



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION AGENDA

**September 16, 2015**  
**Afternoon Session – 2:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC MEETING**

#### **AFTERNOON SESSION – 2:30 P.M.**

- 1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **July 15, 2015** Planning Commission Minutes.
- 2. STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken

*Note for the Record:*

**Docket BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Joint Study Session with City Planning Board**

The Planning Commission will be holding its third joint study session with the city's Planning Board on the BVCP 2105 Update **September 17, 2015** at the West Senior Center, **909 Arapahoe** (the northeast corner of the Arapahoe/ 9<sup>th</sup> Street intersection) **starting at 5:30 PM**. Discussion will include foundations work (i.e., the Trends Report, projections, fact sheets, and initial 3D mapping), focus topics, the ongoing BVCP Land Use and Policy Change Request process, an update about the August 31st Community Conversation and Kickoff at Chautauqua, and other community feedback from the months of August and September. The joint meeting also provides an opportunity for the two boards to converse together in the mid stages of the 2015 update before beginning the analysis phase of the plan update. The public is welcome to attend, however no public comment will be taken at the meeting.

Docket Webpage: [www.bouldercounty.org/property/build/pages/lubvcp150001.aspx](http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx)

- 3. Docket SU-15-0002: UNITED POWER Vehicle Storage Facility SU/SSDP**  
Request: Special Use Review for a 9,933sq.ft. quasi-public facility to be utilized for vehicle storage by United Power.  
Location: At 5 Gross Dam Road, approximately at the intersection of Coal Creek Canyon Drive, Gross Dam Road, and Crescent Lake Road, in Section 32, T1S, R71W.  
Zoning: Forestry (F) Zoning District  
Applicant: Ken McFadden, United Power  
Agent: Brian Unger, Short and Brennan Architects  
*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken  
(Staff Planner: Michelle Hoshide)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1034](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1034)

**4. Docket V-15-0003: 2975 3RD STREET LLC Vacation**

Request: Request to vacate the 60-foot wide right-of-way known as Dellwood Avenue, north of the subject parcel and the 20 foot alley right-of-way just west of the subject parcel.

Location: At 2975 3<sup>rd</sup> Street, Lots 1-3 and N 15ft of Lot 4, block 51 Newlands, located immediately southwest of the intersection of 3rd St. and Dellwood Avenue, in Section 25, T1N, R71W.

Zoning: Forestry (F) and Rural Residential (RR) Zoning Districts

Applicant: Justin Havlick, 2975 3<sup>rd</sup> Street LLC

Agent: Ed Byrne

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken

(Staff Planner: Michelle Hoshide)

Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1047](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1047)

**ADJOURNED**

**Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountygov.org/lu](http://www.bouldercountygov.org/lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.**



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## BOULDER COUNTY PLANNING COMMISSION AGENDA **REVISED**

September 16, 2015  
Afternoon Session – 2:30 P.M.

Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

### PUBLIC MEETING

#### AFTERNOON SESSION – 2:30 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**

Approval of the July 15, 2015 Planning Commission Minutes.

**NOMINATION OF OFFICERS**

Second Vice-Chair

2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**

Informational Item - Public Testimony Will Not Be Taken

*Note for the Record:*

**Docket BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Joint Study Session with City Planning Board**

The Planning Commission will be holding its third joint study session with the city's Planning Board on the BVCP 2105 Update September 17, 2015 at the West Senior Center, 909 Arapahoe (the northeast corner of the Arapahoe/ 9<sup>th</sup> Street intersection) starting at 5:30 PM. The purpose of the joint study session on September 17, 2015 is to provide an update to the City Planning Board and County Planning Commission on the Boulder Valley Comprehensive Plan (BVCP) work to date and receive feedback on the foundations work (i.e., Trends Report, baseline data, projections, fact sheets, and mapping); the Land Use Request process; the August 31st Community Conversation and Kickoff at Chautauqua; the revised focused topics for the plan update; and next steps. The joint meeting also provides an opportunity for the two boards to converse together about the BVCP update.

The public is welcome to attend, however no public comment will be taken at the meeting.

Docket Webpage: [www.bouldercounty.org/property/build/pages/lubvcp150001.aspx](http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx)

3. **Docket SU-15-0002: UNITED POWER Vehicle Storage Facility SU/SSDP**

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Agent: Brian Unger, Short and Brennan Architects

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken

(Staff Planner: Michelle Hoshide)

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Public testimony will be taken

(Staff Planner: Michelle Hoshide)

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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: September 16, 2015  
TIME: 2:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

### AFTERNOON SESSION – 2:30 P.M.

#### **Docket SU-15-0002: UNITED POWER Vehicle Storage Facility SU/SSDP**

Special Use Review for a 9,933sq.ft. quasi-public facility to be utilized for vehicle storage by United Power, by Ken McFadden, United Power, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 5 Gross Dam Road, approximately at the intersection of Coal Creek Canyon Drive, Gross Dam Road, and Crescent Lake Road, in Section 32, T1S, R71W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### **Docket V-15-0003: 2975 3RD STREET LLC Vacation**

Request to vacate the 60-foot wide right-of-way known as Dellwood Avenue, north of the subject parcel and the 20 foot alley right-of-way just west of the subject parcel, by Justin Havlick, 2975 3<sup>rd</sup> Street LLC, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) and Rural Residential (RR) Zoning Districts, at 2975 3rd Street, Lots 1-3 and N 15ft of Lot 4, block 51 Newlands, located immediately southwest of the intersection of 3rd St. and Dellwood Avenue, in Section 25, T1N, R71W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

**PC Public Notice**  
**September 16, 2015**  
**Page - 2 -**

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: September 2, 2015-- Daily Times-Call

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# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

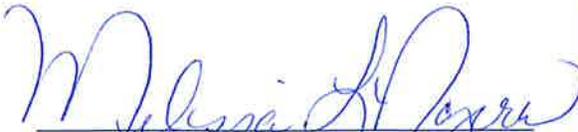
State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **September 2, 2015**.

  
Agent

Subscribed and sworn to before me this 3rd day of **September, 2015** in the County of Boulder, State of Colorado.

  
Notary Public

Account #220246  
Ad #5655017  
Fee \$30.83

MELISSA L NAJERA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20064049936  
MY COMMISSION EXPIRES DEC. 11, 2018

### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: September 16, 2015  
TIME: 2:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room,  
Third Floor,  
Boulder County Courthouse, 1325  
Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 2:30 P.M.

##### Docket SU-15-0002: UNITED POWER Vehicle Storage Facility SU/SSDP

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##### Docket V-15-0003: 2975 3RD STREET LLC Vacation

Request to vacate the 60-foot wide right-of-way known as Dellwood Avenue, north of the subject parcel and the 20 foot alley right-of-way just west of the subject parcel, by Justin Havlick, 2975 3rd Street LLC, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) and Rural Residential (RR) Zoning Districts, at 2975 3rd Street, Lots 1-3 and N 15ft of Lot 4, block 51 Newlands, located immediately southwest of the intersection of 3rd St. and Dellwood Avenue, in Section 25, T1N, R71W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call  
September 2, 2015-5655017



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**BOULDER COUNTY PLANNING COMMISSION**

**MINUTES**  
**September 16, 2015**

**AFTERNOON SESSION – 2:30 PM**

**Hearing Room, Third Floor,  
County Courthouse, Boulder**

*{Approved on October 21, 2015}*

2

**PUBLIC HEARING**

**AFTERNOON SESSION – 2:30 PM**

4

6 On Wednesday, September 16, 2015, the Boulder County Planning Commission held a regular afternoon session, convening at 2:31 p.m. and adjourning at 4:47 p.m.

8

8 Commissioners Present: Doug Young (Chair), Michael Baker, Dan Cohen, Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, Leah Martinsson, and Pat Shanks.

10

10 Commissioners Excused: Ben Blaugrund

12

12 Staff Present: Dale Case (Land Use Director), Steven Giang, Rick Hackett, Michelle Hoshide, Meredith Lanning, Kathy Parker, Kim Sanchez, Abby Shannon, and Ron West.

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16

16 Others: 10-15

**MINUTES/MISCELLANEOUS BUSINESS**

18

18 Commissioner Young announced that this would be Commissioner Cohen’s last meeting as a Planning Commission member. Commissioner Young thanked Commissioner Cohen for his service.

20

22

22 Kim Sanchez, Chief Planner, thanked Commissioner Cohen for his service and contributions to the Planning Commission.

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**MOTION: Dan Cohen MOVED that the Boulder County Planning Commission APPROVE the Minutes from July 15, 2015 as written.**

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**SECOND: Pat Shanks**

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**VOTE: Motion PASSED {5 to 0}**  
(Abstained: Natalie Feinberg-Lopez and Leah Martinsson)

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**CONDITIONS OF APPROVAL**

1. The Applicant shall provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
2. The Applicant is subject to all applicable County Building Division requirements for a building permit.
3. *Prior to the foundation form inspection*, the setback survey must be completed by a licensed surveyor for the western property line and submitted to the Land Use Department.
4. *Prior to issuance of building permits*, submit to the Land Use Department for review and approval, three sets of samples (color chips, brochure, or catalog page) of all exterior colors to be used including roof, siding and trim.
5. *Prior to issuance of any permits or removal of any trees*, please submit a wildfire mitigation plan shall be submitted.
6. *Prior to issuance of building permits*, one copy of a lighting cut sheet (manufacturer's specifications with picture or diagram) of all proposed fixtures must be submitted to the Land Use Department for review and approval.
7. *Prior to the issuance of building permits*, a deconstruction permit shall be issued for the existing 3,274 sq. ft. utility building.
8. *Prior to issuance of building or grading permits*, a detailed grading and erosion control plan stamped and signed by a Colorado licensed professional engineer must be submitted to and approved by the Land Use and Transportation Departments.
9. *As part of the development agreement*, submit to the Land Use Department for review and approval one copy of the proposed Revegetation Plan and Tree Preservation Plan. The approved plan shall be included as an exhibit in the development agreement.
10. The design of the fence shall be reviewed and approved by staff prior to recordation of a development agreement and shall be included as an exhibit in the development agreement. The fence shall be fully installed prior to issuance of a certificate of occupancy for the new building.
11. *Prior to the issuance of any building permit*, the comments made by the Boulder County Transportation division dated August 5, 2015 and the comments received from CDOT dated August 5, 2015 shall be complied with.
12. The Applicant shall be subject to the terms, conditions and commitments of record and in the file for Docket SU-15-0002: United Power Vehicle Storage Facility SU/SSDP.

**VOTE: Motion PASSED Unanimously {8 to 0}**

**Docket V-15-0003: 2975 3RD STREET LLC Vacation**

126 Michelle Hoshide, Planner II, presented the application for Justin Havlick, 2975 3<sup>rd</sup> Street LLC, for  
128 a request to vacate the 60-foot wide right-of-way known as Dellwood Avenue, north of the subject  
130 parcel and the 20 foot alley right-of-way just west of the subject parcel. The proposed project is  
132 located in the Forestry (F) and Rural Residential (RR) Zoning Districts, at 2975 3<sup>rd</sup> Street, Lots 1-3  
and N 15ft of Lot 4, block 51 Newlands, located immediately southwest of the intersection of 3rd  
St. and Dellwood Avenue, in Section 25, T1N, R71W. Staff recommended CONDITIONAL  
APPROVAL as outlined in the staff recommendation, dated September 16, 2015.

134 **SPEAKERS:** Ed Byrne – 250 Arapahoe Ave.

136 **PUBLIC HEARING OPENED**

138 **SPEAKERS:** Steve Gaede – 3023 4<sup>th</sup> Street; Roe Willis – 3000 4<sup>th</sup> Street; Charles Stanzion – 3005  
140 4<sup>th</sup> Street; Perrin Dake – 3015 3<sup>rd</sup> Street; Tom Moore – 2830 5<sup>th</sup> Street; Cathy Conery  
- 3203 3<sup>rd</sup> Street; Diane Merker - 2727 4<sup>th</sup> Street.

142 **PUBLIC HEARING CLOSED**

144 **MOTION 1:** Doug Young MOVED that the Boulder County Planning Commission  
146 Approve and recommend that the Board of County Commissioners  
Approve Docket V-15-0003: 2975 3RD STREET LLC Vacation, subject  
148 to the four (4) conditions listed in the staff recommendation.

Motion 1 failed for lack of a Second.

150 **MOTION 2:** Dan Hilton MOVED that the Boulder County Planning Commission  
152 recommend DENIAL and recommend that the Board of County  
154 Commissioners DENY DOCKET V-15-0003: 2975 3RD STREET LLC  
Vacation.

156 **SECOND:** Natalie Feinberg-Lopez

158 **VOTE on the MOTION:**

160	<u>AYE</u>	<u>NAY</u>
162	Lieschen Gargano	Pat Shanks
	Natalie Feinberg-Lopez	Doug Young
164	Dan Cohen	Leah Martinsson
	Dan Hilton	
	Michael Baker	

166 Motion PASSED {5 to 3}  
168

**ADJOURNED**

170

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*