



MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, COLORADO

Regular Meeting Minutes

**December 20, 2023, 1:30 p.m.
Third Floor Hearing Room
County Court House
1325 Pearl Street, Boulder**

Commissioners Present: Ann Goldfarb
Sam Libby
Gavin McMillan, Chair
Mark Bloomfield, 2nd Vice Chair
Dave Hsu, Vice Chair
Chris Whitney
Conor Canaday
Rachel Medaugh
George Gerstle

1. CALL TO ORDER

The meeting was called to order at approximately 1:31 p.m. by Chair Gavin McMillan.

2. ROLL CALL

3. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

3.1 Approval of meeting minutes for October 18, 2023

MOTION: Ann Goldfarb MOVED that the Boulder County Planning Commission APPROVE the meeting minutes from October 18, 2023. SECOND: George Gerstle VOTE: Motion PASSED {9:0}

4. STAFF UPDATES

5. ITEMS

5.1 Docket SU-23-0002: Legacy Church Sanctuary Expansion and Parking Lot

Pete L'Orange, Planner II presented the application for Special Use Review to recognize an existing church use with an occupant load greater than 100 persons per lot, expansion of sanctuary space, and for earthwork/grading in excess of 500 cubic yards for new parking lot. The proposal is located at 270 N. 76th Street, on the east side of N. 76th Street, approximately 0.25 mile north of the intersection of South Boulder Road and N. 76th Street, in Section 1, Township 1S, Range 70W.

PUBLIC HEARING OPENED

SPEAKERS: Grant Hansen, John McGovern, and Matt Eldred (Representatives for Applicant), Cameron Knapp (Consultant for Applicant).

PUBLIC HEARING CLOSED

MOTION: Dave Hsu MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of Docket SU-23-0002: Legacy Church Sanctuary Expansion and Parking Lot with the 12 conditions stated in the staff recommendation.

SECOND: Mark Bloomfield

CONDITIONS OF APPROVAL:

1. The site plans dated October 16, 2023 are approved as submitted, subject to all additional conditions of approval.
2. Prior to the issuance of any permits by the Boulder County Community Planning & Permitting Department and within one-year of the signing of the Resolution, the applicants must provide a Development Agreement for review and approval by County staff. Once approved by County staff, the Development Agreement must be signed and notarized by the applicants, and will be recorded by County staff.
3. At building permit application, the applicants must submit a Boulder County Stormwater Quality Permit application. The Stormwater Quality Permit must be issued before any groundwork can commence.
4. At building permit application, plans submitted for permitting of the parking lot must show electric vehicle charging stations (EVSE) as required in Article 4-516.W.5 of the Land Use Code. A Level 2 or Level 3 EVSE with a minimum of one SAE J1772 EV Plug, or the equivalent, is required for the first 15 automotive parking spaces. If no Level 3 EVSE is installed then for each additional 25 automotive parking spaces, one additional Level 2 EVSE with a minimum of one SAE J1772 EV Plug, or the equivalent, is required. If Level 3 EVSE is installed, then no additional EVSE is required.
5. At building permit application, plans submitted for permitting of the parking lot must show a minimum of 5% of the interior of the parking lot area as landscaped as required in Article 4-516.W.5 of the Land Use Code.
6. To ensure that the number of seats in the worship space does not result in reduced aiseways or restrict movement of people in the worship space, the total number of seats in the worship space shall be limited to 405 seats.
7. Prior to the issuance of any building permits for the existing structure, the applicants must contact the Colorado Department of Public Health and the Environment to verify that the existing onsite wastewater treatment system (OWTS) is in compliance with all applicable state requirements; the applicants must provide documentation of verification of compliance to Boulder County Public Health and Boulder County

Community Planning & Permitting.

8. During construction, heavy equipment must be restricted from the surface of the onsite wastewater treatment system absorption field to prevent damage to the OWTS. Caution should be used in conducting trenching and excavation activities so that sewer lines and other OWTS components are not damaged.

9. The applicants must work with Mountain View Fire Rescue to address the concerns outlined in their referral response. Prior to the issuance of any building permit for any modifications to the existing building, the applicants must provide documentation of compliance with the International Fire Code to Boulder County Community Planning & Permitting.

10. During construction, construction traffic to and from the subject parcel is limited to between 8:30 am and 3:30 pm, Monday through Friday.

11. At building/grading permit application for the parking lot, plans submitted for permitting of the parking lot must show a minimum of 18 bicycle parking spaces. The bicycle racks must meet the Boulder County Multimodal Transportation Standards.

12. During construction, all construction equipment and materials be stored and staged on the subject parcel; no equipment or materials may be stored or staged in the public right-of-way at any time.

13. At building/grading permit application for the parking lot, plans submitted for permitting of the parking lot must show a solid fence around all four sides of the trash area. This fence must be of sufficient height and materials so as to completely visually screen the trash receptacles from adjacent parcels and the public right-of-way.

14. The applicants are subject to the terms, conditions, and commitments of record and in the file for docket SU-23-0002 Legacy Church Sanctuary Expansion and Parking Lot.

VOTE: Motion PASSED {9:0}

5.2 Docket SI-22-0001: Terry Lake Regional Sanitary Sewer

Pete L'Orange, Planner II presented the application for Areas and Activities of State Interest (1041) review for the westward extension of an existing sanitary sewer located on Gay Street just north of Highway 66 to provide service for future development of parcels along Highway 66 from Gay Street to Hover Road, known as the Terry Lake Neighborhood. The proposal is located at 2080 Hwy 66 (parcel no. 120521000021), 12734 Longford Drive (parcel no. 120521000019), 9911 Ute Road (parcel no. 120521000023), 10161 Ute Hwy (parcel no. 120521000010), and 12822 N 95th Street (parcel no. 120521000008), located north of Highway 66 approximately 1/2 mile west of Highway 66 and US 287, in Section 21, Township 3N, Range 69W.

PUBLIC HEARING OPENED

SPEAKERS: Stephanie Thomas - Northern Engineering (Representative for Applicant), Gary Allen - Longs Peak Water District, Guy Vonderweidt - Willis Heights Neighborhood

PUBLIC HEARING CLOSED

MOTION: Mark Bloomfield MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend to the Board of County Commissioners CONDITIONAL APPROVAL of Docket SI-22-0001: Terry Lake Regional Sanitary Sewer with the 7 conditions stated in the staff recommendation.

SECOND: Rachel Medaugh

CONDITIONS OF APPROVAL:

1. Prior to permit application submission, the applicants shall submit to Community Planning and Permitting staff 90% plans for each construction package for review and approval. These plans must include, at a minimum: clearly delineated boundaries for areas of disturbance; locations and details on erosion control measures; staging areas; and revegetation locations.
2. Prior to permit application submission, the applicants must submit a parcel by parcel (owner by owner) Revegetation Plan, including species to be used, for review and approval by Community Planning & Permitting staff.
3. At permit application submission, the applicants must apply for a Boulder County Stormwater Quality Permit (SWQP). The SWQP must be issued prior to any work commencing.
4. At permit application submission, the applicants must provide to Boulder County documentation of compliance with Section 404 of the Clean Water Act, Section 106 of the National Historic Preservation Act, and Section 7 of the Endangered Species Act.
5. No movement of soil or driving of equipment over field soil may occur during wet soil conditions; only work within already dug trenches can continue.
6. All topsoil and subsoil be separated. This must occur during dry soil conditions. Topsoil must be restored to existing grade level before revegetation.
7. The applicants shall be subject to the terms, conditions, and commitments of record in the file for Docket SI-22-0001: Terry Lake Sanitary Sewer.

VOTE: Motion PASSED {9:0}

- 5.3 Docket SU-21-0004: Malcolm-Peck Reception Hall [ITEM TABLED TO JANUARY 17, 2024 PLANNING COMMISSION]

6. ADJOURNMENT

The meeting was adjourned at approximately 3:16 p.m.