

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

AGENDA TITLE:

Public hearing for consideration of a Concept Plan proposal (LUR2016-00070) to redevelop the site at 1600 Broadway, an approximately 0.54 acre-property, involving removal of two commercial buildings, development of a new 41,606 square-foot hotel building with approximately 73 hotel rooms, and installation of an underground parking structure. Preliminary consideration of a rezoning from Business – Transitional 2 (BT-2) to Downtown – 3 (DT-3) is also proposed.

Applicant: Julie Eck, Davis Partnership Architects
Property Owner: Stephen D. Tebo

REQUESTING DEPARTMENT:

Planning, Housing & Sustainability
David Driskell, Executive Director
Susan Richstone, Deputy Director
Charles Ferro, Land Use Review Manager
Shannon Moeller, Planner II

OBJECTIVE:

1. Hear applicant and staff presentations
2. Hold public hearing
3. Planning Board to ask questions of applicant, the public and staff
4. Planning Board discussion of Concept Plan. No action is required by Planning Board.

SUMMARY:

Proposal: Concept Plan review and comment for the proposed redevelopment of the site at 1600 Broadway, an approximate 0.54 acre-property, involving removal of two commercial buildings, a new 41,606 square-foot hotel building with approximately 73 hotel rooms, and installation of an underground parking structure. Preliminary consideration of a rezoning from Business – Transitional 2 (BT-2) to Downtown – 3 (DT-3) is also proposed.

Project Name: Boulder University Inn Expansion
Location: 1600 Broadway
Size of Property: 0.54 acre
Zoning: BT-2 (Business – Transitional 2)
Comprehensive Plan: Transitional Business

I. INTRODUCTION AND BACKGROUND

PROCESS

Per Section 9-2-14, B.R.C. 1981, the project requires Concept Plan review and comment, because the project exceeds 30,000 square feet of floor area. The Concept Plan is an opportunity for the applicant to receive comments from the community about the proposed plan before moving forward. "Concept Plan Review and Comment" requires staff review and a public hearing before the Planning Board. Planning Board, staff and neighborhood comments made at public hearings are intended to be advisory comments for the applicant to consider prior to submitting any detailed Site Review documents.

BACKGROUND

Site Context

As shown in **Figure 1**, the site is roughly .54 acres in size and is located at the northeast corner of Broadway and Marine Street. The site is developed with existing structures containing Khow Thai Café and DP Dough. Demolition of the two buildings was approved by the Landmarks Design Review Committee (LDRC) in 2016. The remainder of the site consists largely of paved areas and some vegetation. The site generally slopes downward to the northeast toward Boulder Creek and backs to an alley, a multi-use path, open space, and Boulder High School fields to the east; and is bordered by other commercial properties to the north. As shown in the context photos in **Figure 2**, buildings in the

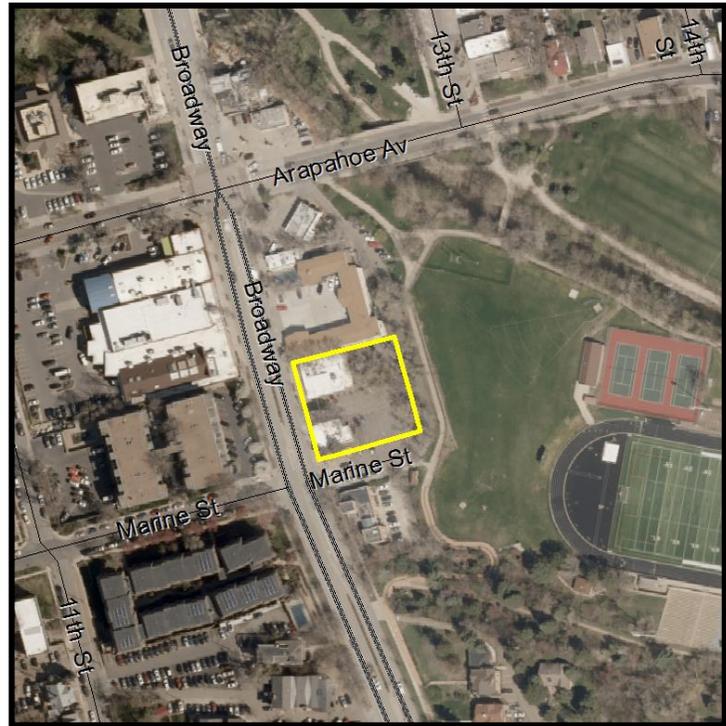


Figure 1 - Vicinity Map



Figure 2 – Context Photos

immediate vicinity on the east and west side of Broadway are generally one and two story, with the exception of the nearby nonconforming four story apartments on the west side of Broadway.

The site is located outside of the Central Area Improvement District (CAGID) and is not subject to the Downtown Design Guidelines. A portion of the northern lot is impacted by the 500-year floodplain, as shown in **Figure 3**.

BVCP Land Use Designation

The [Boulder Valley Comprehensive Plan](#) (BVCP) designates the site as Transitional Business (see **Figure 4**). Per the BVCP Land Use Map description: “The Transitional Business designation is shown along certain major streets. These are areas usually zoned for less intensive business uses than in the General Business areas, and they often provide a transition to residential areas.”

Zoning

The project site is zoned BT-2, Business - Transitional 2 (see **Figure 5**). Section 9-5-2(c)(2)(E), B.R.C. 1981 describes the district as “*transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.*” Motels and hotels require a Use Review in this zoning district.

The applicant is proposing to rezone the site to DT-3, Downtown - 3. Section 9-5-2(c)(3)(A), B.R.C. 1981 describes the DT-3 district as “*a transition area between the downtown and the surrounding residential areas where a wide range of retail, office, residential, and public uses are permitted. A balance of new development with the*

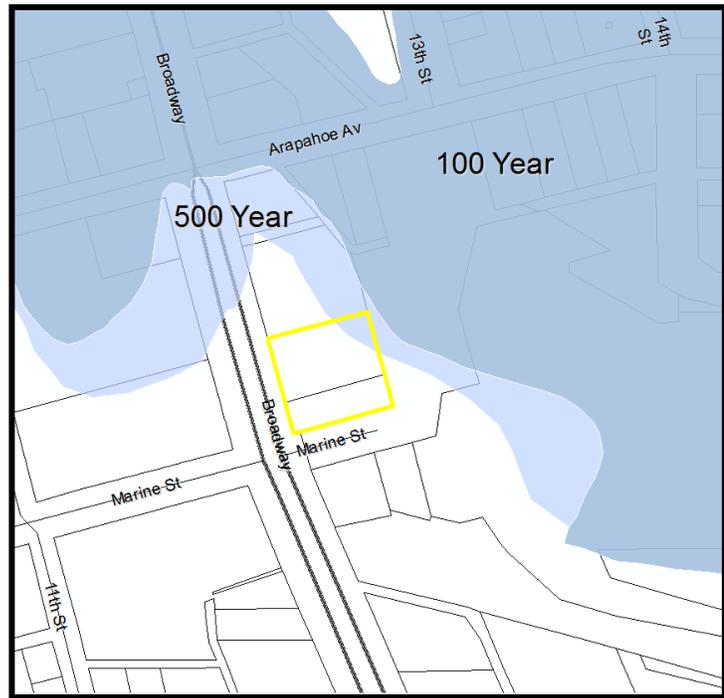


Figure 3 – Floodplain Map

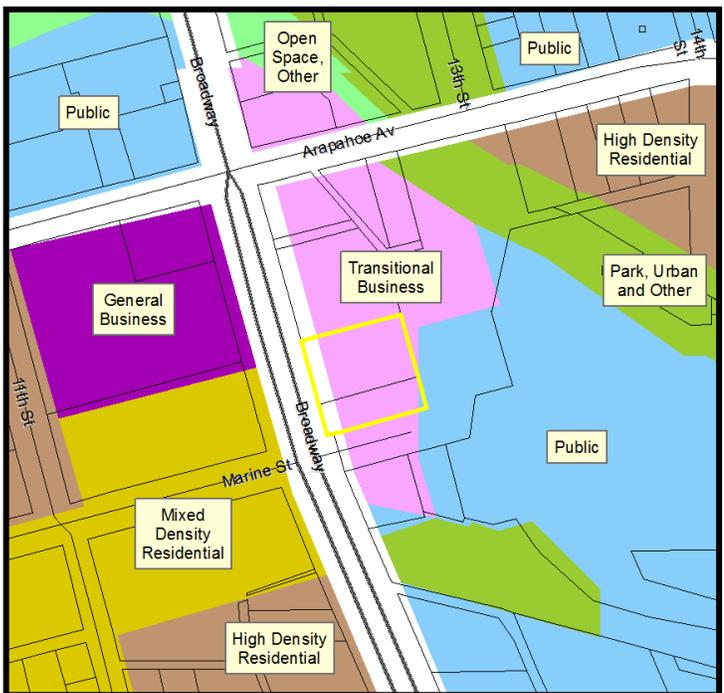


Figure 4 – BVCP Land Use Map

maintenance and renovation of existing buildings is anticipated, and where development and redevelopment consistent with the established historic and urban design character is encouraged.” Motels and hotels require a Use Review in this district, as well.

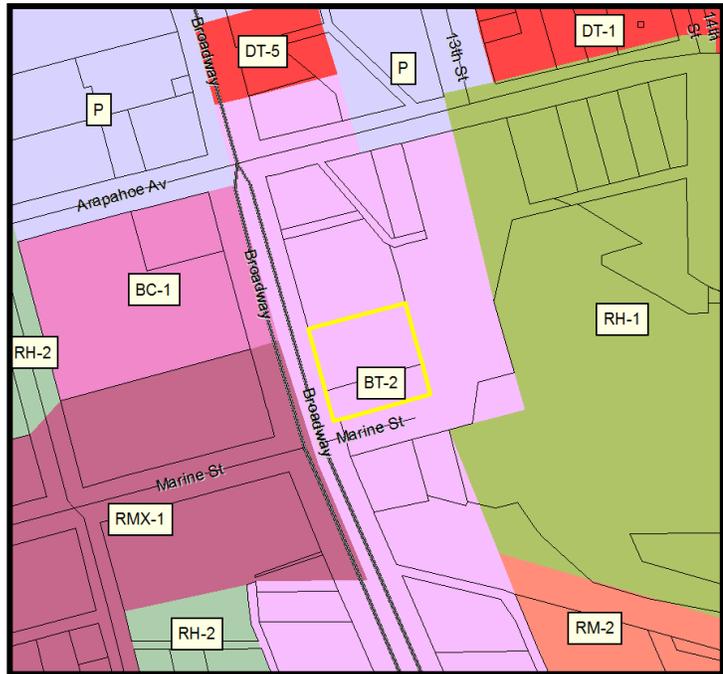


Figure 5 – Zoning Map

II. PROJECT DESCRIPTION SUMMARY

The applicant is requesting feedback on the following proposal:

- Construction of a 41,606 square-foot hotel with 73 rooms and underground parking;
- Modification to the permitted height and number of stories for a proposed 48-foot, four story building;
- Modification to the setbacks, including a proposed 5' front yard setback from Broadway and a 20' rear yard setback;
- An overall proposed 1.74 FAR (Floor Area Ratio);
- Preliminary consideration of a rezoning from Business – Transitional 2 (BT-2) to Downtown – 3 (DT-3).

A conceptual site plan showing the building location, site circulation, and nearby transportation connections is shown in Figure 6.

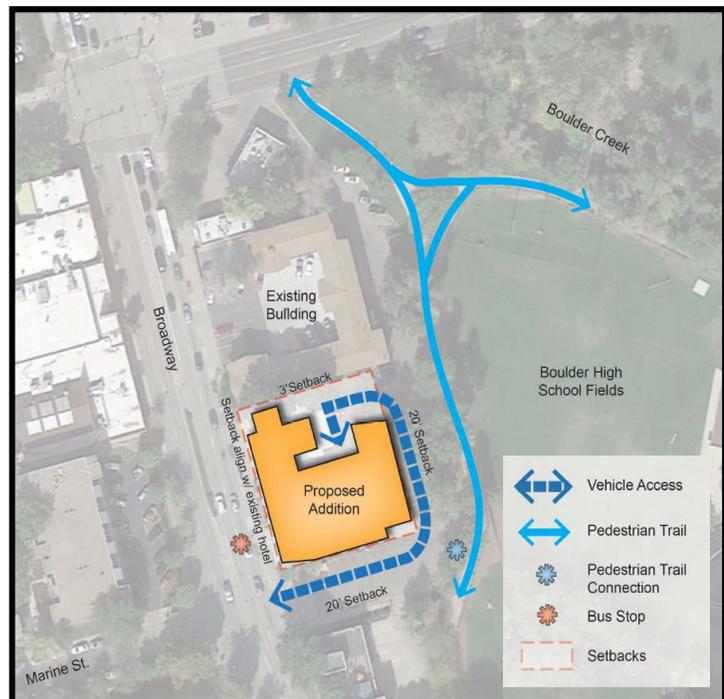


Figure 6 – Conceptual Site Plan

Conceptual site sections are shown in **Figure 7** demonstrating the proposed height and scale of the building in relation to the site topography and existing Boulder University Inn building.

The architecture of the project is shown in **Figure 8**. The proposed building includes four stories (one parking level and three hotel levels) using a mix of materials including steel panels, composite wood-look panels, red and buff stacked sandstone veneer, and brick veneer.

See **Attachment A** for the applicant's written description and **Attachment B** for the conceptual plans. See **Attachment C** for staff's development review comments dated September 28, 2016.

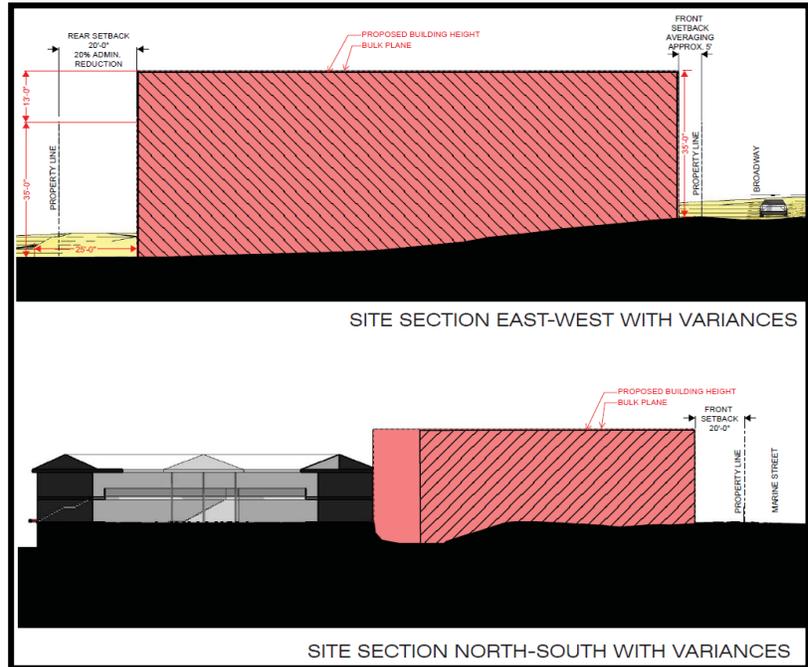


Figure 7 – Site Sections



Figure 8 – Architectural Renderings

III. Concept Plan Review Criteria for Land Use Code Section 9-2-13(e), B.R.C. 1981

CONCEPT PLAN REVIEW AND COMMENT Section 9-2-13

(g) **Guidelines for Review and Comment:** The following guidelines will be used to guide the planning board's discussion regarding the site. It is anticipated that issues other than those listed in this section will be identified as part of the concept plan review and comment process. The planning board may consider the following guidelines when providing comments on a concept plan:

- 1) Characteristics of the site and surrounding areas, including, without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including, without limitation, mature trees, watercourses, hills, depressions, steep slopes and prominent views to and from the site;**

The overall site contains two parcels and is approximately 0.54 acres. The site is developed with existing structures containing Khow Thai Café and DP Dough. Demolition of both buildings was approved by the Landmarks Design Review Committee (LDRC) by HIS2016-00174 and HIS2016-00175. The remainder of the site consists largely of paved areas and some vegetation.

The site is located immediately east of Broadway and approximately 250 feet south of Arapahoe Avenue. It is surrounded by Marine Street to the south; an alley, multi-use path, open space, Boulder Creek, and Boulder High School fields to the east; and other commercial properties to the north (Boulder University Inn, Massage Specialists, South Mouth Wings).

The site generally slopes downward to the northeast toward Boulder Creek. Portions of the site slope steeply downward to the east and northeast toward the multi-use path and the existing inn. Several mature trees exist on the site, particularly along both sides of the alley and the multi-use path, and south of the inn.

The site lies along prominent transportation corridors, including fronting Broadway and backing the multi-use path that links downtown to the University of Colorado.

The site backs to a large open area containing Boulder High School fields and Boulder Creek.

Views from the site westward are largely obstructed by existing structures and trees. There are some partial mountain views along Marine Street and from the southwest corner of the site toward the intersection of Arapahoe and Broadway. The property to the east of the site lies at a lower elevation and the topography, existing structures, and trees on the site also largely obstruct mountain views from those properties.

- 2) Community policy considerations including, without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan and other ordinances, goals, policies, and plans, including, without limitation, subcommunity and subarea plans;**

The current proposal to rezone the property to DT-3 would result in a higher FAR (floor area ratio) than is allowed by the existing BT-2 zoning.

Currently, the BVCP designates the majority of the site as Transitional Business. Per the BVCP Land Use Map description: *“The Transitional Business designation is shown along certain major streets. These are areas usually zoned for less intensive business uses than in the General Business areas, and they often provide a transition to residential areas.”* The site has a corresponding zoning designation of Business - Transitional 2 (BT-2) which is defined in the city’s code as *“transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.”*

A comparison of the proposal to the existing BT-2 zoning is provided below.

	BT-2	Proposal	Comparison
Setback and Separation Requirements			
Minimum front yard landscaped setback	20'	5' to Broadway	Non compliant. Requires modification through Site Review
Minimum front yard setback for all covered and uncovered parking areas	20'	Underground parking garage accessed from alley	Complies
Minimum side yard landscaped setback from a street	15'	20' to Marine Street	Complies
Minimum side yard setback from an interior lot line	10'	3' to north property line	Non compliant. Requires modification through Site Review.
Minimum total for both side yard setbacks	20'	> 20'	Complies
Minimum rear yard setback	25'	20'	Non compliant. Requires modification through Site Review
Principal Building Height			
Maximum Height	35'	48'	Does not comply; an ordinance is necessary for height modification per Ordinance 8028 (height moratorium).
Maximum Stories	3	4	Non compliant. Requires modification through Site Review.
Intensity Standards			
Maximum FAR	0.5	1.74	Exceeds Maximum FAR for BT-2. The maximum FAR cannot be modified through Site Review. A rezoning to a district with a greater FAR would be necessary.
Minimum Lot Area	6,000	23,884	Complies
Minimum Open Space	10-20% depending on height. 48' building requires 20% open space.	Not specified	To be evaluated through Site Review.

Outside of the periodic updates of the BVCP, there is an ability to request a change with a concurrent

rezoning and land use map change. Changes outside of the regular BVCP are rare. In this case, the property is located in an area of transition located between downtown and University Hill. It is not considered a part of the downtown area. The transitional nature of the area lends itself to a lower scale and intensity of development than that of downtown. Conceptually, staff does not find that a map change or a rezoning would be consistent with the criteria for a Land Use Change is found in the Comprehensive Plan in Chapter II Amendment Procedures below which states:

The Land Use Map is not intended to be a zoning map. It is intended to provide policy direction and definition for future land uses in the Boulder Valley. Thus, a change to the land use designations may be considered at any time if it is related to a proposed change in zoning or proposed annexation and meets all of the following criteria:

- (a) The proposed change is consistent with the policies and overall intent of the comprehensive plan.*
- (b) The proposed change would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city.*
- (c) The proposed change would not materially affect the land use and growth projections that were the basis of the comprehensive plan.*
- (d) The proposed change does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder.*
- (e) The proposed change would not materially affect the adopted Capital Improvements Program of the City of Boulder.*
- (f) The proposed change would not affect the Area II/Area III boundaries in the comprehensive plan.*

Similarly, staff doesn't find that a rezoning would be consistent with the criteria for a rezoning is found in section [9-2-18](#) of the Boulder Revised Code, 1981, which states:

- (e) Criteria: The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. In order to establish and maintain sound, stable and desirable development within the city, rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the city council shall grant a rezoning application only if the proposed rezoning is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, and, for an application not incidental to a general revision of the zoning map, meets one of the following criteria:
 - (1) The applicant demonstrates by clear and convincing evidence that the proposed rezoning is necessary to come into compliance with the Boulder Valley Comprehensive Plan map;*
 - (2) The existing zoning of the land was the result of a clerical error;*
 - (3) The existing zoning of the land was based on a mistake of fact;*
 - (4) The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils and inadequate drainage;*
 - (5) The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or**

- (6) *The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Boulder Valley Comprehensive Plan.*

While a BVCP land use map change and a rezoning appear preliminarily inconsistent with the criteria above, staff finds the proposed project preliminarily consistent with the following Boulder Valley Comprehensive Plan policies:

- 2.03 Compact Development Pattern
- 2.21 Commitment to a Walkable and Accessible City
- 2.23 Trail Corridors/Linkages

The following Boulder Valley Comprehensive Plan policies should be used to guide the proposal as it moves into Site Review:

- 2.14 Mix of Complementary Land Uses
- 2.30 Sensitive Infill and Redevelopment
- 2.32 Physical Design for People
- 2.34 Importance of Street Trees and Streetscapes
- 2.37 Enhanced Design for Private Sector Projects
 - a) The context
 - b) The public realm
 - c) Human scale
 - d) Permeability
 - e) On-site open spaces
 - f) Buildings

With regard to increased building height, on March 31, 2015, City Council approved Ordinance 8028, which establishes a two-year period during which modifications to the by-right height for new buildings will only be considered through the Site Review process in specific parts of the city or in particular circumstances. The project is not included in the list of exempted areas or circumstances; therefore, a request to exceed the 35-foot height limit for the zone district would require that Ordinance 8028 be amended by City Council. Preliminarily, staff doesn't find that a proposed increase in building height would be consistent with the context of the area or with the Site Review criteria found in [Section 9-2-14\(h\)\(2\)\(F\)](#), B.R.C. 1981 related to site context and building design.

3) Applicable criteria, review procedures, and submission requirements for a site review;

As stated above, a Site Review application would be required and would be subject to all the criteria in Section 9-2-14(h) of the Land Use Regulations. Submission requirements would be the same as any other Site Review and would have to satisfy the requirements of sections 9-2-6 and 9-2-14(d). Development of the site would also have to be found consistent with the Design and Construction Standards (DCS).

Applications for Site Review are submitted to the Planning and Development Services Center and are reviewed through the Land Use Review process. Ultimately, if the project is designed to include a height modification request, a public hearing and recommendation by the Planning Board followed by approval of an ordinance by City Council would be required.

4) Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;

In addition to the required Concept Plan, the applicant will be required to complete the following processes:

- Rezoning/Land Use Map Change – to rezone the property from BT-2 to DT-3 and change the BVCP land use designation for the site from Transitional Business to Downtown – 3. These processes may be run concurrently and follow the standard land use review process. A rezoning requires a recommendation by the Planning Board followed by approval of an ordinance by City Council.
- Site Review - Per Section 9-2-14, B.R.C. 1981, the project requires Site Review because the project exceeds 30,000 square feet of floor area. Additionally, a number of modifications to the city's development standards have been identified, including:
 - Section 9-7-1 - Maximum height for principal buildings and uses - Request to build up to 48 feet where 35-feet is the maximum.
 - Section 9-7-1 - Maximum number of stories for a building - Request for four stories where three stories is the maximum.
 - Section 9-7-1 - Minimum front yard landscape setback - Request for a 5' front yard building setback from Broadway where 20' is the minimum.
 - Section 9-7-1 - Minimum rear yard setback - Request for a 20' rear yard setback where 25' is the minimum.

These modifications would need to be considered through the Site Review process.

Additionally, the Boulder University Inn parcel at 1632 Broadway would be need to be included in the overall Site Review of this proposal per 9-2-14(b)(1)(C) which states that "contiguous lots or parcels under common ownership or control, not subject to a planned development, planned residential development, planned unit development, or site review approval, shall be considered as one property" for the purposes of determining which development is eligible or other required to complete the site review process."

- Subdivision – a subdivision is required in order to consolidate the two existing properties into one property to allow for the proposed development. The subdivision process follows the standard land use review process and is a staff-level subject to call-up by the Planning Board. A subdivision must be completed prior to approval of a building permit application.
- Height Ordinance – to request a height modification to allow for the proposed building to exceed the 35-foot height limit for the BT-2 zone. The ordinance does not have a separate review process and must be requested through the Site Review process. Approval of an ordinance requires a recommendation by Planning Board followed by two readings at City Council.
- Technical Document Review – following Site Review and Rezoning approval, if approved, the applicant is required to submit an application for Technical Document (TEC doc) Review prior to application for building permit. The intent in the TEC doc review is to ensure that technical details are resolved such as drainage and transportation issues that may require supplemental analyses.

- Building Permits

5) Opportunities and constraints in relation to the transportation system, including, without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;

Numerous opportunities exist to enhance the transportation system in this location, including: improvements to Broadway, Marine Street, and the alley to reduce vehicular access points and provide adequate sidewalks and landscaping at appropriate locations; linkages to the existing multi-use path at the rear of the site; provision of short- and long-term bicycle parking; improvements to the existing bus stop at the front of the site; and consideration of measures such as a vehicle or bicycle sharing program as part of an overall TDM plan.

Portions of the existing alley and Marine Street are located in a city-owned parcel, rather than right-of-way. Generally, staff is supportive of the proposed access from the alley, although additional evaluation is necessary to determine if access should be provided through this public land to new developments. Additionally, the existing alley is currently one-way southbound from Arapahoe and is constrained in its location and alignment by the adjacent multi-use path and bridge over Boulder Creek. Additional right-of-way dedication may be necessary where the alley intersects Marine Street to accommodate two-directional traffic. Finally, careful attention to the building design will be critical in addressing how the building will interface with adjacent multi use path.

6) Environmental opportunities and constraints including, without limitation, the identification of wetlands, important view corridors, floodplains and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site and at what point in the process the information will be necessary;

The site is part of a developed commercial property. The proposed structure is impacted by the 500-year floodplain of Boulder Creek. Lodging facilities are considered a critical facility and must comply with the development requirements of Section 9-3-2(i) of the Boulder Revised Code, 1981, including review and approval of an Emergency Management Plan prior to issuance of a Floodplain Development Permit.

7) Appropriate ranges of land uses; and 8) The appropriateness of or necessity for housing.

The proposal is limited to a singular land use, hotel, which would extend along a significant portion of the Broadway block frontage. Additional land uses such as storefront uses should be considered in the first-floor of the proposal along Broadway and at the corner of Broadway and Marine Street to provide a richer mix of land uses in the area.

Housing is not a part of this proposal.

PUBLIC COMMENT AND PROCESS:

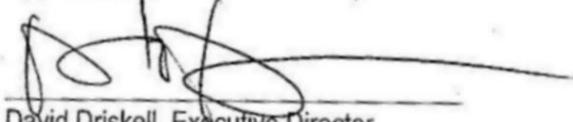
Required public notice was given in the form of written notification mailed to all property owners and renters within 600 feet of the subject site and a sign was posted on the property for at least 10

days. All notice requirements of Section 9-4-10(g), B.R.C. 1981 have been met. Staff has not received any public comments on the proposal.

STAFF RECOMMENDATION:

No action is required on behalf of the Planning Board. Public comment, staff, and Planning Board comments will be documented for the applicant's use. Concept Plan Review and comment is intended to give the applicant feedback on the proposed development plan and provide the applicant direction on submittal of the site review plans.

Approved By:

A handwritten signature in black ink, appearing to read 'D. Driskell', is written over a horizontal line.

David Driskell, Executive Director
Department of Community Planning and Sustainability

ATTACHMENTS:

- A:** Applicant's written statement dated August 12, 2016
- B:** Proposed plans dated August 12, 2016
- C:** Development Review Committee comments dated September 28, 2016



DAVIS
PARTNERSHIP
ARCHITECTS

August 12, 2016

City of Boulder
Planning and Development Services
1739 Broadway, Third Floor
Boulder, CO 80306

**Re: Land Use Review Application: Concept Plan Review
Boulder University Inn Expansion**

Dear Planning and Development Services Staff:

Please accept the following Land Use Application for a Concept Plan Review request for the proposed Boulder University Inn Expansion project. As the Applicant on behalf of Tebo Properties, we are happy to continue discussions with Staff regarding the development of additional lodging opportunities within the City and County of Boulder in the downtown area. The proposed building is planned to be located on the two adjacent zone lots to the existing Boulder University Inn at 1632 Broadway and be used for a standalone expansion of that development. The existing buildings on 1600 and 1622 Broadway will be demolished to make room for the expansion. The existing buildings are approximately 3,301 sf and 2,001 sf. Demolition permit applications were approved in June of 2016.

DENVER OFFICE

2901 Blake Street, Suite 100

Denver, CO 80205-2303

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The proposed hotel expansion will be approximately 41,606 sf of additional hotel space to the existing 21,663 sf building. The expansion will front Broadway, Marine Street and a 14' rear alley adjacent to the Christian Recht Field open space. The ultimate project intent is to change the Boulder Valley Comprehensive Plan Land Use and rezone the property to allow a greater density than the existing F.A.R. of 0.5 which the existing University Inn is in non-compliance with. Currently the existing hotel is 1.0 F.A.R.

Existing Site Condition:

The property to be developed adjacent to the existing hotel is approximately 0.55 acres (24,048.52 sf) and is currently zoned BT-2 Business Transitional 2. The site consists of two single story buildings with surface parking. The addresses are 1600 and 1622 Broadway, located east of Broadway and directly north of Marine Street. Surrounding the existing University Inn is a variety of heights and land uses from the Christian Recht Field and open space to the east, to 2, 3 & 4 story buildings on the south and west blocks. There are a mix of uses from grocery, small restaurants and gas stations, City facilities, and residential. There is some existing vegetation along the edges of the site but mostly consist of asphalt lots, buildings and streets in the immediate area. The site is close to the Boulder Creek recreational trail. Broadway

is a major transportation route with bus stops directly in front of the proposed addition.

The site drops steadily 14' from the south to the northeast, with 10' of the drop occurring in an area less than 23' off of the northeast corner of the site. The site grades are consistent through the site except in this location. The grade change happens on less than 12% of the lot. Based on the layout of the site and location of this grade drop, it is not visible from the surrounding uses. The significant grade drop in a small area of the site is not consistent with the surrounding developments.

There are no known wetlands, view corridors, or other natural hazards, wildlife corridors, endangered and protected species and habitats associated with this site. The two lots to be developed are out of the existing floodplain.

Project Design Intent

The design intent is to provide a 73 key standalone expansion to the existing University Inn and use architecture that is complementary to the existing building and the surrounding architecture but updated. The target is to maximize the room count and provide a three story building if building heights can get resolved with Staff and City Council. All parking will be onsite in an underground structure that is accessed from the alley. The front of the building will align with the existing structure approximately 6' off of the property line. The existing buildings to be demolished sit closer to the property line than what is proposed.

The concept plan maximizes the room capacity with 3 stories, which is allowed by zoning. The addition is separated from the existing building along the Broadway side with minimal distance (3' off of the side interior property line). The architecture is compatible with the existing building but with updated detailing for a modern look. The floor to floor is dimension is planned at 10'. The average building height along Broadway is 32.5'. The Marine Street side average height is 33'. The alley side building height averages 38'. In this location in the northeast property corner the site has a significant drop in grade to the low point of the site. Keeping the alley edge consistent sets the northeast corner of the building at a height of 41' at the highest. This is the only location on the building where the project exceeds the current zoning building height of 35' and is not visible from the surrounding street network. The elevator overrun will extend beyond the 35' as well as some mechanical appurtenances. The location of these will be made to be placed on the portion of the roof that is least visible from adjacent streets.

The project intends to work with the setbacks as defined by the new zone classification as determined as we move forward with the project. The following setbacks are shown of the current concept; align the Broadway face with the existing Inn, 20' along Marine Street, 20' along the back alley and 3' at the side interior. Modifications to setbacks that do not conform to propose zoning will be modified as described above through the site plan process.

Access to an underground parking structure will from the alley. Parking ratios will be that as required by zoning, 1 space per guest room, plus required space for nonresidential at 1 space per 300 sf.

Conformance to the Municipal Code

The proposed site plan does not conform to the existing zone within the municipal code for the BT-2 zone in two areas. One specifically that cannot be resolved through the Site Development process, but would require a rezone is the F.A.R.

1. Building Size and Coverage Limitations - F.A.R.

Per BRC Title 9 – Land Use Code,

Principal and Accessory Building Height, section 9-7-1 “Schedule of Form and Bulk Standards,” maximum floor area of any principal building permitted by Chapter 9-8-2 for BT-2 zone.

Request:

The development is proposed to be an addition to the existing Boulder Inn. The three story project exceeds the allowable F.A.R. To fit within the confines of the existing zoning F.A.R. the expansion could only be 5,468 sf, which is not a feasible or worthwhile expansion effort.

The Base F.A.R. for the BT-2 zone is 0.5, but maximum total F.A.R. additions are listed as not applicable. The developer considers this an addition, but would like to get approval for a 1.7 over both lots. The existing University Inn has a 1.0 F.A.R.

The sites for development are adjacent to each other and combined are surrounded by streets (Arapahoe, Broadway, Marine and the public alley). The existing use of a hotel and proposed expansion is not a use that can conform to a 0.5 F.A.R. within this blocks depth and width for this type of development expansion proposed.

The sites surrounding the site, including the existing Boulder University Inn do not conform to the 0.5 F.A.R. and are more in line with the proposed expansion with the building ratios as existing. The property cannot reasonably be used for hotel expansion at a 0.5 F.A.R. due to the building coverage needed for an expansion of a use this type. The parcel would need to be significantly bigger to get an expansion that conforms.

The applicant sees a rezone/land use map amendment as the only feasible way to allow the building expansion. The applicant is considering DT-3 zoning and 1.7 F.A.R.

2. Maximum Building Height

Per BRC Title 9 – Land Use Code,

Per Principal and Accessory Building Height, section 9-7-1 "Schedule of Form and Bulk Standards," maximum height for principal buildings and uses in the BR-2 zone is 35' and 3 stories.

The development is proposed to have a 35', 3 story building height for 3/4th of the building footprint. There is a significant grade (10') difference within a 23' area in the northeast corner of the site that creates the lowest elevation to measure the height from. The proposed variance request is to allow this corner of the building to maintain 3 stores but increase the height to 48', keeping the 3 story building configuration consistent throughout the building.

The site grades are consistent through the site except in a 23' location in the northeast quadrant where the site drops 10'. The grade change happens on less than 12% of the lot, but causes a significant reduction in building height on one side of the proposed building. The side in question is on the back side, adjacent to the existing Boulder University Inn along the alley and across the Christian Recht Field open space and tree coverage. Based on the layout of the site and location of this grade drop, it is not visible from the surrounding uses.

The significant grade drop in a small area of the site is not consistent with the surrounding developments. The adjacent properties are built out and have manipulated grades around developments that are not in conformance with the existing BT-2 zone.

Due to the grade change in the back corner only, the development cannot utilize what is allowed in the code for a 3 story building. The significant grade drop would cause the reduction of an entire story due to the one corner in order to keep circulation routes.

The applicant is going forward with the 3 story option with the height request per the adopted ordinance no 8028 Building Height, within 9-2-14 Site Review,

2. The maximum height or conditional height for principal buildings or uses may be modified in any of the following circumstances:

C) In all zoning districts, if the height modification is to allow the greater of two stories or the maximum number of stories permitted in section 9-7-1 in a building and the height modification is necessary because of the topography of the site.

The applicant sees this being resolved by the approval from City Council to allow the preferred concept to be constructed and would like to pursue this option. If this option is denied then the applicant will go with the 2 story option per the City Councils decision.

Conformance with the Boulder Valley Comprehensive Plan

The applicant understands they have missed the 5-year update to the Boulder Valley Comprehensive Plan (BVCP) and would need to pursue an independent rezone in order to increase the F.A.R. as demonstrated above. The proposed project fits within the existing goals of the BVCP and would plan on exhibiting how this project will follow these guiding documents throughout the entitlement process. Below are some of the initial correlations between the proposed project and the BVCP.

1. *Core Values, Sustainability Framework and General Policies:*
 - Compact, continuous development and infill that supports evolution to a more sustainable urban form*
 - *Vibrant economy based on Boulder's quality of life and economic strengths*
 - 1.03 *Principles of Economic Sustainability*
 - Promoting a qualified and diversified work force that meets employers' needs and supports a range of jobs*
 - 1.15 *City's Role in Managing Growth and Development*
 - 1.16 *Adapting to Limits on Physical Expansion*
 - 1.17 *Growth Projections*
 - 1.20 *Definition of Comprehensive Panning Area I, II and III (Area I)*
 - 1.22 *Definition of New Urban Development*
 - 1.29 *Channeling Development to Areas with Adequate Infrastructure*
2. *Built Environment:*
 2. *Individual Character Areas*
 3. *Activity Centers (University of Colorado and Federal Labs, just south of Downtown Historic Core)*
 4. *Mobility Grid (University of Colorado)*
 - 2.13 *Protection of Residential Neighborhoods Adjacent to Non-residential Zones*
 - 2.14 *Mix of Complementary Land Uses*
 - 2.15 *Compatibility of Adjacent Land Uses*
 - 2.30 *Sensitive Infill and Redevelopment*
 - 2.33 *Environmentally Sensitive Urban Design*
 - 2.34 *Importance of Street Trees and Streetscapes*
 - 2.35 *Outdoor Lighting/Light Pollution*
 - 2.37 *Enhanced Design for Private Sector Projects*
3. *Natural Environment:*
 - 3.09. *Management of Wildlife-Human Conflicts*
4. *Energy and Climate:*
 - 4.03. *Energy Conservation and Renewable Energy*
 - 4.04 *Energy-Efficient Building Design*
5. *Economy:*
 - 5.01. *Revitalizing Commercial and Industrial Areas*
 - 5.03 *Diverse Mix of Uses and Business Types*
 - 5.05 *Support for Local Business and Business Retention*
 - 5.08 *Role of Tourism in the Economy*
 - 5.14 *Employment Opportunities*
6. *Transportation:*
 - 6.10 *Managing Parking Supply*

Additional Response

- A) *Techniques and strategies for environmental impact avoidance, minimization, or mitigation;*
 - Currently the site is paving and commercial structures adjacent to large vegetation and trail system. During construction, efforts will be made to protect existing offsite vegetation and wildlife corridors. Demolition will be coordinated to reduce dust, noise and debris. Removal of onsite materials will be done according to existing industry standards.
- B) *Techniques and strategies for practical and economically feasibility travel demands management techniques, including without limitation, site design, land use, covenants, transit passes, parking restrictions, information or education materials or programs that may reduce single-occupant vehicle trip generation to and from the site; and*
 - *Anticipated users of the hotel addition are local business and University visitors. Due to the proximity to the campus and downtown via existing pedestrian pathways, bikeways and a bus stop at the front door of the addition, it is anticipated the single-occupant vehicle use will be minimalized. Hotel concierge assists in helping visitors make their way around Boulder, campus and downtown.*
- C) *Proposed land uses and if it is a development that includes residential housing type, mix, sizes, and anticipated sales price, the percentage of affordable units to be included; special design characteristics that may be needed to assure affordability.*
 - *The proposed land use is for a hotel; therefor residential housing is not applicable.*

In the attached documents, you will find copies of the Land Use Review Application, Sign Posting Acknowledgement, Context Map, Schematic Site Development Concepts, Trip Generation Analysis, Architectural Character Sketches and this Written Statement and submittal Fee. We look forward to discussing it in more detail with the DRC Staff and the Planning Board soon. Please let me know when there is an opportunity to schedule a meeting.

Sincerely,

Julie Eck, ASLA, EDAC



Senior Associate
Davis Partnership Architects. PC

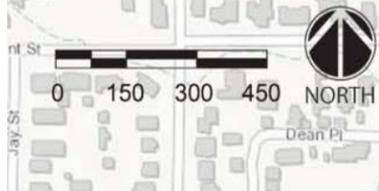
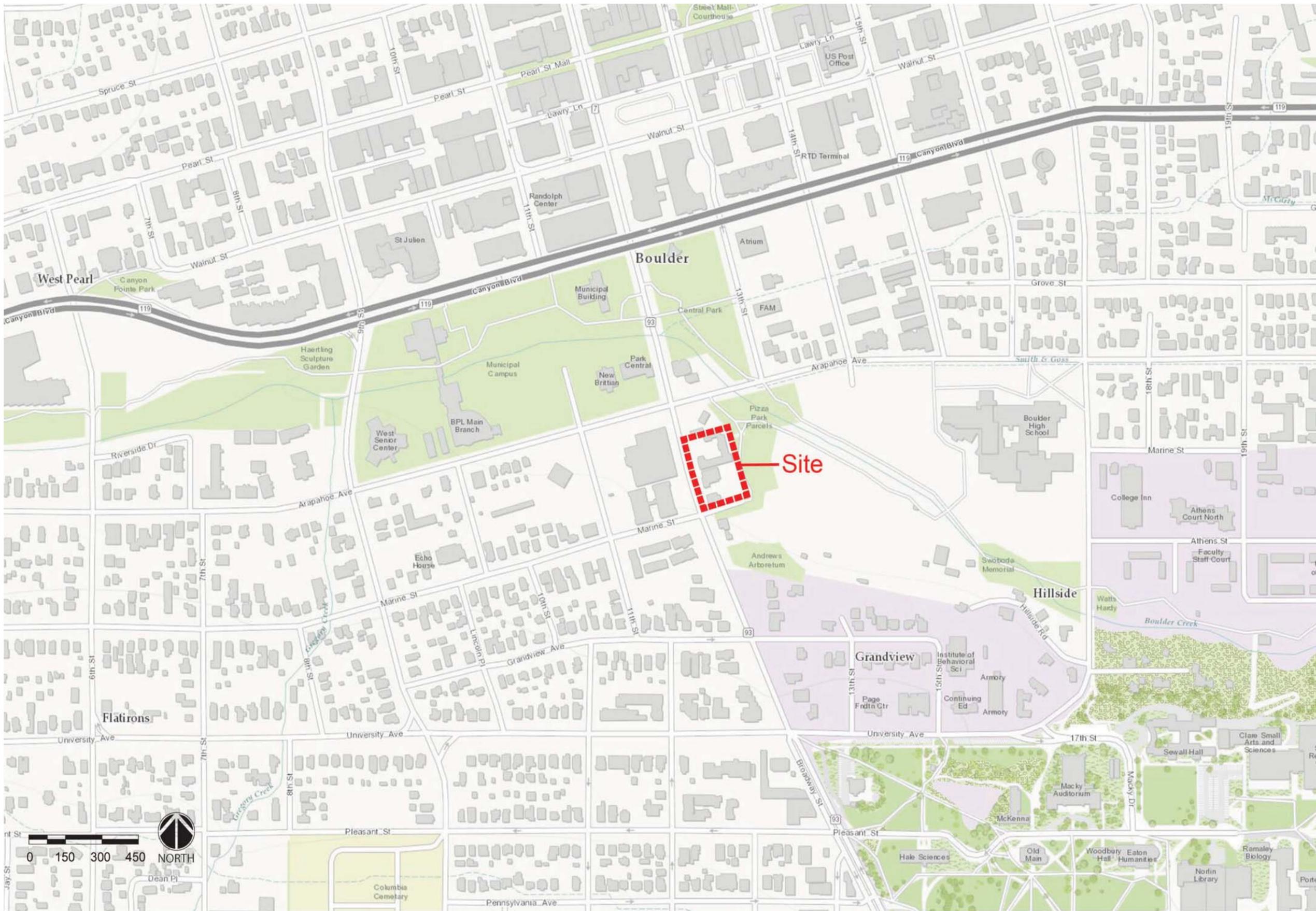
Cc: File, Tebo Properties



**DAVIS
PARTNERSHIP
ARCHITECTS**

ADDRESS: 3111 26TH STREET
BOULDER, CO 80501
PHONE: 303.447.2328

ARCHITECT: DAVIS PARTNERSHIP ARCHITECTS
2611 BLAKE STREET, SUITE 100
BOULDER, CO 80502
PHONE: 303.448.6866



LANDUSE SUBMITTAL - VICINITY MAP

TEBO PROPERTIES

DATE	REV	REVISIONS	BY	CHKD	APPD
08/2016	1	ISSUE FOR SUBMITTAL			

PROJECT NO: 15530.00.00
DATE: 08/12/16
SHEET NUMBER:

A-1

CONTEXT MAP

TEBO PROPERTIES - BOULDER UNIVERSITY INN ADDITION



DAVIS PARTNERSHIP ARCHITECTS

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ARCHITECT
DAVIS PARTNERSHIP ARCHITECTS
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DENVER, CO 80202
PHONE: 303.861.8866

LANDUSE SUBMITTAL - SITE CONCEPT

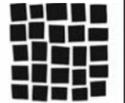
TEBO PROPERTIES

DATE	REV	REMARKS	DRWN	CHKD	APPROV
07/20/16		PREP SUBMITTAL			

PROJECT NO. 15530.00.00
DATE: 08/12/16
SHEET NUMBER: **A-2**

SITE CONCEPT

TEBO PROPERTIES - BOULDER UNIVERSITY INN ADDITION

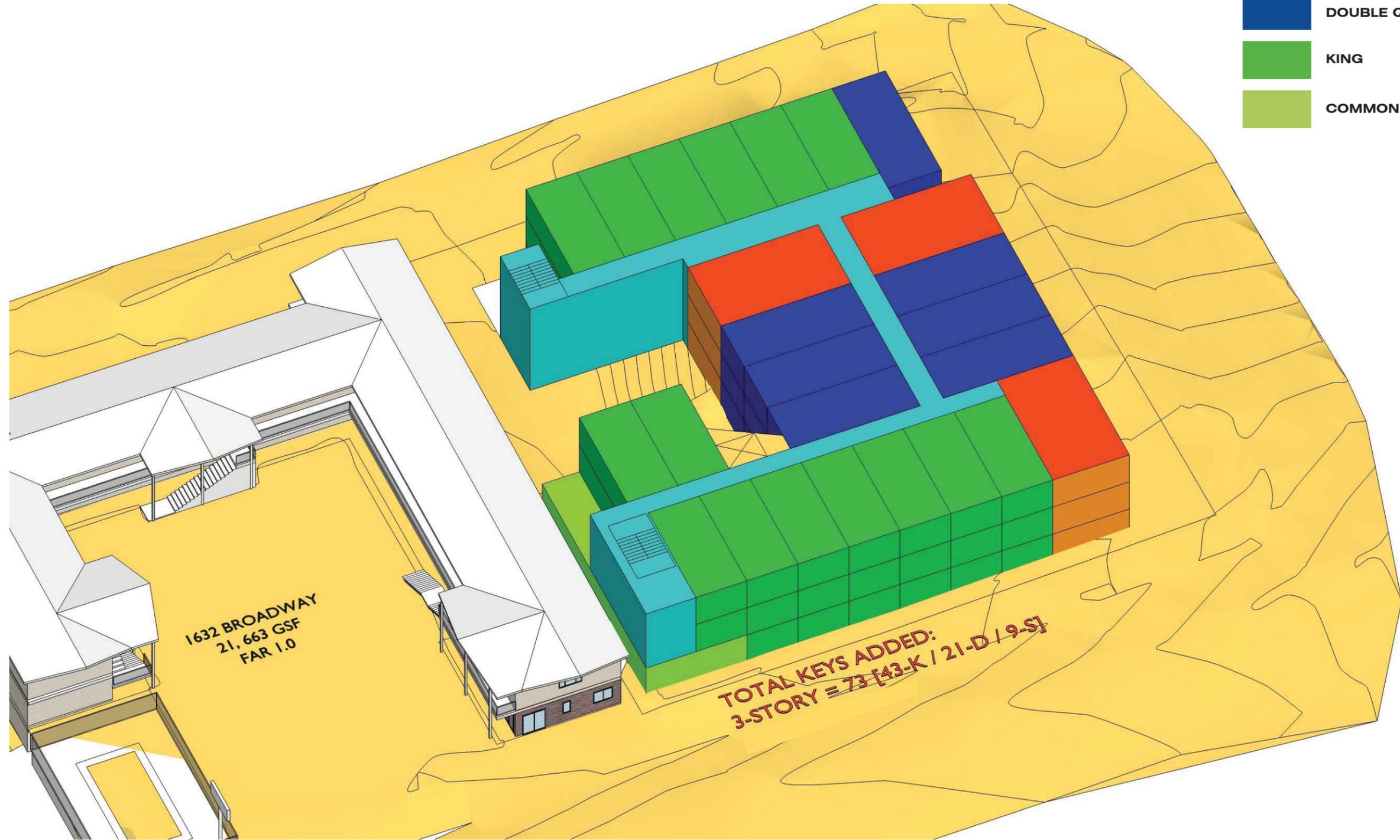


DAVIS
PARTNERSHIP
ARCHITECTS

ARCHITECT
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3111 26TH STREET
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ARCHITECT
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2011 BLAKE STREET, SUITE 100
DENVER, CO 80202
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- JUNIOR SUITES
- DOUBLE QUEEN
- KING
- COMMON AREA



**LAND USE SUBMITTAL -
MASSING DIAGRAMS**

TEBO PROPERTIES

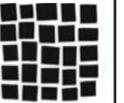
DATE	REV	REMARKS	DRWN	CHKD	APPROV
07/20/16		PREP SUBMITTAL			

PROJECT NO. 15530.00.00
 DATE: 08/12/16
 SHEET NUMBER:

A-6

MASSING DIAGRAMS

TEBO PROPERTIES - BOULDER UNIVERSITY INN ADDITION



**DAVIS
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**LAND USE SUBMITTAL -
ELEVATION PERSPECTIVES**

TEBO PROPERTIES

DATE	REV	REMARKS	BY	CHKD	APPROV
07/20/16		PER SUBMITTAL			

PROJECT NO. 155300000
DATE: 08/12/16
SHEET NUMBER:

A-7

3-STORY PERSPECTIVES

TEBO PROPERTIES - BOULDER UNIVERSITY INN ADDITION



**CITY OF BOULDER
Planning and Development Services**

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

**CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS**

DATE OF COMMENTS: **September 28, 2016**
CASE MANAGER: **Shannon Moeller**
PROJECT NAME: **Boulder University Inn Expansion**
LOCATION: **1600 BROADWAY**
COORDINATES: **N02W06**
REVIEW TYPE: **Concept Plan Review & Comment**
REVIEW NUMBER: **LUR2016-00070**
APPLICANT: **CHANCE REESER**
DESCRIPTION: **CONCEPT PLAN REVIEW AND COMMENT: Expansion of the University Inn involving removal of two commercial buildings, a new 41,606 square feet building with approximately 48 additional rooms, and installation of an underground parking structure.**

IDENTIFIED MODIFICATIONS FROM THE LAND USE REGULATIONS (EXISTING BT-2 ZONING):

- Section 9-7-1 - Maximum height for principal buildings and uses - Request to build up to 48 feet where 35-feet is the maximum (note that the site is not eligible for the identified height modification as discussed below).
- Section 9-7-1 - Maximum number of stories for a building - Request for four stories where three stories is the maximum.
- Section 9-7-1 - Minimum front yard landscape setback - Request for a 5' front yard building setback from Broadway where 20' is the minimum.
- Section 9-7-1 - Minimum side yard landscaped setback from a street - Request for parking in the side yard setback from Marine Street where a 15' landscaped setback is required.
- Section 9-7-1 - Minimum side yard setback from an interior lot line - Request for a 3' north side yard setback where 10' is the minimum.
- Section 9-7-1 - Minimum rear yard setback - Request for a 20' rear yard setback where 25' is the minimum.
- Section 9-8-2 - Maximum floor area ratio - Request for a 1.74 FAR where the maximum permitted is 0.5.

I. REVIEW FINDINGS

Generally, staff finds that the proposal would not conform to either the existing BT-2 or the proposed DT-3 zoning in several significant aspects which cannot be modified through the Site Review process, including the FAR and height.

Upon review of the comments herein, the applicant may decide to proceed forward with a public hearing before the Planning Board, or may submit a revised Concept Plan in response to these comments that better conforms to the zoning.

If the applicant chooses to move forward with the Planning Board hearing tentatively scheduled for November 3, 2016, there are no expectations for revisions based on these comments, although there are minor corrections under 'Plan Documents' section that should be clarified on the plans before they are routed to the board. The comments found herein will be the basis for the staff memo to the board in which Key Issues for discussion will be presented.

If a revised Concept Plan is submitted, a new round of comments will be provided by staff and a new Planning Board date will be scheduled. Hourly billing rates would apply.

If desired, the Case Manager can set up a meeting with relevant staff to discuss these comments.

II. CITY REQUIREMENTS

Access/Circulation, David Thompson 303-441-4417

1. Staff supports the closure of the existing access point (curb-cut) off Broadway as shown on the concept plan and taking access to the underground parking from the back of the lot.
2. The applicant should consider a parking reduction for the proposed land uses given the location of the site adjacent to Broadway which is a major transit corridor and the site's close proximity to the downtown area. Please be aware though any request for a parking reduction will require a parking study to support the requested reduction. The parking study can be included in the project's Transportation Demand Management (TDM) Plan.
3. In accordance with Section 9-9-8 of the Boulder Revised Code, 1981 and the City's Design and Construction Standards (DCS), the development project is responsible for the dedication of right-of-way and constructing the following public improvements along Broadway and Marine Street:

Broadway

- Lengthening the existing southbound left-turn lane if warranted by the Traffic Impact Study
- Providing an eight-foot wide landscape strip behind the roadway curb-and-gutter
- Constructing a twelve-foot wide detached sidewalk
- Reconstructing the existing transit stop to accommodate the eight-foot wide landscape strip and detached sidewalk. The transit stop layout must follow RTD standards with respect to the layout of the boarding area and the concrete pad to accommodate the existing amenities at the stop. These existing amenities include two inverted "u" bicycle racks, a bench and two trash receptacles.

Marine Street

- 11' wide travel lane (should the existing travel lane be less than eleven feet)
 - 8½' width for on-street parking and concrete curb-and-gutter
 - 8-foot wide landscape strip
 - 8-foot wide detached sidewalk
4. Pursuant to Section 9-9-8(g) of the B.R.C. 1981 the applicant will be responsible for reconstructing the pavement section of Marine Street adjacent to the site with a 2-inch mill of the pavement coupled with a 2-inch asphalt overlay to support the increase in traffic on Marine Street generated by this project.
 5. At time of Site Review:
 - A TDM plan consistent with section 2.03(l) of the DCS and section 9-2-14(h)(2)(D)(iv) and (v) of the B.R.C. is required to be submitted which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternative modes of travel. The TDM plan must be submitted as a separate document with the Site Review submittal. In support of meeting the site review criteria for circulation the applicant should consider providing a transit shelter for the existing transit stop on Broadway and providing customers with access to a vehicle and bicycle sharing program.
 - Pursuant to Section 2.02 of the DCS, a Traffic Impact Study is required to assess the impacts of the development proposal at the intersection of Broadway and Marine Street and at the intersection of Arapahoe and the alley. The transportation consultant preparing the Traffic Impact Study must contact David Thompson after the project is heard by Planning Board and possibly City Council to discuss the study parameters prior to initiating the study.
 - Please show on the site plans the location and number of short-term and long-term bicycle parking spaces to be provided on the site, meeting the requirements found in [section 9-9-6\(g\)](#), B.R.C. 1981 to include the parking/storage specifications for the long-term parking spaces.
 - Per section 9-9-9 of the B.R.C. 1981, show on the site plans the location and layout of the off-street loading area that will support the site and how trucks will access the site and turnaround.
 - Show the appropriate sight triangle on the civil and landscape plans pursuant to section 9-9-7 of the B.R.C. 1981.
 - Show and label on the site review plans the public improvements to be constructed along with the right-of-way to be dedicated in conjunction with the site's development.

Flood Control, Jessica Stevens, 303-441-3121

1. The proposed structure is impacted by the 500-year floodplain of Boulder Creek. Lodging facilities located in the 500-year floodplain must comply with the development requirements of Section [9-3-2\(i\)](#) of the Boulder Revised Code, 1981 (BRC).
2. An Emergency Management Plan must be provided for review and approval prior to issuance of a Floodplain Development Permit.
3. The application materials reference the project as an expansion/addition of the University Inn. The existing structure at 1632 Broadway is located in the 100-year floodplain of Boulder Creek. If the structures are connected, the entire structure will be required to comply with the requirements of Section [9-3-3](#) of the BRC. An addition of this size would be a substantial modification, requiring the existing lodging units to be elevated to a minimum of two feet above the base flood elevation.

Fees Shannon Moeller, 303-441-3137

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.

Land Uses Shannon Moeller, 303-441-3137

Please see Section V. City Code Criteria Checklist, Guidelines 2 and 7, for a summary of the proposed land uses and the Boulder Valley Comprehensive Plan policies and land use designation.

Landscaping Elizabeth Lokocz, 303-441-3138

The application does not appear to include the entire project area. If the existing hotel site is under common ownership and included for FAR purposes, it also is subject to all Site Review criteria. Consider the following comments as the design develops:

1. Large maturing street trees in an eight-foot landscape strip is the minimum standard. Given the lack of on street parking on Broadway, selecting low water and salt tolerant shrubs and perennials is preferred over turf. On Marine Street, the design should incorporate pedestrian connections to avoid long term maintenance issues.
2. The curb cut, parking in the landscape setback, and lack of any parking lot screening must be addressed at the existing hotel if it is part of the project. Its current condition is not supportable through the Site Review process. Review all Criteria with particular attention to open space, landscape circulation, parking and building design.
3. Given the potential alley use and adjacent multi-use path, careful attention is needed on how this space accommodates different users and presents an attractive building façade. Consider incorporating alley trees and pedestrian circulation.
4. It's not clear how water quality is incorporated into the design. Consider low impact techniques such as pervious paving systems, porous landscape detention and green roofs.
5. Provide a tree inventory prepared by a licensed arborist at the time of Site Review submittal including all trees with a diameter of six inches or great measured 54" above the ground regardless of the intention of preservation.
6. Modifications: please be aware that per the Site Review criteria, this project should exceed the by-right landscaping standards of section 9-9-12, "*Landscaping & Screening*" and section 9-9-13, "*Streetscape Design*," B.R.C. 1981, in quantity and size. Any requested modifications should be called out and an explanation of how the project continues to meet the Site Review criteria included.
7. Include a general landscape plan at the time of initial submission to be followed by a detailed landscape plan prior approval, showing the spacing, sizes, specific types of landscaping materials, quantities of all plants and whether the plant is coniferous or deciduous. Refer to section 9-9-12(d) B.R.C. 1981 for a list of what is typically included.

Neighborhood Comments Shannon Moeller, 303-441-3137

Staff has not received any comments as of the date of this correspondence.

Plan Documents Shannon Moeller, 303-441-3137

1. Sheet A-5 Site Sections: The low point appears to be greater than 25' from the proposed building. To identify the correct low point, find the lowest exposed point on the proposed building and draw a 25' radius. The lowest point within 25' is the low point. This point may or may not be within the property boundary. If this affects the resulting "height" of the proposed building, revise the site sections accordingly.
2. Sheet A-6 Massing Diagrams
 - a. Sheet states that 73 keys are added, but the application form states that 48 rooms will be added. Please clarify.
 - b. FAR calculations must include the parking facility floor area because the parking facility is not located completely below grade on all sides of the structure (refer to the definitions of "*Floor area*" and "*Uninhabitable space*" in section [9-16-1](#) General Definitions). Please update FAR information accordingly.

Review Process Shannon Moeller, 303-441-3137

The project requires Concept Plan review and comment per Section 9-2-14, B.R.C. 1981 because it exceeds 30,000 square feet of floor area. The Concept Plan is also an opportunity for the applicant to get comments from the community about the proposed plan before moving forward. "Concept Plan Review and Comment" requires staff review and a public hearing before the Planning Board. Planning Board, staff and neighborhood comments made at public hearings are intended to be advisory comments for the applicant to consider prior to submitting any detailed plan documents.

Please see Section V. City Code Criteria Checklist, Guidelines 3 and 4, for a summary of additional required review processes.

Zoning Shannon Moeller, 303-441-3137

The site is currently zoned BT-2, Business - Transitional 2. Section 9-5-2(c)(2)(E), B.R.C. 1981 describes the district as

“transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.” Motels and hotels require a Use Review in this district.

The applicant is proposing to rezone the site to DT-3, Downtown - 3. Section 9-5-2(c)(3)(A), B.R.C. 1981 describes the district as “a transition area between the downtown and the surrounding residential areas where a wide range of retail, office, residential, and public uses are permitted. A balance of new development with the maintenance and renovation of existing buildings is anticipated, and where development and redevelopment consistent with the established historic and urban design character is encouraged.” Motels and hotels require a Use Review in this district.

III. INFORMATIONAL COMMENTS

Area Characteristics and Zoning History Shannon Moeller, 303-441-3137
See Section V. City Code Criteria Checklist, Guideline 1.

Building and Housing Codes Jim Gery 303-441-3129

1. While it is understood that the plans presented are conceptual in nature, it appears that projections and openings into exit courts may be too close to property lines.
2. The grade of the site as shown may present challenges for proper grading of accessible routes.

Building Design Shannon Moeller, 303-441-3137

Below is a summary of staff analysis of the building design:

1. The FAR calculations do not appear to include the parking facility. The parking facility floor area would be included as currently proposed because it is not located completely below grade on all sides of the structure (refer to the definitions of “Floor area” and “Uninhabitable space” in section [9-16-1](#) General Definitions). In order for this space to not impact the proposed FAR, the entire parking facility must be below grade on all sides regardless of the topography of the site.
2. The proposal consists of four stories, including the parking facility, per the definition of “story” in section [9-16-1](#) which states: “Story means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then between the floor and the ceiling next above it. A basement is a story if any portion of the space included between the surface of the floor and the surface of the ceiling above it extends more than two feet above the natural grade around the perimeter.” A four-story proposal exceeds the maximum number of stories permitted in both the existing BT-2 zone (3 stories) and proposed DT-3 zone (2 stories) per section 9-7-1. The proposal would not qualify for the exemption of 9-2-14(c)(2)(C) created by Ordinance 8028 and a height modification could not be considered at this time. The provisions of Ordinance 8028 will expire on April 19, 2017. The council intends that the ordinance will expire, be amended, or replaced with subsequent legislation after further study of appropriate building heights in the city.

9-2-14 Site Review

(c) Modifications to Development Standards: The following development standards of B.R.C. 1981 may be modified under the site review process set forth in this section:

- (1) 9-7-1, "Schedule of Form and Bulk Standards" and standards referred to in that section except for the floor area requirements and the maximum height or conditional height for principal buildings or uses, except as permitted in paragraph (c)(2) below.*
- (2) The maximum height or conditional height for principal buildings or uses may be modified in any of the following circumstances:*
 - (A) For building or uses designated in Appendix J "Areas Where Height Modifications May Be Considered."*
 - (B) Industrial General, Industrial Service, and Industrial Manufacturing districts if the building has two or fewer stories.*
 - (C) In all zoning districts, if the height modification is to allow the greater of two stories or the maximum number of stories permitted in Section 9-7-1 in a building and the height modification is necessary because of the topography of the site.*
 - (D) In all zoning districts if at least fifty percent of the floor area of the building is used for units that meet the requirements for permanently affordable units in Chapter 9-13, "Inclusionary Housing," B.R.C. 1981.1*

3. Much of the first-floor space fronting Broadway and Marine Street are private hotel room spaces. The building design should provide additional street-facing first floor uses along Broadway that will allow for activation and transparency of the façade, such as storefront uses. Such uses should anchor the corner of Broadway and Marine Street.
4. Similarly, consider how active first-floor uses can be provided along the east (trail facing) façade.
5. Material choices seem to be fitting.

6. The first floor should have a substantial floor-to-floor height and currently appears truncated. The proposed first floor use and appearance is not compatible with the desired character along Broadway. Additionally, locating hotel rooms with window wells and egress windows creates possible conflicts with the sidewalk, landscaping, and other improvements along Broadway.

Drainage: Kyle Birch, 303-441-3273

1. Detention ponding for storm water shall be provided for all new development or redevelopment where the runoff coefficient for the site is increased, unless runoff for the initial and major storm events from the entire tributary basin can be conveyed directly to the major drainage system without adverse impact on upstream, surrounding, or downstream properties and facilities and storm water detention to meet water quality mitigation measures is not required.
2. Storm water runoff and water quality treatment are issues that must be addressed during the Site Review Process. A Preliminary Storm Water Report and Plan in accordance with the City of Boulder *Design and Construction Standards (DCS)* must be provided by the applicant at time of Site Review application. The required report and plan must also address the following issues:
 - Water quality for surface runoff using "Best Management Practices"
 - Minimize Directly Connected Impervious Areas (MDCIA)
 - Detention ponding facilities
 - Water Quality Capture Volume (WQCV)
 - Storm sewer construction
 - Groundwater discharge
 - Erosion control during construction activities
3. It is not clear on the plans where a detention/water quality pond could be located. Based on the proposed added impervious area to the site, a detention/water quality pond may be required if runoff for the initial and major storm events cannot be conveyed directly to Boulder Creek.

Groundwater: Kyle Birch, 303-441-3273

1. Groundwater is a concern in many areas of the City of Boulder. Please be advised that if it is encountered at this site, an underdrain/dewatering system may be required to reduce groundwater infiltration, and information pertaining to the quality of the groundwater encountered on the site will be required to determine if treatment is necessary prior to discharge from the site. City and/or State permits are required for the discharge of any groundwater to the public storm sewer system.

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

A lot line elimination or the equivalent would be requirement of site review, if approved.

Parking David Thompson, 303-441-4417

If the site to the north is included into the site review staff would require the applicant to close the curb-cuts, move the associated parking to the new garage and looking for opportunities to replace the parking lot with landscaping and other hotel amenities.

Site Design Shannon Moeller, 303-441-3137

1. The Boulder University Inn parcel would be need to be included in the overall Site Review of this proposal per 9-2-14(b)(1)(C) which states that "contiguous lots or parcels under common ownership or control, not subject to a planned development, planned residential development, planned unit development, or site review approval, shall be considered as one property" for the purposes of determining which development is eligible or other required to complete the site review process.
2. The Boulder University Inn parcel lies within the boundaries of the *Non-Historic Area* of the Downtown Historic District as shown in Fig. 1, page 5 of the Downtown Urban Design Guidelines. Please review the applicable guidelines: [Downtown Urban Design Guidelines](#). The Design Advisory Board (DAB) reviews projects valued over \$25,000 located in the Non-Historic Area and Interface Area.
3. Below is a summary of staff analysis of the site design and land use layout:
 - a. The relationship with the existing Boulder University Inn and the new development should be further clarified; considerations include pedestrian connections, shared outdoor spaces, and shared parking. Additionally, the proposed building is shown very close to the existing inn; potential impacts of this narrow gap should be considered including solar access and snow/ice buildup.
 - b. Staff appreciates that an effort is being made to maintain the historic setback line in relationship to the existing inn.
 - c. Quality outdoor spaces such as outdoor seating, dining, and other amenities should be provided on the trail side of the hotel to take advantage of proximity to the adjacent open space. Additionally, balconies could take advantage of views. Open space locations and total percentage of useable open space should be documented on

the Site Review. The height of the building determines the percentage of required useable open space per [9-9-11\(c\)](#).

- d. Site circulation should be further considered to evaluate if areas for vehicular circulation could instead provide amenities or open space.
- e. Consider how the improvements to the alley can enhance the overall site design.
- f. Enhance and provide additional pedestrian connections from the site to the adjacent multi-use path.
- g. Exterior lighting will be an important aspect of the site design, particularly on the trail side of the building to provide adequate light for safety and security and to enhance open spaces.
- h. Consider how the site can take advantage of any views. Although mountain views are largely obstructed, there are some mountain views from the southwest corner of the site. Additionally, consider how the site design can cultivate unique streetscape scenes along Broadway or scenic views eastward across the open space.
- i. Per the definition of *yard, front, rear, and side* in section 9-16-1, the applicable yards and setbacks under the existing BT-2 zoning would be:
 - Broadway: Front yard – 20' minimum.
 - Marine Street: Side yard landscaped setback from a street – 15' minimum.
 - North – Side yard setback from an interior lot line – 10' minimum.
 - East/alley – Rear yard setback – 25' minimum.
 - Setbacks can be modified through Site Review.
- j. Parking appears to be shown in the side yard landscaped setback from Marine Street, which is prohibited. This parking should be relocated and screened.

Utilities: Kyle Birch, 303-441-3273

1. A water system distribution analysis will be required at time of Site Review in order to assess the impacts and service demands of the proposed development. Conformance with the city's *Treated Water Master Plan, October 2011* is necessary.
2. A collection system analysis will be required at time of Site Review to determine any system impacts based on the proposed demands of the development. The analysis will need to show conformance with the city's *Wastewater Collection System Master Plan, March 2009*.
3. The applicant is notified that, though the city allows Xcel and Qwest to install their utilities in the public right-of-way, they generally require them to be located in easements on private property.
4. The applicant is advised that any proposed street trees along the property frontage may conflict with existing or proposed utilities, including without limitation: water, wastewater, storm drainage, flood control, gas, electric, telecommunications, drainageways, and irrigation ditches, within and adjacent to the development site. It is the applicant's responsibility to resolve such conflicts with appropriate methods conforming to the Boulder Revised Code 1981, the City of Boulder *Design and Construction Standards*, and any private/franchise utility specifications.
5. The landscape irrigation system requires a separate water service and meter. A separate water Plant Investment Fee must be paid at time of building permit. Service, meter and tap sizes will be required at time of building permit submittal.
6. All proposed public utilities for this project shall be designed in accordance with the City of Boulder *Design and Construction Standards* (DCS). A Utility Report per Sections 5.02 and 6.02 of the DCS will be required at time of Site Review application to establish the impacts of this project on the City of Boulder utility systems.
7. Fire hydrants will need to be installed to meet the coverage requirements outlined in Section 5.10 of the City of Boulder *Design and Construction Standards*. Per the standards, no portion of any building shall be over 175 feet of fire access distance from the nearest hydrant. Fire access distance is measured along public or private (fire accessible) roadways or fire lanes, as would be traveled by motorized fire equipment. All fire hydrants and public water lines will need to be located within public utility easements.

IV. NEXT STEPS

If the applicant chooses to move forward with the Planning Board hearing scheduled for November 3, 2016, there are no expectations for revisions based on these comments, although there are minor corrections under '**Plan Documents**' section that should be clarified on the plans before they are routed to the board.

If a revised Concept Plan is submitted, a new round of comments will be provided by staff and a new Planning Board date will be scheduled. Hourly billing rates would apply.

V. CITY CODE CRITERIA CHECKLIST

Guidelines for Review and Comment

The following guidelines will be used to guide the Planning Board's discussion regarding the site. It is anticipated that issues other than those listed in this section will be identified as part of the concept plan review and comment process. The Planning Board may consider the following guidelines when providing comments on a concept plan.

- (1) **Characteristics of the site and surrounding areas, including, without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including, without limitation, mature trees, watercourses, hills, depressions, steep slopes and prominent views to and from the site;**

The overall site contains three parcels and is approximately 46,368 square feet in area per GIS records. The site is developed and contains three existing structures containing the Boulder University Inn, Khow Thai Café, and DP Dough. Demolition of the latter two buildings was approved by the Landmarks Design Review Committee (LDRC) by HIS2016-00174 and HIS2016-00175. The remainder of the site consists largely of paved areas and some vegetation.

The site is located immediately east of Broadway and approximately 100 feet south of Arapahoe Avenue. It is surrounded by Marine Street to the south; an alley, multi-use path, open space, Boulder Creek, and Boulder High School fields to the east; and other commercial properties to the north (Massage Specialists, South Mouth Wings).

The site generally slopes downward to the northeast toward Boulder Creek. Portions of the site slope steeply downward to the east and northeast toward the multi-use path and the existing inn. Several mature trees exist on the site, particularly along both sides of the alley and the multi-use path, and south of the inn.

The site lies along prominent transportation corridors, including fronting Broadway and backing the multi-use path that links downtown to the University of Colorado.

The site backs to a large open area containing Boulder High School fields and Boulder Creek.

Views from the site westward are largely obstructed by existing structures and trees. There are some partial mountain views along Marine Street and from the southwest corner of the site toward the intersection of Arapahoe and Broadway. The property to the east of the site lies at a lower elevation and the topography, existing structures, and trees on the site also largely obstruct mountain views from those properties.

- (2) **Community policy considerations including, without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan and other ordinances, goals, policies, and plans, including, without limitation, sub-community and sub-area plans;**

The current proposal includes a higher FAR (floor area ratio) than is allowed by the existing zoning.

Currently, the BVCP designates the majority of the site as Transitional Business. Per the BVCP Land Use Map description: "The Transitional Business designation is shown along certain major streets. These are areas usually zoned for less intensive business uses than in the General Business areas, and they often provide a transition to residential areas." The site has a corresponding zoning designation of Business Transitional – Two (BT-2).

Outside of the scheduled updates, there is an ability to request a change with a concurrent rezoning and land use map change. Changes outside of the broader scheduled updates are held to a very high standard. Staff does not find that a rezoning would be consistent with the criteria for a Land Use Change is found in the Comprehensive Plan in Chapter II Amendment Procedures, which states:

The Land Use Map is not intended to be a zoning map. It is intended to provide policy direction and definition for future land uses in the Boulder Valley. Thus, or proposed annexation and meets all of the following criteria:

- (a) The proposed change is consistent with the policies and overall intent of the comprehensive plan.*
- (b) The proposed change would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city.*
- (c) The proposed change would not materially affect the land use and growth projections that were the basis of the comprehensive plan.*
- (d) The proposed change does not materially affect the adequacy or availability of urban facilities and*

- services to the immediate area or to the overall service area of the City of Boulder.
- (e) *The proposed change would not materially affect the adopted Capital Improvements Program of the City of Boulder.*
 - (f) *The proposed change would not affect the Area II/Area III boundaries in the comprehensive plan.*

Similarly, staff doesn't find that a rezoning would be consistent with the criteria for a rezoning is found in section [9-2-18](#) of the Boulder Revised Code, 1981, which states:

- (e) *Criteria: The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. In order to establish and maintain sound, stable and desirable development within the city, rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the city council shall grant a rezoning application only if the proposed rezoning is consistent with the policies and goals of the Boulder Valley Comprehensive Plan, and, for an application not incidental to a general revision of the zoning map, meets one of the following criteria:*
 - (1) *The applicant demonstrates by clear and convincing evidence that the proposed rezoning is necessary to come into compliance with the Boulder Valley Comprehensive Plan map;*
 - (2) *The existing zoning of the land was the result of a clerical error;*
 - (3) *The existing zoning of the land was based on a mistake of fact;*
 - (4) *The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils and inadequate drainage;*
 - (5) *The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or*
 - (6) *The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Boulder Valley Comprehensive Plan.*

The proposed project is preliminarily consistent with the following Boulder Valley Comprehensive Plan policies:

- 2.03 Compact Development Pattern
- 2.21 Commitment to a Walkable and Accessible City
- 2.23 Trail Corridors/Linkages

Additionally, the following Boulder Valley Comprehensive Plan policies should be used to guide the proposal as it moves into Site Review:

- 2.14 Mix of Complementary Land Uses
- 2.30 Sensitive Infill and Redevelopment
- 2.32 Physical Design for People
- 2.34 Importance of Street Trees and Streetscapes
- 2.37 Enhanced Design for Private Sector Projects
 - a) *The context*
 - b) *The public realm*
 - c) *Human scale*
 - d) *Permeability*
 - e) *On-site open spaces*
 - f) *Buildings*

(3) Applicable criteria, review procedures, and submission requirements for a site review;

The project requires Site Review per Section 9-2-14, B.R.C. 1981 because the project exceeds 30,000 square feet. The process reviews for conformance with the proposed zoning district and land use designation of the BVCP along with policies of the BVCP and the Site Review criteria of the Land Use Code.

(4) Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;

In addition to a Site Review, the proposal would require:

- Design Advisory Board (DAB) review may be required for the Boulder University Inn parcel if exterior work on the property exceeds \$25,000.
- Use Review for a hotel use in BT-2 zoning that would take place concurrent with the Site Review.
- Preliminary Plat (generally at the time of Site Review) and Final Plat (Technical Document review after Site Review) to create a platted lot, dedicate any new public rights-of-way, and grant any required easements.
- Technical Documents after Site Review. Dedications of any right-of-way would be required at that time.
- Building permits following approval of Technical Documents and any applicable Final Plat approvals.

(5) Opportunities and constraints in relation to the transportation system, including, without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;

Numerous opportunities exist to enhance the transportation system in this location, including: improvements to Broadway, Marine Street, and the alley to reduce vehicular access points and provide adequate sidewalks and landscaping at appropriate locations; linkages to the existing multi-use path at the rear of the site; provision of short- and long-term bicycle parking; improvements to the existing bus stop at the front of the site; and consideration of measures such as a vehicle or bicycle sharing program as part of an overall TDM plan.

Portions of the existing alley and Marine Street are located in a city-owned parcel, rather than right-of-way. Generally, staff is supportive of the proposed access from the alley, although additional evaluation is necessary to determine if access should be provided through this public land to new developments. Additionally, the existing alley is currently one-way southbound from Arapahoe and is constrained in its location and alignment by the adjacent multi-use path and bridge over Boulder Creek. Additional right-of-way dedication may be necessary where the alley intersects Marine Street to accommodate two-directional traffic.

(6) Environmental opportunities and constraints including, without limitation, the identification of wetlands, important view corridors, floodplains and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site and at what point in the process the information will be necessary;

The site is part of a developed commercial property. The proposed structure is impacted by the 500-year floodplain of Boulder Creek. Lodging facilities are considered a critical facility and must comply with the development requirements of Section 9-3-2(i) of the Boulder Revised Code, 1981, including review and approval of an Emergency Management Plan prior to issuance of a Floodplain Development Permit.

The existing Boulder University Inn lies within the 100-year floodplain of Boulder Creek. If the proposed structure is connected to the existing inn, the entire structure must comply with the requirements of Section 9-3-3 Regulations Governing the One Hundred-Year Floodplain. The size of the proposal would be a substantial modification, and if the structures were connected, would require the existing lodging units to be elevated to a minimum of two feet above the base flood elevation.

(7) Appropriate ranges of land uses; and (8) The appropriateness of or necessity for housing.

The proposal is limited to a singular land use, hotel, which would extend along a significant portion of the Broadway block frontage. Additional land uses such as storefront uses should be considered in the first-floor of the proposal along Broadway and at the corner of Broadway and Marine Street to provide a richer mix of land uses in the area.

Housing is not a part of this proposal.

VI. Conditions On Case

None.