Development Team Review Comments

The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is not required before this case is ready to be scheduled for public hearing.
PLN1: Applicant’s proposed site plan appears to meet all other required setbacks for the R-3 zone district, which include 20’ setbacks from each property line. A Lot Line Vacation application will be required in order to remove the existing lot lines and the associated internal setback requirements for the overall project site.

Planning does not require any additional information at this time, although the following requirements from Chapter 4 of the Adams County Development Standards and Regulations will be reviewed for compliance at the time of building permit application. Applicant should ensure that no other variance or administrative relief requests are required prior to scheduling this variance application for a public hearing with the Board of Adjustment.

PLN2: The maximum height for a dwelling in the R-3 zone district is 35’.
   a. Structure Height definition (Section 11-02-548): The vertical distance from the established grade elevation to the highest point of the coping of a flat roof or the deck line of a mansard roof or the mean height level between eaves and ridges for gable, hip, or gambrel roofs. Chimneys, spires, towers, elevator penthouses, tanks, and similar accessory projections shall not be included in calculating the height unless specifically referred to.

PLN3: Multifamily parking requirements are listed in Section 4-12-04-03. They include the following:
   a. Studio/ Efficiency 0.75 spaces per unit type
   b. 1 Bedroom – 1.0 spaces per unit type
   c. 2 Bedroom – 1.5 spaces per unit type
   d. 3+ Bedroom – 2.0 spaces per unit type
   e. Visitor – Minimum of 15% of the required parking shall be provided for visitors in addition to the minimum required off-road parking

PLN4: Parking stall length and width requirements, as well as drive aisle widths, are listed in Section 4-12-04-05. In addition, handicap parking requirements are listed in Section 4-12-04-07.

PLN5: The following are landscaping requirements:
   a. Type A bufferyards are required between new and existing residential uses. Existing residential uses exist along the north and west property lines. Type A bufferyards must include a 5’ minimum bufferyard width with one tree per 80 linear feet of lot line (Section 4-16-06).
   b. The area along any property line abutting a public road right-of-way must be landscaped using one or any combination of the street frontage landscaping options. Street frontage landscaping will be required along the east and south property lines that abut public rights-of-way (Section 4-16-07-01).
   c. All developments must be landscaped a minimum of 10% of the lot area and at least 50% of the required landscape area must be placed so it abuts adjoining public rights-of-ways (Section 4-16-07).
   d. All required landscape and bufferyards must contain a minimum of 75% organic landscaping material with a maximum of 25% non-living landscaping materials (Section 4-16-08-01).
Additional landscaping requirements for townhouse dwellings are listed in Section 4-07-02-03-02.

PLN6: Site coverage requirements for townhome dwellings are listed in Section 4-07-02-03-01. They include the following:

a. Principal and Accessory Structures: Maximum 30%
b. Paved Area (Driveways): Maximum 30%
c. Open Space (Common and/or Public): Minimum 40%

PLN8: The maximum height of fencing, walls, and screening in the R-3 zone district is 72” (Section 4-07-01-02-02-01).

a. All fencing between the front setback line and front property line greater than 42 inches shall not be screen fencing and shall adhere to sight distance requirements (Section 4-07-01-02-02-04).

Commenting Division: Engineering
Name of Reviewer: Greg Labrie
Email and Phone Number: GLabrie@adcogov.org / 720-523-6824

No comment.

Commenting Division: Right-of-Way
Name of Reviewer: Marissa Hillje
Email and Phone Number: mhillje@adcogov.org / 720-523-6837

No comment.

Commenting Division: Addressing
Name of Reviewer: Marissa Hillje
Email and Phone Number: mhillje@adcogov.org / 720-523-6837

No comment.

Commenting Division: Environmental Analyst
Name of Reviewer: Katie Keefe
Email and Phone Number: KKeefe@adcogov.org / 720-523-6986

No comment.

Commenting Division: Building and Safety
Name of Reviewer: Justin Blair
Email and Phone Number: iblair@adcogov.org / 720-523-6843

No comment.
Commenting Division: Neighborhood Services  
Name of Reviewer: Gail Moon  
Email and Phone Number: GMoon@adcogov.org / 720-523-6833  

NS1: There are NO current violation cases open at this location.

Commenting Division: Parks and Open Space  
Name of Reviewer: Aaron Clark  
Email and Phone Number: ACLark@adcogov.org / 720-523-8005  

No comment.
External Agency Referral Comments:

RE: Request for Comments: VSP2019-00045 5317 Federal Blvd Setback Variance

Please be cautious. This email was sent from outside Adams County.

Good afternoon Mr. Loeffer,

Denver Water has no comments on the setback variance. Please let me know if you have any other questions.

Thank you,

Kyla R. | Engineering Specialist
Denver Water | 303-623-4300 | kyla.r@denverwater.org

DENVER WATER

RE: VSP2019-00045

Please be cautious. This email was sent from outside Adams County.

Hi.

The RTD has no comment on this variance request.

Thank,

C. Scott Woodruff
Transportation Director
RTD | 303-298-2843 | csw@rtd-denver.com

50 Years of Moving People

Re: Request for Comments: VSP2019-00045 5317 Federal Blvd Setback Variance

Please be cautious. This email was sent from outside Adams County.

I have reviewed the referral for the 5317 Federal Blvd Setback Variance and have the following comments:

- We have no objection to the proposed variance of the 40’ Right of Way setback to 20’ provided the developer provides any needed mitigation due to the closer proximity to the traveled way of Federal Blvd.
- The preliminary site plan shows a wall between the development property and Federal Blvd. This wall must be completely on private property.
- It appears that access to this development will come from W. 35th Ave. At the time of development, CDOT State Highway Access Permits will be required to close existing access to Federal Blvd.

Thank you for the opportunity to review this referral.

Steve Loeffer
Transportation Engineer

COLORADO Department of Transportation

P: 303.757.8891 | F: 303.757.5886
2525 W. 35th Ave, 2nd Floor, Denver, CO 80204
steve.loeffler@dot.state.co.us | cdot.mva.gov | cdotrip.org
January 23, 2020

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Holden Pederson

Re: 5317 Federal Boulevard, Case # VSP2019-00045

Public Service Company of Colorado’s (PSCo) Right of Way & Permits Referral Desk has reviewed the setback variance plans for 5317 Federal Boulevard and has no apparent conflict.

Please be aware PSCo owns and operates existing electric distribution facilities along the westerly property line. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via 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 may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com
January 27, 2020

Holden Pederson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE:  5317 Federal Boulevard, VSP2019-00045 & PLT2020-00001
     TCHD Case No. 6083

Dear Mr. Pederson,

Thank you for the opportunity to review and comment on the Variance from the required 40-foot arterial right-of-way setback from Federal Boulevard for principal structures and request to vacate a lot line to combine two parcels into one located at 5317 Federal Boulevard. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

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.

Sidewalks:
Pedestrian-oriented improvements along Federal Boulevard are described as “integral” (pg. 21) in the Federal Boulevard Framework Plan. While a sidewalk is present along Federal Boulevard along this site, the Framework Plan notes that the attached sidewalks along Federal Boulevard “feel uncomfortable due to the current vehicular speeds and volumes present” (pg. 42). The Framework Plan recommends “strengthen[ing]... alternative mode transportation corridors to increase their presence, personal safety, and integration with the corridor, in order to decrease personal safety issues and crime” (pg. 73).

In 2015, TCHD conducted a Health Impact Assessment (HIA) of the Federal Boulevard Framework Plan which was adopted by the Planning Commission on September 11, 2014. The purpose of the HIA was to assess the potential impact the plan’s policies would have on health and to provide recommendations to maximize positive health outcomes. The HIA recommendations included pedestrian and bicycle infrastructure improvements for the area as a priority in all planning activities.

In alignment with these findings, TCHD strongly encourages the use of detached sidewalks of at least 5 feet in width along Federal Boulevard. Designers of active living communities typically recommend that sidewalks be a minimum width of five (5) feet, the space needed for two people
5317 Federal Boulevard  
January 27, 2020  
Page 2 of 4

to walk comfortably side by side, with a buffer area like a tree lawn between the sidewalk and the street.

*Minimize barriers to connectivity:*  
TCHD encourages the applicant to continue to make pedestrian amenities a priority by minimizing barriers to connectivity like the overuse of fencing in common areas. Specifically, TCHD recommends removing the wall proposed along Federal.

*Safe and attractive pedestrian amenities:*  
Research shows that people are more likely to use pedestrian amenities when they are attractive and feel safe. One way to improve the feeling of safety is by providing pedestrian scale lighting.

*Building Orientation:*  
To help people feel safe and to create a welcoming environment, buildings should be located close to the street with main entrances off of the sidewalk.

*Parking Lot Design:*  
Large parking lots can hinder walkability efforts by creating less-engaging landscapes and safety concerns. Locating parking lots behind buildings can help create a more pedestrian-friendly environment.

*Onsite Bicycle Amenities:*  
TCHD encourages the applicant to incorporate bicycle parking for residents of the building and visitors.

*Mosquito Control - Stormwater Facilities*  
The site plan indicates that a detention pond is proposed. Detention ponds can become sites for mosquito breeding. To reduce the potential for human exposures to West Nile and other mosquito-borne viruses, TCHD recommends that the applicant prepare a mosquito control plan. Elements of the plan should include proper design, construction and regular inspection and maintenance of stormwater quality facilities, and mosquito larvaciding if the insects become a problem. The applicant may submit the mosquito control plan to TCHD for review. More information is available here [http://www.tchd.org/278/Mosquitoes-West-Nile-Virus](http://www.tchd.org/278/Mosquitoes-West-Nile-Virus). A guidance document is attached.

Please feel free to contact me at 720-200-1585 or sheinnch@tchd.org if you have any questions.

Sincerely,

Annemarie Heinrich Fortune, MPH/MURP  
Land Use and Built Environment Specialist

cc:  Sheila Lynch, Monte Deatrich, TCHD
A Mosquito Control Plan should contain the following elements:

1. **Designation of a management entity**
   This is the entity with authority/responsibility for implementing the plan. Typically, this will be a Special District or a Homeowners Association. If this is the case, the applicant shall submit a copy of the organizational Service Plan, by-laws or other legal document providing the authority for mosquito control. If the entity is the developer, this should be noted.

2. **Funding mechanism**
   A method needs to be put in place to finance the program. This could be a commitment for the Service District, HOA or developer to include adequate funds for the activities as part of its annual budgeting process, or a plan by the District or HOA to assess an annual fee on residents in the subject service area, or to fund the program in some other way, per its legal authority as noted in #1.

3. **Activities that will be undertaken to prevent mosquito breeding conditions**
   This section places emphasis on the proper design, construction, operation and maintenance of stormwater facilities to prevent mosquitoes from breeding. In most instances, it is nothing different than is already required by the County and Volume 3 of the Urban Drainage and Flood Control District’s (UDFCD) Urban Storm Drainage Criteria Manual for flood control and stormwater quality. The literature on this subject, supported by local field experience, suggests that if stormwater facilities are well-designed, built to specification, and regularly inspected and maintained to meet operating standards, stormwater facilities that are designed to completely drain in 72 hours or less are likely to do so and to prevent mosquito breeding conditions.

   The likelihood or extent of mosquito breeding can also be reduced through the proper design, construction and inspection/maintenance of retention ponds or constructed wetlands that are intended to hold permanent water pools.

   We have found that at the time of construction of stormwater facilities, there is often little thought given to continuity of maintenance. Requiring the applicant to think through the tasks that need to be accomplished from design through operation, who will be responsible for tasks in each phase, and a schedule for their accomplishment increases the probability that these tasks will be completed.

   Ideally, before getting to this point, the applicant will have considered stormwater facility options that do not rely on extended retention or detention of stormwater without flushing over a period of 2-3 days; e.g. grass swales, porous pavements, landscape detention, reducing directly connecting impervious areas to increase infiltration. This would be coordinated through and in compliance with the requirements of the County’s Engineering and/or Stormwater sections.
Suggested elements in this section include the following:

- **Design review** – Qualified personnel review construction plans and conduct field investigation to ensure construction per specifications of UDFCD Volume 3 and County criteria.

- **Operation and maintenance activities:**
  This should identify who will conduct these activities (e.g., staff or contractor), and a schedule or trigger point for doing each task. Again, the UDFCD’s Vol. 3 contains minimum operation and maintenance activities. If staff are to be used, this section should note if they will need training and how they will receive it.

- **Regular inspections:**
  Facilities that are found to retain water should be inspected regularly to ensure that no mosquito larvae are present. Facilities should be inspected once a week beginning in April and continuing through September.

- **Larvicide program:**
  Even if inspections do not reveal larvae, a larvicide program should be established as a preventive measure at the same time that the inspection program begins (generally May) and continue through September. Some mosquitoes lay their eggs in mud, and when rain falls later, they can hatch and present a problem. Larvicide should be applied at the recommended rate and frequency specified by the product manufacturer. Mosquito control products can be found by doing a search on the internet.
  Natural control of mosquito larva can be very effective is done properly. Consult the Colorado Department of Wildlife, Fisheries Division, for consultation on proper stocking of ponds with fish that will effectively control mosquito larvae.

For Technical Assistance: Contact Monte Dearich, Tri-County Health Department’s mosquito control specialist, if you have any questions about any elements of the mosquito control program. Mr. Dearich is in Tri-County’s Commerce City office; he can be reached by phone at (303) 439-5902, or by e-mail at mdearic@tchd.org.
Public Referral Comments:

VSFP2019-00045 5317 Federal Blvd Setback Variance

Lippow, Stephen <stephen.lippow@wsp.com>
Public Referral Comments:

Please be cautious. This email was sent from outside Adams County.

Greetings,

My name is Steve Lippow and I live in Adams County at 2350 W. 50th Ave., roughly 1 mile from 5317 Federal Blvd. I am writing in full support of the project’s request for variance from the required 40’ arterial right-of-way setback from Federal Boulevard. There are several reasons why the variance is appropriate

- The reduced setback from Federal will enhance the project’s relationship to Federal and vice versa by helping to maintain a sense of connectivity and integration between the neighborhood to the west and the street. The reduced setback will also provide additional context and help establish a sense of place on this section of Federal.
- I think the breakeven of this challenging site is important to Federal Blvd. and surrounding neighborhoods. This site has been underserved for years and is in need of redevelopment to realize its highest and best use within the context of the surrounding area. Adding density and housing here makes sense and will be an important step in gaining momentum in the redevelopment of this section of Federal. That said, considering existing topography and property lines this is a really unique and challenging site to develop. I hope that the County will support redevelopment of the property by improving the development team’s ability to manage stormwater and vehicular utilities (moving them underground will enhance the property and surrounding area) while providing better separation from existing homes to the west.
- The site plan as drawn makes sense and maintains a consistent relationship to the property line on all sides while meeting requirements for access and egress, stormwater management, etc.
- The variance will maintain / increase spacing between neighbors and new development, so will minimize impact on existing neighbors.
- The 40’ setback requirement doesn’t make sense for such a narrow site and appears to be a hardship to the property and developer.
- I don’t see any potential negative impact from granting the variance.

Thank you for the opportunity to comment. I hope Adams County continues to work closely with and support developers along this section of Federal by giving them clear paths forward, esp. when redeveloping unique and challenging sites like this one.

Sara Lippow
Senior Sustainability Manager
WSP USA

Direct: +1 303 603 8642
Email: stephen.lippow@wsp.com
WSP USA
1430 Broadway, Suite 1150
Denver, CO 80202
wsp.com

VSFP2019-00045

Alex Wimmer <alexwimmer@gmail.com>
Public Referral Comments:

Hello,

I received a request for comments for the follow case:

Case Name: 5317 Federal Blvd Setback Variance Case Number: VSFP2019-00045

I am in favor of the set back and support the development fully. I believe this will help stimulate the neighborhood and local economy.

Best,

Alex Wimmer

Sent from my iPhone