...enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city's living heritage" (9-11-1 (a), B.R.C., 1981). Owners of locally designated landmark properties are eligible for a variety of state and local tax credits for approved

rehabilitations and repairs, and studies have found that historic preservation adds to economic vitality and tourism. Changes to the exteriors of individually landmarked buildings require a Landmark Alteration Certificate, issued by the Department of Community Planning and Sustainability at no charge. This additional review process may add time and design expense to a project.

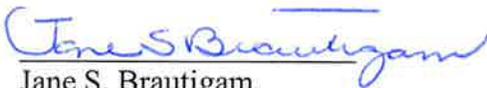
- **Environmental:** The preservation and conservation of historic resources is an environmentally sound practice and a sustainability tool. Existing buildings contain significant amounts of embodied energy. Numerous studies have shown that old buildings can be made as energy efficient to operate as new buildings. Owners of individually landmarked buildings are encouraged to reuse and repair as much of the original building as possible when making exterior alterations, thereby reducing the amount of construction waste of building materials deposited in landfills. City staff also can assist architects, contractors and homeowners with design and material selections and sources that are environmentally friendly.
- **Social:** The preservation of cultural resources is to the benefit of all of Boulder's citizens in that it fosters knowledge and an appreciation of the city's past and adds to the richness and diversity of the urban fabric. Owners of landmarked properties are required to go through the design review process to obtain a landmark alteration certificate and comply with the design guidelines for exterior changes to properties.

The board's approval is subject to a 14-day call-up period by City Council. However, the 14-day call-up period cannot be met due to the fact that the next regularly scheduled City Council meeting is on July 16, 2014.

Section 9-11-16(a) of B.R.C. 1981 states: "The City Manager may extend the call-up period until the council's next regular meeting, if the manager finds in writing within the original call-up period that the council will not receive notice of a decision of the board in time to enable it to call-up the decision for review."

The city manager finds that, because the next regularly scheduled City Council meeting is after the call-up period, it did not receive notice of the board's decision regarding 730 Pine Street in time to consider call-up within 14 days. Therefore, the City Manager extends the call-up period for this application until the City Council's next scheduled meeting on July 22, 2014.

Approved By:



Jane S. Brautigam,  
City Manager

**ATTACHMENTS:**

- A. Notice of Disposition dated July 2, 2014
- B. Photographs and Drawings of 730 Pine Street

**Notice of Disposition**

You are hereby advised that on July 2, 2014 the following action was taken:

**ACTION:** Approved by a vote of 4-0.

**APPLICATION:** Public hearing and consideration of an application for a Landmark Alteration Certificate to construct a one-story, 425 sq. ft., two-car garage, remove a portion of the contributing garage, and construct a fence along the north, south, east and property lines at 730 Pine St. in the Mapleton Hill Historic District, per section 9-11-18 of the Boulder Revised Code 1981 (HIS2014-00087).

**LOCATION:** 730 Pine Street

**ZONING:** Residential Low – (RL-1)

**APPLICANT/OWNER:** Will Hentschel / Douglas and Jennifer Campbell

This decision was arrived at based on the purposes and intent of the Historic Preservation Code as set forth in 9-11-18, B.R.C., 1981, as applied to the Landmark Alteration Certificate application.

**Applicant's Presentation**

**Jennifer Campbell**, 730 Pine St., spoke in support of the landmark alteration certificate application.

**Public Hearing**

No one from the public spoke to this item.

**Motion**

On a motion by **M. Gerwing**, seconded by **K. Remley**, the Landmarks Board approved (4-0) the staff memorandum dated July 2<sup>nd</sup>, 2014, as the findings of the Board and approve the application for a Landmarks Alteration Certificate for the removal of a portion of the contributing accessory building, construction of a garage and construction of fences along the south and west property lines at 730 Pine St. as shown on plans dated 05.27.2014, subject to the following conditions:

**Conditions of Approval**

1. The applicant shall be responsible for ensuring that the development will be constructed in compliance with the application dated 05.27.2014 on file in the City of Boulder Community Planning and Sustainability Department, except as modified by these conditions of approval.

2. Prior building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit revised plans for the proposed fences.
3. Prior to submitting a building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit the following: final details showing door and window details, garage doors, roofing materials, siding, paving, fencing and proposed colors. These design details shall be reviewed and approved by the Landmarks design review committee, prior to the issuance of a building permit. The applicant shall demonstrate that the design details are in compliance with the intent of this approval and the General Design Guidelines and the Mapleton Hill Historic District Design Guidelines.

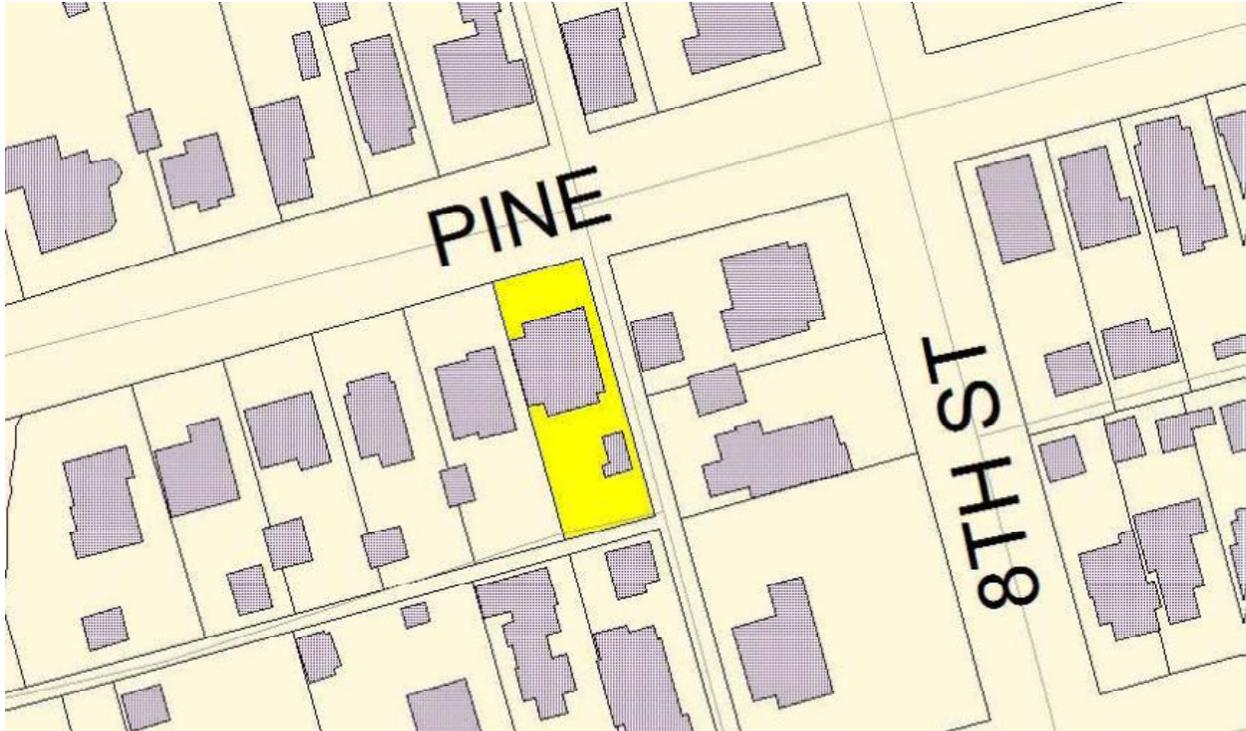


Figure 1. Location Map, 730 Pine St.



Figure 2. 730 Pine St., Tax Assessor Photograph, c. 1949



Figure 3. 730 Pine St., Main House, 2013



Figure 4. 730 Pine St. Accessory Building, northeast corner, 2014.



Figure 5. 730 Pine St. Accessory Building, southeast corner, 2014



Figure 6. 730 Pine St. Accessory Building, southwest corner, 2014



Figure 7. 730 Pine St. Accessory Building, west wall, 2014



Figure 8. Rendering of proposed garage (left) and garage (right)

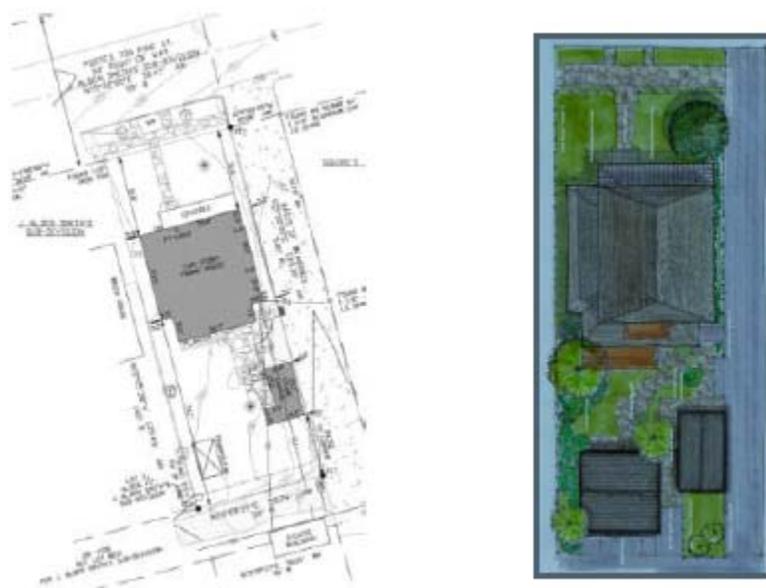


Figure 9. Existing (l) and proposed (r) site plans.

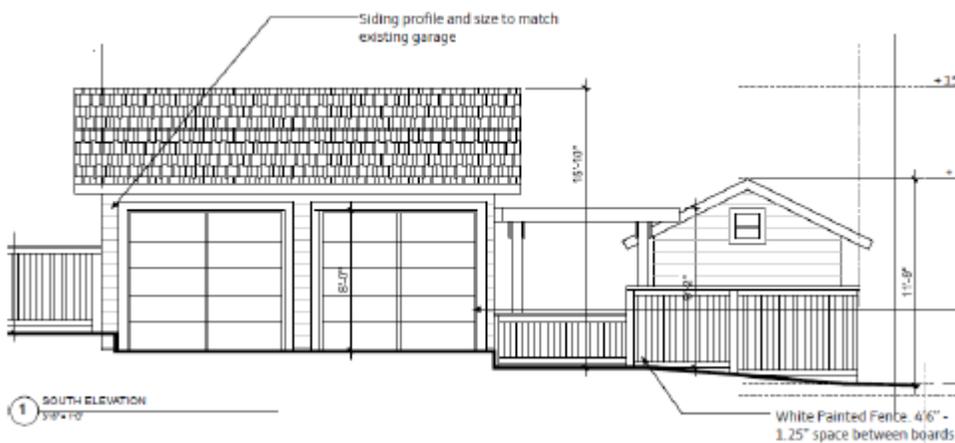


Figure 10. Proposed south elevation



Figure 11. Proposed east elevation (facing alley)



Figure 12. Proposed west elevation

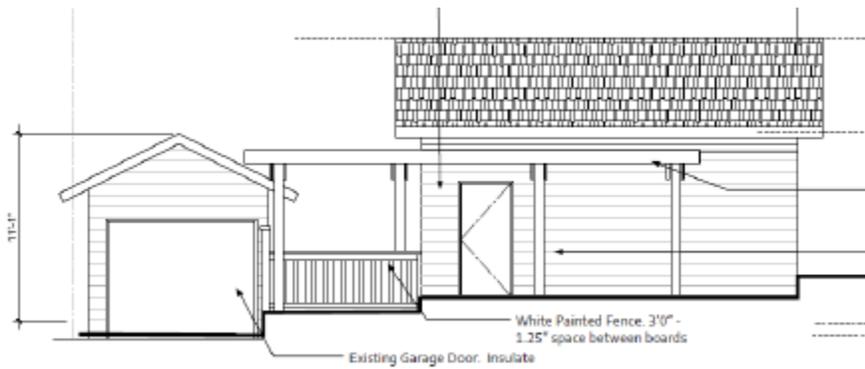


Figure 13. Proposed north elevation (interior lot)



Figure 14. Portion of contributing garage proposed for removal (hatched line)



*Figure 15. Looking southwest along 700 block of Pine St. (730 Pine at left)*



*Figure 16. Existing concrete wall and wood fence at east side of property*



## INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning and Sustainability  
Susan Richstone, Deputy Director of Community Planning and Sustainability  
Lesli Ellis, Comprehensive Planning Manager  
James Hewat, Senior Historic Preservation Planner  
Marcy Cameron, Historic Preservation Planner

Date: July 16, 2014

**Call-Up Item and Extension of the Call-up Period:** Landmark Alteration Certificate to construct a one-story, four car garage at the northeast corner of the lot where a four car garage was previously located on the landmarked property at 1507 Pine St., per section 9-11-18 of the Boulder Revised Code (HIS2014-00174). This Landmark Alteration Certificate is subject to City Council call-up no later than **July 22, 2014**.

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### **Executive Summary**

The proposal to construct a new, free-standing garage at 1507 Pine St. was approved by the Landmarks Board (4-0) at the July 2, 2014 meeting. The decision was based upon the Board's consideration that the proposed construction meets the requirements in Section 9-11-18, B.R.C. 1981.

### **Fiscal Impact**

None. The review of landmark alteration certificates is an anticipated and ongoing function of the historic preservation program.

### **Community Sustainability Assessments and Impacts**

- Economic: The Historic Preservation Ordinance was adopted to "...enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city's living heritage" (9-11-1 (a), B.R.C., 1981). Owners of locally designated landmark properties are eligible for a variety of state and local tax credits for approved rehabilitations and repairs, and studies have found that historic preservation adds to economic vitality and tourism. Changes to the exteriors of individually landmarked

buildings require a Landmark Alteration Certificate, issued by the Department of Community Planning and Sustainability at no charge. This additional review process may add time and design expense to a project.

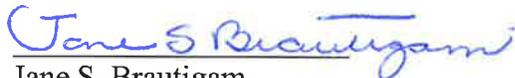
- **Environmental:** The preservation and conservation of historic resources is an environmentally sound practice and a sustainability tool. Existing buildings contain significant amounts of embodied energy. Numerous studies have shown that old buildings can be made as energy efficient to operate as new buildings. Owners of individually landmarked buildings are encouraged to reuse and repair as much of the original building as possible when making exterior alterations, thereby reducing the amount of construction waste of building materials deposited in landfills. City staff also can assist architects, contractors and homeowners with design and material selections and sources that are environmentally friendly.
- **Social:** The preservation of cultural resources is to the benefit of all of Boulder's citizens in that it fosters knowledge and an appreciation of the city's past and adds to the richness and diversity of the urban fabric. Owners of landmarked properties are required to go through the design review process to obtain a landmark alteration certificate and comply with the design guidelines for exterior changes to properties.

The board's approval is subject to a 14-day call-up period by City Council. However, the 14-day call-up period cannot be met due to the fact that the next regularly scheduled City Council meeting is on July 16, 2014.

Section 9-11-16(a) of B.R.C. 1981 states: "The City Manager may extend the call-up period until the council's next regular meeting, if the manager finds in writing within the original call-up period that the council will not receive notice of a decision of the board in time to enable it to call-up the decision for review."

The city manager finds that, because the next regularly scheduled City Council meeting is after the call-up period, it did not receive notice of the board's decision regarding 1507 Pine Street in time to consider call-up within 14 days. Therefore, the City Manager extends the call-up period for this application until the City Council's next scheduled meeting on July 22, 2014.

Approved By:



Jane S. Brautigam,  
City Manager

**ATTACHMENTS:**

- A. Notice of Disposition dated July 2, 2014
- B. Photographs and Drawings of 1507 Pine Street

**Notice of Disposition**

You are hereby advised that on July 2, 2014 the following action was taken:

- ACTION:** Approved by a vote of 4-0.
- APPLICATION:** Public hearing and consideration of an application for a Landmark Alteration Certificate to construct a 925 sq. ft., one-story, four-car garage at the northeast corner of the property at 1507 Pine Street, an individually landmarked property, per section 9-11-18 of the Boulder Revised Code 1981 (HIS2014-00174).
- LOCATION:** 1507 Pine Street
- ZONING:** RMX-1 (Residential-Mixed 1)
- APPLICANT/OWNER:** Kristin Lewis / Susan Dawson

This decision was arrived at based on the purposes and intent of the Historic Preservation Code as set forth in 9-11-18, B.R.C., 1981, as applied to the Landmark Alteration Certificate application.

**Applicant's Presentation**

Susan Dawson, 662 Glen Way, Woodside, CA, prospective owner, introduced the project to the Landmarks Board and her plans for the house.

**Kristin Lewis**, 1928 14<sup>th</sup> St., architect, explained proposed changes to the house approved by the Landmarks design review committee, and the current proposal to construct a new garage building on the property.

**Public Hearing**

**Abby Daniels**, 1123 Spruce St. Executive Director of Historic Boulder, Inc., stated Historic Boulder's Preservation Committee support of constructing a four-car garage based upon the fact that a similar building was on the property historically.

**Motion**

On a motion by **K. Remley**, seconded by **M. Gerwing**, the Landmarks Board approved **(4-0)** the staff memorandum dated July 2, 2014, in matter 5C (HIS2014-00174), as the findings of the board and approve the construction of a new, free-standing garage as shown on plans dated May 29, 2014, finding that the plans generally meets the standards for issuance of a Landmark Alteration Certificate in Chapter 9-11-18, B.R.C. 1981, subject to the following conditions:

**Conditions of Approval**

1. The applicant shall be responsible for constructing the garage in compliance with the approved plans dated May 29, 2014, except as modified by these conditions of approval.
2. Prior to submitting a building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit the following: final details showing door and window details, roofing materials, wall materials, proposed colors, hardscaping and fencing, including the proposed trash enclosure. These design details shall be reviewed and approved by the Landmarks design review committee, prior to the issuance of a building permit. The applicant shall demonstrate that the design details are in compliance with the intent of this approval and the *General Design Guidelines*.



Figure 1: 1507 Pine St. Tax Assessor Card photograph c.1929, showing original hipped roof. Photograph Courtesy the Carnegie Branch Library for Local History.

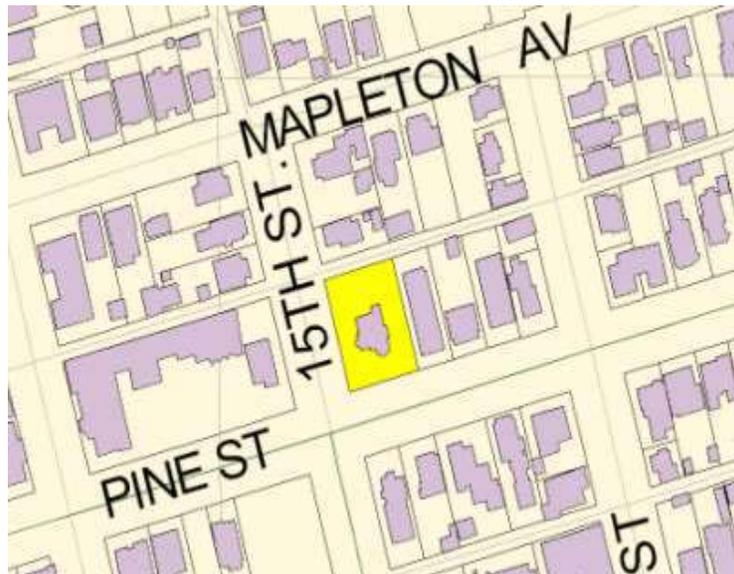
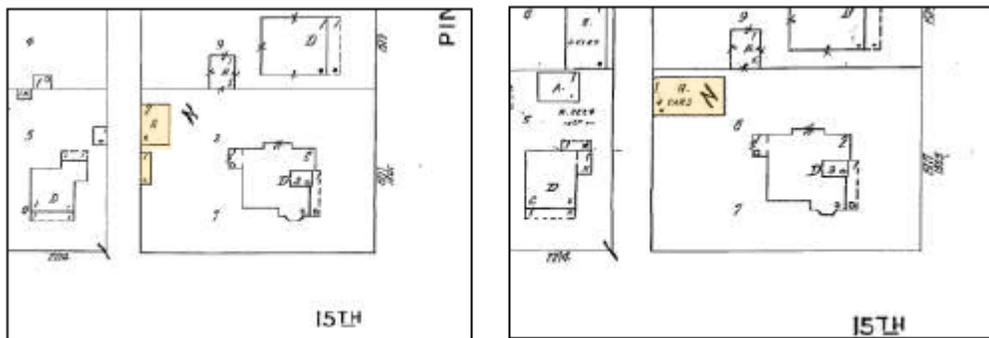


Figure 2: Location Map, 1507 Pine St.



*Figure 3. 1507 Pine St., 1974.  
Third story addition constructed in 1947, original porches removed.*



*Figure 4. Sanborn Fire Insurance Maps, 1922 (L) and 1931-1960 (R).  
Accessory buildings located along the alley (highlighted).*



*Figure 5. View from Lover's Hill showing accessory buildings at rear of lot, c. 1898*



*Figure 6. 1507 Pine St., southwest corner, 2014.*



*Figure 7. 1507 Pine St., location of proposed garage from northwest corner of property, 2014.*



*Figure 8. 1507 Pine St., location of proposed garage, 2014.*



*Figure 9. 1507 Pine St., fence at north east corner of property, 2014.*



*Figure 10. 1507 Pine St., south elevation, 2014.*



*Figure 11: 1507 Pine St., facing east with alley in view on left, 2014.*

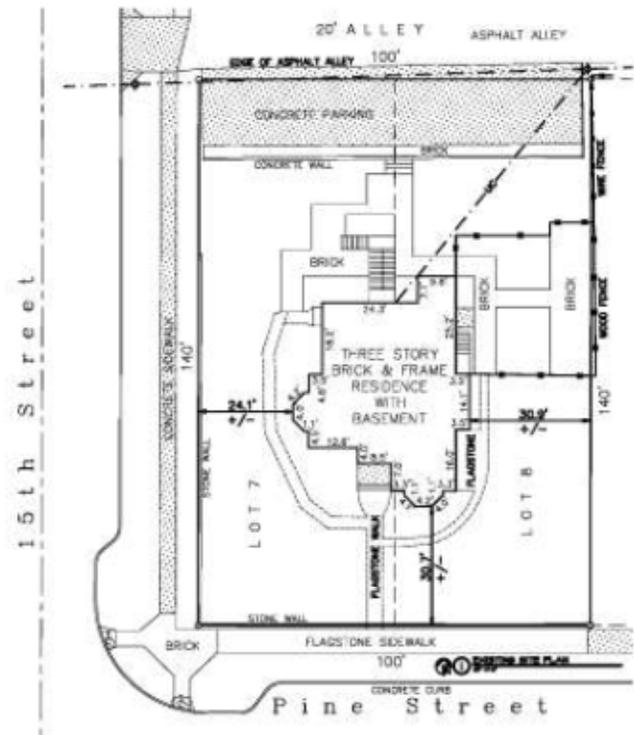


Figure 12: Existing Site Plan

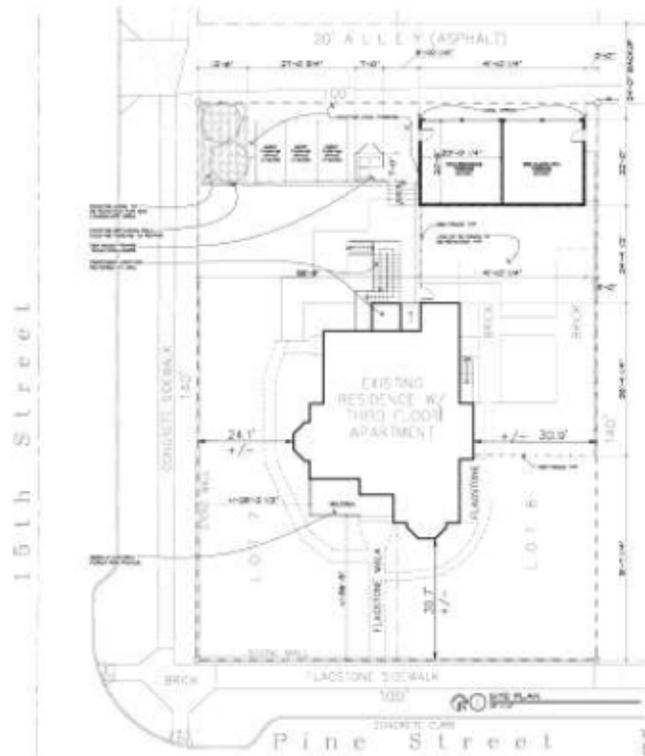


Figure 13: Proposed Site Plan

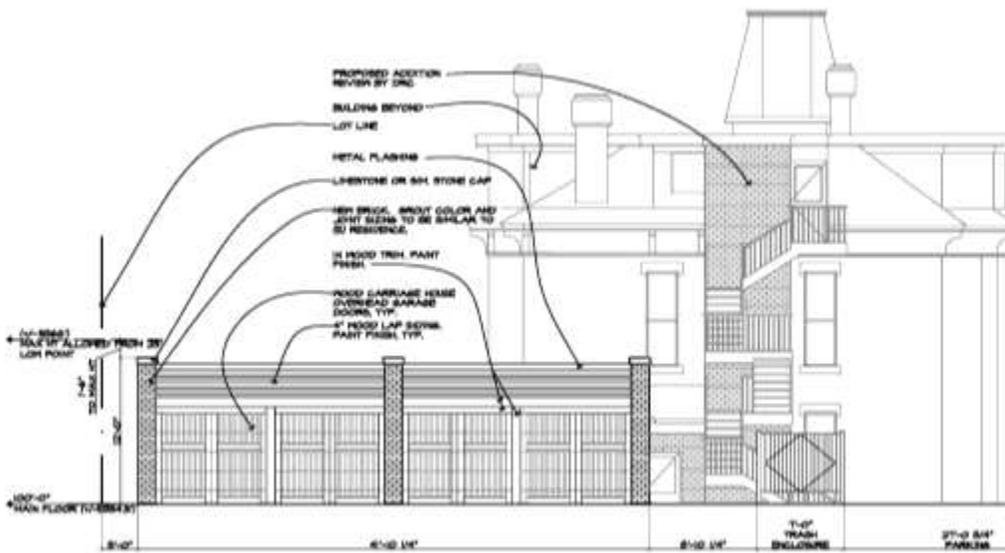


Figure 14: Proposed North Elevation (façade)

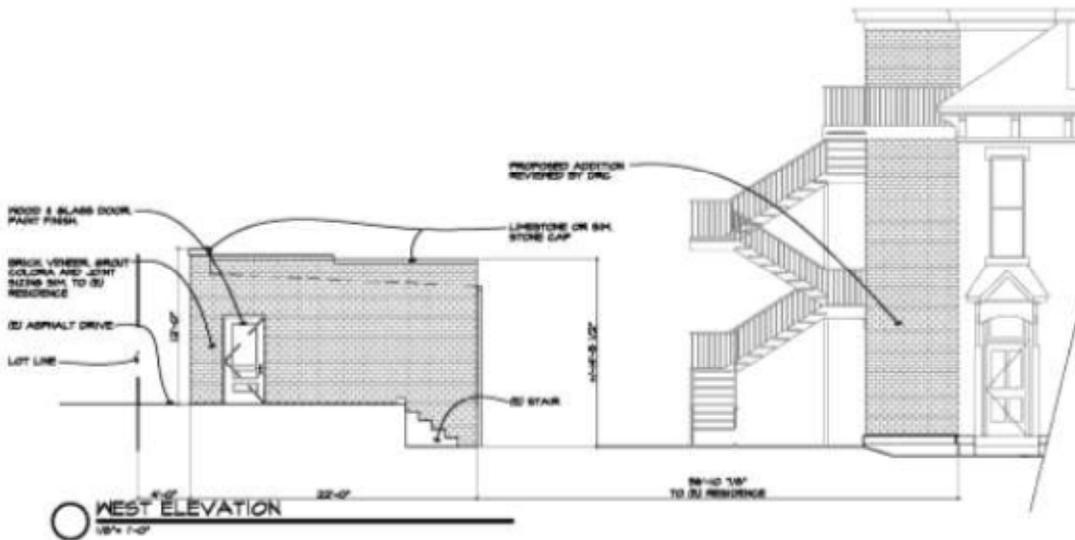


Figure 15: Proposed West Elevation





## INFORMATION PACKET MEMORANDUM

**To:** Members of City Council

**From:** Jane S. Brautigam, City Manager  
Maureen Rait, Executive Director of Public Works, Flood Recovery Manager

**Date:** July 22, 2014

**Subject:** Information Item: Flood Recovery Status

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September 2013 brought unprecedented rainfall to the region causing significant flooding and extensive damage to both private property and city infrastructure. This City Council information item provides an update on recovery status in relation to the key objectives for both near-term recovery and long-term resilience. Highlights of the progress made are listed below, by objective, with details provided in the body of the memorandum:

**1. Help people get assistance.**

- The city and county were awarded \$4 million in Community Development Block Grant-Disaster Recovery (CDBG-DR) housing rehabilitation grant funding to assist eligible homeowners in the reconstruction process.
- Two flood-related emergency annexations are scheduled for Aug. 5, 2014. Remaining flood annexations to proceed in third quarter 2014.
- Targeted outreach to neighborhoods and property owners with vacant and uninhabitable units continuing.

**2. Restore and enhance our infrastructure.**

- As of June 30, the city has spent approximately \$15.1 million on flood recovery.
- In terms of costs, with remaining work estimated at \$12.2 million, recovery efforts are 55 percent complete.
- The revised cost estimate of \$27.3 million (down from \$47 million in October 2013) represents staff's current estimates of flood damage and recovery activities after further investigation of damages and assessment of repair and recovery alternatives. These costs are related to the specific Sept. 2013 flood damages and are not reflective of subsequent issues with additional sediment and debris during spring runoff and summer storms.

**3. Assist business recovery.**

- The city is continuing to assist businesses with remaining flood recovery needs.

**4. Pursue and focus resources to support recovery efforts.**

- The city has received \$121,000 in FEMA reimbursements to date; pace is expected to increase in third quarter.
- The city was awarded \$76,000 under the CDBG-DR Resiliency Planning Program.
- The city is pursuing additional CDBG-DR funds in Rounds 2 and 3 (\$257 million available).

**5. Learn together and plan for the future.**

- The city and countywide partners are launching “BoCo Strong” and planning a series of commemoration events in September.
- The proposed Capital Improvement Program (CIP) includes projects that help mitigate future rainfall/runoff event impacts. City Council will review the CIP as part of the 2015 budget and CIP process.

City staff, consultants and community partners continue to work diligently to make progress in achieving the council-adopted objectives. Each objective is explained in the following pages along with a high-level summary of progress. More detailed information can be found at the city’s comprehensive resource for all flood-related information: [www.BoulderFloodInfo.net](http://www.BoulderFloodInfo.net). City Council was briefed previously on May 6, 2014 and that information can be found [here](#). City department directors and staff supporting flood recovery efforts will also be available to address questions at the Flood Recovery briefing immediately before the regular City Council meeting on July 22.

To continue to support the flood recovery efforts, the city created a high-level team that meets on a regular basis to address recovery activities (see diagram [here](#)). The Flood Recovery Steering Committee includes executive team members and department directors from the most highly impacted departments.

City Council briefings and updates are expected to be provided on an as needed basis throughout 2014. The next briefing is tentatively scheduled for Oct. 28, 2014.

# FLOOD SAFETY

BOULDER, CO

## OBJECTIVE #1: HELP PEOPLE GET ASSISTANCE



*Facilitate access to individual assistance for affected homeowners, renters and businesses to support their recovery from flood impacts and strengthen long-term resilience.*

### **UNINHABITABLE, VACANT UNITS & REBUILDING**

The city continues to help residents in need of assistance as they recover from the flood. Since the last briefing, the city became aware of additional units that were vacant or uninhabitable, and some units on the list began construction. The city's latest estimate is that approximately 50 housing units continue to remain vacant and/or uninhabitable as a result of the flood. Direct outreach and workshops with neighborhoods and property owners that remain vacant continues, and a series of workshops will be scheduled based on specific needs. For example, the neighborhood with the largest number of concentrated uninhabitable units have requested workshops to focus on funding and assistance for property owners and the HOA, building permits and reconstruction, and flood mitigation along Wonderland Creek. These will be held through the end of July and beginning of August.

The Planning & Development Services Center continues to see 10-12 customers per week with flood-related questions and those seeking permits for repairs due to flood damage or mitigation measures. Since Sept. 11, 2013 the city has processed more than 760 flood-related building permits. Since the last council briefing in May, 20 flood recovery permits have been processed, including repairs to the Frasier Meadows Community Health Center.

### **INDIVIDUAL ASSISTANCE, REBUILDING & CASE MANAGEMENT**

The city and the Long-Term Flood Recovery Group of Boulder County (LTFRG) are coordinating and cross-training to connect residents with resources and case management services, and provide streamlined access to city resources. City staff and LTFRG continue to have bi-weekly coordination meetings.

Approximately 155 Boulder households have requested assistance with the LTFRG and remain as active cases. The direct assistance provided by case managers includes assisting with FEMA individual assistance and insurance appeals, mental health programs, volunteer and non-profit labor coordination, construction coordination, funding assistance through the United Way Flood Relief Fund (soon to include the CDBG-DR housing rehab funding as well), as well as connections to other agencies for technical assistance.

Seventy-eight percent of Boulder households with open cases report incomes below \$25,000. Nearly half of the 155 households reported a need for financial assistance. Almost one in three of those with financial needs reported significant long-term financial concerns. For households determined to have unmet needs, the median estimate of unmet need is \$25,000, ranging between \$380 and \$380,000.

Home rehabilitation was the second largest category of need reported; 42 percent of cases had ongoing home repair needs. Some residents reported issues with their yards such as failing retaining walls and storm debris. Others sought assistance with mental health and/or disaster trauma (9 percent of cases); assistance finding permanent housing (9 percent of cases); assistance or support navigating recovery hurdles such as insurance claims (8 percent of cases); and assistance finding employment in order to recover financially (6 percent of cases). Other households reported complications related to living in an HOA and struggles with insurance. A handful of residents reported concerns about nearby natural hazards such as debris deposits in waterways.

The City of Boulder and Boulder County obtained \$4 million in grant funding for housing rehabilitation and temporary rental assistance through Community Development Block Grant-Disaster Recovery (CDBG-DR) countywide (excluding Longmont). Contracts are currently being signed, and initial outreach letters to potentially eligible applicants are being sent out at the end of July. This funding and construction management will be administered through Boulder County and Longs Peak Energy Conservation. At least seventy-five percent of the funding is required to be used to assist low and moderate income property owners (80 percent of AMI and under) that still have an unmet need to complete housing repairs to single family homes and buildings with eight units or less, not in the floodway (city conveyance zone).

### **CUSTOMER SERVICE & COORDINATION**

City staff is receiving approximately three flood-related Inquire Boulder service submittals per week, and six phone calls daily to the Flood Information Line (303-441-1856). During rainfall events, there is an increase in phone calls. The most common questions are related to floodplains, and continued groundwater and localized flooding concerns.

The city is actively participating and coordinating with state and countywide efforts including case management, business assistance, resilience and capacity building, housing, and CDBG-DR funding.

### **FLOOD RELATED ANNEXATIONS**

Two emergency annexations for properties with failing well and septic systems will be considered by City Council on Aug. 5. Approximately 15 additional properties have signed annexation petitions using the streamlined flood recovery process. The two neighborhoods where infrastructure installation is required (Old Tale Road and Githens Acres) were surveyed for their level of interest in a group annexation. The interest in annexation was less than 50 percent. However, several residents were interested if the city could obtain grant funding to assist in paying for the underground infrastructure or costs to connect to the utility main lines. The city is

waiting to hear if grant funding will be approved to construct the infrastructure for at least one of the two neighborhoods.

### **CDBG-DR GRANT FUNDING**

CDBG-DR funding coordination is continuing countywide for the second round of funding (\$199 million for Colorado). The city is working with state and regional partners to explore a more predictable, expedited and customized process for allocating this second round of funding. Additionally, on July 14, Senators Udall and Bennet announced the release of a third round of CDBG-DR funds for an additional \$52.8 million, bringing a total of \$320.3 million in disaster funding to Colorado. The city will continue to work with its partners to develop a strategy for this third round of funding when more information is available. Staff will continue to update council on the progress and funding awarded through the CDBG-DR process.

*Header photos taken at the March 31, 2014 Flood Preparedness + Recovery open house.*

**FLOOD SAFETY**  
BOULDER, CO

**OBJECTIVE #2: RESTORE & ENHANCE OUR INFRASTRUCTURE**



*Invest in projects to restore services and to rebuild and enhance infrastructure, as appropriate, in the interests of public health and safety, community quality of life, and long-term resilience.*

**FLOOD RECOVERY PROJECT STATUS**

As a result of the significant flood damage to city infrastructure, the city is working to complete approximately 300 projects across the community that includes repairs, restoration, replacement and mitigation work. To fund these projects, the city is pursuing a variety of available resources in the recovery and reimbursement process including insurance, FEMA assistance, and other federal agencies (e.g., Federal Highway Administration, Urban Drainage & Flood Control District, Colorado Water Conservation Board, etc.), as further described in Objective #4.

Below is a summary of the total projects by Department/ Division. Projects are considered partially complete if work has been started, temporary repairs have been made or mitigation work has yet to be completed. As of July 1, 2014, the city has completed 64 percent of the flood-related projects and spent \$15 million on flood recovery (see more financial details on page 12). Additional mitigation projects that are not part of the FEMA reimbursement process will be reviewed by City Council through the Capital Improvement Project (CIP) process.

	<b>Total Flood Related Projects</b>	<b>Percent Complete</b>
<b>Citywide Total</b>	<b>331</b>	<b>64%</b>
<b>Department/Division</b>		
OSMP	153	53%
Parks & Recreation	45	76%
PW - Utilities	67	90%
PW - Transportation	32	53%
PW - FAM/Fleet	34	59%

Department-specific details are provided below.

***OPEN SPACE AND MOUNTAIN PARKS (OSMP)***

Seasonal crews and fair weather have significantly increased the pace of flood recovery on OSMP lands. Since the last update, public access has been restored to the Saddle Rock trail that now includes a temporary and innovative solution to traversing some difficult terrain—a 20-foot steel ladder anchored into rock. Trails at Royal Arch and Boulder Falls remain closed as staff and consultants work on sustainable solutions to repair the damages and provide safe and sustainable access. Access is disrupted along the South Boulder Creek Trail just upstream of South Boulder Road where installation of a new bridge is scheduled. However, visitors are using the roadway bridge to traverse the creek. A summary of OSMP flood-related projects is shown in the table.

<b>PROJECT STATUS</b>	<b>NUMBER OF PROJECTS</b>
<b>Completed</b>	<b>81</b>
<b>Partially Completed</b>	<b>27</b>
<b>Planning/Design</b>	<b>45</b>
<b>TOTAL</b>	<b>153</b>

Staff is also working to address erosion and deposition on designated trails that are open, working with regulatory agencies, and contractors to design, gain clearance for and re-construct sustainable trails at approximately 20 locations including Chapman Drive and the Sanitas Valley. Although the Gregory Canyon Trailhead access road remains closed, visitors can access the trail head from the Baseline Trail. The trailhead access road repair will be timed to coincide with the re-opening of Flagstaff Road as part of a cooperative project with Boulder County Transportation.

Staff worked successfully to ensure that that all irrigation ditches serving OSMP were ready to distribute water at the start of the irrigation season to the farmers and ranchers leasing open space land and to others served by those ditches. Grant funding from the Colorado Water Conservation Board (CWCB) to the city and the Green Ditch Company, which received support from CWCB, has facilitated this work. And although there is significant competition for contractors, OSMP continues to repair fences, keeping up with the agricultural management plans and moving livestock to maintain the productivity and ecological health of OSMP grasslands. Volunteers continue to be the main source of help in clearing debris off fences.

In response to FEMA’s determination that habitat restoration projects were beyond the scope of their recovery mandate, OSMP ecologists have identified cooperative projects with other agencies, other funding sources, and have prepared grant applications to support post-flood integrated pest management, bank restoration, and repairs to past aquatic habitat improvements. The remains of a collapsed bridge in Boulder Creek near 57<sup>th</sup> Street were removed to assist with riparian restoration and reduce boating hazards in Boulder Creek.

As the majority of OSMP lands are located in unincorporated Boulder County, OSMP staff has been coordinating with Boulder County’s recovery and watershed planning efforts—mostly along Left Hand Creek, Boulder Creek and Fourmile Canyon Creek. OSMP will continue its focus on flood recovery projects over the next 2-3 years.

***PARKS AND RECREATION***

Approximately 34 percent, or 35 of the 98 Parks and Recreation facilities were significantly damaged by the flood. Recovery work includes repair, restoration and/or replacement of facilities, structures, playgrounds, multi-use fields and courts, and paths.

<b>PROJECT STATUS</b>	<b>NUMBER OF PROJECTS</b>
<b>Completed</b>	34
<b>Partially Completed</b>	8
<b>Planning/Design</b>	3
<b>TOTAL</b>	<b>45</b>

Parks and Recreation staff continues to implement flood recovery and restoration projects across the community with approximately 76 percent of the projects complete. The department had 45 distinct projects due to flood damage and has currently completed 34 with eight partially completed. The three remaining projects that are currently in planning and design with FEMA coordination include:

- Eben G. Fine Park – restoration and stabilization of south hillside due to erosion from floodwaters;
- Knollwood Tennis Courts – courts were damaged and need complete replacement in addition to replacement of walls and landscape restoration; and
- Evert Pierson Memorial Kids’ Fishing Ponds – full restoration of ponds and associated park amenities.

The department anticipates that all projects will be complete within the next 7 to 10 months.

***UTILITIES***

Although the water utility infrastructure performed admirably and sustained minimal damages, the wastewater, stormwater and major drainageway systems were overwhelmed by floodwaters and runoff, groundwater infiltration and inflow to the city’s open channel and pipe conveyance systems. Initial flood response work included the protection of critical wastewater as well as vulnerable water delivery pipelines and access roads to critical water infrastructure. Recovery work includes:

- Inspecting and cleaning selected wastewater and stormsewer pipe segments;
- Reconstruction of improved drainageway features, which requires the removal of significant amounts of sediment and debris; and
- Stabilization and repair of undermined and damaged pipes.

PROJECT STATUS	NUMBER OF UTILITY PROJECTS			
	WATER	WASTEWATER	STORMWATER/FLOOD MANAGEMENT	TOTAL
<b>Completed</b>	21	15	24	<b>60</b>
<b>Partially Completed</b>	0	1	3	<b>4</b>
<b>Planning/Design</b>	1	2	0	<b>3</b>
<b>TOTAL</b>	<b>22</b>	<b>18</b>	<b>27</b>	<b>67</b>

Utilities staff continue to implement flood recovery and restoration projects for the water, wastewater and stormwater/flood management utilities. Approximately 90 percent of the recovery work is complete. Work on all critical water and wastewater infrastructure is complete. Sediment and debris removal from major drainageways is complete. Repair of drainageway features such as drop structures and retaining walls is more than 50 percent complete and should be completed by the end of the summer. Sediment and debris removal from the wastewater is 90 percent complete and will likely be complete by the end of 2014. Sediment and debris removal from the stormsewers is estimated to be approximately 50 percent complete and will likely not be complete until early next year. Utilities maintenance staff continues to clear flood-related blockages as they are discovered and as they are reported by the community.

### ***TRANSPORTATION***

Due to the flood, approximately one percent or three miles of roadways were damaged citywide. There are approximately 300 miles of roads that exist within the City of Boulder. It is estimated that approximately 20 percent or 60 miles of the roads were covered in debris. The city also has 60 miles of bike path within the city limits. Approximately 15 percent, or nine miles, of the path was damaged.

PROJECT STATUS	NUMBER OF PROJECTS <sup>1</sup>
<b>Completed</b>	17
<b>Partially Completed</b>	14
<b>Planning/Design</b>	1
<b>TOTAL</b>	<b>32</b>

All transportation facilities are available for full use by the public, although some intermittent closures of underpasses are expected due to high flows on the creek. Many of the remaining Transportation projects include construction activities within or adjacent to the Boulder drainageways. As a result, Transportation is targeting late summer or fall for these improvements when water levels subside. The remaining Transportation projects include:

<sup>1</sup> Projects include FEMA and Federal Highway Administration (FHWA). FEMA oversees the disaster relief federal funding for the street system that carries lower volumes, or residential streets, and FHWA, through Colorado Department of Transportation (CDOT), oversees the federal funding for streets that have higher volumes.

- Table Mesa/Lehigh – channel stabilization, reconstructing drop structures and repairing pavement.
- Fourmile Canyon Creek at Violet, 19<sup>th</sup> and 26<sup>th</sup> – primary work is complete and only minor revegetation remains.
- 47<sup>th</sup> Street at Fourmile Canyon Creek – primary work is complete and only fencing replacement, revegetation, and minor channel inlet riprap adjustments remains.
- Various Street Locations – complete final asphalt resurfacing on flood damaged streets.
- Hawthorn – west of 4<sup>th</sup> Street – primary work is complete and only minor street repair on city portion of Hawthorn remains.
- Boulder Creek at 4141 Arapahoe – removal of a piece of displaced concrete.
- Boulder Creek east of 55<sup>th</sup> St. – repairs to the rip rap protecting the abutments of the pedestrian bridge.

Transportation staff anticipates that all projects will be complete within the next 7 to 10 months.

***FACILITIES AND ASSET MANAGEMENT (FAM): BUILDINGS AND STRUCTURES***

Of the 365 city-owned buildings and structures approximately 34, or nine percent, were damaged due to the flood.

<b>PROJECT STATUS</b>	<b>NUMBER OF PROJECTS</b>
<b>Completed</b>	20
<b>Partially Completed</b>	11
<b>Planning/Design</b>	3
<b>TOTAL</b>	<b>34</b>

The majority of building and structural repairs (59 percent) have been completed. Following FEMA approval, mitigation work, such as installing sump pumps, rerouting roof drains, and adding flood walls and doors, will be completed at the following facilities:

- Fire Stations #1 and #4;
- West Senior Center;
- Reynolds Library;
- Main Library;
- Iris Center; and
- North Boulder Recreation Center.

Additional flood recovery projects include:

- South Boulder Recreation Center – selecting the type of material to replace the gymnasium floor and completing the replacement.
- Valmont Butte – complete reseeding per the requirements of the Voluntary Cleanup Program.
- 1888 Violet Ave. – demolish the flood damaged single-family residence that housed the Wildland Fire crew (known as the “cache”), as mentioned in a previous “Heads Up” to

City Council. A new wildland fire station is being built as part of the 2011 voter-approved Capital Improvement Bond.

The department anticipates that all flood-related projects will be complete over the next 7 to 10 months.

*Header photos taken on April 2, 2014 as crews worked to reconstruct drop structures on Boulder Creek, just west of the Broadway bridge and South Boulder Creek, off Table Mesa Road.*

# FLOOD SAFETY BOULDER, CO

## OBJECTIVE #3: ASSIST BUSINESS RECOVERY



### Disaster Relief Program

RELIEF • RECOVERY • PREPAREDNESS

#### Flood Recovery Meeting for Boulder Businesses

If your business or nonprofit has suffered substantial harm from the September 2013 flood, you may qualify for a business grant or loan through Recover Colorado.

Join the Boulder Small Business Development Center (SBDC), in partnership with the City of Boulder and the Boulder Chamber, to hear the latest information about the Recover Colorado Business Grant and Loan Program and to get started. These funds will be made available on a first come, first served basis. Round One of the application period will last 45 days. You can take steps now to be in better position to qualify once the program starts.

Who Should Attend:

*Work with the Boulder business community and key partners to connect affected businesses with resources, recover quickly from flood impacts, and support long-term economic vitality.*

The city continues to assist businesses with flood recovery needs. Impacts to Boulder businesses ranged from moderate damage (businesses that were repaired in a few weeks) to severe (e.g. complete demolition of a building with 20 tenants at 100 Arapahoe Avenue). Business assistance inquiries have included unique requests to specific Boulder businesses (e.g. disposal of confidential but severely damaged documents) and questions about funding sources and business resources.

### **PARTNER AGENCY COORDINATION**

The city is a participant on the Business Recovery working group of the Long-Term Flood Recovery Group of Boulder County. This group is focused on outreach and assistance for unmet needs of small businesses. In addition, the city is participating and assisting the U.S. Economic Administration in identifying best practices and opportunities for integrating economic resilience into disaster recovery efforts based on experiences of the 2013 flood.

### **TOURISM GRANT**

The city assisted the Boulder Convention and Visitors Bureau in completing a tourism and marketing grant application that was submitted to the State of Colorado on June 27. The grant funding comes from HUD through CDBG-DR.

*Header photo taken at the March 31, 2014 Flood Preparedness + Recovery open house and event flyer image from the Business Flood Recovery meeting.*

# FLOOD SAFETY

BOULDER, CO

## OBJECTIVE #4: PURSUE & FOCUS RESOURCES TO SUPPORT RECOVERY



*Work in partnership with volunteers, governmental and other agencies to maximize financial resources and efficiencies for recovery.*

Due to the September 2013 flooding, the city was declared a national disaster and created the opportunity for possible reimbursement through FEMA, Federal Highway Administration (FHWA) and the State of Colorado. The city is striving to maximize reimbursement from all applicable agencies as well as through grant funding opportunities.

### **FINANCIAL RESOURCES**

Due largely to the city's reserve policies and ability to flex repair dollars, the city has been able to fund the emergency response and initial recovery investments. Through the budget process, longer term plans will need to include replenishing the portion of reserves used that are not addressed by reimbursement. In the 2013 budget, the city used \$6.8 million of reserve funds, approved through a budget supplemental on Dec, 3, 2013. In the 2014 budget, \$1.6 million of reserve funds were approved through the budget supplemental on June 3, 2014. Discussions related to reserve funds for 2015 will occur as part of the Capital Improvement Program (CIP) and budget process.

Tables 1 and 2 illustrate, by Department/Division, the anticipated city share in the flood recovery costs as well as the estimated amount of reimbursement back to the city. The initial forecasts of flood recovery costs represented departments' "worst case" estimates of flood damage at a time when it was difficult to access and view all of the damaged sites. The revised cost estimate of \$27.3 million (down from \$47 million in October 2013) represents staff's current estimates of flood damage and recovery activities after further investigation of damages and assessment of repair and recovery alternatives. Please note that these costs are related to the specific Sept. 2013 flood damages and are not reflective of subsequent issues with additional sediment and debris during spring runoff and summer storms.

To date, FEMA has obligated (approved) \$11 million worth of recovery projects. The current estimate for remaining projects yet to be obligated is approximately \$4 to \$5 million. As of July 1, the city has received \$121,031 in reimbursements. As administrator of the FEMA public assistance grant, the State of Colorado is responsible for reviewing and approving reimbursement requests. The reimbursement process is moving slowly as the state fine tunes its process, but

staff expects the pace of reimbursements to accelerate through the end of the year. Final closeout of project worksheets, which includes an audit process, is anticipated to take three to five years. It is important to note that after FEMA projects are completed, FEMA may still “de-obligate” expenses based upon the results of a post-close audit and require a refund. FEMA representatives have indicated that in a typical disaster, up to 5 percent of an applicant’s expenses may be de-obligated through this process.

The city has also received \$2.7 million in insurance proceeds related to the flood event. The FEMA reimbursement process nets out insurance proceeds from reimbursements as a “duplication of benefits” if the applicant’s insurance policy covers flood related damage. Table 2 shows the allocation of \$1.6 million of insurance payments on listed properties (that is specifically tied to an individual asset). For the purposes of this update, most facility damages and related revenues are reflected in the FAM/Fleet department, regardless of the facility’s use (e.g. recreation centers, although parts of Parks and Recreation’s operations, are FAM facilities). The remaining \$1 million in insurance proceeds is related to “unscheduled property,” which refers to property and equipment that is not specifically inventoried in the insurance policy, but is nonetheless covered.

### **REMAINING COST TO THE CITY (GAP)**

While FEMA and the state typically reimburse 87.5 percent of eligible projects (75 percent and 12.5 percent, respectively), in many cases, the city’s gap between incurred costs and estimated reimbursements varies significantly. The most common reasons for this gap are:

- Through policy, FEMA has deemed many flood recovery activities ineligible (e.g. ecological restoration activities in OSMP, debris removal in certain areas of the streams).
- FEMA policies generally do not reimburse for regular staff time for flood response and recovery activities (only overtime is eligible). While project management and direct administrative costs are reimbursable, actual “boots on the ground” time is typically limited to overtime labor.
- Costs related to general administrative activities (not associated with a particular project) are ineligible for reimbursement. (e.g., general flood coordination meetings, reporting, budgeting, council updates, etc.)

**Table 1: Costs Related to Flood Damage and Response**

	<b>Total Flood Damage and Response</b>	<b>Amount Spent</b>	<b>Remaining Estimated Cost</b>
Transportation	2,500,000	1,925,968	574,032
Utilities	9,000,000	6,736,056	2,263,944
FAM/Fleet	1,900,000	828,842	1,071,158
OSMP	8,800,000	1,160,405	7,639,595
Parks & Rec	1,600,000	896,949	703,051
CP&S	1,777,604	1,777,604	-
Police	743,206	743,206	-
Fire	112,009	112,009	-
Other	895,732	895,732	-
<b>Total</b>	<b>\$27,328,552</b>	<b>\$15,076,770</b>	<b>\$12,251,781</b>

**Table 2: Sources of Funds for Flood Recovery and Response**

	<b>Actual FEMA/State/FHWA Reimbursement</b>	<b>Estimated Reimbursement from FEMA/State/FHWA<sup>1</sup></b>	<b>Insurance Proceeds<sup>2</sup></b>	<b>Total Reimbursement</b>	<b>Remaining Cost to City (Gap)<sup>3</sup></b>	<b>Total Sources of Funds</b>
Transportation	61,231	1,447,000		1,508,231	991,769	2,500,000
Utilities	-	7,469,000		7,469,000	1,531,000	9,000,000
FAM/Fleet	21,482	302,000	1,422,388	1,745,870	154,130	1,900,000
OSMP <sup>4</sup>	-	3,463,000	25,097	3,488,097	5,311,903	8,800,000
Parks & Rec	22,720	860,000	186,812	1,069,531	530,469	1,600,000
CP&S	15,598	1,376,000		1,391,598	386,006	1,777,604
Police	-	248,000	4,963	252,963	490,243	743,206
Fire	-	94,000		94,000	18,009	112,009
Other	-	78,000		78,000	817,732	895,732
<b>Total</b>	<b>\$ 121,031</b>	<b>\$ 15,337,000</b>	<b>\$ 1,639,260</b>	<b>\$ 17,097,290</b>	<b>\$ 10,231,261</b>	<b>\$ 27,328,552</b>

<sup>1</sup> Actual reimbursement amounts may vary due to actual costs incurred and/or FEMA de-obligation of costs at project closeout. Includes 1.34 percent management cost reimbursement.

<sup>2</sup> Insurance proceeds do not reflect \$1 million unscheduled property payment. The city is still determining best use of these funds. FEMA may require that some or all of this payment be used to offset "duplication of benefits." This would result in a reduction of the FEMA reimbursement.

<sup>3</sup> Please refer to the following sections (Insurance, Remaining Cost to City, and Grants) for an overview of the reasons contributing to the gap, and the additional funding sources being pursued by the city to help close the gap.

<sup>4</sup> The majority of OSMP project worksheets have been written on estimates. As recovery work and reimbursements progress, the actual reimbursement from FEMA and the state may increase, as long as work performed is consistent with the project scope and costs are determined to be reasonable by FEMA.

## GRANTS

To help close the above mentioned gap between flood damage and response costs and FEMA reimbursements, the city is pursuing additional funding sources. The following table provides a brief overview of the opportunities currently being pursued.

Program	Eligible Activities
CDBG-DR – Resiliency Planning ( <b>Grant Awarded for \$75,625</b> )	<ul style="list-style-type: none"> <li>• West Fourmile Creek Annexation &amp; Redevelopment Study</li> </ul>
CDBG-DR - Infrastructure	<ul style="list-style-type: none"> <li>• FEMA local match</li> <li>• Hazard Mitigation</li> <li>• Watershed protection and resilience</li> </ul>
Colorado Water Conservation Board – Stream Restoration Grant	<ul style="list-style-type: none"> <li>• Debris removal</li> <li>• Stabilize stream channels</li> <li>• Habitat restoration</li> </ul>
FEMA Hazard Mitigation Grant Program	<ul style="list-style-type: none"> <li>• Hazard mitigation planning</li> <li>• Hazard mitigation projects (property acquisition, structure elevation, dry-flood proofing, generators, etc)</li> </ul>
Urban Drainage and Flood Control District (UDFCD)	<ul style="list-style-type: none"> <li>• Repair of structures built by UDFCD</li> </ul>
Workforce Boulder County	<ul style="list-style-type: none"> <li>• Temporary employees to assist with flood recovery projects (repairs, debris removal, etc.)</li> </ul>
Natural Resources Conservation Service (NRCS) Emergency Watershed Protection Program	<ul style="list-style-type: none"> <li>• Debris removal</li> <li>• Streambank stabilization</li> <li>• Repair of water control structures and infrastructure</li> </ul>

Council will be up-to-date with any major grant awards received and will receive an update on the status of additional funding as part of the next Flood Recovery Update scheduled for October 28.

## VOLUNTEERS

Since September, the city has been very fortunate to have a significant level of support by volunteers, with approximately 1,800 volunteers logging more than 7,300 hours. Of those hours, 5,864 are eligible for FEMA reimbursement, with a projected value of \$85,000.

Upcoming events for public volunteer assistance can be found online here: [www.ow.ly/pfF4Y](http://www.ow.ly/pfF4Y).

*Header photos taken at OSMP flood recovery volunteer projects in October 2013.*

# FLOOD SAFETY

BOULDER, CO

## OBJECTIVE #5: LEARN TOGETHER & PLAN FOR THE FUTURE



*Engage the Boulder community in assessing neighborhood impacts, refining and rethinking community design options, prioritizing actions and opportunities that mitigate hazards before rebuilding and support long-term community resilience and sustainability. In doing so, we build a city both greater and more beautiful than we were before.*

### **BOCO STRONG**

The city is coordinating with a countywide committee through the Long-Term Flood Recovery Group of Boulder County on a series of events to commemorate the one year anniversary of the flood. The events will be branded as “BoCo Strong”, and will be held throughout Boulder County by various jurisdictions and community partners. A county wide event calendar and website is located at [www.bocostrong.org](http://www.bocostrong.org).

### **PRE-DISASTER RECOVERY PLANNING**

City staff and the Office of Emergency Management is compiling the lessons learned to date, as well as areas of success and improvement to begin planning and coordination for a more robust recovery plan, which will continue through 2015.

### **COMMUNITY RESILIENCE CONVERSATIONS**

The resilience subcommittee of the Long-Term Flood Recovery Group of Boulder County is planning more than 40 facilitated community conversations about the resilience of individuals, neighborhoods, and sectors of the community across Boulder County. The information collected through these workshops will be compiled and shared as part of the BoCo Strong commemoration events in September. The conversations will be held throughout July and August, and are being coordinated and integrated with city staff and the city’s resilience planning efforts.

### **2015 BUDGET & CAPITAL IMPROVEMENTS PROGRAM**

The flood disaster highlighted certain vulnerabilities in the city’s infrastructure and delayed some Capital Improvement Projects (CIP) as funds were redirected to respond to the flood. As a result, city staff is in the process of reprioritizing the proposed CIP that contemplates additional work to help mitigate future rainfall/runoff event impacts. City Council will review these projects as part of the 2015 budget and CIP process.

*Header photos taken at the April 2, 2014 Flood Preparedness + Recovery open house.*

## BLA ANNUAL RETREAT

### NOTES

4/29/2014 1-5 pm

Fishbowl Conference Room

#### DIRECTIVES:

1. Steve would like guidelines as to statements/declarations that would strengthen board's position i.e. "I find that the applicant has or has not . . ." or "I find that the needs and desires met or not met", etc. Sandra is going to meet w/Steve & Dave to conduct Chair & Vice Chair training on 5/9/2014 2 PM (regarding admissibility of evidence, handling objections). Maybe they could also discuss Steve's request for guidelines?
2. Needs & Desires – Steve made statement that liquor store in defined neighborhood opposition given less weight because a competitor. Colorado Liquor Code 12-47-301(2)(a).
3. Majority of board want Carlene to submit what she sees as mitigating/aggravating factors along with her paperwork for show cause. Sent email to Carlene 5/2/2014, she has agreed to do that.
4. RHG – back on the agenda, provide BLA update on education, no lobbying, 5 minutes. Michele has contacted RHG and Michael Absalom will be at May 21 hearing.
5. Overservice – Carlene agreed to conduct overservice class within next 8 months. Scheduled for June 3, 10:30 am - 2:30 pm in Council Chambers. Carlene will provide licensing with flyers to mail out to licensees. BLA members want to be invited to class. When we receive the flyers, Michele will send email w/flyer to board members.
6. Rotating speakers – keep on agenda in addition to RHG. Michele asked board members for more suggestions for speakers and followed up with email. Dave Timken replied with suggestion. Michele contacted that individual on 5/1 but has not heard back yet.
7. Mitigating/Aggravating factors – lots of discussion. Board wants to continue discussion during a hearing. Mishawn is putting on May 21 agenda. Continued to June 24, 2014 hearing.
8. Transfer to Landlords – Poster on dark liquor establishments notifying public of liquor license. Mishawn drafted language for poster, Sandra approved. Michele will take to Kinko's to have copies made. Mishawn will put on June 24 agenda – good to include reference in the Rules. Also, if approve transfer to landlord put on nonadministrative renewal – also include on June 24 agenda and include reference in the Rules.
9. Training requirements – changed from 6 to 3 months. Will require council approval and updating of Rules of Procedure. Discuss at June 24 BLA hearing.
10. Tim will draft something, send it to Harriet to review. Believe it will be one page information sheet for licensees; Tim will clarify. Michele sent reminder email to Tim & Harriet.

11. Known habitual drunkard – board agreed good idea to educate licensees that they have the right to refuse service without providing a reason. No other follow up decided upon.
12. Beginning date for suspension dates? Discussed and decided to revisit. Mishawn will put on May 21 agenda. Continued to June 24, 2014 hearing.

The Beverage Licensing Authority reviewed this document, made minor edits, at their May 21, 2014 hearing.

**CITY OF BOULDER  
BEVERAGE LICENSING AUTHORITY  
\* \* \* MINUTES \* \* \*  
TUESDAY, JUNE 24, 2014, 3:00 P.M.  
CITY COUNCIL CHAMBERS  
MUNICIPAL BUILDING – 2<sup>ND</sup> FLOOR  
1777 BROADWAY, BOULDER, COLORADO**

**DRAFT**

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

**DATE OF MEETING:** June 24, 2014

**NAME & PHONE OF PERSON PREPARING SUMMARY:** Michele Lamb, Licensing Administrator (303-441-3436)  
Beata Mazurkiewicz, Licensing Specialist (303-441-3091)

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

**Board Members:** Steve Wallace, Harriet Barker, Lisa Spalding, David Timken, and Tim McMurray (arrived during item 1).

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

**QUASI-JUDICIAL MEETING OUTLINE OF AGENDA**

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**1. Member roll call; Approval of Beverage Licensing Authority (BLA) minutes from May 21, 2014 April 16, 2014, and hearing agenda issues from licensing clerk.**

Chair Wallace recognized Member Timken as having received an award from the Colorado Chapter of MADD. Roll call was taken. A quorum of four BLA members was initially present, with Member McMurray arriving late to the hearing. Chair Wallace moved, Member Spalding seconded, to approve the May 21, 2014 minutes. Motion approved 4:0.

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

Officer Carlene Hofmann of BPD was absent. Officer Hofmann provided her enforcement update to the BLA via an email which was entered as agenda item 2, exhibit 1.

### **3. Matters from the Responsible Hospitality Group.**

No members from the Responsible Hospitality Group were present. President Mike Absalom provided an update to the BLA via an email which was entered as agenda item 3, exhibit 1.

### **4. BLA Rulemaking public hearing concerning penalty schedule review with consideration of administrative violations vs. public health and safety violations, mitigating and aggravating factors discussion, and acceptance of fines in lieu of suspension days.**

Member McMurray arrived at the beginning of this agenda item. The board members discussed the above issues. The board opened the discussion to the public. There was no public comment at this point. Member Spalding confirmed with Attorney Llanes that the requirement that a licensee had not had a suspension stayed by payment of a fine during the two years immediately preceding had been removed from the Colorado Liquor Code. The board said they use or grant fines in lieu sparingly and usually in combination with some suspension day(s). Member McMurray brought up administrative violations.

Members agreed that since they have flexibility there was no reason to change the penalty schedule and they would determine penalties on a case-by-case basis. The board confirmed that membership in the RHG may be considered a mitigating factor. Attorney Llanes brought up mitigating factors before a violation versus after a violation has occurred. This was discussed by the board and they decided it is discretionary and the board would look at it on a case by case basis. The board confirmed that "final" as mentioned in C.R.S. 12-47-601(3)(a) means when the board makes its decision on suspensions. The board reiterated Colorado Liquor Rule 47-600(F) regarding posting of notice of suspension in licensee window. The Board requested that a copy of the minutes for agenda items 3 and 4 be forwarded to the RHG. The discussion was opened back up to public comment.

Tony Milazzo of the newly formed Boulder Chapter of the Colorado Restaurant Association (CRA) addressed the board. He asked whether the board was involved with or aware of the state reviewing the penalty schedule. Mr. Milazzo urged the board members to use their discretion and grant fines in lieu of suspension days. He mentioned lost employee wages and loss of sales tax revenue to the city during a suspension period. Member Spalding invited the CRA to speak to the BLA at one of their hearings after the CRA is introduced at the city council meeting in July.

### **5. BLA Rulemaking public hearing about BLA mission, change from 6 months to 3 months in city training condition, terminating the practice of letting licensees select suspension days, non-administrative renewal hearings for transfers to landlords and posting of closed locations, and any other changes requiring council approval.**

Attorney Llanes suggested the members begin by discussing the proposed changes to the BLA Rules of Procedure. The board discussed Section 3-6 Training Requirements and agreed unanimously to change the amount of time a liquor licensee has to train staff from 6 months to 3 months. They also confirmed that online training is unacceptable.

The board discussed Section 6-5 Exhibits. The question was whether exhibits in electronic format are acceptable. The discussion evolved to distributing the board member's packets electronically. The board decided that they may allow electronic distribution of the hearing packet in the future and this would involve future discussions. The board did decide to allow licensees/applicants to submit exhibits in electronic format.

The board next addressed Subsection 10-2-3(E) Show Cause Hearings. They approved adding the words "generally are not" regarding whether suspension dates are subject to change. There was an extensive discussion among the board members regarding who determines or sets the dates for a suspension i.e. the board or the licensee. It was opened to public comment.

Tony Milazzo, Boulder Chapter of CRA, then addressed the board. Mr. Milazzo stated that it could be viewed in an adversarial light if the BLA chose the starting of the suspension dates. Member Barker brought up that with the recent light on the BLA this could be seen as arbitrary and have the unintended result of the board having to listen to more exception requests than anticipated. The board decided to leave it as it has been practiced which is to allow the licensee to recommend dates to be served and the board make the final determination. Attorney Llanes will amend the rules to reflect this.

Ms. Cook informed the board that her office's standard practice is to set a BLA approved transfer to a landlord as new licensee for non-administrative review regardless of whether BLA has directed that or not. Also included for the board's information was a mock-up poster for posting of closed locations which has been approved by the City Attorney's office. Attorney Llanes will include in the rules the requirement for posting of the poster at closed locations.

**6. Public hearing and continued consideration of whether there is good cause for a non-renewal of a March 20, 2014 renewal application from PDQ Development, Inc d/b/a PDQ Gas and Food, 5200 Manhattan Circle, Boulder, CO 80303; Jeffrey Jacobsen, President, Director, and Owner, and Jerry Archer, VP, Secretary, and Director, with a premise business mailing address, for a renewal of a 3.2% Beer Off Premise type liquor license.**

Dan Carr, Esq. appeared on behalf of the applicant. Richard Gunderson, licensee supervisor, was sworn in and confirmed the 10 day posting. Hearing procedures were waived. No Authority members disclosed ex parte communications or conflicts of interest. No third parties requested interested party status and no public comment was given in this matter. Mr. Gunderson requested the authority to renew their license. Mr. Gunderson confirmed

that the licensee does want and intend to start selling 3.2 Beer upon approval of the renewal application by the Authority. Member Spalding moved, Timken seconded, to approve the renewal with the condition that sales of alcohol commence within 60 days of the hearing. Motion passed 5:0.

7. **Public hearing of a March 24, 2014 application from Learfield Levy Foodservice LLC d/b/a Levy Restaurants – East Side, 372 UCB University of Colorado, Boulder, CO 80309; Levy Premium Foodservice LP, 50.01% Owner, with Andrew Lansing, President/CEO, Michael Perlberg, Senior Vice President & General Counsel, Robert Seiffert, CFO/Treasurer, Travis Tucker, Director of Operations and Registered Manager, and Learfield Foodservice & Entertainment LLC, 49.99% Owner, with Marc Jenkins, COO; with a business mailing address of 980 N. Michigan Avenue, Suite 400, Chicago, IL 60611, for a transfer of a Hotel-Restaurant type liquor license.**

Jon Stonbraker, Esq. appeared on behalf of the applicant. Exhibits were entered. Joseph Smith, Director of Operations for University of Colorado for the Levy organization, and William Kelsey, both representing the applicant, were sworn in and confirmed the 10 day posting. Hearing procedures were waived. No Authority members disclosed ex parte communications or conflicts of interest. No third parties requested interested party status and no public comment was given in this matter. Mr. Smith was questioned by Mr. Stonbraker and provided testimony regarding the applicant and this transfer application. Member Spalding questioned the number of violations detailed in the attachment to the Individual History Records. Member Timken asked a follow up question regarding whether the University of Colorado was aware of the violations. Mr. Stonbraker answered that he did not know whether the university was aware of the violations or not. Mr. Stonbraker stated that his firm had diligently reported to the Board the results of what the applicant had told his firm regarding the violations. Member McMurray moved, Barker seconded, that the transfer of the Hotel-Restaurant type liquor license be approved. Motion passed 5:0.

8. **Public hearing of a March 24, 2014 application from Learfield Levy Foodservice LLC d/b/a Coors Events Conference Center, 401 UCB, Coors Events Conference Center, Boulder, CO 80309; Levy Premium Foodservice LP, 50.01% Owner, with Andrew Lansing, President/CEO, Michael Perlberg, Senior Vice President & General Counsel, Robert Seiffert, CFO/Treasurer, Travis Tucker, Director of Operations, and Learfield Foodservice & Entertainment LLC, 49.99% Owner, with Marc Jenkins, COO, and William Kelsey, Registered Manager; with a business mailing address of 980 N. Michigan Avenue, Suite 400, Chicago, IL 60611, for a transfer of a Hotel-Restaurant type liquor license.**

Mr. Stonbraker asked that the Board incorporate the previous testimony given on Agenda item 7. Mr. Smith and Mr. Kelsey remained sworn in. Exhibit items were entered. Hearing procedures were waived. No Authority members disclosed ex parte communications or

conflicts of interest. No third parties requested interested party status and no public comment was given in this matter. Member Spalding questioned William Kelsey, Registered Manager, concerning his background results. Member Barker moved, McMurray seconded, the approval of the Transfer of a Hotel-Restaurant type liquor license. Motion passed 5:0.

9. **Public hearing of a March 25, 2014 application from Learfield Levy Foodservice LLC d/b/a Folsom Field – West Stands, 372 UCB University of Colorado, Boulder, CO 80309; Levy Premium Foodservice LP, 50.01% Owner, with Andrew Lansing, President/CEO, Michael Perlberg, Senior Vice President & General Counsel, Robert Seiffert, CFO/Treasurer, Travis Tucker, Director of Operations, and Learfield Foodservice & Entertainment LLC, 49.99% Owner, with Marc Jenkins, COO, and Stefanie Duda, Registered Manager; with a business mailing address of 980 N. Michigan Avenue, Suite 400, Chicago, IL 60611, for a transfer of a Hotel-Restaurant type liquor license.**

Mr. Stonbraker asked that the Board incorporate the previous testimony given on Agenda item 7. Mr. Smith and Mr. Kelsey remained sworn in. Exhibit items were entered. Hearing procedures were waived. No Authority members disclosed ex parte communications or conflicts of interest. No third parties requested interested party status and no public comment was given in this matter. Member Spalding cautioned Mr. Smith regarding the skyboxes and previous violations. Chair Wallace questioned Mr. Smith regarding this specific location and the alcohol storage. Member McMurray moved, Timken seconded, to approve this Transfer of a Hotel-Restaurant type liquor license. Motion passed 5:0.

10. **Public hearing and consideration of an April 14, 2014 application from CMG Ventures LLC d/b/a West End Wine Shop, 777 Pearl Street, Boulder CO 80302; Mark Geraghty, Co-Owner and Manager, and Chelsea Geraghty, Co-Owner and Manager, with a business mailing address of 1078 Marble Court, Boulder, CO 80303, for a transfer of a Retail Liquor Store type liquor license.**

Justin Konrad, Esq., entered his appearance on behalf of the applicant. Agenda item 10, exhibit 1 was entered. Mark Geraghty and Chelsea Geraghty were both sworn in and confirmed the 10 day posting. Reading the procedures was waived. Member McMurray disclosed a conflict of interest and recused himself. There were no other ex parte communications or conflicts of interest disclosed by the remaining authority members. No third parties requested interested party status and no public comments were received. Mr. Konrad provided background information regarding the applicant. Mark and Chelsea Geraghty both testified regarding the transfer application. Member Spalding moved, Timken seconded, to approve the Transfer of the Hotel-Restaurant type liquor license. Motion passed 4:0 with McMurray recused.

11. **Public hearing and consideration of an April 21, 2014 application from CCRC, Inc d/b/a Agave Mexico Bistro & Tequila House, 2845 28<sup>th</sup> Street, Boulder CO 80301; Rene**

**Cervantes Jr., President and Registered Manager, with a business mailing address of 11201 Prospect Road, Longmont, CO 80504, for a permanent modification of a Hotel-Restaurant type liquor license.**

Member McMurray returned to the hearing. Rene Cervantes Jr., licensee owner, was sworn in and confirmed the 10 day posting period. Procedures were read. No Authority members disclosed ex parte communications or conflicts of interest. No third parties requested interested party status and no public comment was given in this matter. Mr. Cervantes testified regarding this permanent modification. Member Spalding raised a concern concerning the lack of business petitions. Chair Wallace replied that businesses within the neighborhood boundaries would have seen the posting and had notice that they could appear at the hearing. Member Barker moved, McMurray seconded, to approve the permanent modification of a Hotel-Restaurant type liquor license. Motion passed 5:0.

- 12. Public hearing and consideration of an April 21, 2014 application from Verde No. 1 Limited Partnership L.L.P. d/b/a Verde, 3070 28<sup>th</sup> Street, Unit B, Boulder, CO 80301; Verde Inc. as general partner with Tyson Ingraham-, as President and Registered Manager, John Sethney-, as VP & Treasurer, and Brandon Miller-, as VP, Sec, & General Counsel, with 7 other limited partners with none owning over a 10% interest, and with a business mailing address of 2650 Iris Avenue, Unit B 12, Boulder, CO 80304, for a new Hotel-Restaurant type liquor license.**

Brandon Miller, John Sethney, and Tyson Ingraham, applicant co-owners, were present on behalf of applicant, were sworn in, confirmed the 10 day posting, and testified concerning this new Hotel-Restaurant liquor license application. Exhibits were entered. Reading the procedures was waived. No Authority members disclosed ex parte communications or conflicts of interest. Chris Ingraham was sworn in, addressed the authority as an interested party, and he spoke in favor of the granting of the new Hotel-Restaurant type liquor license. Member Spalding noted a few corrections to the petitions. Member Barker moved, Timken seconded, to approve this Hotel-Restaurant type liquor license. Motion passed 5:0.

- 13. Matters from the Assistant City Attorney:** No matters were addressed.

- 14. Matters from the Licensing Clerk:**

A. Neighborhood boundaries for July 16, 2014 hearing:

- i) Rincon Argentino, LLC d/b/a Rincon Argentino – Permanent Modification to a Beer & Wine type liquor license at 2525 Arapahoe Avenue, Suite A-05, Boulder, CO 80302. The board discussed the following boundaries: North: Pearl; South:

Colorado; West: 17<sup>th</sup> Street; East: 33<sup>rd</sup> Street. Chair Wallace moved, McMurray seconded, to approve these boundaries. Motion passed 5:0.

- ii) Frasca Food and Wine Inc d/b/a Frasca Food And Wine/Pizzeria Locale – Permanent Modification to a Hotel-Restaurant type liquor license at 1738 Pearl Street, Unit 104, Boulder, CO 80302. The board discussed the following boundaries: North: Alpine Street; South: University Street; West: 6<sup>th</sup> Street; East: Folsom. Chair Wallace moved, Barker seconded, to approve these boundaries. Motion passed 5:0.
- iii) BaconLuv, LLC d/b/a Blackbelly Market – New Hotel-Restaurant type liquor license at 1606 Conestoga Street #3, Boulder, CO 80301. The board discussed the following boundaries: North: Pearl Parkway extended; South: Baseline Road; West: Foothills Parkway; East: City limits. Chair Wallace, Spalding seconded, moved to approve these boundaries. Motion passed 5:0.

**B. Informational items:**

- i) June Special Events and Temporary Modifications: City licensing mentioned this was in the packet.
- ii) June Liquor License renewal mailing list: City licensing mentioned this was in the packet.
- iii) Information Emails to BLA from John Balliet, TIPS Trainer.
- iv) Licensing Clerk briefing to BLA of closed licensed locations. It was mentioned that: A Spice of Life surrendered their liquor license and that Mishawn Cook received a request for information on transferring the hotel-restaurant for 221 B Baker Street from Tebo.

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

It was noted that the Press Play hearing was continued to a 2nd Special Hearing Thursday, August 14, 2014.

**ADJOURNMENT**

Member Barker moved, Wallace seconded, to adjourn the meeting. Motion approved 5:0, thus the hearing was adjourned at 6:00 p.m.

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

Standard hearing time: 3<sup>rd</sup> Wednesday of every Month at 3PM in Council Chambers for 2014.

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Attested:

Approved:

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Mishawn J. Cook, Tax and License Manager

Chair of Beverage Licensing Authority

**City of Boulder**  
**BOARDS AND COMMISSIONS MEETING SUMMARY FORM**

<b>NAME OF BOARD/COMMISSION:</b> Human Relations Commission
<b>DATE OF MEETING:</b> June 16, 2014
<b>NAME/TELEPHONE OF PERSON PREPARING SUMMARY:</b> Robin Pennington 303-441-1912
<b>NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:</b> <b>Commissioners–</b> Amy Zuckerman, Shirly White, Emilia Pollauf, Peter Osnes, José Beteta <b>Staff –</b> Karen Rahn, Carmen Atilano, Kim Pearson, Robin Pennington <b>Commissioners absent -</b> None
<b>WHAT TYPE OF MEETING (CIRCLE ONE) [REGULAR] [SPECIAL] [QUASI-JUDICIAL]</b>
<b>AGENDA ITEM 1 - CALL TO ORDER –</b> The June 16, 2014 HRC meeting was called to order at 5:59 p.m. by <b>A. Zuckerman</b> .
<b>AGENDA ITEM 2 – AGENDA ADJUSTMENTS –</b> Discussion/Informational Item 6. A. Living Wage Issue was moved up to follow Community Participation.
<b>AGENDA ITEM 3 – APPROVAL OF MINUTES – S. White moved</b> to accept the May 19, 2014 minutes with one revision. <b>E. Pollauf seconded</b> the motion. <b>Motion carries 5-0.</b>
<b>AGENDA ITEM 4 – COMMUNITY PARTICIPATION (non-agenda action items) –</b> None.
<b>AGENDA ITEM 5 – ACTION ITEMS</b> <b>A. Community Impact Fund Report, BMoCA - A. Zuckerman moved</b> to accept the report. <b>P. Osnes seconded. Motion carries 5-0.</b> <b>B. Resolution on Support for Transgender and Gender Nonconforming Children and Youth – P. Osnes moved</b> to table this item following a further update from staff. <b>S. White seconded. Motion carries 5-0.</b>
<b>AGENDA ITEM 6 – DISCUSSION/INFORMATIONAL ITEMS</b> <b>A. Living Wage Issue -</b> Rob Merritt, Denver Prevailing Wage Supervisor, answered questions on Denver’s Living Wage and Prevailing Wage ordinances. Dr. Ron Grant, Professor of Sociology at CU Boulder spoke on his experience helping to pass the Tucson, Arizona Living Wage Ordinance. A subcommittee was formed to scope out HRC next steps. <b>B. Proposal for Smoking Ban on Selected City Properties –</b> Eric M. Ameigh, Senior Project Manager, answered questions on the <b>Proposal for Smoking Ban on Selected City Properties</b> . Commissioners provided their input for City Council’s consideration. <b>C. YOAB Youth Age Discrimination Issue Update –</b> YOAB provided commissioners with an update of their action plans regarding this issue. <b>D. 2014 HRC Work Plan</b> <ol style="list-style-type: none"> <li><b>1. Celebration of Immigrant Heritage RFP – C. Atilano</b> reminded commissioners that the RFPs were due by June 27 and grant decisions would be made during the July HRC meeting.</li> <li><b>2. July HRC Meeting at Out Boulder – C. Atilano</b> confirmed that the July HRC meeting would be held at the Out Boulder facility.</li> <li><b>3. Update on Panhandling Issue – K. Rahn</b> explained that the panhandling issue will not</li> </ol>

be brought to Council until after the Aug. 13, 2014 Study Session on Homelessness.

- E. Bolder Boulder** – **A. Zuckerman** gave an update on the campaign to address an issue around gender shaming and the slogan “Sea Level is for Sissies” on the Bolder Boulder t-shirt.
- F. Event Reports** – **E. Pollauf** provided an update on her attendance at the Boulder Jewish Festival June 15, 2014. **J. Beteta** was on the panel that chose the next Boulder Police Chief.
- G. Follow Up Tasks** – Revise the May 2014 minutes as directed, meet with HRC subcommittee on Living Wage Issue, provide an update on support for safe restrooms for all students, bring forth applications from CoIH RFPs, finalize meeting logistics for July HRC meeting at Out Boulder, continue to provide updates on the panhandling issue as the matter proceeds forward.

**AGENDA ITEM 7 – IMMEDIATE ACTION ITEMS** – None.

**AGENDA ITEM 8 – Adjournment** – **J. Beteta moved** to adjourn the June 16, 2014 meeting. **E. Pollauf seconded** the motion. **Motion carries 5-0.** The meeting was adjourned at 8:13 p.m.

**TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:** The next regular meeting of the HRC will be July 21, 2014 at 6:00 p.m. at the Out Boulder facility, 2132 14th Street, Boulder, CO 80302.

**CITY OF BOULDER  
LANDMARKS BOARD  
May 7, 2014  
1777 Broadway, Council Chambers Room  
6 p.m.**

The following are the action minutes of the May 7, 2014 City of Boulder Landmarks Board meeting. A digital recording and a permanent set of these minutes (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). You may also listen to the recording on-line at: [www.boulderplandevlop.net](http://www.boulderplandevlop.net).

**BOARD MEMBERS:**

Mark Gerwing, Chair

Kirsten Snobeck

Nick Fiore

Kate Remley

Mike Schreiner

\*Leonard May           *\*Planning Board representative without a vote*

**STAFF MEMBERS:**

Hella Pannewig, Senior Assistant City Attorney

James Hewat, Senior Historic Preservation Planner

Marcy Cameron, Historic Preservation Planner

Lesli Ellis, Comprehensive Planning Manager

Angela Smelker, Historic Preservation Intern

**1. CALL TO ORDER**

The roll having been called, Chair **M. Gerwing** declared a quorum at 6:02 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

On a motion by **M. Gerwing**, seconded by **K. Snobeck**, the Landmarks Board approved (5-0) the minutes as amended of the April 2, 2014 board meeting.

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

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

- 640 Hawthorn Ave.
- Statistical Report

## **5. ACTION ITEMS**

- A. Public hearing and consideration of an application to designate the building and property at 2104 Bluff St. as a local historic landmark, to be known as the Kelso House, per Section 9-11-5 of the Boulder Revised Code, 1981 (HIS2014-00048). Applicant/Owner: Chad and Kristen Watson.

### **Staff Presentation**

**M. Cameron** made a presentation with recommending that the Landmarks Board forward the application to City Council with a recommendation to designate the property as a local landmark.

### **Applicant's Presentation**

The applicant was not in attendance.

### **Public Hearing**

**Abby Daniels**, 1123 Spruce St., Executive Director of Historic Boulder, spoke in support of landmark designation for the Kelso House, noting the organization's history with the property.

### **Motion**

On a motion by **M. Gerwing**, seconded by **K. Snobeck**, the Landmarks Board adopted (5-0) a resolution to initiate landmark designation the property at 2104 Bluff St. as a local historic landmark, to be known as the Kelso House, finding that it meets the standards for individual landmark designation in Sections 9-11-1 and 9-11-2, B.R.C. 1981, and adopts the staff memorandum, including the following as the findings of the board:

The Landmarks Board finds that, based upon the application and evidence presented and subject to the conditions of approval, the proposed designation application will be consistent with the purposes and standards of the Historic Preservation Ordinance, and

1. The proposed designation will protect, enhance, and perpetuate a building reminiscent of past eras and persons important in local and state history and provide a significant example of architecture from the past. Sec. 9-11-1(a), B.R.C. 1981.
2. The proposed designation will maintain an appropriate setting and environment and will enhance property values, stabilize the neighborhood, promote tourist trade and interest, and foster knowledge of the city's living heritage. 9-11-1(a), B.R.C. 1981.
3. The proposed designation draws a reasonable balance between private property rights and the public interest in preserving the city's cultural, historic, and architectural heritage by ensuring that demolition of buildings important to that heritage will be carefully weighed with other alternatives. 9-11-1(b), B.R.C. 1981.
4. The proposed designation is consistent with the criteria specified in Section 9-11-5(c), B.R.C. 1981.

- B. Public hearing and consideration of whether to initiate individual landmark designation for the property located at 640 Hawthorn Ave., per Section 9-11-3 of the Boulder Revised Code, 1981 (HIS2014-00033). Owner: Orion and Kristin Creamer.

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

**L. May** recused himself.

**M. Schreiner** drove by the property.

**M. Gerwing** and **K. Remley** made site visits on April 16, 2014 and attended the April 24, 2014 meeting with the applicant to discuss alternatives.

**K. Snobeck** attended the Landmarks design review committee meeting when the application was referred to the board and made a site visit on April 16, 2014.

**N. Fiore** made a site visit prior to the April 2, 2014 Landmarks Board meeting.

#### **Staff Presentation**

**M. Cameron** made a presentation and noting that staff did not have a recommendation for board action.

#### **Applicant's Presentation**

**Kristin Creamer**, 650 Hawthorn Ave., property owner, requested the board issue a demolition permit for the two buildings.

#### **Public Hearing**

**Abby Daniels**, 1123 Spruce St., Executive Director of Historic Boulder, expressed support of initiating landmark designation for the property to allow for more public feedback.

#### **Motion**

The board agreed not to take action on the application and continue the stay of demolition at the current time to provide more time to seek alternatives to the demolition of the buildings at 640 Hawthorn Ave.

- C. Public hearing and consideration of a Landmark Alteration Certificate to remove a 1920s addition and construct a 1,530 sq. ft. addition at the rear of the house at 835 Pine St. in the Mapleton Hill Historic District, per section 9-11-18 of the Boulder Revised Code (HIS2014-00058). Applicant: Keith Berger Owner: Jennifer Sullivan.

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

**M. Gerwing**, **K. Snobeck**, **K. Remley** and **N. Fiore** made site visits.

**K. Snobeck** reviewed the project at the Landmarks design review committee meeting.

**M. Schreiner** and **L. May** had no ex-parte contacts.

#### **Staff Presentation**

**J. Hewat** made a PowerPoint presentation to the board and recommended that the Landmark Alteration Certificate application be approved with conditions.

### Applicant's Presentation

**Jennifer Sullivan**, 835 Pine St., spoke in support of the Landmark Alteration Certificate.

**Keith Berger**, 2035 Alpine Dr., spoke in support of the Landmark Alteration Certificate.

### Public Hearing

**Kathryn Barth**, 2940 20<sup>th</sup> St., spoke in opposition of an addition that doubles the square footage of a house and considers the addition to be more complicated. Considers mass and scale and perhaps square footage should be reduced as the current proposal overpowers the original portion of the house.

**Abby Daniels**, 1123 Spruce St., noted that the Preservation Committee agrees with the staff recommendation.

**J. Sullivan** clarified that they were aware of the design guidelines when they purchased the house and considered the lot to have low visibility from the street.

**K. Berger** noted that the main bulk is 75' back from the street and that the lot slopes up and will help to reduce the visibility of the addition.

### Motion

On a motion by **M. Gerwing**, seconded by **K. Snobeck**, the Landmarks Board approved (4-1, **K. Remley** objecting) the staff memorandum dated May 7, 2014 as the findings of the board and approves the removal of the c. 1920 addition and the construction of an addition at the rear of the main house as shown on plans dated 03/27/2014, finding that they generally meet the standards for issuance of a Landmark Alteration Certificate in Chapter 9-11-18, B.R.C. 1981, subject to the following conditions:

1. The applicant shall be responsible for constructing the house in compliance with the approved plans dated 03/27/2014, except as modified by these conditions of approval.
2. Prior to submitting a building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit revised designs that reduces the mass and scale of the addition when viewed from Pine St., 9th St. and the alley to ensure that it is subordinate to the historic portion of the house, with emphasis on reducing the portion to the east wall of the main house. This might require reduction of the square footage, roof mass and/or the height of the proposed addition.
3. Prior to submitting a building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit the following, which shall be subject to the final review and approval of the Landmarks design review committee: revisions to the design to ensure that the fenestration of the addition that is publicly visible, is simpler than that on the main house by reducing the size of window and door openings and simplifying door and window design (submit window and door details), as well as wall materials, doors, siding material details, paint colors, roofing and any hardscaping on the property to ensure that the approval is consistent with the General Design Guidelines and the Mapleton Hill Historic District Guidelines and the intent of this approval.

**K. Remley** considers the proposed square footage of the addition to be inappropriate for this property.

- D. Public hearing and consideration of a Landmark Alteration Certificate to construct a new two-car, 950 sq. ft. detached garage with an Owners Accessory Unit above at 420 Spruce St. in the Mapleton Hill Historic District, per section 9-11-18 of the Boulder Revised Code (HIS2014-00081). Applicant: Juana Gomez Owner: Luis and Julia Garza.

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

**M. Gerwing, N. Fiore, K. Snobeck, and K. Remley** made site visits

**M. Gerwing, K. Snobeck and N. Fiore** previously reviewed the Landmark Alteration Certificate application for the construction of the main house at a full board hearing

**M. Schreiner and L. May** had no ex-parte contacts

### **Staff Presentation**

**J. Hewat** made a PowerPoint presentation to the board and recommended that the Landmark Alteration Certificate application be approved with conditions.

### **Applicant's Presentation**

**Luis Garza**, 420 Spruce St, spoke in support of landmark alteration certificate with staff's conditions, noting that he met with his neighbor to the west to address concerns about their view to the west.

**Juana Gomez**, 1127 Cranbrook Ct., architect, spoke in support of a Landmark Alteration Certificate.

### **Public Hearing**

**Peter Lapidis**, 2029 5<sup>th</sup> St., has no objection to the garage and ADU and met with applicant to discuss impact of their views to the west. Considers height to be taller than most accessory buildings in the area, and disproportionally tall and requested a condition to reduce the building 5 feet in height.

**Nicole Ward**, 2029 5<sup>th</sup> St., spoke in general support of the staff's recommendation to reduce the building height and requested that the height be reduced 5 feet.

**Abby Daniels**, 1123 Spruce St., Historic Boulder, stated that the Preservation Committee agreed with staff's recommendation.

### **Motion**

On a motion by **M. Gerwing**, seconded by **K. Snobeck**, the Landmarks Board approved (4-1, **K. Remley** objecting) the staff memorandum dated May 7th, 2014 as the findings of the Board and approve a Landmarks Alteration Certificate for the construction of a garage at 420 Spruce St. as shown on plans dated March 24, 2014, subject to the following conditions:

1. The applicant shall be responsible for ensuring that the development will be constructed in compliance with the application dated March 24, 2014 on file in the City of Boulder Community Planning and Sustainability Department, except as modified by these conditions of approval.

2. Prior building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit revised plans for the proposed garage showing a reduction in height of the building of at least 3 to 5 feet so that it reads as a one-and-one half story building consistent with the General Design Guidelines for Boulder's Historic Districts and Individual Landmarks and the Mapleton Hill Design Guidelines.
3. Prior to submitting a building permit application and final issuance of the Landmark Alteration Certificate, the applicant shall submit the following: final details showing door and window details, roofing materials, railings, stairs, decking, siding, paving and proposed colors. These design details shall be reviewed and approved by the Landmarks design review committee, prior to the issuance of a building permit. The applicant shall demonstrate that the design details are in compliance with the intent of this approval and the General Design Guidelines and the Mapleton Hill Historic District Design Guidelines.

**K. Remley** objected because she considers the height should be reduced by at least five feet.

E. Public hearing and consideration of a Landmark Alteration Certificate to construct a one-and-a-half story, 715 sq. ft., two-car garage, remove a portion of the contributing garage, and construct a fence along the south and east property lines 730 Pine St. in the Mapleton Hill Historic District, per section 9-11-18 of the Boulder Revised Code (HIS2014-00087).  
Applicant: Will Hentschel Owner: Douglas and Jennifer Campbell.

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

**M. Gerwing, N. Fiore, K. Snobeck** and **K. Remley** made site visits

**M. Schreiner** and **L. May** had no ex-parte contacts

### **Staff Presentation**

**J. Hewat** made a PowerPoint presentation to the board and recommended that the Landmark Alteration Certificate application be approved with conditions.

### **Applicant's Presentation**

**Jennifer Campbell**, 730 Pine St., property owner, stated that she has met with **J. Hewat** and Brian Holmes, zoning administrator, to discuss zoning regulations and spoke in support of the Landmark Alteration Certificate application.

### **Public Hearing**

**Abby Daniels**, 1123 Spruce St., Historic Boulder, stated that the Preservation Committee agreed with staff's recommendation to approve a Landmark Alteration Certificate with conditions.

**Kathryn Barth**, 2949 20<sup>th</sup> St., supports retention of the contributing garage but is concerned with two-car garage along alley and considers that plate height on second story should be reduced. General concern about the general character of the alleys and having continuous walled in feeling.

**J. Campbell** stated that it is extremely difficult to meet owners' needs within the constraints of the guidelines and by keeping the existing garage, she requests that the board provide leeway in terms of the new accessory building.

### **Motion**

A motion to approve the project made by **K. Snobeck**, seconded by **N. Fiore** failed 2-3, **M. Gerwing, K. Remley and M. Schreiner** opposed. Subsequently, **J. Campbell** withdrew the request and to redesign but asked for clear direction from the board as to what would be an acceptable building. **M. Gerwing** stated that the mass and scale needs to be reduced to either a one-story, two car garage or a one-car, two-story garage. **M. Schreiner** indicated this would meet his concerns. **K. Remley** stated that a two-story accessory building was not appropriate in this location.

- F. Public hearing and consideration of a Landmark Alteration Certificate to construct a free-standing 355 sq. ft. building to provide American with Disabilities Act-compliant restrooms immediately west of the Chautauqua Auditorium at 900 Baseline Rd., in Chautauqua Park, per section 9-11-18 of the Boulder Revised Code (HIS2014-00089). Applicant: Jeff Medanich Owner: Colorado Chautauqua Association.

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

**M. Gerwing** and **K. Snobeck** attended a site meeting with the Landmarks Board in June 2013

**K. Remley** made a site visit

**N. Fiore, M. Schreiner** and **L. May** did not have ex-parte contacts.

### **Staff Presentation**

**J. Hewat** made a PowerPoint presentation to the board and recommended that the Landmark Alteration Certificate application be approved with conditions.

### **Applicant's Presentation**

**Jeff Medanich**, 2304 County Road West, Berthoud, Colorado Chautauqua Association, spoke about the collaborative effort of this proposal, including various city departments and the State Historic Fund. Six different locations were considered and this site was chosen as the best. He looks forward to working with the city on future projects at Chautauqua.

### **Public Hearing**

**Kathryn Barth**, 2529 20<sup>th</sup> St., spoke about her attendance at one of the site visits and supports the proposed location and design.

**Abby Daniels**, 1123 Spruce St., Historic Boulder, stated that the Preservation Committee agreed with staff's recommendation to approve a Landmark Alteration Certificate.

**Catherine Long-Gates**, 3240 Broadway, president of Historic Boulder and co-owner of a Chautauqua cottage, supports the Landmark Alteration Certificate application and appreciated the collaborative and inclusive design process.

**Bill Patterson**, 7174 Paintbrush Trail, Chair of Colorado Chautauqua Association Board, spoke of design process and supports the application.

### **Motion**

On a motion by **M. Gerwing**, seconded by **K. Remley**, the Landmarks Board approved (5-0) the application for the construction of new restroom building at the west side of the Chautauqua Auditorium, 900 Baseline Road as shown on plans dated 02/24/2014, finding that if constructed pursuant to the conditions below, it meets the standards for issuance of a Landmark Alteration Certificate in Section 9-11-18, B.R.C. 1981, and is consistent with the General Design Guidelines and the Chautauqua Park Historic District Design Guidelines, and adopts the staff memorandum dated May 7, 2014 as the findings of the Board.

1. The applicant shall be responsible for ensuring that the development will be constructed in compliance with the application dated 02/24/2014 on file in the City of Boulder Community Planning and Sustainability Department, except as modified by these conditions of approval.
2. Prior to submitting a building permit application and receiving final issuance of the Landmark Alteration Certificate, the applicant shall submit the following: final details showing door and window details, roofing materials, railings, stairs, decking, siding, paving and proposed colors. These design details shall be reviewed and approved by the Landmarks design review committee, prior to the issuance of a building permit. The applicant shall demonstrate that the design details are in compliance with the intent of this approval and the General Design Guidelines and the Chautauqua Park Historic District Design Guidelines.

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

- A. Officer Elections
  - a. **K. Snobeck** nominated **M. Gerwing** for chair. (5-0)
  - b. **M. Gerwing** nominated **K. Remley** for vice chair. (5-0)
- B. Update Memo
- C. Subcommittee Update
  - 1) Demolition Ordinance
  - 2) Outreach
  - 3) Potential Historic Districts and Landmarks
  - 4) Design Guidelines

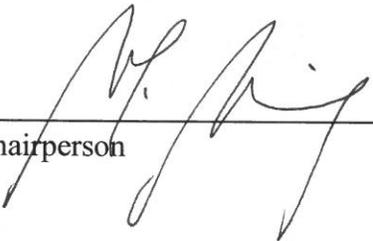
### **7. DEBRIEF MEETING/CALENDAR CHECK**

**8. ADJOURNMENT**

The meeting adjourned at 11:06 p.m.

Approved on June 4, 2014

Respectfully submitted,

  
\_\_\_\_\_  
Chairperson

**CITY OF BOULDER  
LANDMARKS BOARD  
June 4, 2014  
1777 Broadway, Council Chambers Room  
6 p.m.**

The following are the action minutes of the June 4, 2014 City of Boulder Landmarks Board meeting. A digital recording and a permanent set of these minutes (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). You may also listen to the recording on-line at: [www.boulderplandevlop.net](http://www.boulderplandevlop.net).

**BOARD MEMBERS:**

Mark Gerwing, Chair

Kirsten Snobeck

Nick Fiore

Mike Schreiner

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

**STAFF MEMBERS:**

Debra Kalish, Senior Assistant City Attorney

James Hewat, Senior Historic Preservation Planner

Marcy Cameron, Historic Preservation Planner

Lesli Ellis, Comprehensive Planning Manager

Angela Smelker, Historic Preservation Intern

**1. CALL TO ORDER**

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

**2. APPROVAL OF MINUTES**

On a motion by **M. Gerwing**, seconded by **M. Schreiner**, the Landmarks Board approved (4-0) the minutes of the May 7, 2014 board meeting.

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

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

- Statistical Report
- 640 Hawthorn Ave. - The board agreed to have a public hearing to consider lifting the stay-of-demolition for this property at the next Landmarks Board meeting scheduled for July 2, 2014.

## 5. ACTION ITEMS

- A. Public hearing and consideration of a demolition permit for the buildings located at 747 12<sup>th</sup> St., non-landmarked buildings over 50 years old, pursuant to per Section 9-11-23 of the Boulder Revised Code 1981 (HIS2014-00070). Applicant: Field West Construction. Owner: 747 Twelfth Street LLC.

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

**N. Fiore**, recused himself from consideration of this case.

**M. Gerwing, K. Snobeck, M. Schreiner** made site visits to the property.

### Staff Presentation

**M. Cameron** made a PowerPoint presentation to the Board and recommended to impose a stay of-demolition.

### Applicant's Presentation

**No presentation from applicant.**

### Public Hearing

**Jim Scarboro**, 735 12<sup>th</sup> Street, Boulder, CO a neighbor directly south of the subject property, neighbor, spoke in support of preserving the property.

**Abby Daniels**, 1123 Spruce St., Executive Director, Historic Boulder, spoke in support of imposing a stay-of-demolition and to look at alternatives to the demolition of the house and garage.

**Joe Stepanek**, a University Hill resident, spoke in support of preserving the property and noted that David Hull-Holmes was responsible for designing the addition.

**Martha Campbell**, 750 12<sup>th</sup> St., Boulder, CO has lived across the street for 60 years and spoke in support of preserving the property.

**Kristin Lopez**, daughter of the Johnsons and representative of the estate, spoke in support of the application to demolish the house.

**Ann Scarboro**, 735 12<sup>th</sup> Street, Boulder, CO spoke in support of preserving the property and the value of the buildings and the mature landscaping on the property.

**Geneva Reichert**, 740 12<sup>th</sup> Street, Boulder, CO spoke in support of preserving the property and against the proliferation of "McMansions" on the Hill.

**Eric Johnson**, 1300 Sumac Street, Boulder, CO a representative of the estate, spoke in support of the application to demolish the house and garage.

**Caroline Holmes-Stepanek**, a University Hill resident, spoke in support of preserving the property.

### **Motion**

On a motion by **K. Snobeck**, seconded by **M. Schreiner**, the Landmarks Board issued (3-0) a stay-of-demolition for the buildings located at 747 12th St. for a period not to exceed 180 days from the day the permit application was accepted by the city manager, in order to further explore alternatives to demolishing the buildings and adopt the staff memorandum, with the findings of the Board.

- B. Public hearing and consideration of a demolition permit for the building located at 445 College Ave., a non-landmarked building over 50 years old, pursuant to per Section 9-11-23 of the Boulder Revised Code 1981 (HIS2014-00085). Applicant: Stephen Sparn. Owner: George Stark.

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

**K. Snobeck**, recused herself from consideration of this case.

**M. Gerwing, N. Fiore, M. Schreiner** all made site visits to the property.

### **Staff Presentation**

**M. Cameron** made a PowerPoint presentation to the Board and recommended to impose a stay of-demolition.

### **Applicant's Presentation**

**Stephen Sparn**, architect, 1731 15<sup>th</sup> Street, Boulder CO, spoke in support of the application to demolish the house.

**George Stark**, owner, 1321 Marshall Street, Boulder, CO spoke in support of the application to demolish the house.

**Stephanie Stark**, owner, 1321 Marshall Street, Boulder, CO spoke in support of the application to demolish the house.

### **Public Hearing**

**Abby Daniels**, 1123 Spruce St., Boulder, CO, Executive Director, Historic Boulder, representing Historic Boulder's Historic Preservation Committee, spoke in support of imposing a stay-of-demolition to explore alternatives to the demolition of the house.

**Kathryn Barth**, 2940 20<sup>th</sup> Street, Boulder, CO spoke in support of imposing a stay-of-demolition and to possibly look at sub-dividing the lot in question.

### **Motion**

On a motion by **M. Gerwing**, seconded by **N. Fiore**, the Landmarks Board issued (3-0) a-stay-of-demolition for the building located at 445 College Ave. for a period not to exceed 180 days from the day the permit application was accepted by the city manager, in order to further explore alternatives to demolishing the buildings and adopt the staff memorandum, with the findings of the Board.

- C. Public hearing and consideration of amending Section 2. *Site Design*, of the *General Design Guidelines for Boulder's Historic Districts and Individual Landmarks* to include pool guidelines.

The board agreed to discuss this item at a future Landmarks Board meeting, either August or September 2014.

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

- A. Comprehensive Housing Strategy Update – Jay Sugnet, Housing Planner Manager discussed the Comprehensive Housing Strategy initiative, City Council's decisions from the 5.27.14 meeting, the goals developed , and process to move forward.
- B. Update Memo
- C. Subcommittee Update
  - 1) Demolition Ordinance
  - 2) Outreach
  - 3) Potential Historic Districts and Landmarks
  - 4) Design Guidelines
  - 5) Sustainability

**7. DEBRIEF MEETING/CALENDAR CHECK**

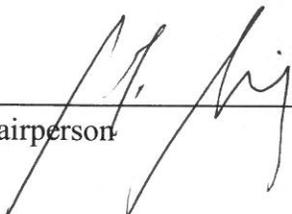
**8. ADJOURNMENT**

The meeting adjourned at 8:17 p.m.

Approved on July 2, 2014

Respectfully submitted,

\_\_\_\_\_  
Chairperson





CITY OF BOULDER  
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees			
DATE OF MEETING: June 11, 2014			
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025			
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:			
MEMBERS: Tom Isaacson, Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight			
STAFF: Mike Patton, Dave Kuntz, Steve Armstead, Mark Gershman, Steve Mertz, Heather Swanson, Annie McFarland, Brad Skowronski, Mike Orosel, Andy Pelster, Leah Case, Michele Gonzales, Alyssa Frideres			
GUESTS: Jesse Lewis, Colorado State University Eric Ameigh, Senior Project Manager			
TYPE OF MEETING:	<u>REGULAR</u>	CONTINUATION	SPECIAL
SUMMATION:			
<b>AGENDA ITEM 1- Approval of the Minutes</b> Shelley Dunbar moved to approve the minutes from May 14, 2014 as amended. Frances Hartogh seconded. This motion passed unanimously.			
<b>AGENDA ITEM 2- Public Participation</b> Mike Barrow, Boulder Mountainbike Alliance (BMA), asked about cattle grades and when these will be put in. He would have liked Lynn Riedel's presentation, from the last meeting, as an agenda item to allow for public comment.			
<b>AGENDA ITEM 3- Director's Updates</b> <b>The effects of recreation and urbanization on wildlife populations</b> Jesse Lewis, Colorado State University, gave a presentation to the Board. Jesse has collected information from a large fleet of motion activated cameras, and radio collared bobcats. He discussed his recent work funded by Open Space and Mountain Parks (OSMP) and Boulder County which uses his data to address questions related to recreation and wildlife on OSMP and other Boulder County Open Space.			
<b>Voice and Sight Tag Monitoring Project</b> Mark Gershman, Environmental Planning Supervisor, gave an update on Voice and Sight Tag Program			

monitoring.

**AGENDA ITEM 4- Matters from the Board**

Kevin Bracy Knight asked about the trails in the north of the system and when these will be fixed. Staff will bring back a work plan and priority list to the Board.

**AGENDA ITEM 5 – Summary of 50<sup>th</sup> year of OSMP Junior Ranger Program and Declaration to Honor Five Decades of Youth Service\***

Steve Mertz, Public Relations Coordinator, gave a presentation celebrating the Junior Ranger Program and its 50<sup>th</sup> year of continuous service. The City of Boulder OSMP Department joins the community in recognizing the thousands of young people for their efforts in preserving our public lands.

Tom Isaacson read the following proclamation:

*The Open Space Board of Trustees joins the staff of the City of Boulder Open Space and Mountain Parks Department in recognizing all of our Junior Rangers over the past 50 years. We salute the more than 5,000 Boulder youth who contributed their talents and efforts in helping the City of Boulder carry out its land management missions. These irreplaceable individuals are an inspiration as they help to protect the resources that make Boulder's Open Space and Mountain Parks so special.*

**AGENDA ITEM 6 – Review of and Recommendation Regarding the 2015 Open Space and Mountain Parks Department Capital Improvement Program Budget and a portion of the Lottery Fund Capital Improvement Program Budget\***

Mike Orosel, Financial Services Manager, gave a presentation on the 2015 CIP budget.

This item spurred one motion:

**Shelley Dunbar moved the Open Space Board of Trustees approve, and recommend that Planning Board approve an appropriation of \$7,608,000 in 2015 from the Open Space Fund CIP as outlined in this memorandum and related attachments; and recommend that \$355,300 be appropriated from the city's Lottery Fund CIP in 2015 as outlined in this memorandum and related attachments. Frances Hartogh seconded. This motion passed unanimously.**

**AGENDA ITEM 7 – Consideration of a smoking ban on all OSMP properties, including trails, without exception.\***

Andy Pelster, Land and Facilities Operations Supervisor, gave a presentation on a potential smoking ban for OSMP properties.

The Board did not make a formal motion for this agenda item.

**AGENDA ITEM 8 – Review of proposed trail reroutes in Skunk Canyon valley\***

Annie McFarland, Visitor Master Plan Implementation Coordinator, gave a presentation on Skunk Canyon and the plan developed by the Community Collaborative Group (CCG). OSMP staff used the guidance of that plan to determine which trails would be closed and restored, which would be designated and which would be rerouted.

The Board did not make a formal motion for this agenda item. Staff will bring back to the Board another option for the reroute.

ADJOURNMENT: The meeting adjourned at 9:25 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:

**TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:**  
The next OSBT meeting will be at 1777 Broadway in the Council Chambers July 9, 2014 at 6:00 p.m.



CITY OF BOULDER  
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees			
DATE OF MEETING: July 9, 2014			
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025			
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:			
MEMBERS: Tom Isaacson, Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight			
STAFF: Mike Patton, Jim Reeder, Dave Kuntz, Mark Gershman, Brad Skowronski, Andy Pelster, Kacey French, Leah Case, Lauren Kolb, Alyssa Frideres, Todd Doherty, Annie McFarland			
TYPE OF MEETING:	<u>REGULAR</u>	CONTINUATION	SPECIAL
SUMMATION:			
<b>AGENDA ITEM 1- Approval of the Minutes</b> Shelley Dunbar moved to approve the minutes from June 11, 2014 as amended. Frances Hartogh seconded. This motion passed unanimously.			
<b>AGENDA ITEM 2- Public Participation</b> Several members from the public asked staff for feedback on the plan for Anemone Hill as well as some of the paved paths in Boulder.			
<b>AGENDA ITEM 3- Director's Updates</b>			
<b>Trail Maintenance Schedule</b> Jim Reeder, Land and Facilities Services Division Manager, gave an overview of the trail maintenance schedule.			
<b>Sanitas Valley Trail Reconstruction Project</b> Jim Reeder, Land and Facilities Services Division Manager, gave an update on the Sanitas Valley Trail.			
<b>Skunk Canyon Trail Connection</b> Jim Reeder, Land and Facilities Services Division Manager, gave an update on the Skunk Canyon Trail.			
<b>Royal Arch Trail Reconstruction</b> Jim Reeder, Land and Facilities Services Division Manager, gave an update on the Royal Arch Trail.			

**AGENDA ITEM 4- Matters from the Board**

The Board asked for more information on cattle guards and a timeline for installation.

**AGENDA ITEM 5 – Consideration of a recommendation to grant a nonexclusive revocable license to Colorado Department of Transportation for the purposes related to the Highway 36 Project, including the design, construction, maintenance, repair and replacement of the Shearer Ditch crossing at U.S. 36 which traverses the Van Vleet South and Van Vleet East Open Space and Mountain Parks parcels\***

Todd Doherty, Water Resources Administrator, gave a presentation to the Board.

This item spurred one motion:

**Shelley Dunbar moved the Open Space Board of Trustees pass a motion recommending the OSMP director grant a nonexclusive permit to CDOT for the purposes related to the Highway 36 Project, including the design, construction, maintenance, repair and replacement of the Shearer Ditch crossing at U.S. 36 which traverses the Van Vleet South and Van Vleet East OSMP parcels. Molly Davis seconded. This motion passes unanimously.**

ADJOURNMENT: The meeting adjourned at 7:42 p.m.

ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:

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

The next OSBT meeting will be August 20, 2014 at 6:00 p.m.

**First Congregational Church of Boulder Day  
July 17, 2014**

**WHEREAS**, First Congregational Church of Boulder, United Church of Christ, established July 17, 1864, is the longest serving Congregational church in Colorado; and

**WHEREAS**, First Congregational Church has played an integral role in nurturing the development of Boulder's spiritual, economic, educational and social progress; and

**WHEREAS**, First Congregational Church has been a beacon of progressive theology since its founding, creating a sanctuary where the great issues of life and religion are vigorously debated within a context of patience, tolerance and charity; and

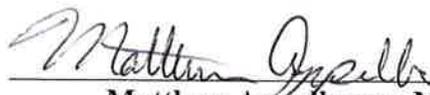
**WHEREAS**, First Congregational Church has for 150 years sustained a soul-searching focus on local, national, and international missions projects; and

**WHEREAS**, in 1987, First Congregational Church, United Church of Christ, became the first Colorado church in the denomination to adopt the Open and Affirming covenant, proudly and publicly meeting the spiritual needs of the gay, lesbian, bisexual and transgendered communities; and

**WHEREAS**, First Congregational Church continues its firm support of education, beginning with the appointment of Rev. Thompson to the University of Colorado's original board of trustees, and continues with our church school's commitment to teaching students of all ages.

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

**FIRST CONGREGATIONAL CHURCH OF BOULDER DAY**

  
Matthew Appelbaum, Mayor

