CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
October 6, 2016
1777 Broadway, Council Chambers

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

PLANNING BOARD MEMBERS ABSENT:
N/A

STAFF PRESENT:
Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Jessica Stevens, Senior Civil Engineer
Edward Stafford, Development Review Manager, PW
Jeff Haley, Parks Planning Manager
Joanna Crean, Public Works Project Coordinator
David Thompson, Civil Engineer II – Transportation
Karl Guiler, Senior Planner
David Driskell – Executive Director, PH&S
Doug Godfrey, Landscape Designer II

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1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

On a motion by **J. Putnam** and seconded by **L. Payton** the Planning Board voted 7-0 to approve the August 11, 2016, August 25, 2016 and September 15, 2016 minutes as amended.

3. PUBLIC PARTICIPATION

1. **Kristin Bjornsen,** spoke in favor of preserving the open space at Twin Lakes fields.

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

A. Call Up Item: Site Review: Redevelopment of a vacant lot, formerly occupied by a Recreational Vehicle (RV) dealership and repair facility located at 2751 30th Street. Proposed are 32 townhomes and four small corner retail spaces with below grade parking, a central open space area and a parking reduction of 25 percent or 60 spaces where 80 spaces are standard.

This item was not called up.

5. PUBLIC HEARING ITEMS

A. AGENDA TITLE: Public hearing for consideration of a Floodplain Development Permit (LUR2016-00035) and a Stream, Wetland, and Water Body Permit (LUR2016-00034) for a rehabilitation and enhancement project for the Civic Area along Boulder Creek, between 9th Street and Broadway within the conveyance zone, high hazard zone, stream, and buffer zones.

Applicant/Owner: City of Boulder Parks and Recreation Department

Staff Presentation:
D. Driskell, H. Pannewig, and **E. Stafford** introduced the item.
J. Stevens presented the item to the board.

Board Questions:
E. Stafford and **J. Stevens** answered questions from the board.

Applicant Presentation:
J. Haley, the applicant's representative, presented the item to the board.

Board Questions:
J. Haley, Parks Planning Manager with the City of Boulder, **D. Godfrey**, Landscape Designer with the City of Boulder, **Greg Koch**, Anderson Consulting Engineers, and **Clint Henke** with ERO Resources answered questions from the board.

Public Hearing:

1. **Mara Mintzer**, with Growing Up Boulder, spoke in support to the Civic Area project.

Board Comments:

- **C. Gray** reminded the board that she had called this item up and appreciates the additional information presented by staff. It was important to understand that the high-tree canopy would be prevalent and that most of the cottonwoods would remain. The criteria for *Section 9-3-9* regarding the inner buffer, a great deal of questions were answered regarding the proposed vegetation. Finally, under the flood development permits, staff also cleared up any unresolved issues.

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- **J. Putnam** commended staff. He stated that the project and permits meet the criteria and it should be approved.
- **L. Payton** agreed. She stated it was very educational and appreciates the proposed project on the north side of the creek as it will be more family friendly on both sides.
- **C. Gray** added, regarding the existing silver maple trees, that people like the location of the trees as they act as a buffer between Canyon and the existing green area. When new trees are planted, she stressed to make sure that they will be survivable since those trees will be the "face" that the public will see.
- **J. Gerstle** declared that he does perform work as a technical advisor for Trout Unlimited, however he can still remain impartial during this item as he has not work on Boulder Creek matters. He asked the applicant to reconsider the use of treated water for the kids' play area in terms of the potential costs and the impacts of using it. It is not obvious to him that the use of treated water in that area would be necessary.

Motion:
On a motion by **J. Putnam** seconded by **H. Zuckerman** the Planning Board voted 7-0 to approve the Floodplain Development Permit #LUR2016-00035 and Stream, Wetland, and Water Body Permit #LUR2016-00034 attached to this memorandum as Attachments B and C, subject to the conditions of approval shown on such permits and adopt this memorandum as findings of fact.

B. AGENDA TITLE: Public hearing and actions on the following items related to development review applications for properties located at 4801, 4855, 4865 and 4885 Riverbend Road within the Riverbend Office Park:

1. Boulder Valley Comprehensive Plan (BVCP) Land Use Map Change, LUR2016-00038**:** Decision on proposal to change the underlying BVCP Land Use Designation on the Riverbend Road site from Transitional Business to Public;
2. Rezoning, LUR2016-00038: Recommendation to City Council on request to rezone the properties from BT-2 (Business Transitional – 2) to P (Public);
3. Amendment to Ordinance No. 8028: Recommendation to City Council on a request to amend Ordinance No. 8028 to allow consideration of a height modification to up to 55 feet;
4. Site Review, LUR2016-00040: Decision on request to amend the Riverbend Office Park Planned Unit Development (PUD) to build a new 70,342 sq. ft., 3-story medical center to include inpatient behavioral health, inpatient rehabilitation and neurology facilities as part of the Boulder Community Health functions at the corner of Arapahoe Ave. and 48th Street. The proposal also includes a new, 6-story parking structure containing 406 parking spaces with first floor accessory uses including office and hospital-oriented retail. The proposal would require a height modification to permit the medical and parking garage buildings at 55-feet where 35-feet is the by-right limit, and
5. Use Review, LUR2016-00040: Decision on request for automobile parking lots, garages or car pool lots as a principal use on the site to permit a parking garage that serves the proposed medical office building and accessory retail uses as well as overflow parking from the Boulder Community Health Foothills Hospital.

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Applicant: Darryl Brown for Boulder Community Health
Property Owner: Boulder Community Health & Riverbend Sleep, LLC

Staff Presentation:
C. Ferro introduced the item.
K. Guiler presented the item to the board.

Board Questions:
K. Guiler and **D. Thompson** answered questions from the board.

Applicant Presentation:
Dr. Rob Vissers, CEO of Boulder Community Health, and **Nick Rehnberg**, the owner's representative, presented the item to the board.

Board Questions:
Nick Rehnberg, with Boulder Associates Architects, **Jon Ouellette**, a landscape architect, and **Ron Secrist,** consultant for Boulder Community Health, answered questions from the board.

Public Hearing:
No one spoke.

Board Comments:

- **B. Bowen** stated that the definition of "accessory to hospital uses" within the proposal seems to have an indistinct separation between convenient retail uses and accessory retail uses as seen in Public zones. If everything in that area becomes a Public zone, then other uses may not become available such as restaurants.

<u>Key Issue #1</u>: Is the proposal to change the Boulder Valley Comprehensive Plan (BVCP) land use map designation from Transitional Business to Public consistent with the applicable criteria?

- The board had no discussion and agreed that the proposal was consistent with the applicable criteria.

<u>Key Issue #2</u>: Is the proposal to rezone the properties from BT-2 (Business Transitional – 2) to P (Public) consistent with the criteria of Section 9-2-19(e), B.R.C. 1981?

- The board had no discussion and agreed that the proposal was consistent with the applicable criteria.

<u>Key Issue #3</u>: Does Planning Board support the proposed ordinance to enable an exemption from Ordinance No. 8028 to permit a height modification on the site to permit two buildings at 55-feet?

- The board had no discussion and supported the proposed ordinance.

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<u>Key Issue #4</u>: Does the proposal for a height modification meet the criteria of Section 9-2-14(h), B.R.C. 1981?

- The board had no discussion and agreed that the proposal was consistent with the applicable criteria.
- **C. Gray** added that the since the hospital provides care for the community, this height modification would be a prime example of a community benefit.

<u>Key Issue #5 & Key Issue #6</u>: Is the proposed site layout and building design consistent with the Site Review criteria of Section 9-2-14(h), B.R.C. 1981? Does the proposal for parking as a principal use meet the Use Review criteria of Section 9-2-15(e), B.R.C. 1981?

- **L. May** stated that the proposal is generally consistent. Regarding the garage adaptation to future use, he stated that it may not exist at this time in the site review criteria. The architecture has significantly improved from Concept Plan. He suggested the north (back) elevation could be enhanced. In addition, on the garage, he appreciated the brick element on stairs however he feels the brick application does not fit.
- **B. Bowen** agreed. However, he felt the Concept Plan design was more interesting. This proposal is disappointing and banal.
- **L. May** agreed that the building design may be banal but it is more coherent than in the Concept Plan. The design could use more interesting elements.
- **C. Gray** stated that the applicant should not put more money into the design on the north side of the building. She did suggest a connection path in the rear. She likes the screen on the parking garage.
- **L. May** clarified that he would like to see more careful articulation on the north side of the building.
- **H. Zuckerman** stated, in regards to the use review, that staff's identification of its provision of service to the neighboring parcel as a reason to allow a parking garage as a principle use on the site was persuasive and he would support staff's recommendation.
- **J. Putnam** agreed including the retail uses on the bottom floor which strengthen the proposal overall. He expressed concern regarding the large parking facility for long term future as he believes demand will dip over time. Reuse opportunities should be considered.
- **J. Gerstle** agreed. He suggested the applicant consider car share and car share programs.
- **H. Zuckerman** stated that if the purpose of the garage is for the adjacent building's use, then perhaps the applicant should revisit flipping the buildings.
- **C. Gray** stated she would support that.
- **B. Bowen** suggested staff look at convertible parking garage schemes.

<u>Motion:</u>

<u>On a motion by **B. Bowen**, seconded by **C. Gray**, the Planning Board voted 7-0 to approve the proposed BVCP Land Use Map change (LUR2016-00038).</u>

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On a motion by **B. Bowen**, seconded by **J. Putnam**, the Planning Board voted 7-0 to recommend to City Council approval of the Rezoning of the property described in the application (LUR2016-00039).

On a motion by **H. Zuckerman**, seconded by **B. Bowen**, the Planning Board voted 7-0 to recommend to City Council the adoption of the proposed ordinance to allow consideration of a height modification up to 55-feet on the Riverbend project site.

On a motion by **B. Bowen**, seconded by **J. Putnam**, the Planning Board voted 7-0 to approve the Site and Use Review application LUR2016-00040, incorporating this staff memorandum and the attached criteria checklists as findings of fact, and subject to the following recommended conditions of approval.

L. May made a friendly amendment to better integrate the material and design of the stair elements on the garage with the rest of the building and on the north side of the medical building provide a higher pedestrian interest façade design which may include additional fenestration along the pathway. Passed unanimously.

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

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 9:13 p.m.

APPROVED BY

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Board Chair

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DATE

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