

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
May 5, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

N/A

STAFF PRESENT:

Charles Ferro, Development Review Manager
David Gehr, Deputy City Attorney
Cindy Spence, Administrative Specialist III
Elaine McLaughlin, Senior Planner
Sloane Walbert, Planner II
Michelle Allen, Inclusionary Housing Program Manager
Timothy Head, Airport Manager

1. CALL TO ORDER

Chair, **B. Bowen**, declared a quorum at 6:04 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **J. Putnam** the Planning Board voted 7-0 to approve the April 14, 2016 minutes as amended,

3. PUBLIC PARTICIPATION

1. **Jeffrey Peacock** spoke regarding the project at 1627 17th Street in regards to compatibility, parking, historic preservation of the neighborhood and the preservation of the Hackberry tree and spoke on behalf of the Goss Grove Neighborhood Association.
2. **Michelle Bishop** spoke regarding the projects at 1627 17th Street and 2333 Arapahoe and their compatibility and spoke on behalf of the Goss Grove Neighborhood Association.

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

- A. Call-Up Item: NON-CONFORMING USE REVIEW to reduce the number of units on the property at 1627 17th Street from three dwelling units in two structures to two dwelling units in two structures (case no. LUR2016-00013). The project site is zoned Residential - Mixed 1 (RMX-1). The call-up period expires on May 9, 2016.
- B. Call Up Item: Site Review Amendment: Redevelopment of a vacant lot, formerly occupied by a Dairy Queen restaurant at 2333 Arapahoe Ave. Proposed is a 7,186 square foot dormitory for Naropa University within the BT-2 (Business Transition – 2) zoning district, with a 0.47 FAR where 0.50 FAR is permitted; and a 22 percent parking reduction.
 - **L. May** suggested that the board discuss housing as a larger policy issue in the future since Item 4A is in fact reducing the amount of dwelling units. He stated that he would not be calling these items up.

B. Bowen recused himself during the discussion of Item 4B.

None of the items were called up.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE: CONCEPT PLAN & REVIEW – Proposal for a three story, 120-room Holiday Inn Express Hotel. Case no. LUR2016-00012 located at 3365 Diagonal Highway.

Applicant: Nathan Anderson
Property Owner: Boulder Lodging Group LLC

Staff Presentation:

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

Board Questions:

E. **McLaughlin**, D. **Gehr**, C. **Ferro** and T. **Head** answered questions from the board.

Applicant Presentation:

Jeff Lamont, with Lamont Companies, and **Kya Schroeder**, with LJA Fargo, both representing the applicant, presented the item to the board.

Board Questions:

Jeff Lamont and **Kya Schroeder**, the applicant's representatives, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

KEY ISSUE 1: Is the Concept Plan proposal consistent with the goals, objectives and recommendations of the Boulder Valley Comprehensive Plan (BVCP)?

- **J. Putnam** discussed that the FAA is more concerned with the protection of the “air space”, not the appropriateness of the land use. Therefore the FAA’s information provided was useful, but not a complete answer. He does agree with comments made by **T. Head** that the applicants should work with the airport or perhaps hire an aviation consultant to conduct further analysis. He agreed with the applicant that around the country there are riskier locations of hotels next to airports; therefore, the proximity to the airport may not be a fatal flaw but it should be well documented and analyzed to ensure that the city is protecting aviation and citizens on the ground. Regarding the noise levels, FAA standards are 65 decibels. This location would be in the 60 decibel range. Airport activity would need to double to change average noise levels by 3dB or have noisier aircraft landing and neither are likely. Therefore, noise from the airport should not be an issue. In terms of land use, the project would be within the zoning district. He expressed concern regarding discontinuity of the site from the rest of the city, pedestrian and bike infrastructure, as well as locations to eat and shop. Would recommend seeing more connections with bike and pedestrians in a Site Review. He appreciates the underground parking.
- **L. May** agree with **J. Putnam**. His main concern is the BVCP policy 2.21 regarding connections with the city. A TDM plan would need to be studied. The plan is generally compliant.
- **C. Gray** agreed with previous comments. She recommended **T. Head’s** advice to hire an aviation consultant. Although hotels are allowed within this land use, she expressed some concern with this type of use in this location. Her concern rested with the disconnection of the location with available transit.
- **B. Bowen** agreed with previous comments. He suggested as the applicants move forward, the arrangements of uses on site and the configuration will be important. He stressed that they work closely with staff for feedback. He liked the proposed underground parking.
- **L. Payton** agreed. Regarding the appropriateness of the hotel and the land use, she mentioned that residents would never be able to open windows due to the noise. She suggested moving all parking underground. She supports the applicant working with the airport manager and an aviation consultant to analyze potential conflicts.
- **J. Gerstle** agreed with previous comments.
- **H. Zuckerman** mentioned that vehicle trips are an issue due to the lack of available transit. He asked the applicants to create a convenient connection, ancillary uses at the hotel and consider the Boulder community. This location would be a very modern approach toward land use and that a traditional airport hotel may not be what the community would want.
- **J. Putnam** added that this site would benefit with a fleet of bicycles for guests to use and could be a part of the TDM plan. He stressed that the site layout should be friendly, inviting and safe.

KEY ISSUE 2: Does the Concept Plan respond to the Design of the Community Edge and Entryway context?

- **L. May** mentioned that the proposed rendering has elements that are often discouraged (i.e. the variety of materials and too busy). He encouraged staff to have a gateway design discussion with the applicants such as they did with the prior project for this site.
- **H. Zuckerman** stated that proposed design is a good urban design, but this site would be surrounded by green space. Therefore the building calls for interesting roof lines to introduce to Flatirons. In addition, glass reflections that highlight natural surroundings, solid materials, and a handsome building are important.
- **L. Payton** stated that the building needs to have quality design all around due to being surrounded by prominent streets. Perhaps even a three-sided building so that there is really no back-side to the building since it will be viewed from all sides. Asphalt needs to be eliminated by placing parking underground. The architecture should not be too busy. She suggested the applicants work with DAB to come up with an appropriate design.
- **C. Gray**, in regards to the architectural design, suggested the applicants schedule a meeting with DAB. She stressed that material should be durable. In addition, she asked that the landscaping have local species and high survivability. The focus should not be the building.
- **J. Gerstle** added that this is a special site for Boulder and should not be taken for granted. It is a gateway site and everyone will be paying close attention.
- **H. Zuckerman** suggested a building idea that perhaps speaks to “motion”. Since this site would be surrounded by speed, air and motion, and mountains that rise dramatically, it could offer a lot of design aspects.
- **B. Bowen** added that the site is primarily a “car-wrapped site”. The board would like the building to be viewed with simplicity and grace rather than a bunch of little buildings stuck together. He referenced fire station buildings as an example that are crisp and clear, one-line concepts.

Board Summary:

B. Bowen gave a summary of the board’s recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. In regards to *Key Issue #1* (land use), the board agreed that the FAA no hazard determination is not the final word. The land use would need to be investigated in terms of impacts on the potential customers. Determine if the final height might limit instrument approach options for the city in the future. The board would like the applicants to work with airport staff to reinforce their suggestion to work with an airport consultant. The noise level was less of an issue for the board members. The board wants to ensure a quality environment to visitors. The board had concerns regarding the discontinuity from the rest of the city. This is not a walkable area and likely to exacerbate the usage of vehicles of guests and employees. The board would like the applicants to come back with a TDM plan. Eco passes, a fleet of bicycles and car share plans were suggested by the board. The board agreed with placing as much parking underground as possible. A suggestion was made to work with staff regarding the arrangement of uses on the site. In regards to *Key Issue #2* (design and gateway), the board agreed that the use of a hotel at this location should be guaranteed that it would be safe and reasonable. Regarding community edge and context, the board strongly urged against conventional hotel architecture. The architecture and site should reflect Boulder and transitional in nature. The board suggested the applicant work with DAB for ideas. The board wants to see quality design, durable materials, and a four-sided or three-sided design (to be perceived from all angles).

B. AGENDA TITLE: Public hearing and Planning Board recommendation on a request to annex a 1.37 acre property located at 96 Arapahoe Ave. with initial zoning of Residential – Medium 3 (RM-3), consistent with the Boulder Valley Comprehensive Plan (BVCP) land use designation of Medium Density Residential. The proposal includes a request that the City correct errors in BVCP mapping affecting the property. Reviewed under case no. LUR2014-00068.

Applicant: Jonathon Warner
Property Owner: 96 Arapahoe LLC

Staff Presentation:

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin, C. Ferro, D. Gehr, and M. Allen answered questions from the board.

Applicant Presentation:

Jonathon Warner, the applicant, presented the item to the board.

Board Questions:

The board did not have any questions for the applicant.

Public Hearing:

- 1. David Adamson**, promoting sustainability and affordability in the Goose Creek neighborhoods, asked the board to consider community benefit to include aspects like eco-mobility, deed restrictions and affordability and diversity at this proposed site.

Board Comments:

Key Issue #1: Does Planning Board approve of the proposed BVCP map corrections?

Key Issue #2: Does Planning Board support the proposed initial zoning of RM-3 (Residential Medium - 3)?

Key Issue #3: Does Planning Board find that the proposed annexation meets BVCP policies, and in particular those related to community benefit and does the board support the proposed annexation?

- **B. Bowen** stated that the board received new information at the beginning of the applicant's presentation tonight. He asked the board how they feel about processing the annexation agreement at this level of detail in this board meeting.
- **J. Putnam** recommended that he would pass a motion regarding *Key Issues #2 and #3*, because the conversation the board had at Concept Review was very site specific and tied to the details of the site. The applicant's arguments are also very detailed and tied to the site. Yet, at this time, the board does not have a Concept Review or a Site Review. While he is sympathetic to some of the detailed arguments of the applicant, it is irresponsible to

vote for an annexation without knowing the consequences of the proposals. He would require more detail to understand the proposed project.

- The board agreed.
- **L. May** agreed with **J. Putnam**. He stated that he would be uncomfortable and cannot understand how the board could review annexation without a Site Review.
- **C. Gray** agreed.
- **H. Zuckerman** added that if the applicant has issue with specific requirements of staff that may interfere with profitability, the temptation that the board has seen recently with annexations without Site Plans would be to propose an annexation that would not require any change to the Comp Plan. He would like to see Site Plans come forward that create exciting and new additions to the city. These plans should be able to offer more than just affordable housing as community benefits for the city.

Motion:

On a motion by **J. Putnam** seconded by **L. May** the Planning Board voted 7-0 to recommend to City Council denial of the proposed annexation with initial zoning of Residential – Medium 3 (RM-3) pertaining to request No. LUR2014-00068, incorporating this staff memorandum as findings of fact as well as conversations of the board.

- **B. Bowen**, regarding whether the annexation should come back to Planning Board with a Site Review package, agreed that it should. The board is required to decide what the community benefit would be for an annexation. Without a Site Plan or design, there is no way to test the proposal. The board does not have the intention to annex a property to be developed, but yet apply constraints so that the property could not be developed or that the development would not make sense. This could potentially happen if a Site Plan is not available.
- **L. Payton**, due to the history of this site and the retaining walls, was curious if there could be a way to set up the annexation agreement to allow the terraces to be populated by tiny homes. The historic character could be maintained, density could be increased and affordable housing goals reached. Maximize the utility of the terraces rather than tear them down could be facilitated through annexation.
- **C. Gray** would like to further recommend a higher percentage of affordable housing through creative methods and to find the right balance that would go along with **L. Payton's** comments.
- **L. May** stated that affordability or 100% affordability would be a good starting point for annexations.
- **J. Gerstle** wanted to encourage this applicant to speak to other applicants with similar annexation requests since the board knows that adjacent properties will most likely be coming forward with annexation requests and perhaps they could be coordinated.
- **B. Bowen** added that it is important for the board to make sure that an outcome is feasible. If we make a rule that cannot be fulfilled, then we will not get the desired housing units.
- **J. Putnam** suggested that the board not be too prescriptive regarding the terms of this annexation as it will depend on the entire package. The staff annexation agreement proposal is at a decent starting place. In regards to **L. Payton's** concept, the cottage style development and historic land use in that location would be attractive at this location. He

appreciates the applicant's flexibility surrounding the OSMP issue. A conservation easement or OSMP fee interest would be appropriate and he would discourage public and resident access on that spot to reduce habitat fragmentation.

- **J. Gerstle** wants to keep the possibility open in case the OSMP changes their mind and has latitude to make a decision.
- **H. Zuckerman** said this is the applicant's decision and the board cannot be prescriptive. He disagreed with the terrace at the top and would like to leave room for proposals.
- **C. Gray** would like to see what permanently affordable middle income products look like in Boulder.

Motion:

On a motion by **B. Bowen** seconded by **J. Putnam**, the Planning Board voted 7-0 to recommend to City Council to not entertain annexation without a concurrent site review.

Motion:

On a motion by **H. Zuckerman** seconded by **L. May** the Planning Board voted 7-0 to approve the proposed corrections to the Planning Area II/III boundary line and the Medium Density Residential Land Use line errors, to ensure the boundary lines coincide with the alignment of the adopted Blue Line in this location.

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

- A. INFORMATION ITEM: Draft CEAP for Fourmile Canyon Creek Greenways Improvements from Upland Avenue to West of Broadway
- B. INFORMATION ITEM: 2017-2022 Greenways Capital Improvement Program

Board Comments:

- **L. Payton** asked board members to send any comments or question to her as she is the Greenways liaison.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 9:15 p.m.

APPROVED BY

Board Chair

DATE