

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
November 3, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

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

PLANNING BOARD MEMBERS ABSENT:

John Putnam

STAFF PRESENT:

Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Elaine McLaughlin, Senior Planner
Shannon Moeller, Planner II
Sloane Walbert, Planner II
David Thompson, Civil Engineer II
Katie Knapp, Engineering Project Manager

1. CALL TO ORDER

Chair, **J. Gerstle**, declared a quorum at 6:03 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

1. **Trevor Lowenthal** expressed concerns regarding multi-purpose path safety in the city, especially at Baseline Road and Moorehead and Baseline Road and 30th Street.
2. **Jaclyn Brass** proposed adding language to the Boulder Valley Comprehensive Plan (BVCP) showing a willingness to pursue geothermal energy.
3. **David McGuire** spoke regarding the proposed BVCP amendment regarding the CU South annexation and the proposed flood mitigation on behalf of the Frasier Meadows Steering Committee.

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

- A.** Call Up Items: Highland School Bridge Replacement; Floodplain Development Permit (LUR2016-00067); Wetland Permit (LUR2016-00068). This decision may be called up before Planning Board on or before November 4, 2016.
- B.** Call-Up Item: SITE REVIEW AMENDMENT: To amend the approved plans for Block 3 within the Dakota Ridge Village Subdivision for a 2,513-square foot community center with a community pool and 16 condominium units in two buildings. A similar proposal was approved in 2007 but the approval has since expired. Case no. LUR2015-00113. This approval is subject to potential call-up on or before November 4, 2016.
- **B. Bowen** recused himself during this discussion.
 - **C. Gray** questioned staff regarding the presence of inclusionary housing in the project.
 - **Jason Markel**, the Applicant, answered questions from the board.
- C.** Call Up Item: Use Review for a residential use in an industrial zoning district. Proposed are a total of 70 residential units along with on-site amenities at 3289 Airport Road, VeloPark Apartments, LUR2016-00020. This approval is subject to potential call-up on or before November 4, 2016.

J. Gerstle called up Item 4C, 3289 Airport Road, VeloPark Apartments, LUR2016-00020. The remaining two items were not called up by the Planning Board.

5. PUBLIC HEARING ITEMS

- A.** AGENDA TITLE: Public hearing for consideration of a Concept Plan proposal (LUR2016-00070) to redevelop the site at 1600 Broadway, an approximate 0.54 acre-property, involving removal of two commercial buildings, development of a new 41,606 square-foot hotel building with approximately 73 hotel rooms, and installation of an underground parking structure. Preliminary consideration of a rezoning from Business – Transitional 2 (BT-2) to Downtown – 3 (DT-3) is also proposed.

Applicant: Julie Eck, Davis Partnership Architects
Property Owner: Stephen D. Tebo

Staff Presentation:

- C. Ferro** introduced the item.
S. Moeller presented the item to the board.

Board Questions:

S. Moeller, **C. Ferro** and **D. Thompson** answered questions from the board.

Applicant Presentation:

Joe Lear, the applicant's representative, presented the item to the board.

Board Questions:

Joe Lear, with Davis Partnership Architects, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

- **L. May** agreed with the staff analysis. Currently there is no underlying flaw in the current zoning or land use. If a reconsideration of zoning were to be done, it should be done within an entire corridor redevelopment and not just this project. In regards to the height issue, the moratorium is in place to guide modifications. It would be premature to start creating special ordinances to circumvent the moratorium until the board has the policy discussions around community benefit.
- **C. Gray** stated that the proposal is consistent with BVCP Policy 2.03 *Compact Development Pattern*, but it does not meet many other BVCP policies. She agreed with **L. May's** comments regarding height and with keeping the same zoning as stated in the staff analysis.
- **L. Payton** agreed with the previous comments from board members and staff. She stated that this project may be working against the BVCP and specifically Policy 2.21 *Commitment to a Walkable & Accessible City*, by replacing small local businesses with a hotel. She appreciated the efforts by the architect to combine elements of the nearby existing buildings, but stated the proposal is not successful. In regards to the height modification, she did not see a reason to proceed. The topography exception which was cited would be used for building on slopes. This lot is not extreme enough. She agreed with the previous rezoning comments.
- **H. Zuckerman** stated that the proposed massing appears to be maxing out the site with no articulation to the building. He suggested stepping the building down with the topography which could provide for rooftop outdoor patio space. With some of these, he may be inclined to grant a smaller height modification. This is an area that could use more pedestrian amenities. Perhaps by pulling the building back from the setback and having retail on the first floor, it would create some interest within the neighborhood. He stated that he is not sure how the current zoning is appropriate today. The Business-Transitional 2 (BT-2) zoning does not fit. Perhaps more density of uses would help create a pedestrian amenity and create a walkable experience.
- **B. Bowen** mentioned that the current strip of Broadway is disjointed. It is a cross axis to downtown. He agreed that rezoning lot by lot is not a good idea. It would make sense to rethink the Business-Transitional 2 (BT-2) zoning in that area. In addition, a 0.5 FAR in that area does not make sense, since that is driven more towards an area of surface parking lots, which is not something that should be in this location. Therefore, rezoning does make sense, but it should be done along with other parcels. He would accept some level of height exception. He stated that if the urban realm were well developed, it could add to that corridor. In terms of building design, it should be more sculpted and have a logical massing.
- **J. Gerstle** agreed with **H. Zuckerman** that the existing zoning may not be appropriate, but it should not be changed for individual lots. The entire area should be considered. The

athletic fields and bike path on the east side of the lot are a tremendous amenity. He suggested taking advantage of these in the building itself. He said that perhaps the east side and the Broadway street side of the building could be made more interesting.

- **C. Gray** stated that it would be nice if the board looked at the BT-2 zone in relation to other goals, such as housing.
- **L. Payton** commented that as this corridor and University Hill are being redeveloped, local student eating areas will be leaving. There will be a gap in providing this and questioned if there is a plan to bring them back.
- **L. May** added that it is not only the loss of business, but as that area is redeveloped, there will not be any street level activity and a dead zone is created when you remove the commercial space.
- **H. Zuckerman** stated that it is important to energize the streetscape for locals and visitors.
- **B. Bowen** suggested to staff that if the applicant returns, they should look at what zone would make sense along that corridor. The key factors will be height, FAR and open space requirements. He suggested that this project go to the Design Advisory Board (DAB) to look at the concept design.
- **L. May** stated that this project would be a gateway to downtown, there the it is important that the building be of high quality. Currently, the proposed building appears generic. He would like to see this proposal come back as a concept plan again to Planning Board and see more interesting architecture reflective of the gateway characteristic.

Motion:

Since this is a Concept Review, no action is required on behalf of the Planning Board. **J. Gerstle** summarized that the board would like to see this proposal as a concept plan again before it was to move forward.

- B. AGENDA TITLE:** Consideration of the following items relating to the properties located at 2010 Upland Avenue and 4270 19th Street
- 1) Recommendation to City Council on a proposed amendment to the Annexation Agreement for the Crestview East Neighborhood, in particular for the property located at 2010 Upland Avenue, to remove the requirement to dedicate and construct N. 20th Street (LUR2016-00081);
 - 2) Recommendation to City Council on a proposed amendment to the Annexation Agreement for the property located at 4270 19th Street to remove the requirement to dedicate and construct N. 20th Street (LUR2016-00081);
 - 3) Motion to amend the North Boulder Subcommunity Plan to delete the N. 20th Street connection between Upland Avenue and Tamarack Avenue; and
 - 4) Official notice of vacation of public right-of-way for N. 20th Street adjacent to the properties at 2010 Upland Avenue and 4270 19th Street as required by Section 79 of the City of Boulder Charter (LUR2016-00073).

Applicants: Anne Hockmeyer, Ellen Stark and City of Boulder Public Works
Owner: Anne Hockmeyer and Ellen Stark

Staff Presentation:

C. Ferro introduced the item.

S. Walbert presented the item to the board.

Board Questions:

S. Walbert, C. Ferro and **D. Thompson** answered questions from the board.

Applicant Presentation:

Anne Hockmeyer, the applicant and owner, presented the item to the board.

Board Questions:

Anne Hockmeyer, the applicant and owner, answered questions from the board.

Public Hearing:

1. **Jan Morzel** spoke in support to the project.

Board Comments:

- **J. Gerstle** stated that he was opposed to the proposals because he felt that the removal of the connection conflicted with the North Boulder Subcommunity Plan (NBSP). He indicated that there was no compelling argument to make a change. He stated that CEAP has excellent recommendations and the connection between Tamarack Avenue and 19th Street is good. However, the new connection should not be viewed as a substitute for N. 20th Street.
- **H. Zuckerman** stated that he would be in favor of a motion to approve because the NBSP is meant to properly mirror our local priorities. It meets the needs of the community. The Planning Board will bring the NBSP back into consistency by approving the proposals.
- **L. Payton** stated that she will support a motion to approve because the Planning Board modifies connection plans regularly. Also, it will be easier to subdivide the lot in question and build two homes, rather than one large home. The results of the CEAP will provide a new connection which was not originally planned. This property has been burdened by dedications on the north and south sides, therefore it makes sense to eliminate the connection.
- **C. Gray** agreed.

Motion:

On a motion by **C. Gray**, seconded by **B. Bowen**, the Planning Board voted 5-1 (**J. Gerstle** opposed; **J. Putnam** absent) to recommend to City Council approval of the Annexation Agreement Amendments as they are consistent with the overall goals and policies of the Boulder Valley Comprehensive Plan policies pertaining to annexation as well as the intent of the original annexation terms.

On a motion by **C. Gray**, seconded by **H. Zuckerman**, the Planning Board voted 5-1 (**J. Gerstle** opposed; **J. Putnam** absent) find the proposed deletion of the N. 20th Street connection is consistent with the NBSP's intent and goals as identified in the plan and approve this amendment to the North Boulder Right-of-Way Plan.

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

A. Progress on the Public Notification Issue

- **L. Payton** questioned staff as to the progress of notifying tenants as well as property owners.
- **C. Ferro** informed the board that while the city knows they can perform this function, they are still working through the resource function of the process, as the city uses a third party for resources.

B. Annual Letter to City Council

- The board ask **C. Spence** to group the last 3-4 years of Planning Board Letters to Council for their review.
- Board members will send ideas to **C. Spence** and she will compile them.
- The board asked to schedule a full discussion at the next Planning Board meeting on November 17, 2016.

C. Debrief of Community Benefit Subcommittee Meeting

- The board asked to schedule a full discussion at the next Planning Board meeting on November 17, 2016.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 8:23 p.m.

APPROVED BY

Board Chair

DATE