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**VIA EMAIL**

City of Louisville Planning Division  
Attn: Robert Zuccaro  
749 Main Street  
Louisville, CO 80027  
[rzuccaro@louisvilleco.gov](mailto:rzuccaro@louisvilleco.gov)

RE: The Birdie Bar – Application for a Special Review Use

Dear Mr. Zuccaro:

We represent The Birdie Bar, LLC (the “**Applicant**”), the owner and developer of the real property with an associated address of 947 Pine Street (the “**Property**”) in the city of Louisville (the “**City**”), county of Boulder (the “**County**”), state of Colorado (the “**State**”). The Applicant is proposing to redevelop the Property into a modern neighborhood tavern with outdoor miniature golf and indoor virtual state-of-the-art golf simulators (the “**Project**”). To allow for the development of the Project, the Applicant is seeking a special review use (“**SRU**”) for outdoor dining and serving and outdoor miniature golf (the “**Proposed Use**”) in the Commercial Community (“**CC**”) zone district, and an associated amendment to the Property’s existing site plan, the “George Oil PUD”. This letter is intended to supplement the Project application and set forth how the Projects meets the City’s applicable approval criteria for an SRU.

**I. BACKGROUND**

The Property is located in the heart of the City’s downtown and was once used as a gas station. The original site plan for the Property, the George Oil PUD, was approved in 1986 to allow for the gas station use. However, the character of the downtown area has changed significantly since the 1980’s and a gas station is no longer a desirable use for the Property or aligns with the other surrounding uses in the City’s historic downtown area. The Applicant therefore proposes a redevelopment of the site to reactivate the space and provide for a more suitable use for the downtown area. The Applicant is proposing to reimagine the existing building and obsolete surface parking area into a vibrant new space.

The Project will include the following features and uses:

- A restaurant and bar with outdoor dining and curated food and bar menus
- Outdoor miniature golf
- Indoor state-of-the-art virtual golf simulators for players of all skills, with membership options
- Tailored events providing an engaging and bespoke experience

The Project will function as a modern family-friendly neighborhood gathering place, with lighter fare, craft cocktails, premium beer and wine, and fun activities for everyone to enjoy. A draft concept plan (“**Concept Plan**”) is included in the application and shown herein below:





In addition to the aforementioned uses, the Project also proposes to integrate with the existing streetscape enhancing the aesthetic continuity and contributing to the urban canopy. Drought-tolerant plants will be used throughout the site to promote water conservation and sustainability. The Project will incorporate familiar rectangular, gable and parapet form architecture that conforms to the City’s Downtown Development Standards and Guidelines (the “**Design Standards**”). The existing building will be reimagined with a natural brick veneer retrofit, and the new building addition will feature a smooth wood siding with opaque painting and a traditional 6-inch exposure. The Project also proposes low output light fixtures that minimize glare and festoon lighting for the outdoor patio space. The proposed design of the overall site will be elevated yet approachable, organic but updated.

The site plan included in the application shows the layout of the Project, which incorporates an “L” shaped design, and was carefully designed to provide visual interest and enhance the customer experience with building elevations that provide a clear presentation to the street, leading the customer to the primary entrance, and development of the ground floor level to relate to the pedestrian scale by incorporating varied setbacks from the street and stepped-down, pedestrian-scale, pergola structures. To-scale-to-site and floor plans with the locations of all the proposed uses are included in the application.

The planned general hours of operation for the Project are:

- Mondays: Closed
- Tuesdays – Saturdays: 10am – 9:30pm
- Sundays: 10am – 9pm
- Closed: major holidays, private buyouts, special events

Hours of operation may be adjusted to account for customer demand and business conditions.

The Applicant proposes to preserve the existing landmark sign at the northwest corner of Front Street and Pine Street by updating the signage with The Birdie Bar logo as conceptualized below:



As mentioned, in conjunction with the request for an SRU for outdoor dining and serving and outdoor miniature golf uses, the Applicant is also seeking an amendment to the existing George Oil PUD in accordance with the procedures set forth in Section 17.72.170.

## II. SPECIAL REVIEW USE

According to the City's official zoning map, the Property is zoned CC zone district. However, the outdoor dining and serving and outdoor miniature golf uses proposed by the Project require an SRU pursuant to Chapter 40 of the Code the City's Zoning Code (the "**Code**"). *Code, § 17.12.030.*

Pursuant to Section 17.14.050 of the Code, outdoor eating and serving areas are allowed as an accessory use to a principal eating and drinking establishment subject to compliance with the following conditions:

- The outdoor seating and food service area shall not obstruct the movement of pedestrians along adjoining public sidewalks, through plazas, or through other areas intended for public usage.
- If food service is provided outdoors, only employees of the principal eating and drinking establishment shall provide the food service.
- In approving outdoor seating or food service areas, the City may impose conditions relating to the location, configuration, and operational aspects (such as lighting, noise and hours of operation) of such outdoor areas to ensure that such outdoor areas will be compatible with surrounding uses, will be maintained in an attractive manner, and will comply with applicable building, fire, and liquor licensing codes.

As discussed herein, the Applicant will comply with all of the above conditions and shall remain compliant with such conditions applicable to the Project operations once the Project is operational.

An SRU must also meet the criteria of approval set forth in Section 17.40.100 of the Code. As discussed herein below, the Project meets all of the criteria of approval for an SRU.

- A. *The Proposed Use is consistent with the Comprehensive Plan and would not be contrary to the general welfare and economic prosperity of the City or the immediate neighborhood.*

The Proposes Use furthers the vision of the City's Comprehensive Plan (the "**Comp Plan**") by enhancing the quality of life for the those who live, work and spend time within the City. The Project also furthers many of the Comp Plan goals and policies, including but not limited to, the following core community values:

- A sense of community – where residents, property owners, business owners, and visitors feel a connection to Louisville and to each other.
- A healthy, vibrant and sustainable economy – where the City understands and appreciates the trust of the residents, property owners and business owners, and the City is committed to a strong and supportive business climate.

- Unique commercial areas – where the City is committed to recognizing the diversity of Louisville’s commercial areas and neighborhoods by establishing customized policies and tools that each maintains its individual character and economic vitality.

*Comp Plan, p. 18.*

The Project furthers these core values by creating a vibrant indoor/outdoor unique space for the community to gather in the downtown area. By offering miniature golf and golf simulators, in addition to food and beverage, the Project creates unique recreational opportunities within the City as well as promoting physical activity and social engagement while also contributing to the economic vitality of the downtown area.

Additionally, the Project is designated as within the “urban pattern” portion of the City, where the vitality of the downtown is promoted and business diversity with new private investment and business development is encouraged. *Comp Plan, p. 26.* The Project seeks to bring a new indoor/outdoor restaurant concept and experience that currently does not exist within the City or in the downtown area.

The Project as a whole also adheres to the format and framework of the Comp Plan, including building architecture, site design, building form and design. *Comp Plan, p. 24.* Additionally, the Project is located along a “retail primary street” that is best positioned for retail success. *Comp Plan, p. 29.*

The Project also complies with the economic development goals of the Comp Plan, including but not limited to:

- *Principle ED-1.1* – The City should work to maintain a business-friendly environment, where services to new and existing businesses are delivered in a timely and efficient manner.
- *Principle ED-1.3* – The City should focus on primary job creation that provides job diversity, employment opportunities and increased revenue for Louisville.
- *Principle ED-2* – The City should direct growth in an economically responsible way in order to maintain high quality amenities and high service levels for residents.
- *Principle ED-5.2* – The City should support and promote the revitalization of existing structures that maintain the character of downtown, while providing a diverse business base.

- *Principle ED-5.3* – The City should support a mix of uses which bring new revenues to the downtown area.

The Project furthers the above-mentioned economic goals and principles of the Comp Plan by generating new sales tax revenue in the downtown area of the City with food and beverage sales, in addition to the tax imposed on the golf activities. The Project proposes a new service – indoor golf simulation and outdoor miniature golf coupled with a dining experience – that currently does not exist within the City. Indoor golf simulation is a growing attraction in today’s market, and the Project will attract a new customer base to the City.

The Project therefore enhances the general welfare and economic prosperity of the City in the immediate neighborhood. Accordingly, this criterion is met.

- B. *The Proposed Use will lend economic stability to the City and is compatible with the surrounding established areas.*

As described above, the Project will generate new sales tax revenue for the City and attract a new customer base to enhance the City’s economic stability. The proposed membership options for use of the Project’s golf simulators will also draw a reoccurring and consistent customer base for the City.

The Project is also compatible with the existing downtown area and surrounding uses. The Project is located near other restaurants but provides a different dining experience than those that currently exist in the immediate area, thereby contributing variety and diversity of the downtown culture. Henry’s Bar & Grill is located next door to the Property, Sweet Cow is located across the street, Moxie Bread Co., the Huckleberry, Tilt Pinball, Verde Mexican and Azul Fuego Mexican Restaurant are located one block a way, and various other retail, restaurant and commercial uses are located throughout the immediate area. With its unique and new offerings, the Project enhances the downtown area and revitalizes a vacant and obsolete property.

As such, this criterion is met.

- C. *Adequate facilities and utilities exist to serve the Property and ensure internal efficiency of the Proposed Use.*

The Project considers the functions of the residents, recreation, public access, safety and such other factors including circulation, storm drainage, sewage and water facilities, grades, and dust control related to public health and conveniences as required by this criterion.

The site connects to the existing downtown pedestrian circulation system and encourages pedestrian access and bicycling activity. Bicycle racks will be provided. Improvements to the right-of-way will be made to align with the current streetscape design.

The Project proposes on-street parking with the Applicant proposing to pay a fee-in-lieu for the required parking stalls. The existing on-site parking does not conform to the current City standards and a new off-street parking lot would be impractical for the Project and hinder pedestrian activities that the city seeks to protect.

The Project incorporates low flow plumbing fixtures to reduce water consumption. The existing sewer service will be maintained to serve the Project. A new water service is proposed to meet the Project demands pursuant to the Code requirements. Existing concrete/asphalt is proposed to be replaced with gravel, mulch, shrubs and plantings to reduce heating and cooling demands of buildings.

This criterion is therefore met.

*D. External effects of the proposal are controlled to ensure public health, welfare, safety and convenience.*

The Project ensures that any potential external effects are controlled. The Project utilizes adequate site lighting in accordance with the Design Standards. The Project also meets the Code's requirement pursuant to Section 17.72.090 for commercial and office uses that noise shall be confined to the site and will not exceed noise levels established by applicable noise ordinances.

A lighting design for the Project is included in the application. The design features traditional, simple and low-output fixtures to minimize glare and light pollution. The design will also incorporate aesthetically pleasing string lights to enhance the ambiance of the outdoor space. The proposed lighting is intended to encourage pedestrian activity and exterior seating at night, in alignment with the Design Standards.

The existing building will largely stay intact throughout the renovation process (keeping debris out of the landfill). From a safety standpoint, the renovation will include fire sparklers and fire alarms to the structure (previous uses of the Property did not have a fire protection system). Lastly, the site drainage will be routed to existing facilities, thereby reducing any potential impacts to traffic operations. The Applicant aims to provide a minimally disruptive renovation to the existing building to redevelop the site into a fun and safe environment providing dining, socializing, community gathering and golf.

This criterion is met.



*E. The Project proposes adequate pedestrian walks and landscape spaces.*

The landscape design aims to create an inviting, sustainable, and visually appealing environment that integrates seamlessly with the existing streetscape. The outdoor patio will feature comfortable seating, shaded areas, and landscaping to create a welcoming space for visitors. The mini-golf course will be designed with creative and engaging features, surrounded by landscaping to enhance the overall experience. The perimeter of the outdoor area will be secured by an ornamental fence which will include a 4 inch tall kickplate to prevent errant golf balls from escaping the Property.

A landscape plan is included in the application and proposes an aesthetic and functional design with the following key design elements:

Street Trees

- *Integration with the Existing Streetscape:* New street trees will be planted to align with the current streetscape design, enhancing the aesthetic continuity and contributing to the urban canopy.
- *Species Selection:* Trees will be chosen based on the compatibility with the local climate, soil conditions, and ability to provide shade and seasonal interest.

Outdoor Patio and Mini-Golf Course

- *Patio Area:* The patio will feature comfortable seating, shaded areas and landscape to create a welcoming space for visitors.
- *Mini-Golf Course:* The mini-golf course will be designed with creative and engaging features, surrounded by landscaping to enhance the overall experience.

Plant Selection

- *Low Water Plants:* Drought-tolerant plants will be used throughout the site to promote water conservation and sustainability. These plants will be selected for their hardiness and low maintenance requirements.
- *Winter Interest:* The landscape design will include plants that provide visual interest during the winter months, such as evergreen, ornamental grasses and shrubs with attractive bark and flowers.

Sustainability Features

- *Water Management:* The landscape design will incorporate efficient irrigation systems and system features where possible to minimize water use.
- *Soil Health:* Soil preparation and amendments will be used to ensure healthy plant growth and reduce the need for chemical fertilizers.
- *Exterior ground surfaces:* The Project proposes to take out all the existing concrete and asphalt on the site and replace it with gravel, mulch, shrubs and plantings to reduce heating and cooling demands of buildings.

Aesthetic and Functional Design

- *Walkways and Lighting*: Well-designed pathways will provide easy access to different areas of the site, and strategically placed lighting will enhance safety and ambiance.
- *Seating and Gathering Spaces*: Various seating options and gathering areas will be incorporated to encourage social interaction and relaxation.

Benefits to the Community

- *Enhanced Urban Environment*: The project will transform a disused site into a vibrant recreational area, improving the visual appeal of the neighborhood.
- *Sustainable Landscaping*: The use of low water plants and sustainable practices will contribute to environmental conservation and resilience.
- *Recreational Opportunities*: The new facility will offer unique recreational opportunities for residents and visitors, promoting physical activity and social engagement.

This landscape design is crafted to ensure a harmonious blend of functionality, sustainability, and aesthetic appeal, creating a valuable addition to the community.

Accordingly, this criterion is met.

**III. CONCLUSION**

As described herein, the Project meets all of the criteria of approval for an SRU for the outdoor dining and serving and outdoor miniature golf uses. We therefore request your approval of a SRU for an outdoor eating and serving area the Project. The Birdie Bar will enhance the downtown area by revitalizing the former gas station property into a new dining and golf experience for all to enjoy.

Sincerely,



Carolynne C. White

cc: Matt Post, Senior Planner  
Jeff Hirt, Planning Manger  
Kathleen Kelly, City Attorney