

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
March 19, 2015
1777 Broadway, Council Chambers

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: <http://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

Aaron Brockett, Chair
Bryan Bowen
Crystal Gray
John Gerstle
Leonard May
Liz Payton
John Putnam

PLANNING BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

David Driskell, Director of CP&S
Susan Richstone, Deputy Director of CP&S
Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Jeff Hirt, Planner II
Sloane Walbert, Planner I
Charles Ferro, Development Review Manager
Heidi Hansen, Civil Engineer II
David Thompson, Civil Engineer II, Transportation
Kendra Tupper, Energy Services Manager
Dave Thacker, Building Services Manager

1. CALL TO ORDER

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

B. Bowen was sworn in for a second term on the Planning Board.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **J. Putnam**, the Planning Board approved the February 5, 2015 Planning Board meeting minutes as amended.

3. PUBLIC PARTICIPATION

No one from the public spoke.

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

A. Call Up Item: Floodplain Development Permit (LUR2015-00016), Baseline Road Bike/Pedestrian Underpass. Expires February 19, 2015.

B. Call-Up Item: NONCONFORMING USE REVIEW (LUR2015-00001): Request for a cooking school and demonstration kitchen (“Food Lab”) at 1825 Pearl Street. Expires on March 19, 2015.

C. Gray recused herself from item 5B.

H. Hansen answered questions from the board.

L. Payton thanked staff for all of the historical information.

5. PUBLIC HEARING ITEMS

A. Public hearing to consider a recommendation to City Council on a draft ordinance amending Title 9, “Land Use Code,” B.R.C. 1981, to allow medical or dental clinic or office uses and addiction recovery facilities as a conditional use in the Industrial General (IG) zoning district near Boulder Community Health (BCH), Foothills Campus.

Present a proposed schedule and approach for planning for the longer-term needs of area around the Foothills Campus and for potential Phase 2 Title 9 changes.

Staff Presentation:

S. Richstone introduced the item.

J. Hirt presented the item to the board.

Board Questions:

J. Hirt answered questions from the board.

Public Hearing:

1. Darryl Brown, 4747 Arapahoe Ave., represents Boulder Community Health (BCH). They fully support the medical zoning in areas A, B and C.

2. Khemarin Seng, MD, 975 North Street, Suite 201, from Mapleton Orthopedics explained that the surgeons must drive back and forth several times per day from their current location near the old hospital on North Broadway. They are interested in a property at 4700 Pearl near the hospital to make access more convenient to BCH.

3. Jim Rector, 3550 22nd Street, is an orthopedic surgeon and spoke in strong support of expanding the zoning to improve access to the hospital campus area. He was also interested in the 4700 Pearl Parkway property. He would ideally like to see a larger hospital campus but did not think that would be possible given floodplain and ownership limitations.

4. Scott Pudalov, 665 Dakota Blvd, owns a building at the corner of 55th and Arapahoe that has approximately 40,000 sf of medical office space for rent. He thought 4700 Pearl Place made sense and that the remaining demand could be satisfied with the existing zoning.

5. Barbee James, 1800 Commerce Street, has an industrial building at 1800 Commerce. She did not want the current allowed industrial uses to change.

6. Peter Aweida, 1644 Conestoga Street, purchased land in area C in 1978 and has worked with Ball Aerospace. He thought that there was a need for additional medical buildings in the area.

Board Comments:

- The board wanted to accommodate medical uses near the hospital and thought the proposed changes to the use tables would support community goals.
- Members agreed to recommend that City Council include all of Areas A and B in the ordinance and thought it made sense to include 4700 Pearl; it already has a submitted building permit application.
- The board voted to exclude Area C at this time. Some members felt comfortable retaining it in the recommendation if the city could protect existing industrial businesses, but Area C is currently fully leased to industrial tenants and can be added later if there is sufficient demand.
- The board felt that the retention of industrial uses is critical to Boulder's sustainability and vitality; it is okay to relocate them in town but there is little space for them to move if displaced.
- There was some concern about transit connections between Areas A and B and the hospital. Consider allowing alternate transit modes such as electric golf carts on the paths to shuttle patrons. Explore creative ways to enhance transportation without having to make large infrastructure changes.
- Consider the long-term vision for the area and possible means for turning this into a medical campus in the future; assure that these short-term measures will not preclude that formation.
- Collect metrics on permits, occupancy rates and uses to assess the market demand and any impacts on existing businesses.
- Members agreed that buildings in permitting processes should be eligible within Areas A and B.

Motion:

On a motion by C. Gray, seconded by L. May, the Planning Board voted 7-0 to recommend that City Council adopt an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to conditionally allow medical or dental clinic or office uses and addiction recovery facilities as a conditional use in the Industrial General zoning district in close proximity to the Boulder Community Health Foothills campus and setting forth related details including a recommendation of applying the ordinance in the following areas: Area A and Area B and adding buildings for which a building permit application has been filed by using the alternative language proposed in the memo reading as follows: "(C) The use must be located in an existing building or with a building for which a building permit for new construction was submitted on the lot or parcel on or before June 4, 2015."

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

A. Commercial Energy Code Discussion

Staff Presentation:

D. Thacker and K. Tupper presented the item.

Board Comments:

- The board generally supported the proposed C&I Ordinance and development of an outcome-based energy code. They applauded the data driven, transparent and adaptive approach.
- Consider exempting some buildings from data disclosures due to proprietary and security concerns.
- **L. May** encouraged staff to present this to the Landmarks Board; request feedback in relation to historic buildings.
- Account for embodied energy in calculations/code to ensure that the regulations do not inadvertently encourage the demolition of existing buildings.
- Take a proactive approach with applicants on large projects; address the energy requirements before coming to the Planning Board.
- Solar gardens will be an important in reaching the city's goals. Consider partnering with building owners to locate PV panels.
- Assure that building owners are not deterred from making renovations for fear of triggering codes that are too stringent.
- Code should require that buildings be solar ready and/or incorporate space and possible wiring for PV panels. Retrofits to accommodate this later would be more costly and difficult.
- **B. Bowen** thought that the C&I reporting program was at the correct level; it would be unrealistic to ask for sub-metering data at this point.
- Collect and publish the data on a publically accessible dashboard. The information could create some competition and incentivize property owners to upgrade building systems.
- Consider means for managing the grid tide.

6. DEBRIEF MEETING/CALENDAR CHECK

S. Richstone updated the board on Council's discussion on the height ordinance and linkage fees.

7. ADJOURNMENT

The Planning Board adjourned the meeting at 9:41p.m.

APPROVED BY

Board Chair

DATE