

Z-860-07-08-18-22

Comment Letters
(in reverse chronological order)

Planning Division comments – pages 2-9

Public Works Department comments – pages 10-16

Mile High Flood District comments – page 17

Parks Department comments – page 18

Police Department comments – pages 19

South Adams County Water and Sanitation District comments – page 20

Tri-County Health District comments – pages 21-22

United Power comments – page 23

Excel Energy comments – page 24

27J School District – page 25



November 12, 2021

Jackson Givens
Southwestern Property Corp.
7979 E. Tufts Ave., Ste. 1125
Denver, CO 80111
Delivered via email to jackson@swinvest.com

Re: Comments for Case Z-860-07-08-18-21 (Commons at 104th PUD Amendment #1)

Dear Mr. Givens,

The submitted applications have been reviewed and discussed by the Development Review Team (DRT). As a result, the following items were identified for your team to address:

DRT General Comments:

- The City would like to thank you for a professional submittal.
- Staff has referenced certain sections of our Land Development Code (LDC) in this comment letter and our enclosed redlines. A copy of this document is available at <http://www.c3gov.com/LDC>.
- Staff would encourage you to review Article IX of the LDC in order to get a sense of some of the fees that are associated with development. **Please note:** there may be additional fees associated with your development that are not identified in Article IX.
- The city encourages sustainable development and green building practices to help balance growth with protection of our region's valuable natural resources. Staff encourages your team to utilize sustainable development practices in regards to site design, energy efficiency, water conservation, waste minimization, pollution prevention, and the use of resource efficient materials in the development of this site.
- It is important to note that while staff has made every effort to make this comment letter all-inclusive, there may be additional comments on future submittals that have not been identified here based on the changes to your plans.

Planning Division – Comments provided by Andrew Baker

- Comments pertaining to PUD Zone Document Amendment.
 - Area Exhibit (Page 3 of 7)
 1. Minimum FAR must be higher per previous conversations with Jason Rogers.
 - Project Intent and General Provisions (Page 4 of 7)
 1. Under "Development Standards" Note #9, please include language explaining that outdoor displays must meet City of Commerce City sign regulations. It is understood that there is a note in the "Signage" section, but we would like it to be clear that outdoor displays will be considered signage.
 - Land Use Schedule (Page 5 of 7)
 1. Consolidate uses that refer to separate sizes or types, such as retail business stores.

2. Massage therapy and tattoo parlors should be added to the personal services section.
3. Senior housing should be moved to the residential section, and not allowed in Lot/Planning Area A.
4. Please define "age-restricted multifamily."
5. Doggie day care can include boarding (as a conditional use) just not breeding. Please add a note to explain.
6. Night clubs must be removed from Eating and Drinking Establishments section.
7. Please add brewery, brewpub, tasting room, distilleries, etc. to Eating and Drinking Establishments section.

Please see additional enclosed redlines as well as comment letters from the following referral agencies:

- Commerce City Public Works – Chris Hodyl (to be delivered at a later date)

Next Steps:

Please include the following information in your next submittal:

- 2 folded paper copies of the revised narrative, and development plan applications;
- A digital copy delivered electronically directly to my email.

The subsequent submittal will undergo a four-week review cycle. Please feel free to contact me via email at abaker@c3gov.com or by phone at 303-289-3693 to further discuss any of these comments.

Sincerely,



Andrew Baker, AICP, City Planner

Enclosed:

Referral Agency Comment Letters



August 20, 2021

Jackson Givens
Southwestern Property Corp.
7979 E. Tufts Ave., Ste. 1125
Denver, CO 80111
Delivered via email to jackson@swinvest.com

Re: Comments for Case Z-860-07-08-18-21 (Commons at 104th PUD Amendment #1)

Dear Mr. Givens,

The submitted applications have been reviewed and discussed by the Development Review Team (DRT). As a result, the following items were identified for your team to address:

DRT General Comments:

- The City would like to thank you for a professional submittal.
- Staff has referenced certain sections of our Land Development Code (LDC) in this comment letter and our enclosed redlines. A copy of this document is available at <http://www.c3gov.com/LDC>.
- Staff would encourage you to review Article IX of the LDC in order to get a sense of some of the fees that are associated with development. **Please note:** there may be additional fees associated with your development that are not identified in Article IX.
- The city encourages sustainable development and green building practices to help balance growth with protection of our region's valuable natural resources. Staff encourages your team to utilize sustainable development practices in regards to site design, energy efficiency, water conservation, waste minimization, pollution prevention, and the use of resource efficient materials in the development of this site.
- It is important to note that while staff has made every effort to make this comment letter all-inclusive, there may be additional comments on future submittals that have not been identified here based on the changes to your plans.

Planning Division – Comments provided by Andrew Baker

- General Comments
 - Per conversation with the applicant after the 1st round comments, it was staff's understanding that the entirety of the north portion of the development would be a commercial planning area that allows components of multifamily development such as community areas, swimming pools, clubhouses, etc.
 - An application for inclusion to the NIGID must be submitted before a public hearings can be scheduled
 - A neighborhood meeting is required to accompany this rezone application
- Comments pertaining to PUD Zone Document Amendment.
 - Area Exhibit (Page 3 of 7)
 1. Lot/Planning Area A should be referred to as "Commercial" on the PUD Exhibit, as no residential will be allowed there

2. The breakouts of residential density and FAR could be confusing. No density should be listed in Lot/Planning Area A, as residential will not be permitted, and FAR should be renamed "Non-Residential FAR"
3. Minimum FAR must be higher
- Project Intent and General Provisions (Page 4 of 7)
 1. Outdoor displays must meet City of Commerce City sign regulations. Please add this requirement to the note citing the Land Development Code.
- Land Use Schedule and Street Section (Page 5 of 7)
 1. Please include a minimum density of 12 du/ac.
 2. Please remove any uses that are not allowed in either Planning Area, and include a note that says something to the effect of "any uses not listed here are not permitted per this PUD"
 3. Consolidate uses that refer to separate sizes or types, such as event centers, retail stores, automobile washing facilities
 4. No drive-thru liquor stores will be permitted
 5. Massage therapy and tattoo parlors should be moved to the personal services section
 6. Personal services should also include barbershops, nail salons, etc.
 7. Day labor facilities will not be permitted
 8. Bingo establishments, drive in theaters, and race tracks will not be permitted
 9. Please define outdoor recreation
 10. Furniture and major appliance repair must be a conditional use, and prohibit outdoor storage
 11. Please define drive-thru retail store (this sounds like drive-thru liquor store, and drive-thru restaurants are already allowed)
 12. Please remove multi-tenant retail (this is not a use, the building type would be reviewed by PUD development permit process)
 13. No U-Haul or trucking type uses will be permitted
 14. Senior housing should be moved to the residential section, and not allowed in Lot/Planning Area A
 15. Please define "age-restricted multifamily"
 16. Doggie day care can include boarding (as a conditional use) just not breeding
 17. Night clubs must be removed from Eating and Drinking Establishments section
 18. Please add brewery, brewpub, tasting room, distilleries, etc. to Eating and Drinking Establishments section

Please see additional enclosed redlines as well as comment letters from the following referral agencies:

- Commerce City Public Works – Chris Hodyl

Next Steps:

Please include the following information in your next submittal:

- 2 folded paper copies of the revised narrative, and development plan applications;
- A digital copy delivered electronically directly to my email.

The subsequent submittal will undergo a five-week review cycle. Please feel free to contact me via email at abaker@c3gov.com or by phone at 303-289-3693 to further discuss any of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Baker', with a long horizontal stroke extending to the right.

Andrew Baker, AICP, City Planner

Enclosed:

Referral Agency Comment Letters



January 19, 2021

Jackson Givens
Southwestern Property Corp.
7979 E. Tufts Ave., Ste. 1125
Denver, CO 80111
Delivered via email to jackson@swinvest.com

Re: Comments for Case Z-860-07-08-18-21 (Commons at 104th PUD Amendment #1)

Dear Mr. Givens,

The submitted applications have been reviewed and discussed by the Development Review Team (DRT). As a result, the following items were identified for your team to address:

DRT General Comments:

- The City would like to thank you for a professional submittal.
- Staff has referenced certain sections of our Land Development Code (LDC) in this comment letter and our enclosed redlines. A copy of this document is available at <http://www.c3gov.com/LDC>.
- Staff would encourage you to review Article IX of the LDC in order to get a sense of some of the fees that are associated with development. **Please note:** there may be additional fees associated with your development that are not identified in Article IX.
- The city encourages sustainable development and green building practices to help balance growth with protection of our region's valuable natural resources. Staff encourages your team to utilize sustainable development practices in regards to site design, energy efficiency, water conservation, waste minimization, pollution prevention, and the use of resource efficient materials in the development of this site.
- It is important to note that while staff has made every effort to make this comment letter all-inclusive, there may be additional comments on future submittals that have not been identified here based on the changes to your plans.

Planning Division – Comments provided by Andrew Baker

- General Comments
 - The concept presented during the Future Land Use Plan amendment process shows two planning areas, much like the original PUD. Planning Area "A" was shown as multiple commercial sites, closer to 104th Ave., and Planning Area "B" was shown as multifamily located on the southern half of the PUD. The narrative mentions adding multifamily uses to Planning Area "B," which is supported by staff. However, the proposed PUD amendment does not split the property into two planning areas, and simply allows all uses throughout the PUD. In order to preserve the commercial uses and mixed-use nature of the PUD, please show the original planning areas which only allow multifamily residential in the southern half of the PUD. Residential uses exclusively located above ground floor commercial in a vertical mixed-use development could also be considered.
 - Design Standards Note #4 states: "An overall theme shall be integrated for commercial development at the PUD Permit stage. Design theme shall incorporate architectural

elements into each building elevation, landscaping, and signage.” Without an integrated design theme implemented at the PUD Zone Document stage, there will be no entitled regulations that require architectural, landscaping, or signage elements at the PUD Development Permit stage. Please provide design standards in the next submittal.

Comments pertaining to PUD Zone Document Amendment.

- All Sheets
 1. Include the date the document was submitted and/or resubmitted.
 2. Include sheet numbers and an index on the cover sheet.
- Cover Sheet (Page 1 of 7)
 1. Please revise the legal description and Adams County Clerk and Recorder signature block to match the Planned Unit Development Facts-to-Know PUD Zone Document Checklist requirements.
- Area Exhibit (Page 3 of 7)
 1. Please show Planning Areas.
 2. The Area Exhibit should show proposed access points.
- Project Intent and General Provisions (Page 4 of 7)
 1. Please describe “Outdoor Displays” as found in Development Standards Notes #8.
- Land Use Schedule and Street Section (Page 5 of 7)
 1. Please define Bulk Standards and the Land Use Schedule further based on Planning Areas A & B. Setbacks, minimum lot sizes, etc. must be defined.
 2. Please provide Bulk Standards for Accessory Structures.

Please see additional enclosed redlines as well as comment letters from the following referral agencies:

- Commerce City Public Works – to be sent at a later date
- Commerce City Parks – Tracy Ferguson
- Commerce City Police – Kiana Jodell
- South Adams County Water and Sanitation District – Jeff Nelson
- Mile High Flood District – David Skuodas
- Tri-County Health Department – Annemarie Heinrich Fortune
- Xcel – Donna George
- United Power – Amber Mendoza

Next Steps:

Please include the following information in your next submittal:

- 2 folded paper copies of the revised narrative, and development plan applications;
- A digital copy delivered electronically directly to my email.

The subsequent submittal will undergo a five-week review cycle. Please feel free to contact me via email at abaker@c3gov.com or by phone at 303-289-3693 to further discuss any of these comments.

Sincerely,

Andrew Baker, AICP, City Planner

Enclosed:

Referral Agency Comment Letters

INTEROFFICE MEMORANDUM

TO: Dalton Guerra, City Planner
FROM: Chris Hodyl, Interim City Engineer
DATE: June 28, 2021
SUBJECT: PUD Amendment application - Commons at 104th (Z-860-07-08-18-21)

Public Works has reviewed the above submittal and has the following comments:

*Commons at 104th – PUD Zone Document Exhibit A**

1. Please indicate that that the Potomac Street access will be R-In/R-Out as depicted for the access to E. 104th Ave.
2. The northernmost access off of Blackhawk St does not meet our access guidelines (300 ft) for full movement access onto a minor collector from a major intersection. Please submit to PW a variance request for full movement access at this location.

Required Plat

1. **Repeat Comment:** A plat is required to record all ROW dedications and easements

Development Agreement (DA)

2. **Repeat Comment:** A Development Agreement will be required (previously provided) for this development and will need to be executed before the Plat, Drainage Conformance Letter and Civil Construction Plans can be approved. It includes obligations for all public improvements and Landscaping within the development,
 - a. 104th Ave is a principal arterial and will require a total 150-ft ROW
 - b. Potomac St. is a multimodal arterial and will require a total 110-ft ROW
 - c. Blackhawk S is a minor residential collector and will require a total 64-ft ROW
 - d. Please indicate if phasing of this project will be required.

If you have any questions, please call me at extension (303) 227-8866

ec: Joe Wilson, PE, Public Works Manager

inter-basin transfer of storm drainage runoff and to maintain the historic drainage path within the basin. The plan to bring all the site's drainage to the northwest corner and then west may produce inter-basin transfer of storm drainage runoff. Please demonstrate that "nearly the entire property" drains to the west.

For Information:

1. A Road Impact Fee will be due for these areas, per Section 21-9220 of the City's Land Development Code (LDC). Payment will be due at the time of Building Permit.
2. A Road Impact Fee will be due at the time the Building Permit is issued. The amount due will be \$726 / Dwelling unit for Multi-Family.
3. A Drainage Impact fee will be due at the time the Building Permit is issued. The amount due will be \$1,700/acre for the portion of the site in the Second Creek Drainage Basin. The amount due for the portion of the site in the DFA 0053 Drainage Basin will be \$3,055/acre.
4. Please provide a comment response letter with your next submittal.

If you have any questions, please call me at extension (303) 227-8866

ec: Brent Soderlin, P.E., City Engineer
Lee Alverson, Development Review Engineer
Rose Clawson, Senior Engineering Technician

INTEROFFICE MEMORANDUM

TO: Andrew Baker, City Planner
FROM: Chris Hodyl, Development Review Manager
DATE: December 6, 2021
SUBJECT: PUD Amendment application - Commons at 104th (Z-860-07-08-18-21)

Public Works has reviewed the above submittal and has the following comments:

Commons at 104th - Transportation Impact Study

1. **Repeat Comment regarding access:** City staff cannot deviate from the adopted access standards. I refer the applicant to the September 16th, 2021 letter to Mr. Aldridge from the City Engineer.
2. Your response letter states that the access locations have changed. The latest traffic letter dated May 7, 2021 and the variance request dated August 31, 2021 shows two access points along 104th Ave. These access point locations were determined to be unacceptable by the City. I refer the applicant to the September 16th, 2021 letter to Mr. Aldridge from the City Engineer. If you have a site plan that shows the 104th access location have changed, please provided us with the updated Traffic Impact Study.
3. "We are simply requesting a deviation to the spacing standards." - I refer the applicant to the September 16th, 2021 letter to Mr. Aldridge from the City Engineer.

Commons at 104th 1st Amendment - Drainage Letter:

4. PW has no further comments at this time.

PUD Amendment and Legal description:

1. PW has no further comments at this time.

Required Plat

2. **Repeat Comment:** A plat is required to record all ROW dedications and easements

Development Agreement (DA)

3. **Repeat Comment:** A Development Agreement (attached) will be required for this development and will need to be executed before the Plat, Drainage Conformance Letter and Civil Construction Plans can be approved. It include obligations for all public improvements and Landscaping within the development,
 - a. 104th Ave is a principal arterial and will require a total 150-ft ROW

- b. Potomac St. is a multimodal arterial and will require a total 110-ft ROW
- c. Blackhawk S is a minor residential collector and will require a total 64-ft ROW
- d. Please indicate if phasing of this project will be required.

If you have any questions, please call me at extension (303) 227-8866

ec: Brent Soderlin, P.E., CFM City Engineer
Joe Wilson, PE, Public Works Manager

INTEROFFICE MEMORANDUM

TO: Andrew Baker, City Planner
FROM: Chris Hodyl, Development Review Manager
DATE: July 28, 2021
SUBJECT: PUD Amendment application - Commons at 104th (Z-860-07-08-18-21)

Public Works has reviewed the above submittal and has the following comments:

Commons at 104th - Transportation Impact Study

1. City staff cannot deviate from the adopted access standards – this was conveyed by the City Attorney during discussions related to a project at 88th/Rosemary. The locations cited as precedent setting appear to have been in place for at least 15 years (maybe longer). City access standards have evolved and been updated over that time.
2. **Repeat Comment:** The City comments from 2019 do not appear to have been addressed by this revised study. The access comments in particular were not addressed - the proposed access points do not comply with the C3 Engineering Standards – Section 3.03.1. This study needs to be revised and all proposed access points must comply with Section 3.03.1.
3. **Repeat Comment:** The traffic report is requesting two access points along 104th Ave. 104th is an arterial street. A site plan is depicted in the report dated March 17, 2020 shows two access points. Because of the proximity of Potomac and Blackhawk, access from 104th is not warranted. Additionally, access is not supported by the traffic study as required by the City's *Construction Standards and Specifications*.
4. **Repeat Comment:** The proposed $\frac{3}{4}$ access on East 104th Avenue does not meet the City's minimum access spacing requirements per Table 3-1 of the City's construction standards and specifications and will not be permitted. No direct access to East 104th Avenue will be permitted.

Commons at 104th 1st Amendment - Drainage Letter:

5. PW has no further comments at this time.

PUD Amendment:

6. See Attached redlines

Required Plat

7. A plat is required to record all ROW dedications and easements

Development Agreement (DA)

8. A Development Agreement (attached) will be required for this development and will need to be executed before the Plat, Drainage Conformance Letter and Civil Construction Plans can be approved. It include obligations for all public improvements and Landscaping within the development,
 - a. 104th Ave is a principal arterial and will require a total 150-ft ROW
 - b. Potomac St. is a multimodal arterial and will require a total 110-ft ROW
 - c. Blackhawk S is a minor residential collector and will require a total 64-ft ROW
 - d. Improvement include but are not limited to roadway, sidewalk, and landscaping improvements within the adjacent right-of-way. A DA template is included as part of this review. All roadways shall be constructed per Commerce City standards and in compliance with the City-approved Construction documents. Please use the track changes option to fill out the highlighted portions and include the attachments (cost estimates, etc.) at the end. Return the marked-up Word version to the City with the next submittal.

If you have any questions, please call me at extension (303) 227-8866

ec: Brent Soderlin, P.E., CFM City Engineer
Joe Wilson, PE, Public Works Manager



INTEROFFICE MEMORANDUM

TO: Andrew Baker, City Planner
FROM: Chris Hodyl, Development Review Manager
DATE: March 3, 2021
SUBJECT: PUD Amendment application - Commons at 104th (Z-860-07-08-18-21)

Public Works has reviewed the above submittal and has the following comments:

Commons at 104th - Transportation Impact Study

1. The City comments from 2019 do not appear to have been addressed by this revised study. The access comments in particular were not addressed - the proposed access points do not comply with the C3 Engineering Standards – Section 3.03.1. This study needs to be revised and all proposed access points must comply with Section 3.03.1.
2. The traffic report is requesting two access points along 104th Ave. 104th is an arterial street. A site plan is depicted in the report dated March 17, 2020 shows two access points. Because of the proximity of Potomac and Blackhawk, access from 104th is not warranted. Additionally, access is not supported by the traffic study as required by the City's *Construction Standards and Specifications*.
3. The proposed $\frac{3}{4}$ access on East 104th Avenue does not meet the City's minimum access spacing requirements per Table 3-1 of the City's construction standards and specifications and will not be permitted. No direct access to East 104th Avenue will be permitted.
4. The minimum spacing for a full movement access on Potomac Street is 660 feet from the center line of East 104th Avenue to the center line of the access to the site. The south access to Potomac Street is permitted as shown. The access at the midpoint of the Potomac Street frontage will be limited to a right in right out access.
5. The minimum spacing for a full movement access on Blackhawk Street is 330 feet from the center line of East 104th Avenue to the center line of the access to the site. The both accesses to Blackhawk Street may be permitted as shown.

Commons at 104th 1st Amendment - Drainage Letter

1. If the natural drainage is toward the northwest, why is the detention pond located in the southwest corner? The outfall of the detention pond will need to be routed to an approved point of discharge. Offsite drainage easements may be required to be obtained at the owner expense.
2. The site is located on high ground between the Second Creek Basin and DFA 0053. This is indicated by a portion of 104th's drainage flowing east. The policy of the City is to avoid

MAINTENANCE ELIGIBILITY PROGRAM (MEP)**MHFD Referral Review Comments**

For Internal MHFD Use Only.	
MEP ID:	105535
Submittal ID:	10005484
Partner ID:	Z-860-07-08-18-21
MEP Phase:	Referral

Date: December 30, 2020
To: **Andrew Baker**
Via email
RE: MHFD Referral Review Comments

Project Name:	Commons at 104 th
Location:	Commerce City
Drainageway:	NA

This letter is in response to the request for our comments concerning the referenced project. We have reviewed this proposal only as it relates to maintenance eligibility of major drainage features, in this case:

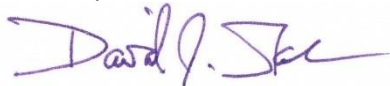
- NA

We have the following comments to offer:

We have no comments on this project as it is not eligible for maintenance. The site is not adjacent to a major drainageway or mapped floodplain and does not include any proposed MHFD master plan improvements. We do not need to review future submittals.

We appreciate the opportunity to review this proposal. Please feel free to contact me with any questions or concerns.

Sincerely,



David Skuodas, PE, CFM, LEED AP
Watershed Manager
Mile High Flood District

MEMMO

To: Andrew Baker, Planner
From: Traci Ferguson, Parks Planner
Subject: Z-860-07-08-18-21 SEC 104th and Potomac St.
Date: January 5, 2021

I have reviewed the above proposal and have the following comments.

- 1.) A park fee-in-lieu will be due for the residential portion of this development and shall be calculated as follows:

$$\$45,364/\$12,000 \times \$0.09 \times \text{developed square footage} = \text{park fee}$$

Exact amounts will be determined as plats are submitted.

- 2.) The park fee will be due at the time a building permit is obtained.

Please feel free to contact me at 303-227-8788 or tferguson@c3gov.com with any questions.

Baker, Andrew - CD

From: Jodell, Kiana - PD
Sent: Sunday, December 6, 2020 7:34 PM
To: Baker, Andrew - CD
Subject: FW: Case Referral Z-860-07-08-18-21
Attachments: DRT Referral 1.pdf; 2020_1106_Development Application.pdf; Can Serve Letter.pdf; concept drainage letter.pdf; TIS 3-17-20.pdf; 104th and Potomac SEC Special Warranty Deed.pdf; 2020_1106 Project Narrative.pdf; 2020_1106 PUD Amendment.pdf

Good evening,

Per Deputy Chief Moon, the PD has no comment regarding the attached proposal.

Thanks,
Kiana



Kiana Jodell

Executive Administrative Supervisor

7887 E. 60th Avenue | Commerce City, CO 80022

Office: 303-289-3632 | Cell: 720-483-2042 | Fax: 303-289-3745

Email: Kjodell@c3gov.com

Baker, Andrew - CD

From: Jeff Nelson <JNelson@sacwsd.org>
Sent: Thursday, January 7, 2021 8:59 AM
To: Baker, Andrew - CD
Cc: Rogers, Jason - CD
Subject: southwest development commons project - DRT Z-860-07-08-1821

Andrew,

This project has the following comments from SACWSD:

- A. The existing easement or easements owned by SACWSD on this parcel shall be protected from any permanent structures or grading cut/fills over 1-ft occurring.
- B. Applicant has not submitted any utility construction plans to me as of this date for detailed comments.
- C. Existing utilities are located nearby and adjacent to the parcel.

Sincerely,

Jeff Nelson
Development Review Supervisor
jnelson@sacwsd.org

South Adams County Water & Sanitation District
6595 East 70th Avenue, PO Box 597, Commerce City, CO 80037-0597

Direct: 720-206-0593, Cell: 720-530-8396





December 2, 2020

Andrew Baker
City of Commerce City
Community Development Department
7887 East 60th Avenue
Commerce City, CO 80022

RE: The Commons at 104th, Z-860-07-08-18-21
TCHD Case No. 6656

Dear Mr. Baker,

Thank you for the opportunity to review and comment on the Planned Unit Development (PUD) Amendment to amend the current PUD to allow for multi-family located at the southeast corner of 104th and Potomac. 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:

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 encourages the use of detached sidewalks of at least 5 feet in width throughout the development.

Mixed-Use Zoning:

Research indicates that mixed use zoning can promote physical activity by locating residential, commercial, and recreational destinations in close proximity, making walking or biking viable modes of transportation. Mixed use can also improve perceived safety and vitality of an area by increasing the number and activity of people on the street. TCHD supports the applicant's plans to create a live, work, shop community that focuses on connections to the pedestrian, bicycle, and open space network.

The Commons at 104th
December 2, 2020
Page 2 of 2

Senior Living:

Since older adults comprise the fastest growing segment of the population, we are pleased that this project is being developed to meet the needs of aging adults. TCHD recommends the applicant for include ICC/ANSI accessible walkways throughout the development. This will allow for maximum accessibility and utilization of the pedestrian infrastructure by the residents.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions on TCHD's comments.

Sincerely,



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

cc: Sheila Lynch, Monte Deatrich, TCHD

January 13, 2021

City of Commerce City Community Development Department
7887 East 60th Ave
Commerce City, CO 80022

Re: Commons at 104th, 1st Amendment

Dear Mr. Baker,

On behalf of United Power, Inc., thank you for inviting us to review and comment on the Commons at 104th, 1st Amendment. After review of the information, we have the following comments:

- **Front or Rear Lot Distribution** – United Power requires continuous dry utility easements for reliable electric facility installation. This allows us to install electric facilities in a continuous manner for our loop feed which provides reliability. We prefer the separation of gas and electric. Typically, with electric in the rear of the subdivision lots. We will need 8' to 10' wide dry utility easements in the rear of all lots. These utility easements will need to be on sides of lots abutting roads, and across tracts. If gas and electric will be sharing front lot distribution, we will need a 10' to 15' wide dry utility easements in the front of all lots. These utility easements will need to be on sides of lots abutting roads, and across tracts as well.
- **Tracts/Open Space/Parks** – United Power prefers dedicated blanket utility easement use within tracts as this gives us the opportunity to set above ground equipment, coordinated with the developer, and limit the impact to home lots. If Blanket utility easement(s) cannot be given, we will need an 8' to 10' wide dry utility easements along the perimeter of all tracts, along perimeter of tracts abutting roads, and through tracts between lots.
- **Streetlights** – When streetlight locations are identified in a subdivision, we need a 5' wide dry utility easement along one side of the lot closest to the streetlight location. All streetlight locations must be approved and signed off by the city/town, etc. Please note, if we do not get these through the platting process, we will have to get individual ones during the design which will slow United Power's ability to start construction significantly.

Please note, the property owner/developer/contractor must submit an application along with CAD data for new electric service via <https://www.unitedpower.com/construction>. United Power would like to work with these persons early in the construction process on getting an electric design prepared so that we can request any additional easements needed and hopefully have those easements dedicated on the plat rather than obtaining separate document(s). Obtaining easements via a separate document can be time consuming and could cause delays.

As a Reminder: No permanent structures are acceptable within the dry utility easement(s); such as, window wells, wing walls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions will be allowed, and any encroachments could result in penalties.

Service will be provided according to the rules, regulations, and policies in effect by United Power at the time service is requested. We look forward to safely and efficiently providing reliable electric power and outstanding service.

Thank you,

Amber Mendoza

Amber Mendoza
ROW Agent
720.249.9315 | platreferral@unitedpower.com



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

December 29, 2020

City of Commerce City Community Development Department
7887 East 60th Avenue
Commerce City, CO 80022

Attn: Andrew Baker

Re: Commons at 104th PUD Amendment, Case # Z-860-07-08-18-21

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Commons at 104th PUD Amendment** and no objection to this proposed amendment, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Standard utility easements will be requested on any future plat, and, additional easements may need to be acquired by separate document for new facilities.

The property owner/developer/contractor must complete the application process for any new natural gas service 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.

Please note that PSCo has existing high-pressure natural gas transmission pipelines south of this property. If there are any off-site activities in this area, an engineering review will be necessary.

(via https://www.xcelenergy.com/working_with_us/builders/encroachment_requests)

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



27J Schools

Kerrie Monti – Planning Manager
1850 Egbert Street, Suite 140, Brighton, CO 80601
Superintendent Chris Fiedler, Ed.D.

27J Schools Board of Education
Greg Piotraschke, President
Lloyd Worth, Vice President
Ashley Conn, Director
Tom Green, Director
Mandy Thomas, Director
Leon Thornton, Director
Mary Vigil, Director

Planner: Dalton Guerra
dguerra@c3gov.com

DATE: September 13, 2022

SUBDIVISION NAME: Commons at 104th
LOCATION: SEC East 104th Avenue and Potomac Street
STATUS: PUD Concept Schematic

Dear Dalton,

A. STUDENT GENERATION

Estimated Dwelling Units	Students
220 MF	42.9

(Any discrepancy due to rounding)

B. LAND DEDICATION/CASH-IN-LIEU REQUIREMENTS

The cash in lieu of land dedication requirement is \$87,172.80 (based on the Commerce City cash-in-lieu calculation).

C. SCHOOL ATTENDANCE AREA

Students from this proposed development will currently attend:

- Second Creek ES – 9950 Laredo Dr, Commerce City
- Stuart MS – 15955 E 101st Way, Commerce City
- Prairie View HS – 12909 E 120th Avenue, Henderson

Current projections indicate available capacity for the next several years at Second Creek ES depending on residential development and the possibility of a charter school on the Second Creek Farm school site. The District will be adjusting boundary areas to provide additional

capacity at Stuart MS in 2023. There will be added capacity at Prairie View High School when the new CTE annex opens in 2023.

D. CAPITAL FACILITY FEE FOUNDATION

The Capital Facility Fee Foundation is a unique public/private nonprofit organization founded in January 2001 to help fund school expansion or new school construction. This program has been developed in partnership with each of the municipalities in the District, developer and builder representatives, and 27J Schools. Funding is provided by builders and developers who have agreed to contribute per residential dwelling unit based on the current fee structure. The current fees negotiated for this program are as follows: \$865 per single family residential unit and \$494 per multi-family unit.

Per the CFFF bylaws, the fees are adjusted biennially using the September ENR construction cost index. The revised rates will be effective January 1, 2023.

SCHOOL DISTRICT PLANNING COMMENTS AND RECOMMENDATIONS:

- 1. The cash in lieu of land dedication requirement is \$87,172.80.**
- 2. Prior to the approval of the final subdivision plat, we recommend that the developer enter into an agreement with the Capital Facility Fee Foundation to mitigate the impact of this development on District school facilities. Given the estimated number of residential units, the tax-deductible capital facility fees are projected to be \$108,680 (through December 31, 2022). CFFF fees may be paid in a lump sum or as permits are pulled. The developer is welcome to assign the agreement to builders as they purchase lots.**

We appreciate your continuing cooperation and the opportunity to comment upon issues of interest to both the City and the School District. We look forward to receiving updated referrals on this subdivision. Please let me know if you have questions about these comments.

Sincerely,

Kerrie Monti

Kerrie Monti
Planning Manager

Commons at 104th

School District Enrollment and Site Implications

Dwelling Unit Type	Number of DUs	Student Generation Rate	Total Students
SFD	0	0.775	0.000
SFA	0	0.364	0.000
TH/C	0	0.303	0.000
Apartment	220	0.195	42.900
Total	220		42.900
			0.02 acres
Land Dedication Requirement			0.858 acres
Land Dedication Provided			0
Remaining Land Needed			0.858 acres
Land Cost Per Acre per Adams County			\$101,600
Cash in Lieu of Land Dedication			\$87,172.80
			\$396.24 per DU

Capital Facility Fee Foundation Contributions

Dwelling Unit Type	Number of DUs	Rate per Unit *	Total Contribution
SFD	0	\$865.00	\$0.00
SFA	0	\$865.00	\$0.00
TH/C	0	\$494.00	\$0.00
Apartment	220	\$494.00	\$108,680.00
Mobile Home	0	\$865.00	\$0.00
Total	220		\$108,680.00

Payable to SD27J Capital Facility Fee Foundation at time of permit

May assign to builders purchasing lots

* effective through December 31, 2022