

December 2, 2020

Mr. Patrick Caldwell, Senior Planner  
**City of Westminster Community Development**  
4800 W. 92<sup>nd</sup> Avenue  
Westminster, CO 80031

**Re: Uplands Preliminary Development Plan & Master Official Development Plan  
Response to Review Comments**

Dear Mr. Caldwell,

Thank you for reviewing our recent resubmittal of the Uplands Preliminary Development Plan and Master Official Development Plan; comments were received on October 30<sup>th</sup> and November 13<sup>th</sup>, 2020 and responses are provided herein to the written comments from both the City and outside referral agencies. Please also see the provided responses to redline comments included with this resubmittal; comments are noted as addressed as requested or detailed explanations are provided if comments were inconsistent or could not be addressed exactly as requested. As previously discussed, the revised utility report will be submitted following receipt of the HDR study and the required utility data.

We thank you for the additional clarification on a handful of comments via phone call on November 19, 2020 and would welcome any requests for clarification while you are reviewing this resubmittal. We believe there is great benefit in working through these details collaboratively to clarify goals and intent while creating a more efficient review process. To assist in your review of our resubmittal, we have summarized key changes below.

**Summary of Key Changes**

**Legal Descriptions**

Please note the legal descriptions for Parcels A and C have been revised to create sub-planning areas (i.e. PA-A(1A), PA-A(1B), PA-C(1A), PA-C(1B), PA-C(1C), PA-C(1D)). This was done to create future parcels for transfer as PLD and buildable parcels within the larger parcel/planning area for Parcels A and C and do not affect unit count, densities or utility usage per parcel or planning area; these sub-planning areas have solely been provided to create future transferable parcels. These subsets are only noted within the legal descriptions and on the newly added 'Planning Area Boundaries' sheet (sheet 15 in the PDP).

**ROW Vacations**

As discussed, we will be pursuing a number of rights of way vacations where the existing ROW is in excess of the width collectively determined necessary to construct the street sections described in the PDP. Formal requests for these vacations are forthcoming and detailed exhibits were provided to staff on November 19, 2020 for confirmation. Please let us know if there are any final edits to the proposed vacations so we can create those legal descriptions and begin the formal vacation process. The general locations of the proposed vacations are listed below:

- Parcel A Adjacent to: 84<sup>th</sup> Ave., 88<sup>th</sup> Ave.
- Parcel A, Shaw Blvd.
- Parcel B Adjacent to: 84<sup>th</sup> Ave., Lowell Blvd. and Bradburn Blvd.
- Parcel D Adjacent to: 84<sup>th</sup> Ave.

## **Perimeter Setbacks**

Perimeter setback notes have been revised, along with the chart titles, to describe Minimum Building Setbacks. Perimeter setback dimensions and notes have developed through multiple PDP iterations based on document content, Staff comments, and in reference to Design Standards and Guidelines. Based on Staff's latest comments, we recognize the need for a uniform and simplified standard for the Uplands PDP and subsequent ODPs that closely aligns with perimeter setback intent across all Design Standard and Guideline documents.

Our team has reviewed applicable building setbacks to perimeter road classifications and common property lines for land use compatibility within the Single Family Detached, Single Family Attached, Multi-Family, and Retail Commercial Design Standards. Each standard, while having some language variation, provides guidance for perimeter setbacks measured to primary structure or building. In contrast, TMUND guidelines do not provide building setback guidance for specific adjacencies to arterials, collectors, or common property lines. Given the applicability of each standard and guideline within Uplands, and the predominant measurement standard set forth in the Single Family Detached, Single Family Attached, Multi-Family, and Retail Commercial Standards, we have proposed the following measurement standard: "Setbacks are measured from perimeter planning area boundary or right of way". Each chart title has been updated to "Minimum Building Setbacks", which is also consistent with the November 19, 2020 conversation with Patrick in which building setbacks to PLD as perimeter setbacks were discussed. The revised note and chart title modifications address the collection of applicable guidelines and standards, can be uniformly implemented, and provide clear intent. We are happy to review and discuss the perimeter setbacks with staff during the submittal review.

## **Perimeter Setbacks to Federal Boulevard – Parcel A**

The requested 50' primary building setback to Federal Boulevard has not been incorporated. The 35' setback was proposed at the start of this PDP review process and is a reflection of the TMUND guideline "Where new TMUNDS about major streets, land uses, building types and site planning should be used to connect with the street, eliminating the need for sound walls and providing a high quality view of the neighborhood." The 35' perimeter setback and proposed edge treatment along Federal Boulevard (as shown in the Master ODP) balance both screening and porosity by implementing a strategic landscape layout and palette with accent screen walls. The length of Federal Boulevard will have a range of building and types and forms that will provide scale and safety to the pedestrian corridor along Federal. The 35' perimeter setback will include commercial and residential land uses as well as streets, alleys, and open areas, creating a dynamic and undulating edge.

## **Perimeter Setbacks to Public Land Dedication**

The requested 20' primary building setback to Public Land Dedication (public parks and open space) has been added as requested with the accompanying note: "Public Land dedication (public parks or open space) is measured from PLD tract or outlot property line to primary building. Public parks and open space are a use category only within Public Land Dedication areas. Private Parks and Open Space are not subject to this PLD Perimeter Setback."

## **Land Use Table**

The requested changes to the permitted use table have been made with exception to the below:

- Single-Family Detached (Alley Loaded) in Village Center PA-A(6)  
With the inclusion of the Conceptual Framework Plan and the Diagrammatic Density Plan in the Master ODP the intent for the density transition from the Village Center is shown in graphic form. The alley loaded SFD within the Village Center helps with this density transition and provides for a diversity of housing types within each planning area, creating a more interesting neighborhood plan. The SFD has been removed from the two conceptual blocks on the northwest and southwest corner of 86<sup>th</sup> and Federal as shown in the Framework Plan (and consistent with the Diagrammatic Density Plan). Additional detail and review will be provided with the Site Specific Official Development Plan to ensure appropriateness and compatibility of the proposed uses within the overall Village Center. Additionally, TMUND does allow SFD homes in the Village

Center; it states: "A Mixed Use "Village" Center: With Retail/Office and a variety of housing providing ample opportunity for residents to live in a **variety of housing types** and to walk to shops and services, parks and open space." And "1.4.4: Transition Areas: Medium density/mixed use commercial centers are a focus for the surrounding neighborhood as a place to live, shop and work. These areas include **denser attached and detached housing around a neighborhood commercial center** with secondary uses above retail uses." We request single family detached alley loaded homes be supported in the Village Center as shown in the Framework Plan, consistent with the TMUND guidelines and reviewed against the Village Center design characteristics provided on Sheet 14 of the Master ODP at time of Site Specific Official Development Plan.

- Single-Family Attached, Paired Home in PA-B(2)  
The review comments requested to make SFA Paired Homes a permitted use in PA-B(2). This change has not been made. As part of our on-going public outreach, we have made commitments to neighbors adjacent to Parcel B that no other land use other than SFD would be proposed in PA-B(2).
- Single-Family Detached, Front Loaded in PA-D(1)  
The review comments requested to make SFD Front Load not permitted within PA-D(1). This change has not been made. The comprehensive plan land use designation for PA-D(1) is R-8; this designation allows single-family detached residences.

#### **Request for Lot Typical Prototypes in PDP and Master ODP (Reference Land Use Sheet)**

Approximate lot square footages have been provided for specific planning area and product types as requested in the November 13th comments to help assist with utility projections. Previous submittals had included building diagrams, etc.; we received comments to remove these details. Providing lot typical prototypes would trigger questions about exceptions and per the May 21, 2020 letter we were directed to not include any exceptions with the PDP unless we were submitting concurrent Site Specific ODPs for each parcel. As discussed, we are moving forward with the PDP with no exceptions; all these details will be provided at time of Site Specific ODP and reviewed against both the Master ODP and TMUND Design Guidelines and/or SFA and SFD Design Standards. To provide additional explanation of the intended character and thoughtful design for these residential homes and their siting on lots we have included design characteristics for both the Village Center and Village Residential neighborhoods in the Master ODP. A design characteristic has been added stating that homes fronting on streets and public or private parks should enhance the pedestrian experience through architectural elements. These features may include, but are not limited to, at-grade or raised porches/ patios, building entries, bay windows (or other window features), balconies, stoops and private on lot open area. This standard is provided to guide future lot configurations, which will be reviewed in detail with the Site Specific ODP. The proposed lot sizes are critical to meet the missing middle housing types intended within Uplands.

#### **Village Center**

The Village Center plan has been expanded to include additional detail per the comments received. The Village Center also includes a section on Commercial, Mixed Use and Multi-Family Building Forms to further describe the urban design intent. Please note the Conceptual Framework Plan, the Diagrammatic Density Plan and the Village Center concept plan included in the Master ODP are truly conceptual and show design intent; formal block layout, etc. will be identified with each Site Specific ODP.

#### **Conceptual Framework Plan**

The revised Master ODP now includes a Conceptual Framework Plan, a Diagrammatic Density Plan and additional design characteristics for both the Village Center and Village Residential neighborhoods. The Conceptual Framework Plan exhibits the general design intent for block structure, road network and land uses per block, consistent with the example provided by the City. It also notes Public Land Dedication areas, private park locations, and representative pedestrian connections. The Diagrammatic Density Plan also shows the general intent for density transition across Parcel A of within the Uplands. Design characteristics have been added to both the Village Center and Village

Residential descriptions to describe intent for Residential Streets and Blocks, Residential Lot Layout and Building Configuration and Circulation. The Village Center also includes a section on Commercial, Mixed Use and Multi-Family Building Forms to further describe the urban design intent. Please note the Conceptual Framework Plan, the Diagrammatic Density Plan and Village Center concept plan are truly conceptual and show design intent; formal block layout, etc. will be identified with each Site Specific ODP.

Sincerely,  
Norris Design



Bonnie L. Niziolek  
Principal

## RESPONSE TO SUPPLEMENTAL MASTER ODP COMMENTS RECEIVED FROM RITA MCCONNELL ON 11/13/20

### Land Use Exhibit Rationale

1. Refined and more detailed street and block network
  - a. Identifies specific land uses per block
  - b. Demonstrates how adjacent land uses work together to create TMUND neighborhood across Parcel A
  - c. Demonstrates appropriate type of land use in relation to specific area context
  - d. PDP determines number of dwelling units per area  
**Response: The revised Master ODP includes a Conceptual Framework Plan exhibiting the general design intent for block structure, road network and land uses per block. The Conceptual Framework Plan notes Public Land Dedication areas, private park locations, and representative pedestrian connections. The Diagrammatic Density Plan also shows the general intent for density transition across Parcel A of within the Uplands. Refer to Land Use Plan for minimum and maximum units by product type per planning area. Please note the Conceptual Framework Plan and Diagrammatic Density Plan are truly conceptual and show design intent; formal block layout, etc. will be identified with each Site Specific ODP.**
2. Linked internal pedestrian network
  - a. Shows more conceptual detail on how the different areas are connected within the neighborhood
  - b. Informs the potential connections for vehicles and pedestrians
  - c. Indicates opportunity for locations for connected pocket and neighborhood parks  
**Response: The Conceptual Framework Plan demonstrates the intent for connectivity of block organization to amenities such as Public Land Dedication and private parks/open space. Additional connectivity will be provided through the on-street walk network. The traditional neighborhood structure provides efficient connectivity for pedestrians, cyclists, and motorists within internal open areas and right of way corridors. Formal connections will be identified with each Site Specific ODP.**
3. Urban design
  - a. Provides an understanding of likely streetscape, massing, form, and heights
  - b. Shows existing nearby neighborhoods the land use that will be adjacent
  - c. Assists with framing views, vistas, and panoramas
  - d. Insures that higher densities will be placed in a centralized area with lower densities at the fringe

**Response: This Master ODP provides detail street sections for adjacent rights of way and internal road networks. The Land Use Plan provides adjacent land uses and municipal jurisdiction. Refer to the Diagrammatic Density Plan for overall intent for transitioning density across Parcel A. highest densities and intensities are centered at 86<sup>th</sup> Ave. and Federal Blvd. as shown with tighter hatches. Final densities may shift slightly with Site Specific ODPs but should generally comply with this overall intent. Additionally, design characteristics have been added to both the Village Center and Village Residential descriptions to describe intent for Residential Streets and Blocks, Residential Lot Layout and Building Configuration and Circulation. The Village Center also includes a section on Commercial, Mixed Use and Multi-Family Building Forms to further describe the urban design intent.**

4. Policy

- a. Informs policies and decisions on phasing
- b. Provides policymakers with clarity on future land uses

**Response: As described above, the revised Master ODP provides the requested information to better inform policy makers on future land uses and the overall vision for Uplands Parcel A.**

Sheet 11 of Master ODP

- Clarify that the arrows for access to the internal Planning Areas meet the City standard for intersection spacing.

**Response: The previously provided access plan with arrows has been replaced with a Conceptual Framework Plan exhibiting general block structure and road network. Refer to Traffic Impact Analysis for evaluation of intersection spacing.**

- Clarify that the arrows represent public streets, or are some of these arrows alleys or access to parking fields?

**Response: The previously provided access plan with arrows has been replaced with a Conceptual Framework Plan exhibiting general block structure and road network. The provided Conceptual Framework Plan depicts road network. Alley network and private parking access locations will be provided at Site Specific ODPs.**

- Confirm that the perimeter curb cuts and internal traffic issues are accounted for in the traffic study.

**Response: Perimeter intersections have been coordinated in the traffic study and no internal traffic issues have been identified.**

86<sup>th</sup> Avenue at commercial area in PA-6

- Show the traffic calming options on 86<sup>th</sup> between Federal westbound to the east edge of the public park.

**Response: An enhanced median and crosswalks have been provided as well as bump outs on the ends of on-street parking stretches within the conceptual Village Center layout. These characteristics are further described in the 'Circulation' section of the Village Center description on Sheet 9.**

- Show and label the vehicle and pedestrian options for crossing the median from the north commercial area to the south commercial area, and the reverse from the south to the north.

**Response: Crosswalks are shown at both ends of the mixed-use block within the conceptual Village Center layout. These characteristics are further described in the 'Circulation' section of the Village Center description on Sheet 9.**

- At the east side of the public park note the traffic design option that will allow vehicles to safely and logically use this intersection.

**Response: The intersection has been redesigned to allow easier access to the mixed-use areas as shown in the conceptual Village Center layout. The proposed plan balances the need for accessibility between the two parcels while providing one uninterrupted 10 ac PLD as requested by Parks.**

- Note the proposed parking options on the one way links of 86<sup>th</sup> Avenue - angle parking, parallel parking, 90 degree parking, etc. If bumpouts are proposed then note this.

**Response: On-street parallel parking is proposed on the outside edge of the roadways. Bump outs and parking are depicted within the conceptual Village Center layout on Sheet 14. The conceptual layout is consistent with the proposed street section for 86<sup>th</sup> Ave. on Sheet 36. These characteristics are further described in the 'Circulation' section of the Village Center description on Sheet 9.**

- Note the access locations to any parking areas along 86<sup>th</sup> for the commercial areas.

**Response: Access locations are noted on the conceptual Village Center layout on Sheet 14. The proposed plan balances the need for accessibility between the two parcels while providing one uninterrupted 10 ac PLD as requested by Parks.**

#### Commercial area design –

- Identify the commercial buildings as vertical mixed, horizontal mixed, no-mix.

**Response: Commercial buildings have been labeled on the conceptual Village Center layout on Sheet 14. Please note this is just one conceptual layout to show the overall intent for the Village Center. Horizontal vs vertical mix of uses and their ultimate locations will ultimately be reviewed at time of Site Specific ODP. Hatching has been added to the Conceptual Framework Plan showing intended locations for commercial uses along 86<sup>th</sup> and Federal Blvd.**

- Show the general commercial building footprints.

**Response: Footprints have been shown on the conceptual Village Center layout on Sheet 14. Please note this is just one conceptual layout to show the overall intent for the Village Center. Additional design characteristics have been added to Sheet 9 to explain the design intent for the Village Center. Please note this is just one conceptual layout to show the overall intent for the Village Center.**

- Show the parking fields and how they are screened, or is parking decked?

**Response: Proposed parking conditions are depicted on the conceptual Village Center layout on Sheet 14. Please note this is just one conceptual layout to show the overall intent for the Village Center. The design characteristics are further described in the 'Commercial, Mixed Use and Multi-Family Building Forms' section of the Village Center description on Sheet 14.**

- Show the general layout of the buildings – linear as in Main Street, random, curved to reflect a curve in the street, angled to focus on westerly views, etc.

**Response: Building orientation is shown on the conceptual Village Center layout on Sheet 13. Please note this is just one conceptual layout to show the overall intent for the Village Center. The**

**design characteristics are further described in the 'Commercial, Mixed Use and Multi-Family Building Forms' section of the Village Center description on Sheet 14.**

- In the site plan of the commercial area note the pavement enhancements, and where they are proposed.  
**Response: Enhanced paving is depicted on the conceptual Village Center layout on Sheet 13 at the crosswalks as well as potential locations within the public realm. Please note this is just one conceptual layout to show the overall intent for the Village Center. The design characteristics are further described in the 'Circulation' section of the Village Center description on Sheet 9.**
- Label the residential units per building that are being incorporated into the commercial area.  
**Response: Conceptual configuration of residential units have been noted on the conceptual Village Center layout on Sheet 14. Please note this is just one conceptual layout to show the overall intent for the Village Center. The design characteristics are further described in the 'Residential Streets and Blocks' and 'Residential Lot Layout and Building Configuration' sections of the Village Center description on Sheet 9.**
- Identify a reasonable building setback for commercial and non-residential buildings on 86<sup>th</sup>, and along the Federal frontage?  
**Response: Design characteristics for the commercial/non-residential buildings on 86<sup>th</sup> are described in the Commercial, Mixed Use and Multi-family Building Forms section of the Village Center description on Sheet 14.**
- The commercial area needs to identify a consistent design theme, with a distinct style, materials and colors, massing, plaza – view- focus, street amenities, fenestration, wall plane details, roof and cornice lines, signage design, lighting style, overhangs, offsets, upper story setbacks, screening for surface parking and utility items, trash enclosure design, internal pedestrian paths to link buildings, etc.  
**Response: A conceptual design for the commercial area has been depicted on Sheet 14. This is conceptual in nature and will be further designed and depicted at time of site specific ODP. Design characteristics for the commercial/mixed-use and multi-family portions of the Village Center have been provided on Sheet 14.**
- Identify the links from commercial to adjacent residential areas. Indicate whether streets or alleys separate the uses or are some buildings proposed to transition with commercial on one side and residential on the other?  
**Response: A conceptual design for the commercial area has been depicted on Sheet 14. This is conceptual in nature and will be further designed and depicted at time of site specific ODP. Design characteristics for the commercial/mixed-use and multi-family portions of the Village Center have been provided on Sheet 14.**
- Identify the edges to the commercial area.  
**Response: A conceptual design for the commercial area has been depicted on Sheet 14. This is conceptual in nature and will be further designed and depicted at time of site specific ODP. Design characteristics for the commercial/mixed-use and multi-family portions of the Village Center have been provided on Sheet 14.**
- Indicate the proposed square footage of commercial in the buildings. Total needs to be 30,000 square feet minimum.

**Response: A conceptual design for the commercial area has been depicted on Sheet 14. This is conceptual in nature and will be further designed and depicted at time of site specific ODP. Design characteristics for the commercial/mixed-use and multi-family portions of the Village Center have been provided on Sheet 14.**

- Show the pedestrian links from the commercial area to the internal pedestrian paths in the adjacent and nearby Planning Areas.

**Response: A conceptual design for the commercial area has been depicted on Sheet 14. This is conceptual in nature and will be further designed and depicted at time of site specific ODP. Design characteristics for the commercial/mixed-use and multi-family portions of the Village Center have been provided on Sheet 14.**

## RESPONSE TO REFERRAL AGENCY COMMENTS

### CDOT

#### Drainage Comments (10 13 2020 JK)

As the master planning for the Uplands continues, the drainage design development for each parcel continues at a conceptual level. Storm runoff generally flows away from CDOT right-of-way along SH 287 resulting in minimal impact to CDOT right-of-way.

**Response: The team concurs the development of Uplands will result in minimal impact to CDOT's right-of-way with respect to storm runoff.**

#### Traffic Comments (Jason Igo 10/21/2020)

Comments in July 2019 were not addressed. Need to see proper Signal phasing clearance times, Peak hour factors before we can assess what kind of impact this will have on the roadway.

Additional table such as queue lengths and deceleration lengths should be provided.

**Response: Additional information has been provided within the resubmitted traffic study.**

#### Resident Engineer Comments (AMP 10/16/20)

11 ft wide thru lanes are acceptable for US-287 in this stretch.

**Response: Noted; we will utilize this for our planning and coordinate with the City of Westminster.**

#### Permits Comments (TA 10-10-20)

No Comments at this time.

**Response: Noted; thank you.**

#### Other Comments (10-22-2020, Steve Loeffler)

A meeting is requested with the developer to discuss the allowed turn movements at the proposed accesses to Federal. Concerns have been raised in prior review cycles that I am not sure have been addressed.

**Response: The Uplands team is coordinating with the City of Westminster to establish a meeting to address any outstanding items.**



## Xcel Energy

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the official development plan and PUD for Uplands -Parcel A. For future planning and to ensure that adequate utility easements are available within this development, PSCo will need minimum 10-foot wide dry utility easements abutting all rights-of-way and private drives within each planning area. This is for connectivity throughout the development.

As the project progresses, the following dry utility easements will be required within all residential lots:

- 6-feet wide for natural gas distribution facilities with a minimum 5-foot clearance from any structure and where there is drivable pavement with plowing and space for service truck access
- 8-feet wide for electric distribution facilities including space for transformers, pedestals, and cabling; space consideration must also be given to locate pad mount transformers and pedestals on private property
- if gas and electric are within the same trench, a 10-foot wide utility easement is required, not to overlap any wet utility easement
- bear in mind that these utility easements must have 5-foot separation from gravity-fed wet utilities and 10-foot separation from forced-fed water utilities

Please be aware PSCo owns and operates existing natural gas and electric facilities throughout the proposed project areas. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities including relocation and/or removal via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements will need to be acquired by separate document for new facilities. The vacation of any existing PSCo express easements will require a quitclaim deed and must be completed by a PSCo Right-of-Way Agent.

***Response: We agree with the easements stated above; they have been planned for and Uplands will work closely with Xcel/PSCO as we progress into detailed design.***

## Tri-County Health Department

### On-Site Wastewater Treatment System (OWTS) – Abandonment

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. It appears that an existing building in the subject property will be demolished. Our records indicate the presence of an On-Site Wastewater Treatment System (OWTS) on the subject property. The existing OWTS shall be abandoned in accordance with Regulation No. O-17, Section 6.8. TCHD must be notified in writing once the system has been properly abandoned. For more information, or to submit the notification, the applicant may contact our Commerce City office by phone at 303-288-6816 or email at 4201 E. 72<sup>nd</sup> Avenue. More information is available at <http://www.tchd.org/269/Septic-Systems>.

***Response: Noted. The team will follow up with TCHD when planning demolition of existing structures.***

### Fugitive Dust – Building Demolition

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions. It appears that an existing building in the subject property will be demolished. State air quality regulations require that precautions be taken prior to demolition of buildings to evaluate the presence of asbestos fibers that may present a health risk. If asbestos is present, actions must be taken to prevent their release into the environment. State regulations also address control of ozone depleting compounds (chlorofluorocarbons) that may be contained in air conditioning or refrigerating equipment. The applicant shall contact the APCD at (303) 692-3100 for more information. Additional information is available at <http://www.cdphe.state.co.us/ap/asbestos>.

**Response: Noted. The team will follow up with APCD when planning demolition of existing structures.**

### **Vector Control – Building Demolition**

Rodents such as mice and rats carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, saliva, or through rodent bites. For example, Hantavirus Pulmonary Syndrome (HPS), a rare but potentially lethal viral infection, can be found in the droppings and urine of rodents commonly found in southwestern United States. When buildings are demolished, rodents can spread to surrounding properties and increase the risk of vector exposure to humans. The applicant should plan for vectors and eliminate any known infestations prior to demolition. Information on rodent control can be found at <http://www.tchd.org/400/Rodent-Control>.

**Response: Noted; thank you.**

### **Community design to support walking and bicycling**

Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. Because research shows that the way we design our communities can encourage regular physical activity, TCHD strongly supports community plans that incorporate pedestrian and bicycle amenities that support the use of a broader pedestrian and bicycle network.

**Response: The proposed Uplands community incorporates parks, pedestrian networks, and bike lanes for the future resident and the border communities' mobility and physical activity benefit. The proposed improvements connect with existing Westminster trail networks and open areas.**

In order to promote walking and bicycling through this development, TCHD encourages the applicant to consider the inclusion of the following as they design the community.

1. A system of sidewalks, bike paths and open space trail networks that are well designed and well-lit, safe, and attractive so as to promote bicycle and pedestrian use.  
**Response: Interconnected walks and trail corridors have been integrated into the Uplands plan as shown on the Parcel A Parks and Open Space sheet (Sheet 13 of the Master ODP) and the provided street sections. Additional information has been provided to design intent for connectivity within Parcel A. Site amenities and lighting in association with the pedestrian network will be to be proposed upon site specific design.**
2. Bicycle and pedestrian networks that provide direct connections between destinations in and adjacent to the community.  
**Response: Strategic bike and major pedestrian corridors provide connections to regional trail corridors, the proposed Village Center, proposed Public Land Dedication areas, and the potential multi-modal transit hub as shown on the Parcel A Parks and Open Space sheet (Sheet 13 of the Master ODP) and the provided street sections.**
3. Where public transportation systems exist, direct pedestrian access should be provided to increase transit use and reduce unnecessary vehicle trips, and related vehicle emissions. The pedestrian/bicycle networks should be integrated with the existing and future transit plans for the area.  
**Response: A potential multi-modal transit hub is located at the corner of Federal and 86<sup>th</sup> as an anchor to community pedestrian networks and proving the connection to broader community transit systems via RTD. This potential multi-modal transit hub is subject to the guidelines and elements from the Federal Mobility Study and subsequent studies regarding multi-modal transit hubs, safe crossings, and a possible underpass will be incorporated into future site specific ODPs.**
4. Streets that are designed to be pedestrian/bike friendly and to reduce vehicle and pedestrian/bicycle fatalities.

**Response: Street sections proposed include detached sidewalks, landscaped tree lawns, and on some corridors bike lanes; please see provided street sections for details. Drive lane widths, street parking, and bike lanes are designed to meet safety best practices for vehicular, bike, and pedestrian users alike.**

5. Bicycle facilities and racks are provided in convenient locations.

**Response: Bike facilities will be provided at the potential multi-modal transit hub and throughout community private parks and open areas to be determined upon site specific design.**

#### *Sidewalks:*

Designers of active living communities typically recommend that sidewalks be a minimum of clear width of five (5) feet, the space needed for two people to walk comfortably side by side, with a buffer area like a tree lawn between the sidewalk and the street. TCHD commends the applicant for incorporating eight (8) feet detached sidewalks throughout the development.

**Response: Sidewalk widths are 5 feet – 10 feet wide. A hierarchy of walk widths are proposed based on road classification, location, and applicability of Westminster regional networks. Please see provided street sections and Parcel A Parks and Open Space sheet (Sheet 13 of the Master ODP) for details.**

#### *Onsite Bicycle Amenities:*

TCHD supports the applicant's plans for incorporating bicycle amenities, including bike lanes and racks, throughout the proposed development.

**Response: Bike facilities will be provided at the potential multi-modal transit hub and throughout community private parks and open areas to be determined upon site specific design.**

## **Adams County**

Thank you for including the Adams County Community and Economic Development Department in this review. Adams County has reviewed all the attached documents and while the County is not in opposition to the subject request, we would like to provide the following comments:

1. Adams County requests that the Developer consider the surrounding properties by providing a development that is compatible with the surrounding established neighborhoods. Additional buffering or landscaping is recommended to help mitigate including impacts this development may have on the surrounding properties.  
**Response: Perimeter setbacks, street connections and land use compatibility have all been thoughtfully considered to mitigate adjacent property impacts. Additionally, much of the public land dedication for the Uplands community has been located on the perimeter of the community to assist with this transition and provide amenities to adjacent residents.**
2. The developer proposes to improve all perimeter roadways. Portions of W 84th Ave. and W 88th Ave. appear to be within Adams County's Jurisdiction. If an Inter-Governmental Agreement (IGA) does not exist for the maintenance and permitting for these roadways, one should be created between Adams County and the City of Westminster. Otherwise, the developer will be required to have all improvements within the Adams County Jurisdiction permitted through the County.  
**Response: Portions of the roadways not currently within the City are being annexed to the City and full jurisdiction should then be with the City of Westminster, thus removing the need for any IGA's.**
3. The Traffic Impact Study shows several intersections operating at a Level of Service (LOS) below D. The developer should be required to improve these intersections to operate at a LOS of D or better.  
**Response: Per the HCM, "LOS is used to translate complex numerical performance rating into a simple A-F system representative of the travelers' perception of the quality of service provided by a**

**facility or service. Practitioners and decision makers alike must understand that the LOS letter result hides much of the complexity of facility performance<sup>[1]</sup>.” In case of LOS F, the HCM suggests that other evaluation measures should be considered such as the volume over capacity ratio and 95th percentile queue length to make the most effective traffic control decision. LOS F at unsignalized intersections is generally normal for the weekday peak hour when the v/c ratio and the 95th percentile queue length are acceptable**

4. The “Uplands Phase I Drainage Report” shows the entire area west of Federal Blvd, between W 84th Ave. and W 88th Ave. being drained to the West into the Clear Creek Major Basin. However, the contours and Mile High Flood District Clear Creek FHAD Study show approximately 40 acres of area (portions of PA-A(5), PA-A(6) & PA-A(7)), located west of Federal Blvd historically drains to the East, into the Niver Creek Major Basin. This constitutes a major basin transfer and should not be allowed.  
**Response: When the design of Uplands first began, the current Niver Creek MDP at that time had its upstream basin line delineated at Federal Blvd.**

**Since then, we have received a draft of the MDP for Little Dry Creek (LDC), which shows the basin line for the Shaw Heights Trib west of Federal a bit. To try to close the gap, we look at MHFD’s site for any additional studies that could help close this new gap, and came a cross and update to the Niver Creek MDP – which shows an updated basin boundary for Niver Creek west of Federal a bit.**

**That aside, the original LDC MDP shows a Q of 300cfs (after detention east of Lowell) just west of Lowell in Shaw.**

**We have been, and continue to plan on, assuming all of Parcel A (~152 acres) will drain to the proposed pond east of Lowell.**

**There are 2 offsite basins, one north and one south of Parcel A that flow to the design point where the MDP anticipated 300 cfs. These basins produce a runoff rate of approximately 107cfs during the 100-year event.**

**Meaning the new pond could potentially release 193 cfs (300 minus 107)**

**Per current MHFD guidelines, if there were no previously defined constrains, the proposed pond could release 221 cfs.**

**We are currently proposing a release rate of 1cfs/acre, or 152 cfs. This is 41cfs less than the MDP contemplated and 69 cfs less than current MHFD guidelines.**

5. The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The installation of erosion and sediment control BMPs is expected for any ground disturbance. Applicant is responsible for providing stormwater quality for all areas of improvement, including roadway improvements.  
**Response: Understood; we continue to follow the City of Westminster’s standards, which also refer to State and Federal requirements.**
6. All construction projects shall reduce drainage impacts to the maximum extent practicable, and implement practices such as:

---

<sup>[1]</sup> HCM version 6, Chapter 5, pages 5-3 – 5-6.

- On-site structural and non-structural BMPs to promote infiltration, evapo-transpiration or use of stormwater,
- Minimization of Directly Connected Impervious Area (MDCIA),
- Green Infrastructure (GI),
- Preservation of natural drainage systems that result in the infiltration, evapo-transpiration or use of stormwater in order to protect water quality and aquatic habitat.
- Use of vegetation, soils, and roots to slow and filter stormwater runoff.
- Management of stormwater as a resource rather than a waste product by creating functional, attractive, and environmentally friendly developments.
- Treatment of stormwater flows as close to the impervious area as possible.
- LID shall be designed and maintained to meet the standards of these Regulations and the Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual, Volume 3.

***Response: We are following the City of Westminster's standards.***

7. To the maximum extent practicable, new buildings are encouraged to incorporate one or more of the following features:

- Opportunities for the integration of renewable energy features in the design of buildings or sites, such as: solar, wind, geothermal, biomass, or low-impact hydro sources;
- Energy-efficient materials, including recycled materials that meet the requirements of these regulations;
- Materials that are produced from renewable resources;
- Low-Impact Development (LID) stormwater management features;
- A green roof, such as a vegetated roof, or a cool roof;
- Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements;
- A greywater recycling system.

***Response: The Uplands community seeks to be a leader in sustainable practice through the implementation of a traditional neighborhood plan, the conservation of water resources, and partner with builders implementing sustainable building best practices.***