CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
March 17, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:
Bryan Bowen, Chair
John Putnam
John Gerstle
Liz Payton
Crystal Gray
Harmon Zuckerman

PLANNING BOARD MEMBERS ABSENT:
Leonard May

STAFF PRESENT:
Susan Richstone, Deputy Director of Planning, Housing & Sustainability
Lesli Ellis, Comprehensive Planning Manager
Thomas Carr, City Attorney
Cindy Spence, Administrative Specialist III
Sloane Walbert, Planner I
Elaine McLaughlin, Senior Planner

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

On a motion by **J. Gerstle** and seconded by **J. Putman** the Planning Board voted 5-1 (**H. Zuckerman** abstained, **L. May** absent) to approve the February 18, 2016 and March 3, 2016 minutes as amended.

3. PUBLIC PARTICIPATION

- **John Driver** spoke in opposition to an upcoming project located at 1440 Pine Street stating that it does not conform to RH-2 zoning.
- **Elizabeth Black** spoke in support of soil sequestration practices to combat climate change and urged adding language to support soil sequestration to the Boulder Valley Comprehensive Plan update.

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

A. Call-Up Item: USE REVIEW (LUR2016-00015): Use Review for a 2,500 square foot meeting/event space comprised of a 2,000 square foot meeting room and a 500 square foot pre-function area within a 7,000 square foot retail building currently under construction within the Gunbarrel Gateway property located at 6315 Lookout Road. The call-up period expires on March 15, 2016.

E. McLaughlin answered questions from the board.

B. Call-Up Item: SITE REVIEW AND NONCONFORMING USE REVIEW for the reconfiguration of 96 existing apartment units at the Cavalier Apartments at 2900 E. Aurora Ave. and an associated 16 percent parking reduction (case nos. LUR2015-00107 and LUR2016-00009). The project site is zoned Residential - High 5 (RH-5). The call-up period expires on March 21, 2016

S. Walbert and **Jeff Dawson**, with Trestle Strategy Group, representing the owner, answered questions from the board.

None of the items were called up.

5. PUBLIC HEARING ITEMS

A. AGENDA TITLE: Reconsideration of Initial Screening of a Map Change Request at 2801 Jay Road (Request #29) as part of the Boulder Valley Comprehensive Plan Major Update. *This is a continuation of the initial screening of public requests and that the public hearing was held on February 2, 2016.*

Staff Presentation:
S. Richstone introduced the item.
L. Ellis presented the item to the board.

Board Questions:
L. Ellis and **S. Richstone** answered questions from the board.

Public Hearing:
No one spoke.

Board Comments:
Key Issue: On Feb. 29, 2016, City Council asked Planning Board to reconsider analysis of Request 29, a land use change for 2801 Jay Road. Eight of the council members expressed interest in further study because:

(1) the land use is transitioning from a public use;
(2) the BVCP major update is the opportune time to explore a land use change; and
(3) it might be an appropriate site for housing which is a community need; and
(4) the analysis should not presuppose the outcome.

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- **J. Putnam** stated that given the interest of council and that it would be just an analysis, he would support the reconsideration. At the time of the hearing, not many people from the public spoke and it would be beneficial to hear specifics and analysis.
- **H. Zuckerman** agreed with **J. Putnam**. He added that in that area there could be many permitted uses under the code, but they would need to fit into site review criteria that may not be conducive to those uses therefore it could be a planning challenge in the future. For this reason alone, the request should be reconsidered.
- **B. Bowen** stated that the board should reconsider because council has asked the board to do so. In addition, this project will be seen by the board in the future. He said that he would like to have discussions based on what uses would be appropriate from the neighbors and what they want before it is in the context of a site review. It would make more sense to look at it in the context of a larger planning issue free of constraints.
- **L. Payton** agreed. She wants to defer to council and would support reconsideration and forwarding for analysis.
- **C. Gray** stated that she would not recommend for further analysis. At previous hearings, a robust public concern of development in that area had been heard and county residents appealed to the Planning Board. She expressed concern that if the use is reconsidered then the density may be changed on the land use map in such a way that surrounding property owners may be potentially impacted and may not find amenable.
- **J. Gerstle** stated that he shares the same concerns with **C. Gray** however he would support the reconsideration of this request for further analysis. The process will be considering the full range of possible outcomes.
- **L. Payton** reminded the board that many of the objectors at the previous hearing were county residents.
- **J. Gerstle** county residents have good input to this process and make good use of it.
- **J. Putnam** agreed that county residents are very important and should be heard regarding compatibility.

Motion:
On a motion by **J. Putnam** seconded by **B. Bowen** the Planning Board voted 5-1 (**C. Gray** opposed, **L. May** absent) to reverse its prior decision not to advance Request 29 related to 2801 Jay Road and instead recommend advancing Request 29 related to 2801 Jay Road for further analysis of possible land uses.

C. Gray informed the board that she voted against the motion stating that the current Boulder Valley Comprehensive Plan designation for the area is currently the correct designation.

B. AGENDA TITLE: Public hearing to consider a recommendation to City Council on an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to allow for changes to the city's sign code related to lettering heights in the Boulder Valley Regional Center and compliance with a recent United States Supreme Court ruling regarding content based signage regulations.

Staff Presentation:
T. Carr presented the item to the board.

Board Questions:
T. Carr and **S. Richstone** answered questions from the board.

Public Hearing:
No one spoke.

Board Comments:

- **H. Zuckerman** expressed concern that we may be oversimplifying the sign code if all content were removed.

Motion:
On a motion by **C. Gray** seconded by **L. Payton** the Planning Board voted 6-0 (**L. May** absent) to recommend approval to the City Council of an ordinance amending Title 9, "Land Use Code," B.R.C. 1981 to allow for changes to the city's sign code related to lettering heights in the Boulder Valley Regional Center and compliance with a recent United States Supreme Court ruling regarding content based signage regulations. The City Attorney shall include considerations for the City Council for the recommendations made orally by Planning Board members.

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

A. Form-Based Code Update

Board Comments:

- **L. Payton** suggested that the energy code should not be integrated into the Form-Based Code as long as it would be covered elsewhere. **S. Richstone** confirmed that it would not appear in the Form-Based Code.
- **B. Bowen** and J. Gerstle agreed.

B. Planning Board 2016 Retreat Agenda

Staff Presentation:
B. Bowen presented the item to the board.

Board Comments:

- The board and staff went through the list of possible discussion items submitted to **C. Spence** to determine what would appear on the final retreat agenda.
- Planning Board Items to Bring to the Retreat:
    - To bring Concept Reviews for discussion of a better submittal process
    - Examples of staff memos the board members prefer
- Staff Items to Bring to the Retreat:
    - Concept Reviews: current submittal requirements and the definition of a submittal review.

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- Notification: current section of the code.
- Meeting style: anything from previous retreats

C. Planning Board Rep to Attend City Council Study Trip to Portland in April 2016

Staff Presentation:
B. Bowen presented the item to the board.

Board Comments:
- **B. Bowen** offered to attend.
- **C. Gray** suggested board members to compile a list of Planning Board issues for B. Bowen to discuss at while in Portland.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 8:44 p.m.

APPROVED BY

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Board Chair

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DATE

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