

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
October 20, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

John Gerstle, Chair
Liz Payton, Vice Chair
John Putnam
Leonard May
Crystal Gray

PLANNING BOARD MEMBERS ABSENT:

Bryan Bowen
Harmon Zuckerman

STAFF PRESENT:

Susan Richstone, Deputy Director of Planning
David Driskell, Executive Director, PH&S
Kurt Firnhaber, Deputy Director of Housing
Lesli Ellis, Comprehensive Planning Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Jean Gatzka, Senior Planner
Kalani Pahoia, Urban Designer
Jim Robertson, Chief Urban Designer
Philip Kleisler, Planner II

1. CALL TO ORDER

Chair, **J. Gerstle**, declared a quorum at 6:09 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **L. Payton** the Planning Board voted 5-0 (**B. Bowen** and **H. Zuckerman** absent) to approve the October 6, 2016 and October 13, 2016 minutes as amended.

3. PUBLIC PARTICIPATION

1. **Davis Bacher** expressed concerns regarding bicycle safety and access in the city.
2. **Stephanie Minutillo** suggested amending the draft of Section 4.03 of the Boulder Valley Comp Plan Update to include the creation of a Renewable Energy Generation Plan to foster community solar garden development in the city and county.

3. **Laura Tyler** spoke on behalf of the South Boulder Creek Action Group which supports the annexation of CU South for flood mitigation.
4. **M. L. Robles** spoke regarding Middle Income Housing Strategy specifically the prioritization of the Neighborhood Innovative Pilot Program implementation in 2017.
5. **David Adamson** spoke in support of Middle Income Housing Strategy on behalf of Goose Creek Neighborhoods.

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

5. DISCUSSION ITEMS

- A. AGENDA ITEM: Middle Income Housing Strategy - update on the draft middle income goal and strategy components

Staff Presentation:

K. Firnhaber and **J. Sugnet** presented the item to the board.

Board Questions:

K. Firnhaber, **J. Sugnet**, and **S. Richstone** answered questions from the board.

Board Comments:

Key Issue #1: Proposed middle income housing goal?

- **C. Gray** said that she did not believe that the proposed strategy was “bold” enough. She encouraged the staff to be “bolder” if they want to be serious, given that out of the 3500 proposed units, 2500 would be market rate. She disagreed that was “bold” since there needs to be more certainty surrounding the market.
- **J. Putnam** agreed but added that staff needs to be realistic. He stated that unless the city were to contribute money, buy properties and build structures, he was not sure how to stretch the numbers as proposed.
- **L. May** stated the strategy is a good start but not a comprehensive approach. It falls short due to too much focus on market rate. In addition, it needs analysis to achieve higher levels of permanent affordability. He proposed incentive based zoning. The strategy will not preserve rental and ownership affordability. He would like to see a policy with no net loss at either an absolute number or a percentage.
- **L. Payton** agreed with **L. May**. She questioned if the goal was a percentage of total housing or an absolute number. It seemed unclear. She suggested that the city investigate tools (e.g. a new demolition ordinance) that keep existing affordable housing stock from being lost and replaced with housing that is only affordable for high income households.
- **L. May** said that the approach and mix of unit types in the strategy are correct. He is concerned with affordability in the next 20 years. He suggested the “for sale” units be deed restricted so they can be held onto in the future. Therefore, what may be affordable today will not become unaffordable in the future.
- **J. Gerstle** agreed with **L. May** regarding the permanent affordable housing. He stated that we should be proactive by looking at significant changes in the demo ordinances to maintain the existing facilities. He encouraged the City of Boulder to be an active player

financially to ensure that existing homes remain affordable and not demolished and that new affordable housing is established.

- **J. Putnam** added that before a goal is set, it would be helpful for City Council to see not the one number (the goal), but rather what it would look like from financial and other perspectives.

Key Issue #2: Proposed policies and tools to preserve and create middle income housing?

- **C. Gray** proposed that annexations should be 50% lower to moderate income. The other 50% should be maintaining the middle.
- **L. Payton** supports polices #1, #2, #3, and #4. She has concern prioritizing the middle-income goal over other community goals such as climate change. She would like to add a policy regarding demolition.
- **J. Gerstle** agreed that revising the demolition regulation would be appropriate.
- **J. Putnam** agreed that demolitions, additions and expansions need review.
- **C. Gray** agreed. She suggested incorporating land use policies such as expanding the use of OAU's. ADUs could be reviewed as well.
- **L. Payton** supports the idea of funding for building or buying existing middle income housing so it can be permanently affordable deed restricted. It will keep things affordable in the future, unlike having them at market rate.
- **J. Gerstle** stated that the city needs to become an active player in obtaining these houses and placing deed restrictions.
- **J. Putnam** explained that that approach would be more expensive per unit than affordable housing and the city may need to balance between affordable and middle income housing.
- **L. May** added that cost would not be the only factor but where we would end up in future. Regarding incentive zoning, he stated that height falls along with FAR. If entitlements are expanded to build more, then possibly 100%, up to 150% AMI, should fall within the affordable category.
- **J. Putnam** disagreed regarding height and that it would fall in that category requiring mandatory additional housing requirements.
- **C. Gray** appreciated secondary middle income housing tools.
- **L. Payton** did not see equity co-ops as a housing type for middle income. She suggested that if new construction were proposed, equity co-ops should be a possibility under this goal.

Key Issue #3: Proposed next steps and timeline?

- **J. Putnam** stated the Next Steps are general which is appropriate. It would be helpful to think about a neighborhood based pilot sooner than later. Smaller based areas to test ideas with community engagement would be a good start.
- **L. May** agreed that it would need to be on a smaller scale to receive support.
- **L. Payton** stated the need to address the shift, which is occurring, of market rate family housing becoming investment properties.
- **J. Gerstle** stated that this situation is why he is skeptical to rely on market rate and feels the city should be more active with deed restricted housing. He proposed the city look at

financial options to becoming more active in the market itself and the implications of revising the demolition rules to review the economic consequences.

- **L. Payton** asked that public outreach be more explicit.
- **C. Gray** agreed with **L. Payton**.

Key Issue #4: Updating the inclusionary housing ordinance to include a middle-income requirement?

- **C. Gray** and **J. Gerstle** agreed with staff recommendation.
- **L. May** stated that in terms of the commercial linkage fees, it would be good to have scenarios to entertain the higher range in the fees. He said that there should be a cost benefit comparison. He agreed with the inclusionary housing.

B. AGENDA ITEM: Update on 30th and Pearl Redevelopment Scenario Analysis

Staff Presentation:

D. Driskell and consultants **John Koval** and **Peter Weber**, with Coburn Partners, presented the item to the board.

Board Questions:

D. Driskell, **K. Firnhaber**, **John Koval** and **Peter Weber** answered questions from the board.

Board Comments:

Key Issue #1: Proposed Scenarios

- **L. Payton** stated that for commercial spaces, it would be good to have locally owned businesses located on site. Other cities use various tools to encourage and keep local businesses. Perhaps that could be done through land use regulations (such as is done elsewhere) and avoid subsidies.
- **J. Putnam** stated that, given the goals of TVAP, if there is a development of an RFP, there may be some weight given to different proposals that may have creative ideas. He suggested that it may be worth looking at a component to encourage creativity to obtain other goals for the city. It may help encourage street activation in that area. It may be difficult to have community industrial use in the area.
- **L. May** agreed with **L. Payton** and **J. Putnam**. He said that Scenario #4 would meet the range and goals. He suggested having another analysis done to increase flats and decrease townhouse. It would be consistent where housing needs are in the center and expensive. He would also like to see an analysis that if market rate units were deed restricted, so that over time they fell into the affordable category (150% AMI), how would that change the money that the city would need to contribute.
- **L. Payton** disagreed. When you build flats, you're spawning sprawl. Families will choose to live in Erie rather than Boulder. Townhomes need to be retained, especially in Boulder Junction. She encouraged on-site affordable daycare.
- **L. May** said that this would be a good place for density.
- **J. Gerstle** agreed with providing family services and that family friendly stacked apartments would be a great addition. In Scenario #4, he remarked that the available yard

space would be small. He was skeptical as to the value of raising a family. He asked to consider the stacked flats alternative.

- **L. May** suggested increasing the number of units at this site.
- **L. Payton** disagreed with the notion of stacked apartments as it would not be ideal for raising children and families that could use the bit of outdoor space afforded by townhomes to put a sandbox for example.

Key Issue #2: Staff Recommendation

- **J. Putman** stated that the staff recommendation of Scenario #4 would be a good place to start. He suggested finding ways to create more commercial in the plan to enrich the community. Perhaps the introduction of a co-op housing element or daycare for examples. The core for Scenario #4 in terms of balance is heading in the right direction.
- **L. Payton** agreed. She supports townhome units on-site to assist with the missing middle income housing.
- **J. Gerstle** agreed. It would be essential to have mix of market rate and subsidized housing on-site. Scenario #4 makes sense, but implies a contribution from the city.
- **C. Gray** supports the staff recommendation and suggested pushing harder for commercial diversity. She would Like to see more affordability on-site. She would suggest increasing the city subsidy.
- **L. May** agreed with most of the board's comments. He suggested enhancing focus on neighborhood services for families. He questioned if row houses would be an essential part of the mix of homes at this location and would like to see more analysis on that. Ultimately he would like to see the number of units increased and the amount of money that the city would need to subsidize decreased. In addition, he would like to see a study performed regarding less parking provided. Finally, he would like to see if more market rate units were provided at the start as deed restricted but built to sell as market rate now and what that would do for sale price of the units over time.
- **L. Payton** and **C. Gray** disagreed with **L. May** regarding the row houses.

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

A. BVCP Update

Staff Presentation:

L. Ellis and **J. Gatza** presented the item to the board.

Board Comments:

BVCP Future Forums – Community Engagement

- **L. Payton** suggested answering public's questions prior to the general breakouts.
- **L. May** suggested letting the public know if board members will be attending.

December 15, 2016 Planning Board Meeting Agenda Topics

- **L. Payton** would like to discuss the Governance Policy at the meeting. She would like a copy of the resilience report prior to the meeting.
- **J. Gerstle** would like someone from CU South at the meeting.

- Board members agreed with the proposed agenda.

B. Debrief of Community Benefit Subcommittee Meeting

- **L. May** and **J. Putnam** gave a review of topics discussed to the board.

C. Scheduling of Affordable Housing Review for Planning Board

- **L. Payton** requested that a review of how affordable housing is financed, especially how low income tax credits work and their constraints be offered to the board at an upcoming meeting.
- This has been scheduled for the January 19, 2017 Planning Board meeting.

D. C. Gray requested for the board to have a follow up review regarding “Right of Way Dedication”.

E. L. May requested for the board to have a follow up review regarding Attention Homes density across several sites.

7. DEBRIEF MEETING/CALENDAR CHECK

A. Change Start Time for Planning Board Meeting – December 15, 2016

- Due to the full agenda scheduled for the December 15, 2016 Planning Board meeting, it was agreed by all board members to convene at 5:00 p.m. rather than 6:00 p.m.

B. Schedule Planning Board Meeting – January 12, 2017

- **C. Spence** polled the board regarding the availability of members for the addition of a Planning Board meeting on January 12, 2017. All board members, except **J. Putnam**, could attend. The meeting will be scheduled.

8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:33 p.m.

APPROVED BY

Board Chair

DATE