**CITY OF BOULDER**
**PLANNING BOARD ACTION MINUTES**
**November 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:**
Bryan Bowen, Chair
John Putnam
John Gerstle
Liz Payton
Crystal Gray

**PLANNING BOARD MEMBERS ABSENT:**
Leonard May

**STAFF PRESENT:**
Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Sloane Walbert, Planner I
Jay Sugnet, Senior Planner
Jeff Yegian, Housing Division Manager

**1. CALL TO ORDER**

Chair, **B. Bowen**, declared a quorum at 6:12 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

On a motion by **J. Gerstle** and seconded by **J. Putnam** the Planning Board voted 5-0 (**L. May** absent) to approve the November 5, 2015 minutes as amended. The October 29, 2015 minutes were tabled for approval until the December 3, 2015 Planning Board Meeting.

**3. PUBLIC PARTICIPATION**

**A. Jeremy Epstein, 4790 8th St.,** spoke in regards to call up Item D, 820 Lee Hill Dr. and requested to allow a six-foot cedar privacy fence.

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

**A.** Call Up Item**:** Floodplain Development Permit (LUR2015-00033), 2930 Pearl Street

**B.** Call Up Item: Floodplain Development Permit (LUR2015-00097), 1739 Broadway

**C.** Call Up Item: Floodplain Development Permit (LUR2015-00098), 1270 Old Tale Road

**D.** Call Up Item: Approval of an Amendment to Approved Site Plans to amend the approved fencing standards for the TrailCrossing at Lee Hill residential development to allow privacy fences in specific areas. The proposal would allow 6-foot cedar privacy fencing on Outlot A, 5-foot solid cedar fencing with 1 foot of latticework above (6 feet total) on Lots 1 and 17 and solid 3'-10" cedar fencing on Lots 18, 24, 25 and 31. Visually permeable 3'-10" high split rail fences would remain in all other locations. The project site is zoned Residential - Low 2 (RL-2). Case No. LUR2015-00094, 820 Lee Hill Drive.

**E.** Call Up Item: Approval of an Amendment to Approved Site Plans to demolish the former Olive Garden restaurant and construct an approximately 16,600 square foot Natural Grocers by Vitamin Cottage grocery store. Included in the development proposal are various site improvements, including new site and parking lot landscaping and storm water improvements. The project site is zoned Business – Community 2 (BC-2). Case No. LUR2014-00099, 2685 Pearl St.

**Board Comments:**

- **C. Gray** requested to call up Item D, Case No. LUR2015-00094, 820 Lee Hill Drive.
- **J. Putnam** requested to have more information from staff regarding the access and turning radius relating to the site criteria for Item E, Case No. LUR2014-00099, 2685 Pearl St.

**5. PUBLIC HEARING ITEMS**

**A.** Public hearing and Planning Board consideration of the following related to an approximately 3.2 acre property located at 4525 Palo Pkwy:

1. Recommendations on an application for Annexation of the property with an initial zoning of Residential Mixed – 2 (RMX-2) (case no. LUR2015-00081); and

2. Request for citizen, staff and Planning Board comment on a Concept Plan to develop the property with 100% affordable family housing development by Boulder Housing Partners, in partnership with Flatirons Habitat for Humanity. Proposal includes 44 tri-plexes, townhouses and apartment units in nine buildings (case no. LUR2015-00080).

Applicant: Lauren Schevets, Boulder Housing Partners
Property Owner: City of Boulder

- **B. Bowen** recused himself from this discussion.

**Staff Presentation:**
**C. Ferro** introduced the item.
**S. Walbert** presented the item to the Board.

**Board Questions:**
**S. Walbert, C. Ferro** and **H. Pannewig** answered questions from the Board.

DRAFT

**Applicant Presentation:**
**Betsy Martens** and **Lauren Schevets,** with **Boulder Housing Partners, 4800 Broadway,** the applicant, presented the item to the Board.

**Board Questions:**
**Susan Lythgoe, B. Martens, L. Schevets,** and **Chris McGranahan, the transportation engineer with LSC Transportation Consultants, 1889 York St., Denver,** representing the applicants, answered questions from the Board.

**Public Hearing:**

1. **Harold Hallstein, 3664 Pinedale St.,** spoke in opposition of the project and expressed concern regarding density, traffic, and possible relocation of citizens to a flood zone.
2. **Susan A. Lythgoe, 1455 Dixon St., #210, Lafayette,** spoke in support to the project.
3. **Sara Toole (pooling time with Dolores Sargent, Harvey Sargent, Shayna Stillman, Dorsey Delavigne), 3159 Ouray St.,** spoke in opposition of the project and expressed concerns regarding the proposed traffic, zoning and that the affordable housing meets the BVCP.
4. **Judy Langberg, 3166 Palo Pkwy,** spoke in opposition to the project due to density, safety, parking and traffic issues.
5. **Shannon Cox Baker, 3845 Elmhurst Pl.,** on behalf of Better Boulder, spoke in support to the project.
6. **Pamela Griffon, 700 Walnut St., #312,** spoke in support to the project.
7. **Barb Verson, 3830 Howe Ct.,** spoke in support of low density. Spoke in regards to the multi-use path and not necessary anymore.
8. **Ben Blazey, 3735 Ridgeway St.,** spoke in support to the project but expressed concern regarding the parking estimates advocated for not having a thoroughfare.
9. **Judy Langberg, 3166 Palo Pkwy,** spoke in opposition of the project.
10. **Jan Morzel, 2075 Upland Ave.,** spoke in support of the project**.**
11. **Willa Williford, 2567 Vine Pl.,** spoke in support of the project.
12. **Claudia Sanchez, 313 Pearl St., #2,** spoke in support of the project.
13. **Harvey Sargent, 3269 Ouray St.,** spoke in opposition of the project and stated that people that may live in affordable housing would not be required to work in Boulder.
14. **Judy Holleman, 3288 Palo Pkwy,** spoke in support of the project but expressed concern that the proposed design would not create a grid system in regards to the proposed streets.
15. **Elizabeth Mirowski, 3853 Fredricks Ct.,** spoke in support of the project and expressed concerns regarding the traffic and reducing the density.

**Board Comments:**
**<u>Key Issue #1</u>: Is the proposed annexation consistent with city policies pertaining to the annexation of a property into the City of Boulder? Does the proposal meet the level of community benefit outlined in the BVCP?**

- All Board members agreed that the proposal would be consistent with the Annexation Agreement and policies.

DRAFT

- **H. Pannewig** advised the Board that the Annexation Agreement could be drafted with some flexibility in terms of the multi-use path.

- **L. Payton** regarding the condition within the Agreement regarding the multi-use path stated that she would prefer to have that removed.

- **J. Putnam** agreed with **L. Payton** regarding the multi-use path. He stated that he would be open to leaving the condition in the Agreement at this time, but re-evaluate it at Site Review when the final configuration would be done.

- **J. Gerstle** stated that he would prefer the multi-use path to remain a condition of the Annexation Agreement.

**<u>Key Issue #2</u>: Is the initial zoning of Residential Mixed – 2 (RMX-2) appropriate as the initial zoning for the subject property?**

- **J. Putnam** said that the language of the medium land use designation states that the project is located on major arterials. He stated that the BVCP designation would be appropriate and consistent. He added that the designation would only be appropriate with the limitation of 14 units/acre per the Annexation Agreement.

- **L. Payton** agreed with **J. Putnam's** comments the limitation of units 14 units/acres or fewer.

- **C. Gray** stated that the RMX-2 zoning would be more appropriate on transit quarters. She stated that the project would conform to underlying BVCP land use. She stated that the safety, traffic and density were major concerns of the public.

- **J. Gerstle** stated the RMX-2 zoning would be appropriate.

**<u>Key Issue #3</u>: Is the proposed concept plan compatible with the goals, objectives and recommendations of the Boulder Valley Comprehensive Plan (BVCP)?**

- **J. Gerstle** stated the proposed plan would be compatible. He stated that it would have clear community benefit and help provide a variety of residential opportunities and would be in accordance with the BVCP.

- **C. Gray** stated that the biggest problems with the project would be located offsite. Traffic through the area would be problematic. She suggested that the city would need to conduct a sub-area plan. Regarding the Concept Plan, she stated that one of the strengths would be the mix of homeownership and rentals. She stated that more homeownership than what is proposed would be a benefit to the project. In regards to the density, she suggested to combine some of the single-family units into multi-family units and create an opportunity for more families. In addition, regarding the widths of the streets, she stated that a smaller interior circulation would be better.

DRAFT

- **L. Payton** stated that the mix of rental and ownership units would be a nice mix. In regards of the parking and sidewalks, she stated that she agreed with staff's comments in the presentation. She stated that this location would be a great site for families and would have opportunity for nature play for children. She suggested the consolidation of one-bedroom units into three-bedrooms. She stated that it would reduce the number of units for the project, but it could create a benefit for the families. In regards to the access of emergency vehicles, she stated that if projects would be designed for emergency vehicle access, the result would be wider streets and people would tend to drive faster.

- **J. Putnam** stated that the project would be compatible with the goal and objectives of the BVCP. In regards to unit configuration, he stated that it would be important to have a mix of unit types to accommodate a full range of families. He stated that if all the units would be three-bedrooms, it would exclude many people. In addition, if the number of units were reduced, he stated that it would not address the safety or traffic concerns.

**<u>Key Issue #4</u>: Would the project be compatible with the character of the surrounding area? Are the architectural and site design consistent with the Site Review criteria in terms of quality and compatibility with the surrounding neighborhood??**

- **J. Putnam** stated that the design elements within the project would fit within the surrounding neighborhood overall. Regarding the traffic issues and parking, he did have some suggestions. He stated that a proper traffic study would need to be done. He stated that the traffic study would not have to limit density. He stated that he would like to see weekend traffic counts on the traffic study. In regards to the entrance connection, he stated that he would be less convinced to align it with Ridgeway. He suggested that the entrance should loop back towards the west however he stated that the final decision should be linked to additional traffic analysis. He stated that he would like to see in the Site Review more information regarding the level of traffic assumed in the Northfields Commons traffic study. In regards to the internal design and whether it should be the "lollipop" or a grid system, he stated that there would be benefits of a common park area however he suggested designing the street to be more pedestrian and bicycle friendly. In regards to parking, he stated that it would be over parked however it may be appropriate to have more than otherwise required due to the soccer park and public concerns. He stated that it would be important to deal with the parking sensitively. He stated that the proposed parking by the multi-use path would not be the best transition on the east side of the property. He suggested the applicant review tuck-under carports or garages. He suggested incorporating electric vehicle charging stations. He suggested that since he would be supporting that the project be over parked that perhaps creating a design that some of the parking could be bought back or shared. He stated that a strong TDM would be needed. In regards to the path connection, he stated that he would be less convinced that a full ten-foot path on west side of the property would be needed. He stated that he would rather see better connection through the property such as street and sidewalk connections to obtain a better integration with the neighbors to the south and west.

DRAFT

- **L. Payton** stated that the portion of the Site Plan facing Palo Parkway is well done. She stated that the interior would have too much asphalt and parking. She suggested that the applicant address the weekend soccer field parking issue. She stated that this could reduce the number of parking spaces requested. If the parking spaces were reduced, then the plan could potentially have more park area in the center. She stated that she supports staff's recommendation of parallel parking with detached sidewalks. She stated that she likes the central park idea. She stated that she appreciates the idea of a grid layout, however, the area would be small and it may not achieve much and that the central park would be a nice amenity for the neighborhood. In regards to the path, she stated that there should not be a path on the plans. She stated that the diagonal parking would be too much asphalt.

- **C. Gray** agreed with **J. Putnam's** comments regarding the TDM Plan. She stated that providing Eco passes would be a benefit as it would reduce the cost for homeowners. She stated that she would like to hear more about the sustainability plan. In regards to recycling, she stated that only two areas would be designated on the Site Plan currently. She agreed that the interior of the project seemed to have a lot of asphalt. She suggested softening that. She expressed a concern that with no proposed garages or basements on the plan, that there would be no place for residents to store their items (i.e. bikes, sports equipment, etc.). She suggested the applicant review that. She stated that a traffic study would be important. She suggested a north connection through the project to the path. She stated that the north end impinges on the wild land feeling, therefore she suggested reviewing the Site Plan and to preserve the wild lands area.

- **J. Gerstle** expressed concern that the proposed plan treats the neighborhood as a separate campus with only one point of entry. He stated that he would prefer several points of entry and integrate the project with the surrounding neighborhood with points of entry and streets continuing as possible. He stated the neighborhood should not feel as though it were secluded and private. He stated that a grid layout would help address that issue. In addition, he stated that the path would help to make the area more permeable in general. He stated that there should be some public transit through the project rather than around. He stated that this would assist with the integration within the city. He stated that the current plan would be over parked and that too much area would be devoted to parking. He agreed that the traffic along Palo Parkway would be a concern and it should be considered. He stated that parking on the weekends could be a problem due to the existing soccer field however this development should not be burdened to supply extra parking since the problem currently exists.

- **C. Gray** stated that the proposed parking would be crowded. She suggested not reducing the parking but perhaps putting in garages. She stated that currently parking is an issue within neighborhood. She stated that she would want to make sure that the new residents would have place to park.

DRAFT

- **L. Payton** stated that a useful analysis for site review needs to be done in order to know how much of the parking issue would be due to the existing soccer fields. She suggested that the applicant or staff could provide useful solutions to the soccer field parking issue to assist the existing residents and new neighborhood.

- **J. Putnam** suggested looking at a neighborhood parking program. He stated that due to the nature of the site and existing concerns, it would require creativity on how to deal with the parking issue. He stated that traffic calming at this location would be a big issue. He stated that studies have shown with streets that have more parked cars; the roads would be safer and can slow traffic. He suggested that the city help with the traffic engineering. He stated that the traffic study may fall on other neighborhoods as well such as Northfield Commons. In regards to the path, he stated that there is clearly a social path crossing diagonally from southwest to the northeast. He stated that people would continue to cut along this to gain access. He stated that this access would need to be a hardened path otherwise people will be crossing and destroying the existing grassland. He stated that perhaps a ten-foot concrete path may not be the answer, but at least a naturalized, dirt path and it must be addressed.

**<u>Additional Key Issues:</u> Architecture, Proposed Materials, and Grid Layout**

- **C. Gray** stated that she would be open to looking at a grid layout.

- **J. Putnam** stated that the architecture is good and consistent.

- **J. Gerstle** stated that he would like to see more of a variety of architecture. He stated the style is fine. He stated that the attractiveness of the project would be increased if there were a variety of different designs.

- **C. Gray** agreed. She stated that she likes the adopted concept and that that it would be reflective of the surrounding neighborhood.

- **L. Payton** agreed with the previous comments. She stated that this project could benefit from some guidance of the FBC. She stated that some elevations seemed top-heavy and the proportions seem a little off. She suggested using natural stone in the materials and wood or clad windows instead of vinyl windows. She stated that the tower depicted in one of the elevations did not fit with rest of proposed architecture. She stated that she would be in support of the proposed semitry, balance, fenestration, porches, and gables.

- **J. Putnam,** regarding materials, stated that he would like to see the suggestions made by **L. Payton**, however this would be a cost constrained project and that if more money spent on those materials, other things may be lost. He stated the mission would be to provide affordable housing and the project should not push too far as to jeopardize that mission.

- **L. Payton** stated that some of the materials she suggested would have lower maintenance and be more durable, therefore in the long run be more cost effective.

DRAFT

- **C. Gray** stated that there would not have a conflict with using true materials. She stated that intent would be to continue with quality.

- **L. Payton** expressed concern with the existing shallow ground water.

    - **C. Ferro** explained that the project would not be proposing basements and therefore would not be penetrating the ground water and water table.

**Motion:**
On a motion by **J. Putnam**, seconded by **J. Gerstle**, the Planning Board voted (4-0, **B. Bowen** recused himself, **L. May** absent) to recommend to City Council approval of the proposed annexation with initial zoning of Residential Mixed –2 (RMX-2) pertaining to request No. LUR2015-00081, incorporating the staff memorandum as findings of fact, subject to the recommended conditions of approval for the annexation as provided for in the draft annexation agreement in Attachment C, but making the placement of a multi-use path conditioned on an approved site review and city manager discretion.

**Concept Plan Summary:**
**L. Payton** gave a summary of the Board's recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. The Board was unanimous regarding Key Issue #1that the proposed annexation would be consistent with city policies and that the proposal would meet the level of community benefit outlined in the BVCP. The Board was unanimous regarding Key Issue #2 that the zoning of Residential Mixed – 2 (RMX-2) would be appropriate. The Board was unanimous regarding Key Issue #3 that the proposed Concept Plan would be compatible with the goals, objectives and recommendations of the BVCP in general. In regards to Key Issue #4 site design, in general the Board supported the proposed density. In regards to traffic, the Board supported the need for a robust TDM plan and more analysis regarding a weekend traffic count and traffic calming devises. The Board was mixed regarding if the site proposal would be over parked. In regards to the site plan, the Board was in unanimous support for detached sidewalks. The Board was mixed regarding whether a grid layout would be a better solution. **J. Gerstle** added to make sure that the proposed site would not be a closed campus and to be fully integrated with the rest of the neighborhood. **L. Payton** continued in regards to the proposed central park, stated that the idea would be supported by the Board. She stated that the Board made comments regarding the provision of more storage and more covered parking. In additions, the addition of EV charging stations and sustainable elements were suggested. In regards to the proposed path, the Board stated it was not so concerned if it runs along the boundaries but to ensure some permeability. Regarding the point of access and Ridgeway, the Board agreed that they would like more traffic safety analysis. The Board's preference would be to not have the access completely lined up with Ridgway and perhaps have it offset. The Board's concern would be to have the proposed site integrate into the rest of the neighborhood.

- **B. Bowen** returned to the meeting.

DRAFT

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

**A.** Letter to Council Discussion

**Board Comments:**

- The Board members proposed their individual items to include in the Letter to Council.
- **J. Putnam** proposed the following:
  - Encourage City Council to allocate more staff and community time
  - Need to get the BVCP and Design Guidelines correct
  - To look at the Site Review Criteria
  - Look at Neighborhood parking
  - He suggested keeping a tight focus and to do a few items really well, rather than focus on too many items.

- **L. Payton** proposed the following:
  - To urge City Council to launch some sub-community or neighborhood plans
  - Prioritize the Broadway corridor
  - Revisit inclusionary zoning to require to affordable housing and integrated into every development
  - To look at resiliency in terms of the Flood Plain and FEMA maps should reflect climate change, potential for more extreme events, etc.

- **C. Gray** proposed the following:
  - Community benefit
  - To look at the Site Review Criteria
  - Climate commitment
  - To support the Landmarks Board to give them more flexibility to look at sub-divisions to assist in small house preservation
  - DUDG and the lacking of urban design plans
  - Neighborhood area planning
  - Parking
  - Inclusionary zoning and Annexations and would like to 20% (market rate) /30% (middle income) / 50% (affordable housing)

- **J. Gerstle** proposed the following:
  - Agreed with previous suggestions and that more focus would be needed
  - Community benefit
  - BVCP update

- **B. Bowen** proposed the following:
  - Agreed with previous suggestions and that more focus would be needed
  - Climate change
  - Support municiplization
  - EUI building code focus
  - DUDG very high in prioritization
  - Community engagement especially with DUDG

DRAFT

- Affordable housing (widening to 150% AMI, adequate funding, moving the goal from 10% to 20%)

- **B. Bowen** asked the Board who they would like to approach the Letter to Council. He stated that there seems to be a consensus regarding the items to include. He suggested a prioritization exercise

- **C. Gray** suggested each board member organize their own items. She reminded the Board that **L. May** is absent and will have items of his own. She stated that the small/tiny house issue often is lost under Housing.

- **J. Putnam** suggested to the Board that one member takes all of the items suggested and bundles them together and the outcome would be four-six headings. For example, he suggested combining "community benefit" with "Site Review criteria". In addition, under a "Housing" category, the items of affordability, small houses, and land marking could be grouped.

- **L. Payton** stated that the December 3, 2015 agenda would be a smaller meeting.

- **B. Bowen** designated that **J. Putnam** compile projects and stated that all board members email project ideas to him directly. **J. Putnam** will send the list to **C. Spence** and include it in the next Planning Board meeting packet.

**B.** DUDG Updated Schedule

**Board Comments:**

- **B. Bowen** stated that the DUDG has had seven meetings to date. He stated that the persons involved felt the results of those meetings were positive and successful. He explained that within those meetings there were many places reveled where there is no agreement. He stated that the focus would be on community engagement and design plans. The idea was neither to drastically alter the intent of the DUDG nor to craft new policy. He stated the focus was no positive reformatting and simplification of the guidelines. He explained that the DUGD will come to Joint Board meeting scheduled for December 10, 2015 with a draft of the new DUDG sent out beforehand. He stated that there is a need for a coherent Urban Design Plan.

- **C. Gray** added that a Public Open House is scheduled for December 8, 2015.

- **B. Bowen** stated that after the open house and joint meeting, the draft will be edited. In February 2016, the DUDG will go in front of all the boards for sign off. The Planning Board will be charged with adopting sections 2-6. He then stated that the entire DUDG would go to City Council for approval.

## 7. DEBRIEF MEETING/CALENDAR CHECK

DRAFT

## 8. ADJOURNMENT

The Planning Board adjourned the meeting at 9:59 p.m.

APPROVED BY

_____
Board Chair

_____
DATE

DRAFT