

BUSINESS MEETING ITEM COVER SHEET

DEPARTMENT County Attorney

DIVISION

TITLE Resolution 2008-146 (City of Boulder Marshall Mesa Trailhead)

DOCUMENT TYPE Resolution

SUBTYPE SU-07-005

BUSINESS MEETING DATE 12/04/08

COMMISSIONERS' ACTION

Approved

Denied

Other

ORIGINAL(S) RETURNED TO Vault

AGENDA ITEM NUMBER

3d

COMMENTS

RESOLUTION 2008-146

A RESOLUTION CONDITIONALLY APPROVING BOULDER COUNTY LAND USE DOCKET #SU-07-005 ("CITY OF BOULDER/MARSHALL MESA TRAILHEAD SU/SSDP"): A SPECIAL USE REVIEW (FOR A PUBLIC FACILITY OTHER THAN SPECIFICALLY LISTED), WITH ASSOCIATED SITE SPECIFIC DEVELOPMENT PLAN, FOR A TRAILHEAD PARKING LOT AND RELATED IMPROVEMENTS ASSOCIATED WITH TRAFFIC VOLUMES OF MORE THAN 150 AVERAGE DAILY TRIPS, ON PROPERTY LOCATED AT 1842 S. FOOTHILLS HIGHWAY, SOUTH OF BOULDER, ON THE EAST SIDE OF S. FOOTHILLS HIGHWAY AND SOUTH OF MARSHALL DRIVE, IN SECTION 21, T1S, R70W, UNINCORPORATED BOULDER COUNTY

WHEREAS, the City of Boulder Open Space and Mountain Parks Department ("City" or "Applicant") has requested approval for a special use permit, with associated site specific development plan, pursuant to Article 4-600 of the Boulder County Land Use Code ("the Land Use Code"), for certain improvements to the City's Marshall Mesa trailhead, on a 72.12-acre parcel of property which the City owns and which is located as described in the caption to this Resolution, above, in the Business and Agricultural Zoning Districts in unincorporated Boulder County; and

WHEREAS, the majority of the proposed trailhead improvements were constructed in the fall of 2006 and opened in December 2006; and

WHEREAS, the requested improvements include striping the driveway onto Marshall Road for right turn in and right turn out of the trailhead per the State Highway Department access permit; a trailhead parking lot with a capacity for 61 cars and six horse trailers, with the horse trailer parking being separated from the car parking and located in the western portion of the site; a small horse corral placed at the southwest corner of the site near State Highway 93; separate gates for hikers/bikers and horse traffic along the southern property line into the trail system; a restroom building and an interpretive pavilion, along with trailhead information signs and a picnic table; and native plant landscaping to blend with the surrounding property; and

WHEREAS, the above-described request was processed and reviewed as Boulder County Land Use Docket #SU-07-005 ("the Docket"), all as further described in the Boulder County Land Use Department Planning Staff's Memorandum and written recommendation to the Boulder County Board of County Commissioners ("the Board") dated November 24, 2008, with its attachments ("the Staff Recommendation"); and

WHEREAS, on October 15, 2008, the Boulder County Planning Commission ("the Planning Commission") held a duly-noticed public hearing on the Docket, and recommended conditional approval of the Docket to the Board; and

WHEREAS, on November 24, 2008, the Board held a duly-noticed public hearing on the Docket ("the Public Hearing"), at which time the Board considered the Staff Recommendation and the recommendation of the Planning Commission, and also considered the documents and testimony presented by the County Land Use Department staff and the Applicant, with no members of the public being present to speak to the Docket; and

WHEREAS, based on the Public Hearing, and as set forth in the Staff Recommendation, the Board finds that the Docket meets the criteria for special use approval set forth in Article 4-600 of the Land Use Code, and can be approved, subject to the conditions stated below.

NOW, THEREFORE, BE IT RESOLVED that the Docket is hereby approved, on the basis set forth in this Resolution, above, and subject to the following conditions:

1. The Applicant shall be subject to all applicable State of Colorado requirements regarding land disturbance and Stormwater General Permit for Construction Activities, and shall present any required permits to the County Land Use Department prior to receiving final inspection approval for the improvements on site.
2. The Applicant shall complete the process for the necessary grading and building permits from the County Land Use Department Building Division.
3. The Applicant shall comply with all Colorado Department of Transportation (CCDOT) requirements and pursue all necessary mitigation measures should a problem arise where traffic operations and safety are diminished and a significant proportion of pedestrians are crossing SH 170 to access Marshall Mesa Trailhead as may be determined by CDOT, including the measures identified in the Traffic Study - Final Report from Short Elliot Hendrickson, Inc. (SEH) dated July 22, 2008, which is part of the official Docket file.
4. The Applicant shall be subject to the terms, conditions, and commitments of record for the Docket.

A motion to approve the Docket, as stated above, was made by Commissioner Domenico, seconded by Commissioner Pearlman, and passed by a 2-0 vote, with Commissioner Toor being excused.

ADOPTED this 4th day of December, 2008, nunc pro tunc the 24th day of November, 2008.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**



Ben Pearlman, Chair

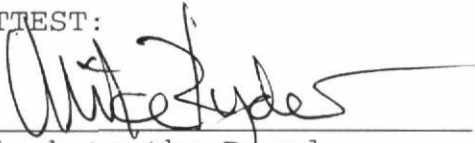
Will Toor, Vice Chair



Cindy Domenico, Commissioner



ATTEST:



Clerk to the Board