

CITY OF BOULDER
PLANNING BOARD AGENDA ITEM
MEETING DATE: March 3, 2016

AGENDA TITLE: Public hearing and consideration of a Site and Use Review (LUR2011-00071) to redevelop the site located at 4403 Broadway Ave. with a new mixed use development. The western portion of the site, zoned RM-1 (Residential – Medium 1) would include twelve 3-story townhome units divided between two buildings. The eastern portion of the site, zoned MU-2 (Mixed Use – 2), would include three new mixed use buildings containing an additional 16 attached residential units above 9,207 sq. ft. of commercial and restaurant space. The proposal includes a request for a height modification to allow for both townhome buildings and two of the mixed use buildings to exceed the 35 foot height limit for the zone (requested heights range from 36’3” to 43’6”) as well as a request for a 5% parking reduction to allow for 57 parking spaces where 60 are required. The proposal also includes a Use Review request to allow for three restaurants which close after 11:00 p.m., two of which are over 1,000 sq. ft. in floor area. The applicant is seeking to create vested property rights as provided for in section 9-2-19, B.R.C. 1981.

Applicant: Jeff Dawson
Owner: Emerald Investments I, LLC

REQUESTING DEPARTMENT:

Planning, Housing & Sustainability

David Driskell, Executive Director

Susan Richstone, Deputy Director

Charles Ferro, Development Review Manager

Chandler Van Schaack, Planner II

OBJECTIVE:

Define the steps for Planning Board consideration of this request:

1. Hear Applicant and Staff presentations
2. Hold Quasi-Judicial Public Hearing
3. Planning Board discussion
4. Planning Board action to approve, approve with conditions or deny the Site Review
5. Planning Board action to approve, approve with conditions or deny the Use Review

SUMMARY:

Proposal:

LAND USE REVIEW: Public hearing and consideration of a Site and Use Review (LUR2011-00071) to redevelop the site located at 4403 Broadway Ave. with a new mixed use development. The western portion of the site, zoned RM-1 (Residential – Medium 1) would include twelve 3-story townhome units divided between two buildings. The eastern portion of the site, zoned MU-2 (Mixed Use – 2), would include three new mixed use buildings containing an additional 16 attached residential units above 9,207 sq. ft. of commercial and restaurant space.

Project Name: 4403 Broadway
Location: 4403 Broadway Ave.
Size of Tract: 108,315 square feet (2.48-acres)
Zoning: RM-1 (Residential – Medium 1) and MU-2 (Mixed Use – 2)
Comprehensive Plan: MR (Mixed Residential) and MUB (Mixed Use Business)

KEY ISSUES:

1. Is the proposed project consistent with the vision for the area as established in the adopted 1997 North Boulder Subcommunity Plan?
2. Is the proposed Site Review consistent with the Site Review criteria as set forth in section 9-2-14(h), B.R.C. 1981?
3. Does the proposed project meet the Use Review criteria as set forth in section 9-2-15(e), B.R.C. 1981?



Figure 1: Vicinity Map

INTRODUCTION AND BACKGROUND:

The project site is located in North Boulder at the northwest corner of the intersection of Violet Ave. and Broadway Ave. within the boundaries of the [North Boulder Subcommunity Plan](#) (NoBo Plan). The NoBo Plan sets forth the official vision for the future of the North Boulder Subcommunity and is the basis for decisions regarding the long-term preservation and development of North Boulder. The site was formerly the location of the Blue Spruce Auto repair shop; however, that use has relocated and the existing building is vacant.

The area encompassed in the NoBo Plan has changed over the years from a largely rural area with a mix of residential and service or industrial uses to nodes of more urban mixed use neighborhoods, guided by the NoBo Plan and the zoning put in place to implement the plan.

Reflecting these changes, the character of the area surrounding the project site is eclectic. The Waldorf School surrounds the site on the south and west, and beyond that to the south and southeast of the site are established residential neighborhoods with predominately traditional single family building scale and style. To the north are the Ponderosa mobile home park and an industrial service shopping center, and further north and across Broadway is the Uptown Broadway development which is characterized by larger buildings with a more contemporary style. Directly across the street is the site of the recently constructed Violet Crossing development, which incorporates a north-south transition from three to two-story buildings, creating an urban edge and street face that is compatible with the mixed use buildings at Uptown Broadway while utilizing materials that are compatible with the adjacent single family neighborhoods.

Project Description

The intent of this proposal is to redevelop the site located at 4403 Broadway Ave. with a new mixed use development. The western portion of the site, zoned RM-1 (Residential – Medium 1) would include twelve 3-story townhome units divided between two buildings. Building 1, located on the westernmost portion of the site fronting onto 10th Street, would contain five units and would be 19,411 sq. ft. in size. Building 2 lies to the east of Building 1 and faces Violet Ave., containing 7 dwelling units with a total floor area of 17,981 sq. ft. All units in both buildings include a 2-car garage that provides access to each unit via a private courtyard. Access to the garages is provided off Violet Ave. via a shared driveway that runs behind the units. Please see **Figure 2** for the proposed site plan.

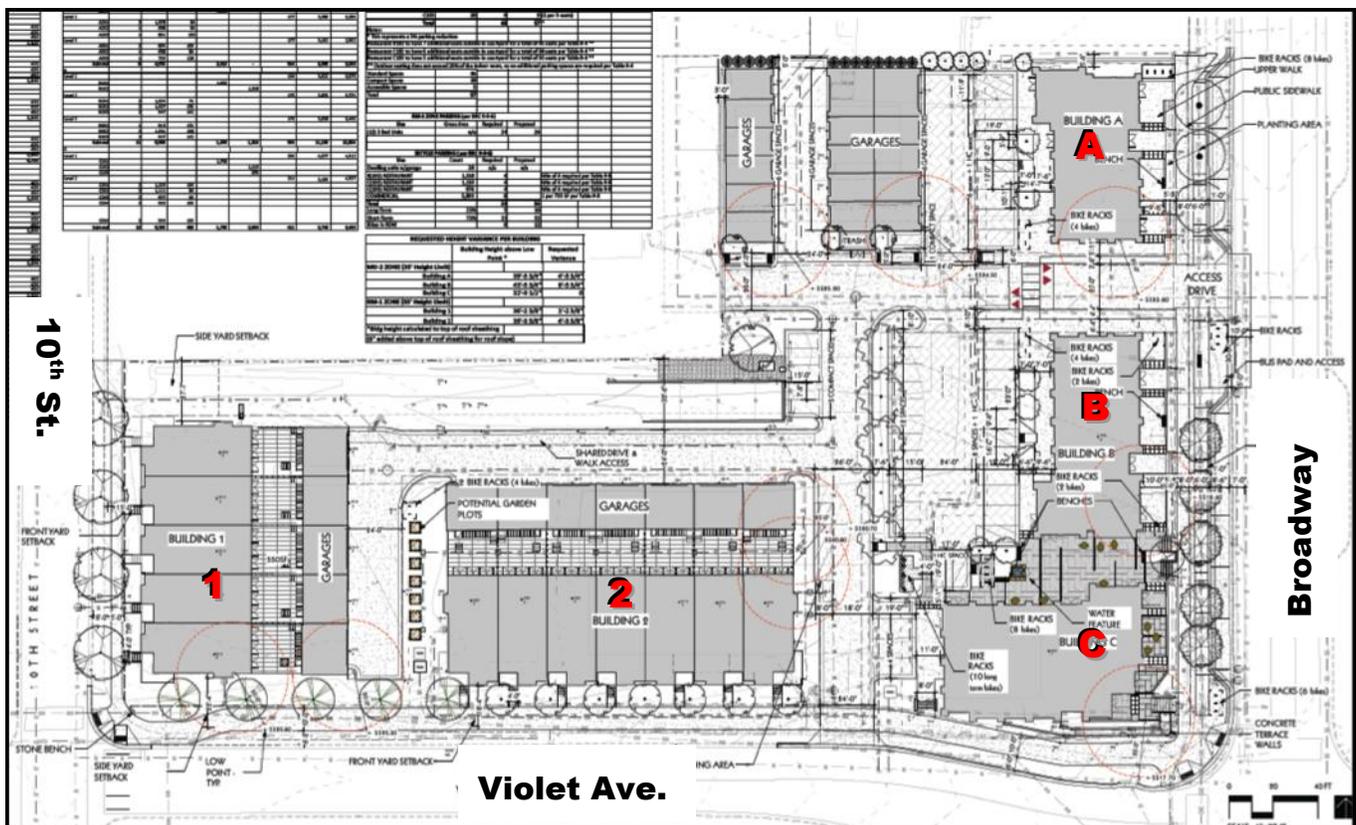


Figure 2: Proposed Site Plan

The architecture of the proposed townhomes is intended to build upon the precedent for the typical brown stone home. The applicant describes the character of these townhomes as a “modern north Boulder vernacular,” with the street-facing facades consisting of contemporary materials such as brick, wood siding, stone, and metal panel, and stucco elements incorporated on the rear elevations of the buildings. Staff has worked with the applicant to refine the design of the facades over several iterations in order to create a simple and elegant visual patterning along both 10th Street and Violet Avenue, with a high degree of transparency and a logical hierarchy of high quality building materials. The first two stories of each building are primarily brick, metal panel and glass, with the third story lofts comprised of wood siding. Each unit is has a front entrance at street level, and the orientation of the buildings deemphasizes the garages to the rear. Please see **Figure 3** below for the proposed Building 1 elevations. The elevations for Building 2 are highly similar and can be found in the applicant’s proposed plans included as **Attachment A**.



Figure 3: Proposed Townhome Elevation (Building 1)

Each townhome includes a variety of private open space, including an entry patio that faces the street, a private courtyard between the townhome itself and the garage, a second story balcony from the master bedroom, a patio above the garage, and a patio on either side of the roof loft offering both sun and shade. The third story lofts will be set back from the face of the building to lower the perceived height of the buildings, which are requested at 36’3” for Building 1 and 39’4” for Building 2, respectively.

The eastern portion of the site, zoned MU-2 (Mixed Use – 2), would include three new mixed use buildings containing an additional 16 attached residential units above 9,207 sq. ft. of commercial and restaurant space. The mixed use buildings along Broadway and Violet are presented in a traditional character using materials such as brick, masonry, and storefront along the street transitioning to stucco and wood siding on the third stories of Buildings A and B. The bay pattern along the street is delineated by changes in material and form from the ground floor to the second floor, which provides for a human scale to the buildings and creates a consistent visual pattern and rhythm on the street. The proposed buildings transition in scale from north to south, with Buildings A and B proposed as 3 stories each with heights of 39’6” and 43’6”, respectively, and Building C proposed as 2 stories at a height of 32 feet. Please see **Figure 4** below for the proposed building elevations along Broadway. Refer to **Attachment B** for staff’s complete analysis of the Site Review criteria, including a discussion of the height modification request.



Figure 4: Proposed Broadway Elevations – Buildings A, B and C (from Right to Left)

The project site slopes significantly downhill from north to south, so in order to minimize slope within the development and allow for consistent floor elevations within each building, the project proposal includes re-grading the site. As such, a tiered walkway is proposed along Broadway, with a wide promenade in front of the buildings separated from a detached sidewalk at street level by integrated planters and stairways. At the southern edge of the project, between Buildings B and C, the applicant is proposing a large plaza area that includes a water feature and outdoor restaurant seating as well as short and long-term bicycle parking. The plaza would be accessible from the parking area to the west of the buildings as well as from Broadway via a pedestrian stairway. The building elevations framing this plaza (the north face of Building C and the south face of Building B) have been designed to continue the visual patterning along Broadway, with the brick patterning continuing around the corner into the plaza. See **Figures 5 and 6** below for perspective drawings of the plaza and terraced planters at the southern end of the site.

**Figure 5:
Perspective Drawing of
Plaza Entry from Broadway**



**Figure 6:
Perspective Drawing of Building C
and Terraced Planters from corner
of Broadway and Violet**

As mentioned above, the project also includes a request for a 5% parking reduction to allow for 57 parking spaces where 60 are required for the MU-2 portion of the site. The parking requirement for the 12 units on the RM-1 portion of the site is being met, with each of the units being provided 2 garage parking spaces for a total of 24 spaces. On the MU-2 portion of the site, for which the parking reduction is being requested, the 16 units in the mixed use buildings are provided with a total of 18 garage spaces (14 single car garages and 2 two-car garages), and 39 spaces including 3 accessible spaces are provided for the commercial and restaurant uses. In terms of operating characteristics, this equates roughly to an 11% parking reduction for the commercial uses, as there would be 39 spaces provided where 44 are required per the non-residential parking requirements for the MU-2 zone; however, the overall parking reduction request is based upon the aggregate parking requirement for all of the proposed uses in the MU-2 zone. The project proposes 38 spaces for bike parking on site, with another 12 bike spaces located in the adjacent right-of-way, for a total of 2.5 times the required amount.

As part of the parking reduction request, the applicant has provided a Travel Demand Management (TDM) Plan that includes strategies for reducing vehicle travel to and from the site, including providing EcoPasses for all employees for a period of at least 3 years. In addition to the requested parking reduction and height modification, other modifications to the land use regulations requested as part of this proposal include a modification to the setback standards to allow for a 15-foot front yard setback along 10th Street where 20 feet is the minimum required for the RM-1 zone, as well as a modification to the parking lot landscaping standards. The proposal also includes a Use Review request to allow for restaurants that are over 1,000 sq. ft. in floor area and which close after 11:00 p.m. Per the Management Plan included as [Attachment A](#), the applicant does not have specific tenants for the 3 proposed restaurant spaces yet, so they have requested maximum flexibility in order to allow for hours of operation from 6:00 a.m. to 12:00 a.m. seven days per week. It is worth noting that because of the site's proximity to the Waldorf School property, none of the restaurant spaces will be eligible to obtain a liquor license.

Zoning Description

The project is split-zoned, with the western portion of the site (roughly 57,000 sq. ft. in size) zoned RM-1 (Residential – Medium 1) and the eastern portion of the site (roughly 50,810 sq. ft. in size) zoned MU-2 (Mixed – Use 2). The areas surrounding the site are a mix of RL-2 to the south and west, MU-2 across Broadway to the east, and County enclave land immediately to the north (Ponderosa). Refer to **Figure 7** below for a Zoning Map.

The RM-1 zone is defined as follows:

Medium density residential areas which have been or are to be primarily used for attached residential development, where each unit generally has direct access to ground level, and where complementary uses may be permitted under certain conditions (§9-5-2(c)(1)(C), B.R.C. 1981).

Intensity in the RM-1 zone is based on a minimum required open space per dwelling unit of 3,000 square feet. There is no maximum FAR in the RM-1 zone. The maximum allowable building height is 35 feet, with no additional limit on the number of stories. Attached dwelling units are allowed uses.

The MU-2 zone district is defined as follows:

Mixed use residential areas adjacent to a redeveloping main street area, which are intended to provide a transition between a main street commercial area and established residential districts. Residential areas are intended to develop in a pedestrian-oriented pattern, with buildings built up to the street; with residential, office, and limited retail uses; and where complementary uses may be allowed (§9-5-

2(c)(2)(B), B.R.C. 1981).

Intensity in the MU-2 zone district is based on a minimum open space requirement of 15% of the site area for residential and/or non-residential uses, a minimum requirement of 60 square feet of private open space per dwelling unit and a maximum FAR of 0.6. The maximum allowable building height is 35 feet, with a maximum of 2 stories per building.

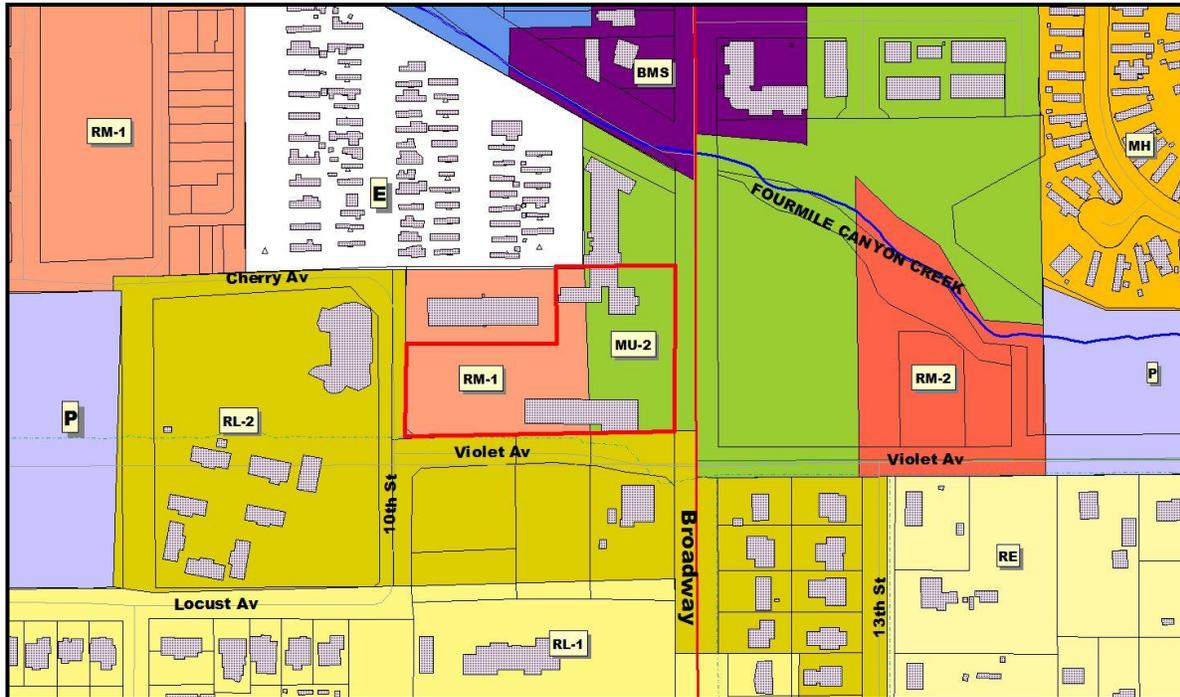


Figure 7: Zoning Map

In accordance with the land use regulations, the project has been designed to comply with the intensity standards for each respective zone district as it applies to the site, with the total allowable intensity for each site based on the area of the portion of the site within the respective zone district. Thus, the required open space for the 12 units in the RM-1 zone (3,000 s.f./ unit x 12 units = 36,000 s.f.) has been provided on that portion of the site. The total area of the MU-2 portion of the site is 50,810 sq. ft., so 7,622 sq. ft. of open space are required (15%) and the maximum allowable floor area for the mixed use buildings is 30,486 sq. ft. For that portion of the site, the project includes a total of roughly 16,000 sq. ft. of open space in the MU-2 zone, and the total building floor area is proposed at 29,492 sq. ft.

Boulder Valley Comprehensive Plan (BVCP) Designation

As shown in **Figure 3** below, the subject property has a mixed land use designation of Medium Density Residential and Mixed Use Business. The Medium Density Residential land use designation anticipates a density of 6 to 14 units per acre on average. The Mixed Use Business designation is defined in the [2010 BVCP](#) as follows:

Mixed Use-Business development may be deemed appropriate and will be encouraged in some business areas. These areas may be designated Mixed Use-Business where business or residential character will predominate. Housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.

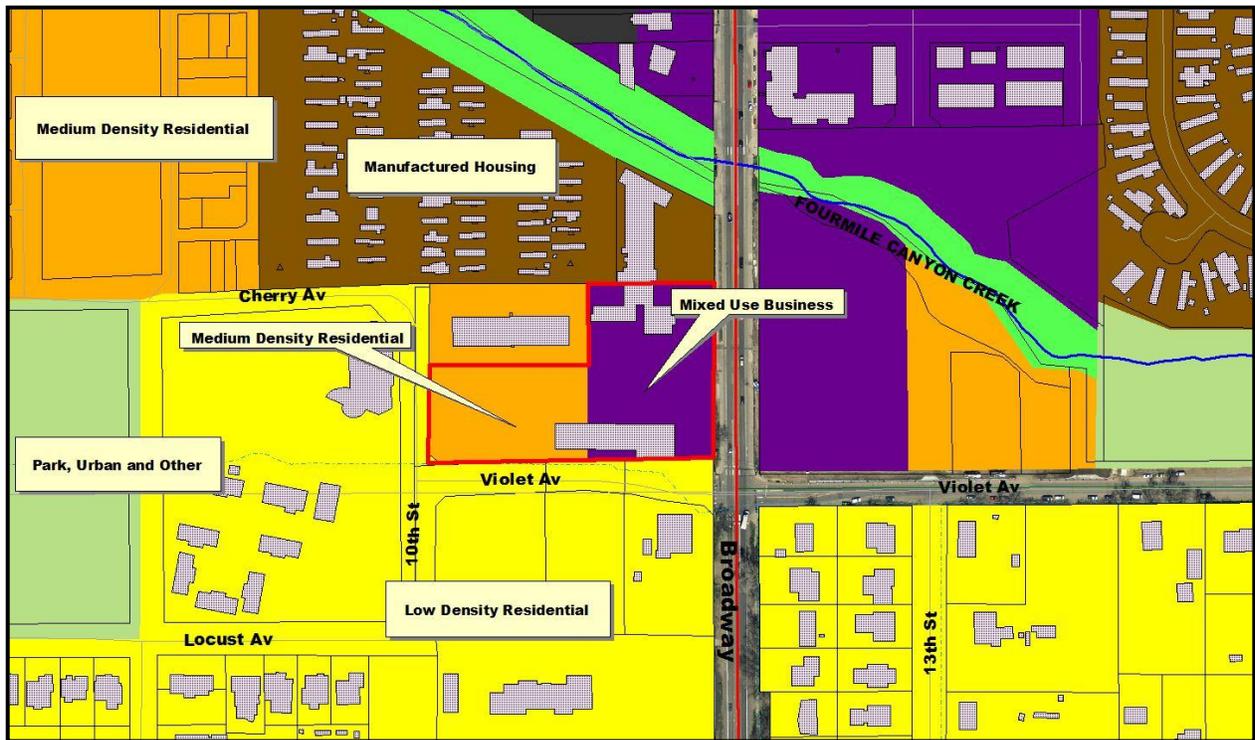


Figure 8: BVCP Land Use Map

North Boulder Subcommunity Plan

As mentioned above, the project site is located within the boundaries of the [North Boulder Subcommunity Plan](#) which sets forth the official vision for the future of the North Boulder Subcommunity and is the basis for decisions regarding the long-term preservation and development of North Boulder. The NBSP provides specific actions to be carried out by the City, other public agencies, and the private sector related to future development. The NBSP was also the basis for re-zoning of a portion of North Boulder in 1997 and establishes a street and pedestrian/ bicycle network. The Plan was adopted by Planning Board and City Council in 1995. It was amended in 1996 and 1997 in relation to the Village Center boundaries and Crestview East and West annexation conditions.

Within the NBSP, the western portion of the site is designated as residential and the eastern portion along Broadway is designated as “Mixed Use Transition to

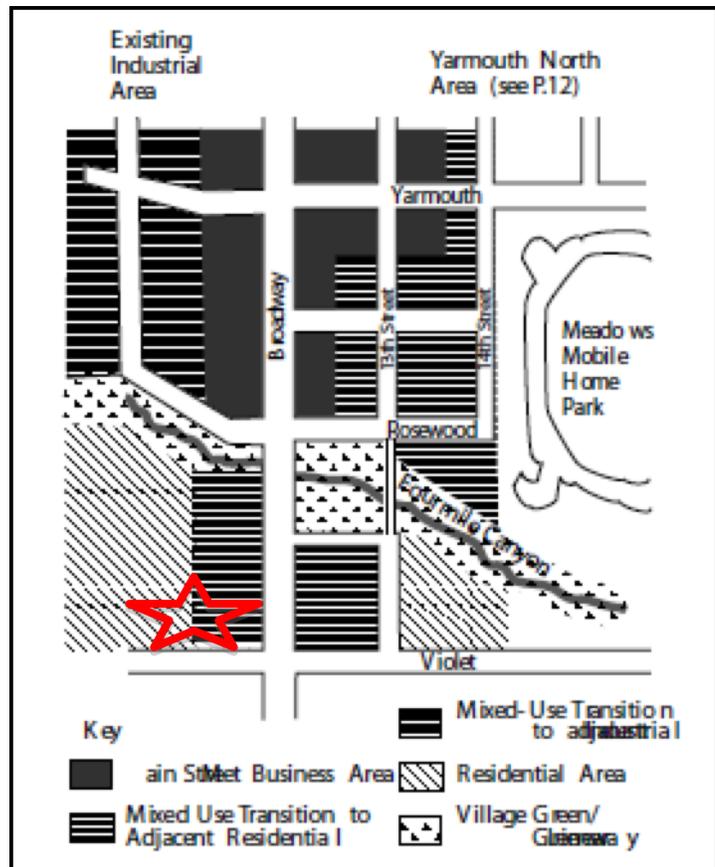


Figure 9: NoBo Plan Land Use Map

Adjacent Residential.” Page 15 of the NBSP defines the intent of Transition Areas generally as:

“The areas adjacent to the Main Street business area should contain a mix of uses in a lower scale of intensity than the uses along Broadway and Yarmouth They should provide a transition between the main street and the adjacent residential and industrial areas.”

The NoBo Plan describes the desired characteristics of a "Mixed Use Transition to Adjacent Residential" area as a transition area *“with residential and office uses, neighborhood serving restaurants, and personal service uses in a pedestrian-oriented pattern with buildings located close to the street and parking in the rear...where people can live and work in close proximity, possibly in the same building.”* Please see **Figure 9** above for a NoBo Plan map depicting Mixed-Use Transition Areas. Staff's analysis of the project's consistency with the NoBo Plan can be found under Key Issue #1 below.

Review Process

Per Table 2-2, "Site Review Threshold Table," section 9-2-14, B.R.C. 1981, the minimum size for voluntary site review in the RM-1 zone is 5 or more units permitted on the property, and there is no minimum size for voluntary site review in the MU-2 zone district. The property has entered into voluntary site review in order to request a height modification for the proposed buildings. Per section 9-2-14(g)(3), B.R.C. 1981, An application for any principal or accessory building above the permitted height for principal buildings set forth in Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, requires a recommendation by staff with a final decision by the Planning Board at a public hearing. Any decision by the Planning Board is subject to a 30-day city council call-up period. A Concept Plan for a similar project on the subject property was heard by the Planning Board on August 2, 2007. The minutes for that meeting are included as **Attachment E**.

Pursuant to section 7 of the Height Ordinance (Ordinance 8028) passed by council in March, 2015, *“complete site review applications that have been submitted to the city prior to January 21 2015 that request additional height in areas that would not permit such height under [the] ordinance will be permitted to continue through the process under the height regulations in place at the time such application is made.”* It should be noted that the application was active in advance of the passage of Ordinance 8028.

Pursuant to section 9-6-1, "Use Standards," B.R.C. 1981, restaurants and taverns over 1,000 square feet in floor area, or which close after 11:00 p.m., or with an outdoor seating area of 300 square feet or more are allowed in the RM-2 zone district only if approved through a Use Review. Approval of a Use Review is also required for retail sales uses with a floor area of 5,000 square feet or less in the MU-2 zone.

KEY ISSUES:

Staff has identified the following key issues for the board's consideration:

1. Is the proposed project consistent with the vision for the area as established in the adopted 1997 North Boulder Subcommunity Plan?

Overall, staff finds that the proposed project is in keeping with many of the goals and objectives of the NoBo Plan. In particular, the project meets the following key concepts related to the project site (please refer to pg. 15 of the NoBo Plan):

- Establishing a mixed use transition from the Village Center to neighborhoods in the surrounding areas, including residential and office uses, neighborhood serving restaurants, and personal service uses;

The proposed project successfully meets this goal by providing a mix of residential and non-residential uses that transition in terms of size and intensity between the MU-2 and RM-1 zoning designations. The proposal includes 3 restaurants as well as 3 commercial tenant spaces totaling roughly 5,800 sq. ft. in size. Because the residential floor area of the mixed use buildings is over 50% of the total floor area, professional and technical office uses are allowed by-right. Personal service uses and convenience retail are also allowed by right.

- Providing pedestrian-oriented, appropriately-scaled neighborhood centers that provide goods and services for neighborhood needs;

The proposed project will offer a smaller-scale, neighborhood-oriented development between the Uptown Broadway area to the north and the residential areas to the south.

- Promoting a pedestrian-oriented development pattern with buildings located close to the street and parking in the rear.

The proposed development incorporates significant pedestrian amenities into the site, including new sidewalks along both Broadway and Violet as well as a new promenade along the storefronts on Broadway. Buildings are close to the street and parking has been located to the rear of the buildings to the extent possible.

Other general goals of the NBSP that the proposed project currently addresses include:

- Except in areas recommended for low density rural-type character, position buildings close to the street to create a more pedestrian friendly atmosphere (Ch. 5, *Neighborhoods*);

Buildings have been oriented to face each of the 3 street frontages surrounding the property. 10th St., Violet Ave. and Broadway will all have primary entrances facing them, with new landscaping and sidewalk connections to improve pedestrian circulation to and around the site.

- Provide high quality building design with attention to detail. Avoid monotonous building designs: include human scale features such as porches, varied building elevations, and varied sizes and styles (Ch. 5, *Neighborhoods*);

Staff has worked with the applicant to refine the design of the facades over several iterations in order to create a simple and elegant visual patterning along the site's three street frontages with a high degree of transparency and a logical hierarchy of high quality building materials.

- Design neighborhood-scale and subcommunity-level centers to foster a sense of community by creating vibrant areas for people to gather. This includes: ease of access, safety, and appropriate scale (Ch. 6, *Employment & Retail Centers*);

With a restaurant anticipated on the first floor of Buildings B and C, an active courtyard space is proposed between the two buildings. This courtyard, contemplated to be

hardscape with many plantings and a fountain to soften the traffic noise of Broadway, will provide outdoor seating for the restaurants, a gathering space for the businesses nearby, and a place of rest for pedestrians. Access to the elevator and stairs to the lofts above is also gained through each building.

- Encourage walking, biking, and transit use by providing safe, comfortable and convenient pedestrian and bicycle path connections (Ch. 8, *Transportation*);

The proposed project includes numerous bicycle and pedestrian improvements, including providing 50 bicycle parking spaces where 20 are required by code. Bike parking is arranged throughout the site to be accessible and functional. The applicant is also proposing to add a new bus pad on Broadway with bike racks and pedestrian access.

2. Is the proposed Site Review consistent with the Site Review criteria as set forth in section 9-2-14(h), B.R.C. 1981?

Section 9-2-14(h), "Criteria for Review," B.R.C. 1981 includes the review criteria for approval of a site review. The proposal was found to be consistent with the site review criteria for found in section 9-2-14(h), B.R.C. 1981. Please refer to [Attachment B](#) for staff's complete analysis of the review criteria.

3. Does the proposed project meet the Use Review criteria as set forth in section 9-2-15(e), B.R.C. 1981?

Section 9-2-15(e), B.R.C. 1981 includes the procedures and review criteria for approval of a Use Review. The proposal was found to be consistent with the criteria for Use Review found in section 9-2-15(e), B.R.C. 1981. Please refer to [Attachment B](#) for staff's complete analysis of the review criteria.

PUBLIC COMMENT AND PROCESS:

The required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property and a sign posted on the property for at least 10 days. All notice requirements of Section 9-4-2, B.R.C. 1981 have been met. Initially, staff received questions from nearby property owners as well as comments from two neighbors opposed to the requested height modification. Following submittal of revisions in January, 2015, staff sent out a second public notice and received several additional comments in opposition to the project. The primary concerns expressed in the comments were potential impacts to existing views caused by the requested height modification as well as potential parking impacts caused by the requested parking reduction. Please see [Attachment D](#) for public comments received. Staff sent out additional mailed notice of the public hearing date on February 18, 2016.

STAFF FINDINGS AND RECOMMENDATION

Staff recommends that the Planning Board approve the Site and Use Review application LUR2011-00071, adopting the staff memorandum as findings of fact, including the attached analysis of review criteria, and subject to the recommended conditions of approval.

RECOMMENDED CONDITIONS OF APPROVAL:

SITE REVIEW CONDITIONS

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on February 10, 2016 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: the Subdivision Agreement recorded in the records of the Boulder County Clerk and Recorder at Reception No. 1953879 on June 25, 1999.
3. Prior to a building permit application, the Applicant shall submit, and obtain City Manager approval of, a Technical Document Review application for the following items:
 - a. **Final architectural plans**, including material samples and colors, to insure compliance with the intent of this approval and compatibility with the surrounding area. The architectural intent shown on the plans prepared by the Applicant on February 10, 2016 is acceptable. Planning staff will review plans to assure that the architectural intent is performed.
 - b. A **final site plan** which includes detailed floor plans and section drawings.
 - c. A **final utility plan** meeting the City of Boulder Design and Construction Standards.
 - d. A **final storm water report and plan** meeting the City of Boulder Design and Construction Standards.
 - e. **Final transportation plans** meeting the City of Boulder Design and Construction Standards and CDOT Access Code Standards, for all transportation improvements. These plans must include, but are not limited to: street/alley plan and profile drawings; multi-use path plan and profile drawings; typical sections for the street, alley and multi-use path signage and striping plans in conformance with Manual on Uniform Traffic Control Devices (MUTCD) standards; transportation detail drawings; transit stop detail drawings, geotechnical soils report, and pavement analysis.
 - f. A **detailed landscape plan**, including size, quantity, and type of plants existing and proposed; type and quality of non-living landscaping materials; any site grading proposed; and any irrigation system proposed, to insure compliance with this approval and the City's landscaping requirements. Removal of trees must receive prior approval of the Planning Department. Removal of any tree in City right of way must also receive prior approval of the City Forester.
 - g. A **detailed outdoor lighting plan** showing location, size, and intensity of illumination units, indicating compliance with section 9-9-16, B.R.C.1981.
 - h. A **detailed shadow analysis** to insure compliance with the City's solar access requirements of section 9-9-17, B.R.C. 1981.
3. 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:

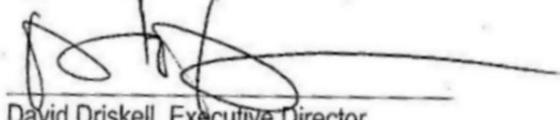
- a. The dedication, to the City, of all right-of-way and easements, including, but not limited to, the following:
 - i. An approximate 1-foot wide right of way dedication running north/south along the east property line and parallel to Broadway;
 - ii. An approximate 6.5-foot wide public access easement dedication (to 1-foot behind the sidewalk) running north/south along the east property line and adjacent to the north/south 1-foot wide right-of-way dedication;
 - iii. An approximate 20-foot wide public access easement dedication running east/west to provide access to Lot #2 of The Plaza Subdivision across the site from Broadway;
 - iv. An approximate 24-foot wide public access easement dedication running north/south from the south property line to the 20-foot wide east/west public access easement and from the 20-foot wide east/west public access easement to the north property line;
 - v. An approximate 9.4-foot wide public access easement dedication (to 1-foot behind the multi-use path) running east/west along the south property line and parallel to Violet Avenue; and
 - vi. An approximate 7.5-wide public access easement dedication (to 1-foot behind the sidewalk) running north/south along the west property line and parallel to 10th Street.
 - b. The vacation of all easements where vacation is necessary for construction of the development, including:
 - i. An approximate 25'W x 200'L access easement running east/west which provides access to Lot #2 of The Plaza Subdivision from Broadway; and
 - ii. An approximate 25'W x 50'L access easement running east/west which provides access to Lot #1 of The Plaza Subdivision from 10th Street.
 - c. The construction of all public improvements necessary to serve the development.
 - d. A financial guarantee, in a form acceptable to the Director of Public Works, in an amount equal to the cost of constructing all public improvements necessary to serve the development.
4. Prior to building permit application, the Applicant shall submit a **financial guarantee**, in a form acceptable to the Director of Public Works, in an amount equal to the cost of providing eco-passes to the residents and employees of the development for three years after the issuance of a certificate of occupancy for each dwelling unit as proposed in the Applicant's Transportation Demand Management (TDM) plan.
5. Prior to final inspection on any building permit that requires a Certificate of Occupancy, the Applicant shall submit the following to the City Manager for review and approval:

- a. An **Elevation Certificate**, prepared by a Colorado registered land surveyor, certifying that the structure has been constructed at or above the flood protection elevation. This certification shall be provided on a standard Federal Emergency Management Agency (FEMA) Elevation Certificate. No Certificate of Occupancy will be issued for any structure where this provision has not been satisfied.
 - b. A **Flood Proofing Certificate**, prepared by a Colorado registered land surveyor, certifying that the structure has been flood proofed to the required flood protection elevation.
6. This approval is contingent upon the Applicant obtaining the necessary **floodplain development permit** pursuant to Chapter 9-3, B.R.C. 1981. The Applicant assumes the risk that failure to obtain any necessary floodway permit or variance may result in the termination of this approval.

USE REVIEW CONDITIONS

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on February 10, 2016, except to the extent that the development may be modified by the conditions of this approval. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:
 - a. The Applicant shall operate the business in accordance with the management plan dated January 4, 2016 which is attached to this Notice of Disposition.
 - b. The approved uses shall be closed from 12:00 a.m. to 6:00 a.m. seven days per week.
 - c. Size of the approved restaurant use in Building B, Unit 102, shall be limited to 1,318 square feet. The total number of indoor seats for the approved use shall not exceed 38 seats, and the total number of outdoor patio seats shall not exceed 7 seats.
 - d. Size of the approved restaurant use in Building C, Unit 102, shall be limited to 1,110 square feet. The total number of indoor seats for the approved use shall not exceed 32 seats, and the total number of outdoor patio seats shall not exceed 6 seats.
 - e. Size of the approved restaurant use in Building C, Unit 103, shall be limited to 976 square feet. The total number of indoor seats for the approved use shall not exceed 28 seats, and the total number of outdoor patio seats shall not exceed 5 seats.
 - f. All trash located within the outdoor dining area, on the restaurant property and adjacent streets, sidewalks and properties shall be picked up and properly disposed of immediately after closing
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: the Subdivision Agreement recorded in the records of the Boulder County Clerk and Recorder at Reception No. 1953879 on June 25, 1999.
3. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

Approved By:



David Driskell, Executive Director
Department of Community Planning and Sustainability

ATTACHMENTS:

- A: Proposed Plans
- B: Staff Analysis of Review Criteria
- C: Staff's Development Review Comments
- D: Public Comment Received
- E: 8/2/07 Concept Plan Hearing Minutes

ATTACHMENT A

KEYNOTES	
Key Value	Keynote Text
3.2	PRECAST CONCRETE CAP PROFILE TBD.
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	MANUFACTURED STONE, BUFF COLOR
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.4	PERFORATED METAL SUNSHADE
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS
5.7	CORRUGATED METAL MECHANICAL SCREEN
5.8	PAINTED METAL CORNICE
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
7.1	STUCCO SAND FINISH COLOR 1
7.2	STUCCO SAND FINISH COLOR 2
7.6	STUCCO HEAD DETAIL
7.7	STUCCO CORNICE
8.1	VINYL WINDOW
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH INSULATED GLAZING



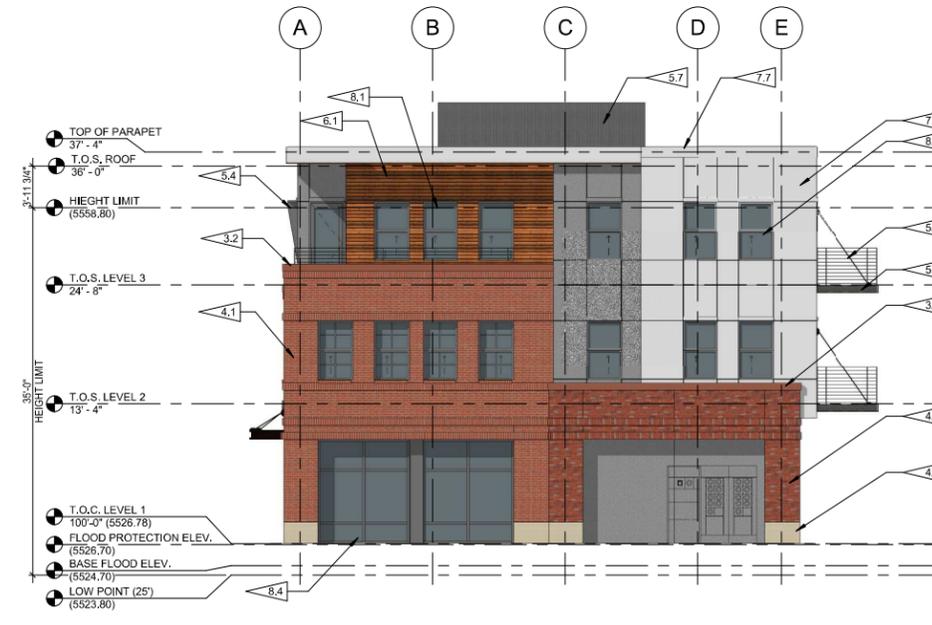
4 BUILDING A - WEST ELEVATION
1/8" = 1'-0"



3 BUILDING A - SOUTH ELEVATION
1/8" = 1'-0"



2 BUILDING A - EAST ELEVATION
1/8" = 1'-0"



1 BUILDING A - NORTH ELEVATION
1/8" = 1'-0"

4403 BROADWAY

4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

BLDG A - ELEVATIONS

Emerald Management
4949 Broadway Street
Boulder, CO 80304

SR-A-A4.01



STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project No. 2801

STUDIO
architecture
Agenda Item 5B Page 16 of 150

KEYNOTES	
Key Value	Keynote Text
3.2	PRECAST CONCRETE CAP PROFILE TBD.
4.1	MASONRY FACE BRICK COLOR 1
4.3	MANUFACTURED STONE, BUFF COLOR
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.4	PERFORATED METAL SUNSHADE
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS
5.7	CORRUGATED METAL MECHANICAL SCREEN
5.8	PAINTED METAL CORNICE
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
7.1	STUCCO SAND FINISH COLOR 1
7.2	STUCCO SAND FINISH COLOR 2
7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
7.7	STUCCO CORNICE
8.1	VINYL WINDOW
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH INSULATED GLAZING
8.5	BUTT GLAZED ALUMINUM STOREFRONT CLEAR ANODIZED FINISH WITH INSULATED GLAZING



4 BUILDING B - NORTH ELEVATION
1/8" = 1'-0"



2 BUILDING B - EAST ELEVATION
1/8" = 1'-0"



3 BUILDING B - SOUTH ELEVATION
1/8" = 1'-0"



1 BUILDING B - WEST ELEVATION
1/8" = 1'-0"

4403 BROADWAY

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Site Review
02.10.2016

BLDG B - ELEVATIONS

Emerald Management
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Boulder, CO 80304

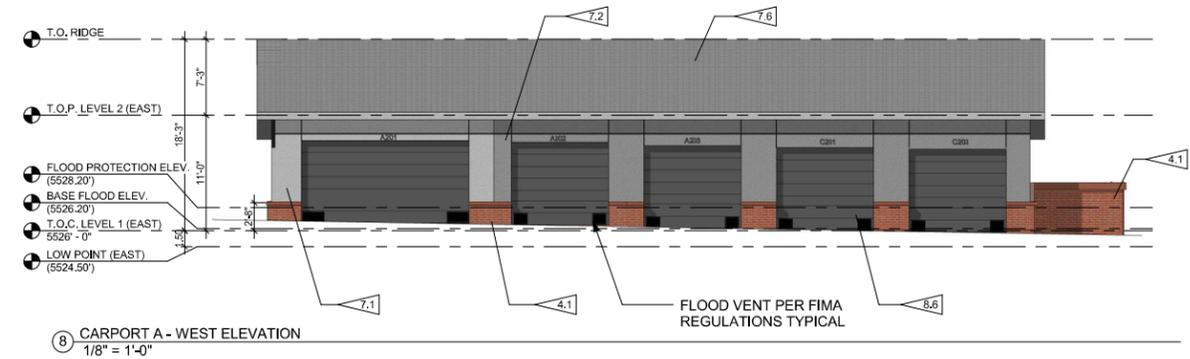
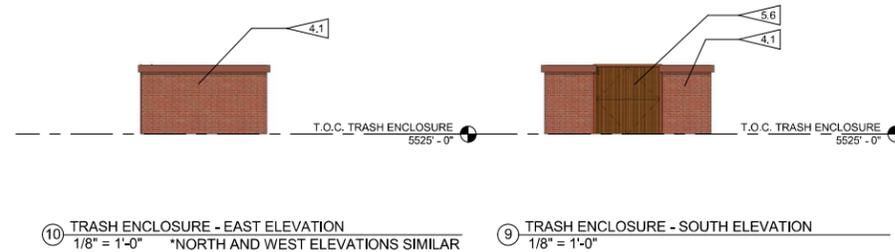
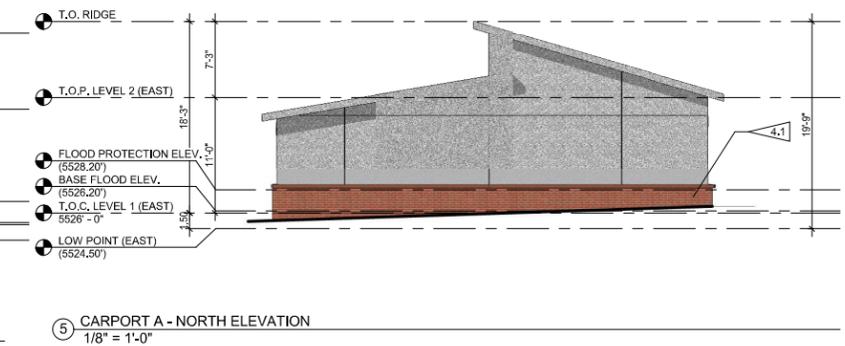
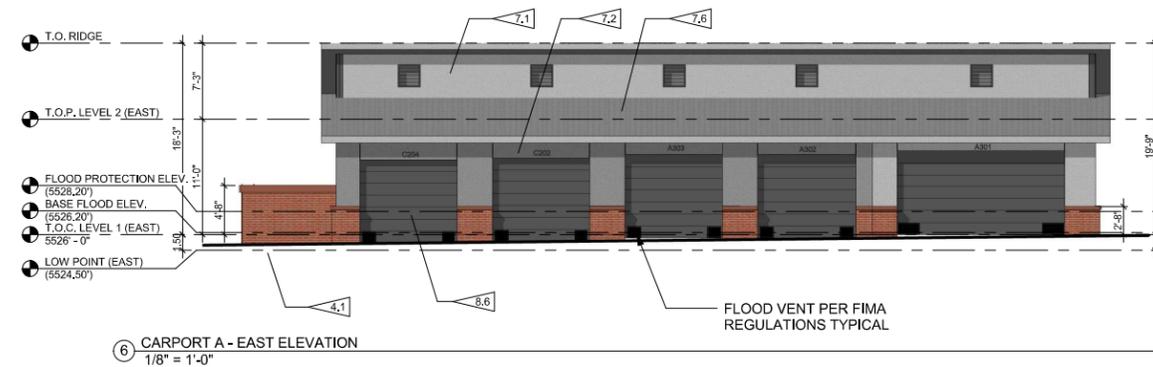
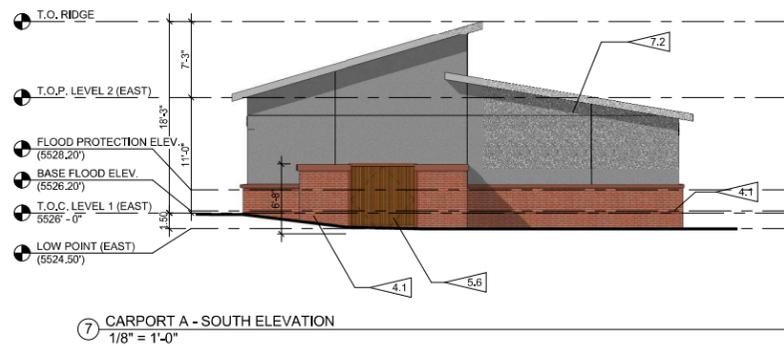
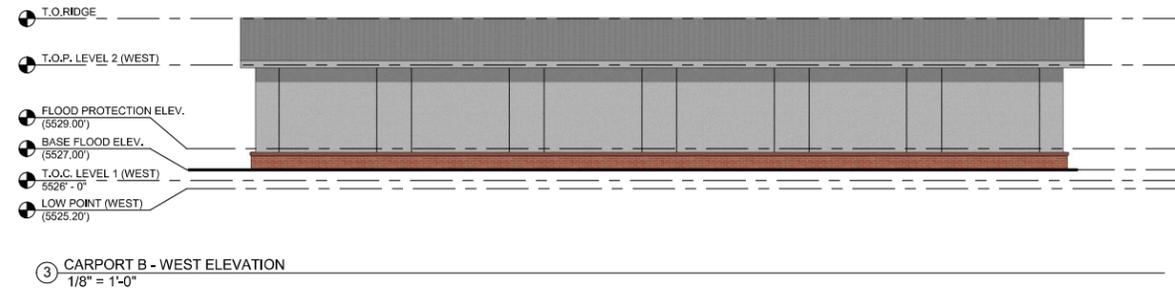
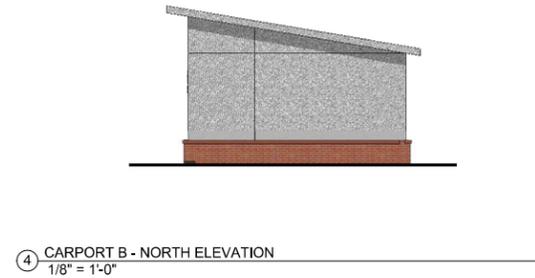
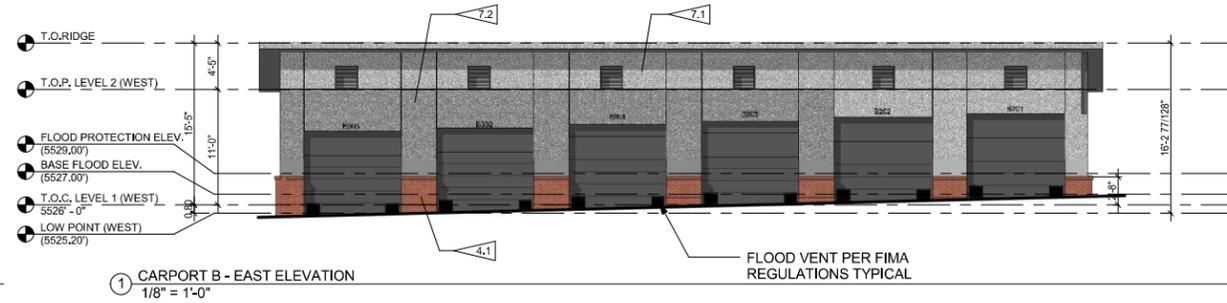
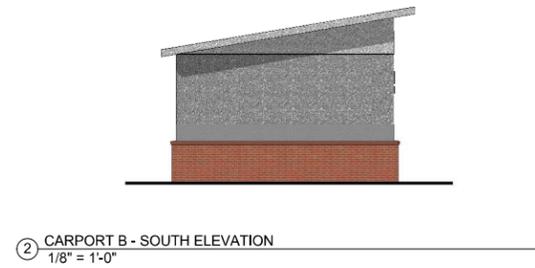
SR-B-A4.01



STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project No.: 2801



KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
5.6	STEEL GATE POWDER COAT FINISH
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
7.1	STUCCO SAND FINISH COLOR 1
7.2	STUCCO SAND FINISH COLOR 2
7.6	STUCCO HEAD DETAIL
8.6	SECTIONAL GARAGE DOOR



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Boulder, Colorado

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02.10.2016

CARPOT/TRASH ENCLOSURE ELEVATIONS

Emerald Management
4949 Broadway Street
Boulder, CO 80304

SR-A4.01

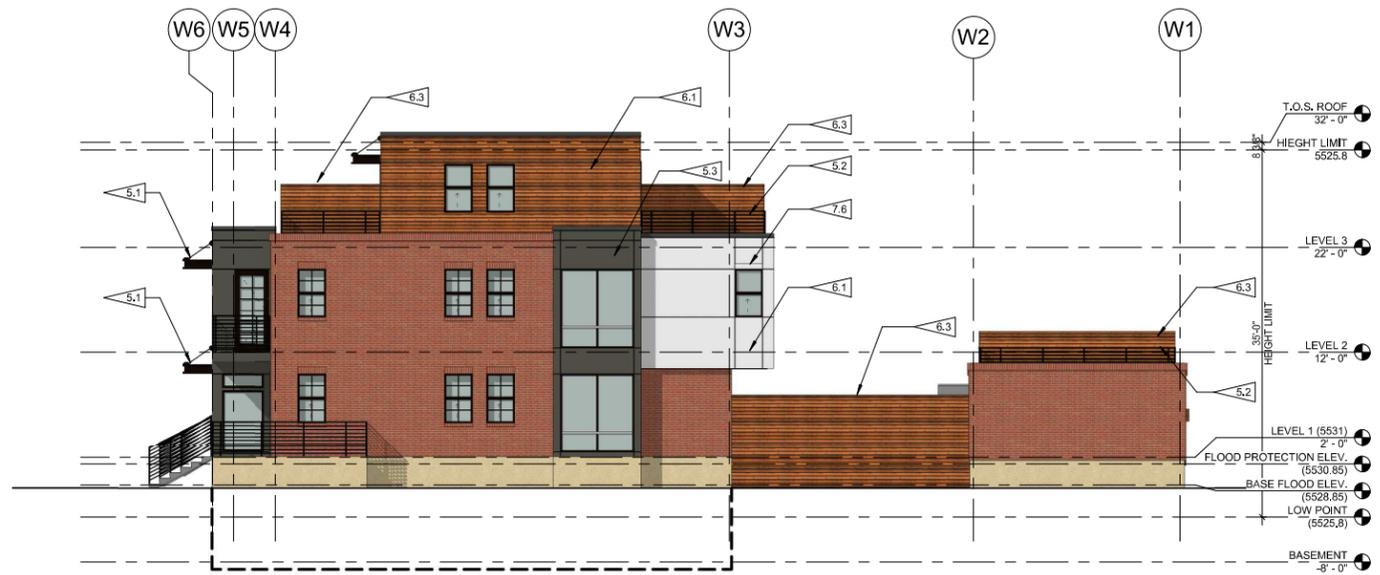


STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project #

STUDIO architecture
thestudioarchitecture.com
866.529.9130
Agenda Item 5B Page 19 of 150

KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	MANUFACTURED STONE, BUFF COLOR
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.3	PREFINISHED ALUMINUM METAL PANEL
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR

KEYNOTES	
Key Value	Keynote Text
6.3	HORIZONTAL WOOD CEDAR FENCE
7.1	STUCCO SAND FINISH COLOR 1
7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH INSULATED GLAZING
8.6	SECTIONAL GARAGE DOOR



④ SOUTH ELEVATION
1/8" = 1'-0"



② EAST ELEVATION - COURTYARD
1/8" = 1'-0"



③ WEST ELEVATION
1/8" = 1'-0"



① EAST ELEVATION
1/8" = 1'-0"

4403 BROADWAY

4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

TOWNHOME BUILDING 1 - ELEVATIONS

EMERALD MANAGEMENT
4403 BROADWAY, BOULDER,
CO 80302

SR-1-A4.01



STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project #



KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
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7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH INSULATED GLAZING
8.6	SECTIONAL GARAGE DOOR



2 EAST ELEVATION
1/8" = 1'-0"



1 SOUTH ELEVATION
1/8" = 1'-0"

4403 BROADWAY

4403 Broadway Street
Boulder, Colorado

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02.10.2016

TOWNHOME BUILDING 2 - ELEVATIONS

EMERALD MANAGEMENT
4403 BROADWAY, BOULDER,
CO 80302

SR-2-A4.01



JVA, Incorporated 1319 Spruce Street
Boulder, CO 80302 Phone: 303.444.1951
Fax: 303.444.1957 E-mail: info@jvajva.com

STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project #



Agenda Item 5B Page 21 of 150

KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	MANUFACTURED STONE, BUFF COLOR
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
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KEYNOTES	
Key Value	Keynote Text
6.3	HORIZONTAL WOOD CEDAR FENCE
7.1	STUCCO SAND FINISH COLOR 1
7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH INSULATED GLAZING
8.6	SECTIONAL GARAGE DOOR



② NORTH ELEVATION - COURTYARD
1/8" = 1'-0"



① NORTH ELEVATION
1/8" = 1'-0"

4403 BROADWAY

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Boulder, Colorado

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TOWNHOME BUILDING 2 - ELEVATIONS

EMERALD MANAGEMENT
4403 BROADWAY, BOULDER,
CO 80302

SR-2-A4.02



STUDIO architecture
1350 Pine St, Suite 1
Boulder, CO 80302



Project #
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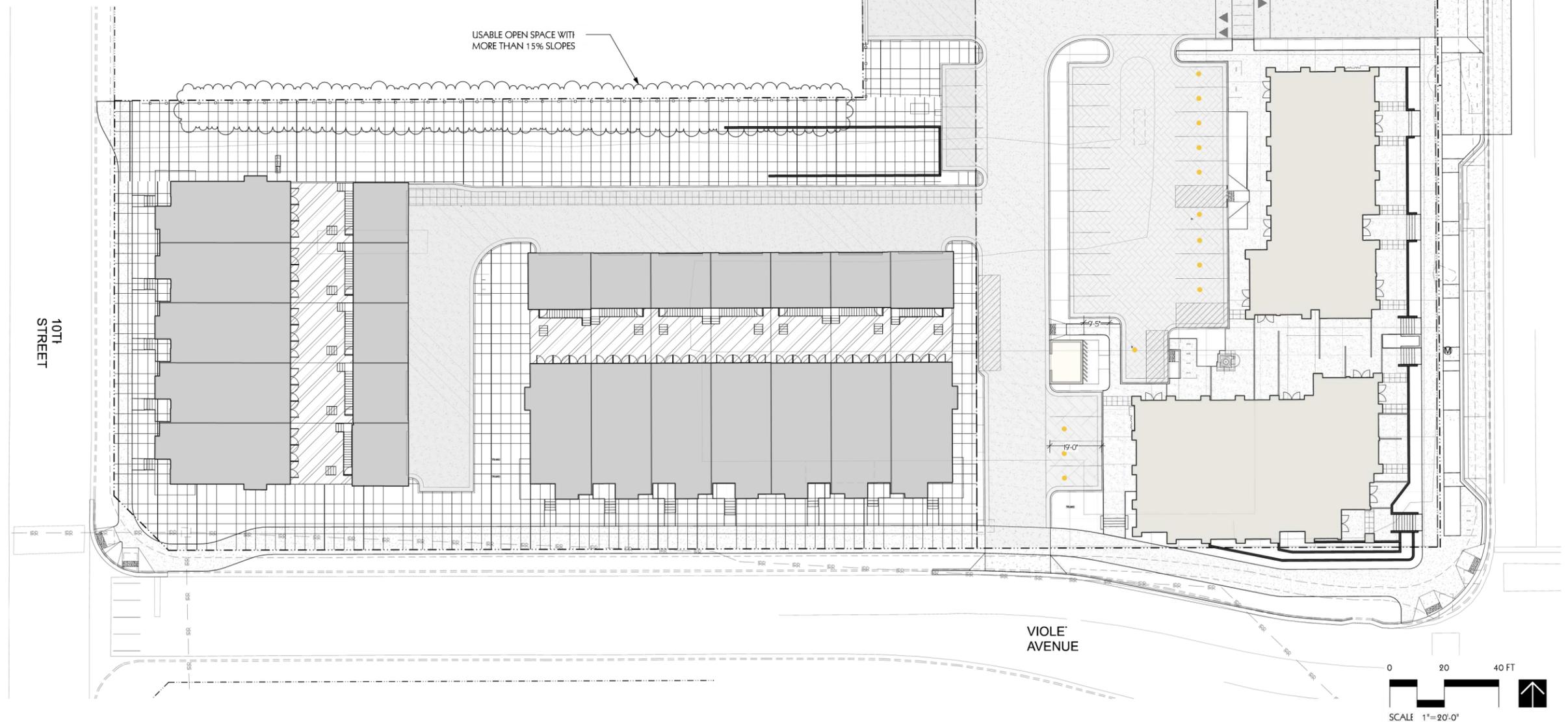
RM-1 ZONE CALCULATIONS					
Building	Bedrooms	Bathrooms	Gross Area	Garage	Open Space
1					
1-1					
Basement			1,019		
Level 1	3	1	1,028	485	470
Level 2	3	2	1,166		425
Level 3	3	2	1,122		425
Subtotal	9	5	3,795	485	1,345
1-2					
Basement			1,073		
Level 1	3	1	1,015	455	470
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	3,747	455	1,345
1-3					
Basement			1,073		
Level 1	3	1	1,015	455	470
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	3,747	455	1,345
1-4					
Basement			1,073		
Level 1	3	1	1,015	455	470
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	3,747	455	1,345
1-5					
Basement			1,019		
Level 1	3	1	1,028	485	470
Level 2	3	2	1,166		425
Level 3	3	2	1,122		425
Subtotal	9	5	3,795	485	1,345
TOTAL	35	15	18,741	2,335	6,725
2					
2-1					
Level 1	3	1	1,017	485	400
Level 2	3	2	1,166		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,729	485	1,275
2-2					
Level 1	3	1	1,004	455	400
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,663	455	1,275
2-3					
Level 1	3	1	1,004	455	400
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,663	455	1,275
2-4					
Level 1	3	1	1,004	455	400
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,663	455	1,275
2-5					
Level 1	3	1	1,004	455	400
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,663	455	1,275
2-6					
Level 1	3	1	1,004	455	400
Level 2	3	2	1,122		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,663	455	1,275
2-7					
Level 1	3	1	1,017	485	400
Level 2	3	2	1,166		425
Level 3	3	2	1,122		425
Subtotal	9	5	2,729	485	1,275
TOTAL	21	21	18,755	3,245	8,525
RM-1 TOTAL	30	30	37,496	5,580	15,250

MU-2 ZONE CALCULATIONS						
Building	Bedrooms	Area (Net)	Open Space	Commercial Area (Net)	Restaurant Area (Net)	Circulation Area (Net)
Level 1						
A101				2,410		160
A201	2	1,078	84			177
A202	1	688	84			
A203	1	851	135			
Level 2						
A301	2	874	199			177
A302	1	688	84			
A303	1	799	128			
Level 3						
B101			1,655		1,318	154
B102	2	1,054	71			175
B202	2	1,067	130			
B203	2	947	142			
Level 4						
B301	1	913	171			175
B302	2	1,031	108			
B303	2	987	142			
Level 5						
C101			1,738		1,110	200
C102					1,110	976
C201	2	1,200	144			211
C202	2	1,111	84			
C203	2	977	60			
C204	2	990	100			
Level 6						
C304	2	990	100			
Level 7						
C404	2	990	100			
Level 8						
C504	2	990	100			
Level 9						
C604	2	990	100			
Level 10						
C704	2	990	100			
Level 11						
C804	2	990	100			
Level 12						
C904	2	990	100			
Level 13						
C1004	2	990	100			
Level 14						
C1104	2	990	100			
Level 15						
C1204	2	990	100			
Level 16						
C1304	2	990	100			
Level 17						
C1404	2	990	100			
Level 18						
C1504	2	990	100			
Level 19						
C1604	2	990	100			
Level 20						
C1704	2	990	100			
Level 21						
C1804	2	990	100			
Level 22						
C1904	2	990	100			
Level 23						
C2004	2	990	100			
Level 24						
C2104	2	990	100			
Level 25						
C2204	2	990	100			
Level 26						
C2304	2	990	100			
Level 27						
C2404	2	990	100			
Level 28						
C2504	2	990	100			
Level 29						
C2604	2	990	100			
Level 30						
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Level 34						
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Level 37						
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Level 38						
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Level 39						
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Level 42						
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Level 43						
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Level 44						
C4104	2	990	100			
Level 45						
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Level 46						
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Level 47						
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Level 48						
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Level 49						
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Level 55						
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Level 56						
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C5504	2	990	100			
Level 59						
C5604	2	990	100			
Level 60						
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Level 90						
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Level 93						
C9004	2	990	100			
Level 94						
C9104	2	990	100			
Level 95						
C9204	2	990	100			
Level 96						
C9304	2	990	100			
Level 97						
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Level 98						
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Level 99						
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Level 100						
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Level 101						
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Level 102						
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Level 103						
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Level 104						
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Level 105						
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Level 108						
C10504	2	990	100			
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Level 118						
C11504	2	990	100			
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C12204	2	990	100			
Level 126						
C12304	2	990	100			
Level 127						
C12404	2	990	100			
Level 128						
C12504	2	990	100			
Level 129						
C12604	2	990	100			

4403 BROADWAY - Open Space

Required		Area (sf)	DU's	Total (sf)	
Minimum Open Space Required		3,000	12	36,000	100% (per table 8-1 BRC)
Provided		Area (sf)	DU's		
Site Open Space				11,360	32%
Water Quality "Pond" Area				1,070	3%
Water Quality Area < 15%				4,500	13%
Water Quality Area > 15%				3,050	8%
Courtyard Open Space					
Building 1		470	5	2,350	
Building 2		400	7	2,800	
Subtotal		5,150		5,150	14%
ROW Open Space		8,000		3,600	10% (limited to 10% of total required open space per BR 9-11(f)(4))
Private Open Space					
Garage Roof Decks		380	12	4,560	
Second Floor Balconies		45	12	540	
Third Floor Roof Decks		450	12	5,400	
Subtotal		10,500		9,000	25% (limited to 25% of total required open space per BR 9-11(f)(1))
Total Open Space Provided				37,730	105% 1,730 5%

Required		Lot Area	Required	Total (sf)	
Minimum Open Space Required		50,810	15%	7,622	(per table 8-1 BRC)
Provided				16,318	214%



4403 BROADWAY

OPEN SPACE DIAGRAM

SR-A1.02

4403 Broadway Street
Boulder, CO 80303

Site Review
02.10.2016

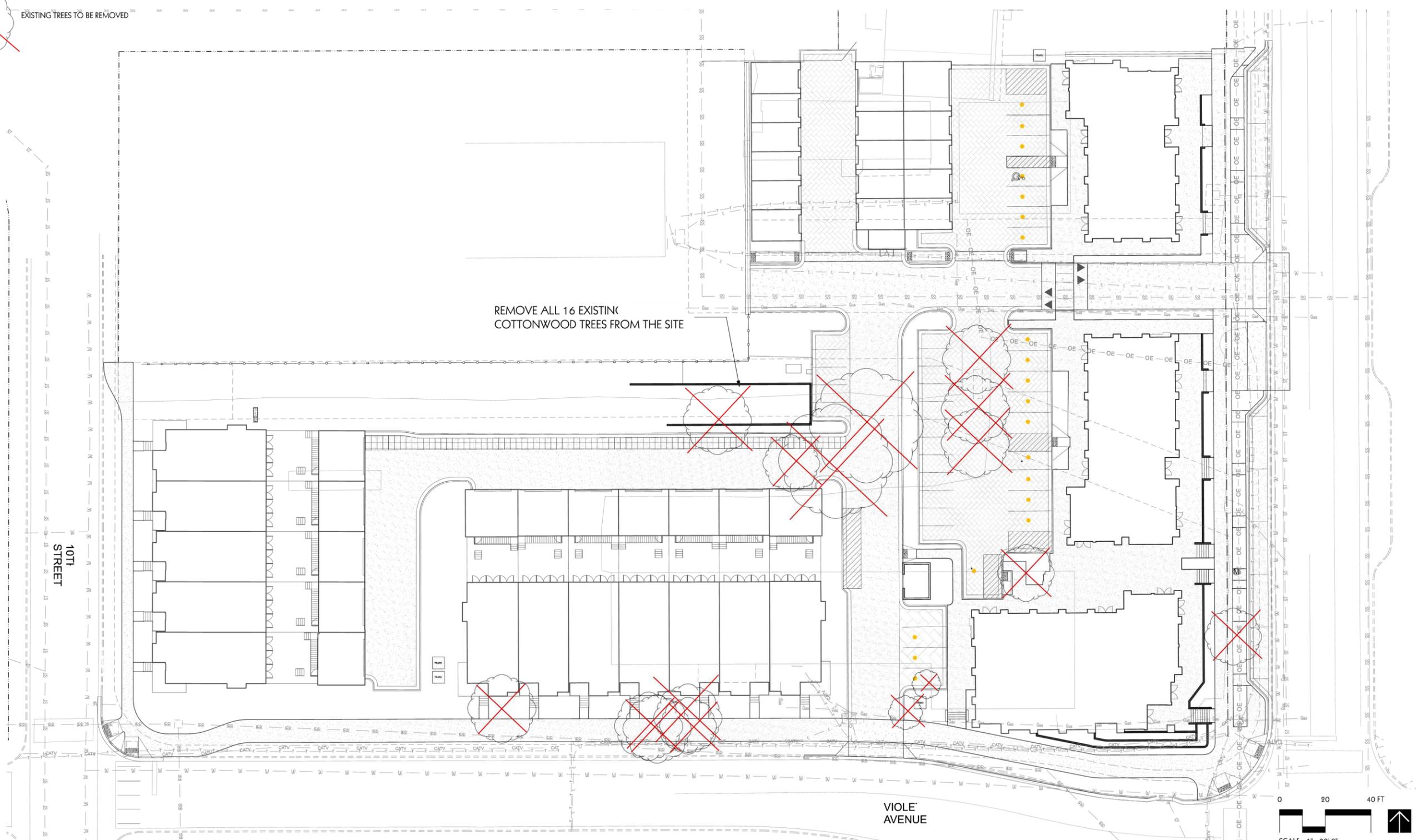
EMERALD MANAGEMENT
4949 Broadway Street
Boulder, CO 80304



STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project No.: 2801



LEGEND:



4403 BROADWAY

TREE MITIGATION PLAN

SR-L0.01

4403 Broadway Street
Boulder, CO 80303

EMERALD MANAGEMENT
4949 Broadway Street
Boulder, CO 80304

Site Review
02.10.2016



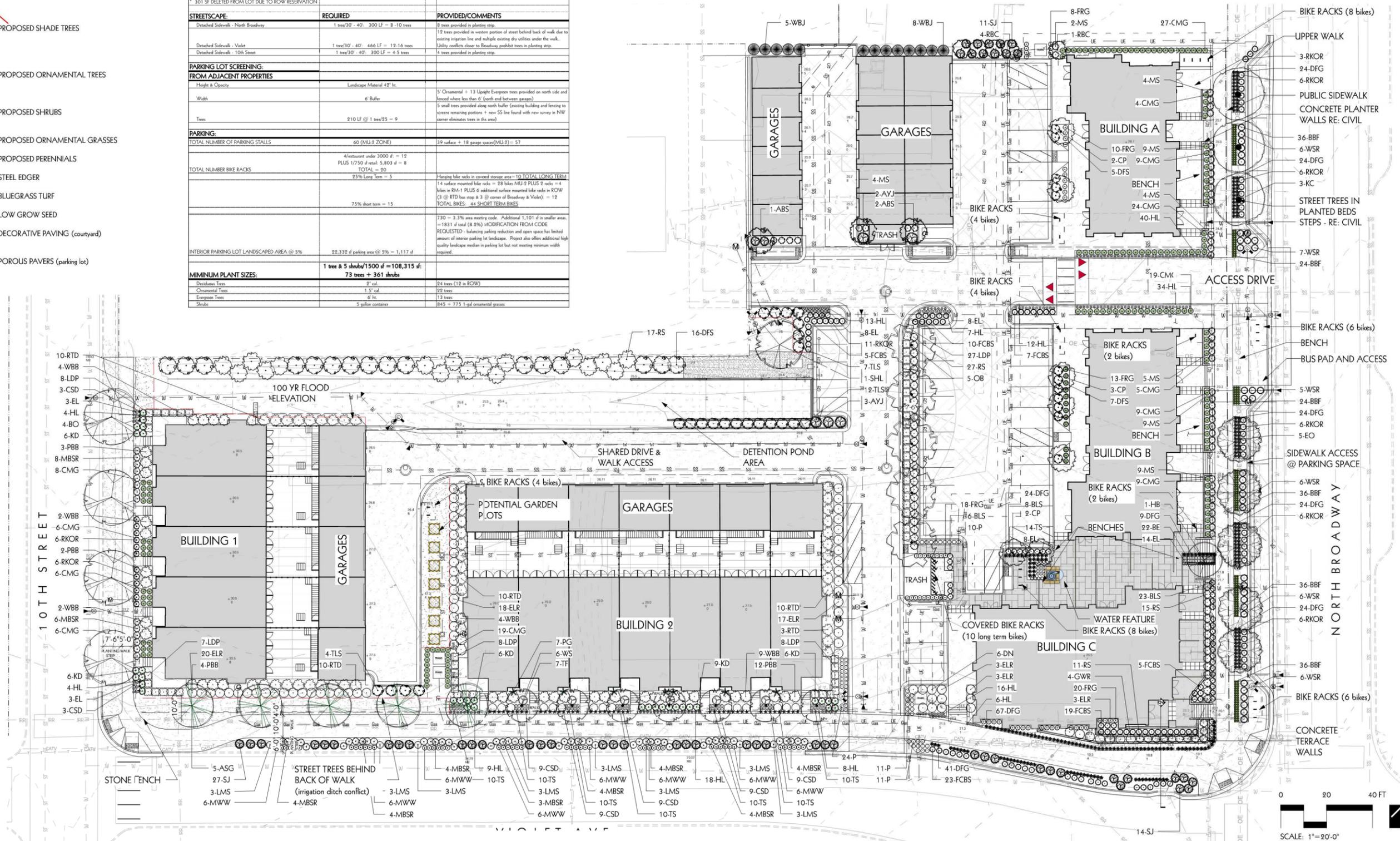
STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project No.: 2801



LEGEND:

- EXISTING TREES (to be removed)
- PROPOSED SHADE TREES
- PROPOSED ORNAMENTAL TREES
- PROPOSED SHRUBS
- PROPOSED ORNAMENTAL GRASSES
- PROPOSED PERENNIALS
- STEEL EDGER
- BLUEGRASS TURF
- LOW GROW SEED
- DECORATIVE PAVING (courtyard)
- POROUS PAVERS (parking lot)

LANDSCAPE REQUIREMENTS: 02/08/16		
OVERALL SITE	REQUIRED	PROVIDED/COMMENTS
LOT AREA - RM zone	57,505 SF	
LOT AREA - MU2 zone	50,810 SF	
TOTAL AREA	108,315 SF	
* 301 SF DELETED FROM LOT DUE TO ROW RESERVATION		
STREETSCAPE:	REQUIRED	PROVIDED/COMMENTS
Detached Sidewalk - North Broadway	1 tree/30' - 40' 300 LF = 8-10 trees	8 trees provided in planting strip
Detached Sidewalk - Violet	1 tree/30' - 40' 466 LF = 12-16 trees	12 trees provided in western portion of street behind back of walk due to existing irrigation line and multiple existing dry utilities under the walk. Utility conflicts closer to Broadway prohibit trees in planting strip.
Detached Sidewalk - 10th Street	1 tree/30' - 40' 300 LF = 4-5 trees	4 trees provided in planting strip.
PARKING LOT SCREENING:		
FROM ADJACENT PROPERTIES	Landscape Material 42" ht	5' Ornamental + 13 Upright Evergreen trees provided on north side and fenced where less than 6' (north end between garages).
Width	6' Buffer	5 small trees provided along north buffer (existing building and fencing to screens remaining portions + new 55 line found with new survey in NW corner eliminates trees in this area)
Trees	210 LF @ 1 tree/25' = 9	
PARKING:		
TOTAL NUMBER OF PARKING STALLS	60 (MU2 ZONE)	39 surface + 18 garage spaces (MU2-S) = 57
TOTAL NUMBER BIKE RACKS	4/restaurant under 3000 sf = 12 PLUS 1/750 sf retail 5,803 sf = 8 TOTAL = 20	Hanging bike racks in covered storage area = 10 TOTAL LONG TERM
	25% Long Term = 5	14 surface mounted bike racks = 28 Bikes MU2 PLUS 2 racks = 4 Bikes in BM-1 PLUS 6 additional surface mounted bike racks in ROW (3 @ RTD line strip & 3 @ corner of Broadway & Violet) = 12 TOTAL BIKES: 44 SHORT TERM BIKES
	75% short term = 15	730 = 3.3% area meeting code. Additional 1,101 sf in smaller areas = 1831 sf total (82.8%) MODIFICATION FROM CODE REQUESTED - balancing parking reduction and open space has limited amount of interior parking lot landscape. Project also offers additional high quality landscape median in parking lot but not meeting minimum width required.
INTERIOR PARKING LOT LANDSCAPED AREA @ 5%	22,322 sf parking area @ 5% = 1,117 sf	
MINIMUM PLANT SIZES:	1 tree & 5 shrubs/1500 sf = 108,315 sf: 73 trees + 361 shrubs	
Deciduous Trees	2" cal.	24 trees (12 in ROW)
Ornamental Trees	1.5" cal.	22 trees
Evergreen Trees	6" ht.	13 trees
Shrubs	5 gallon container	845 = 775 1-gal ornamental grasses



4403 BROADWAY

LANDSCAPE PLAN

SR-L1.01

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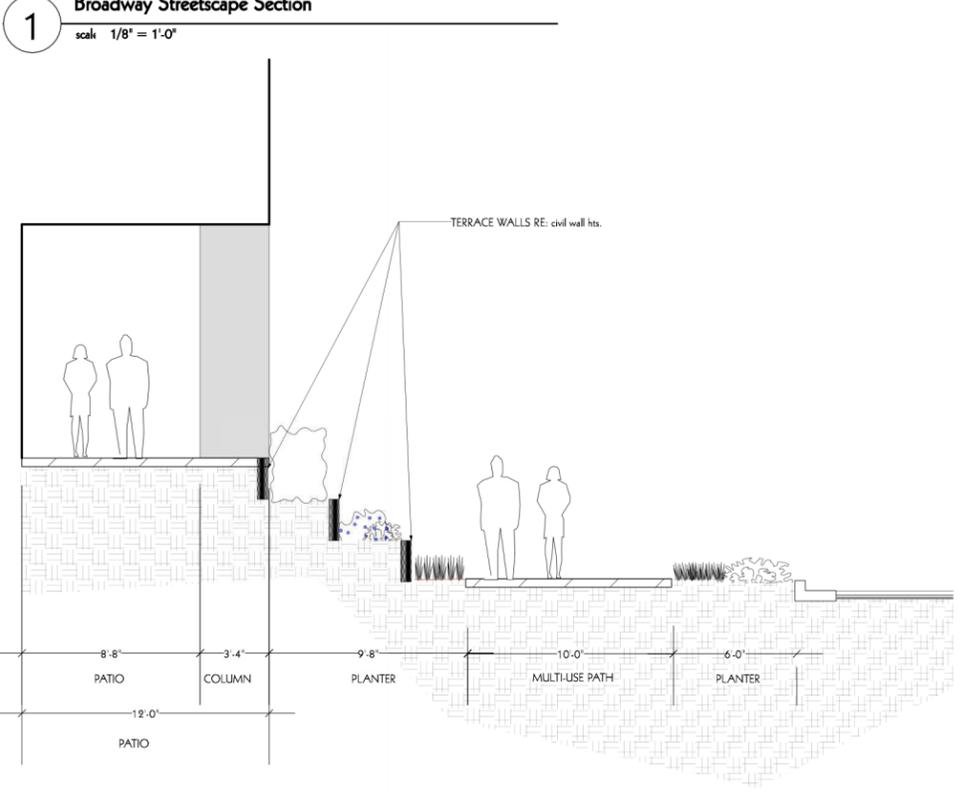
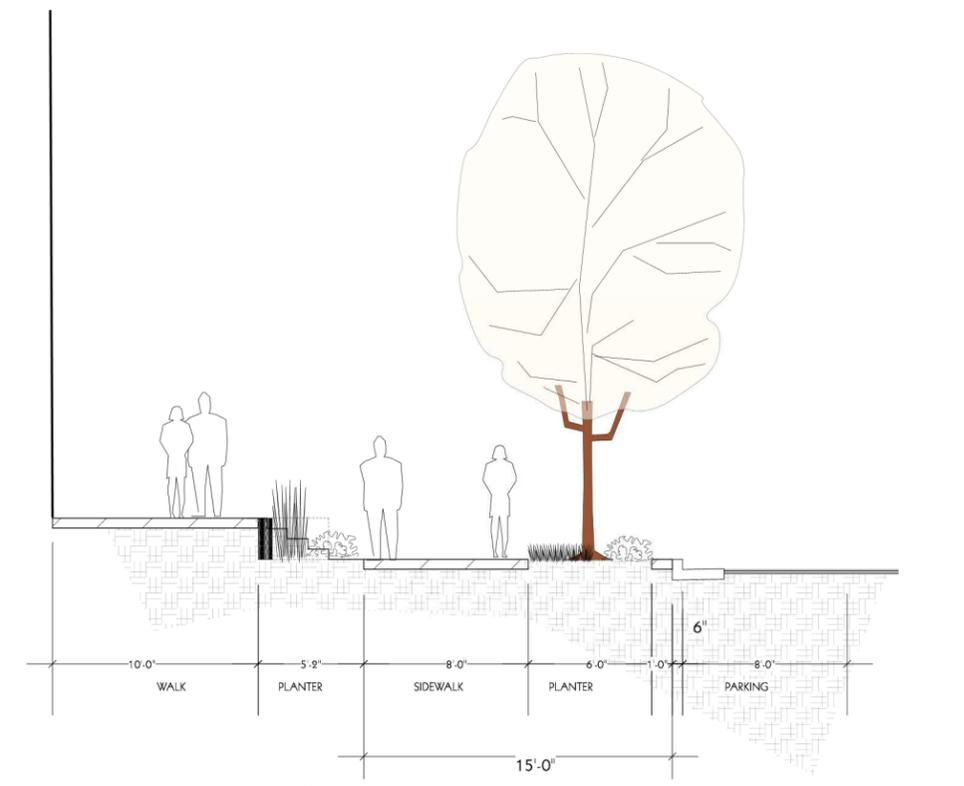
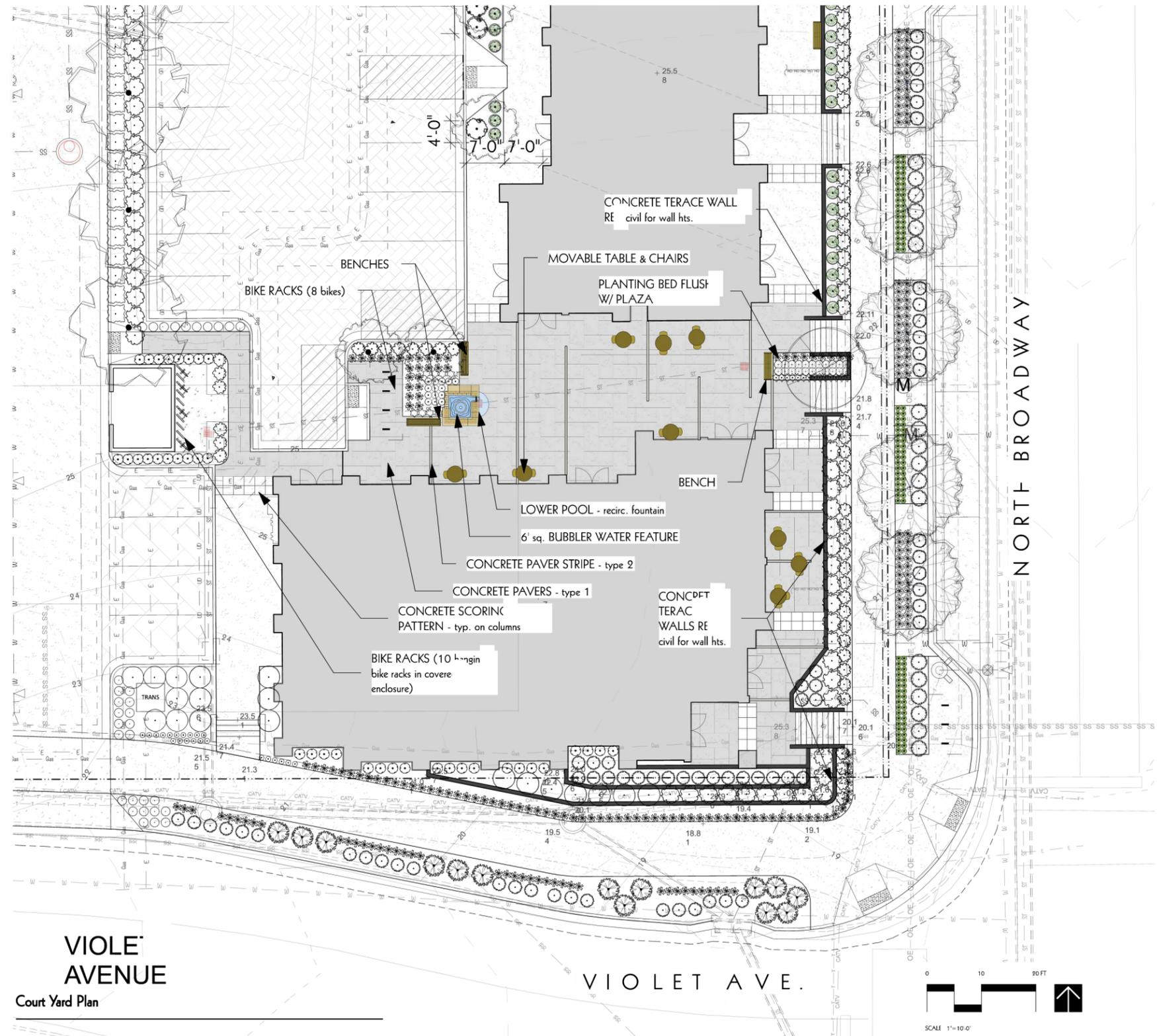
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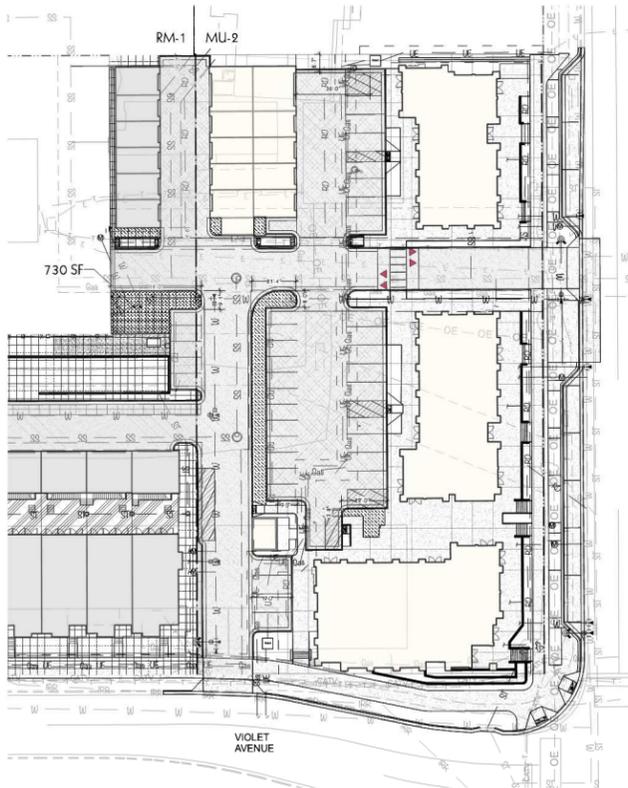
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PLANT LIST: 02-05-16					
KEY	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	O.C.
SHADE TREES:					
ASG	5	American Sweetgum	Liquidambar styraciflua	2" ctp.	as shown
BO	4	Bur Oak	Quercus macrocarpa	2" ctp.	as shown
EO	5	English Oak	Quercus robur	2" ctp.	as shown
HB	1	Hackberry	Celtis occidentalis	2" ctp.	as shown
KC	3	Kentucky Coffeetree	Gymnocladus dioica	2" ctp.	as shown
OB	5	Ohio Buckeye	Aesculus glabra	2" ctp.	as shown
SHL	1	Shademaster Honeylocust	Gleditsia triacanthos var. inermis 'Shademaster'	2" ctp.	as shown
TOTAL:	24				
ORNAMENTAL TREES:					
ABS	3	Autumn Brilliance Serviceberry	Amelanchier x grandiflora 'Autumn Brilliance'	1.5" ctp.	as shown
CP	7	Chanticleer Pear	Pyrus calleryana Chanticleer	1.5" ctp.	as shown
RBC	5	Red Baron Crabapple	Malus Red Baron'	1.5" ctp.	as shown
TF	7	Turkish Filbert	Corylus colurna	1.5" ctp.	as shown
TOTAL:	22				
EVERGREEN TREES:					
WBJ	13	Wichita Blue Juniper	Juniperus scopulorum 'Wichita Blue'	6' ht.	5' o.c.
TOTAL:	13				
DECIDUOUS SHRUBS:					
BE	22	Blondy Euonymus	Euonymus fortunei 'Blondy'	5 gallon	2" o.c.
BLS	37	Birchleaf Spirea	Spiraea betulifolia 'To'	5 gallon	2.5" o.c.
CMD	15	Carol Mackie Daphne	Daphne burkwoodii 'Carol Mackie'	5 gallon	3.5" o.c.
DFS	35	Dwarf Fragrant Sumac	Rhus aromatica 'Giro-Low'	5 gallon	5' o.c.
DN	6	Dwarf Ninebark	Physocarpus opulifolius 'Nanus'	5 gallon	4' o.c.
ELR	64	Easy Livin' Rose	Rosa x 'Livin' Easy'	5 gallon	5' o.c.
FCBS	69	First Choice Blue Spirea	Caeropyreris x clandonensis 'First Choice'	5 gallon	2.5" o.c.
GWR	4	Golden Wings Rose	Rosa 'Golden Wings'	5 gallon	5' o.c.
KD	33	Kelsey's Dwarf Red-Osier Dogwood	Cornus sericea 'Kelsey'	5 gallon	3.5" o.c.
LDP	58	Lodense Pivert	Ligustrum vulgare 'Lodense'	5 gallon	3.5" o.c.
LMS	24	Limemound Spirea	Sirea x bumalda 'Monhub'	5 gallon	3' o.c.
MBSR	45	Morden Blush Shrub Rose	Rosa x 'Morden Blush'	5 gallon	3' o.c.
MS	50	Mixed Spirea	Spiraea japonica	5 gallon	3' o.c.
MWW	48	Midwine Weigela	Weigela florida 'Elvera'	5 gallon	3' o.c.
PBB	21	Compact Purple Butterfly Bush	Buddleja davidii nanhoensis 'Petite Plum'	5 gallon	5' o.c.
RROR	56	Rainbow Knock Out Rose	Rosa x 'Radar'	5 gallon	3' o.c.
RS	70	Russian Sage	Perovskia atriplicifolia	5 gallon	4' o.c.
RTD	43	Isanti Redtwig Dogwood	Cornus sericea 'Isanti'	5 gallon	5' o.c.
TLS	23	Three-Leaf Sumac	Rhus trilobata	5 gallon	5' o.c.
WBB	21	Nanho White Butterfly Bush	Buddleja davidii 'Nanho White'	5 gallon	5' o.c.
WSR	36	White Meidland Landscape Rose	Rosa Meidland White	5 gallon	3' o.c.
TOTAL:	780				
EVERGREEN SHRUBS:					
AYJ	5	Ardena Youngstown Juniper	Juniperus horizontalis 'Youngstown'	5 gallon	3' o.c.
SJ	54	Scandia Juniper	Juniperus sibirica 'Scandia'	5 gallon	5' o.c.
WS	6	Walburn Spruce	Picea pungens 'Waldbrunn'	5 gallon	as shown
TOTAL:	65				
ORNAMENTAL GRASSES:					
BBF	192	Boulder Blue Fescue	Festuca glauca 'Boulder Blue'	1 gallon	15" o.c.
CMG	163	Compact Maiden Grass	Miscanthus sinensis 'Adagio'	1 gallon	30" o.c.
DFG	261	Dwarf Fountain Grass	Pennisetum alopecuroides 'Hamel'	1 gallon	18" o.c.
FRG	69	Foerster Feather Reed Grass	Calamagrostis x acutiflora 'Karl Foerster'	1 gallon	24" o.c.
MG	83	Morning Light Maiden Grass	Miscanthus sinensis 'Morning Light'	1 gallon	30" o.c.
PG	7	Plume Grass	Saccharum ravennae	1 gallon	as shown
TOTAL:	775				
PERENNIALS/GROUNDCOVERS:					
CSD	51	Compact Shasta Daisy	Leucanthemum x superbum 'Silver Princess'	1 gallon	18" o.c.
EL	44	English Lavender	Lavandula angustifolia 'Munstead'	1 gallon	15" o.c.
HL	171	Deep Blue Lavender	Lavandula angustifolia 'Hidcote'	1 gallon	15" o.c.
P	56	Plumbago	Cerastostigma plumbaginoides	1 gallon	24" o.c.
TS	84	Turkish Speedwell	Veronica itamensis	1 gallon	12" o.c.
TOTAL:	406				

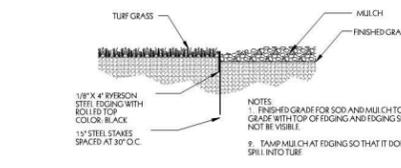
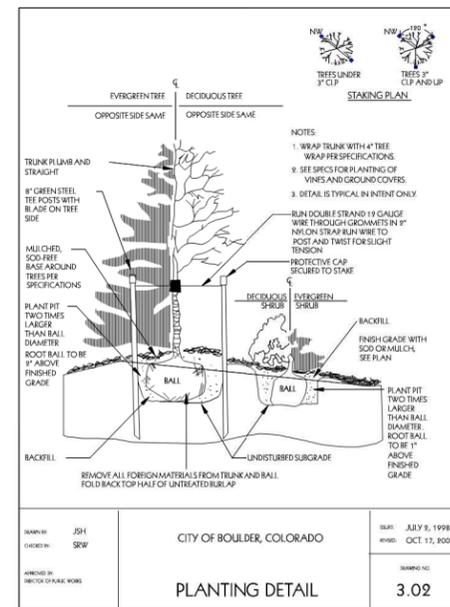
PLANT NOTES:

- All plant material shall meet specifications of the American Association of Nurserymen (AAN) for number one grade. All trees shall be balled and burlapped or equivalent. All plant materials shall have all wire, twine or other containment materials, except for burlap, removed from trunk and root ball of the plant prior to planting.
- Trees shall not be planted closer 10 feet to any sewer or water line. Tree planting shall be coordinated with Xcel Energy Company. Locations of all utilities shall be verified in the field prior to planting.
- All shrubs shall be planted no less than 3' from any sidewalk or curb.
- Grades shall be set to allow for proper drainage away from structures. Grades shall maintain smooth profiles and be free of surface debris, bumps, and depressions.
- Developers shall ensure that the landscape plan is coordinated with the plans done by other consultants so that the proposed grading, storm drainage, or other constructions does not conflict nor preclude installation and maintenance of landscape elements on this plan.
- All shrub bed areas shall be mulched with a 4" layer of wood bark mulch. Perennials and groundcover areas shall be mulched with a 4" layer of shredded bark mulch. No fabric to be installed in any ornamental grass, perennial or groundcover areas.
- Prior to installation of plant materials, areas that have been compacted or disturbed by construction activity shall be thoroughly loosened; organic soil amendments shall be incorporated at the rate of at least three (3) cubic yards per 1000 square feet of landscape area in all turf and shrub beds. Incorporate only 1.5 CY in seed areas.
- All lawn areas will be sodded with a fescue blend. Perimeter seed areas to be Low Grow Seed Mix as per Arkansas Valley Seed or equal. Drainage channel to be seeded with wetland seed mix.
- All landscape (plant materials and grass) will be irrigated with an automatic system. Turf areas will have a spray zone. Plants with like water requirements are shown together in order to have an efficient use of water. See Irrigation Plans for detailed information. (to be completed during Tec Docs).
- Contractor shall verify all material quantities prior to installation. Actual number of plant symbols shall have priority over the quantity designated.
- Refer to the City of Boulder Design and Construction Streetscaping Standards for all work within public areas, including tree protection standards. The developer will make every effort possible to protect trees within the site using the same standards.
- Refer to the Civil Engineer Drawings for Grading and Utility information.
- This plan meets or exceeds City of Boulder landscape code requirements when trees are planted behind back of walk.

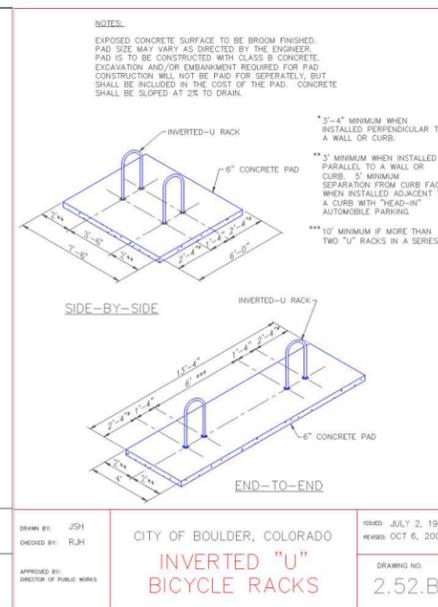


Parking Lot - Interior Parking Lot Landscape
scale: 1" = 40'-0"

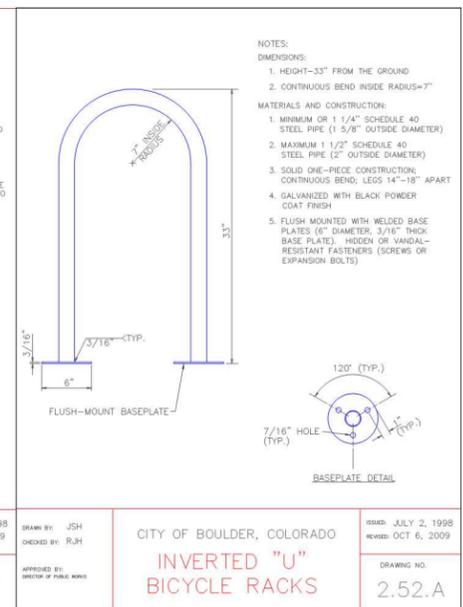
PARKING LOT LANDSCAPE: 02/08/16			
	REQUIRED	PROVIDED	PERCENTAGE
PARKING LOT	22,332		
INTERIOR PLANTING AREAS - 5% REQUIRED	1,117		
AREAS MEETING MIN. CODE DIMENSIONS		730	3.3%
ADDITIONAL PLANTING AREAS		1,101	
TOTAL:		1,831	8.2%



Steel Edger
scale: 1" = 40'-0"



Plaza Bench
scale: 1" = 40'-0"



Inverted U Bicycle Racks
scale: 1" = 40'-0"

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LANDSCAPE NOTES & DETAILS

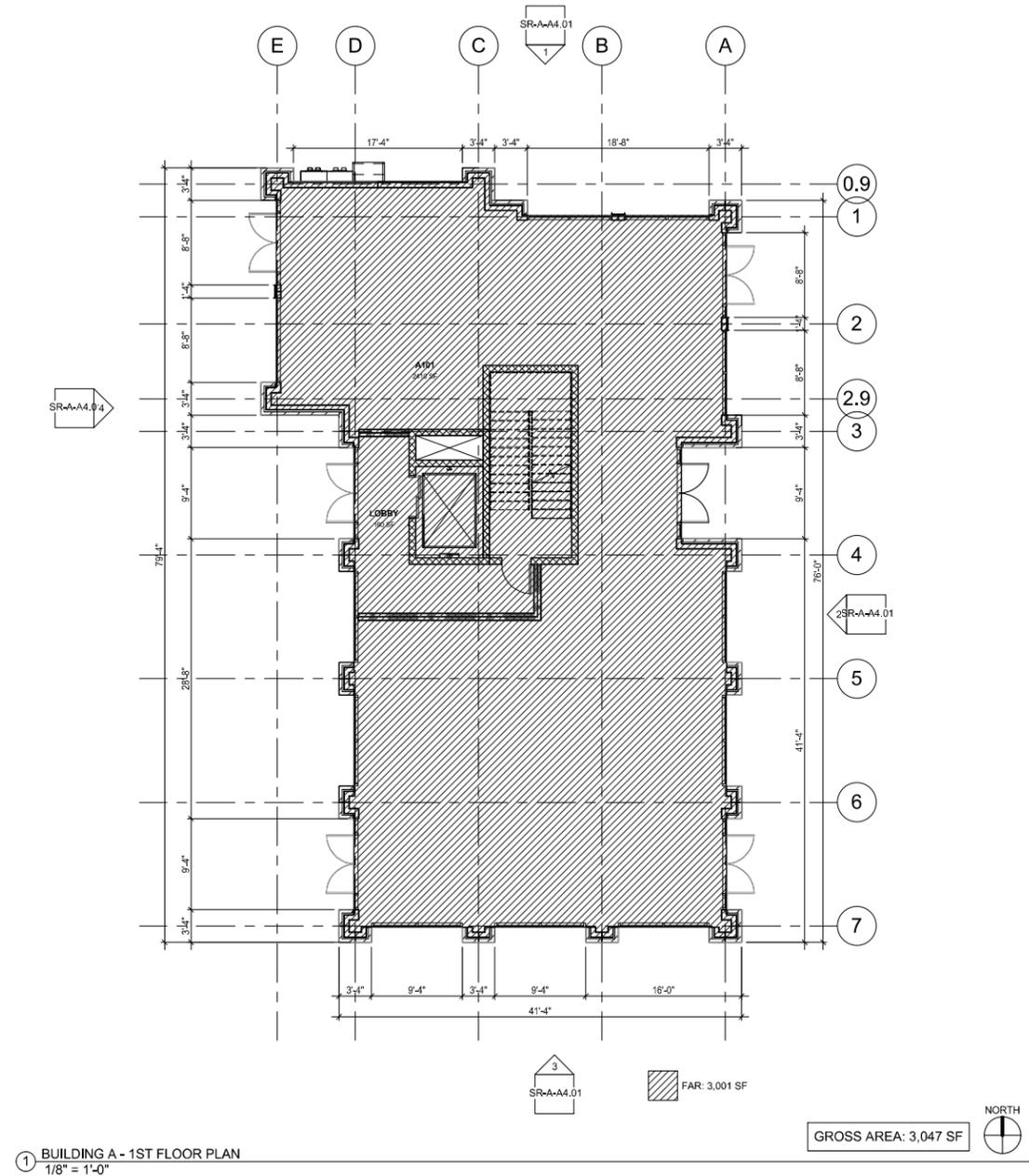
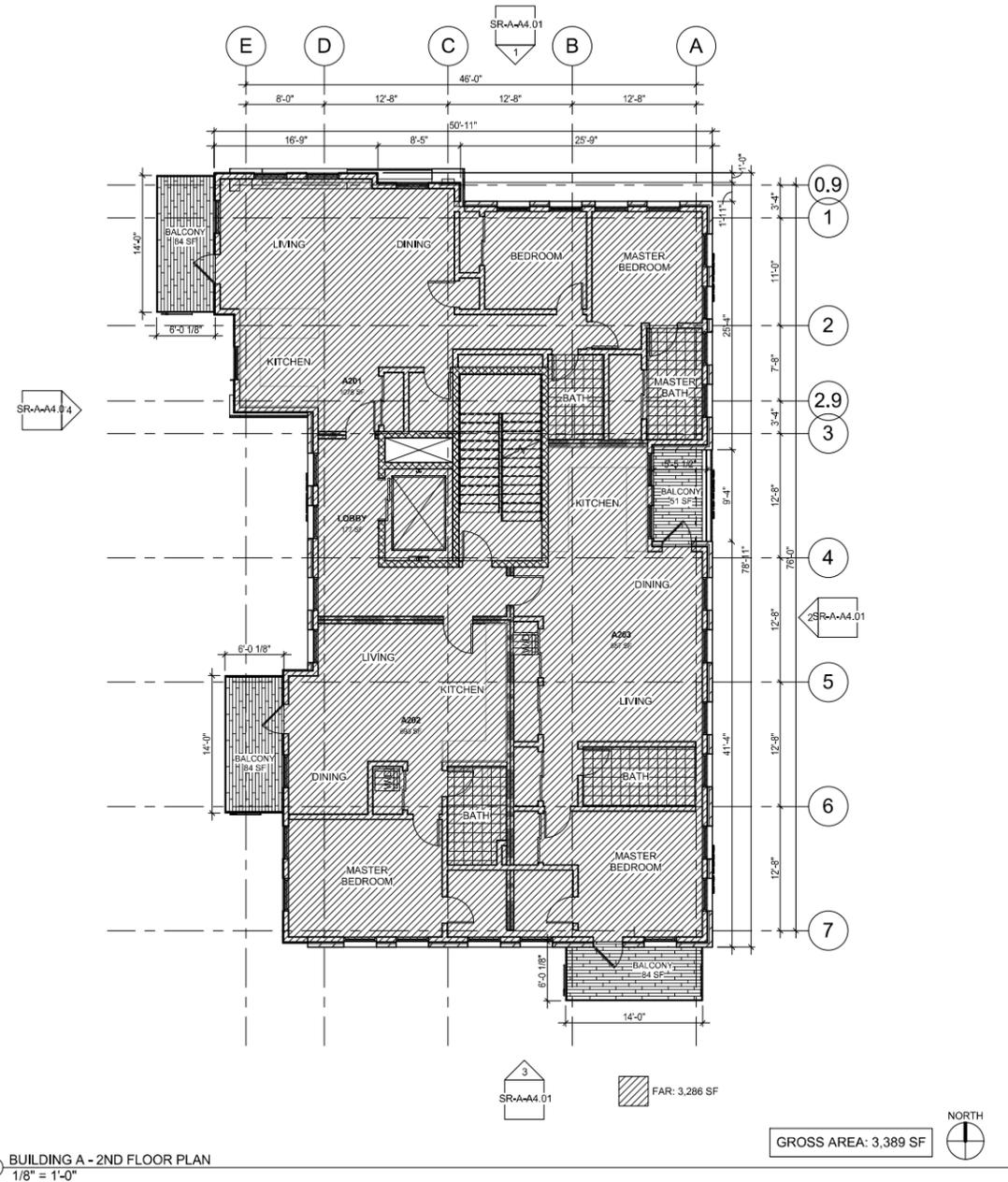
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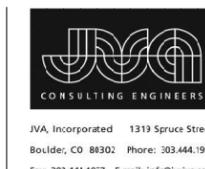
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BLDG A - FLOOR PLANS

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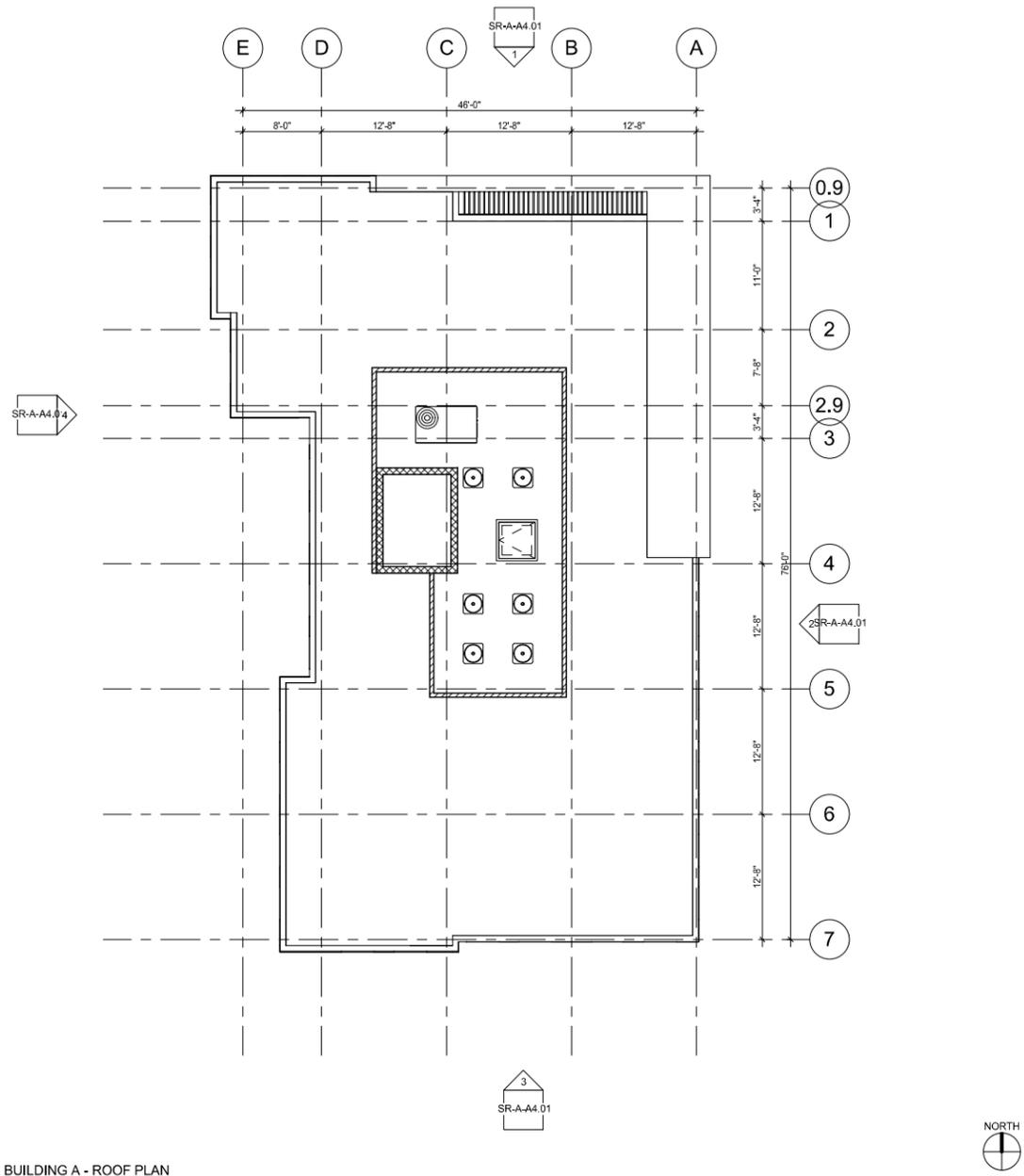
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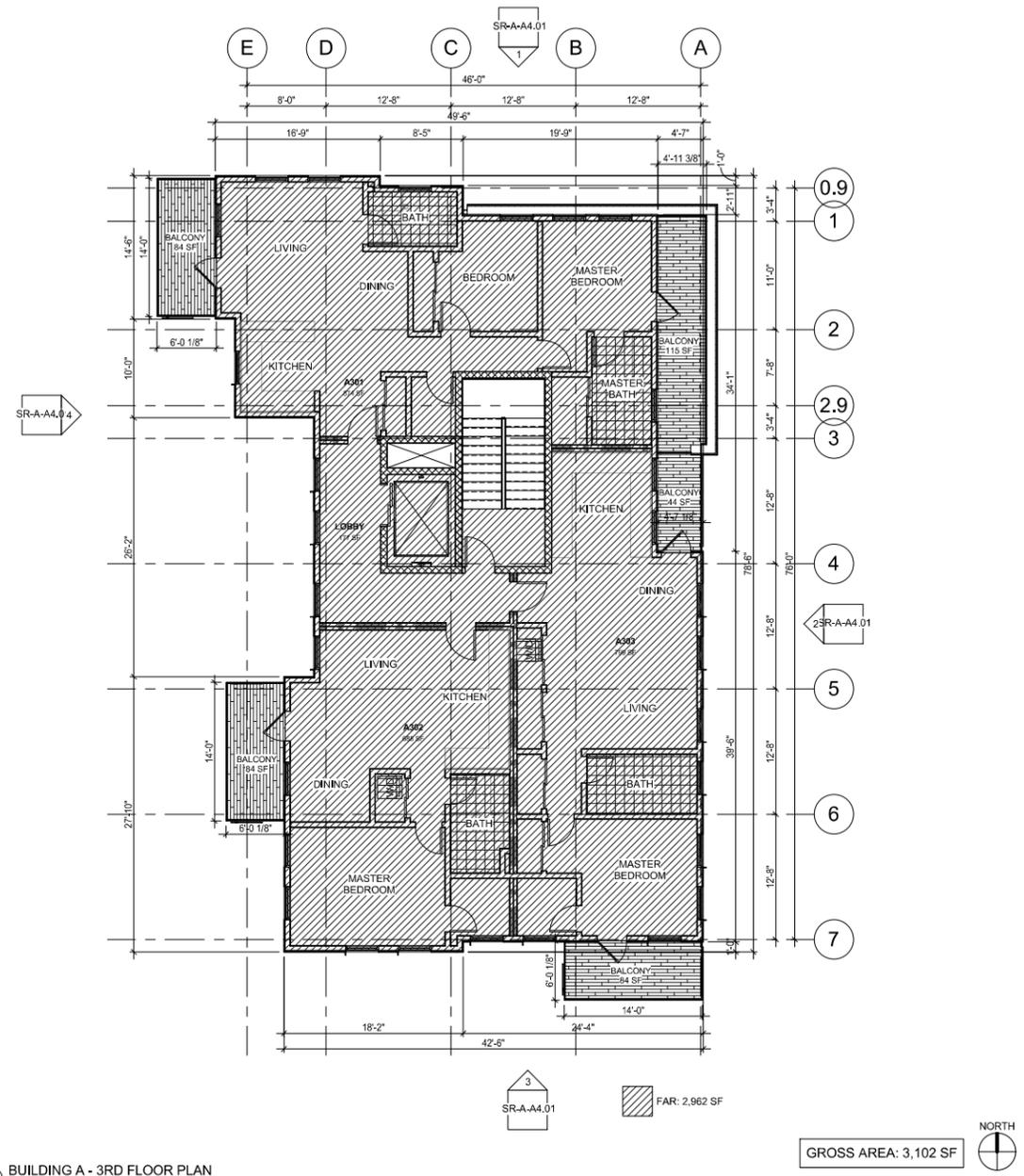
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2 BUILDING A - ROOF PLAN
1/8" = 1'-0"



1 BUILDING A - 3RD FLOOR PLAN
1/8" = 1'-0"

4403 BROADWAY

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BLDG A - FLOOR PLANS

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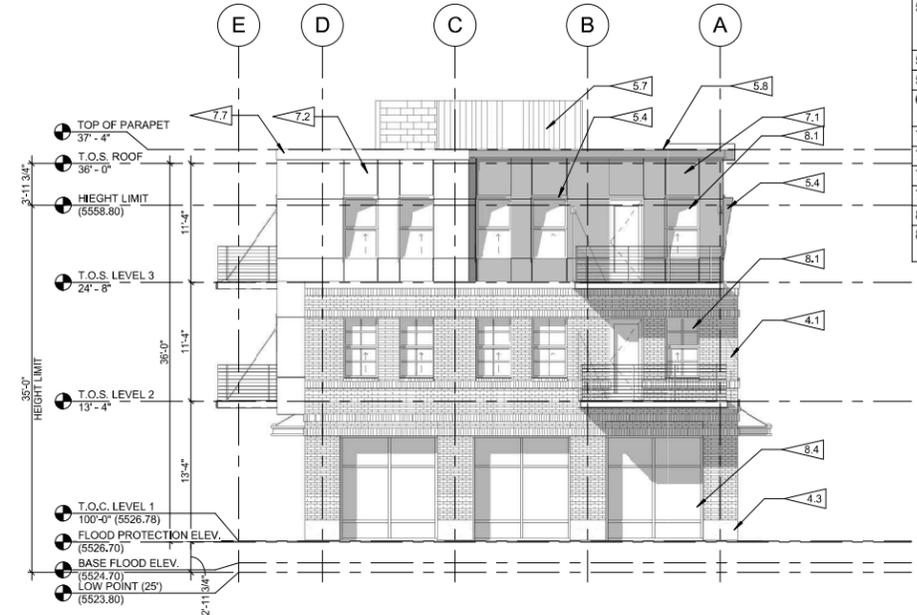


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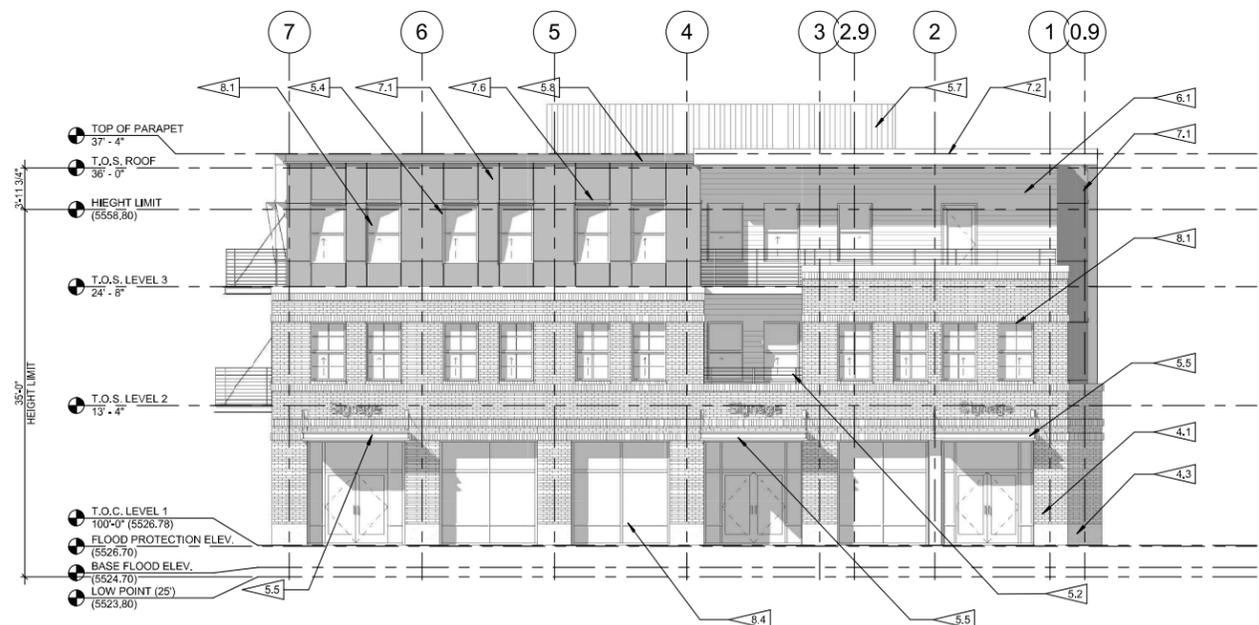
KEYNOTES	
Key Value	Keynote Text
3.2	PRECAST CONCRETE CAP PROFILE TBD.
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	ARRIS.TILE RENAISSANCE FINISH: SMOOTH COLOR: CHAMPAGNE
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.4	PERFORATED METAL SUNSHADE
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS
5.7	CORRUGATED METAL MECHANICAL SCREEN
5.8	PAINTED METAL CORNICE
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
7.1	STUCCO SAND FINISH COLOR 1
7.2	STUCCO SAND FINISH COLOR 2
7.6	STUCCO HEAD DETAIL
7.7	STUCCO CORNICE
8.1	VINYL WINDOW
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING



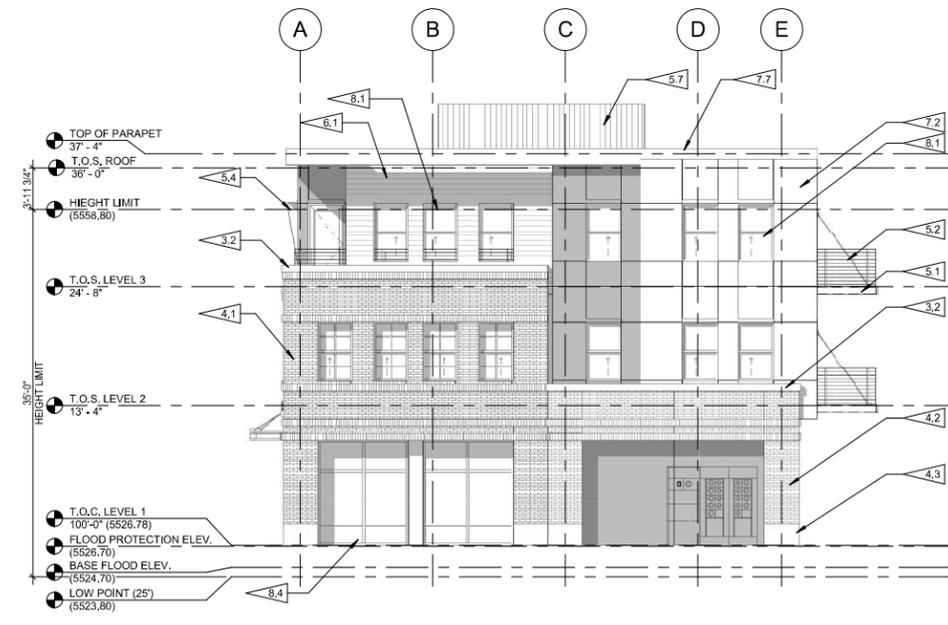
4 BUILDING A - WEST ELEVATION
1/8" = 1'-0"



3 BUILDING A - SOUTH ELEVATION
1/8" = 1'-0"



2 BUILDING A - EAST ELEVATION
1/8" = 1'-0"



1 BUILDING A - NORTH ELEVATION
1/8" = 1'-0"

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BLDG A - ELEVATIONS

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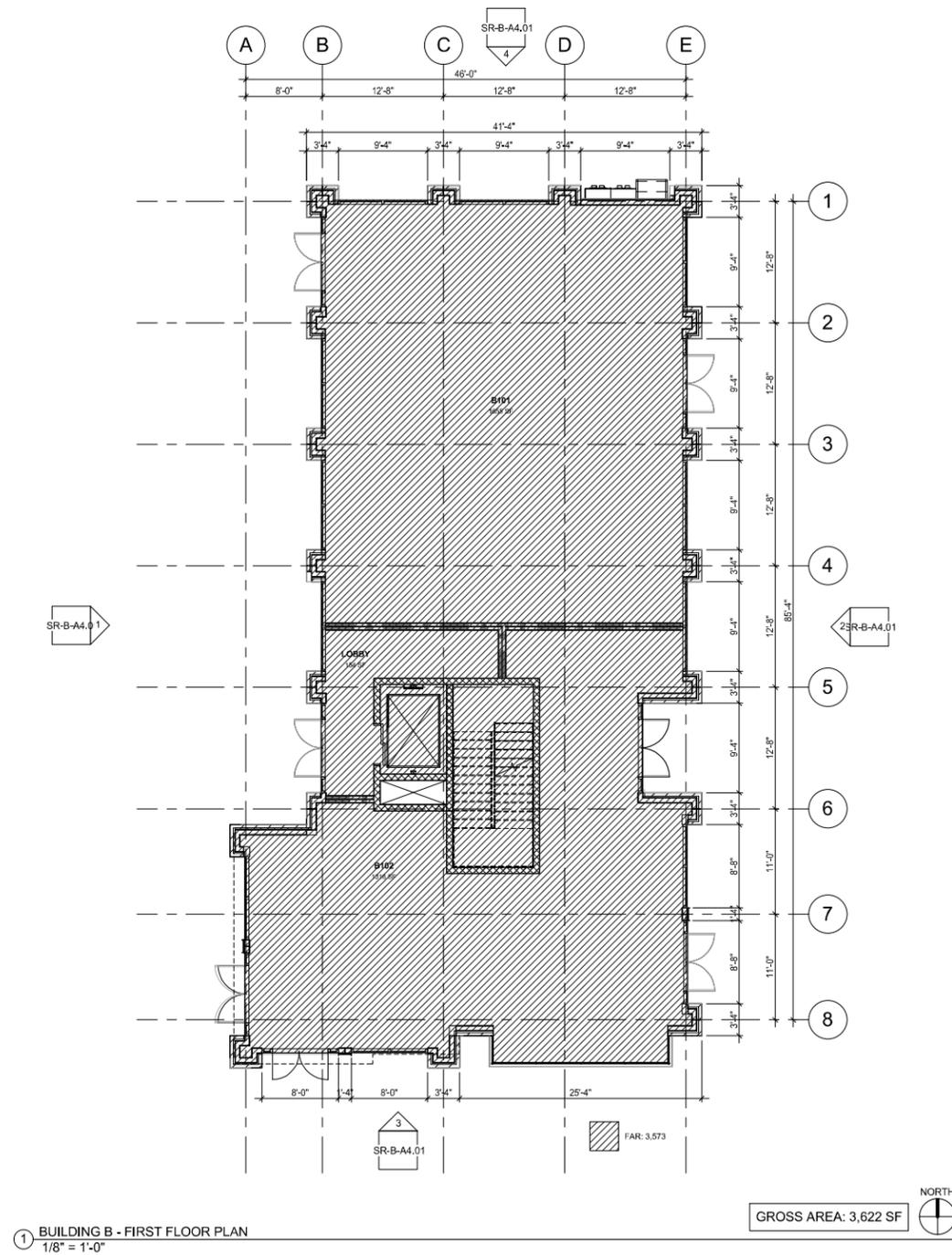
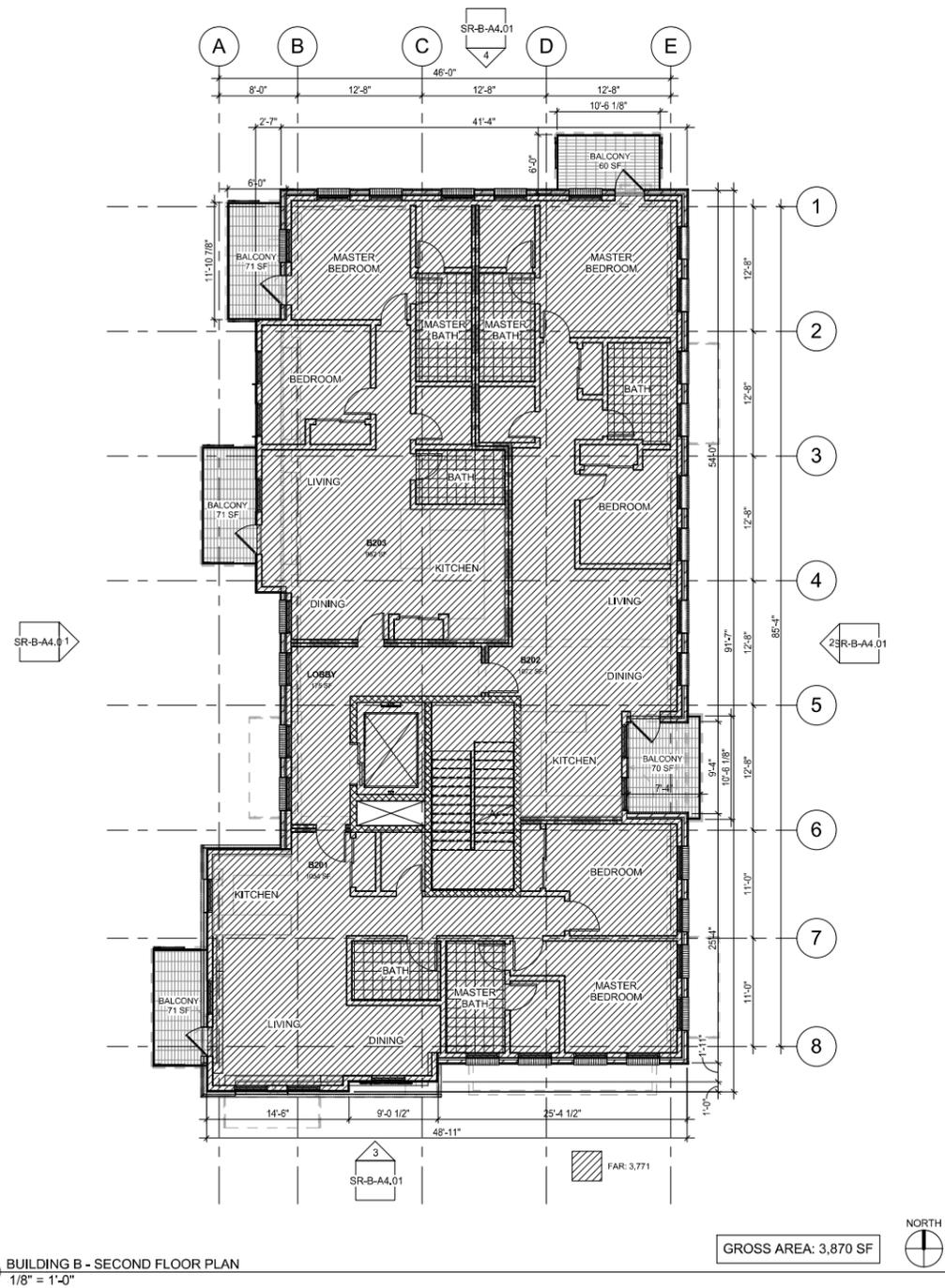
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BLDG B - FLOOR PLANS

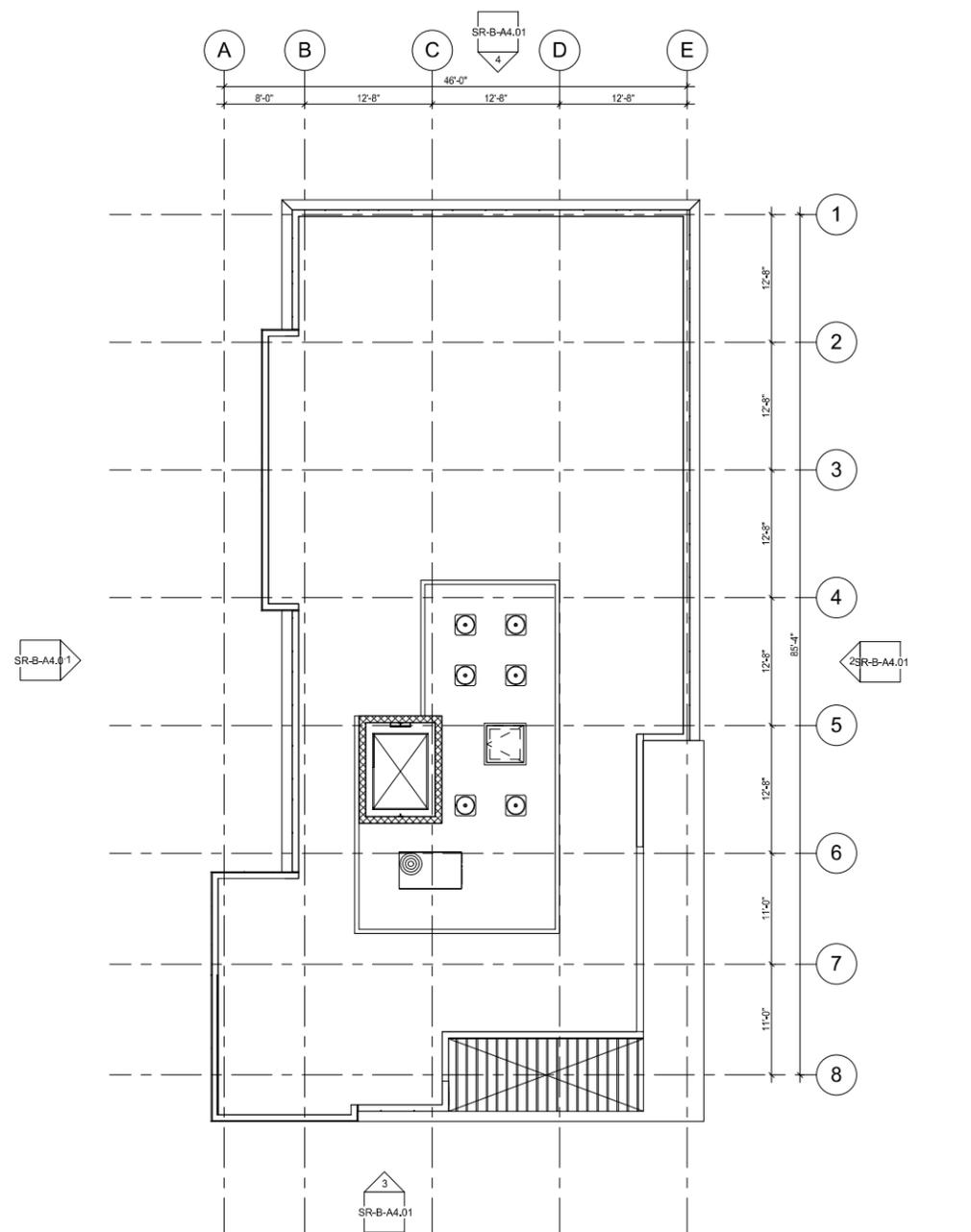
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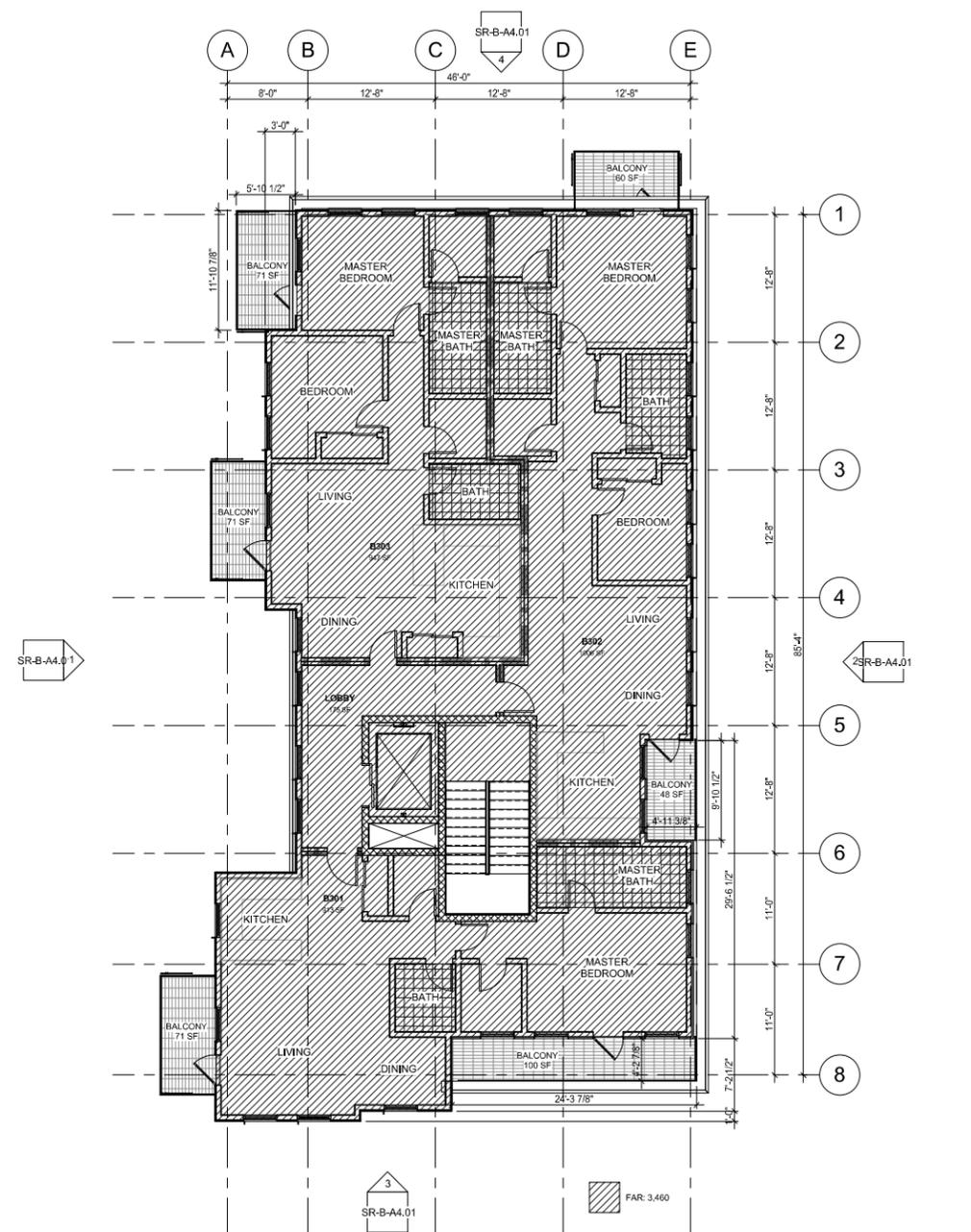


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2 BUILDING B - ROOF PLAN
1/8" = 1'-0"



1 BUILDING B - THIRD FLOOR PLAN
1/8" = 1'-0"

GROSS AREA: 3,638 SF

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4403 Broadway Street
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BLDG B - FLOOR PLANS

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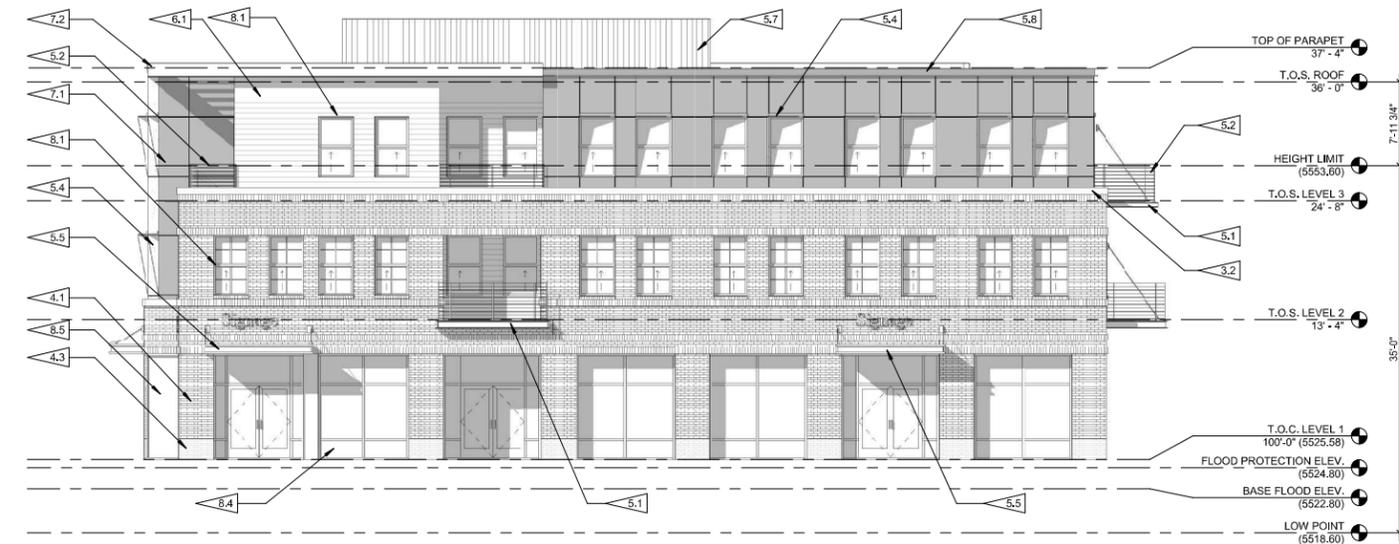
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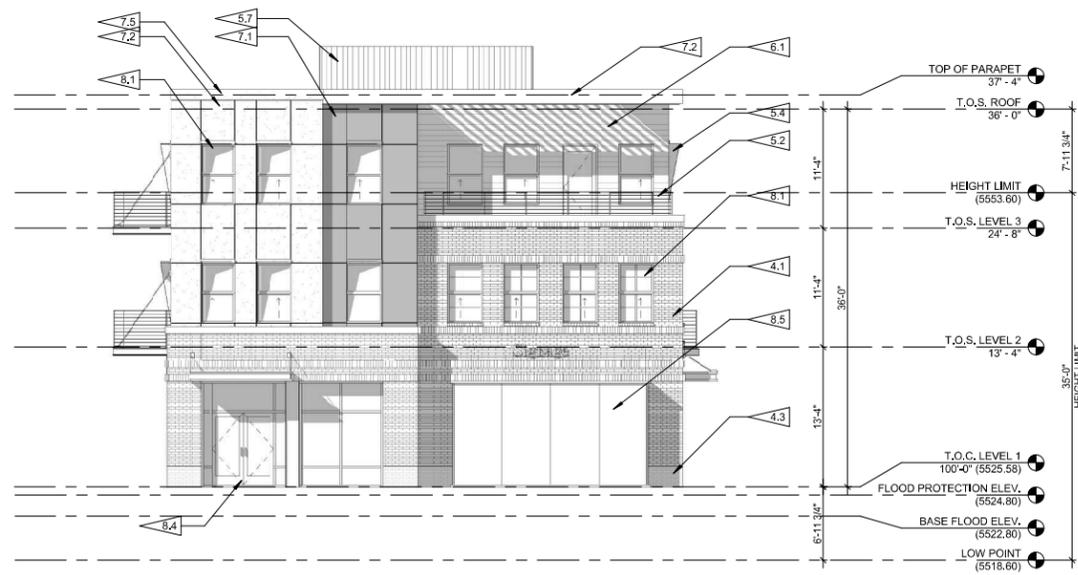
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7.6	STUCCO HEAD DETAIL
7.7	STUCCO CORNICE
8.1	VINYL WINDOW
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING
8.5	BUTT GLAZED ALUMINUM STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING



④ BUILDING B - NORTH ELEVATION
1/8" = 1'-0"



② BUILDING B - EAST ELEVATION
1/8" = 1'-0"



③ BUILDING B - SOUTH ELEVATION
1/8" = 1'-0"



① BUILDING B - WEST ELEVATION
1/8" = 1'-0"

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BLDG B - ELEVATIONS

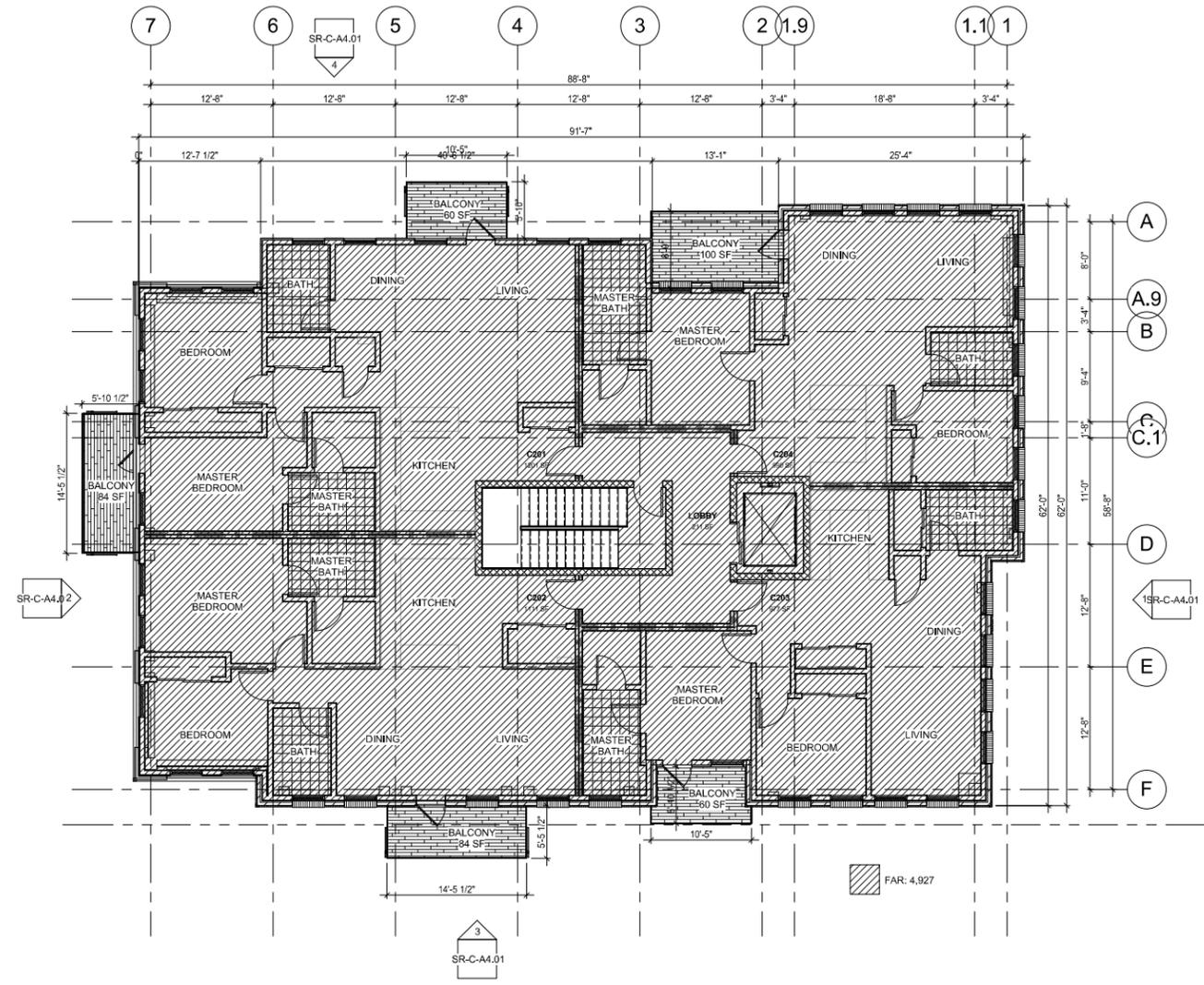
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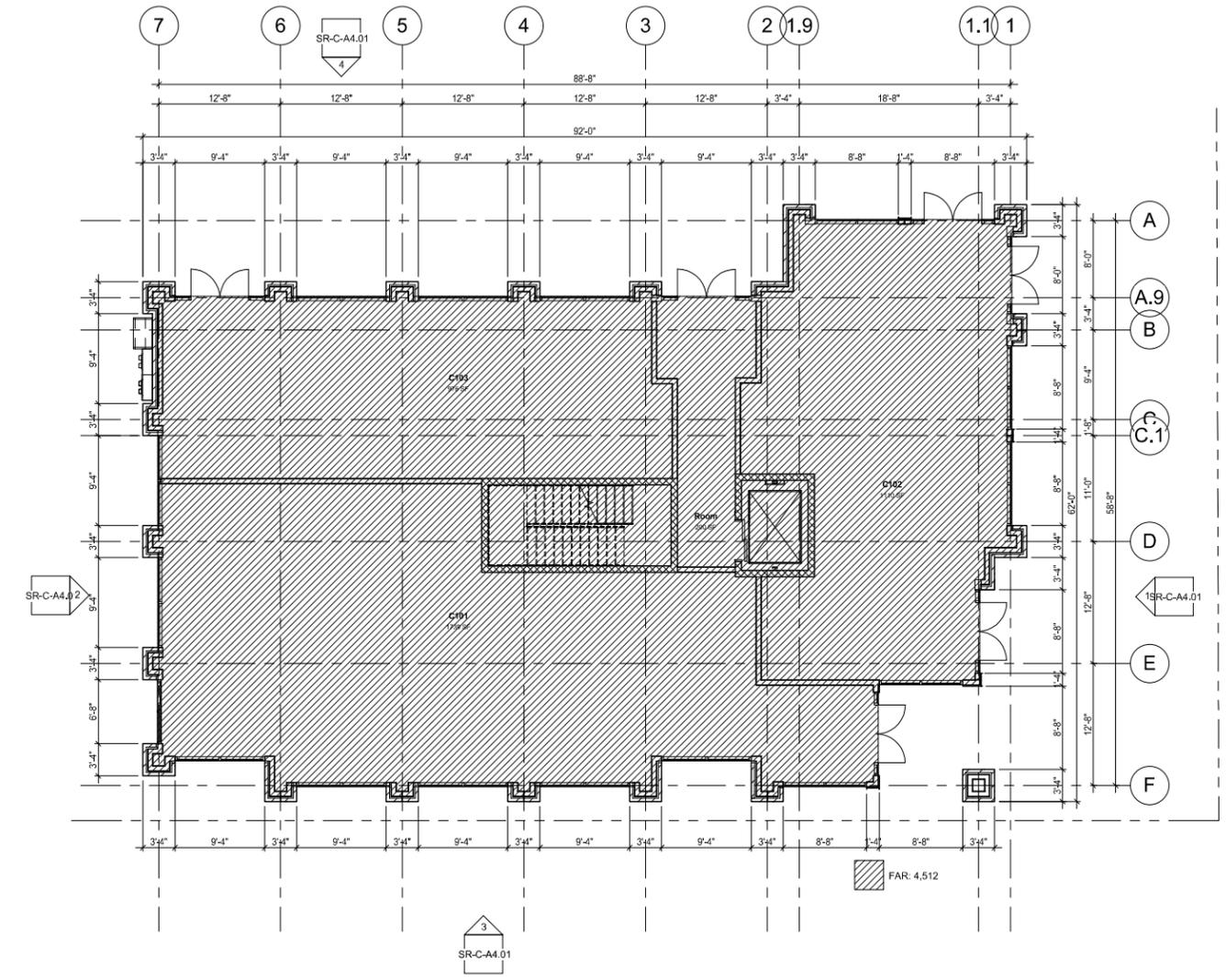
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2 BUILDING C - SECOND FLOOR PLAN
1/8" = 1'-0"

GROSS AREA: 5,166 SF



1 BUILDING C - FIRST FLOOR PLAN
1/8" = 1'-0"

GROSS AREA: 4,577 SF

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BLDG C - FLOOR PLANS

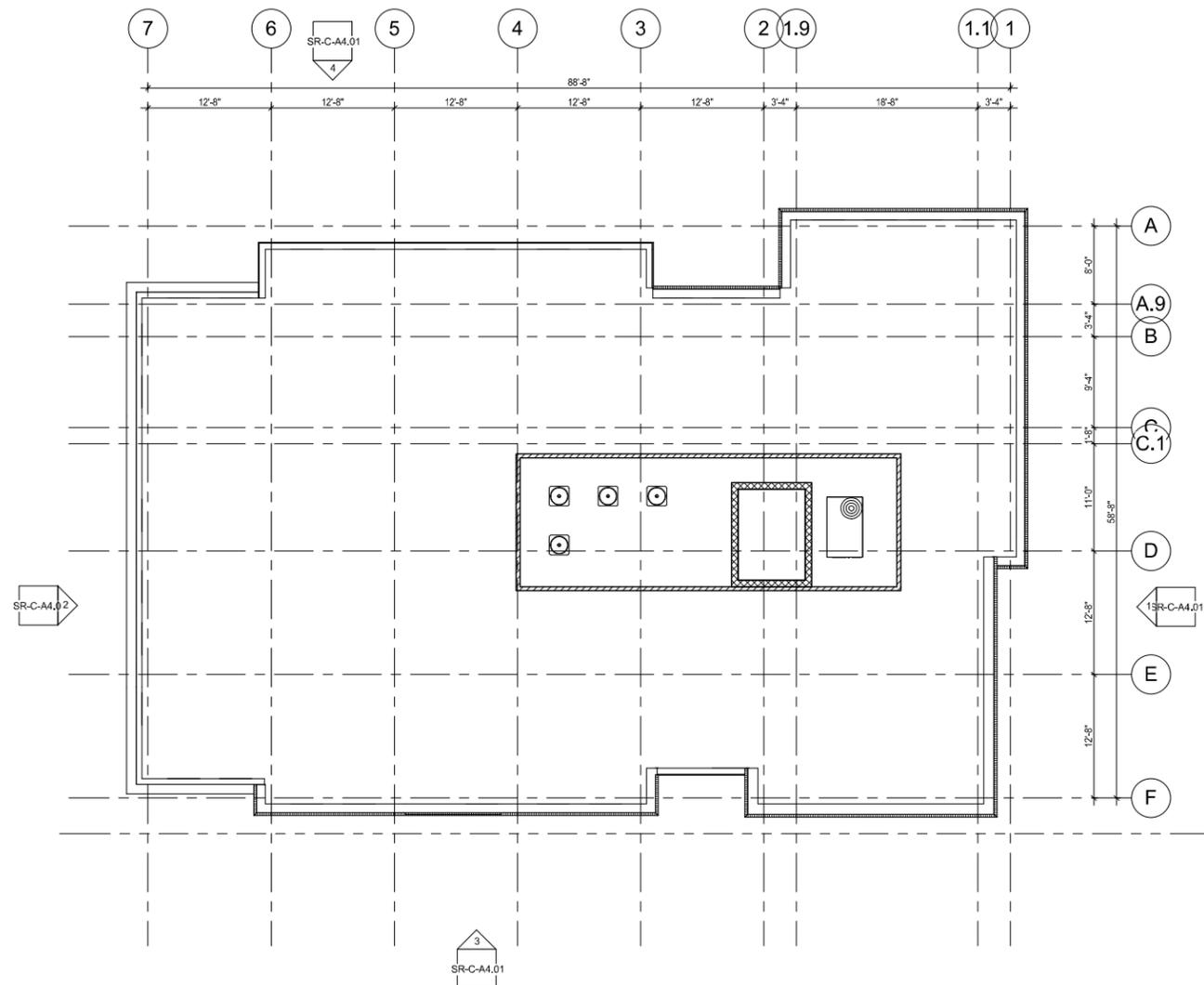
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1 BUILDING C - ROOF PLAN
1/8" = 1'-0"

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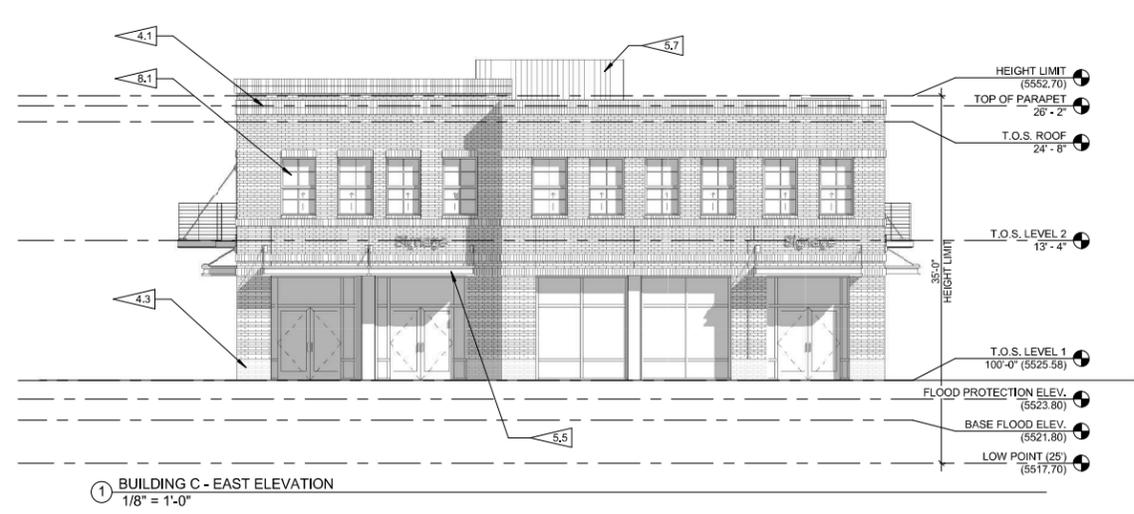
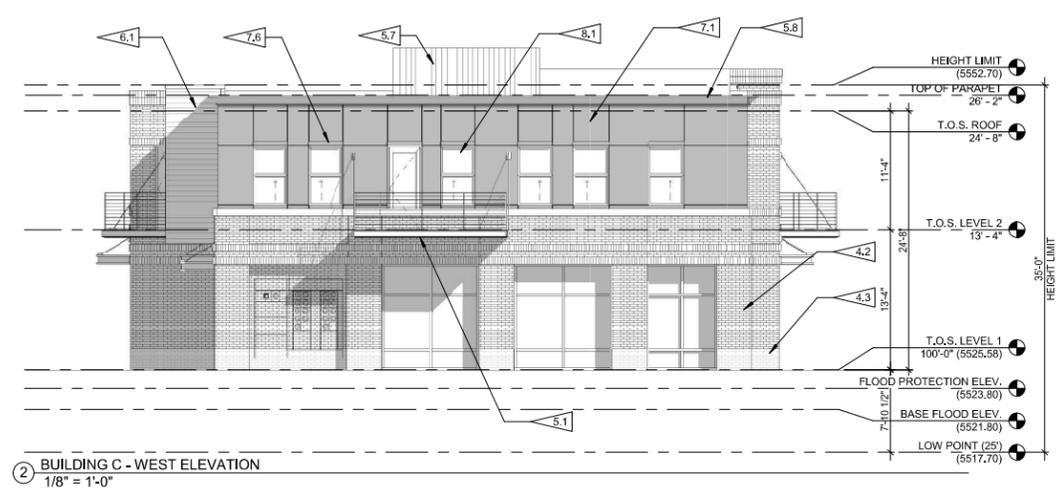
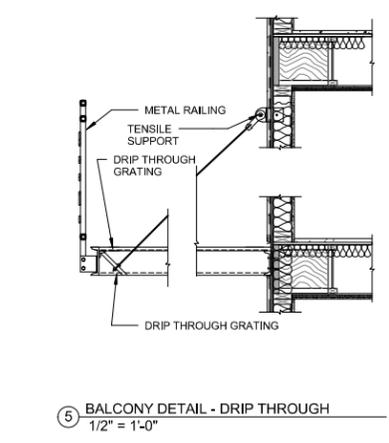
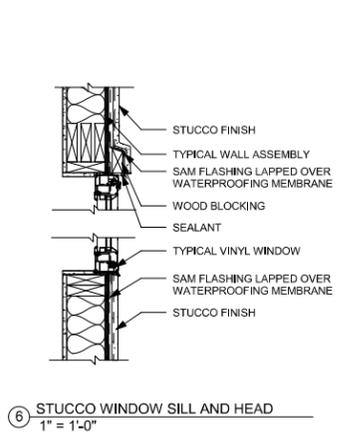
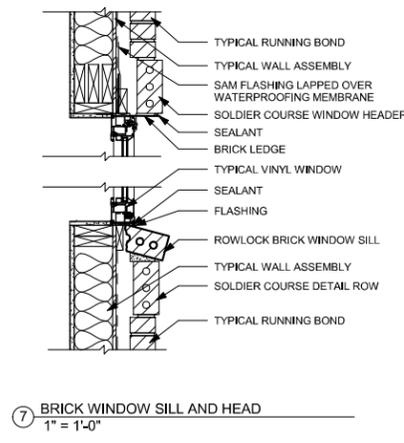
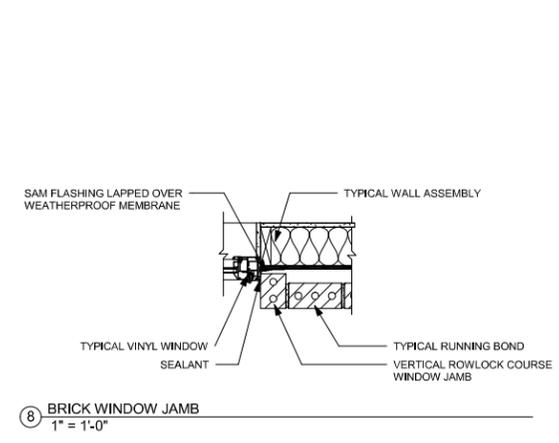
SR-C-A2.02



STUDIO architecture
1350 Pine St. Suite 1
Boulder, CO 80302
Project No.: 2801



KEYNOTES	
Key Value	Keynote Text
3.2	PRECAST CONCRETE CAP PROFILE TBD.
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	ARRIS TILE RENAISSANCE FINISH: SMOOTH COLOR: CHAMPAGNE
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS
5.7	CORRUGATED METAL MECHANICAL SCREEN
5.8	PAINTED METAL CORNICE
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
7.1	STUCCO SAND FINISH COLOR 1
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING



4403 BROADWAY

BLDG C - ELEVATIONS

SR-C-A4.01

4403 Broadway Street
Boulder, Colorado

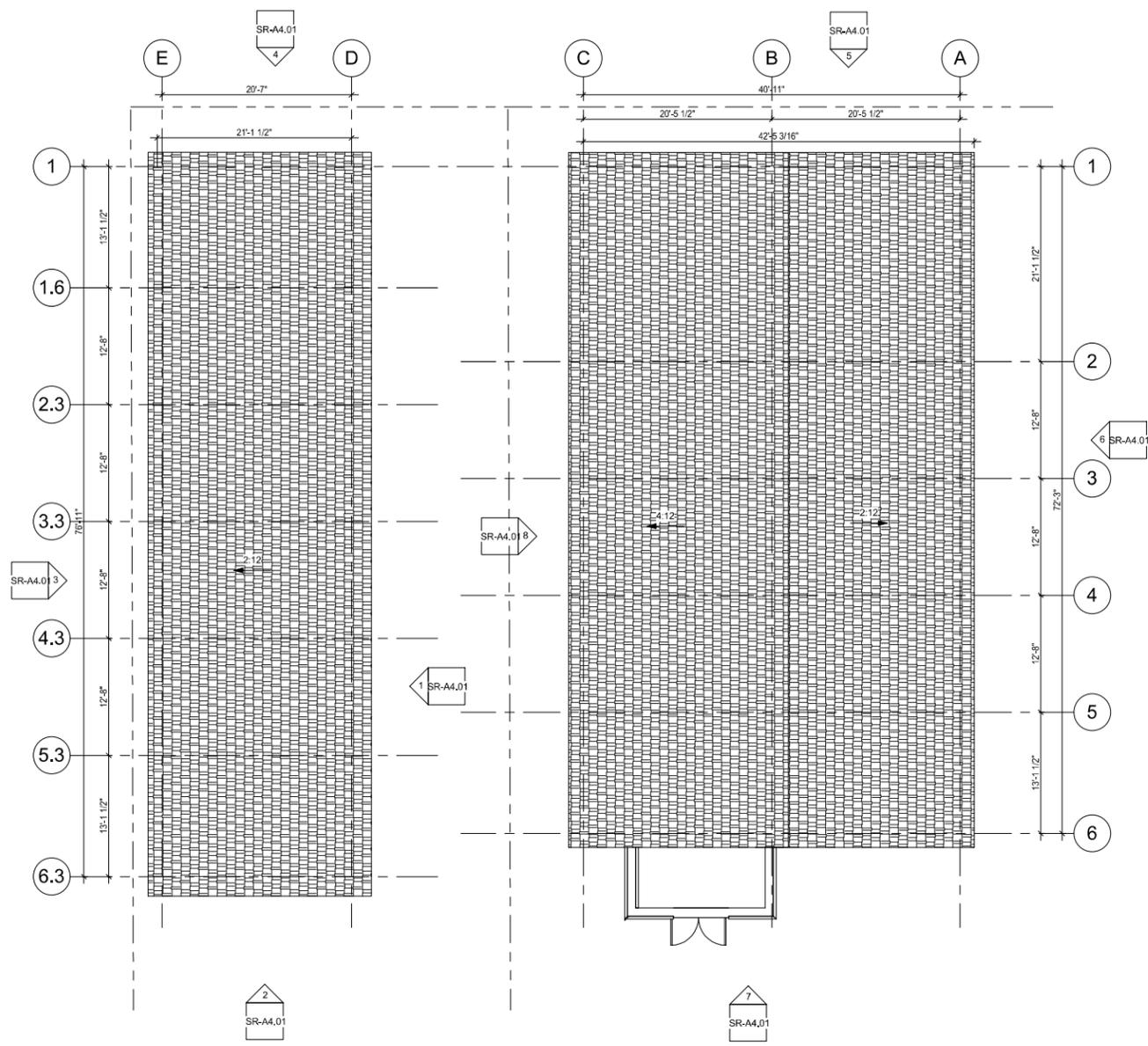
Site Review
02.10.2016

EMERALD MANAGEMENT
4949 Broadway Street
Boulder, CO 80304

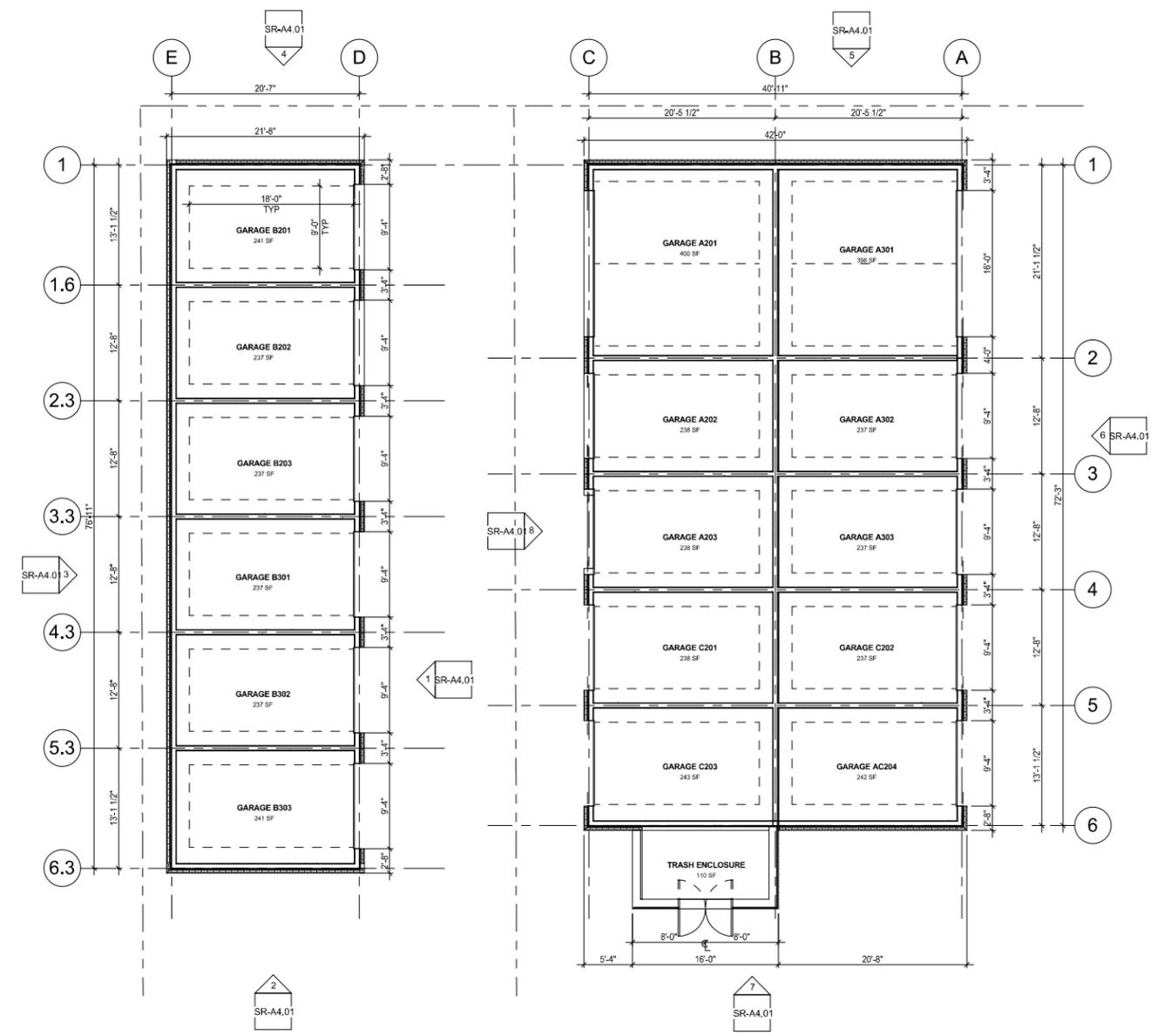


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Project No.: 2801

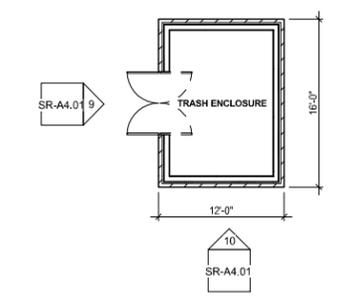




② CARPORTS - ROOF PLAN
1/8" = 1'-0"



① CARPORTS - LEVEL 1
1/8" = 1'-0"



③ TRASH ENCLOSURE PLAN
1/8" = 1'-0"

4403 BROADWAY
4403 Broadway Street
Boulder, Colorado
Site Review
02.10.2016

CARPORT/ TRASH ENCLOSURE PLANS

Emerald Management
4949 Broadway Street
Boulder, CO 80304

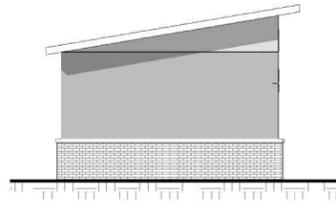


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Project #

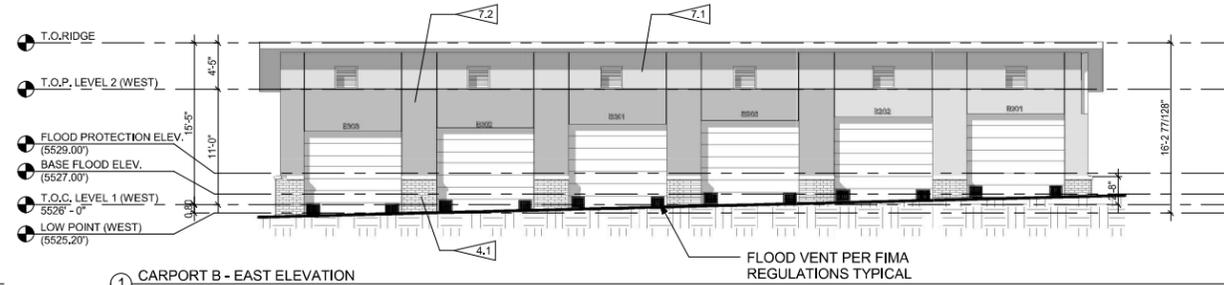


SR-A2.01

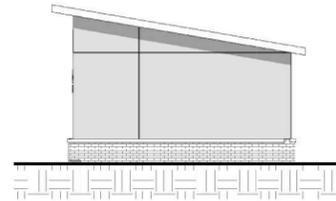
KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
5.6	STEEL GATE POWDER COAT FINISH
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
7.1	STUCCO SAND FINISH COLOR 1
7.2	STUCCO SAND FINISH COLOR 2
7.6	STUCCO HEAD DETAIL
8.6	SECTIONAL GARAGE DOOR



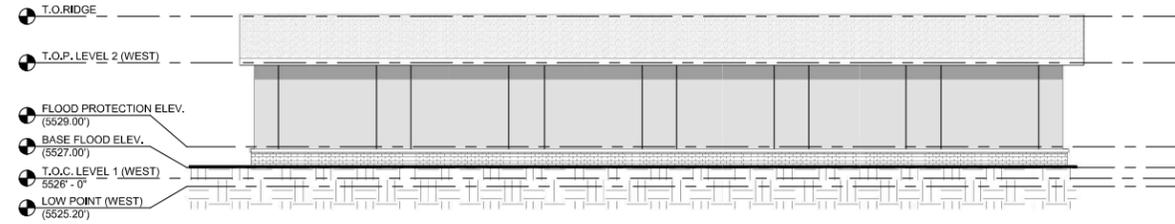
2 CARPORT B - SOUTH ELEVATION
1/8" = 1'-0"



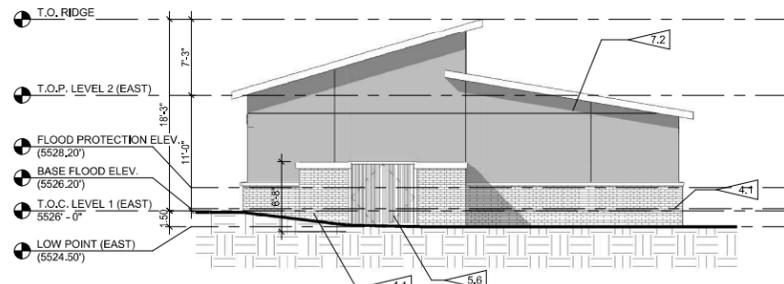
1 CARPORT B - EAST ELEVATION
1/8" = 1'-0"



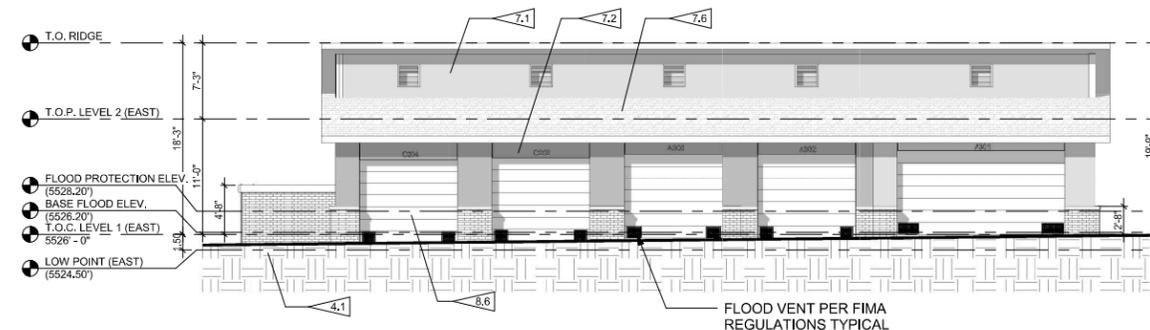
4 CARPORT B - NORTH ELEVATION
1/8" = 1'-0"



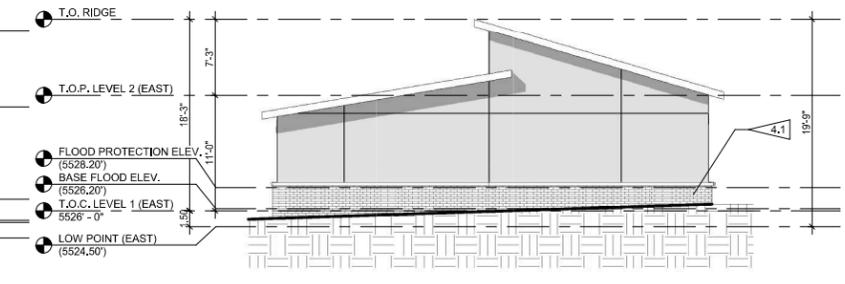
3 CARPORT B - WEST ELEVATION
1/8" = 1'-0"



7 CARPORT A - SOUTH ELEVATION
1/8" = 1'-0"



6 CARPORT A - EAST ELEVATION
1/8" = 1'-0"

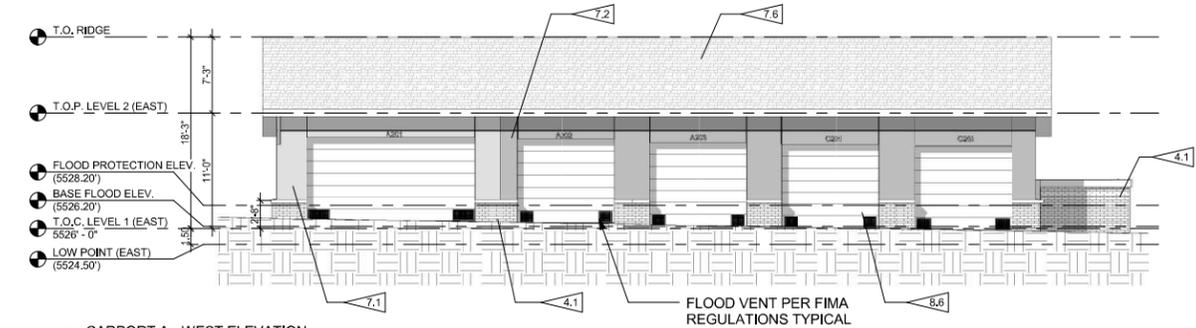


5 CARPORT A - NORTH ELEVATION
1/8" = 1'-0"



10 TRASH ENCLOSURE - EAST ELEVATION
1/8" = 1'-0" *NORTH AND WEST ELEVATIONS SIMILAR

9 TRASH ENCLOSURE - SOUTH ELEVATION
1/8" = 1'-0"



8 CARPORT A - WEST ELEVATION
1/8" = 1'-0"

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02.10.2016

CARPORT/TRASH ENCLOSURE ELEVATIONS

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SR-A4.01



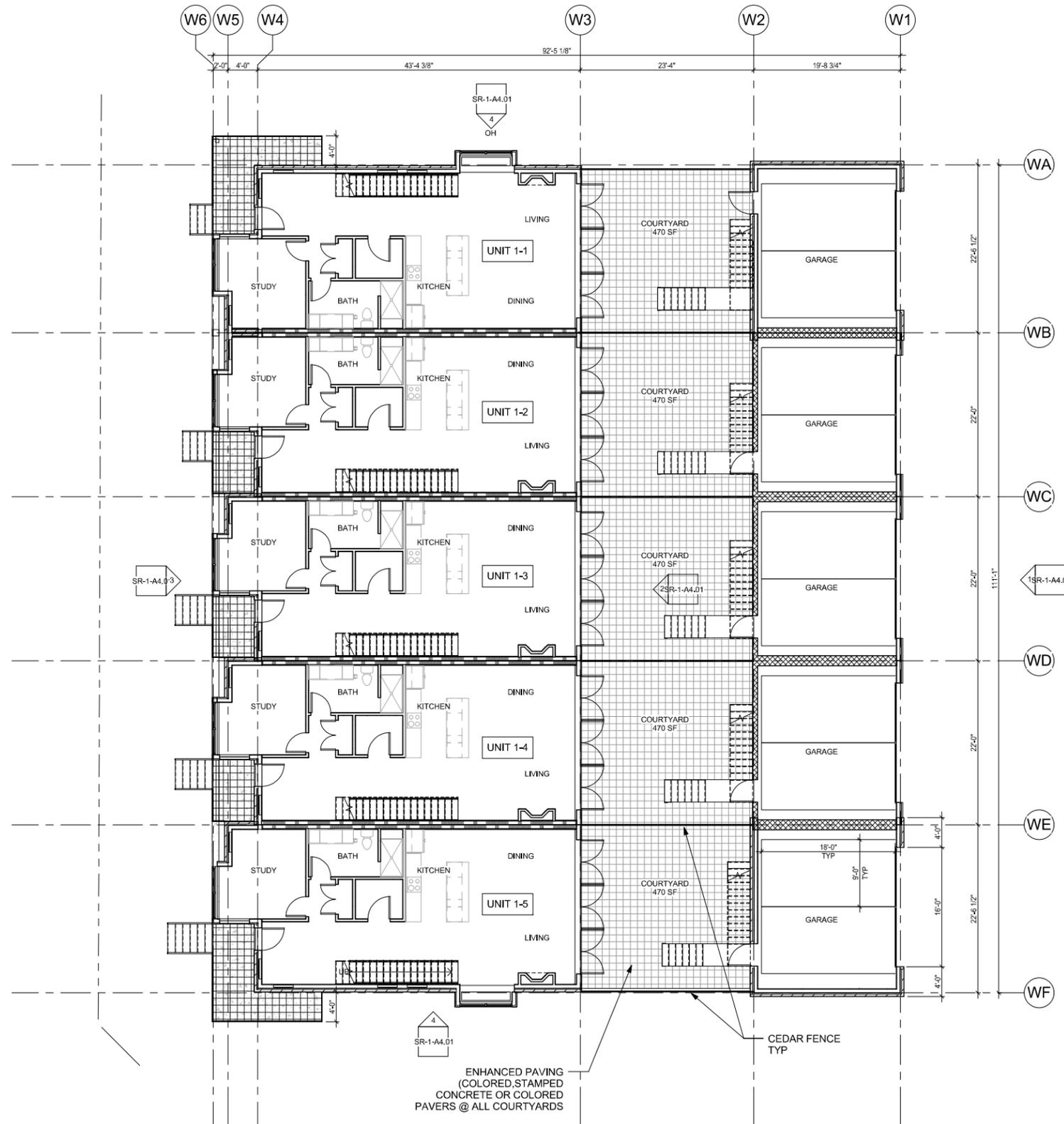
JVA, Incorporated 1319 Spruce Street
Boulder, CO 80302 Phone: 303.444.1951
Fax: 303.444.1957 E-mail: info@jvaja.com

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1350 Pine St. Suite 1
Boulder, CO 80302

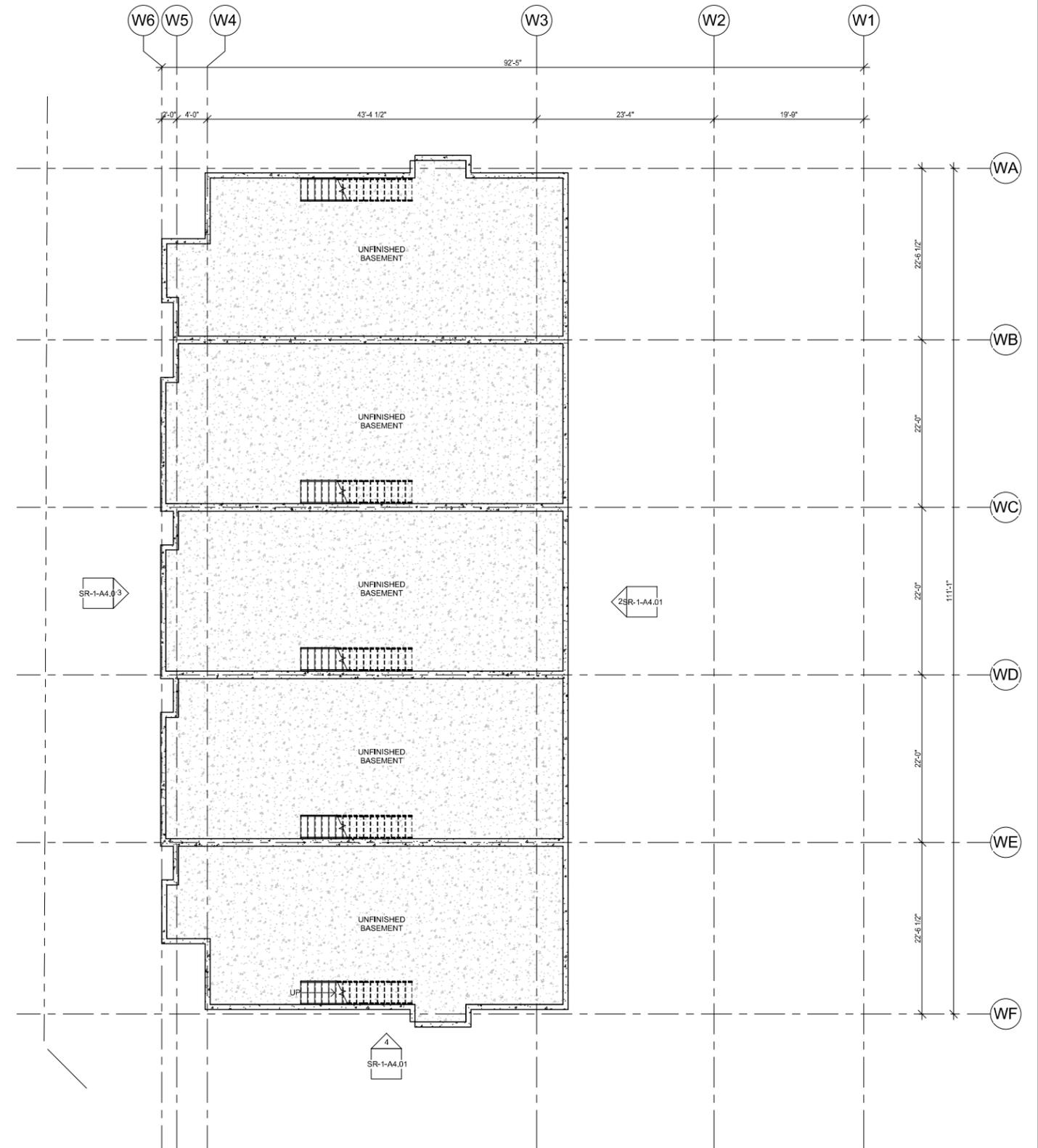
Project #



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Agenda Item 5B Page 39 of 150



GROSS AREA = 5,545 + 2,242 (GARAGES) = 7,787 SF



GROSS AREA = 5,783 SF

1 LEVEL 1
1/8" = 1'-0"

2 BASEMENT LEVEL
1/8" = 1'-0"

4403 BROADWAY

TOWNHOME BUILDING 1 - FLOOR PLANS

SR-1-A2.01

4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

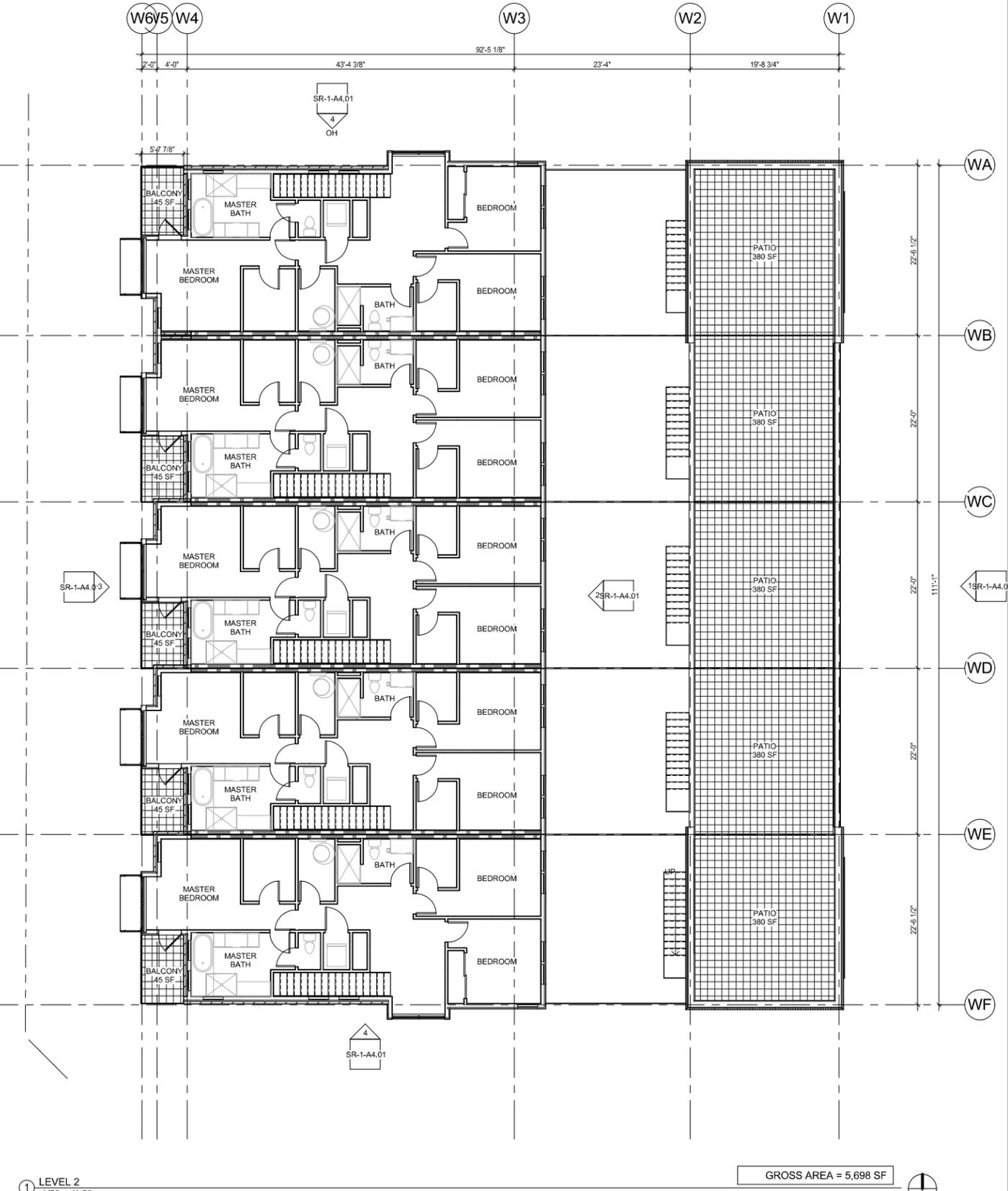
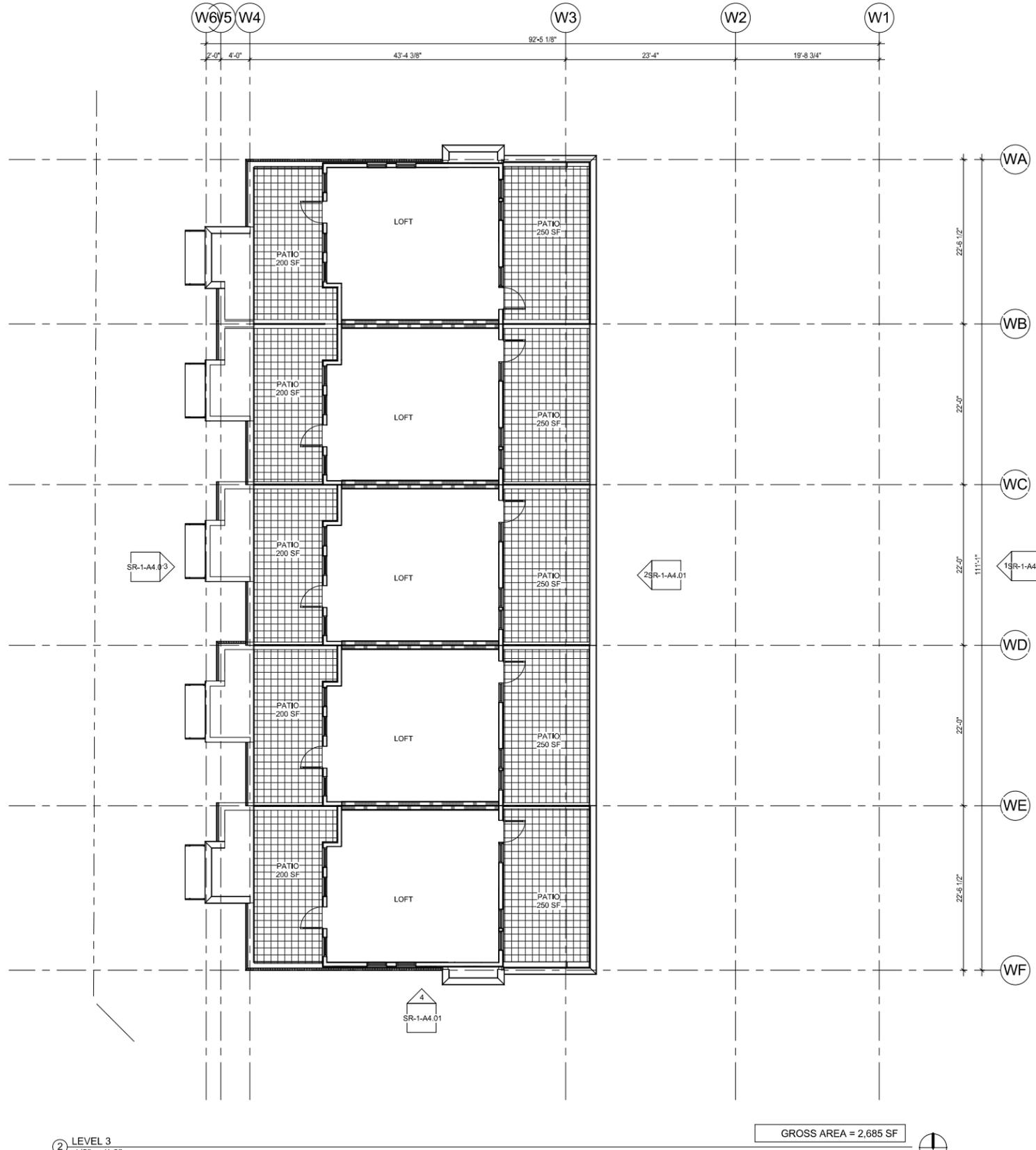
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4403 BROADWAY, BOULDER,
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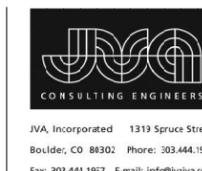
4403 Broadway Street
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Site Review
02.10.2016

TOWNHOME BUILDING 1 - FLOOR PLANS

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4403 BROADWAY, BOULDER,
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SR-1-A2.02

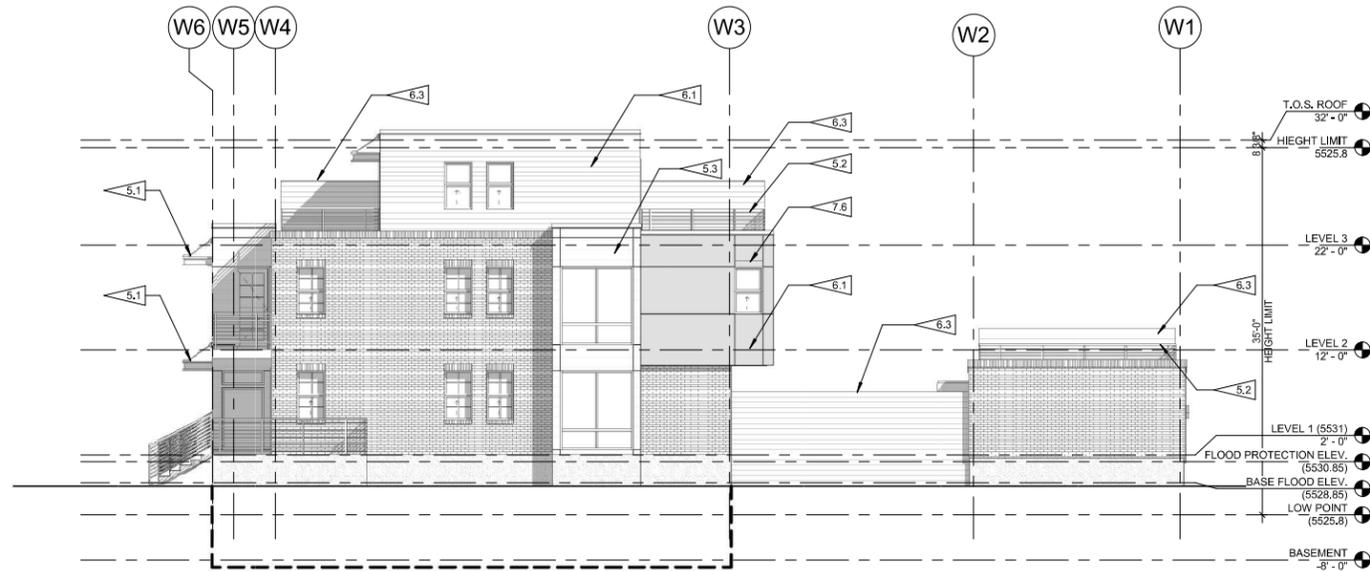


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Project #

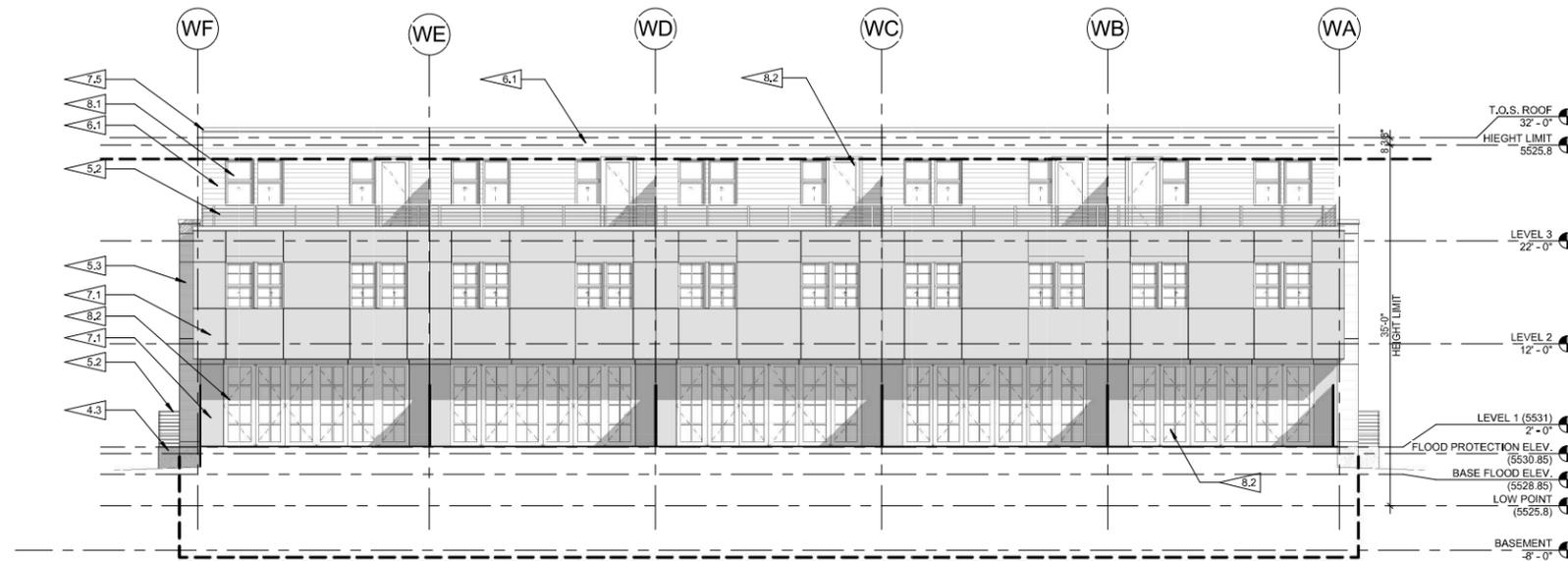
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the studioarchitecture.com 866.529.9130
Agenda Item 5B Page 41 of 150

KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	ARRIS.TILE RENAISSANCE FINISH: SMOOTH COLOR: CHAMPAGNE
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.3	FIRESTONE UNA-CLAD FLAT LOCK MTL. PANEL ALUMINUM PREFINISHED
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS

KEYNOTES	
Key Value	Keynote Text
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
6.3	HORIZONTAL WOOD CEDAR FENCE
7.1	STUCCO SAND FINISH COLOR 1
7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING
8.6	SECTIONAL GARAGE DOOR



④ SOUTH ELEVATION
1/8" = 1'-0"



② EAST ELEVATION - COURTYARD
1/8" = 1'-0"



③ WEST ELEVATION
1/8" = 1'-0"



① EAST ELEVATION
1/8" = 1'-0"

4403 BROADWAY

4403 Broadway Street
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Site Review
02.10.2016

TOWNHOME BUILDING 1 - ELEVATIONS

EMERALD MANAGEMENT
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CO 80302

SR-1-A4.01



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Boulder | 303.444.1957
P: 303.517.5265
F: 970.367.8160
info@outside.com



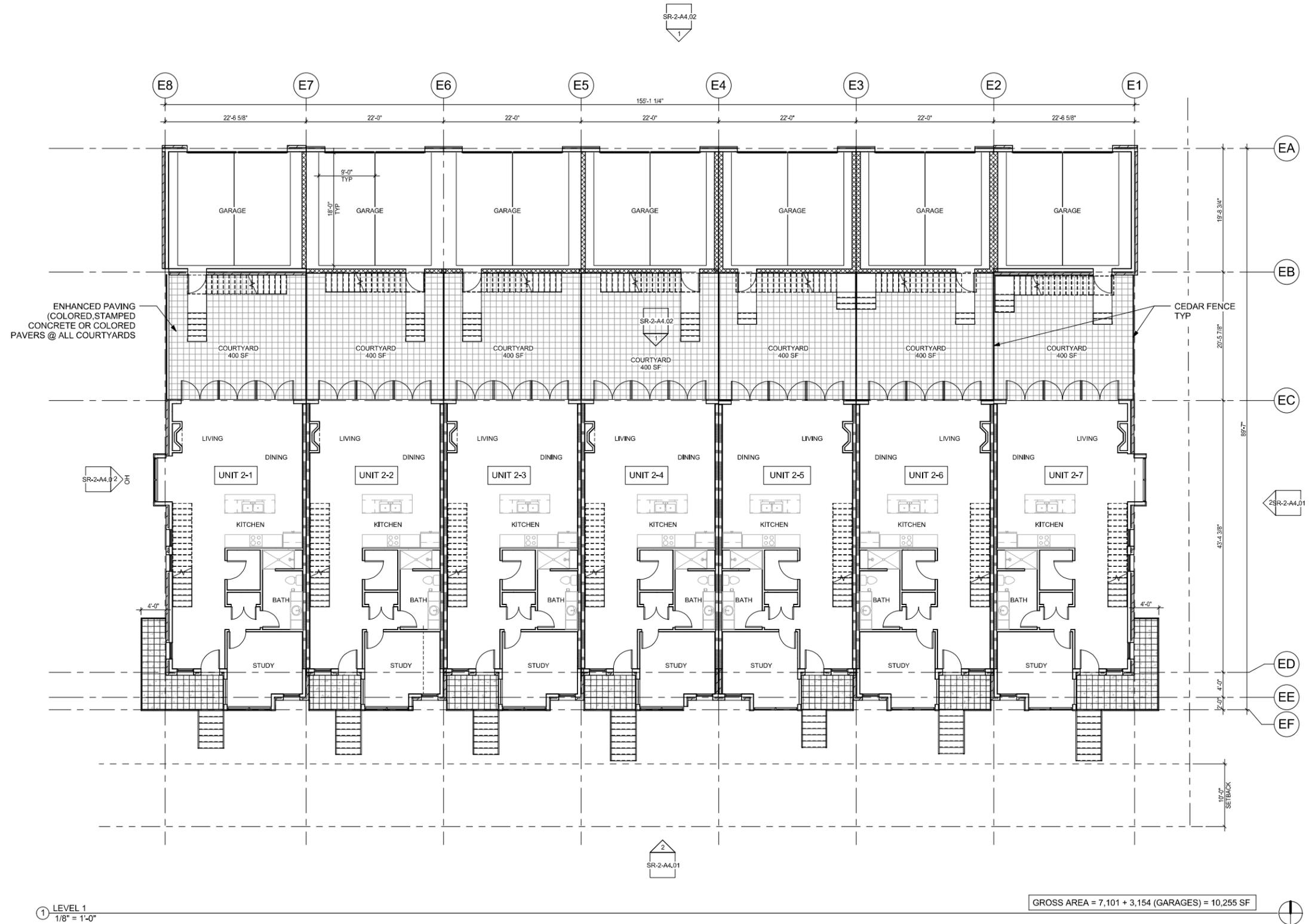
JVA, Incorporated 1319 Spruce Street
Boulder, CO 80302 Phone: 303.444.1951
Fax: 303.444.1957 E-mail: info@jvajva.com

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Agenda Item 5B Page 42 of 150



4403 BROADWAY

4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

TOWNHOME BUILDING 2 - FLOOR PLANS

EMERALD MANAGEMENT
4403 BROADWAY, BOULDER,
CO 80302

SR-2-A2.01



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Project #



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1 LEVEL 2
1/8" = 1'-0"

GROSS AREA = 7,942 SF

4403 BROADWAY

4403 Broadway Street
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Site Review
02.10.2016

TOWNHOME BUILDING 2 - FLOOR PLANS

EMERALD MANAGEMENT
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CO 80302

SR-2-A2.02

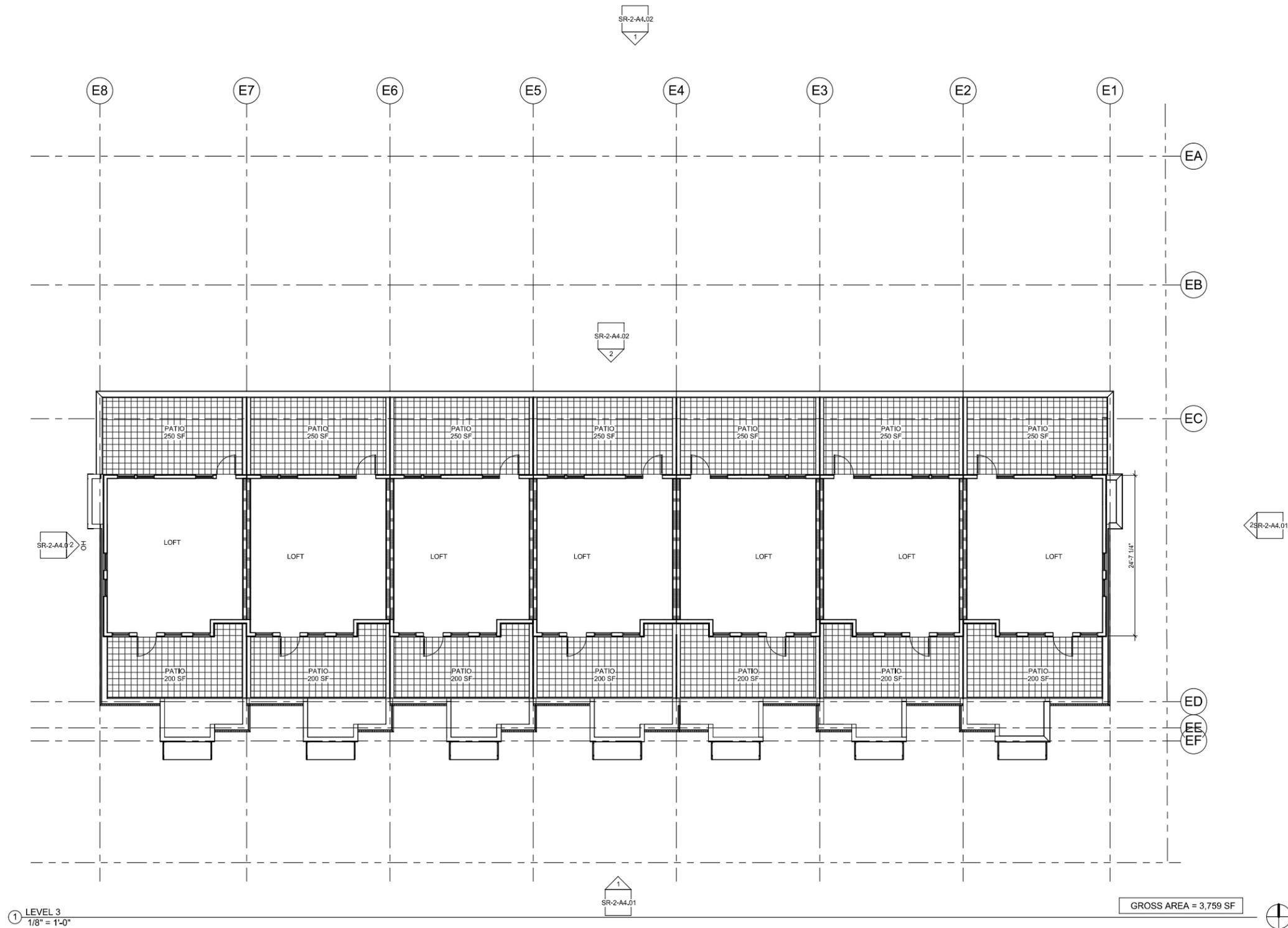
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4403 BROADWAY

4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

TOWNHOME BUILDING 2 - FLOOR PLANS

EMERALD MANAGEMENT
4403 BROADWAY, BOULDER,
CO 80302

SR-2-A2.03

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Fax: 303.444.1957 E-mail: info@jvajva.com

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Project #

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Agenda Item 5B Page 45 of 150

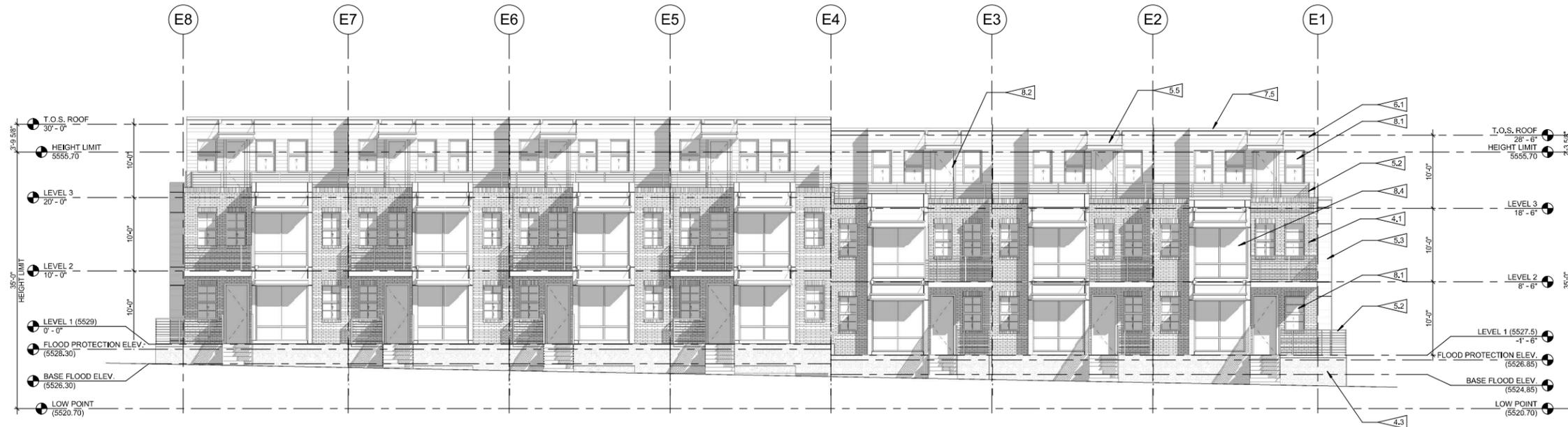
GROSS AREA = 3,759 SF

KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	ARRIS TILE RENAISSANCE FINISH: SMOOTH COLOR: CHAMPAGNE
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.3	FIRESTONE UNA-CLAD FLAT LOCK MTL. PANEL ALUMINUM PREFINISHED
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS

KEYNOTES	
Key Value	Keynote Text
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
6.3	HORIZONTAL WOOD CEDAR FENCE
7.1	STUCCO SAND FINISH COLOR 1
7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING
8.6	SECTIONAL GARAGE DOOR



2 EAST ELEVATION
1/8" = 1'-0"



1 SOUTH ELEVATION
1/8" = 1'-0"

4403 BROADWAY

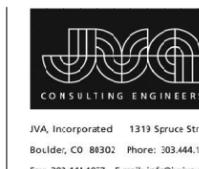
4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

TOWNHOME BUILDING 2 - ELEVATIONS

EMERALD MANAGEMENT
4403 BROADWAY, BOULDER,
CO 80302

SR-2-A4.01



STUDIO architecture
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Boulder, CO 80302
Project #



KEYNOTES	
Key Value	Keynote Text
4.1	MASONRY FACE BRICK COLOR 1
4.2	MASONRY FACE BRICK COLOR 2
4.3	ARRIS TILE RENAISSANCE FINISH: SMOOTH COLOR: CHAMPAGNE
5.1	POWDER COATED STEEL WITH METAL GRATE BALCONY
5.2	STEEL RAILING POWDER COAT FINISH
5.3	FIRESTONE UNA-CLAD FLAT LOCK MTL. PANEL ALUMINUM PREFINISHED
5.5	POWDER COATED STEEL WITH RESIN PANEL CANOPY AND 2X CLEAR VERTICAL GRAIN WESTERN RED CEDAR INLAY SLATS

KEYNOTES	
Key Value	Keynote Text
6.1	6" SHIPLAP CLEAR VERTICAL GRAIN WESTERN RED CEDAR
6.3	HORIZONTAL WOOD CEDAR FENCE
7.1	STUCCO SAND FINISH COLOR 1
7.5	METAL FLASHING
7.6	STUCCO HEAD DETAIL
8.1	VINYL WINDOW
8.2	CLAD SWINGING PATIO DOOR
8.4	STOREFRONT CLEAR ANODIZED FINISH WITH SOLARBAN 60 INSULATED GLAZING
8.6	SECTIONAL GARAGE DOOR



② NORTH ELEVATION - COURTYARD
1/8" = 1'-0"



① NORTH ELEVATION
1/8" = 1'-0"

4403 BROADWAY

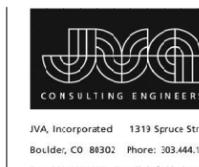
4403 Broadway Street
Boulder, Colorado

Site Review
02.10.2016

TOWNHOME BUILDING 2 - ELEVATIONS

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CO 80302

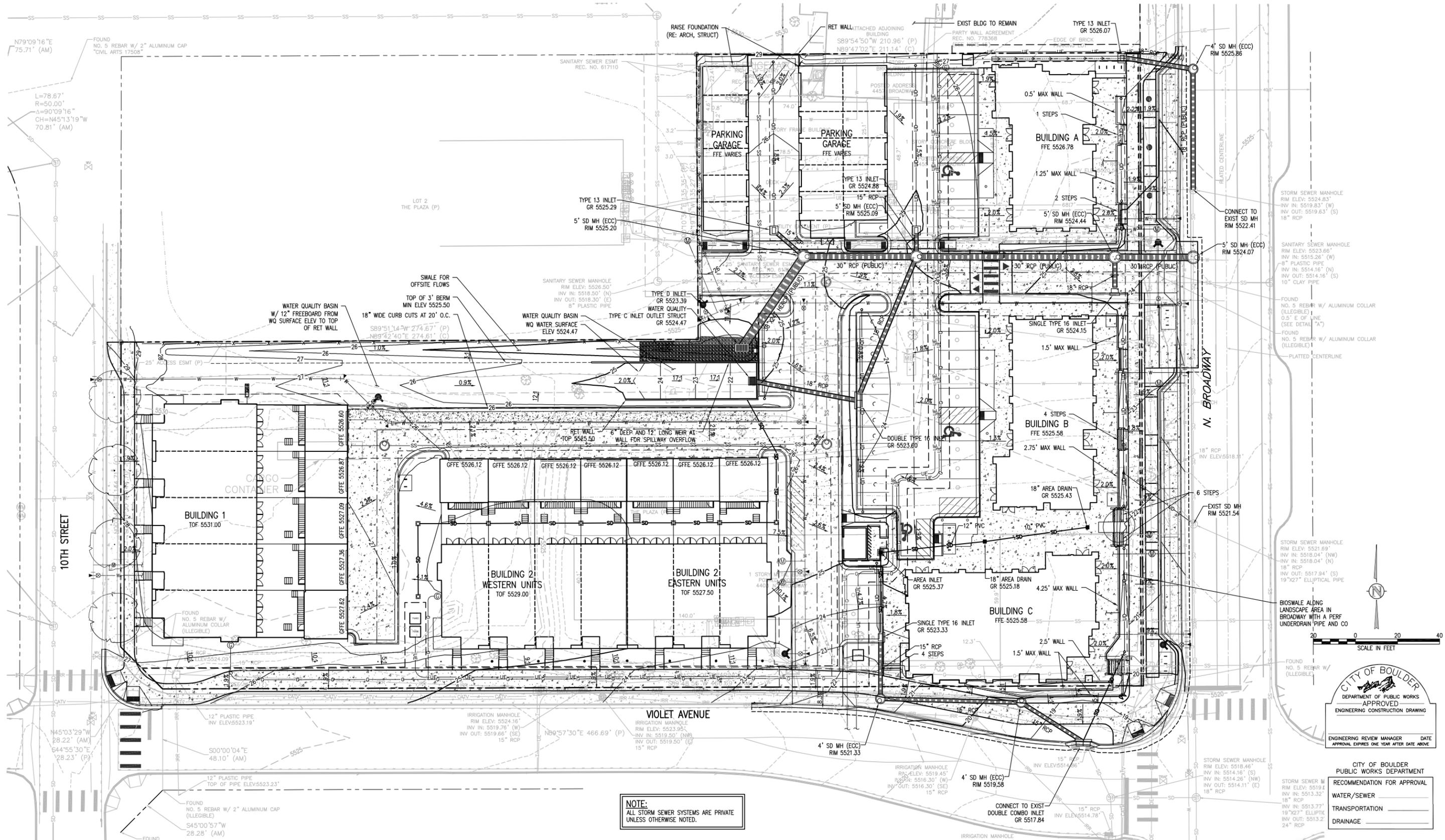
SR-2-A4.02



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Boulder, CO 80302
Project #



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4403 BROADWAY

PRELIMINARY GRADING & DRAINAGE PLAN

SR-C1.00

4403 Broadway Street
Boulder, CO 80303

Site Review
02.10.2016

EMERALD MANAGEMENT
4949 Broadway Street
Boulder, CO 80304

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Boulder, CO 80302
Project No.: 2801

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Agenda Item 5B Page 48 of 150

CITY OF BOULDER
DEPARTMENT OF PUBLIC WORKS
APPROVED
ENGINEERING CONSTRUCTION DRAWING

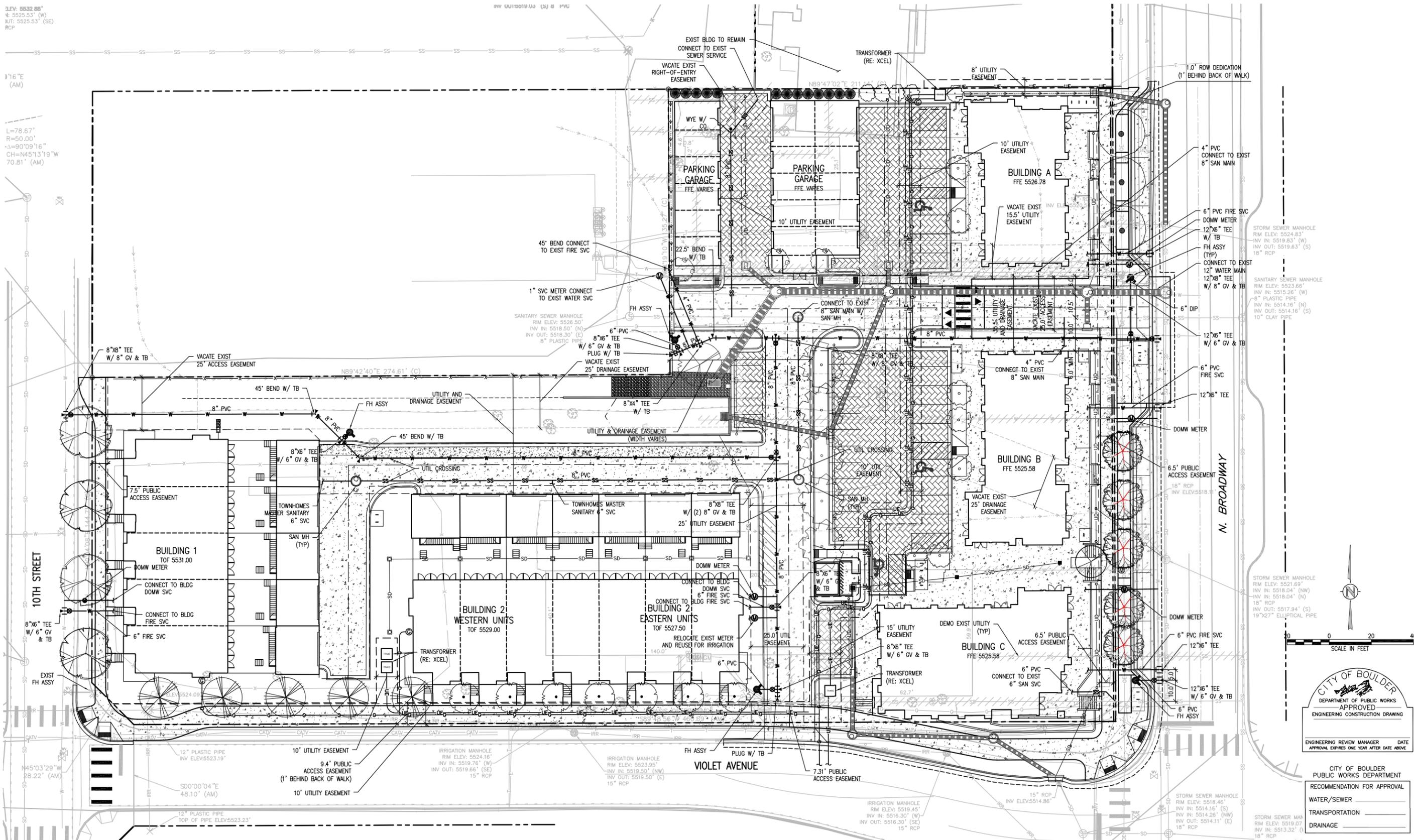
ENGINEERING REVIEW MANAGER DATE
APPROVAL EXPIRES ONE YEAR AFTER DATE ABOVE

CITY OF BOULDER
PUBLIC WORKS DEPARTMENT
RECOMMENDATION FOR APPROVAL
WATER/SEWER _____
TRANSPORTATION _____
DRAINAGE _____

3LV: 8632.88'
± 5525.53' (W)
NUT: 5525.53' (SE)
RCP

116°E
(AM)

L=78.67'
R=50.00'
Δ=90°09'16"
CH=N45°13'19"W
70.81' (AM)



4403 BROADWAY

PRELIMINARY UTILITY PLAN

SR-C2.00

4403 Broadway Street
Boulder, CO 80303

Site Review
02.10.2016

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4949 Broadway Street
Boulder, CO 80304

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Boulder, CO 80302
Project No.: 2801



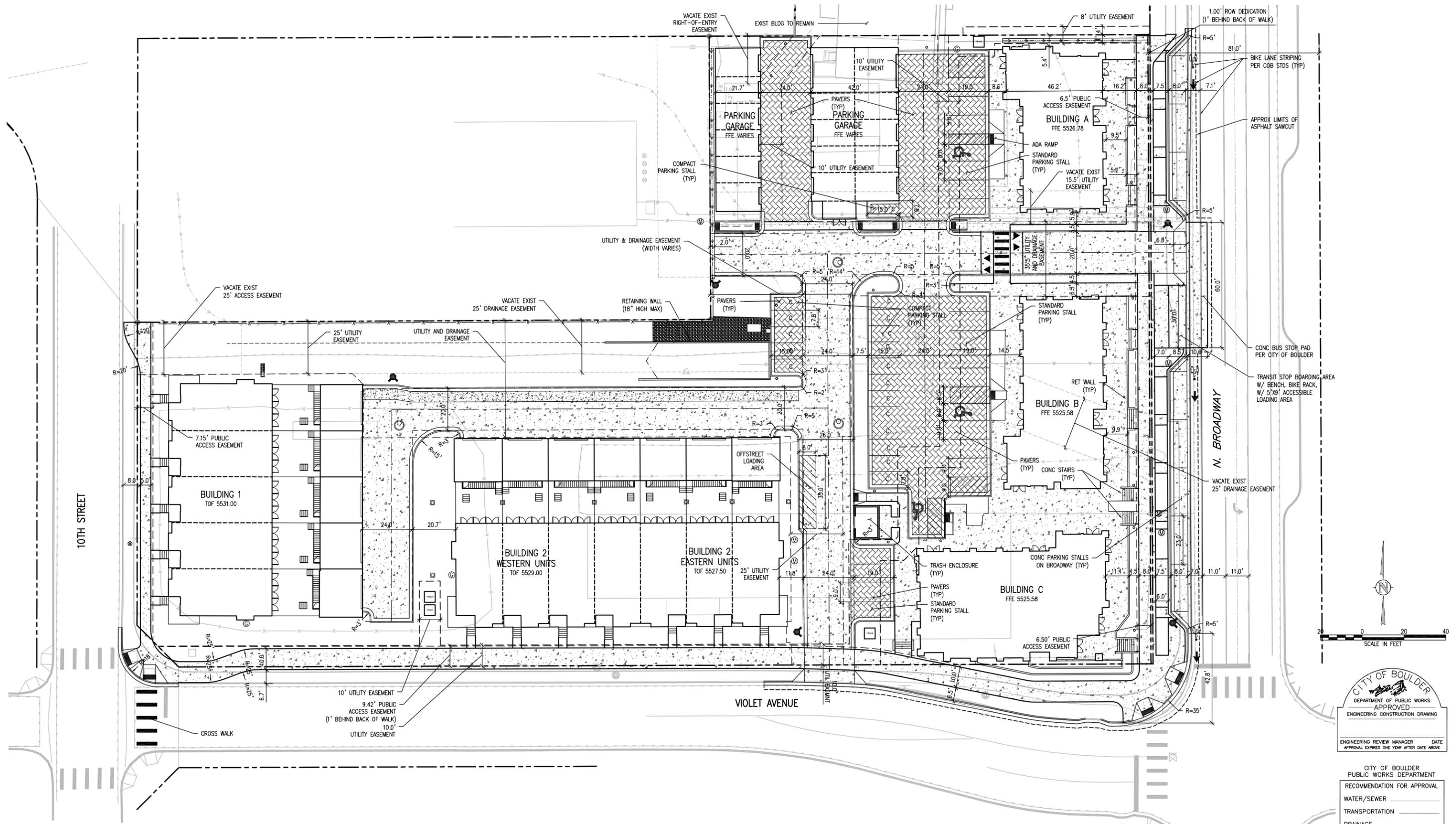
Agenda Item 5B Page 49 of 150

CITY OF BOULDER
DEPARTMENT OF PUBLIC WORKS
APPROVED
ENGINEERING CONSTRUCTION DRAWING

ENGINEERING REVIEW MANAGER _____ DATE _____
APPROVAL EXPIRES ONE YEAR AFTER DATE ABOVE

CITY OF BOULDER
PUBLIC WORKS DEPARTMENT
RECOMMENDATION FOR APPROVAL

WATER/SEWER _____
TRANSPORTATION _____
DRAINAGE _____



4403 BROADWAY

PRELIMINARY HORIZONTAL CONTROL PLAN

SR-C3.00

4403 Broadway Street
Boulder, CO 80303

Site Review
02.10.2016

EMERALD MANAGEMENT
4949 Broadway Street
Boulder, CO 80304

STUDIO architecture
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Boulder, CO 80302
Project No.: 2801



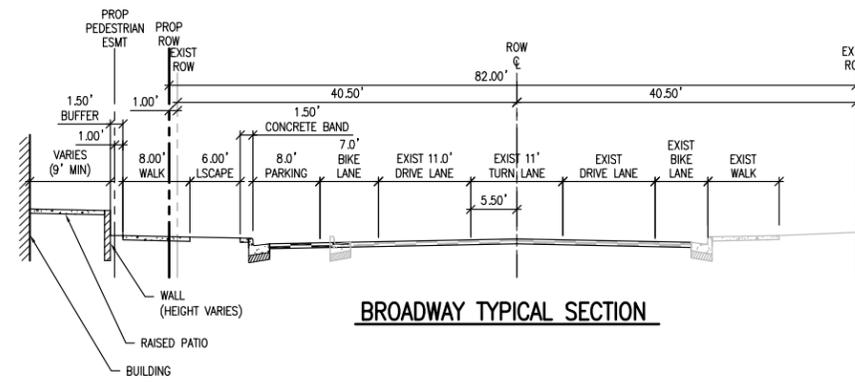
Agenda Item 5B Page 50 of 150

CITY OF BOULDER
DEPARTMENT OF PUBLIC WORKS
APPROVED
ENGINEERING CONSTRUCTION DRAWING

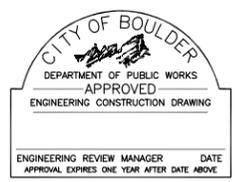
ENGINEERING REVIEW MANAGER DATE
APPROVAL EXPIRES ONE YEAR AFTER DATE ABOVE

CITY OF BOULDER
PUBLIC WORKS DEPARTMENT

RECOMMENDATION FOR APPROVAL	_____
WATER/SEWER	_____
TRANSPORTATION	_____
DRAINAGE	_____



BROADWAY TYPICAL SECTION



CITY OF BOULDER
PUBLIC WORKS DEPARTMENT
RECOMMENDATION FOR APPROVAL
WATER/SEWER _____
TRANSPORTATION _____
DRAINAGE _____

4403 BROADWAY

4403 Broadway Street
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PRELIMINARY BROADWAY ROAD SECTION

EMERALD MANAGEMENT
4949 Broadway Street
Boulder, CO 80304

SR-C3.20

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Boulder, CO 80302
Project No.: 2801



Project Name: THE PLAZA (4403 Broadway)
Project Address: 4403 Broadway, Boulder, CO
Review Type: Site and Use Review Resubmittal #2
Review Number: LUR2011-00071
Date: January 04, 2016

RESTAURANT MANAGEMENT PLAN

- 1. A description of the food service offered;**
 At this time, a specific tenant has not been chosen for either of the restaurant spaces. To be consistent with the Traffic Analysis, a coffee shop and a high turn-over restaurant will be assumed for the two restaurant spaces at this time.
- 2. Hours of operation;**
 At this time, without knowing specific tenants, hours of operation ranging from 6am-12am are assumed.
- 3. Client and visitor arrival and departure times;**
 At this time, without knowing specific tenants, hours of operation ranging from 6am-12am are assumed. Please refer to the traffic analysis for more information on client and visitor arrival and departure times.
- 4. Coordinated times for deliveries and trash collection;**
 All trash located within the outdoor dining area, on the restaurant or tavern property, and adjacent streets, sidewalks, and properties shall be picked up and properly disposed of immediately after closing. Trash, recyclables, and compostables shall not be collected between the hours of 10:30 p.m. and 7:30 a.m.
- 5. A description of the type of entertainment provided;**
 At this time, without knowing specific tenants, it is not known if there will be any type of entertainment provided. It is expected that there will be low-level music in the outdoor seating area, which will cease no later than 11:00 p.m. and will not exceed noise levels permitted in Chapter 5-9, "Noise," B.R.C. 1981. The restaurant spaces may include live music indoors on Fridays and Saturdays during regular business hours.
- 6. Size, location, and number of electronic amplifiers;**
 The exact size, location and number of electronic amplifiers is unknown at this time. No outdoor music or entertainment shall be provided after 11 p.m.
- 7. Techniques and strategies to mitigate noise impacts;**
 The outdoor seating area shall not generate noise exceeding the levels permitted in Chapter 5-9, "Noise," B.R.C. 1981.
- 8. A security plan describing security features, including, without limitation, personnel and equipment;**
 We will have interior and exterior surveillance cameras running at all times to prevent loitering and ensure safety. Proper site lighting complying with city lighting standards will be maintained throughout the evening and night hours.
- 9. The facility's drug and alcohol policy;**
 We are not planning to lease to any establishment that sells alcohol due to the restrictions at this time. In case we have a tenant that wants to serve alcohol then they will have to get all governmental approvals by their own initiative.
- 10. Neighborhood Outreach and Methods of Future Communication**
 We will keep all neighbors informed of our construction process and operation schedules once these buildings open.
- 11. Methods of dispute resolution with the surrounding neighborhood**
 The building owners will maintain a friendly relationship with all neighbors. Should a dispute arise, the owner/manager will discuss the issue and promptly find a resolution. Any decisions made that will affect future operations will be conveyed to all facility staff.

Case #: LUR2011-00071

Project Name: 4403 Broadway

Date: March 3, 2016

CRITERIA FOR REVIEW

No site review application shall be approved unless the approving agency finds that:

(1) Boulder Valley Comprehensive Plan:

(A) The proposed site plan is consistent with the purposes and policies of the Boulder Valley Comprehensive Plan.

The site is located within Boulder in the area governed by the North Boulder Subcommunity Plan which is intended to, "set forth the official vision for the future of the North Boulder Subcommunity" and which provides guidance to implement the goals and policies within the BVCP. In addition, there are a number of BVCP policies that the proposed project is consistent with including:

- **2.13 Support for Residential Neighborhoods;**

The proposed project is in keeping with this policy in that it provides 25 new residential units, draws from the architectural character of the surrounding area, provides new public facilities such as a new bus stop, sidewalks and open space areas, and provides a mix of uses to enhance and serve the surrounding neighborhood.

- **Policy 2.31 Commitment to a Walkable City;**

The proposed development includes adding new detached sidewalks along both Broadway and Violet Ave. as well as pedestrian paths circulating through the residential portion of the project. Overall, the project will improve the walkability of that portion of Broadway and will provide linkages to public transit as well as off-site pedestrian/ bicycle facilities. Also, its proximity to the Uptown Broadway development will further encourage residents to walk to nearby services.

- **Policy 2.32 Trail Corridor/Linkages;**

This project will provide a new sidewalk along Broadway that will link to the existing sidewalk connecting to the Four Mile Creek multi-use path to the north. The project will also provide a new bus stop, which will facilitate multi-modal travel and enhance connectivity to existing nearby trails and linkages.

- **Policy 2.39 Sensitive Infill and Redevelopment;**

The proposed project is a re-development of an existing under-utilized industrial service parcel, and furthermore is consistent with the desired future land use of the area as set forth in the NBSP. The project will take what is currently somewhat of an eyesore and redevelop it to complement and enhance the surrounding area, including the Violet Crossing development to the east as well as Uptown Broadway development to the north.

- **Policy 7.06 Mixture of Housing Types;**

The proposal includes adding twelve new attached townhome units as well as sixteen new apartment and loft-style units over commercial uses. These new residential units will add diversity to the existing housing stock in the surrounding area, which includes mainly single-family detached dwellings as well as mobile homes and multi-family attached units. In conjunction with the commercial uses, the new units will help achieve the goal for the area set forth in the NBSF to provide "a mixed use transition from the Village Center to neighborhoods in the surrounding areas."

✓ (B) The proposed development shall not exceed the maximum density associated with the Boulder Valley Comprehensive Plan residential land use designation. Additionally, if the density of existing residential development within a three hundred-foot area surrounding the site is at or exceeds the density permitted in the Boulder Valley Comprehensive Plan, then the maximum density permitted on the site shall not exceed the lesser of:

The BVCP Land Use designation for the eastern portion of the site zoned RM-1 is medium density residential, with a permitted density of six to fourteen units per acre. The twelve units proposed for the 1.32-acre RM-1 portion of the site result in a net density of 9 dwelling units per acre, which is within the permitted range.

The proposal for the RM-1 portion of the site is also compliant with the intensity standards for the RM-1 zoning district as set forth in Section 9-8-1, "Intensity Standards," B.R.C. 1981, which requires a minimum of 3,000 square feet of open space for each dwelling unit.

For the Mixed Use Business portion of the site, the Comprehensive Plan defers to zoning for density and states,

"Mixed Use Business development may be deemed appropriate and will be encouraged in some business areas. Business character will predominate although housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses."

The proposal for the MU-2 portion of the site is compliant with Section 9-8-1, B.R.C. 1981, which sets forth a maximum floor area ratio (FAR) for the RM-1 zone district of 0.6 and requires a minimum of 15% open space on lots. 60 square feet of private open space is also provided for each unit.

N/A (i) The density permitted in the Boulder Valley Comprehensive Plan, or,

N/A (ii) The maximum number of units that could be placed on the site without waiving or varying any of the requirements of Chapter 9-8, "Intensity Standards," B.R.C. 1981.

✓ (C) The proposed development's success in meeting the broad range of BVCP policies considers the economic feasibility of implementation techniques required to meet other site review criteria.

The development would not be rendered infeasible in meeting the BVCP policies or the site review criteria based upon the requirements and recommendations made within these comments. The proposed project would require no public expenditure and costs for the development would be done by the developer. The redevelopment of the site would enable the possibility for additional tax revenue flows to the City.

(2) Site Design: Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, multi-modal transportation connectivity and its physical setting. Projects should utilize site design techniques which are consistent with the purpose of site review in Subsection (a) of this section and enhance the quality of the project. In determining whether this subsection is met, the approving agency will consider the following factors:

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

✓ (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;

The largest area of useable open space in the proposed site plan is located between buildings B and C, at the garden courtyard. Located with access to Broadway, in the middle of the mixed use buildings, and extending toward the townhomes to the east, the garden courtyard is accessible to residents, occupants, tenants, and visitors of the property. This space will be active and functional as a seating area for the adjacent restaurants, as a gathering space for residents, tenants and the public. There is also a variety of open spaces provided for the residential units.

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

Not applicable, as there are no detached residential units included in the proposed development.

✓ (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;

None of the existing trees are proposed to be preserved at this time. There are many weed trees and older cottonwoods. There are no significant plant communities, threatened and

endangered species and habitat or existing ground and surface water, wetlands riparian area or drainage areas on this site to be preserved.

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

Within the Residential portion of this project, the applicant is providing over 60% open space. In the RM-1 portion of the site, the townhome units all include a variety of private open spaces, including balconies, roof decks, private at-grade courtyards and decks on the roof of the garages. There is also an area to the west of Building 2 intended to provide garden plots for residents, and a large turf area to the north of the townhomes intended to serve as both open space and water quality. Within the Mixed-Use portion, the large courtyard area between buildings B and C will provide a place for rest and relief from the density along Broadway, and each of the 16 units has a minimum of 60 square feet of private open space.

✓ (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;

The largest area of useable open space in the proposed site plan is located between buildings B and C, at the garden courtyard. Located with access to Broadway, in the middle of the mixed use buildings, and extending toward the townhomes to the east, the garden courtyard is accessible to residents, occupants, tenants, and visitors of the property. This space will be active and functional as a seating area for the adjacent restaurants, as a gathering space for residents, tenants and the public.

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

Not applicable, as there are no sensitive environmental features or natural areas of note on this site; however, on the north side of the townhomes, there is a 25' drainage easement that will be used as detention and will be landscaped with native grasses that will provide a buffer between the proposed residential areas from the property to the north.

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

The proposal includes a two tiered walkway along Broadway with a 6 foot planting strip along the street, an 8 foot detached sidewalk, raised planters and a second 9 foot walk along the storefronts. This will provide a new connection between the existing Broadway sidewalk to the south of the property and the existing Four Mile Creek multi-use trail that runs parallel with the northern edge of the property.

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

✓ (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

The proposed project includes a balance of both private and public open space with the following:

- *Private patios, balconies and courtyards for each townhome unit*
- *Private balconies for each residential unit in Buildings A, B, & C*
- *The mixed-use portion has an additional public use area in the large courtyard between Buildings B & C with outdoor dining, seating, a water feature, vertical landscape elements and planters.*

✓ (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.

The central courtyard between Buildings B and C will provide an active, animated environment during outdoor dining times for residents, occupants, tenants, and visitors of the property as well as the opportunity for a quiet, restful experience when it is less full of people. The water feature and planter elements are intended to help buffer the noise of Broadway. Site benches are proposed along Broadway that will offer passive areas for the visitors to rest. The potential garden plots would offer both an active communal space for residents (when it is full), and a passive, contemplative area for residents (when it is less full).

(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;

Landscaping within the site is proposed to be both aesthetic and functional. The specific landscape materials chosen for the development will emphasize a variety of colors, textures and forms in order to provide year-round interest. Per the applicant's written statement, the major landscape objectives are the following:

- i. Provide an attractive urban streetscape along Broadway and Violet Ave. with terraced landscape walls and planter areas, where native plants of differing heights and colors will be placed*
- ii. Visually enhance the architectural features on the corners and entries into the project.*
- iii. Provide a buffer from density and increase visual interest and comfort to the pedestrian areas (in the courtyard, along the storefronts, along the multi-use path).*
- iv. Screen and break up the parking with landscape areas, with native plants and trees that also provide shade, and*

- v. *Provide enclosed, attractively buffered areas for trash and recycling.*
- vi. *Provide a variety of native vegetation in front of every townhome to provide visual interest and a buffer from the street*

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;

There are no important native species, plant communities of special concern, threatened and endangered species and habitat on this site. The proposal includes a landscape palette of xeri and adaptive plants that would work well in the North Boulder micro-climate.

✓ (iii) The project provides significant amounts of plant material sized in excess of the landscaping requirements of Section 9-9-10, "Landscaping and Screening Standards" and Section 9-9-11, "Streetscape Design Standards," B.R.C. 1981; and

With the current design along Broadway, the project provides additional trees and landscape in the raised planters along the back of the public walk. On the western side of the mixed use buildings, additional trees are proposed along Buildings B and C, and additional landscaping is provided in the parking lot. On the SE corner of the development, a large tiered garden is proposed to accent and provide interest to the corner and enrich the outdoor dining experience.

In the Residential portion of the project, the applicant is proposing to continue the shrub plantings within the planting strip and add a variety of native vegetation in front of every townhome. There is an underground irrigation lateral that precludes the installation of street trees, so trees have been moved to behind the walk and will help buffer the residential units from the street.

✓ (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.

As shown in the plan, and mentioned above, the streetscapes along Broadway and Violet are well-landscaped with the addition of planting strips along the street and the planters and small trees along the back of walk. The public courtyard is proposed to have a water feature, seating and small trees and shrub beds. The vegetation in the front yard of each townhome will enhance the experience along the multi-use path along Violet and the sidewalk along 10th Street.

(D) Circulation: Circulation, including, without limitation, the transportation system that serves the property, whether public or private and whether constructed by the developer or not:

✓ (i) High speeds are discouraged or a physical separation between streets and the project is provided;

There is currently an existing 20' access lane providing access to the industrial site to the northwest which will be maintained; however, other than that there are no new through streets proposed for the site, so traffic speeds should be minimal. In addition, the tree lawn and sidewalks in the RM-1 zone and the wide, multi use sidewalk and adjacent walkway in front of the mixed use buildings in the MU-2 zone provide a safe physical separation from automobile traffic.

✓ (ii) Potential conflicts with vehicles are minimized;

The buildings and parking areas have been laid out to assure slow speeds, thereby minimizing pedestrian/vehicular conflicts and lessening the effect of automobile noise. By providing detached sidewalks as described in the response to Criterion (C)(iv) above and providing additional trees and other landscaping materials along the western edge of the mixed use buildings, potential conflicts between pedestrians and vehicles traveling both on and off-site will be minimized. A raised connection with proper striping has also been provided between buildings A and B that will both slow traffic, and alert automobiles of the pedestrian crossing

✓ (iii) Safe and convenient connections are provided that support multi-modal mobility through and between properties, accessible to the public within the project and between the project and the existing and proposed transportation systems, including, without limitation, streets, bikeways, pedestrianways and trails;

The bus stop for the SKIP and 204 bus routes along Broadway and detached sidewalks connect to the city system of sidewalks and nearby bike paths. The 10' multi-use path along Violet Ave. is a safe and convenient connection to both the city transportation systems, as well as a safe and convenient connection from the residential areas to the mixed use areas within the project.

✓ (iv) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single-occupant vehicle;

The project's proximity to multiple major bus lines as well as its location within the burgeoning North Broadway corridor in North Boulder both promote alternatives to single occupancy vehicle travel. The new bus stop proposed along Broadway will make travel to and from the mixed use buildings by bus safe and convenient, and the detached sidewalks along Broadway will connect to the existing sidewalk and multi-use path to the north, making walking or biking to nearby shops, restaurants, employment centers, open space, etc. easy and safe.

The paving, shade trees, planters, benches and bike racks all will reinforce the pedestrian-friendly character beginning to develop in this streetscape and will enhance the area

around the bus stop. Bike racks and benches will be conveniently located throughout the site and will encourage bicycle use.

✓ (v) Where practical and beneficial, a significant shift away from single-occupant vehicle use to alternate modes is promoted through the use of travel demand management techniques;

The Applicant has provided a Transportation Demand Management Plan (TDM) in support of the requested 5% parking reduction which includes the following strategies:

- *The SKIP and 204 RTD bus routes run along Broadway, and with the adjacent bus stop provided on Broadway, access to the rest of the city by bus is immediate.*
- *The project is located along a major on-street bike lane on Broadway, and is located only a few blocks from bike trails, paths, and multi-use paths that provide bike access to all parts of the city.*
- *The project proposes 38 spaces for bike parking on site, with another 12 bike spaces located in the adjacent Right Of Way, for a total of 2.5 times the required amount.*
- *Some of the bicycle parking spaces allow for bicycles with attached trailers, allowing for and encouraging a wider range of commuter bicycles.*
- *10 covered, long-term bicycle spaces are proposed in the center of the MU-2 zone, at the west edge of the pedestrian plaza between Buildings B and C. This location is visible from employee work areas, located on site within 300' of the buildings it serves, will be provided with adequate lighting, and is located in an area with adequate clearance around racks to give cyclists room to maneuver and prevent conflicts with pedestrians and parked cars.*
- *A 10' wide multi-use path is proposed along Violet Avenue to create a safe connection from Broadway to 10th street that encourages alternate modes of transportation. This path also supports and contributes to the City of Boulder's Safe Routes to School Program, as it provides a safe walking/biking connection to the Waldorf School.*
- *The Applicant will implement an Employee and Resident Commute Trip Reduction Program to mitigate the impacts of the development on local traffic. The Applicant will also provide RTD Eco-Passes for each residential unit and for each employee of the proposed project for a period of three years. This plan will include the following:*
 - *Employee Transportation Coordinator: The applicant will appoint an Employee Transportation Coordinator (ETC) that will act as a liaison to GO Boulder and disseminate transportation information and marketing materials to tenants with the objective of reducing single-occupant vehicle commuting. The ETC should be involved in tenant orientation to communicate the commute benefits available to them and serve as the point of contact for any GO Boulder or regional promotional campaigns that encourage alternative transportation. The ETC will also be encouraged to attend "Connect Boulder" meetings and events.*
 - *Transportation Information Center: The applicant will maintain a Transportation Information Center somewhere in the proposed project that is readily available to tenants and residents. This center can take a variety of forms, but must serve as means to providing tenants and residents with*

important travel information including transit maps and schedules, bicycle maps, local and regional marketing campaigns, and information on the commute benefits provided to tenants and residents.

- *Program Evaluation: The applicant will assist in the dissemination and collection of periodic travel surveys to measure the impact of the Commute Trip Reduction Program. GO Boulder staff will work with the assigned ETC to determine the most efficient methods to distribute and collect the surveys from residents and tenants. The survey is designed to collect anonymous travel information and takes less than 10 minutes to complete.*

✓ (vi) On-site facilities for external linkage are provided with other modes of transportation, where applicable;

A bus stop is proposed on the south side of the main entrance off Broadway. There are also multiple pedestrian access points into the site from the perimeter streets. The site is highly connected being along a major bus route and is close to a primary multi-use path. Bike racks are conveniently located at several points along the perimeter of the project as well as at key points within the project to encourage usage.

✓ (vii) The amount of land devoted to the street system is minimized; and

The amount of land dedicated to the street system is minimized, as there are no new streets proposed as part of this project.

✓ (viii) The project is designed for the types of traffic expected, including, without limitation, automobiles, bicycles, and pedestrians, and provides safety, separation from living areas, and control of noise and exhaust.

Traffic entering and leaving the townhomes in the RM-1 zone do so using an alley between the townhomes and a shared drive that also serves the MU-2 zone buildings. That shared drive is behind the mixed use buildings and is connected to both Broadway and Violet Ave through two curbs cuts. This minimal amount of interruption of the sidewalk promotes pedestrian safety. The buildings along Broadway will include a laminated glass in the windows of the residential units to mitigate the sounds from Broadway. The sidewalks along Broadway, Violet, and 10th Street are detached from the streets and buffered with a tree lawn. The 10' multi-use path provides a safe east-west connection for residents and the public from Broadway to 10th Street.

(E) Parking

✓ (i) The project incorporates into the design of parking areas measures to provide safety, convenience, and separation of pedestrian movements from vehicular movements;

Sidewalks of varying widths that include tree plantings border the parking area in the MU-2 zone providing separation from the pedestrian area. An additional sidewalk is proposed on

the north side of the access lane from Broadway to provide a separate and safe pedestrian connection to the existing adjacent commercial property to the northwest of the project site.

✓ (ii) The design of parking areas makes efficient use of the land and uses the minimum amount of land necessary to meet the parking needs of the project;

The parking garages for the townhomes in the RM-1 zone are all accessed from a single, shared drive, and all parking stalls in the MU-2 zone utilize the most efficient 90 degree parking layout.

✓ (iii) Parking areas and lighting are designed to reduce the visual impact on the project, adjacent properties, and adjacent streets; and

The proposed parking areas are to the rear of the buildings, which will reduce the visual impact on adjacent streets. All residential parking is provided in garages, and all surface parking areas are screened from adjacent streets by landscaping. The applicant will be required to provide a lighting plan as part of Tech Doc review to ensure that any new lighting will meet city lighting standards.

✓ (iv) Parking areas utilize landscaping materials to provide shade in excess of the requirements in Subsection 9-9-6(d), and Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981.

The applicant is requesting a modification to Section 9-9-14(d) – "Parking Lot Landscaping Standards" – Requesting a reduction from the 5% interior parking lot landscape requirement to 3.3%. Balancing open space, bicycle and car parking requirements has left 3.3% parking lot landscaping that meets City code dimensionally. However, the project proposes a total of 8.2% of high quality landscape throughout the parking lots in the MU-2 zone.

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

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

As mentioned above, the project site is located within the boundaries of the [North Boulder Subcommunity Plan](#) which sets forth the official vision for the future of the North Boulder Subcommunity and is the basis for decisions regarding the long-term preservation and development of North Boulder. Within the NBSP, the western portion of the site is designated as residential and the eastern portion along Broadway is designated as "Mixed Use Transition to Adjacent Residential." Page 15 of the NBSP defines the intent of Transition Areas generally as:

"The areas adjacent to the Main Street business area should contain a mix of uses in a lower scale of intensity than the uses along Broadway and Yarmouth They should provide a transition between the main street and the adjacent residential and industrial areas."

The NoBo Plan describes the desired characteristics of a "Mixed Use Transition to Adjacent Residential" area as a transition area "with residential and office uses, neighborhood serving restaurants, and personal service uses in a pedestrian-oriented pattern with buildings located close to the street and parking in the rear...where people can live and work in close proximity, possibly in the same building."

Please refer to staff's analysis of Key Issue #1 in the staff memorandum for additional details on how the proposed project meets the goals of the NoBo Plan.

✓ (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 or design guidelines for the immediate area;

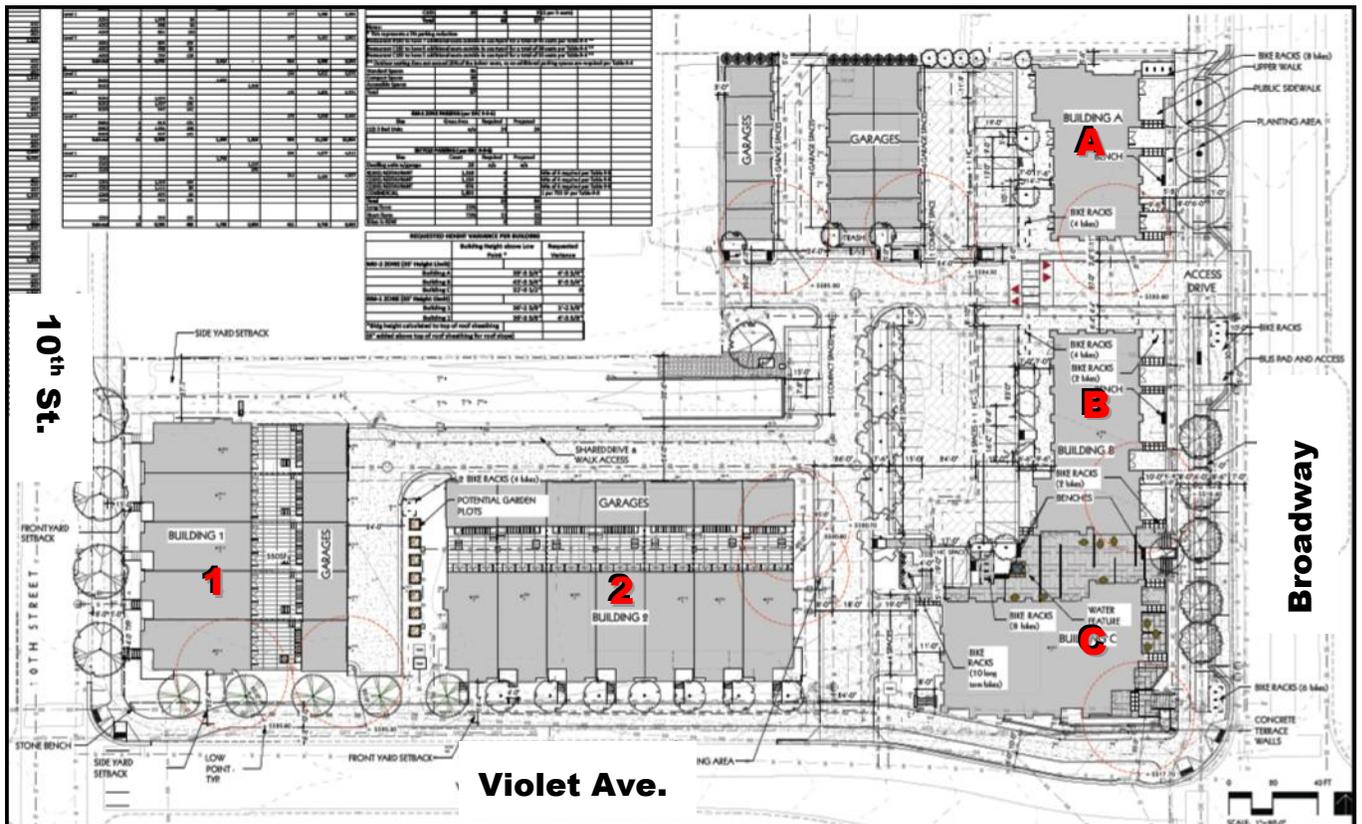


Figure 2: Proposed Site Plan

The project proposal includes a request for a height modification to allow for four of the five proposed buildings to exceed the maximum allowable height. The requested building heights are as follows (please see site plan above for corresponding building labels):

REQUESTED HEIGHT VARIANCE PER BUILDING		
	Building Height above Low Point *	Requested Variance
MU-2 ZONE (35' Height Limit)		
Building A	39'-5 3/4"	4'-5 3/4"
Building B	43'-5 3/4"	8'-5 3/4"
Building C	32'-0 1/2"	0
RM-1 ZONE (35' Height Limit)		
Building 1	36'-2 3/8"	1'-2 3/8"
Building 2	39'-3 5/8"	4'-3 5/8"
*Bldg height calculated to top of roof sheathing		
{6" added above top of roof sheathing for roof slope}		

Overall, staff finds that the proposed building heights are generally proportional to the height of existing buildings in the surrounding area, and that the buildings will be compatible with the character of the area. Across Broadway to the east is the Violet Crossing development, a residential development which includes two 35' three-story buildings on the north side of the site fronting Broadway and two two-story buildings on the south side closer to Violet. Immediately to the north of Violet Crossing is Uptown Broadway, which lies within the BMS zoning district and includes 3-story mixed use buildings up to 44 feet in height (38 feet is the by-right height limit). The overall effect that has been created as the east side of Broadway has redeveloped is a gradual height gradient that transitions from the taller, more intense buildings of Uptown Broadway to smaller scale, 2-story buildings further to the south where Broadway meets Violet. This is consistent with the NoBo Plan goal for the area between Violet and Rosewood to "provide a transition between the main street and the adjacent residential and industrial areas" (see **Figure 9** in staff memo for NoBo Plan Map).

While the west side of Broadway has not undergone the same level of redevelopment, the existing zoning put in place following the adoption of the NoBo Plan will support a very similar transition in building height and intensity. Once redeveloped, it is likely that the BMS-zoned properties north of Rosewood (roughly 300 feet north of the project site) will contain 38-foot buildings and that the MU-2 zoned property immediately to the north of the subject site (where the single-story shopping center is currently located) will contain 3-story, 35 foot buildings. Therefore, the current proposal to have three mixed use buildings along Broadway that transition from 3 stories on the north side of the site to 2 stories on the south side of the site will help to complete a similar height gradient as exists on the east side of Broadway. While Building B, which is the middle building in the proposed development, is proposed to have the greatest measured height of 43'6", the low point from which height is measured is a full 5 feet lower than that of Building A, which, when combined with the gentle downhill grade running north-south on the site, will result in the perceived height of Building B being lower than that of Building A. The elevation below illustrates the perceived height of the buildings from Broadway, taking the proposed site grading into account.



Figure 4: Proposed Broadway Elevations – Buildings A, B and C (from Right to Left)

It should also be noted that the site is located within the 100-yr floodplain, and as such the proposed residential buildings are required to be elevated to the flood protection elevation and the mixed-use buildings are required to be elevated or floodproofed to the flood protection elevation. For the residential townhome Building 1, the low point from which height is measured is a full 5 feet below the flood protection elevation, and for Building 2 it is 4 feet below the flood protection elevation. This means that the finished floor elevations of the townhome buildings are required to be a minimum of 4 to 5 feet higher than the low point from which height is measured, resulting in an automatic “loss” of 4 to 5 feet of building height. For the mixed use buildings along Broadway, the difference between the low point from which height is measured and the flood protection elevation ranges from 3 to 6 feet. Overall, given the existing grade on Broadway, the proposed grading on the site and the proposed transition in building heights, the perceived height of the new buildings will be compatible with existing buildings across Broadway, and will begin the process of completing the streetscape on the west side of Broadway while providing the transition in intensity anticipated by the NoBo Plan.

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

The orientation of the mixed use buildings parallel Broadway, therefore having a minimum shadow impact on the property to the north, as well as a minimum impact on their views to the mountains. By placing the townhomes to the south in the RM-1 zone, there is minimum shadow and view impact to the adjacent property to the north as well.

✓ (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;

As stated above, the character of the area surrounding the project site is somewhat eclectic and still evolving into a mix of contemporary contextual and more traditional structures. Taking this into consideration, the project incorporates high quality building materials and landscaping, and minimizes the use of unnecessary color or lighting. The mixed use buildings along Broadway consist of a brick and masonry base with lighter, more colorful materials of stucco and cedar siding which promote a soft, urban feel, consistent with the goals of the North Boulder Sub Community Plan. The streetscape which includes numerous street trees and gardens will contribute to the evolving character of North Broadway.

✓ (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 3 proposed mixed use buildings are based on an urban typology using substantial materials such as brick, masonry, and storefront along the street and transitioning to stucco and cedar siding on the upper stories. The bay pattern, massing, and play of

transparent and opaque materials along the street provide for a pleasing rhythm at the pedestrian level. The townhomes each have a human scale massing of materials and volumes facing both 10th street and Violet Ave, creating an attractive rhythm to the streetscape. Deep welcoming front porches face both streets, inviting interaction between residents and passersby. Safety of the area is increased due to the types of uses that will have residents, business owners, and employees present at all hours of the day and night.

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

The project will provide a new bus stop on Broadway Ave., and will also provide a public courtyard between the southern mixed use buildings. Additional new public amenities include sidewalks along Broadway and Violet.

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

The residential component of the project provides twelve 3-bedroom townhouse units, and the mixed-use portion of the project provides sixteen 1- and 2-bedroom apartment and loft-style units of varying sizes. Overall, the project adds a variety of housing types not currently found in the immediate area which will conform to the intensity standards for the zoning for each portion of the property as well as the intent of the land use designations found in the NoBo Plan.

✓ (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;

Per the applicant's written statement, each of the townhomes and apartments will be constructed using a shaft wall system that has an STC of 57. Each of the apartments in the mixed use buildings will use laminated glass in the windows that face Broadway to reduce sound impacts from the street. The townhomes are set back from the street with a landscape buffer to minimize sound impacts.

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

This will be demonstrated at the technical document phase with a photometric plan, and lighting cut sheets.

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

Please see response to Criterion (C)(vi) above.

✓ (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;

All buildings proposed as part of this project will use highly efficient lighting, appliances, and equipment. The proposed design uses light colored roofing, as well as different types of shading devices (such as roof overhangs, projected balconies, and sunshades over windows) to minimize solar heat gain. HVAC systems will be properly sized and designed to minimize unneeded energy usage.

All of the proposed mixed-use and townhome buildings were designed with flat roofs, which allows for the future addition of photo-voltaic panels. Utility sub-metering will encourage tenants and residents to decrease their electric and water usage.

The applicant proposes to minimize and divert construction waste, demolition debris, and land-clearing debris from disposal by educating contractors and crews on procedures such as sorting and storage methods, removal techniques, and recoverable materials; by having the General Contractor involved early in the process; by looking for a contractor who is experienced in reuse and recovery techniques; by creating a list of materials targeted for reuse, salvage, or recycle; by gathering landfill information; by asking suppliers to eliminate or recycle packaging; and by communicating construction waste reduction goals and by reinforcing them early and throughout the demolition and construction process.

The proposed design includes "cool" roofs that will significantly reflect sunlight and heat away from the buildings; permeable pavers and cooler pavements that will reflect solar energy and enhance water evaporation; the use of trees and vegetation that will act as shading devices for buildings and pavement/parking areas; and the reduction of parking to limit exhaust and heat generation from automobiles. The project proposes to use low-flow plumbing fixtures throughout the project; to use indigenous/native landscaping; to design the plumbing systems to reduce the possibility for leaks; and to educate the tenants and residents about water conservation procedures and techniques.

In addition, 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 of 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 architecture of the proposed townhomes is intended to build upon the precedent for the typical brown stone home. The applicant describes the character of these townhomes as a “modern north Boulder vernacular,” with the street-facing facades consisting of contemporary materials such as brick, wood siding, stone, and metal panel, and stucco elements incorporated on the rear elevations of the buildings. Staff has worked with the applicant to refine the design of the facades over several iterations in order to create a simple and elegant visual patterning along both 10th Street and Violet Avenue, with a high degree of transparency and a logical hierarchy of high quality building materials. The first two stories of each building are primarily brick, metal panel and glass, with the third story lofts comprised of wood siding.

The mixed use buildings along Broadway and Violet are presented in a traditional character using materials such as brick, masonry, and storefront along the street transitioning to stucco and wood siding on the third stories of Buildings A and B. The bay pattern along the street is delineated by changes in material and form from the ground floor to the second floor, which provides for a human scale to the buildings and creates a consistent visual pattern and rhythm on the street.

✓ (xi) 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 proposal incorporates the natural grade change on the site into the design of the buildings and open space amenities. The existing grade change on the site presents several constraints that the applicant has addressed through creative use of landscaping and site design.

Cut and fill are minimized by maintaining the existing drainage patterns of the site. The site generally drains from northwest to southeast currently and will continue the same general pattern after development. The site will utilize the current standards and BMPs used to control erosion and sediment. Some of the BMPs that will be used on this project include sediment ponds, silt fencing, erosion control logs, inlet/outlet protection, and construction access tracking control devices, concrete washouts and dust control.

(G) Solar Siting and Construction: For the purpose of ensuring the maximum potential for utilization of solar energy in the city, all applicants for residential site reviews shall place streets, lots, open spaces, and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

✓ (i) Placement of Open Space and Streets: Open space areas are located wherever practical to protect buildings from shading by other buildings within the

development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.

All buildings along Violet Ave. will have access to both active and passive solar system integration, and the mixed use buildings along Broadway are designed to allow for active solar system integration.

✓ (ii) Lot Layout and Building Siting: Lots are oriented and buildings are sited in a way which maximizes the solar potential of each principal building. Lots are designed to facilitate siting a structure which is unshaded by other nearby structures. Wherever practical, buildings are sited close to the north lot line to increase yard space to the south for better owner control of shading.

By orienting the townhomes on an east-west axis and providing flat roofs on the mixed-use buildings the potential for active solar systems to be incorporated into the buildings by future tenants is maintained. The irregular shape of the lot make sit so that siting buildings close to the northern property lines is impractical.

✓ (iii) Building Form: The shapes of buildings are designed to maximize utilization of solar energy. Buildings shall meet the solar access protection and solar siting requirements of Section 9-9-17, "Solar Access," B.R.C. 1981.

The RM-1 portion of the site is located in Solar Access Area II, which sets a shadow limit equal to or less than 25 foot solar fence, and the MU-2 portion of the site is located in Solar Access Area III, which does not incorporate a solar fence. Both portions of the site are compliant with the respective solar access regulations.

✓ (iv) Landscaping: The shading effects of proposed landscaping on adjacent buildings are minimized.

None of the proposed landscaping appears to present any significant shading impacts to adjacent properties.

N/A (H) Additional Criteria for Poles Above the Permitted Height: No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

Not Applicable. No poles above the permitted height are being proposed.

N/A (I) Land Use Intensity Modifications

Not Applicable. No modifications to the land use intensity standards are being proposed.

N/A (J) Additional Criteria for Floor Area Ratio Increase for Buildings in the BR-1 District

Not Applicable, as the site is located in the RM-1 and MU-2 zone districts.

(K) Additional Criteria for Parking Reductions: The off-street parking requirements of [Section 9-7-1](#), “Schedule of Form and Bulk Standards,” B.R.C. 1981, may be modified as follows:

(i) Process: The city manager may grant a parking reduction not to exceed fifty percent of the required parking. The planning board or city council may grant a reduction exceeding fifty percent.

The applicant is requesting an 5% percent parking reduction to allow for 57 parking spaces where 60 are required.

(ii) Criteria: Upon submission of documentation by the applicant of how the project meets the following criteria, the approving agency may approve proposed modifications to the parking requirements of Section 9-7-1, “Schedule of Form and Bulk Standards,” B.R.C. 1981, if it finds that:

(a) For residential uses, the probable number of motor vehicles to be owned by occupants of and visitors to dwellings in the project will be adequately accommodated;

As mentioned above, the project also includes a request for a 5% parking reduction to allow for 57 parking spaces where 60 are required for the MU-2 portion of the site. The parking requirement for the 12 units on the RM-1 portion of the site is being met, with each of the units being provided 2 garage parking spaces for a total of 24 spaces. On the MU-2 portion of the site, for which the parking reduction is being requested, the 16 units in the mixed use buildings are provided with a total of 18 garage spaces (14 single car garages and 2 two-car garages), and 39 spaces including 3 accessible spaces are provided for the commercial and restaurant uses. Given that the proposed residential uses are all meeting or exceeding the parking requirement, staff finds that the residential parking needs will be adequately accommodated.

(b) The parking needs of any non-residential uses will be adequately accommodated through on-street parking or off-street parking;

On the MU-2 portion of the site, for which the parking reduction is being requested, the 16 units in the mixed use buildings are provided with a total of 18 garage spaces (14 single car garages and 2 two-car garages), and 39 spaces including 3 accessible spaces are provided for the commercial and restaurant uses. As part of the parking reduction request, the applicant has provided a Travel Demand Management (TDM) Plan that includes strategies for reducing vehicle travel to and from the site, including providing EcoPasses for all employees for a period of at least 3 years. Additional strategies are listed in the response to criterion (D)(v) above. Overall, given the site’s location along a major transit corridor as well as the bicycle and pedestrian facilities being proposed, staff finds that the proposed parking will be adequate to serve the non-residential uses.

(c) A mix of residential with either office or retail uses is proposed, and the parking needs of all uses will be accommodated through shared parking;

Not applicable, as no shared parking is proposed.

(d) If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs; and

Not applicable, as joint use of common parking areas is not proposed.

(e) If the number of off-street parking spaces is reduced because of the nature of the occupancy, the applicant provides assurances that the nature of the occupancy will not change.

No applicable.

N/A (L) Additional Criteria for Off-Site Parking: The parking required under Section 9-9-6, "Parking Standards," B.R.C. 1981, may be located on a separate lot if the following conditions are met:

USE REVIEW CRITERIA

Criteria for Review: No use review application will be approved unless the approving agency finds all of the following:

✓ (1) Consistency with Zoning and Non-Conformity: The use is consistent with the purpose of the zoning district as set forth in [Section 9-5-21\(c\)](#), "Zoning Districts Purposes," B.R.C. 1981, except in the case of a non-conforming use;

The project site is zoned MU-2 (Mixed Use – 2) , defined in the land use code as: "Mixed use residential areas adjacent to a redeveloping main street area, which are intended to provide a transition between a main street commercial area and established residential districts. Residential areas are intended to develop in a pedestrian-oriented pattern, with buildings built up to the street; with residential, office, and limited retail uses; and where complementary uses may be allowed" (§9-5-2(c)(2)(B), B.R.C. 1981). For the purposes of applying zoning, the proposed use is considered a restaurant over 1,000 sq. ft. in floor area or which closes after 11:00 p.m. or with an outdoor seating area of 300 square feet or more, which requires a Use Review to operate in the MU-2 zone.

✓ (2) Rationale: The use either:

✓ (A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;

The three proposed small scale, neighborhood restaurants will provide a direct service and convenience to the surrounding residents, business owners, and employees by creating additional places to eat, gather, and socialize in North Boulder, an area that is slowly redeveloping and currently has few restaurant choices available. The proposed uses are consistent with the desired character of the area as expressed by the NoBo Plan. The NoBo Plan describes the desired characteristics of a "Mixed Use Transition to Adjacent Residential" area as a transition area "with residential and office uses, neighborhood serving restaurants, and personal service uses in a pedestrian-oriented pattern with buildings located close to the street and parking in the rear...where people can live and work in close proximity, possibly in the same building."

N/A (B) Provides a compatible transition between higher intensity and lower intensity uses;

N/A (C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or

N/A (D) Is an existing legal non-conforming use or a change thereto that is permitted under subsection (e) of this section;

✓ 3) Compatibility: The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

*The two small scale neighborhood restaurants are compatible with the surrounding area in size and use and will enhance this area greatly in accordance with the desired character of the area as established by the NoBo Plan. Per the Management Plan included as **Attachment A**, the applicant does not have specific tenants for the 3 proposed restaurant spaces yet, so they have requested maximum flexibility in order to allow for hours of operation from 6:00 a.m. to 12:00 a.m. seven days per week. It is worth noting that because of the site's proximity to the Waldorf School property, none of the restaurant spaces will be eligible to obtain a liquor license.*

✓ (4) Infrastructure: As compared to development permitted under [Section 9-6-1](#), "Schedule of Permitted Uses of Land," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a non-conforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets;

The proposed restaurant uses will not create any additional infrastructure impacts beyond what would be allowed by-right on the site.

✓ (5) Character of Area: The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area; and

The project site is located in North Boulder at the northwest corner of the intersection of Violet Ave. and Broadway Ave. within the boundaries of the [North Boulder Subcommunity Plan](#) (NoBo Plan). The NoBo Plan sets forth the official vision for the future of the North Boulder Subcommunity and is the basis for decisions regarding the long-term preservation and development of North Boulder. The site was formerly the location of the Blue Spruce Auto repair shop; however, that use has relocated and the existing building is vacant.

The area encompassed in the NoBo Plan has changed over the past number of decades from a largely rural area with a mix of residential and service or industrial uses to nodes of more urban mixed use neighborhoods, guided by the NoBo Plan and the zoning put in place to implement the plan.

Reflecting these changes, the character of the area surrounding the project site is eclectic. The Waldorf School surrounds the site on the south and west, and beyond that to the south and southeast of the site are established residential neighborhoods with predominately traditional single family building scale and style. To the north is the Ponderosa mobile home park and an industrial service shopping center, and further north and across Broadway is the Uptown Broadway development which is characterized by larger buildings with a more contemporary style. Directly across the street is the site of the recently constructed Violet Crossing development, which incorporates a north-south transition from three to two-story buildings, creating an urban edge and street face that is compatible with the mixed use buildings at Uptown Broadway while utilizing materials that are compatible with the adjacent single family neighborhoods.

Taking the evolving character of the area into consideration, the proposed uses are consistent with the desired character of the area as expressed by the NoBo Plan. The NoBo Plan describes the desired characteristics of a "Mixed Use Transition to Adjacent Residential" area as a transition area "with residential and office uses, neighborhood serving restaurants, and personal service uses in a pedestrian-oriented pattern with buildings located close to the street and parking in the rear...where people can live and work in close proximity, possibly in the same building."

N/A (6) Conversion of Dwelling Units to Non-Residential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in [Subsection 9-5-2\(c\)\(1\)\(a\)](#), B.R.C. 1981, to non-residential uses that are allowed pursuant to a use review, or through the change of one non-conforming use to another non-conforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a day care center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.

Not applicable.



CITY OF BOULDER
Planning and Development Services

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CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **November 25, 2011**
 CASE MANAGER: **Chandler Van Schaack**
 PROJECT NAME: **The Plaza**
 LOCATION: **4403 BROADWAY**
 COORDINATES: **N08W07**
 REVIEW TYPE: **Site and Use Review**
 REVIEW NUMBER: **LUR2011-00071**
 APPLICANT: **George Watt**

DESCRIPTION: **SITE AND USE REVIEW: Mixed use development on a split-zoned property consisting of 6 residential duplex buildings, 12 units total, on RM-1 portion of site and 3 mixed use buildings including 13 residential units as well as retail, restaurant and office space on MU-2 portion of site. Total proposed commercial floor area to be 13,270 s.f. and proposed residential floor area to be 47,766 s.f. (30,551 s.f. in RM-1 zone and 17,215 s.f. in MU-2 zone).**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS:

1) Section 9-9-6, "Parking Standards":

- Applicant is requesting an 18% parking reduction for the MU-2 portion of the site to allow for 54 spaces when 66 are required (staff's analysis indicates that the requested reduction is actually 36% to allow for 42 spaces where 66 are required. Please see 'Parking' comments below for further information).

2) Section 9-7-1, "Form and Bulk Standards" – Maximum Number of Stories:

- Applicant is requesting a variation to the 2-story maximum in the MU-2 zone district to allow for third stories on mixed use buildings 'A' and 'B'.

3) Section 9-7-1, "Form and Bulk Standards" – Setbacks:

- Applicant is requesting a variation to the minimum front yard setbacks for third stories and above (staff's analysis indicates that additional variations to the setback standards may be required. Please see 'Zoning' comments below for further information).

4) Section 9-7-1, "Form and Bulk Standards" – Maximum Building Height:

- Applicant is requesting a variation to the 35 foot height limit in the MU-2 zone to allow for two buildings to reach up to 42 feet 6 inches in height.

I. REVIEW FINDINGS

Overall, staff is in support of this project and considers it an exciting addition to the burgeoning North Boulder Subcommunity. Staff would like to acknowledge the applicant for their efforts in identifying and mitigating potential issues early in the process. While many of the issues identified by staff have been addressed, additional detail is needed on certain aspects of the project to resolve issues that have been identified related to site planning, flood and engineering.

Prior to a recommendation of approval, revisions to the application are required and additional documentation must be provided to show compliance with Site Review criteria. Staff's comments below are meant to help clarify conformance with the land use regulations and site review criteria as well as the design and construction standards. Therefore, please revise the project plans as noted herein and submit five sets of revised plans, along with a disk of revised plans in pdf form to a project specialist at the front counter of P&DS. The submittal must be made prior to the start of a three week review track, by 10:00 a.m. **Please note that December 5 is the final resubmittal period for the year.**

Staff is happy to meet with the applicant's team to discuss staff's comments at your convenience.

II. CITY REQUIREMENTS

Access/Circulation Scott Kuhna, 303-441-4071

Parking/Peds

Address: 4403 N BROADWAY

1. The plans contain the note "Vacate Ex. 25' Access Esmt. And Drainage Esmt.". The existing Drainage Easement runs the entire length of the site (west to east), but the Access Easement only covers the westernmost 50 feet of this area. Revise the notation accordingly. It should be noted that Access Easement vacations require City Council approval and must be reviewed through a separate Land Use Review application.
2. The plans show Parking Garage 1 encroaching into the "Right-of-Entry" easement at the northwest corner of the property. Additional information regarding the easement is required.
3. Curb ramps are required at the intersection of North Broadway and Violet Avenue and at 10th Street and Violet Avenue in accordance with standard Drawing No. 2.07 in the City of Boulder *Design and Construction Standards* (DCS) and per detail M-608-1 of the Colorado Department of Transportation (CDOT) Standard Drawings.
4. A 10' x 60' concrete bus stop pad will be required to be installed in North Broadway directly east of the 8' x 30' transit stop boarding area shown on the plans. Revise accordingly.
5. The full width of North Broadway needs to be shown on one of the engineering drawings to ensure that 80 feet of right-of-way is provided. A 1-foot dedication of right-of-way from this project and the development across the street (Violet Crossing) is necessary to obtain the full 82-foot right-of-way width.
6. A horizontal control plan including parking space dimensions, backing distances, accessible spaces per section 9-9-6(b) of the *Boulder Revised Code*, etc. is required at this time. Per section 4.6.2 of the ADA Accessibility Guidelines, accessible spaces must be dispersed and located closest to the accessible entrances.
7. The southernmost on-street parking space shown along the west side of North Broadway is too close to the intersection and needs to be shifted a minimum distance of 30 feet from street intersections to the north. The minimum parking space dimension for parallel stalls is 8' x 23'.
8. Further information is needed regarding the existing 10' easements along Violet Avenue and 10th Street since access easements are required for the proposed public sidewalks. The sidewalks along North Broadway, Violet Avenue, and 10th Street must be located with public access easements that start at the right-of-way line and extend to 1-foot beyond the back of sidewalk.
9. Emergency access lanes shall be provided in accordance with Section 2.10 of the *DCS*. All access lanes must be shown to accommodate an SU-30 vehicle.
10. Planter box dimensions need to be included on the plans. All planter boxes shall be located a minimum of 18-inches from back of sidewalk or back of required walkway width.
11. The proposed driveway ramp on North Broadway needs to be shifted to the east to line up with existing curb line of the street. See standard Drawing No. 2.22 in *DCS*.
12. It appears that two (2) parking spaces are being proposed in between Parking Garage 1 and Parking Garage 2. Clarification on the plans is necessary.
13. The proposed public sidewalks along 10th Street and along North Broadway are required to transition to the existing conditions north of the site. Revise the plans to show these sidewalk transitions.
14. Turnarounds are required for dead-end parking bays of eight stalls or more. Turnarounds must be identified with a sign or surface graphic and marked "no parking". The space shall be a minimum of 9 feet wide with a depth equal to the adjacent parking stall. See Figure 9-5 of the *Boulder Revised Code, 1981 (Code)*.
15. A 5'x8' accessible loading area shall be provided within the proposed "Bus Stop Pad, Bike Racks, and Bench" on North Broadway and needs to be shown on the plans. All improvements must be in accordance with the RTD Bus Transit Facility Design Guidelines and Criteria.
 - The standard RTD bench is the Victor Stanley Steelsites Series Model# RB-28 in black with back.
<http://www.victorstanley.com/products/?mode=prodDetail&id=1&catId=1>
 - Below is a link to the URL for all RTD Design Guidelines:
<http://www3.rtd-denver.com/elbert/Criteria/index.cfm>

Traffic Impact Analysis

16. A trip generation, trip distribution, and trip assignment analysis is required per Sections 2.03(J) and 2.03(K) of the DCS. A traffic impact study will be required for any residential development that is expected to generate 20 vehicle trips or greater during any single hour and/or for any nonresidential development that is expected to generate 100 vehicle trips or greater during any single hour. If a traffic impact study is warranted by the trip generation, the transportation consultant or engineer preparing the study should contact Scott Kuhna (303-441-4071) to discuss the study parameters prior to initiating the study.

Traffic Demand Management (TDM) Plan

17. A Transportation Demand Management (TDM) plan consistent with section 2.03(I) of the City of Boulder *Design and Construction Standards* and section 9-2-14(h)(2)(D)(iv) and (v) of the *Boulder Revised Code* is required at this time to outline strategies to mitigate traffic impacts created by the proposed development and measures for promoting alternate modes of travel. The applicant should contact Chris Hagelin (303-441-1832), Senior Transportation Planner with GO Boulder, to discuss viable TDM options specific to this project. The TDM plan must be submitted as a separate document with Site Review submittal.

Addressing Chandler Van Schaack, 303-441-3137

The City is required to notify utility companies, the County Assessor's office, emergency services and the US Post Office of proposed addressing for development projects. If new addresses are being proposed for the site, a Final Address Plat and list of all proposed addresses should be prepared and submitted in hardcopy and digital (pdf) format to P&DS staff for routing and comment. This is considered part of the Technical Document Review process for a project of this size and scope and is in addition to the Site Review approval.

Affordable Housing Michelle Allen, 303-441-4076

Each new residential unit developed on the property is subject to 9-13 B.R.C., 1981, "Inclusionary Housing." The general Inclusionary Housing requirement is that all residential developments must dedicate 20% of the total dwelling units as permanently affordable housing. For for-sale housing this requirement should include at least half of the required affordable units on-site. The other half of the requirement may be met by the provision of comparable existing or newly built off-site permanently affordable units, the dedication of land appropriate for affordable housing or by payment of a cash-in-lieu contribution.

The development contains twenty-five attached residential units resulting in an Inclusionary Housing requirement of five (5) affordable units. A minimum of three of the affordable units should be provided on-site; one duplex and two stacked flats.

The 2011-2012 cash-in-lieu amount is calculated as the lesser of \$126,142 per required attached affordable unit or \$105 multiplied by 20% of the total floor area of all dwelling units (to encourage smaller units, the required cash-in-lieu contribution declines when the average floor area of market rate units is under 1,200 square feet). A 50% additional premium is applied to any affordable units required but not provided on-site. Cash-in-lieu amounts are adjusted annually on the first of July and the amount in place when the payment is made will apply.

Per 9-13 B.R.C., 1981, and associated regulations, permanently affordable dwelling units must be proportionate in type (such as detached, attached or stacked units) and number of bedrooms to the market rate units. Attached permanently affordable units must have a floor area equal to at least 80% of the market-rate units. Permanently affordable dwelling units must be functionally equivalent to market rate units and must meet the "Livability Guidelines and Standards for Permanently Affordable Housing."

A Determination of Inclusionary Housing Compliance form and a deed restricting Covenant to secure the permanent affordability of the units must be signed and recorded prior to application for any residential building permit and any applicable cash-in-lieu contribution must be made prior to receipt of a residential building permit. Permanently affordable units must be marketed and constructed concurrent with market-rate units. Additional requirements may be found on-line at www.boulder affordable homes.com click on "Are You a Developer".

Building and Housing Codes Kirk Moors, 303-441-3172

1. The third floor of building A must have access to two exits as per IBC table 1015.1.
2. The exit access stairs for buildings A, B and C must be placed a distance apart equal to 1/3rd of the length of the maximum overall diagonal dimension of the area served.

Building Design Chandler Van Schaack, 303-441-3137

1. Staff finds the scale and architectural character of the buildings consistent with the North Boulder Subcommunity Plan as well as the Site Review criteria and appreciates the contemporary designs. The proposed mixed use buildings help frame a pleasant streetscape and present a quality retail frontage along Broadway while effectively transitioning in

mass to the properties to the south. While the compositions rely on several high quality materials, the applicant may consider limiting the palette. While stucco is used as an accent on the buildings that front Broadway, the applicant may consider reducing the use of stucco on the primary facades of the duplex units. Also, it is indicated in the "Architectural Character" section of the Applicant's written statement that the designs depicted for the proposed townhouses are a "starting point," and that the form, materials and color of the proposed townhouses may be varied during the Technical Document process. Please note that Site Review approval includes only those building designs depicted on the approved plan set, and that any changes to the approved site plan, building plans, or landscaping plans will require, at a minimum, review and approval of a Minor Modification to the Approved Site Plan pursuant to section 9-2-14(k), B.R.C. 1981.

If the Applicant wishes to receive approval of multiple townhouse designs through the Site Review process, it will be necessary to include floor plans and elevations for each of the proposed designs and to provide separate zoning information (i.e. floor area, open space, building coverage, etc.) for each proposed design.

2. Staff has some questions related the placement of the detached elevator proposed on the west side of Building C. In conjunction with the two planters on either side, the elevator in its current location occupies a significant portion of the western courtyard and may detract from the overall usability of the space as a public/private realm. If possible, staff recommends exploring design options that would integrate the elevator into the main building and open up the western portion of the courtyard.

Drainage Scott Kuhna, 303-441-4071

1. Vacation of the existing 25-foot wide Drainage Easement through the site is required to allow for construction of several of the buildings. Because the proposed on-site storm sewer system will convey runoff from adjacent properties (in a similar fashion as historic), it will also need to be public and be located within a new 25-foot wide Drainage Easement. Revisions to the plans and reports are required.
2. Page 3 of the *Preliminary Drainage Report – 4403 Broadway (Report)* discusses off-site Basin OS1 which is approximately 7 acres in size and is comprised of mobile homes, gravel parking, and some grassy areas. Basin OS1 is not shown on the *Preliminary Developed Drainage Plan (Figure 2)* and no calculations for the runoff from OS1 are included in Appendix B of the *Report*. Conveyance of off-site runoff through the subject site is a critical component in the design and layout of the development for both the minor and major storm events. The "public" storm sewer system will need to be designed to adequately convey the minor storm event through the site, and there must also be a design to safely convey the major storm event through the site without damage to persons or property. Detailed information and calculations for the off-site basins discharging onto and through the subject site are required at this time.
3. The *Report* and the plans show a proposed permeable pavers system for the walks, outdoor seating, and plaza areas around the commercial mixed use buildings. No details, however, are included on the plans or in the *Report* for the design, outfall, etc. of the underground system. While the permeable pavers system may be able to provide some water quality treatment to the walkways and plaza areas, all of the parking lot runoff will be conveyed off-site with no detention or treatment of any kind. It is also unclear that the structural engineer designing the foundations for the commercial mixed use buildings will be comfortable with permeable pavers surrounding all sides of the buildings. Clarification on the plans and in the *Report* is required.
4. Page 1 of the *Report* states "the proposed grading will provide positive drainage away from proposed structures...". See comment above regarding permeable pavers surrounding the proposed commercial mixed use buildings.
5. The plans show a trash enclosure east of Building 5 on top of the proposed storm sewer line running through the site. The line must also be located in a 25-foot wide Drainage Easement (see above) therefore the structure will need to be relocated. No portion of any structure, including footings and eaves, may encroach into any public right-of-way or easement or across any utility.
6. The existing and proposed storm water basins shown on Figure 1 and Figure 2 of the *Report* do not appear to follow the existing or proposed drainage patterns on-site. Each discharge point (i.e. inlet or outfall point) should have its own drainage basin. These individual basins will then be used to determine the amount of runoff to each inlet or design point, and to show how much of the storm water runoff will discharge from the property untreated and/or undetained.
7. All detention ponds shall include an overflow release feature to spill during storm events larger than the major design storm or when release outlets fail. They shall be designed to release overflows in a direction and manner that will not adversely affect properties downstream of the ponds. Revise the plans accordingly.

8. It is not clear what is proposed for the curb-line near the southwest corner of Building A. It appears that an inlet or chase drain is necessary at the collection point in the landscape peninsula.
9. The plans show a bend in the proposed storm sewer line southeast of Building 4. Manholes are required at each connection with another line and at all changes in grade, slope, alignment, and pipe size.

Flood Control Katie Knapp, 303-441-3273

1. The property is impacted by the 100-year floodplain of Four Mile Canyon Creek per the Letter of Map Revision (LOMR number 06-08-B289P) effective March 28, 2007. The drainage report states that the property is outside of the 100-year floodplain. Revise the drainage report accordingly.
2. The site plan (sheet A1.0) shows a LOMA delineation line that does not match the above referenced LOMR. Please clarify what this line indicates. Another line (that is not labeled on the site plan) appears to match the 100-year floodplain limits per the above referenced LOMR. The residential units 5, 6, 7, and 8, all cross over this line and encroach into the 100-year floodplain. In accordance with Section 9-3-3 (a)(17), B.R.C., all new residential structures within the 100 year floodplain must be elevated so that the lowest level is above the flood protection elevation, therefore, the basements must be removed from these units. Please note that in accordance with Section 9-3-2(c)(2), B.R.C, if any portion of a structure lies partially within the flood fringe area, all of the standards and requirements of the floodplain regulations shall apply to the entire structure.
3. Please indicate if the proposed mixed-use structures will be elevated or floodproofed to the flood protection elevation.
4. Indicate what survey datum the site and proposed finished floor elevations are based on and show the flood protection elevations for each structure.
5. The applicant is showing below grade basement construction for some of the residential structures that are located within a small "island" of 500-year floodplain. These proposed structures are immediately adjacent to and completely surrounded by the 100-year floodplain. In order to protect the future home owners from basement flooding, it is strongly recommended that the proposed structures located within the "island" of 500-year floodplain be constructed in accordance with the 100-year floodplain regulations and that the residential structures be elevated to the flood protection elevation. The location of the proposed stormwater detention pond immediately adjacent to these structures increases the risk of basement flooding.

Fees

Please note that 2010 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.

Fire Protection David Lowrey, 303.441.4356

1. There appears to be a few buildings where fire access is questionable. Accurate access design could not be determined but the applicant is strongly encouraged to make an appointment with fire to review intended access.
2. Hydrant placement for buildings to the west is incorrect. The hydrant should not be at the end of the buildings, this will block the use to that hydrant for the building located on the south side. This comment has been made before about this project.

Land Uses Chandler Van Schaack, 303-441-3137

1. Pursuant to section 9-6-1, "Use Standards," B.R.C. 1981, restaurants and taverns over 1,000 square feet in floor area, or which close after 11:00 p.m., or with an outdoor seating area of 300 square feet or more are allowed in the RM-2 zone district only if approved through a Use Review. Approval of a Use Review is also required for retail sales uses with a floor area of 5,000 square feet or less in the MU-2 zone. The application addresses the Use Review criteria with regards to one of the proposed restaurants; however, pursuant to section 9-2-15, B.R.C. 1981, each use requiring Use Review approval to operate must demonstrate compliance with the Use Review criteria. Therefore, it is necessary to provide additional documentation demonstrating how each of the three proposed retail uses as well as both of the proposed restaurant uses meet the Use Review criteria as set forth in section 9-2-15(e), B.R.C. 1981.

While staff understands that it is unlikely that tenants have already been secured for the proposed spaces and that detailed Management Plans may thus be impossible to provide, it is important in addressing the Use Review criteria for each of the proposed uses to include as much detail as possible on the proposed operating characteristics, including but not limited to general character, hours of operation, location and schedule of both deliveries and trash removal, etc. The operating characteristics for each proposed use will be included in the Disposition of Approval as

conditions of approval.

Landscaping Elizabeth Lokocz, 303-441-3138

In general, the proposed project has many opportunities for high quality landscape design. Please address the following comments for the next submittal. Several request key information to determine if the proposal meets all relevant Site Review Criteria and other Land Use code requirements. Contact staff with any questions.

1. The overall right of way/sidewalk layout and dimensions are consistent with previous discussions. A few minor changes would improve the overall functionality. Please be sure to coordinate these comments with all transportation related comments.
 - a. Some of the curb lines have been lost on the northern end of Broadway. Please add them to all plans and verify that planter dimensions are to the back of curb (actual planting space) and not to the face of the curb.
 - b. The 13'-6" sidewalk dimension appears to include the planting "strip". Clarify the dimension of the actual walkable surface area of the sidewalk. A pedestrian strip adjacent to the curb should be added a minimum of 12", and as much as 18", to facility pedestrian traffic.
 - c. Increase the right of way planters to at least six feet in width; the raised planters on private property should be decreased to accommodate the larger trees in the right of way if necessary as well as the secondary sidewalk. The primary focus should remain on the public sidewalk and right of way treatment. The raised planters should enhance space without blocking the visual connection of the building façade and glazing from the street.
2. Several landscape modifications are illustrated, but not called out, on the plans including property line screening and interior parking lot screening. Recalculate the interior parking lot screening based on the minimum dimensional standards (eight ft. in any dimension and 150 sq. ft.) and revise the requirements table accordingly. Although staff can support modifications, the proposed narrow planting beds throughout the parking lot are not sufficient to support large maturing trees and will significantly increase irrigation needs. Adjustments across the site to accommodate wider beds should be evaluated at this stage of design; include setbacks, walkway widths and building separation in this analysis.
3. The written statement references living walls. Please clarify the extent and treatment of the proposed walls. Are they only on Building C as labeled on Sheet L1.0? Illustrate the system, label the proposed plants and supply sufficient information to verify the associated soil volume.
4. Please provide additional detail on the materials and future use of the courtyard. Any information on the color and material selection would support the overall quality of the project.
5. Include cross-section(s) of the proposed combined detention pond and pocket park to communicate the side slopes and access into the area. Demonstrate that it can clearly function as both high quality useable open space and the needed detention.
6. There are multiple utility conflicts that appear on the plans at this stage. Adding a utility line legend to the Landscape Plans would be very helpful. Resolve the following conflicts prior to the next submittal:
 - a. Fire hydrant locations on Violet, interior to the site and at the Broadway site access (note that not all are consistently shown on the Landscape and Utility plans.
 - b. Water meter locations on Broadway do not meet minimum separation.
 - c. The sanitary sewer service to Building C does not meet the minimum separation.
7. The trash enclosures do not currently show doors. They will need to be fully screened from rights of way and adjacent properties. Clarify the treatment which will accomplish full screening.
8. At a minimum the proposed tree species shall be called out on the planting plan and total quantities for all trees included in the Plant List. Labels for all proposed shrubs are not needed, but a total must be included in the requirements table. Ideally, all shrubs would be labeled for the final Site Review plans. Minor changes and adjustments may be made at Technical Document review if the quality of the overall plan remains consistent with the Site Review approval.
9. The bicycle parking located on the northern property line and adjacent to the Violet Avenue entrance both have adjacent narrow landscape strips that are likely to be maintenance issues. Extending the parking pad would eliminate these awkward areas.
10. Please illustrate how the two small landscape islands which both contain water meters will be treated adjacent to the eastern duplexes (9/10 and 11/12). Are these landscape islands or something else?

11. It appears that six small maturing trees are proposed for grates west of the mixed use buildings on Broadway. Please clarify the grate size and type if known, the surrounding treatment and any soil enhancements that will be made to support long lived trees. Staff supports alternative methods of urban tree planting that result in larger soil volume. This might be an excellent site to test some of these methods such as paver grates.
12. Autumn Blaze Maple has had limited success in North Boulder in similar planting situations. Staff recommends using it sparingly if at all in parking lot and streetscape applications. Any of the other trees listed on the plan would be an improved selection. In addition, consider Common Hackberry.

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

1. Pursuant to subsection 9-2-19(b), "Establishing a Vested Property Right," B.R.C., 1981, a public hearing before Planning Board is required to establish vested rights. The Applicant shall state clearly those elements of the site plan for which the applicant seeks to create vested rights, including, without limitation, density, building height, building footprint location and architecture. The Applicant should submit a new vested rights form to more clearly state the elements for which the Applicant is seeking vested rights.
2. Prior to signing the Development Agreement, if approved, the Applicant shall provide the following:
 - a) an updated title commitment current within 30 days of signing the agreement; and
 - b) proof of authorization to sign on behalf of the owner (such as operating agreement or statement of authority).

Lighting Chandler Van Schaack, 303-441-3137

Pursuant to section 9-2-14(h)(2)(F)(ix), B.R.C. 1981, A lighting plan must be provided "which augments security, energy conservation, safety, and aesthetics." Several other Site Review criteria refer to a lighting plan as well. Currently there is no lighting plan for the proposed project. Please include an outdoor lighting plan with the revised plan set.

Miscellaneous Scott Kuhna, 303-441-4071

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.

Neighborhood Comments Chandler Van Schaack, 303-441-3137

Staff has received several comments from neighbors who feel that the proposed modifications to the building height and setback standards are not in conformance with the NBSP, and an additional comment from a neighbor who feels that the height modification should not be allowed due to the perception that the proposed buildings would block views. Additional requests for project information have also been received.

Open Space Chandler Van Schaack, 303-441-3137

1. Staff recognizes the Applicant's efforts to provide high quality open space features on both portions of the site and is generally in support of both the pocket park and mixed use courtyard. Staff is also in support of providing a rich and functional buffer/ landscaped promenade along Broadway; however, staff finds that additional passive recreational amenities, particularly benches, to certain high-use areas such as the pocket park and upper walkway along Broadway could serve to improve the usability of the spaces and promote a more welcoming pedestrian environment. Please see 'Landscaping' comments above for additional area-specific recommendations.
2. Additional information is needed for the open space calculations included on Sheet L2.0. Please include a full-size open space plan using color labeling and drawn to a common scale and that clearly corresponds to the open space data provided in the table. Additionally, please revise the table to include the required open space for each zone district as well as open space calculations (in square feet and percentages) for each type of open space being provided (i.e., private decks and balconies, landscaped areas, plazas/courtyards, landscaped right-of-way, etc.) as referenced in section 9-9-11, B.R.C. 1981. In revising the open space plan, please take the following comments into consideration:
 - a. **RM-1 Zone:**
 - i. The "Drives and Parking" calculations and the "Buildings and Garages" calculations do not appear to correspond to Sheet A1.0. Staff's preliminary calculations indicate that the areas of the above-referenced categories are significantly larger than shown on the open space table.
 - ii. In addressing the Site Review criteria the Applicant has indicated that the path extending from the pocket park west to 10th St. and east to the shared drive behind the eastern duplex units is meant to provide a pedestrian connection from 10th St. to the mixed use buildings; however, the path does not

connect directly through the park but rather leads to the sidewalk along Violet Ave. to the south. Staff recommends exploring additional design options for a connector path from 10th St. to the MU-2 portion of the site that would allow for a more direct connection through the open space provided on the RM-1 portion of the site.

- iii. Pursuant to section 9-9-11(e)(4), B.R.C. 1981, useable open space includes “landscaped areas, plazas and patios, used as open space, and located adjacent to a street, alley, driveway or parking lot, and protected from vehicular encroachment by a vehicular barrier which may include, without limitation, a bollard, wall, fence or curb.” The landscaped area to the west of the proposed “Parking Garage 1” is included in the open space calculations shown on Sheet L2.0; however, the landscape plan does not show how the space will be treated and there does not appear to be any sort of vehicular barrier protecting the space from vehicular encroachment. If the space is to be counted as usable open space it must be demonstrated that it meets the above-referenced standard.

b. MU-2 Zone:

- i. Pursuant to section 9-8-1, B.R.C. 1981, a minimum of 60 square feet of private open space is required per dwelling unit for residential uses. While the majority of the units meet this standard, the middle unit on the second floor of Building A (Unit A202) as well as the middle units on both the second and third floors of Building B (Units B202 and B302) do not meet this standard, as they do not have access to private open space (the balconies opposite these units are accessible by all residents of the buildings). Please revise the floor plans so that the three units mentioned above all have access to at least 60 square feet of private open space.
- ii. Pursuant to section 9-9-11(i)(2), B.R.C. 1981, a recessed window or doorway of less than twenty-four square feet in ground area and less than three feet in any horizontal dimension may not be counted as usable open space. Currently there are several recessed windows shown on the mixed use buildings that are less than three feet deep and less than twenty four square feet in area which appear to be counted as usable open space in the open space diagram. Please either remove these areas from the open space calculations or adjust the spaces to meet the minimum dimension requirements.

Parking Chandler Van Schaack

1. Pursuant to section 9-9-6(d)(2), B.R.C. 1981, the dimensions for standard parking spaces (90 degree parking angle) are 9 feet width by 19 feet length, and the dimensions for small car parking spaces are 7.75 feet width by 15 feet length. Accessible parking spaces require 8 feet width by 19 feet length with an additional 5 foot wide striped aisle adjacent to the passenger side. Currently all of the parking spaces shown on the MU-2 portion of the property, including both accessible spaces, have a length of 17 feet. Pursuant to section 9-9-6(d)(2)(B), B.R.C. 1981, the maximum allowable small car stalls may not exceed 50 percent of the total number of parking spaces required for the zone district. Please revise the plans so that the number of small car parking spaces does not exceed 50 percent of the required number of spaces and clearly delineate the locations of each proposed space (depict proposed striping).
2. The Parking Tables on Sheet A1.0 appear to be incorrect. The tables list the number of spaces provided on the MU-2 portion of the property as 54 (an 18% reduction) and the number of spaces provided on the RM-1 portion as 24 (78 spaces total); however, the site plan shows 42 parking spaces on the MU-2 portion of the property (a 38% reduction) and 34 spaces on the RM-1 portion (76 spaces total). Please revise Sheet A1.0 accordingly. Staff would like to note that it is possible to request a parking reduction of up to 50% through the current process, and that only a reduction of over 50% requires approval by Planning Board through a public hearing.
3. Additional information is required for the areas labeled on Sheet A1.0 as “Parking Garage 1” and “Parking Garage 2.” If the subject areas are intended to be car ports or some other parking structure it will be necessary to provide additional detail on the site plan as well as detailed elevations of the proposed structures to demonstrate conformance with applicable form and bulk standards for accessory structures as set forth in section 9-7-1, B.R.C. 1981.
4. The two parking spaces shown on the far west end of the access drive from Broadway do not meet parking standards for stall size or drive aisle width. Staff is also concerned about the functionality of the two spaces, as they would be hidden from view by the proposed car ports. Staff recommends considering removing the two spaces or relocating them to a more usable and visible location.

Plan Documents Chandler Van Schaack

1. There are several unlabeled lines shown on Sheet A1.0 that appear to depict the locations of the existing buildings on the site. Please remove these lines.
2. The Applicant’s written statement does not address section 9-2-14(h)(2)(K), “Additional Criteria for Parking

Reductions,” of the Site Review criteria. Please revise the written statement to address each of the criteria contained in this code section.

Review Process Chandler Van Schaack

It is indicated on Sheet A1.0 that the Applicant intends to vacate the existing 25' Access and Drainage Easement located along the northern edge of the RM-1 portion of the site. Please note that pursuant to [section 8-6-9](#), "Vacation of Public Rights of Way and Public Access Easements," B.R.C. 1981, a public access easement may only be vacated through an ordinance by city council. Because this process can take longer than expected, following Site Review approval, if approved, staff recommends submitting an application for vacation of the access easement early on the in Tech Doc process to avoid holding up the building permit.

Utilities Scott Kuhna, 303-441-4071

1. The plans show Building A projecting 10 feet into an existing 15.5-foot wide Utility Easement. Relocation of the building or relocation of the utilities and easement is required.
2. The plans show Parking Garage 1 projecting 10 feet into an existing 15.5-foot wide Utility Easement. Relocation of the building or relocation of the utilities and easement is required.
3. The plans show a trash enclosure west of Building A on top of existing utilities and within a 15.5-foot wide Utility Easement. Relocation of the trash enclosure or relocation of the utilities and easement is required.
4. The plans show Parking Garage 2 encroaching into the utility easement north of Building 5 and on top of a storm sewer line in the easement. No portion of any structure, including footings and eaves, may encroach into any public right-of-way or easement or across any utility. Revise accordingly.
5. All of the water meters for Buildings 1 through 6 and Building B are shown to be located outside of public utility easements. In addition the service line for Building 2 does not meet the service alignment requirements of Section 5.09(A)(4) of the City of Boulder *Design and Construction Standards (DCS)*. Revisions to the water meter and water service line locations are required.
6. Direct access by maintenance vehicles shall be provided to each manhole. The access drive shall be an all-weather surface (asphalt, concrete, gravel base, or turf block) and shall be capable of supporting maintenance vehicles weighing up to 14 tons. Access to the proposed wastewater manhole northeast of Building 1 needs to be accommodated.
7. Fire hydrants shall be placed no farther than 5 feet behind the curb, outside of any fenced area, and have a 10-foot radius of clearance to adjacent obstacles (fences, walls, shrubs, trees, etc.). The proposed locations for the hydrant and tree southeast of Building 6 need to be revised.
8. "Sanitary service cleanouts" are shown at the connection to the wastewater main for all of the proposed wastewater service lines. Clarification is necessary. Please see standard Drawing No. 6.06 in the *DCS*.
9. Public Utility Easements shall provide a minimum parallel separation of 6 feet between the edge of any utility line and the easement boundary. Changes to the wastewater service main north of Buildings 3 and 5 and east of Buildings 1 and 2 are required.
10. Water service lines shall be installed perpendicular to the distribution main, up to and including the meter and pit. Changes to the proposed irrigation service from Broadway are necessary.
11. The plans show some type of structure encroaching into the utility easement north of Building 5 and on top of a private storm sewer line south of Building 4. No portion of any structure, including footings and eaves, may encroach into any public right-of-way or easement or across any utility. Revise accordingly.
12. 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. The applicant should recheck all separations prior to the next submittal.
 - Proposed tree southeast of Building 3 – Proposed water service line.
 - Proposed trees (4) south of Building 5 – Proposed storm sewer line.
 - Proposed tree northeast of Building 6 – Proposed storm sewer line.
 - Proposed trees (3) south of Building B – Proposed storm sewer line.
 - Proposed tree northeast of Building B – Proposed fire hydrant.

Zoning Chandler Van Schaack, 303-441-3137

1. Please provide clarification on the Building Summary chart shown on Sheet A1.0. Staff is assuming that the "CIRC." Column is meant to represent circulation, but it is unclear, as the areas labeled "Area counted toward FAR for egress on balcony" do not correspond with the "CIRC." numbers shown on the chart. If the 'CIRC.' Calculations are meant to represent stairways, elevators, the portions of all exterior elevated above grade corridors, balconies, and walkways that are required for primary or secondary egress, please indicate that both on the chart as well as the floor plans, and clearly call out the floor area of said areas on the floor plans. In revising the chart, please take into consideration that per section 9-16-1, B.R.C. 1981, "Floor area" is defined as "the total square footage of all levels measured to the outside surface of the exterior framing, or to the outside surface of the exterior walls if there is no exterior framing, of a building or portion thereof, which includes stairways, elevators, the portions of all exterior elevated above grade corridors, balconies, and walkways that are required for primary or secondary egress by [chapter 10-5](#), "Building Code," B.R.C. 1981, storage and mechanical rooms, whether internal or external to the structure, but excluding an atrium on the interior of a building where no floor exists, a courtyard, the stairway opening at the uppermost floor of a building, and floor area that meets the definition of uninhabitable space."
2. The setbacks labeled on Sheet A1.0 are incorrect. While front yard setbacks apply to the frontages on 10th St. and Broadway Ave. pursuant to section 9-7-2(d)(7), B.R.C. 1981, pursuant to the definition of "Yard, front, rear, and side" found in section 9-16-1, the southern property line is considered a side yard adjacent to a street and not a front yard as labeled on the plan set. In addition, the northern property line is considered an interior side yard and not a rear yard as labeled. Finally, the western property line of the northern portion of the site that abuts the neighboring property to the west is subject to RM-1 rear yard setback requirements. Please note that while it is possible to alter the setback standards through the Site Review process, following the above reinterpretation of the yard classifications for this site any modifications to the setback standards set forth in section 9-7-1, B.R.C. 1981 will require formal documentation of the additional requested variations to the land use regulations, both in the application materials as well as the plan set. Additional information on form and bulk standards can be found on-line at: http://www.colocode.com/boulder2/chapter9-7_table7-1.htm. Staff is happy to meet with the Applicant to discuss the above interpretations if there is any question as to how the interpretations were agreed upon.

III. INFORMATIONAL COMMENTS

Access/Circulation Scott Kuhna, 303-441-4071

1. All inlet grates located in street, alley, parking lot travel lane, bike path, or sidewalk must utilize a safety grate approved for bicycle traffic.
2. All existing curb cuts and drives must be closed and removed to City Standards. A contractor who is licensed and bonded to work in the public Right-of-Way (ROW) must perform the work and will be required to apply for and receive a ROW permit for this construction.
3. Final engineering plans will be required for street and sidewalk construction at the time of Technical Document submittal. The engineering plans must include, but are not limited to street plan and profile drawings, cross-sectional drawings, detail drawings, a geotechnical soils report, and a pavement design report in accordance with section 1.03 of the City of Boulder *Design and Construction Standards*.

Area Characteristics and Zoning History Chandler Van Schaack, 303-441-3137

The project site is located within the boundaries of the [North Boulder Subcommunity Plan](#) which sets forth the official vision for the future of the North Boulder Subcommunity and is the basis for decisions regarding the long-term preservation and development of North Boulder. The NBSP provides specific actions to be carried out by the City, other public agencies, and the private sector related to future development. The NBSP was also the basis for re-zoning of a portion of North Boulder in 1997 and establishes a street and pedestrian/ bicycle network. The Plan was adopted by Planning Board and City Council in 1995. It was amended in 1996 and 1997 in relation to the Village Center boundaries and Crestview East and West annexation conditions.

Within the NBSP, the western portion of the site is designated as residential and the eastern portion along Broadway is designated as "Mixed Use Transition to Adjacent Residential." Page 17 of the NBSP defines "Mixed Use Transition to Adjacent Residential" as a transition area (between Business Main Street uses and adjacent Residential areas) "with residential and office uses, neighborhood serving restaurants, and personal service uses in a pedestrian-oriented pattern with buildings located close to the street and parking in the rear."

Overall, staff finds that the proposed project is in keeping with many of the goals and objectives of the NBSP. In particular, the project meets the following key concepts related to the project site (please refer to pg. 15 of the NBSP):

- Establishing a mixed use transition from the Village Center to neighborhoods in the surrounding areas, including residential and office uses, neighborhood serving restaurants, and personal service uses;
- Providing pedestrian-oriented, appropriately-scaled neighborhood centers that provide goods and services for neighborhood needs;
- Promoting a pedestrian-oriented development pattern with buildings located close to the street and parking in the rear.

Other general goals of the NBSP that the proposed project currently addresses include:

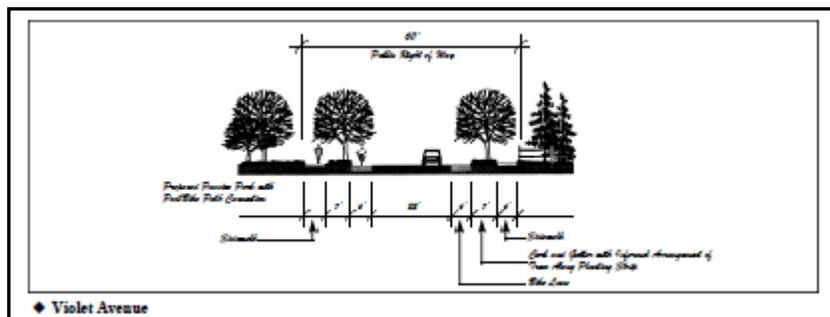
- Except in areas recommended for low density rural-type character, position buildings close to the street to create a more pedestrian friendly atmosphere (Ch. 5, *Neighborhoods*);
- Provide high quality building design with attention to detail. Avoid monotonous building designs: include human scale features such as porches, varied building elevations, and varied sizes and styles (Ch. 5, *Neighborhoods*);
- Provide a complementary, pedestrian oriented mix of public and private facilities to meet the needs of the subcommunity, in order to increase convenience and reduce auto trips (Ch. 6, *Employment & Retail Centers*);
- Design neighborhood-scale and subcommunity-level centers to foster a sense of community by creating vibrant areas for people to gather. This includes: ease of access, safety, and appropriate scale (Ch. 6, *Employment & Retail Centers*);
- Encourage walking, biking, and transit use by providing safe, comfortable and convenient pedestrian and bicycle path connections (Ch. 8, *Transportation*);

While staff's initial review indicates compliance with the above-referenced goals and objectives, there are several important areas of the NBSP for which additional detail would help prepare both staff and the applicant for addressing concerns of North Boulder residents during the review process and public hearing before Planning Board.

Areas for Improvement:

Streetscapes:

While the proposed streetscape along Violet Ave. is generally compliant with the approved streetscape designs contained on Pg. 24 of the NBSP in that it provides detached sidewalks separated from the street by planting strips, the NBSP calls for 7' planting strips along Violet Ave. where the current proposal depicts 6' planting strips (please see below for approved streetscape diagram). While staff understands that there is an underground irrigation lateral that precludes street trees from being planted in the planting strip, the Applicant should make every effort to ensure that the proposed streetscape is as compliant with the approved NBSP streetscape design as possible.



Compatibility with the Surrounding Context:

While the applicant's written statement addresses many of the NBSP goals and Site Review criteria, due to the modifications being requested to the maximum allowable building height and the third story setbacks special attention should be paid to demonstrating the project's compliance with the NBSP goals and objectives relating to compatibility with the surrounding context and preservation of neighborhood character (please refer to Chapters 5 and 6 of the NBSP). Additional detail on how the project meets the Site Review criteria found under section 9-2-14(h)(2)(F), "Building Design, Livability, and Relationship to the Existing or Proposed Surrounding Area" would also be helpful in addressing these

issues. Any additional graphic representations of the project that provide a visual comparison to other existing or approved developments in the surrounding area (i.e., Violet Crossing) would be very helpful. Staff also recommends exploring the possibility of creating a graphic representation of the project including the neighboring site to the north following redevelopment (i.e., with 35' buildings at 0' setback, etc.) to further support conformance with the "transition area" standards found in the NBSP.

Additional Recommendations:

While overall staff finds this project to be in conformance with the applicable goals and objectives of the NBSP, due to the prominence of the site, the sensitive surrounding context and the concern over the project already expressed by neighbors, **staff recommends holding a neighborhood meeting with members of the North Boulder Subcommunity to receive feedback and discuss potential ways to enhance the project's conformance with the NBSP.**

Building and Housing Codes Kirk Moors, 303-441-3172

Office space of more than 1500 square feet must meet the separate gender bathroom requirements of IBC sec. 2902.2. Lavatories are not permitted within five feet of a water closet sidewall for bathrooms serving a commercial space (ANSI sec. 604.3.2. Kirk Moors 303-441-3172

Drainage Scott Kuhna, 303-441-4071

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.

Flood Control Katie Knapp, 303-441-3273

1. All development within the 100-year floodplain is subject to the city's floodplain regulations and requires the approval of a floodplain development permit. The application must be submitted prior to or concurrently with the building permit submittal and must demonstrate that all requirements set forth in section 9-3-2 through 9-3-6 of the B.R.C. will be met. A draft of the floodplain development permit application should be submitted with the Technical Document submittal.
2. The floodplain development permit shall contain certified drawings demonstrating that:
 - a. The proposed residential buildings will be elevated to the flood protection elevation.
 - b. The proposed mixed-use buildings will be elevated or floodproofed to the flood protection elevation, have structural components capable of resisting projected hydrostatic and hydrodynamic loads and the effects of buoyancy, be constructed with materials resistant to flood damage and have all residential units elevated at or above the flood protection elevation.
 - c. Dry floodproofed structures will remain substantially impermeable to water. Slight seepage may be allowed if the applicant can demonstrate that the resulting damages would be negligible, the seepage could be easily removed, and seepage rates would not exceed an amount which would result in an accumulation of more than four inches of water depth during a 24-hour period.
 - d. Enclosures, such as crawl spaces, below elevated structures shall meet the requirements B.R.C. 9-3-3 (a)(18 and 19) and FEMA Technical Bulletin 1.
 - e. Any proposed structures or obstructions in the floodplain, including trash enclosures and raised planters, will be properly anchored to prevent flotation, collapse, or lateral movement and be capable of resisting hydrostatic and hydrodynamic loads.
 - f. The buildings will be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed and located (by elevating or floodproofing) so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - g. Any proposed surface parking is not projected to flood to a depth greater than 18 inches in the event of a one-hundred year flood.

Miscellaneous Scott Kuhna, 303-441-4071

1. The applicant is notified that any groundwater discharge to the storm sewer system will require both a state permit and a city agreement. The steps for obtaining the proper approvals are as follows:

Step 1 -- Identify applicable Colorado Discharge Permit System requirements for the site.

Step 2 -- Determine any history of site contamination (underground storage tanks, groundwater contamination, industrial activities, landfills, etc.) If there is contamination on the site or in the groundwater, water quality monitoring is required.

Step 3 -- Submit a written request to the city to use the municipal separate storm sewer system (MS4). This submittal should include a copy of the Colorado Department of Public Health and Environment (CDPHE) permit application. The written request should include the location, description of the discharge, and brief discussion of all discharge options (e.g., discharge to MS4, groundwater infiltration, off-site disposal, etc.) The request should be addressed to: City of Boulder, Stormwater Quality, 4049 75th St, Boulder, CO 80301 Fax: 303-413-7364

Step 4 -- The city's Stormwater Quality Office will respond with a DRAFT agreement, which will need to be submitted with the CDPHE permit application. CDPHE will not finalize the discharge permit without permission from the city to use the MS4.

Step 5 -- Submit a copy of the final discharge permit issued by CDPHE back to the City's Stormwater Quality Office so that the MS4 agreement can be finalized.

For further information regarding stormwater quality within the City of Boulder 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.

Open Space Chandler Van Schaack, 303-441-3137

Please note that pursuant to section 9-9-11(f)(6), B.R.C. 1981, in the BMS, MU, IMS and BR-2 zoning districts, individual balconies, decks, porches and patio areas that will not be enclosed count one hundred percent toward the private open space requirement, provided that such balcony, deck, porch or patio is not less than seventy-two inches in any dimension nor less than sixty square feet in total area.

Utilities Scott Kuhna, 303-441-4071

1. Final Utility Construction Plans will be required as part of the Technical Document Review process. All plans shall be in accordance with the City of Boulder *Design and Construction Standards*.
2. All water mains shall be PVC Class 200 AWWA C900 DR14, unless analysis is provided to demonstrate that Class 52 Ductile Iron will not be affected by corrosive soils. Revise the plan as necessary.
3. 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.
4. Maintenance of sand/oil interceptors and all private wastewater and storm sewer lines and structures shall remain the responsibility of the owner.
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 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.
7. 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 counts 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.
8. 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.
9. Trees proposed to be planted shall be located at least 10 feet away from existing or future utility mains and services.

IV. NEXT STEPS

Please revise the project plans as noted herein and submit five sets of revised plans, along with a disk of revised plans in pdf form to a project specialist at the front counter of P&DS. The submittal must be made prior to the start of a three week review track, by 10:00 a.m. on the first or third Monday of the month.

V. CITY CODE CRITERIA CHECKLIST

Case #: LUR2011-00071

Project Name: The Plaza

Date: November 25, 2011

CRITERIA FOR REVIEW

(A “?” indicates that additional information is required)

No site review application shall be approved unless the approving agency finds that:

(1) Boulder Valley Comprehensive Plan:

x (A) The proposed site plan is consistent with the purposes and policies of the Boulder Valley Comprehensive Plan.

The site is located within Boulder in the area governed by the North Boulder Subcommunity Plan which is intended to, “set forth the official vision for the future of the North Boulder Subcommunity” and which provides guidance to implement the goals and policies within the BVCP. In addition, there are a number of BVCP policies that the proposed project is consistent with including:

- **1.21 Jobs: Housing Balance;**

*“Boulder is a major employment center, with more jobs than housing for people who work here. This has resulted in both positive and negative impacts including economic prosperity, significant incommuting, and high demand on existing housing. The city will continue to be a major employment center and will seek opportunities to improve the balance of jobs and housing while maintaining a healthy economy. **This will be accomplished by encouraging new mixed use neighborhoods in areas close to where people work, encouraging transit-oriented development in appropriate locations, preserving service commercial uses, converting industrial uses to residential uses in appropriate locations, and mitigating the impacts of traffic congestion.**”*

As noted in this policy, the city currently has an imbalance in the number of jobs to the number of residential units which results in impacts such as significant in-commuting for jobs. Consistent with this policy, the proposed project will provide 25 new residential units as well as a mix of non-residential uses such as retail, restaurants, office and other services, as well as the provision of a new bus stop on this major transit route.

- **2.13 Support for Residential Neighborhoods;**

“In its community design planning, the city will support and strengthen its residential neighborhoods. The city will seek

appropriate building scale and compatible character of new development or redevelopment, desired public facilities and mixed commercial uses, and sensitively designed and sized rights-of way”.

The proposed project is in keeping with this policy in that it provides 25 new residential units, draws from the architectural character of the surrounding area, provides new public facilities such as a new bus stop, sidewalks and open space areas, and provides a mix of uses to enhance and serve the surrounding neighborhood.

- Policy 2.31 Commitment to a Walkable City;

The proposed development includes adding new detached sidewalks along both Broadway and Violet Ave. as well as pedestrian paths circulating through the residential portion of the project. Overall, the project will improve the walkability of that portion of Broadway and will provide linkages to public transit as well as off-site pedestrian/ bicycle facilities. Also, its proximity to the Uptown Broadway development will further encourage residents to walk to nearby services.

- Policy 2.32 Trail Corridor/Linkages;

This project will provide a new sidewalk along Broadway that will link to the existing Four Mile Creek multi-use path to the north. The project will also provide a new bus stop, which will facilitate multi-modal travel and enhance connectivity to existing nearby trails and linkages.

- Policy 2.39 Sensitive Infill and Redevelopment;

The proposed project is a re-development of an existing under-utilized industrial service parcel, and furthermore is consistent with the desired future land use of the area as set forth in the NBSP. The project will take what is currently somewhat of an eyesore and redevelop it to complement and enhance the surrounding area, including the Violet Crossing development to the east as well as Uptown Broadway development to the north.

- Policy 6.13 Neighborhood Street Connectivity;

As mentioned in the response to Policy 2.32 above, the project will add new detached sidewalks along Broadway and Violet Ave., and will provide a pedestrian linkage through the site from 10th St. to Broadway. The net effect of the project will be to substantially increase connectivity in the area to the northwest of the intersection of Broadway and Violet Ave.

- Policy 7.06 Mixture of Housing Types;

The proposal includes adding twelve new duplex units as well as thirteen new apartment and loft-style units over commercial uses. These new residential units will add diversity to the existing housing stock in the surrounding area, which includes mainly single-family detached dwellings as well as mobile homes and multi-family attached units. In conjunction with the commercial uses, the new units will help achieve the goal for the area set forth in the NBSP to provide “a mixed use transition from the Village Center to neighborhoods in the surrounding areas.”

North Boulder Subcommunity Plan (NBSP): The project site is located within the boundaries of the NBSP Plan which sets forth the official vision for the future of the North Boulder Subcommunity and is the basis for decisions regarding the long-term preservation and development of North Boulder. The NBSP provides specific actions to be carried out by the City, other public agencies, and the private sector related to future development. The NBSP was also the basis for re-zoning of a portion of North Boulder in 1997 and establishes a street and pedestrian/ bicycle network. The Plan was adopted by Planning Board and City Council in 1995. It was amended in 1996 and 1997 in relation to the Village Center boundaries and Crestview East and West annexation conditions.

Within the NBSP the western portion of the site is designated as residential and the eastern portion along Broadway is designated as “Mixed Use Transition to Adjacent Residential.” Page 17 of the NBSP defines “Mixed Use Transition to Adjacent Residential” as a transition area (between Business Main Street uses and adjacent Residential areas) “with residential and office uses, neighborhood serving restaurants, and personal service uses in a pedestrian-oriented pattern with buildings located close to the street and parking in the rear.”

Key concepts on pg. 15 of the NBSP related to the project site include establishing:

- a mixed use transition from the Village Center to neighborhoods in the surrounding areas that incorporates residential and office uses, neighborhood serving restaurants, and personal service uses;
- pedestrian-oriented, appropriately-scaled neighborhood centers that provide goods and services for neighborhood needs;
- a small amount of non-service office by use review in neighborhood commercial centers in order to encourage mixed uses and reduce vehicle trips; and
- a pedestrian-oriented pattern with buildings located close to the street and parking in the rear.

 x (B) The proposed development shall not exceed the maximum density associated with the Boulder Valley Comprehensive Plan residential land use designation. Additionally, if the density of existing residential development within a three hundred-foot area surrounding the site is at or exceeds the density permitted in the Boulder Valley Comprehensive Plan, then the maximum density permitted on the site shall not exceed the lesser of:

The BVCP Land Use designation for the eastern portion of the site zoned RM-1 is medium density residential, with a permitted density of six to fourteen units per acre. The twelve units proposed for the 1.32-acre RM-1 portion of the site result in a net density of 9 dwelling units per acre, which is within the permitted range.

The proposal for the RM-1 portion of the site is also compliant with the intensity standards for the RM-1 zoning district as set forth in Section 9-8-1, "Intensity Standards," B.R.C. 1981, which requires a minimum of 3,000 square feet of open space for each dwelling unit.

For the Mixed Use Business portion of the site, the Comprehensive Plan defers to zoning for density and states,

"Mixed Use Business development may be deemed appropriate and will be encouraged in some business areas. Business character will predominate although housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses."

The proposal for the MU-2 portion of the site is mostly compliant with Section 9-8-1, B.R.C. 1981, which sets forth a maximum floor area ratio (FAR) for the RM-1 zone district of 0.6 and requires a minimum of 15% open space on lots, however the project currently does not meet the requirement to include 60 square feet of private open space per dwelling unit (*please see 'Open Space' comments above*).

There are 3 mixed-use buildings proposed for the 1.17-acre MU-2 portion of the site, which are comprised of 17,215 square feet of residential floor area split between thirteen new residential units as well as 13,270 square feet of commercial floor area that includes retail, restaurant and office uses, resulting in a total floor area of 30,485 square feet and a 0.6 FAR.

There is also 17,187 square feet of open space proposed for the mixed-use portion of the project, equal to 33.8% of the area of the MU-2 portion of the site.

 n/a (i) The density permitted in the Boulder Valley Comprehensive Plan, or,

 n/a (ii) The maximum number of units that could be placed on the site without waiving or varying any of the requirements of Chapter 9-8, "Intensity Standards," B.R.C. 1981.

 x (C) The proposed development's success in meeting the broad range of BVCP policies considers the economic feasibility of implementation techniques require to meet other site review criteria.

The applicant is acknowledged by staff for their providing a project that is consistent with the site review criteria during challenging economic times. Given the site constraints related to flooding and drainage as well as the split-zoning, it is understood that provision of streetscape elements, pedestrian connections, public/private open space amenities and other development components consistent with the North Boulder Subcommunity Plan is laudable given the challenging economic climate.

(2) Site Design: Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, and its physical setting. Projects should utilize site

design techniques which enhance the quality of the project. In determining whether this Subsection is met, the approving agency will consider the following factors:

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

There are a variety of open space areas within the proposed project including:

- **A large pocket park on the RM-1 portion of the site, approximately 7,150 square feet in area and enclosed by a pedestrian path providing access from the surrounding Duplex units as well as Violet Ave.;**
- **A landscaped courtyard area between the two southern mixed-use buildings that will provide seating and other amenities and will be easily accessible from Broadway;**
- **Landscaped sidewalk areas along Broadway and Violet Ave. as well as landscaped pedestrian pathways within the development.**

? (i) Useable open space is arranged to be accessible and functional;

The proposed project includes 53,440 square feet (49.3 percent of the net site area) as open space.

The RM-1 portion of the site includes 36,253 square feet of open space (63.1 percent of the net area of the RM-1 portion). As noted by the applicant, the primary open space feature in the RM-1 project area is “a courtyard pocket park which, along with detention provisions, will serve as a multiuse open space for gathering, socializing, gardening, etc.” The pocket park can be accessed from Violet Ave., and a pedestrian path provides access to the park from 10th St. as well as the Mixed Use buildings along Broadway Ave.

The MU-2 portion of the site includes 17,187 square feet of open space (33.8 percent of the net area of the MU-2 portion), the focal point of which is a courtyard space proposed between Buildings B and C. Per the applicant’s written statement, this courtyard will include “many plantings (including living walls) and a fountain to soften the traffic noise of Broadway.” The courtyard will also provide “outdoor seating for the restaurants, a gathering space for the businesses nearby, and a place of rest for pedestrians. Access to the elevator and stairs to the lofts above is also gained through this courtyard, contributing to an active environment.”

Certain issues require clarification before this project can be found to be fully compliant with this requirement. Please see ‘Open Space’ comments above for staff recommendations regarding improvement of open space functionality and connectivity.

n/a (ii) Private open space is provided for each detached residential unit;

All of the proposed residential units are attached units; however, each of the townhouse units has one porch with direct access from the street and a second one that either fronts the park, side street or side yards. Gardens areas will be also provided surrounding the foundations of the duplexes with the intent for the homeowner to add to the plants provided.

x (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;

Currently there are many weed trees and older cottonwoods on the site, none of which are planned to be preserved at this time. There are no significant plant communities, threatened and endangered species and habitat or existing ground and surface water, wetlands riparian area or drainage areas on this site to be preserved.

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

Within the development, landscaped pathways, a residential pocket park, and a mixed-use outdoor courtyard would provide appropriate relief to the density. Additional relief to the project's density can be found in landscaped parking lot islands as well as a 25' drainage easement along the northern portion of the residential half of the site that will be landscaped with native grasses, trees and a 6' privacy fence to buffer these units from the adjacent property.

As noted above, approximately 63 percent of the RM-1 portion of the site is made up of open space. The proposed pocket park is visible and accessible from Violet Ave., and is also served by a pedestrian path connecting the park to 10th St. as well as the Mixed Use buildings along Broadway Ave. Additionally, the detached 6' sidewalk along Violet will extend pedestrian access into the neighborhood and provide access to the Waldorf School across 10th Street, and the landscaped setback along the southern edge of the duplexes would exceed code requirements, providing relief from the density to surrounding development.

The proposed courtyard space on the eastern half of the site will provide a relief to the urban feel of the mixed use buildings along Broadway and Violet, and will contribute to a human scale and pleasing pattern and rhythm on the street as anticipated in the North Boulder Sub Community Plan. In addition, the planters integrated into the streetscape and buildings along Broadway will soften the street edge and provide for a unique sidewalk while making the development welcoming to pedestrians.

 x (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;

The proposed pocket park is over 7,000 square feet in size, which is ample space for limited active recreation. The park is surrounded by eight duplex units, and is easily accessible from the other units via a landscaped pathway.

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

While there are no sensitive environmental features or natural areas of note on this site, the pocket park is also serving as the project's Water Quality pond. On the north side of the townhomes is a 25' drainage easement that will be landscaped with native grasses, trees and a 6' privacy fence to buffer these units from the adjacent property.

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

The proposal includes a two tiered walkway along Broadway with a planting strip along the street, a 10' public multi-use path, raised planters and a second 5'-7' walk along the storefronts. This will provide a new connection between the existing Broadway sidewalk to the south of the property and the existing Four Mile Creek multi-use trail that runs parallel with the northern edge of the property.

 x (B) *Open Space in Mixed Use Developments (Developments that contain a mix of residential and non-residential uses)*

 ? (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

Most residential units have private open space for their use, however, there are three units that currently do not meet the open space standards set forth in section 9-9-11, B.R.C. 1981. Please see 'Open Space' comments above for further information.

In addition, the pocket park and outdoor courtyard provide ample open space for use of the residents and the greater neighborhood. This results in an appropriate balance for residents and visitors to the property.

 x (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.

The central courtyard will provide an active, animated environment during outdoor dining times and a quiet gathering place during less busy times. The pocket park is meant to provide flexible open space with a large area of turf in the center of the park with boulders and planting on the bermed areas next to the walks.

As mentioned above, the sidewalk along Broadway will improve connectivity to the Four Mile Creek multi-use path, which is consistent with the NBSCP goal to provide connections to existing and future pedestrian and bike path systems.

The pocket park will also serve to address several of the groundwater quality goals of the NBSP, including minimizing surface pavement in areas of high groundwater recharge, particularly in high hazard flood zones and floodplains.

2.2(C) Landscaping

Please note that several issues have been raised in the 'Landscaping' comments above. The comments below are thus preliminary in nature and will likely change following resubmittal.

2.2(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;

According to the applicant, the specific landscape materials chosen for the development will emphasize a variety of colors, textures and forms to provide year-round interest. Because the site is largely developed with minimal existing landscaping, the use or protection of the existing materials will be prohibitive.

Among the major landscape objectives described by the Applicant are the following:

- Provide an attractive urban streetscape along Broadway and Violet Ave and a more residential neighborhood style on the western portion of Violet and on 10th Street;
- Visually enhance the architectural features on the corners and entries into the project;
- Provide pedestrian areas in the courtyard, additional walkway along the storefronts, pocket park and pedestrian connection from Broadway thru to 10th Street;
- Screen, and break up the parking with landscape areas, trees to provide shade; and
- Provide enclosed areas for trash and recycling.

Currently, the project does not meet all applicable landscaping and screening standards, and additional information has been requested on the proposed planting and hardscape materials. Please see the 'Landscaping' comments above.

2.2(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;

There are no important native species, plant communities of special concern, threatened and endangered species and habitat on this site. The proposal includes a landscape palette of xeri and adaptive plants that work well in the North Boulder micro-climate.

2.2(iii) The project provides significant amounts of plant material sized in excess of the landscaping requirements of Section 9-9-10, "Landscaping and Screening Standards" and Section 9-9-11, "Streetscape Design Standards," B.R.C. 1981; and

The plan will provide the plant material as sized by code however, the applicant plans to exceed the amount required by providing additional trees and landscaping in the parking lot and on the western side of the mixed use buildings. Additional trees and landscaping are also proposed in the raised planters along the back of the public walk along Broadway.

Please see 'Landscaping' comments above for suggestions regarding tree size and type in relation to the proposed right-of-way along Broadway.

In the Residential portion of the project, the applicant is proposing to continue the shrub plantings within the planting strip. There is an underground irrigation lateral that precludes street trees, so they are proposed for behind the walk where they will help buffer the residential units from the street.

Large trees will be installed along the edges of the pocket park to provide shade to the open areas and smaller ornamental trees are shown along the pedestrian walkway.

 ?(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.

In general, the proposed streetscapes are well designed and compliant with this standard; however, there have been several issues identified relating to the proposed right-of-way dimensions as well as the setback standards that apply to each property line that may require revisions to the current streetscape proposals.

In general, the proposed streetscapes are consistent with the North Boulder Subcommunity Plan. In addition, the grade change on the eastern edge of the site has allowed an opportunity to create a two tiered walkway along Broadway with a planting strip along the street, a public multi-use path, raised planters and a second 5'-7' walk along the storefronts. The public courtyard will have vertical gardens, water features, seating and small trees and shrub beds.

Please see 'Landscaping' comments above for additional information requested regarding proposed right-of-way dimensions.

Along Violet Ave. the project plans illustrate a 6' planting strip along the street and street trees along the back of walk, creating a rhythmic streetscape for pedestrians and providing shading, screening and buffering for the residents. In addition, the residential duplex units will have a garden landscape installed with the opportunity for homeowners to individualize their gardens and enhance the diversity of the streetscape. Finally, the pocket park and pedestrian connection from 10th to Broadway will be landscaped with a mix of large and smaller, ornamental trees to further enhance the streetscape and provide a welcoming environment for pedestrians.

Please also see 'Zoning' comments above for information on setbacks and yard classifications.

 ?(D) **Circulation:** Circulation, including, without limitation, the transportation system that serves the property, whether public or private and whether constructed by the developer or not:

 (i) High speeds are discouraged or a physical separation between streets and the project is provided;

There is currently an existing 20' access lane providing access to the industrial site to the northwest which will be maintained; however, other than that there are no new through streets proposed for the site, so traffic speeds should be minimal. In addition, the tree lawn and sidewalks in the RM-1 zone and the wide, multi use sidewalk and adjacent walkway in front of the mixed use buildings in the MU-2 zone provide a safe physical separation from automobile traffic.

 (ii) Potential conflicts with vehicles are minimized;

The buildings and parking areas have been laid out to assure slow speeds, thereby minimizing pedestrian/vehicular conflicts and lessening the effect of automobile noise. By providing detached sidewalks as described in the response to Criterion (C)(iv) above and providing additional trees and other landscaping materials along the western edge of the mixed use buildings, potential conflicts between pedestrians and vehicles traveling both on and off-site will be minimized.

 ?(iii) Safe and convenient connections accessible to the public within the project and between the project and existing and proposed transportation systems are provided, including, without limitation, streets, bikeways,

pedestrian ways and trails;

Pedestrian and bicycle connections have been included in the proposed project site to encourage alternate mode use. The new detached sidewalks along Broadway will connect to the existing Four Mile Creek multi-use path to the north. In addition, a new bus stop with bike racks and seating is proposed in front of Building B, which will provide residents of the development and surrounding area with access to the SKIP and 204 bus routes along Broadway.

Within the project, there is an opportunity for improved connectivity, as the proposed pedestrian path running through the duplex units and pocket park from 10th St. to the mixed use buildings does not connect directly through the park but rather leads around the park to the sidewalk along Violet Ave. to the south. Please see 'RM-1' comments under 'Open Space' comments above.

 x (iv) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single-occupant vehicle;

The project's proximity to multiple major bus lines as well as its location within the burgeoning North Broadway corridor in North Boulder both promote alternatives to single occupancy vehicle travel. The new bus stop proposed along Broadway will make travel to and from the mixed use buildings by bus safe and convenient, and the detached sidewalks along Broadway will connect to the existing sidewalk and multi-use path to the north, making walking or biking to nearby shops, restaurants, employment centers, open space, etc. easy and safe.

The paving, shade trees, planters, benches and bike racks all will reinforce the pedestrian-friendly character beginning to develop in this streetscape and will enhance the area around the bus stop. Bike racks and benches will be conveniently located throughout the site and will encourage bicycle use.

 ? (v) Where practical and beneficial, a significant shift away from single-occupant vehicle use to alternate modes is promoted through the use of travel demand management techniques;

The Transportation Demand Management Plan submitted by the Applicant is insufficient for reviewing the proposed travel demand management techniques. The applicant will be required to be involved in the City of Boulder and RTD's ECO Pass Program. Please see "Access/Circulation" comments above.

 x (vi) On-site facilities for external linkage are provided with other modes of transportation, where applicable;

A bus stop is proposed on the south side of the main entrance off Broadway. There are also multiple pedestrian access points into the site from the perimeter streets. A pedestrian path has been provided that will provide access from the duplex units to 10th Street and the Mixed use buildings. The site is highly connected being along a major bus route and is close to a primary multi-use path. Bike racks are conveniently located at several points along the perimeter of the project as well as at key points within the project to encourage usage.

Residents should be informed of the recreational and commercial amenities proximate to the site and the walkable routes to these locations

 x (vii) The amount of land devoted to the street system is minimized; and

The amount of land dedicated to the street system is minimal due to careful and efficient placement of buildings and parking areas. No internal streets are being dedicated as part of this project.

 x (viii) The project is designed for the types of traffic expected, including, without limitation, automobiles, bicycles, and pedestrians, and provides safety, separation from living areas, and control of noise and exhaust.

The site location was utilized to provide separate entrances on two separate streets; thus reducing the traffic impacts and accessibility needs to one particular public City street. Garages have been incorporated into the rears of the duplex buildings. Traffic entering and leaving the townhomes in the RM-1 zone do so using an alley between the townhomes and a shared drive that also serves the MU-2 zone buildings.

(E) Parking

Note: The parking for the MU-2 portion of the site as currently shown does not meet the parking standards as set forth in section 9-9-6, B.R.C. 1981. All of the proposed spaces are below the minimum required stall size. Significant reconfiguration of the parking layout will likely be required in order to meet parking and landscaping standards. Please see "Parking" comments above for further information.

(i) The project incorporates into the design of parking areas measures to provide safety, convenience, and separation of pedestrian movements from vehicular movements;

Landscape islands have been provided, but currently they do not meet interior parking lot screening standards. Please see comment #2 under "Landscaping" above.

(ii) The design of parking areas makes efficient use of the land and uses the minimum amount of land necessary to meet the parking needs of the project;

(iii) Parking areas and lighting are designed to reduce the visual impact on the project, adjacent properties, and adjacent streets; and

It is unclear at this point the extent to which the parking lot will be lighted. Please see "Lighting" comments above.

(iv) Parking areas utilize landscaping materials to provide shade in excess of the requirements in Subsection 9-9-6(d), "Parking Area Design Standards," and Section 9-9-12, "Parking Lot Landscaping Standards," B.R.C. 1981.

See response to (i) above.

(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 area encompassed in the NBSP has changed over the past number of decades from a largely rural area with a mix of residential and service or industrial uses to nodes of more urban mixed use neighborhoods, guided by the North Boulder Subcommunity Plan (NBSP) and the zoning put in place to implement the plan.

Reflecting these changes, the character of the area surrounding the project site is eclectic. The Waldorf School surrounds the site on the south and west, and beyond that to the south and southeast of the site are established residential neighborhoods with predominately "traditional" single family building scale and style. To the north is a mobile home park and industrial service shopping center, and further north and across Broadway is the Uptown Broadway development that has larger buildings with a more contemporary style. Directly across the street is the site of the recently approved Violet Crossing development, which will incorporate a north-south transition from three to two-story buildings, creating an urban edge and street face that is compatible with the mixed use buildings at Uptown Broadway while utilizing materials that are compatible with the adjacent single family neighborhood.

The proposed mixed use buildings along Broadway will complement the north-south "transition" characterizing Violet Crossing by incorporating two three-story buildings on the north side of the site and stepping down to a two-story building holding the corner at Broadway and Violet. Set opposite Violet Crossing, the mixed use buildings along Broadway will complete the transitional gateway from the

residential neighborhoods to the south into the more urban character of Uptown Broadway. The duplex buildings to the west, ranging from 31' to 33' in height, will further support the horizontal transition from higher intensity uses along Broadway to the more traditional single family residential character of the adjacent neighborhoods.

 x (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;

While the height of the mixed use buildings is greater than the approved plans for Violet Crossing, which include two 35' three-story buildings on the north side of the site fronting Broadway and two two-story buildings on the south side, staff finds that the project maintains general proportionality to Violet Crossing. Similarly to Violet Crossing, the scaling down of the Broadway buildings from 3-stories to 2-stories from north to south provides a transition from the high density mixed-use Uptown Broadway neighborhood to the north to the single family character south of Violet Avenue.

The property immediately to the north of the subject site is zoned also zoned MU-2, although the property currently contains a mix of industrial service uses with relatively low building heights. Upon redevelopment of this property it is likely that the building height will be increased to 35' and that buildings will be brought forward to a 0' setback from Broadway.

The area further to the north across Four Mile Creek is zoned BMS. The BMS zone allows for 3-story buildings with a 38' maximum building height, so it is likely that redevelopment of the site to the north will include higher intensity uses similar to those found in Uptown Broadway. Upon redevelopment of the area to the north the transition function intended for the subject site will be enhanced even further.

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

The buildings have been oriented to minimize shadows on and blocking views of adjacent properties; however, a height modification has been requested to allow for the two northern mixed use buildings to exceed the 35' maximum height limit, therefore, the shadows cast by these buildings will be slightly greater than would be cast by the 25' solar fence.

 ? (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;

Additional information on the proposed landscaping and lighting has been requested. Please see 'Landscaping' and 'Lighting' comments above.

As stated above, the character of the area surrounding the project site is eclectic. Taking this into consideration, the project incorporates high quality building materials and landscaping, and minimizes the use of unnecessary color or lighting.

As stated by the Applicant, the character of the townhomes reflects the residential character of the North Boulder area by portraying a contemporary character utilizing smaller scale massing than the mixed use buildings and residential materials such as cementitious siding, stucco, and stone.

 x (v) Buildings present an attractive streetscape, incorporate architectural and site design elements appropriate to a pedestrian scale, and provide for the safety and convenience of pedestrians;

According to the applicant, the character of the three Mixed Use buildings fronting Broadway and Violet is "derived from the North Boulder context based on an urban typology using substantial materials such as brick, masonry, and storefront along the street and transitioning to stucco and rain screen siding on the upper stories. The bay pattern, massing, and play of transparent and opaque materials along the street provide for a pleasing rhythm at the pedestrian level. This is reinforced by the transition in material and form from the ground floor to the second floor which provides for a human scale to the buildings; a streetscape anticipated in the North Boulder Sub Community Plan."

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

The project will provide a new bus stop on Broadway Ave., and will also provide a public courtyard between the southern mixed use buildings. Additional new public amenities include sidewalks along Broadway and Violet as well as a small pocket park in the RM-1 portion of the site.

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

The residential component of the project provides twelve townhouse units, and the mixed-use portion of the project provides 13 apartment and loft-style units. Overall, the project adds a variety of housing types not currently found in the immediate area which will conform to the zoning for each portion of the property as well as the intent of the land use designations found in the NBSP.

x **(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;

The Residential portion of the project utilizes adequate spacing, landscaping and building materials to minimize noise both on and off-site.

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

A lighting plan is required. Please see 'Lighting' comments above.

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

Please see response to Criterion (C)(vi) above.

x **(xi)** 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 proposal incorporates the natural grade change on the site into the design of the buildings and open space amenities. The existing grade change on the site presents several constraints that the applicant has addressed through creative use of landscaping and site design. While certain modifications may be necessary to address drainage issues, overall the proposal is a good example of utilizing creative design solutions to avoid excessive cutting and filling.

x **(G) Solar Siting and Construction:** For the purpose of ensuring the maximum potential for utilization of solar energy in the city, all applicants for residential site reviews shall place streets, lots, open spaces, and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

x **(i) Placement of Open Space and Streets:** Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.

All buildings along Violet Ave. will have access to both active and passive solar system integration, and the mixed use buildings along Broadway are designed to allow for active solar system integration.

x **(ii) Lot Layout and Building Siting:** Lots are oriented and buildings are sited in a way which maximizes the solar potential of each principal building.

Lots are designed to facilitate siting a structure which is unshaded by other nearby structures. Wherever practical, buildings are sited close to the north lot line to increase yard space to the south for better owner control of shading.

By orienting the townhomes on an east-west axis and providing flat roofs on the mixed-use buildings the potential for active solar systems to be incorporated into the buildings by future tenants is maintained. The irregular shape of the lot make sit so that siting buildings close to the northern property lines is impractical.

 x (iii) Building Form: The shapes of buildings are designed to maximize utilization of solar energy. Buildings shall meet the solar access protection and solar siting requirements of Section 9-9-17, "Solar Access," B.R.C. 1981.

The RM-1 portion of the site is located in Solar Access Area II, which sets a shadow limit equal to or less than 25 foot solar fence, and the MU-2 portion of the site is located in Solar Access Area III, which does not incorporate a solar fence. Both portions of the site are compliant with the respective solar access regulations.

 x (iv) Landscaping: The shading effects of proposed landscaping on adjacent buildings are minimized.

None of the proposed landscaping appears to present any significant shading impacts to adjacent properties.

n/a **(H) Additional Criteria for Poles Above the Permitted Height:** No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

Not Applicable. No poles above the permitted height are being proposed.

n/a **(i)** The light pole is required for nighttime recreation activities, which are compatible with the surrounding neighborhood, or the light or traffic signal pole is required for safety, or the electrical utility pole is required to serve the needs of the city; and

n/a **(ii)** The pole is at the minimum height appropriate to accomplish the purposes for which the pole was erected and is designed and constructed so as to minimize light and electromagnetic pollution.

n/a **(I) Land Use Intensity Modifications**

Not Applicable. No modifications to the land use intensity standards are being proposed.

n/a **(i) Potential Land Use Intensity Modifications:**

(a) The density of a project may be increased in the BR-1 district through a reduction of the lot area requirement or in the Downtown (DT), BR-2, or MU-3 districts through a reduction in the open space requirements.

(b) The open space requirements in all Downtown (DT) districts may be reduced by up to one hundred percent.

(c) The open space per lot requirements for the total amount of open space required on the lot in the BR-2 district may be reduced by up to fifty percent.

(d) Land use intensity may be increased up to 25 percent in the BR-1 district through a reduction of the lot area requirement.

n/a (ii) *Additional Criteria for Land Use Intensity Modifications*: A land use intensity increase will be permitted up to the maximum amount set forth below if the approving agency finds that the criteria in Subsection (h)

“Criteria for Review” of this Section and following criteria have been met:

(a) *Open Space Needs Met*: The needs of the project's occupants and visitors for high quality and functional useable open space can be met adequately;

(b) *Character of Project and Area*: The open space reduction does not adversely affect the character of the development nor the character of the surrounding area; and

(c) *Open Space and Lot Area Reductions*: The specific percentage reduction in open space or lot area requested by the applicant is justified by any one or combination of the following site design features not to exceed the maximum reduction set forth above:

(i) Close proximity to a public mall or park for which the development is specially assessed or to which the project contributes funding of capital improvements beyond that required by the parks and recreation component of the development excise tax set forth in Chapter 3-8, "Development Excise Tax," B.R.C. 1981: maximum one hundred percent reduction in all Downtown (DT) districts and ten percent in the BR-1 district;

(ii) Architectural treatment that results in reducing the apparent bulk and mass of the structure or structures and site planning which increases the openness of the site: maximum five percent reduction;

(iii) A common park, recreation, or playground area functionally useable and accessible by the development's occupants for active recreational purposes and sized for the number of inhabitants of the development, maximum five percent reduction; or developed facilities within the project designed to meet the active recreational needs of the occupants: maximum five percent reduction;

(iv) Permanent dedication of the development to use by a unique residential population whose needs for conventional open space are reduced: maximum five percent reduction;

(v) The reduction in open space is part of a development with a mix of residential and non-residential uses within an BR-2 zoning district that, due to the ratio of residential to non-residential uses and because of the size, type, and mix of dwelling units, the need for open space is reduced: maximum reduction fifteen percent; and

(vi) The reduction in open space is part of a development with a mix of residential and non-residential uses within an BR-2 zoning district that provides high quality urban design elements that will meet the needs of anticipated residents, occupants, tenants, and visitors of the property or will accommodate public gatherings, important activities, or events in the life of the community and its people, that may include, without limitation, recreational or cultural amenities, intimate spaces that foster social interaction, street furniture, landscaping, and hard surface treatments for the open space: maximum reduction 25 percent.

n/a (J) *Additional Criteria for Floor Area Ratio Increase for Buildings in the BR-1 District*

Not Applicable, as the site is located in the RM-1 and MU-2 zone districts.

n/a (i) *Process*: For buildings in the BR-1 district, the floor area ratio ("FAR") permitted under [Section 9-7-1](#), "Schedule of Form and Bulk Standards,"

B.R.C. 1981, may be increased by the city manager under the criteria set forth in this Subsection.

n/a (ii) *Maximum FAR Increase*: The maximum FAR increase allowed for buildings thirty-five feet and over in height in the BR-1 district shall be from 2:1 to 4:1.

n/a (iii) *Criteria for the BR-1 District*: The FAR may be increased in the BR-1 district to the extent allowed in paragraph (ii) of this Subsection if the approving agency finds that the following criteria are met:

(a) Site and building design provide open space exceeding the required useable open space by at least ten percent: an increase in FAR not to exceed 0.25:1.

(b) Site and building design provide private outdoor space for each office unit equal to at least ten percent of the lot area for buildings 25 feet and under and at least 20 percent of the lot area for buildings above 25 feet: an increase in FAR not to exceed 0.25:1.

(c) Site and building design provide a street front facade and an alley facade at a pedestrian scale, including, without limitation, features such as awnings and windows, well-defined building entrances, and other building details: an increase in FAR not to exceed 0.25:1.

(d) For a building containing residential and non-residential uses in which neither use comprises less than 25 percent of the total square footage: an increase in FAR not to exceed 1:1.

(e) The unused portion of the allowed FAR of historic buildings designated as landmarks under Chapter 9-11, "Historic Preservation," B.R.C. 1981, may be transferred to other sites in the same zoning district. However, the increase in FAR of a proposed building to which FAR is transferred under this paragraph may not exceed an increase of 0.5:1.

(f) For a building which provides one full level of parking below grade, an increase in FAR not to exceed 0.5:1 may be granted.

? (K) Additional Criteria for Parking Reductions: The off-street parking requirements of [Section 9-7-1](#), "Schedule of Form and Bulk Standards," B.R.C. 1981, may be modified as follows:

x (i) *Process*: The city manager may grant a parking reduction not to exceed fifty percent of the required parking. The planning board or city council may grant a reduction exceeding fifty percent.

The applicant is requesting an 18 percent parking reduction, although staff's analysis (included in responses to 'parking' criteria above) indicate that the requested reduction is in fact approximately 36%.

? (ii) Criteria: Upon submission of documentation by the applicant of how the project meets the following criteria, the approving agency may approve proposed modifications to the parking requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, if it finds that:

Additional documentation is required to demonstrate compliance with the following criteria. Please see 'Traffic Impact Analysis' and 'Travel Demand Management' comments above under "Access/ Circulation" comments above.

(a) For residential uses, the probable number of motor vehicles to be owned by occupants of and visitors to dwellings in the project will be adequately accommodated;

(b) The parking needs of any non-residential uses will be adequately accommodated through on-street parking or off-street parking;

(c) A mix of residential with either office or retail uses is proposed, and the parking needs of all uses will be accommodated through shared parking;

(d) If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs; and

(e) If the number of off-street parking spaces is reduced because of the nature of the occupancy, the applicant provides assurances that the nature of the occupancy will not change.

9-6(L) Additional Criteria for Off-Site Parking: The parking required under Section 9-9-6, "Parking Standards," B.R.C. 1981, may be located on a separate lot if the following conditions are met:

9-6(L)(i) The lots are held in common ownership;

9-6(L)(ii) The separate lot is in the same zoning district and located within three hundred feet of the lot that it serves; and

9-6(L)(iii) The property used for off-site parking under this Subsection continues under common ownership or control.

VI. Conditions On Case

Draft conditions of approval will be provided prior to issuance of a Disposition of Approval.



CITY OF BOULDER
Community Planning & Sustainability

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CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **January 23, 2015**
CASE MANAGER: **Chandler Van Schaack**
PROJECT NAME: **THE PLAZA**
LOCATION: **4403 N BROADWAY**
COORDINATES: **N08W07**
REVIEW TYPE: **Site and Use Review**
REVIEW NUMBER: **LUR2011-00071**
APPLICANT: **Jeff Dawson**
DESCRIPTION: **SITE AND USE REVIEW: Revisions to Site & Use Review proposal to construct a mixed-use development including 6 residential duplexes (12 units total), and 3 mixed-use buildings with 16 attached residential units above 9,359 sq. ft. of office and restaurant space.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS:

- **Section 9-9-6, “Parking Standards”** – 11% parking reduction to allow for 56 parking spaces where 62 are required per the MU-2 zone district standards,
- **Section 9-7-1, “Form and Bulk Standards”** – Modification of maximum number of stories from 2 to 3 for buildings in MU-2 zone, and
- **Section 9-7-1, “Form and Bulk Standards”** – Height modification to allow mixed-use building to reach up to 45’ in height and residential duplexes to reach up to 39’6” in height where 35’ is the maximum height permitted by the zoning.

I. REVIEW FINDINGS

Overall, staff finds the current proposal to be an improvement over the initial submittal, particularly in terms of architecture. While some of the issues previously identified by staff have been addressed, there are still significant issues with the proposal, particularly in terms of site access, right-of-way treatment and drainage, which will require a revision-level resubmittal. Therefore, once the comments below have been addressed, please submit **seven (7) hard copies of the revised plan set along with digital copies of the plans in pdf form** at the front desk of the P&DS Service Center prior to the start of a three-week review track.

As some of the issues identified herein may result in significant changes to the site and building layout, staff recommends meeting prior to resubmittal to discuss possible design options. Please contact the Case Manager, Chandler Van Schaack, at vanschaack@bouldercolorado.gov or 303-441-3137 with any questions or to set up a meeting.

II. CITY REQUIREMENTS

Access/Circulation David Thompson, 303-441-4417

1. Pursuant to section 9-9-8 of the Boulder Revised Code, 1981, the North Boulder Sub-Community Plan and section 2.11 of the City of Boulder Design and Construction Standards (DCS), the applicant is responsible for constructing a 5-foot bike lane (exclusive of the curb pan) on the north side of Violet Avenue between Broadway and 10th Street. Staff can support constructing a 10-foot detached multi-use path on the north side of Violet Ave in-lieu of a bike lane given the existing student pedestrian/bike traffic associated with the Shining Mountain Waldorf School.
2. Pursuant to section 9-9-5(c)(1) of the Boulder Revised Code, 1981, staff does not support two curb cuts on Violet Ave to serve the site because the additional curb cut creates additional conflict points between vehicles and pedestrians / bicyclists that include students traveling to Shining Mountain Waldorf School. Please revise the site plan to eliminate a curb cut on Violet Avenue and centrally locate the other curb cut on Violet Ave to provide better traffic circulation.

3. Staff does not concur with the proposed Transportation Demand Management (TDM) Plan for the project and its effectiveness to shift individuals away from single-occupancy vehicles to other alternate modes of transportation or in support of the requested 11% parking reduction. Please contact David Thompson to schedule a meeting regarding the project's TDM Plan.
4. Please revise the layout of the bike racks for the transit stop from end-to-end to side-by-side in order to provide space for the bench and boarding area.
5. Consistent with the low-stress network bike lane network discussed in the adopted TMP and consistent with staff's review comments on other development projects in North Boulder, please revise the site plan to show a 5-foot bike lane (exclusive of the curb pan) with a 2-foot buffer for a grand total of a 7-foot bike lane facility on Broadway between the southbound through lane and the on-street parking / curb-and-gutter.
6. Please revise the parking charts on Sheet SR-A1.01 to include a table showing the required and proposed number of long-term and short-term bicycle spaces. Note that the current bicycle parking standards are found in [Table 9-8](#), section 9-9-6(g), B.R.C. 1981.
7. In support of the project's TDM Plan, the applicant is encouraged to provide additional long-term and short-term bicycle parking.
8. Please revise the site plan to include a cross-section of Broadway in order to ensure the required right-of-way is being provided along Broadway and adjacent to the site.
9. Consistent with the Guide to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) Manual, an assessable space must be provided in the parking area behind Building "C".
10. Please revise the site plans to show the dedication of a public access easement for the shared access drive. A public access easement must also be dedicated for the drive isle between the garages and parking stalls in order to provide future access to the property to the north in the future.
11. Pursuant to Section 9-9-9 of the Boulder Revised Code, 1981 please revise the site plan to show the off-street loading spaces for the proposed restaurants.
12. The eight-foot sidewalk on Broadway must be extended to the north property line and include an adjacent triangular sidewalk connection to connect the new eight foot wide sidewalk to the existing sidewalk.
13. Per Table 9-8, section 9-9-6, B.R.C. 1981, the bicycle parking requirement for restaurants is 1 space per 750 square feet of floor area, with a minimum of 4 spaces, comprised of 25% long-term and 75% short-term spaces. Based on staff's initial calculation, the three proposed restaurant spaces would each be required to provide the minimum of four bike parking spaces.
14. The location of the required short-term bicycle parking shall be logically dispersed between buildings A, B and C and in accordance with section 9-9-6(g)(3) of the Boulder Revised Code, 1981. Long term bicycle parking shall be located pursuant to section 9-9-6(g)(4) of the BRC, 1981. Please note bicycle parking provided within the City right-of-way does not count towards site's bike parking requirements.
15. There are eight (8) parking stalls which do not have the required twenty-four feet of required backing distance. Please revise the site accordingly.
16. In support of the site review criteria, please revise the site plan to provide an east / west pedestrian sidewalk which connects the residential units to the commercial / restaurants fronting Broadway.
17. Please correct the discrepancy between the numerical total of garages being shown as provided and the number of garages that are being shown. As shown, it appears one residential unit will not have a garage which will require that both long-term and short-term bicycle parking be provided.
18. Please revise the horizontal control plan to:
 - Show the existing curb ramps at the intersection of Violet Ave and 10th Street in order to verify the proposed curb

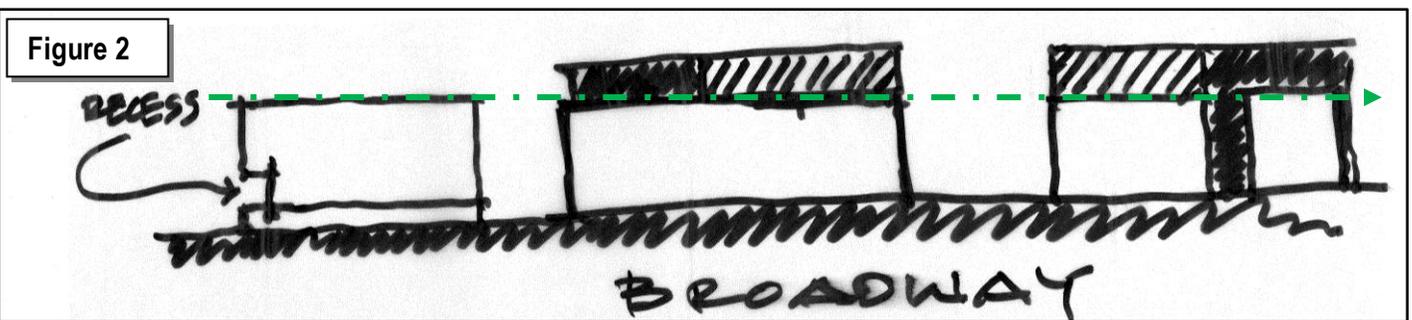
- ramps aligned with the existing curb ramps.
- Remove the concrete section between the transition wings of the curb ramp and the landscape buffer at the Violet Ave and 10th Street intersection.
- Show the width of the landscape buffer on 10th Street
- Label the corner Violet Ave and 10th Street radii in order to evaluate the radius to City standards.
- Show the location of the existing traffic signal pole and associated pull boxes in order to evaluate the location of the proposed curb ramps and corner radii.
- Label the corner Broadway and Violet Ave radii in order to evaluate the radius to City standards and impacts to the existing traffic signal.
- Show and label the 7-foot buffered bike lane on Broadway

19. Please have the traffic consultant contact David Thompson to discuss review comments associated with the project's Traffic Study.

Building Design

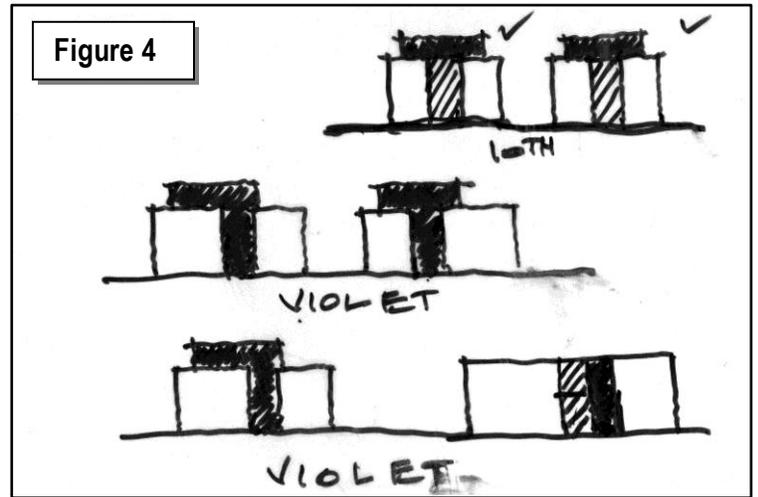
Overall, staff finds the architecture to be greatly improved over the previous submittal; however, there are still some aspects of the proposal that should be modified to better meet the intent of the Site Review criteria. Given the site's prominence, special attention should be paid to the building frontages along Broadway and Violet, both in terms of materials as well as the visual relationship between the buildings. Please see the comments below for additional details.

- Currently, there are certain aspects of the building frontages along Broadway that serve to disrupt the visual patterning. Specifically, the white stucco portion of Building C as well as the second-story stucco portion of the north side of building B (shown in red in **Figure 1** below), visually disrupt the datum created by the brick (shown in green), and add confusion to an otherwise elegant design (an elegance exemplified by building A). In order to enhance the proposed buildings' compatibility with each other and improve the project's sense of human scale and visual interest for both pedestrians as well as people travelling past the site along Broadway, staff recommends simplifying the eastern elevations of buildings B and C by continuing the brick across the entire first two floors of each building. Staff finds that creating a continuous datum of brick across the three buildings and simplifying the third floor materials would help to create a more complete and continuous visual pattern along the Broadway frontage. **Figure 2** shows a general sketch representing an example of the desired "visual patterning" discussed above (brick shown in white, wood in black, and stucco in stripes).



- Regarding the Violet Ave. frontage, there are similar issues with the visual patterning as those discussed above. Staff also finds that the stucco treatment of the garage areas does not meet section 9-2-14(h)(2)(F)(xii), which requires buildings to "present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing." Staff recommends replacing the stucco with brick, and adding

visual interest to the Violet elevations by incorporating brick courses similar to those found on the mixed-use buildings to the east. The south elevation of building C should also be simplified and made more symmetrical in terms of material treatment. The western elevations of duplexes 1 and 2 provide examples of the visual patterning and general symmetry that should be enhanced along the Violet frontage. Please see **Figures 3 & 4** below for highlighted areas of concern and a general sketch representing an example of the desired “visual patterning” discussed above (brick shown in white, wood in black, and stucco in stripes).



3. Note that this area is outside of the “area of growth” described by the North Boulder Subcommunity Plan. The North Boulder Subcommunity Plan describes this area as a “transition” area that should “provide a transition between the main street and the adjacent residential uses.” While the mixed-use buildings along Broadway generally accomplish this feeling of transition, the scale of the proposed duplexes to the west is not in keeping with this pattern. While the properties immediately adjacent to the site to the south and west are not residential in character per se, homes within the nearest residential developments to the project site are generally at or below 35 feet. The applicant should explore ways to reduce the height of the proposed duplexes to be within the 35 foot height limit for the RM-1 zone district unless there are technical grade issues that require relief from the minimum height.

Drainage Scott Kuhna, 303-441-4071

1. The proposed detention pond needs to be located within a City of Boulder drainage easement. This creates an issue with the proposed underground electric line and Xcel easement that is shown running through the middle of the pond. Revisions are required.
2. It is not clear from the plans or from the *Preliminary Drainage Report for 4403 Broadway (Report)* how the sunken area between Building 5 and Building 6 interacts with the detention pond. Based on the contours and the elevation of the spillway for the pond it appears that storm water could back up into Buildings 5 or 6 if the downstream storm sewer is clogged. Clarification on the plans and in the report is necessary.
3. The *Report* discusses underdrains for the porous paver design; however, nothing is shown on the plans. Revise accordingly.
4. A discussion of existing and future groundwater conditions is required to be included in the *Report*.
5. Page 6 of the *Report* states that “drainage from the mixed-use building’s roof will be discharged directly into the public storm system... without water quality treatment”. These three (3) buildings have quite large roof areas to go untreated. Revisions to include some form of water quality treatment for these areas are necessary.
6. The *Report* states that Flowmaster© was used to design the storm sewer system, however, no data, calculations, etc. are included in the *Report*.
7. Page 7 of the *Report* discusses a “drainage channel... east of the parking garage located at the northwest corner of the site”. Clarification is necessary.
8. The Storm Water Management Plan section of the *Report* states that “the proposed plans include a water quality

basin and rain gardens". Clarification is required.

9. Only Sheet 1 of 4 for the Design Procedure Form: Extended Detention Basin (EDB) is included in the *Report*.
10. The plans show an inlet and storm sewer line between Building B and Building C which stops at the right-of-way line. Revise accordingly.
11. The plans need to be revised to clearly label what will be public storm sewer and what will be private storm sewer.
12. The existing irrigation/storm sewer piping across 10th Street and across Violet Avenue needs to be shown on the Utility Plan.

Engineering Scott Kuhna, 303-441-4071

Please see the site design comments regarding the proposed retaining walls in the public right-of-way near the southeast corner of the site. These retaining walls cannot be permitted in the public right-of-way.

Flood Control Jessica Stevens, 303-441-3121

1. The property is impacted by the 100-year floodplain of Fourmile Canyon Creek. Development will be subject to the requirements of Section 9-3-3 of the *Boulder Revised Code, 1981 (BRC)*.
2. The duplex floor plans propose unfinished basement areas. Section 9-3-3(a)(17)(A) of the BRC requires that new residential structures shall elevate the lowest floor, including basement to or above the flood protection elevation. The flood protection elevation is defined as two feet above the 100-year flood elevation. The proposed basement areas cannot be permitted within the 100-year floodplain.
3. The Site Plan, Sheet SR-A1.01 and the Preliminary Grading & Drainage Plan, Sheet SR-C1.00 show an area which has been determined by the *Federal Emergency Management Agency (FEMA)* to be located outside of the 100-year floodplain, based on additional elevation data provided through a Letter of Map Amendment. The grading plan proposes modifications to grade in this area which may impact this determination. The applicant must demonstrate that the proposed grading will not impact the 100-year floodplain boundary.
4. Duplex units 1, 2, 3 and 4 have been proposed to be located within the area which was removed from the 100-year floodplain. As previously indicated, these proposed structures are immediately adjacent to and completely surrounded by the 100-year floodplain. In order to protect the future home owners from basement flooding, it is strongly recommended that the proposed structures located within the "island" of 500-year floodplain be constructed in accordance with the 100-year floodplain regulations and that the residential structures be elevated to the flood protection elevation. The location of the proposed stormwater detention pond immediately adjacent to these structures increases the risk of basement flooding.
5. The applicant is required to provide verification of compliance with the floodplain development regulations for the duplexes prior to Site Review approval. Please include the base flood elevation and the flood protection elevation on the elevation drawings to determine any potential impacts that the elevation requirements will have on the overall height of the structures.
6. All flood proofing measures, including flood vents for garages and crawl spaces should be shown on the elevation drawings for architectural review purposes.
7. For floodplain development purposes a mixed use structure is defined as a structure with both residential and non-residential uses where no less than twenty-five percent of the finished floor area contains non-residential uses. Please indicate whether the proposed mixed use structures will be elevated or flood proofed. If the applicant would like to propose flood proofing of the mixed use structures, verification of compliance with the above definition must be provided prior to Site Review approval.
8. The applicant is advised that the Federal Emergency Management Agency has provided updated guidance for flood proofing certification for flood insurance purposes. The flood proofing certification requirements are as follows;
 - Written verification that the building envelope is watertight
 - Written certification that the Engineer of Record's design and construction are in accordance with American Society of Civil Engineers ASCE 24-05 requirements to meet FEMA criteria
 - A comprehensive Maintenance Plan for the entire structure including the materials used for floodproofing, shields, gates, etc.
 - An Emergency Action Plan for the installation of flood shields and other measures

- Written certification that all components and systems when installed meet the requirements of ASCE 24-05
 - Documentation or certification from the Authority Having Jurisdiction (permitting official) that they have reviewed and inspected the structure with all floodproofing measures in place and provide evidence of approved final inspection and certificate of occupancy.
9. The Preliminary Grading & Drainage Plan calls out a flood protection elevation which is one foot above the 100-year water surface elevation. The City of Boulder flood protection elevation requirement is two feet above the 100-year water surface elevation. The top of foundation elevations which have been provided do not meet the floodplain development regulations. Please revise the design accordingly.
 10. The elevations shown on the Preliminary Grading & Drainage Plan, Sheet SR-C1.00 are not consistent with the base flood elevations provided by FEMA. Please indicate which survey datum the site and proposed finished floor elevations are based. It is staff's preference that the North American Vertical Datum of 1988 is used for review purposes. If the applicant wishes to use another vertical datum, a datum conversion must be provided for this location for review purposes.

Fees

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.

Inclusionary Housing Beth Roberts 303-441-1828

1. Each new residential unit developed on the property is subject to 9-13 B.R.C., 1981, "Inclusionary Housing." The general Inclusionary Housing (IH) requirement is that residential developments must dedicate 20 percent of the total dwelling units as permanently affordable housing. For for-sale housing this requirement may be met through the provision of at least half of the required affordable units on-site. The other half of the requirement may be met by providing comparable existing or newly built permanently affordable units off-site, the dedication of land appropriate for affordable housing or by payment of a cash-in-lieu (CIL) contribution. Rental projects do not have an on-site requirement and may meet the entire requirement by providing comparable existing or newly built permanently affordable units off-site, dedicating land appropriate for affordable housing or with a cash-in-lieu (CIL) contribution. The applicant is proposing to build 12 for-sale attached duplex units and 16 attached rental units.
2. The resulting IH requirement is 5.6 affordable units: 2.4 affordable attached duplex units and 3.2 affordable attached rental units. For this development one duplex unit is required to be provided on site (half of the 2.4 for-sale units = 1.2 units rounded to one unit).
3. The applicant has indicated that a cash contribution to the affordable housing fund will be made for all 5.6 required affordable units. Please be aware that a premium of 50% additional CIL is required for the one for-sale affordable duplex unit required but not provided on-site.
4. The 2014-2015 cash-in-lieu amount for attached housing is calculated as \$130,880 per required affordable unit when the average floor area of all units is 1,200 sf. or greater. To encourage smaller units, the required contribution declines when the average floor area is below 1,200 square feet. Cash-in-lieu amounts are adjusted annually on the first of July and the amount in place when the payment is made will apply. The cash-in-lieu contribution must be made prior to issuance of a residential building permit.
5. In order to determine the exact amount of CIL due, please provide unit information consistent with your submittal by filling out and sending the Affordable Housing Unit Data Spread Sheet.
6. The Affordable Housing Unit Data Spread Sheet, 2014-2015 Cash-in-lieu chart, and additional information about the Inclusionary Housing program may be found on-line at www.boulderadffordablehomes.com. Click on Inclusionary Housing and on the right side bar, Inclusionary Housing Program Details.
7. Developments with rental units that meet more than half of the IH requirement with a cash contribution are required to execute an "Agreement for Costs Due on Sale: Affordable Housing Restrictive Covenant and Deed Restriction" (aka Conversion Agreement) and may be required to provide the associated Deed of Trust and Promissory Note which are used for notification purposes only. The Inclusionary Housing ordinance requires that for-sale developments pay an additional 50 percent CIL premium in the event that they do not provide affordable units on-site. Accordingly, if you choose to convert the rental units to for-sale units within five years you will be required to pay the difference between the rental and for-sale CIL amounts. The Conversion Agreement and associated Deed of Trust and \$10 Promissory

Note are required prior to calling for final inspections pursuant to the issuance of a temporary of final Certificate of Occupancy and will be sent to you for signature once the cash-in-lieu has been paid.

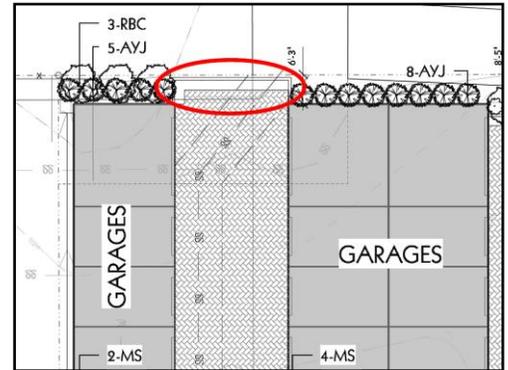
8. A Determination of Inclusionary Housing Compliance form which documents these requirements will be provided for your signature once the exact amount of CIL due has been determined. The form must be executed prior to application for any residential building permit.

Landscaping Elizabeth Lokocz, 303-441-3138

Please respond to the following comments at the next submittal. Contact staff with any questions or concerns.

1. Recalculate the interior parking lot screening based on the minimum dimensional standards (eight ft. in any dimension and 150 sq. ft.) and revise the requirements table accordingly. The graphic on sheet L.1.03 and the requirements table on sheet L1.01 have different total square footages for interior landscaping as well. Update the diagram illustrating the interior landscape as well.

2. The north end of the western garage drive aisle (see the image to the right) continues to show that a modification to property line screening is required. If a fence or alternative method can be used to functionally screen the parking lot, please do so. Please call this modification out in the Requirements Table.



3. The cumulative impacts of the existing utilities are a significant barrier to designing a high quality streetscape. Analysis is needed to understand if alternatives are feasible. Neither the streetscape on Violet nor Broadway can meet minimum street tree standards due to existing utility locations. It is also highly questionable if they can meet site review criterion (C)(iv) regarding attractive streetscapes.

- a. Overhead electric on Broadway – the proposed street trees are directly under the existing overhead lines. Only small maturing trees are permitted. Due to the adjacent parallel parking, width of the planting beds and width of the sidewalk, low branching trees are highly likely to have ongoing conflicts and are not supported by staff. Nor do they meet the city’s goals regarding the importance of street trees and streetscapes, urban canopy or heat island mitigation. A cost benefits analysis is needed to understand the potential of undergrounding the existing overhead lines.
- b. Storm on Violet – verify the location and dimension the separation between the proposed trees and existing storm sewer on Violet. Evaluate the feasibility of a wider planting strip, Design and Construction Standards (DCS) variance request, or utility relocation to allow for large maturing street trees to be planted for all the reasons listed above and to provide separation from the adjacent travel lane. An eight foot landscape strip is the requirement if any of these solutions is determined to be feasible.

4. Please clarify the response to the previous comment #11 (below). The trees appear to have been deleted, although some good locations exist for planters (preferably without grates). Consider fewer, but larger, planters and trees than the previous six proposed.

11. It appears that six small maturing trees are proposed for grates west of the mixed use buildings on Broadway. Please clarify the grate size and type if known, the surrounding treatment and any soil enhancements that will be made to support long lived trees. Staff supports alternative methods of urban tree planting that result in larger soil volume. This might be an excellent site to test some of these methods such as paver grates. *Acknowledge – see revised landscape plan that has enlarged planting areas.*

5. Coordinate the planting plan with the site design comments regarding the walls in the right of way on Violet. At grade landscape should be substituted. This may require some significant redesign to the building given the grade different between the first floor elevation and adjacent right of way.
6. With the identification of emerald ash borer (EAB) in Sept. 2013 the city has increased concerns regarding tree species diversification for public and private tree selections. Please incorporate the following recommended revisions into the plan if a solution allowing larger trees is reached. Other alternatives may be proposed; please contact staff to discuss options if needed.
 - a. Honeylocust is heavily planted as a public street tree and in parking lots. Instead, consider using both Kentucky coffeetree and English oak for the trees in the Broadway and Violet planting strips in a 3-5-3 pattern. If only small trees can be planted on Broadway, they too should be mixed.
 - b. Staff is concerned the crimson king Norway maple will be very susceptible to sun scald with the full southern

exposure. Consider Turkish filbert (*Corylus colurna*) and sweetgum (*Liquidambar styraciflua*) as alternatives. Sweetgum has rarely been planted locally, but with the warming trends it appears to be a viable option in the right location. With its generally upright form and striking fall color, consider it a worthwhile trial.

7. Please add the total number of parking lot trees to the requirements table and verify that at least 75% are medium or large maturing trees per the requirements of section 9-9-14(d)(6) B.R.C. 1981. See the additional species comments below.
8. The parking lot trees do not appear to meet minimum size requirements (see comment above). The islands would support larger trees in staff's opinion. The low branching columnar forms proposed may also have visibility and snow storage implications. Substitute the serviceberry and crimson spire oak with medium or large varieties. Reducing the overall number to accommodate the size change is acceptable. Species to consider include hackberry, bigtooth maple (*A. grandidentatum* - single stem form) or others previously suggested.

Legal Documents Julia Chase, City Attorney's Office, Ph. (303) 441-3020

1. Please see previous Legal Documents comment regarding submitting a new vested rights form to more clearly state the elements for which the Applicant is seeking vested rights. This should be provided at the time of resubmittal.
2. Prior to signing the Development Agreement, if approved, the Applicant shall provide the following (upon request of the case manager):

An updated title commitment current within 30 days of signing the agreement; and
Proof of authorization to sign on behalf of the owner (such as a statement of authority).

Neighborhood Comments Chandler Van Schaack, Case Manager

Staff has received comments from several neighbors in opposition to the proposed development. Several people have expressed concerns over the proposed modifications to building height and number of stories, and are worried that the proposed buildings will be out of character with existing buildings on the west side of Broadway and will negatively impact existing views to the west. There have also been concerns raised over the proposed parking reduction based on the feeling that lack of parking is already an issue in the area, as well as concerns that the project will exacerbate existing traffic issues at the intersection of Broadway and Violet. Written public comments are included as **Attachment A**.

Staff has also fielded questions from several community members who are not opposed to the proposed development.

Open Space Chandler Van Schaack, Case Manager

1. Per section 9-9-11(f)(1), individual decks may only be counted as open space "if the minimum size of such individual balcony, deck or patio is not less than thirty-six square feet and not less than forty-eight inches in any dimension" Currently, the decks shown on Duplex C do not meet this minimum size requirement. Therefore, please remove them from the Open Space calculations on Sheet SR-A1.02. In addition, please note that individual balconies, decks and patio areas may count for no more than 25% of the required usable open space. Please revise the open space table so that such areas are counted for no more than 9,000 sq. ft. (25% of the required open space for the proposed duplex units). Decks and patios counted as open space should be clearly labeled on the open space diagram.
2. Please note that per section 9-9-11(f)(3), landscaped areas of the public right-of-way may count for up to ten percent of the required usable open space. However, the proposed sidewalk along Violet may not be counted as usable open space, as it cannot meet the standards for exterior paved surfaces as set forth in section 9-9-11(e)(5). Please revise open space calculations and diagram accordingly.

Plan Documents Chandler Van Schaack, Case Manager

1. Please provide a revised written statement for the project which addresses the Site Review criteria as well as the Use Review criteria. While all applicable criteria should be clearly addressed, special consideration should also be given to providing detailed descriptions of how the project meets the following criteria:

(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 or design guidelines for the immediate area;

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

(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;

(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.

(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;

2. The applicant should also provide the following application materials, as required by section 9-2-14(e), "Additional Application Requirements for Height Modification," B.R.C. 1981:

(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; and

(7) A detailed plan showing the useable open space and a written statement of how it serves the public interest.

3. At the next submittal, please include a cover sheet listing all 24x36" plans and attach those plans in an orderly format by discipline (i.e. all architecture, landscape, civil, etc.) preferably bound. Do not duplicate sheets.
4. Please note that for the purposes of calculating the non-residential parking requirement for the MU-2 buildings (1:400 if residential uses comprise less than 50 percent of the floor area; otherwise 1:500), all residential floor area, including lobbies, stairways, and elevators should be included in the total floor area. Please revise the MU-2 Zone Calculations Table to include all floor area within the buildings (the percentages listed at the bottom should equal 100%).
5. Please note that the scale on Sheet SR-A1.01 is incorrect (it currently reads 1:60 when the scale is 1:20). Please revise.

Site Design Chandler Van Schaack, Case Manager

1. Staff is concerned that the proposed elevation difference between the Violet and Broadway corner and first floor of building C creates a significant disconnect to the adjacent sidewalk, which is inconsistent with criterion 9-2-14(h)(2)(C)(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.*

Retaining walls in the right of way are also considered encroachments and are not likely to meet the standards for a possible revocable lease per section 8-6-6 B.R.C. 1981 due to the existing utilities and inability to remove the structures. Redesign the site plan such that retaining walls over 18 inches in height are not located in the right of way. The applicant should consider pulling the retaining walls back to the property line and recessing the south side of the first floor of Building C slightly to allow for pedestrian movement along that frontage without having to reduce the overall building size too much and while maintaining a strong corner presence with the second story.

2. As previously mentioned, staff is generally in support of both the pocket park and mixed use courtyard, but finds that additional passive recreational amenities, particularly benches, to certain high-use areas such as the pocket park and upper walkway along Broadway could serve to improve the usability of the spaces and promote a more welcoming pedestrian environment. In addition, staff recommends adding an east / west pedestrian sidewalk through the connecting the residential units to the commercial / restaurants fronting Broadway.

Utilities Scott Kuhna, 303-441-4071

1. The plans show what appear to be proposed Xcel Easements for gas mains running down the middle of proposed city easements (separating the city water and wastewater mains). Relocation of the proposed gas mains and services and easements are required.
2. The Utility Plan (Sheet SR-C2.00) shows the private wastewater service line for Building 6 running parallel to and in the same easement as the proposed water main. The line that is parallel to the main shall be a wastewater main

terminating at a manhole with the service line to Building 6 crossing perpendicular to the water main.

3. The water service lines for Building 1, 2, and 4 are shown beyond the fire hydrant on the dead-end main. All terminal mains shall have a fire hydrant at the terminus with no water services beyond the hydrant. Revise accordingly.
4. The relocated water service and fire service lines for the existing building at 4439 Broadway are shown on the end of dead-end water main with no fire hydrant. See comment above regarding terminal water mains.
5. Vacation of the "Right-of-Entry Film 1673, Rec. No. 01104034" easement along the north edge of the property is required. There appears to be conflict between the relocated easement for the relocated wastewater service line serving the property to the north and the proposed garages. No portion of any structure, including footings and eaves, may encroach into any right-of-way or easement. Clarification is required.
6. 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. The applicant should recheck all separations prior to the next submittal.
 - Proposed street trees(2) at southeast corner of site – Proposed storm sewer line
 - Proposed street trees(3) at south of Building 6 – Proposed storm sewer line
7. A separate drawing clearly showing all of the easements is necessary to determine if there are encroachments or conflicts between public and private easements. No portion of any structure, including footings and eaves, may encroach into any right-of-way or easement.

III. INFORMATIONAL COMMENTS

Access/Circulation

At time of technical document review the concrete pan adjacent to the new curb ramps at the Violet Ave and 10th Street Intersection will need to be replaced as they were poured monolithically with the curb ramps.

Drainage Scott Kuhna, 303-441-4071

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.

Flood Control Jessica Stevens, 303-441-3121

1. All development within the 100-year floodplain is subject to the City's floodplain regulations and requires the approval of a floodplain development permit. The application must be submitted prior to or concurrently with the building permit submittal and must demonstrate that all requirements set forth in section 9-3-2 through 9-3-6 of the B.R.C. will be met. A draft of the floodplain development permit application should be submitted with the Technical Document submittal.
2. The floodplain development permit shall contain certified drawings demonstrating that:
 - a. The proposed residential buildings will be elevated to the flood protection elevation.
 - b. The proposed mixed-use buildings will be elevated or floodproofed to the flood protection elevation, have structural components capable of resisting projected hydrostatic and hydrodynamic loads and the effects of buoyancy, be constructed with materials resistant to flood damage and have all residential units elevated at or above the flood protection elevation.
 - c. Dry floodproofed structures will meet the updated flood proofing requirements provided by *FEMA* in Flood Control comment #8.
 - d. Enclosures, such as crawl spaces, below elevated structures shall meet the requirements of Section 9-3-3 (a)(18 and 19) of the *BRC* and *FEMA* Technical Bulletin 1.

- e. Any proposed structures or obstructions in the floodplain, including trash enclosures and raised planters, will be properly anchored to prevent flotation, collapse, or lateral movement and be capable of resisting hydrostatic and hydrodynamic loads.
- f. The buildings will be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed and located (by elevating or floodproofing) so as to prevent water from entering or accumulating within the components during conditions of flooding.
- g. Any proposed surface parking is not projected to flood to a depth greater than 18 inches in the event of a one-hundred year flood.

Miscellaneous Scott Kuhna, 303-441-4071

1. The applicant is notified that any groundwater discharge to the storm sewer system will require both a state permit and a city agreement. The steps for obtaining the proper approvals are as follows:

Step 1 -- Identify applicable Colorado Discharge Permit System requirements for the site.

Step 2 -- Determine any history of site contamination (underground storage tanks, groundwater contamination, industrial activities, landfills, etc.) If there is contamination on the site or in the groundwater, water quality monitoring is required.

Step 3 -- Submit a written request to the city to use the municipal separate storm sewer system (MS4). This submittal should include a copy of the Colorado Department of Public Health and Environment (CDPHE) permit application. The written request should include the location, description of the discharge, and brief discussion of all discharge options (e.g., discharge to MS4, groundwater infiltration, off-site disposal, etc.) The request should be addressed to: City of Boulder, Stormwater Quality, 4049 75th St, Boulder, CO 80301 Fax: 303-413-7364

Step 4 -- The city's Stormwater Quality Office will respond with a DRAFT agreement, which will need to be submitted with the CDPHE permit application. CDPHE will not finalize the discharge permit without permission from the city to use the MS4.

Step 5 -- Submit a copy of the final discharge permit issued by CDPHE back to the City's Stormwater Quality Office so that the MS4 agreement can be finalized.

For further information regarding stormwater quality within the City of Boulder 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.

Review Process Chandler Van Schaack, Case Manager

On Jan. 20, 2015, City Council approved first reading of an ordinance that would limit height in certain areas of the city. This site is outside of the exempted area; however, since there is an active Site Review application in process, the application will be allowed to proceed through the process with the proposed height modification. A copy of the staff memo and the ordinance has been included as **Attachment B**.

Utilities Scott Kuhna, 303-441-4071

1. Final Utility Construction Plans will be required as part of the Technical Document Review process. All plans shall be in accordance with the City of Boulder *Design and Construction Standards*.
2. All water mains shall be PVC Class 200 AWWA C900 DR14, unless analysis is provided to demonstrate that Class 52 Ductile Iron will not be affected by corrosive soils. Revise the plan as necessary.
3. 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.
4. Maintenance of sand/oil interceptors and all private wastewater and storm sewer lines and structures shall remain the responsibility of the owner.
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.

Address: 4403 Broadway

6. 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.
7. 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 counts 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.
8. 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.
9. Trees proposed to be planted shall be located at least 10 feet away from existing or future utility mains and services.

IV. NEXT STEPS

Once the comments have been addressed, please submit **seven (7) hard copies of the revised plan set along with digital copies of the plans in pdf form** at the front desk of the P&DS Service Center prior to the start of a three-week review track.

As some of the issues identified herein may result in significant changes to the site and building layout, staff recommends meeting prior to resubmittal to discuss possible design options. Please contact the Case Manager, Chandler Van Schaack, at vanschaackc@bouldercolorado.gov or 303-441-3137 with any questions or to set up a meeting.

V. CITY CODE CRITERIA CHECKLIST

A completed 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 11, 2015**
CASE MANAGER: **Chandler Van Schaack**
PROJECT NAME: **4403 BROADWAY**
LOCATION: **4403 N BROADWAY**
COORDINATES: **N08W07**
REVIEW TYPE: **Site and Use Review**
REVIEW NUMBER: **LUR2011-00071**
APPLICANT: **Jeff Dawson**
DESCRIPTION: **SITE AND USE REVIEW REVISION SUBMITTAL: Revisions to Site & Use Review proposal to construct a mixed-use development including 6 residential duplexes (12 units total), and 3 mixed-use buildings with 16 attached residential units above 9,359 sq. ft. of office and restaurant space. Requested modifications to development standards include: 11% parking reduction to allow for 56 parking spaces where 62 are required per the MU-2 zone district standards, modification of maximum number of stories from 2 to 3 for buildings in MU-2 zone, and height modification to allow mixed-use building to reach 45' in height and residential duplexes to reach 39'6" in height where 35' is the maximum height permitted by the zoning.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS:

- **Section 9-9-6, "Parking Standards"** – 9% parking reduction to allow for 55 parking spaces where 59 are required per the MU-2 zone district standards,
- **Section 9-7-1, "Form and Bulk Standards"** – Modification of maximum number of stories from 2 to 3 for buildings in MU-2 zone, and
- **Section 9-7-1, "Form and Bulk Standards"** – Height modification to allow mixed-use building to reach up to 43' in height and residential duplexes to reach up to 38'6" in height where 35' is the maximum height permitted by the zoning.
- **Vested Property Rights** – The applicant is seeking to pursue the creation of vested property rights as provided for in Section 9-2-19, B.R.C. 1981.

I. REVIEW FINDINGS

Overall, the current submittal is a major improvement on previous iterations and has addressed many of the issues previously identified by staff; however, there are still some remaining issues, specifically with regards to landscaping, [access / circulation](#), and building design, which must be addressed through an additional round of revisions in order for staff to move forward with a recommendation of approval to the planning board. Therefore, once the comments below have been addressed, please re-submit five (5) hard copies of the revised plans as well as digital copies of the plans in pdf form to the front counter of the P&DS Service Center prior to the start of a 3-week review track.

Staff is happy to meet with the applicant to discuss these comments in further detail prior to resubmittal. Contact the case manager to schedule a meeting.

II. CITY REQUIREMENTS

Access/Circulation David Thompson, 303-441-4417

1. Pursuant to the PLAT for the Plaza subdivision, please revise the site plans to show the 25'W x 50'L access easement at the west end of the site and the 25'W x 211'L +/- access easement at the east end of the site as public access easements.
2. Pursuant to staff's previous comment, please revise the site plan to show a public access easement for the north / south drive aisle between the garages and parking stalls in order to provide future access / connection to the northern property in order to meet the site review criteria requirements for circulation as described in section 9-2-14(h)(D)(iii) of the Boulder Revised Code, 1981 (BRC).
3. The revised Transportation Demand Management (TDM) Plan has not addressed staff's previous comments because the TDM Plan is not include sufficient parking, transit or bicycle strategies to support the requested parking reduction or promote alternate modes of travel. Please contact David Thompson to schedule a meeting regarding the project's TDM Plan.
4. Staff appreciates the revisions made to the site's short-term bicycle parking; however, given that it appears multiple tenants will occupy each of the buildings fronting Broadway, please revise the site plan to provide short-term bicycle parking in the front and back of each individual building in support of the project's TDM Plan.
5. Please revise the TDM Plan to discuss how the proposed ten long-term bicycle spaces will meet the criteria for long-term parking as discussed in section 9-9-6(g)(4) of the BRC.
6. Pursuant to staff's previous comment on providing additional short-term bicycle parking and in support of the project's TDM Plan, please revise the site plan to include dispersed short-term bicycle parking for the residential units.
7. Pursuant to staff's previous comment and in support of meeting the site review criteria for circulation as described in section 9-2-14(h)(D)(iii) of the BRC, please revise the site plan to provide a pedestrian connection from the edge of the residential area to the commercial / restaurant buildings fronting Broadway.
8. Please revise the site plans to show the 10th Street sidewalk transition occurring on the site rather than the property to the north as currently shown on the site plans.
9. Please revise the horizontal control plan to address the conflicting information being shown for the public access easement to be dedicated along Violet Avenue for the multi-use path. Staff concurs that the public access easement dedication should extend one-foot beyond the edge of the multi-use path.
10. Staff will provide review comments on the revised Traffic Impact Study to the applicant by Friday, November 13th.

Addressing, Caeli Hill, 303.441.4161

The City is required to notify utility companies, the County Assessor's office, emergency services and the US Post Office of proposed addressing for development projects. Please submit a Final Address Plat and list of all proposed addresses as part of the Technical Document Review (Final Plat) process.

Building Design Kalani Pahoa, Urban Designer 303-441-4148 & Chandler Van Schaack, Case Manager

1. Overall, staff finds the revised design to be a continuation of the improvement over previous submittals. In particular, the changes to the Broadway frontage have been improved significantly and have addressed previous staff's concerns. However, regarding Buildings A, B and C, staff has remaining concerns regarding the change in quality on several of the other frontages in terms of materiality and rhythm. While staff understands that not all sides of each building are equally important in terms of how they affect the pedestrian experience and interact with the public realm, each side of the building must still meet the intent of section 9-2-14(h)(2)(F)(xii), which requires buildings to "*present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing.*"
 - a. Specifically, the south elevation of Building A, which will be highly visible from Broadway, is predominantly stucco. Given that there is no change in plane along the southern elevation, staff finds the façade would be greatly improved in terms of material quality by continuing the brick to the west by at least one bay (or 2 windows-width), and by replacing the white stucco shown wrapping the corner on the 2nd and 3rd stories with the cedar siding. The cedar siding should then wrap around to the west elevation and continue to at least the corner/ edge of patios. Similarly, the applicant should explore other opportunities to extend the brick and

replace stucco with cedar siding in any other areas where there is currently an in-plane material change proposed. Overall, the building should display a clear established hierarchy of materials, with changes in material serving a specific aesthetic function (such as delineating the upper walls from the lower walls or transitioning between architectural features). Please note that staff is not encouraging additional changes to the plane/ dimensions of the building face itself.

- b. Regarding Building B, the north elevation presents similar concerns given its visibility. The applicant should reduce the amount of stucco, ideally by continuing the brick across the second story and wrapping it around to the patio area on the west side of the building. The south elevation of Building B is perhaps even more important, as it will help to frame the outdoor courtyard and restaurant seating area. The applicant should reduce the number of materials shown by continuing the brick to the west and wrapping it around onto the west elevation or by replacing existing stucco elements with cedar siding. The in-plane material change shown on the west elevation should be eliminated.
 - c. Regarding the north elevation of Building C, the applicant should strive for the same level of material quality as shown on the south elevation. This may entail switching the stucco and wood elements or replacing the wood with brick and the stucco with wood.
2. Elegant brick returns and reveals around the windows will help to establish a sense of permanence and demonstrate use of high quality materials that would meet the Site Review criteria for Building Design. Therefore, provide details of these elements to help articulate how they would be accomplished on the Architectural Elevation plans.
 3. On all exposed balconies, ensure that the underside of the balconies are finished in an aesthetic manner and if constructed of wood, that the underside not show any exposed floor joists and hangers.
 4. Provide a detail of the balconies and the visible underside on the building elevation sheets. Provide a detail of the stucco color as well as the stucco joints; high quality construction of the joints will be critical.
 5. Add shadow lines to the black and white elevations to show reveals and changes in plane on all elevations. Color elevations should also be provided for all elevations.
 6. Please provide physical material samples to show how each material will be treated, with images clearly corresponding to the material labels.
 7. In order to more fully show how the development will interact with the public realm, realistic perspective drawings from certain key locations should be provided. This will facilitate discussions with the Planning Board regarding certain building and site features that are difficult to show via architectural elevations only. Key perspectives include: the townhouses as seen from the sidewalk on the north side of Violet Ave. (preferably with the garage area and drive aisle included); the Broadway frontage as seen from the intersection of Broadway and Violet; and the courtyard area as seen from the Broadway entrance. Please note that perspective drawings will become a part of the approved plan set, if approved, and should therefore reflect as accurately as possible all proposed site and building features including window reveals, balconies, materials, etc.
 8. Regarding the townhouse buildings, overall staff finds the design to be largely consistent with the desired “visual patterning” discussed in previous staff review comments. In order to more fully meet the intent of the Site Review criteria for Building Design, the applicant should consider replacing the stucco shown for the third story lofts with cedar siding. In addition, staff has concerns regarding how the proposed lofts and rooftop decks will appear from the public realm. Specifically, the current spacing of the lofts and railings breaks up the façade and makes the buildings read as a series of separate units rather than as a cohesive building. The applicant should explore ways of making the loft patterning more cohesive and continuous, possibly through connecting railings across gaps and/or the addition of wood or metal trellis structures between lofts. As discussed above, details for the proposed balconies and window treatments should be provided.

Drainage Scott Kuhna, 303-441-4071

1. The *Preliminary Drainage Report for the 4403 Broadway (Report)* uses the sum of the “direct runoff” from the sub-basins to determine the total historic runoff rates, but then uses a “total runoff” method of calculation for the total developed runoff rates. Consistency in the methodologies is required.
2. Previously the *Report* stated that Flowmaster© was used to design the storm sewer system, however, no data, calculations, etc. were included in the *Report*. Now no method, software, etc. was used to determine the sizing of the storm sewer system. Clarification is necessary.

3. The "Pond Volume Calculations – Stage/Storage" worksheet in the Appendix of the *Report* has columns referencing the 10-year pond volume and the 100-year pond volume; however, earlier in the *Report* it states that no detention is required. Revisions to the worksheet are required.
4. The plans show a conflict between a proposed storm sewer inlet and proposed dry utilities at the northeast corner of the site. Revisions are required.
5. No underdrains for the proposed porous pavers between the two Parking Garages at the north end of the site are shown on the plans. Revise accordingly.
6. The underdrain for the proposed rain gardens east of Building B is not shown connecting to any storm sewer line.
7. Per Section 7.12(E) of the City of Boulder *Design and Construction Standards (DCS)* all detention ponds shall include an overflow release feature to spill during storm events larger than the major design storm or when release outlets fail. This feature shall be designed to release overflows in a direction and manner that will not adversely affect properties downstream of the detention pond.

Flood Control Scott Kuhna, 303-441-4071

Per previous comments from city staff, all flood proofing measures, including flood vents for garages and crawl spaces should be shown on the elevation drawings for architectural review purposes. No flood vents for the garages for Building 1 or Building 2 are shown on the elevation drawings. Revise accordingly.

Fees

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.

Irrigation Ditches, Scott Kuhna, 303-441-4071

The applicant is responsible for obtaining approvals for any relocations or modifications to irrigation ditches or laterals from the impacted ditch companies (Violet Lateral of the Silver Lake Ditch). 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.

Land Uses Chandler Van Schaack, Case Manager

Please note that a management plan is required for the proposed restaurant uses.

Landscaping Elizabeth Lokocz, 303-441-3138

The site plan addresses many of staff's previous comments. Please address the following comments at the next submittal:

1. Discrepancies exist between the mature sizes of some of the proposed plants, their spacing as called out in the plant schedule and the plan resulting in a plan that will not achieve full coverage, a minimum landscape standard. Review the plan overall and ensure that all landscape beds will achieve full coverage. Additional comments on plant selection and spacing may be provided at Technical Document Review. Specifically update the following:
 - a. The nearly wild rose is called out at 3 feet, but shown as three to five on a grid. Evaluate if this is the best alternative for the right of way strip. It is a wonderful plant, but requires consistent annual pruning.
 - b. The Wichita blue juniper has a spread of 4-6 feet. Interplant it with something else or reduce the spacing accordingly. Call out the spacing rather than "as shown".
 - c. The Kelseyi dogwood is a great choice, but reaches only 2-3 feet in width. Adjust the symbols in plan and increase the overall number as needed.
 - d. The Isanti dogwood, three-leaf sumac, and Nano

white butterfly bush are all correctly called out as having a 5 foot spacing, but illustrated at six to seven; revise accordingly.

2. Review and update the interior parking lot landscape chart on sheet SR-L1.03 to accurately call out all dimensions. ALL landscape related dimensions are in reference to soil volume and may not include curbs.
Update the layout and civil plans as needed. Do not dimension curbs. Most of the landscaping currently included does not appear to meet minimum standards, either because it is not 8 foot in width per section 9-9-14(d)(8) B.R.C. 1981, or because it is actually perimeter landscaping which does not contribute for parking lots of this size. Please note the minimum interior landscaping is 5 percent.
3. Verify the proposed tree and transformer separation is supportable adjacent to Violet.
4. Revise the proposed right of way planting strip on 10th street to meet the minimum required 8 feet; do not count curb.
5. Please label all buildings.
6. Adjust the proposed Turkish filbert to maintain a minimum of four, and preferably five, feet from the edge of pavement.
7. Clarify the minimum pad dimensions around the two transformers between the townhome buildings.
8. Evaluate if the proposed sidewalk alignment at the corner of 10th and Violet can avoid the irrigation conflict and provide a softer transition from attached to detached.
9. Please review and coordinate the civil plans with all landscape requirements. It would be helpful if the horizontal control plan included dimensions for parking lot landscaping to ensure all standards are met.

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

1. Prior to signing the Development Agreement, if approved, the Applicant shall provide the following:
 - a) an updated title commitment current within 30 days of signing the agreement; and
 - b) proof of authorization to sign on behalf of the owner (such as operating agreement or statement of authority).

Open Space Chandler Van Schaack, Case Manager

Please note that pursuant to section 9-9-11(i), B.R.C. 1981, land area with a slope in excess of fifteen percent may not be counted as usable open space unless approved through Site Review. The detention pond as proposed exceeds fifteen percent in certain areas and does not appear to be a usable open space amenity; therefore, staff finds that any areas within the detention pond with slopes over fifteen percent should be labeled and excluded from open space calculations.

Plan Documents

1. There are currently several incorrectly labeled balconies shown on the plan set which must be corrected to reflect their actual areas (which are in most cases significantly smaller than indicated). These include: the south and west 2nd and 3rd floor balconies on Building A; the north and west 2nd and 3rd floor balconies on Building B; and three of the five 2nd floor balconies on Building C. In addition, all of the townhouse courtyards between the units and the garages as labeled on the Site Plan (Sheet SR-A1.01) are inconsistent with the floor plans (again, labeled as significantly larger than they are). Revise the Site Plan to reflect the accurate areas of the courtyards, and revise the open space calculations included in the main table accordingly.
2. Revise the floor plans to show the parking stall dimensions within each of the garages. Stalls must comply with the parking stall design standards found in section 9-96, B.R.C. 1981.
3. Revise the Open Space Plan provided on Sheet SR-A1.02 to include a breakdown of the types of private open space being counted towards the 25% of the required area using the revised numbers as discussed above. The table should provide a total area for the garage decks as well as the courtyard areas and any other private decks or balconies being included. The open space diagram also has several inconsistencies which should be fixed. These include showing several individual townhouse decks as "site open space," including stairways as "private open space," and not labeling the garage decks.
4. On the floor plans, please label all areas that are being exempted from FAR calculations, and include the area of the space being exempted. These numbers should be consistent with the calculations included on the main table.

5. The parking calculations for the development are somewhat misleading, as the table indicates that 16 spaces are provided for the residential units and 39 for the commercial uses whereas 19 of the proposed spaces are clearly designed for residents, with 18 garage spaces that would not be open to the public and one compact space located adjacent to the garage. If parking spaces are to be counted towards meeting the commercial requirement, they must be clearly open to the public and located so as not to “appear” to be restricted to residents.
6. The western garage is incorrectly labeled as holding 7 parking spaces. Please revise.
7. There appear to be several labels/ layers that are leftover from previous site plan iterations still included on the plans. These appear to be mainly within the main parking area behind Building B. Please remove and ensure that no other unnecessary labels are included on the site plan.

Utilities Scott Kuhna, 303-441-4071

1. The plans show the proposed water main (and hydrant) north of Building 1 in the proposed water quality pond. No existing or proposed public mains may be located within (under) any proposed or existing detention/water quality ponds.
2. Per Section 4.06 of the City of Boulder *Design and Construction Standards (DCS)* the required minimum separation between wastewater mains and storm sewer mains is 10 feet. Only 6 feet of separation between the existing wastewater main and the proposed storm sewer main running east/west through site is shown.
3. As previously noted in comments from city staff, the relocated water service and fire service lines for the existing building at 4439 Broadway are shown on the end of dead-end water main with no fire hydrant. All terminal mains shall have a fire hydrant at the terminus with no water services beyond the hydrant. Revise accordingly.
4. The plans show the proposed wastewater main serving Building 1 extending south to Violet Avenue. Building 1 will only have one wastewater service for the building, so the extension to the south is unnecessary. Service into a terminal manhole would be allowed in this situation per the *DCS*. Revise accordingly.
5. 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. The applicant should recheck all separations prior to the next submittal.
 - Proposed street trees(2) east of Building C – Proposed domestic and irrigation meters
 - Proposed street tree southeast of Building B – Proposed storm sewer line

III. INFORMATIONAL COMMENTS

Access / Circulation David Thompson, 303-441-4417

1. At time of technical document submittal, please adjust the curb radii as necessary in order to align the proposed curb-ramps on both Broadway and Violet Avenue with the existing curb ramps on the opposite side of the road.
2. At time of technical document submittal, please provide three-feet of separation from the face of the roadway curb to the center of the signal pole at the southwest quadrant of the Broadway / Violet Avenue intersection.
3. At time of technical document submittal, please include a construction detail for the raised crosswalk shown on the east / west access drive to allow staff to evaluate the design is compatible for emergency access.

Drainage Scott Kuhna, 303-441-4071

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.

Flood Control Scott Kuhna, 303-441-4071

1. All development within the 100-year floodplain is subject to the City's floodplain regulations and requires the approval of a floodplain development permit. The application must be submitted prior to or concurrently with the building permit submittal and must demonstrate that all requirements set forth in section 9-3-2 through 9-3-6 of the B.R.C. will be met. A draft of the floodplain development permit application should be submitted with the Technical Document submittal.
2. The residential units in Building 1 are proposed to be located within the area which was removed from the 100-year floodplain. As previously indicated, this structure is immediately adjacent to and completely surrounded by the 100-year floodplain. In order to protect the future home owners from basement flooding, it is strongly recommended that the proposed structures located within the "island" of 500-year floodplain be constructed in accordance with the 100-year floodplain regulations and that the residential structures be elevated to the flood protection elevation. The location of the proposed stormwater detention pond immediately adjacent to these structures increases the risk of basement flooding.
3. The floodplain development permit shall contain certified drawings demonstrating that:
 - a. The proposed residential buildings will be elevated to the flood protection elevation.
 - b. The proposed mixed-use buildings will be elevated or floodproofed to the flood protection elevation, have structural components capable of resisting projected hydrostatic and hydrodynamic loads and the effects of buoyancy, be constructed with materials resistant to flood damage and have all residential units elevated at or above the flood protection elevation.
 - c. Dry floodproofed structures will meet the updated flood proofing requirements provided by *FEMA* in Flood Control comment #8.
 - d. Enclosures, such as crawl spaces, below elevated structures shall meet the requirements of Section 9-3-3 (a)(18 and 19) of the *BRC* and *FEMA* Technical Bulletin 1.
 - e. Any proposed structures or obstructions in the floodplain, including trash enclosures and raised planters, will be properly anchored to prevent flotation, collapse, or lateral movement and be capable of resisting hydrostatic and hydrodynamic loads.
 - f. The buildings will be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed and located (by elevating or floodproofing) so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - g. Any proposed surface parking is not projected to flood to a depth greater than 18 inches in the event of a one-hundred year flood.

Miscellaneous Scott Kuhna, 303-441-4071

1. The applicant is notified that any groundwater discharge to the storm sewer system will require both a state permit and a city agreement. The steps for obtaining the proper approvals are as follows:
 - Step 1 -- Identify applicable Colorado Discharge Permit System requirements for the site.
 - Step 2 -- Determine any history of site contamination (underground storage tanks, groundwater contamination, industrial activities, landfills, etc.) If there is contamination on the site or in the groundwater, water quality monitoring is required.
 - Step 3 -- Submit a written request to the city to use the municipal separate storm sewer system (MS4). This submittal should include a copy of the Colorado Department of Public Health and Environment (CDPHE) permit application. The written request should include the location, description of the discharge, and brief discussion of all discharge options (e.g., discharge to MS4, groundwater infiltration, off-site disposal, etc.) The request should be addressed to: City of Boulder, Stormwater Quality, 4049 75th St, Boulder, CO 80301 Fax: 303-413-7364
 - Step 4 -- The city's Stormwater Quality Office will respond with a DRAFT agreement, which will need to be submitted with the CDPHE permit application. CDPHE will not finalize the discharge permit without permission from the city to use the MS4.
 - Step 5 -- Submit a copy of the final discharge permit issued by CDPHE back to the City's Stormwater Quality Office so that the MS4 agreement can be finalized.

For further information regarding stormwater quality within the City of Boulder 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.

Review Process Chandler Van Schaack, Case Manager

Please note that in order to obtain vested property rights for the project, several additional steps will be required. These steps are laid out in section 9-2-19, B.R.C. 1981:

9-2-19. - Creation of Vested Rights.

- a) *Site Specific Development Plan: For the purpose of this title and [article 68](#) of title 24, C.R.S., as amended, the term site specific development plan means any project which requires a use review or site review. For the purposes of § 24-68-102.5, C.R.S., an application shall be deemed submitted upon the application for a use review, pursuant to [section 9-2-15](#), "Use Review," B.R.C. 1981, or a site review, pursuant to [section 9-2-14](#), "Site Review," B.R.C. 1981.*
- b) *Establishing a Vested Property Right: In order to establish a vested property right as defined in § 24-68-102(5), C.R.S., for a site specific development plan, the applicant shall meet all of the following requirements:*
 - 1) *Public Hearing Required: For those site specific development plan approvals not requiring a public hearing before the planning board, the applicant shall request, in writing, that its application be referred to the planning board for hearing under the city manager's discretionary power pursuant to paragraph [9-2-7\(b\)\(1\)](#), B.R.C. 1981. The city manager will refer any such requested application to the planning board for public hearing pursuant to Subsection [9-4-4\(d\)](#), B.R.C. 1981.*
 - 2) *Elements of Plans to Be Vested: The applicant shall state clearly in its application those specific elements of the plan in which the applicant seeks to create vested rights, including, without limitation, type of use, density, building height, building footprint location and architecture.*
 - 3) *Notice of Approval: If a site specific development plan is approved by the planning board, 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.*
 - 4) *Compliance With Conditions of Approval: The applicant shall meet and maintain all conditions of final approval for the site specific development plan.*
- c) *Void: An applicant's failure to meet all of the above requirements renders the site specific development plan approval void and results in the waiver of the applicant's right to create a vested property right pursuant to § 24-68-103(1), C.R.S.*
- d) *Applicability of Ordinances That Are General in Nature: The establishment of a vested property right shall not preclude the application of City ordinances or regulations which are general in nature and are applicable to all property subject to land use regulation including, without limitation, the provisions of chapter 9-3, "Overlay Districts," section [9-9-17](#), "Solar Access," chapters 9-12, "Subdivision," 9-13, "Inclusionary Housing," and 9-14, "Residential Growth Management System," B.R.C. 1981, and the City's building, fire, plumbing, electrical and mechanical codes. Approval of a site specific development plan shall not constitute an exemption from or waiver of any other provisions of this code pertaining to the development and use of property.*
- e) *City Council Approval: The three-year vesting period for site specific development plan approvals shall not be extended to a longer time period, including by amendments to such approvals, unless such extensions are included in the development agreement and adopted by ordinance of the city council.*

Utilities Scott Kuhna, 303-441-4071

1. Vacation of the "Right-of-Entry Film 1673, Rec. No. 01104034" easement along the north edge of the property is required, as well as dedication of a new easement for the service line at time of Technical Document Review.
2. Vacation of the existing utility, drainage, and access easements will be required at time of Technical Document Review.
3. Final Utility Construction Plans will be required as part of the Technical Document Review process. All plans shall be in accordance with the City of Boulder *Design and Construction Standards*.
4. All water mains shall be PVC Class 200 AWWA C900 DR14, unless analysis is provided to demonstrate that Class 52 Ductile Iron will not be affected by corrosive soils. Revise the plan as necessary.
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. Maintenance of sand/oil interceptors and all private wastewater and storm sewer lines and structures shall remain the responsibility of the owner.
7. 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.
8. 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.
9. 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 counts 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.
10. 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.
11. Trees proposed to be planted shall be located at least 10 feet away from existing or future utility mains and services.

IV. NEXT STEPS

Once the comments below have been addressed, please re-submit five (5) hard copies of the revised plans as well as digital copies of the plans in pdf form to the front counter of the P&DS Service Center prior to the start of a 3-week review track. Staff is happy to meet with the applicant to discuss these comments in further detail prior to resubmittal. Contact the case manager to schedule a meeting.

V. CITY CODE CRITERIA CHECKLIST

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



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: **January 22, 2016**
CASE MANAGER: **Chandler Van Schaack**
PROJECT NAME: **4403 BROADWAY**
LOCATION: **4403 N BROADWAY**
COORDINATES: **N08W07**
REVIEW TYPE: **Site and Use Review**
REVIEW NUMBER: **LUR2011-00071**
APPLICANT: **Jeff Dawson**
DESCRIPTION: **SITE AND USE REVIEW REVISION SUBMITTAL: Revisions to Site & Use Review proposal to construct a mixed-use development including two townhouse buildings containing 6 units each, and 3 mixed-use buildings with 16 attached residential units above 9,207 sq. ft. of commercial and restaurant space. Requested modifications to development standards include: 5% parking reduction to allow for 57 parking spaces where 60 are required per the MU-2 zone district standards, modification of maximum number of stories from 2 to 3 for buildings in MU-2 zone, and height modification to allow mixed-use building to reach 43'6" in height and residential duplexes to reach 39'6" in height where 35' is the maximum height permitted by the respective zoning districts.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS

- **Section 9-9-6, "Parking Standards"** – 5% parking reduction to allow for 57 parking spaces where 60 are required per the MU-2 zone district standards,
- **Section 9-7-1, "Form and Bulk Standards"** – Modification of maximum number of stories from 2 to 3 for buildings in MU-2 zone, and
- **Section 9-7-1, "Form and Bulk Standards"** – Height modification to allow mixed-use building to reach up to 43' in height and residential duplexes to reach up to 38'6" in height where 35' is the maximum height permitted by the zoning.
- **Vested Property Rights** – The applicant is seeking to pursue the creation of vested property rights as provided for in Section 9-2-19, B.R.C. 1981.

I. REVIEW FINDINGS

Overall, the applicant has addressed the majority of staff's concerns and made significant improvements to the project as a whole. That being said, there are still a few minor corrections required before staff can move forward with a recommendation of approval. The applicant should re-submit digital copies of the corrected plans directly to the case manager at their earliest convenience. At this point, the public hearing for the application has been tentatively scheduled for **March 3, 2016**, so the applicant must re-submit the final corrections no later than **February 10, 2016** in order to meet the necessary deadlines. Please contact the case manager, Chandler Van Schaack, at 303-441-3137 or vanschaackc@bouldercolorado.gov with any questions.

II. CITY REQUIREMENTS

Access/Circulation David Thompson, 303-441-4417

1. Pursuant to previous comments, please revise the site plan to show the dedication of a 20' wide east / west public access easement for access to Lot #2 and a 20' wide north / south public access easement between the parking stalls and the garages for future access to the north property.
2. Pursuant to previous comments, please revise the layout of the bike racks for the transit stop from end-to-end to side-by-side in order to provide space for the bench and the multiple boarding areas.
3. Staff appreciates the revisions made to the site's short-term bicycle parking; however, given that it appears multiple tenants will occupy each of the buildings fronting Broadway, please revise the site plan to provide short-term bicycle parking in the front of building "B" in support of the project's TDM Plan.

Flood Control Scott Kuhna, 303-441-4071

Per previous comments from city staff, all flood proofing measures, including flood vents for garages and crawl spaces should be shown on the elevation drawings for architectural review purposes. No flood vents for the garages for Building 1 are shown on the elevation drawings (Sheet SR-1-A4.01). Revise accordingly.

Fees

Please note that 2016 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.

Inclusionary Housing Beth Roberts, 303 441-1828

1. Each new residential unit developed on the property is subject to 9-13 B.R.C., 1981, "Inclusionary Housing." The general Inclusionary Housing (IH) requirement is that all residential developments must dedicate 20 percent of the total dwelling units as permanently affordable housing.

For rental projects this requirement may be met through the provision of on-site affordable rental units or comparable existing or newly built off-site permanently affordable rental units or through the dedication of land appropriate for affordable housing or by payment of a cash-in-lieu contribution.

For for-sale housing this requirement may be met through the provision of at least half of the required affordable units on-site. The other half of the requirement may be met by providing comparable existing or newly built permanently affordable units off-site, the dedication of land appropriate for affordable housing or by payment of a cash-in-lieu contribution (CIL). The city will consider requests to contribute cash-in-lieu for all of the required affordable units however, any such approval is subject to a 50% additional CIL premium for any units required but not provided on site

2. Based on the submittal applicant is required to provide the following as affordable units:
 - a. 2.4 for-sale units (based on 12 market rate units)
 - b. 3.2 rental units (based on 16 market rate units)
3. Applicant has indicated a preference to provide off-site affordable units and is exploring this option. Acceptance of off-site affordable units is dependent on the following factors:
 - Agreement on the number and details of the off-site units;
 - Represent a proportional mix of unit type and unit size with the development that created the requirement. Attached affordable units may be no smaller than 80% the average size of the similar type as the development that created the requirement;
 - Timing; concurrency, whether constructed, rehabbed, (or other options presented by applicant), and marketed with the development that created the requirement;
 - Provision of security to ensure performance.
4. Per Colorado Statute 38-12-301, affordable rental units must be owned all or in part by a Housing Authority or similar agency. Applicant will need to meet the provision of 38-12-301 by creating an ownership structure that includes a Housing Authority or similar agency.
5. If the applicant determines they will meet the IH requirement with a cash-in-lieu contribution to the Affordable Housing Fund. The estimate for CIL required, if paid before 7/1/16, is \$742,853.00. Please note that CIL is due no later than residential building permit issuance. The amount in place when paid will apply. CIL amounts are updated annually on July 1. A Determination of Inclusionary Housing Compliance form which documents these requirements will be

provided for your signature once the exact amount of CIL due has been determined. The form must be executed prior to application for any residential building permit.

6. Conversion Agreement - The Inclusionary Housing ordinance requires that for-sale developments pay an additional 50 percent CIL premium in the event that they do not provide affordable units on-site. Accordingly, if you choose the CIL option and then convert the rental units to for-sale units within five years you will be required to pay the difference between the rental and for-sale CIL amounts. Rental developments that meet the inclusionary requirement with a cash contribution are required to execute an "Agreement for Costs Due on Sale: Affordable Housing Restrictive Covenant and Deed Restriction" (aka Conversion Agreement) and may be required to provide a Deed of Trust and \$10 Promissory Note which are used for notification purposes only.
7. Required documents to meet the IH requirement when providing affordable units off-site.
 - a. Determination of Inclusionary Housing Compliance form, due prior to application for building permit;
 - b. Deed Restricting Covenant, due prior to application for building permit;
 - i. Deed of trust good to within 30 days of signing the covenant
 - ii. Authorization to sign for LLC's
 - c. Conversion Agreement (A Deed of Trust and \$10 Promissory Note may also be required), due prior to building permit issuance;
 - d. Livability Standards for Permanently Affordable units, check-list part 1, due at site review submittal.
8. Required documents to meet the IH requirement when paying CIL.
 - a. Determination of Inclusionary Housing Compliance form, due prior to application for building permit;
 - b. Conversion Agreement (A Deed of Trust and \$10 Promissory Note may also be required), due prior to building permit issuance.
9. Additional information about the Inclusionary Housing program including the 2015-2016 cash-in-lieu amounts may be found on-line at www.boulderaffordablehomes.com.

Landscaping Elizabeth Lokocz, 303-441-3138

The comments were generally well addressed. A few corrections remain for the final approval set:

1. The six kelseyi dogwood (KD) south of Building 2 were not adjusted for spacing. Nine or ten should be proposed.
2. The Wichita blue juniper was correctly adjusted in the plan for spacing, but the plant list still call out as shown for spacing. Update per the previous comment and plan.
3. Update the interior parking lot numbers on both sheets. The area east of Building B does not technically meet the minimum requirements resulting in only the single 730 square foot island. The landscape requirements chart need only call out the required 5%, not 10%, and should call out the requested modification and total additional landscape per the graphic and chart on sheet SR-L1.03. Note that the total parking lot size is inconsistent between sheets.

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

1. Prior to signing the Development Agreement, if approved, the Applicant shall provide the following:
 - a) an updated title commitment current within 30 days of signing the agreement; and
 - b) proof of authorization to sign on behalf of the owner (such as operating agreement or statement of authority).

Parking Chandler Van Schaack, Case Manager

The parking stall dimensions shown in the townhouse garages are 9' x 18', which does not meet the minimum required parking stall dimensions per section 9-9-6. The garage spaces need to be 9' x 19' at a minimum, and the garages should measure 20' from interior wall to interior wall.

Plan Documents Chandler Van Schaack, Case Manager

1. On Sheet SR-A1.01, the at-grade patio areas are still mislabeled. Please be sure that these correspond with the final patio dimensions shown on the floor plans as well as the calculations included in the tables.
2. On Sheet SR-A1.01, the MU-2 zone parking chart is mislabeled. The required parking should be shown as 60 spaces rather than 59. Similarly, the footnotes should be corrected to reflect the request for a 5% parking reduction rather than a 3.5% reduction. Also, please indicate on the chart how many standard and small car spaces are proposed.

Utilities Scott Kuhna, 303-441-4071

1. The plans show porous pavers over a section of proposed water main to the northwest of Building B at the parking lot

Address: 4403 N BROADWAY

entry. The porous pavers need to be removed from this area (a minimum of 6 feet on each side of the water main).

2. The proposed wastewater manhole east of Building 1 should be shifted to the east approximately 10 feet to allow easier access for maintenance personnel.

III. INFORMATIONAL COMMENTS

Drainage Scott Kuhna, 303-441-4071

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.

Flood Control Scott Kuhna, 303-441-4071

1. All development within the 100-year floodplain is subject to the City's floodplain regulations and requires the approval of a floodplain development permit. The application must be submitted prior to or concurrently with the building permit submittal and must demonstrate that all requirements set forth in section 9-3-2 through 9-3-6 of the B.R.C. will be met. A draft of the floodplain development permit application should be submitted with the Technical Document submittal.
2. The residential units in Building 1 are proposed to be located within the area which was removed from the 100-year floodplain. As previously indicated, this structure is immediately adjacent to and completely surrounded by the 100-year floodplain. In order to protect the future home owners from basement flooding, it is strongly recommended that the proposed structures located within the "island" of 500-year floodplain be constructed in accordance with the 100-year floodplain regulations and that the residential structures be elevated to the flood protection elevation. The location of the proposed stormwater detention pond immediately adjacent to these structures increases the risk of basement flooding.
3. The floodplain development permit shall contain certified drawings demonstrating that:
 - a. The proposed residential buildings will be elevated to the flood protection elevation.
 - b. The proposed mixed-use buildings will be elevated or floodproofed to the flood protection elevation, have structural components capable of resisting projected hydrostatic and hydrodynamic loads and the effects of buoyancy, be constructed with materials resistant to flood damage and have all residential units elevated at or above the flood protection elevation.
 - c. Dry floodproofed structures will meet the updated flood proofing requirements provided by *FEMA* in Flood Control comment #8.
 - d. Enclosures, such as crawl spaces, below elevated structures shall meet the requirements of Section 9-3-3 (a)(18 and 19) of the *BRC* and *FEMA* Technical Bulletin 1.
 - e. Any proposed structures or obstructions in the floodplain, including trash enclosures and raised planters, will be properly anchored to prevent flotation, collapse, or lateral movement and be capable of resisting hydrostatic and hydrodynamic loads.
 - f. The buildings will be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed and located (by elevating or floodproofing) so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - g. Any proposed surface parking is not projected to flood to a depth greater than 18 inches in the event of a one-hundred year flood.

Miscellaneous Scott Kuhna, 303-441-4071

1. The applicant is notified that any groundwater discharge to the storm sewer system will require both a state permit and a city agreement. The steps for obtaining the proper approvals are as follows:

Step 1 -- Identify applicable Colorado Discharge Permit System requirements for the site.

Step 2 -- Determine any history of site contamination (underground storage tanks, groundwater contamination,

industrial activities, landfills, etc.) If there is contamination on the site or in the groundwater, water quality monitoring is required.

Step 3 -- Submit a written request to the city to use the municipal separate storm sewer system (MS4). This submittal should include a copy of the Colorado Department of Public Health and Environment (CDPHE) permit application. The written request should include the location, description of the discharge, and brief discussion of all discharge options (e.g., discharge to MS4, groundwater infiltration, off-site disposal, etc.) The request should be addressed to: City of Boulder, Stormwater Quality, 4049 75th St, Boulder, CO 80301 Fax: 303-413-7364

Step 4 -- The city's Stormwater Quality Office will respond with a DRAFT agreement, which will need to be submitted with the CDPHE permit application. CDPHE will not finalize the discharge permit without permission from the city to use the MS4.

Step 5 -- Submit a copy of the final discharge permit issued by CDPHE back to the City's Stormwater Quality Office so that the MS4 agreement can be finalized.

For further information regarding stormwater quality within the City of Boulder 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 Scott Kuhna, 303-441-4071

1. Vacation of the "Right-of-Entry Film 1673, Rec. No. 01104034" easement along the north edge of the property is required, as well as dedication of a new easement for the service line at time of Technical Document Review.
2. Vacation of the existing utility, drainage, and access easements will be required at time of Technical Document Review.
3. Final Utility Construction Plans will be required as part of the Technical Document Review process. All plans shall be in accordance with the City of Boulder *Design and Construction Standards*.
4. All water mains shall be PVC Class 200 AWWA C900 DR14, unless analysis is provided to demonstrate that Class 52 Ductile Iron will not be affected by corrosive soils. Revise the plan as necessary.
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. Maintenance of sand/oil interceptors and all private wastewater and storm sewer lines and structures shall remain the responsibility of the owner.
7. 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.
8. 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.
9. 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 counts 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.

10. 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.

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

IV. NEXT STEPS

The applicant should re-submit digital copies of the corrected plans directly to the case manager at their earliest convenience. At this point, the public hearing for the application has been tentatively scheduled for **March 3, 2016**, so the applicant must re-submit the final corrections no later than **February 10, 2016** in order to meet the necessary deadlines. Please contact the case manager, Chandler Van Schaack, at 303-441-3137 or vanschaackc@bouldercolorado.gov with any questions.

V. CITY CODE CRITERIA CHECKLIST

VI. Conditions On Case

Van Schaack, Chandler

From: Liesel A. Ritchie [liesel.ritchie@Colorado.EDU]
Sent: Monday, February 02, 2015 6:08 PM
To: Van Schaack, Chandler
Subject: Review # LUR2011-00071

Dear Mr. Van Schaack -

I am writing in regard to the review for the property at 4401 Broadway, Project 4403 Broadway. Briefly and primarily, I am concerned about the requested changes in zoning insofar as they involve increasing the height of the buildings and in that there is also a request for reductions in parking.

As a current resident of north Boulder, owning a condo in the Uptown on Broadway (4580, #223), I am opposed to any increase in the height of the buildings as I believe they would significantly degrade my viewscape -- which was one of the primary reasons I purchased this home. I did some research prior to buying this residence 6 years ago, and noted that the zoning that had potential to block my views of the foothills to the south of me was only two stories. I believe that the approval of a 3rd story would limit my views and, relatedly, reduce the value of my property.

I am also concerned that the facility would be reducing parking, yet seeming to increase the need for it.

Please confirm that you have received this message. Thank you in advance for passing this along to the review committee.

Sincerely,

Liesel

Liesel Ashley Ritchie, PhD

Associate Director
Natural Hazards Center

Institute of Behavioral Science

Phone: 303.492.4181

Fax: 303.492.2151

Web: www.colorado.edu/hazards

"Nobody rises to low expectations." ~ Calvin Lloyd

Van Schaack, Chandler

From: George West [gswest@chemicalintelligence.com]
Sent: Monday, February 02, 2015 5:46 PM
To: Van Schaack, Chandler
Subject: Opposition letter to 4403 Broadway Project

Hello,

How is the best way to voice our opposition to the variances proposed in the 4403 Broadway project? We own a property facing the foothills at 4250 Broadway #207 that will be impacted by a building blocking the view and to allow it to rise another 7.5 feet beyond what is currently allowed will materially affect the value of our property. The rules regarding the height of buildings are in place for a reason – they insure the natural beauty of the area is maintained and the value of existing structures are also preserved. When we bought our property we were informed of the Boulder City ordinance against building anything over 35 feet on Broadway and we relied on the City to protect the current residents of North Boulder by not wavering from its zoning rules. Both my wife and I want to voice our extreme opposition to the variance requested by the developer with regard to building height. I only just received this notice from a neighbor having never received one by mail. Please let me know if this email will suffice or whether a written hardcopy is needed to mail in.

Sincerely,

George and Sandra West
4250 Broadway, Unit 207, Boulder CO 80304
(281) 948-8944

Van Schaack, Chandler

From: pizzamail@comcast.net
Sent: Saturday, November 12, 2011 4:51 PM
To: Van Schaack, Chandler
Subject: 4403 Broadway Site review

Follow Up Flag: Follow up
Flag Status: Completed

Dear Chandler,

We have reviewed the site plan and the request for a height variance. We do not feel this is okay. The 35' foot height limit must remain. The tall buildings will absolutely make north Boulder feel closed in. The views will be blocked and if the variance is allowed then all subsequent applications for development may receive the same approval.

Please say no and make the developer construct the project within the parameters that are already established.

We wish to be notified as to when the planning board meeting will be.

Thank you,
Pam Proto
Ashley Syms

Van Schaack, Chandler

From: Jeff Hindman [jah@cottonwoodcustombuilders.com]
Sent: Friday, January 23, 2015 4:23 PM
To: Van Schaack, Chandler
Cc: Cottonwood Custom Builders, Inc.
Subject: 4401 & 4403 Broadway
Attachments: pastedGraphic.pdf

Mr. Van Schaack -

As a property owner in the existing commercial condo building at 4439 N Broadway, Suite E, I have several concerns and objections to the variances and modifications being requested in the development review application for the properties at 4401 and 4403 Broadway.

- 1) Allowing the buildings to be higher than current zoning allows will be a serious detriment to the existing property owners in our building and other surrounding properties. I bought my property knowing that I agreed with what was allowed in our neighborhood. To allow a significant up zoning modification to this without any compelling hardship for that property is simply a windfall for the property owner / developer at the expense of those other existing properties around the site. It seems that the only justification for the extra height requested is so the developer can add more square footage and increase the value of his property. I believe in respecting property rights and to me that means approving something that matches existing zoning regulations and not changing them to fit whatever the developer wants to build. I will also point out that the residential portion of this property was filled with approximately 5-7 feet of fill a few years ago and the current grade on the west portion of the property is not what should be used to determine any building height. There is also an existing flood plain very close to this property and by installing the fill the property owner greatly increase the chance that our building would flood.
- 2) We already have a shortage of parking spaces in this area of Boulder and people park in the lot for our building for events at the auditorium and the Waldorf school all the time. Allowing the developer the 11% parking reduction will only make this problem worse. Again, I see not justification for reducing the parking except to allow for more developed square footage and increase the developers value at the neighborhood's expense.
- 3) There is an existing access easement for our Condo building's access to Broadway that needs to be preserved in its current alignment.
- 4) There is a current pedestrian pathway from the trailer park to the school to the south that goes between the MU-2 portion of the property and the RM-1 portion. It would be nice if the proposed development allowed for the continuation of this pedestrian traffic in the future. Otherwise the school kids will be forced to go out to Broadway and around that would decrease the safety of their walk to and from school. When we repaired the fence between our building and the trailer park several years ago, we installed a gate at the east end to allow pedestrians to access this travel path and not have to go out to Broadway. Pedestrian connectivity is a very important concept in Boulder and hopefully, this can be taken into account by the developer.
- 5) I would also hope that the City has some mechanism to regulate the architectural quality of the proposed development. The recent development on the east side of Broadway north of Violet is very poor quality, in my opinion. It looks like something I would see out on 287 or Arapahoe in Erie. With the current values for Boulder real estate, the quality of the design and materials should be up to that level.

Thanks for the notice about this project and please keep us on the list for future new about the progress of this project. We will hope to be able to be present and voice our concerns at the future public meetings on this development.

Jeff Hindman - President
Cottonwood Custom Builders, Inc.
4439 N Broadway, Suite E
Boulder, CO 80304

Van Schaack, Chandler

From: Eric Scholz [ericscholz@yahoo.com]
Sent: Friday, January 23, 2015 10:28 AM
To: Van Schaack, Chandler
Cc: Trina Scholz
Subject: 4401 Broadway - LUR2011-00071

Dear Mr Van Schaak,

I am writing to submit comments on the proposed development on the corner of Violet and Broadway.

My wife and I have owned units in the commercial units at 4439 Broadway, which will be surrounded by this development, since 2001. So, we have an excellent understanding of the neighborhood and its community. North Boulder has been our community since 1981 and have seen many changes over those years. I appreciate having the opportunity to comment on these projects, for which I have been mostly supportive. Lately however, there seems to be a trend which, along with this application, compelled a response.

While I am supportive of the existing land owners use-by-right, I am specifically opposed to the variances requested in this proposal for the following reasons:

- 11% parking reduction: I am highly opposed to this variance because it will have a direct impact on the parking around our building when people poach spaces. We already struggle towing everything from junk cars to part-time camper residents and do not want to fence off our entire property with signs and such. I also believe disincentives like these as a public policy do not work. I can remember the discussion of using traffic lights along foothills parkway instead of overpasses, and that left us with nothing but more traffic and tons of result pollution and time wasted. Furthermore, it increases density in this town. Does this new density come with water? No. It comes from the rest of us. I am highly opposed to these non-sustainable patterns of growth. If new density comes, it should come without reducing our water share.

- Additional story on building: I am highly opposed to this variance for two reasons. One, is the issue of density I mentioned above. The second is that there is no provable benefit to the existing citizens to warrant this variance.

- Height variance: I am highly opposed to this variance for to main reasons. I assume these buildings will be placed along the street with parking in back. This development pattern in this location creates wintery caverns on Broadway where there once was sun and views. The Holiday Inn, set back as it is with three stories and a landscaped berm, creates a much more pleasant and sunny street and walkscape, and if you notice, you can still see the mountain backdrop - the reason we all live here in the first place. Reason two is the new density issue and its impact I outlined above. Finally, its not clear where the height would be measured from, since much of the lot to the south is recent fill and not original grade.

Since there was no building layout plan, it is hard to say what other comments we might have. I hope the owner recognized and designed around our easement to Broadway and the development wont change the flood plain. Our building is currently out of the flood plan and suffered no damage in the recent flood. Hopefully this will not be impacted by this development.

Otherwise, if the developer chose to simply build within the existing zoning limits without variances, we would likely support his endeavor.

Sincerely,

Eric and Trina Scholz, unit D and H. Plaza Commercial Condominiums, 4439 N. Broadway.

Van Schaack, Chandler

From: Anita Schwartz [bouldergas@hotmail.com]
Sent: Thursday, January 22, 2015 10:03 AM
To: Van Schaack, Chandler
Subject: 4401/4403 Broadway

Dear Chandler,

Thanks for talking with me about the development proposed for 4401 Broadway.

As previously stated, I support redevelopment of the lot--but I do not support a modification of the height standards. Buildings that tall will block what is left of the mountain view. The height restrictions exist for good reason and should be followed. We moved to the neighborhood for the views and with the foothills being smaller than some of Boulder's other mountains, the height restriction is especially important.

I am also opposed to the proposed parking reduction. We have had a huge amount of development in North Boulder. With Violet Crossing not even fully leased, we are already getting overflow parking on 13th Street. With that much density coming into the neighborhood, adequate parking will be essential.

Thank you for your consideration.

Anita Schwartz
303-359-5872

Van Schaack, Chandler

From: Anupam Barlow [anupam.barlow@gmail.com]
Sent: Thursday, January 22, 2015 8:07 AM
To: Van Schaack, Chandler
Subject: 4401-3 Broadway Review Number LUR2011-00071

This is to oppose the site and use revision for the proposed development by Emerald Investment 1, LLC at 4401 Broadway.

One of the main reasons I chose to move to Boulder 30 years ago is because of its natural beauty, together with zoning laws that prohibit anyone from destroying or blocking the beautiful foothills and landscape. Over the years I have watched how buildings in North Boulder particularly have systematically destroyed the views in and around where I live.

I cannot think of one reason for requesting that more buildings be built above the current maximum height allowance of 35', nor for there to be even more crowding in terms of the number of units built and the increased traffic to the area, other than pure greed on the part of the investment company. And I cannot think of one valid reason for approving such a request by the City of Boulder.

I will continue to fight this at every possible opportunity, and would ask that you keep me informed of all stages of this review process.

Sincerely,

Anupam Barlow

Van Schaack, Chandler

From: Wolfgang Reitz [wreitz443@gmail.com]
Sent: Wednesday, January 21, 2015 10:01 PM
To: Van Schaack, Chandler
Subject: 4403 Broadway comment

Greetings Mr. Van Schaak

I have lived in Boulder since 1972 and in North Boulder since 1985. In that time I have seen a lot of growth. I have also seen that our streets can't support the traffic. In general I like the idea of mixed use in this area. I think development should happen as written in the rules and not by excesses that many developers push for! Parking on North Broadway is already not sufficient. Our height limits were put in place and should not be exceeded! Boulder is turning into a place that I and most of the people I know don't like!

Thank you for listening,
Wolfgang Reitz
1665 Orchard Ave.
303.443.5612

Van Schaack, Chandler

From: Eric Ponslet [ericponslet@gmail.com]
Sent: Wednesday, January 21, 2015 10:34 AM
To: Van Schaack, Chandler
Subject: LUR2011-00071

Dear Mr Van Schaack:

I am writing to voice my concerns about some aspects of the proposed development application referenced above (4401/4403 Broadway).

While I am not opposed to new development on that corner, I find the requested variations to the zoning for that area to be seriously objectionable. The land in question is - as you know - zoned RM-1 (for about 2/3rds of the area) and MU-2 for the remaining third. Zoning regulations for these classifications restrict the type and size of buildings to maintain the residential/commercial character of the area and the view shed of neighboring properties.

While the east side of north Broadway has been developed into a more urban style with multi-story buildings, the east side has largely remained true to its mixed use and residential designation and consists primarily of low commercial buildings which ensure (1) a much needed diversity in the neighborhood (lower end commercial uses), and (2) an unobstructed view of the foothills from the street and adjacent properties.

The accumulation of "deviations" from zoning requirements that are requested by the applicant amount to complete disregard for these rules. I am particularly opposed to any deviation from the maximum height limit of 35 feet and the maximum number of allowed stories. You'll note that the applicant is requesting a variation to bring that height limit up to 42.5 ft, an increase of 7.5 feet! Also note that every one of the 9 building proposed exceeds the height limit. This makes all the difference between a construction that fits within the character of the West side of North Broadway, and one which will completely overwhelm that street corner, is clearly out of character with neighboring commercial properties or the school on the south side, and will block the view of the foothills for many residents on the East side of Broadway.

Zoning rules exist for a reason: they indicate to existing and potential property owners the nature of future developments that may be built in the area and what they can expect that area to look like in years to come. Minor deviations from those rules are often needed to accommodate the realities of development projects. However, what has been requested in this particular case is not a minor variance, but instead an accumulation of fundamental deviations from the very spirit of the zoning areas in question.

I adamantly oppose these variations.

Sincerely,

Dr. Eric Ponslet,
4520 Broadway St, Unit 206
Boulder, CO 80304
ericponslet@gmail.com

Van Schaack, Chandler

From: zak k [zak1080@gmail.com]
Sent: Tuesday, January 13, 2015 12:12 PM
To: Van Schaack, Chandler
Subject: Review number: LUR2011-00071 Project name: 4403 Broadway

I own and live at 4551 13th St. unit D. I have many concerns about this project. I will list them below.

1) Parking reduction request. This is absolutely not acceptable. Parking on Rosewood East of Broadway and 13th and 14th st. is already overcrowded. I suspect the developers here also got a reduction in parking. I often have to drive around looking for a spot. This will only add to this problem as the streets I mention above are the closest place to park for overflow. Parking is a serious issue in this neighborhood already, please don't let them get by with a reduction.

2) Height Modifications: Why would this even be considered? There are units north and east whose view will be blocked as a result. We have height restrictions in Boulder for very good reasons. We should not start violating these principles just because we are in the north end of town.

3) Modification to number of stories. Same reasons as above. These developers are trying to step all over the regulations that have made Boulder what it is. This will set a precedent that will be difficult to turn back. North Boulder will be nothing like the rest of Boulder.

Please do not allow any of these modifications to our regulations which protect our property values.

Sincerely,
Zak Keirn

Van Schaack, Chandler

From: Dennis Robertson [dennyr@indra.com]
Sent: Monday, January 12, 2015 6:13 PM
To: Van Schaack, Chandler
Cc: Dennis Tuma
Subject: 4403 Broadway PROJECT REVIEW

Good evening Chandler,

Thank you for including us in the mailing regarding this project.

I am a new resident in this area of town, though my husband has lived here for 6 years. It certainly is developing rapidly, and traffic is intensifying almost daily.

Even without this development, we need a traffic light at Yarmouth and Broadway. It is a treacherous intersection. HELP!

The proposed parking reduction seems ill advised, especially given proposed restaurant use. Dining will regularly invite new drivers to the area who are unfamiliar with street and parking options in the north Broadway corridor, many to a table in my dining experience. If possible, the parking requirement should be increased for restaurant use.

The maximum height limits must be affirmed, for this and every development in this prominent corridor, for a number of reasons:

1. Don't set a bad example that every other development to follow will expect to have granted to them.
2. Don't block ANY of the afternoon Sun we need on these dark winter days, to melt snow and ice accumulation.
3. Don't block the mountain/foothills views for projects already completed, including businesses and residents who were assured their views were protected by City zoning laws.

Thanks for including our concerns in this Review.

Sincerely,

Denny Robertson, and husband Dennis Tuma
4500 19th Street #537, Boulder CO 80304
303-885-3257

APPROVED ON SEPTEMBER 6, 2007

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
August 2, 2007
1777 Broadway, Council Chambers

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: <http://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

Elise Jones, Chair
 Willa Johnson
 Andrew Shoemaker
 Phil Shull, Vice-Chair
 Richard Sosa
 Bill Holicky

PLANNING BOARD MEMBERS ABSENT:

Adrian Sopher

STAFF PRESENT:

Brent Bean, Senior Planner
 Juliet Bonnell, Administrative Specialist
 Charles Ferro, Planner II
 David Gehr, Assistant City Attorney
 Heidi Joyce, Administration Supervisor
 Michelle Mahan, Engineering Specialist
 Robert Ray, Land Use Review Manager
 Molly Winter, Director of Downtown University Hill Management Division of Parking Services

1. CALL TO ORDER

Chair, **E. Jones**, declared a quorum at 6:03 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

No minutes were scheduled for approval.

3. PUBLIC PARTICIPATION

No one addressed the board.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS

No items were scheduled for discussion.

5. ACTION ITEMS

A. Continuation of public hearing and consideration of non-conforming Use Review #LUR2006-00067, etown, for the property located at 1535-1539 Spruce Street, in the Residential High-2 (RH-2) zoning district. The proposal includes use of the existing building for

broadcast and recording uses, office use, audio editing, post production, community meetings, workshops, and live musical performances with up to 200 audience members, up to 12 times per month until 9:00 p.m. The Planning Board will consider the final conditions of approval and findings of fact.

Applicant: Nick Forster
Owner: Tebo Partnership, LLLP
Case Manager: Charles Ferro

Applicant/Owner Presentation

Nick Forster presented the item to the board. He commented that the language stipulated in Condition 3C regarding "printed information on tickets or an announcement attached to tickets" is not under his control, but is up to the discretion of the Boulder Theater. He said he will make every effort to meet the intent of the condition, but cannot guarantee the outcome.

Molly Winter spoke about definite availability of parking permits.

Staff Presentation

C. Ferro presented the item to the board.

Public Hearing

The public hearing was held at the July 5, 2007 Planning Board meeting. No further public hearing was conducted at the August 2, 2007 Planning Board meeting.

Board Discussion

Motion

On a motion by **W. Johnson**, seconded by **P. Shull**, the Planning Board approved (5-0, **A. Sopher** absent, **B. Holicky** abstained) Use Review #LUR2006-00067, etown, for the property located at 1535-1539 Spruce Street adopting the staff memorandum dated August 2, 2007 as findings of the board subject to the following conditions of approval:

CONDITIONS OF APPROVAL

1. The Applicant shall be responsible for ensuring that the development shall be in compliance with all approved plans and written statements dated June 11, 2007 on file in the City of Boulder Planning Department, except as modified by these conditions of approval.
2. Per Section 9-2-11(a), B.R.C., 1981, prior to the issuance of a building permit or a certificate of completion for use review approval, the City Manager will determine the provisions of the development agreement and these conditions of approval have been met.
3. The Applicant shall ensure that the broadcasting and recording facility is operated in compliance with the following restrictions:
 - a. Live performances to include musical performances, lectures, community meetings, workshops, classes, and presentations shall be limited to 12

times per month with a maximum of 200 audience members and shall end by 9:00 P.M.

- b. The applicant shall secure 8 commuter parking permits for regular, full-time employees from Parking Services for the Whittier Neighborhood Parking Program and shall renew them as required by that program.
 - c. Parking for live tapings and performances shall be accommodated at the public parking garage at 1500 Pearl Street or other off-street public parking facility in the downtown area **wherever possible**. In an effort to reduce parking impacts on the neighborhood, the applicant shall include printed information on tickets or an announcement attached to tickets directing patrons to park at the public parking garage at 1500 Pearl Street or other off-street public parking facility in the downtown area wherever possible. Public parking information shall also be posted on the e town website as well as within the venue. Additionally, all marketing information or public advertisements for live performances shall include information directing patrons to park in the public parking garage at 1500 Pearl Street or other off-street public parking facility in the downtown area.
4. The applicant shall provide Eco passes for all employees.
 5. The applicant shall provide dedicated bicycle parking for a minimum of 6 bicycles.
 6. Prior to issuance of a certificate of completion, the applicant shall prepare construction documents and a report from an acoustical engineer acceptable to staff that demonstrates use of acoustical doors, windows, and a retrofitted HVAC system designed to attenuate sound transmission from the property.
 7. The Applicant shall not expand or modify the approved broadcast and recording facility use except pursuant to Subsection 9-4-9(g), B.R.C. 1981.
 8. Any changes in the broadcast and recording facility use tenant shall be subject to the review and approval of the Planning Director. The purpose of such review shall be to inform such subsequent user of this space that it will be required to operate the broadcast and recording facility use in compliance with the terms of this approval.

P. Shull offered a friendly amendment to change condition 3.a. as follows:

- a. Live performances to include musical performances, lectures, community meetings, workshops, classes, and presentations **in excess of 25 guests** shall be limited to 12 times per month with a maximum of 200 audience members and shall end by 9:00 P.M.

W. Johnson accepted the friendly amendment.

E. Jones offered a friendly amendment to change condition 3.c. as follows:

- c. Parking for live tapings and performances shall be accommodated at the public parking garage at 1500 Pearl Street or other off-street public parking facility in the downtown area. In an effort to reduce parking impacts on the neighborhood, the applicant shall include ~~printed information on tickets~~ or an announcement attached to tickets directing patrons to park at the public parking garage at 1500 Pearl Street or other off-street public parking facility in the downtown area wherever possible. Public parking information shall also be posted on the e town website as well as within the venue. Additionally, all marketing information or public advertisements for live performances shall include information directing patrons to park in the public parking garage at 1500 Pearl Street or other off-street public parking facility in the downtown area.

W. Johnson and P. Shull accepted the friendly amendment.

B. Public hearing and consideration of Concept Plan Review and Comment #LUR2007-00015, Blue Spruce Automobile Sales redevelopment, for the property located at 4403 N. Broadway. The proposal includes development of 25 residential units and 12,491 square feet of retail / office space on 2.49 gross acres, in the Mixed Use-Two (MU-2) and Residential Medium-One (RM-1) zoning districts.

Applicant / Owner: Gary Calderon
Case Manager: Charles Ferro

Applicant/Owner Presentation

George Watts presented the item to the board.

Staff Presentation

C. Ferro presented the item to the board.

Public Hearing

Charisa Boutay, 4400 Broadway

Board Discussion

Board members made the following comments:

Two story/three story transition

- North Boulder Subcommunity Plan guidelines should be followed on this issue.
- Building height of 35-38 feet is reasonable for buildings A and B, but should not be exceeded. Building C should not exceed two stories or 35 feet.
- Building height should be stepped up gradually from the south side of the site.
- Corner tower element should not exceed height for district. Other design treatments should be considered to hold and define the corner.
- Building design should incorporate techniques to help reduce the mass, scale, and vertical nature of the taller structures. A significant third floor setback is recommended to help reduce building mass.

Use Review for locally owned breakfast/lunch and lunch/dinner restaurants (2000 square feet and 1800 square feet)

- Concern about parking impacts from larger restaurants.

- One new restaurant might be more appropriate to location than two restaurants or possibly one slightly larger restaurant and one smaller restaurant.
- Concern about impact on the area (more noise, traffic, etc.).
- Restaurant spaces should cater to local business if possible.
- Restaurants should be neighborhood scale to serve those who live in the area.
- A parking reduction will likely not be supported to accommodate larger restaurants.

Open space site plan

- Pedestrian pathway needs to be strengthened and continued further (not terminating in parking spaces or the dumpster area).
- Add pedestrian access along the southern portion, by the ditch.
- Pond crossing should be permanent. The applicant may consider a bridge crossing.

Bridge/Elevator

- Remove bridge and attach elevator to building in a less awkward location.
- Address the issue of floor area.
- Bridge / elevator should not dominate or consume the courtyard space.

Building architecture

- Proposed contemporary contextual design of Broadway buildings is acceptable yet not as interesting or unique as they could be. Make design of Broadway buildings more unique- Planning Board looks forward to more refined plans.
- Brick and other high quality materials are supported.
- Vibrant, primary colors should not be used on outside of buildings.
- Keep buildings within height and square footage limits.
- Large unbroken flat roof expanses should be broken.
- Duplex designs appear supportable although the footprints and designs could be varied more.

Summary

The applicant's preparations, level of detail, questions, and desire for feedback were appreciated by the board. The board said the applicant is headed in the right direction.

Bus Stop

- Bus stop should be located on north intersection to prevent it from being directly outside the restaurant area and courtyard if possible.

The board recessed at 7:59 p.m. and reconvened at 8:17 p.m.

C. Public hearing and consideration of Concept Plan Review and Comment, LUR2006-00083, 1725 28th Street, replacing the Golden Buff Motel and Ead's News buildings located at the northwest corner of 28th Street and Canyon Boulevard. The proposal includes development of a 309,000 square foot four-story retail, office and limited residential building with a maximum height of 55 feet, in the BR-1 zoning district.

Applicant: Urban Frontiers and Ace Holdings LLC
 Owner: Golden Buff Motel INC and Ace Holding LLC
 Case Manager: Brent Bean

Applicant/ Owner Presentation

Steve Moyoski and Bill Branen presented the item to the board.

Eric Hartraub presented the design elements of this item to the board.

Jeff Dawson (standing in for Rick Peterson) discussed massing and transportation.

Staff Presentation

B. Bean presented the item to the board.

W. Johnson – asked FAR of Water Street and orientation of setbacks

B. Bean – FAR is under 1

P. Shull – applicant proposes to meet parking requirements- that changes depending on the use (commercial or residential)

B. Bean – when they come in for Use Review the use will be better defined.

A. Shoemaker – type of jobs vs. cost of housing in locations?

B. Bean – more jobs than housing

P. Shull – traffic generation, parking requirements, loading/unloading, warehousing

B. Bean – off site warehousing for big retailers, parking 1-300- parking reduction might be necessary?

P. Shull – impacts on location

B. Bean – transportation study should answer access and impact questions

R. Sosa – look at the grander scheme of things. How accessible will this be to pedestrians?

Public Hearing

Frances Draper, Executive Director of Boulder Economic Council

Board Discussion

Board members made the following comments:

Massing

- The applicant will need to develop the plan to be more consistent with the intent of the Boulder Valley Comprehensive Plan (BVCP), Boulder Valley Regional Center Plan (BVRC) and the Boulder Plaza Subarea Plan (BCSP).
- This project is setting a new direction for development within the BVRC planning area. Support of this intense of a plan will create a more “Urban” development pattern over what is currently present within the BVCP area.
- Density and massing of this project should be scaled back to make it blend better with existing buildings and general development.
- Four stories along the 28th Street frontage are not in character with this area. The buildings fronting onto 28th should be two stories. Four story elements should be considered within the central, northwestern portions of the site.
- Permeability and pedestrian connectors need to be a strong element of this plan. 26th Street has been designated a pedestrian corridor on the BCSP. The BVRC plans show strong pedestrian corridors running north/south through the center of the site and an east/west corridor running along the north boundary of the property.
- Building design should blend better within the current building context in this area.
- Underground parking at this location is appropriate, but consideration of access above and below grade parking lots must work within the existing street structure. A traffic study should be completed to determine the most appropriate locations for parking garage access points in light of existing street limitations.

- Building should not be connected by bridge. Two or three structures placed above a below grade parking structure are more appropriate at this location.
- Corners of buildings need restraint- should be less than four stories with unique design (eye-catching elements).
- The building to be constructed at the corner of 28th and Canyon should become an “Icon”, creating a unique identifying structure.

Transportation

- 26th Street should be preserved as a pedestrian corridor.
- Traffic flow on 26th Street should not be constrained by an entry/exit to below grade parking.

Housing

- Job and housing issues must be balanced according to the BVCP.
- Integration of office and residential space is essential in this project. A minimum of 60 to 70 residential units should be developed on this site in the north and western portions of the site.
- Enhance the 26th Street pedestrian corridor with residential space on the corner of 26th and Canyon.
- Differentiate design of buildings from other buildings within the Canyon Blvd. corridor.
- The edges of the proposed development will need to limit solar impacts for surrounding buildings.
- Street tree placement needs to be considered for all future plans.

Architectural character

- Must follow the BVCP.
- Permeability is the antidote to density- enhance pedestrian pathways.
- Must be compatible with the streetscape.
- Corner building should be eye-catching and prominent through material, articulation, and design quality – not necessarily taller, but “Iconic” in nature.

E. Jones recommended (with the support of all present Planning Board members) that the applicant return for a second Concept Plan before Site Review to provide more details and development including the following changes:

Lower the building floor area, provide pedestrian corridors, add residential housing, and make the corners of the building prominent, but not tall.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

B. Holicky requested that copies of project applications be included in Planning Board packets.

P. Shull requested that board members dine together at a restaurant before each meeting. Planning Board members agreed to make an effort to attend pre-meeting dinners.

D. Gehr suggested catered meals instead of restaurant meals prior to meetings.

W. Johnson requested information on buildings/square footage/jobs (jobs/housing balance) because board decisions are driven by this model following the BVCP.

P. Shull suggested that other properties in town might serve Golden Buff applicants better than this property.

E. Jones wanted to know whether businesses have left Boulder due to cost of living, cost of space or unavailability of space.

W. Johnson noted that the Washington School meeting was difficult because two senior board members were absent.

R. Ray reminded Planning Board members that there will be no meeting on August 9 for Hogan Pancost.

P. Shull noted that it is difficult when applicants bring in more than one option for design.

7. DEBRIEF/AGENDA CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:33 p.m.

APPROVED BY

A handwritten signature in black ink, appearing to read "L. B. Jones", written over a horizontal line.

Board Chair

9/6/07

DATE

