

DRAFT
CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
July 9, 2009
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

KC Becker
Bill Holicky
Elise Jones
Willa Johnson, Chair
Andrew Shoemaker
Mary Young

PLANNING BOARD MEMBERS ABSENT:

Adrian Sopher

STAFF PRESENT:

David Driskell, Executive Director of Community Planning
David Gehr, Assistant City Attorney
Julie Johnston, Senior Planner
Megan Lawson, Assistant Zoning Administrator
Mary Margaret Little, Planning Associate
Ruth McHeyser, Deputy Director of Community Planning
Susan Richstone, Long Range Planning Manager
Chris Toebe, Project Specialist
Paula Weber, Administrative Specialist III

1. CALL TO ORDER

Chair, **W. Johnson**, declared a quorum at 5:10 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **B. Holicky**, seconded by **E. Jones**, the Planning Board approved (6-0, **A. Sopher** absent) the May 7, 2009 (**A. Shoemaker** and **B. Holicky** absent), May 14, 2009 (**A. Sopher** absent), May 21, 2009 (**W. Johnson** absent), June 4, 2009 (**A. Shoemaker** and **B. Holicky** absent) Planning Board minutes as amended.

3. PUBLIC PARTICIPATION

No one from the public addressed the board

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS

Call-ups: 419 Alpine was not called up.
985 16th Street was not called up.
Floodplain Development Permit (LUR2009-00043) was not called up.

5. ACTION ITEMS

A. Public hearing and consideration of a recommendation to City Council on the Compatible Development project to include an ordinance amending the regulatory language for the Residential - Rural 1 (RR-1), Residential - Rural 2 (RR-2), Residential - Estate (RE), Residential - Low 1 (RL-1), Residential - Low 2 (RL-2), and Residential - Mixed 1 (RMX-1) zone districts.

Staff Presentation

S. Richstone and J. Johnston presented the item to the board.

Tim Plass, Chair of the Landmarks Board, presented the Landmarks board motion to the Planning Board. Landmarks Board voted 4-1 supporting the staff recommendation to adopt the Compatible Development ordinance, the one dissenting vote was on two particular items and are outlined in the language of their motion. Other than the two noted items, the Landmarks Board member was in agreement with the board in terms of the tools selected and their metrics. He said the board was encouraged by how this ordinance would support and complement the preservation program.

Public Hearing

Dr. Payson Sheets, 520 Marine Street spoke in support of maintaining the quality of life in the neighborhoods as a whole and supporting strong regulation in terms of house size. He would like to see an FAR of .25 and a small FAR is important to maintain a quality of life.

Fran Sheets, 520 Marine Street spoke in support of regulations.

Christopher Grasso, 811 9th Street spoke of his fear that this ordinance may promote scrapes because of the older, odder shaped homes. He would like to not have the large monster home built but he would like to have the option of remodeling his home in a reasonable way.

Richard Polk, 1155 Canyon asked the board to consider the consequences of this ordinance.

Kaaren Frame, 1035 Rosehill Drive spoke in opposition to the ordinance. This would be an unlawful taking without due process.

Leonard May, 3016 9th Street (pooled time with Deborah Yin) spoke in support of the ordinance and about virtual floor consideration.

Deborah Yin, 3016 9th Street (pooled time with Leonard May)

Michael Hibner, 2950 Washington Street spoke in support of the staff proposal but should include a virtual floor.

Catherine Schweiger, 628 Maxwell Boulevard spoke in support of staff proposal.

Tim Rohrer, 3440 Ash Avenue spoke to the problem with this ordinance is the building coverage tool. He said staff has set it too small. He said the building coverage should be dropped from the ordinance.

Jane Monson, 721 Iris Avenue spoke in support of the compatible development ordinance.

Libby Brown, 2951 14th Street spoke in support of the recommendations by the planning staff and in support of the ordinance.

Gwen Dooley, 730 Spruce spoke in support of the staff recommendation and encouraged the Planning Board to do the same.

Paul Saporito, 2765 7th Street spoke in opposition to the ordinance.

Mark Gelband, 505 College (pooling time with Joseph Vigil) spoke in opposition to the ordinance and the proposals before the board tonight.

Joseph Vigil, Boulder CO (pooled time with Mark Gelband).

Samuel Austin, 597 Blackhawk Road spoke in opposition to the ordinance and proposals.

Fenno Hoffman, 505 Gevere Avenue spoke in opposition to this ordinance and requested that the board support a redirection.

Ken McDonald, 680 College Avenue spoke in opposition to this ordinance.

Ronda Wallin, 680 College Avenue spoke in opposition to this ordinance.

Warren Hultquist, 1820 Mapleton Avenue spoke in opposition to this ordinance.

Christopher Herr, 1445 Pearl Street spoke in opposition to this ordinance.

Erv Bell, 3498 Iris Court spoke in opposition to this project. Saying there is no clear vision for the goals for planning the city.

Jeff Bennett, 3015 10th Street spoke in support of the ordinance.

Ron Geary, 1742 Garland Lane spoke in support of the recommendations and ordinance.

Ann Foster, 1812 Mapleton spoke in opposition to the ordinance. She feels the proposed FAR is too restrictive.

Steve Welter, 1055 Waite Drive spoke in support of the ordinance.

Rebecca Dickson, 1055 Waite Drive spoke in support staff recommendation.

Jill Lester, 4966 5th Street spoke in opposition to the proposed ordinance. (pooled time with Kathleen Calongne)

Kathleen Calongne, 2431 23rd Street (pooled time with Jill Lester)

Leonard Thomas, 3135 23rd Street spoke in opposition to the ordinance.

Elizabeth Allen, Boulder CO spoke in support of this ordinance.

Peter Birkeland, 3075 5th Street spoke in support of the ordinance.

Jeanette Fielden, 260 South 41st Street spoke in opposition to the ordinance.

Dave Cole, 610 South 46th Street spoke against FAR averaging over multiple lots, he thinks it would have unintended consequences.

Susan Peterson, 350 Quail Circle spoke in support of staff recommendations.

Jonathan Hondrof, 2720 4th Street spoke in opposition to the ordinance.

Tom Wilkie, 3019 Jefferson Street spoke in opposition to the ordinance.

Anne Olsen, 2340 9th Street spoke to the board about vision. Asking the board to make sure they make their vision clear before recommending an ordinance.

Cherie Goff, 3265 Foundry Place spoke in opposition to the ordinance. Her concern was form and bulk and the complexity of the regulations.

Andy MacDondal, 2003 Pine Street spoke in opposition to the ordinance.

Paul Turmala, 3307 4th Street spoke in opposition to the ordinance and would like to FAR to be 0.60.

Harvey Hine, 1701 15th Street #204 spoke in support of beauty and architecture. He does not support the ordinance.

Mark Hartwig, 1470 Chestnut Place spoke in opposition to the recommendations.

Liz Bowes-Spiegel, P. O. Box 420 Boulder, CO spoke in opposition to the ordinance.

Craig Bundy, 745 Jonquil Place spoke in opposition to these regulations.

Liz Payton, 2605 5th Street spoke in support of staff recommendations. She is concerned about the lack of a virtual floor regulation.

Lynn Segal, 538 Dewey spoke in support of staff recommendation and against FAR averaging.

Bruce Dierking, 2595 Canyon Boulevard spoke as the attorney for the grass roots organization "Leave my Home Alone." He spoke in opposition to this ordinance. He asked to board to recommend to City Council that this issue be put on the ballot.

Jyotsna Raj, 863 14th Street spoke in support of the staff recommendation.

Stephen Keenan, 25 38th Street spoke in opposition to staff recommendation.

Courtney Loveman, 505 College Avenue spoke in opposition to the proposal.

Lane Hornung, 1590 Upland Avenue spoke in opposition to the ordinance.

Public Hearing concluded at 9:20 p.m.

Board Discussion

Board summary

Motion

9:42 p.m.

On a motion by **E. Jones**, seconded by **M. Young**, the Planning Board recommended to accept the staff recommendations incorporating the staff memorandum dated July 9, 2009.

The following amendments were made to the main motion:

On a motion by **B. Holicky**, seconded by **W. Johnson** Planning Board recommended (4-2, **M. Young**, **E. Jones** opposed, **A. Sopher** recused) the affected property be confined to the RL-1 zone only; other zone districts be included at the one year review.

On a motion by **B. Holicky**, seconded by **W. Johnson** Planning Board recommended (4-2, **M. Young** and **E. Jones** opposed, **A. Sopher** recused) the building coverage standard should be 35 percent.

On a motion by **E. Jones**, seconded by **M. Young** Planning Board recommended (2-4, **B. Holicky**, **W. Johnson**, **K. Becker**, and **A. Shoemaker** opposed, **A. Sopher** recused) accepting the staff recommendation of an FAR of 0.45.

On a motion by **W. Johnson**, seconded by **A. Shoemaker**, Planning Board recommended (4-2, **K. Becker** and **M. Young** opposed, **A. Sopher** recused) a 0.50 FAR.

On a motion by **B. Holicky**, seconded by **E. Jones**, Planning Board recommended (3-3, **K. Becker**, **W. Johnson**, and **M. Young** opposed, **A. Sopher** recused) introducing a 2nd floor rear yard setback to limit the length of 2nd floor walls.

On a motion by **E. Jones**, seconded by **M. Young**, Planning Board recommend reducing the height from 35' to 30' (2-4, **B. Holicky**, **W. Johnson**, **K. Becker**, and **A. Shoemaker** opposed, **A. Sopher** recused)

On a motion by **E. Jones**, seconded by **M. Young** Planning Board recommends(2-4, **B. Holicky**, **W. Johnson**, **K. Becker**, and **A. Shoemaker** opposed, **A. Sopher** recused) including some virtual floor limitations and regulations above a certain height.

On a motion by **E. Jones**, seconded by **M. Young** Planning Board recommended striking FAR averaging, motion withdrawn.

On a motion by **M. Young**, seconded by **E. Jones**, Planning Board recommended (2-4, **B. Holicky**, **W. Johnson**, **K. Becker**, and **A. Shoemaker** opposed, **A. Sopher** recused) to strike FAR averaging.

On a motion by **E. Jones**, seconded by **W. Johnson** Planning Board recommended (6-0, **A. Sopher** recused) exempting FAR of contributing historic accessory structures in a historic district or a landmarked home.

On a motion by **M. Young**, seconded by **E. Jones** Planning Board recommended (4-2, **W. Johnson** and **K. Becker** opposed, **A. Sopher** recused) wall length articulation standards as included in the staff memorandum.

On a motion by **B. Holicky**, seconded by **A. Shoemaker** Planning Board recommended (6-0, **A. Sopher** recused) moved to exempt 150 square feet of ground floor covered porch not within the front yard from building coverage.

On a motion by **E. Jones**, seconded by **K. Becker** Planning Board recommended (3-3, **A. Shoemaker**, **W. Johnson**, and **B. Holicky** opposed, **A. Sopher** recused) the compatible development regulations apply to single family residential development approved in public zone.

The board voted on the following main motion and amendments:

On a motion by **E. Jones**, seconded by **M. Young**, Planning Board recommended (3-3, **B. Holicky**, **M. Young**, and **K. Becker** opposed) to accept the staff recommendations modified to be the RL-1 Zone only for the full year with the other zones reviewed in a year, 35 percent would be the building coverage number, 0.50 would be the FAR number, historic structures would be exempt, include a wall articulation standard, exempt 150 square feet of ground floor covered porch not within the front yard from building coverage.

On a motion by **B. Holicky** moved to reconsider, **W. Johnson** seconded (4-2 **M. Young**, **K. Becker** opposed, **A. Sopher** recused)

On a motion by **E. Jones**, seconded by **M. Young**, Planning Board recommended (4-2, **M. Young**, and **K. Becker** opposed) to accept the staff recommendations modified to be the RL-1 Zone only for the full year with the other zones reviewed in a year, 35 percent would be the building coverage number, 0.50 would be the FAR number, historic structures would be exempt, include a wall articulation standard, exempt 150 square feet of ground floor covered porch not within the front yard from building coverage

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

W. Johnson asked for someone from the board to volunteer to be the liason for City Council for the Junior Academy item on July 21, 2009.

Board members suggested that **A. Sopher** be asked to attend the Junior Academy.

W. Johnson asked the board to be focused on the CIP program.

7. DEBRIEF/AGENDA CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 12:35 p.m.

APPROVED BY

Board Chair

DATE

DRAFT