



City of Boulder Planning & Development Services

City of Boulder Development Review Committee

MEETING AGENDA

1739 Broadway, Room 401 8:30 a.m.

5/2/2019

NEW ADR SUBMITTALS

Applicant Name	Case Number	Case Status	Case Manager
Review Type Address			
ED BYRNE PC Admin Relief/Non Conforming Use Substitution 1845 17TH ST	ADR2018-00040	In Review	Elaine McLaughlin
Watt Architecture Minor Modification to Approved Plan 3085 BLUFF ST	ADR2019-00092	In Review	Elizabeth Judd
ECO STEAM WASH Minor Modification to Approved Plan 1710 29TH ST	ADR2019-00102	In Review	Shannon Moeller
GETTLIFFE ARCHITECTURE Minor Modification to Approved Plan 3100 CARBON PL 103	ADR2019-00103	In Review	Shannon Moeller
BRYCE CHRISTENSEN Minor Modification to Approved Plan 2800 PEARL ST	ADR2019-00104	In Review	Gabby Hart
Michael Joseph Substitution of Restaurant Use 2299 PEARL ST	ADR2019-00105	In Review	Shannon Moeller
MELTON DESIGN BUILD Minor Modification to Approved Plan 1909 JOSLYN CT	ADR2019-00106	In Review	Elaine McLaughlin

NEW AUR SUBMITTALS

Applicant Name	Case Number	Case Status	Case Manager
Review Type Address			
LOREN HOUGH Attached Accessory Dwelling Unit 2030 DARTMOUTH AVE	AUR2019-00056	In Review	Gabby Hart

KELLY GARRY Attached Accessory Dwelling Unit 3315 19TH ST	AUR2019-00057	In Review	Sloane Walbert
TRAD DESIGN BUILD LLC Detached Accessory Dwelling Unit 2005 DARTMOUTH AVE	AUR2019-00058	In Review	Gabby Hart
Ryan & Laura Bellows Detached Accessory Dwelling Unit 2003 BLUFF ST	AUR2019-00059	In Review	Sloane Walbert

NEW REV SUBMITTALS

Applicant Name	Case Number	Case Status	Case Manager
Lease Type	Date Received		Description
Address			
URBAN WEST STUDIO Revocable Permit 1911 11TH ST	REV2019-00014	In Review	Sloane Walbert
Townscapes LLC Review Process 1200 PEARL ST	REV2019-00013	In Review	Gabby Hart

COMMENTS for TRACK 1619

Applicant Name	Case Number	Case Status	Case Manager
Review Type			
Address			
SCOTT, COX & ASSOCIATES, INC. Preliminary Plat for Subdivision 2180 VIOLET AVE	LUR2017-00025	Pending at Applicant	Sloane Walbert
CREATIVE WEST ARCHITECTS Use Review 1026 15TH ST	LUR2017-00038	In Review	Elaine McLaughlin
SURROUND ARCHITECTURE Site Review 90 ARAPAHOE AV	LUR2018-00005	In Review	Elaine McLaughlin
LAKECENTRE PLAZA LTD LLLP C/O THE W.W. REYNOLDS COMPANIES Annexation/Standard 5600 AIRPORT BLVD	LUR2018-00059	In Review	Sloane Walbert

Site Review 5600 AIRPORT BLVD	LUR2018-00060	In Review	Sloane Walbert
Corum Real Estate Group Site Review with Height Mod [over 35 feet] 1900 28TH ST	LUR2018-00075	In Review	Shannon Moeller
FLATIRONS HABITAT FOR HUMANITY Plan Combinations 2180 VIOLET AVE	TEC2018-00015	Decision Pending	Sloane Walbert
SCOTT, COX & ASSOCIATES Subdivision/Final Plat 2180 VIOLET AVE	TEC2018-00020	Pending at Applicant	Sloane Walbert
Subdivision/Final Plat 2100 VIOLET AVE	TEC2018-00040	In Review	Sloane Walbert
Plan Combinations 2100 VIOLET AVE	TEC2018-00041	In Review	Sloane Walbert
LAMONT COMPANIES Plan Combinations 3365 DIAGONAL HWY	TEC2019-00008	In Review	Elaine McLaughlin
Katsia Lord Right-of-Way/Easement Dedication 7350 CLUBHOUSE RD	TEC2019-00013	In Review	Gabby Hart
MICHAEL BOSMA Right-of-Way/Easement Dedication 2949 BROADWAY	TEC2019-00015	In Review	Gabby Hart
THE SANITAS GROUP Plan Combinations 250 PEARL ST	TEC2019-00016	In Review	Shannon Moeller



City of Boulder Planning & Development Services

CITY OF BOULDER

LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 1, 2019**
CASE MANAGER: **Elaine McLaughlin**
PROJECT NAME: **1026 15TH STREET**
LOCATION: **1026 15TH ST**
REVIEW TYPE: **Use Review**
REVIEW NUMBER: **LUR2017-00038**
APPLICANT: **JONATHON WARNER, CREATIVE WEST ARCHITECTS**
DESCRIPTION: **Non-conforming Use Review for 1026 and 1026 1/2 15th Street. Changes to a non-conforming use: conversion of front building with two attached dwelling units and six sleeping rooms to three attached dwelling units; and conversion of two attached dwelling units to one detached dwelling unit. Refer to related Site Review application LUR2017-00039 for parking reduction request.**

I. REVIEW FINDINGS

Minor plan set corrections are required before staff can approve the application and start the call-up period. Refer to the review comments below. Please feel free to contact staff with any questions or concerns.

II. CITY REQUIREMENTS

The section below addresses issues that must be resolved prior to project approval.

Land Use

Elaine McLaughlin, 303-441-4130

The applicant has asserted that there is no evidence that the 1976 Non-Conforming Use Review that reduced occupants to four in the basement was ever implemented. In reviewing case files, staff found a 1981 Zoning Inspection report (provided as an attachment herein) indicating that the change may have never occurred. As a result of the redesign of the units in which there are four bedrooms in each of the planned three units; for a maximum occupancy of 12 is acceptable given the case history on the site. In completing the process, the applicant must finalized several corrections noted to the Plan Documents.

Landscape

Elizabeth Judd, 303-441-3138

1. Update the plan to show that tree #4, an ash, to be removed per the tree schedule. Consider sliding the trash enclosure closer to alley to provide more space for Tree #3 which is to remain. Also note that there are no alley trees per the requirement that they are ten feet from the edge of pavement. Evaluate if one can be added on the south property line adjacent to the parking. What is the proposed material between the property line and parking spaces? If a tree is not possible, update the landscape requirements chart.
2. The street tree requirement is two large maturing trees based on the frontage and adjacent existing trees; however, the location of the existing sewer services prevent the second tree from being planted. There are no existing trees that would contribute to the street tree requirement. Adjust the proposed tree to be ten feet from the water service based on the small honeylocust to the north. Update the plan and chart accordingly and note the utility conflict in the notes column.
3. The existing crabapple in the front yard may be preserved as it is unlikely to pose any hazard, but it's condition is poor and it will not receive any credit for street trees (see previous comment as well) or overall site landscaping. Update the landscape requirements chart accordingly and again consider installing a higher quality and longer lived tree.

Landscape

Elizabeth Judd, 303-441-3138

- None of the previous comments were responded to. It does not appear that a qualified landscape professional is preparing the plans. Review the comments and revise the plans. The crabapple does not contribute to street trees and only trees within 10 feet of the right of way may contribute. Update the chart. Label the sewer services and update the street trees and chart as previously described. Update the number of alley trees provided (none) and correctly state the reasons for the requested modification being the increased density and parking requirements generated by the number of units.

Parking

Elaine McLaughlin, 303-441-4130

Because the project is subject to both Site Review and Non-Conforming Use Review, the applicant must demonstrate how the Open Space exceeds the minimum standards for Useable Open Space (per the land use code section 9-9-11, B.R.C. 1981)

Plan Documents

Elaine McLaughlin, 303-441-4130

- On Sheet A0.2, in the Parking table, remove the reference to historic use.
- On Sheet A0.2, Parking Table, correct the "proposed" number of spaces for the front unit as "2" rather than "3" and correct the total to read, "3." Further, remove any reference to "(1) non conforming space" and instead label reference as "tandem space, doesn't meet city's standards for a parking space." The Site Review that will remain is intended to document the Parking Reduction.
- On Sheet A0.2, Parking, in the parking table, provide a line for "Percentage Reduction Requested" and add the total of "57 percent"
- On Sheet A1.1, Front Building Lower Floor Plan, move the label, "Unit A" further up on the page and instead add a label to the area shown on the west side of the basement as "Bedroom 4-A" as currently shown it appears just the small space that is labeled as "Bed 4-A" of this bedroom is the actual bedroom.
- On all floor plans, remove the dimensional call-outs. As shown, they are not consistent with the land use code for determining floor area that is measured from the outside of the framing.
- Within the 4A Bedroom, note that the proposed new egress window appears to be too small, please correct.
- On the Existing Floor Plans, rescale the drawings on the sheet to match the 1/4"=1'-0" scale, as it currently is enlarged and doesn't scale.

Review Process

Elaine McLaughlin, 303-441-4130

- In the response to comments, the applicant asserted that there would be no further need for the Site Review for the Parking Reduction. However, to document the fact that there are seven spaces required and three proposed, for a total of a 57 percent parking reduction, the Site Review is the only means to grant that request for the parking reduction. In the response to these comments, please update the written statement to clearly indicate how the parking reduction meets the criteria of 9-2-14(h)(2)(K), B.R.C. 1981 for the parking reduction. In addition, residential parking reductions over 50 percent require Planning Board approval.
- With regard to the Non-Conforming Use Review, staff concurs that the non-conformity would be removed with a maximum of three dwelling units on the site. The parking reduction request remains with approval only through Site Review per 9-10-3(c)(4)(F), B.R.C. 1981 that states,

"(F) Parking: On-site parking that does not meet the requirements of Section 9-9-6, "Parking Standards," B.R.C. 1981, may be maintained or brought closer to compliance with the standards. Any further reduction in parking spaces may be pursued through Subsection 9-9-6(f), "Motor Vehicle Parking Reductions," B.R.C. 1981 or Section 9-2-14, "Site Review," B.R.C. 1981."

III. INFORMATIONAL COMMENTS

- Addressing:

The city is required to notify utility companies, the County Assessor's office, emergency services and the U.S. Post Office of proposed addressing for development projects. Per the City's Addressing Policy, for properties at which

there is a "house behind a house" each unit should be assigned individual numbers in accordance with the addressing grid. The 1026 ½ 15th address does not meet such requirement. In accordance with the addressing grid, staff recommends the following addresses:

1026 15th St (front structure)
1028 15th St. (rear structure)

Please submit an Address Plat as part of the Technical Document Review process for review.

2. Inclusionary Housing, Crystal Laundry, 303-441-4141
No new residential units are being created by the proposed project; therefore, Inclusionary Housing does not apply.
3. Legal Documents Julia Chase, City Attorney's Office, Ph. (303) 441-3020

1. 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, as may be applicable.

4. Legal Documents, Julia Chase, 303-441-3052

The Applicant will be required to sign a Development Agreement, if approved. When staff requests, the Applicant shall provide an updated endorsement to the title policy. Said endorsement must be current within 30 days of when the Development Agreement will be signed.

5. The applicant is advised that any proposed street trees along the property frontage may conflict with existing utilities, including without limitation: gas, electric, and telecommunications, within and adjacent to the development site. It is the applicant's responsibility to resolve such conflicts with appropriate methods conforming to the Boulder Revised Code 1981, the City of Boulder Design and Construction Standards, and any private/franchise utility specifications.
6. The existing water service and meter is undersized, and will still be undersized after proposed changes to kitchens and bathrooms. The existing water service and meter will be required to be upsized. All new service taps to existing mains shall be made by city crews at the developer's expense. All water meters are to be placed in city R.O.W. or a public utility easement, but meters are not to be placed in driveways, sidewalks or behind fences.

IV. FEES

Please note that current 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.

V. APPROVAL CONDITIONS ON CASE

The section below provides conditions that will need to be met if your project is approved.

- 1.



City of Boulder Planning & Development Services

CITY OF BOULDER LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 1, 2019**
CASE MANAGER: **Elaine McLaughlin**
PROJECT NAME: **SADDLE CREEK AND SEPTEMBER SCHOOL**
LOCATION: **90 ARAPAHOE AV**
REVIEW TYPE: **Site Review**
REVIEW NUMBER: **LUR2018-00005**
APPLICANT: **SURROUND ARCHITECTURE**
DESCRIPTION: **Site Review for two adjacent properties. The September School at 96 Arapahoe has been renovating existing buildings per a previous Use Review approval and will continue to renovate the site. There are 52 attached residential units proposed for 90 Arapahoe, 22 of which are proposed as affordable. The development includes the extension of Arapahoe Avenue into the site at 90 Arapahoe and partial relocation of Anderson Ditch.**

I. REVIEW FINDINGS

Minor plan set corrections are required before staff can approve the application and start the call-up period. Refer to the review comments below. Please feel free to contact staff with any questions or concerns.

II. CITY REQUIREMENTS

The section below addresses issues that must be resolved prior to project approval.

Access/Circulation

David Thompson, 303-441-4417

The width of the existing multi-use path connector path is being shown incorrectly on both the site and civil plan sheets. Please revise the site and civil plan sheets to show the width of the existing multi-use connector path at ten-feet which is the width that was field measured by staff.

Building Design

Elaine McLaughlin, 303-441-4130

As noted previously: The request for building height modifications due to topography necessitated that the applicant provide an analysis that demonstrated that the by-right number of stories (three) couldn't be built. Sheet SR 1.9a was provided as requested. As shown on the Mark-Up, please add a dashed line that illustrates the interpolated natural grade to help demonstrate the topographic challenge. In addition, note that Building Envelope "R" may be the least constrained and the applicant may want to consider a different roofline for that envelope to ensure that a height modification is not necessary.

Landscape

Jessica Andersen, 303-441-4416

Landscape

Jessica Andersen, 303-441-4416

1. Please see the plan mark-ups for final tree coordination comments.
 - Revise the majority of the smaller trees along the southern edge to be Aspens to create a fire resistant frontage along the open space. Staff recommends a mixture of sizes and clump form specimen in lieu of larger single stem caliper sizes.
 - Relocate any trees possible to be street trees where feasible.
 - Show all trees at anticipated mature size based on Boulder growing conditions to account for fire mitigation requirements.
2. Following up on staffs previous comments regarding Wildfire mitigation:
 - Revise the plans to meet the requirements of Chapter 6 of the 2012 International Wildland-Urban Interface Code (2012 IWUIC) - specifically, 603.2.2. Trees. Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent trees and crowns of trees and structures, overhead electrical facilities or unmodified fuel is not less than 10 feet. and 602.2.3 Groundcovers. Deadwood and litter shall be regularly removed from trees. Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native growth to any structure.
 - Include notes about maintenance of defensible space referencing section 604 of the 2012IWUIC

Legal Documents

Julia Chase, 303-441-3052

Each of the Vested Rights forms must be revised as follows:

References to the rights in the annexation agreement should be deleted (see attached).

Miscellaneous

Bethany Collins, 303-413-7646

1. OSMP - Applicant required to provide design detail and obtain temporary construction license for work to be done on OSMP land as shown on any grading plans at time of TEC docs.
2. OSMP - All open space fences and boundaries must be respected at all times. No gates or other access points will be allowed from the subject property onto city owned open space lands without approval of the Open Space Board of Trustees and in accordance with the gate policy of this department. There are several undesignated "social" trails on OSMP lands adjacent to this property, however these lands are designated as a habitat conservation area where access is by permit only. Future residents will need to be advised of, and comply with these restrictions.
3. OSMP - Several buildings are located very close to the southern property line adjacent to OSMP land. No use or encroachment of project onto OSMP land is permitted. Construction access across city owned open space lands, storage of construction material or dumping of construction debris on city owned open space lands are prohibited.
4. OSMP - This property's location along the western edge of the city places it at higher risk of wildlife-human conflicts. Plans show garages and trash enclosures to better manage for this potential, but applicant is advised to require future residents to secure trash to comply with this intended management.
5. Civil plan set does not include Sheet C3.0; it's understood that it's in the design memorandum, but it must be placed in the civil plan set as well.

Scott Kuhna, 303-441-4071

6. Per previous comments from city staff, the applicant is responsible for obtaining approvals for any relocations or modifications to irrigation ditches or laterals from the impacted ditch company. This includes the crossing of any irrigation ditch or lateral for vehicular or utility purposes and the release of stormwater runoff into any ditch or lateral. The applicant is advised that revisions to any approved city plans necessary to address ditch company requirements may require reapplication for city review and approval at the applicant's expense.

Corrective Action: Please submit documentation accordingly.

Plan Documents

Plan Documents

Elaine McLaughlin, 303-441-4130

1. In the project plans, and/or written statement, indicate if the Site Review approval is intended to be phased, or what the anticipated buildout of the site would be. Given that there would be different designers and builders for each envelope, it is not clear how the construction would be implemented from the project plans.
2. As noted previously, in the project plans, and/or written statement, indicate how the applicant will manage the development and build out of the site in terms of necessary condominium agreements. The applicant did provide a response in the "response to comments" letter, but the information needs to be in the written statement and/or project plans or pattern book.
3. On page 2.1 in the Design Pattern Book please add a note about changes over time: Describe what changes over time may be acceptable and how a homeowner could implement those changes through the ARC. This information was provided in the response to comments letter but not in the pattern book.

Review Process

Elaine McLaughlin, 303-441-4130

1. Staff recommends the applicant provide an application for a Preliminary Plat, for which finalization and Final Plat will become a condition of approval. The intent is to dedicate all of the easements; illustrate the vacation; and to replat the site to ensure that the upper portion of 96 Arapahoe where building sites T and U are located are on the same lot as 90 Arapahoe. This will ensure these lots are served by the private access drive and utilities in perpetuity.
2. For next steps, the applicant should consider the following:
 - A) Submit Application for Annexation Agreement Amendment for change to annexation condition for ROW dedication; that could be processed simultaneous to resubmittal of the related cases: Site Review and ROW Vacation.
 - B) Finalize the Site Review submittal;
 - C) The ROW vacation requires an ordinance with two readings. It is likely that the first reading could be scheduled prior to the council call-up consideration of the Site Review and the second reading scheduled simultaneous to the actual call-up consideration. If council calls up the Site Review, then the second reading would be continued and the motion to amend annexation agreement to the public hearing on the SR as well.
 - D) The annexation agreement amendment requires approval only by motion, not by ordinance
3. Reference landscape comments regarding consistency with the Wildland Urban Interface of the city's code.
4. Reference ROW vacation comments under related case LUR2019-00017.

Site Design

Elaine McLaughlin, 303-441-4130

As noted in the previous comments, findings for Site Review must include a determination of the following from the Land Use Code:

9-2-14(F)(xii): 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.

The applicant indicated that this comment was addressed and staff notes the applicant's reference to grading being minimized. Please use the terminology of "cut and fill" versus "grading" and indicate specifically how the design of buildings conforms to the natural contours, minimizes erosion, slope instability, landslide, mudflow," etc.

Utilities

Scott Kuhna, 303-441-4071

Per city standards, trees need to be located at least 10 feet away from existing or future utilities. The following utility lines (or trees) were identified as not meeting separation requirements.

- Proposed tree northeast of Envelope "D" – Proposed fire hydrant

Corrective Action: Revise accordingly.

III. INFORMATIONAL COMMENTS

1. Addressing, Gabby Hart, 303-441-4159

The city is required to notify utility companies, the County Assessor's office, emergency services and the U.S. Post

Office of proposed addressing. An official change in street name could occur in one of two possible ways: during the Subdivision process or as a separate Administrative Review process, depending on whether a subdivision is filed. Please note all buildings would be even-numbered and addressed off of Saddle Creek Place with individual unit numbers.

Please submit an Address Plat and list of all proposed addresses as part of the Technical Document Review process. Once this application is found to be consistent with the city's addressing policy, a Notice of Address Assignment will be prepared by the case manager and sent to the parties listed above. Interested parties have ten (10) days to comment on the application. If there are no issues after the ten (10) day wait period, the address will be finalized with the city

2. Community Benefit, Affordable Housing, Beth Roberts 303 441-1828

1. Parking. Please show the four dedicated surface parking spaces for the four affordable units in buildings B and C.

2. Livability Standards for Permanently Affordable Housing. Applicant proposes that floor plans will be submitted for livability review once the site review has been approved. Staff encourages applicant to submit floor plans during site review if units are deficient in meeting any of the livability standard requirements a modification can be made in the site review process. However, if site review is approved and there are deficiencies a minor modification to the site required may be required. Please note the storage requirements for affordable units apply.

Any required documents including a Permanently Affordable Housing Agreement and Permanently Affordable Land Covenant to secure the permanent affordability of the units must be signed, and if necessary recorded, prior to application for any residential building permit.

3. Community Benefit, Affordable Housing, Beth Roberts 303 441-1828

The proposed permanently affordable and market units meet the requirements of the annexation agreement in terms of location, bedroom count, type, size, distribution and parking allocations and are acceptable to the city.

1. Prior to any residential building permit submittal, the following needs to occur:

a. Permanently Affordable Housing Land Covenant. A Permanently Affordable Housing Land Covenant, to secure the permanent affordability of the units, shall be signed and recorded with the Boulder County Clerk and Recorder's Office.

b. Floor plan approval. Applicant shall submit documentation, including but not limited to floor plans and finish specifications, demonstrating that the Permanently Affordable Units meet the requirements of this Annexation Agreement, and of Chapter 9-13, "Inclusionary Housing," B.R.C. 1981, and are consistent with the City's Livability Standards for Permanently Affordable Housing. Please note, compliance with affordable housing is not subject to Site Review criteria however the Housing Planner can use the submitted site and floor plans to check for conformance with livability standards requirements. If modifications to meet the requirements are needed after completion of a review process a minor modification of the approved plans may be required to make changes.

c. Affordable Agreement. The Affordable Agreement shall be consistent with the annexation agreement and shall include but not limited to:

1. A requirement for housing inspections to ensure quality materials, construction techniques and workmanship, and compliance with City affordable program requirements. All costs for the time of the Inspector and any costs incurred shall be borne by the applicant. Details about the inspection requirements, estimate of costs and process will be included in this agreement;

2. Specific requirements for the for the homeowner's association;

3. Specific requirements for the allowance of and restrictions on renting the Permanently Affordable Units prior to sale and only if a sale does not occur within 120 days of the unit being offered for sale on the market.

2. Concurrency. The Permanently Affordable units must be provided generally concurrent with the market units. A minimum of half of the building permits for the Low/Moderate Units must be issued before a building permit for any Middle-Income unit may be issued. A minimum of half of the building permits for Permanently Affordable Units must be issued before any number greater than half of the market units may be issued. Final certificates of occupancy for market units may not be issued unless and until final certificates of occupancy have been issued for an equivalent number of Permanently Affordable Units. A phased plan shall be proposed by the applicant prior to

issuance of any residential building permits meeting the intent of this concurrency requirement.

4. DRAINAGE

1. A Final Storm Water Report and Plan will be required as part of the Technical Document Review process. All plans and reports shall be prepared in accordance with the City of Boulder Design and Construction Standards.
2. At time of Technical Document Review, the applicant shall submit information (geotechnical report, soil borings, etc.) regarding the groundwater conditions on the property, and all discharge points for perimeter drainage systems must be shown on the plan. The applicant is notified that any proposed groundwater discharge to the city's storm sewer system will require both a state permit and a city agreement.
3. All inlet grates in proposed streets, alleys, parking lot travel lanes, bike paths, or sidewalks shall utilize a safety grate approved for bicycle traffic.
4. A construction stormwater discharge permit is required from the State of Colorado for projects disturbing greater than 1-acre. The applicant is advised to contact the Colorado Department of Public Health and Environment.

GROUNDWATER

Groundwater is a concern in many areas of the City of Boulder. Please be advised that if it is encountered at this site, an underdrain/dewatering system may be required to reduce groundwater infiltration, and information pertaining to the quality of the groundwater encountered on the site will be required to determine if treatment is necessary prior to discharge from the site. City and/or State permits are required for the discharge of any groundwater to the public storm sewer system. It should be noted that the Installation of underground utilities may also provide a conveyance for any contaminated groundwater associated with the properties.

MISCELLANEOUS

1. The applicant is notified that any groundwater discharge to the storm sewer system will require both a state permit and a city agreement. Please contact the City's Stormwater Quality Office at 303-413-7350. All applicable permits must be in place prior to building permit application.
2. No portion of any structure, including footings and eaves, may encroach into any public right-of-way or easement.

UTILITIES

1. The applicant is advised that any proposed street trees along the property frontage may conflict with existing utilities, including without limitation: gas, electric, and telecommunications, within and adjacent to the development site. It is the applicant's responsibility to resolve such conflicts with appropriate methods conforming to the Boulder Revised Code 1981, the City of Boulder Design and Construction Standards, and any private/franchise utility specifications.
2. Final utility construction drawings will be required as part of the Technical Document Review process (which must be completed prior to building permit application).
3. Maintenance of sand/oil interceptors and all private wastewater and storm sewer lines and structures shall remain the responsibility of the owner.
4. Floor drains internal to covered parking structures, that collect drainage from rain and ice drippings from parked cars or water used to wash-down internal floors, shall be connected to the wastewater service using appropriate grease and sediment traps.
5. The landscape irrigation system requires a separate water service and meter. A separate water Plant Investment Fee must be paid at time of building permit. Service, meter and tap sizes will be required at time of building permit submittal.
6. The applicant is advised that at the time of building permit application the following requirements will apply:
 - a. The applicant will be required to provide accurate proposed plumbing fixture count forms to determine if the proposed meters and services are adequate for the proposed use.

- b. Water and wastewater Plant Investment Fees and service line sizing will be evaluated.
 - c. If the existing water and/or wastewater services are required to be abandoned and upsized, all new service taps to existing mains shall be made by city crews at the developer's expense. The water service must be excavated and turned off at the corporation stop, per city standards. The sewer service must be excavated and capped at the property line, per city standards.
 - d. Since the buildings will be sprinklered, the approved fire line plans must accompany the fire sprinkler service line connection permit application.
7. All water meters are to be placed in city R.O.W. or a public utility easement, but meters are not to be placed in driveways, sidewalks or behind fences.
8. Trees proposed to be planted shall be located at least 10 feet away from existing or future utility mains and services.
5. DRAINAGE, Scott Kuhna, 303-441-4071
- A. A Final Storm Water Report and Plan will be required as part of the Technical Document Review process. All plans and reports shall be prepared in accordance with the City of Boulder Design and Construction Standards.
 - B. At time of Technical Document Review, the applicant shall submit information (geotechnical report, soil borings, etc.) regarding the groundwater conditions on the property, and all discharge points for perimeter drainage systems must be shown on the plan. The applicant is notified that any proposed groundwater discharge to the city's storm sewer system will require both a state permit and a city agreement.
 - C. Final details and permitting requirements for the outfall points into Boulder Creek will need to be determined at time of Technical Document Review.
 - D. All inlet grates in proposed streets, alleys, parking lot travel lanes, bike paths, or sidewalks shall utilize a safety grate approved for bicycle traffic.
 - E. A construction stormwater discharge permit is required from the State of Colorado for projects disturbing greater than 1-acre. The applicant is advised to contact the Colorado Department of Public Health and Environment.
6. FLOODPLAIN
- The proposed storm sewer outfalls within the conveyance zone will require a Floodplain Development Permit. The permit application materials must demonstrate that the proposed obstructions will not cause a rise in the 100-year flood elevation, in compliance with section 9-3-4 of the Boulder Revised Code, 1981. The application materials must be stamped and signed by a licensed professional engineer.
- There are two application fee categories for this type of permit; \$700 for an application which does not include a full hydraulic analysis and \$3600 for the review of a full analysis. The determination of whether the analysis will be necessary will be made by the engineer who certifies the design.
- Permit applications run on our Land Use Review track which begins at 10 AM on the first and third Monday of the month. The initial review is a three-week process; any required revisions will run on a similar track. This is a public process and open to comments from neighboring property owners. Upon approval by staff the application will be required to begin a two week call up period to Planning Board.
7. GROUNDWATER, Scott Kuhna, 303-441-4071
- Groundwater is a concern in many areas of the City of Boulder. Please be advised that if it is encountered at this site, an underdrain/dewatering system may be required to reduce groundwater infiltration, and information pertaining to the quality of the groundwater encountered on the site will be required to determine if treatment is necessary prior to discharge from the site. City and/or State permits are required for the discharge of any groundwater to the public storm sewer system. It should be noted that the Installation of underground utilities may also provide a conveyance for any contaminated groundwater associated with the properties.
8. Legal Documents Julia Chase, City Attorney's Office, Ph. (303) 441-3020

1. 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, as may be applicable.

9. Legal Documents Julia Chase Ph. (303) 441-3052

It is recommended that the Applicant submit a Land Use Review application for Preliminary Plat to review concurrently with the Site Review.

The following is a draft condition of approval:

Prior to a building permit application, the Applicant shall submit a Land Use Review application for a Preliminary Plat and a Technical Document Review application for a Final Plat, subject to the review and approval of the City Manager and execute a subdivision agreement meeting the requirements of chapter 9-12, "Subdivision," B.R.C. 1981 and which provides, without limitation and at no cost to the City, for the following, unless otherwise approved by the City Manager:

- a. The elimination of parcel lines between those tracts/parcels identified in Boulder County Assessor Parcel 146136217001 and 146136217003 which comprise the property generally known as 90 Arapahoe.
- b. The dedication, to the City, of all right-of-way and easements necessary to serve the development.
- c. The vacation of all easements where vacation may be necessary for construction of the development.
- d. The construction of all public improvements necessary to serve the development.

(Note: Easements dedicated to Xcel must be dedicated subsequent to those easements dedicated to the City.)

10. Legal Documents Julia Chase

Third party easements (which overlap easements to be dedicated to the City) shall not be dedicated until after the approval and recording of the final plat or dedication and recording of rights-of-way and easements to the City.

11. MISCELLANEOUS, Scott Kuhna, 303-441-4071

A. The applicant is notified that any groundwater discharge to the storm sewer system will require both a state permit and a city agreement. Please contact the City's Stormwater Quality Office at 303-413-7350. All applicable permits must be in place prior to building permit application.

B. No portion of any structure, including footings and eaves, may encroach into any public right-of-way or easement.

12. Staff has determined that the application will be heard by the Planning Board on June 6, 2019; therefore, please ensure that all plan corrections are provided to staff no later than May 10, 2019.

13. Status of Historic Preservation Review

Landmark Designation Application (HIS2017-00114)

The applicant has submitted a landmark designation application as part of the Annexation Agreement. The application is currently on hold; Following Site Review approval, the Landmarks Board and City Council will review the landmark designation application. No additional information from the applicant is needed at this time.

Landmark Alteration Certificate Application (HIS2018-00069)

A Landmark Alteration Certificate was issued on Oct. 10, 2018 to rehabilitate and construct additions to the motel cabins and office building. The designs were reviewed by the Landmark Design Review Committee on March 21, April 11, May 23, and Oct. 10. The Landmarks Board conditionally approved the proposal on Aug. 1, 2018. No additional information from the applicant is needed at this time.

Demolition Review for Non-Designated Buildings (HIS2018-00303)

Staff has reviewed and approved the demolition of the buildings over 50 years old outside of the proposed landmark boundary. No additional information from the applicant is needed at this time.

State Tax Credits

The rehabilitation of the motel cabins and office buildings is likely eligible for the State Historic Preservation Tax Credits. Contact James Hewat at (303) 441-3207 prior to rehabilitation work commencing. Also visit <https://www.historycolorado.org/preservation-tax-credit-application-forms> for information on the program.

14. Status of Historic Preservation Review

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15. UTILITIES, Scott Kuhna, 303-441-4071

A. The applicant is advised that any proposed street trees along the property frontage may conflict with existing utilities, including without limitation: gas, electric, and telecommunications, within and adjacent to the development site. It is the applicant's responsibility to resolve such conflicts with appropriate methods conforming to the Boulder Revised Code 1981, the City of Boulder Design and Construction Standards, and any private/franchise utility specifications.

B. Final utility construction drawings will be required as part of the Technical Document Review process (which must be completed prior to building permit application).

C. Maintenance of sand/oil interceptors and all private wastewater and storm sewer lines and structures shall remain the responsibility of the owner.

D. Floor drains internal to covered parking structures, that collect drainage from rain and ice drippings from parked cars or water used to wash-down internal floors, shall be connected to the wastewater service using appropriate grease and sediment traps.

E. The landscape irrigation system requires a separate water service and meter. A separate water Plant Investment Fee must be paid at time of building permit. Service, meter and tap sizes will be required at time of building permit submittal.

F. The applicant is advised that at the time of building permit application the following requirements will apply:

i. The applicant will be required to provide accurate proposed plumbing fixture count forms to determine if the proposed meters and services are adequate for the proposed use.

ii. Water and wastewater Plant Investment Fees and service line sizing will be evaluated.

iii. If the existing water and/or wastewater services are required to be abandoned and upsized, all new service taps to existing mains shall be made by city crews at the developer's expense. The water service must be excavated and turned off at the corporation stop, per city standards. The sewer service must be excavated and capped at the property line, per city standards.

iv. Since the buildings will be sprinklered, the approved fire line plans must accompany the fire sprinkler service line connection permit application.

G. All water meters are to be placed in city R.O.W. or a public utility easement, but meters are not to be placed in driveways, sidewalks or behind fences.

H. Trees proposed to be planted shall be located at least 10 feet away from existing or future utility mains and services.

16. WETLANDS

Improvements proposed within a delineated wetland or wetland buffer area, as defined under the City's streams, wetlands and water body protection ordinance, shall satisfy and comply with all applicable regulations and requirements as set forth in Section 9-3-9, "Streams, Wetlands, and Water Body Protection," B.R.C. 1981, including any necessary identification, analyses, avoidance and mitigation measures, and improvements needed to address wetlands protection requirements. A wetland permit will be required for the installation of a storm sewer outfall and impervious surface in the high functioning wetland buffer area. Please provide a draft wetland permit application and report with the TECDOC submittal.

IV. FEES

Please note that current 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.

V. APPROVAL CONDITIONS ON CASE

The section below provides conditions that will need to be met if your project is approved.

1.



City of Boulder Planning & Development Services

CITY OF BOULDER

LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 1, 2019**
CASE MANAGER: **Shannon Moeller**
PROJECT NAME: **TWENTY NINTH STREET**
LOCATION: **1900 28TH ST**
REVIEW TYPE: **Site Review with Height Mod [over 35 feet]**
REVIEW NUMBER: **LUR2018-00075**
APPLICANT: **JESSE ADKINS, SHEARS ADKINS ROCKMORE ARCHITECTS, LLC
MACYS CALIFORNIA INC
DANICA POWELL
ERIC KOMPPA, CORUM REAL ESTATE GROUP**

DESCRIPTION: **Amendment to Twenty Ninth Street PUD (LUR2004-00007) for a proposal to adaptively reuse the existing Macy's department store for office uses, including modifying the building from 2-stories to 3-stories, increasing the building height to approximately 54'-4", modifying the building enclosure and facade, adding approximately 8,000 net square-feet of floor area, and providing site improvements including outdoor spaces.**

I. REVIEW FINDINGS

Minor plan set corrections are required before staff can approve the application and start the call-up period. Refer to the review comments below. Please feel free to contact staff with any questions or concerns.

II. CITY REQUIREMENTS

The section below addresses issues that must be resolved prior to project approval.

Access/Circulation

David Thompson, 303-441-4417

1. Staff doesn't concur with using the ITE land use of a Shopping Center for the existing trips because the projected trip generation for Shopping Centers is based on the total gross leasable area of the shopping center rather than individual uses. Please revise the trip generation letter accordingly. Staff would support using the ITE land use for a Department Store in projecting the AM/ PM peak hour trips of the existing Macy's Department Store. Staff will review the revised trip generation information to identify the need for a traffic study per section 2.02 of the City's Design and Construction Standards.
2. In meeting the site review criteria for supporting alternatives to the single-occupant vehicle discussed in section 9-2-14(h)(2)(D) of the Boulder Revised Code, 1981 please revise the TDM Plan to provide Eco-Passes to all employees for a period of three years after the spaces are occupied. The applicant might also consider installing showers, a bicycle repair station and making carsharing available to employees in meeting the site review criteria for supporting alternatives to the single-occupant vehicle.
3. Please revise the site plans to replace the proposed "radial" curb-ramp with a "directional" curb-ramp consistent with the existing conditions.
4. Pursuant to sections 9-2-14(h)(2)(D) and (E) of the Boulder Revised Code and in meeting the site review criteria for minimizing conflicts between vehicles and pedestrians/bicyclists and designing parking areas that separate pedestrian movements from vehicular movements staff will require the existing curb-cut just east of the Walnut St / 29th Street intersection that provides access to the north parking lot from Walnut Street to be removed.

Access/Circulation

David Thompson, 303-441-4417

5. Pursuant to sections 9-2-14(h)(2)(D) of the Boulder Revised Code and in meeting the site review criteria for minimizing conflicts between vehicles and pedestrians/bicyclists please revise the site plan to reconstruct the width of the curb-cut for the existing loading space. The applicant might consider constructing curb extensions using a smaller radius for the curb-radii or elevating the sidewalk across the width of the curb-cut serving the loading space.
6. Pursuant to section 9-2-14(h)(2)(D) B.R.C. 1981 and in meeting the site review criteria for safe and convenient multi-modal mobility through and between properties please revise the site plan to show the following improvements along Walnut Street:
 - a. widen the existing non-standard bike lane on the south side of Walnut Street to five-feet (exclusive of the curb pan) from 29th Street to the east side of the access drive providing access to the parking garage structure.
 - b. construct a detached sidewalk on the south side of Walnut Street from 29th Street to where the sidewalk currently ends just west of the access drive. The width of the detached sidewalk must match the width of the existing sidewalk where it ends at the marked crosswalk across Walnut Street.

Building Design

Shannon Moeller, 303-441-3137

1. Generally, staff was appreciative of the clean and well-proportioned building design and did not have substantive comments. Please note that some revisions to the building design are expected in light of other comments that are contained in this letter and may result in additional staff comments on future iterations.
2. Pursuant to section 9-2-14(h)(2)(F), B.R.C. 1981, please provide a summary of how the proposal is consistent with the following adopted design guidelines for the area and adjust the proposal as necessary:
 - Twenty Ninth Street Design Guidelines (Section III. General Building Character: A. General, B. Central Twenty Ninth Street Central District (as it applies to the southern and part of the western facades of the building), E. Materials and Colors, and F. Tenant Opportunities; and Section IV. Street Character).
 - Boulder Valley Regional Center Design Guidelines (Section 3 Site Design, Section 4 Streetscape Design, Section 5 Building Design).
3. Pursuant to section 9-2-14(h)(2)(F)(ii), B.R.C. 1981, which states that “the height of buildings is in general proportion to the height of existing buildings and the proposed or project heights of approved buildings or approved plans or design guidelines for the immediate area,” provide perspectives of the current and proposed building in context as seen from adjacent areas.
4. Provide physical color and material samples. For projects with a unified material palette, submit a materials board that is no larger than 24” x 36”. For projects with multiple buildings and varied materials, submit individual materials boards for each building that are no larger than 11” x 17”. Securely mount and label small-sized samples of all the exterior building materials and finishes, e.g. paint chips, cladding, window finish, etc. Clearly label the project name, address, case number and building (if applicable) on all the boards.

Drainage

Scott Kuhna, 303-441-4071

1. Page 4 (and page 5) of the Preliminary Stormwater Report – 29th Street Mall Macy’s states “there are no known existing water quality or detention facilities on the site or downstream of the site. Per the Final Stormwater Report – Twenty Ninth Street dated 12/6/2004 there is an existing water quality structure (Stormceptor Model STC 13000) downstream of this site that treats approximately 27.1 acres of the mall.
Corrective Action: Revise accordingly.
2. Page 9 of the Preliminary Stormwater Report – 29th Street Mall Macy’s references the “Boulder County Storm Drainage Criteria Manual (DCS), prepared by the City of Boulder, November 2016”. This city uses the City of Boulder Design and Construction Standards (DCS) dated November 16, 2000.
Corrective Action: Revise accordingly.
3. No Design Point "6" is shown on the plan view of the Historic Drainage Map drawing included in the Preliminary Stormwater Report – 29th Street Mall Macy’s.
Corrective Action: Revise accordingly.

Drainage

Scott Kuhna, 303-441-4071

4. No Design Point "F" is shown on the plan view of the Preliminary Drainage Map drawing included in the Preliminary Stormwater Report – 29th Street Mall Macy's.

Corrective Action: Revise accordingly.

Landscape

Elizabeth Judd, 303-441-3138

1. The southeast corner of the project has a canyon effect: due to the tall building walls on the north and south side. Careful plant selection is needed to ensure this area is successful.
2. 29th St streetscape: The current layout is inconsistent with multiple code sections and site review criteria. Move the planting strip to the curbside and pedestrians to the inside of the walk. The trees shall be planted at grade to provide the maximum soil volume possible. Low landscape/seawalls may be incorporated into the overall design if minimum planting and sidewalk widths are maintained. Given the overall width from back of curb to wall, a narrow planting strip may be supportable adjacent to the wall if separation and some buffering is preferred.
3. Renderings: Work with the architect to update all perspectives and renderings to accurately illustrate the proposed trees. Tree size should be approximately ten years of growth and relative to size if not the actual species. Trees are currently very misleading as to size and growth habit.
4. Tree species:
 - a. Propose at least two species of large maturing trees along the 29th St frontage consistent with Ch 3 of the Design and Construction Standards. Do not use honeylocust which are planted south of the project.
 - b. Most of the proposed trees are small maturing. Consider varying the species selection to include more upright trees that provide clearance in and around the canopy in areas such as the sunken patio on the west and are better proportioned to height of the building elsewhere. Species to consider include Turkish filbert, European hornbeam (fastigiata or other narrow variety), 'prairie sentinel' hackberry, or another as discussed and approved by staff.
5. The parking lot north of the project requires improvement to meet minimum landscape standards. Coordination is needed between the applicant and Macerich to achieve minimum standards per the Boulder Revised code and previous development agreements. Some junipers may have achieved full coverage, but the majority of the parking lot does not meet full coverage requirements. Note that minimum code is full coverage in five years and the installation has now been complete for ten years. All rock mulch shall be removed and sufficient plants added to achieve full coverage. The excessive shearing that has been the historic practice needs immediate correction; none of the plants originally specified required any shearing. Some of the parking lot islands are missing trees and many opportunities for adding trees around the parking lot perimeter exist.

Legal Documents

Julia Chase, 303-441-3052

Vested Rights

Upon resubmittal, the Applicant is required to provide a new Vested Rights form which reads the same as the one signed 12-13-18, but eliminates the references to "use" and "density" since this application is neither a Use Review nor a housing development.

Parking

David Thompson, 303-441-4417

1. Staff is unable to verify there's adequate off-street parking to accommodate the proposed use in meeting the off-street parking requirements contained in section 9-9-6(b) of the Boulder Revised Code 1981. This is because the parking areas shown on the site plans to be used by the proposed use are owned and managed by the Macerich 29th Street LLC as part of the 29th Street Mall. The applicant will need to coordinate with the Macerich 29th Street LLC to identify the number of vehicle parking spaces available for the proposed land use. At time of resubmittal please include an updated parking management plan for the 29th Street Mall prepared by the Macerich 29th Street LLC which shows the number of vehicle parking spaces that will be allocated for the proposed use for staff's review and comment. Please contact staff as soon as possible if the Macerich 29th Street LLC is unable to accommodate the 395 off-street vehicle parking requirements of the proposed land use within the 29th Street Mall Parking Management Plan to understand how it will impact the project.

Parking

David Thompson, 303-441-4417

2. The existing accessible parking spaces in the north parking lot do not meet current dimension standards for accessible parking per the ADA standards for accessible design and the section 9-9-6(d)(2)(C) of the Boulder Revised Code, 1981. In meeting the site review criteria for parking found in section 9-2-14(h)(2)(E)(i) please revise the site plans to (1) increase the length of the accessible spaces to 19'; (2) sign one of the spaces as van accessible; (3) provide an 8' wide unobstructed access aisle for the van accessible space and (4) provide a five-foot wide unobstructed access aisle for the vehicle accessible spaces. Staff might have additional comments on accessible parking if other parking areas are identified to be used by the proposed land use.
3. On sheet C02 please revise the bicycle parking table to use "157,794 SF" which is the floor area used to determine the vehicle parking requirements for the use and adjust the bicycle parking totals accordingly.
4. On sheet A04 please revise the sheet to include the type of bicycle rack(s) that will be used for the required 78 long-term bicycle parking spaces and how the space meets the design criteria for long-term bicycle parking contained in section 9-9-6(g) of the Boulder Revised Code.

Plan Documents

Shannon Moeller, 303-441-3137

1. Include the case number LUR2018 00075 on all sheets.
2. The project site is part of the overall Twenty Ninth Street Site Review Amendment, which has been revised multiple times and expanded with the development of Two Nine North. Please provide a site data summary chart on the cover sheet containing the following information, for both the project site and for the overall development, to demonstrate that the proposal will maintain the overall development's consistency with the requirements of the land use code. Please note that the applicant for the proposal at 1680 29th St (LUR2018-00068) is currently working with Macerich to update these calculations.
3. Indicate any modifications requested to the development code on the cover sheet of the plan documents.
4. Update the square-footage listed on the plan set as necessary to comply with the definition of "floor area" in 9-16-1, General Definitions, B.R.C. 1981, which includes the total square footage of all levels measured to the outside surface of the exterior framing .
5. On sheet A21 Open Space Analysis, please eliminate the label "courtyard" as the spaces labeled as such would be considered plazas rather courtyards under the definition in 9-16-1, General Definitions, B.R.C. 1981.
6. In keeping with section 9-2-14(e), B.R.C. 1981, please provide the following upon resubmittal:
 - (4) A shadow analysis, as described in the solar analysis instructions provided by the city manager, that shows the shadow cast by a thirty-five-foot building located at the required setback and the shadow cast by the proposed building;
 - (5) A list of the height of each principal building located or known to be proposed or approved within one hundred feet of the proposed project;
 - (6) A written statement and drawings which describe the way in which the proposal accommodates pedestrians, including, without limitation, uses proposed for the ground level, percent of transparent material at the ground level, and signage and graphics.
 - (7) A written statement of how the proposed useable open space serves the public interest.
7. Include the 1958 USGS elevation contours on the architectural site plan to confirm the low point from natural grade within 25' of building. Refer to the LUR2004-00007 approval sheet SP-13 for reference.

Review Process

Shannon Moeller, 303-441-3137

Review Process

Shannon Moeller, 303-441-3137

Pursuant to section 9-2-14(h)(1)(A), B.R.C. 1981, the proposal must be consistent, on balance, with the policies of the Boulder Valley Comprehensive Plan. The application materials have not identified the policies of the Boulder Valley Comprehensive Plan with which the proposal is consistent. Please update the proposal and the written statement to indicate which policies the proposal is consistent with and how the proposal implements those policies. Of specific note:

- Policy 1.10 Jobs: Housing Balance: The application materials have not identified the expected change to jobs on the site vs. the present use of the building, nor has information been provided regarding the feasibility of housing on the site or in a portion of the building, in particular within the proposed third story addition.
- Policy 1.11 Enhanced Community Benefit and Policy 2.35 Building Height: The proposal requests a height modification. As stated in the policies, the city will consider additional height as an incentive in exchange for community benefits that further other community objectives, such as affordable housing, affordable commercial space, spaces for the arts, community gathering space, public art, land for parks, open space, environmental protection or restoration, outdoor spaces and other identified social needs and services. The application materials have not identified any community benefit that the proposal provides.
- Policy 2.14 Mix of Complementary Land Uses and Policy 2.16 Mixed Use & Higher-Density Development: The proposal provides only one land use.
- Policy 2.18 Boulder Valley Regional Center & 28th Street and BVRC Guiding Principles: The proposal does not include both residential and commercial uses nor does it include vertical mixed-use such as first floor retail and upper story residential as described in BVRC Guiding Principle 1. This will likely make the application difficult to support. The proposal to provide exclusively office space rather than ground floor retail space is not in keeping with the city's goals to preserve and enhance the BVRC as a high intensity regional commercial center as described in Policy 2.18. Generally, staff is unlikely to be able to recommend approval of a proposal that does not carefully address this policy and guiding principles.
- Policy 2.41 Enhanced Design for All Projects: The applicant is encouraged to provide a written response demonstrating how the proposal is consistent with this policy. Generally, staff recommends additional attention to the west and south facades adjacent to the plaza / 29th Street to provide an engaging, pedestrian-oriented ground floor design.
- Policy 2.37 Environmentally Sensitive Urban Design, Policy 4.08 Energy-Efficient Building Design and Policy 4.09 Building Construction Waste Minimization: Recent Site Reviews approved by Planning Board have included conditions of approval related to sustainability, including requiring installation of conduit for future photovoltaic systems from the panel of the building to the roof or requiring PV systems at the time of construction, provision of EV charging stations, and provision of bike charging stations. The application materials should be revised to indicate how the proposal will provide for improvements in keeping with these policies.
- Policy 6.03 Reduction of Single Occupancy Auto Trips and Policy 6.05 Integrated Transportation Demand Management (TDM) Programs: The application materials should be revised to indicate how the proposal will support these policies, such as the inclusion of amenities like locker rooms with showers for employees, bike repair stations, short- and long-term bike parking in excess of minimum requirements, EcoPasses for employees, etc.

Utilities

Scott Kuhna, 303-441-4071

1. The Overall Utility Plan shows an existing wastewater service line at the northeast corner of the building and a proposed wastewater service line with grease trap at the northwest corner of the building. Only one (1) wastewater service line for this single building is permitted.
Corrective Action: Revised the plans accordingly.
2. Per Section 4.02 of the City of Boulder Design and Construction Standards (DCS), all trees 1-1/2 inch caliper or greater and all major landscape features are required to be included on the Overall Utility Plan.
Corrective Action: Revised the plans accordingly.

Zoning

Shannon Moeller, 303-441-3137

1. Provide Solar Access plan sheets in accordance with the instructions located in the city's Solar Access Guide: <https://www-static.bouldercolorado.gov/docs/PDS/forms/solar-access-guide.pdf> . Please be sure to label the zoning districts and Solar Access Area (III) of all adjacent parcels.
2. Revise the Photometric Plan (sheets E10 and E11) as indicated in the redlines.

III. INFORMATIONAL COMMENTS

1. Architectural Inspections, Shannon Moeller, 303 441 3137

Note that at the time of building permit inspections, architectural inspections will be performed as a part of the regular building permit inspection process to ensure high quality outcomes in new buildings and landscaping. The “rough architecture” and the “final architecture” inspections for buildings approved as a part of a discretionary site or use review will require that building architecture, materials and window details are consistent with details approved in discretionary review plans.

2. Area Characteristics and Zoning History Shannon Moeller, 303 441 3137

The project site is located within the Twenty Ninth Street shopping center. The current configuration of the development was approved as a Site Review Amendment (LUR2004-00007) to redevelop the original Crossroads Mall PUD (Planned Unit Development). The amendment approval was for the construction of an outdoor retail/entertainment complex and associated circulation and retained several existing structures including the subject building.

The development site contains the existing Macy’s department store, which is identified as the Foley’s building on the approved plans.

The property is located east of 29th Street, south of Walnut Street, west of 30th Street, and is legally described as Lot 5, Twenty Ninth Street Subdivision.

According to assessor records, the existing site is developed as a 151,120 square-foot building built in 1982. The property is approximately 102,419 square-feet (2.35 acres). The building is a two-story department store.

The property is zoned Business Regional-1, BR-1. This zoning district is defined 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.

The Boulder Valley Comprehensive Plan (BVCP) land use map designates the entire property as Mixed Use Business (MUB) which is described as:

Characteristics and Locations: MUB development may be appropriate and will be encouraged in some business areas. (Generally, the use applies to areas around 29th Street as well as North Boulder Village Center, the commercial areas near Williams Village and other parcels around Pearl, 28th and 30th Streets.) Specific zoning and other standards and regulations will be adopted which define the desired form, intensity, mix, location and design characteristics of these uses. Uses: Consists of business or residential uses. Housing and public uses supporting housing will be encouraged and may be required.

The property is within the BVRC (Boulder Valley Regional Center) and subject to the Twenty Ninth Street Design Guidelines and the BVRC Design Guidelines.

Nearby on street bike lanes exist within 29th Street, Walnut Street, and 30th Street and off-street multi-use paths exist north of Walnut Street, along 30th Street, and along 28th Street.

The nearest transit stops are located immediately south of the building along 29th Street (HOP route), northeast of the building along Walnut Street (HOP route), east of the building along 30th Street (BOUND route), and near the intersection of 28th and Canyon Blvd (205/205T, 236, AB2, BOLT, FF4 routes).

In 2015, a 25% administrative parking reduction (ADR2015-00112) for Twenty Ninth Street was approved for a request to accommodate the additional parking required through passage of Ordinance No. 8005, which superseded the 10 percent parking reduction that was approved by LUR2004-00007. The reduction returned the required amount of parking to 3,036 parking spaces which is in the range of what was permitted through the previous parking reduction, and also included a bike parking reduction to permit 199 bike parking spaces (includes 30 new short-term spaces in highly used locations) and 15 new long-term spaces in the parking garage due to the size of the development.

Surrounding uses include:

To the north: Target (2800 Pearl) and Two Nine North apartments (1925 30th Street).

To the west: Businesses along 29th Street including restaurants, retail, and personal service uses.

To the south: Business along 29th Street including restaurants, retail, and personal service uses.

To the east: Parking garage.

All surrounding uses are also in the BR-1 zoning district and the Mixed Use Business BVCP land use designation.

3. Energy Conservation, Shannon Moeller, 303 441 3137
The City of Boulder has an aggressive energy code that requires all new construction projects utilize energy modeling to demonstrate that annual energy costs are at least 30% less than the ASHRAE 90.1 2010 baseline. The city encourages projects to develop energy models early in the project to aid in site planning, massing, envelope development, daylighting strategies, and other features that will help meet the energy goals required by Boulder's energy code. For more energy code information goto: www.BoulderEnergyCode.com or contact Christin Whitco, Energy Code Coordinator, at 720 564 2342 or whitcoc@bouldercolorado.gov.
4. Legal Documents, Julia Chase, 303-441-3052
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 (for the 1900 29th St property and the surrounding properties where the associated parking lots are located); and
 - b. any additional documentation pertaining to signature authority of the owner of the 1900 29th St property and the surrounding properties where the associated parking lots are located).
5. Neighborhood Comments, Shannon Moeller, 303 441 3137
Staff has not received any public comments as of the date of this correspondence.
6. NEXT STEPS, Shannon Moeller, 303 441 3137
Revisions and additional information are required. Please review and respond to the 'City Requirements' comments herein. Upon resubmittal, provide the following items. It is not necessary to meet with a Project Specialist for resubmittals.
 - four (4) paper copies and one (1) PDF copy of revised plan sets
 - four (4) paper copies and one (1) PDF copy of revised Written Statement
 - four (4) paper copies and one (1) PDF copy of a response to these City Requirements comments

Staff is happy to meet to discuss these comments.

7. Review Process, Shannon Moeller, 303 441 3137
Pursuant to 9-2-14(m) Amendments to Approved Site Plans, B.R.C. 1981, the approved site plan (LUR2004-00007) may be amended in accordance with the procedures provided by 9-2-14, Site Review, B.R.C. 1981.

Pursuant to 9-2-14(m)(2), B.R.C. 1981, no proposal to modify, structurally enlarge, or expand a portion of a building over the permitted height will be approved unless the site plan is amended and approved in accordance with the procedures prescribed by this section for approval of a building above the permitted height.

A Site Review to allow a building height greater than the principal building maximum height is decided at a Public Hearing by Planning Board and is subject to a 30-day City Council call-up period.

Applicant has requested Vested Rights. Per 9-2-20(b)(3), if the proposal is approved, the applicant shall cause a notice advising the general public of the site specific development plan approval and the creation of a vested property right to be published in a newspaper of general circulation no later than fourteen days following final approval. Further, the applicant shall provide the city manager with the newspaper's official notice of said publication no later than ten days following the date of publication.

In 2015, City Council adopted a building height ordinance to address the community concern that height modification requests could have been considered on any property in the city through the Site Review process. The changes allowed height modification requests in select areas and circumstances within the city. Pursuant to section 9-2-14(c)(2)(A), B.R.C. 1981, the subject property is located in an area designated in Appendix J "Areas Where Height Modifications May Be Considered" and thus is eligible to request a height modification up to 55-feet.

Technical documents will be required subsequent to the Site Review Amendment. Building permit applications are not accepted until technical documents have been approved.

8. Setbacks, Shannon Moeller, 303 441 3137

The subject property is not located adjacent to public right-of-way. The private street and associated public access easement to the west (29th Street) serves as the public access to the property. As such, staff considers the following setbacks/yards to apply to the property: West: front (20' Minimum); East: rear (20' Minimum); All others: interior side (0' or 12').

IV. FEES

Please note that current 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.

V. APPROVAL CONDITIONS ON CASE

The section below provides conditions that will need to be met if your project is approved.

1.



City of Boulder Planning & Development Services

CITY OF BOULDER

TECHNICAL DOCUMENT REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 01, 2019**
CASE MANAGER: **Elaine McLaughlin**
PROJECT NAME: **HOLIDAY INN EXPRESS**
LOCATION: **3365 DIAGONAL HWY**
REVIEW TYPE: **Plan Combinations**
REVIEW NUMBER: **TEC2019-00008**
APPLICANT: **JEFF LAMONT, LAMONT COMPANIES**
JEFF DAWSON, STUDIO DEVELOPMENT SERVICES
DESCRIPTION: **Final Architecture for the Holiday Inn Express development.**

I. REVIEW FINDINGS

Minor plan set corrections are required before the application can be approved. Refer to review comments below for corrections necessary prior to submitting final document sets for city sign off. Please contact staff with any questions or concerns.

TEC DOCUMENTS

At the request of the Case Manager after final revisions/corrections have been approved, two (2) copies of all architecture and landscape plans and three (3) copies of the corrected engineering plans must be provided to the Case Manager for final approval. The Case Manager will forward the engineering sets to the applicable engineering reviewers.

One complete copy of each plan set will be returned to the applicant for use with all building permit submittals. These returned plans will indicate approval with a city stamp and signatures from the Land Use Review Manager and the Engineering Review Manager. **Copies of these exact plans must be included with the subsequent building permit submittal(s), and will serve as the permit plans for their respective disciplines (e.g. site, landscape, architecture, etc.). Stamped Technical Document plans shall be considered the final permit, or construction document plans.** Please do not include duplicate or unstamped plans as part of the permit application. The only unstamped sheets within the permit submittal shall be plans which were not previously included in Technical Document Review (e.g., mechanical, electrical, plumbing framing, structural, etc.).

Any and all changes made to the approved (stamped/signed) Technical Document plans for building permit must be redlined and written documentation provided on the plan sets showing the changes or pages to be reviewed for changes. Changes must be first discussed and presented to the Case Manager for consideration, since certain changes may require a minor modification, or in more limited circumstance, a Site Review amendment. Delays in the building permit reviews can be expected if this information is not provided. Upon resubmittal of the final plans, please also provide a written statement that this section has been read and understood.

II. CITY REQUIREMENTS

The section below addresses issues that must be resolved prior to project approval.

Building and Housing Codes

Kirk Moors, 303-441-3172

ROOF PATIO EXITING

If the roof patio has an occupant load greater than 49 (area > 750 s.f.), then two exits must be provided (IBC sec. 1015.1) that meet the remoteness requirements of IBC sec. 1015.2.1 and the door to the corridor must swing in the direction of egress travel (IBC sec. 1008.1.2).

Building Design

Physical Address
1739 Broadway, Third Floor
Boulder CO 80302

Mailing Address
PO Box 791
Boulder CO 80306-0791

BoulderPlanDevelop.net
plandevlop@bouldercolorado.gov
P: 303-441-1880 F: 303-441-4241

Building Design

Elaine McLaughlin, 303-441-4130

1. As the applicant is aware, the notice of disposition of approval for the Site and Use Review included the requirement that the applicant provide architectural plans that include construction details that demonstrate that wall construction, and window and doors selections that will achieve an exterior-interior noise level reduction of 25 decibels as certified by an acoustical engineer.
2. The Notice of Disposition also included the requirement that final plans include construction details that demonstrate that the building will be pre-wired for future photovoltaic systems, from the roof-top to the primary electrical panel, and that at least one electric vehicle charging station is provided on the site.

Plan Documents

Elaine McLaughlin, 303-441-4130

1. On Sheet A5.4, detail 1, there are some labels that need to be cleaned up.
2. On Sheet A1.1, remove the "Guest Room Matrix" from the plan set, it is not relevant to the Technical Document review.
3. Provide construction details for the porte cochere.
4. On all elevations, provide the height measurement to the top of the deck of the roof, rather than to the top of the parapet. The parapet should have a separate height call-out, refer to mark up sheet A3.1 as example.

III. INFORMATIONAL COMMENTS

The list below provides informational comments that may be applicable to your proposal.

IV. FEES

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V. DRAFT APPROVAL CONDITIONS

The section below provides conditions that will need to be met if your project is approved.

- 1.



City of Boulder Planning & Development Services

CITY OF BOULDER TECHNICAL DOCUMENT REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 01, 2019**
CASE MANAGER: **Gabby Hart**
PROJECT NAME:
LOCATION: **7350 CLUBHOUSE RD**
REVIEW TYPE: **Right-of-Way/Easement Dedication**
REVIEW NUMBER: **TEC2019-00013**
APPLICANT: **KATSIA LORD
MICHAEL LARSON**
DESCRIPTION: **Dedication of utility easement for water line relocation. See TEC2018-00065**

I. REVIEW FINDINGS

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II. CITY REQUIREMENTS

The section below addresses issues that must be resolved prior to project approval.

III. INFORMATIONAL COMMENTS

The list below provides informational comments that may be applicable to your proposal.

1. Legal Documents, Julia Chase, 303-441-3052

The Applicant will be required to sign the City's standard form of easement which will be provided by the City. When staff requests, the Applicant shall provide an updated title commitment current within 30 days.

IV. FEES

Please note that the current year 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.

V. DRAFT APPROVAL CONDITIONS

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- 1.



City of Boulder Planning & Development Services

CITY OF BOULDER TECHNICAL DOCUMENT REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 01, 2019**
CASE MANAGER: **Gabby Hart**
PROJECT NAME:
LOCATION: **2949 BROADWAY**
REVIEW TYPE: **Right-of-Way/Easement Dedication**
REVIEW NUMBER: **TEC2019-00015**
APPLICANT: **MICHAEL BOSMA**
AARON WINSKY
DESCRIPTION: **Easement dedication of new 319 sf meter pit.**

I. REVIEW FINDINGS

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V. DRAFT APPROVAL CONDITIONS

The section below provides conditions that will need to be met if your project is approved.

- 1.



City of Boulder Planning & Development Services

CITY OF BOULDER

TECHNICAL DOCUMENT REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **May 01, 2019**
CASE MANAGER: **Shannon Moeller**
PROJECT NAME: **250-260 PEARL**
LOCATION: **250 PEARL ST**
REVIEW TYPE: **Plan Combinations**
REVIEW NUMBER: **TEC2019-00016**
APPLICANT: **CURTIS STEVENS, THE SANITAS GROUP
ALI GIDFAR, PACE DEVELOPMENT**
DESCRIPTION: **Technical Documents (Stormwater Plan and Report, Transportation Plan, Utility Plan, and Landscaping) for residential redevelopment of property.**

I. REVIEW FINDINGS

Minor plan set corrections are required before the application can be approved. Refer to review comments below for corrections necessary prior to submitting final document sets for city sign off. Please contact staff with any questions or concerns.

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II. CITY REQUIREMENTS

The section below addresses issues that must be resolved prior to project approval.

III. INFORMATIONAL COMMENTS

The list below provides informational comments that may be applicable to your proposal.

1. Addressing, Gabby Hart, 303-441-4159
Once the address plat has been corrected and the technical document has been finalized, a Notice of Address assignment shall be sent to utility companies, USPS, emergency services, the County Assessor etc. for review and approval. After a 10-day wait period, the addresses will be finalized if no issues arise.

Physical Address
1739 Broadway, Third Floor
Boulder CO 80302

Mailing Address
PO Box 791
Boulder CO 80306-0791

BoulderPlanDevelop.net
plandevlop@bouldercolorado.gov
P: 303-441-1880 F: 303-441-4241

2. **Area Characteristics and Zoning History, Shannon Moeller, 303-441-3137**
 The existing site is three parcels (250 and 260 Pearl, parcels 146125300025, 146125300014, and 146125300013). The overall site is approximately 1.04 acres and is located south of Pearl, west of 3rd Street, and north of Canyon Blvd.
 The site includes Boulder Auto Detail at 250 Pearl (demolition approved per HIS2018-00383) and Meyers Heating and Air Conditioning at 260 Pearl (demolition approved per HIS2018-00384). Sunshine Canyon Creek passes through the northwest corner of the property.
 Parcel 146125300025 was annexed in 2016 (LUR2015 00029) by Ordinance 8080 and is subject to the annexation agreement filed at (Rec. No. 03508612). Parcels 146125300014 and 146125300013 were annexed prior to 1947. The property is zoned BT-2, Business – Transitional 2, which is described in section 9 5 2(c)(2)(E), B.R.C. 1981, as “Transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.” The property is located in the Central Boulder Subcommunity. It is not located within any existing historic district, parking district, or area plan. Portions of the site are impacted by high hazard, conveyance, 100 year floodplain, and wetlands areas.

3. **Discretionary Review Track Submittal Date Changes, Shannon Moeller, 303-441-3137**
 On May 6, Planning and Development Services will change the existing LUR and TEC Review tracks to three week cycles. This means that applications will be routed for review every three weeks instead of on the first and third Mondays of each month. The new submittal calendar is published on the city’s development services website at <https://bouldercolorado.gov/plan-develop>. Administrative applications (ADRs, AURs, PARs) will be routed every other Monday but will remain on a two week review cycle.
 This change is being made to create a more predictable and reliable review schedule and to better manage staff’s workload. For more information please email: plandevlop@bouldercolorado.gov.

4. **Inclusionary Housing, Beth Roberts 303-441-1828**
 Each new residential unit developed on the property is subject to 9-13 B.R.C., 1981, “Inclusionary Housing” (IH) which requires that all residential developments with 5 or more dwelling units contribute 25 percent (25%) of the total dwelling units as permanently affordable housing affordable to low/moderate and middle-income households.

 For-sale developments may meet the inclusionary housing requirement by providing half of the required affordable units on-site. The other half may be met by providing comparable existing or newly built permanently affordable units off-site, land appropriate for affordable housing or by payment of a cash-in-lieu (CIL) contribution. When at least half of the required affordable units are provided on-site, the remaining CIL is reduced by 50 percent. In for-sale developments with 20 or fewer total units all affordable units provided on-site may be priced at the middle-income level.

 Applicant proposes 13 for-sale units (5 single-family and 8 attached) at 1,704 average sq. ft. The IH requirement is 3.25 units. 50% of the required units results in 1.63 which rounds to 2 units required on site. The CIL contribution is \$894,854 if none of the required units are provided on site. If 2 of the required units are provided on site, the CIL contribution is reduced to \$447,427. A Unit and Cash-in-lieu Calculator for estimating the Inclusionary requirement for your development may be found on the city website at www.bouldercolorado.gov/housing/inclusionary-housing

 Any required documents including the Determination of Inclusionary Housing Compliance form, a Land Covenant to secure the permanent affordability of the units must be signed prior to application for any residential building permit. Any applicable cash-in-lieu contribution must be made prior to receipt of a residential building permit.

 Please contact a housing planner as soon as possible in the development process to determine how best to meet the IH requirement.

5. **Land Uses, Shannon Moeller, 303 441 3137**
 The proposal includes detached and attached dwelling units which are permitted uses by right in the BT 2 zoning district.

6. NEXT STEPS, Shannon Moeller, 303 441 3137
Revisions and additional information are required. Please review and respond to the 'City Requirements' comments herein. Upon resubmittal, provide the following items at the front counter of the Planning and Development Services Center, 1739 Broadway, 3rd Floor, as a resubmittal. It is not necessary to meet with a Project Specialist for a resubmittal.
- four (4) paper copies of revised plans
 - four (4) paper copies of a response to City Requirements comments
 - one (1) electronic copy (PDF) of all documents
7. Residential Growth Management System
The City of Boulder's Residential Growth Management System (RGMS) caps annual residential growth at 1% per year and is managed through an allocation process. The adopted code language can be found in Section 9 14, "Residential Growth Management System", B.R.C. 1981. All projects that include residential units, including those that meet the exemption criteria, must apply for and receive growth management allocations prior to building permit application. In order to apply for a growth management allocation, an agreement for meeting city affordable housing requirements must be in place. Allocation issuance can take up to 2 weeks. A RGMS allocation application may be found at: <https://www-static.bouldercolorado.gov/docs/PDS/forms/350.pdf>. Please note also, that if new addresses are required for the project those addresses will have to be in place prior to submittal for growth management allocations and subsequent building permits.
8. Review Process, Shannon Moeller, 303-441-3137
The proposal is eligible for, but not required to complete, the Site Review process, as the proposal does not exceed 2 acres nor 30,000 square feet of floor area in the BT 2 zoning district. Prior to building permit submittal, the proposal will require a Preliminary and Final Plat process to eliminate property lines between the tracts that comprise the project site and to dedicate right-of-way and easements. Application forms and submittal requirements are available online at: <https://bouldercolorado.gov/plan-develop/applications>
Please note that pursuant to 9 12 12(a)(3)(D), B.R.C. 1981, newly installed telephone, electric, and cable television lines and other similar utility service are placed underground. Existing utilities are also placed underground unless the subdivider demonstrates to the manager that the cost substantially outweighs the visual benefit from doing so. At the time of building permit application:
- Identify the location and elevation of the low point and provide the elevation of the highest point of the roof of each principal structure to verify that building heights are in compliance with section 9-7-5, Building Height, B.R.C. 1981.
 - Provide a lighting plan in compliance with the requirements of 9-9-16, Lighting, Outdoor, B.R.C. 1981
 - Provide a solar analysis in compliance with section 9-9-17 Solar Access, B.R.C. 1981 by following the instructions in the Solar Access Guide: <https://www-static.bouldercolorado.gov/docs/PDS/forms/solar-access-guide.pdf>. Note that properties to the west and north are in Solar Access Area II.
 - The window wells depicted in the setbacks must not extend above grade in keeping with the definition of "setback" per 9-16-1, General Definitions, B.R.C. 1981.

IV. FEES

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V. DRAFT APPROVAL CONDITIONS

The section below provides conditions that will need to be met if your project is approved.

1.