

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
September 24, 2020
Virtual Meeting

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PLANNING BOARD MEMBERS PRESENT:

David Ensign
John Gerstle
Lupita Montoya
Sarah Silver
Lisa Smith
Peter Vitale
Harmon Zuckerman, Chair

PLANNING BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Karl Guiler, Senior Planner – Code Amendment Specialist
Elaine McLaughlin, Senior Planner
Jean Gatza, Meeting Moderator

1. CALL TO ORDER

Chair, **H. Zuckerman**, declared a quorum at 6:00 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

None to approve.

3. PUBLIC PARTICIPATION

- a) Lynn Segal
- b) Beth Hondorf

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

- A. CALL UP ITEM: Use Review for a medical laboratory office for urinalysis; 2850 Iris Avenue, Suite North; Medical Laboratory Use at Diagonal Plaza. **The decision may be called up before Planning Board on or before September 25, 2020.**

- B. CALL UP ITEM: SITE REVIEW: 5250 Manhattan Circle; Minor Site Review Amendment to permit a remodel of an existing retail building into a dental office subject to a 1977 Planned Unit Development application (P-77-7). The scope of the project includes two additions of 450 square feet on the northwest corner and south side of the building. Total square footage of the building would be 3,399 square feet. **The decision may be called up before Planning Board on or before October 2, 2020.****

None of the items were called up.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE:** Public hearing and consideration of a Site Review Amendment to the Twenty Ninth Street Shopping Center to adaptively reuse and redesign the existing Macy's department store located at 1900 28th Street in the Business – Regional 1 (BR-1) zoning district as an office and retail building; reviewed under case no. LUR2018-00075. The proposal requires review by Planning Board because it includes a modification to the principal building height and the applicant has requested Vested Rights.

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

- **H. Zuckerman** disclosed the engineer for this project is JVA and that he has been working with JVA on a project in Gilpin County. **H. Zuckerman** has no contractual relationship with JVA and stated he could be fair and impartial on this matter.

Staff Presentation:

C. Ferro introduced the item.

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

Applicant Presentation:

Danica Powell, with Trestle Strategy Group, **Jessica Fraser**, with Macy's, **Eric Komppa**, with Corum Real Estate Group, and **Chris Shears**, with SA+R, presented the item to the board.

Board Questions:

Danica Powell, **Eric Komppa**, **Jessica Fraser**, and **Chris Shears**, representing the applicant, answered questions from the board.

Public Hearing:

- 1) **Lori Call**, with the Boulder Chamber, said that revitalizing this area would be key to financial recovery and supports other key city goals. She spoke in support of the project.
- 2) **Boyd Hamilton** said the reinvention of this area will be a benefit. He spoke in support of the project.
- 3) **Lynn Segal** spoke in opposition to the project.

Board Comments:

Key Issue #1: Does the project, on balance, meet the relevant policies of the Boulder Valley Comprehensive Plan?

- **S. Silver** was concerned the project failed to meet *Policy 1.10 (Jobs:Housing Balance)* of the BVCP. The transition from a retail, two-story space with relatively a small number of employees to a three-story office space with many more employees, with an existing housing problem within the city, appeared to be a failure to advance a key BVCP goal. She said that housing is not being built at same rate to keep up with job growth.
- **J. Gerstle** agreed. He said this would exaggerate or increase the Jobs:Housing imbalance. He said it would not appropriate to move ahead with this project.
- **D. Ensign** said this project may add a few hundred additional jobs. There would be a more intensive use of square footage with office workers compared to retail.
- **L. Smith** said that **S. Silver's** concern is valid, however she did not have the same level of concern. She said she would like to have some estimates regarding the number of future employees. While retail employees usually have a lot of coming and going and not traditional hours, the future of dedicated office space may likely be more remote and flex schedules. She also said that she wished that townhomes could be a part of the plan, but she does not the same level of concern regarding residential.
- **P. Vitale** said it is a great time to add housing within this site but then having a balance between the environmental benefit of saving the building and would it even be possible to keep the building for residential or would it be a complete demolition; weighing that with the benefit delivered to the community in terms of the linkage fees, and balancing all those items together to determine what is ideal. At least it is not residential being converted back to commercial.
- **H. Zuckerman** said the project would be consistent with the land use map. Key term, "on balance" - it does not to meet every comp. plan goal and policy, it needs meet the aspirations of the comp. plan on balance. This project will bring in more employee density and have a negative impact on Jobs:Housing balance, however it will comply with many of the BVCP policies that particularly around adaptive reuse of buildings and environmentally sensitive design. It will give a better balancing for this shopping center which needs more built in customers for its coffee shops and the retail within Twenty Ninth Street as it can enliven it all day long. On balance does meet the comp plan policies.
- **J. Gerstle** said, regarding this building being an anchor, that it felt as though the anchor was being lost and replaced by an office space with several hundred people, who might buy coffee or lunch during the day, doesn't seem to be replacement of what an anchor really is.
- **D. Ensign** echoed **H. Zuckerman**. This project will be on balance and will meet the comprehensive plan principles. The BVRC is incorporated into the comp plan as our commercial center and there will be value in increasing the commercial activity and keeping vibrancy, keeping it fresh and economic viable with additional people working in the space and using those businesses that are in that area. BVRC aspect added onto other comp plan principles, comfortable with this proposal; we do look for housing, but we would be getting impact fees that will help economically, and while the city does need housing, not every occasion would it be suitable for housing such as this location and he would be in favor of the project.
- **L. Smith** shared **D. Ensign** and **H. Zuckerman** comments on this parcel and overall site. She would like to see more housing, but with the adaptive reuse and location, she does not have as strong a feeling to have housing at that location. This particular parcel, this entire shopping center, where it is located on the site, and if over time, she would like to lose some service

parking lots and housing brought in sometime in the future. She said that on balance the project is a good fit.

- **L. Montoya** said that she envisioned a project that would invigorate that area of the city. However, she said, the reality is that things are changing, and these kinds of stores are disappearing. She would like to find ways to improve housing in the area in the future, maybe not this site, but perhaps this could become an option in the future.
- **D. Ensign** said that making Market Place affordable for retailers could really benefit businesses that may not otherwise have been able to be in that area.
- **S. Silver** said *Policy 5.06 (Affordable Business Space)* within in the BVCP might aid in making this space a permanent space for small businesses.
- **L. Montoya** agreed. She said in lieu of housing, affordable business space would be a benefit.
- **H. Zuckerman** concerned there would be no legal hook to require that. He stated that with this redesign from retail to an office building, daily trips would be cut in half and the roads would be decongested.
- **P. Vitale** said the building acting as an anchor would be important and the proposal would be a good replacement. It would provide bookending and activation of that location.

Key Issue #2: Does the project, with its proposed modifications to the land use code, meet the applicable Site Review criteria in section 9-2-14(h), B.R.C. 1981?

- All board members agreed the project had met the Site Review criteria with its proposed modifications to the land use code.
- **D. Ensign** said the proposed height would be appropriate. This project is a good example of why we need flexibility. He had no issue with the proposed trellises.
- **J. Gerstle** agreed. He said the redesign would be very attractive and a huge improvement.
- **L. Montoya** said the redesign would be a good focus point for young people. She would like to see young people encouraged to enjoy themselves.

Motion:

On a motion by **D. Ensign** seconded by **H. Zuckerman** the Planning Board voted 4-3 (**J. Gerstle, S. Silver, L. Montoya** opposed) to approve Site Review case no. LUR2018-00075 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact, and subject to the conditions of approval recommended in the staff memorandum.

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

None to review.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 8:24 p.m.

APPROVED BY

Board Chair

DATE

DRAFT