

Planning Board Summary
CU South Public Hearing – August 2, 2018

The following summary was drafted directly from staff notes and memory and does not represent the official record of the Planning Board. Rather, this summary was prepared in an effort to aid City Council in their deliberation of this matter. The Planning Board will approve official minutes at one of their upcoming public meetings.

A video recording of the Aug. 2 Planning Board meeting may be found [here](#).

Public Comment

- There were 21 speakers during public comment, with several speakers pooling time.
- 12 speakers generally opposed the motion. Many of these speakers express concerns over the flood mitigation concepts and preferred that the city evaluate the “Citizen Upstream Concept”.
- Eight speakers were in support of the motion. Many of these speakers were nearby residents (e.g. Frasier Meadows) who experienced flooding during in 2013.
- One Water Resources Advisory Board member spoke to clarify public comment concerning the number of flood mitigation concepts that were presented to that board.

Board Deliberations

The board framed their discussions around five key issues:

Key Issue #1: Ground Water

- Three members asked questions and expressed concerns about the proposed floodwall, conveyance system and required excavation.
- A fewer number of board members (two) did not have concerns about groundwater or the proposed technical solutions.

Key Issue #2: Wetlands and State Natural Area

(Background: Several public comments noted that the city’s adjacent Open Space was within a State Natural Area)

- Board members discussed the potential impacts of the Variant 2 concept to the adjacent State Natural Area and the university’s future plans for the site.
- One board member commented that there may be potential wildlife impacts to the north side of US36, particularly around where Bear Creek feeds into a pond.

Key Issue #3: The 100- vs. 500-Year Flood

- One board member commented on a potential new flood mitigation concept that would place infrastructure along the Parks Urban/Other and Public land use designations (i.e. 500-year floodplain/area protected by the levee). Another board member commented that berms (as proposed by the existing concepts) could be combined with the Citizens Upstream Concept.
- One board member requested that staff generate a map superimposing the Citizens Upstream Concept with the Boulder Valley Comprehensive Plan (BVCP) Land Use Designation Map.
- Many board members appeared to agree that the city should pursue a 500-year flood mitigation solution over a 100-year.

Planning Board Summary
CU South Public Hearing – August 2, 2018

Key Issue #4: Assumptions regarding acceptability of CU Boulder

- A board member commented that the city should examine and determine a suitable flood mitigation option prior to engaging the university.
- In answering a board member's question, staff clarified that no flood mitigation concepts were taken off the table at the request of CU.
- Two board members emphasized the need to collaborate and partner with the university (referenced the need for property owner agreement and BVCP policies on city-university collaboration).
- There was disagreement between two board members about when to initiate annexation discussions. One member would have preferred starting these community discussions last year, while another member felt that resolving flood mitigation issues prior to annexation issues was the right order (the latter has been staff's approach). A third member commented that public safety, physical constraints, environmental protection and costs should be addressed prior to engaging the university.

On a motion by **D. Ensign**, seconded by **H. Zuckerman**, the Planning Board voted 3-3 (**L. Payton**, **C Gray**, **J. Gerstle** opposed; **P. Vitale** absent) to recommend to the City Council that the Phase I Concept evaluation for the South Boulder Creek Flood Mitigation project is consistent with the Boulder Valley Comprehensive Plan including the CU South Guiding Principles. Motion failed.

Key Issue #5: Upstream Detention Concept

- One board member commented on his openness to finding a less invasive way of detaining floodwaters, though the upstream concept could result in more disturbance of natural habitat.
- One board member recommended that the motion include direction to study the Variant 1, 500-year option with some upstream ponds to reduce the size of the detention in the Northwest corner and use the area around the levee for detention. Member Ensign was not comfortable amending his motion with this language (motion language is noted above), though he also stated that he did not want to delay the flood mitigation project.
- A member commented that it is appropriate to make a recommendation to consider the obligations of the State Natural Area.
- Two members spoke in support of studying the upstream option, with one of the members noting the need for environmental studies (beyond environmental permitting obligations). Another member expressed concern about studying the concept if it delays the process.
- A board member discussed and complemented the Open Space Board of Trustees' detailed motion developed during their meeting and their responsibility to evaluate concepts via the open space charter provisions.

Member Ensign's Motion (language above) failed. Board members generally made the following comments leading up to a failed vote on the motion:

- Three members commented that they did not support the motion. The following reasons were mentioned among the members:
 - Does not highlight a 500-year solution;
 - Environmental protections are not considered enough;

Planning Board Summary
CU South Public Hearing – August 2, 2018

- Impacts to the State Natural Area are not considered;
- Does not incorporate a review of the upstream option; and
- Variant 2 does not meet the guiding principles due to possible environmental impacts and potential safety issues (like debris blockage) with the design of the US36 underpass.
- One member expressed support for the 500-year design and evaluating the upstream option as part of the preliminary design if council provides specific direction.

The board members then discussed and offered friendly amendments to the following motion, which ultimately passed unanimously:

On a motion by J. Gerstle, seconded by B. Bowen, the Planning Board voted 6-0 (P. Vitale absent) to recommend to the City Council that the Phase I concept evaluation for the South Boulder Creek Flood Mitigation project will be consistent with the Boulder Valley Comprehensive Plan including the CU South Guiding Principles with the following modifications: that the final project be designed for the 500-year flood, that upstream detention be considered in the preliminary design provided that such consideration does not unduly delay the project, and that impacts to state natural lands be given weight in preliminary design.