

**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM**

MEETING DATE: September 1, 2016

AGENDA TITLE: Public hearing and consideration of a Site and Use Review (LUR2016-00056 & LUR2016-00057) proposal to establish a retail store and café use at 1815 Pearl St. The total square footage of the tenant space is 2,642 square feet with 1,984 square feet of retail and 658 square feet of café space with 40 interior seats. A concurrent site review has been submitted for consideration of an 89% parking reduction.

Applicant: Vincent J. Porreca
Owner: CCPL Real Estate Group, LLC

REQUESTING DEPARTMENT:

Planning, Housing & Sustainability
David Driskell, Executive Director
Susan Richstone, Deputy Director
Charles Ferro, Development Review Manager
Caeli Hill, Associate Planner

OBJECTIVE:

Define the steps for Planning Board consideration of this request:

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

SUMMARY

Proposal:

LAND USE REVIEW: Public hearing and consideration of a Site and Use Review (LUR2016-00056 & LUR2016-00057) proposal to establish a retail store and café use at 1815 Pearl St. The total square footage of the tenant space is 2,642 square feet with 1,984 square feet of retail and 658 square feet of café space with interior 40 seats. A concurrent site review has been submitted for consideration of an 89% parking reduction.

Project Name:

Rapha Racing

Location:

1815 Pearl St.

Size of Tract:

6,965 square feet (0.16 acres)

Zoning:

MU-3 (Mixed-Use 3)

Comprehensive Plan:

HR (High Density Residential)

Key Issues for Discussion:

Staff has identified the following key issues regarding the proposal and has provided responses below in the "Analysis" section of this memo.

Key Issue #1:

Does the proposal meet the Use Review criteria set forth in 9-2-15(e), B.R.C. 1981?

Key Issue #2:

Does the proposal meet Site Review Criteria, particularly the parking reduction criteria of 9-2-14(h)(2)(K), B.R.C. 1981.

BACKGROUND

The subject property is a 6,900 square foot lot located in Central Boulder on the north side of Pearl Street, between 18th St. and 19th St. To the east and west of the subject property along Pearl Street, between 18th St. and 24th St., is a six block corridor of MU-3 zoning commonly known as the “East Pearl” business district which contains retail, restaurant and office uses mixed-with residential uses. This corridor is also included in the Downtown Boulder Business Improvement District (DBBID).

The MU-3 (Mixed-Use 3) zone is defined in 9-5-2(c), B.R.C. 1981 as “*areas of the community that are changing to a mixture of residential and complementary nonresidential uses, generally within the same building.*” Refer to **Figure 1 & 2** for a Vicinity Map and a Zoning Map. The areas north and south of the East Pearl corridor are comprised primarily of residential uses. To the east of this property are three retail stores including the adjoining tenant space. To the west is an adult educational facility, a salon, several small restaurants which feature café seating in the public right of way, and a full size restaurant with a large outdoor patio fronting 19th St. The second floor spaces of buildings on this block are occupied by offices.

The Central Area General Improvement District (CAGID) ends only one-half block away at 18th Street. There is a Neighborhood Parking Permit (NPP) program in the Whittier neighborhood to the north, which limits non-permit parking to 3 hours, Monday through Thursday 8:00 a.m. to 8:00 p.m., Friday 8:00 a.m. to 12:00 a.m., and Saturday 8:00 p.m. to 12:00 a.m. There are also two parking garages located within distance quarter mile of the site at 15th St. and Pearl St. and Walnut St. and 14th St.



Figure 1. Vicinity Map

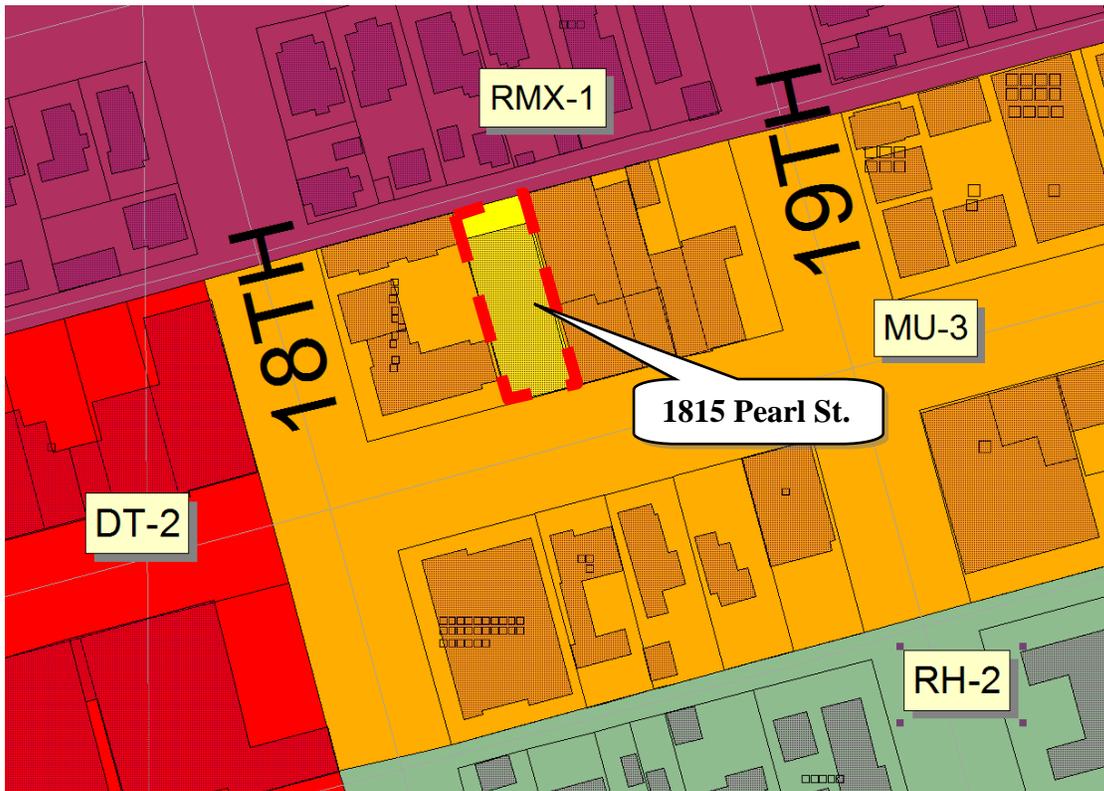


Figure 2. Zoning Map

PROJECT DESCRIPTION

The existing single story building located at 1815 Pearl St. is split into two tenant spaces. Buffalo Exchange occupies 1813 Pearl St., the east side of the building. The current proposal is for the west side of the building, 1815 Pearl St. Previous uses of the subject tenant space include an antiques store, a photo processing studio and a gallery space. The applicant is requesting approval of a Use Review and Site review to establish a 2,642 square foot combined retail and café use called Rapha Racing (refer to [Attachment A](#)). The retail store will offer high-end cycling apparel while the café offers coffee, beer, wine and a selection of light prepared foods. The store's hours of operation are 8:00 a.m. to 7:00 p.m. Monday through Saturday and 8:00 a.m. to 6:00 p.m. on Sundays. The retail portion of the store will be 1,984 square feet while the café portion is 658 square feet, including 40 interior seats café for patrons. Employees will staff two shifts per day with approximately three people working each shift.

The existing 5,737 square foot building was constructed in 1955 and stands 14 feet in height. The original façade (refer to [Figure 4](#)) included large storefront windows and a slightly recessed entry feature. In 2010 a



Figure 3. Current Tenant Space



Figure 4. Original Building Façade. (Source: Tax Assessor Photo of 1813-1815 Pearl St., 1955. Photograph courtesy of Carnegie Branch Library for Local History

minor modification was approved (ADR2010-00026) to remove the recessed entryway to accommodate a new glass storefront system. At the same time the building was divided longitudinally into two tenant spaces. As mentioned above, a small retail store occupies the western-most tenant space and various retail uses have occupied the subject tenant space throughout its history. The site is fully developed and like most mercantile buildings along Pearl St., does not have any open space and has very little off street parking however, this has been an existing condition since the building was originally built in 1955.

No changes to the building dimensions, floor area or building coverage are proposed, however, minor exterior changes include the installation of a large, storefront bi-fold window facing Pearl St. Additionally; the applicant will install one new u-bicycle rack within the public right-of-way along Pearl St. to provide relief to the high demand of bicycle parking along this block. The applicant will also provide fourteen short-term bicycle parking spaces within the tenant space for patrons, as well as four long-term bicycle parking spaces in the rear of the tenant space for employees. The existing parking in the rear of the property is currently unpaved. As a part of the application, the parking area will be paved and striped (one compact and one standard sized space) in compliance with city standards. A compliant dumpster and recycling area will also be constructed in the rear of the property. Finally, a new street tree with irrigation will be provided along Pearl St.

An 89% parking reduction has been requested. Staff's detailed analysis of the parking reduction criteria can be found in [Attachment B](#). The applicant's transportation engineer has also prepared a parking study which can be found in [Attachment E](#).

REVIEW PROCESSES

Use Review

Pursuant to section 9-6-1, B.R.C., 1981 uses defined as "Retail less than 5,000 square feet" are allowed in an MU-3 zone by Use Review. Further, uses defined as "Restaurants, Brewpubs, and taverns over 1,000 square feet in floor area, or which close after 11 pm, or with an outdoor seating area of 300 square feet or more" are also allowed by Use Review in the MU-3 zone by Use Review.

Site Review

A Site Review application has been submitted, solely to request an 89 percent parking reduction pursuant to the requirements of 9-2-14(h)(2)(K), B.R.C. 1981. Table 9-4, "Use Specific Motor Vehicle Parking Requirements for Nonresidential Uses in All Zones," B.R.C. 1981 requires one parking space for every three seats for restaurants, brewpubs, and taverns outside of retail centers greater than 50,000 square feet. Additionally, the parking requirements for the retail use of this space is set forth in Table 9-3, "Nonresidential Motor Vehicle Parking Requirements by Zoning District," which requires one parking space for every 300 square feet of nonresidential floor area if residential areas comprise less than 50 percent of the floor. These sections set forth a parking requirement for the proposed uses of 19 on-site parking spaces. The applicant is providing one standard-sized parking space and one compact parking space, two total, for both uses. The existing and proposed parking has been summarized below:

PARKING REQUIREMENTS			
Land Use	Requirement	Required Parking Spaces	Provided Parking Spaces
Retail ≤ 5,000 square feet (Off street parking spaces per square foot of floor area for non-residential uses and their accessory uses)	1:300 square feet Square footage of retail= 1984	6 spaces	2 spaces (provided for both uses)
Restaurant, brewpub, or tavern - outside of retail centers greater than 50,000 square feet	1 space per 3 seats for indoor seats. Number of Seats= 40	13 spaces	2 spaces (provided for both uses)
		Total Parking Provided	2 spaces (provided for both uses)
PARKING REDUCTION			
		19 parking spaces	2 spaces (provided for both uses)
		Parking Reduction Percentage	89%

Figure 5. Parking Requirements and Reduction Calculations

ANALYSIS

Key Issue #1: Does the proposal meet the Use Review criteria set forth in 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. Staff find the proposal 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.

Key Issue #2: Does the proposal meet Site Review Criteria, particularly the parking reduction criteria of 9-2-14(h)(2)(K), B.R.C. 1981?

Section 9-2-14(h)(2)(K), "Additional Criteria for Parking Reductions," B.R.C. 1981 includes the procedures and review criteria for approval of a parking reduction through site review. Staff find the proposal consistent with the criteria for parking reductions found in section 9-2-14(h)(2)(K), B.R.C. 1981. Please refer to [Attachment B](#) for staff's complete analysis of the review criteria. Note that the request for the parking reduction is driving the Site Review request and since the building is existing, many of the Site Review criteria are not applicable.

PUBLIC NOTIFICATION / COMMENTS

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. The applicant also held a neighborhood meeting regarding the proposal on Wednesday, July 29 at 1815 Pearl St. Several written comments have been received. All feedback has been supportive of the proposed uses. Please see [Attachment D](#) for public comments received.

STAFF FINDINGS AND RECOMMENDATION

Staff finds that the application satisfies the Site Review criteria pursuant to subsection 9-2-14, B.R.C. 1981, if the conditions listed below are incorporated into the approval of this application.

Staff also finds that the application satisfies the Use Review criteria pursuant to subsection 9-2-15, B.R.C. 1981, if the conditions listed below are incorporated into the approval of this application.

Therefore, staff recommends that the Planning Board approve the Site Review application LUR2016-00057 and Use Review application LUR2016-00056, incorporating the staff memorandum and the attached analysis of the Site Review and Use Review criteria as findings of fact and subject to the recommended Conditions of Approval below.

RECOMMENDED CONDITIONS OF APPROVAL:

USE REVIEW – CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on August 19, 2016 and the Applicant's Written Statement and Management Plan dated August 19, 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. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:

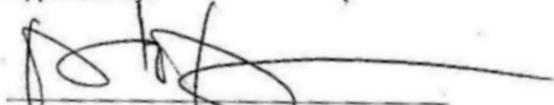
- a. The approved use shall be closed from 7:00 p.m. to 8:00 a.m. seven days per week.

- b. Size of the approved use shall be limited to 2,642 square feet (1,984 square foot retail showroom, 658 square foot of café space). The seating area of the restaurant shall have a maximum of 40 interior seats.
 - c. Trash and bottles shall not be removed to outside trash containers between the hours of 10:00 p.m. and 8:00 a.m.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.
3. This **approval is limited to** Rapha Racing, LLC, the owner of the restaurant. Any changes in ownership 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 restaurant in compliance with the terms of this approval.

SITE REVIEW – CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant on August 19, 2016** and the Applicant's Written Statement and Management Plan dated **August 19, 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. Prior to issuance of a building permit, 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 part-time employees of the development for three years after the issuance of a Certificate of Occupancy.
3. Prior to issuance of a building permit, the Applicant shall submit, and obtain City Manager approval of, a **drainage letter or drainage report** prepared by a Colorado licensed professional engineer and meeting the City of Boulder Design and Construction Standards.
4. Prior to issuance of a building permit, the Applicant shall submit, and obtain City Manager approval of, 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.

Approved By:



David Driskell, Executive Director
Department of Community Planning and Sustainability

ATTACHMENTS:

A: Proposed Plans

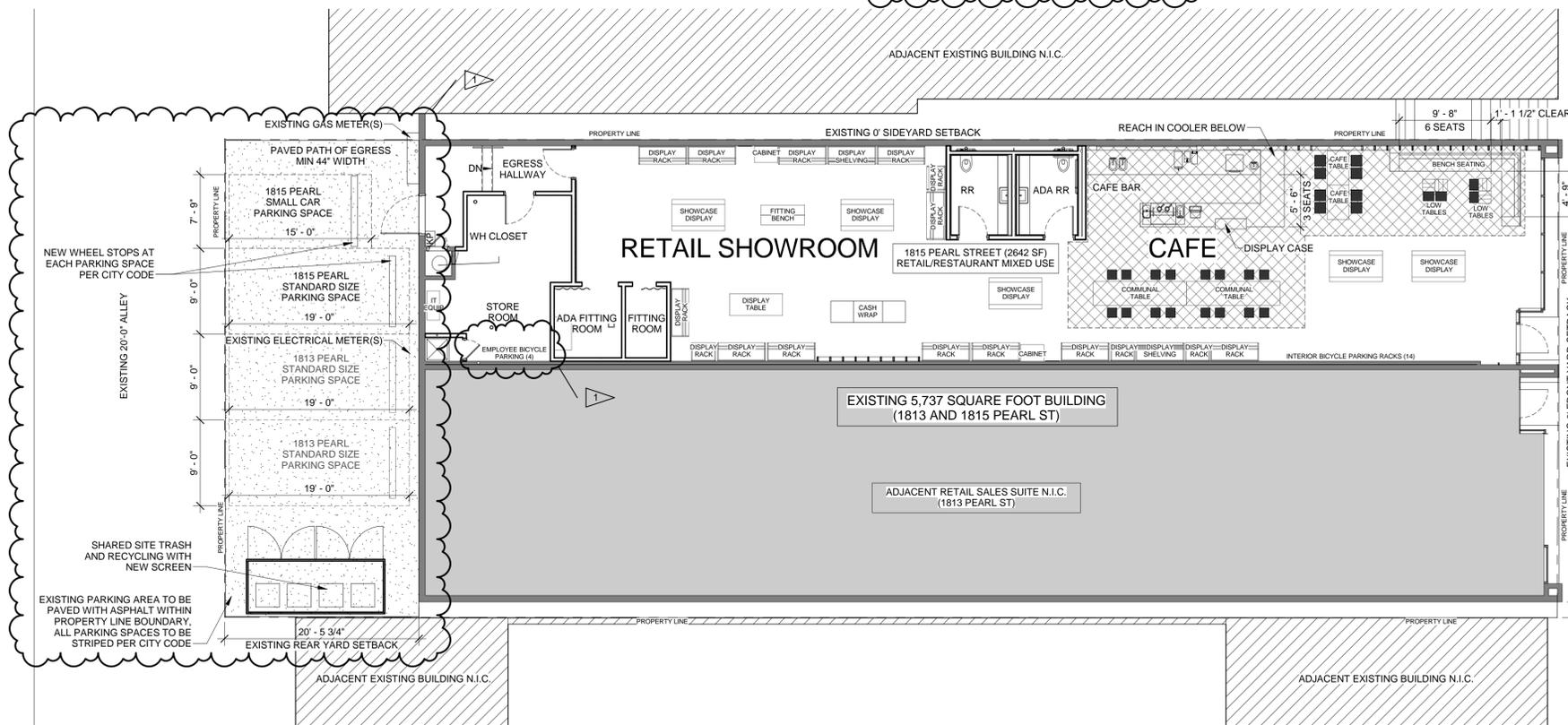
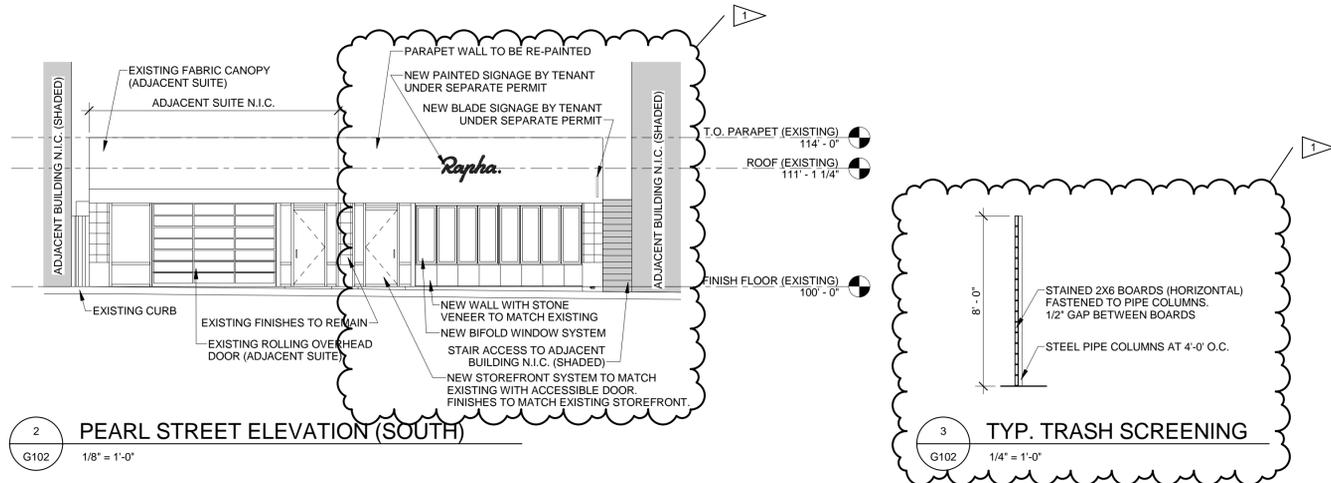
B: Staff Analysis of Review Criteria

C: Staff's Development Review Comments

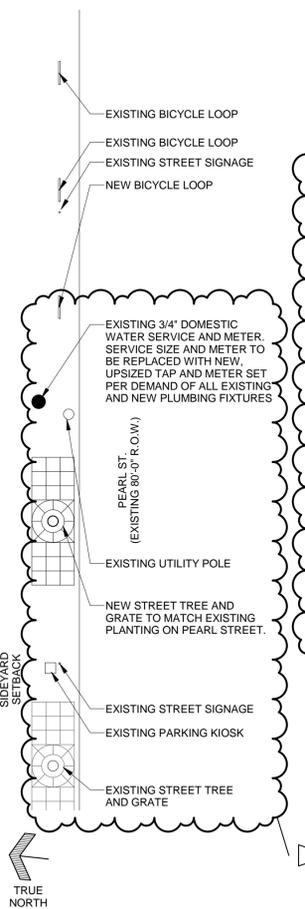
D: Public Comments

E: Parking Study

F: Proposed Management Plan



ZONING INFORMATION	
PROPERTY INFORMATION	
PROPERTY ADDRESS	1815 PEARL STREET
CITY	BOULDER
PARCEL NUMBER	146330410010
SEC-TOWN-RANGE	30 - 1N - 70
SUBDIVISION	BOULDER O T EAST & WEST & NORTH - BO
LEGAL DESCRIPTION	LOT 9 BLK 90 BOULDER O T EAST
PROPERTY SIZE	7,042 SF (0.16 ACRES)
ZONING DISTRICT	MU-3
PROPOSED INTERIOR USES (9-9-6, TABLE 6-1)	
<input type="checkbox"/> RETAIL SALES	1984 SQUARE FEET
<input checked="" type="checkbox"/> RESTAURANT	658 SQUARE FEET
PARKING STANDARDS (9-9-6, TABLE 9-3 AND TABLE 9-4)	
RETAIL SALES	
MIN OFF-STREET PARKING SPACES PER SQUARE FOOT OF FLOOR AREA FOR NON-RESIDENTIAL USES AND THEIR ACCESSORY USES	
MU-3: 1:300 (IF RESIDENTIAL USES COMPRISE LESS THAN 50% OF THE FLOOR AREA)	
1984 SF @ 1:300 = 6 SPACES REQUIRED	
RESTAURANT	
1 SPACE PER 3 SEATS FOR INDOOR SEATS	
40 SEATS @ 1 SPACE / 3 SEATS = 13 SPACES REQUIRED	
TOTAL OFF-STREET PARKING REQUIRED	
(6 + 13) = 19 SPACES	
TOTAL OFF-STREET PARKING PROVIDED	
2 SPACES (1 STANDARD, 1 SMALL CAR) DEDICATED TO 1815 PEARL	
OFF-STREET BICYCLE PARKING (TABLE 9-8)	
RETAIL SALES	
1 PER 750 SQUARE FEET OF FLOOR AREA, MINIMUM OF 4	
(25% LONG TERM, 75% SHORT TERM)	
1984 SF @ 1:750 = 3 [4]	
RESTAURANT	
1 PER 750 SQUARE FEET OF FLOOR AREA, MINIMUM OF 4	
(25% LONG TERM, 75% SHORT TERM)	
658 SF @ 1:750 = 1 [4]	
TOTAL OFF-STREET BICYCLE PARKING REQUIRED	
4 BICYCLE SPACES = 6, 6 short-term spaces; 2 long-term spaces	
TOTAL OFF-STREET BICYCLE PARKING PROVIDED	
2 BICYCLE LOOPS PROVIDED (1 EXISTING, 1 NEW)	
14 INTERIOR BICYCLE SPACES PROVIDED BY TENANT	
4 INTERIOR LONG TERM / EMPLOYEE BICYCLE PARKING SPACES PROVIDED BY TENANT	

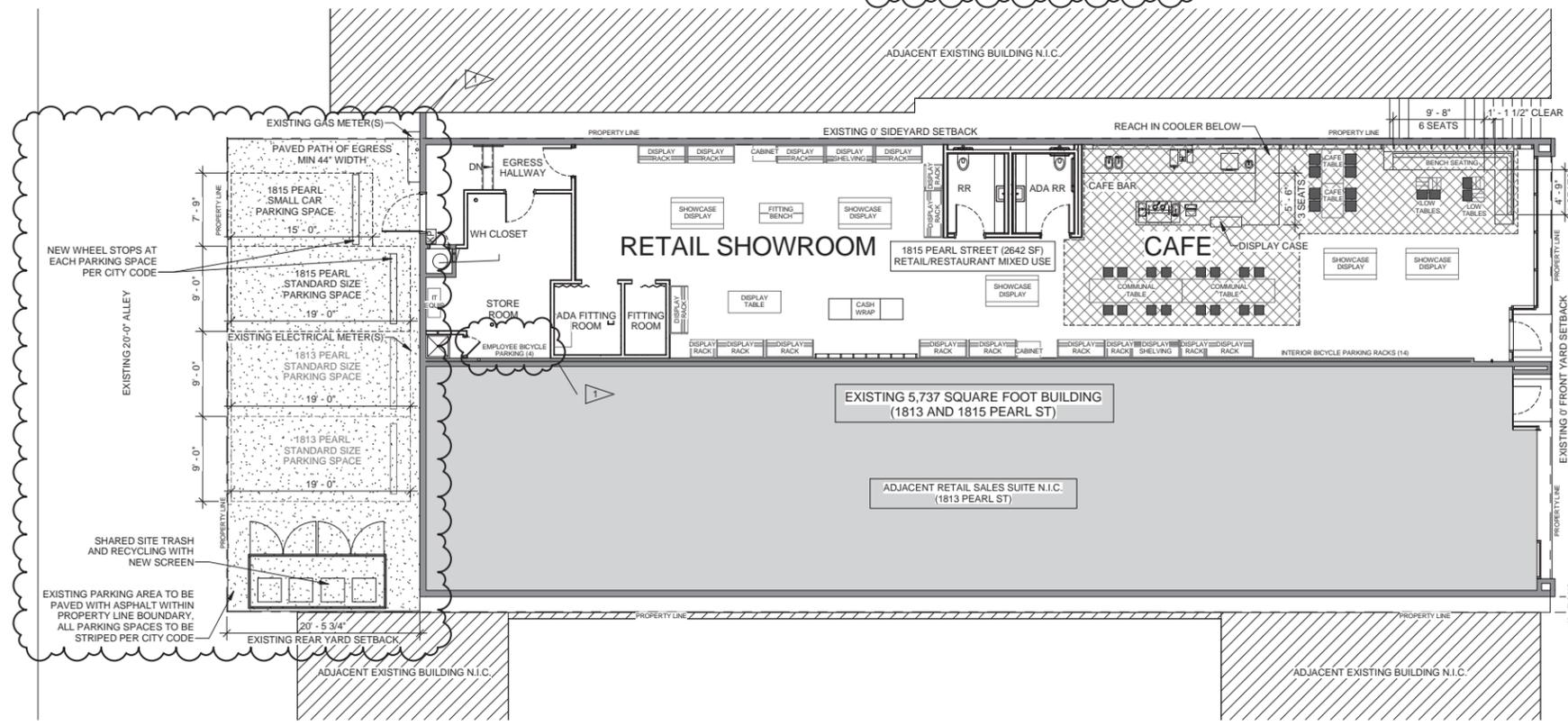
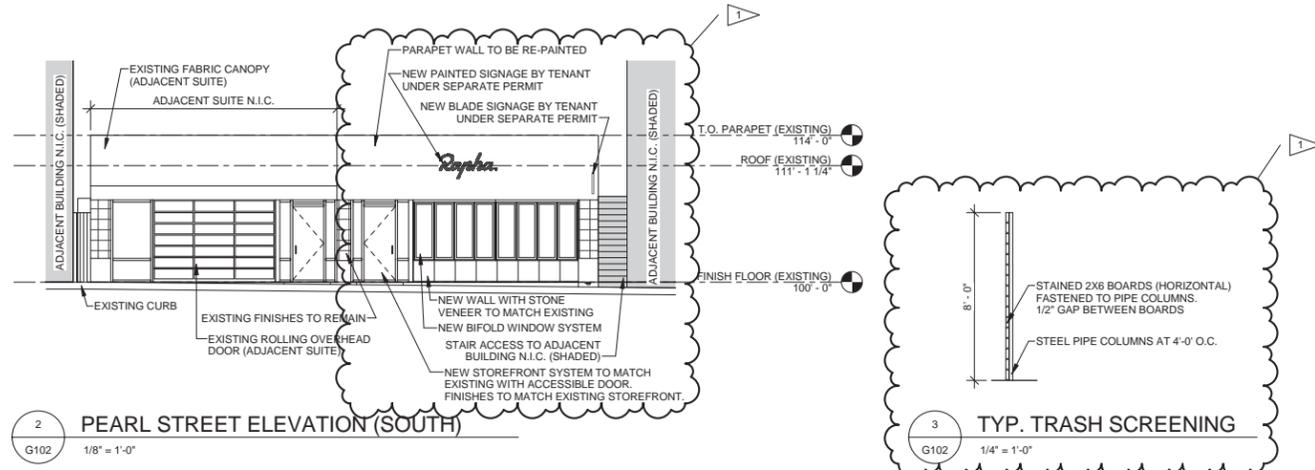


NOT FOR CONSTRUCTION - PRELIMINARY DESIGN

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SITE AND USE REVIEW
08.19.16
DRAWN BY | KJ
REVISIONS
1 08-19-16 SITE REVIEW COMMENTS



1815 PEARL ST, BOULDER, CO 80302
RAPHA CYCLE CLUB TENANT IMPROVEMENT



ZONING INFORMATION

PROPERTY INFORMATION	
PROPERTY ADDRESS	1815 PEARL STREET
CITY	BOULDER
PARCEL NUMBER	146330410010
SEC-TOWN-RANGE	30 - 1N - 70
SUBDIVISION	BOULDER O T EAST & WEST & NORTH - BO
LEGAL DESCRIPTION	LOT 9 BLK 90 BOULDER O T EAST
PROPERTY SIZE	7,042 SF (0.16 ACRES)
ZONING DISTRICT	MU-3

PROPOSED INTERIOR USES (9-6-1, TABLE 6-1)

<input type="checkbox"/> RETAIL SALES	1984 SQUARE FEET
<input checked="" type="checkbox"/> RESTAURANT	658 SQUARE FEET

PARKING STANDARDS (9-9-6, TABLE 9-3 AND TABLE 9-4)

RETAIL SALES
 MIN OFF-STREET PARKING SPACES PER SQUARE FOOT OF FLOOR AREA FOR NON-RESIDENTIAL USES AND THEIR ACCESSORY USES
 MU-3: 1:300 (IF RESIDENTIAL USES COMPRISE LESS THAN 50% OF THE FLOOR AREA 1984 SF @ 1:300 = 6 SPACES REQUIRED)

RESTAURANT
 1 SPACE PER 3 SEATS FOR INDOOR SEATS
 40 SEATS @ 1 SPACE / 3 SEATS = 13 SPACES REQUIRED

TOTAL OFF-STREET PARKING REQUIRED
 (6 + 13) = 19 SPACES

TOTAL OFF-STREET PARKING PROVIDED
 2 SPACES (1 STANDARD, 1 SMALL CAR) DEDICATED TO 1815 PEARL

OFF-STREET BICYCLE PARKING (TABLE 9-8)

RETAIL SALES
 1 PER 750 SQUARE FEET OF FLOOR AREA, MINIMUM OF 4 (25% LONG TERM, 75% SHORT TERM)
 1984 SF @ 1:750 = 3 **4**

RESTAURANT
 1 PER 750 SQUARE FEET OF FLOOR AREA, MINIMUM OF 4 (25% LONG TERM, 75% SHORT TERM)
 658 SF @ 1:750 = 1 **4**

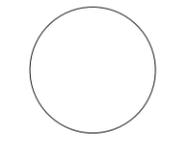
TOTAL OFF-STREET BICYCLE PARKING REQUIRED
 4 BICYCLE SPACES: **3, 6 short-term spaces; 2 long-term spaces**

TOTAL OFF-STREET BICYCLE PARKING PROVIDED
 2 BICYCLE LOOPS PROVIDED (1 EXISTING, 1 NEW)
 14 INTERIOR BICYCLE SPACES PROVIDED BY TENANT
 4 INTERIOR LONG TERM / EMPLOYEE BICYCLE PARKING SPACES PROVIDED BY TENANT

INTERIOR USE LEGEND

	RETAIL USE 1984 SF		CAFE USE 658 SF
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NOT FOR CONSTRUCTION - PRELIMINARY DESIGN



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 SITE AND USE REVIEW

08.19.16
 DRAWN BY | KJ
 REVISIONS
 1 08.19.16 SITE REVIEW COMMENTS

LAND USE PLAN AND INFORMATION

CTA # RCC_BLDG | T:\RCC\BLDR\BMCAD\Rev\CCDRack_Cent6.rvt

9-2-15- USE REVIEW CRITERIA

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

- ✓ (1)Consistency With Zoning and Nonconformity: The use is consistent with the purpose of the zoning district as set forth in section 9-5-2, "Zoning Districts," B.R.C. 1981, except in the case of a nonconforming use;

The site is zoned MU-3, per Section 9-5-2, MU-3 is defined as “areas of the community that are changing to a mixture of residential and complementary nonresidential uses, generally within the same building.” The proposed retail showroom and cafe offer neighborhood scale services that are compatible with the existing residential and retail uses and are consistent with the zoning.

(2)Rationale: The use either:

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

The proposed use provides direct convenience to the neighborhood and will provide an additional retail opportunity / restaurant use and gathering place for the neighborhood and surrounding areas.

- 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 nonresidential mixed uses in appropriate locations and group living arrangements for special populations; or

- N/A (D)Is an existing legal nonconforming use or a change thereto that is permitted under subsection (f) 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 use, combined restaurant & retail, is proposed in an existing building that has hosted a number of retail uses over the years. Very minimal exterior changes are planned. The applicant will be required to make some streetscape improvements which will enhance the overall aesthetics of the site. There will be no late night hours of operation.

The applicant is requesting an 89% parking reduction. However, a parking study submitted by the applicant's transportation engineer indicates that there is ample on-street parking that can accommodate the parking needs of the proposed uses creating few, if any, additional impacts on the surrounding neighborhood. A parking study was conducted by LSC Transportation Consultants, Inc. on Saturday, May 21, 2016, Tuesday, May 24, 2016 and Wednesday May 25, 2016. The hourly parking inventory and utilization survey, conducted over the three-day period from 7:00 a.m. to 7:00 p.m., yielded a count of 369 on-street, publicly available spaces. The maximum parking demand during any given hour was 314 vehicles with an average demand of 208 to 241 vehicles leaving at least 55 spaces available for on-street parking at all times during the study period. This indicates that there is ample parking in the direct vicinity of the subject property, 1815 Pearl St., to accommodate the parking needs of the site. Furthermore, there are two parking garages within walking distance located at 15th St. and Pearl St. and Walnut St. and 14th St.

To accommodate those who drive to the site, the applicant will provide two parking spaces- one compact and one standard sized space- off of the alley on the north side of the site. The applicant will provide a few additional services to accommodate drivers including the provision of parking tokens for customers

and parking validation for customers who park in any city parking garage.

Alternative modes of transportation will also be promoted and supported by the applicant. The applicant anticipates that the patrons and employees of this business will bicycle to this location. To accommodate an increased demand for bicycle parking, the applicant is providing 14 parking spaces inside their tenant space and a new u-bicycle parking rack in the Pearl St. right-of way for short-term bike parking. Four long-term bicycle parking spaces will be provided in the store room of the tenant space for employees.

Finally, the applicant has committed to providing Regional Transportation District (RTD) Eco-passes for all employees. This property is located within the Downtown Boulder Business Improvement District (DBBID). A requirement of the DBBID is to provide all full-time employees, with eco-passes. The applicant will also be required to provide eco-passes for part-time employees.

✓

(4)Infrastructure: As compared to development permitted under [section 9-6-1](#), "Schedule of Permitted Land Uses," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming 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 existing infrastructure is sufficient to serve the proposed use.

✓

(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 proposed use is consistent with the mixed-use character of the surrounding area. The new uses will compliment and add to

the existing pedestrian oriented uses located in the surrounding area.

N/A

(6) Conversion of Dwelling Units to Nonresidential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts to nonresidential uses that are allowed pursuant to a use review, or through the change of one nonconforming use to another nonconforming 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 daycare center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum or an educational use.

***Based on the fact that the building and parking are existing, please note that many of the Site Review criteria are not applicable to the proposed application. Criteria that was found to not be applicable to the subject application have been indicated below with "N/A."**

9-2-14 SITE REVIEW CRITERIA

(h) 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 land use map and the service area map and, on balance, the policies of the Boulder Valley Comprehensive Plan.

The subject property is designated as 'High Density Residential' by the Boulder Valley Comprehensive Plan (B.V.C.P.). This designation allows for 14 dwelling units. The zoning for this property is Mixed- Use 3 (MU-3) which is defined as "areas of the community that are changing to a mixture of residential and complementary nonresidential uses, generally within the same building." The zoning allows for the proposed uses through a Use Review process. The proposal meets the following BVCP Policies:

6.02 Reduction of Single Occupancy Auto Trips- The city and county will support greater use of alternatives to single occupancy

automobile travel. It is the city's specific objective to continue progress toward 'no long-term growth in traffic' from 1994 levels through the year 2025 within the Boulder Valley. Both the city and county are committed to reductions in green house gas emissions. These efforts will include other communities and entities and will include developing and implementing integrated travel demand management programs and new services. Within the city, new developments will be required to include travel demand management to reduce the vehicle miles traveled produced by the development.

The applicant is committed to providing opportunities for alternative transportation. It is expected that many of the patrons will bike to this location. The applicant will also ensure that all employees are provided with eco-passes. Eco-passes for full-time employees will be provided by the Downtown Boulder Business Improvement District, eco-passes for part-time employees will be provided by the applicant to help further offset the use of single occupant vehicles.

6.08 Transportation Impact- Traffic impacts from a proposed development that cause unacceptable community or environmental impacts or unacceptable reduction in level of service will be mitigated. All development will be designed and built to be multimodal, pedestrian-oriented and include strategies to reduce the vehicle miles traveled generated by the development. New development will provide continuous pedestrian, bike and transit systems through the development and connect these systems to those surrounding the development. The city and county will provide tools and resources to help businesses manage employee access and mobility and support public-private partnerships, such as transportation management organizations, to facilitate these efforts.

A parking study was conducted by LSC Transportation Consultants, Inc. on Saturday, May 21, 2016, Tuesday,

May 24, 2016 and Wednesday May 25, 2016. The hourly parking inventory and utilization survey, conducted over the three-day period from 7:00 a.m. to 7:00 p.m., yielded a count of 369 on-street, publicly available spaces. The maximum parking demand during any given hour was 314 vehicles with an average demand of 208 to 241 vehicles leaving at least 55 spaces available for on-street parking at all times during the study period. This indicates that there is ample parking in the direct vicinity of the subject property, 1815 Pearl St., to accommodate the parking needs of the site. Furthermore, there are two parking garages within walking distance located at 15th St. and Pearl St. and Walnut St. and 14th St. Please see staff analysis under the Parking Reduction criteria below.

N/A

(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:

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.

Compliance with this criterion will not affect the economic feasibility of this project.

(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:

- N/A (i) Useable open space is arranged to be accessible and functional and incorporates quality landscaping, a mixture of sun and shade and places to gather;
- N/A (ii) Private open space is provided for each detached residential unit;
- N/A (iii) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (*Cynomys ludovicianus*), which is a species of local concern, and their habitat;
- N/A (iv) The open space provides a relief to the density, both within the project and from surrounding development;
- N/A (v) Open space designed for active recreational purposes is of a size that it will be functionally useable and located in a safe and convenient proximity to the uses to which it is meant to serve;
- N/A (vi) The open space provides a buffer to protect sensitive environmental features and natural areas; and
- N/A (vii) If possible, open space is linked to an area- or city-wide system.

(B) Open Space in Mixed Use Developments (Developments That Contain a Mix of Residential and Nonresidential Uses):

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

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

(C) Landscaping:

N/A (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;

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

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

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

The applicant will provide a new street tree, irrigation service and tree grate along Pearl St. to enhance the streetscape along Pearl St.

(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:

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

N/A (ii) Potential conflicts with vehicles are minimized;

N/A

(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;

N/A

(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;

✓

(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 management plan includes various parking management strategies including parking validation for patrons who park in city facilities, parking tokens for those who use on-street parking and the provision of eco-passes to all employees. An additional 14 short-term and four long-term bicycle parking spaces will be provided within the tenant space. Additionally, one u-bicycle rack will be added in the public right-of-way along Pearl St., All of these items will be advertised on the applicant's website.

N/A

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

N/A

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

N/A

(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.

(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;

Currently the parking area in the rear of the building is limited to two spaces and unpaved. As a part of the proposal, the existing parking area will be paved and striped in accordance with city standards making the existing parking area safer and more convenient.

✓

(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;

There are 5 existing alley-loaded spaces provided for the building (shared between two tenants). This project is required to have 19 on-site parking spaces. The parking area is designed to use the minimum amount of land for these spaces. Offsets to on-site parking are being provided through a management plan that includes various parking management strategies including parking validation for patrons who park in city facilities, parking tokens and eco-passes. An additional 14 short-term and four long-term bicycle parking spaces will be provided within the tenant space. Additionally, one u-bicycle rack will be added in the public right-of-way along Pearl St., All of these items will also be advertised on the applicant's website.

✓

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

The existing parking area is located in the rear of the building along the alley which reduces the visual impact on the project, adjacent properties and adjacent streets.

✓

(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.

Parking lot landscaping cannot be accommodated in this location due to existing conditions. The existing parking is extremely limited in size and is completely built out to city standards with no additional space remaining.

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

N/A

(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;

N/A

(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;

N/A

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

N/A

(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;

✓

(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;

While the building is existing and little exterior work is proposed, bi-fold windows will be installed on the south side of the building along Pearl St. which would allow the tenant to open the windows onto the pedestrian realm directly in front of the tenant space creating a more

transparent, inviting and safe condition for the tenant space and the sidewalk area.

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

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

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

N/A (ix) A lighting plan is provided which augments security, energy conservation, safety and aesthetics; into the design and avoids, minimizes or mitigates impacts to natural systems;

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

No new buildings or structures are being proposed. This site review is focused primarily on the parking reduction. Any changes to building will be compliant with the city's building and energy codes.

✓ (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 glass and stone building façade will remain for the most part, however, the applicant is proposing an updated and inviting storefront design. A large bi-fold window along the Pearl St. wall of the tenant space will be installed to allow the patrons of the café space to engage with the pedestrian environment along the Pearl St. right-of-way. The finishes of the new storefront window system

will match existing finishes. Other updates to the façade include painting the parapet and installing signs (which will be approved through a separate permit process).

N/A

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

N/A

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

N/A

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

(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:

N/A

(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.

N/A

(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.

N/A

(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, "Solar Access," B.R.C. 1981.

N/A

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

(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:

N/A

(i) The light pole is required for nighttime recreation activities which are compatible with the surrounding neighborhood, 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.

(I) Land Use Intensity Modifications:

(i) Potential Land Use Intensity Modifications:

N/A

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.

N/A

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

N/A

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.

N/A

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

(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 paragraph (h)(1) through Subparagraph (h)(2)(H) of this section and following criteria have been met:

N/A

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;

N/A

b. Character of Project and Area: The open space reduction does not adversely affect the character of the development or 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:

N/A

1.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;

N/A

2.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;

N/A

3.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:

N/A

maximum five percent reduction;

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

N/A

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

N/A

6. The reduction in open space is part of a development with a mix of residential and nonresidential uses within a 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 twenty-five percent reduction.

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

(i) Process: For buildings in the BR-1 district, the floor area ratio ("FAR") permitted under Table 8-2, Section 9-8-2, "Floor Area Ratio Requirements," B.R.C. 1981, may be increased by the city manager under the criteria set forth in this subparagraph.

(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.

(iii) Criteria for the BR-1 District: The FAR may be increased in the BR-1 district to the extent allowed in subparagraph (h)(2)(J)(ii) of this section if the approving agency finds that the following criteria are met:

N/A

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.

N/A

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 twenty-five feet and under and at least twenty percent of the lot area for buildings above twenty-five feet: an increase in FAR not to exceed 0.25:1.

N/A

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.

N/A

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

N/A

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 subparagraph may not exceed an increase of 0.5:1.

N/A

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 9-9-6](#), "Parking 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.

(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 9-9-6](#), "Parking Standards," B.R.C. 1981 (see tables 9-1, 9-2, 9-3 and 9-4), if it finds that:

N/A

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 nonresidential uses will be adequately accommodated through on-street parking or off-street parking;

A parking study submitted by the applicant's transportation engineer indicates that there is ample on-street parking that can accommodate the parking needs of the proposed uses. A parking study was conducted by LSC Transportation Consultants, Inc. on Saturday, May 21, 2016, Tuesday, May 24, 2016 and Wednesday May 25, 2016. The hourly parking inventory and utilization survey, conducted over the three-day period from 7:00 a.m. to 7:00 p.m.,

yielded a count of 369 on-street, publicly available spaces. The maximum parking demand during any given hour was 314 vehicles with an average demand of 208 to 241 vehicles leaving at least 55 spaces available for on-street parking at all times during the study period. This indicates that there is ample parking in the direct vicinity of the subject property, 1815 Pearl St., to accommodate the parking needs of the site. Furthermore, there are two parking garages within walking distance located at 15th St. and Pearl St. and Walnut St. and 14th St. To accommodate employees who need to drive to the site, the applicant will provide two parking spaces- one compact and one standard sized space- off of the alley on the north side of the site. For customers who drive the applicant will provide parking tokens for those who use parking kiosks or parking validation for those who park in nearby garages.

Alternative modes of transportation will also be promoted and supported by the applicant by providing ample opportunities for bike parking and providing passes for public transportation for employees. All parking opportunities and programs will be advertised on the applicant's website. The applicant anticipates that the patrons and employees of this business will bicycle to this location. To accommodate an increased demand for bicycle parking, the applicant is

providing 14 parking spaces inside their tenant space and a new u-bicycle parking rack in the Pearl St. right-of way for short-term bike parking. Four long-term bicycle parking spaces will be provided in the store room of the tenant space for employees. Finally, the applicant has committed to providing Regional Transportation District (RTD) Eco-passes for all employees. This property is located within the Downtown Boulder Business Improvement District (DBBID). A requirement of the DBBID is to provide all full-time employees, with eco-passes. The applicant will also be required to provide eco-passes for part-time employees.

N/A

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;

N/A

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

N/A

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.

(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:

N/A

(i) The lots are held in common ownership;

N/A

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

N/A

(iii) The property used for off-site parking under this subparagraph continues under common ownership or control



CITY OF BOULDER
Planning and Development Services

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CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **August 5, 2016**
 CASE MANAGER: **Caeli Hill**
 PROJECT NAME: **RAPHA RACING**
 LOCATION: **1815 PEARL ST**
 COORDINATES: **N03W05**
 REVIEW TYPE: **Site Review and Use Review**
 REVIEW NUMBER: **LUR2016-00056 & LUR2016-00057**
 APPLICANT: **VINCENT J PORRECA**
 DESCRIPTION: **Use Review Request (LUR2016-00056) for Rapha Racing, a combined 1984 square foot retail space with a 658 square foot cafe use with wine and beer service. The proposed hours of operation are 8:00 a.m. to 7:00 p.m. Monday - Saturday and 8:00 a.m. to 6:00 p.m. on Sunday. The associated Site Review is required for the 88% parking reduction request (LUR2016-00057).**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS:

- **Section 9-9-6, "Parking Standards," to allow for an 88% parking reduction (2 spaces where 18 are required)**

I. REVIEW FINDINGS

These comments encompass the Use Review and Site Review currently in process for Rapha Racing (LUR2016-00056 & LUR2016-00057). The Use Review is in process to establish both a retail and restaurant use at this location. The Site Review is required due to the parking reduction request. A parking reduction over 50% is requested and therefore this application must automatically be referred to Planning Board for approval. A tentative date for the public hearing has been set for September 1, 2016.

Staff has found that the the Use Review criteria are met, however, corrections are required prior to moving forward to Planning Board review. Primarily, outstanding issues are related to the proposed parking and landscape on the site. There are discrepancies between the project fact sheet, site plans and the Management Plan that need to be addressed relating to the number of parking spaces that are proposed. The Management Plan and the Project Fact sheet states that two spaces will be provided while the site plan shows three. All calculations have been based off of the provision of two parking spaces. There are additional concerns about trash and its required screening and other parking standards beyond the amount of spaces provided. Please see specific comments below.

Please submit corrections and a written statement responding to the comments herein directly to the case manager by dropping them off at the Planning and Development Services Center at 1739 Broadway, Third Floor. Please provide four hard copies and one digital copy of the corrected documents. Staff is happy to meet regarding these comments at your convenience. Please contact the case manager at 303-441-4161 or hillc@bouldercolorado.gov with any questions.

II. CITY REQUIREMENTS

Building and Housing Codes, Jim Gery 303-441-3129

1. Please see informational comments.

Fees , Caeli Hill, Case Manager- 303-441-4161

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.

Landscaping Elizabeth Lokocz, 303-441-3138

This urban site has few criteria related improvements; however, two specific areas require additional information:

1. Label the trash and recycling locations and how they are being screened to meet the minimum requirements (full screening) of section 9-9-12(d)(5) B.R.C. 1981.
2. This stretch of Pearl Street has no existing public street trees. Additional information on existing conditions must be added to the site plan including, but not limited to, location of the water meter, parking kiosk, existing tree to the west and any other dry utilities. It appears that one additional street tree fits into the existing conditions approximately 23 feet on center from the existing tree to the west. The tree shall be in a 4x12 grate consistent with similar planting conditions elsewhere on Pearl. Installation by forestry?

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

1. The Applicant will be required to sign a Development Agreement, if approved. When staff requests, the Applicant shall provide the following:
 - a) an updated title commitment current within 30 days; and
 - b) Proof of authorization to bind on behalf of the owners.

Parking Caeli Hill, Case Manager- 303-441-4161; David Thompson, Transportation 303-441-4417

9-9-6, “Parking Standards,” B.R.C. 1981

Land Use	Requirement	Required Parking Spaces	Provided Parking Spaces
Retail ≤ 5,000 square feet (Off street parking spaces per square foot of floor area for non-residential uses and their accessory uses)	1:300 square feet Square footage of retail= 1984	6 spaces	2 spaces (provided for both uses)
Restaurant, brewpub, or tavern - outside of retail centers greater than 50,000 square feet	1 space per 3 seats for indoor seats. Number of Seats= 33	11 spaces	2 spaces (provided for both uses)
		Total Parking Provided	2 spaces

Parking Reduction

Required Spaces	Provided Parking Spaces	Parking Reduction Percentage
17 spaces	2 spaces	88%

1. Pursuant to section 9-9-6(5)(B) of the B.R.C. 1981, please revise the site plan to show the parking area being paved with asphalt concrete or other similar permanent hard surface material.
2. There are discrepancies between the Project Fact Sheet and the plans in regards to the number of parking spaces being provided. The Fact Sheet states that one standard space and one compact space will be provided while the plans show and list 2 standard spaces and 1 compact space. Please clarify and revise the plans accordingly.
3. Pursuant to section 9-2-15 of the B.R.C. 1981 and in support of allowing staff to evaluate the traffic to be generated by the Café use in conjunction with the retail space, please submit a trip generation/trip distribution and assignment letter following the standards found in Section 2.03(J)and (K) of the City’s Design and Construction Standards.
4. In following up to the applicant’s written statement, staff will contact the applicant and meet if desired to discuss TDM strategies that could be implemented at this site in support of the requested parking reduction and in meeting the site review criterial for circulation found in section 9-2-14(h)(D) of the B.R.C. 1981.
5. In support of the proposed parking reduction and TDM Plan, please revise the site plan to provide a minimum of four long-term bike parking for employees in the store room.

Plan Documents Caeli Hill, Case Manager- 303-441-4161

Site Plan

1. Please remove or ghost in the auto parking spaces that are used by the adjacent tenant.
2. Add a note that auto parking spaces will be striped per city code.
3. Indicate code compliant wheel stops for each parking space.
4. Confirm the exact number of seats for the restaurant use and revise the site plan as necessary.

Management Plan

1. Square footage of the tenant space is referenced as 2,680 while the site plans show 2,642. Please clarify.
2. Confirm the exact number of seats for the restaurant use and revise management plan to reflect the exact number of seats shown on the site plan.
3. Confirm the number of auto parking spaces being provided and revise the management plan as necessary.

Review Process, Caeli Hill, Case Manager- 303-441-4161

1. Please submit corrections and a written statement responding to the comments above directly to the case manager by dropping them off at the Planning and Development Services Center at 1739 Broadway, Third Floor. You do not need to meet with a Project Specialist. Please provide four hard copies and one digital copy of the corrected documents.

Signage Caeli Hill, Case Manager- 303-441-4161

1. Please note that all proposed signs require separate review and permit approval. Signs will not be reviewed as a part of Site Review or Technical Document review unless a specific modification is requested and specifically called out on the plans. Section 9-9-21(k), B.R.C. 1981 allows for the standards dealing with sign setbacks from property lines, spacing between projecting and freestanding signs and sign lettering and graphic symbol height to be varied through the Site Review process; however, any proposed variations to the sign code standards must be specifically referenced in the requested variations to the land use regulations and called out on the plan set in order to be valid following approval of the application
2. While it is preferable to remove all signs from the Site Review and Technical Document plan sets to avoid any potential future confusion, ghosting the images into the set with a notation that it is under a separate permit is acceptable. Please note that illustration of a sign on the plan set does not grant a modification. Please refer to section [9-9-21 B.R.C. 1981](#) for sign related requirements.
3. A blade sign is proposed on the plans. Please be advised that all blade signs that project into the public Right-of-Way require a revocable permit prior to sign permit submittal and installation.

III. INFORMATIONAL COMMENTS

Building and Housing Codes Jim Gery 303-441-3129

1. The following Building Code comments are intended to be informational only. They are provided here in order to inform the applicant of areas of concern that may require additional documentation and/or changes in plans, methods, and/or materials at the time of building permit application. These comments are intended to aid the applicant by illuminating issues as early as possible with the intention of helping the applicant and applicants' agents avoid unnecessary permit denial related to the information given at this time. They are not intended to be considered as approval or denial of, nor as a comment on the materials provided for the purposes of this specific Land Use Review application. Comments regarding changes necessary for approval of this application, if any, will appear elsewhere.
2. Please be advised that building comments are general in nature and based on the limited information provided for the purposes of this Land Use Review, and in no way constitute a complete or exhaustive review for compliance with any Building, Mechanical, Fuel Gas, Plumbing, Electrical, or Energy Code, accessibility requirements, or the Green Building and Green Points Program; nor may they be construed as approval of any existing or proposed structure for the purposes of a building permit. Documents submitted at the time of building permit application for development or redevelopment will be required to demonstrate compliance with the aforementioned Codes and ordinances and/or any other applicable laws, Codes and Standards in force at the time of application.
3. At the time of permit application, please detail compliance with 2012 IBC section 3411.6 and 3411.7 by surveying the accessibility of the facility and proposing improvements to bring the facility up to current accessibility compliance (see Exception 1 to IBC section 3411.7 limiting compliance to 20% of alteration costs, accessible elements proposed within the remodeled area are allowed to be part of the 20%).

4. 2012 IECC Section C401.1, 'Scope' as amended, states "The requirements contained in this chapter are applicable to new commercial buildings and additions to or remodels of commercial buildings. Commercial buildings shall exceed the energy efficiency requirements of ASHRAE/IESNA Standard 90.1 Energy Standard for Building Except for Low-Rise Residential Buildings by at least 30 percent or other approved equivalent design criteria."

Engineering Erik Saunders, 303 441-4493

1. The existing ¾" domestic water service and meter serves both tenant spaces within the building and, as such, based on the increased demand of the added fixtures proposed for the café use, the existing service will be required to be removed and capped at the corporation with the main and a new, upsized, service tapped and meter set. The required size of the domestic water service and meter shall be determined at the time of building permit review based on the demand of all existing and proposed plumbing fixtures. Additional water and wastewater plant investment fees (PIFs) may be required to be paid due to the change in meter size. The PIFs due shall be determined based on the selected water budget and the credit for the existing service.

Land Uses, Caeli Hill, Case Manager- 303-441-4161

This property is located in a Mixed- Use 3 (MU-3) zone district. This application is proposing a 2,642 square foot combined retail and restaurant establishment. Pursuant to section 9-6-1, uses defined as "Retail ≤ 5,000 square feet" are allowed in an MU-3 zone only by Use Review. Further, uses defined as "Restaurants, Brewpubs, and taverns over 1,000 square feet in floor area, or which close after 11 pm, or with an outdoor seating area of 300 square feet or more" are allowed in an MU-3 zone only by Use Review.

In order to meet the parking requirements of the restaurant and retail uses, a site review has been submitted to demonstrate how parking will be provided and to demonstrate the need for and request an 88% parking reduction. Parking reduction over 50% can only be granted by Planning Board or City Council.

Neighborhood Comments Caeli Hill, Case Manager- 303-441-4161

A neighborhood meeting was held on Wednesday, July 29 at 5:30 pm. Additionally, several written comments have been received. All are feedback has been supportive of the proposed use.

Open Space- Caeli Hill, Case Manager- 303-441-4161

There is an open space requirement of 15% in Mixed-Use Residential 3 (MU-3) zone districts. Currently, no open space is provided or proposed on the subject property. This property is currently non-conforming as to open space. If floor area or the number of dwelling units is expanded on this property in the future, compliance with open space requirements will be required or a modification to the open space standards will have to be requested pursuant to section [9-2-24\(h\)\(2\)\(l\)](#), "[Land Use Intensity Modifications](#)," [B.R.C. 1981](#).

Parking David Thompson, 303-441-4417

Staff would support the removal of a parking space in order to provide space for trash storage and recycling pursuant to section 9-9-18 of the Boulder Revised Code, 1981.

Review Process Caeli Hill, Case Manager- 303-441-4161

Pursuant to [section 9-2-14](#), only Planning Board or City Council may grant a parking reduction exceeding fifty percent. A decision on this application (an approval, approval with conditions, or denial) will be made by Planning Board at a public hearing which is tentatively scheduled for Thursday, September 1, 2016.

IV. NEXT STEPS

1. Submit four hard copies and one digital copy of the corrected plans directly to the case manager.
2. Once corrections have been reviewed and it has been determined that this application meets all criteria, the application will be referred to Planning Board for a decision. The Site and Use Review are tentatively scheduled for a public hearing on September 1, 2016.

V. CITY CODE CRITERIA CHECKLIST

9-2-15- Use Review

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

✓ (1)Consistency With Zoning and Nonconformity: The use is consistent with the purpose of the zoning district as set forth in section 9-5-2, "Zoning Districts," B.R.C. 1981, except in the case of a nonconforming use;

Per Table 6-1, B.R.C. 1981, "Retail ≤ 5,000 square feet" uses and "Restaurants, Brewpubs, and taverns over 1,000 square feet in floor area, or which close after 11 pm, or with an outdoor seating area of 300 square feet or more" uses are only allowed through Use Review.

(2)Rationale: The use either:

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

The proposed use is an adaptive reuse project consisting of a mercantile retailer and cafe located close to Downtown Boulder to provide an upscale retail experience to the neighborhood and surrounding areas.

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 nonresidential mixed uses in appropriate locations and group living arrangements for special populations; or

N/A (D)Is an existing legal nonconforming use or a change thereto that is permitted under subsection (f) 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 proposed use, combined restaurant & retail, is proposed in an existing building with very minimal exterior changes planned. The applicant will be required to make some streetscape, and screening improvements which will enhance the overall aesthetics of the site. The applicant is requesting an 84% parking reduction. However, a traffic study indicates that there is ample on-street that can support the parking reduction, creating few additional impacts on the surrounding neighborhood.

✓ (4)Infrastructure: As compared to development permitted under [section 9-6-1](#), "Schedule of Permitted Land Uses," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming 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;

✓ (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 proposed use is consistent with the mixed-use character of the surrounding area.
The new uses will compliment and add to the existing pedestrian oriented uses located in the surrounding area.*

N/A (6) Conversion of Dwelling Units to Nonresidential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts to nonresidential uses that are allowed pursuant to a use review, or through the change of one nonconforming use to another nonconforming 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 daycare center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum or an educational use.

9-2-14 Site Review

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 land use map and the service area map and, on balance, the policies of the Boulder Valley Comprehensive Plan.

N/A (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:

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.

Compliance with this criteria will not effect the economic feasibility of this project.

(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:

- N/A (i) Useable open space is arranged to be accessible and functional and incorporates quality landscaping, a mixture of sun and shade and places to gather;
- N/A (ii) Private open space is provided for each detached residential unit;
- N/A (iii) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (*Cynomys ludovicianus*), which is a species of local concern, and their habitat;
- N/A (iv) The open space provides a relief to the density, both within the project and from surrounding development;
- N/A (v) Open space designed for active recreational purposes is of a size that it will be functionally useable and located in a safe and convenient proximity to the uses to which it is meant to serve;
- N/A (vi) The open space provides a buffer to protect sensitive environmental features and natural areas; and
- N/A (vii) If possible, open space is linked to an area- or city-wide system.

(B) Open Space in Mixed Use Developments (Developments That Contain a Mix of Residential and Nonresidential Uses):

- N/A (i) The open space provides for a balance of private and shared areas for the residential uses and common open space that is available for use by both the residential and nonresidential uses that will meet the needs of the anticipated residents, occupants, tenants and visitors of the property; and
- N/A (ii) The open space provides active areas and passive areas that will meet the needs of the anticipated residents, occupants, tenants and visitors of the property and are compatible with the surrounding area or an adopted plan for the area.

(C) Landscaping:

- N/A (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;

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

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

— (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.

Please see landscape comments.

(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;

✓ (ii) Potential conflicts with vehicles are minimized;

✓ (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;

✓ (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;

— (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;

Please see comments under Parking related to the Transportation Demand Management Plan.

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

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

✓ (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.

(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;

Parking is existing and meets these standards.

✓

(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;

There are 5 existing alley-loaded spaces provided for this business and the adjacent business. This project is required to have between 18 and 21 parking spaces (depending on calculation of restaurant seats upon corrections). The applicant is requesting a reduction to these parking standards. If the reduction is approved this condition will be met.

✓

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

Parking is existing and meets these standards.

N/A

(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.

(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;

✓

(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;

✓

(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;

✓

(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;

Little exterior work is proposed, however, bi-fold windows are suggested which would allow the tenant to open the windows onto the pedestrian realm directly in

front of the tenant space creating a more inviting and safe condition for the tenant space and the sidewalk area.

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

Please see comments under Landscaping.

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

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

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

New lighting proposals will be evaluated and addressed at the time of building permit submittal.

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

N/A (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;

No new buildings or structures are being proposed. This site review is focused primarily on the parking reduction.

✓ (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;

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

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

N/A (xv) In the urbanizing areas located on the major streets shown on the map in Appendix A to this title near the Boulder Valley Comprehensive Plan boundaries between Area II

and Area III, the buildings and site design establish a sense of entry and arrival to the City by creating a defined urban edge and a transition between rural and urban areas.

(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:

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

(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:

- N/A (i) The light pole is required for nighttime recreation activities which are compatible with the surrounding neighborhood, 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.

(I) Land Use Intensity Modifications:

(i) Potential Land Use Intensity Modifications:

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

N/A 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.

N/A d. Land use intensity may be increased up to twenty-five percent in the BR-1 district through a reduction of the lot area requirement.

(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 paragraph (h)(1) through Subparagraph (h)(2)(H) 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 or 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:

N/A 1.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;

N/A 2.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;

N/A 3.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;

N/A 4.Permanent dedication of the development to use by a unique residential population whose needs for conventional open space are reduced: maximum five percent reduction;

N/A 5. The reduction in open space is part of a development with a mix of residential and nonresidential uses within a BR-2 zoning district that, due to the ratio of residential to nonresidential uses and because of the size, type and mix of dwelling units, the need for open space is reduced: maximum fifteen percent reduction; and

N/A 6. The reduction in open space is part of a development with a mix of residential and nonresidential uses within a 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 twenty-five percent reduction.

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

(i) Process: For buildings in the BR-1 district, the floor area ratio ("FAR") permitted under Table 8-2, [Section 9-8-2](#), "Floor Area Ratio Requirements," B.R.C. 1981, may be increased by the city manager under the criteria set forth in this subparagraph.

(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.

(iii) Criteria for the BR-1 District: The FAR may be increased in the BR-1 district to the extent allowed in subparagraph (h)(2)(J)(ii) of this section if the approving agency finds that the following criteria are met:

N/A 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.

N/A 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 twenty-five feet and under and at least twenty percent of the lot area for buildings above twenty-five feet: an increase in FAR not to exceed 0.25:1.

N/A 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.

N/A d. For a building containing residential and nonresidential uses in which neither use comprises less than twenty-five percent of the total square footage: an increase in FAR not to exceed 1:1.

N/A 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 subparagraph may not exceed an increase of 0.5:1.

N/A 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 9-9-6](#), "Parking 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.

(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 9-9-6](#), "Parking Standards," B.R.C. 1981 (see tables 9-1, 9-2, 9-3 and 9-4), if it finds that:

N/A 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 nonresidential uses will be adequately accommodated through on-street parking or off-street parking;

Parking study submitted by the applicant states that there is ample on-street parking that can accommodate the parking needs of the proposed uses. Additionally, the applicant anticipates that the patrons and employees of this business will bicycle to this location. To accommodate an increased demand for bike parking, the applicant is providing 14 parking spaces inside their tenant space for short-term bike parking.

N/A 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;

- N/A d. If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs; and
- N/A 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.

Occupancy is related to residential properties. This is application is related to a commercial project.

(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:

- N/A (i) The lots are held in common ownership;
- N/A (ii) The separate lot is in the same zoning district and located within three hundred feet of the lot that it serves; and
- N/A (iii) The property used for off-site parking under this subparagraph continues under common ownership or control

VI. Conditions On Case

To be determined.

From: Ferro, Charles
Sent: Wednesday, July 27, 2016 11:15 AM
To: Hill, Caeli
Subject: FW: 1815 Pearl / Rapha Cycling Cafe Proposal / Letter of Support

ATTACHMENT D

-----Original Message-----

From: Scott Holton [mailto:scott@elementproperties.com]
Sent: Wednesday, July 27, 2016 11:14 AM
To: Ferro, Charles
Subject: 1815 Pearl / Rapha Cycling Cafe Proposal / Letter of Support

Charles,

My family and I live less than 3 blocks from the proposed Rapha Cycling Cafe that I received mailed notice on today. We frequent — virtually entirely by foot or bike — many of the establishments in this block of Pearl such as Mateo, Boxcar and Cured. We are entirely in support of the proposed use to support walkable options for families, young professionals and seniors located in the residential areas of downtown. We do not know the applicants, but it looks like an amazing idea and will add to the congenial and walkable atmosphere that is important to retain downtown residents and reduce reliance on auto usage in Whittier and the surrounding neighborhoods.

Please pass my unconditional support along to staff and planning board for this project.

Best,

Scott Holton
2041 Walnut

Hill, Caeli

From: Ferro, Charles
Sent: Wednesday, July 27, 2016 3:23 PM
To: Hill, Caeli
Subject: FW: Rapha Cycling Cafe Proposal - 1815 Pearl / Rapha Cycling Cafe Proposal

-----Original Message-----

From: Angela Topel [mailto:Angela@gibbonswhite.com]
Sent: Wednesday, July 27, 2016 3:19 PM
To: Ferro, Charles
Subject: Rapha Cycling Cafe Proposal - 1815 Pearl / Rapha Cycling Cafe Proposal

Charles,

I love a few blocks from this proposed site and I would love to see it in the neighborhood.

Angela Topel
Senior Broker Associate
Gibbons White Inc.
2305 Canyon Blvd Suite 200
Boulder, CO 80302
P: 303-586-5921
C:303-564-1977

Spence, Cindy

From: Ferro, Charles
Sent: Friday, August 26, 2016 8:50 AM
To: Spence, Cindy
Cc: Hill, Caeli
Subject: FW: 1815 Pearl st- Rapha Cycling

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Cindy, can you please update the on line 9/1 PB Packet and include this in 1815 Pearl item.
Can you also forward this to the board via email?
Thanks!

From: Fran [mailto:taylor.francine@gmail.com]
Sent: Thursday, August 25, 2016 4:54 PM
To: Ferro, Charles
Subject: 1815 Pearl st- Rapha Cycling

Mr Ferro,
Since we don't know whether we will be able to attend the Planning Board hearing, I am writing to express our position about the above zoning variance.

Our apartment home is around the corner on 18th street, (in the Boulder Century condos) and we are objecting due to density and traffic concerns.

We realize that the area is mixed use, and we enjoy that. However, in recent years the surrounding area has become densely developed, and is shifting from mixed use to heavily commercial and very dense. Last year a new commercial building went up on the corner of Pearl and 18th, above Frasca, and the area is heavily developed.

And zoning exceptions are still requested for almost every building. What is the point of having the regulations to keep an area consistent, if so many sites are allowed substantial variance ?

[Another example is the proposed zoning variance at the church property 4 blocks away that will triple the number of allowed apartments and eliminate any sidewalk or setback, etc. which will impact the open space and walkability of the neighborhood and add a large number of vehicles. We are in favor of shelter apartments for young adults and homeless, but within the current zoned requirements- I mention this site because all these variances are affecting the neighborhood density as a whole.]

I don't know what the area conditions were at the time the variance was granted before at this address, but the extreme nature of the requested variance- 85%- is unwarranted at the present time.

This particular parcel- Rapha- will be open every day with wine and beer service, and wants to eliminate the required parking, by 85%. **Access to the Rapha parcel is the alley which runs behind Pearl street for us to use our garage, and the Boulder Century lot, and that alley is routinely blocked so that cars cannot be taken out of garages, or driven from the parking lot. All manner of delivery trucks park there- The trucks do not stay within the loading zone, and block not only Boulder Century, but other residents. Also, the lack of required parking will likely push more employees' and customers' vehicles onto 18th street, which is routinely full with no available parking spaces.**

So while we enjoy the mixed use area, we object to proposed waivers which continue to change the density /character of the neighborhood and make it difficult to reside there.

Francine Taylor

LSC TRANSPORTATION CONSULTANTS, INC.

1889 York Street
 Denver, CO 80206
 (303) 333-1105
 FAX (303) 333-1107
 E-mail: lsc@lscdenver.com



June 30, 2016

Mr. Andrew Offierski
 Rapha Racing, LLC
 1916 NW Kearney Street
 Portland, OR 97209

Re: Rapha Site Parking Inventory
 and Utilization Study
 Boulder, CO
 LSC #160680

Dear Mr. Offierski:

In response to your request, LSC Transportation Consultants, Inc. has prepared this memorandum for the proposed Rapha site proposed to be located at 1815 Pearl Street in Boulder, Colorado.

A parking inventory and utilization survey was conducted in the vicinity of the site on Saturday, May 21, 2016, Tuesday, May 24, 2016, and Wednesday, May 25, 2016 on an hourly basis from 7:00 AM to 7:00 PM within the study area shown in Figure 1. There is a total of about 369 on-street publicly available parking spaces in the study area.

Table 1 shows the maximum parking demand over the three-day study period was 314 vehicles during any given hour with an average demand of 208 to 241 vehicles. There were always at least 55 available on-street parking spaces during the three-day survey period. There are sufficient available on-street parking spaces in the immediate vicinity of the site to accommodate the parking needs of the site.

In addition, there are public parking garages located within walking distance of the site at Pearl Street/15th Street and Walnut Street/14th Street.

We trust this information will assist you in planning for the proposed development.

Respectfully submitted,

LSC Transportation Consultants, Inc.

By: _____

Christopher S. McGranahan, P.E.
 Principal



CSM/wc

6-30-16

Enclosures: Table 1
 Figure 1

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Approximate Scale
Scale: 1"=200'

Figure 1
**Study
Area**

RAPHA Site (LSC #160680)

1815 Pearl St. Written Statement & Management Plan

Background: Rapha Racing LLC, (Rapha) is a wholly owned subsidiary of Rapha Ltd., a leading cycling apparel retailer based in the United Kingdom. Rapha operates 9 Cycle Club retail concept stores around the world and an online webstore at (www.rapha.cc). Rapha hopes to provide Boulder an innovative retail experience that celebrates and embraces the history of road cycling in Boulder and its influence on the sport in the United States. Rapha retail locations have been thoughtfully designed to inspire the road cycling community. Inside the proposed 2,642 sf you will find a retail space stocked with the latest Rapha products, limited edition cycle club items, and café serving fine coffee and light prepared foods. Rapha concept stores are the perfect home for the sport and culture of road racing, offering the ultimate Rapha experience.

Rapha Hours of Operation:

Monday-Saturday: 8am-7pm

Sunday: 8am-6pm

Retail Operations Plan: Rapha intends to run 2 staff shifts per day. Each shift will be comprised of 3 staff members, including store managers and 1-2 baristas to oversee the Café. The team will include 5-6 full time staff members working around 37.5 hours a week, and 6-7 part time staff members working 16 - 24 hours a week. Each shift will report for work approx. 30min - 1hr prior to opening and leave the premises promptly at the conclusion of closing duties approximately 30min after closing our doors to the public. Based on existing Rapha locations, it is estimated 90% of employees commute on bicycles to and from work and we believe Boulder will be no exception.

Employee Drug and Alcohol Policy: Rapha has a strict employee drug & alcohol policy. The use, influence, sale or possession of illegal drugs or controlled substances during work hours will result in immediate termination on the first offense. Possession of paraphernalia used in connection with any drug or substance subject to this policy shall be evident of violation of this policy.

Employees are prohibited from reporting to work under the influence of any drugs or controlled substance of whatever type or legality that impairs your ability to perform your job.

In addition to the cycling culture that Rapha promotes, we have developed a comprehensive plan, to encourage the use of alternative modes of transportation and to reduce car travel to the store location. It includes a number of initiatives to encourage both guests and employees to walk, ride or take public transit. These initiatives include; a) the design integration of bicycle parking for 14 and an additional 2 exterior parking locations, b) eco-passes for employees, c) complimentary merchant parking tokens for use at Downtown parking meters.

Description of Food Service: Rapha believes food and beverage is an important piece of cycling culture and complete the Rapha retail experience. The ability to share fine food and premium drinks with fellow cyclists, before or after cycling rides set Rapha apart as a market leader in experiential retail. Rapha's café component will offer a selection of light fare, coffee drinks, and as permitted Beer & Wine. We estimate the café component to account for approximately ~10% of gross sales as has been the experience at other locations. The Café component is planned to account for all 40 seats.

It is Rapha's intention to apply to the appropriate jurisdictions for a beer & wine liquor licence. All beer and wine & served will be done so in accordance within generally accepted guidelines of fine food establishments. Patrons will be able to choose between self-service or table service.

Deliveries: Deliveries will typically occur via DHL or similar operator, in the non-peak hours approximately mid morning 1-2 times per week. Rapha will determine the best practice to receive product shipment so as not to block the rear-alley or create congestion on Pearl St.

Trash & Recycling: Rapha will partner with landlord to ensure that trash and recycling regularly removed from the premises and general cleanliness of the exterior of the building are maintained.

Noise: Rapha is a locally minded operator, with community-focused business. Rapha noise policies reflect this as we plan to regularly close to the public by 7pm Monday –Saturday and 6pm on Sundays.

Neighborhood Outreach & Future Communication: Although not required for this application, Rapha voluntarily hosted a Good Neighbor Meeting on June 29, 2016, at the site. Invitations were sent out to 221 neighboring properties within a 600' radius of the property (as is normal City practice). Charles Ferro attended the meeting on behalf of the City.

One neighbor attended the meeting (lives directly across Pearl St) and a had questions about Rapha's business plan, however her primary concern was about Rapha's hours of operation, which we provided her, and she was very satisfied with those hours of operation.

Rapha will continue to keep the lines of communication open welcoming feedback from local community and residents. Rapha store managers are available in store, business cards with corporate contact information are available at checkout counters, and the Rapha website all have contact information and actively managed channels to receive feedback. Rapha recognizes their responsibility to be a good neighbor and endeavours to be an active participant in local cycling events, organizations and partner to local businesses.

Parking: Rapha plans to utilize 2 of the existing parking spaces located at the rear of the property accessed by the alley. We will also be applying for a parking reduction as with most uses on this side of Pearl on this block, on site parking is extremely limited.

In order to address this issue, Rapha engaged LCS Transportation Consultants Inc. to conduct a Parking Inventory & Utilization Study that is attached. The study demonstrates that adequate

parking is available in the immediate area to easily accommodate parking for our use during our hours of operation. We will provide eco-passes for all our employees, parking tokens for our customers who use the on-street parking, and will validate parking for patrons that park in downtown parking garages. All parking programs will be promoted on our website. We have been in communication with the City staff about adding at least one more sidewalk bicycle loop in front of the store, and we will also be providing 14 indoor bicycle spaces for our customers. In addition, we believe that most of our employees will bicycle to work.