

**CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 7, 2019
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:

Liz Payton, Chair
John Gerstle
Crystal Gray
Peter Vitale
Harmon Zuckerman

PLANNING BOARD MEMBERS ABSENT:

Bryan Bowen, Vice Chair
David Ensign

STAFF PRESENT:

Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Elaine McLaughlin, Senior Planner
Sloane Walbert, Senior Planner
Jay Sugnet, Senior Housing Planner
Jim Robertson, Comprehensive Planning Manager
Jean Gatza, Senior Planner
Kalani Pahoa, Urban Designer
Michelle Allen, Inclusionary Housing Program Manager

1. CALL TO ORDER

Chair, **L. Payton**, declared a quorum at 6:06 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **H. Zuckerman** the Planning Board voted 5-0 (**D. Ensign**, **B. Bowen** absent) to approve the December 20, 2018 minutes as amended.

3. PUBLIC PARTICIPATION

- a) **Craig Ferraro** informed the board that he teaches a real estate class at CU and has invited his class to observe a public meeting.
- b) **Macon Cowles** addressed the board regarding the Alpine-Balsam project and encouraged the need for workforce housing on that site. He hopes the single-family neighborhoods which surround that area do not have the ability to direct how that site will be developed.

- c) **David Adamson** addressed the board regarding the Alpine-Balsam project and the city has an opportunity to do something transformational at that site. He would like the city values around sustainability and diversity generate ideas.

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

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE: Public hearing and consideration of a Use Review application (case no. LUR2018-00058) for a change in the operating characteristics of the Colorado Chautauqua Cottage 1 (aka Galey Cottage) within Chautauqua that operates in the use category of "Government Facility." Proposed is a small events and meeting space venue as well as a short-term rental for lodging at Chautauqua. No change to the square footage of the building is proposed. Exterior improvements and maintenance are proposed as approved through HIS2017-00369. Minor landscape changes are also proposed.

Board members were asked to reveal any ex-parte contacts they may have had on this item.

- **J. Gerstle** disclosed that he has interest in a property within 600 feet of the Chautauqua boundaries. However, this proposal is unlikely to have an impact to his property and he can remain objective and fair in this manner. **C. Gray** disclosed that she had once lived at Chautauqua and served on past boards related to Chautauqua, but that she can remain impartial regarding this Use Review. **P. Vitale**, **L. Payton** and **H. Zuckerman** had no ex-parte contacts.

Staff Presentation:

C. Ferro introduced the item.

E. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

Applicant Presentation:

Shelly Benford, Executive Director of Colorado Chautauqua Association, **Jeff Medanich**, Director of Sustainability of Colorado Chautauqua Association, **Wanona Tara**, Director of Sales of Colorado Chautauqua Association, presented the item to the board.

Board Questions:

Shelly Benford, **Jeff Medanich** and **Wanona Tara**, representing the applicant, answered questions from the board.

Public Hearing:

- 1) **Henry Beer** spoke in support of the project.
- 2) **John Woodberry** spoke in opposition to the project.
- 3) **Olivia Foulkrod** (pooling time with **Cici Foulkrod**, **Max Foulkrod**) spoke in opposition of the project.
- 4) **Star Waring** spoke in support of the project.
- 5) **Jay Greer** spoke in opposition to the project.
- 6) **Mary Margaret Greer** spoke in opposition to the project.

- 7) **Susan Dawson** spoke in opposition to the project.
- 8) **Emily Wenring** spoke in opposition to the project.
- 9) **John Foulkrod** spoke in opposition to the project.
- 10) **Tom Galey** spoke in opposition to the project.
- 11) **Chris van de Honert** spoke in opposition to the project.
- 12) **Catherine Sparkman** spoke in support of the project.
- 13) **Georgia Chamberlain** spoke in opposition to the project.
- 14) **Cindy Schmidt** spoke in support of the project.
- 15) **Nan Anderson** spoke in support of the project.
- 16) **Bruce Newmann** spoke in support of the project.
- 17) **Karl Anuta** spoke in opposition to the project.
- 18) **John Kenyon** spoke in support of the project.
- 19) **Kristian Woyna** spoke in opposition to the project.
- 20) **Dorothy Riddle** spoke in opposition to the project.
- 21) **Kristin Lewis** spoke in support of the project.
- 22) **Lew Harstead** (pooling time with **Sally Lasater, Joe Stepanek, Mary Ellen Vaughan**) spoke in opposition of the project.
- 23) **Joshua Taxman** spoke in support of the project.
- 24) **Kathleen Woodberry** spoke in support of the project.

Board Comments:

Key Issue: Is the use consistent with RL-1 zoning?

- **H. Zuckerman** stated what should be reviewed in terms of use does the proposed use meet the vision and terms of what Chautauqua has been based on. The use of Chautauqua has been determined in the past as “governmental use” which is broad. If a change is to be approved, it must be within the core functions of what Chautauqua has represented. He stated that he could support the proposal as being a consistent change within the existing zoning.
- **J. Gerstle** agreed with **H. Zuckerman**.
- **C. Gray** added the consistency would depend upon how next key issues were resolved.

Key Issue: Does use provide service / convenience to neighborhood?

- **P. Vitale** said the use does provide service to the neighborhood.
- **L. Payton** mentioned how the board received comments from the public (in and outside of the Chautauqua boundaries) on both sides of the issue. She said the cottagers do not feel the use would be providing a service or convenience to them. Chautauqua has said it would be providing more sustainability to the organization itself. She stated that the use would comply because it would be helping to sustain Chautauqua which is a service.
- **H. Zuckerman** agreed.
- **J. Gerstle** agreed and stated that the Chautauqua neighborhood is a unique situation. He said it is not clear to state that all cottagers oppose the use as the board had received many mixed messages. Boulder is the owner of Chautauqua and it serves not only the residents who reside within Chautauqua, but all residents of Boulder. He said many people would benefit by moving ahead with this change and he would support it.
- **C. Gray** said the uses proposed such as the nightly rentals for CCA sponsored events or lectures, long-term rentals and green room space would be benefits and conveniences. She had concern

surrounding the proposed “private events”. They would only serve a private portion of the community whereas the aforementioned events would serve the broader community.

- **H. Zuckerman** stated that “private events” should not be demonized.
- **P. Vitale** agreed with **H. Zuckerman**.

Key Issue: Is use compatible with the character of the area?

- **L. Payton** said Cottage 1 appears to be a part of the residential section of Chautauqua rather than the public or event portion of Chautauqua, therefore the location does not seem compatible. The operation size and design could be compatible especially if the neighbors worked the CCA on an agreement.
- **H. Zuckerman** said, regarding compatibility, that the proposed site would be located within the publicly oriented facilities of Chautauqua. The size is reasonable. The design is fine and will meet the characteristics. The operating characteristics will be compatible and go above and beyond the level of acceptance of other site reviews that have been approved. He found it compatible.
- **C. Gray** had concern regarding the number of events proposed, how the private events would serve the community, and she did not find the uses compatible. She approved of the green room use.
- **P. Vitale** agreed with **C. Gray**. He did not agree with limiting number of events, but rather with specifying “family” vs. “non-profit” vs. “corporate” events.
- **L. Payton** questioned if a “good neighbor agreement” between the cottagers and CCA could be proposed.
- **P. Vitale** agreed.
- **J. Gerstle** said it would be inappropriate for the city to assist with a “good neighbor agreement” and that it should be CCA’s responsibility to coordinate with the cottagers.
- **C. Gray** suggested a path of conversations for a “good neighbor agreement” between the cottagers and CCA similar to what occurred during the Attention Homes Site Review.

Key Issue: Is use compatible with the infrastructure?

- **C. Gray** said the proposed use will adversely affect the existing streets by adding more traffic and parking. The green room use would be the only benefit.
- **L. Payton** added that CCA has talked about upgrading other parts of infrastructure.
- **J. Gerstle** said the proposal has a beautiful design to minimize the adverse impacts.
- **C. Gray** agreed.
- **L. Payton** said that a lot of care has been taken to the restoration of the cottage and she has confidence that it will not change the predominate character of the surrounding area.

Motion:

On a motion by **L. Payton** seconded by **P. Vitale** the Planning Board voted 5-0 (**D. Ensign, B. Bowen** absent) to approve Use Review (no. LUR2018-00058) incorporating the staff memorandum and the attached Use Review Criteria Checklist as findings of fact, and subject to the recommended conditions of approval and an additional condition that events will end by 9:00 p.m. rather than 10:00 p.m. as originally stated.

On a motion to amend the main motion, by **C. Gray** and seconded by **J. Gerstle**, to reduce the number of events per month to no more than 20 events per month instead of 26, and including no more than 8

evening events instead of 10 evening events, the Planning Board voted 2-3 (H. Zuckerman, L. Payton, and P. Vitale opposed; D. Ensign, B. Bowen absent) Motion failed.

- **H. Zuckerman** said that CCA has established quiet hours from 10pm-8am for the entire Chautauqua community. With the proposed condition, this cabin would be treated differently than any other cabin and he would not be comfortable with that. However, he will vote to approve this motion if this is the only motion on the table. He added that a 20% reduction in event numbers seemed arbitrary when an approvable application has been presented to the board.
- **J. Gerstle** seconded **C. Gray's** motion because it seemed reasonable to start at the level of 20 events and it would have a path to be changed if necessary. He would like to make sure it would not interfere with use as a green room during the concert season.
- **P. Vitale** agreed with **H. Zuckerman**. He added that any breakdown of an event could take longer than an hour.
- **H. Zuckerman** stated that with a Use Review, it would state the parameters that must be met and if they are not, then there would be ramifications and enforcement.
- **C. Gray** said that she believes the added time change in the original motion will help mitigate things. She added that her motion amending the number of events would have helped mitigate events and impacts during the day. She hopes that impacts will be mitigated by a "good neighbor policy" in the future.
- **H. Zuckerman** said that he will vote for the original motion because he believes in the application based on its merits however, he is voting for the time constraint under protest but he would rather vote for the entire application rather than deny it.
- **C. Gray** would like to further recommend to City Council that the staff which worked with Attention Homes and the Whittier Neighborhood representatives possibly assist with a "good neighbor agreement" between CCA and the cottagers.

*****REMAINDER OF DRAFT MINUTES WILL BE INCLUDED AT A LATER DATE*****

- B. AGENDA TITLE:** Public hearing and Planning Board review and comment on a proposal to redevelop the property at 1810 30th Street with an 81,420 square foot hotel with approximately 135 rooms and associated amenity features. The proposal includes a request for an approximately 31.6 percent parking reduction. Case number LUR2018-00063.

Staff Presentation:

C. Ferro introduced the item.

S. Walbert presented the item to the board.

Board Questions:

S. Walbert answered questions from the board.

Applicant Presentation:

Amanda Johnson, with OZ Architecture, presented the item to the board.

Board Questions:

Amanda Johnson, the applicant, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

Key Issue #1: Is the proposed concept plan compatible with the goals, objectives, and recommendations of the Boulder Valley Comprehensive Plan (BVCP)?

Key Issue #2: Is the proposed concept plan consistent with the Boulder Valley Regional Center Design Guidelines?

Key Issue #3: Is the proposed concept plan consistent with the adopted Crossroads East / Sunrise Center Area Plan?

Board Summary:

Since this is a Concept Review, no action is required on behalf of the Planning Board.

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

- A. AGENDA TITLE: Discussion and feedback on an approach to developing a potential shared equity pilot program to help middle-income Boulder workers or residents to purchase a home.

Staff Presentation:

J. Sugnet presented the item to the board.

Board Comments:

- B. AGENDA TITLE: Alpine-Balsam Area Plan: Review and discuss site scenarios to provide direction to staff and inform further analysis; and provide an update on broader area planning work in progress.

Staff Presentation:

J. Gatza and K. Pahoa presented the item to the board.

Board Comments:

Key Issue: Does Planning Board support moving forward with an approach that maintains some flexibility for future uses in the east block (Northeast corner of the site at Broadway and Balsam)?

Key Issue: Does Planning Board support moving forward with the housing approaches for the center and west blocks?

Key Issue: Does Planning Board have feedback on the overall approach for scenario refinement?

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 11:52 p.m.

APPROVED BY

Board Chair

DATE

DRAFT