



MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, COLORADO

Regular Meeting Minutes

**May 17, 2023, 1:30 p.m.
Third Floor Hearing Room
County Court House
1325 Pearl Street, Boulder**

Commissioners Present: Sam Libby, Chair
Gavin McMillan, Vice Chair
Mark Bloomfield, Chair
Chris Whitney
Rachel Medaugh
George Gerstle

Commissioners Excused: Ann Goldfarb
Dave Hsu
Conor Canaday

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

3.1 Approval of meeting minutes from April 19, 2023

MOTION: Sam Libby MOVED that the Boulder County Planning Commission APPROVE the meeting minutes from April 19, 2023.

SECOND: George Gerstle

VOTE: Motion PASSED {6:0}

4. STAFF UPDATES

5. ITEMS

5.1 Docket SI-04-0001: City of Boulder Water Resource Recovery Facility Periodic Review

Summer Frederick, Planning Division Manager, presented the Periodic Review of SI-04-0001 docket which approved increased capacity for an existing wastewater treatment facility, improvements enabling compliance with future water quality discharge requirements for nitrates and phosphorous, and improvements to enable the elimination of gaseous chlorine for water disinfection. The original application was presented by the City of Boulder (applicant/property owner) and the subject property is in both the Agricultural and Rural Residential zoning districts at 4049 N. 75th Street in Section 13, Township 1N, Range 70W.

PUBLIC HEARING OPENED

SPEAKERS: Erin Neil, Cole Sigmon, and Chris Olson - City of Boulder (Applicants)

PUBLIC HEARING CLOSED

MOTION: Mark Bloomfield **MOVED** that Planning Commission **APPROVE Docket SI-04-0001 City of Boulder Water Resource Recovery Facility Periodic Review with the 4 conditions outlined by staff as well as a modification of the condition that it's incumbent on the City to begin the review and that they include a letter from State and Federal agencies that they are in compliance with appropriate permits.**

SECOND: Rachel Medaugh

Conditions of Approval:

1. The applicant shall continue to maintain the vegetative screening along the north property line and shall meet county revegetation requirements in association with all building permits that involve site disturbance.
2. The applicant shall submit an updated traffic plan for county review and approval if county staff determines that an updated plan is needed.
3. Continue to limit construction hours to Monday - Friday from 7 a.m. to 7 p.m.
4. The nitrogen reporting requirement shall be modified from "regular reporting" to the county to "as requested" by the county. The applicant shall continue to provide monitoring reports to downstream users unless the downstream users specifically request a change to this procedure.
5. The City of Boulder shall initiate the 5-year review. The next 5-year review shall occur in 2028. At the time of the review, the applicant shall provide letters from state and federal agencies showing it is in compliance with all state and federal permits.

VOTE: Motion PASSED {6:0}

5.2 Docket SU-21-0013: Butte Blacksmith LLC Repair Garage

Pete L'Orange, Planner II, presented the application for Gary and Debbie Chambers (applicants/owners), a Special Use Review to allow for two principal uses (Vehicle Sales/Rental Lot and General Industrial) on the parcel, as well as 2,390-cubic-yards of non-foundational grading, deconstruction of a 2,786-square-foot repair garage, 530-square-foot mobile home, 64-square-foot shed, and 40-square-foot shed, construction of a 9,334-square-foot repair garage, and conversion of an existing 904-square-foot residence to an office use associated with the repair garage on a 1.76-acre parcel. The subject property is in the General Industrial zoning district at 6095 Valmont Road, located adjacent to the intersection of Valmont Road and N 61st Street in Section 22, Township 1N, Range 70W.

PUBLIC HEARING OPENED

SPEAKERS: Debbie and Gary Chambers (applicants), Hep Ingham- Boulder, CO.

PUBLIC HEARING CLOSED

MOTION: Sam Libby **MOVED** that the Planning Commission **CONDITIONALLY APPROVE**

and recommend to the Board of County Commissioners conditional approval of Docket SU-21-00013: Butte Blacksmith LLLC Repair Garage with the conditions as modified from staff's recommendations:

1. The applicant shall provide a Development Agreement for the Vehicles Sales/Rental Lot use and the General Industrial use, for review and approval by County staff, prior to the issuance of a license or permits by the Boulder County Community Planning & Permitting Department and prior to the recordation of said agreement within one year of approval.
2. Plans submitted for permitting must clearly identify a minimum of 10 parking spots for customer and employee parking; at least four (4) of these must be for customers. All customer and employee parking must be signed for customer or employee use, must remain clear and unencumbered for customer and employee use, and may not be used for parking of vehicles for sale or repair. Required Americans with Disabilities Act (ADA) accessible parking shall not be counted toward the required customer and employee parking.
3. No parking or storage of vehicles shall be allowed in any access aisles or travel lanes.
4. Plans submitted for permitting must clearly identify the four (4) spaces to be reserved as loading spaces; these spaces must be appropriately signed as loading spaces.
5. The applicant shall obtain and maintain all necessary local, state, and federal permits including, but not limited to: Stormwater Quality Permit; Onsite Wastewater Treatment System; State of Colorado vehicle sales permit.
- ~~6. The new garage structure shall be limited to one story, not to exceed 17 feet above existing grade at the eastern and western edges and 20 feet above existing grade in the center of the structure. Plans submitted for permitting must be revised to demonstrate compliance with these height limits.~~
- ~~7. The new garage structure shall not exceed 7,276 square feet of floor area. Total Floor Area on the site shall be limited to 8,180 square feet.~~
8. The new garage structure must be muted in color. Prior to the issuance of any building permit, the applicant shall submit specific proposed colors for review and approval by Community Planning & Permitting staff.
- ~~9. The overall glazing on the new garage structure shall as shown in the elevations dated April 23, 2021, shall be reduced by limiting the overhead doors to be no more than 50% glazing and by removing of the outer windows and transom panels on the doorway into the shop reception area. Building elevations submitted for permitting must demonstrate compliance with these reductions in glazing.~~
- ~~10. Plans submitted for permitting must include a landscaped buffer, at least six (6) to eight (8) feet wide, between the proposed parking area and the public right-of-way along Valmont Road.~~
- ~~11. If it is necessary to remove the existing tree immediately south of the existing residence in order to install the landscaped buffer, the applicant shall replace the tree with a new tree in the same general area of the parcel.~~
- ~~12. Plans submitted for permitting must include a minimum of two (2) landscaped "islands," generally evenly spaced, in the southern most row of parking spots.~~
- ~~13. The applicant shall install a minimum of seven (7) trees along the southern edge of the interior landscaped area, spaced as evenly as possible.~~
- ~~14. The proposed privacy fence must be located north of the trees in the interior landscaped area.~~
- ~~15. The applicant shall preserve and maintain the existing trees on the eastern portion~~

~~of the subject parcel as shown in the site plan dated April 19, 2023.~~

16. Prior to issuance of any building or grading permit, the applicant shall submit a full landscaping plan for review and approval by Community Planning & Permitting staff. This landscaping plan shall use native vegetation species and shall incorporate and reflect all conditions of approval related to landscaping and shall include, at a minimum, the following: information on all existing and proposed plantings, including the specific types and species of plantings; plans for ensuring that the new plantings become fully established; and details on how all the plantings on site will be maintained.
17. All vehicles parked between the proposed privacy fence and Valmont Road and/or N. 61st Street must be fully titled and operable.
18. No vehicles being stored on site for repairs or salvaging of parts shall be located outside of the privacy fence.
19. Pennants, balloons, streamers, whirligigs, or other similar devices for advertising purposes are not allowed.
20. Electronic Message Center signs are not allowed.
21. Prior to issuance of any permits for signage, the applicant shall submit a signage plan for review and approval by Community Planning & Permitting staff.
22. Prior to the issuance of any building permit, the applicant shall submit a full revegetation plan for review and approval by Community Planning & Permitting staff.
23. Prior to the issuance of any Certificate of Occupancy, revegetation of the subject property must be completed; if revegetation cannot be completed before final inspection, the applicant shall provide assurance to the county, in the form of a check to be placed in escrow until revegetation is complete. The escrow amount shall be 1.15 times the estimated cost of revegetation, including all materials and labor, as reviewed and approved by Community Planning & Permitting staff.
24. The applicant must work with the Fire Protection District to ensure the redevelopment complies with their requirements.
25. Prior to the issuance of any building or grading permit, the applicant shall provide a signed and recorded copy of the crossing or license agreement between the applicant and the Butte Mill Ditch Company to Community Planning & Permitting.
26. All electrical lines interior to the subject parcel must be relocated underground.
27. Plans submitted for permitting must show how the N. 61st Street access will be redesigned to restrict vehicle movement to the "right in/right out" design.
28. At building permit, the applicant shall submit a revised site plan that demonstrates full compliance with the Boulder County Multimodal Transportation Standards for county review and approval.
29. Plans submitted for permitting must demonstrate compliance with the EVSE requirements.
30. All staging and storage of construction equipment and materials shall be located only on the subject parcel.
31. The hours of operation shall be limited as follows: the repair shop operations are limited to between 7:30 A.M. to 5:30 P.M., Monday through Friday, and the repair shop shall be closed on weekends; Vehicle sales are limited to between 9:00 A.M. to 6:00 P.M., Monday through Friday, from October 15 to March 14, between 9:00 A.M. to 6:30 P.M., Monday through Friday, from March 15 to October 14, and from 10:00 A.M. to 5:00 P.M. on Saturdays year round.
32. All repair and/or salvage work being carried out with power tools shall only occur inside the garage structure.

33. At building permit, the applicant shall submit an Operation and Maintenance (O&M) plan for review and approval by the County Engineer for the permanent post construction control measures.
34. At building permit, the applicant shall submit a signed and recorded maintenance agreement between Boulder County and the parties responsible for perpetual maintenance.
35. The applicant shall have a qualified drainage professional conduct annual inspections of the permanent system to ensure it is functioning as designed; a copy of this annual inspection shall be submitted to the County Engineer.
36. At building permit, the applicant shall submit very thorough infiltration data that supports that the system will function as designed and the soils are capable of the rate of infiltration needed by this type of system.
37. The applicant shall install a sand/oil separator as required by the County Engineer prior to discharge to the underground system due to the use of oil and grease at the site.
38. All vehicles stored on site for repairs or salvage must have routine pollution prevention practices for automotive related industries.
- ~~39. All exterior lighting fixtures shall be fully shielded.~~
- ~~40. The number of pole lights is limited to four (4), to be located on the south side of the interior landscaped area; no pole lights may be located along any of the property lines.~~
- ~~41. The applicant shall install a minimum of two (2) additional non-deciduous trees, in addition to the one (1) deciduous tree and one (1) non-deciduous tree shown on the site plan dated April 19, 2023, to be located along the western edge of the property between the street and proposed privacy fence to help shield the adjacent residence from the pole lights.~~
- ~~42. All pole lights shall be turned off after 8:00 P.M. nightly~~
- ~~43. All wall-mounted light fixtures shall be turned off outside of business hours.~~
- ~~44. All lighting interior to the structures on the subject parcel shall be turned off outside of the hours of operation.~~
45. Prior to the issuance of any building permit, the applicant shall submit a full lighting plan for review and approval by Community Planning & Permitting staff. At a minimum, this lighting plan shall include: incorporation of all conditions of approval related to lighting; a photometric analysis of all existing and proposed lighting related to the redevelopment of the subject parcel; and detailed information and/or manufacturer cut sheets for all existing and proposed lighting fixtures.
46. Silt fencing shall be installed along the property lines, to remain in place and functional until revegetation of the site is complete.
47. Prior to the issuance of any grading permit, the applicant shall submit an updated grading and drainage plan based on the required modifications to the site for review and approval by Community Planning & Permitting staff.
48. The applicants shall be subject to the terms, conditions, and commitments of record and in the file for docket SU-21-0013 Butte Blacksmith LLC Repair Garage.

VOTE: Motion PASSED {6:0}

6. ADJOURNMENT