



# Land Use

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

## MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, COLORADO

WEDNESDAY, NOVEMBER 20, 2019 AT 1:30 P.M.

MEETINGS ARE HELD IN THE THIRD FLOOR HEARING ROOM, COUNTY COURTHOUSE  
1325 PEARL STREET, BOULDER, COLORADO

This agenda is subject to change. Please call ahead to confirm an item of interest (303-441-3930). Public comments are taken at meetings designated as Public Hearings. For special assistance, contact our ADA Coordinator (303-441-3525) at least 48 hours in advance.

To access the video streams for all Planning Commission meetings, please go to  
<http://bouldercountyco.igm2.com>

### Call to Order

### Roll Call

### Approval of Minutes/Miscellaneous Business

Approval of Meeting Minutes from October 16, 2019.

### Staff Updates

### Items

1. **Adoption of Planning Commission Resolution for Dockets BCCP-18-0004 & BCCP-18-0005: Boulder County Comprehensive Plan Housing and Economics Elements**  
**Public Meeting**

*Action Requested: Adoption*

No public testimony will be taken

Staff Planner(s): Nicole Wobus, Christy Wiseman

2. **Docket SU-19-0001: Denver Water Multipurpose Communications Tower (Tabled from October 16, 2019)**  
**Public Hearing**

Request:	Denver Water proposes installing a new multipurpose communications tower to provide greater bandwidth and improve service coverage at the Gross Dam facility.
Location:	4121 Gross Dam Road, approximately .5 miles south of the intersection with Flagstaff Rd., in Section 19, Township 1S, Range 71W.
Zoning:	Forestry (F) Zoning District
Applicant/Property Owner:	City & County of Denver, Denver Water Board
Agents:	Joe Kramer, Pericle Communications Co. & Ashley Christensen, Charles Steckly Architecture

*Action Requested: Recommendation to BOCC*

Public testimony will be taken

Staff Planner(s): Marc Ambrosi

3. **Docket V-18-0007/SU-18-0020: Gold Lake Ventures LLC**

Deb Gardner County Commissioner

Elise Jones County Commissioner

Matt Jones County Commissioner

## **Public Hearing**

Request: Request to vacate and relocate a portion of County Road 102J on an approximately 90-acre parcel, and a Special Use Review and Site Specific Development Plan to modify specifics related to approved special events, construct new structures, remodel historic structures, and deconstruct existing structures on an approximately 90-acre parcel, located at 3371 Gold Lake Road.

Location: 3371 Gold Lake Road, on the north and south side of Gold Lake Road, approximately 2.60 miles from its intersection with CR 100, in Section 33, Township 2N, Range 72W

Zoning: Forestry

Applicant/Property Owner: Gold Lake Ventures LLC

Agent: Bob Dalton, Colorado Landmark Realtors, and Jim Scott, New Beginning Builders

*Action Requested: Recommendation to BOCC*

Public testimony will be taken

Staff Planner(s): Summer Frederick

### **4. Docket SU-16-0004: East Side Art Institute**

#### **Public Hearing**

Request: Special Review and Site Specific Development Plan for an Educational Facility with 14,488 square feet of structures on an approximately 14.25-acre parcel located at 10500 Isabelle Road.

Location: 10500 Isabelle Road, approximately 1,600 feet west of the intersection of Hwy 287 and Isabelle Rd., in Section 22, Township 1N, Range 69W.

Zoning: Agricultural

Property Owner: Isabelle Estates, Inc.

Applicant: Nancy Utterback, East Side Art Institute

*Action Requested: Recommendation to BOCC*

Public testimony will be taken

Staff Planner(s): Summer Frederick

### **5. Follow-up to PC/BOCC Joint Study Session on Telecom (on October 15, 2019)**

#### **Public Meeting**

*Action Requested: None, Information item only*

No public testimony will be taken

Staff Planner(s): Kathy Sandoval, Nicole Wobus

### **6. Docket Z-19-0001: Zoning Map Amendments to the Floodplain Overlay District**

#### **Public Hearing**

Comprehensive zoning map amendments for the Floodplain Overlay District, specifically the Boulder County Floodplain and Floodway, based upon floodplain remapping of the Colorado Hazard Mapping Project, Federal Emergency Management Agency Risk MAP and other best available data.

*Action Requested: Recommendation to BOCC*

Public testimony will be taken

Staff Planner(s): Kelly Watson, Varda Blum

## **Adjournment**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercounty.org/lu](http://www.bouldercounty.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 pages approximately one week prior to the hearing.



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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: November 20, 2019  
TIME: 1:30 P.M.  
PLACE: Commissioners' Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street, Boulder, CO

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 hearings and aid the Commission members in their consideration.

### **Adoption of Planning Commission Resolution for Dockets BCCP-18-0004 & BCCP-18-0005: Boulder County Comprehensive Plan Housing and Economics Elements**

#### **Docket SU-19-0001: Denver Water Multipurpose Communications Tower (Tabled from October 16, 2019 Planning Commission)**

Denver Water proposes installing a new multipurpose communications tower to provide greater bandwidth and improve service coverage at the Gross Dam facility. The application is submitted by the City & County of Denver & Denver Water Board. The proposed location is in the Forestry (F) Zoning District at 4121 Gross Dam Road, approximately .5 miles south of the intersection with Flagstaff Rd., in Section 19, Township 1S, Range 71W.

#### **Docket V-18-0007/SU-18-0020: Gold Lake Ventures LLC**

Request to vacate and relocate a portion of County Road 102J on an approximately 90-acre parcel, and a Special Use Review and Site Specific Development Plan to modify specifics related to approved special events, construct new structures, remodel historic structures, and deconstruct existing structures on an approximately 90-acre parcel, located at 3371 Gold Lake Road. The applications are submitted by Gold Lake Ventures LLC. The subject property is in the Forestry zoning district, at 3371 Gold Lake Road, on the north and south side of Gold Lake Road, approximately 2.60 miles from its intersection with CR 100, in Section 33, Township 2N, Range 72W.

#### **Docket SU-16-0004: East Side Art Institute**

Special Review and Site Specific Development Plan for an Educational Facility with 14,488 square feet of structures on an approximately 14.25-acre parcel located at 10500 Isabelle Road. The application is submitted by Isabelle Estates, Inc. and Nancy Utterback, East Side Art Institute. The subject property is in the Agricultural zoning district, at 10500 Isabelle Road, approximately 1,600 feet west of the intersection of Hwy 287 and Isabelle Rd., in Section 22, Township 1N, Range 69W.

#### **Follow-up to PC/BOCC Joint Study Session on Telecom (on October 15, 2019)**

#### **Docket Z-19-0001: Zoning Map Amendments to the Floodplain Overlay District**

Comprehensive zoning map amendments for the Floodplain Overlay District, specifically the Boulder County Floodplain and Floodway, based upon floodplain remapping of the Colorado Hazard Mapping Project, Federal Emergency Management Agency Risk MAP and other best available data.

Detailed information regarding this item is available for public examination at the Boulder County Land Use website at [www.bouldercounty.org/lu](http://www.bouldercounty.org/lu) 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 meeting 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.

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Published: November 6, 2019-- Daily Times-Call

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BOULDER COUNTY, COLORADO  
PLANNING COMMISSION

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Published: Longmont Times Call November 6, 2019--1655060

Prairie Mountain Media, LLC

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County of Boulder  
State of Colorado

The undersigned, JD Geddes, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Nov 6, 2019

Signature

Subscribed and sworn to me before me this

6th day of November, 2019.

Notary Public

(SEAL)

SHAYLA NAJERA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20174031965  
MY COMMISSION EXPIRES JULY 31, 2021

Account: 1050753  
Ad Number: 1655060  
Fee: \$74.24



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## MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, WEDNESDAY, NOVEMBER 20, 2019 {Approved December 18, 2019}

The Planning Commission of Boulder County held a regular afternoon session in the Board of County Commissioners' Hearing Room, Third Floor, Courthouse, Boulder Colorado, on Wednesday, November 20, 2019.

### Call to Order

The meeting was called to order at 1:30 p.m. by Vice-Chair Ann Goldfarb.

### Roll Call

Members Present: Vice-Chair Ann Goldfarb  
Mark Bloomfield  
Sam Fitch  
Second Vice-Chair Sam Libby  
Melanie Nieske  
Todd Quigley

Members Excused: Daniel Hilton  
Gavin McMillan  
Lieschen Gargano Chair

### Approval of Minutes/Miscellaneous Business

Approval of Meeting Minutes from October 16, 2019.

**MOTION: Mark Bloomfield MOVED that the Boulder County Planning Commission APPROVE the minutes from the October 16, 2019 meeting.**

**SECOND: Sam Fitch**

**VOTE: Motion PASSED {6:0}**

### Staff Updates

None.

### Items

1. **Adoption of Planning Commission Resolution for Dockets BCCP-18-0004 & BCCP-18-0005: Boulder County Comprehensive Plan Housing and Economics Elements**  
**Public Meeting**

Christy Wiseman, Long Range Planner, presented the proposed approval of the Planning Commission Resolution for Dockets BCCP-18-0004 & BCCP-18-0005, Resolution PC-2019-02.

**MOTION: Sam Libby MOVED that the Boulder County Planning Commission APPROVE Planning Commission Resolution PC-2019-02, and authorize Director Dale Case to sign the Resolution.**

**SECOND: Mark Bloomfield**

**VOTE: Motion PASSED {6:0}**

**2. Docket SU-19-0001: Denver Water Multipurpose Communications Tower (Tabled from October 16, 2019)**

**Public Hearing**

Summer Frederick, Principal Planner, presented the application for Docket SU-19-0001 (tabled from the October 16, 2019 hearing). The application is submitted by the City & County of Denver, Denver Water Board, Joe Kramer, Pericle Communications Co. & Ashley Christensen, Charles Steckly Architecture, and includes a proposal to install a new multipurpose communications tower to provide greater bandwidth and improve service coverage at the Gross Dam facility. The proposed tower would be located in the Forestry Zoning District, at 4121 Gross Dam Road, approximately .5 miles south of the intersection with Flagstaff Rd., in Section 19, Township 1S, Range 71W.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Michael Whited - 6148 Fourmile Canyon Drive; Applicants Doug Raitt - Denver Water and Joe Kramer - Pericle Communications.

**PUBLIC HEARING CLOSED**

**MOTION:** Melanie Nieske **MOVED** that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend to the Board of County Commissioners **CONDITIONAL APPROVAL** of Docket SU-19-0001: Denver Water Multipurpose Communications Tower (Tabled from October 16, 2019) subject to the following conditions listed in the Staff Report.

**SECOND:** Sam Fitch

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 grading and building permits.
3. In accordance with the applicant's commitment of record, the applicant shall reasonably accommodate colocation requests for future use of the approved facility. Any such requests that substantially modify this approval shall require an amendment to this Special Use Review.
4. The telecommunications tower is approved at a maximum height of 100 feet above existing grade.
5. At the time of permit application submittal, designs for a stealth, pine-style tower shall be submitted for review and approval by Land Use staff.
6. At the time of permit application submittal, designs for retaining walls over 4 feet tall, as measured from the bottom of the footer to the top of the wall, shall be signed and sealed by a Professional Engineer licensed in the state of Colorado. Calculations shall be submitted for all retaining wall heights over 6 feet in height.
7. At the time of permit application submittal, stamped grading plans completed by a Colorado licensed engineer must be submitted and approved.
8. Prior to any grading or site disturbance, silt barrier must be installed in the locations shown on approved plans.
9. Prior to issuance of a building permit, color samples for the tower and the screening fence shall be submitted to the Land Use Department for review and approval.
10. At building permit application, the applicant shall submit a revegetation plan for disturbed areas associated with the project.
11. Prior to final inspection, areas disturbed during construction shall be revegetated and otherwise returned to its pre-construction condition.
12. At building permit application, if updated site plans and grading plan indicate the site disturbance will be 1 acre or more, the applicant shall submit a Stormwater Quality Permit



Application.

13. At building permit review, the Transportation Department will issue an access permit for the driveway and an Access Management Improvement and Maintenance Agreement.

14. The Applicant shall be subject to the terms, conditions and commitments of record and in the file for Docket SU-19-0001: DENVER WATER MULTIPURPOSE COMMUNICATIONS TOWER.

**VOTE:Motion PASSED {6:0}**

**3. Docket V-18-0007/SU-18-0020: Gold Lake Ventures LLC  
Public Hearing**

Summer Frederick, Principal Planner, first presented a request to vacate and relocate a portion of County Road 102J on an approximately 90-acre parcel. She then presented the request for a Special Use Review and Site Specific Development Plan to modify specifics related to approved special events, construct new structures, remodel historic structures, and deconstruct existing structures on an approximately 90-acre parcel. The applications are submitted by Gold Lake Ventures LLC. The subject property for both applications is in the Forestry zoning district, at 3371 Gold Lake Road, on the north and south side of Gold Lake Road, approximately 2.60 miles from its intersection with CR 100, in Section 33, Township 2N, Range 72W.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Bob Dalton - applicant; Bill Menkel - ERO Resources, Natural Resource Planner; David Brand - 3945 Promontory Court; Carla Johnson (pooling time with Barry Lewis - 955 10th Street and John Steiner - 3286 Plateau Road); Hans Von Mende - 1565 Race Street; Margo King - 3286 Plateau Road.

**PUBLIC HEARING CLOSED**

**MOTION:Sam Libby MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of Docket V-18-0007: Gold Lake Ventures LLC subject to the 6 conditions included in the Staff Report, with the addition of the clarification presented in staff's presentation today on condition 6 to extend the post-approval window to 1 year.**

**SECOND:Mark Bloomfield**

1. A deed to Boulder County with a legal description that accurately describes the new alignment of CR 102J shall be submitted for review and approval. The deed shall include language specifying that the property owner is responsible for maintaining the realigned CR 102J right-of-way as legally described in the required deed, as well as the public parking lot associated with the realigned CR 102J right-of-way.

2. Prior to recordation of new deed and Resolution, the applicant shall submit revised plans for review and approval that includes dimensions and details showing the realigned CR 102J complies with the Boulder County Multimodal Transportation Standards.

3. Prior to recordation of new deed and Resolution, the applicant shall submit a detailed Parking Plan for review and approval. The Plan shall show delineated parking spaces compliant with ADA parking requirements and the Boulder County Multimodal Transportation Standards.

4. Prior to recordation of new deed and Resolution, the applicant shall submit a plan for review and approval specifying how the vacated right-of-way is to be decommissioned and the land restored.

5. Permit application materials shall include plans for permanent signage to be posted at new public parking area indicating that the realigned CR 102J right-of-way is open to public, nonmotorized access at all times.

6. The applicant shall meet all the post-approval requirements within one year of the date of the Board of County Commissioners' Resolution approving this vacation. This Resolution and



associated documents shall also be recorded by Land Use Staff with the County Clerk and Recorder's Office within this one-year timeframe. This vacation approval shall not be considered final or effective until this recordation. Finally, this vacation approval shall expire if recordation does not occur within the required one-year timeframe (unless an extension is granted).

**VOTE: Motion PASSED {6:0}**

**MOTION:Sam Libby MOVED to TABLE INDEFINITELY Docket SU-18-0020: Gold Lake Ventures LLC with the direction to staff to work further with the applicant on the issues discussed during this meeting, at length, specifically around the 75 foot development limitation and the changes to the application that were made since the September version we were provided.**

**SECOND:Sam Fitch**

**VOTE:Motion PASSED {6:0}**

**4. Docket SU-16-0004: East Side Art Institute  
Public Hearing**

***\*\*At approximately 4:17 p.m., the Planning Commission took a brief break.***

***They resumed at approximately 4:25 p.m.\*\****

Summer Frederick, AICP, Principal Planner, presented the application for Nancy Utterback, East Side Art Institute, and Isabelle Estates Inc., a Special Review and Site-Specific Development Plan for an Educational Facility with 14,488 square feet of structures on an approximately 14.25-acre parcel located at 10500 Isabelle Road. The subject property is in the Agricultural zoning district, at 10500 Isabelle Road, approximately 1,600 feet west of the intersection of Hwy 287 and Isabelle Rd., in Section 22, Township 1N, Range 69W.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Applicants - Jordan Crawford and Dominique Gettliffe -3014 Bluff Street, Nancy Utterback - P.O. Box 44; Carol Jennings - 13393 Elizabeth Way; Kathy Icenogle - 2905 13th Street; Misuhng Suh - 209 Brome Avenue; Rodney Swanstrom - Willowbrook Road.

**PUBLIC HEARING CLOSED**

**MOTION:Melanie Nieske MOVED that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend to the Board of County Commissioners **CONDITIONAL APPROVAL** of Docket SU-16-0004: East Side Art Institute subject to the following conditions listed in the Staff Report, and the additional conditions of approval presented in staff's presentation.**

**SECOND:Sam Fitch**

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. All applicable local, state, and federal permits must be obtained and maintained.
3. Prior to issuance of building permits, an onsite wastewater treatment system permit shall be applied for and obtained from the Boulder County Department of Public Health - Environmental Division.
4. Prior to issuance of building permits, the applicant shall submit a cash-in-lieu payment to the Boulder County Transportation Department.
5. Prior to the issuance of building permits, the applicant shall dedicate a right-of-way easement for the portion of the subject property along the northern parcel boundary that falls within the area 45-feet as measured from the quarter section line.

6. Prior to the issuance of building permits, for review and approval by Boulder County Land Use staff, the applicant shall provide revised elevations for the Art Commons and Ceramics buildings that incorporate visual mitigation measures, such as but not limited to reduction in windows, reduction in height, choice of materials and colors that reflect the materials and colors of the surrounding area.

7. At building permit application, the applicant shall submit a Revegetation and Weed Control Plan for review and approval by Boulder County Parks and Open Space Natural Resource Planner and Land Use staff.

8. Prior to final inspections, the onsite wastewater treatment system must be installed, inspected, and approved.

9. The applicant shall work with Boulder County Parks and Open Space Natural Resource Planner to determine a clear and specific method of addressing the removal of Prairie Dogs from the subject property.

10. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket SU-16-0004: East Side Art Institute.

11. Events not to exceed those proposed in application materials (6 per year).

12. \$20,000 cash-in-lieu payment required prior to issuance of permits.

13. Right-of-way easement dedication recorded prior to issuance of permits.

14. Floor area on subject parcel shall not exceed 15,000 square feet.

**VOTE: Motion PASSED {6:0}**

**5. Follow-up to PC/BOCC Joint Study Session on Telecom (on October 15, 2019)  
Public Meeting**

***\*\*At this time, Planning Commission took another brief break. They reconvened at approximately 5:28 p.m.\*\****

Kathy Sandoval, AICP, Planner II, Staff reviewed the outcomes and next steps following the October 15, 2019 Study Session with the Board of County Commissioners. Staff will move forward with the current Telecommunication Facility Code update and Design Requirements and Guidelines for Small Cell Wireless Facility with the recommendation from Planning Commission to allow applicants to petition for an additional 8 feet above the height limit of the zone district based on location, technological feasibility, density or other equipment and visual impacts. Even though public comment is not part of the Administrative Review process for Small Cell Wireless Facilities, staff will post a notice of these applications to maintain a record of public comment. Staff will use the study session information as background for Macro-cell tower facilities as it relates to future projects and applications.

**6. Docket Z-19-0001: Zoning Map Amendments to the Floodplain Overlay District  
Public Hearing**

Kelly Watson, Floodplain Program Planner, and Kevin Doyle, Consultant with Michael Baker International, presented the staff proposal to adopt comprehensive zoning map amendments to the Floodplain Overlay (FO) District, specifically the Boulder County Floodplain and Floodway, based upon the floodplain remapping of the Colorado Hazard Mapping Program (CHAMP), Federal Emergency Management Agency (FEMA) Risk MAP, and other best available information. The amendments include floodplain mapping updates along approximately 230 miles of stream reaches within unincorporated Boulder County. Specifically, on CHAMP-studied stream reaches, staff propose that the Preliminary Flood Insurance Rate Maps (FIRMs) recently provided by FEMA supersede and replace the draft CHAMP floodplain maps that were adopted as Boulder County Floodplain and Floodway in 2017 and 2018. Along parts of Coal Creek and Rock Creek that were not studied by CHAMP, staff propose removing Boulder County Floodway that was superseded by effective FEMA Floodplain and Floodway.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Michael Whited - 6148 Fourmile Canyon Drive.

**PUBLIC HEARING CLOSED**

**MOTION:** Mark Bloomfield MOVED that the Boulder County Planning Commission recommend that the Board of County Commissioners APPROVE Docket Z-19-0001: Zoning Map Amendments to the Floodplain Overlay District and certify the Docket for action to the Board and the official record of the Docket before the Commission with its staff comments, public testimony, and Commission discussion/action.

**SECOND:** Sam Fitch

**VOTE:** Motion PASSED {6:0}

**Adjournment**

The meeting was closed at 6:21 p.m.