

MEMORANDUM

TO: Planning Board
FROM: Chandler Van Schaack, Case Manager
DATE: December 17, 2015
SUBJECT: **Call Up Item:** Minor Site Review Amendment (LUR2015-00075): Minor Amendment to an Approved Site Plan to allow for a 425 sq. ft. addition to Suite 1248 in the Twenty Ninth Street Mall (Zoe's Restaurant). The proposal also includes streetscape improvements and the addition of a new outdoor patio area. The project site is located within the BR-1 zone district.

Background. The project site is located within the Twenty Ninth Street PUD within the Business – Regional 1 (BR-1) zone district, defined in the land use code as:

“Business centers of the Boulder Valley, containing a wide range of retail and commercial operations, including the largest regional-scale businesses, which serve outlying residential development; and where the goals of the Boulder Urban Renewal Plan are implemented.” (section 9-5-2(c)(2)(I), B.R.C. 1981).



As shown in **Figure 1**, the project site is located just east of the intersection of Canyon Boulevard and 28th Street within the Twenty Ninth Street shopping center. Suite 1248 is the westernmost tenant space within the subject building, and is the former location of “Daphne’s” Greek restaurant. The subject suite is located adjacent to a number of other restaurants and numerous retail businesses.

Proposed Project. The current proposal is for a 425 sq. ft. addition to the north and west sides of Suite 1248 in association with a new restaurant, “Zoe’s Kitchen.” The proposed addition would entail expanding the existing tenant space by roughly 4 feet to the east, which narrows the existing sidewalk while still maintaining the minimum required widths of five feet for the sidewalk and six feet for the landscape buffer. The proposal also includes a new

outdoor patio area located on the north side of the building as well as improvements to the existing landscaping. The proposed addition is consistent with the Twenty Ninth Street Design Guidelines, and does not affect the existing parking requirements for the shopping center. Refer to **Attachment C** for Applicant's Proposed Plans.

Project Analysis. Overall, the proposal was found to be consistent with the criteria for Minor Amendments to Approved Site Plans found in section 9-2-14(l), B.R.C. 1981. Please refer to **Attachment B** for staff's complete analysis of the review criteria.

Public Comment. Required public notice was provided in the form of written notifications to property owners within 600 feet of the subject property. In addition, a public notice sign was posted on the property and therefore, all public notice requirements of section 9-4-3, "Public Notice Requirements," B.R.C. 1981 were met. Staff has not received any comments regarding the proposed project.

Conclusion. Staff finds that the proposed project meets the relevant criteria pursuant to section 9-2-14(l), Minor Amendments to Approved Site Plans," B.R.C. 1981 (please refer to **Attachment B**). This proposal was approved by Planning and Development Services staff on December 9, 2015 and the decision may be called up before Planning Board on or before **December 22, 2015**. There is one Planning Board meeting within the 14-day call up period, on **December 17, 2015**. Questions about the project or decision should be directed to Chandler Van Schaack at (303) 441-3137 or vanschaackc@bouldercolorado.gov.

Attachments

- A. Signed Disposition
- B. Analysis of Review Criteria
- C. Applicant's Proposed Plan
- D. Staff Review Comments



CITY OF BOULDER
Community Planning and Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION

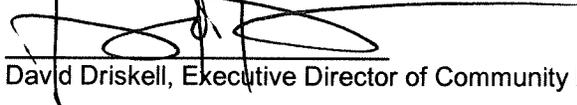
You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: APPROVED WITH CONDITIONS
PROJECT NAME: Zoe's Kitchen
DESCRIPTION: SITE REVIEW for 425 sq. ft. addition to Suite 1248 for new restaurant.
LOCATION: 1695 29th St., Suite 1248
COOR: N03W04
LEGAL DESCRIPTION: Lot 11 Twenty Ninth Street Subdivision,
County of Boulder, State of Colorado
APPLICANT: Kate Honea
OWNER: U.S. Bank National Association as Trustee of the Charlotte Ball Seymour Trust, f/b/o Charlotte Seymour Lovejoy; Roberta Williamson Seymour, as Co-Trustee of the Seymour-Ball Trust for Lee Seymour and The Seymour-Ball Trust for Alexander Williamson Seymour; and Martin Hall, as Co-Trustee of The Seymour-Ball Trust for Lee Seymour and The Seymour-Ball Trust for Alexander Williamson Seymour
APPLICATION: Site Review, LUR2015-00075
ZONING: BR-1
CASE MANAGER: Chandler Van Schaack
VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.

APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS: None

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

Approved On: 12/9/15
Date

By: 
David Driskell, Executive Director of Community Planning and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: 12.22.15

Final Approval Date: 12.23.15

Address: 1695 28th St. 1248

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND THE FINAL PLANS FOR CITY SIGNATURE MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS. IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINETY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING DEPARTMENT APPROVAL AUTOMATICALLY EXPIRES.

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development within three years from the date of final approval. Failure to "substantially complete" (as defined in Section 9-2-12, Boulder Revised Code 1981) the development within three years shall cause this development approval to expire.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on November 20, 2015 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following:
 - a. Development Agreement recorded at Reception No. 2660078 on January 24, 2005; and
 - b. Subdivision Agreement recorded at Reception No. 2673340 on March 21, 2005.

**Minor Amendments to Approved Site Plans
Section 9-2-14 (I), B.R.C. 1981**

(1) Standards: Changes to approved building location, or additions to existing buildings which exceed the limits of a minor modification, may be considered through the minor amendment process, if the following standards are met:

N/A (A) In a residential zone as set forth in [section 9-5-2](#), "Zoning Districts," B.R.C. 1981, all approved dwelling units within the development phase have been completed;

N/A (B) In residential zones, dwelling unit type is not changed;

N/A (C) The required open space per dwelling unit requirement of the zone is met on the lot of the detached dwelling unit to be expanded, and

N/A (D) The total open space per dwelling unit in the development is not reduced by more than ten percent of that required for the zone; or

N/A (E) If the residential open space provided within the development or an approved phase of a development cannot be determined, the detached dwelling unit is not expanded by more than ten percent and there is no variation to the required setbacks for that lot;

✓ (F) For a building in a nonresidential use module, the building coverage is not increased by more than twenty percent, the addition does not cause a reduction in required open space, and any additional required parking that is provided, is substantially accommodated within the existing parking arrangement;

The proposed project does not increase the overall building coverage by more than 20 percent, does not cause a reduction in required open space, and does not affect the required parking for the shopping center.

✓ (G) The portion of any building over the permitted height under [section 9-7-1](#), "Schedule of Form and Bulk Standards," B.R.C. 1981, is not increased;

The existing building is one-story and does not exceed the 35 foot height limit for the BR-1 zone. No changes to the building height are proposed.

✓ (H) The proposed minor amendment does not require public infrastructure improvements or other off-site improvements.

As the project site is located within the completed Twenty Ninth Street PUD, all of the required public infrastructure improvements have already been completed and no further improvements are required.

(2) Amendments to the Site Review Approval Process: Applications for minor amendment shall be approved according to the procedures prescribed by this section for site review approval, except:

✓ (A) If an applicant requests approval of a minor amendment to an approved site review, the city manager will determine which properties within the development would be affected by the proposed change. The manager will provide notice pursuant to subsection [9-4-3\(b\)](#), B.R.C. 1981, of the proposed change to all property owners so determined to be affected, and to all property owners within a radius of six hundred feet of the subject property.

✓ (B) Only the owners of the subject property shall be required to sign the application.

The owners of the property have signed the application.

✓ (C) The minor amendment shall be found to comply with the review criteria of subparagraphs (h)(2)(A), (h)(2)(C), and (h)(2)(F) of this section, and

Standard met. Please see below.

(A) Open Space: Open space, including, without limitation, parks, recreation areas, and playgrounds:

N/A (i) Useable open space is arranged to be accessible and functional and incorporates quality landscaping, a mixture of sun and shade and places to gather;

Not applicable, as there is no new open space proposed as part of this project. The project site is located within the Twenty Ninth Street PUD, which is already fully developed and includes several public open spaces approved as part of the original PUD approval.

N/A (ii) Private open space is provided for each detached residential unit;

Not applicable, as the proposal is for an expansion to an existing restaurant space and does not include a residential component.

N/A (iii) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (*Cynomys ludovicianus*), which is a species of local concern, and their habitat;

Not applicable, as the proposed project is for an addition to an existing building that lies within the already fully-developed Twenty Ninth Street PUD.

N/A (iv) The open space provides a relief to the density, both within the project and from surrounding development;

Not applicable, as the proposed project is for an addition to an existing building that lies within the already fully-developed Twenty Ninth Street PUD.

N/A (v) Open space designed for active recreational purposes is of a size that it will be functionally useable and located in a safe and convenient proximity to the uses to which it is meant to serve;

Not applicable, as the proposed project is for an addition to an existing building that lies within the already fully-developed Twenty Ninth Street PUD.

N/A (vi) The open space provides a buffer to protect sensitive environmental features and natural areas; and

Not applicable, as the proposed project is for an addition to an existing building that lies within the already fully-developed Twenty Ninth Street PUD.

N/A (vii) If possible, open space is linked to an area- or city-wide system.

Not applicable, as the proposed project is for an addition to an existing building that lies within the already fully-developed Twenty Ninth Street PUD.

N/A (B) Open Space in Mixed Use Developments (Developments that contain a mix of residential and non-residential uses)

Not applicable, as the proposed project is for an addition to an existing building that lies within the already fully-developed Twenty Ninth Street PUD and there is no mixed-use component.

N/A (i) The open space provides for a balance of private and shared areas for the residential uses and common open space that is available for use by both the residential and non-residential uses that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property; and

N/A (ii) The open space provides active areas and passive areas that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property and are compatible with the surrounding area or an adopted plan for the area.

___(C) Landscaping

✓ (i) The project provides for aesthetic enhancement and a variety of plant and hard surface materials, and the selection of materials provides for a variety of colors and contrasts and the preservation or use of local native vegetation where appropriate;

The landscape plans include improvements to the existing landscape strip to the west of the subject building. The existing landscape strip is currently gravel and small shrubs. The current proposal includes the addition of 3 street trees and additional planting, which will provide a much greater variety of plant materials than currently exists and will significantly enhance the aesthetics of the streetscape.

N/A (ii) Landscape design attempts to avoid, minimize, or mitigate impacts to important native species, plant communities of special concern, threatened and endangered species and habitat by integrating the existing natural environment into the project;

As the site is fully developed, there are no identified important native species, plant communities of special concern, threatened or endangered species or habitat. Not applicable.

✓ (iii) The project provides significant amounts of plant material sized in excess of the landscaping requirements of [sections 9-9-12](#), "Landscaping and Screening Standards" and [9-9-13](#), "Streetscape Design Standards," B.R.C. 1981; and

The landscape plans include improvements to the existing landscape strip to the west of the subject building. The landscape strip is currently gravel and shrubs. The current proposal includes the addition of 3 street trees and additional planting to bring the landscaping into compliance with current streetscape standards. Because the landscape strip and adjacent parking entrance are not located in the public right-of-way, the above-referenced standards do not apply; therefore, and additional landscaping is in excess of the landscaping standards.

✓ (iv) The setbacks, yards, and useable open space along public rights-of-way are landscaped to provide attractive streetscapes, to enhance architectural features, and to contribute to the development of an attractive site plan.

The landscape plans include improvements to the existing landscape strip to the west of the subject building. The landscape strip is currently gravel and shrubs. The current proposal includes the addition of 3 street trees and additional planting to bring the landscaping into compliance with current streetscape standards.

(F) Building Design, Livability, and Relationship to the Existing or Proposed Surrounding Area

✓ (i) The building height, mass, scale, orientation, and configuration are compatible with the existing character of the area or the character established by an adopted plan for the area;

The building height, mass, scale, architecture and configuration are compatible with the approved Twenty Ninth Street Design Guidelines. The proposed addition maintains the existing building height, scale, orientation and configuration.

✓ (ii) The height of buildings is in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans for the immediate area;

The proposed addition does not alter the existing building height.

✓ (iii) The orientation of buildings minimizes shadows on and blocking of views from adjacent properties;

There will be no impact on other properties following the proposed expansion, as the building is located within the central part of the Twenty Ninth Street PUD.

✓ (iv) If the character of the area is identifiable, the project is made compatible by the appropriate use of color, materials, landscaping, signs, and lighting;

The project is compliant with the approved Twenty Ninth Street Design Guidelines in terms of color, materials, landscaping signs and lighting.

✓ (v) Projects are designed to a human scale and promote a safe and vibrant pedestrian experience through the location of building frontages along public streets, plazas, sidewalks and paths, and through the use of building elements, design details and landscape materials that include, without limitation, the location of entrances and windows, and the creation of transparency and activity at the pedestrian level;

The proposed addition maintains the existing building's material palette and provides visual interest through the use of pedestrian-scale architectural features including extensive storefront windows, lap siding accents and corrugated metal above the metal awnings. As mentioned above, the proposed façade is consistent with the approved Twenty Ninth Street Design Guidelines and will be consistent with the rest of the shopping center in terms of visual interest.

N/A (vi) To the extent practical, the project provides public amenities and planned public facilities;

All of the public facilities required as part of the original Twenty Ninth Street PUD have been constructed, so this criterion is not applicable.

N/A (vii) For residential projects, the project assists the community in producing a variety of housing types, such as multifamily, townhouses and detached single family units, as well as mixed lot sizes, number of bedrooms and sizes of units;

Not applicable, as the proposal is for the expansion of an existing restaurant space and does not include a residential component.

N/A (viii) For residential projects, noise is minimized between units, between buildings, and from either on-site or off-site external sources through spacing, landscaping, and building materials;

Not applicable, as the proposal is for the expansion of an existing restaurant space and does not include a residential component.

✓ (ix) A lighting plan is provided which augments security, energy conservation, safety, and aesthetics;

A preliminary lighting plan has been provided, and a final lighting plan will be required at time of building permit.

N/A (x) The project incorporates the natural environment into the design and avoids, minimizes, or mitigates impacts to natural systems;

As previously mentioned, the subject building is located within the Twenty Ninth Street PUD, which is already fully developed and does not contain any significant natural systems.

✓ (xi) Buildings minimize or mitigate energy use; support on-site renewable energy generation and/or energy management systems; construction wastes are minimized; the project mitigates urban heat island effects; and the project reasonably mitigates or minimizes water use and impacts on water quality.

The applicant will be required to meet current energy code requirements for commercial buildings, which include the 2012 International Energy Conservation Code (IECC) standard as well as the 2010 American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) 90.1 standards, with additional local amendments requiring a 30 percent increase in performance requirements. This requirement is considered aggressive and represents a significant step toward improved energy efficiency in buildings in balance with the cost impact for new construction. As discussed as a part of the adoption process in October, 2013, the recently adopted codes if supported by continued improvements in cost-efficient building and energy management technology, could achieve a "net zero" building code by 2031 (in which buildings, on balance, produce as much energy as they consume).

✓ (xii) Exteriors or buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing;

The proposed addition maintains the existing building's material palette of brick, metal, lap siding and EIFS accents and provides visual interest through the use of pedestrian-

scale architectural features including extensive storefront windows, lap siding accents and corrugated metal above the metal awnings. As mentioned above, the proposed façade is consistent with the approved Twenty Ninth Street Design Guidelines and will be consistent with the rest of the shopping center in terms of materials and colors.

✓ (xiii) Cut and fill are minimized on the site, the design of buildings conforms to the natural contours of the land, and the site design minimizes erosion, slope instability, landslide, mudflow or subsidence, and minimizes the potential threat to property caused by geological hazards;

No cut and fill are required for the proposed building addition. Standard met.

N/A (xiv) In the urbanizing areas along the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the building and site design provide for a well-defined urban edge; and

N/A (xv) In the urbanizing areas located on the major streets shown on the map in Appendix A of this title near the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the buildings and site design establish a sense of entry and arrival to the City by creating a defined urban edge and a transition between rural and urban areas.

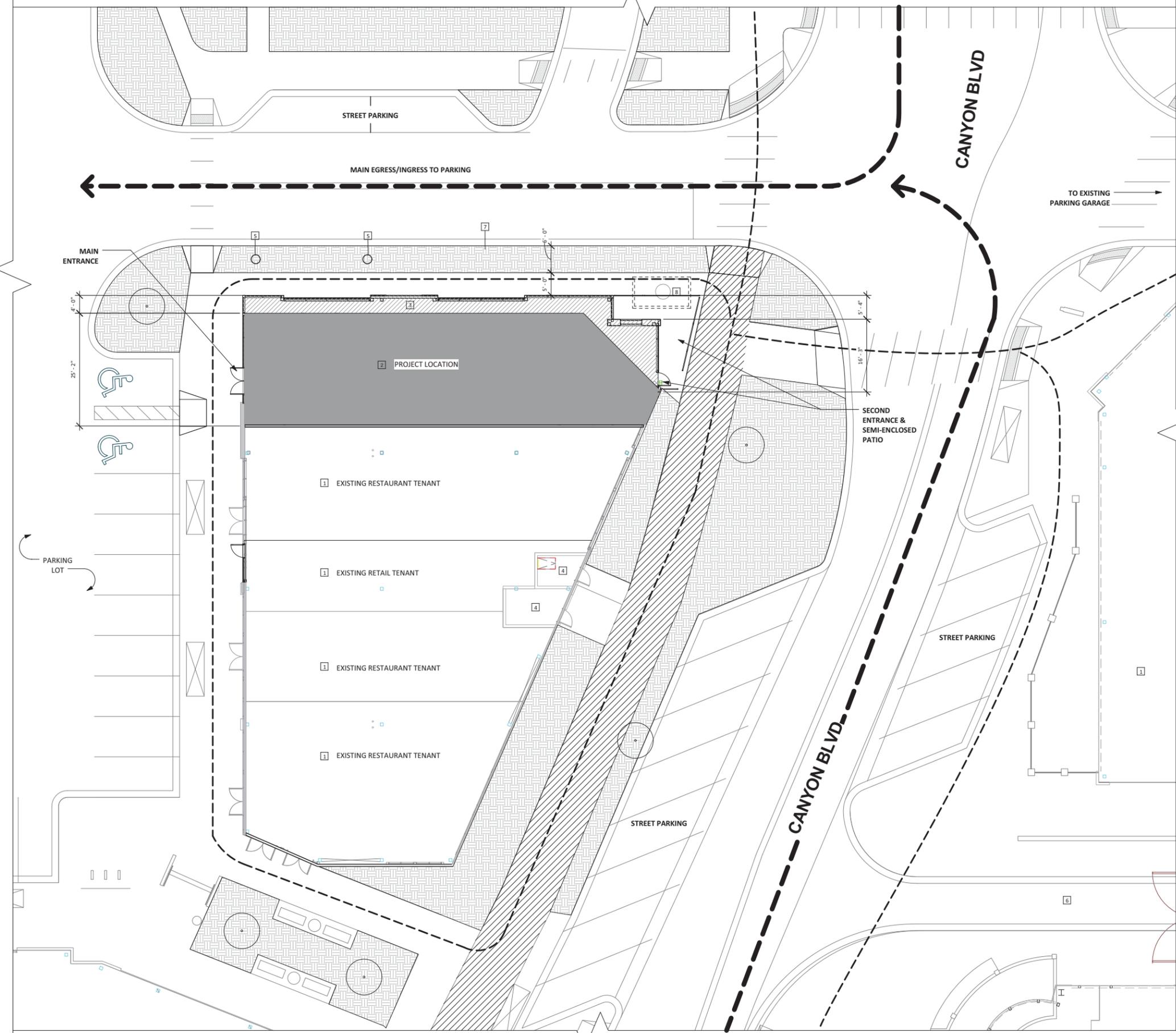
✓ (D) The minor amendment is found to be substantially consistent with the intent of the original approval, including conditions of approval, the intended design character and site arrangement of the development, and specific limitations on additions or total size of the building which were required to keep the building in general proportion to others in the surrounding area or minimize visual impacts.

The current proposal has been found to be substantially consistent with the intent of the original approval for Twenty Ninth Street. Because the overall character of the face is proposed to remain consistent with the adopted design guidelines, in this case the most significant aspect of the proposed project in terms of staff's analysis of the intent is the streetscape and pedestrian realm. The Twenty Ninth Street Design Guidelines state that "the character of the streets is probably the most important physical aspect of the visitor's experience" (Pg. 4.A1). In addition, the design guidelines describe the intended landscape character as "intensive and decorative, with more of a residential level of horticultural intensity," and support emphasizing "intensity of landscaping near the buildings and the high (pedestrian) traffic areas to create an "arcade" edge with retail being one side, landscaping the other." This has been the primary focus of staff's comments to the applicant, as the original proposal expanded the building by over 700 sq. ft. and included reducing the landscaping strip from 6 feet to 2 feet in width.

Following discussions with the applicant and the issuance of staff comments, the applicant reduced the overall size of the proposed addition so that the existing width of the landscape strip would remain unchanged and significant amounts of new landscaping would be added. Thus, staff finds that while the proposal reduces the overall width of the sidewalk from roughly 9 feet to 5 feet in width, the proposal maintains the minimum required sidewalk width while greatly improving the overall quality and appearance of the landscaping. The new outdoor patio area and high-quality façade design will also help to activate the streetscape and will allow the project to continue to meet the Twenty Ninth Street guidelines' intent of creating a high-quality and comfortable pedestrian shopping experience.



Starr Design, PLLC
1435 West Morehead St, Suite 240
Charlotte, NC 28208
T: 704 377 5200 F: 704 377 5201
www.starrdesignteam.com



LEGEND

- PEDESTRIAN CIRCULATION
- TRAFFIC CIRCULATION
- EXISTING LANDSCAPE
- EXISTING PUBLIC ACCESS EASEMENT
- EXISTING 4-6" CALIPER TREE TO REMAIN

KEYNOTES

- 1 ADJACENT TENANT
- 2 EXISTING TENANT SPACE - PROJECT LOCATION
- 3 PROPOSED BUILDING ADDITION
- 4 BUILDING MASTER UTILITY ROOM
- 5 EXISTING LIGHT POLES
- 6 LOADING AREA
- 7 EXISTING SIDEWALK PLANTER - UNTOUCHED
- 8 EXISTING UTILITY/ELECTRIC MANHOLE COVER & UNDERGROUND VAULT

SITE SUMMARY

ZONING BR-1

CITY RESUBMISSION
11/20/2015

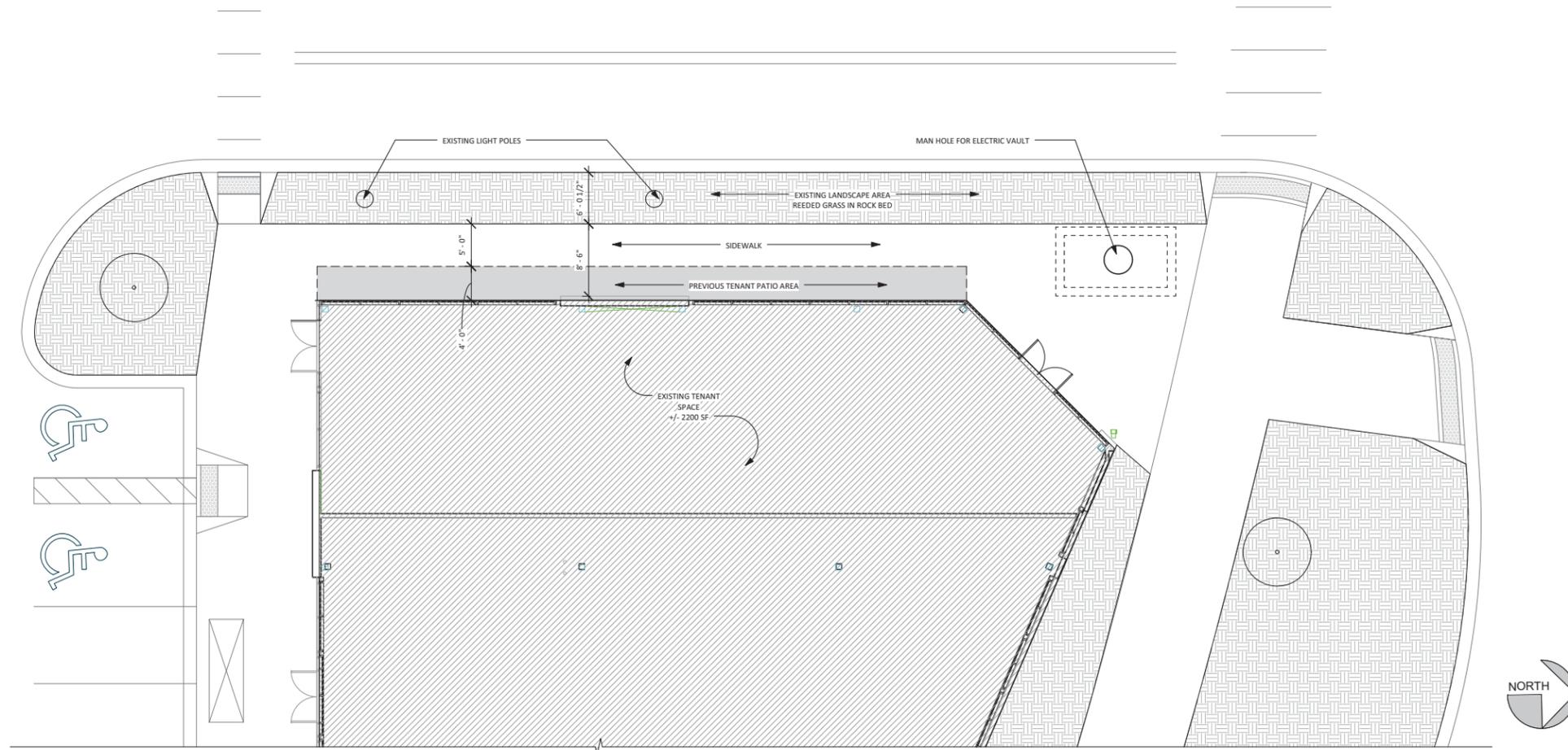
No.	Description	Date

SITE DEVELOPMENT PLAN
MA2.0





2 EXISTING CONDITIONS
1/12" = 1'-0"



1 SITE PLAN - EXISTING CONDITIONS
1/8" = 1'-0"

Zoës Kitchen
BOULDER

1695 29th St, Suite 1248
Boulder, Colorado 80301

project address | name



client



branded environments

Starr Design, PLLC
1435 West Morehead St, Suite 240
Charlotte, NC 28208
V: 704 377 5200 F: 704 377 5201
www.starrdesignteam.com

designers

CITY RESUBMISSION
11/20/15

job status

No.	Description	Date

revisions

seal

EXISTING
CONDITIONS &
BUILDING
ADDITION
MA3.0

sheet number | title

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Starr Design, PLLC
1435 West Morehead St, Suite 240
Charlotte, NC 28208
V: 704 377 5200 F: 704 377 5201
www.starrdesignteam.com

Case # ADR2015-05112
City of Boulder Planning and Development Services Center
RETAIL CENTER PARKING ANALYSIS
For retail centers with more than 50,000 square feet of non-residential floor area, under common ownership or management, that contain at least one restaurant and a mix of office, retail, and other uses.

Property Address: 1710 29th St.
Development Name: Twenty Ninth Street
Total Number of Parking Spaces Provided: 3,316

Building	Suite	Tenant Name	Area (sq. ft.)	Use
1A North	1000-1016		17,790	Retail
1A South	1020	Starbuck's	1,602	Food
1A South	1024-2016		27,311	Retail
1B	1032-2036		63,897	Retail/Office
1C	1068-2048		28,883	Office
1E	1152-1172		9,175	Retail
1E	1154	Five Guys Burgers & Fries	2,785	Food
1E	1172	Panera Bread	5,978	Food
1F	1118-2050		60,020	Retail/Office
1F	1136	Spooner's	1,728	Food
1F	1144	Mad Greens	1,972	Food
1G	1080-1096		46,965	Retail
1H	1080	California Pizza Kitchen	6,016	Food
1H	1104		7,861	Retail
1J	1174	Garbonzo Med. Grill	2,521	Food
1J	1176	Vitamin Shoppe	4,213	Retail
2A	1288	Cantina Laredo	6,307	Food
2B	1264	Available	2,313	Food
2B	1268	Charming Charlie	6,151	Retail
2C	1272	Native Foods	2,030	Food
2C	1280		5,304	Retail
2C	1284	Pel Wei	3,218	Food
2D	1248	Zoe's Kitchen	2,625	Food
2D	1250	Firehouse Subs	1,741	Food
2D	1252		1,637	Retail
2D	1256	Jamba Juice	1,296	Food
2D	1260	Pee't's Coffee	1,935	Food
2E	1224	Chipotle	2,985	Food
2E	1226	Smashburger	1,836	Food
2E	1228	PizzaRev	1,778	Food
2E	1232-1244		12,260	Retail
2F	1200-1204		13,425	Retail
2F	1208	Noodles	2,962	Food
2F	1212	Mod Market	2,500	Food
2F	1216	motomaki	2,521	Food

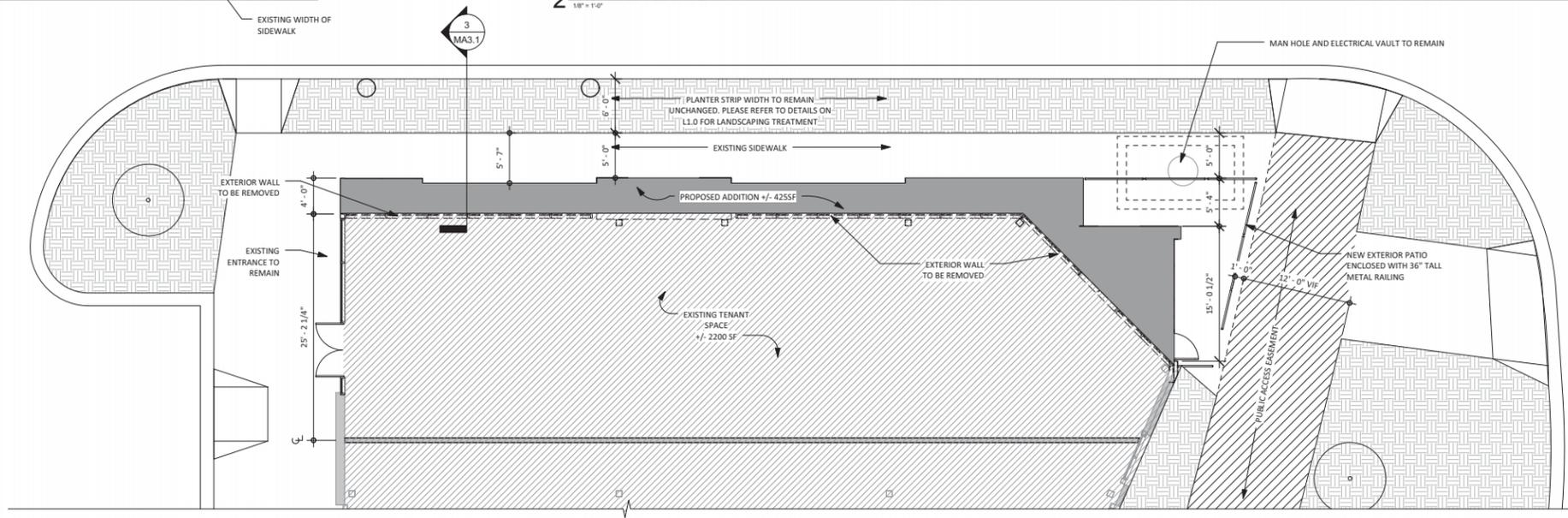
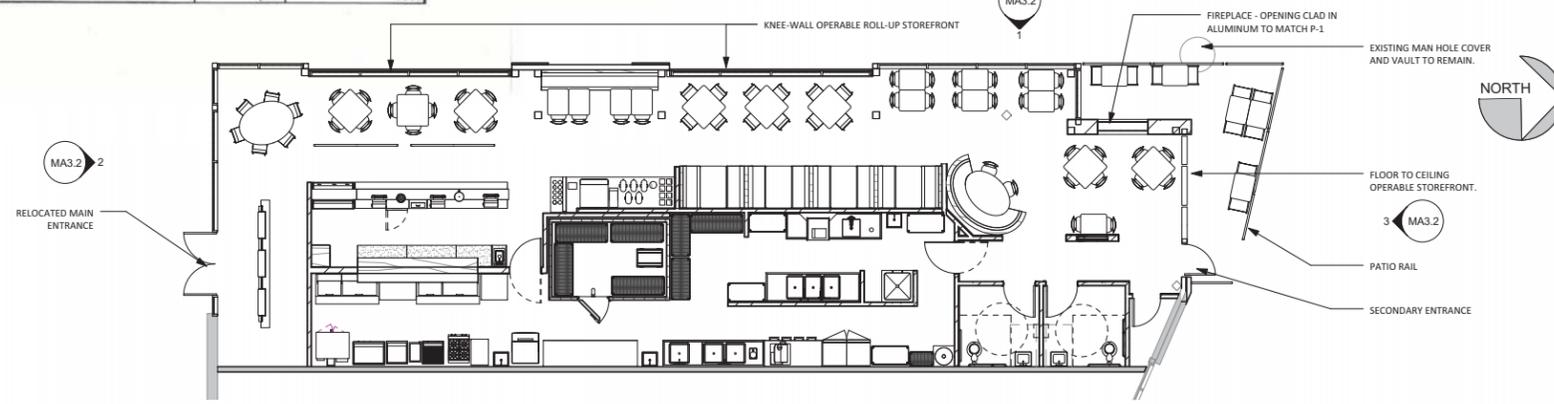
Dept. Store	Area	% Restaurant	
2F	1220 Men's Werhouse	5,892	Retail
2G	1292-1300	59,248	Retail
St Anchor	Home Depot	107,343	Retail
1D	Macy's	147,628	Retail
1D	Athletic Club / Whole Foods	80,950	Office
	Trader Joe's	14,750	Retail
	Wells Fargo	4,941	Office
	B J's Restaurant	10,206	Food
	Century Theatre	50,236	Theatre
Total Area:		843,835	% Restaurant: 8.1%

I, the undersigned, take full responsibility for the accuracy and completeness of the above information.
Applicant: [Signature] date: 11-16-15
City Approval: [Signature] date: 11-16-15

STAFF USE ONLY	
Number of Parking Spaces Provided:	3316
Parking Ratio:	
Number of Parking Spaces Required:	3036
Parking Surplus or Deficit:	280

843,835 sf
- 50,236 sf theater
793,599 sf / 250 sf = 3174 parking spaces
2620 theater seats / 3 = 873 parking spaces
4047 parking spaces
- 1011 (25% reduction)
* 3036 parking spaces [comparable to previous reduction that permitted 3110 parking spaces]

TOTAL AREA: 2625 sf. +/-	
BUILDING SEATS:	72
BUILDING TABLES:	20
AREA: 200 sf. +/-	
PATIO SEATS:	10
PATIO TABLES:	5
TOTAL SEATS:	82
TOTAL TABLES:	25



1 SITE PLAN - PROPOSED ADDITION
1/8" = 1'-0"

2 PROPOSED FLOOR PLAN
1/8" = 1'-0"

3 SECTION THROUGH ADDITION & SIDEWALK
1/4" = 1'-0"

CITY RESUBMISSION
11/20/15

No.	Description	Date

PROPOSED SITE & FLOOR PLAN
MA3.1

project address | name
client
designers
job status
revisions
sheet number | title



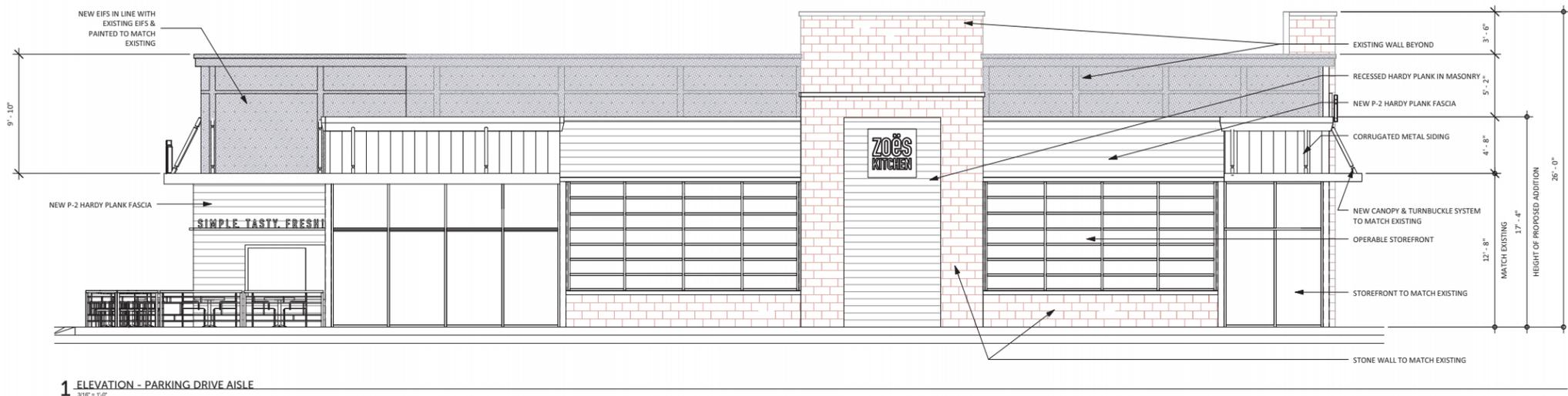
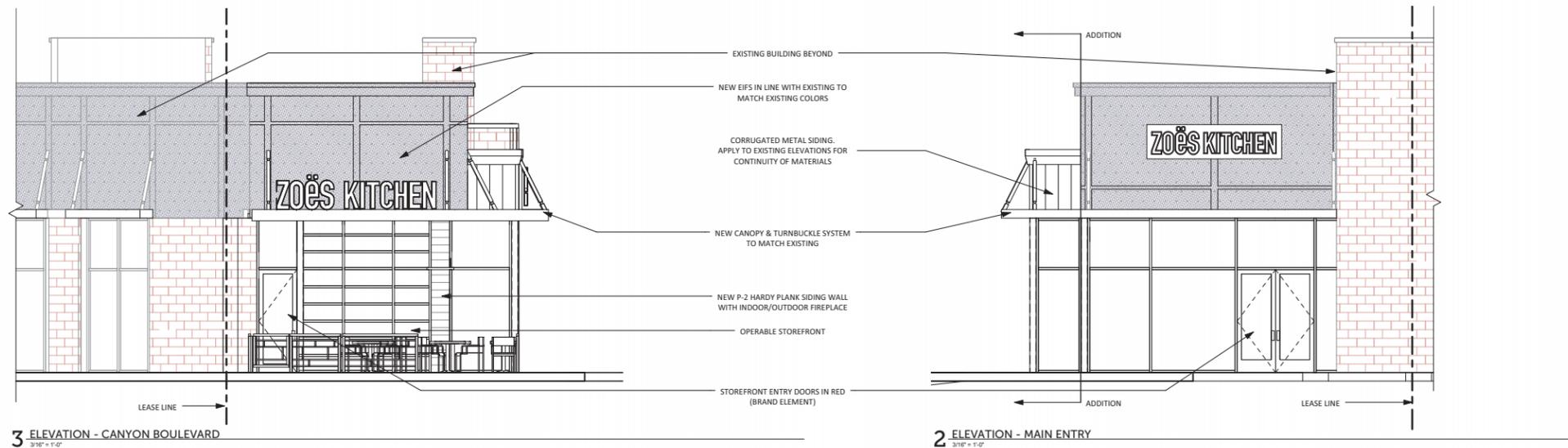
Zoës Kitchen
BOULDER

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CITY RESUBMISSION
11/20/15

No.	Description	Date

ELEVATIONS
MA3.2

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Zoës Kitchen
BOULDER

1695 29th St, Suite 1248
Boulder, Colorado 80301

project address | name



client

starr
design

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EMHT

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EXTERIOR FACADE
DRAFT
11/20/2015

job status

No.	Description	Date

revisions

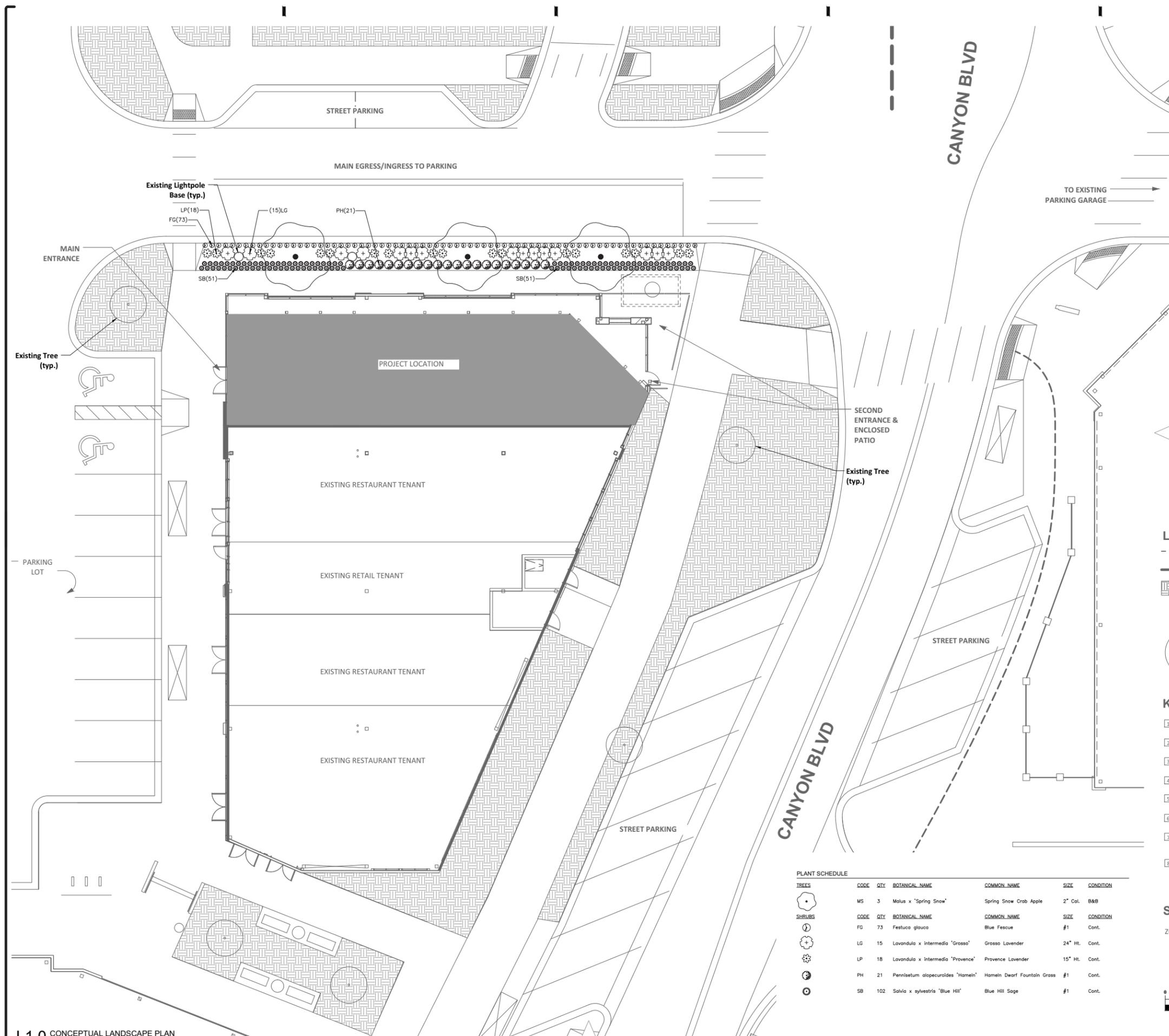
seal

sheet number | title

CONCEPTUAL
LANDSCAPE PLAN

L1.0

15ZK007 | © Starr Design, PLLC 2015



LEGEND

- PEDESTRIAN CIRCULATION
- TRAFFIC CIRCULATION
- EXISTING LANDSCAPE
- EXISTING 4-6" CALIPER TREE TO REMAIN

- KEYNOTES**
- ADJACENT TENANT
 - EXISTING TENANT SPACE - PROJECT LOCATION
 - PROPOSED BUILDING ADDITION
 - BUILDING MASTER UTILITY ROOM
 - RELOCATED LIGHT POLES
 - LOADING AREA
 - REVISED LANDSCAPE AREA TO BE REED GRASSES IN ROCK BED TO MATCH EXISTING CONDITIONS
 - EXISTING UTILITY/ELECTRIC MANHOLE COVER & UNDERGROUND VAULT

SITE SUMMARY

ZONING BR-1

GRAPHIC SCALE

1 inch = 10 feet

NORTH

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
MS	3	Malus x 'Spring Snow'	Spring Snow Crab Apple	2" Col.	B&B	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
FG	73	Festuca glauca	Blue Fescue	#1	Cont.	
LG	15	Lavandula x intermedia 'Grosso'	Grosso Lavender	24" Ht.	Cont.	
LP	18	Lavandula x intermedia 'Provence'	Provence Lavender	15" Ht.	Cont.	
PH	21	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	#1	Cont.	
SB	102	Salvia x sylvestris 'Blue Hill'	Blue Hill Sage	#1	Cont.	



CITY OF BOULDER
Community Planning & Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
 phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **September 4, 2015**
 CASE MANAGER: **Chandler Van Schaack**
 PROJECT NAME: **Zoe's Kitchen**
 LOCATION: **1695 29TH ST 1248**
 COORDINATES: **N03W04**
 REVIEW TYPE: **Minor Site Review Amendment**
 REVIEW NUMBER: **LUR2015-00075**
 APPLICANT: **Brie Carlson**
 DESCRIPTION: **MINOR AMENDMENT: Minor amendment to the Twenty-Ninth Street site review to expand an existing restaurant space for Zoe's Kitchen with an addition of 720 s.f.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS: **None.**

I. REVIEW FINDINGS

Overall, the current proposal appears to be very similar to the proposal evaluated through the Pre-Application review process in May 2015 (case # PAR2015-00017). As previously discussed through that process as well as continuing correspondence with staff, the current proposal to reduce the sidewalk and planting strip width in order to accommodate the proposed expansion is not in keeping with the intent of the original approval for the Twenty Ninth Street Shopping District. Nor is it consistent with subsection 9-2-14(l)(2)(D) of the criteria for Minor Amendments to Approved Site Plans, which requires that the project is *"found to be substantially consistent with the intent of the original approval, including conditions of approval, the intended design character, and site arrangement of the development, and specific limitations on additions or total size of the building which were required to keep the building in general proportion to others in the surrounding area or minimize visual impacts."* Therefore, the current proposal is not supportable at this time. The applicant should explore alternative design options that would not reduce the overall size and quality of the existing streetscape. The intent of the original Site Review is discussed further in the 'Site Design' section below.

The issues identified in the comments below will require a revision-level resubmittal. If the proposed changes are not consistent with the intent of the original Site Review, then the application must be revised to be a full Site Review application and the appropriate fee difference paid. Therefore, once the comments below have been addressed, please re-submit **five (5) hard copies** of the revised plans (with a total of **two (2)** copies of the revised drainage report and traffic study) **and digital copies of the plan set in pdf form** to the front counter of the P&DS Service Center prior to the start of a three-week review track. Please note that review tracks commence on the first and third Monday of each month.

Please contact the Case Manager, Chandler Van Schaack, at 303-441-3137 or vanschaackc@bouldercolorado.gov with any questions or to set up a meeting prior to resubmittal. A Planning Board hearing date for this proposal has not yet been scheduled. Following review of the revised plans, staff will contact the applicant to discuss scheduling options.

II. CITY REQUIREMENTS

Fees Chandler Van Schaack, Case Manager, 303-441-3137

Please note that 2015 development review fees include a \$131 hourly rate for reviewer services following the initial city response (these written comments). Please see the P&DS Questions and Answers brochure for more information about the hourly billing system.

Landscaping Elizabeth Lokocz, 303-441-3138

The submittal is incomplete. Additional detailed comments will be provided. Per the application requirements, "a *general*

landscaping plan at the time of initial submission to be followed by a detailed landscaping plan prior to or as a condition of approval, showing the spacing, sizes, specific types of landscaping materials, quantities of all plants and whether the plant is coniferous or deciduous. All trees with a diameter of six inches and over measured fifty-four inches above the ground on the property or in the landscape setback of any property adjacent to the development shall be shown on the landscaping plan.”

Please address the following site review criteria at the next submittal per section 9-2-14(h)(2)(C), “Landscaping”:

(i) *The project provides for aesthetic enhancement and a variety of plant and hard surface materials, and the selection of materials provides for a variety of colors and contrasts and the preservation or use of local native vegetation where appropriate;*

A two-foot landscape strip, while strictly meeting the open space standards of section 9-9-11, is an extremely difficult area to plant or maintain in the front range climate and offers limited planting options. It does not meet the criterion above.

(ii) *Landscape design attempts to avoid, minimize or mitigate impacts on and off site to important native species, healthy, long lived trees, plant communities of special concern, threatened and endangered species and habitat by integrating the existing natural environment into the project;*

Not applicable.

(iii) *The project provides significant amounts of plant material sized in excess of the landscaping requirements of Sections 9-9-12, "Landscaping and Screening Standards," and 9-9-13, "Streetscape Design Standards," B.R.C. 1981; and*

It is unclear if this criterion can be met with the proposal. Will the site plan result in the removal or addition of trees?

(iv) *The setbacks, yards and useable open space along public rights of way are landscaped to provide attractive streetscapes, to enhance architectural features and to contribute to the development of an attractive site plan.*

While public access is not dedicated over this space, it functions as a major pedestrian connection through the site. The existing landscape strip provides separation from the travel lanes. A two-foot landscape strip would not provide functional separation or an opportunity for enhancement.

In summary, the proposal results in a low quality landscape space and undersized walk. Please revise the site plan to provide a high quality open space and address the criteria as described above. Additional low water high interest plant material and if feasible, trees would be one possible approach.

Legal Documents Julia Chase, City Attorney's Office, 303-441-3020

The Applicant will be required to sign a Development Agreement, if approved. When staff requests, the Applicant shall provide the following:

- a) An updated title commitment current within 30 days; and
- b) Proof of authorization to bind on behalf of the owners.

Neighborhood Comments Chandler Van Schaack, Case Manager, 303-441-3137

Staff has not received any comments regarding the proposed application.

Parking Chandler Van Schaack, Case Manager, 303-441-3137

Please revise the written statement to include a parking chart showing the breakdown of the existing uses in the Shopping Center in order to demonstrate how the parking requirement included in the written statement was calculated. The parking chart should be provided on the architectural site plan, and should include size and use information for each of the existing tenant spaces within the Shopping Center PUD.

It appears that the parking calculations in the application may be based on the parking code prior to the land use code amendment adopted in November 2014. Parking must be based on the current requirement of one space for every 250 square feet of floor area. Further, as staff is currently reviewing a parking reduction request under application ADR2015-000163 it would make the most sense to address this proposal in those parking calculations when the revisions are submitted. For any questions on the parking reduction application, contact Karl Guiler at 303-441-4236.

Site Design Chandler Van Schaack, Case Manager, 303-441-3137

As indicated in the review summary above, staff finds the current proposal to be inconsistent with the intent of the original site plan approval for the Twenty Ninth Street Shopping District. Specifically, staff finds that the current proposal would

reduce the quality of the existing streetscape by narrowing both the sidewalk and landscaping strip to the minimum widths possible. This would be out of context with the rest of the development, which generally includes 5-foot landscaping strips and 8-foot sidewalks. Considering that the Twenty Ninth Street design guidelines state that "the character of the streets is probably the most important physical aspect of the visitor's experience" (pg. 4.A1), every effort should be made to maintain or improve the existing streetscape in front of the subject building. The Twenty Ninth Street Design Guidelines also include the following language, which the applicant should consider as they explore alternative design options.

- Landscaping within the interior of Twenty Ninth Street is intensive and decorative, with more of a residential level of horticultural intensity.
- The parking areas have a generous amount of trees and ground cover to break up the expanses of parking.
- There is an emphasis on the intensity of landscaping near the buildings and the high (pedestrian) traffic areas to create an "arcade" edge with retail being one side, landscaping the other.

It should be noted that in order to alter/ revise the stated intent of the PUD, an Amendment to the Approved Site Plan would be required; however, staff would be unlikely to support any changes to the PUD, which would result in an overall reduction in quality.

III. INFORMATIONAL COMMENTS

Area Characteristics and Zoning History Chandler Van Schaack, Case Manager, 303-441-3137
Planning Board approved application #LUR2004-00007, which permitted the redevelopment of the Crossroads Mall site with the new retail center, Twenty Ninth Street.

Land Uses Chandler Van Schaack, Case Manager, 303-441-3137
The Boulder Valley Comprehensive Plan (BVCP) land use designation for the site is Mixed Use Business. In such areas, business character will predominate, although housing and public uses supporting housing will be encouraged and may be required.

Review Process Chandler Van Schaack, Case Manager, 303-441-3137
A Site Review is required because the site is subject to a previously approved Site Review (i.e., #LUR2004-00007). The criteria pertaining to this application are found in sections 9-2-14(h) of the Land Use Regulations (see Section V of this document below). A decision on this application (approval, denial, or approval with conditions) will be made by the Planning Department. Upon receipt of corrected final sets that address the comments of this document, staff will issue a Notice of Disposition. Within two weeks on the date of decision, it may be called up by the Planning Board or appealed by a citizen. If this occurs, the project will be scheduled for a Planning Board hearing within 60 days.

Zoning Chandler Van Schaack, Case Manager, 303-441-3137
The project site is zoned BR-1, Business Regional - 1. This zoning district is for business centers of the Boulder Valley, containing a wide range of retail and commercial operations, including the largest regional-scale businesses, which serve outlying residential development and where the goals of the Boulder Urban Renewal Plan are implemented.

IV. NEXT STEPS

The issues identified in the comments above will require a revision-level resubmittal. Therefore, once the comments below have been addressed, please re-submit **five (5) hard copies** of the revised plans (with a total of **two (2)** copies of the revised drainage report and traffic study) **and digital copies of the plan set in pdf form** to the front counter of the P&DS Service Center prior to the start of a three-week review track. Please note that review tracks commence on the first and third Monday of each month.

Please contact the Case Manager, Chandler Van Schaack, at 303-441-3137 or vanschaackc@bouldercolorado.gov with any questions or to set up a meeting prior to resubmittal. A Planning Board hearing date for this proposal has not yet been scheduled. Following review of the revised plans, staff will contact the applicant to discuss scheduling options.

V. CITY CODE CRITERIA CHECKLIST

A completed criteria checklist will be provided following review of the revised plans.



CITY OF BOULDER
Planning and Development Services

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • email plandevelop@bouldercolorado.gov
www.boulderplandevelop.net

CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **November 17, 2015**
CASE MANAGER: **Chandler Van Schaack**
PROJECT NAME: **ZOE'S KITCHEN**
LOCATION: **1695 29TH ST 1248**
COORDINATES: **N03W04**
REVIEW TYPE: **Minor Site Review Amendment**
REVIEW NUMBER: **LUR2015-00075**
APPLICANT: **Brie Carlson**
DESCRIPTION: **MINOR AMENDMENT: Minor amendment to the Twenty-Ninth Street site review to expand an existing restaurant space for Zoes Kitchen with an addition of approximately 440 s.f.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS: **None.**

I. REVIEW FINDINGS

The applicant has addressed staff's primary concerns with regards to the landscape strip and sidewalk along the west side of the site; however, there are a few issues previously identified by staff that have not been addressed in the corrected plan set. These issues are discussed in the comments below and will require a correction-level resubmittal. Therefore, once the issues identified in the comments below have been addressed, please send digital copies of the corrected plans in pdf form directly to the case manager at vanschaack@bouldercolorado.gov. Corrections are reviewed on a 2-week time track, at the end of which, assuming all of staff's comments have been addressed, staff will request final hard copies of the plan set and will issue an initial approval. Following staff approval of the corrected plans, there will be a 14-day period during which the Planning Board or a member of the public may call the item up for a public hearing. Any decision not called up is final 14 days after the date of staff's initial approval.

Please contact the case manager with any questions.

II. CITY REQUIREMENTS

Fees Chandler Van Schaack, Case Manager

Please note that 2015 development review fees include a \$131 hourly rate for reviewer services following the initial city response (these written comments). Please see the P&DS Questions and Answers brochure for more information about the hourly billing system.

Landscaping Elizabeth Lokocz, 303-441-3138

Staff appreciates the proposed changes. A few alternative plant selections are suggested to respond to the growing conditions and support long term success:

1. Horsetail reed grass (*Equisetum hyemale*) is not an appropriate species for a narrow planting strip. It requires significantly more water than the others species specified and is also likely too tall. Plants should generally be under 30 inches to avoid any sight triangle conflicts.
2. The sargent cherry is a nice ornamental tree, but has not been generally stocked by local nurseries. Verify it is likely to available and consider an alternative higher canopy shade tree such as Turkish Filbert (*Corylus colurna*), Spring snow crabapple or Imperial honeylocust.

Legal Documents Julia Chase, City Attorney's Office, 303-441-3020

The Applicant will be required to sign a Development Agreement, if approved. When staff requests, the Applicant shall provide the following:

- a) An updated title commitment current within 30 days; and

b) Proof of authorization to bind on behalf of the owners.

Parking Chandler Van Schaack, Case Manager

As previously requested, please revise the written statement to include a parking chart showing the breakdown of the existing uses in the Shopping Center following the proposed addition in order to demonstrate how the parking requirement included in the written statement was calculated. The parking chart should be provided on the architectural site plan, and should include size and use information for each of the existing tenant spaces within the Shopping Center PUD.

Parking must be based on the current requirement of one space for every 250 square feet of floor area. The applicant should note that Twenty Ninth Street just received approval of a 25% administrative parking reduction. The final approved parking calculation chart is attached to these comments for the applicant's review – please note that any increase in the required parking beyond what is shown in the attached chart will require a formal request for a larger parking reduction through the site review process. Please make sure that all materials are consistent with the approved chart unless changes are proposed as part of this application, in which case these changes must be clearly called out and incorporated into a revised parking chart. Please contact Andy Greenwood at andy.greenwood@macerich.com with any questions on how best to coordinate parking materials/ calculations.

Plan Documents Chandler Van Schaack, Case Manager

There are several inconsistencies shown on the revised plan set which must be fixed. These include incorrect labeling of the width of the proposed addition on Sheet MA2.0 and incorrect labeling of the floor area of the proposed addition on Sheet MA3.1. In addition, please correct Sheet MA3.1 so that rather than showing “existing landscape,” on the proposed site development plan, the plan refers to the landscape plan on Sheet L1.0 for details on the proposed landscaping treatment.

Site Design Chandler Van Schaack, Case Manager

It appears that the proposed outdoor patio area encroaches into the access easement which borders the north side of the building. No portion of any structure, including a patio railing, may encroach into a public access easement. Please revise the proposed patio so that no portion encroaches into the easement. The revised site plan should also show the existing easement in order to demonstrate that no encroachment is occurring.

III. INFORMATIONAL COMMENTS

None at this time.

IV. NEXT STEPS

Once the issues identified in the comments above have been addressed, please send digital copies of the corrected plans in pdf form directly to the case manager at vanschaackc@bouldercolorado.gov. Corrections are reviewed on a 2-week time track, at the end of which, assuming all of staff's comments have been addressed, staff will request final hard copies of the plan set and will issue an initial approval. Following staff approval of the corrected plans, there will be a 14-day period during which the Planning Board or a member of the public may call the item up for a public hearing. Any decision not called up is final 14 days after the date of staff's initial approval.

V. CITY CODE CRITERIA CHECKLIST

A completed checklist will be provided following review of the corrected plan set.