

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**January 23, 2020**  
**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  
David Ensign  
John Gerstle  
Lupita Montoya  
Sarah Silver  
Peter Vitale  
Harmon Zuckerman

**PLANNING BOARD MEMBERS ABSENT:**

None

**STAFF PRESENT:**

Hella Pannewig, Assistant City Attorney  
Cindy Spence, Administrative Specialist III  
Chris Meschuk, Interim Planning Director / Assistant City Manager

**1. CALL TO ORDER**

Chair, **B. Bowen**, declared a quorum at 6:03 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

On a motion by **D. Ensign** and seconded by **H. Zuckerman** the Planning Board voted 7-0 to approve the November 21, 2019 and December 5, 2019 minutes as amended.

**3. PUBLIC PARTICIPATION**

No one spoke.

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

No items to discuss

**5. PUBLIC HEARING ITEMS**

**A. AGENDA TITLE:** Public hearing and consideration of a recommendation to city council regarding amendments to the medium density overlay zone.

**Staff Presentation:**

**C. Meschuk** presented the item to the board.

### **Board Questions:**

**C. Meschuk** answered questions from the board.

### **Public Hearing:**

- 1) **Lisa Spalding**, representing the University Hill Neighborhood Association, spoke in opposition of the eliminating the Overlay Zone, tabling the item, and proposed an amendment to the Overlay Zone that would allow flexibility to the developer to build a triplex on the parcel in question and in exchange the third unit would be permanently affordable. She also proposed that the three other properties meet the same requirement if they choose to build. She suggested the cash-in-lieu for the affordable unit could be invested in affordable housing for the neighborhood.

### **Board Comments:**

- **D. Ensign** said he could not understand the sense of urgency surrounding the Overlay Zone when it was passed back in 1995 and he was leaning toward eliminating it. He said that it does not currently make a huge impact. He said the proposal by the Neighborhood Association would create a lot of work and overlay to apply to one property and questioned if it would be fair. It could create more complexity. The *RM-2* zone appears to be the correct zoning and will be minimal in terms of neighborhood character.
- **P. Vitale** said that while he feels for how the student housing issue is being handled, eliminating the Overlay Zone would create more clarity. He would be in favor.
- **S. Silver** said she supports how the Neighborhood Association wants to work with city, but she was not sure if their proposal would be possible to apply to only one or four parcel owners. She clarified that no design guidelines for this neighborhood have ever transpired. Generally, she was supportive to eliminate the Overlay Zone.
- **B. Bowen** said that any complexity within the Code which does not yield a result which is needed should go away. The concerns of the Neighborhood Association should be addressed however he said they should not be tied to this item and they may need to go to the state in order to address any rent control issues. He would be in support of eliminating the Overlay Zone.
- **H. Zuckerman** agreed and was in support. He said the language was clear to approve as is.
- **L. Montoya** agreed. She said that less complexity would be better but would like to find a way for the Neighborhood Association to move forward and to have afford housing in this area.
- **J. Gerstle** said the original objective of the Overlay Zone has not been met which were to put in place architectural guidelines that would ensure preservation of neighborhood character. If the Overlay were eliminated, then we would not be satisfying that intention from 1995. He said he would like to simplify the Code; however, it would seem premature to eliminate the Overlay Zone if the objective were not met. He liked the Neighborhood Association's suggestion. He encouraged staff to investigate the Neighborhood Association's suggestion and come up with a proposal for affordable housing in the area. He would not support eliminating the Overlay Zone.
- **P. Vitale** said that now there is a need for more housing types. While we may not know what was happening when the Overlay Zone was put in place in 1995, currently we know what the reality is. By removing the Overlay Zone, it could provide a few more homes now. The student housing issue is a bigger conversation.
- **J. Gerstle** disputed that the housing has been a big topic for 45-50 years, not just today.
- **D. Ensign** said that while we do have college students living in the city, perhaps it is not a zoning issue and the university is a great asset to the city.

- **H. Zuckerman** said that the past City Councils did not pass or put any weight on passing design guidelines for this area.
- **L. Montoya** said the original intent of the Overlay Zone does not apply any more. The original improvements are minimal.

**Motion:**

On a motion by **H. Zuckerman** seconded by **B. Bowen** the Planning Board voted 6-1 (**J. Gerstle** opposed) to recommend to city council elimination of the medium density overlay zone from the University Hill area.

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

- A.** City Council proposed moving their meetings from Tuesdays to Thursdays

**Staff Comments:**

- **C. Meschuk** informed the board this proposal will not be moving forward. Planning board meetings will remain on Thursday evenings.

- B.** Benefits for Boards and Commission Members

**Staff Comments:**

- **C. Meschuk** polled the board members if they would prefer to continue to receive an ECO pass, if they would prefer to receive a pass to the Recreation Center, or an option to choose.

- C.** Gender Workshop & Training for Planning Board

**Staff Comments:**

- **C. Meschuk** informed the board that a vendor has been found. Staff will set up a date shortly.

**7. DEBRIEF MEETING/CALENDAR CHECK**

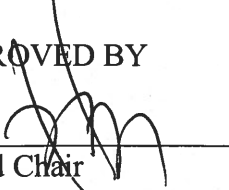
**8. ADJOURNMENT**

The Planning Board adjourned the meeting at 7:27 p.m.

APPROVED BY

Board Chair

DATE



7.6.20