



Development Services

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Denver, CO 80202-5350

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www.denvergov.org/developmentservices

Concept Review Comments

Date of Concept Meeting: August 10, 2022
Project Name: 29th and Welton
Project Address: 2907 & 2915 Welton St.
Project Log Number: 2022-PROJMSTR-0000532 / 2022-CONCEPT-0000397
Project Coordinator: Emily Collins

The following comments are offered on your concept plan submittal. The comments are broken down by reviewing agency.

Within each agency section, specific comments are generally provided on the concept submittal followed by general comments and information about next steps and submittal application requirements for the Site Development Plan (SDP) and other engineering related submittals.

If you have specific questions about a comment, please do not hesitate to reach out to the reviewer who made the comment. You may also contact me at 720.865.2971, or Emily.Collins@DenverGov.org, if you have any questions.

Project Coordinator – Emily Collins, 720-865-2971

Emily.Collins@DenverGov.org

Expanding Housing Affordability Project

In order to address Denver's lack of affordable housing, the City and County of Denver has proposed recommendations through its Expanding Housing Affordability project. These recommendations include:

- A mandatory affordable housing requirement for new residential developments above a certain size, along with zoning and financial incentives to help partially offset development costs.
- An increase to the linkage fee for commercial development and small residential development to help fund the creation of affordable housing.

This proposal must be adopted by Denver City Council before it will become effective, and it is expected to go before the Council in Spring 2022. For the latest information on this project, please visit: <http://www.denvergov.org/affordabilityincentive>.

Concept Plan Specific Comments

1. Please review the recently adopted [2019 Building and Fire Code](#), specifically the IECC "solar readiness" requirements as the EV parking requirements may impact your site planning. **Please show all required EV stall types and any charging equipment in the site plan.**



2. Submit [Green Building Ordinance declaration form](#) with first formal submittal.

Next Steps

- **Held in Concept.** The project is not released from concept and a re-submittal is required to address **Landmark, Zoning, and Wastewater** review comments. Submit a revised concept plan to [your E-Permit account](#) under **2022-CONCEPT-0000397**.
- Please initiate the TDM requirements so we can begin any necessary conversations with DOTI.
- Please reach out to Brittany to schedule a Landmark pre-app, copy me on any correspondence or meeting invites.
- Initiate DEDICATION application (at least for the 2 ft alley) as soon as possible.

Green Building Review- Christy Collins, 720-865-2766

Christy.Collins@DenverGov.org

Green Building Ordinance Requirements

1. **Green Building Declaration Form (GBDF):** If building square footage excluding parking is greater than 25,000 GSF, please provide a fully filled out GBDF identifying the selected Green Buildings Ordinance (GBO) compliance pathway for the project. If any included information changes as design progresses, please simply update the GBDF to coordinate with information included in the superstructure construction documents and resubmit it when those documents are submitted for permit.
2. **Site Development Plan:** Please indicate on the cover page of the SDP submittal GBO compliance option to be pursued, including if the project is claiming full or partial exemption.
3. **Questions:** The GBO, Rules and Regulations (R+Rs), GBDF and other associated resources can be found and downloaded at:
<https://denvergov.org/greenroofs>
If you have any questions about the GBO, R+Rs, and/or applicability and specifics related to this project, please feel free to contact me at 720.865.2766 or christy.collins@denvergov.org

TDM, Zack Gambetti-Mendez - 720-913-1790

Zackary.Gambetti-Mendez@denvergov.org

Denver City Council has passed an ordinance enabling DOTI and CPD to enact a Regulation that will require new developments to include expanded transportation options (TDM strategies). The City anticipates this regulation becoming effective on June 1, 2021. Any project that has not submitted for a Site Development Plan review by that date will be subject to the regulation and required to submit a TDM Plan with their SDP. Please visit the following website for more information.

<https://denvergov.org/Government/Departments/Department-of-Transportation-and-Infrastructure/Programs-Services/Transportation-Demand-Management#section-1>

Zoning – Emily Collins, 720-865-2971

Emily.Collins@DenverGov.org

Status: **Not Approved/ Re-submittal Required**

Project Description: The project is affordable for-sale housing on RTD lot in Five Points Neighborhood. The building will be 6 story, 50 affordable for-sale units, 58 parking spaces, and ground floor retail.

Zoning: C-MX-5

Proposed Zoning: None

Current Use: Surface Parking (Parking of Vehicles)

Proposed Use: Dwelling, Multi-Unit – Permitted Use with a Zoning Permit & Limitations
Retail Sales, Service & Repair, All Others- Permitted Use with a Zoning Permit

Building Form: General

Zone Lot Size: 0.43 acres

Gross Floor Area: not provided

Number of Units: 50

Protected District: U-RH-2.5 to the northwest

View Plane Name: Not in a View Plan

Historic District: Five Points Historic Cultural District

GDP: Not part of a GDP

Parkway: Not abutting a Parkway

Design Review District: Five Points Historic Cultural District

Primary Street: Welton St.

Side Street: 29th St.

Side Interior: zone lot line to the north

Rear with Alley: zone lot line to the west

Required Vehicle Parking: Dwelling, Multi-Unit-0.75 spaces per unit **(38 required)**

Retail Sales, Service & Repair, All Others-1.25 spaces per 1,000 sf GFA **(10 required)**

Vehicle Parking reduction/exceptions proposed:

- 10.4.5.1.B (Ground Floor Retail Uses in Mixed Use Project) A maximum of 5,000 square feet of gross floor area shall be exempt from vehicle parking requirements **(4 allowed with reduction)**
- 10.4.5.1.E (Enhanced Affordable Housing near Multi-Modal Transportation) **(0 allowed with exemption)**
 - All Dwelling Units on a Zone Lot shall be exempt from the minimum amount of vehicle parking otherwise required by this Code if the Structure qualifies for the incentives for enhanced on-site compliance as set forth in D.R.M.C. Chapter 27, Article X Mandatory Affordable Housing and any applicable Rules and Regulations.

Proposed Vehicle Parking: 58

Required Bicycle Parking: Dwelling, Multi-Unit- 1 space per 2 units (80/20) **(25 spaces with 20 enclosed)**

Retail Sales, Service & Repair, All Others- 1 space per 7,500 sf GFA (80/20) **(2 spaces required)**

Proposed Bicycle Parking: not shown, please revise and show proposed bike storage area

Required Loading: 1 space for the residential GFA, none required for the retail GFA

Proposed Loading: 1

General Notes:

1. When permitted to log into the Building Department, any changes to the Building Department Set as a result of reviews by the Building Department will require an update to the SDP Set. The SDP Set and the Building Department Set **MUST match**.
2. Please keep in mind that the improvements approved by the Site Development Plan must be fully permitted and under construction **within 18 months of the Site Development Plan's approval** per Sec. 59-622. Please note that it is the Applicant's decision how to proceed and staff will be flexible with how this project is phased and constructed. This information is presented as advisory and no changes are required.
3. Please note that this project must demonstrate compliance with the [Denver Green Building Ordinance](#).

Comments:

1. 10.12.1.1.D allows increase in height to 6 stories/95' in the General building form.
 - a. Maximum height may be limited if the Primary Structure is located near a Protected District per the rules in 13.1.3.4 (height of a structure developed with or without height incentives that is within 175 ft of a Protected District shall not exceed the maximum height specified in the applicable building form table. **Max height is 70 feet, proposed is 73'-8". Please revise plans.**
2. 10.4.6.2.B.4 Vehicle Parking Layout: No more than 10% of total parking spaces may be compact.
 - a. When provided in a parking garage, compact spaces may be used only where the layout of the structure requires such spaces **at the end of a row or to accommodate a column.**
3. Build-To: 70% required within 0'-10' along Welton St.
 - a. Concept plan appears in compliance
4. Setbacks:
 - a. Side Interior, adjacent to Protected District (min) 10'.
 - i. Plans show a 10 ft setback to the north; **however, the adjacent property is not in a protected district so the setback can be 0'**
 - b. Rear adjacent to protected district with alley 0' required, plans show 2' but DOTI is requesting 2 ft alley dedication (and 1 ft on Welton). With dedication, 0' setback would be allowed.
5. Upper Story Setback Above 27', adjacent to Protected District: Rear, alley: 20'
 - a. Show 27' height on elevations. Plan appears to comply
6. Upper Story Setback Above 51', adjacent to Protected District: Rear, alley: 35'
 - a. Show 51 ft height on elevations. Plan appears to comply
7. Transparency: 40% **(60 ft required along Welton St.)** and 25% **(31 ft required along 29th Ave.)**
 - a. Plans appear to comply
8. Pedestrian Access, Primary Street: Entrance
 - a. Plans appear to comply
9. Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement): 100%
 - a. Concept plan appears in compliance but will be reviewed further with formal SDP floor plans
10. EV stalls must be shown on the site plan and an equipment must show detail of how it sits in the stall

11. Signage will be a separate review and permit remove from SDP submittal
12. [Formal Submittal](#) provide a floor plan, roof plan, landscaping plan and photometric plan.

Office of Disability Rights – Juan Pasillas, 720-913-3309

Juan.Pasillas@DenverGov.org

Status: OK to Proceed

Concept Plan Comments:

Please address the following on future submittal:

Ensure that at least 60% of all public entrances are accessible.

Primary public entrances to all buildings shall be accessible.

All provided Accessible Public and Common Use Areas & Amenities including, but not limited to:

mailbox, laundry rooms, clubhouses, pool areas, manager's offices, recreational areas, garbage disposal areas, etc., must comply with all FHA Design Manual Chapter 2 & ICC/ANSI A117.1 requirements.

All public areas as well as all Commercial Use (Office, Restaurant, Business, Retail, Etc.) of buildings must comply with all applicable 2010 ADA standards.

Per FHA requirements, all residential units that are located on the ground floor/entry level as well as all units that are located on any level that is accessible from an elevator are required to be Type B (Type A & Type B units are defined in the ICC/ANSI A117.1). Per the Denver Building & Fire Code, at least 2% but not less than one unit must be Type A. Please see attached document for additional information (Type A & Type B Units_DDDR.pdf).

ACCESSIBLE PARKING REQUIRED

Accessible parking required is based on the actual spaces provided and dedicated on site for each type of use (Commercial vs. Residential). Please specify exact amount of parking spaces to be dedicated for each type of use.

Residential Use:

If 51-100 parking spaces provided for Residential, then **1 Standard Accessible stall in addition to 1 Van Accessible space required** (2% of total per FHA Design Manual-Page 2.23 with van accessible min. per 2010 ADA Sections 208.2.3.1 & 208.2). **Accessible Residential parking is strictly for Residential Use only.**

Sales/Leasing Office:

If a Sales/Leasing office is also being provided or any use of other rooms or building areas will be used for Sales/Leasing transactions on site (considered a "Place of Public Accommodation" under 2010 ADA regulations), then 1 additional Van Accessible parking space will be required for visitors only to this office per 2010 ADA, §208.2.3.3/FHA pg. 2.23.

PLEASE NOTE: *Per IBC 1106.2, additional Accessible Parking may be required for each Type A unit. IBC requirements are not part of this office's review (Division of Disability Rights) and will only be reviewed and strictly enforced by the Building Department/DDS, please contact them about any IBC parking requirements that may apply to this project.*

All Commercial Non-Residential Use (including Office, Restaurant, Business, Retail, Etc.):

If 1-25 parking spaces provided for any Commercial Uses, then **1 Van Accessible space will also be required per 2010 ADA §208.2, §208.2.4. that is dedicated for Commercial Use only.**

All accessible spaces must be located on the shortest accessible route to an accessible pedestrian entrance or lobby/elevator of a building. It is recommended that the van accessible space be 11' wide with a 5' wide access aisle to discourage parking in the access aisle. Van accessible spaces may also be 8' wide with an 8' wide access aisle. Van accessible stalls must maintain a minimum 98" vertical height clearance and comply with all required clearances at entrances/exits, access aisles, and along accessible routes. Provide dimensions for accessible stalls and access aisles.

Accessible Route:

An accessible route for wheelchair access will be required from all accessible entrances to all accessible parking and to a public sidewalk. All accessible routes must comply with Chapter 4 (ADA). **Accessible path shall not travel at the rear of any parked vehicles (except accessible spaces), travel into any direct vehicular traffic lanes, or encroach into any public street or alley.** Painted crosswalks with a minimum width of 6' are required at all locations where an accessible route travels across any private drive or parking lot drive. Provide dimensions for accessible stalls and access aisles. Identify all accessible routes on plan between accessible parking, public sidewalks, common areas, and accessible entrances. Show all accessible routes with a heavy dashed or dotted line.

All Projects must comply with all regulations and standards that are applicable per the Americans with Disabilities Act (ADA), International Code Council, American National Standards Institute (ANSI), Fair Housing Act (FHA), and the City and County of Denver Building Codes and regulations.

NOTE: THE FOLLOWING IS A BUILDING DEPARTMENT REQUIREMENT

(Contact the Building Department/DDS with any questions about the following requirement):

All Type A and Type B dwelling units must comply with the ICC/ANSI A117.1. Please be advised that the ICC/ANSI A117.1-2017 will be used for all project reviews, once the 2022 Denver Building & Fire Code goes into effect (scheduled for Winter 2022).

Denver Development Services (Building Department) will review and make all decisions related to all IBC/IRC matters as well as all ICC/ANSI A117.1 requirements.

Please contact the Building Department/DDS Reviewer assigned to your project with any related questions.

CONTACT INFORMATION:

Building Department/DDS:

developmentservices@denvergov.org

Phone: (720) 865-2700

DS Transportation –Viktoriya Luckner, 720-913-1782

Viktoriya.Luckner@DenverGov.org

Status: OK to Proceed-Conditional Approval

Concept Plan Comments:

1. Right-of-Way (ROW) Dedication is required from this project. 2' of property is needed for ROW along the alley for ½ of the widening needed to get a 20' alley. 1' +/- of property is needed for

ROW along Welton for installation of an eight foot tree lawn and an eight foot sidewalk and 6" sidewalk maintenance area (17' min is required from flow line to the new property line).

Any required dedication must be completed and recorded prior to approval of the Site Development Plan and Transportation Engineering Plan. See the City Surveyor's requirements for the preparation of the Legal Description and environmental submittal requirements associated with the ROW dedication.

2. Please see attached ROW dedication form, please fill the lower portion of this form and submit it with your formal submittal. (there might be more than one form to fill in if any easements are requested by DOTI Wastewater department)
3. Proposed vehicular access to the site is acceptable as shown.
4. Welton St frontage has to be reconstructed to current standards with new curb and gutter with 2' pan, 8' tree lawn (8.5' to the flowline), and 8' detached sidewalk. The tree lawn and the sidewalk should be designed to have no more than design max cross slope towards the street.
5. 29th St frontage has to be reconstructed to current standards with new curb and gutter with 2' pan, 15' tree lawn (15.5' to the flowline), and 5' detached sidewalk. The tree lawn and the sidewalk should be designed to have no more than design max cross slope towards the street.
6. Remove existing driveway in 29th and replace it with vertical curb and gutter per CCD standards.
7. Construct new directional ramps at 29th/Welton intersection
8. Construct new bulb out on 29th St at intersection
9. Reconstruct alley in concrete to full new width along property frontage. Rebuild Alley entrance per current CCD Standards.
10. Provide sight triangles free of obstructions at all intersections, including the alley/29th intersection, per requirements below.
11. Trash loading operations not to be located in any Street ROW and if trash service is not provided via an alley, that the location must be provided on-site with enough room to maneuver without a backing maneuver to/from the ROW.
12. This property is subject to the TDM Regulation. A TDM Plan must be submitted and approved through the Site Development Plan review process. (please see below)

Site Development Plan Requirements and Comments

The following Site Development Plan (SDP) requirements must be addressed before the SDP can be approved and before Building Permits can be released by DES – Transportation:

1. A Transportation Engineering Plan (TEP) prepared by a Professional Engineer, licensed in the State of Colorado, is required. TEP submittal requirements and roadway design criteria are available at: <https://www.denvergov.org/content/denvergov/en/denver-development-services/help-me-find-/transportation-engineering.html>
2. The TEP will need to be approved before DES-Transportation can approve the SDP. The SDP must be consistent with the approved TEP. All of the details required on the TEP do not have to be shown on the SDP, but all changes and new construction in the ROW shown on the TEP must also be shown on the SDP for approval.
3. As of June 1, 2021 Transportation Demand Management (TDM) Plans are required to be submitted concurrent with Site Development Plan submittals, per [Ordinance No. 20210342](#) and adopted [Rules and Regulations](#) by DOTI and CPD. Please visit the [TDM Webpage](#) for more information and to find the spreadsheet that assists you in creating a TDM Plan.
4. The customer is supposed to apply for the TDM review separately in E-permits. A TRAN record will need to be created via E-permits. See electronic submittal instruction on TDM Page: <https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directories/Department-of-Transportation-and-Infrastructure/Programs-Services/Transportation-Demand-Management#section-4>
5. Show all improvements proposed in the ROW and as noted above in the concept comments on the SDP and TEP (if required). Please note that for existing ROW infrastructure to remain that any areas of damaged or non-ADA compliant sidewalk, curb, and gutter in the right-of-way will require replacement or repair at the discretion of the ROW Construction Inspector.
6. Ensure that any proposed, or existing to remain, encroachments or objects proposed to be located or to remain in the ROW meet all of the Tier 1 Encroachment criteria. Please visit Public ROW Encroachment rules and Regulations [website](#) for more information. Tier 1 encroachments do not require a separate encroachment permit but are instead reviewed during the SDP or TEP, if required, review. Tier 1 permits may still require a separate ROW permit(s) when constructed or placed within the ROW.
7. Based on this concept plan it appears that a Tier 2 or 3 Encroachment Permit is not required. Please note that an encroachment permit may be required if any portion of the building structure, appurtenances, balconies, foundation or temporary construction shoring extends into the ROW. Information on Encroachment Permits is available at:

https://www.denvergov.org/content/dam/denvergov/Portals/705/documents/rules-regulations/PWRR-025.3-Encroachments_in_the_Public_ROW.pdf

8. Show all existing and proposed pavement markings, traffic signs (using CCD Sign Manual codes), signal poles, and street lights in the ROW along this site's frontage. Any of these items that need to be relocated or changed due to access changes or the sidewalk construction should be improved to current standards.
9. The face of any ingress vehicle gates or garage doors (if any are proposed) facing public streets (but not alleys) must be placed so that cars entering the site do not queue back in to the sidewalk and at least 20' behind the back of the sidewalk.
10. The approach of any driveway ramps to the public street needs to be no steeper than 2% slope for the first 20' beyond the property line.
11. If the project is proposing pedestrian lights within the ROW, then please add these notes to the Site Plan and to the TEP, if a TEP is required:
 - a. The adjacent property owner shall be responsible for all utility charges relating to the Pedestrian Lights as shown on this Site Development Plan.
 - b. The adjacent property owner shall maintain, repair and replace the Pedestrian Lights in like kind as necessary so that the Streetscape Improvements are kept in good condition.
 - c. All pedestrian light work within the ROW shall be performed with all appropriate ROW permits.
 - d. In the event the adjacent property owner fails to maintain the Pedestrian Lights shown on this site development plan, the City, through its manager of Public Works, may provide written notice to such adjacent owner requiring the owner to repair and/or replace the Pedestrian Lights within thirty (30) days. If the owner fails to maintain to comply with the notice within thirty (30) days, the City, through the Manager of Public Works, shall have the right to cause the Streetscape Improvements to be repaired and/or replaced and to bill the owner for the reasonable costs of such work. If the owner fails to pay such bill in full within thirty (30) days after receipt thereof, the City shall have the right to impose a mechanics' lien on the property enforceable in accordance with C.R.S. Section 38-22-101 et seq. Nothing herein shall limit the powers of the City to enforce these requirements in any manner provided for by law.
12. Sight Triangles need to be available at all curb cuts and intersections with lengths determined per AASHTO standards and shown on plans. Show the sight triangles in the TEP (if needed) and in the SDP on both the site plan sheet and the landscaping sheet. Add a note or label that describes the restriction placed on each sight triangle on each sheet. There are three sight triangles that need to be available for this project:
 - a. There needs to be a 10' x 10' pedestrian sight triangle shown at each driveway and alley approach to a public street. This is at the edge of the driveway or alley and at the back of the sidewalk. No items that are wider than 18 inches may be taller than 30" within this triangle.

- b. There needs to be a 30' x 30' corner sight triangle shown at each street intersection. This is along both street's flowlines. Corner triangles must be free of all items over 30" in height except for traffic control devices and equipment.
 - c. Roadway sight triangles based on AASHTO standards need to be available at each driveway and alley approach to a public street, and at street intersections, including signalized intersections. The short leg of the triangle is in the center of the exit lane of the driveway or intersecting street 18' back of the edge of travelled way and the long leg's length is sized per AASHTO guidelines for "departure triangles" and found in the center of the approaching lane. No items that are wider than 18 inches may be taller than 30" within this triangle except for street trees and traffic control devices and equipment.
13. Please add the following two notes to the landscape sheet in the SDP (place on the site plan sheet if a separate landscaping sheet is not provided in the SDP):
- a. Proposed trees in the ROW shall be pre-approved by the City Forester's Office and shall be a minimum of 20' from property corners at intersections, 25' from street lights, 20' from curb ramps, and 10' from edge of driveways.
 - b. All proposed landscaping in the ROW shall be per the Streetscape Design Manual.
14. Please add the following note to the photometric sheet in the site plan (place on the site plan sheet if a separate lighting sheet is not provided in the site plan):
- a. Any proposed light fixtures installed on private property, adjacent to the public ROW, shall be oriented in such a manner or limited in lumen output to prevent glare problems and shall not exceed National I.E.S. lighting standards for disability glare.

DS Wastewater –Danny Harris, 720-913-0816

Danny.Harris@denvergov.org

Status: Not Approved/Re-submittal Required

Concept Plan Comments:

Please resubmit a revised concept that addresses the following Wastewater concept comments:

1. A Sanitary Sewer Study with a Peak Flow Calculation (Table 2.06.1) must be completed and submitted prior to DS Wastewater allowing this project to progress beyond the conceptual phase due to the potential for significant impacts to the City's sanitary sewer system.
2. Please be aware that this property is in an area of known localized flooding, based on City stormwater modeling. The Proposed building will displace the existing major storm event flow path. The proposed project must be analyzed for its effect on this flooding, and must be demonstrated to cause no more harm than previous to other properties as a result of development of the project. The No Harm analysis will include, but is not limited to, demonstration of no rise (0.00 feet) in flood depths to other properties in all storm events up to and including the 100-year and may necessitate an SSPR review. You are highly encouraged to evaluate this condition as early as possible as significant impacts to the building footprint may be necessary to mitigate the proposed flow path disruption and avoid adverse impacts to downstream properties. Please contact me directly with any questions at Danny.Harris@denvergov.org.

The following comments are not required for concept approval, but should be acknowledged and addressed during the formal submittal process.

3. Provide proposed Building Finish Floor Elevation.

The City has modeling information that indicates street flow ponding; FFE (or Minimum Lowest Opening Elevation (MLOE)) must be set at 12" above the 100-year grid elevation or just above 2 x 100-year model grid information opposite each opening. Grid info provided as attachment to these comments. Please contact Wastewater review engineer with any questions.

4. Site Drainage: On site runoff, including roof runoff, should be routed to onsite landscaped areas and contained in the site during the minor storm, if possible. All discharge points for downspouts and sump pump lines must be at least 6-inches from alleys, 3-feet from side-yard property-lines, and 10-feet from public sidewalk property-lines. Storm water flows may not be directed to a concentrated flow across public sidewalks.

5. Grease interceptors shall be considered early in the design process and will be required to be placed on private property for any new building. For existing buildings that are adding a grease interceptor, the interceptor will be required to be placed on private property to the maximum extent practicable. Please be aware that Denver has sizing requirements that generally exceed the sizing requirements established by IPC.

6. Be advised that when one owner develops 0.5 acres or more of contiguous property, detention and/or water quality will be required to serve all of the contiguous properties owned by the same owner, even if the development has been phased over many years. This may also include properties which are across Right-of-Way from each other.

Formal Submittal Requirements and Comments

The following Permits/Submittals are anticipated for this project:

- Storm/Sanitary Plans Review (SSPR) – (pending the concept evaluation of the impact of the project on the existing major storm flow path)
- Sewer Use and Drainage Permit (SUDP)
- Construction Street Cut and Occupancy Permit

The following Site Plan requirements must be addressed before the Site Plan can be approved and before Permits can be released by Wastewater:

15. All development/redevelopment projects must be designed in a way that will not cause a change to storm runoff patterns to adjacent or downstream properties (in other words, no project may cause more harm than previous to adjacent or downstream properties). Please be aware that **on-site detention may be required at any time during design review**, regardless of project disturbed area, if it

is determined to be necessary in order to comply with the requirement to cause no more harm than previous to adjacent or downstream properties.

- Any sanitary sewer service line with a pipe diameter that exceeds the diameter of the receiving public main shall be downsized to a size that is equal to or smaller than the public main, prior to connection to the main. The downsizing shall occur at a manhole; reducers will not be allowed. For new buildings, the downsizing manhole shall be placed on private property. For existing buildings, the downsizing manhole will be required to be placed on private property to the maximum extent practicable.
- Construction Street Cut and Occupancy Permits are required for all work in the Public ROW.
- A Sewer Use and Drainage Permit (SUDP) is required for each New Building, Addition, Alteration, Change of Use, Special Wastes, etc. An approved SUDP is required in order to obtain a Building Permit.

Landmark– Brittany Bryant, 720-865-2949

Brittany.Bryant@DenverGov.org

Status: OK to Proceed

Concept Plan Comments:

1. Project is located within the **Five Points Historic Cultural District**. All alterations to the exterior of the building or site that require a building or zoning permit must first be reviewed and approved by Denver Landmark Preservation.
2. Primary Landmark staff contact for this project is Brittany Bryant. Please reach out to Brittany for any questions related to Landmark review. Best method of contact is email: Brittany.bryant@denvergov.org. A pre-application meeting is strongly encouraged with Landmark staff.
3. Project will be reviewed with the [Five Points Historic Cultural District Design Standards & Guidelines](#).
4. Project scope of this nature will be reviewed through a 2-step process:
 - I. Phase I: Mass, Form, & Context
 - II. Phase II: Design Details
5. Buildings over 3-stories in height must incorporate an upper story setback. Setback can range from 10-15 feet along Welton Street and 5-10 feet along numbers streets and secondary elevations. Upper story setback shall be integral to the overall building design.
6. Building over 8-stories in height may increase the building base at the corner from 3 to 4-stories. Building is only proposed to be 6 stories tall. A restudy of the building base is needed.
7. Buildings spanning over 125 feet of street frontage shall break incorporate one or more techniques in to the building base to break the massing down: 25-75 foot module along the street, change in building base height along the 25-75 foot module, or change in material color along the 25-75 foot module.
8. Articulation shall be incorporated onto all facades and blank walls shall be avoided.
9. All parking shall be screened and to limit views of parked cars from the public right-of-way
10. High quality materials shall be used and to be compatible with the surrounding historic context. Stucco shall not be used on the building base.

11. The Landmark Preservation Commission is the deciding body for all applications within the Five points Historic Cultural District. The Commission meets twice a month, typically on the first and third Tuesday of every month. To be placed on a Commission agenda, a complete application must be submitted 4-week prior to a meeting date. Complete applications are placed on the agenda on a first-come-first-serve basis and are limited. Please review the [2022 Filing Deadline and Meeting Dates](#) for additional information.

Denver Fire Department –Brian Lukus, 720-865-2954

Brian.Lukus@DenverGov.org

Status: OK to proceed.

Concept Plan Comments: No comments

City Forestry – Erin Hatch, 720-913-0643

Erin.Hatch@DenverGov.org

Status: Ok to proceed.

Concept Plan Comments:

1. Address comments on attached redlines.
2. See OCF Street Tree Plan Review Checklist for required information on plans.
3. At SDP, OCF will assess a one-time review fee of \$500.00.
4. Applicant is expected to plant new ROW trees as part of this project. Maximize critical tree planting area to improve chances of long-term tree survival.
 - a. Provide 900-1000 cu. ft. of irrigated soil volume (300-334 sq. ft. open planting area) per ROW tree.
 - b. Where critical soil volume cannot be provided in an open planting area, additional irrigated soil volume under paved surfaces needs to be provided via structural cells, suspended pavers, or other OCF/DOTI-approved soil volume technologies.
 - c. In total, open planting area + subsurface soil volume = 900-1000 c.f. / 300-334 sq. ft. per tree.
 - d. Utilize open planting areas, structural cell systems, tree planting trenches with connector spans, root paths, break out zones, or other uncompacted soil volume techniques/technologies to maximize soil volume.
 - e. We strongly recommend planting ROW trees in landscaped areas with shredded wood mulch (omit weed barrier fabric) and a base of woody, low-growing, spreading understory plants. Perennials & ornamental grasses may be used as accents.
 - f. Center landscaped areas on each tree. Recommended woody understory plants include but not limited to Hancock coralberry, cranberry cotoneaster, creeping juniper, Pawnee Buttes sand cherry, Green Mound currant, potentilla/cinquefoil, Low Scape mound chokeberry, dwarf Japanese barberry, blue mist spirea, and dwarf rabbitbrush.
 - g. Note: DOTI does not permit breeze/fines/DG/cobble/river rock in ROW amenity zones. CRITICAL: Due to high potential for maintenance damage and destructive soil compaction from foot traffic, ***avoid planting trees directly in turfgrass.***

- i. In turfgrass tree lawn conditions, minimum recommended landscaped area size: tree lawn width x 25'-30'L. Following project completion, any proposed ROW amenity zone surface treatment conversion from one type to another (ex: turfgrass tree lawn to pavement, artificial turf, or rock mulch) must be reviewed and approved by the OCF.
 - h. Applicant must consider impact of pets on landscape. On-site (on private property) programming for pet waste must be integrated into development. Using ROW as pet waste station is not an acceptable practice.
 - i. If applicant is concerned about pet damage and foot traffic cutting through planting areas, resulting in destructive soil compaction, we strongly recommend implementing 30" ornamental fences along back & sides of planting areas. End sides 2.5' behind back of curb to meet DOTI access requirements.
- 5. Applicant should plan on installing new ROW trees and planting spaces in ROW's. Tree planting area options are as follows:
 - a. Landscaped tree lawn - step-out strip at back of curb will typically be required.
 - b. Min. 5'x15' raised curb tree planting areas - refer to PW Transportation Standards and Details for the Engineering Division, detail 13.0.
 - c. 5'x15' grated tree planting areas - refer to PW Transportation Standards and Details for the Engineering Division, detail 13.1.
 - d. Suspended pavement planting areas - use only where walkable surface is limited and tree planting areas cannot be installed with PW-required sidewalk width.
- 6. CRITICAL: Engineer needs to carefully plan location of underground utilities with existing & proposed ROW trees.
 - a. Order of site improvement location:
 - i. Locate streetlights/bus stops
 - ii. locate trees before routing utility lines
 - iii. locate utility lines after trees are located
 - iv. locate all other site improvements.
 - b. Add utility plan to LS plan in grayscale to verify there are no tree-utility conflicts. Show existing and proposed hydrants, utility poles, utility lines, storm lines, drain inlets, bus stops, stop signs, streetlights, and any other infrastructure that may affect ROW tree placement.**
 - c. Where utility lines originate from streets and are routed through ROW amenity zones, locate lines at midpoints b/w new ROW trees and outside tree planting areas.
 - d. Route wet/gas utilities entirely outside landscaped ROW tree planting areas and tree protection zones.
 - e. Where utility lines are routed through tree planting areas (i.e no viable option for routing outside tree planting areas), place in protective conduit sleeve to protect roots from future utility line repairs.
- 7. Consider the following during tree species selection:
 - a. Building façade material – if a large section of the building facade will be reflected consider impact on heat and light/sun exposure on the trees.

- b. Mature tree form in relation to building height and setback. Note what space will be available for the mature canopy.

Survey – Tom Savich, (818) 809- 8753

Thomas.Savich@DenverGov.org

Status: Ok to proceed.

Concept Plan Comments:

**SDP Plan set must include an Improvement Survey Plat current within one year of the first SDP submittal. See SDP survey requirements below along with some helpful web links at the end.*

**I also created a pdf file of these comments that include attachments your Surveyor may find helpful.*

Site Development Plan (SDP) - Survey Requirements

1. Per Formal Site Development Plan Submittal Checklist (SDP Chklist), Sheet 1 Surveyor's Certification, certifying to the Site Development Plan planset shall be:

I, (name of Surveyor), a Professional Land Surveyor in the State of Colorado, do hereby certify that the Survey for the (name of development) was made under my supervision and the accompanying plan accurately and properly shows said Survey.
2. Required on SDP Sheet 1, titled: Zone Lot Description, must define the "Zone Lot," and include a metes and bounds/perimeter description. The Zone Lot Description is not required on your Sheet 2 Survey. Contact the CCD Survey Area Reviewer for more information.
3. SDP Sheets 1 and 2 Land Descriptions: need to include an area statement, and the area in the Sheet 1 Statistical Table must coincide with the Land Description area.
4. Sheet 2 Basis of Bearings Statement shall conform to Colorado Revised Statutes (CRS) and Colorado State Board of Licensure for Architects, Professional Engineers, and Professional Land Surveyors Bylaws and Rules (Board Rules). The Basis of Bearings statement shall also include identifying and describing the monuments at the endpoints of said Basis of Bearings within the Statement.
5. Per SDP Chklist, Sheet 2 Project Vertical Control shall be to the nearest CCD Benchmark (BM). Note/call out BM name/number, description of monument, location and NAVD 1988 elevation.
6. SDP Sheet 2 Survey shall be a stand-alone Improvement Survey Plat (ISP), including all required elements as defined in CRS and Board Rules, and shall be deposited per CRS and Board Rules.
7. Define/show adjoining rights of way, improvements located/shown to the opposite flow line. Provide distances from property line/block line/right of way line to sidewalk to flow line to opposite flow line.

8. Sheet 2 Survey Certification shall conform to CRS and Board Rules.
9. Range Points and Range Lines shall be shown on Survey. Range Points defining the right of way lines/block lines need to be located/recovered by “Diligent Search” or reestablished prior to SDP approval, per Ordinance 41 Series 1886 and per CCD “Guidelines/Requirements for Range Points” (Range Point Requirements).
10. We require your Survey show/explain/substantiate the order of determination as follows:
 - a) First, the right of way lines shall be controlled by the parallel offset of the historic Range Lines. Where there are aliquot lines controlling the subject property, those too shall be located/reestablished/shown.
 - b) Second, the Development Boundary is based on record and physical evidence, and the prorated breakdown of the Block.
 - c) Include measured (M), calculated (C) and record, i.e., (R-1), (R-2), (R-3), to the legend and the courses to compare and reference Subdivision Plats, ALTAs, Control Diagrams, LSPs/ISPs or Deeds to show you are in harmony with subject and adjoining Surveys and Title.
11. For Range Point reestablishment, primary evidence shall be the connection to the nearest Range Points and/or their accessories. These reestablished positions need to be pre-approved by the CCD Area Surveyor.
12. Per Range Point Requirements, all new/reestablished Range Points will require a new Range Point Tie Sheet submittal. Also update existing Range Point Tie Sheets where found/recovered Range Point tie distances do not conform, or ties are lost. Label historic Range Line connections with measured (M), calculated (C) or record (R) distances.
13. Where an approved Range Point position falls in a drive lane along an arterial roadway, conflicts with utilities or is in a precarious or dangerous position, the CCD Area Surveyor may approve an alternative to setting the Range Point/Range Box. That alternative is to set out four (4), more substantial reference points than a cut “X”, in all 4 quadrants around the Range Point position. Required is a Range Point Tie Sheet showing these reference points, with an explanation why the Range Point was not set. The same information shall be shown on the SDP Survey, along with the explanation why the Range Point was not set. Talk with the CCD Area Surveyor if this situation applies to one or more of the Range Point positions.
14. If additional right of way or an easement is required to be conveyed to the City as part of the development project, this is a separate but concurrent process with the SDP. Required submittals:
 - a) Land Description and Illustration by a Colorado Licensed Land Surveyor of the property or easement to be conveyed to the City. See “Guidelines for Land Descriptions” link below.
 - b) Title Policy, Commitment or Binder of the property to be conveyed or the entire development property, effective date within 90 days of submittal.

CCD Environmental Quality (EQ) Division will review and provide a report. Any questions, Phone: 720-865-5452 or eqcomments@denvergov.org

After Land Description and Illustration are approved, CCD Survey Reviewer may request a .doc or .docx file of the description for Council Dedication purposes.

After approval, CCD Division of Real Estate will then provide you with the appropriate document to have signed and notarized (executed). CCD Real Estate will then record this document upon re-submittal/re-review and approval.

Property or Easement needs to be conveyed to the City prior to SDP approval. Contact the CCD Area Transportation or Wastewater Reviewer with any questions. Email Submittals and all follow-up Re-Submittals to development.services@denvergov.org.

15. In the SDP planset, Sheets 1 and 2 Land Descriptions, Sheet 2 Survey, and all other Sheets where the development boundary is shown, need to reflect the development boundary after the required deed has been conveyed to the City for additional right of way. Set monuments accordingly. Provide a note/label leadered to the proposed conveyed property such as, “conveyed to the City, Reception Number _____.”
16. If an Access/Utility Easement (PNEE) is required as part of the development project, this is also a separate but concurrent process with the SDP, reviewed by CCD Wastewater and Survey. Email Submittals and all follow-up Re-Submittals to development.services@denvergov.org:
 - a) Signed and notarized (executed) “Permanent Non-Exclusive Easement” (PNEE) form, provided by CCD.
 - b) Land Description and Illustration Exhibits by a Colorado Professional Land Surveyor of the overall property (Exhibit A) and the easement area (Exhibit B) to be conveyed to the City. See “Guidelines for Land Descriptions” link below.PNEE needs to be conveyed to the City prior to SDP approval. Contact the CCD Wastewater Reviewer for the PNEE document form that needs to be included with your first submittal. CCD Area Surveyor will record this document upon re-submittal/re-review and approval.
17. Inform the Survey Reviewer of any additional changes not related to Survey comments/redlines. Additional changes will cause our Review process to restart from the beginning.
18. New or additional addresses will be required. See the link on this page to apply online.

Status: Ok to proceed.

Concept Plan Comments:

The Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) conducted a limited review of the project site located at 2907 Welton St (the Site) to identify potential environmental concerns.

- Information suggests a dry cleaning facility(ies) may have historically operated near the Site. Because of past waste handling practices, dry cleaning sites may be associated with historical releases of solvents to soil and groundwater.
- A gas station(s) may have historically operated in the vicinity of the Site. Historically, gas stations have been related to releases of petroleum products or solvents to soil and groundwater.
- A petroleum release(s) from an underground fuel storage tank(s) has been documented at a nearby property(ies). For more information on petroleum releases, please contact the Colorado Department of Labor and Employment, Division of Oil and Public Safety (OPS) at 303-318-8547 or by email at cdle_remediation@state.co.us.
- EQ is aware of a nearby location that was included in the Voluntary Cleanup and Redevelopment Program (VCUP), with the Colorado Department of Public Health and Environment (CDPHE). If the applicant wishes more information, they should contact the CDPHE Hazardous Materials and Waste Management Division at 303-692-3300.

There is potential to encounter contaminated environmental media and regulated materials during development activities at this Site.

Proper due diligence, including environmental site assessments (ESAs), should be considered in order to determine the potential presence, nature and extent of possible contamination and to identify specific cleanup needs within the project area. Please note that if any property is to be deeded to the City for right-of-way (ROW) as part of this project, current ESAs will need to be submitted to DDPHE-EQ for review and approval. As such, if any Recognized Environmental Concerns (RECs) are identified in a Phase I ESA, a Phase II ESA will be required to address them, and the associated report will need to be reviewed by DDPHE-EQ for approval prior to the acceptance of any fee-title property. If encountered during development activities, contaminated environmental media and regulated materials must be properly managed in accordance with applicable local, state, and federal environmental regulations and statutes. State and federal environmental regulations and guidance may be applicable to the handling and disposition of suspect materials depending on the conditions encountered.

Because of the potential for vapor intrusion into buildings from contaminated soil or groundwater, the applicant may wish to consider installation of a vapor mitigation system, which would also accommodate concerns for naturally occurring radon gas. This is of special concern should the proposal include on-grade or below-grade living or working spaces.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, EQ suggests developers consider installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state, and local regulations.

The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the

emissions originate. The measures taken must always be effective in the control of fugitive particulate emissions on the Site, including periods of inactivity such as evenings, weekends, and holidays.

The Denver Noise Ordinance (Chapter 36- Denver Revised Municipal Code) identifies allowable levels of noise. Construction noise is exempted from the Noise Ordinance from 7 A.M. to 9 P.M. Monday through Friday and 8 A.M. to 5 P.M. Saturday and Sunday. Variances for nighttime work are allowed, but the variance approval process requires two to three months. Be aware, finished projects may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Violations of the Noise Ordinance commonly result from, but are not limited to, the following sources: music, public address and alarm systems, the operation or improper placement of HV/AC units, generators, and loading docks. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel (720-865-5410).

Scope & Limitations: EQ performed a limited search for information known to EQ regarding environmental conditions at the project Site. This review was not intended to conform to ASTM standard practice for environmental site assessments, nor was it designed to identify all potential environmental conditions. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

This review was not intended to assess environmental conditions for any potential right-of-way, park, or open space dedication. This review does not constitute an approval or action regarding any future property dedication to the City and County of Denver.

Xcel Energy – Donna George, 303-571-3306

Donna.L.George@xcelenergy.com

Status: Ok to proceed.

Comments: See attached document.

Metro Wastewater – David Owens, 303-286-3397

Dowens@mwr.dst.co.us

Status: Ok to proceed.

Comments: Review not required.

RTD– Clayton Woodruff, 303-299-2943

Clayton.woodruff@rtd-denver.com

Status: Ok to proceed.

Comments: Review not required.

Building –David Renn, 720-865-2813

David.Renn@DenverGov.org

Status: No response.

Comments: None.

Denver Water – Wendy Sutherland

Wendy.Sutherland@denverwater.org

Status: Ok to proceed.

Comments: See attached document.