

USE REVIEW WRITTEN STATEMENT

Submit with your application.

For your convenience, this form is also available as an electronic form on the Planning and Development Services web site at www.boulderplandevlop.net. You may type in your responses in the electronic form, and then print it to attach to your written statement.

KEY INFORMATION

Please provide the following information. Please type or print complete, detailed responses. Please also select use categories from the Boulder Revised Code Land Use Charts (Section 9-6-1(d)).

EXISTING

Use of existing building and land:

merchandise

Hours of operation:

11am-10pm varies based on
tenant

Number of employees:

(Please indicate full and part time)

10-20

PROPOSED

Proposed use of buildings and land:

restaurant with residential
above

Hours of operation:

M-F 11am-11pm
Sat-Sun 7am-11pm

Number of employees:

(Please indicate full and part time)

35

Estimated number of trips to site per day:
(Please indicate mode of transportation used to reach the site.)

varies greatly on current
vacancy. Best example would
be the previous retail furniture
store that may have generate
50 - 80 trips a day.

Estimated number of trips to site per day:
(Please indicate mode of transportation used to reach the site.)

2,869 weekly see break down on
TDM. Site will be accessed from
pedestrian, vehicular using
surrounding parking as well
as via RTD which is adjacent
to the property

Uses on adjacent / surrounding properties:

The west side of pearl is comprised of similar restaurants retail and
residential.

Narrative

In the space provided below or in an attached letter, please type or print a narrative describing the proposal in specific detail. Only one written narrative is necessary per development project.

see attached

*Narrative

*Criteria

*TDM

*Management Plan

BRAY
Architecture, Inc

October 4, 2013

Planning and Development Services
CITY OF BOULDER
1739 Broadway, third floor
Boulder CO 80302

Re: Land Use Review Criteria for 901 Pearl Street, located in Boulder, Colorado

1. **Consistency with Zoning and Non-conformity.** The use is consistent with the purpose of the zoning district as set forth in Section 9-5-2, "zoning Districts Established", B.R.C. 1981, except in the case of a non-forming use:
 - *The proposed restaurant is consistent with the surrounding area and zoning.*

2. **Rational** The use either:
 - A. Provides a direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood.
 - *The proposed restaurateur has two other restaurants that have been good neighbors to the community for the last two decades. Their new venture will continue this relationship by providing unique service to the local cliental. The project will incorporate a recessed patio under the s/w corner of the project to reduce the potential for patio noise and a pedestrian entrance focusing activity to Pearl street rather than back around to the neighborhood to the north. Trash/recycling and deliveries will be through the alley and a fully enclosed trash enclosure will be provided in the n/e corner of the site to reduce rodent and clutter to the alley. Delivery and trash pick-up are limited to 7-11am and will utilize existing trash route and delivery routes that currently service the alley.*

 - B. Provides a compatible transition between higher intensity and lower intensity uses:
 - *The proposed restaurant is to be a sophisticated Italian dining establishment where patrons can come for a quiet and relax meal. This proposed concept is substantially calmer than many of the other restaurants to the east along Pearl Street and there for will provide a good transition to lower density to the east. The project will also utilize higher end acoustical practices at the floor assemblies to reduce any potential impact on the residences above. Mechanical equipment will also be designed to mitigate vibration and noise level to reduce impact on the surrounding neighbors and the condos within the building. This will be achieved with a vertical discharge exhaust system that can be mounted on spring isolators over a concrete pad to further dampen vibration. These steps will be taken to minimize any potential impact on the surrounding area.*

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 the nearby properties:
 - *The modest size restaurant is in scale with other restaurants in the area and is intended as fine dining with hours that would not intrude on the surrounding area.*

4. **Infrastructure** As compared to development permitted under Section 9-6-1, 'Permitted Uses of Land', 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 or adversely affect the infrastructure of the surrounding area, including without limitation, water, wastewater, and storm draining utilities and streets.

- *Existing utilities already serving the area and will not be significantly impacted to existing utilities. The project will also be involved with improvements to both Pearl and Ninth streetscapes.*
5. **Character of Area** The use will not change the predominant character of the surrounding area
- *The project is filling a missing link at the corner and will bring it into scale and character with the surrounding area.*
6. **Conversion of Dwelling Units to Non-Residential Uses** Conversion of Dwelling Units to Non-Residential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in Subsection 9-6-1(d), B.R.C. 1981, to non-residential uses that are allowed pursuant to an use review or through the change of one non-conforming use to another non-conforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a day care center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.
- *Not applicable*

ADDITIONAL CRITERIA FOR MODIFICATION TO NON-CONFORMING USES:

A non-conforming use is described as any use of a building or use of a lot that is not permitted under Section 9-6-1, 'Schedule of Permitted Uses of Land', B.R.C. 1981, but excludes a conforming use in a non-standard building or on a non-standard lot; a legal existing use that has been approved as a conditional use or a use review use, or a use approved pursuant to a valid special review or a use, or a use approved pursuant to a valid special review or a use review approval. A non-conforming use also includes an otherwise conforming use, except a single dwelling unit on a lot, that does not meet the parking and residential density requirements, including, without limitation, the requirements for minimum lot area per dwelling unit; useable open space per dwelling unit, or required off-street parking requirements for Section 9-6-1, 'Schedule of Bulk Requirements', B.R.C. 1981.

- *There is no existing non-conforming use proposed for modification.*

October 4, 2013

Elaine McLaughlin
City of Boulder
Planning Department
P.O. Box 791
Boulder, CO 80306

RE: Use Review Narrative for 901 Pearl Street, LUR2013-00047

The proposed restaurateur has two other restaurants that have been good neighbors to the community for the last two decades. Their new venture will continue this relationship by providing unique service to the local cliental. The restaurant will be a +4 star establishment catering to a broad range of young professions to elderly with a fine dining experience. The project will consist of 5,500 square feet on the first floor with two levels of condominiums above in the new development. The project is situated in the western transitional zone of downtown and will reduce its impact on the bordering residential by recessing the proposed patio and centering a traditional entry to the south.

The restaurant will be operated M-F from 11am-11pm and 7am-11pm on S-Sun similar to other concepts by this Owner where a late night crowds are not encouraged. Saturday and Sundays hours are expanded to provide brunch service. Peak use hours are anticipated to be Friday and Saturday nights trending with other similar uses downtown. The space will serve a maximum of 187 seats inside and 28 outside in the recessed patio.

The restaurant will be served by the existing alley to the north where loading and trash/recycling are provided. The trash/recycling is fully enclosed and shelter under the building to lessen its impact and will be picked up from 7am- noon. Deliveries will also be at the same area of the site and are only accepted from 7am-11am. Trash pickup and deliveries are also to be coordinated with other users in the alley and in the majority of cases will not generate new deliveries to this area.

The project will mitigate any concerns regarding sound on several fronts. First the project orients out to the already busy Pearl street rather than exposing to the neighboring residences. Along the street the patio has also been recessed under the building to contain sound and light and again focus it out to Pearl Street where this activity is appropriate. Second the building is being constructed with robust acoustical detailing to reduce sound and vibration up to the adjoining tenants and down from the mechanical equipment. And the mechanical equipment will be designed to focus exhaust vertically and will be situated behind mechanical screens.

The Owners themselves live in the area and capitalize on that many of their patrons do as well and appreciate their well operated clean, safe and respectful establishments. They have a zero tolerance drug policy, and have certified programs for both front and back of house personal and believe that success is dependent on a well trained staff that creates a unique experience for the customer. These ideas permeate all aspects of the their hospitality management practices and will be reflected in their new web site / social media that will include neighborhood outreach programs and also links to parking and transportation opportunities for regional access. Parking for the project will utilize the downtown infrastructure with over 2,000 public parking spaces with in a ¼ mile of the site and it is supported by being on a RTD bus route. The employer will also provide and promote the eco pass for their employees.

The onsite manager is also familiar with working downtown and its challenges. These skills will include working with neighbors to enforce parking rules, coordinating deliveries to maintain clear alley traffic, tactfully dealing with loitering and cooperating with local law enforcement as needed or if burglar alarms are triggered.

These management practices have contributed to the Owners' success for over 20 years in the community and will be utilized to the success of their new concept.

Thank you for your consideration and please feel free to contact us with any concerns on this matter.

Sincerely,

Jim Bray

AIA, LEED AP, NCARB

1300-C Yellow Pine
Boulder, CO 80304
303.444.1598

901 Pearl Street TDM Plan

Employee Trip Reduction Plan

Business Eco Passes

All employees will be eligible to receive Eco Passes from the Downtown Boulder CAGID Eco Pass Program.

Employee Transportation Coordinator

The applicant will appoint an Employee Transportation Coordinator (ETC) and provide that employee's contact information to GO Boulder staff (303-441-3266). The ETC will be responsible for implementing and maintaining the Employee Commute Trip Reduction Program. The ETC will act as a liaison to GO Boulder and disseminate transportation information and marketing materials to co-workers with the objective of reducing single-occupant vehicle (SOV) commuting. The ETC should be involved in employee orientation to communicate the commute benefits available to co-workers and serve as the point of contact for any GO Boulder or regional promotional campaigns that encourage alternative transportation. Time permitting, the ETC can also attend GO Boulder's ETC Breakfast meetings to network with other ETCs and take advantage of training workshops. The ETC will also be responsible for maintaining the Transportation Information Center.

Program Evaluation

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

Bicycle, Pedestrian and Transit Enhancements and Amenities for Residents and Employees

The site provides bike parking along the street and will be directly access the downtown infrastructure of pedestrian, vehicular and transit routes. The site development will improve these areas with wider sidewalks, more organized bike parking and safe perimeter lighting. The site will also separate the service, and private resident vehicular traffic to the rear of the building reducing potential conflicts with pedestrians along Pearl.

Bicycle Parking

The applicant will provide both short-term and long-term bicycle parking. Short-term bicycle parking offers a convenient and accessible area to park bicycles for customers and other visitors. Short term bicycle parking shall be located on the public access level, within fifty feet of the main building entrances, and outside the building. Long-term bicycle parking offers a secure and weather

protected place to store bicycles for several hours. Long-term bicycle parking is provided for the residences with access through their garages or within the storage units.

Welcome Kits for New Residents

Upon occupancy residents will receive from GO Boulder a welcome kit containing information on alternative transportation, maps, and transit schedules. It is the responsibility of the applicant to notify GO Boulder of impending occupancies so that Welcome Kits can be produced and delivered.

Trip generation statement

Estimated by number of anticipated table turn

Monday /Tuesday 278

Wednesday/Thursday 370

Friday/Saturday 555

Sunday 463

Weekley total 2,869

Friday and Saturday evenings will be the peak usage with times from 5pm – 9pm. Lunch will be a small peak from noon to 1pm daily.

Management Plan for 901 Pearl

Management Summary

We have assembled an experienced and invested group of like minded, long term thinking managers. Our formula for success is based on gratitude to our guests, to our employees and to our community. We will have world class cuisine at a good value being served in a beautiful setting but the real cornerstone to our restaurant group is service. How the guest is treated from moment one to moment done.

Estimated # of Employees

130 (Winter/Spring) -150 (Summer/Fall). Most of these will be hourly positions with an avg. of 30-40 hour per week. The pay scale for hourly positions will range from 22K-52K per year. We will also have 9-10 salaried positions with a pay scale of 38k-90k per year.

Management Structure

Director of Operations	
General Manger	
Executive Chef	
AGM/Bar Manger	Executive Sous Chef
Floor Manager 1	Sous Chef 1
Floor Manager 2	Sous Chef 2
Hourly FOH Manger	Hourly BOH Manager

Hours of Operation

- Lunch (11am-4pm Monday-Friday)
- Dinner (4pm-11pm Everyday)
- Happy Hour (3pm-6:30pm Everyday)
- Brunch (9am-3pm Sat-Sun)

Concept

Upscale Italian restaurant with exceptional food, service, & ambiance. Simple, elegant, and approachable. Dinner entrees will range from \$14-\$34 and lunch entrees from \$8-\$18. Appetizers and salads from \$5-\$12, desserts from \$6-\$9, wines by the glass from \$7-\$15. The look and feel of the restaurant is intentionally designed to differentiate itself from our other two locations (Brasserie Ten Ten and The Mediterranean Restaurant) while still staying true to some core principles such as 'above and beyond' service and 'more than you expect' value

Ownership

Operating restaurants in the area for more than 2 decades the Joe & Peg Romano have always been gracious and responsible employers. Extremely local- living a few blocks away from the proposed location Joe and Peg Romano are upstanding, active members of the community. Their thinking and goals for the neighborhood parallel the general population since they have been in the area for almost 40 years.

Community Responsibilities

We are proud to provide an exciting new gathering place for the local community. We fully understand and embrace the responsibilities that come along with that privilege. Including but not limited to:

- **Parking-** All employees will be offered eco-passes making public transportation a far more attractive proposition for them. We offer these passes in our other two locations and the majority of our staff traveling in from outside the downtown area takes advantage of this program. We will validate parking for our guests that use parking garage facilities. We will also put a written suggestion on both our menus and our website asking for courtesy when using on-street non-metered parking. We will also make known in that text that violators will be towed at their expense.
- **Alcohol Service & Consumption-** We as a group could not take this more seriously. We make clear our policy of absolute zero tolerance for underage drinking or over serving a guest from the very first day of training and constantly reinforced this concept through-out their tenure with us. Each employee who serves alcohol is TIPS certified within 90 days of their hire date and recertified as required. All managers also receive advanced training on how to recognize and how to resolve alcohol related issues.
- **Food Handling-** All managing chefs are Serve-Safe certified. All line and prep chefs go through a comprehensive serve safe curriculum as well. All safe food handling practices are strictly monitored, documented and enforced.

- Giving Back- We are grateful to be members of the local business community. It is in the very fabric of our business plan to look for opportunities to give back. We have the ability to do this through things such as food drives for flood and fire victims, gift certificates for local fund raisers, food donations or a free venue to gather for those in need.

A Typical Day

- 6:00am- 2 Prep and 1 AM Sous chefs will arrive. This crew will be responsible for all prep and receiving for the day's business. They will write the daily specials. They will assess the back of house close from last night, assuring all cleanliness, food handling, and security standards have been satisfied. Proper handling of all trash and recycling from the previous day's business will also be their responsibility.
- 9:00am- 3-4 line chefs will arrive. This is the primary AM line crew responsible for setting-up and executing Lunch/Brunch back of house service.
- 1 opening front of house manager will arrive at this time as well. They will assess the front of house close from last night, assuring all cleanliness and security standards have been satisfied. They will be responsible for financial reconciliation of yesterday's business, going to the bank for deposits and petty cash replenishment. They will set up all staffing and front of house operations for the day.
- 1 bartender will also arrive at this time to stock and prepare the bar for AM service
- 10:00am 5 servers arrive for opening side work and the pre-shift meetings. This group will be responsible for executing lunch/brunch service.
- 11:00am Lunch service begins
- 3:00pm Happy Hour begins
- 1 PM Sous chef and 1 Jr. Sous chef will arrive. This crew is responsible for PM specials. They will work the PM line and conduct all back of house PM operations. They will also be the responsible party in charge of closing the restaurant and assuring all cleanliness, food handling, and security standards have been satisfied.
- 4-5 line chefs will arrive. This is the primary PM line crew responsible for setting-up and executing dinner back of house service.

- 4:00pm Lunch service concludes, dinner service begins, and happy hour continues.
- 6-7 servers arrive for opening side work and the pre-shift meetings. This group will be responsible for executing dinner service and closing the restaurant.
- 2 bartenders will arrive at this time to stock and prepare the bar for PM service. 1 of the two will be here until close of the restaurant.
- 2 Cocktailers will arrive for opening side work and the pre-shift meetings. This group will be responsible for executing cocktail service and closing the restaurant.
- 1 Front of house closing manager and 1 floor manager will arrive at this time. Responsible for the operation and adherence to all policies for PM service. The closing FOH manager will be the last person in the building every night (excepting the cleaning crew). They are ultimately responsible for the overall overnight security of the restaurant
- 6:30pm Happy hour concludes
- 11:00pm Dinner service concludes
- 12:30am Employee clean up and breakdown is complete and all hourly employees are out of the building.
- 1:00am All admin/office duties are complete. Facility is secured and the closing FOH salaried manager- the last employee in the building leaves.
- 1:30am The cleaning crew arrives and will take 3-4 hours to clean the location assuring everything is off and secure before leaving.
- 4:00am Building is vacant