



CITY COUNCIL AGENDA

NOTICE TO READERS: City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items is reflective of Council’s prior review of each issue with time, thought and analysis given. Many items have been previously discussed at a Council Study Session.

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 4) is reserved for comments on any issues or items pertaining to City business except those for which a formal public hearing is scheduled under Section 10 when the Mayor will call for public testimony. Please limit comments to no more than 5 minutes duration.

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Consideration of Minutes of Preceding Meetings** (September 14, 2015)
- 4. Citizen Communication (5 minutes or less)**
- 5. Report of City Officials**
 - A. City Manager's Report
- 6. City Council Comments**
- 7. Presentations**
 - A. Presentation of Employee of Service Awards
 - B. Community Planning Month Proclamation
 - C. Proclamation Designating October as Fire Prevention Month

The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to remove an item for separate discussion. Items removed from the consent agenda will be considered immediately following adoption of the amended Consent Agenda.

- 8. Consent Agenda**
 - A. Financial Report for August 2015
 - B. IGA with UDFCD and City & County of Broomfield for City Park Channel, Phase 2 Design and Construction
 - C. Construction Plan Review Services Agreement with Colorado Code Consulting, LLC
 - D. 2016 Property and Liability Insurance Renewal
 - E. Colorado Water/Wastewater Agency Response Network Mutual Aid Agreement
 - F. Sheridan Boulevard Waterline Rehabilitation and Replacement Project Preliminary Design
 - G. Reallocation of Funds for Sheridan Boulevard Waterline Rehabilitation and Replacement Project
 - H. Pressure Zone 3 Expansion Project Final Design Contract
 - I. 80th and Clay Lift Station Replacement Engineering Contract
 - J. Second Reading of Councillor’s Bill No. 46 Amending W.M.C. to Comply with PUC Data Privacy Rules
- 9. Appointments and Resignations**
- 10. Public Hearings and Other New Business**
 - A. Public Hearing on Downtown Specific Plan Update
 - B. Amendments to Downtown Specific Plan
 - C. Resolution No. 29 Awardng Service Commitment Allocations for 2016
- 11. Old Business and Passage of Ordinances on Second Reading**
- 12. Miscellaneous Business and Executive Session**
 - A. City Council
- 13. Adjournment**

NOTE: Persons needing an accommodation must notify the City Clerk no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. You can call 303-658-2161/TTY 711 or State Relay or write to lyeager@cityofwestminster.us to make a reasonable accommodation request.

GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS

- A.** The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.
- B.** Any person wishing to speak other than the applicant will be required to fill out a "Request to Speak or Request to have Name Entered into the Record" form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.
- C.** The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.
- D.** The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.
- E.** When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.
- F.** City Staff enters a copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;
- G.** The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);
- H.** Staff presents any additional clarification necessary and states the Planning Commission recommendation;
- I.** All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.
- J.** Final comments/rebuttal received from property owner;
- K.** Final comments from City Staff and Staff recommendation.
- L.** Public hearing is closed.
- M.** If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, SEPTEMBER 14, 2015, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor Atchison led the Council, Staff, and audience in the Pledge of Allegiance.

ROLL CALL

Mayor Herb Atchison, Mayor Pro Tem Bob Briggs and Councillors Bruce Baker, Maria De Cambra, Alberto Garcia, Emma Pinter, and Anita Seitz were present at roll call. Also present were City Manager Donald M. Tripp, City Attorney David Frankel, and City Clerk Linda Yeager.

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Baker, to approve the minutes of the regular meeting of August 24, 2015, as presented. The motion carried unanimously.

CITIZEN COMMUNICATION

Clerk's Note: Mayor Atchison switched the order of business to hear Citizen Communication before other business.

Thomas Frey of the Da Vinci Institute, a futuristic think tank organization, updated Council on current activities, which included training talent for tomorrow using computer classes and offering co-working flexible space for people to operate businesses from. Councillors were invited to visit the facility.

Steve Caulk, candidate for City Councillor, asked that Council consider removing any perception of impropriety by conducting a scheduled Town Hall meeting on the mid-November date originally set rather than holding it before the City Council election.

CITY MANAGER'S REPORT

Mr. Tripp announced there would be a post-meeting after this meeting to discuss one item and answer any questions about information reports provided to Council earlier. At the conclusion of the meeting, Council would be asked to convene in executive session to discuss strategy and progress on negotiations related to economic development matters for Downtown Westminster.

COUNCIL REPORTS

Councillors Garcia, De Cambra, Seitz, and Pinter reported having attended festivities to mark the seven-day operating schedule of Irving Street Library. Before Sunday, September 13, the library had been closed on Sundays. The public had asked for daily service and staff had responded with a workable plan to be open seven days a week. Libraries were the hubs of community, providing programs and services that citizens wanted. The patrons attending had busily enjoyed listening to a band, eating free barbecued hot dogs, and jumping in an inflatable castle until the doors to the library opened. Then they were off to explore books and all the services available to them in the library.

Additional reports were: Councillors De Cambra and Seitz welcomed the Da Vinci Institute to Westminster and were excited about the cutting-edge services it would provide. Councillors Seitz and Pinter reported on the success of the Public Safety Recognition Awards Banquet where the community joined together to recognize and honor police officers and firefighters for lifesaving actions in which they had been involved the past year. The stories had been moving, describing the dangers that public safety officers faced every shift, their heroic actions, and the family support given them. Mayor Pro Tem Briggs had attended the Hyland Hills Foundation Board's annual Putts for Purpose and reported on its success. Councillor Seitz had enjoyed the barbecue that culminated Employee Appreciation Week.

Many employees had attended, and it was gratifying to spend time with them and personally thank them for their contributions to the City's successes. Additionally, she reminded everyone that the Orchard Festival was approaching on September 26 and urged citizens to participate in this community celebration that supported local arts and artists.

PROCLAMATION

Councillor Garcia read a proclamation declaring September 14 through 20 to be Colorado Cities and Towns Week. Joining him to present the proclamation to Kevin Bommer, Deputy Director of the Colorado Municipal League, were Councillor's Pinter and Seitz.

CONSENT AGENDA

The following items were submitted on the consent agenda for Council's consideration: authorize the payment of \$1,132,486 to Xcel Energy for the construction of all of the gas and electric facilities for the entire Downtown Westminster Project and authorize a construction contingency of \$25,000; authorize an increase of the construction contingency for this project in the amount of \$182,000, thus bringing the total project contingency for this project to \$414,000; authorize the additional expenditure to Sill-TerHar Motors for the purchase of two medium-duty vehicles in the amount of \$178,413 to the previous Council approval of \$ 261,126, increasing the total authorized expenditure to \$439,539; based on the report of the City Manager, find that the public interest would be best served by accepting the bid for the master plan and construction documents for the streetscape in Downtown Westminster from Wenk Associates, Inc., authorize the City Manager to execute a contract for master planning, construction documentation, and bidding assistance and construction observation of the streetscape in Downtown Westminster with Wenk Associates, Inc. in the amount of \$429,835 with a 10% contingency of \$43,000, for a total design project authorized expenditure not to exceed \$472,835; authorize the City Manager to execute a contract with HDR Engineering Inc. in the amount of \$343,350 to provide engineering planning and design services for the Big Dry Creek Wastewater Treatment Facility Digester Complex Repair Project, plus a contingency amount of \$34,335 for a total authorized expenditure of \$377,685; final passage on second reading of Councillor's Bill No. 42 appropriating funds received from the United States Department of Housing and Urban Development Community Development Block Grant program, in the amount of \$578,221; final passage on second reading of Councillor's Bill No. 43, providing for a supplemental appropriation of funds to the 2015 budget of the General, Legacy Ridge, Heritage at Westmoor, Parks Open Space and Trails, and General Capital Improvement Funds; final passage on second reading of Councillor's Bill No. 44 authorizing the City Manager to sign a three-year lease agreement with ABC Entertainment, LLC for the continuation of the Kids Nite Out Program; and final passage on second reading of Councillor's Bill No. 45 appropriating funds received from the Adams County Open Space Grant Program in the amount of \$400,000 for the Metzger Farm South Trail grant.

It was moved by Councillor Baker, seconded by Councillor Seitz, to approve the consent agenda, excluding Items 8A and 8D. The motion carried with all Council members voting affirmatively.

DOWNTOWN WESTMINSTER STREET & UTILITY PROJECT –PAYMENT TO XCEL ENERGY (ITEM 8A)

It was moved by Councillor Pinter, seconded by Mayor Pro Tem Briggs, to authorize the payment of \$1,132,486 to Xcel Energy for the construction of all of the gas and electric facilities for the entire Downtown Westminster Project and authorize a construction contingency of \$25,000. The motion passed on a 6:1 vote with Councillor Baker voting no.

DOWNTOWN WESTMINSTER STREETSCAPE CONSULTANT (ITEM 8D)

Councillor Seitz moved that based on the report of the City Manager, the Council find that the public interest would be best served by accepting the bid for the master plan and construction documents for the streetscape in Downtown Westminster from Wenk Associates, Inc., authorize the City Manager to execute a contract for master planning,

construction documentation, and bidding assistance and construction observation of the streetscape in Downtown Westminster with Wenk Associates, Inc. in the amount of \$429,835 with a 10% contingency of \$43,000, for a total design project authorized expenditure not to exceed \$472,835. Councillor De Cambra seconded the motion and it passed by a 6:1 margin with Councillor Baker dissenting.

PUBLIC MEETING ON THE ADOPTED 2016 BUDGET

Mr. Tripp provided an overview of the City's 2015 financial status and the adopted 2016 Budget. The City's financial position was strong and salient features of proposed revisions to the adopted 2016 Budget included increasing the General Fund's Stability Reserve Fund, increasing funding for Capital Improvement Projects, and a recommended 2% increase in salary for City employees. Complete details of proposed revisions had been available on the City's website since September 2. The purpose of this meeting was to provide the public an opportunity to comment and provide input for Council's consideration. The City Council would formally review the adopted 2016 Budget and proposed revisions at the September 21 Study Session. Official Council action on the proposed amendments was scheduled for the October 12 City Council meeting.

At 7:38 p.m. the Mayor invited public comment. No one wished to speak, and the public meeting was closed. No action of Council was needed at this time.

COUNCILLOR'S BILL NO. 46 AMENDING TITLE XVI, CHAPTER 1 – PUC DATA PRIVACY RULES

Upon a motion by Mayor Pro Tem Briggs, seconded by Councillor De Cambra, the Council voted unanimously on roll call vote to pass Councillor's Bill No. 46 on first reading, amending Section 16-1-6, Franchise Controls, to provide consistency with the Colorado Public Utilities Commission's data privacy rules.

RESOLUTION NO. 28 AMENDING CITY COUNCIL'S ADOPTED RULES AND REGULATIONS

Councillor Garcia moved, seconded by Councillor De Cambra, to amend the proposed City Council's Rules and Regulations by modifying Part VII, Section 26, City Council Travel Policy, A. Expense Coverage, to read:

"City Council will budget for out-of-state travel expenses for all Council members as part of the annual budget process. City Council members shall be authorized to take up to two (2) City-reimbursed out-of-state trips in a calendar year to attend conferences or training as long as those trips can be shown to be associated with, or part of, ongoing initiatives of the City. All such trips shall require advance notice to the Council prior to scheduling such attendance. Attendance at either of the National League of Cities annual conferences is presumed to be appropriate and is exempt from the advance notice requirement.

City reimbursement of out-of-state travel expenses may be declined by a majority of the other members of Council if attendance cannot be shown to support, or be part of, an initiative of the City. If the Council member still wishes to attend, it will be as a non-reimbursable expense. Any out-of-state travel at the City's expense beyond two (2) such trips in a calendar year shall require the approval in advance by a majority of the other members of Council."

At roll call, the motion passed unanimously.

It was moved by Councillor Garcia and seconded by Councillor De Cambra to adopt Resolution No. 28, as amended, revising City Council's Rules and Regulations. At roll call, the motion carried with all Council members voting affirmatively.

SPECIAL LEGAL COUNSEL SERVICES TO DRAFT COLLECTIVE BARGAINING ORDINANCE

Councillor Garcia moved, seconded by Councillor Pinter, to remove this matter from the table. The motion passed unanimously.

Councillor Garcia moved to postpone indefinitely a request for special legal counsel to draft a collective bargaining ordinance. The motion passed unanimously.

PROPOSED FINDINGS OF FACT – REQUEST FOR A SALVATION ARMY THRIFT STORE

Councillor Pinter moved, seconded by Councillor Seitz, to adopt the proposed Findings of Fact and Conclusion of Law on a request for a Salvation Army Thrift Store and authorize the Mayor to sign the document. The motion carried on a 6:1 vote with Mayor Pro Tem Briggs dissenting.

ADJOURNMENT

There was no further business to come before the City Council, and, hearing no objections, the Mayor adjourned the meeting at 7:45 p.m.

ATTEST:

City Clerk

Mayor



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Presentation of Employee Service Awards

Prepared By: Debbie Mitchell, General Services Director
Dee Martin, HR Manager - Workforce

Recommended City Council Action

Present service pins and certificates of appreciation to employees celebrating 20 or more years of service with the City and in five-year increments thereafter.

Summary Statement

- In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, and City Council recognition of employees with 20 years or more of service, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting.
- In the fifth grouping of 2015, employees with 20, 25, and 35 years of service will be celebrated tonight.
 - Presentation of 20-year certificates and pins – Councillor Pinter
 - Presentation of 25-year certificates, pins, and checks – Mayor Atchison
 - Presentation of 35-year certificates and pins – Councillor De Cambra

Expenditure Required: \$7,500

Source of Funds: \$5,000 – General Fund – Police Department
\$2,500 – Utility Fund – IT Department

Policy Issue

None identified.

Alternative

None identified.

Background Information

The following 20-year employees will be presented with a certificate and service pin:

Scott LaChance	Sergeant	Police Department
Nick Adams	Senior Police Officer	Police Department

The following 25-year employees will be presented with a certificate, service pin, and check:

Dale Cavender	Sergeant	Police Department
Kevin Beren	Police Commander	Police Department
Keith Alvis	Utilities Software Analyst	IT Department

The following 35-year employees will be presented with a certificate and service pin:

Jeff Jones	Police Commander	Police Department
Jo Meissner	Library Associate II	Parks, Recreation & Libraries

On September 30, 2015, the City Manager will host an employee awards luncheon. During this time, four (4) employees will receive their 15-year service pins; eleven (11) employees will receive their 10-year service pins; and four (4) employees will receive their 5-year service pin. Recognition will also be given to those celebrating their 20th, 25th, and 35th anniversaries. This is the fifth luncheon in 2015 to recognize and honor City employees for their service to the public.

The aggregate City service represented among this group of employees for the third luncheon is 375 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens. Background information on each individual being recognized is attached.

The recognition of employee’s years of service addresses City Council’s Strategic Plan Goal of “Financially Sustainable Government Providing Excellence in City Services.” Recognition efforts have long been recognized as an important management practice in organizations striving to develop loyalty, ownership and effectiveness in their most valuable resource – employees.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment – Background on employees being recognized



Agenda Item 7 B

Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Community Planning Month Proclamation

Prepared By: Grant Penland, Principal Planner

Recommended City Council Action

Mayor Pro Tem Briggs to present a proclamation designating October as Community Planning Month in the City of Westminster.

Summary Statement

- Each year the American Planning Association (APA) celebrates the achievements of planning in October with National Community Planning Month to raise the visibility of the important role of planners and planning in communities across the U.S. This year's theme is Health and Prosperity.
- Staff has prepared a proclamation designating October as Community Planning Month in the City of Westminster, in conjunction with the celebration of National Community Planning Month.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified.

Alternative

None identified.

Background Information

The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment.

As a way to recognize the importance of good planning and the planning achievements of the City, staff recommends designating October as Community Planning Month in the City of Westminster, in conjunction with the celebration of National Community Planning Month. Through its participation, the City of Westminster joins other municipalities in Colorado and the United States to promote the profession and publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City.

This proclamation supports all of City Council's strategic goals, as sound planning strives to create healthier communities, eliminating adverse conditions and building better places through local and regional collaborations.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment: Proclamation

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Westminster, Colorado.

NOW, THEREFORE, I, Herb Atchison, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, in recognition of the many valuable contributions made by professional community and regional planners of the City of Westminster, hereby proclaim the month of October as

COMMUNITY PLANNING MONTH

and extend our heartfelt appreciation for the continued commitment to public service by these professionals.

Signed this 28th day of September, 2015.

Mayor Herb Atchison



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Proclamation Designating October as Fire Prevention Month

Prepared By: Sherrie L. Leeka, Public Education Officer
Bob Hose, Fire Marshal

Recommended City Council Action

Councillor Pinter to present the proclamation designating October as Fire Prevention Month.

Summary Statement

- Annually, the President of the United States proclaims a week in October as Fire Prevention Week. This designation always occurs during the week that includes October 9, the anniversary of the Great Chicago Fire.
- The National Fire Protection Association (NFPA) designates the theme for National Fire Prevention Week every year. The theme for 2015 is “Hear The Beep Where You Sleep.”
- In order to promote a fire safe community, the City of Westminster extends the celebration of Fire Prevention Week for the entire month of October. The Westminster Fire Department promotes the campaign with fire safety presentations at schools throughout the community, a fire safety coloring contest for third grade children in the City, and a number of community events with local businesses regarding public safety.
- Tours and programs will also be held at the City's fire stations. Throughout the month, several thousand citizens are expected to take advantage of these special programs. Westminster citizens will be encouraged to participate in the NFPA Fire Prevention theme, “Hear The Beep Where You Sleep.”
- Public Education Officer Sherrie Leeka will be present to accept the Proclamation on behalf of the Fire Department.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Does City Council wish to designate the month of October as Fire Prevention Month and use the theme of “Hear The Beep Where You Sleep?”

Alternative

City Council could decide not to proclaim October 2015 as Fire Prevention Month in Westminster nor use the national theme as proposed. Staff does not recommend this as designating the entire month as Fire Prevention Month allows for greater emphasis on the importance of fire prevention and planning. Additionally, tying into the national theme provides greater visibility and continuity in educating the public.

Background Information

Fire Service professionals throughout the United States will celebrate Fire Prevention Week October 4-10, 2015. Fire Prevention Week was established to commemorate the Great Chicago Fire, the tragic October 9, 1871, conflagration that killed more than 250 people. In 1920, President Woodrow Wilson issued the first National Fire Prevention Day proclamation, and since 1922, Fire Prevention Week has been observed on the Sunday through Saturday period in which October 9 falls.

During Fire Prevention Month, the Westminster Fire Department will promote the theme “Hear The Beep Where You Sleep” throughout the community. This theme focuses on ensuring smoke alarms are present in sleeping areas, working, and tested monthly along with integrating fire safety behaviors into your daily activities. We can each do more by:

- Maintaining working smoke alarms in our homes and changing the batteries twice a year when we change our clocks to accommodate daylight savings time, “spring forward and fall back.”
- Make a home escape plan with two ways out and practice it twice a year with your family.
- Stay in the kitchen when frying, grilling or broiling food.
- Make sure the heating system is cleaned once a year.
- Never leave candles unattended.
- Make sure to have a carbon monoxide alarm near each sleeping area.

The Westminster Fire Department wants to bring a sense of safety and empowerment to our community and the best way to start is to have people ask themselves a simple question: What can I do to prevent fires?

Although this proclamation highlights Fire Prevention Month, the City of Westminster Fire Department provides year-round fire safety programming. One of the highlights of 2015 was the partnership developed with the American Red Cross that resulted in volunteers conducting 188 in-home visits, resulting in 306 smoke alarms being installed and 67 batteries replaced. Other safety events take place throughout the year in schools, businesses, and city events.

During Fire Prevention Month, safety information is shared with the community through:

- Educational programs in local schools;
- A 3rd grade coloring contest;
- Fire Station 6’s Open House and Special Needs Day on September 26;
- Fire extinguisher training and Fire Warden classes ;
- Fire Station 4’s Open House on October 10;
- A booth at the City Halloween event at City Park Recreation Center on October 24; and
- Fire station tours.

This proclamation and the public education efforts of the Westminster Fire Department support the City of Westminster strategic plan under the goals “Beautiful, Desirable, Safe and Environmentally Responsible City” and “Financially Sustainable Government Providing Excellence in City Services.” This program promotes and fosters Westminster as a safe community and encourages citizens to take personal responsibility for community safety.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment: Proclamation

WHEREAS, in 2014, the United States had 3,275 civilian fire fatalities, 15,775 civilian injuries, and over \$11.6 billion in property loss due to structure fires; and,

WHEREAS, in 2014, the City of Westminster Fire Department responded to 9,968 emergency alarms, including 64 structure fires, and the City had over \$1,103,637 in building and content loss due to structure fires; and,

WHEREAS, in 2014, the City of Westminster had seven citizens suffer fire-related injuries and three citizens who died from fire; and,

WHEREAS, Fire Prevention should be of concern to every Westminster citizen; and,

WHEREAS, the City of Westminster Fire Department depends on joint commitment and effort involving all citizens as well as firefighters to promote Fire Safety; and,

WHEREAS, the Westminster Fire Department has established a public education program that works to educate citizens on the hazards of fire and life safety; and,

WHEREAS, the national 2015 Fire Prevention Week theme “Hear The Beep Where You Sleep” effectively serves to remind us all of the simple actions we can take to stay safe from fire during Fire Prevention Month and year-round.

NOW, THEREFORE, I, Herb Atchison, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim the month of October as

FIRE PREVENTION MONTH

in the City of Westminster, and urge all citizens to heed the important safety messages of Fire Prevention Month 2015 and to support the many public safety activities and efforts of the City of Westminster’s Fire Department.

Signed this 28th day of September, 2015.

Herb Atchison, Mayor



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Financial Report for August 2015

Prepared By: Tammy Hitchens, Finance Director

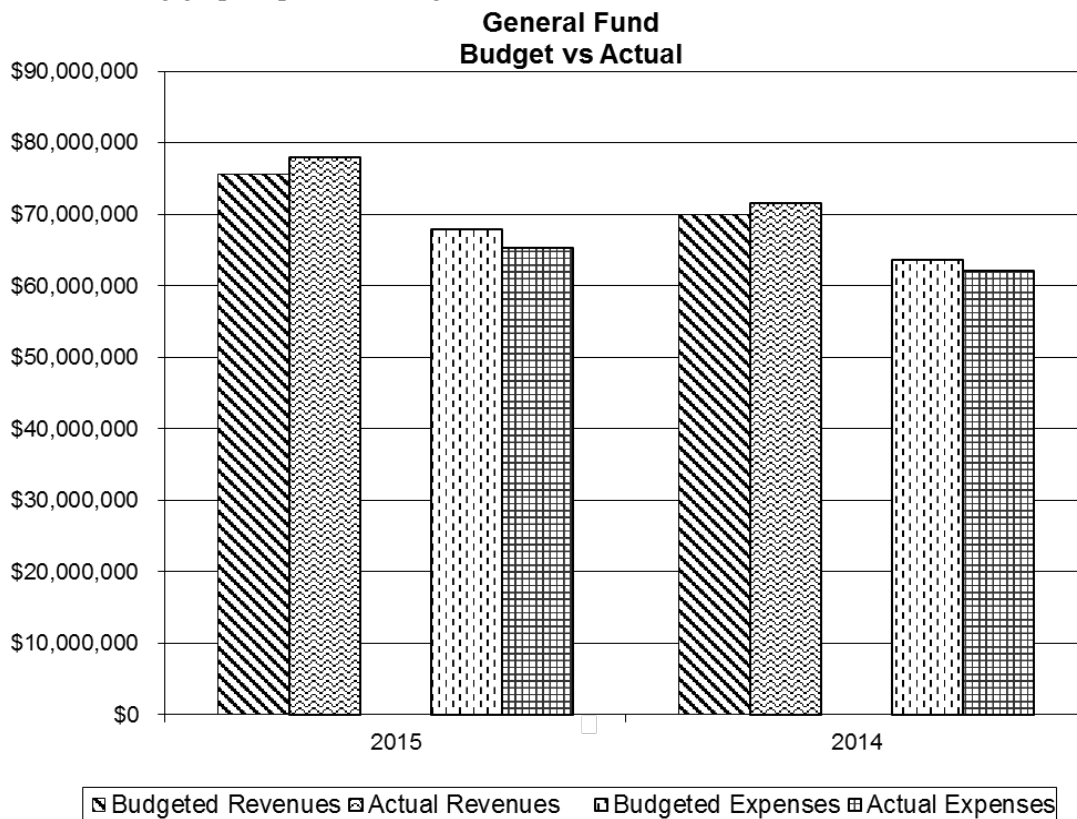
Recommended City Council Action

Accept the Financial Report for August as presented.

Summary Statement

City Council is requested to review and accept the attached monthly financial statement. Shopping Center Report is also attached. Unless otherwise indicated, “budget” refers to the pro-rated budget. The budget numbers that are presented reflect the City’s amended adopted budget. Both revenues and expenses are pro-rated based on 10-year historical averages.

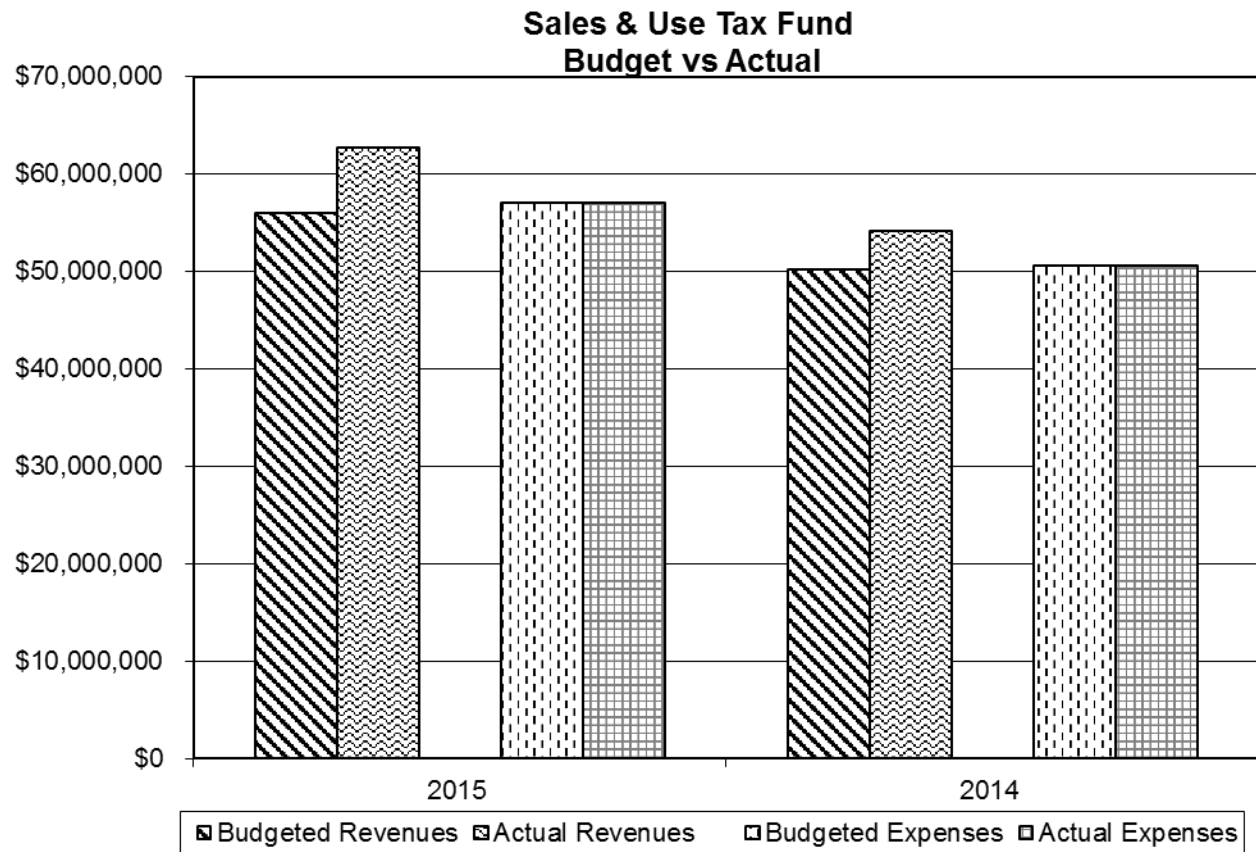
Current projections show General Fund revenues and carryover exceeding expenditures by \$4,925,027. The following graph represents Budget vs. Actual for 2014-2015.



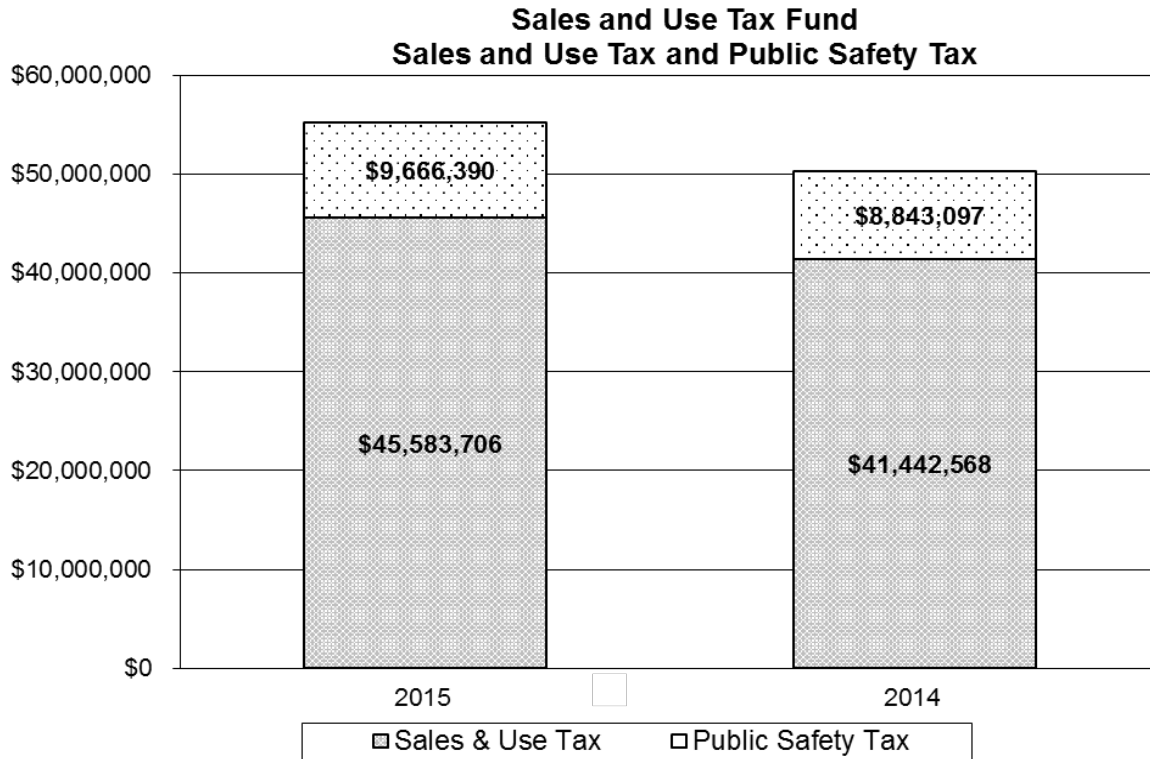
The favorable 2015 revenue variance relates to an increase in license and permitting activity, intergovernmental collections, charges for recreation services, and collections of EMS and street infrastructure fees.

Current projections show the Sales and Use Tax Fund revenues exceeding expenditures by \$6,629,322. On a year-to-date cash basis, total sales and use tax is up 10.0% from 2014. Key components are listed below:

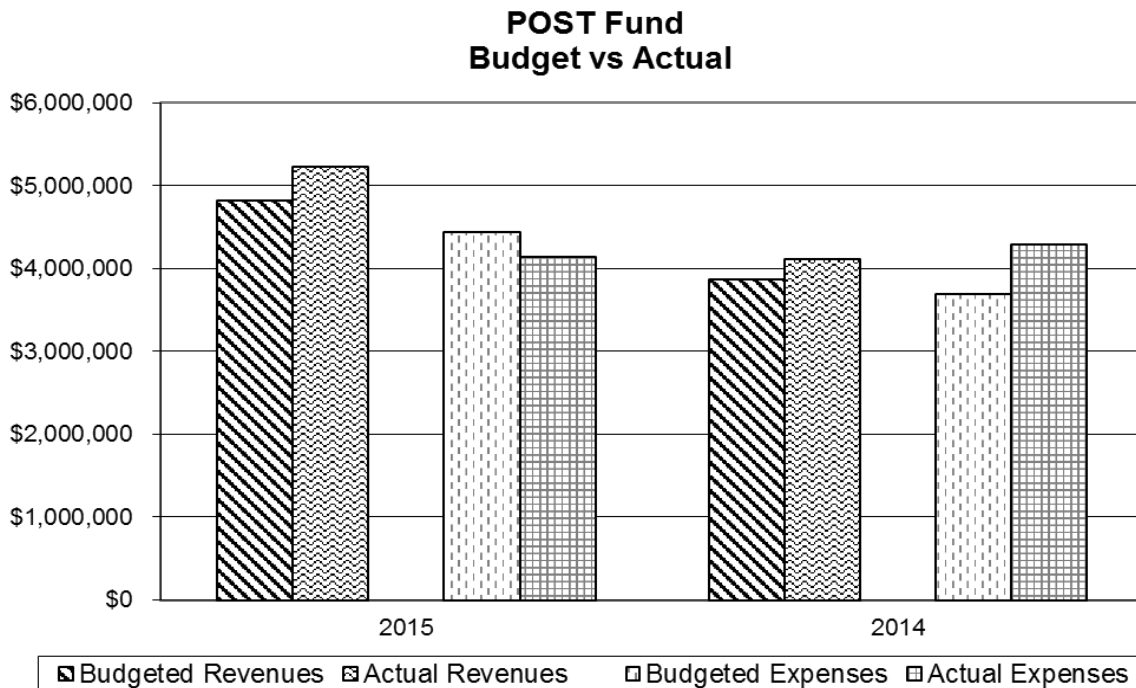
- On a year-to-date basis, across the top 25 shopping centers, total sales and use tax receipts are up 9.0% from the prior year.
- Sales tax receipts from the top 50 Sales Taxpayers, representing about 58.0% of all collections, are up 3.0% for the month when compared to 2014.
- Urban renewal areas make up 37.3% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 84.5% of this money is being retained for General Fund use in operating the City.



The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.

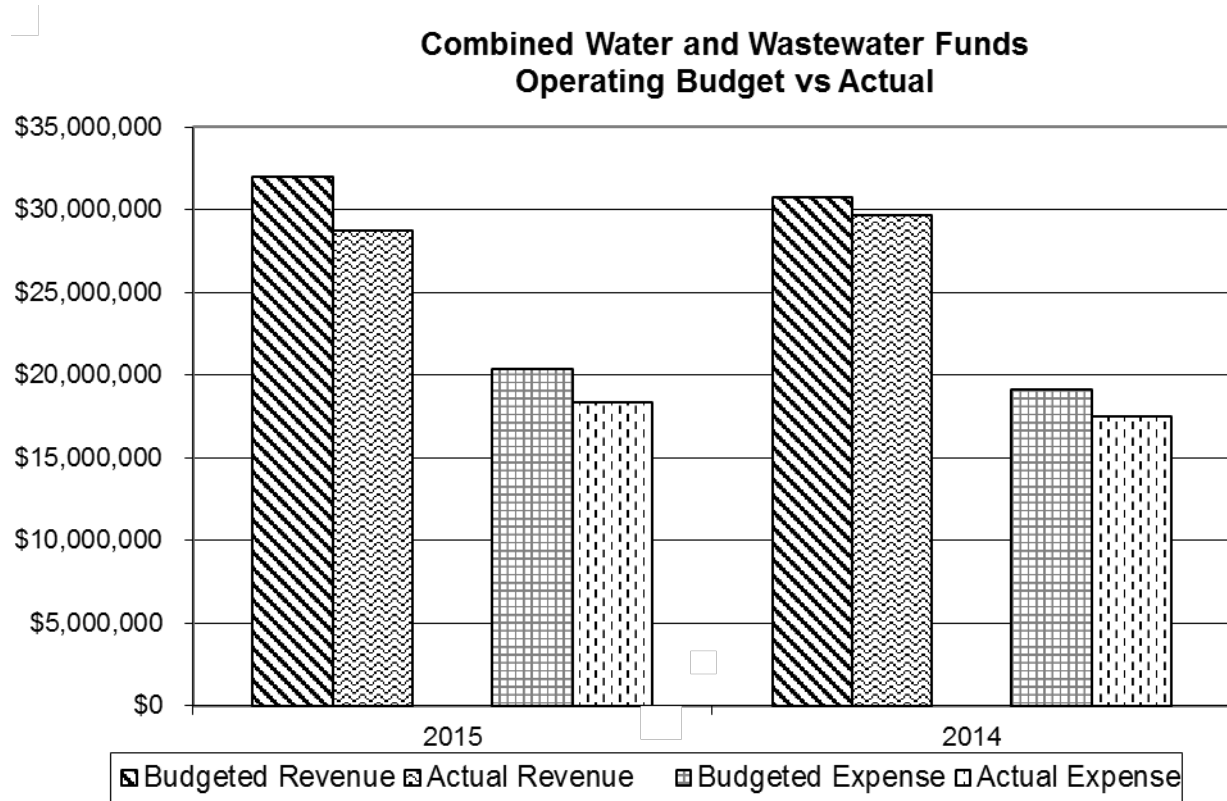


Current projections show Parks, Open Space and Trails (POST) Fund revenues and carryover exceeding expenditures by \$710,065.

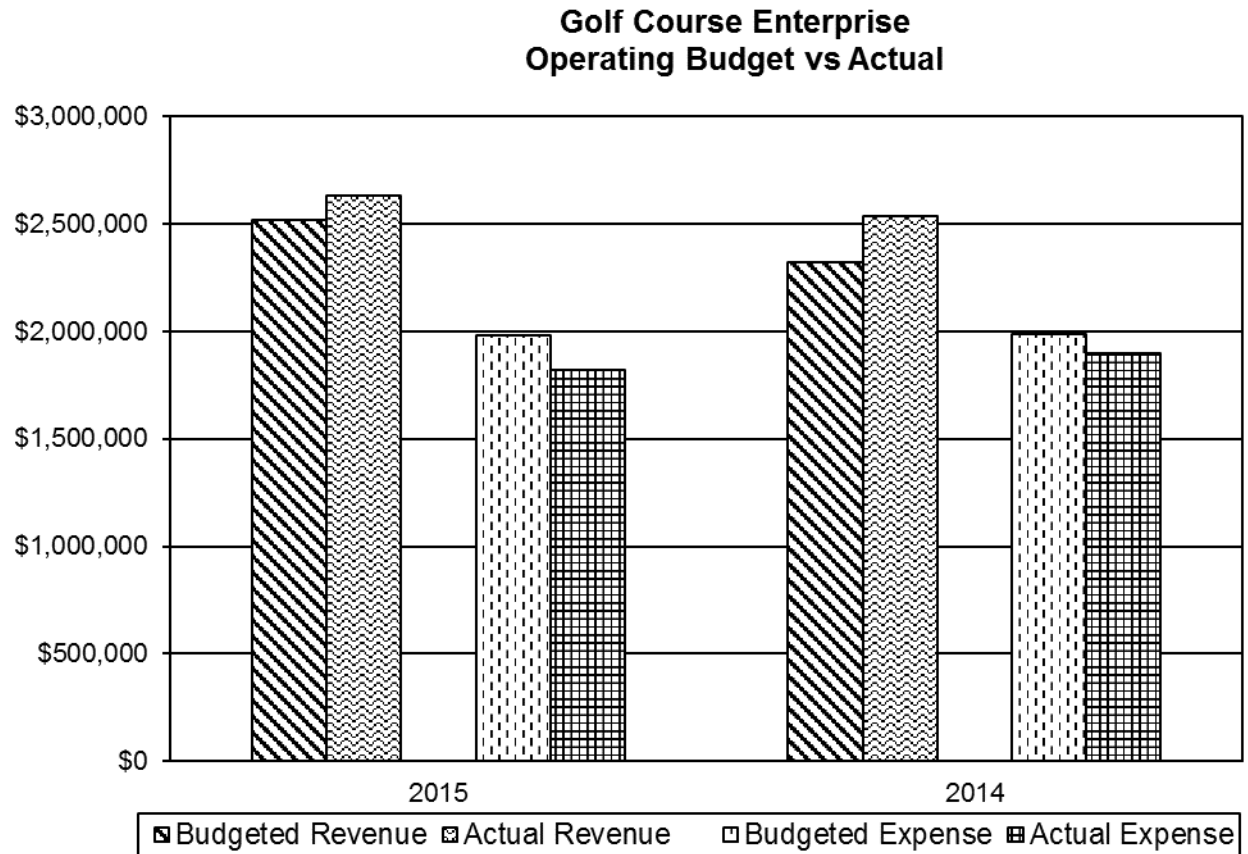


The increase in 2015 revenue is primarily due to carryover and an increase in sales tax collections over 2014. The 2014 budget to actual expense variance reflects a POST open space property acquisition funded by grant revenue that had yet to be appropriated at the time of the purchase.

Overall, current projections show combined Water and Wastewater Fund expenditures exceeding revenues by \$3,246,941, mostly due to tap fees and water sales impacted by the rainy spring and early summer. Operating projections show combined Water and Wastewater Fund expenditures exceeding revenues by \$1,248,603.



Current projections show combined Golf Course Fund revenues and carryover exceeding expenditures by \$285,715. Operating projections show combined Golf Course Fund revenues exceeding expenditures by \$277,661.



The budget to actual revenue variance for both years is mostly attributable to driving range and green fees.

Policy Issue

A monthly review of the City’s financial position is the standard City Council practice; the City Charter requires the City Manager to report to City Council on a quarterly basis.

Alternative

Conduct a quarterly review. This is not recommended, as the City’s budget and financial position are large and complex, warranting a monthly review by the City Council.

Background Information

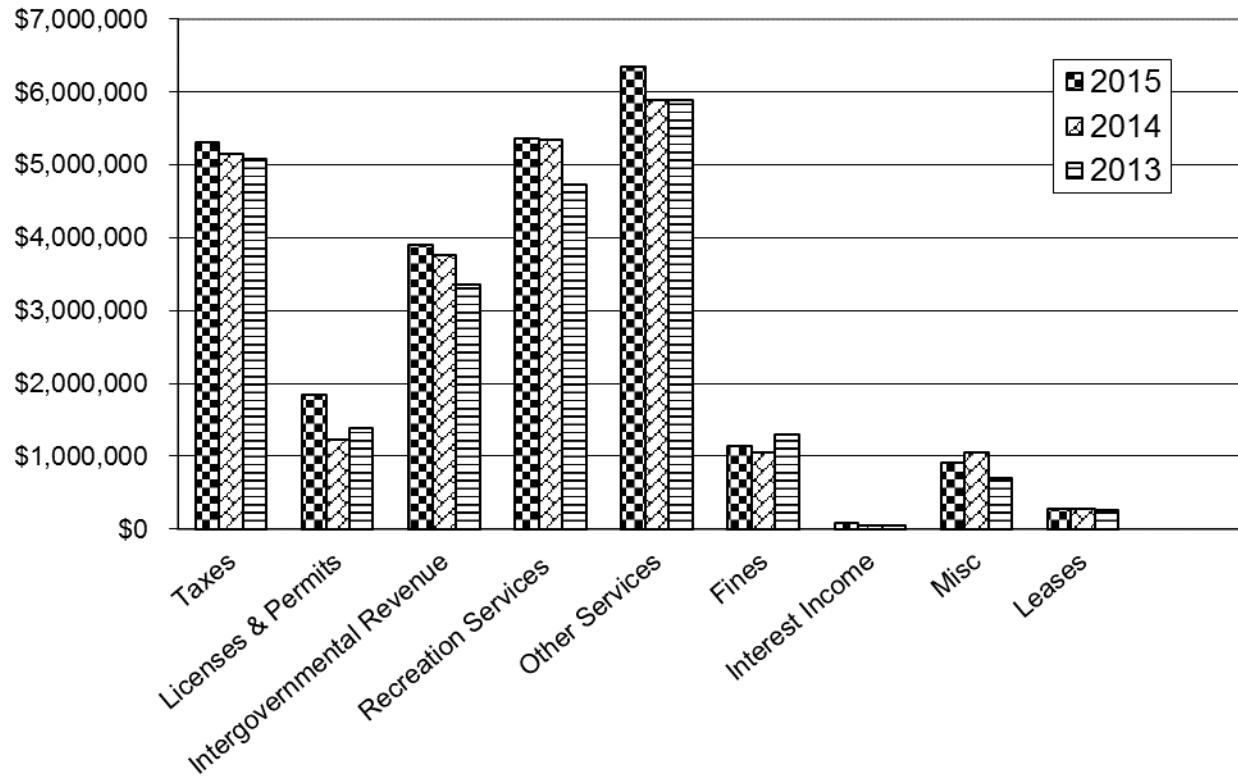
This section includes a discussion of highlights of each fund presented.

General Fund

This fund reflects the result of the City’s operating departments: Police, Fire, Public Works (Street Operations), Parks Recreation and Libraries, Community Development, and the internal service functions: City Manager, City Attorney, Finance, and General Services.

The following chart represents the trend in actual revenues from 2013-2015 year-to-date.

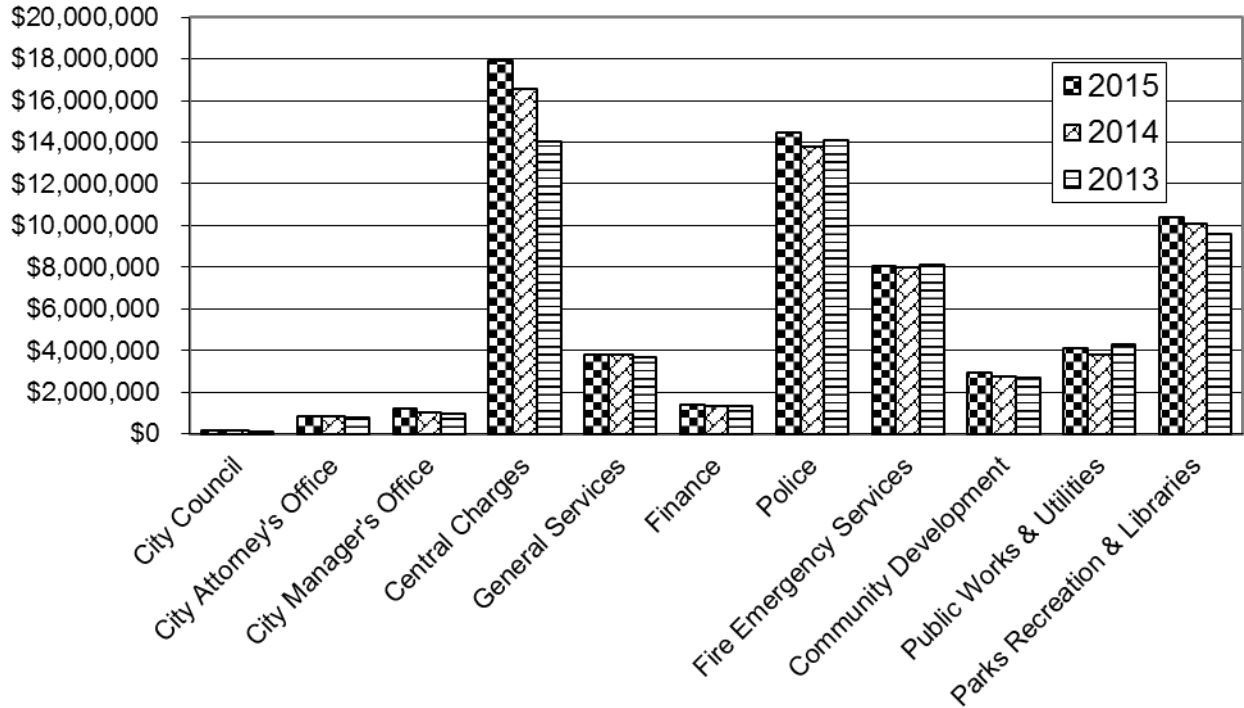
**General Fund Revenues excluding Transfers
2013-2015**



Tax revenue shows a slight increase mainly due to admission, accommodations and property taxes. Licenses and Permits revenue is higher than the prior years due to an increase in commercial and residential permits, especially in Adams County. The increase in Intergovernmental revenue is mainly due to Highway Users Tax Fund distributions and an increase in revenue sharing revenues from Thornton. Variances between years in Other Services revenue is due mostly to EMS and infrastructure fees. Fines revenue is up slightly due to an increase in traffic fines. 2014 Miscellaneous revenue reflects a one-time reimbursement from WEDA for costs incurred in the South Sheridan URA.

The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2013-2015.

**General Fund Expenditures by Function
2013-2015**

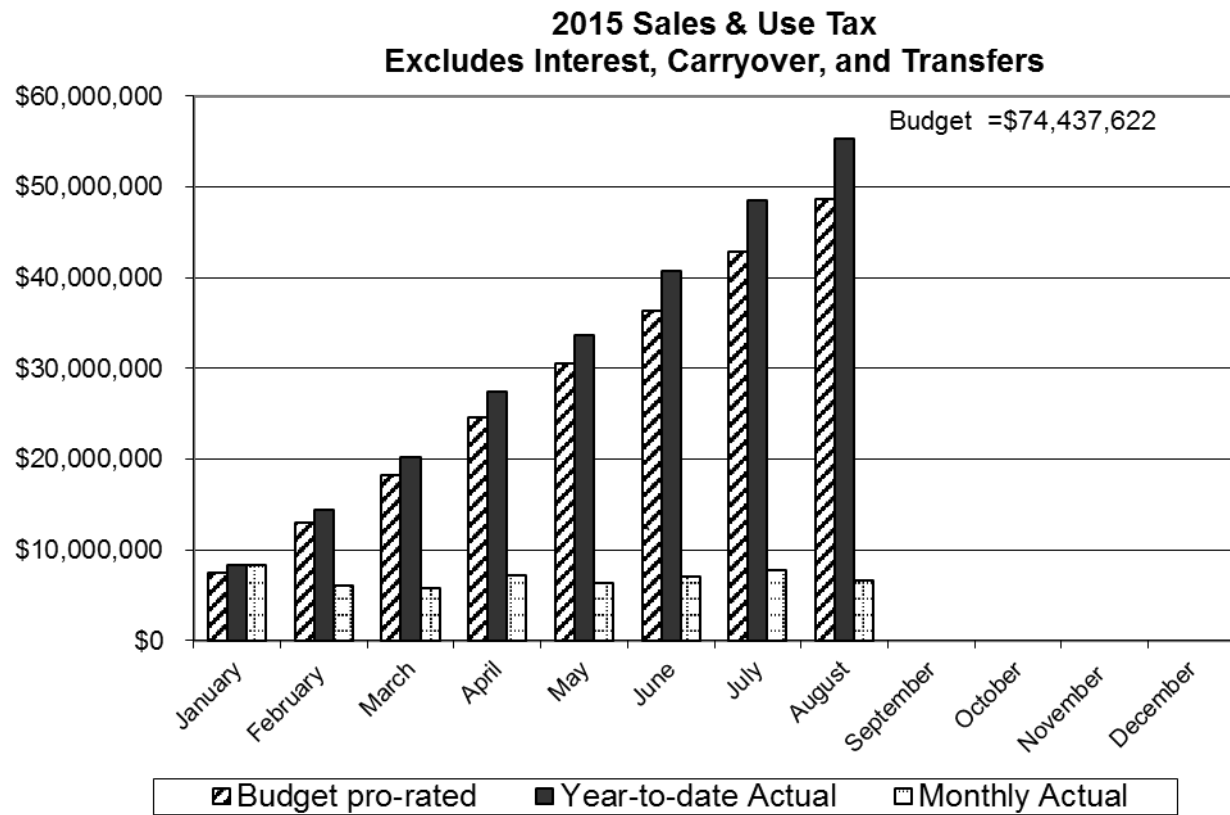


Central Charges expenditures are higher in 2014 and 2015 due predominately to the transfer of carryover to other funds.

Sales and Use Tax Funds (Sales & Use Tax Fund and Parks, Open Space and Trails Sales & Use Tax Fund)

These funds are the repositories for the 3.85% City Sales & Use Tax. The Sales & Use Tax Fund provides monies for the General Fund, the General Capital Improvement Fund, and the Debt Service Fund. The Parks, Open Space and Trails (POST) Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, pay bonds related to the Heritage Golf Course, buy open space land, make park improvements on a pay-as-you-go basis and maintain parks, open space and trails. The Public Safety Tax (PST) is a 0.6% sales and use tax to be used for funding public safety-related expenditures.

This chart indicates how the City’s Sales and Use Tax revenues are being collected on a monthly basis. This chart does not include Parks, Open Space and Trails Sales & Use Tax.

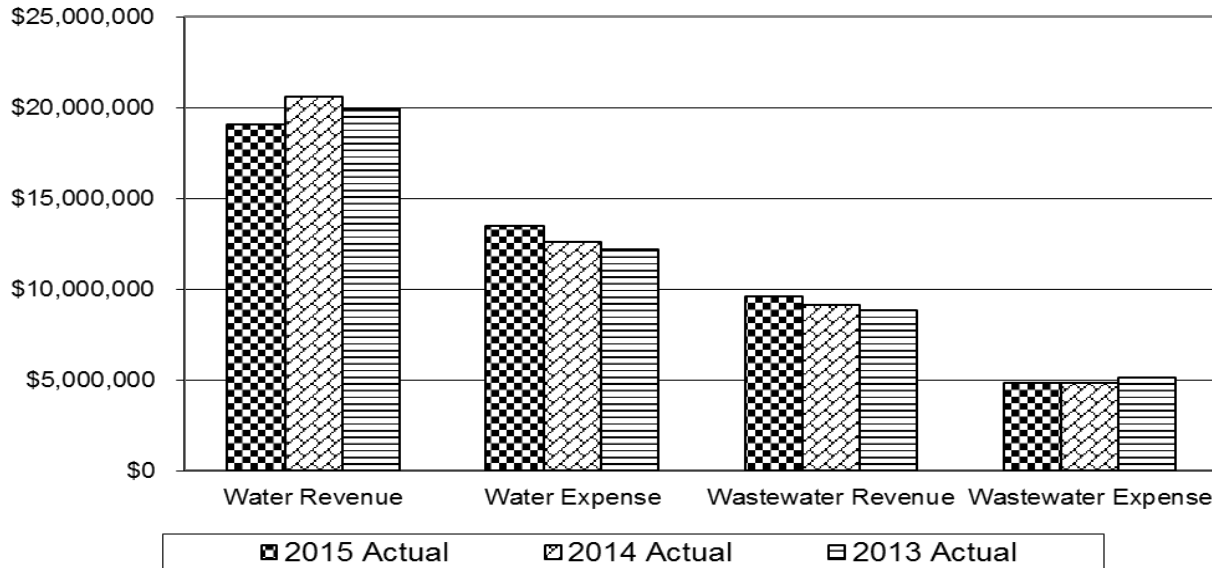


Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)

This fund reflects the operating results of the City’s water, wastewater and storm water systems. It is important to note that net revenues are used to fund capital projects and reserves.

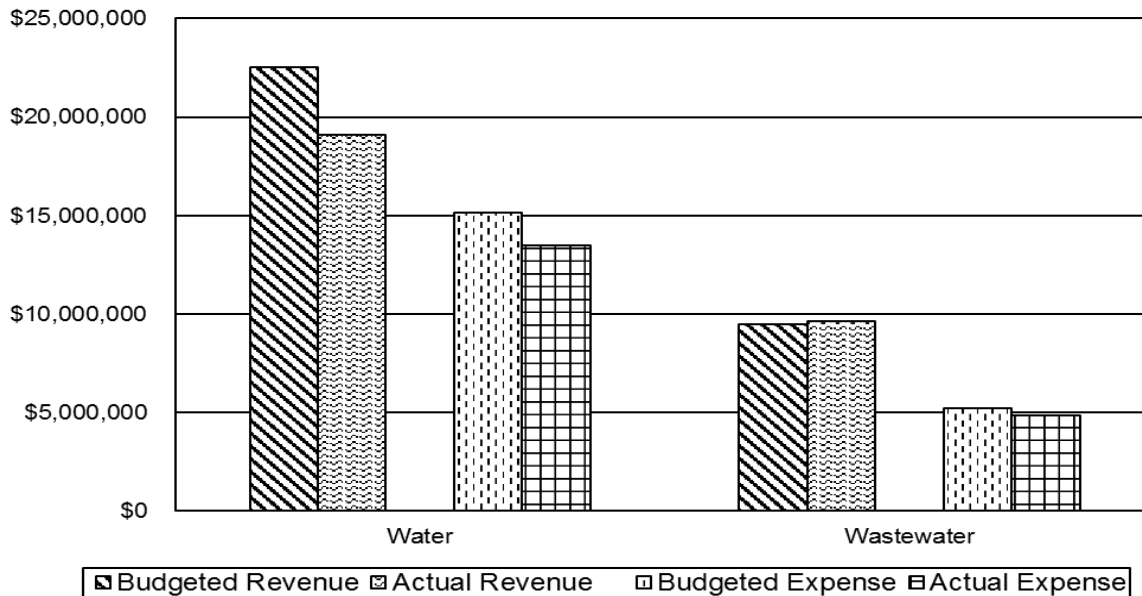
The following graphs represent segment information for the Water and Wastewater funds.

**Water and Wastewater Funds
Operating Revenues and Expenditures
2013-2015**



Fluctuations in revenue are mostly due to the effect of climatic variations on water consumption as well as changes in billing rates.

**Water and Wastewater Funds
2015 Operating Budget vs Actual**

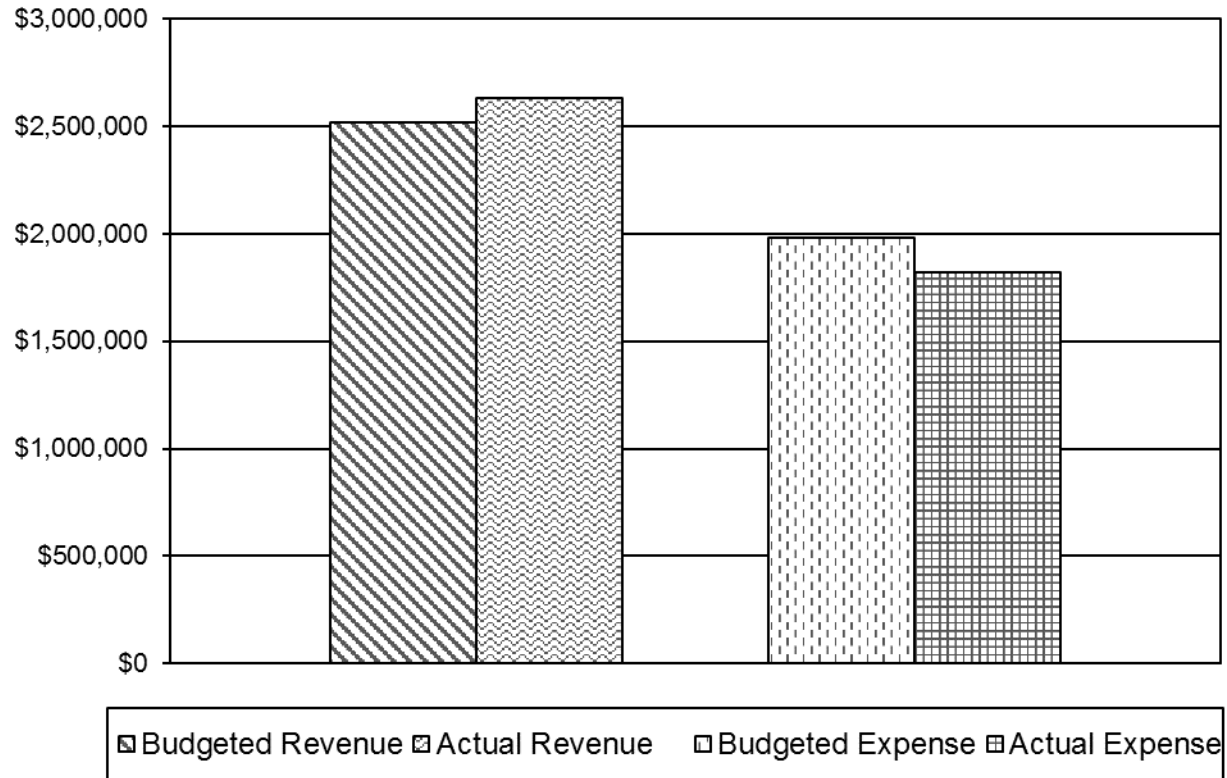


The Water Fund revenue shortfall reflects water consumption impacted by Colorado’s wet spring and early summer.

Golf Course Enterprise (Legacy and Heritage Golf Courses)

This enterprise reflects the combined operations of the City's two municipal golf courses.

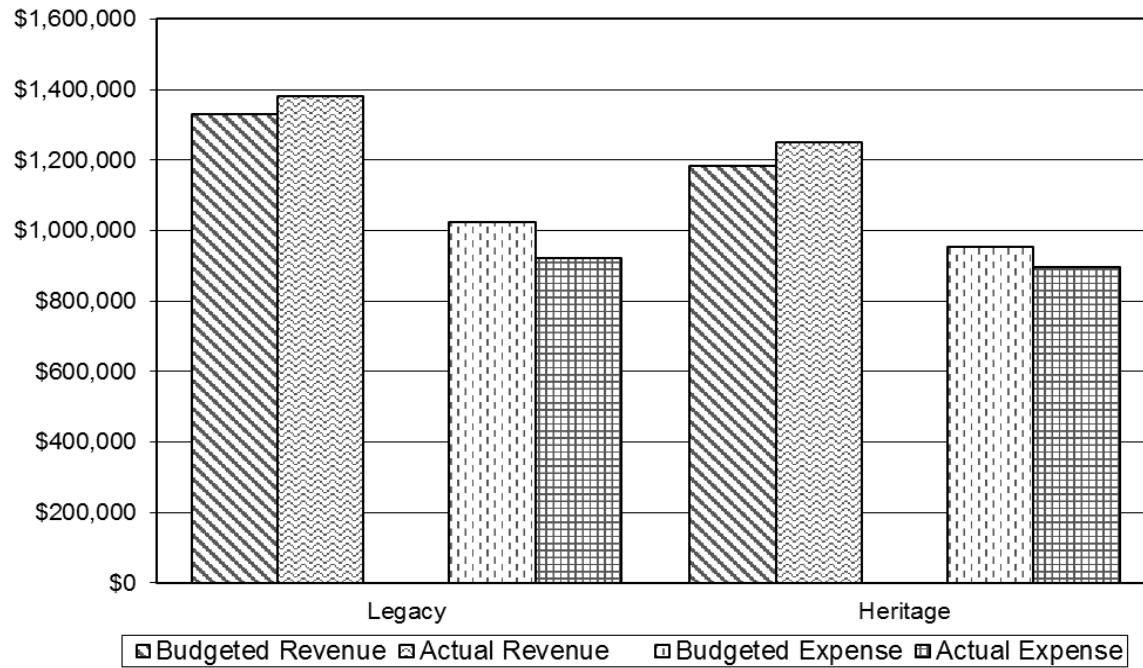
**Combined Golf Courses
2015 Operating Budget vs Actual**



The budget to actual revenue variance reflects increased sales of driving range fees, green fees, and merchandise as well as registrations for junior golf camp and lessons.

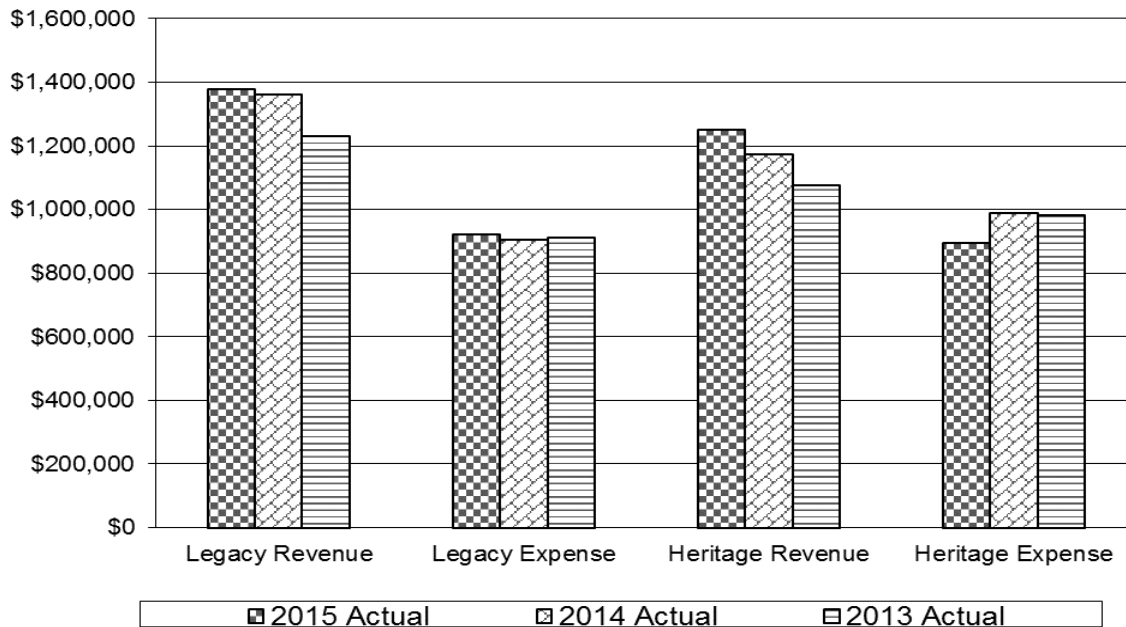
The following graphs represent the information for each of the golf courses.

**Legacy and Heritage Golf Course
2015 Operating Budget vs Actual**



Favorable budget to actual revenue variances reflect an increase in driving range fees, green fees, merchandise sales and registration fees. Various golf course promotions have spurred sales at both courses.

**Legacy and Heritage Golf Courses
Operating Revenue and Expenditures
2013-2015**



Revenues are up at both courses due to increased play and promotional programs. Expenses at Heritage are down due mostly to salaries, contract service fees, and commodity purchases. This financial report supports City Council’s Strategic Plan Goal of Financially Sustainable Government Providing Excellence in City Services by communicating timely information on the results of City operations to assist with critical decision making.

SUBJECT: Financial Report for August 2015

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Respectfully submitted,

Donald M. Tripp
City Manager

Attachments: Financial Statements
Shopping Center Report

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description General Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Revenues						
Taxes	5,887,933	5,398,986		5,303,838	(95,148)	98.2%
Licenses & Permits	1,739,217	1,037,380		1,836,085	798,705	177.0%
Intergovernmental Revenue	5,548,768	3,384,420		3,905,148	520,728	115.4%
Charges for Services						
Recreation Services	7,075,498	5,025,090		5,359,105	334,015	106.6%
Other Services	9,871,075	5,868,832		6,338,965	470,133	108.0%
Fines	1,511,000	1,041,294		1,134,927	93,633	109.0%
Interest Income	75,000	51,260		80,456	29,196	157.0%
Miscellaneous	1,661,153	709,523		912,947	203,424	128.7%
Leases	401,779	282,499		282,499	0	100.0%
Interfund Transfers	70,704,714	47,837,187		47,837,187	0	100.0%
Other Financing Sources	577,947	577,946		577,946	0	100.0%
Sub-total Revenues	<u>105,054,084</u>	<u>71,214,417</u>		<u>73,569,103</u>	<u>2,354,686</u>	<u>103.3%</u>
Carryover	4,351,768	4,351,768		4,351,768	0	100.0%
Total Revenues	<u>109,405,852</u>	<u>75,566,185</u>		<u>77,920,871</u>	<u>2,354,686</u>	<u>103.1%</u>
Expenditures						
City Council	266,525	179,085		149,354	(29,731)	83.4%
City Attorney's Office	1,347,732	863,663		845,098	(18,565)	97.9%
City Manager's Office	2,374,421	1,499,961		1,239,697	(260,264)	82.6%
Central Charges	31,864,345	18,639,670		17,912,831	(726,839)	96.1%
General Services	6,364,645	4,019,838		3,772,042	(247,796)	93.8%
Finance	2,274,069	1,465,423		1,383,235	(82,188)	94.4%
Police	22,168,575	14,312,289		14,455,709	143,420	101.0%
Fire Emergency Services	12,851,780	8,257,360		8,082,299	(175,061)	97.9%
Community Development	4,862,380	3,125,747		2,960,242	(165,505)	94.7%
Public Works & Utilities	8,811,994	5,131,532		4,129,595	(1,001,937)	80.5%
Parks, Recreation & Libraries	16,219,386	10,383,992		10,378,117	(5,875)	99.9%
Total Expenditures	<u>109,405,852</u>	<u>67,878,560</u>		<u>65,308,219</u>	<u>(2,570,341)</u>	<u>96.2%</u>
Revenues Over(Under) Expenditures	<u>0</u>	<u>7,687,625</u>		<u>12,612,652</u>	<u>4,925,027</u>	

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Sales and Use Tax Fund						
Revenues						
Sales Tax						
Sales Tax Returns	50,545,930	33,157,305		36,709,606	3,552,301	110.7%
Sales Tx Audit Revenues	729,000	486,243		596,598	110,355	122.7%
S-T Rev. STX	<u>51,274,930</u>	<u>33,643,548</u>		<u>37,306,204</u>	<u>3,662,656</u>	110.9%
Use Tax						
Use Tax Returns	9,020,573	5,592,396		7,687,633	2,095,237	137.5%
Use Tax Audit Revenues	785,000	523,595		589,869	66,274	112.7%
S-T Rev. UTX	<u>9,805,573</u>	<u>6,115,991</u>		<u>8,277,502</u>	<u>2,161,511</u>	135.3%
Total STX and UTX	<u><u>61,080,503</u></u>	<u><u>39,759,539</u></u>		<u><u>45,583,706</u></u>	<u><u>5,824,167</u></u>	114.6%
Public Safety Tax						
PST Tax Returns	13,048,619	8,697,302		9,429,187	731,885	108.4%
PST Audit Revenues	308,500	205,770		237,203	31,433	115.3%
Total Rev. PST	<u><u>13,357,119</u></u>	<u><u>8,903,072</u></u>		<u><u>9,666,390</u></u>	<u><u>763,318</u></u>	108.6%
Interest Income	51,000	34,000		75,837	41,837	223.1%
Interfund Transfers	434,975	289,983		289,983	0	100.0%
Carryover	7,037,908	7,037,908		7,037,908	0	100.0%
Total Revenues	<u><u>81,961,505</u></u>	<u><u>56,024,502</u></u>		<u><u>62,653,824</u></u>	<u><u>6,629,322</u></u>	111.8%
Expenditures						
Central Charges	<u>81,961,505</u>	<u>56,986,973</u>		<u>56,986,973</u>	0	100.0%
Revenues Over(Under) Expenditures	<u><u>0</u></u>	<u><u>(962,471)</u></u>		<u><u>5,666,851</u></u>	<u><u>6,629,322</u></u>	

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description POST Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Revenues						
Sales & Use Tax	5,379,727	3,604,489		4,026,629	422,140	111.7%
Intergovernmental Revenue	375,561	375,561		385,561	10,000	102.7%
Interest Income	10,000	6,667		10,031	3,364	150.5%
Miscellaneous	98,368	65,579		38,905	(26,674)	59.3%
Interfund Transfers	32,025	21,350		21,350	0	100.0%
Sub-total Revenues	<u>5,895,681</u>	<u>4,073,646</u>		<u>4,482,476</u>	408,830	110.0%
Carryover	745,468	745,468		745,468	0	100.0%
Total Revenues	<u>6,641,149</u>	<u>4,819,114</u>		<u>5,227,944</u>	408,830	108.5%
Expenditures						
Central Charges	5,023,027	3,078,862		2,910,851	(168,011)	94.5%
Park Services	1,618,122	1,357,267		1,224,043	(133,224)	90.2%
Total Expenditures	<u>6,641,149</u>	<u>4,436,129</u>		<u>4,134,894</u>	(301,235)	93.2%
Revenues Over(Under) Expenditures	<u>0</u>	<u>382,985</u>		<u>1,093,050</u>	710,065	

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Water and Wastewater Funds - Combined						
Operating Revenues						
License & Permits	75,000	50,000		74,750	24,750	149.5%
Intergovernmental Revenue	0	0	(1)	239,750	239,750	
Rates and Charges	49,200,891	31,666,284		28,231,865	(3,434,419)	89.2%
Miscellaneous	410,000	273,334		174,394	(98,940)	63.8%
Total Operating Revenues	<u>49,685,891</u>	<u>31,989,618</u>		<u>28,720,759</u>	<u>(3,268,859)</u>	89.8%
Operating Expenditures						
Central Charges	6,465,084	4,310,056		4,206,810	(103,246)	97.6%
Finance	662,357	433,844		410,249	(23,595)	94.6%
Public Works & Utilities	22,139,736	13,400,425		11,745,844	(1,654,581)	87.7%
Parks, Recreation & Libraries	152,467	109,624		105,817	(3,807)	96.5%
Information Technology	3,286,908	2,100,334		1,865,307	(235,027)	88.8%
Total Operating Expenditures	<u>32,706,552</u>	<u>20,354,283</u>		<u>18,334,027</u>	<u>(2,020,256)</u>	90.1%
Operating Income (Loss)	<u>16,979,339</u>	<u>11,635,335</u>		<u>10,386,732</u>	<u>(1,248,603)</u>	
Other Revenue and Expenditures						
Tap Fees	12,685,226	8,456,817	(2)	6,419,517	(2,037,300)	75.9%
Interest Income	360,500	240,333		272,345	32,012	113.3%
Sale of Assets	0	0		6,950	6,950	
Carryover	2,127,282	2,127,282		2,127,282	0	100.0%
Debt Service	(6,543,780)	(2,970,526)		(2,970,526)	0	100.0%
Reserve Transfer In	930,000	930,000		930,000	0	100.0%
Reserve Transfer Out	(1,642,567)	(1,642,567)		(1,642,567)	0	100.0%
Total Other Revenue (Expenditures)	<u>7,916,661</u>	<u>7,141,339</u>		<u>5,143,001</u>	<u>(1,998,338)</u>	
Revenues Over(Under) Expenditures	<u>24,896,000</u>	<u>18,776,674</u>	(3)	<u>15,529,733</u>	<u>(3,246,941)</u>	

(1) Build America Bonds interest rate subsidy.

(2) Tap fee revenue flows are irregular based on development activity as well as quantity and size of meters being installed.

(3) Net revenues are used to fund capital projects and reserves.

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Water Fund						
Operating Revenues						
License & Permits	75,000	50,000		74,750	24,750	149.5%
Intergovernmental Revenue	0	0	(1)	239,750	239,750	
Rates and Charges	35,019,138	22,211,782		18,605,646	(3,606,136)	83.8%
Miscellaneous	400,000	266,667		168,319	(98,348)	63.1%
Total Operating Revenues	<u>35,494,138</u>	<u>22,528,449</u>		<u>19,088,465</u>	<u>(3,439,984)</u>	
Operating Expenditures						
Central Charges	4,503,673	3,002,449		2,898,130	(104,319)	96.5%
Finance	662,357	433,844		410,249	(23,595)	94.6%
Community Development	0	0		0	0	
Public Works & Utilities	15,513,630	9,500,016		8,196,496	(1,303,520)	86.3%
PR&L Standley Lake	152,467	109,624		105,817	(3,807)	96.5%
Information Technology	3,286,908	2,100,334		1,865,307	(235,027)	88.8%
Total Operating Expenditures	<u>24,119,035</u>	<u>15,146,267</u>		<u>13,475,999</u>	<u>(1,670,268)</u>	89.0%
Operating Income (Loss)	<u>11,375,103</u>	<u>7,382,182</u>		<u>5,612,466</u>	<u>(1,769,716)</u>	
Other Revenue and (Expenditures)						
Tap Fees	10,327,653	6,885,102	(2)	4,661,521	(2,223,581)	67.7%
Interest Income	277,500	185,000		196,706	11,706	106.3%
Sale of Assets	0	0		6,950	6,950	
Carryover	1,218,228	1,218,228		1,218,228	0	100.0%
Debt Service	(5,422,971)	(2,409,549)		(2,409,549)	0	100.0%
Reserve Transfer Out	(783,513)	(783,513)		(783,513)	0	100.0%
Total Other Revenues (Expenditures)	<u>5,616,897</u>	<u>5,095,268</u>		<u>2,890,343</u>	<u>(2,204,925)</u>	
Revenues Over(Under) Expenditures	<u>16,992,000</u>	<u>12,477,450</u>	(3)	<u>8,502,809</u>	<u>(3,974,641)</u>	

(1) Build America Bond interest rate subsidy.

(2) Tap fee revenue flows are irregular based on development activity as well as quantity and size of meters being installed.

(3) Net revenues are used to fund capital projects and reserves.

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Wastewater Fund						
Operating Revenues						
Rates and Charges	14,181,753	9,454,502		9,626,219	171,717	101.8%
Miscellaneous	10,000	6,667		6,075	(592)	91.1%
Total Operating Revenues	<u>14,191,753</u>	<u>9,461,169</u>		<u>9,632,294</u>	<u>171,125</u>	101.8%
Operating Expenditures						
Central Charges	1,961,411	1,307,607		1,308,680	1,073	100.1%
Public Works & Utilities	6,626,106	3,900,409		3,549,348	(351,061)	91.0%
Total Operating Expenditures	<u>8,587,517</u>	<u>5,208,016</u>		<u>4,858,028</u>	<u>(349,988)</u>	93.3%
Operating Income (Loss)	<u>5,604,236</u>	<u>4,253,153</u>		<u>4,774,266</u>	<u>521,113</u>	
Other Revenue and Expenditures						
Tap Fees	2,357,573	1,571,715		1,757,996	186,281	111.9%
Interest Income	83,000	55,333		75,639	20,306	136.7%
Carryover	909,054	909,054		909,054	0	100.0%
Debt Service	(1,120,809)	(560,977)		(560,977)	0	100.0%
Reserve Transfer In	930,000	930,000		930,000	0	100.0%
Reserve Transfer Out	(859,054)	(859,054)		(859,054)	0	100.0%
Total Other Revenues (Expenditures)	<u>2,299,764</u>	<u>2,046,071</u>		<u>2,252,658</u>	<u>206,587</u>	
Revenues Over(Under) Expenditures	<u>7,904,000</u>	<u>6,299,224</u>	(1)	<u>7,026,924</u>	<u>727,700</u>	

(1) Net revenues are used to fund capital projects and reserves.

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Storm Drainage Fund						
Revenues						
Charges for Services	3,382,000	2,254,667		2,216,922	(37,745)	98.3%
Interest Income	26,000	17,333		25,811	8,478	148.9%
Miscellaneous	0	0	(1)	456,623	456,623	
Other Financing Sources	4,610,000	4,610,000	(2)	4,610,000	0	100.0%
Sub-total Storm Drainage Revenues	<u>8,018,000</u>	<u>6,882,000</u>		<u>7,309,356</u>	<u>427,356</u>	106.2%
Carryover	44,204	44,204		44,204	0	100.0%
Total Revenues	<u>8,062,204</u>	<u>6,926,204</u>		<u>7,353,560</u>	<u>427,356</u>	106.2%
Expenditures						
General Services	86,200	43,014		25,426	(17,588)	59.1%
Community Development	201,396	126,477		120,416	(6,061)	95.2%
PR&L Park Services	200,000	108,200		80,772	(27,428)	74.7%
Public Works & Utilities	338,404	152,959		128,870	(24,089)	84.3%
Total Expenditures	<u>826,000</u>	<u>430,650</u>		<u>355,484</u>	<u>(75,166)</u>	82.5%
Revenues Over(Under) Expenditures	<u>7,236,204</u>	<u>6,495,554</u>	(3)	<u>6,998,076</u>	<u>502,522</u>	

(1) Adams County Little Dry Creek IGA billing.

(2) Storm Drainage 2015 Bond Issue.

(3) Net revenues are used to fund capital projects and reserves.

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Golf Courses Combined						
Operating Revenues						
Charges for Services	3,283,750	2,516,049		2,627,466	111,417	104.4%
Miscellaneous	0	0		4,180	4,180	
Total Revenues	<u>3,283,750</u>	<u>2,516,049</u>		<u>2,631,646</u>	<u>115,597</u>	104.6%
Operating Expenditures						
Central Charges	186,184	125,365	(1)	150,027	24,662	119.7%
Recreation Facilities	2,650,862	1,854,294		1,667,568	(186,726)	89.9%
Total Expenditures	<u>2,837,046</u>	<u>1,979,659</u>		<u>1,817,595</u>	<u>(162,064)</u>	91.8%
Operating Income (Loss)	<u>446,704</u>	<u>536,390</u>		<u>814,051</u>	<u>277,661</u>	
Other Revenues and Expenditures						
Interest Income	0	0		8,054	8,054	
Other Financing Use	(6,080)	(7,152)		(7,152)	0	100.0%
Debt Service	(819,282)	(354,588)		(354,588)	0	100.0%
Interfund Transfers In	519,969	346,646		346,646	0	100.0%
Interfund Transfers Out	(84,598)	(84,598)		(84,598)	0	100.0%
Carryover	158,287	158,287		158,287	0	100.0%
Total Other Revenue (Expenditures)	<u>(231,704)</u>	<u>58,595</u>		<u>66,649</u>	<u>8,054</u>	
Revenues Over(Under) Expenditures	<u>215,000</u>	<u>594,985</u>	(2)	<u>880,700</u>	<u>285,715</u>	

(1) Budget to actual variance mostly due to personnel services, employee insurances.

(2) Net revenues are used to fund capital projects and reserves.

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Legacy Ridge Fund						
Operating Revenues						
Charges for Services	1,746,984	1,331,202		1,377,550	46,348	103.5%
Miscellaneous	0	0		2,190	2,190	
Total Revenues	<u>1,746,984</u>	<u>1,331,202</u>		<u>1,379,740</u>	<u>48,538</u>	103.6%
Operating Expenditures						
Central Charges	98,935	66,385	(1)	80,017	13,632	120.5%
Recreation Facilities	1,343,418	958,742		842,295	(116,447)	87.9%
Total Expenditures	<u>1,442,353</u>	<u>1,025,127</u>		<u>922,312</u>	<u>(102,815)</u>	90.0%
Operating Income (Loss)	<u>304,631</u>	<u>306,075</u>		<u>457,428</u>	<u>151,353</u>	
Other Revenues and Expenditures						
Interest Income	0	0		4,470	4,470	
Other Financing Use	(3,000)	(4,662)		(4,662)	0	100.0%
Debt Service	(160,320)	(142,425)		(142,425)	0	100.0%
Interfund Transfers Out	(84,598)	(84,598)		(84,598)	0	100.0%
Carryover	66,287	66,287		66,287	0	100.0%
Total Other Revenue (Expenditures)	<u>(181,631)</u>	<u>(165,398)</u>		<u>(160,928)</u>	<u>4,470</u>	
Revenues Over(Under) Expenditures	<u>123,000</u>	<u>140,677</u>	(2)	<u>296,500</u>	<u>155,823</u>	

(1) Budget to actual variance mostly due to personnel services, employee insurances.

(2) Net revenues are used to fund capital projects and reserves.

**City of Westminster
Financial Report
For Eight Months Ending August 31, 2015**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Heritage at Westmoor Fund						
Operating Revenues						
Charges for Services	1,536,766	1,184,847		1,249,916	65,069	105.5%
Miscellaneous	0	0		1,990	1,990	
Total Revenues	<u>1,536,766</u>	<u>1,184,847</u>		<u>1,251,906</u>	<u>67,059</u>	105.7%
Operating Expenditures						
Central Charges	87,249	58,980	(1)	70,010	11,030	118.7%
Recreation Facilities	1,307,444	895,552		825,273	(70,279)	92.2%
Total Expenditures	<u>1,394,693</u>	<u>954,532</u>		<u>895,283</u>	<u>(59,249)</u>	93.8%
Operating Income (Loss)	<u>142,073</u>	<u>230,315</u>		<u>356,623</u>	<u>126,308</u>	
Other Revenues and Expenditures						
Interest Income	0	0		3,584	3,584	
Other Financing Use	(3,080)	(2,490)		(2,490)	0	100.0%
Debt Service	(658,962)	(212,163)		(212,163)	0	100.0%
Interfund Transfers	519,969	346,646		346,646	0	100.0%
Carryover	92,000	92,000		92,000	0	100.0%
Total Other Revenue (Expenditures)	<u>(50,073)</u>	<u>223,993</u>		<u>227,577</u>	<u>3,584</u>	
Revenues Over(Under) Expenditures	<u>92,000</u>	<u>454,308</u>	(2)	<u>584,200</u>	<u>129,892</u>	

(1) Budget to actual variance mostly due to personnel services, employee insurances.

(2) Net revenues are used to fund capital projects and reserves.

**CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MONTH OF AUGUST 2015**

Center Location Major Tenant	Current Month			Last Year			Percentage Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S/TARGET	454,744	16,811	471,555	406,811	11,350	418,161	12	48	13
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	313,595	1,530	315,125	315,346	1,077	316,423	(1)	42	0
SHOPS AT WALNUT CREEK 104TH & REED TARGET	250,671	2,915	253,586	241,120	1,700	242,820	4	71	4
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	248,075	546	248,621	230,478	392	230,870	8	39	8
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	229,122	562	229,684	217,640	1,890	219,530	5	(70)	5
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	180,826	23,878	204,704	154,428	18,559	172,987	17	29	18
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	188,159	831	188,990	180,522	324	180,846	4	156	5
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	182,806	927	183,733	173,095	1,513	174,608	6	(39)	5
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	164,822	1,905	166,727	166,875	1,056	167,931	(1)	80	(1)
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	138,961	840	139,801	111,213	18,514	129,727	25	(95)	8
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	134,765	1,021	135,786	130,164	613	130,777	4	67	4
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	7,244	127,133	134,377	32,641	653,942	686,583	(78)	(81)	(80)
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	97,232	422	97,654	92,483	249	92,732	5	69	5

**CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MONTH OF AUGUST 2015**

Center Location Major Tenant	Current Month			Last Year			Percentage Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN LOWE'S	81,899	282	82,181	76,235	189	76,424	7	49	8
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	78,418	237	78,655	72,819	107	72,926	8	121	8
BRADBURN VILLAGE 120TH & BRADBURN WHOLE FOODS	67,748	247	67,995	15,433	94	15,527	339	163	338
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	55,623	254	55,877	59,776	1,407	61,183	(7)	(82)	(9)
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	55,119	533	55,652	57,366	522	57,888	(4)	2	(4)
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	54,577	372	54,949	50,789	798	51,587	7	(53)	7
NORTHVIEW 92ND AVE YATES TO SHERIDAN H MART	45,052	1,891	46,943	43,007	331	43,338	5	471	8
WESTMINSTER MALL 88TH & SHERIDAN JC PENNEY	45,823	377	46,200	40,250	573	40,823	14	(34)	13
BOULEVARD SHOPS 94TH & WADSWORTH CORRIDOR AMERICAN FURNITURE WAREHOUSE	38,333	149	38,482	36,760	505	37,265	4	(70)	3
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	36,405	124	36,529	35,165	1,929	37,094	4	(94)	(2)
RANCHO PLAZA SE CORNER 72ND & FEDERAL WALMART MARKET	35,273	158	35,431	6,474	0	6,474	445	--	447
COUNTRYDALE BUSINESS PARK S SIDE 108TH & WADSWORTH BALL CORPORATION	550	33,260	33,810	778	8,820	9,598	(29)	277	252
TOTALS	3,185,842	217,205	3,403,047	2,947,668	726,454	3,674,122	8	(70)	(7)

**CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
AUGUST 2015 YEAR-TO-DATE**

Center Location Major Tenant	Current Month			Last Year			Percentage Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S/TARGET	3,909,270	179,938	4,089,208	3,592,465	119,762	3,712,227	9	50	10
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	2,556,212	23,647	2,579,859	2,659,748	12,925	2,672,673	(4)	83	(3)
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	2,288,272	5,785	2,294,057	2,150,720	41,257	2,191,977	6	(86)	5
SHOPS AT WALNUT CREEK 104TH & REED TARGET	2,161,643	22,009	2,183,652	2,041,478	14,642	2,056,120	6	50	6
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	1,654,634	13,610	1,668,244	1,608,267	9,808	1,618,075	3	39	3
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	1,472,962	10,356	1,483,318	1,406,163	12,594	1,418,757	5	(18)	5
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	1,465,649	17,770	1,483,419	1,411,402	19,171	1,430,573	4	(7)	4
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	1,388,795	12,323	1,401,118	1,396,517	5,224	1,401,741	(1)	136	0
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	1,290,088	166,868	1,456,956	1,207,979	184,950	1,392,929	7	(10)	5
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	1,217,122	34,235	1,251,357	980,002	30,389	1,010,391	24	13	24
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	1,182,597	12,918	1,195,515	1,108,071	6,478	1,114,549	7	99	7
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	850,333	3,117	853,450	750,195	4,959	755,154	13	(37)	13
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN LOWE'S	731,367	16,043	747,410	629,391	3,378	632,769	16	375	18

**CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
AUGUST 2015 YEAR-TO-DATE**

Center Location Major Tenant	Current Month			Last Year			Percentage Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	645,160	13,459	658,619	569,035	7,800	576,835	13	73	14
BRADBURN VILLAGE 120TH & BRADBURN WHOLE FOODS	553,416	69,768	623,184	135,544	1,507	137,051	308	4,530	355
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	464,349	1,657	466,006	522,210	4,751	526,961	(11)	(65)	(12)
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	448,699	4,513	453,212	448,386	3,049	451,435	0	48	0
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	423,591	12,983	436,574	391,803	6,046	397,849	8	115	10
WESTMINSTER MALL 88TH & SHERIDAN JC PENNEY	402,823	7,195	410,018	384,154	7,939	392,093	5	(9)	5
NORTHVIEW 92ND AVE YATES TO SHERIDAN H MART	354,616	5,385	360,001	333,952	4,494	338,446	6	20	6
BOULEVARD SHOPS 94TH & WADSWORTH CORRIDOR AMERICAN FURNITURE WAREHOUSE	304,475	6,251	310,726	279,589	2,344	281,933	9	167	10
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	282,363	24,172	306,535	268,592	4,924	273,516	5	391	12
WILLOW RUN 128TH & ZUNI SAFEWAY (closed June 2015)	264,405	1,555	265,960	253,813	1,629	255,442	4	(5)	4
RANCHO PLAZA SE CORNER 72ND & FEDERAL WALMART MARKET	237,744	5,015	242,759	52,811	358	53,169	350	1,301	357
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	234,633	3,156	237,789	210,246	3,142	213,388	12	0	11
TOTALS	26,785,218	673,728	27,458,946	24,792,533	513,520	25,306,053	8	31	9



Agenda Item 8 B

Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Intergovernmental Agreement with the Urban Drainage and Flood Control District and the City and County of Broomfield for City Park Channel, Phase 2 Design and Construction

Prepared By: Mikele L. Wright, Senior Engineer

Recommended City Council Action

Authorize the City Manager to execute an Intergovernmental Agreement with the Urban Drainage and Flood Control District and the City and County of Broomfield relating to the design and construction of Phase 2 of the City Park Channel, located along the south side of 120th Avenue between Lowell Boulevard and Big Dry Creek, which authorizes a contribution of \$50,000 by the City for the design of this project.

Summary Statement

- The Urban Drainage and Flood Control District (UDFCD), the City and County of Broomfield and the City of Westminster completed the first phase of construction of the City Park Channel in 2008. This first phase improved a portion of the channel from the west side of Lowell Boulevard east along the frontage of the Academy of Charter Schools site. The three parties are now ready to begin the design and, ultimately, the construction of the second and final phase of this project that will complete the storm drainage improvements to the safe outfall point of Big Dry Creek.
- The Colorado Department of Transportation (CDOT) will be decommissioning the existing vehicular ramp from eastbound 120th Avenue to southbound Federal Boulevard with the planned intersection improvements project in mid-2016. However, through negotiations between CDOT and the City, the bridge that carries this ramp over the Creek will remain in place and will be converted to a pedestrian bridge for the Big Dry Creek Trail. The old bridge will also serve as maintenance access for the new drainage improvements.
- The final design costs for the Phase 2 storm drainage project are estimated at \$150,000. The construction costs are estimated to be approximately \$1,050,000, and the project could be constructed in 2016 with Council's future approval of an amendment to this Intergovernmental Agreement (IGA).
- Adequate funds are available in the City's Utility Fund, Storm Water Account for this expense.
- The City Attorney's Office has reviewed and approved the attached IGA.

Expenditure Required: \$50,000 (City's share)

Source of Funds: Utility Fund - Storm Water Account

Policy Issue

Should the City enter into an Intergovernmental Agreement with the Urban Drainage and Flood Control District and the City and County of Broomfield to design and later construct improvements to the City Park Channel, located along the south side of 120th Avenue from the existing crossing downstream of Lowell Boulevard east to Big Dry Creek?

Alternative

Council could choose not to execute this intergovernmental agreement at this time. Staff does not recommend this alternative because these improvements to this stretch of channel provide equal benefits to citizens of both jurisdictions and will prevent the future flooding of 120th Avenue in this area in the event of a major storm. In addition, the UDFCD and Broomfield are willing to share in the costs of the project at this time.

Background Information

In 1986, the Cities of Broomfield and Westminster adopted the Outfall Systems Plan for City Park Channel. In 2002, the UDFCD hired a consultant to update this Outfall Systems Plan because the changed hydrology from the time that the original report was completed indicated higher flow rates in the channel than what was reported in the original study. The revised study includes the portion of the channel that originates in Broomfield upstream of the culvert crossing of 120th Avenue located west of Sheridan Boulevard and follows along the south side of 120th Avenue east to Big Dry Creek where it crosses under 120th Avenue just west of Federal Boulevard.

City staff has identified a need to perform these proposed storm drainage improvements to the City Park Channel. Without a significant enlargement of the capacity of the existing channel, the possibility of water overtopping 120th Avenue and/or Lowell Boulevard during a major storm event is dramatically increased. Such an overtopping of a major arterial roadway could isolate motorists and/or City residents from emergency assistance at a time of great need. Staff strongly endorses the City's pursuit of the proposed improvements in the interest of public safety.

The proposed route of City Park Channel is somewhat different than the current path but is consistent with the route shown in the Outfall Systems Plan that was adopted by the City in 1986. This route traverses through the City's Big Dry Creek Open Space property on the south side of 120th Avenue between the Academy of Charter Schools property on the west and Federal Boulevard on the east. The channel through the open space property will be designed so it is an amenity to the open space, and it will include a combined bike path/maintenance trail along the channel and a bridge over Big Dry Creek to connect to the Big Dry Creek Trail.

The first phase of City Park Channel improvements completed in 2008 consisted of the box culvert under Lowell Boulevard and the construction of approximately 500 feet of channel upstream and downstream of this box culvert. Phase 2 is the completion of the channel from a point located 500 feet downstream of Lowell Boulevard to the confluence with Big Dry Creek near Federal Boulevard as well as some minor improvements upstream of Lowell Boulevard.

The currently proposed amount of funding for Phase 2 that will be administered through the UDFCD is as follows:

	Contribution Amount	Percentage Share
DISTRICT	\$150,000	42.86%
BROOMFIELD	\$150,000	42.86%
WESTMINSTER	\$50,000	14.28%
TOTAL	\$350,000	100.0%

Once final construction costs estimates are completed, the UDFCD, Broomfield and the City will amend this IGA to encumber the necessary funds. Current estimates assume a total contribution from all parties at \$1,200,000 with UDFCD contributing \$600,000, Broomfield contributing \$300,000 and the City contributing the remaining \$300,000. Staff believes that this is a reasonable proposal given the benefits to citizens in both jurisdictions and the additional benefit of UDFCD agreeing to share with the cost of this project. Under the proposed IGA, UDFCD will manage this project with oversight provided by both cities.

Approval of this IGA supports the City’s Strategic Plan Goal of *Visionary Leadership, Effective Governance and Proactive Regional Collaboration*, by collaborating with the City and County of Broomfield and the Urban Drainage and Flood Control District on this drainage improvement project.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachments: Vicinity Map
IGA



City Park
Drainageway
Project Limits

Federal Blvd

120th Ave

Lowell Blvd

City Park
Drainageway

City Park
Drainageway

Nissen Res.
Drainageway

City Park
Channel

Ranch
Creek

Big Dry Creek

Big Dry Creek

Creek

AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
CITY PARK DRAINAGEWAY, LOWER REACH IN
CITY OF WESTMINSTER

Agreement No. 15-03.07

THIS AGREEMENT, made this _____ day of _____, 2015, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT (hereinafter called "DISTRICT"), CITY AND COUNTY OF BROOMFIELD (hereinafter called "BROOMFIELD", and CITY OF WESTMINSTER (hereinafter called "WESTMINSTER") and collectively known as "PARTIES";

WITNESSETH:

WHEREAS, DISTRICT, in a policy statement previously adopted (Resolution No. 14, Series of 1970 and Resolution No. 11, Series of 1973) expressed an intent to assist public bodies which have heretofore enacted floodplain regulation measures; and

WHEREAS, PARTIES participated in a joint planning study titled "City Park and 3207 Drainageways Outfall Systems Planning Study, Preliminary Design Report" by Kiowa Engineering Corporation, dated June 2006 (hereinafter called "PLAN"); and

WHEREAS, PARTIES now desire to proceed with the design, right-of-way acquisition and construction of drainage and flood control improvements for City Park Drainageway, Lower Reach (hereinafter called "PROJECT"); and

WHEREAS, DISTRICT has adopted at a public hearing a Five-Year Capital Improvement Program (Resolution No. 52, Series of 2014) for drainage and flood control facilities in which PROJECT was included in the 2015 calendar year; and

WHEREAS, DISTRICT has heretofore adopted a Special Revenue Fund Budget for calendar year 2015 subsequent to public hearing (Resolution No. 46, Series of 2014) which includes funds for PROJECT; and

WHEREAS, DISTRICT's Board of Directors has authorized DISTRICT financial participation for PROJECT (Resolution No. 13, Series of 2015); and

WHEREAS, the City Councils of BROOMFIELD and WESTMINSTER and the Board of Directors of DISTRICT have authorized, by appropriation or resolution, all of PROJECT costs of the respective PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. SCOPE OF THIS AGREEMENT

This Agreement defines the responsibilities and financial commitments of PARTIES with respect to PROJECT.

2. SCOPE OF PROJECT

- A. Final Design. PROJECT shall include the final design of improvements in accordance with the recommendations defined in PLAN. Specifically, the final design of facilities shall extend from approximately 850 feet west of Lowell Boulevard to Big Dry Creek, as shown on Exhibit A.
- B. Right-of-Way Delineation and Acquisition. Right-of-way for the improvements as set forth in the final design and an estimate of costs for acquisition shall be determined. Maps, parcel descriptions and parcel plats shall also be prepared.
- C. Construction. PROJECT shall include construction by DISTRICT of the drainage and flood control improvements as set forth in the final design and vegetation establishment.

3. PUBLIC NECESSITY

PARTIES agree that the work performed pursuant to this Agreement is necessary for the health, safety, comfort, convenience, and welfare of all the people of the State, and is of particular benefit to the inhabitants of PARTIES and to their property therein.

4. PROJECT COSTS AND ALLOCATION OF COSTS

- A. PARTIES agree that for the purposes of this Agreement PROJECT costs shall consist of and be limited to the following:
 - 1. Final design services;
 - 2. Delineation, description and acquisition of required rights-of-way/easements;
 - 3. Construction of improvements;
 - 4. Contingencies mutually agreeable to PARTIES.
- B. It is understood that PROJECT costs as defined above are not to exceed \$350,000 without amendment to this Agreement.

PROJECT costs for the various elements of the effort are estimated as follows:

<u>ITEM</u>	<u>AMOUNT</u>
1. Final Design	\$150,000
2. Right-of-way	100,000
3. Construction*	100,000
4. Contingency*	-0-
Grand Total	\$350,000

*It is anticipated that monies will be added in the future.

This breakdown of costs is for estimating purposes only. Costs may vary between the various elements of the effort without amendment to this Agreement provided the total expenditures do not exceed the maximum contribution by all PARTIES plus accrued interest.

- C. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

	<u>Percentage Share</u>	<u>Maximum Contribution</u>
DISTRICT	42.86%	\$150,000
BROOMFIELD	42.86%	150,000
WESTMINSTER	14.28%	50,000
TOTAL	100.00%	\$350,000

5. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal or other sources of funding without limitation and without prior Board approval.

Payment of each party's full share (BROOMFIELD - \$150,000; WESTMINSTER - \$50,000; DISTRICT - \$150,000) shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to BROOMFIELD and WESTMINSTER of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares; or, at BROOMFIELD and WESTMINSTER request, BROOMFIELD and WESTMINSTER share of remaining monies shall be transferred to another special fund held by DISTRICT.

6. FINAL DESIGN

The contracting officers for PARTIES, as defined under Paragraph 13 of this Agreement, shall select an engineer mutually agreeable to both PARTIES. DISTRICT shall contract with selected engineer and shall supervise and coordinate the final design including right-of-way delineation subject to approval of the contracting officer for BROOMFIELD and WESTMINSTER. Payment for final design services shall be made by DISTRICT as the work progresses from the PROJECT fund established as set forth above.

Final design services shall consist of, but not be limited to, the following:

- A. Preparation of a work plan schedule identifying the timing of major elements in the design;
- B. Delineation of required right-of-way/easements;
- C. Preparation of detailed construction plans and specifications;

- D. Preparation of an estimate of probable construction costs of the work covered by the plans and specifications;
- E. Preparation of an appropriate construction schedule.

DISTRICT shall provide any written work product by the engineer to BROOMFIELD and WESTMINSTER.

7. RIGHT-OF-WAY

WESTMINSTER, with DISTRICT assistance, shall be responsible for acquiring, subject to approval of DISTRICT, such land or interests in land needed to implement construction of the drainage and flood control improvements as defined herein. The cost to be shared by PARTIES for right-of-way acquisition may include relocation costs of existing occupants. Appraisal costs and costs associated with condemnation (including outside legal costs) will also be considered a PROJECT cost. Right-of-way acquisition by negotiation and / or the exercise of eminent domain shall be in full compliance with the laws of the State of Colorado. In addition, the right-of-way acquired shall be in the name of WESTMINSTER and the conveyancing document shall be promptly recorded in the records of the Clerk and Recorder of Adams County. DISTRICT shall serve as the paying agency.

- A. Coordination of Right-of-Way Acquisition. Cost sharing by PARTIES will be based on supporting documentation such as formal appraisals, reasonable relocation cost settlements, legal description of the property, and other information deemed appropriate to the acquisition. Furthermore, cost sharing will be only for the properties, or portions thereof, approved by PARTIES to be needed for the drainage and flood control portions of PROJECT. Request for such approval shall include appraisals of property, legal description of the property, and other information deemed appropriate to the acquisition by PARTIES to this Agreement. WESTMINSTER shall purchase the right-of-way only after receiving prior approval of DISTRICT, and such purchases shall be made with PROJECT funds.
- B. Payment for Right-of-Way Acquisition. Following purchase or receipt of executed memorandum of agreement between WESTMINSTER and property owner for the needed right-of-way that commits the property owner to sell property to WESTMINSTER at a price certain and on a date certain, WESTMINSTER shall so advise DISTRICT and request payment as provided above. DISTRICT shall make payment within 30 days of receipt of request accompanied by the information set forth above.
- C. Ownership of Property and Limitation of Use. WESTMINSTER shall own the property either in fee or non-revocable easement and shall be responsible for same. It is specifically understood that the right-of-way is being used for drainage and flood control purposes. The properties upon which PROJECT is constructed shall not be used for any purpose that will diminish or preclude its use for drainage and flood control purposes. WESTMINSTER may not dispose of or change the use of the properties without approval of DISTRICT. If, in the future, WESTMINSTER disposes of any portion of or all of the properties acquired upon

which PROJECT is constructed pursuant to this Agreement; changes the use of any portion or all of the properties upon which PROJECT is constructed pursuant to this Agreement; or modifies any of the improvements located on any portion of the properties upon which PROJECT is constructed pursuant to this Agreement; and WESTMINSTER has not obtained the written approval of DISTRICT prior to such action, WESTMINSTER shall take any and all action necessary to reverse said unauthorized activity and return the properties and improvements thereon, acquired and constructed pursuant to this Agreement, to the ownership and condition they were in immediately prior to the unauthorized activity at WESTMINSTER 's sole expense. In the event WESTMINSTER breaches the terms and provisions of this Paragraph 7.C and does not voluntarily cure as set forth above, DISTRICT shall have the right to pursue a claim against WESTMINSTER for specific performance of this portion of the Agreement.

DISTRICT may, subsequent to the recording by WESTMINSTER of any document transferring title or another interest to property acquired pursuant to this Agreement to WESTMINSTER, record a memorandum of this Agreement (Exhibit B), specifically a verbatim transcript of Paragraph 7.C. Ownership of Property and Limitation of Use except for this sub-paragraph which shall not be contained in the memorandum. The memorandum shall reference by legal description the property being acquired by WESTMINSTER and shall be recorded in the records of the Clerk and Recorder of Adams County immediately following the recording of the document transferring title or another interest to WESTMINSTER. WESTMINSTER authorizes the recording of that memorandum and acknowledges that the same is meant to encumber the property with its restrictions.

8. MANAGEMENT OF CONSTRUCTION

- A. Costs. Construction costs shall consist of those costs as incurred by the most qualified contractor(s) including detour costs, licenses and permits, utility relocations, and construction related engineering services as defined in Paragraph 4 of this Agreement.
- B. Construction Management and Payment
 - 1. DISTRICT, with the assistance of BROOMFIELD and WESTMINSTER, shall administer and coordinate the construction-related work as provided herein.
 - 2. DISTRICT, with assistance and approval of BROOMFIELD and WESTMINSTER, shall select and award construction contract(s).
 - 3. DISTRICT shall require the contractor to provide adequate liability insurance that includes BROOMFIELD and WESTMINSTER. The contractor shall be required to indemnify BROOMFIELD and WESTMINSTER. Copies of the insurance coverage shall be provided to BROOMFIELD and WESTMINSTER.
 - 4. DISTRICT, with assistance of BROOMFIELD and WESTMINSTER, shall coordinate field surveying; staking; inspection; testing; acquisition of right-of-way; and engineering as required to construct PROJECT. DISTRICT, with assistance of

BROOMFIELD and WESTMINSTER, shall assure that construction is performed in accordance with the construction contract documents including approved plans and specifications and shall accurately record the quantities and costs relative thereto. Copies of all inspection reports shall be furnished to BROOMFIELD and WESTMINSTER on a weekly basis. DISTRICT shall retain an engineer to perform all or a part of these duties.

5. DISTRICT, with approval of BROOMFIELD and WESTMINSTER, shall contract with and provide the services of the design engineer for basic engineering construction services to include addendum preparation; survey control points; explanatory sketches; revisions of contract plans; shop drawing review; as-built plans; weekly inspection of work; and final inspection.
 6. PARTIES shall have access to the site during construction at all times to observe the progress of work and conformance to construction contract documents including plans and specifications.
 7. DISTRICT shall review and approve contractor billings and send them to BROOMFIELD and WESTMINSTER for approval. DISTRICT shall remit payment to contractor based on billings approved by PARTIES.
 8. DISTRICT, with assistance and written concurrence by BROOMFIELD and WESTMINSTER, shall prepare and issue all written change or work orders to the contract documents.
 9. PARTIES shall jointly conduct a final inspection and accept or reject the completed PROJECT in accordance with the contract documents.
 10. DISTRICT shall provide BROOMFIELD and WESTMINSTER a set of reproducible "as-built" plans.
- C. Construction Change Orders. In the event that it becomes necessary and advisable to change the scope or detail of the work to be performed under the contract(s), such changes shall be rejected or approved in writing by the contracting officers. No change orders shall be approved that increase the costs beyond the funds available in the PROJECT fund, including interest earned on those funds, unless and until the additional funds needed to pay for the added costs are committed by all PARTIES.

9. MAINTENANCE

PARTIES agree that WESTMINSTER shall own and be responsible for maintenance of the completed and accepted PROJECT. PARTIES further agree that DISTRICT, at WESTMINSTER's request, shall assist WESTMINSTER with the maintenance of all facilities constructed or modified by virtue of this Agreement to the extent possible depending on availability of DISTRICT funds. Such maintenance assistance shall be limited to drainage and flood control features of PROJECT. Maintenance assistance may include activities such as keeping flow areas free and clear of debris and silt, keeping culverts free of debris and sediment, repairing drainage and flood control

structures such as drop structures and energy dissipaters, and clean-up measures after periods of heavy runoff. The specific nature of the maintenance assistance shall be set forth in a memorandum of understanding from DISTRICT to WESTMINSTER, upon acceptance of DISTRICT's annual Maintenance Work Program.

DISTRICT shall have right-of-access to right-of-way and storm drainage improvements at all times for observation of flood control facility conditions and for maintenance when funds are available.

10. FLOODPLAIN REGULATION

BROOMFIELD and WESTMINSTER agree to regulate and control the floodplain of City Park Drainageway within BROOMFIELD and WESTMINSTER in the manner prescribed by the National Flood Insurance Program and prescribed regulations thereto as a minimum.

PARTIES understand and agree, however, that BROOMFIELD and WESTMINSTER cannot obligate itself by contract to exercise its police powers. If BROOMFIELD and WESTMINSTER fails to regulate the floodplain of City Park Drainageway within BROOMFIELD and WESTMINSTER in the manner prescribed by the National Flood Insurance Program and prescribed regulations thereto as a minimum, DISTRICT may exercise its power to do so and BROOMFIELD AND WESTMINSTER shall cooperate fully.

11. TERM OF AGREEMENT

The term of this Agreement shall commence upon final execution by all PARTIES and shall terminate three (3) years after the final payment is made to the construction contractor and the final accounting of funds on deposit at DISTRICT is provided to all PARTIES pursuant to Paragraph 5 herein, except for Paragraph 10. FLOODPLAIN REGULATION, Paragraph 7.C. Ownership of Property and Limitation of Use, and Paragraph 9. MAINTENANCE, which shall run in perpetuity.

12. LIABILITY

Each party hereto shall be responsible for any suits, demands, costs or actions at law resulting from its own acts or omissions and may insure against such possibilities as appropriate.

13. CONTRACTING OFFICERS

- A. The contracting officer for BROOMFIELD shall be the City Manager, One Descombes Drive, Broomfield, Colorado 80020.
- B. The contracting officer for WESTMINSTER shall be the City Manager, 4800 West 92nd Avenue, Westminster, Colorado 80031.
- C. The contracting officer for DISTRICT shall be the Executive Director, 2480 West 26th Avenue, Suite 156B, Denver, Colorado 80211.
- D. The contracting officers for PARTIES each agree to designate and assign a PROJECT representative to act on the behalf of said PARTIES in all matters related to PROJECT undertaken pursuant to this Agreement. Each representative shall coordinate all PROJECT-related issues between PARTIES, shall attend all progress meetings, and shall be responsible for providing all available PROJECT-related file information to the engineer upon request by DISTRICT or BROOMFIELD and WESTMINSTER. Said representatives

shall have the authority for all approvals, authorizations, notices or concurrences required under this Agreement. However, in regard to any amendments or addenda to this Agreement, said representative shall be responsible to promptly obtain the approval of the proper authority.

14. RESPONSIBILITIES OF PARTIES

DISTRICT shall be responsible for coordinating with BROOMFIELD and WESTMINSTER the information developed by the various consultants hired by DISTRICT and for obtaining all concurrences from BROOMFIELD and WESTMINSTER needed to complete PROJECT in a timely manner. BROOMFIELD and WESTMINSTER agree to review all concept plans, preliminary design plans, and final plans and specifications; and to provide comments within 21 calendar days after the drafts have been provided by DISTRICT to BROOMFIELD and WESTMINSTER.

15. AMENDMENTS

This Agreement contains all of the terms agreed upon by and among PARTIES. Any amendments to this Agreement shall be in writing and executed by PARTIES hereto to be valid and binding.

16. SEVERABILITY

If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable clause or provision shall not affect the validity of the Agreement as a whole and all other clauses or provisions shall be given full force and effect.

17. APPLICABLE LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Jurisdiction for any and all legal actions regarding this Agreement shall be in the State of Colorado and venue for the same shall lie in the county where PROJECT is located.

18. ASSIGNABILITY

No party to this Agreement shall assign or transfer any of its rights or obligations hereunder without the prior written consent of the nonassigning party or parties to this Agreement.

19. BINDING EFFECT

The provisions of this Agreement shall bind and shall inure to the benefit of PARTIES hereto and to their respective successors and permitted assigns.

20. ENFORCEABILITY

PARTIES hereto agree and acknowledge that this Agreement may be enforced in law or in equity, by decree of specific performance or damages, or such other legal or equitable relief as may be available subject to the provisions of the laws of the State of Colorado.

21. TERMINATION OF AGREEMENT

This Agreement may be terminated upon thirty (30) days' written notice by any party to this Agreement, but only if there are no contingent, outstanding contracts. If there are contingent, outstanding contracts, this Agreement may only be terminated upon the cancellation of all contingent, outstanding contracts. All costs associated with the cancellation of the contingent contracts shall be shared between PARTIES in the same ratio(s) as were their contributions.

22. PUBLIC RELATIONS

It shall be at BROOMFIELD and WESTMINSTER's sole discretion to initiate and to carry out any public relations program to inform the residents in PROJECT area as to the purpose of PROJECT and what impact it may have on them. Technical information shall be presented to the public by the selected engineer. In any event DISTRICT shall have no responsibility for a public relations program, but shall assist BROOMFIELD and WESTMINSTER as needed and appropriate.

23. NO DISCRIMINATION IN EMPLOYMENT

In connection with the performance of work under this Agreement, PARTIES agree not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified because of race, color, ancestry, creed, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability and further agree to insert the foregoing provision in all subcontracts hereunder.

24. APPROPRIATIONS

Notwithstanding any other term, condition, or provision herein, each and every obligation of BROOMFIELD and WESTMINSTER and/or DISTRICT stated in this Agreement is subject to the requirement of a prior appropriation of funds therefore by the appropriate governing body of BROOMFIELD and WESTMINSTER and/or DISTRICT.

25. NO THIRD PARTY BENEFICIARIES

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to PARTIES, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such Agreement. It is the express intention of PARTIES that any person or party other than any one of PARTIES receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

26. ILLEGAL ALIENS

PARTIES agree that any public contract for services executed as a result of this intergovernmental agreement shall prohibit the employment of illegal aliens in compliance with §8-17.5-101 *et seq* C.R.S. The following language shall be included in any contract for public services: "The

Consultant or Contractor shall not and by signing this Agreement certifies that it does not knowingly employ or contract with an illegal alien to perform work under this Agreement. Consultant or Contractor shall not enter into a subcontract with a subcontractor that fails to certify to the Consultant or Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this public contract for services. Consultant or Contractor affirms that they have verified or attempted to verify through participation in the Employment Eligibility Verification Program (E-Verify) previously known as the Basic Pilot Program (created in Public Law 208, 104th Congress, As Amended, and expanded in Public Law 156, 108th Congress, As Amended, that is administered by the United States Department of Homeland Security that Consultant or Contractor does not employ illegal aliens.

Consultant or Contractor shall not use the E-Verify procedures to undertake pre-employment screening of job applicants while the public contract for services is being performed.

In the event that the Consultant or Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, the Consultant or Contractor shall be required to:

- A. Notify the subcontractor and PARTIES within three days that the Consultant or Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- B. Terminate the subcontract with the subcontractor if within three days of receiving the notice required if the Subcontractor does not stop employing or contracting with the illegal alien; except that the Consultant or Contractor shall not terminate the contract with the Subcontractor if during such three days the Subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Consultant or Contractor is required under this Agreement to comply with any reasonable request by the Colorado Department of Labor and Employment (CDL) made in the course of an investigation the CDL is undertaking pursuant to §8-17.5-102(5) C.R.S.

DISTRICT may terminate this agreement for a breach of contract if Consultant or Contractor does not fully and completely comply with these conditions. If this Agreement is so terminated, the Consultant or Contractor shall be liable for actual and consequential damages to PARTIES.

27. GOVERNMENTAL IMMUNITIES

PARTIES hereto intend that nothing herein shall be deemed or construed as a waiver by any party of any rights, limitations, or protections afforded to them under the Colorado Governmental Immunity Act (Section 24-10-1-1, C.R.S., et seq.) as now or hereafter amended or otherwise available at law or equity.

28. INTENT OF AGREEMENT

Except as otherwise stated herein, this Agreement is intended to describe the rights and responsibilities of and between PARTIES and is not intended to and shall not be deemed to confer

rights upon any person or entities not named as PARTIES, nor to limit in any way the powers and responsibilities of the COUNTY, the DISTRICT or any other entity not a party hereto.

29. EXECUTION IN COUNTERPARTS – ELECTRONIC SIGNATURES

This Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement, may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. PARTIES approve the use of electronic signatures for execution of this Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement. Only the following two forms of electronic signatures shall be permitted to bind PARTIES to this Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement.

- A. Electronic or facsimile delivery of a fully executed copy of a signature page; or
- B. The image of the signature of an authorized signer inserted onto PDF format documents.

Documents requiring notarization may also be notarized by electronic signature, as provided above. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, CRS §§ 24-71.3-101 to -121.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year first above written.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

(SEAL)

By _____

ATTEST:

Title Executive Director

Date _____

CITY AND COUNTY OF BROOMFIELD

(SEAL)

By _____

ATTEST:

Title _____

Date _____

APPROVED AS TO FORM:

County Attorney

CITY OF WESTMINSTER

(SEAL)

ATTEST:

APPROVED AS TO FORM:

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a horizontal line.

City Attorney

By _____

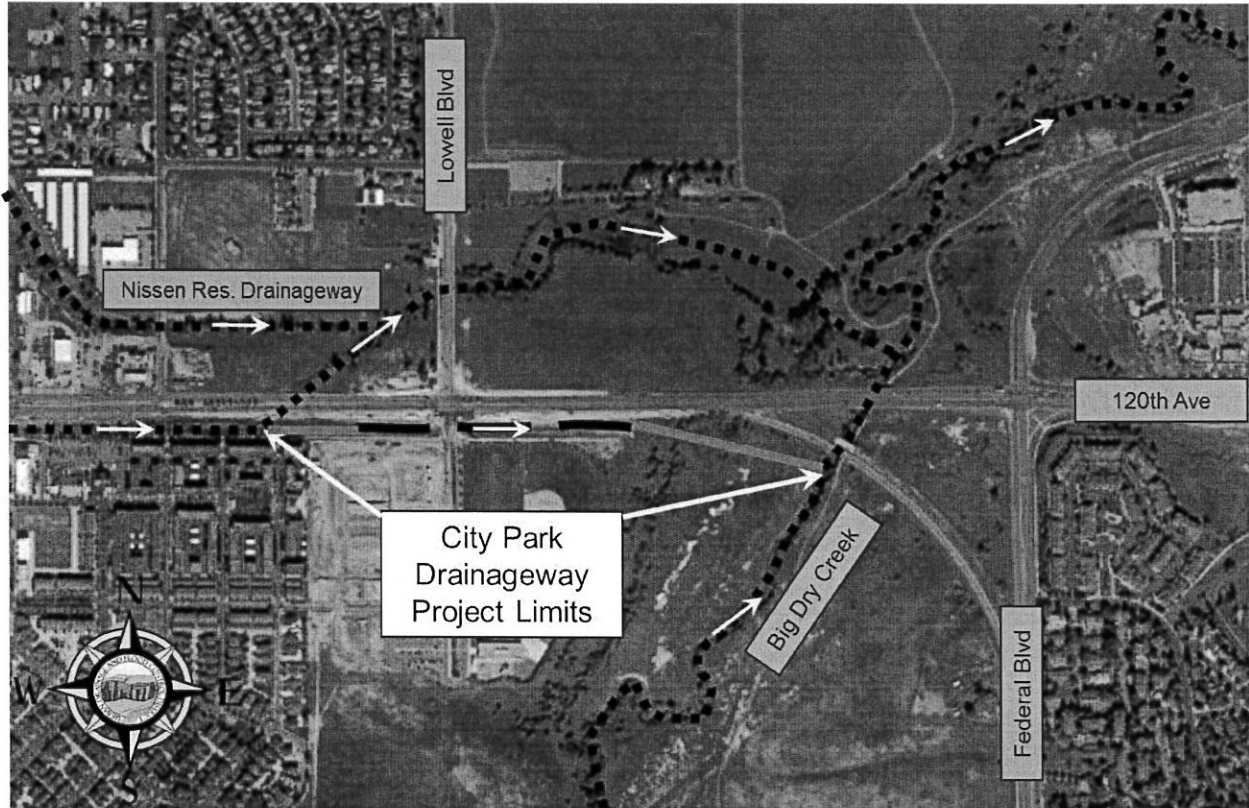
Title _____

Date _____

AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
CITY PARK DRAINAGEWAY, LOWER REACH IN
CITY OF WESTMINSTER

Agreement No. 15-03.07

Exhibit A



SAMPLE

**AGREEMENT REGARDING
FINAL DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
CITY PARK DRAINAGEWAY, LOWER REACH IN
CITY OF WESTMINSTER**

Agreement No. 15-03.07

Exhibit B

MEMORANDUM

This MEMORANDUM is entered into this _____ day of _____, 20__ by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, a quasi-governmental entity, whose address is 2480 West 26th Avenue, Suite 156-B, Denver, Colorado 80211 (hereinafter called "DISTRICT") and _____, a governmental entity, whose address is _____ (hereinafter called "COUNTY") and collectively known as "PARTIES";

WHEREAS, PARTIES entered into "Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for _____," Agreement No. _____ on or about _____, 20__, (hereinafter called "AGREEMENT"); and

WHEREAS, AGREEMENT is unrecorded, however PARTIES have agreed in AGREEMENT to record this MEMORANDUM in the records of the Clerk and Recorder of _____, State of Colorado, in order to put all who inquire on notice of AGREEMENT and in particular Paragraph 7.C of AGREEMENT; and

WHEREAS, in AGREEMENT, PARTIES agreed to participate equally (up to a maximum of \$ _____ each) in the cost of the construction of drainage and flood control improvements for _____ within COUNTY boundaries which include _____ (hereinafter called "PROJECT"); and

WHEREAS, construction of PROJECT may require the acquisition by COUNTY of real property; and

WHEREAS, AGREEMENT further provides that COUNTY will own all real property required to construct the improvements and that COUNTY ownership of that real property shall be subject to the terms and conditions of AGREEMENT and in particular Paragraph 7.C of AGREEMENT; and

WHEREAS, Paragraph 7.C of AGREEMENT provides in appropriate part as follows:

"7.C. Ownership of Property and Limitation of Use. COUNTY shall own the property either in fee or non-revocable easement and shall be responsible for same. It is specifically

understood that the right-of-way is being used for drainage and flood control purposes. The properties upon which PROJECT is constructed shall not be used for any purpose that will diminish or preclude its use for drainage and flood control purposes. COUNTY may not dispose of or change the use of the properties without approval of DISTRICT. If, in the future, COUNTY disposes of any portion of or all of the properties acquired upon which PROJECT is constructed pursuant to this Agreement, changes the use of any portion or all of the properties upon which PROJECT is constructed pursuant to this Agreement, or modifies any of the improvements located on any portion of the properties upon which PROJECT is constructed pursuant to this Agreement, and COUNTY has not obtained the written approval of DISTRICT, prior to such action, COUNTY shall take any and all action necessary to reverse said unauthorized activity and return the properties and improvements thereon, acquired and constructed pursuant to this Agreement, to the ownership and condition they were in immediately prior to the unauthorized activity at COUNTY's sole expense. In the event COUNTY breaches the terms and provisions of this Paragraph 7.C and does not voluntarily cure as set forth above, DISTRICT shall have the right to pursue a claim against COUNTY for specific performance of this portion of the Agreement."; and

WHEREAS, COUNTY has just acquired the real property described in Exhibit Z attached hereto and incorporated herein by reference, as if set forth verbatim herein, pursuant to the terms and conditions of AGREEMENT for the construction of PROJECT; and

WHEREAS, PARTIES intend that the terms and provisions of AGREEMENT, including but not limited to Paragraph 7.C of AGREEMENT set forth verbatim above, shall apply to and control the real property described in Exhibit Z.

IT HAS BEEN AGREED previously in AGREEMENT by and between PARTIES that the terms and provisions of AGREEMENT, including but not limited to Paragraph 7.C of AGREEMENT set forth verbatim above shall apply to and control the real property described in Exhibit Z, now owned by COUNTY and that this MEMORANDUM be placed of record for the purposes of encumbering the real property described in Exhibit Z with the limitations and restrictions set forth in this MEMORANDUM.

This MEMORANDUM is not a complete summary of AGREEMENT. Provisions in this MEMORANDUM shall not be used in interpreting AGREEMENT's provision. In the event of conflict between this MEMORANDUM and the unrecorded AGREEMENT, the unrecorded AGREEMENT shall control.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

(SEAL)

By _____

ATTEST:

Title Executive Director

_____ Date _____

STATE OF COLORADO)

) ss.

COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, 20__, by

_____.

WITNESS my hand and official seal.
(SEAL)

Notary Public

My Commission Expires _____.



Agenda Item 8 C

Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Construction Plan Review Services Agreement with Colorado Code Consulting, LLC

Prepared By: Dave Horras, Chief Building Official

Recommended City Council Action

Determine that the public interest will best be served by authorizing the City Manager to execute a two-year sole source fee agreement with Colorado Code Consulting, LLC for building construction plan review services in an amount not to exceed \$100,000 for 2015 and not to exceed \$88,000 for 2016.

Summary Statement

- Building construction plan review is an important part of assuring code compliant buildings, allowing potential building code violations to be identified prior to construction.
- Colorado Code Consulting, LLC (CCC) has effectively and successfully performed construction plan review for the City of Westminster on a number of submitted projects over the past 12 months and has developed a very thorough knowledge of City of Westminster building codes and ordinances.
- Colorado Code Consulting's billing rate to the City of Westminster is reasonable and is lower than the amount the City collects from the applicants for plan review services. All expenditures made for plan review services to CCC will be directly offset with revenues collected from building permit applicants.
- Sufficient funds have been budgeted for this expense in the 2015 budget and are similarly proposed in the 2016 Budget.

Expenditure Required: Not to exceed \$100,000 in 2015 and \$88,000 in 2016

Source of Funds: 2015 and 2016 General Fund Operating Budget — Building Division Professional Services Account

Policy Issue

Should the City continue to contract with Colorado Code Consultants, LLC (CCC) for construction plan review services beyond the currently established contract limitations in 2015 and authorize a similar contract for 2016?

Alternatives

The City could continue to utilize existing Staff or hire additional Staff to handle the City's construction plan review services related to building construction plan review. Staff does not recommend either of these alternatives. Even with overtime, there is not extra capacity amongst existing staff to effectively provide timely plan review services and adding staff to a service that is historically been cyclical in nature would likely result in overstaffing of the plan review function in the future. CCC has demonstrated an efficient and cost-effective approach to addressing the City's construction plan review needs.

The City could alternatively seek out new construction plan review consultants. Staff does not recommend this alternative given the good work, long-term relationship and reasonable costs of the service received from CCC.

Background Information

This year the City of Westminster Building Division has experienced a substantial increase in building construction activity involving building construction plan review. Because of the increased activity levels, along with staff shortages due to resignations and illnesses, the Building Division has used plan review consultants to help maintain reasonable plan review turn-around times. The use of third party consultants is an effective way to address spikes in construction activity without adding staff. The use of consultants has been identified as a Best Practice for building code enforcement and is identified as such as part of the Community Development Service Enhancement (Audit) Recommendation.

Currently the City has signed contracts with two different plan review service consultants to provide these services. These contracts with CCC and C-West Code Consultants are currently both limited to \$50,000. The two contracts were originally put in place to provide options if one of the consultants was too busy to adequately meet the City's plan review needs. Although two contracts have been in place, the City has found CCC to be more responsive. In fact, due to the company's superior commitment and ability to provide more timely plan reviews, the City has been using the services of CCC almost exclusively. The City has used the services of C-West Code Consultants for only two projects this year. It has been determined by staff that moving forward, sole sourcing the contract with a single vendor, CCC, is more efficient and effective and is in the best interest of the City. The City has paid CCC about \$45,000 to perform about 50 plan reviews so far in 2015. City staff has developed a very good working relationship with the CCC staff and would prefer to work with a single consultant.

To sign a new contract with CCC that potentially exceeds the \$50,000 limit and is a sole source contract, City Council approval is needed. Prior to the expiration of this sole source contract in late 2016, staff will reevaluate vendors in the market place to determine if others are capable of providing the high level of service and add value as the Colorado Code Consultants currently are able to provide.

All of the costs paid to the plan review consultants are fully recovered by the plan review fees paid by the permit applicants. The plan review consultants are paid a percentage of the plan review fees collected from the applicant or a flat hourly fee, whichever is less. To date this year, payments to Colorado Code Consultants, LLC represents about 15% of the plan review revenues that the City has collected for these projects.

This contract will assist in meeting the City's Strategic Plan goal of a *Financially Sustainable Government Providing Excellence in City Services* because it ensures timely turnaround of applicants building permit plan reviews using a cost-effective external professional service provider.

Respectfully submitted,

Don Tripp
City Manager



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: 2016 Property and Liability Insurance Renewal

Prepared By: Martee Erichson, Risk Manager

Recommended City Council Action

Authorize the City Manager to enter into an agreement with the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for the purchase of high deductible stop loss insurance, for claims management and other administrative services, in the amount of \$528,163 with a 10% contingency of \$52,816 in the event the final quote comes in higher, for a total authorized expenditure not to exceed \$580,979.

Summary Statement

- City Council action is requested to authorize the annual expenditure for the 2016 contribution to CIRSA for property and liability insurance coverage and related services.
- The City annually purchases insurance to cover assets (buildings, vehicles, and equipment) and to protect itself from liability exposure resulting from claims brought against the City and its employees. This insurance is purchased through CIRSA. The preliminary quote from CIRSA for 2016 property and liability coverage is \$528,163, which represents a contribution of \$542,811 minus a loss control standards audit credit of \$14,648.
- The final cost for coverage in 2015, before credits, was \$531,357. The preliminary quote for 2016 of \$542,811 represents an increase in contribution of \$11,454 or approximately 2.2%. This increase is due to factors affecting the CIRSA insurance pool including but not limited to, an increase in the General Liability, Law Enforcement Liability and Public Officials Liability limits from \$5,000,000 to \$10,000,000. In addition, factors affecting the City specifically include an increase in exposures, including property values and payroll, as well as an increase in the City's loss experience factor, which is based on a three year loss history. However, the City's loss experience factor remains below 1.00 at 0.93, up from 0.88, which still provides a loss control credit for the City.
- As has been past practice, City Council is being asked to authorize this preliminary quote from CIRSA and continuation in the pool so that CIRSA can determine final contributions based on membership response in time for the start of the 2016 policy period.
- Funds for this action are available and in the adopted 2016 Property and Liability Fund budget and in fund reserves.

Expenditure Required: Not to exceed \$580,979

Source of Funds: Property and Liability Self Insurance Fund

Policy Issue

Should the City continue to use a municipal insurance pool for placement of its 2016 property and liability coverage?

Alternative

City Council could reject Staff's recommendations to utilize CIRSA for this insurance coverage and direct Staff to seek proposals on the open insurance market. Staff does not recommend this action at this time due to the continued benefits of membership in CIRSA, including cost savings as a result of there being no agent commissions, no income taxes and no issue with shareholder profit margin effecting the total cost of coverage. In addition, there have been no significant changes to the commercial insurance market that would outweigh these benefits of membership in CIRSA.

Background Information

The City of Westminster has been a member of the CIRSA since its inception in 1982. Since that time, this governmental risk sharing pool has grown from its original 18 cities to 261 members in 2015. CIRSA provides property and liability coverage that is tailored to meet municipal exposures. On January 1, 1988, the City implemented a high deductible program, electing to pay the first \$100,000 of each property claim and the first \$150,000 of each liability claim. This self-insured retention was increased to \$200,000 per line of coverage in 2004 and to \$250,000 in 2007 to save on contribution costs. A reserve fund insures that funds are available to cover expenses under the deductible level in the event of a catastrophic loss or a year in which multiple large claims occur that fall within the deductible. The City's audited Property and Liability Fund balance at the end of 2014 was \$4,439,531.

The City has continued to purchase its excess property and liability coverage from CIRSA for several reasons:

- CIRSA has provided competitive quotes for its insurance;
- CIRSA was established as a member-owned non-profit organization by municipalities specifically to provide insurance that meets the unique needs of Colorado cities and towns; and
- Unlike all brokers and private insurance companies, CIRSA does not charge commissions, pay income tax or have to worry about shareholder profit margins.

The services provided by CIRSA include all claims handling, loss control, administrative services and the following excess coverage:

- Property coverage in excess of \$250,000 to \$500,500,000 (limits shared with all pool members).
- \$1,000,000 per occurrence/aggregate business interruption coverage.
- Public Officials Liability coverage from \$250,000 to \$10,000,000 per occurrence and \$10,000,000 aggregate.
- Police Professional Liability insurance from \$250,000 to \$10,000,000 per occurrence/aggregate.
- Motor vehicle physical damage from \$250,000 to \$5,000,000 per occurrence.
- Motor vehicle liability coverage from \$250,000 to \$5,000,000 per claim/occurrence.
- General Liability insurance coverage from \$250,000 to \$10,000,000 per claim/occurrence.
- Cyber Liability insurance coverage from \$250,000 to \$500,000 per occurrence/aggregate.

Currently, through on-going employee safety training and other loss control practices initiated by the individual departments and the Risk Management Staff, the efforts of the Citywide Safety Committee and the City's effective working relationship with CIRSA claims adjusting staff, Staff continues to improve on the success of the loss control program.

The City's loss control activities include, but are not limited to:

- Safety inspections of facilities, including a new electronic application and tracking system
- Annual Defensive Driving, Risk Management 101, Risk Management for Supervisors and various Risk Management sponsored safety training classes
- Citywide Safety Committee review and analysis of all Workers' Compensation injuries and automobile accidents involving City vehicles
- Quarterly review of loss reports with the Department Head team
- Various other department-specific safety trainings such as the annual snowplow rodeo and training sponsored by the Public Works and Utilities Department
- Safety SPIRIT Awards incentive program
- SafeStart behavior based safety training program

The quote for the 2016 property and liability insurance contribution is preliminary at this time. CIRSA members are being asked to approve the preliminary contribution and continuation of membership so that CIRSA can calculate final contribution quotes based on all members responses. It is anticipated that final contribution quotes will be distributed in December. To avoid having to return to City Council in the event the final contributions come in higher than this preliminary quote, Staff's recommended action includes a 10% contingency factor of \$52,816 with the total final contribution not to exceed \$580,979. Funding for this request is included in the Adopted 2016 Budget.

Risk Management supports Council's Strategic Plan goal of "Financially Sustainable Government Providing Excellence in City Services" by working to minimize the cost of insurance to the City by maintaining a comprehensive loss control program and monitoring the insurance marketplace to ensure the most cost effective placement of insurance coverage.

Respectfully submitted,

Donald M. Tripp
City Manager



Agenda Item 8 E

Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Colorado Water/Wastewater Agency Response Network (COWARN) Mutual Aid Agreement

Prepared By: Stephen Gay, Utilities Operations Manager
Christine Gray, Senior Management Analyst
Rachel Gralund, Secretary

Recommended City Council Action

Upon recommendation of the City Manager, find that the public interest is best served by entering into a Mutual Aid Agreement with Colorado's Water/Wastewater Agency Response Network (CoWARN).

Summary Statement

- Staff is requesting permission to enter into a Mutual Aid Agreement with Colorado's Water/Wastewater Agency Response Network (CoWARN), a statewide water/wastewater agency response network of "utilities helping utilities" organized to provide assistance in the event of a natural or human-caused emergency.
- Entering into a Mutual Aid Agreement will allow the City access to emergency resources among water and wastewater agencies statewide during a disaster.
- This agreement will also allow the City to help other utilities in the state if assistance is requested.
- The agreement allows for the provision of personnel, equipment, materials and supplies. The use of these shall be reimbursed by the member requesting the assistance.
- The CoWARN Mutual Aid Agreement is available to all public and private water and wastewater utilities in Colorado. Participation in any emergency response is voluntary, parties may terminate membership at any time, and membership in CoWARN does not obligate members to offer or accept aid.
- There are no costs associated with entering this agreement or participating in the network.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should City Council authorize the City's participation in a Mutual Aid Agreement with CoWARN?

Alternative

City Council could choose not to enter into an agreement with CoWARN. This alternative is not recommended. While the City currently has emergency agreements in place with other utilities to assist when water or wastewater infrastructure are out of service, the CoWARN agreement will provide the City with access to a more comprehensive inventory of equipment, personnel, materials and supplies that other water and wastewater agencies are willing to provide during disasters or emergencies. If Council chooses not to authorize the City's participation in CoWARN, Staff will need to locate these resources during an emergency, which could potentially delay the response and recovery time.

Background Information

Water and wastewater systems provide the community with a life-sustaining resource that is of vital importance to maintaining public health, sanitation and safety. When water and wastewater services are interrupted for extended periods of time, a community's well-being quickly deteriorates, as evidenced by Colorado's September 2013 flood events. During these extreme events the loss of water, damage to infrastructure, sewage spills, and/or water quality degradation can prevent the City from providing basic services to its residents and businesses.

CoWARN is the acronym for Colorado's Water/Wastewater Agency Response Network. This organization facilitates a statewide, formalized system of "utilities helping utilities" during emergency situations, and is a partnership between a number of utilities, state and local agencies, and water and wastewater organizations. This list includes organizations such as the City and County of Broomfield, Carollo Engineers (Broomfield), City of Thornton, City of Longmont, City of Boulder, and Left Hand Water District (Longmont/Boulder), to name a few, as well as many others across the state.

As a network member, the City can provide and/or receive personnel, equipment, materials and supplies to/from other CoWARN members in order to assist in the event of an emergency or disaster. Should a member organization request assistance, that requesting member is responsible for the reimbursement of personnel, equipment, materials and supplies costs. Assistance availability is assessed at the time of the request, and members are not obligated to offer their organization's resources if they deem them unavailable.

If authorized, the Mutual Aid Agreement with CoWARN will be effective after the agreement is executed and received by CoWARN. It will be in effect until December 31, 2027, and may be terminated at any time with written notice to CoWARN.

Entering into a Mutual Aid Agreement with CoWARN supports the strategic goal of *Visionary Leadership, Effective Governance and Proactive Regional Collaboration* by working with other water and wastewater organizations to create a network of aid resources available during emergencies. Entering into this agreement will also support City Council's goal of *Financially Sustainable Government Providing Excellence in City Services* by continuing to provide the City's residents and businesses with essential City services.

Respectfully submitted,

Donald M. Tripp
City Manager



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Sheridan Boulevard Waterline Rehabilitation and Replacement Project–Preliminary Design

Prepared By: Andy Walsh, Senior Engineer
Stephen Grooters, Senior Projects Engineer

Recommended City Council Action

1. Authorize the City Manager to execute a contract with J&T Consulting Incorporated in the amount of \$117,480 to provide preliminary design engineering services for the Sheridan Boulevard Waterline Rehabilitation and Replacement Project, plus a contingency amount of \$12,000 for a total authorized expenditure of \$129,480.
2. Authorize the reallocation of \$129,480 in project savings from the 88th Avenue Water Main Replacement project account to the Sheridan Boulevard Water Main R&R project account.

Summary Statement

- The City has an extensive network of water mains to deliver potable water to customers. Some large-diameter pipes, referred to as transmission mains, transfer large quantities of water from one region of the City to another.
- In 2014, Staff completed an evaluation of the City’s water distribution system to prioritize water main repair and replacement projects. The transmission main in Sheridan Boulevard was identified as a priority.
- This project begins a multi-year repair or replacement of the Sheridan transmission main from 70th Avenue to 120th Avenue. The focus of this first phase is from 70th Avenue to 88th Avenue.
- Various construction projects overlap the areas of this project, and this will have an impact on our customers, especially along Sheridan Boulevard and 88th Avenue.
- Staff is recommending accelerating the design from 2016 to 2015 in order to address scheduling issues and to best coordinate the Sheridan waterline work with other projects in this vicinity.
- Staff prepared a Request for Proposals for engineering services on the Sheridan Boulevard Waterline Rehabilitation and Replacement (R&R) Project and distributed it to seven engineering firms qualified to perform this work. Three proposals were received.
- Staff recommends awarding the contract to J&T Consulting Incorporated (J&T) based on their competitive pricing, proposed scope of work, familiarity with the City’s infrastructure, and the successful utility infrastructure modeling and design experience of their proposed project team.
- This contract is for preliminary design services. At the completion of this work, Staff will return to City Council with a contract for final design services.
- Budget for this project (design and construction) was adopted by City Council for 2016. Staff requests that City Council authorize the reallocation and use of savings from a recently completed water line project to a new capital project account in order to allow preliminary design for the Sheridan Boulevard Waterline R&R Project to be accelerated.

Expenditure Required: \$129,480

Source of Funds: Utility Capital Improvement Fund - 88th Avenue Water Main Replacement project

Policy Issues

1. Should City Council authorize the preliminary design engineering contract with J&T Consulting Incorporated (J&T) for the Sheridan Boulevard Waterline R&R Project?
2. Should City Council authorize the reallocation of \$129,480 in savings from the 88th Avenue Water Main Replacement project account to fund this project?

Alternatives

1. City Council could decline to approve the contract and place the project on hold. This is not recommended since replacement of the Sheridan Boulevard waterlines is a priority project for the City, and timing is critical for coordination with other utility work planned for the same area.
2. City Council could choose to award the contract to one of the other consultants that submitted proposals. This is not recommended as Staff believes that J&T Consulting Incorporated provides the best value for this project because they are familiar with the City's infrastructure through their past projects with the City.
3. City Council could choose not to authorize the reallocation of funds from the 88th Avenue completed project for the Sheridan project in 2015. Staff does not recommend this alternative since savings from a recently completed project are currently available to fund this project, and this is the highest priority use for those funds.

Background Information

The Public Works and Utilities Department maintains over 560 miles of water distribution system pipelines ranging in size from 4 inches to 54 inches. Over time, these mains age and require replacement. Prioritizing their replacement is based on a number of variables including pipe criticality, vulnerability, age, break history, water quality considerations, coordination with other City projects, coordination with projects from CDOT or other agencies, and other operations data. In early 2015, Staff completed an evaluation of the City's water distribution system that identified the transmission main under Sheridan Boulevard as a priority for repairs and replacement. The large size of this project requires it to be implemented using a phased approach.

The first phase of the Sheridan Boulevard transmission main rehabilitation and replacement focuses on the area from roughly 88th Avenue south to 70th Avenue. Piping in this area was installed between 1967 and 1970 and ranges in diameter between 12 and 16 inches. Replacement of this section of the transmission main is part of the 2016 Capital Improvement Project budget adopted by City Council. Staff is requesting that preliminary design be accelerated to 2015 to allow for coordination with other City utility work being performed in the area such as 1) water and sewer repair and replacement projects on 88th Avenue for the new downtown, 2) water main replacement as part of the Pressure Zone 3 Expansion Project, and 3) sewer replacement for the Little Dry Creek Interceptor Sewer Repair and Replacement Project. Preliminary design for the Sheridan Boulevard Waterline R&R Project will determine the appropriate construction sequencing, the use of open-cut replacement versus trenchless rehabilitation methods, and confirm anticipated project costs.

In July of 2015, Staff sent a request for proposals to seven consulting firms experienced with transmission main repair and replacement. Staff requested specific information related to the experience of the project teams, relevant projects with references, project team availability, and a detailed scope of work and fee breakdown by task. The City received proposals from the following three firms:

- J&T Consulting Incorporated,
- Burns & McDonnell, and
- HDR Engineering Incorporated.

The firms that did not submit a proposal indicated concerns with having staff available to meet the City’s project schedule or teamed with other firms that did provide a proposal. One of the firms that did not submit a proposal, C&L Water Solutions Incorporated, is collaborating with J&T Consulting.

Staff evaluated each proposal received based on key criteria:

1. Response to specific requirements in the RFP, clarity and presentation of proposed scope, tasks, and fee.
2. Firm’s background and expertise in completing projects of similar size, scope, and complexity;
3. Firm’s references related to the ability to complete project requirements on schedule and within budget;
4. Firm’s reputation with the City and familiarity with City codes, policy, procedures, and regulations;
5. Professional background and experience of each key person of the project team;
6. Key team member availability and commitment to the project; and
7. Level of effort, competitive firm fee schedule, and competitive hourly rates for staff assigned to this project relative to their experience levels.

The City selection committee scored each firm based on the selection criteria, with J&T achieving the highest score. Because this project incorporates a significant work effort, competitive firm fees were of particular importance. A comparison of each firm’s proposed fee is shown below:

FIRM	Hourly Rate Range for Key Staff	Fee Proposal Based on Scope Submitted
J&T Consulting	\$100 - \$120 /hr	\$117,480
Burns & McDonnell	\$163 - \$225 /hr	\$99,534
HDR Engineering	\$161 - \$260 /hr	\$131,388

Engineering fees from the proposals received ranged from \$99,534 to \$131,388, with J&T’s proposal at \$117,480. In addition to the range of fees, proposals ranged in the level of complexity and thoroughness of scope relative to the City’s goals for the project. Of the firms that proposed, Staff believes that the J&T approach and team were the best for the project. They incorporated strong local staff with proven repair and rehabilitation experience for transmission mains and have successfully provided engineering services to the City on many utility system projects similar in size and scope to the current project.

Staff recommends J&T be awarded the contract. Staff is requesting a 10% contingency of \$12,000, with a total authorized expenditure of \$129,480. Following successful completion of this predesign phase, Staff plans to negotiate with J&T for final design services and will return to City Council for approval of additional work. This phase of the Sheridan Boulevard waterline replacement project (with construction) is currently estimated to cost \$4,750,000 and will begin spring of 2016 and be completed mid-2017. The remaining phases of the project will rehabilitate this waterline up to 120th Avenue, and will occur in future years.

The budget for this work (design and construction) was adopted by City Council for 2016. Staff requests that City Council authorize the reallocation of project savings into a new project account to allow preliminary design to be accelerated to 2015. This project acceleration will address scheduling issues and coordinate this work with other utility projects in the vicinity. Savings are available from the recently completed 88th Water Main Replacement Project (bids received were very competitive for that project), and the Sheridan Boulevard Waterline R&R Project is the highest priority use of the funds.

Preliminary design of the Sheridan Boulevard waterlines helps achieve the City Council’s Strategic Plan Goal of “Financially Sustainable Government Providing Excellence in City Services” and “Beautiful,

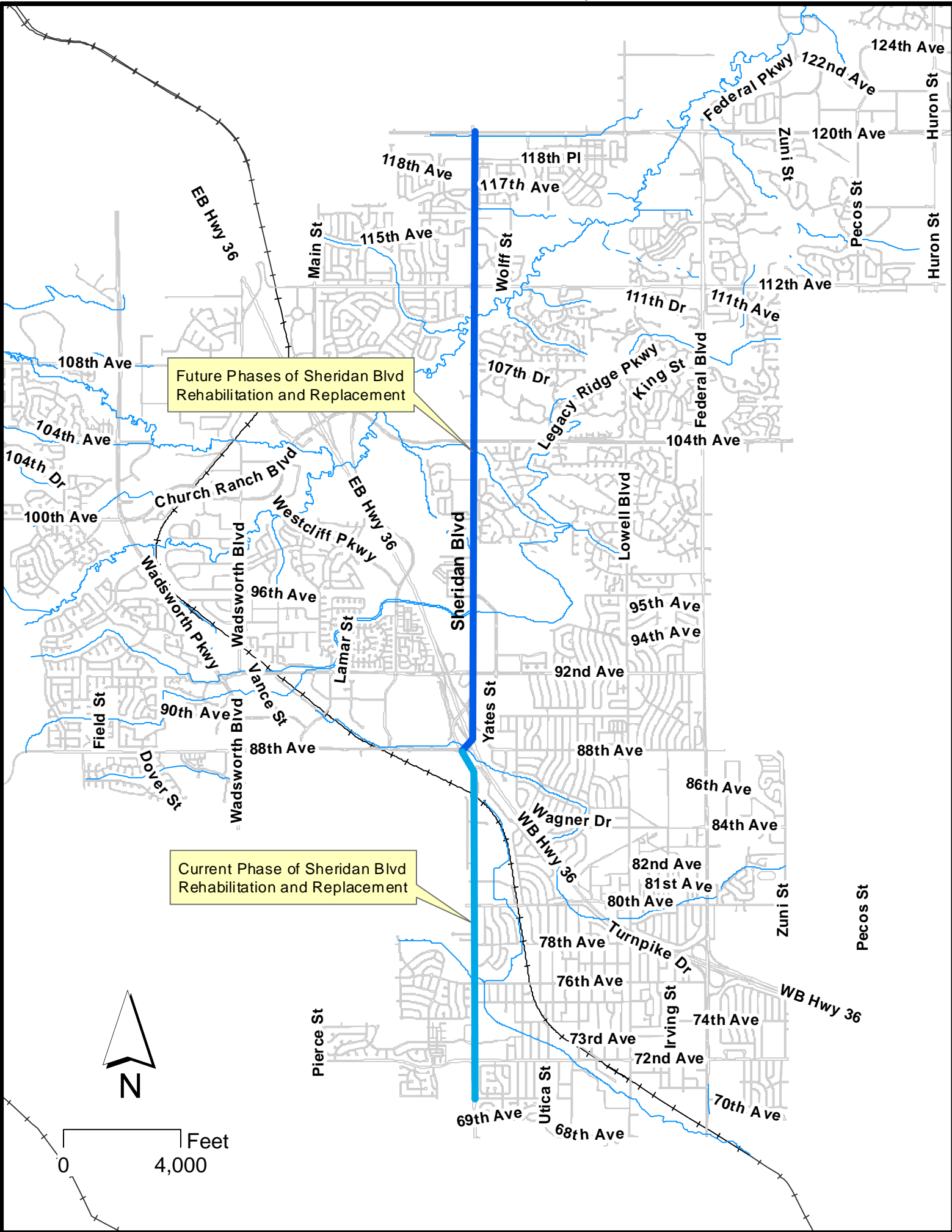
Desirable, Safe and Environmentally Responsible City” by properly designing and constructing utility infrastructure in a cost-effective and reliable manner.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachments: Sheridan Waterline Map

Sheridan Waterline Map





Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Pressure Zone 3 Expansion Project Final Design Contract

Prepared By: Dan Strietelmeier, Senior Engineer
Stephen Grooters, Senior Projects Engineer

Recommended City Council Action

Authorize an amendment to the design contract with Burns & McDonnell Engineering Company Incorporated to provide final design services for the Pressure Zone 3 Expansion Project in the amount of \$2,097,419 plus a contingency of \$209,742 for a total of \$2,307,161, increasing the total authorized expenditure with this contractor from the previously approved amount of \$610,520 to \$2,917,681.

Summary Statement

- Improvements to the City's water system in central Westminster have been a significant part of the utility master planning process. Priority improvements target a large area of long-standing low pressure west of U.S. Highway 36 to Pierce Street and north/south between 88th Avenue and the Farmers' High Line Canal.
- This low-pressure area will be connected to an adjacent section of the water distribution system referred to as Pressure Zone 3. This connection will allow the area to meet the level of service experienced elsewhere in the system for adequate water pressure, flow, redundancy, and stored water available for emergency uses.
- Preliminary design confirmed that expansion of Pressure Zone 3 requires new water transmission mains, a new booster pump station, and new water storage facilities. See the attached map for approximate locations of these facilities.
- These additional components will also relieve high demands currently placed on distribution system infrastructure in the existing Pressure Zone 3, which includes approximately 6,000 customers, thereby increasing system performance and redundancy for a large portion of the City.
- Preliminary design for this project reached substantial completion in May 2015 with estimated costs of \$40.5 million for the recommended improvements. The schedule of costs are within the City's adopted 2015/2016 Budgets and 5-year Capital Improvement Program. The project team is now ready to proceed with final design.
- Burns & McDonnell Engineering Company Incorporated (Burns & McDonnell) was selected through a competitive process for the preliminary design that anticipated negotiating a contract for final design. Staff recommends awarding the final design contract to Burns & McDonnell based on the team's successful performance on the preliminary design, familiarity with the City's infrastructure, ability to streamline project tasks, and competitive pricing.
- Upon successful completion of the final design contract, Staff will return to Council with a construction services contract for Burns & McDonnell, along with a construction contract (or contracts).

Expenditure Required: \$2,307,161

Source of Funds: Utility Capital Improvement Fund – Pressure Zone 3 Expansion Project

Policy Issue

Should City Council authorize an amendment to the engineering contract with Burns & McDonnell for final design of the Pressure Zone 3 Expansion Project?

Alternatives

1. Council could choose not to proceed with the design phase for the Pressure Zone 3 Expansion. This is not recommended as proceeding with the project addresses long-standing goals to increase the level of service and reliability of the City's water distribution system.
2. Council could choose to request proposals for the final design of the improvements. This is not recommended because Burns & McDonnell was selected through a competitive process for preliminary design, which anticipated additional project tasks such as final design. It is Staff's assessment that Burns & McDonnell provides the best value to the City based on its successful completion of the preliminary design work, its strong knowledge of the City's water distribution system, and its ability to streamline final design work.

Background Information

Improvements to the City's water system in central Westminster have been a significant part of the utility master planning process for many years. This project includes new water transmission mains, a new pump station, and new water storage facilities within the water distribution system. These improvements will connect areas of long-standing low pressures to existing infrastructure set at higher pressures, referred to as Pressure Zone 3. The overall intent of the Pressure Zone 3 Expansion Project is to improve portions of the distribution system to meet the level of service experienced elsewhere in the system for adequate water pressure, flow, and storage for irrigation, firefighting, and emergencies.

The Pressure Zone 3 Expansion Project incorporates customers west of U.S. Highway 36 approximately to Pierce Street and north/south between approximately 88th Avenue and the Farmers' High Line Canal. The improvements anticipate current and future development and redevelopment. In addition to improving services to this area, the project will relieve water supply and storage needs from other areas of the distribution system and increase levels of service, reliability, and redundancy in a large portion of the City.

City Council authorized a preliminary design contract with Burns & McDonnell in May 2014. Preliminary design reached substantial completion in May 2015. Results included the following:

- Recommended sites for new water storage and new booster pump station as well as the optimum alignments for new water transmission lines;
- The most cost-effective water transmission line sizes, pump station capacity, and tank dimensions;
- Land title and survey work to streamline subsequent necessary property acquisition;
- Methods to integrate project work with other capital improvement projects anticipated within the City's utility system; and
- Project phasing recommendations to match available budget, revenue, and anticipated expenditures.

Key outcomes of the preliminary design included:

1. Cost estimates for the project are \$40.5 million and are within the Adopted 2015/2016 Budget and 5-year Capital Improvement Program approved by City Council.
2. The project requires a new booster pump station, new water transmission mains, and new water storage facilities.
3. The recommended location of the new booster pump station is the existing Gregory Hill tanks site. The City can save costs by integrating Zone 3 Expansion work at this site with pre-existing plans to

replace the existing storage tanks as part of the Water Storage Tanks Repair and Replacement Program.

4. Expanding Pressure Zone 3 requires a new, larger-sized water main in 104th Avenue from Sheridan Boulevard to Hooker Street. Timing for this work is ideal because replacing this water main and repairs to this street were already adopted in the 5-year CIP program because of their age and condition.
5. The optimum site for new elevated water storage is near the existing Hydropillar Tank.
6. Water lines in the Franklin Square, Madison Hill, and Trendwood neighborhoods that are north of 92nd Avenue between Pierce Street and US 36 are old and in poor condition. To prevent water main breaks and the resulting service interruptions to these customers, new water mains will be required prior to incorporating these areas into the higher pressures of Pressure Zone 3. There is approximately 25,000 feet of water mains in these neighborhoods with an estimated replacement value of approximately \$20 million. Projects to replace these mains will be prioritized with other utility needs and are currently anticipated in the next 5-10 years.

It is Staff's assessment that the Pressure Zone 3 Expansion Project remains a high priority for the City's utility system. Staff's recommendation is to move forward with final design now and phase construction over a 2- to 3-year period. As such, Staff is seeking Council approval for a contract amendment with Burns & McDonnell for final design. As reported to City Council on August 3, 2015, the current preliminary design contract anticipated negotiating final design of the Pressure Zone 3 Expansion project and returning to City Council for approval. It is Staff's assessment that Burns & McDonnell provides the best value because its team successfully completed the preliminary design work and will be able to streamline tasks during final design. Staff negotiated a scope of work and competitive fee with Burns & McDonnell for this next step of the project and is now seeking Council approval. It is Staff's assessment that the fee is competitive because 1) the hourly rates for Burns & McDonnell's key staff closely match the range of rates that competitors proposed previously for the predesign phase; 2) the hourly rates for Burns & McDonnell's key staff are those used for the predesign phase adjusted for inflation; 3) the scope and fee demonstrates a clear understanding of the project and City goals, objectives, and schedule; and 4) the total engineering fee for predesign and final design is actually less than the design budget anticipated by Staff, based on the other projects recently completed on the water distribution system.

The requested expenditure for final design with contingency is \$2,307,161. Adequate funds for the project were approved by City Council and are available for this expenditure. Final design is anticipated to commence immediately following Council's official action. The final design will include preparation of several construction bid packages for the various Pressure Zone 3 components. Construction of the Pressure Zone 3 Expansion components are anticipated to begin in summer of 2016. Because of the size of the project and the extent of work required, construction is currently anticipated to occur in phases over two to three years. Staff is sensitive to the various construction projects that overlap with the areas of this project and the impacts this construction will have on our customers, especially along the 88th Avenue corridor. The final design phase will include public outreach and will also incorporate methods of limiting impacts to water service and traffic flow. Construction management services will be negotiated with Burns & McDonnell and presented to City Council at a later date once the scope and schedule for construction is established.

This project helps achieve the City Council's Strategic Plan Goals of "Dynamic, Diverse Economy," and "Financially Sustainable Government Providing Excellence in City Services" by contributing to the objectives of maintaining City infrastructure and facilities as well as neighborhood and commercial property infrastructure.

Respectfully submitted,

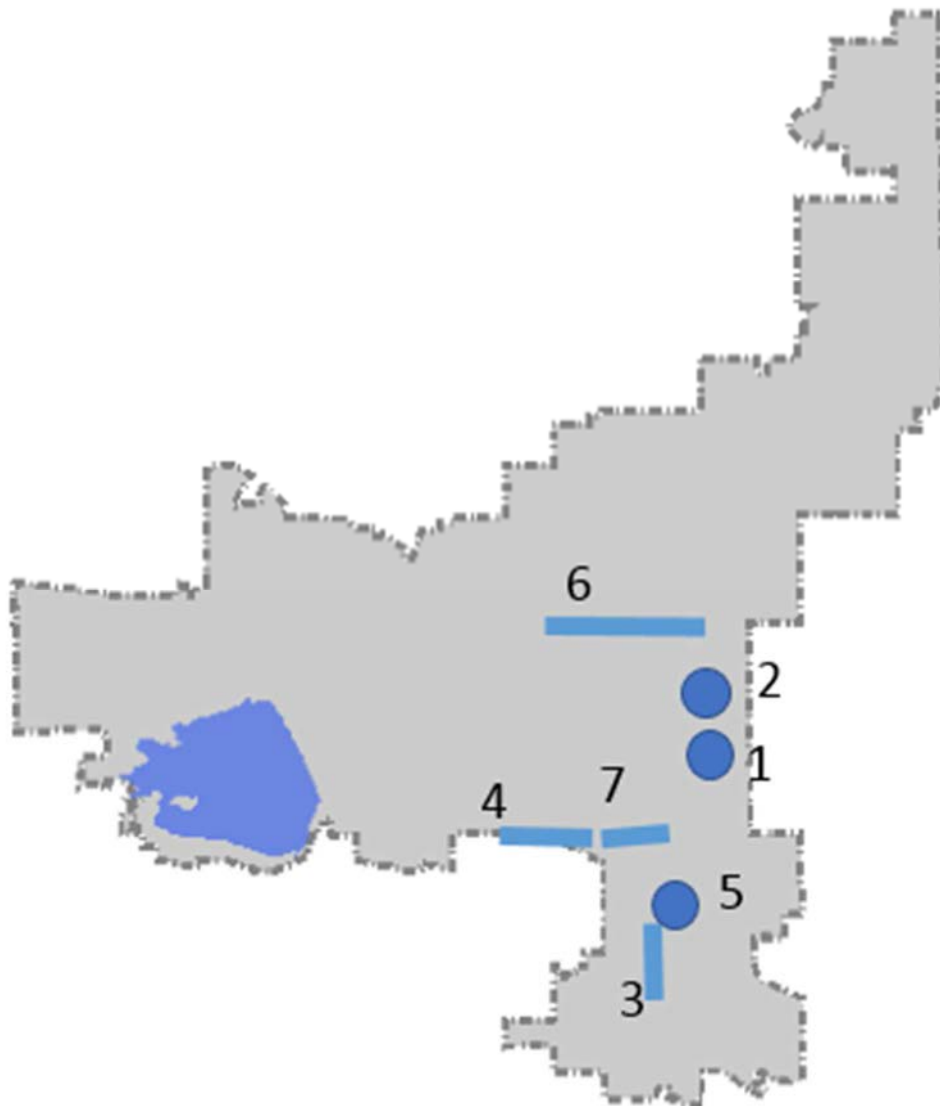
Donald M. Tripp
City Manager

Attachment: Map of Recommended Zone 3 Expansion Project Improvement Areas

City of Westminster

Map of Recommended Zone 3 Expansion Project Improvement Areas

1. Demo Sunset Ridge Tank
2. New Elevated Storage
3. Gregory Hill Supply Piping
4. 88th Ave. Transmission Main
5. Gregory Hill Pump Station & Tank
6. 104th Ave. Transmission Main
7. US36 Crossing





Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: 80th and Clay Lift Station Replacement Engineering Contract

Prepared By: Julie Koehler, Senior Engineer
Stephen Grooters, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute a contract with Kennedy Jenks Consultants Incorporated in the amount of \$169,204 for the design of the 80th and Clay Wastewater Lift Station Replacement Project, plus a project contingency amount of \$16,920 for a total authorized expenditure of \$186,124.

Summary Statement

- The City owns and operates six wastewater lift stations located throughout the City (see the attached map).
- These lift stations are used to transfer wastewater from low-lying areas of the City into the City's wastewater collection system. Wastewater subsequently flows by gravity to either the Big Dry Creek Wastewater Treatment Facility or the Metro Wastewater Reclamation District's Central Plant.
- In 2011, Staff completed an evaluation of each lift station and developed a prioritized plan for recommended improvements. Since then, the City has successfully completed the replacement of the 87th and Wadsworth Lift Station and rehabilitation of the 95th and Federal Lift Station. In addition, repairs to the North Huron Lift Station are currently underway. The purpose of this project is to continue implementing the lift stations repair and replacement program by replacing the 80th and Clay Lift Station.
- The 80th and Clay Lift Station equipment is at the end of its useful life and needs to be replaced. Replacing this lift station is necessary to prevent equipment failures, sewer back-ups, and impacts to City customers. The project will also include various new improvements such as emergency overflow provisions, a redundant pipeline, and a fiber optic communication system.
- Of the six proposals received for engineering design services, Staff believes Kennedy Jenks Consultants Incorporated (Kennedy Jenks) submitted the most comprehensive proposal and provides the best value to the City. Staff is recommending that a contract for the project design be awarded to Kennedy Jenks. Upon successful completion of the design contract, Staff will return to Council with a construction services contract for Kennedy Jenks, along with a construction contract.
- Design is expected to be completed by November of 2016, with construction completion in mid-2017.
- Adequate funds were budgeted and are available for this project.

Expenditure Required: \$186,124

Source of Funds: Utility Capital Improvement Fund – 80th Ave/Clay St Lift Station Elimination Project

Policy Issue

Should the City execute a contract with Kennedy Jenks for engineering design of the 80th and Clay Lift Station Replacement Project?

Alternatives

- City Council could decline to approve the contract and place the contract on hold. However, the existing lift station equipment is at the end of its useful life and needs replacement. Delaying the project is not recommended since it could result in increased maintenance and repair expenses as well as possible service impacts to residents.
- City Council could choose to award the contract to one of the other consultants that submitted proposals; however, this is not recommended as Staff believes that Kennedy Jenks provides the best value for this project.

Background Information

The City owns and operates six wastewater lift stations that are used to transfer wastewater from low-lying areas and neighborhoods of the City into the City's larger-sized wastewater collection system. Wastewater subsequently flows by gravity to either the Big Dry Creek Wastewater Treatment Plant or the Metro Wastewater Reclamation District's Central Plant. The six lift stations are listed below and shown in the attached map.

1. 87th and Wadsworth Lift Station located adjacent to Wadsworth Boulevard just north of the Old Chicago Restaurant
2. 95th and Federal Lift Station located on the west side of Federal Boulevard just south of 95th Avenue
3. North Huron Lift Station located at 133rd Avenue and Huron Street on the campus of the Big Dry Creek Wastewater Treatment Facility
4. 80th and Clay Lift Station located on the north side of 80th Avenue just east of Clay Street
5. 88th and Zuni Street Lift Station
6. Standley Lake Regional Park Lift Station located at 100h Avenue and Simms Street

In 2011, Staff completed an evaluation of each lift station and developed a prioritized plan for recommended improvements. The four highest priority projects included 1) replacement of the 87th and Wadsworth Lift Station--this project is complete--2) rehabilitation of the 95th and Federal Lift Station--this project is complete--3) repairs to the North Huron Lift Station electrical and instrumentation equipment--this project is currently in construction--and 4) replacing the 80th and Clay Lift Station.

Replacing the 80th and Clay Lift Station is a priority because its current components are 28 years old and at the end of their useful life. This lift station services over 200 residential homes in the Shadow Ridge subdivision. All wastewater from the subdivision is pumped to the Little Dry Creek Collection System that is subsequently conveyed by gravity to Metro Wastewater Reclamation District's collection and treatment facilities.

City Staff sent a Request for Proposals (RFP) to six engineering firms who specialize in this type of lift station design. Six proposals were received on July 30, 2015. Kennedy Jenks was selected for this work based on the quality of their proposal, the experience of the key team members, and their recent and successful performance on a City waterline project. In particular, Kennedy Jenks provided a proposal with the following highlights:

- An approach that clearly indicates understanding of the project scope and City’s goals and expectations.
- Team members’ recent experience with lift stations of similar size, scope, and complexity.
- Positive reference feedback regarding past project performance and the performance of individuals proposed for the project, including experience and availability of each member of the team.
- A project schedule that demonstrates their ability to meet the City’s targeted completion dates.

The six consulting firms that submitted proposals and hourly rate ranges for their key staff were as follows:

FIRM	Hourly Rate Range for Key Staff	Fee Proposal Based on Scope Submitted
Kennedy Jenks	\$114 to \$184/hour	\$169,204
Stantec	\$157 to \$181/hour	\$189,901
Merrick	\$115 to \$185/hour	\$150,667
J&T	\$90 to \$120/hour	\$211,300
Dewberry	\$95 to \$180/hour	\$119,955
Lidstone	\$125 to \$155/hour	\$194,743

Engineering fees from the proposals ranged from \$119,955 to \$211,300 with Kennedy Jenks’s proposed fee at \$169,204. Of the firms that proposed, the Kennedy Jenks approach and team experience were the best and most qualified for the project, and their level of effort and fee was competitive for the desired project scope of work. Some proposals received did not demonstrate a comprehensive understanding of the work the City considers necessary to successfully complete this project. In Staff’s opinion, retaining Kennedy Jenks will provide the best value to the City.

Following successful completion of the design, Staff intends to negotiate a subsequent contract for engineering services during construction. The design phase is expected to be completed by November of 2016, with construction completion in mid-2017.

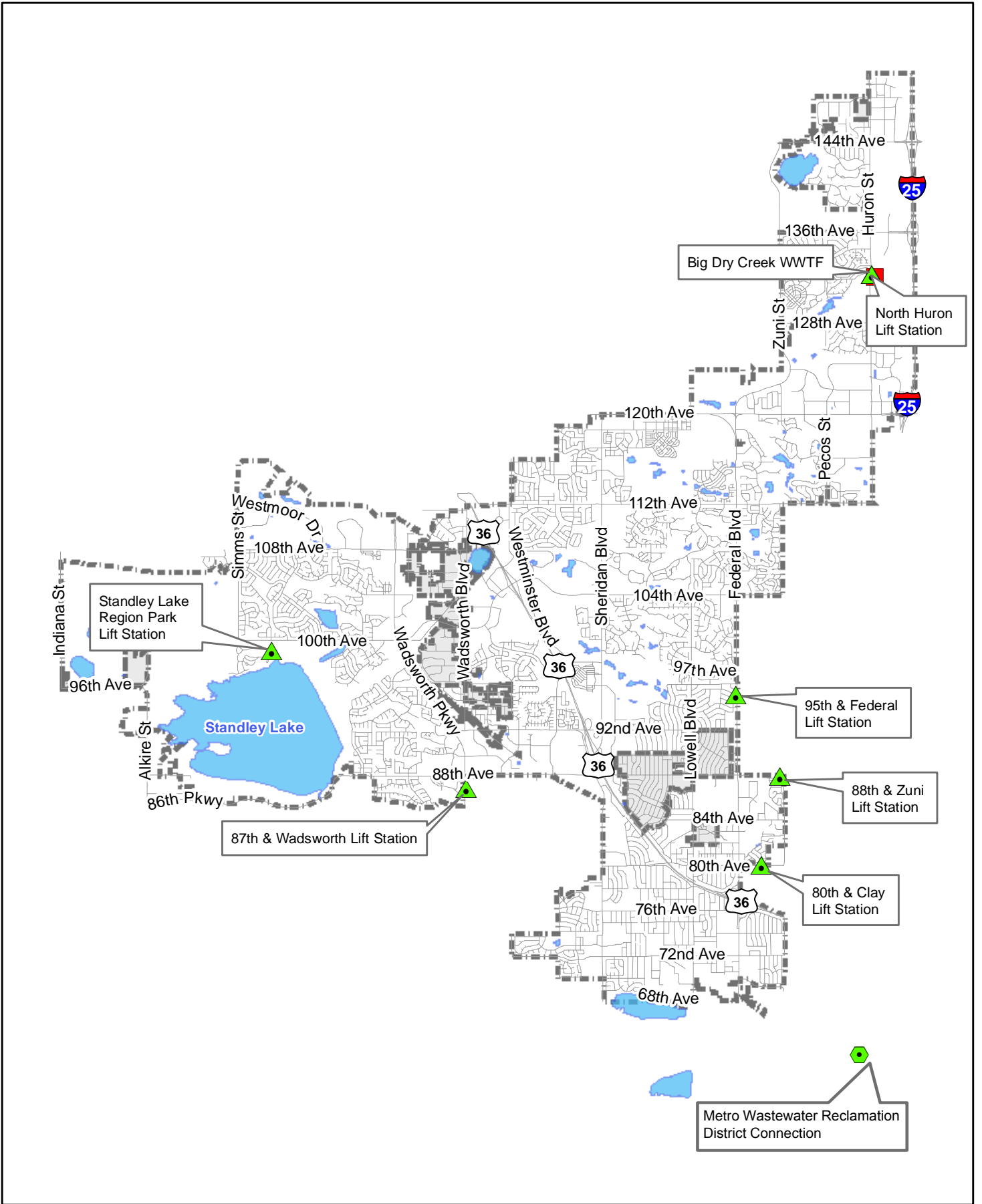
City Council previously approved funds for the project, including anticipated construction costs, as part of the Adopted 2015/16 Budget. No new or additional funds are being requested at this time.

The 80th & Clay Lift Station Replacement Project helps achieve the City Council’s Strategic Plan Goals of “Beautiful, Desirable, Safe and Environmentally Responsible City” and “Financially Sustainable Government Providing Excellence in City Services” by providing sewer service with reduced risk of system failures and by contributing to the preservation of City infrastructure and facilities.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment: Project Location Map



 Project Location Map



Agenda Item 8 J

Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Second Reading of Councillor's Bill No. 46 Amending Chapter 16-1, Public Utility Regulation, to Comply with the Public Utility Commission's Newly Adopted Data Privacy Rules

Prepared By: Jane Greenfield, Assistant City Attorney
Ben Goldstein, Senior Management Analyst

Recommended City Council Action

Pass Councillor's Bill 46 on second reading amending Section 16-1-6, Franchise Controls, to provide consistency with the Colorado Public Utilities Commission's data privacy rules.

Summary Statement

- This Councillor's Bill was passed on first reading on September 14, 2015.
- The City of Westminster ("City") entered into a franchise agreement ("franchise") with Xcel Energy dba Public Service Company of Colorado ("Company") in March, 2010, allowing the Company the use of City streets, utility easements, and other rights-of-way for the provision of gas and electric service to city residents.
- In exchange for the rights granted, the Company pays the City a three percent (3%) franchise fee on all Gross Revenues collected within the city limits and also reserves an undergrounding fund that represents one percent (1%) of the preceding year's Electric Gross Revenues. The franchise provides for a three-year audit cycle for these funds.
- The City has requested the audit reports of both funds but the Company has denied the same on the basis that the Public Utility Commission (PUC) had adopted customer data privacy rules that prohibited the Company from complying with the City's request.
- The PUC has recently amended its rules to provide local governments access to customer data for the purpose of conducting municipal audits pursuant to their franchise agreements.
- This code revision will conform the City's rules for data privacy to those conditions imposed by the new PUC rules.

Expenditure Required: \$0
Source of Funds: N/A

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment: Councillor's Bill

BY AUTHORITY

ORDINANCE NO. **3803**

COUNCILLOR'S BILL NO. **46**

SERIES OF 2015

INTRODUCED BY COUNCILLORS
Briggs – De Cambra

A BILL

FOR AN ORDINANCE AMENDING CHAPTER 16-1, SECTION 16-1-6 OF THE WESTMINSTER
MUNICIPAL CODE CONCERNING FRANCHISE CONTROLS

THE CITY OF WESTMINSTER ORDAINS:

Section 1: Section 16-1-6, W.M.C., is hereby AMENDED as follows:

16-1-1: FRANCHISE CONTROLS: (1879 3370)

(A) To the extent that any franchise lawfully granted by the City is inconsistent with the provisions of this Chapter, such franchises shall control.

(B) To the extent that any franchise lawfully granted by the City provides for the receipt of audits or other financial information from the franchisee, the City will insure that any customer data, as that term is defined by the Colorado Public Utility Commission rules, will be subject to the following:

(1) The franchisee will not disclose any customer data that is otherwise prohibited by a final Commission decision;

(2) All audit or other financial information shall only be disclosed to a designated City auditor or auditor's office, who is either an employee or agent of the City;

(3) The City's auditor will collect and use the customer data solely for the purpose of reviewing or conducting the audit and is prohibited from disclosing or using the customer data for a purpose not related to the audit;

(4) The City will implement and maintain data security procedures and practices to protect the customer data from unauthorized access, destruction, use, or modification;

(5) The City will destroy or return to the franchisee any customer data no longer necessary for the purpose for which it was transferred unless state law or the City's state-mandated retention schedule requires otherwise;

(6) The City will not permit access to the data by anyone that has not agreed to abide by the terms pursuant to which the data was provided by the utility, under its franchise agreement. This includes, but is not limited to, all interns, subcontractors, staff, other workforce members, and consultants; and

(7) The City acknowledges that it does not claim any right, title or interest in any of the data provided by the franchisee.

Section 2: This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 14th day of September, 2015.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of September, 2015.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

City Attorney's Office



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Adopting Amendments to the Downtown Specific Plan

Prepared By: Sarah Nurmela, AICP, Principal Planner

Recommended City Council Action

1. Conduct a public hearing on the proposed update to the Downtown Specific Plan as submitted to the City Council.
2. Adopt the proposed amendments to the Downtown Specific Plan, based on a finding that the criteria as set forth in Section 11-5-20(H) of the Westminster Municipal Code have been considered and satisfied.

Summary Statement

- The current Specific Plan was adopted in November of 2014. This planning process included input from Oliver MacMillan on the adopted site plan.
- Since adoption of the plan, the exclusive negotiating agreement with Oliver MacMillan has expired, and Staff has modified the Downtown site plan to address City Council's desire to establish the Downtown site as the next urban center in the Denver region. Greater emphasis is placed on the location and size of public spaces—particularly the Central Square that will anchor the public realm and activity in the Downtown. Likewise, development blocks were right-sized to ensure maximum flexibility in use and building types and street connectivity was re-established.
- The proposed changes therefore reflect the latter modifications to the site plan with updated diagrams and graphics as well as changes to development standards to better underline City Council's intent of a dense, urban environment.
- Proposed edits also include several clarification of terminology and standards.
- Proposed changes are provided in Attachment B where they are highlighted in red (text edits) or included (graphics).
- The Planning Commission voted unanimously (7-0) to recommend adoption of the proposed amendments to the Plan on September 8, 2015.
- Notice for this public hearing as required by Section 11-5-13, Westminster Municipal Code (W.M.C.) was published in the Westminster Window on September 17.

Expenditure Required: \$0

Source of Funds: N/A

Planning Commission Recommendation

The Planning Commission met on Tuesday September 8, 2015 to consider the proposed update to the Downtown Specific Plan and voted unanimously (7-0) in favor of approval. One community member from the Madison Hill townhome development located north of 92nd Avenue abutting the project site expressed concern over the height and bulk of buildings along the south side of 92nd Avenue, but was otherwise supportive of the Plan and vision.

Policy Issue

Should City Council approve the proposed changes to the Downtown Specific Plan?

Alternatives

The Council has the alternative to maintain the Downtown Specific Plan as is, or to potentially support some of the proposed revisions. In order to understand the impact of not completing any or all of the proposed changes, the types of changes (including map edits, modifications to standards, and text edits) and their associated value to the plan are described below.

- Map Edits: these edits reflect a significant revision of the site plan that represents the City Council's reinforcement of an urban vision for the site. If not reflected in the Specific Plan document, the plat and development on the site will not be consistent with the document and associated block standards, circulation plan, and other plans throughout the document.
- Changes to Standards: these edits primarily address building intensity and height within the Downtown area. While maintaining the existing standards will be consistent with the general intent of the vision for the site, the proposed changes do strengthen the plan's role in emphasizing higher-intensity development and reflect the City's move from a master-development approach to a site-by-site development approach. Other changes to standards are intended to better clarify a term or define a concept in more detail. If these are not changed, there may be potential for misinterpretation of the standards addressed; and
- Minor Text Edits: these edits will not significantly impact the document, however, they do reflect proposed changes in the site plan such as removal of Gray Street, so references to a nonexistent street would remain, if not changed now. Other changes aid in clarification of standards and their intent, so not employing them could impact the clarity or intent of the information being presented.

The Council could also propose alternative solutions to individual suggested changes to the plan. The impact will likely depend on a few key factors: the significance of the proposed change (whether a word or clarification edit or a major policy change) and general consistency with the policies and direction of the adopted Downtown Specific Plan.

Background Information

The Downtown Specific Plan provides the regulatory framework for implementing City Council's vision of a new downtown for the City of Westminster. The following provides an overview of the planning process that resulted in adoption of the current (as of November 2014) Downtown Specific Plan document.

Over the summer of 2013, City Council authorized staff to enter into a contract with Torti Gallas and Partners to develop the specific plan for the Westminster Urban Renewal Plan (WURP) site. The planning process began with a rezoning of the entire Downtown site to Planned Unit Development. The Downtown Westminster Planned Unit Development Preliminary Development Plan (PDP) was approved October 28, 2013, and set forth an initial street grid, public and green space network, and development blocks. The site plan of this PDP is included as Attachment A. As shown in the site plan, the grid

network prioritized a connection of Westminster Boulevard through the site, creation of a walkable, connected street grid, and strategically located green and public spaces at key intersections and view corridors.

Over the following year, two key efforts were completed: the creation of a new Specific Plan District (SPD) within the City's Municipal Code and the Downtown Specific Plan itself. The new SPD zoning category, adopted in October 2014, provides the regulatory basis for creation of specific plans for a defined area. The specific plans are generally self-executing regulatory documents for the governance, control, and implementation of land uses and development within a SPD, consistent with the goals and objectives of the SPD's Focus Area designation in the Comprehensive Plan.

Development of the Downtown Specific Plan document began once the PDP for the site was approved. A draft of the plan was completed in the first quarter of 2014, which coincided with a period of negotiation with Oliver MacMillan (OM) as the potential master developer for all or a portion of the Downtown site. Over the next six months, staff worked closely with OM to develop a plan that was representative and in line with the firm's development approach to the site. Multiple design charrettes were held to modify the street grid and relocate green and public spaces from the original PDP site plan. Additionally, some standards, such as the minimum required development intensity for a site (floor area ratio, or the ratio of building area to site area) were reduced to provide OM greater flexibility on phasing and build out of the site over time. These changes in the vision were incorporated into the final draft of the Specific Plan and the current adopted document.

Since adoption of the Downtown Specific Plan, the City Council's newly adopted Strategic Plan and mission of establishing Westminster as the region's next urban center placed great emphasis on achieving a high-intensity, mixed-use civic destination at the Downtown site. This reinforcement of the City's vision and intent resulted in revisions to the adopted site plan and necessitates adjustments to a few key development standards. This agenda memo outlines proposed changes to the Specific Plan, which are shown in redline form in Attachment B. (Updated graphics are not redlined but are included in the attachment.)

Nature of Request

The update to the Downtown Specific Plan reflects the modified site plan in diagrams and graphics and includes revisions to key development standards. All of the proposed changes are in concert with and reinforce the goals set forth by the Specific Plan, which include:

1. *Visual and Physical Center of Westminster*, defined by an urban form, streetscape design and civic spaces that create a visual and physical prominence within the City.
2. *Urban District with Active Frontages*, established by a built environment and cohesive public realm activated by a vibrant ground level with ample entries and windows, sidewalks that accommodate outdoor uses, public plazas, and attractive green spaces and landscaping.
3. *Pedestrian Oriented Environment*, fostered by the design and massing of buildings, an attractive and supportive streetscape environment with ample lighting and furnishing, and a connected street grid that supports walkability.
4. *Interconnected Circulation Network*, accommodating all modes of travel including vehicular, bicycle, walking and transit with a range of options for navigating downtown by vehicle, bike or foot.
5. *Multi-Faceted Green Space and Park Network*, offering a variety of spaces, functionality and uses and emphasized by connections and extensions into the urban environment.
6. *Direct, Convenient Access to Transit*, initially established by connectivity to the Westminster Park-and-Ride and availability of transit access within the site, as well as future access and accommodation for connections to the planned commuter rail station south of 88th Avenue.

The proposed changes include:

Site Plan and Related Diagram Edits

The site plan and diagram edits proposed in this update reflect a revision of the Downtown site plan initiated upon the departure of OM from the planning and development for the site. This revision of the site plan has been reviewed and endorsed by City Council since May 2015 and served as the basis for an updated plat of the site, streetscape and public space design, and property sales. As shown in Attachment C, the current Specific Plan site plan for downtown represents the collaborative planning process between the City and OM that included specific changes to the street grid and public spaces to align with a retail-centric development philosophy. This process with OM resulted in the addition of Gray Street parallel to Westminster Boulevard and creation of small blocks in between; relocation of the central square to the Central Parkway alignment; relocation of the larger northwest park to the center of the site; and other minor adjustments to the street grid.

Subsequent revisions to this adopted Specific Plan site plan were intended to achieve the following goals:

- Re-establish connectivity of the street grid;
- Ensure blocks are sized to accommodate a wide range of development and building types; and
- Ensure that public spaces are centrally located and sized to accommodate a wide range of programming.

The resulting revisions to the plan were strategic and made to allow for minimal changes to the majority of the site plan. The removal of Gray Street facilitated the creation of more typical block sizes (approximately 280 x 400 feet, similar to a downtown Denver block) between Westminster Boulevard and Eaton Street. Relocation of the Central Square to 89th Avenue and Westminster Boulevard reinstated the Central Parkway (proposed to be Central Avenue) connectivity between Harlan Street and Benton Street. The relocation also resulted in a larger Central Square area that is surrounded by three public streets instead of two. Finally, street grid modifications such as adjustment of the Fenton Street and 89th Street alignments provided for a more straightforward navigation of the site and facilitated a more feasible development wrap opportunity along the north side of the JC Penney building.

These site plan edits are reflected throughout the document, including on all of the underlying site plans for land use regulation, circulation, block standards, and green space.

Edits to Standards

Several key edits to development standards are proposed as part of this update. These edits reflect the City's vision for a dense, mixed-use district. They also include minor text edits to clarify and define terminology used within the standards. Changes include:

- ***Increased Minimum Floor Area Ratio*** - The current minimum floor area ratio (FAR, the ratio of building area to total site area) is 0.5 for any one site. While this minimum may have been acceptable in the larger context of a master developed site with OM, it is not appropriate for the site-by-site development approach currently underway. The existing Comprehensive Plan designation for the Downtown area is Mixed Use Center, which has a minimum FAR of 0.75. As development occurs on a site-by-site basis, it must meet this minimum FAR. Therefore, the minimum FAR stated within the Specific Plan is proposed to be 0.75. (This minimum is a baseline, however, and a much greater intensity of development is underway and will continue to be supported by staff and City Council.)
- ***Additional Requirement for Ground Floor Retail*** - The Specific Plan delineates where ground floor retail must be located in order to focus activity and support a vibrant public realm. Figure 2-2: Ground Floor Retail Standards shows an updated site plan as well as an additional requirement for retail at minimum around the corners of Center Park. Additional area is also identified around park spaces where Ground Floor Retail uses are encouraged. The intent behind this change is to ensure that the City's key public spaces are supported by active uses at the edge for "eyes on the street," generate pedestrian activity and support a vibrant public realm.
- ***Addition of Lot Subdivision Standard*** - The Specific Plan currently does not regulate a minimum parcel size. A minimum standard of 30 feet wide by 100 feet deep is proposed. "Liner buildings" that front parking garage structures or urban anchor buildings and screen parking structures from

view are excluded from this minimum standards, as typical depths of liner buildings can range from 35 feet deep for a residential liner building to 25-60 feet or more for commercial liner buildings. A definition for liner buildings is also proposed in the plan glossary.

- *Increased Building Height Maximums* - The Specific Plan regulates the maximum building heights for several building types. The maximum height of 65 feet assumes, typical podium and wood construction for mixed-use with residential buildings. However, in order to accommodate greater flexibility in building construction types and potentially taller buildings, a maximum height of 76 feet is proposed. The proposed edits also include increasing the allowed height of a parking garage with a liner to 55 feet (for the garage).
- *Allowance for Additional Building Types on Certain Blocks* – In response to the revisions to the site plan and in order to provide greater flexibility in build out of the Downtown area, particularly in terms of where taller buildings might locate, the Podium High-Rise Building type is added as a permitted building type to several blocks. These blocks include C-1, C-3, D-3 and D-4. The Courtyard Building type is added to B-1 and B-3, and the Urban Anchor building type is added to B-4, C-3, and C-5.
- *Decreased Residential Parking Requirement* - The current Specific Plan residential parking requirement is 1.5 spaces per unit. In order to accommodate a wide range of housing types and unit sizes, a lower ratio of 1.25 is proposed. This ratio is reflective of other transit-oriented and urban districts both within the Denver region and throughout the nation and was developed and vetted in concert with the City’s parking consultant, Fox Tuttle Hernandez.
- *Addition of Parking Terminology* - This proposed change introduces the terminology of a Parking Space Equivalent to allow for potential purchase of off-site public parking spaces to satisfy a portion of required parking for a project. The proposed edits also include a change from “Parking District” to “public parking” to eliminate confusion with any maintenance or other districts established for the area.
- *Definition and Clarification of Plane Breaks* - The current Specific Plan identifies a requirement for plane breaks for certain architectural conditions, including length of building, building height, and requirements for changes in façade design. The proposed edits provide greater clarity of when these plane breaks must be applied and their minimum dimension.
- *Addition of Ground Floor Glazing Standard for the Urban Frontage Type* - The current Specific Plan does not regulate the amount of required windows and entry area at the ground level of the typical urban frontage type. Addition of a minimum requirement of 50 percent is proposed since this frontage type is likely to be a common frontage throughout Downtown. This minimum will ensure a vibrant public realm with ample interest and visibility into buildings at the ground level.
- *Changes and Additions to Block Frontage Standards* – Due to the changes in the site plan, some blocks were modified in size or have changed conditions in terms of adjacency and orientation to key public spaces. As a result, modification to the frontage standards to address the need for ground floor activation where needed as well as new frontage standards are proposed. New blockfront types are proposed for block groups 2 and 4, while almost all other block groups reflect some type of adjustment to setback or build-to lines, minimum frontage occupancy or permitted access points.

Minor Text Edits

A few text edits are proposed throughout the document. They include clarifications of standards and references to other relevant standards. Minor edits also include a document-wide elimination of references to Gray Street, the Central Parkway location of the central square, and a change of name from “Central Parkway” to “Central Avenue” to more accurately denote the street’s role. These edits are located throughout the document and shown in redline in Attachment B.

Findings Required by Code

(1) In order to be approved, Council must find that the proposed amendments to the Specific Plan satisfy the following criteria set forth in Section 11-5-2(H) of the Westminster Municipal Code: The proposed plan or plan amendment is in conformance with the City’s Comprehensive Plan and all City policies, standards and sound planning principles and practices.

(2) There is either existing capacity in the City's streets, drainage and utility systems to accommodate the proposed plan or plan amendment, or arrangements have been made to provide such capacity in a manner and timeframe acceptable to City Council.

(3) The proposed plan or amendment is in compliance with all applicable provisions of this Code, including but not limited to this Section 11-5-20.

(4) The proposed plan advances and implements the objectives and policies set forth in Section 11-4-7.5 and the property's associated Focus Area as set forth in the City's Comprehensive Plan.

Those criteria are met in that the proposed changes to the Specific Plan are consistent with the Comprehensive Plan and Downtown Focus Area goals and policies, applicable provisions of the Westminster Municipal Code, and the City's Strategic Plan. The proposed changes are also consistent with the Specific Plan's goals and objectives, all of which reflect sound planning principles and practices to support a vibrant mixed-use district and multimodal transportation. Finally, the proposed changes do not impact the existing or proposed infrastructure capacity within or around the Downtown site.

Strategic Plan

This update to the Downtown Specific Plan particularly emphasizes four of the City Council's Strategic Plan goals, including *Vibrant, Inclusive and Engaged Community*; *Beautiful, Desirable, Safe and Environmentally Responsible City*; *Dynamic, Diverse Economy*; and *Ease of Mobility*.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachments: Attachment A –Downtown Westminster PDP Site Plan Excerpt
Attachment B – Proposed Edits to the Downtown Specific Plan
Attachment C – Current Specific Plan Site Plan

GENERAL NOTES

1. THE EXISTING U.S. 36 RAMP AND SHERIDAN BLVD. ALIGNMENT IS NOT SHOWN ON THIS PRELIMINARY DEVELOPMENT PLAN. THIS PLAN ASSUMES THE FUTURE IMPROVEMENT AND REALIGNMENT OF SHERIDAN BLVD. AND THE ADDITION OF AN INTERCHANGE AT U.S. 36 AND 92ND AVE.
2. NOTE THAT THE HARLAN STREET ALIGNMENT HAS BEEN MODIFIED BETWEEN 88TH AVENUE AND 90TH AVENUE.
3. PURSUANT TO THE WESTMINSTER MUNICIPAL CODE, THIS PRELIMINARY DEVELOPMENT PLAN MAY NOT BE USED TO SELL, TRANSFER, CONVEY OR DONATE PROPERTY.

**PRELIMINARY DEVELOPMENT PLAN
DOWNTOWN WESTMINSTER PLANNED UNIT DEVELOPMENT
A PLANNED UNIT DEVELOPMENT
IN THE CITY OF WESTMINSTER
COUNTY OF JEFFERSON, STATE OF COLORADO
SHEET 4 OF 6**

Westminster
Center

Westminster, Colorado

Torti Gallas and Partners, Inc.
523 West 6th Street
Suite 212
Los Angeles, CA 90057
(213) 607-0070
www.tortigallas.com

Owner
Westminster Economic
Development Authority

Traffic Engineer
Nelson/Nygaard
Consulting Associates
(603) 570-9160

Civil Engineer
Martin/Martin
(303) 431-6100

WESTMINSTER CENTER

PROJECT AREA SUMMARY

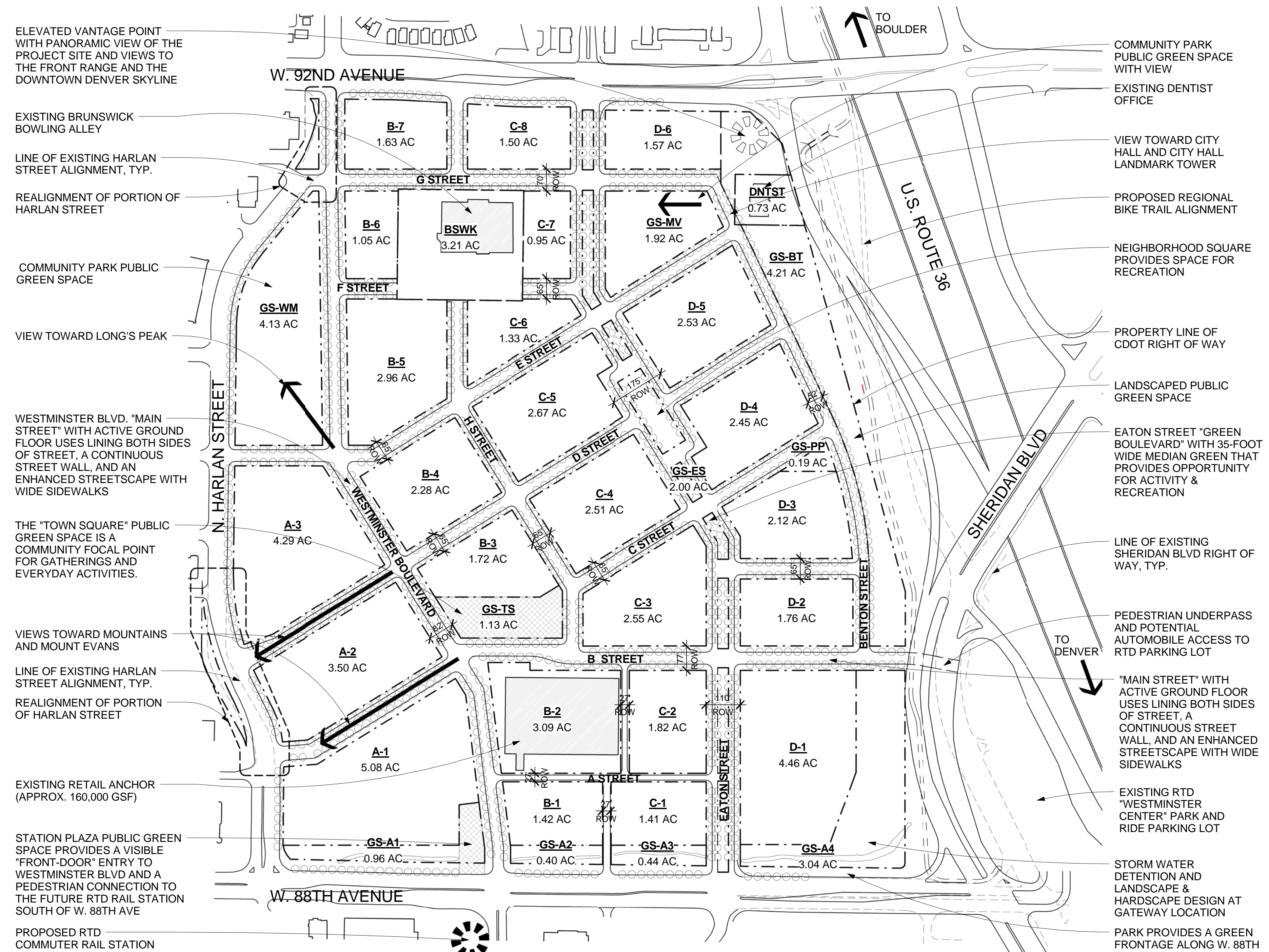
TOTAL SITE AREA	APPROXIMATE AREA
SITE AREA PER SURVEY	107.26 AC

PARCEL	APPROXIMATE AREA	% OF TOTAL
PARCEL A-1	5.08 AC	
PARCEL A-2	3.50 AC	
PARCEL A-3	4.29 AC	
PARCEL B-1	1.42 AC	
PARCEL B-2	3.09 AC	
PARCEL B-3	1.72 AC	
PARCEL B-4	2.28 AC	
PARCEL B-5	2.96 AC	
PARCEL B-6	1.05 AC	
PARCEL B-7	1.63 AC	
PARCEL C-1	1.41 AC	
PARCEL C-2	1.82 AC	
PARCEL C-3	2.55 AC	
PARCEL C-4	2.51 AC	
PARCEL C-5	2.67 AC	
PARCEL C-6	1.33 AC	
PARCEL C-7	0.95 AC	
PARCEL C-8	1.50 AC	
PARCEL D-1	4.46 AC	
PARCEL D-2	1.76 AC	
PARCEL D-3	2.12 AC	
PARCEL D-4	2.45 AC	
PARCEL D-5	2.53 AC	
PARCEL D-6	1.57 AC	
PARCEL BSWK	3.21 AC	
PARCEL DNTST	0.73 AC	
TOTAL	60.59 AC	56.5%

OPEN SPACE AREA	APPROXIMATE AREA	% OF TOTAL
ALLEN DITCH PARK	GS-A1 0.96 AC	
" "	GS-A2 0.40 AC	
" "	GS-A3 0.44 AC	
" "	GS-A4 3.04 AC	
BIKE TRAIL PARK	GS-BT 4.21 AC*	
EATON ST. MEDIANS	GS-ES 2.00 AC**	
MOUNTAIN VIEW PARK	GS-MV 1.92 AC	
POCKET PARK	GS-PP 0.19 AC	
TOWN SQUARE	GS-TS 1.13 AC	
WESTMINSTER PARK	GS-WM 4.02 AC	
TOTAL	18.42 AC	17.2%

PUBLIC R.O.W. AREAS	APPROXIMATE AREA	% OF TOTAL
TOTAL SITE AREA	107.26 AC	
LESS PARCEL AREA	60.59 AC	
LESS OPEN SPACE AREA	18.42 AC	
TOTAL	28.25 AC	26.3%

* DOES NOT INCLUDE OPEN SPACE IN CDOT RIGHT OF WAY
** INCLUDES TOTAL MEDIAN SPACE ALONG EATON STREET FROM W. 88TH AVENUE TO W. 92ND AVENUE.



Key Plan

Issue

Date	Description
9/16/13	Draft for City Review
10/9/13	PC Set

Revisions

No.	Date

Date
10/08/13

Principal In Charge
Neal I. Payton, AIA

Project Architect
Martin Leitner, AIA

Approved
NP

Drawn
ML

Job No.
13166.00

Scale
1" = 200'-0"



ILLUSTRATIVE SITE PLAN

SCALE: 1" = 200'

TORTI GALLAS AND PARTNERS, INC.



DOWNTOWN SPECIFIC PLAN

CITY COUNCIL ADOPTED PLAN



WESTMINSTER

WESTMINSTER, COLORADO
NOVEMBER 24, 2014
Updated October 12, 2015



1.4 PLANNING BACKGROUND AND PROCESS

Planning for a new downtown in Westminster has encompassed several visioning and design efforts. In 2009, the Westminster Economic Development Authority (WEDA) adopted the Westminster Center Urban Reinvestment Plan, an urban renewal plan for the site that set out City objectives to achieve a new transit-oriented mixed-use neighborhood that would provide the City with the unique opportunity to create a new downtown for the community. Initial plans for the new downtown envisioned a new street grid and mix of uses over the site, including residential, office and retail development. Acquisition of portions of the Westminster Mall by WEDA also began in 2009, with the majority of the site under WEDA ownership by early 2012. Since then, the majority of the mall structures and parking areas have been demolished to ready the land for new development.

In order to implement the vision for downtown, in 2012, the City embarked on an inclusive, citywide visioning and planning process to reinforce and develop a regulatory framework with which to establish this new downtown. The input garnered through this process—from community and City Council input to planning charrettes and consultant studies—was fundamental in the creation of the framework plan and vision set forth in this document. Beginning in March, 2012, three rounds of community outreach have been conducted. The initial round included a visioning and preference survey to obtain input on the community’s physical, social and emotional definition of a new downtown for the City. City Council also participated in this visioning and survey process. An online

platform provided through the project’s website mirrored the interactive survey and information. Approximately 250 participated in this first round.

Planning for the site framework – the streets and public realm of the new downtown – began in earnest in 2013 with a planning charrette with City staff and the Specific Plan consultant team. This iterative design process took place over several days and established the initial site framework presented to the public in the second round of outreach in September 2013. A final site framework with streets, public spaces and land use direction was approved as a preliminary development plan in late October 2013.

The Downtown Specific Plan, the first Specific Plan to be developed for the City, establishes the regulatory framework for implementing this preliminary site framework. Input into the development of this plan has included extensive analysis of site infrastructure, traffic, and site and market conditions as well as input from additional citywide surveys including the 2013 Parks, Recreation and Libraries Survey and consultation with Project for Public Spaces for specific programming and public realm amenities within downtown. A final round of public outreach was held in September 2014 on the plan framework, public realm and uses envisioned for the site. This Plan represents the final step in the planning process.



Community Workshop

Community members review information stations at a community workshop.



Community Workshop

Community members engage with planning staff at a station about the downtown vision.

88th Avenue

To the right: Artist’s rendering of 89th Avenue at Westminster Boulevard, with the Central Square in the foreground.



1.5 PROJECT LOCATION AND CONTEXT

The Downtown Specific Plan Area (Plan area) is located in the heart of Westminster, Colorado, immediately adjacent to US 36 (also known as the Boulder Turnpike). The location is regionally well-connected and lies approximately half-way between Denver and Boulder, as shown in Figure 1-1. City Hall is less than half a mile to the east on 92nd Avenue as is the Westminster Center Park, which is home to a very popular children's playground. A little over a mile and a half to the north along Westminster Boulevard are the Westminster Promenade, Butterfly Pavilion, and 205-acre City Park facility.

The 105-acre Plan area is the former site of the Westminster Mall, once a primary social gathering space within the city. The Plan area is bounded by 88th Avenue to the south, 92nd Avenue to the north, Harlan Street to the west and US 36 and Sheridan Boulevard on the east. As shown in Figure 1-2, the area is adjacent to the 92nd Avenue/Sheridan Boulevard interchange. This strategic access and the site's location within the center of the city reinforce its potential as the heart of Westminster and key destination for the surrounding region. Additionally, the RTD Bus US 36 and Sheridan Park-n-Ride – one of the busiest stations within the entire Denver Metro area – is situated immediately to the east at Sheridan Boulevard and 88th Avenue.

Residential neighborhoods border the site to the north, and a mix of primarily office and commercial uses border the area to the west and south. Additionally, several buildings remain on the site, including two businesses on non-City-owned land – Brunswick Bowling

and a professional dental office. Other remaining buildings are located on City-owned property and include a restaurant, bank and department store. These existing uses are integrated into the plan framework with anticipation for future street connections and other public infrastructure if and when these sites redevelop.

The existing context of the Plan area also includes several infrastructure improvements underway within the vicinity of the site. These include reconstruction of the Sheridan Boulevard Bridge over US 36 and expansion of water and sewer infrastructure that will serve the Plan area as well as surrounding development with improved water pressure and capacity. The Sheridan Boulevard bridge, currently under construction (as of 2014), is a joint effort with CDOT and the City – with City enhancement funds providing an improved bridge design and landscaping. Planning for the utility improvements is also underway – these improvements will be vital in facilitating the intensity and scale of development anticipated for the Plan area.



Aerial Image of Westminster Mall

Above, view of Westminster Mall in 2010 looking northeast. The intersection of Harlan Street and 88th Avenue is in the foreground. Below, an artist's rendering of the site at build out.



emphasize pedestrian comfort, visual interest, and opportunities for interaction and activity. Additionally, streetscape elements, such as lighting, seating, landscaping, paving, and crosswalk design will be scaled and oriented to the pedestrian to enhance safety, comfort, and walkability.

4. Interconnected Circulation Network

The street network on the site will provide an interconnected system of vehicular, bicycle, and pedestrian circulation. Vehicular circulation and access to downtown will be balanced with other modes of travel. Bicycle and pedestrian movement will be emphasized, as well as opportunities for enhanced landscaping along key corridors. Wide sidewalks, slow traffic speeds, and off-street paths will establish a multi-layered network of connectivity throughout the site, maximizing circulation options and flexibility. Likewise, block sizes will be scaled to the pedestrian, providing a short walk from end to end and visual variety and interest with more frequent breaks in the street wall. Connections at the interior of blocks will ensure that larger blocks in commercial areas will maintain a high level of choice for pedestrian movement.

5. Multi-Faceted Green Space and Park Network

Like the circulation network, the green space network within the site will have varying concepts of functionality and use. The framework of green space in the site, illustrated in Figure 1-4, will be a connected series of linear spaces extending along 88th Avenue, US 36, Central AvenueParkway, and a north-south “green boulevard” along Eaton Street. Complementing this recreational connection

will be several parks that will serve as focal points for new residential, mixed-use, and office development. These parks are critical, as they will serve a new population of at least 3,000 new residents – a population that expects, as all Coloradans do, safe access to ample recreational opportunities and spaces for both physical and emotional wellness. Finally, civic-oriented spaces within the heart of mixed-use and commercial development will provide opportunity for community-wide gathering and events. These spaces will be designed and sized to accommodate civic uses, farmers markets, and events that will serve the entire Westminster community and beyond.

6. Direct, Convenient Access to Transit

Opportunities to access and utilize transit will be emphasized by the location and intensity of land uses as well as the provision of key infrastructure and facilities. Higher intensity mixed-use and commercial development will be able to access transit by a grade-separated connection to the US 36 and Sheridan Park-n-Ride east of Sheridan Boulevard and an at-grade crossing of 88th Avenue to the future Fastracks commuter rail station. Location of high-intensity employment uses and a new high-density residential neighborhood adjacent to transit will further support ridership.



Illustrative Model

View looking east south with Harlan Street in the foreground at right and city hall with its tower in the background 92nd Avenue in the foreground.



Illustrative Model

View looking southwest along the new Eaton Street “green boulevard.” On the left-hand side of the image, US 36 leads towards Denver.

Figure 1-3:
Illustrative Master Plan



36

US 36
Commuter
Bike Trail

US 36 and
Sheridan
Park-n-Ride



0 200 400 600 ft

Figure 1-4:
Illustrative Green Space Plan



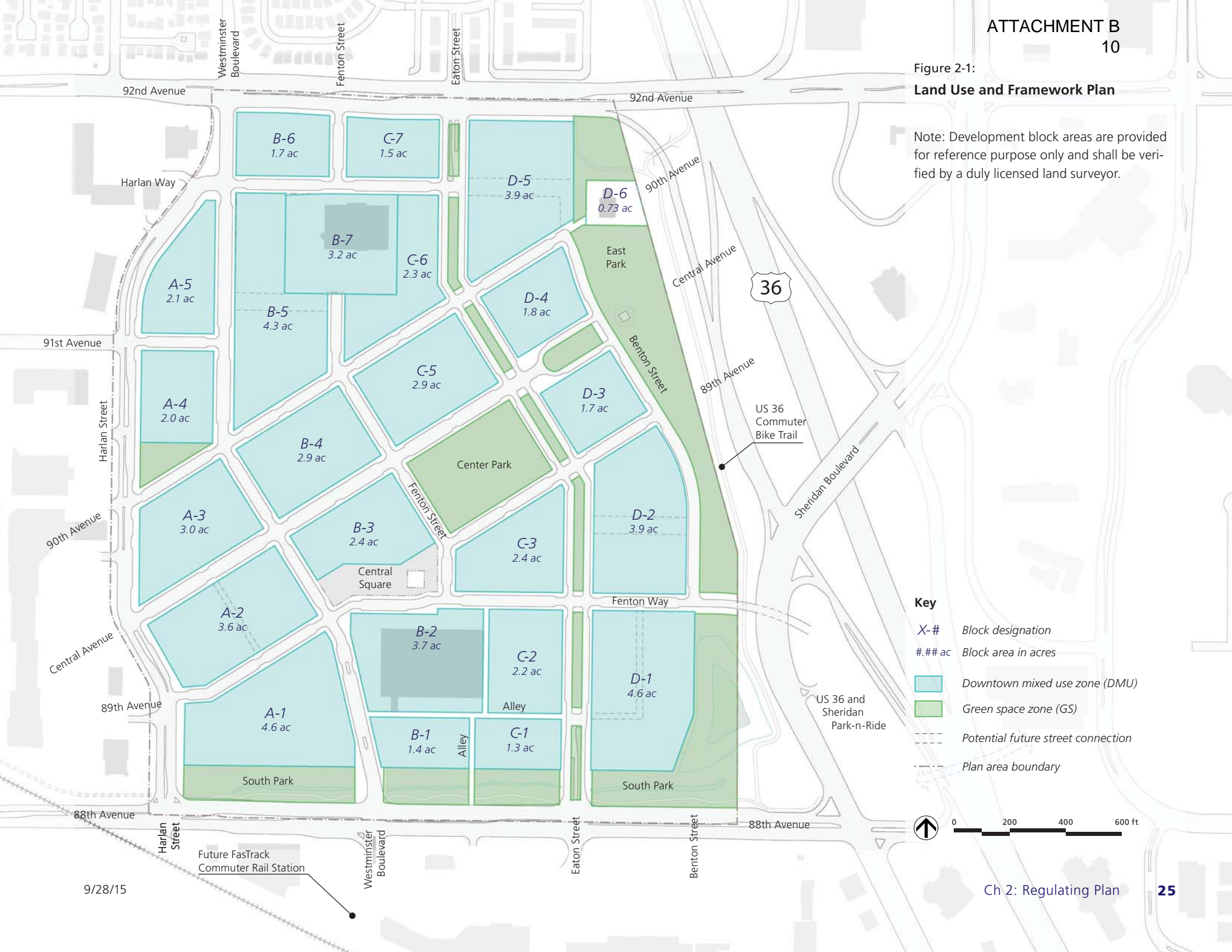


Central Avenue

Artist's rendering of Central Avenue looking west. Center Park is located to the left (south).

Figure 2-1:
Land Use and Framework Plan

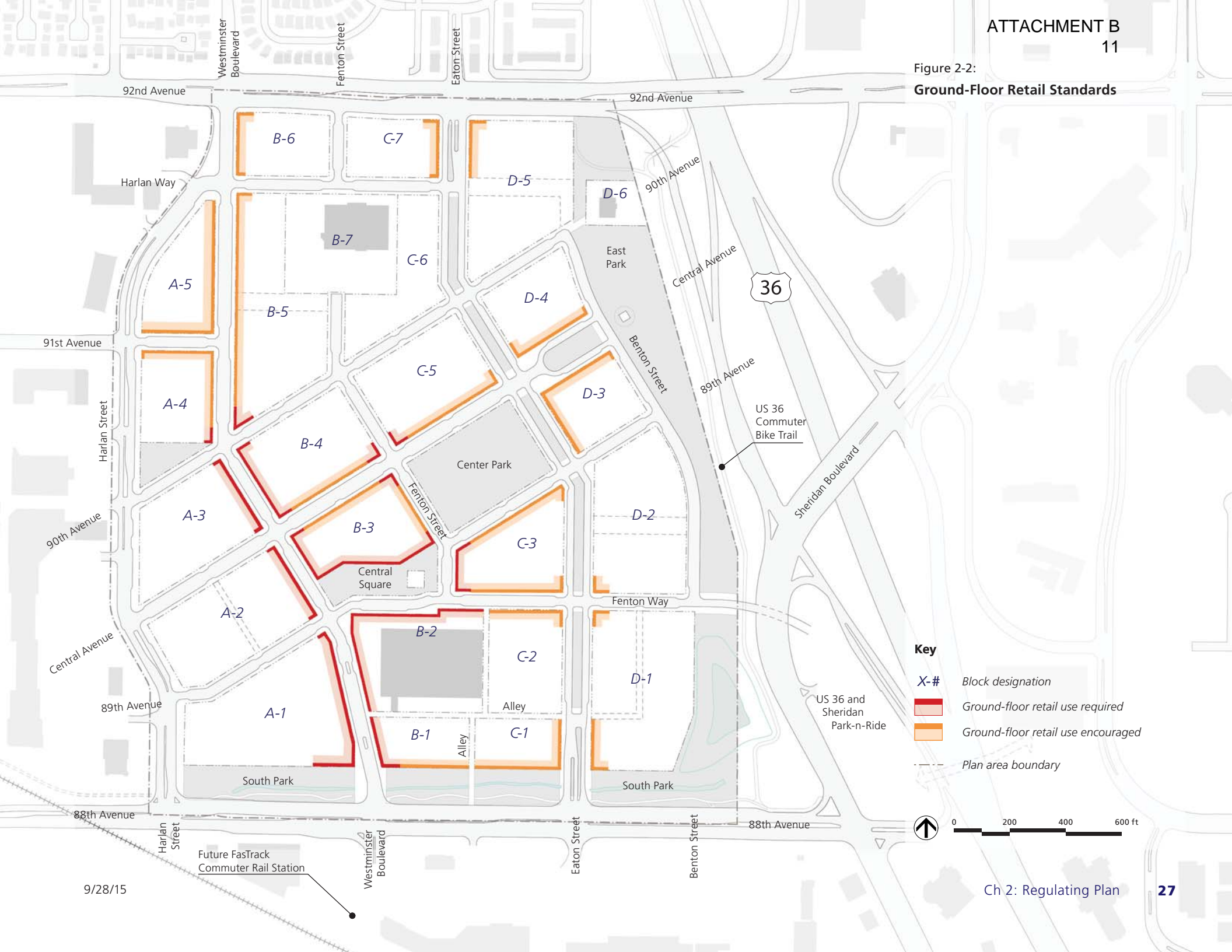
Note: Development block areas are provided for reference purpose only and shall be verified by a duly licensed land surveyor.



- Key**
- X-# Block designation
 - ### ac Block area in acres
 - Downtown mixed use zone (DMU)
 - Green space zone (GS)
 - - - Potential future street connection
 - - - Plan area boundary



Figure 2-2:
Ground-Floor Retail Standards



2.4 DEVELOPMENT CAPACITY

Development capacity within the Plan area is determined by multiple measures including site-specific development regulations, minimum development intensities and overall Plan capacity for residential development. On any one site, the primary limitation of development capacity is the Built Form regulations of Chapter 4. Minimum development intensities, as established in this section, define the lower limitation of development that shall be achieved on any one site. Finally, overall residential development capacity for the downtown area is defined and shall potentially limit residential development capacity on any one site if the overall capacity has been achieved.

2.4.1 Minimum Required Site Development

A minimum amount of development is required on each site to ensure that the intensity of new development supports the overall Plan vision of a vibrant downtown. For non-residential and mixed-use developments, this minimum level of intensity is defined by a minimum Floor Area Ratio (FAR). An FAR is the ratio of total building area to total site area, where for example, a 40,000 square-foot building on a 40,000 square-foot lot would have an FAR of 1.0. Within the Plan area, the minimum FAR for non-residential and mixed-use developments on any one site shall be 0.75. ~~The Planning Manager shall have the discretion to allow for phased development that would meet the minimum FAR.~~

Residential development intensity is expressed by density, the ratio of total dwelling units to

total site acres. For example, a development with 60 dwelling units on a 1.5-acre site would have a density of 40 units per acre. In the Plan area, the minimum density for residential developments on any one site shall be 16 units per acre.

2.4.2 Maximum Residential Development Capacity

The Specific Plan limits the total number of residential development that can be achieved in downtown. This limitation ensures that the anticipated water use of future development in the downtown is in balance with water resource availability and infrastructure capacity of the City.

The total number of residential dwelling units within the Plan area shall not exceed the water availability for the site. Water availability is based on service commitments. One service commitment is equivalent to 140,000 gallons of water use per year, which is based on one single family detached home. Service commitments are calculated and issued based on the dwelling unit type, as specified in Table 2.4.1.1. Total residential development in the Plan area shall not exceed 1,350 service commitments. Once all 1,350 residential service commitments are issued, no additional residential development will be permitted and the residential development capacity on each block will become zero dwelling units per acre.

Should residential dwelling units be demolished and not replaced as part of a new development on the same site, the unused service commitments will be returned to the

overall residential development water availability. The service commitments will then be available for development on any site on a first-come, first-served basis.

Table 2.4.1.1:
Service Commitments Equivalence

<i>Dwelling Unit Type</i>	<i>Service Commitments</i>
Single Family Detached	1.0
Single Family Attached	0.7
Multifamily	0.5
Senior Housing	0.35

2.5 LOT STANDARDS

Division of platted blocks is anticipated as the Downtown Specific Plan Area develops. Subdivision of blocks into smaller lots is encouraged to create variation in development scale and building form. All lots created shall front onto a public street with a minimum lot frontage of 30 feet and minimum lot depth of 100 feet.

Development comprising *liner buildings* of a parking structure or anchor building may be excluded from the minimum lot depth requirement.

3.2 TRANSIT ACCESS

The provision of and access to transit is an essential component of an urban, multi-modal environment. While accommodation of bicycle and pedestrian movement within downtown's street network will serve to reduce internal traffic, residents, workers, and visitors will still be connected and dependent on access to the larger Denver Metro region. As a result, maximizing access to existing transit and planning for connectivity to future transit is integrated into the overall Plan Framework.

Existing transit service to the downtown area is provided by the Denver Regional Transit District (RTD) and includes 14 bus lines. The primary bus station that serves the Plan area is the US 36 and Sheridan Park-n-Ride. The station is one of the busiest park-and-ride stations in the entire RTD bus network with almost 1,000 boardings a day. Regional bus lines that are accessed at the Park-and-Ride primarily run along US 36 between Boulder and Denver and include the AB, B, DD, DM, S, T and 86X. ~~The AB line provides direct access to the Denver International Airport.~~ Local bus lines that access the Park-and-Ride and downtown area include the 31, 51, 92, 100, and 104. Currently, five local bus stops serve downtown, including two along 88th Avenue, two along Harlan Street, and one along 92nd Avenue. As the downtown area develops and the street network is introduced within the site, additional local bus stops internal to downtown will be identified.

In addition to integrating local bus access into the site, the Specific Plan identifies a key connection to the Park-and-Ride. Currently, Sheridan Boulevard blocks direct access to the Park-and-Ride. Therefore, this Plan proposes

a new underpass that will allow pedestrians, bikes, and potentially transit vehicles to access the Park-and-Ride. This underpass will extend Fenton Way to the east and provide a critical link to the region's public transit network.

Future transit service to the Plan area includes a planned extension of the FasTracks Northwest Commuter Rail Line and potential shuttle service that could be either publicly or privately provided to either the US 36 and Sheridan Park-n-Ride or the future commuter rail station. As shown in Figure 3-1, the planned commuter rail station is located just south of 88th Avenue in general alignment with Westminster Boulevard. Completion of the line is not projected to occur for another 25 to 30 years; however, the Specific Plan does recognize that connectivity to this future transit will be essential when it is provided. Thus, the streetscape design of 88th Avenue does contemplate a future analysis of reducing travel lanes and the overall pedestrian crossing length to facilitate pedestrian and bicycle access across the street. Finally, shuttle service may also provide additional transit access into the Plan area. This service could incorporate other key destinations nearby downtown, including the Promenade and Butterfly Pavilion to the north on Westminster Boulevard and City Park to the north along Sheridan Boulevard.



RTD Bus Rapid Transit

RTD's US 36 bus rapid transit will connect Denver with Boulder with a stop at the US 36 and Sheridan Boulevard.

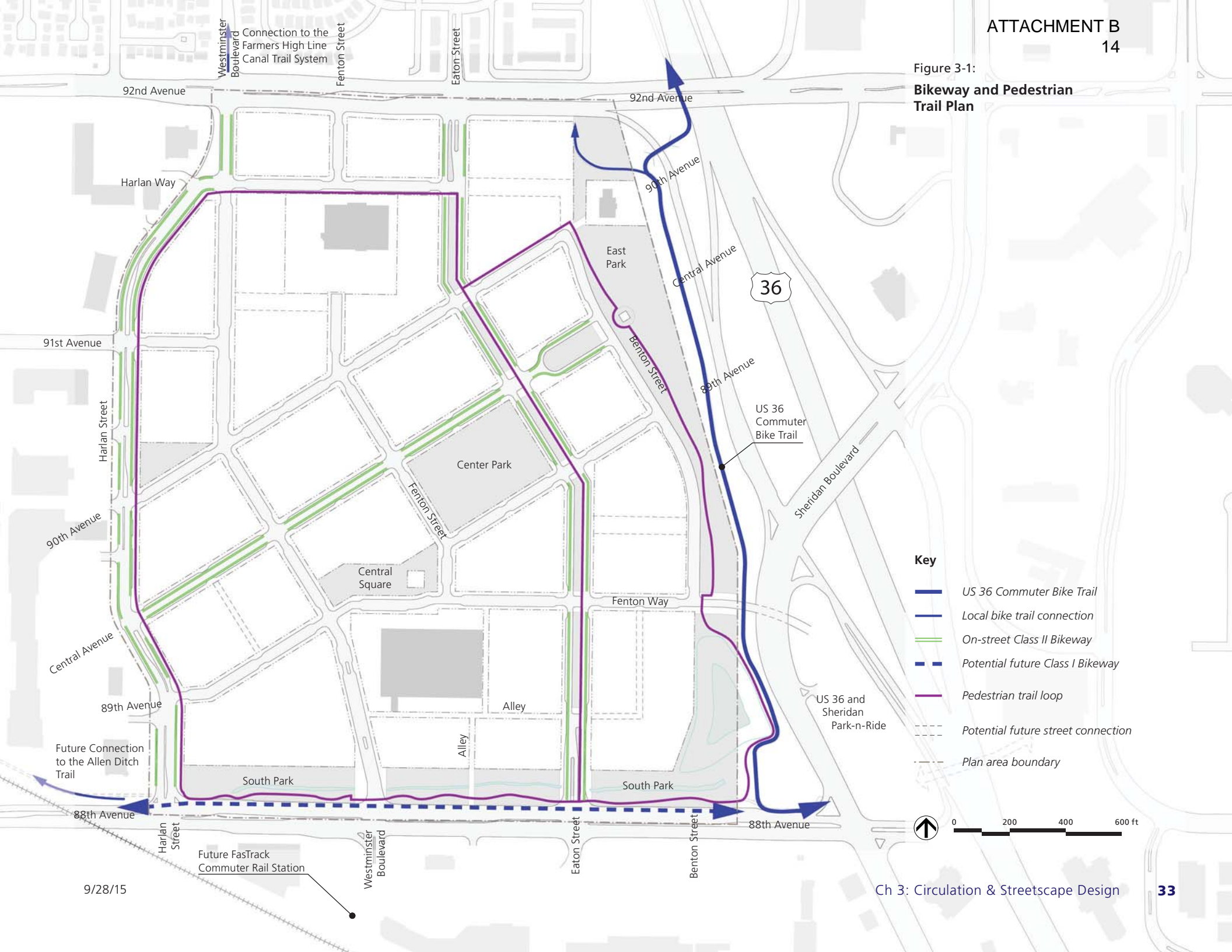
Source: RTD



US 36 and Sheridan Park-n-Ride

The park-n-ride lot is located immediately adjacent to the plan area. An underpass underneath Sheridan Boulevard will provide a direct connection.

Figure 3-1:
**Bikeway and Pedestrian
Trail Plan**



3.4 STREET NETWORK

This Plan provides a hierarchy of street types that creates distinct environments. The existing arterial streets, 88th and 92nd avenues, border the Plan area to the south and north, respectively. Westminster Boulevard, which currently terminates at the north edge, will be extended through the site and together with Eaton Street will accommodate north-south movement. Local streets and public alleys complete the street network; special design provisions are made for **Gray Street portions of Westminster Boulevard and 89th Avenue** where higher levels of pedestrian activity are anticipated, **and for Benton Street** that fronts a major green space, **and for Central Parkway that is envisioned as an enhanced green connection from East Park to the retail core.**

The street design strategy anticipates that a mix of uses will line the streets though it does not prescribe or predict exactly what uses those will be. Instead, it provides positive, human-scaled environments, the success of which is largely independent of the uses fronting a particular street. Street design will also contribute to downtown's identity as a decidedly urban space. Wide sidewalks provide ample space for pedestrian activity; curb extensions ease roadway crossings; street trees and landscaping enhance downtown's beauty; and dedicated amenity zones, streetlights, ample seating, and other street furniture ensure functionality of the street environments.

Street Types and Design

This section depicts the proposed street and sidewalk sections within the Plan area. **A more detailed streetscape design plan will**

be developed consistent with the intent of this Plan. Figure 3-2 provides a key to the individual street type sub-sections. The street types and sections are designed to accommodate the expected volumes of traffic associated with new development in downtown. A traffic analysis was prepared as part of the development of the Specific Plan and is included in the Appendix.

88th Avenue and 92nd Avenue

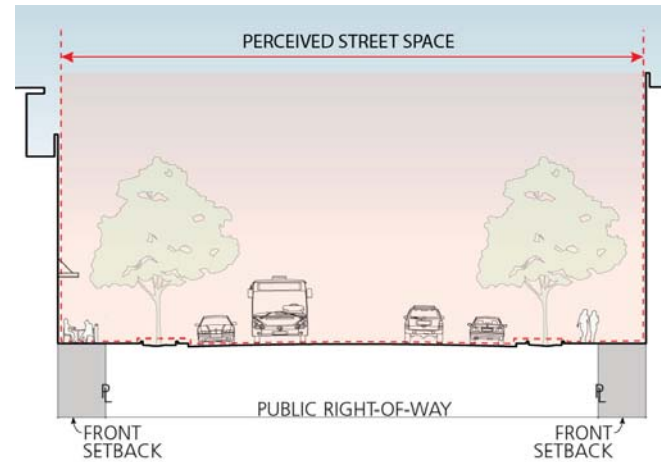
At 88th Avenue only the northern portion of the street and at 92nd Avenue only the southern portion of the street lies within the Plan boundary. This Plan only proposes changes to their sidewalks, but not the roadways. New sidewalk designs will improve the pedestrian environment and sidewalk sections are provided for these two streets. Enhanced pedestrian crossings should be placed where Westminster Boulevard and Eaton Street meet 88th Avenue as well as at the intersection of Westminster Boulevard with 92nd Street.

Private Development

When considering the design of public streets, it is important to recognize that the design of private front setbacks significantly contributes to the success of the overall street design. This is because the perceived street space is the area between the building faces on either side of the street (see the Perceived Street Space illustration). Hence, the street types provide the basis for frontages, which encompass the dimension of front setbacks as well as the character of the setbacks themselves. Private development shall adhere to this section's provisions for front setbacks.

Bicycling in Downtown

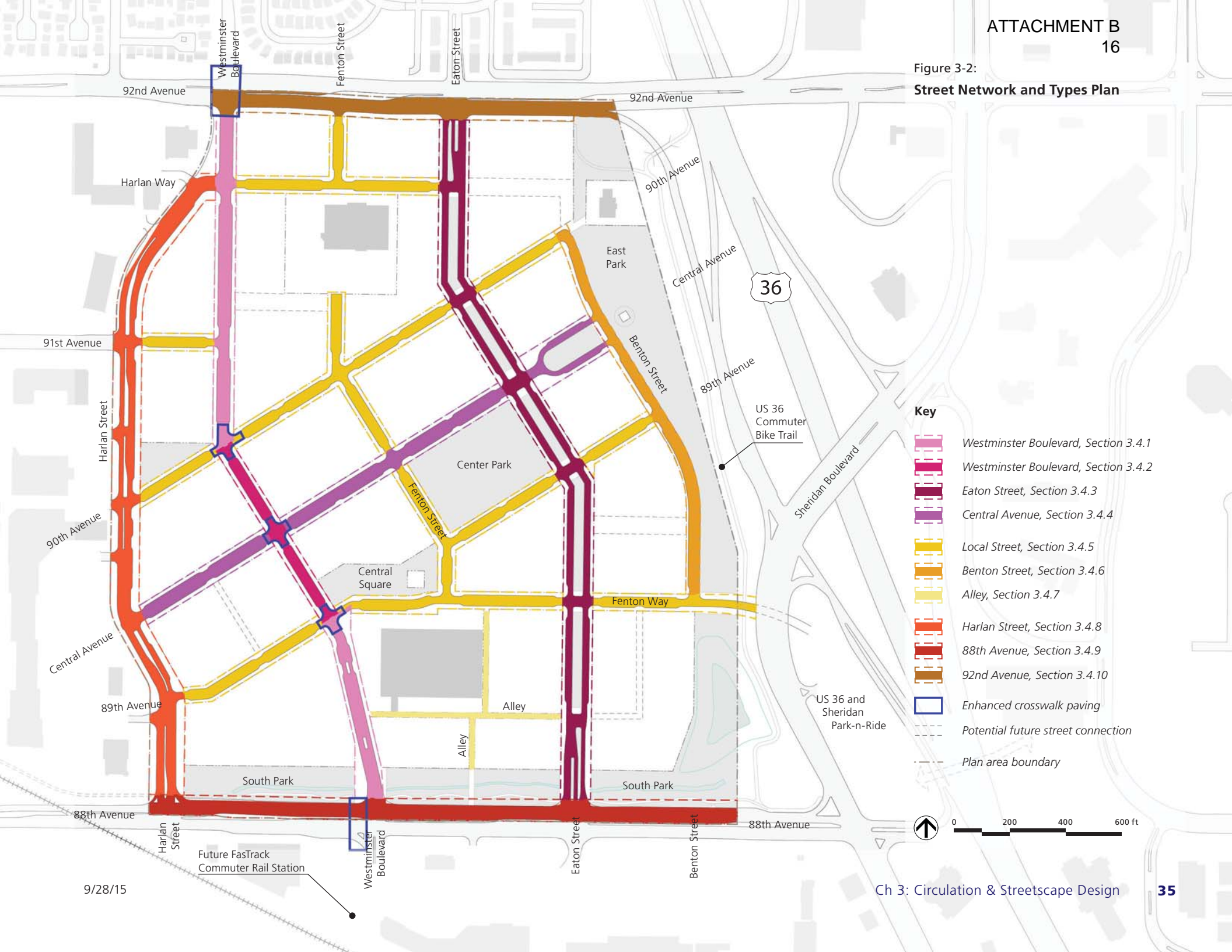
This Plan proposes a simple approach to bicycling in downtown: every street is designed to safely accommodate bike traffic. The majority of the new streets are designed for slow-moving traffic with one travel lane in each direction. Bicycle lanes are also provided on key streets including Eaton Street, Harlan Street and Central Avenue. Along all other streets in the downtown, bicycles and vehicles will share the roadway.



Perceived Street Space

Front setbacks are part of the overall perceived street space.

Figure 3-2:
Street Network and Types Plan



- Key**
- Westminster Boulevard, Section 3.4.1
 - Westminster Boulevard, Section 3.4.2
 - Eaton Street, Section 3.4.3
 - Central Avenue, Section 3.4.4
 - Local Street, Section 3.4.5
 - Benton Street, Section 3.4.6
 - Alley, Section 3.4.7
 - Harlan Street, Section 3.4.8
 - 88th Avenue, Section 3.4.9
 - 92nd Avenue, Section 3.4.10
 - Enhanced crosswalk paving
 - Potential future street connection
 - Plan area boundary



9/28/15



Landscaped Curb Extensions

Seasonal plantings brighten the streetscape experience.



Landscaped Curb Extensions

Curb extensions are planted with colorful flowers and ornamental trees.



Amenity Areas in Front Setbacks

Dining and other outdoor furniture is allowed in front setbacks.

F. Street Furniture

Street furniture within the public right of way shall be per Section 3.5.2. Curb extensions should be furnished with pedestrian or bicycle amenities or both (see Section 3.5.4).

G. Front Setbacks

1. Paving. Front setbacks shall be paved with poured, scored concrete to match the public sidewalk (see Section 3.5.1).
2. Landscaping. Small shrubs and trees in movable pots are permitted. Landscaped planters or yards are not permitted.
3. Furniture. Movable signs and outdoor merchandise displays in conformance with sign standards and guidelines of Section 4.7 are permitted. All such furniture shall be approved by the City. Outside of business hours, furniture shall be removed from the setback and stored.

setback adjacent to the operating ground-floor use. **Outdoor dining may encroach up to one foot into the public right-of-way. Outdoor dining areas shall be located entirely within the front setback. They Dining areas shall be enclosed by removable barriers when barriers are required by State licensing regulations.**

Furniture for outdoor dining shall be approved by the City. Outside of business hours furniture should be stored indoors. Alternatively, it may be stacked and secured at the back of the setback area.

Outdoor dining may encroach up to one foot into the public right-of-way.

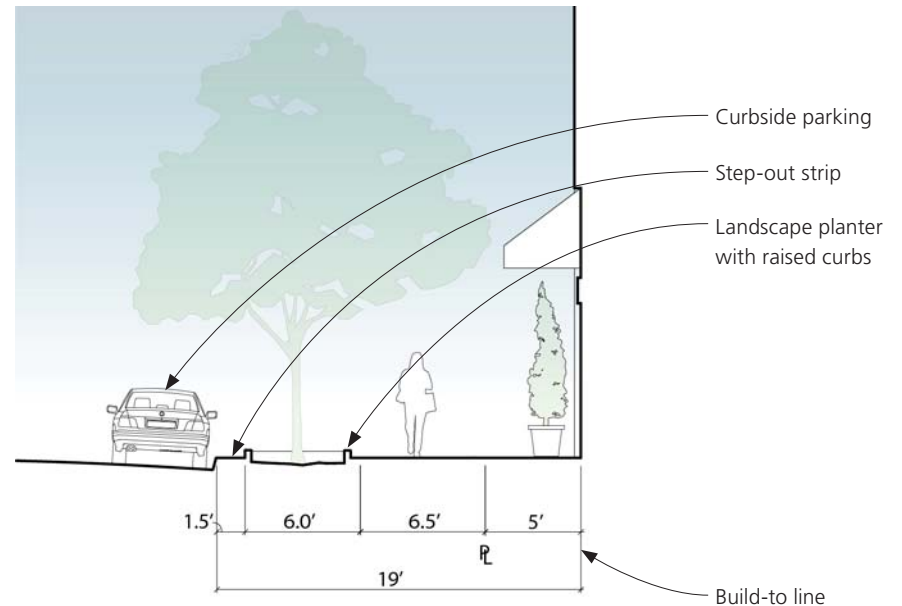


Figure 3-4: Westminster Boulevard Sidewalk

The sidewalk dining zone is located in line with landscape planters leaving room for additional furnishings at the building front.

H. Outdoor Dining

Outdoor dining is permitted within the front

3.4.2 Westminster Boulevard - Center and Gray Street

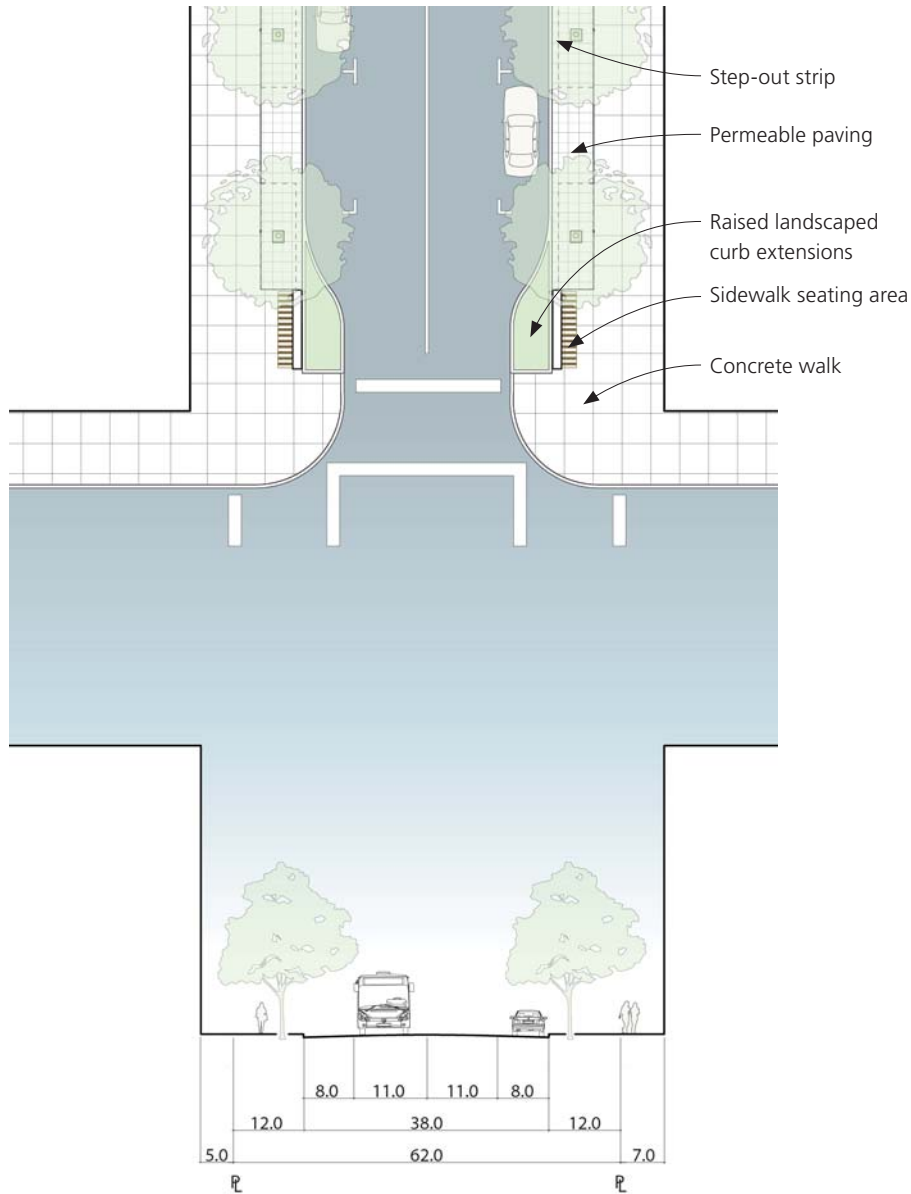


Figure 3-5: Westminster Boulevard and Gray Street Street Design Diagram

SW: sidewalk incl. parkway; P: parking lane; L: travel lane; TL: turning lane



Key Plan

A. Design Intent

This street type modifies the Westminster Boulevard type at the retail core where a high volume of pedestrians is anticipated. The roadway is designed for slow traffic speeds with bikes in mixed flow traffic lanes. It has one travel lane in each direction. Curbside parking is provided on both sides of the street with one side arranged as angled parking for added convenience. Wide sidewalks provide room for pedestrians, amenity areas, shop displays, and outdoor dining. Curb extensions reduce the crossing distance at intersections and provide room for amenity areas.

B. Street Design

Street design shall be in conformance with Figure 3-5.

C. Decorative Street Paving

Gray Street between 90th and 91st Avenues and the intersections of Westminster Boulevard with 90th Avenue, Central Avenue, and 91st Avenue shall be paved in scored integral

color concrete. Pedestrian crosswalks shall be emphasized with a variation in concrete color or pattern.

D. Sidewalk Paving

The sidewalk shall be paved with poured, scored concrete (see Section 3.5.1). Step-out strips and sidewalk areas located in between landscape planters shall be paved with permeable pavers (see Section 3.5.1).

E. Landscape

1. Street Trees. Street trees shall be planted in conformance with the street tree plan (see Figure 3-20).
2. Landscape Planters. Tree planters shall be five feet wide and 15 feet long inground planters located below a suspended pavement system. Treeplanters shall be placed so that they match the street tree spacing.
3. Curb Extensions. Landscape planters shall extend into curb extensions and separate sidewalk amenity zones from the roadway (see Section 3.5.4).



Wide, Active Sidewalks

Wide sidewalks and paved front setbacks provide ample space for pedestrian activity.



Inground Planter Under Construction

A 5x15-foot tree planter sits below a suspended pavement system that will support sidewalk paving once construction is complete. Photo location: Denver, CO



Inground Planter with Paving Installed

In this image, the pervious paving has been installed above the pavement suspension system. The usable sidewalk area has increased significantly.

F. Streetlights

Streetlights shall be per Section 3.5.3.

G. Street Furniture

Street furniture shall be per Section 3.5.2. Curb extensions should be furnished with pedestrian or bicycle amenities or both (see Section 3.5.4).

H. Front Setbacks

1. Paving. Front setbacks shall be paved with poured, scored concrete to match the public sidewalk (see Section 3.5.1).
2. Landscaping. Small shrubs and trees in movable pots are permitted. Landscaped planters or yards are not permitted.
3. Furniture. Movable signs and outdoor merchandise displays in conformance with sign standards and guidelines of Section 4.7 are permitted. All such furniture shall be approved by the City. Outside of business hours, furniture shall be removed from the setback and stored.

I. Outdoor Dining

Outdoor dining is permitted within the front setback adjacent to the operating ground-floor use. Outdoor dining areas shall be located entirely within the front setback. They shall be enclosed by removable barriers when barriers are required by State licensing regulations.

Furniture for outdoor dining shall be approved by the City. Outside of business hours furniture should be stored indoors. Alternatively, it may be stacked and secured at the back of the setback area.

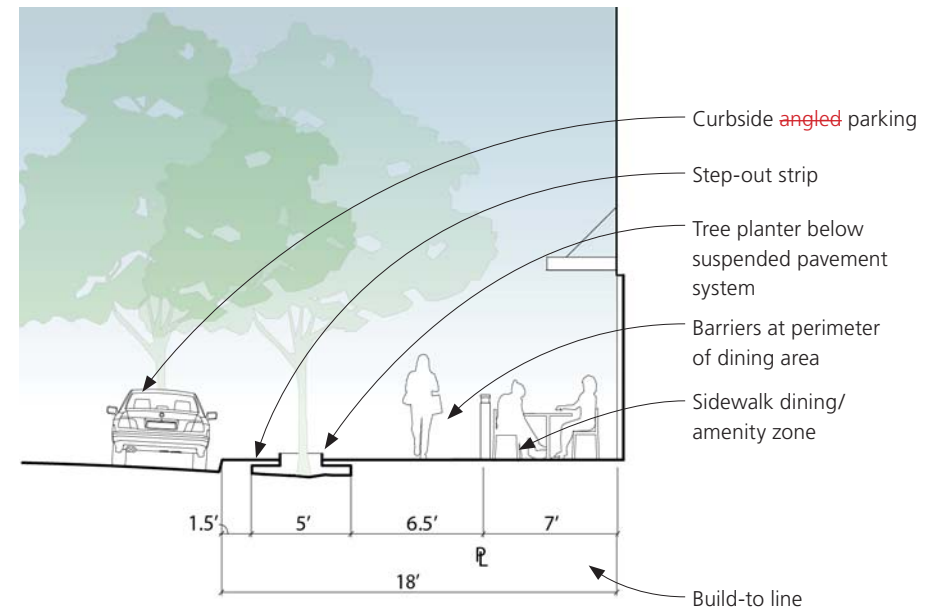
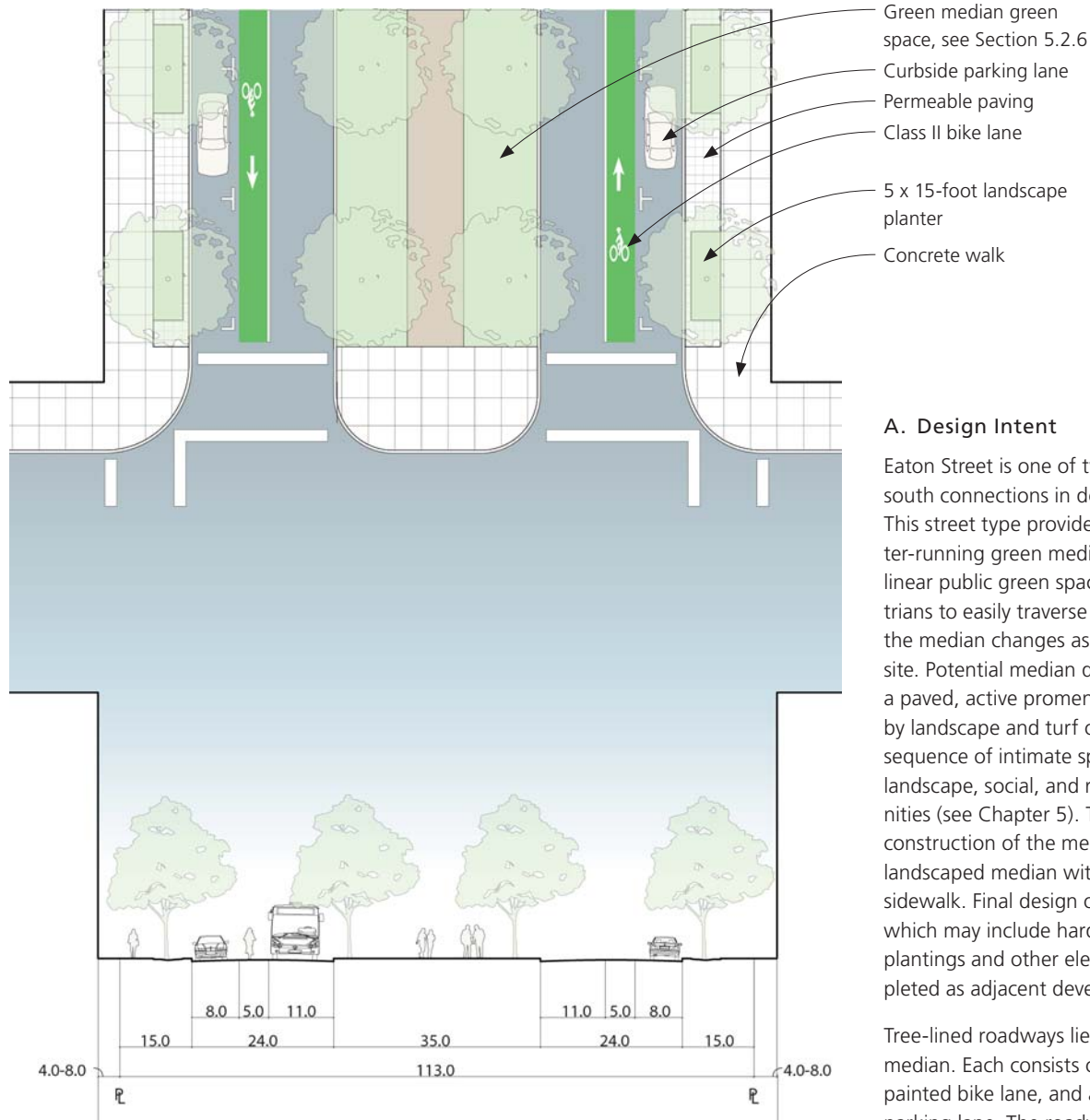


Figure 3-6: Westminster Boulevard and Gray Street Sidewalk at Angled Parking

In areas with convenient angled parking the sidewalk amenity zone is reduced by two feet in depth. At sidewalks with parallel parking the sidewalk design is the same as Section 3.4.1.

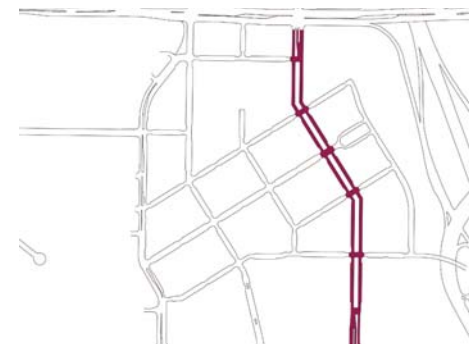
3.4.3 Eaton Street "Green Boulevard"



A. Design Intent

Eaton Street is one of two primary north-south connections in downtown's street grid. This street type provides for a wide, center-running green median that functions as a linear public green space and allows pedestrians to easily traverse the site. The design of the median changes as it passes through the site. Potential median designs could include a paved, active promenade; a walk framed by landscape and turf on either side; and a sequence of intimate spaces with varying landscape, social, and recreational opportunities (see Chapter 5). The initial design and construction of the median will comprise a landscaped median with turf, trees and a sidewalk. Final design of the median spaces, which may include hardscape, additional plantings and other elements, will be completed as adjacent development occurs.

Tree-lined roadways lie on either side of the median. Each consists of one travel lane, a painted bike lane, and an on-street parallel parking lane. The roadways are intended for slow traffic speeds on a very pedestrian-friendly street. Landscaped planters with street trees and seasonal plantings enrich the identity of this important street.



Key Plan

B. Street Design

Street design shall be per Figure 3-7.

C. Sidewalk Paving

The sidewalk shall be paved with poured, scored concrete (see Section 3.5.1). Step-out strips and sidewalk areas located in between landscape planters shall be paved with permeable pavers (see Section 3.5.1).

D. Median

Median design shall be per green space standards (see Chapter 5).

E. Landscape

1. Street Trees. Street trees shall be planted in conformance with the street tree plan (see Figure 3-20). Whenever possible, street trees at the sidewalks and the median shall be placed four abreast.
2. Landscape Planters. Planters shall be **five eight** feet wide by 15 feet long and flush with the finished sidewalk. Landscape planters shall be placed to match the street tree spacing, typically 35 feet on center.

Figure 3-7: Eaton Street Design Diagram

SW: sidewalk incl. parkway; P: parking lane; B: bike lane; L: travel lane; M: median

3.4.4 Central Avenue

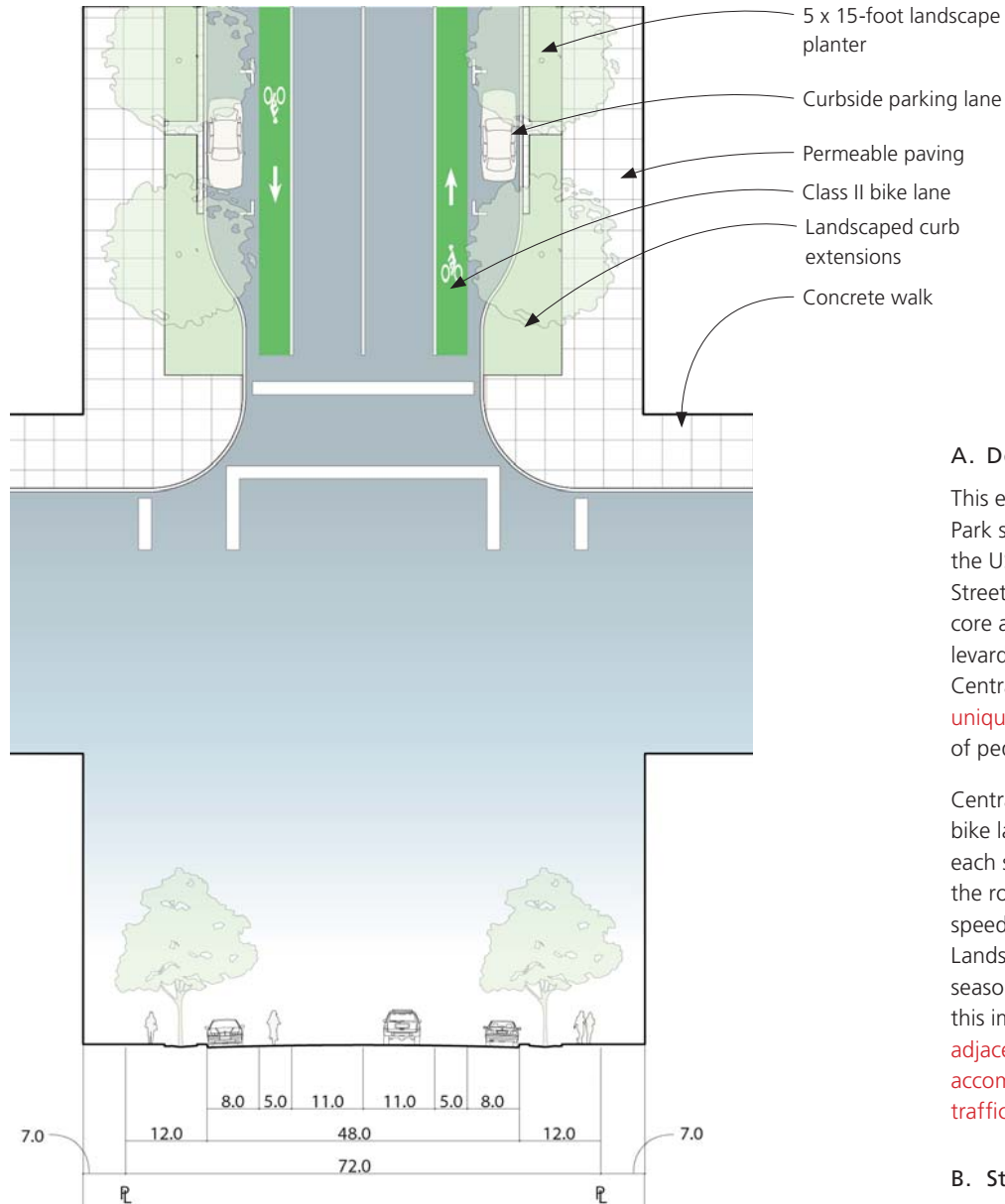


Figure 3-9: Central Avenue Design Diagram
SW: sidewalk incl. parkway; P: parking lane; L: travel lane

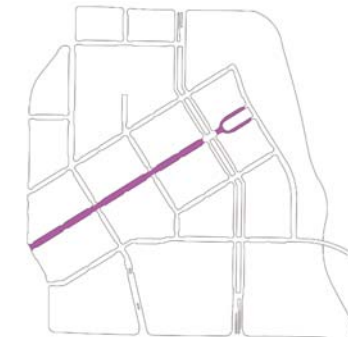
A. Design Intent

This east-west oriented street runs from East Park southwest to Harlan Street. It connects the US 36 Commuter Bike Trail with Eaton Street and continues directly into the retail core along Gray Street and Westminster Boulevard. Planting and streetscape design along Central Avenue's sidewalks will establish a unique identity for the street. A high volume of pedestrians and bicyclists is anticipated.

Central Avenue has one travel lane, a painted bike lane, and an on-street parking lane on each side of the median. Like Eaton Street, the roadway is intended for slow traffic speeds on a very pedestrian-friendly street. Landscaped planters with street trees and seasonal plantings enrich the identity of this important new street. Sidewalk design adjacent to Center Park may be designed to accommodate higher volumes of pedestrian traffic.

B. Street Design

Street design shall be in conformance with Figure 3-9.



Key Plan

C. Sidewalk Paving

The sidewalk shall be paved with poured, scored concrete (see Section 3.5.1).

D. Landscape

1. Street Trees. Street trees shall be planted in conformance with the street tree plan (see Figure 3-20).
2. Landscape Planters. Planters at the curbside shall be five feet wide by 15 feet long and flush with the finished sidewalk. Tree planters adjoining the property line shall be five feet wide and 15 feet long in-ground planters located below a suspended pavement system. Where adjoining front yards are landscaped, the City may approve trees in open planters that are integrated and maintained with front yard landscaping. Landscape planters shall be placed to match the street tree spacing, typically 35 feet on center.
3. Plantings. Landscape planters shall be planted with robust grasses or low shrubs or hedges.



Bioswale at Park Edge

A bioswale captures stormwater runoff, filters it, and then allows it to infiltrate into the ground.

placed at regular intervals not to exceed 40 feet.

- 3. Bioswale (option). A continuous sidewalk adjacent bioswale could be located in East Park. Paved or soft surface walks shall provide access across the bioswale. They should be placed at regular intervals not to exceed 60 feet, at intersections, and at key crossings.

E. Streetlights

Streetlights shall be per Section 3.5.3.

F. Street Furniture

Street furniture shall be per Section 3.5.2. Bollards should be considered for the east side of the street to prevent vehicles from entering the sidewalk.

G. Front Setbacks

Building-side front setbacks shall be paved or landscaped in conformance with the building *frontage type* standards (see Section 4.4).

H. Outdoor Dining

Outdoor dining is permitted within the front setback adjacent to the operating ground-floor use. Outdoor dining areas shall be located entirely within the front setback. They shall be enclosed by removable barriers when barriers are required by State licensing regulations.

Furniture for outdoor dining shall be approved by the City. Outside of business hours furniture should be stored indoors. Alternatively, it may be stacked and secured at the back of the setback area.

3.4.7 Alley (Public or Private)

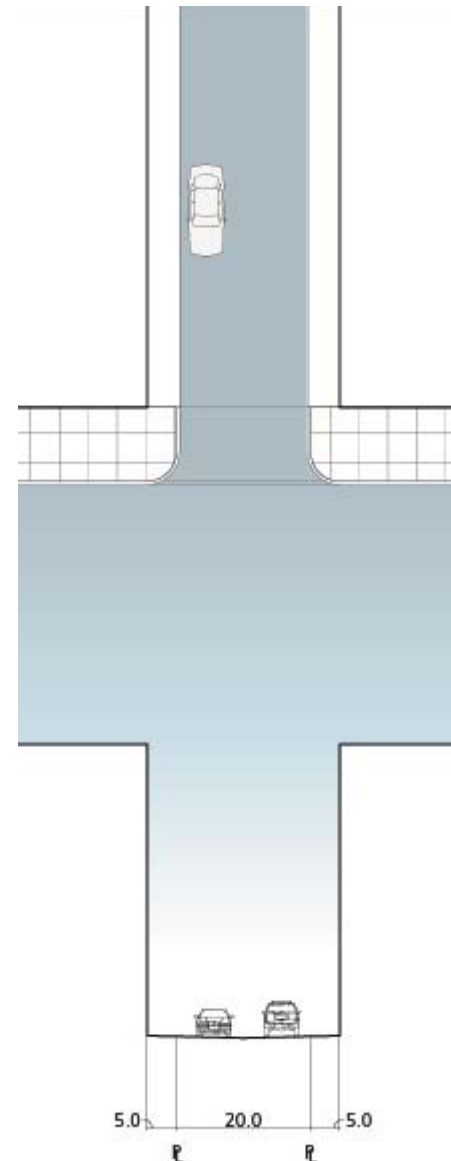


Figure 3-14: 20-Foot Alley Design Diagram

A. Design Intent

While the alley street type primarily provides access to the interior of larger blocks, it is also intended for opportunities for active uses along alley fronts. These uses could include restaurants, gallery spaces, or similar storefront uses. Alley widths provide a two-way drive lane for very slow moving traffic mixing with pedestrians and bicyclists. A five-foot wide, raised sidewalk provides additional safety for pedestrians. Alleys shall be concrete.

B. Street Design

Street design shall be in conformance with Figure 3-14.

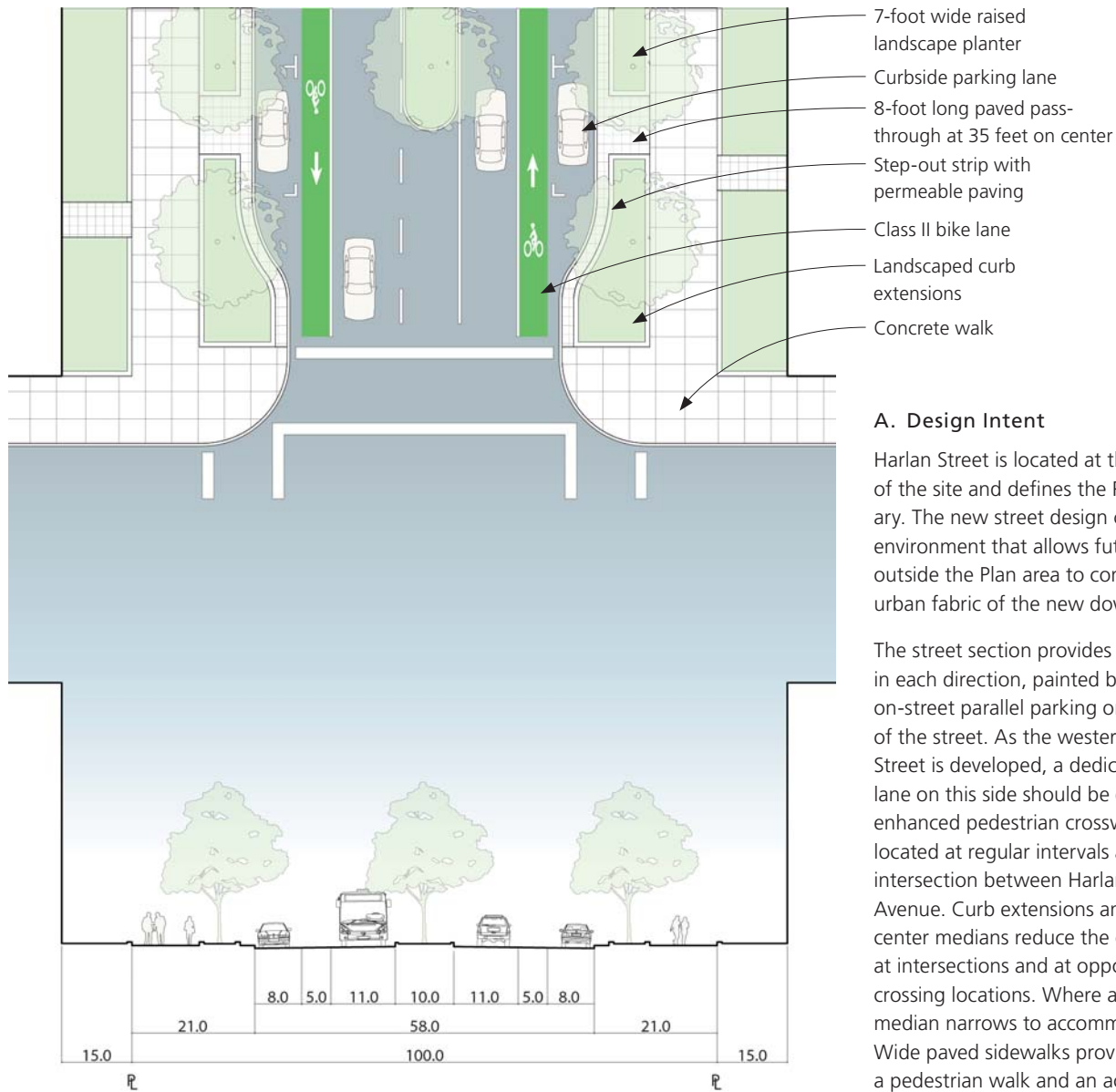
C. Setback Paving

5-foot setbacks shall be paved with poured concrete. *Wider setbacks may be appropriate where ground floor active uses are planned.*

D. Outdoor Dining

Outdoor dining is not permitted.

3.4.8 Harlan Street



A. Design Intent

Harlan Street is located at the western edge of the site and defines the Plan area boundary. The new street design creates a street environment that allows future development outside the Plan area to connect with the urban fabric of the new downtown.

The street section provides one travel lane in each direction, painted bike lanes, and on-street parallel parking on the eastern side of the street. As the western side of Harlan Street is developed, a dedication for a parking lane on this side should be evaluated. New enhanced pedestrian crosswalks should be located at regular intervals as well as the intersection between Harlan Street and 91st Avenue. Curb extensions and landscaped center medians reduce the crossing distance at intersections and at opportune mid-block crossing locations. Where appropriate, the median narrows to accommodate left-turns. Wide paved sidewalks provide room for a pedestrian walk and an active running trail. Street trees are placed in continuous parkways.



Key Plan

A wide 215-foot deep front setback on the east side of Harlan Street preserves existing mature trees. This setback should be increased between 90th and 91st avenues so that an extensive cluster of existing trees may be retained as new development fills in the site. The front setback design, addition of street trees, and the location of building entrances should accommodate existing trees. Front yard setbacks are planted; a raised curb at the property line separates them from the sidewalk.

B. Street Design

Street design shall be in conformance with Figure 3-15.

C. Sidewalk Paving

The sidewalk shall be paved with poured, scored concrete (see Section 3.5.1). The eastern sidewalk accommodates the Enhanced Pedestrian Trail Loop identified in Figure 3-21 with a wider sidewalk. Step-out strips and walks in parkways shall be paved with permeable pavers (see Section 3.5.1).

Figure 3-15: Harlan Street Design Diagram
SW: sidewalk incl. parkway; P: parking lane; L: travel lane

3.6 STREET TREE PLAN

Throughout the Plan area, street trees enhance the streetscapes. They provide highly visible green in the public realm, typically separating the sidewalk from parking and drive lanes. In summer, trees provide shade, reduce the heat island effect, and aid in storm water mitigation through interception.

Generally, the street trees are selected for several features including higher canopies to provide visibility at the street level, ornamental or seasonal aesthetic value, or shade and density.

Along the major streets of the downtown, Westminster Boulevard, Gray Street, Eaton Street, and Central Avenue, special tree species underline the streets' significance within the hierarchy of the street network. Furthermore, flowering accent trees are located at street intersections and other important locations. Accent trees are located in landscape planters situated in curb extensions at street intersections. Here, curb extensions provide additional space that can help buffer and protect the smaller accent trees from passing vehicular traffic.

On Eaton Street and Central Avenue, honey locust trees line the green medians and sidewalks. The honey locust's dappled foliage allows sunlight to filter through the canopy allowing plants on the ground plane to flourish. The option of planting different species of honey locust on Eaton Street and Central Avenue should be evaluated.

3.6.1 Street Tree Plan

Within the Plan area, street trees shall conform to Figure 3-20: Street Tree Plan **or to an approved streetscape plan that is consistent with the intent of this section.**

3.6.2 Street Tree Typical Planting Detail

To promote variety along the streetscape, street trees shall be planted such that specimens of one tree species are clustered in groups of three or five trees and are staggered.

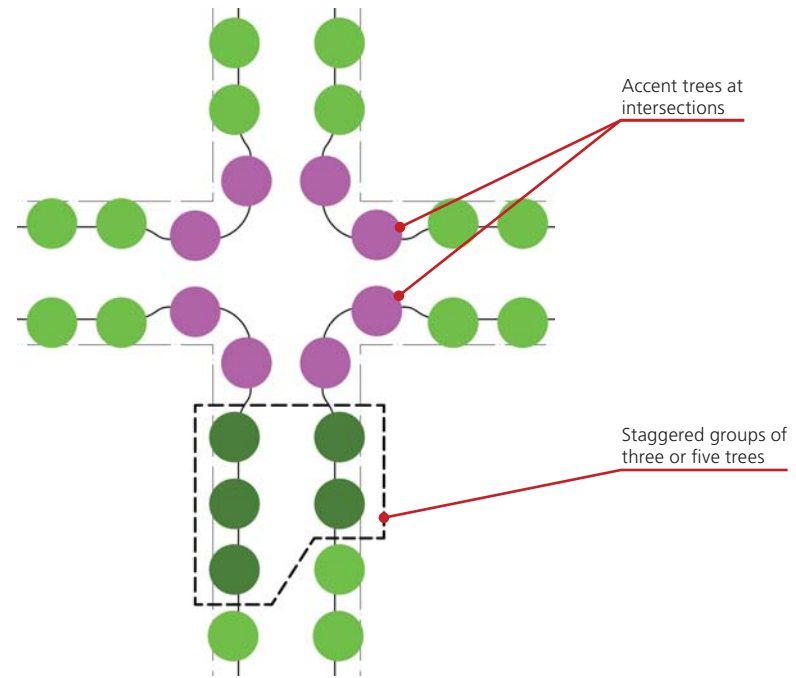
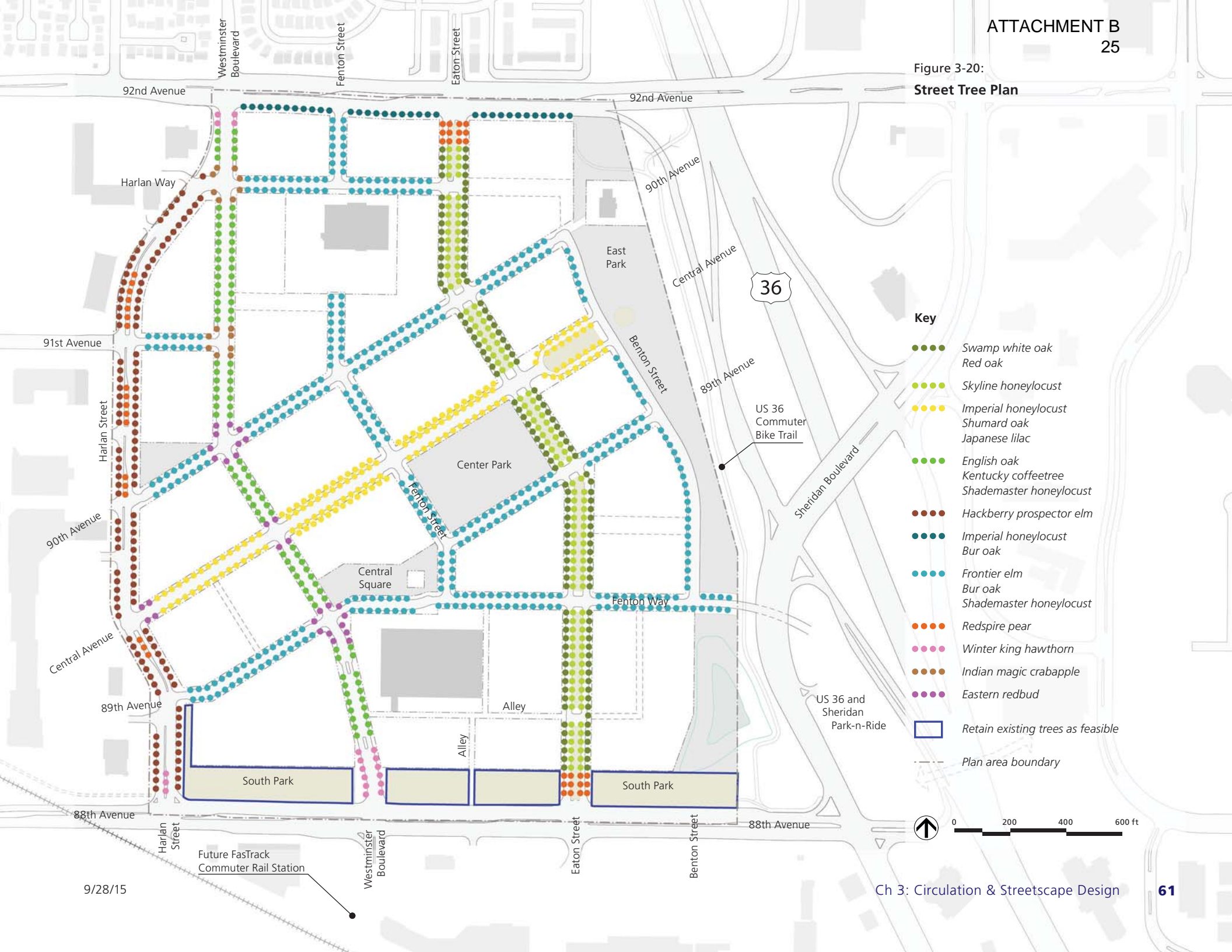


Figure 3-19: Street Tree Typical Planting Detail

Trees of one species are planted in staggered groups of three or five.

Figure 3-20:
Street Tree Plan



- Key**
- Swamp white oak
Red oak
 - Skyline honeylocust
 - Imperial honeylocust
Shumard oak
Japanese lilac
 - English oak
Kentucky coffeetree
Shademaster honeylocust
 - Hackberry prospector elm
 - Imperial honeylocust
Bur oak
 - Frontier elm
Bur oak
Shademaster honeylocust
 - Redspire pear
 - Winter king hawthorn
 - Indian magic crabapple
 - Eastern redbud
 - Retain existing trees as feasible
 - - - Plan area boundary



3.7 SPECIAL EVENT AREAS AND ROUTES

Special event locations and potential street closures are outlined in Figure 3-21.

Central Square

The Central Square is located at the heart of the downtown. It is ideally positioned to host a variety of events that may include regular farmers markets, fairs, or special seasonal events. For events with space requirements that may exceed the dimensions of the square or anticipate very high attendance, ~~Gray Street portions of 89th Street and/or Fenton Street, which is~~ immediately adjacent to the Central Square, can be closed. Coordination of hardscape materials between the Central Square, ~~Gray Street, and the Central Avenue a block east and these streets~~ could further unite and enlarge the usable space for larger events.

Eaton Street Median

Eaton Street's green median is designed as a linear green space spanning the length of the site. Together with its 24-foot wide roadways on either side, Eaton Street lends itself to a temporary street fair. Numerous intersections to local and arterial streets provide convenient access from within the new downtown and from the city as a whole.

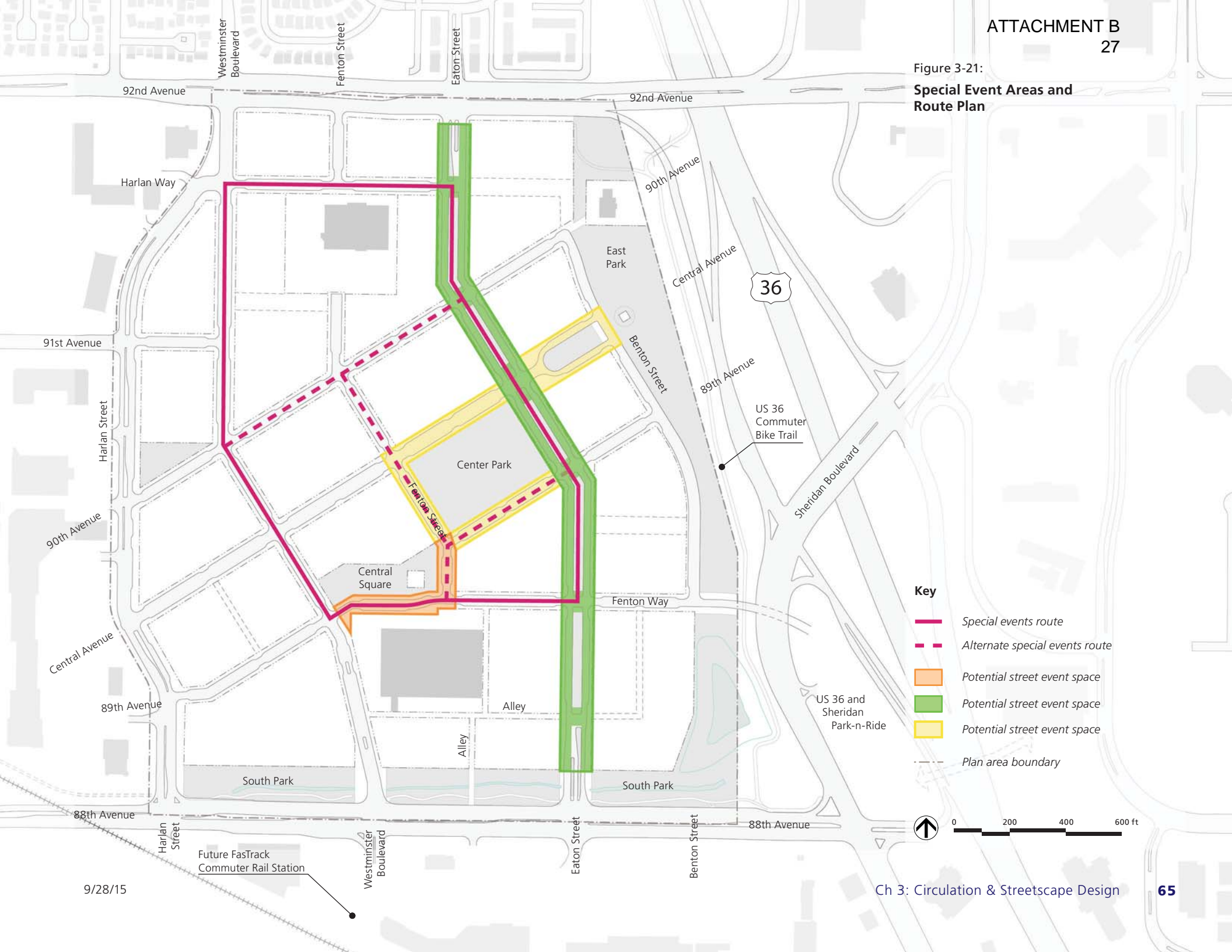
For special events, either the whole length of Eaton Street or shorter segments could be temporarily closed. Eaton Street's configuration also allows just one side of the street to be closed providing continued access on the

other.

Parade Route

In the future, Westminster may have parade celebrations that would require a designated parade route. The parade could be routed wholly within the interior of the site so as not to impede traffic on 88th Avenue or 92nd Avenue. This route would follow Westminster Boulevard south to 89th Avenue, 89th Avenue east to Eaton Street, Eaton Street north to Harlan Street, and return west to Westminster Boulevard. This route is outlined in Figure 3-21.

Figure 3-21:
**Special Event Areas and
Route Plan**



- Key**
- Special events route
 - Alternate special events route
 - Potential street event space
 - Potential street event space
 - Potential street event space
 - Plan area boundary



3.8 WAYFINDING AND IDENTITY

The intent of a new wayfinding and environmental graphics system is to create a sense of place for the new downtown. It will provide a distinct identity and make it easy to navigate the Plan area. Beginning with the arrival in downtown, wayfinding signs will direct those coming by car to parking garages that are part of a park-once concept. These garages are primary transition points from the automobile to pedestrian movement. Similarly, arrivals from public transit or bike will be directed to destinations within the new downtown. In particular, wayfinding signs will focus on the new retail and activity centers around Westminster Boulevard and **Gray Street Central Square**.

The wayfinding concept could also direct to other destinations such as office and business locations, residential neighborhoods, and park, recreation and other amenity areas. Additionally, the wayfinding design and scheme for the downtown should incorporate technology with the use of phone applications, social media and the like.

This Plan provides conceptual cornerstones that should be developed into a full wayfinding and identity program in a future planning phase.

Relationship to Other Plan Components

The wayfinding concept should build upon the streetscape standards in Section 3.4. Use of similar colors, materials, or design aesthetic between furnishings and wayfinding elements would provide a cohesive identity along major downtown corridors.

RTD Coordination

The wayfinding concept should be coordinated with RTD’s existing and future transit facilities to ensure compatibility between the two programs.

Downtown Gateways

The intersections at 88th Avenue and Westminster Boulevard and Eaton Street and 92nd Avenue and Westminster Boulevard and Eaton Street are the most visible and therefore the Primary Gateways to downtown. These locations provide opportunities to shape the identity of the downtown and will set the tone for the overall experience.

While signage, plantings, paving, and other similar features will help shape the gateway experience, the buildings framing these entry points will make the most significant statement regarding the character of the downtown. Therefore, buildings framing the Primary Gateway locations should exemplify the urban, mixed-use, and space-framing characteristics identified in the Plan goals. The architecture at these entry points should reflect the ambitions of the downtown in their design language, scale, massing, and articulation.

Secondary Gateways to downtown are called out in Figure 3-22: Conceptual Wayfinding and Identity Plan. Similar to Primary Gateways, these secondary entries also have the ability to shape the downtown identity, but will do so to a lesser extent.

Identity Corridors

Westminster Boulevard, Eaton Street, and Fenton Street/Way, from the Park-and-Ride to Central Avenue, are downtown’s pri-

mary identity corridors. Like the gateways, these streets shape downtown’s identity as an integral part of the urban experience. Beginning at the gateways, street and accent trees, landscaping, lighting, pedestrian and bike amenity areas, and the intricate design for an active street realm create a rich street experience.

Parking District Navigation

For the downtown’s park-once parking district concept to be successful, finding parking should be effortless. A parking district “smart” navigation system should direct visitors to parking structures with vacant stalls. Signage and wayfinding elements should clearly identify in a memorable way the different parking structures within the district.

Once drivers and passengers have become pedestrians, wayfinding should navigate to various downtown destinations and back to the parking structures.



Directional Signage

Directional signage mounted to a light pole.



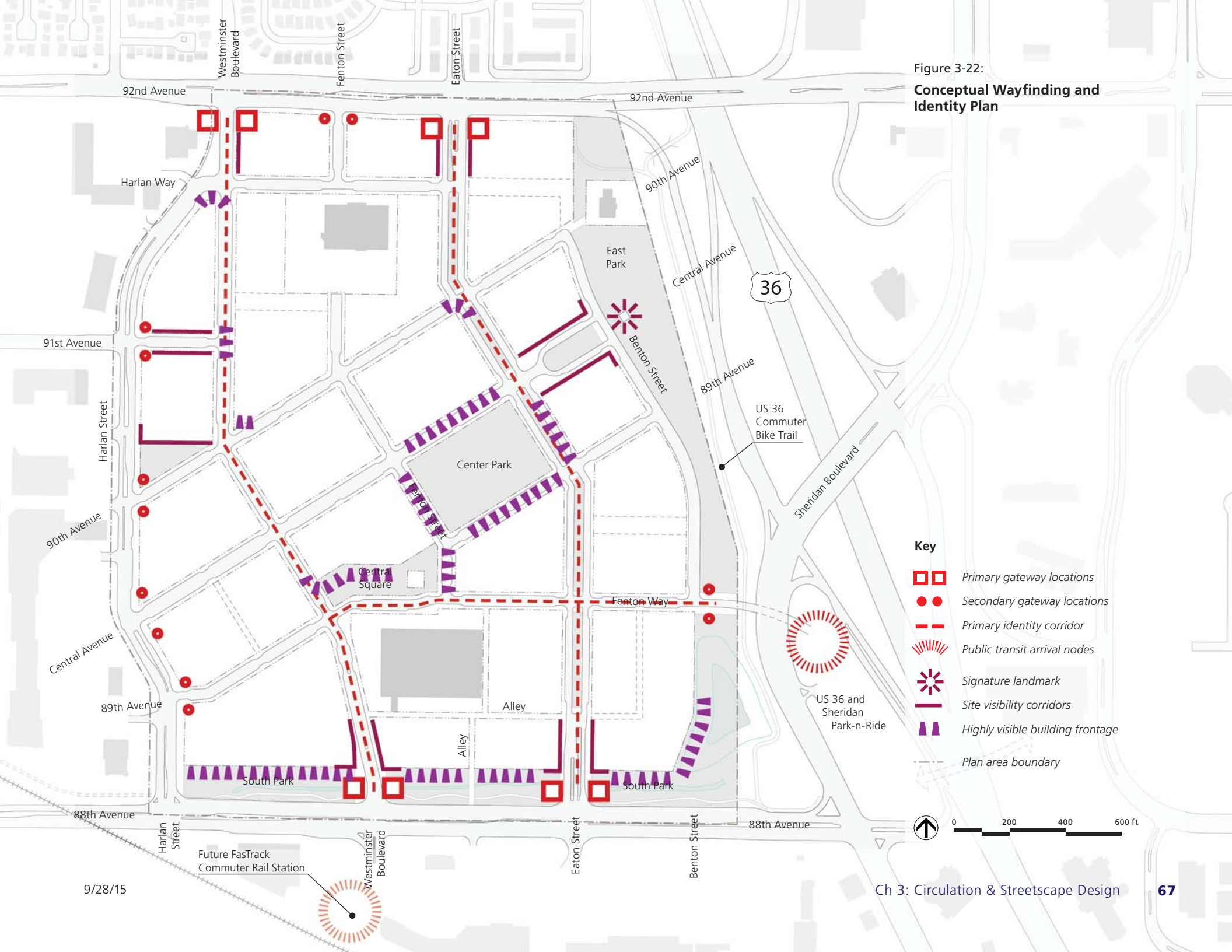
Banner Signage

Banner signs attached to a special pole.



Identity Signage

Figure 3-22:
Conceptual Wayfinding and Identity Plan

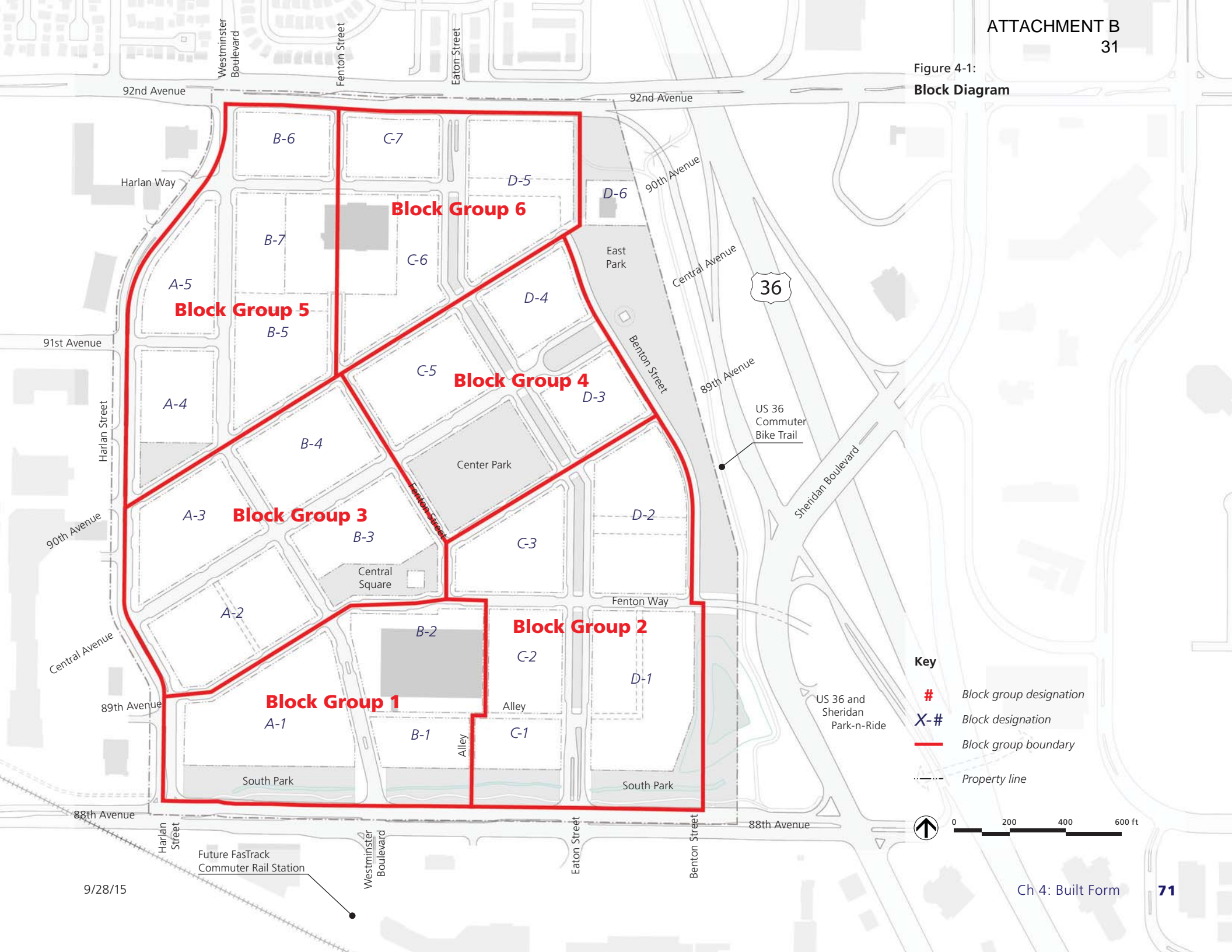


- Key**
- Primary gateway locations
 - Secondary gateway locations
 - Primary identity corridor
 - Public transit arrival nodes
 - Signature landmark
 - Site visibility corridors
 - Highly visible building frontage
 - Plan area boundary





Figure 4-1:
Block Diagram



- Key**
- # Block group designation
 - X-# Block designation
 - Block group boundary
 - Property line



4.2.2 Block Group 1

A. Block Intent Statement

This block group at the southwest of the site frames both sides of Westminster Boulevard, the primary north-south axis of the downtown. The blocks are characterized by a mix of uses with active ground-floor uses along Westminster Boulevard and 89th Avenue frontages.

An existing department store building is located on block B-2. New retail uses should line the existing building along the Westminster Boulevard and 89th Avenue frontages.

The southern edges of blocks A-1 and B-1 front South Park that runs along 88th Avenue. Ground-floor frontages along the park shall incorporate active uses such as restaurants (see Section 2.3.2) or active frontage types, such as *urban frontages* or *stoops* for homes, office or retail uses.

B. Building Placement & Frontages

Buildings shall be located in conformance with the build-to and setback lines depicted in the block development diagram. Buildings shall also conform to the block frontage standards (see block frontage standards table).

C. Maximum Building Height

Buildings shall conform to the height limits of the building type standards (see Section 4.3).

D. Street & Alley Connections

Developments may provide streets or alleys on each block. Alleys are encouraged where indicated in the block development diagram. The City shall approve final locations.

E. Permitted Frontage Types

The frontage types listed in the frontage type table shall be permitted on each designated blockfront. See section 4.4 for frontage standards.

F. Permitted Building Types

Building types shall conform to the types listed in the permitted building types table. See Section 4.3 for building type standards.

Table 4.2.2.1: Block Frontage Standards	Blockfront				
	i	ii	iii	iv	v
Build-To Line (from R.O.W.)	5'	N/A	N/A	N/A	15'
Min. Setback	N/A	0'	5'	5'	N/A
Max. Setback	N/A	18'	10'	10'	N/A
Min. Frontage Occupancy	90%(1)	75%	75%(1)	75%	75%
Service & Access Points	NP	NP	P-1	P-2	NP

Table 4.2.2.2: Permitted Frontage Types	Blockfront				
	i	ii	iii	iv	v
Storefront	X	X	X	X	X
Storefront Cafe	X	X	X	X	X
Urban Frontage	X	X	X	X	X
Forecourt			X	X	
Dooryard					X
Stoop		X		X	X

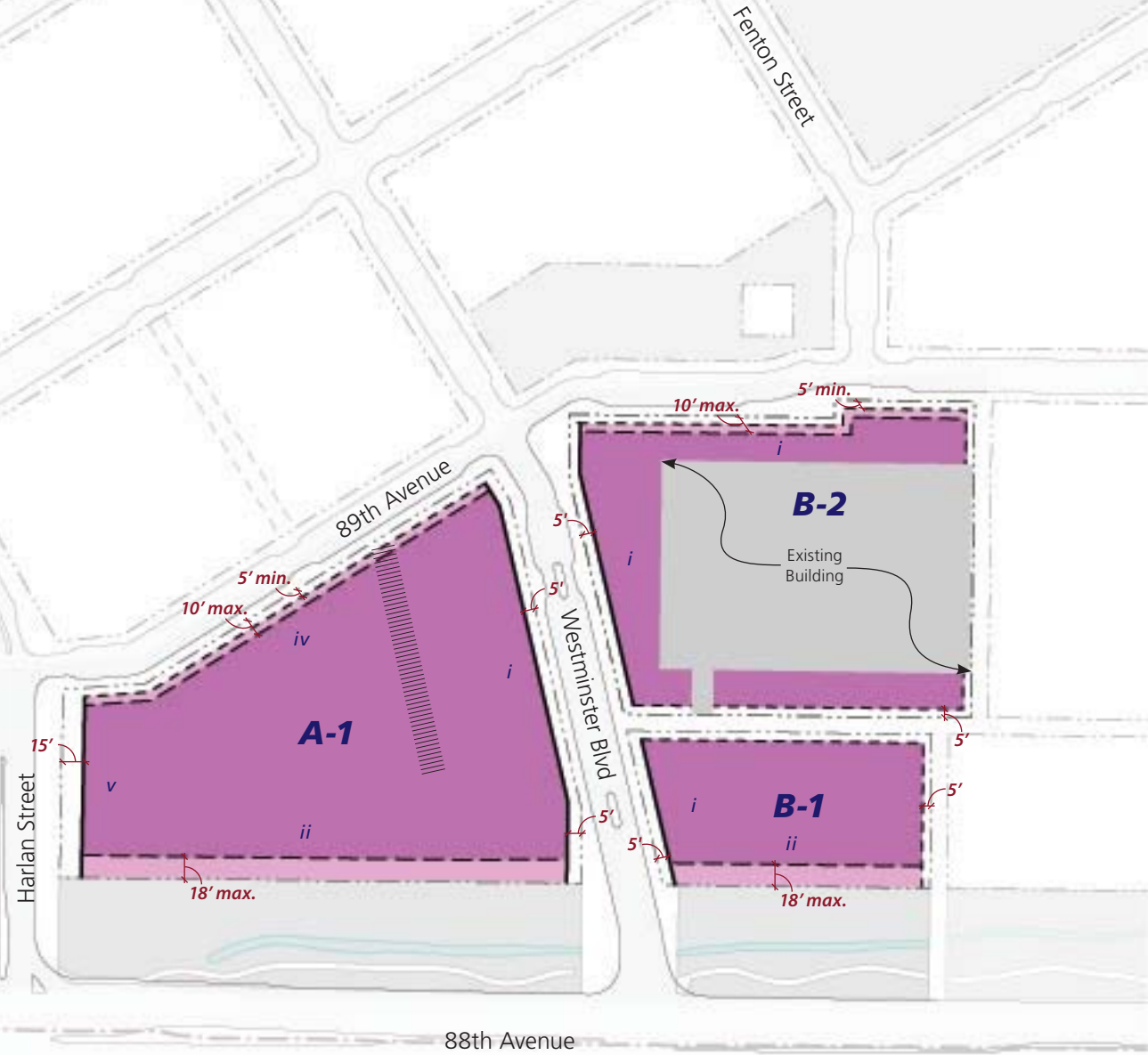
Table 4.2.2.3: Permitted Building Types	Block		
	A-1	B-1	B-2
Row House	X	X	
Flex/Loft	X		
Courtyard	X	X	X
Urban Block	X	X	X
Liner with Garage	X	X	X
Exposed Garage	X (2)		
Podium High-Rise	X		
Urban Anchor	X		X
Urban Supermarket	X		X
Min. # of Types	2	1	2

(1) Where not encumbered by access requirements to existing buildings on Block B-2.

(2) May only be exposed on block front iv and then only above the ground floor.

Table key: X – permitted; N/A – not applicable; NP or “blank” – not permitted or none permitted **unless existing at time of Specific Plan Adoption**; P-1 – permitted with a limit of one per blockfront; P-2 – permitted with a limit of two per blockfront.

Figure 4-4:
Block Group 1 Development Diagram

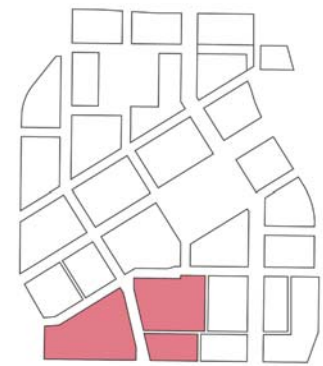


Key

- Developable area
- Developable area between minimum and maximum setback
- X-#** Block designation
- ii* Blockfront designation
- X'** Distance in feet
- Property line
- Build-to line
- Minimum setback line
- Maximum setback line
- Alley, suggested location



Key Plan



4.2.3 Block Group 2

A. Block Intent Statement

Blocks front both sides of Eaton Street, a outdoor boulevard with a wide median for recreational activities. Blocks are characterized by a mix of uses. Block D-1 is highly visible from the 88th Avenue and Sheridan Boulevard. Development here has the opportunity for a gateway statement.

Blocks C-1 and D-1 front South Park that runs along 88th Avenue. Ground-floor fronts along the park should incorporate active uses such as restaurants or active frontage types. An existing stormwater retention pond is relocated adjacent to Block D-1. Outdoor activity areas and water features that activate the pond as an outdoor amenity are encouraged.

B. Building Placement & Frontages

Buildings shall be located in conformance with the build-to and setback lines depicted in the block development diagram. Buildings shall also conform to the block frontage standards (see block frontage standards table).

C. Maximum Building Height

Buildings shall conform to the height limits of the building type standards (see Section 4.3).

D. Street & Alley Connections

Developments may provide streets or alleys on each block. Street or alley connections are encouraged where indicated in the block development diagram. The City shall approve final locations.

E. Permitted Frontage Types

The frontage types listed in the frontage type table shall be permitted on each designated blockfront. See section 4.4 for frontage standards.

F. Permitted Building Types

Building types shall conform to the types listed in the permitted building types table. See Section 4.3 for building type standards.

Table 4.2.3.1: Block Frontage Standards	Blockfront							
	i	ii	iii	iv	v	vi	vii	viii
Build-To Line (from R.O.W.)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Min. Setback	4'	4'	0'	5'	5'	10'	5'	5'
Max. Setback	8'	8'	18'	10'	10'	N/A	10'	10'
Min. Frontage Occupancy	90%	90%	75%	60%	75%	60%	75%	90%
Service & Access Points	P-1	NP	NP	P-1	P-2	NP	P-1	NP

Table 4.2.3.2: Permitted Frontage Types	Blockfront							
	i	ii	iii	iv	v	vi	vii	viii
Storefront	X	X	X	X	X	X	X	X
Storefront Cafe	X	X	X	X	X	X	X	X
Urban Frontage	X	X	X	X	X	X	X	X
Forecourt				X	X			
Dooryard				X	X	X		
Stoop	X	X	X	X	X	X	X	

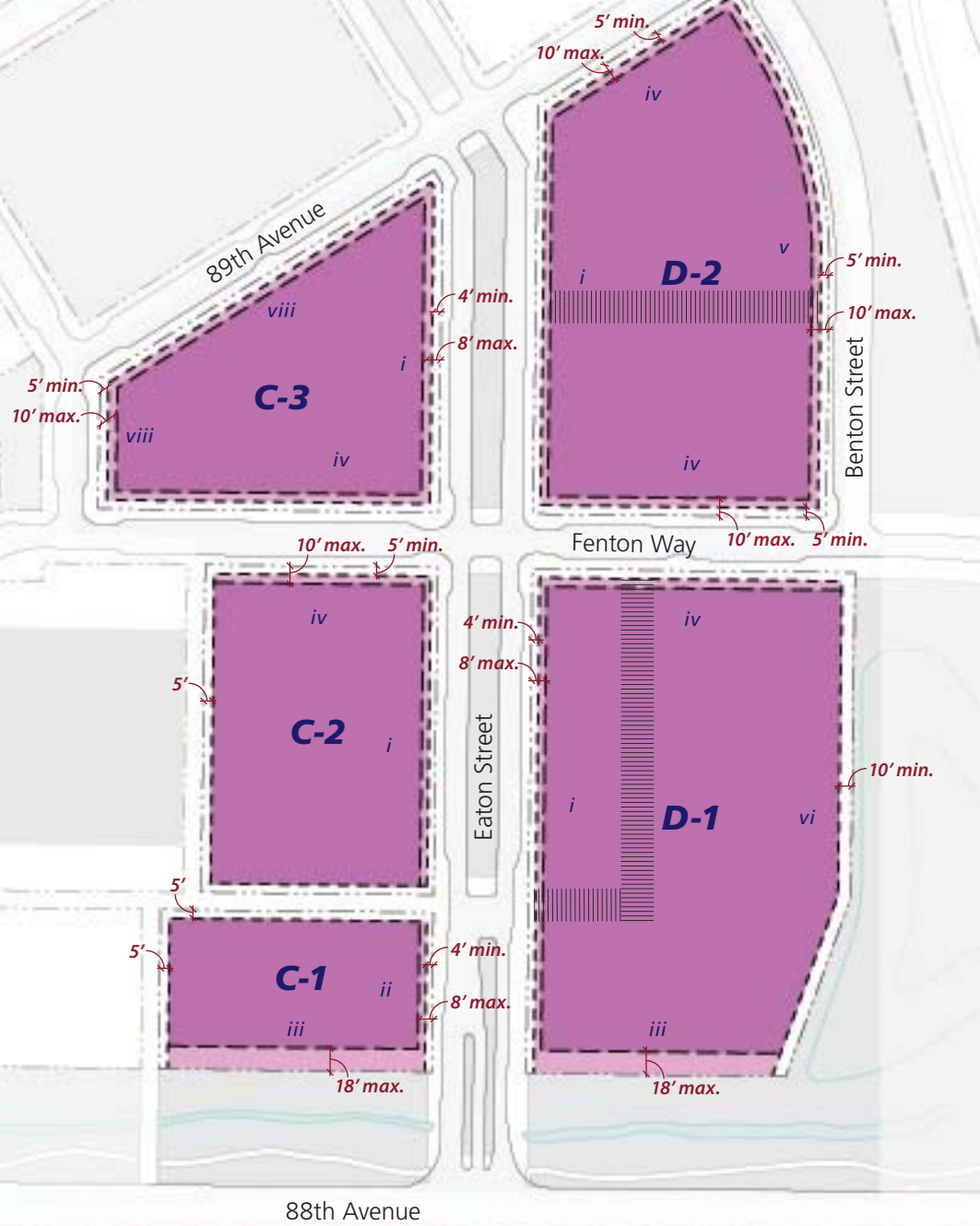
Table 4.2.3.3: Permitted Building Types	Block				
	C-1	C-2	C-3	D-1	D-2
Row House	X	X		X	X
Flex/Loft	X	X		X	X
Courtyard	X	X	X	X	X
Urban Block	X	X	X	X	X
Liner with Garage	X	X		X	X
Exposed Garage		X (1)		X (2)	X
Podium High-Rise	X	X		X	X
Urban Anchor			X	X	X
Urban Supermarket		X	X	X	X
Min. # of Types	1	1	1	3	2

(1) May only be exposed on block front iv and then only above the ground floor.








(2) May only be exposed on block fronts iv and vi. On block front iv they may be exposed only above the ground floor.

Table key: X – permitted; N/A – not applicable; NP or “blank” – not permitted or none permitted; P-1 – permitted with a limit of one per blockfront; P-2 – permitted with a limit of two per blockfront.

Figure 4-5:
Block Group 2 Development Diagram

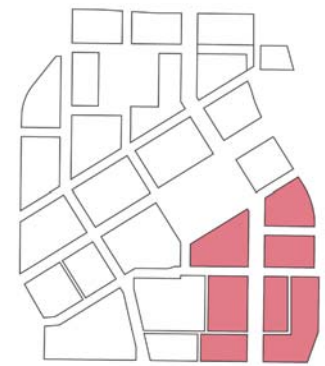


Key

-  Developable area
-  Developable area between minimum and maximum setback
- X-#** Block designation
- ii* Blockfront designation
- X'** Distance in feet
-  Property line
-  Build-to line
-  Minimum setback line
-  Maximum setback line
-  Alley, suggested location



Key Plan



4.2.4 Block Group 3

A. Block Intent Statement

This block group is the active core of the Plan area and straddles Westminster Boulevard. The blocks can accommodate a mix of different uses while ground-floor retail lines Westminster Boulevard and Gray Street. The Central Square, the new downtown's central public space, sits between blocks B-3 and B-5. Buildings on this block house ground-floor retail that activates and frames this urban square. Likewise, development leading to the Center Park along Central Parkway and fronting the park will provide an active frontage and uses.

B. Building Placement & Frontages

Buildings shall be located in conformance with the build-to and setback lines depicted in the block development diagram. Buildings shall also conform to the block frontage standards (see block frontage standards table).

C. Maximum Building Height

Buildings shall conform to the height limits of the building type standards (see Section 4.3).

D. Street & Alley Connections

Developments may provide streets or alleys on each block. Street or alley connections are encouraged where indicated in the block development diagram. The City shall approve final locations.

E. Permitted Frontage Types

The frontage types listed in the frontage type table shall be permitted on each designated blockfront. See section 4.4 for frontage standards.

F. Permitted Building Types

Building types shall conform to the types listed in the permitted building types table. See Section 4.3 for building type standards.

Table 4.2.4.1: Block Frontage Standards	Blockfront						
	i	ii	iii	iv	v	vi	vii
Build-To Line (from R.O.W.)	7'	0'	N/A	N/A	N/A	15'	N/A
Min. Setback	N/A	N/A	5'	5'	5'	N/A	5'
Max. Setback	N/A	N/A	10'	10'	10'	N/A	10'
Min. Frontage Occupancy	90%	90%	75%	75%	60%	75%	90%
Service & Access Points	NP	NP	P-1	P-2	P-1	P-1	NP

Table 4.2.4.2: Permitted Frontage Types	Blockfront						
	i	ii	iii	iv	v	vi	vii
Storefront	X	X	X	X	X	X	X
Storefront Cafe	X	X	X	X	X	X	X
Urban Frontage			X	X	X	X	X
Forecourt					X	X	
Dooryard				X	X	X	
Stoop				X	X	X	

Table 4.2.4.3: Permitted Building Types	Block			
	A-2	A-3	B-3	B-4
Row House	X	X		X
Flex/Loft	X	X		X
Courtyard	X	X	X	X
Urban Block	X	X	X	X
Liner with Garage	X	X		X
Exposed Garage	X (1)	X (1)		X (1)
Podium High-Rise	X	X	X(2)	X
Urban Anchor	X	X		X
Urban Supermarket	X	X		X
Min. # of Types	2	2	1	1

(1) May only be exposed on block front v and then only above the ground floor.

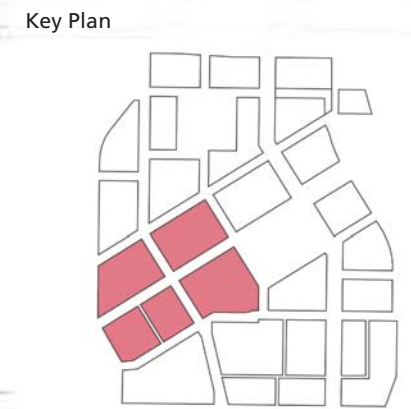
(2) Permitted with City approval and requires shadow study to minimize shading of Center Park.

Table key: X – permitted; N/A – not applicable; NP or “blank” – not permitted or none permitted; P-1 – permitted with a limit of one per blockfront; P-2 – permitted with a limit of two per blockfront.

Figure 4-6:
Block Group 3 Development Diagram



- Key**
- Developable area
 - Developable area between minimum and maximum setback
 - X-#** Block designation
 - ii* Blockfront designation
 - X'** Distance in feet
 - Property line
 - Build-to line
 - Minimum setback line
 - Maximum setback line
 - Alley, suggested location



4.2.5 Block Group 4

A. Block Intent Statement

These four blocks are grouped around the intersection of Eaton Street and Central Parkway. Buildings on these blocks will overlook two prominent attractive outdoor spaces in the street medians and the Center Park outdoor space. Building facades lining the outdoor spaces play an important part in spatially defining these public spaces.

Blocks D-3 and D-4 front Benton Street and form the eastern edge of downtown along East Park. Development on these blocks can take advantage of the visibility from US 36.

B. Building Placement & Frontages

Buildings shall be located in conformance with the build-to and setback lines depicted in the block development diagram. Buildings shall also conform to the block frontage standards (see block frontage standards table).

C. Maximum Building Height

Buildings shall conform to the height limits of the building type standards (see Section 4.3).

D. Street & Alley Connections

Developments may provide streets or alleys on each block. Streets or alleys are encouraged where indicated in the block development diagram. The City shall approve final locations.

E. Permitted Frontage Types

The frontage types listed in the frontage type table shall be permitted on each designated blockfront. See section 4.4 for frontage standards.

F. Permitted Building Types

Building types shall conform to the types listed in the permitted building types table. See Section 4.3 for building type standards.

Table 4.2.5.1: Block Frontage Standards	Blockfront				
	i	ii	iii	iv	v
Build-To Line (from R.O.W.)	N/A	N/A	N/A	N/A	N/A
Min. Setback	4'	5'	5'	5'	5'
Max. Setback	8'	10'	10'	10'	10'
Min. Frontage Occupancy	90%	75%	60%	60%	90%
Service & Access Points	NP	NP	P-1	P-1	NP

Table 4.2.5.2: Permitted Frontage Types	Blockfront				
	i	ii	iii	iv	v
Storefront	X	X	X	X	X
Storefront Cafe	X	X	X	X	X
Urban Frontage	X	X	X	X	X
Forecourt			X	X	
Dooryard			X	X	
Stoop	X	X	X	X	

Table 4.2.5.3: Permitted Building Types	Block		
	C-5	D-3	D-4
Row House	X	X	X
Flex/Loft	X	X	X
Courtyard	X	X	X
Urban Block	X	X	X
Liner with Garage	X	X	X
Exposed Garage	X (1)	X (1)	X (1)
Podium High-Rise	X	X	X
Urban Anchor	X		
Urban Supermarket			
Min. # of Types	2	1	1

(1) May only be exposed on block fronts iii and iv and then only above the ground floor.

Table key: X – permitted; N/A – not applicable; NP or “blank” – not permitted or none permitted; P-1 – permitted with a limit of one per blockfront; P-2 – permitted with a limit of two per blockfront.

Figure 4-7:
Block Group 4 Development Diagram

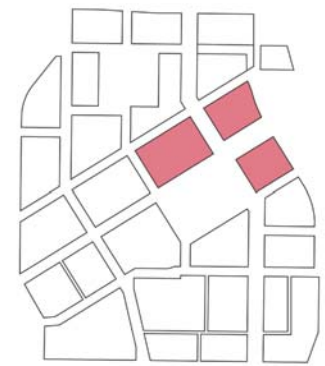


Key

- Developable area
- Developable area between minimum and maximum setback
- X-#** Block designation
- ii* Blockfront designation
- X'** Distance in feet
- Property line
- Build-to line
- Minimum setback line
- Maximum setback line
- Alley, suggested location



Key Plan



4.2.6 Block Group 5

A. Block Intent Statement

These development blocks straddle the northern portion of Westminster Boulevard. The blocks can accommodate a variety of uses that could include multi-family mixed-use buildings or campus office types.

Blocks A-4 and B-7 are the northern edge of the retail core. Given their size and location, they are well suited for an urban retail anchor building. Block B-8 occupies a prominent location at the intersection of Westminster Boulevard and 92nd Avenue. Development on this site will have a significant impact on the identity of the downtown and the location is well suited for mixed-use buildings that form the city's fabric.

B. Building Placement & Frontages

Buildings shall be located in conformance with the build-to and setback lines depicted in the block development diagram. Buildings shall also conform to the block frontage standards (see block frontage standards table) and shall be located to maximize preservation of existing trees on blocks A-4 and A-5.

C. Maximum Building Height

Buildings shall conform to the height limits of the building type standards (see Section 4.3).

D. Street & Alley Connections

Developments may provide streets or alleys on each block. Streets or alleys are encouraged where indicated in the block development diagram. The City shall approve final locations.

E. Permitted Frontage Types

The frontage types listed in the frontage type table shall be permitted on each designated blockfront. See section 4.4 for frontage standards.

F Permitted Building Types

Building types shall conform to the types listed in the permitted building types table. See Section 4.3 for building type standards.

Table 4.2.6.1: Block Frontage Standards	Blockfront					
	i	ii	iii	iv	v	vi
Build-To Line (from R.O.W.)	5'	5'	5'	15'	15'	N/A
Min. Setback	N/A	N/A	N/A	N/A	N/A	5'
Max. Setback	N/A	N/A	N/A	N/A	N/A	10'
Min. Frontage Occupancy	90%	90%	80%	75%	75%	60%
Service & Access Points	NP	P-1	P-1	P-1	NP	P-1

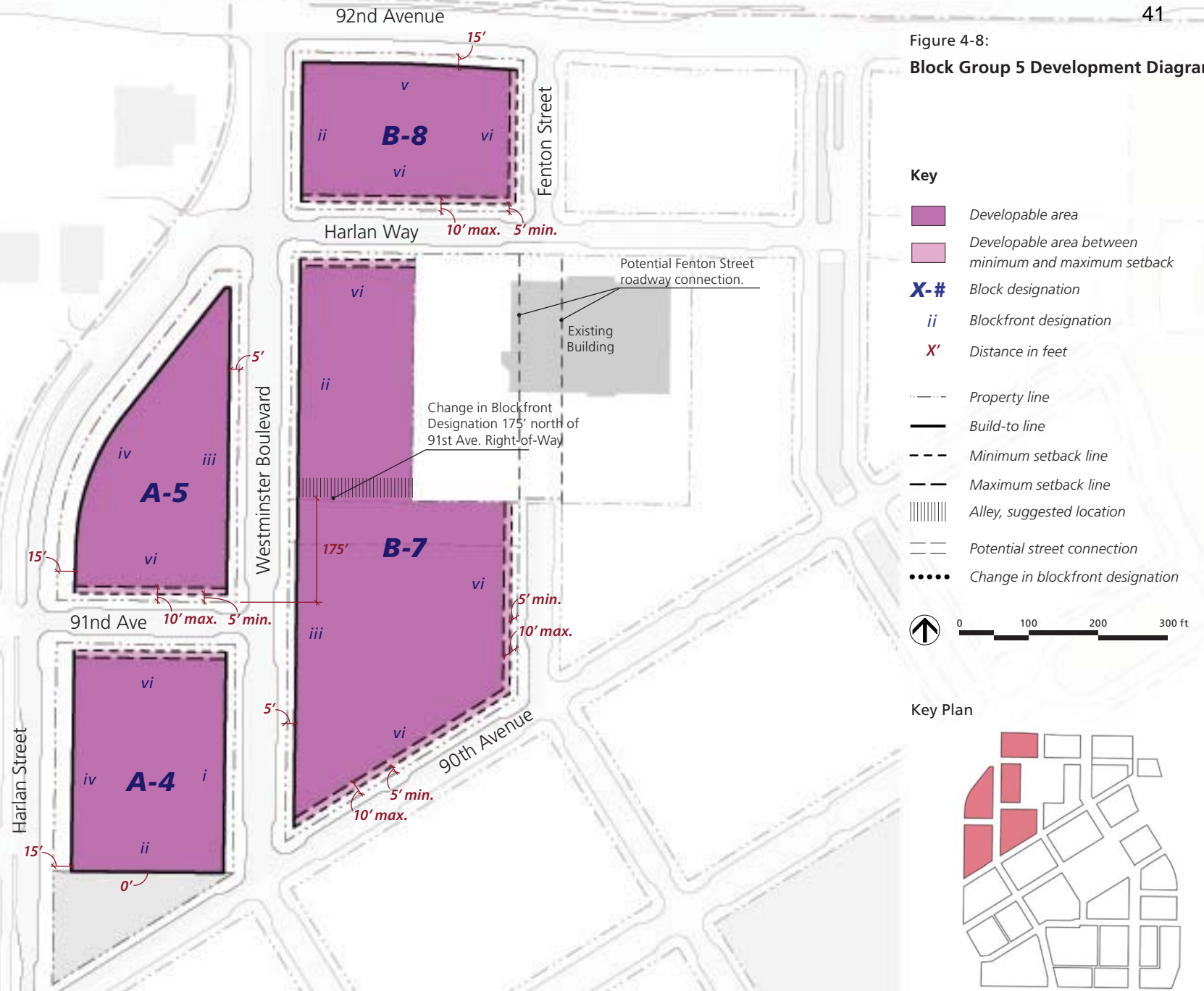
Table 4.2.6.2: Permitted Frontage Types	Blockfront					
	i	ii	iii	iv	v	vi
Storefront	X	X	X	X	X	X
Storefront Cafe	X	X	X	X	X	X
Urban Frontage	X	X	X	X	X	X
Forecourt				X	X	X
Dooryard				X	X	X
Stoop		X		X	X	X

Table 4.2.6.3: Permitted Building Types	Block			
	A-4	A-5	B-7	B-8
Row House	X	X	X	X
Flex/Loft	X	X	X	X
Courtyard	X	X	X	X
Urban Block	X	X	X	X
Liner with Garage	X	X	X	X
Exposed Garage		X (1)	X (1)	X (1)
Podium High-Rise	X	X	X	
Urban Anchor	X	X	X	
Urban Supermarket	X	X	X	X
Min. # of Types	2	1	2	1

(1) May only be exposed on block front vi and then only above the ground floor.

Table key: X – permitted; N/A – not applicable; NP or “blank” – not permitted or none permitted; P-1 – permitted with a limit of one per blockfront; P-2 – permitted with a limit of two per blockfront.

Figure 4-8:
Block Group 5 Development Diagram



4.2.7 Block Group 6

A. Block Intent Statement

These three development blocks are located at the northeastern corner of the new downtown. Blocks C-7 and D-5 prominently overlook 92nd Avenue, with block D-5 also overlooking East Park with views down the US 36 corridor towards Denver’s skyline. While buildings on these blocks are highly visible they must also contend with a decidedly automobile-oriented street environment and related noise.

An existing commercial parcel is located adjacent to block C-6. It houses the Brunswick bowling alley and associated parking. Street improvements bringing Fenton Street through the site will be implemented when it is redeveloped. Future development phases on the Brunswick parcel should anticipate filling in the remaining street fronts.

B. Building Placement & Frontages

Buildings shall be located in conformance with the build-to and setback lines depicted in the block development diagram. Buildings shall also conform to the block frontage standards (see block frontage standards table).

C. Maximum Building Height

Buildings shall conform to the height limits of the building type standards (see Section 4.3).

D. Street & Alley Connections

Developments may provide streets or alleys on each block. Streets or alleys are encouraged where indicated in the block development diagram. The City shall approve final locations.

E. Permitted Frontage Types

The frontage types listed in the frontage type table shall be permitted on each designated blockfront. See section 4.4 for frontage standards.

F. Permitted Building Types

Building types shall conform to the types listed in the permitted building types table. See Section 4.3 for building type standards.

Table 4.2.7.1: Block Frontage Standards	Blockfront				
	i	ii	iii	iv	v
Build-To Line (from R.O.W.)	N/A	N/A	15'	N/A	0
Min. Setback	4'	4'	N/A	5'	N/A
Max. Setback	8'	8'	N/A	10'	N/A
Min. Frontage Occupancy	90%	90%(1)	75%	60%	60%
Service & Access Points	NP	P-1	NP	P-1	NP

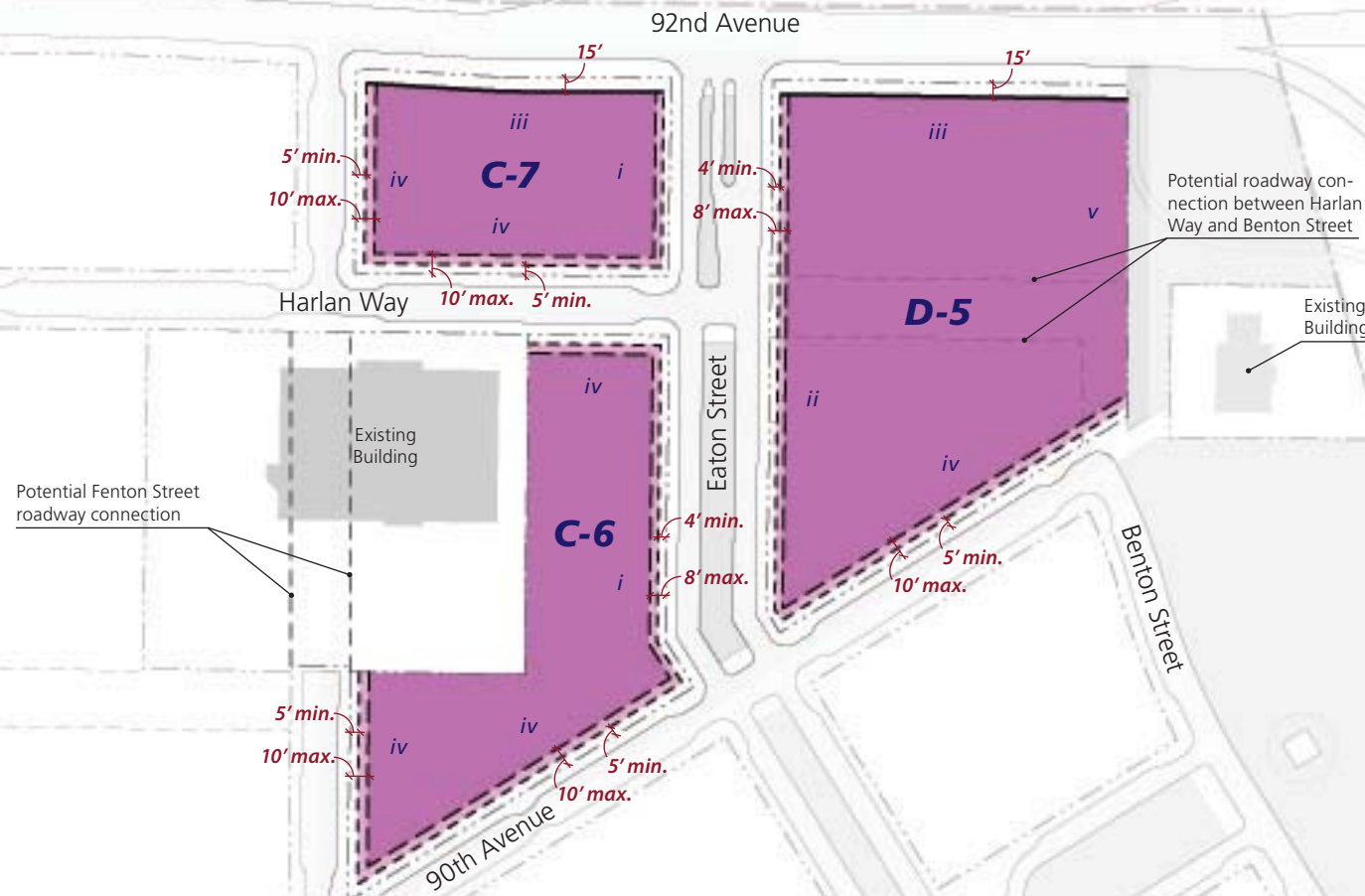
Table 4.2.7.2: Permitted Frontage Types	Blockfront				
	i	ii	iii	iv	v
Storefront	X	X	X	X	
Storefront Cafe	X	X		X	X
Urban Frontage	X	X	X	X	X
Forecourt				X	
Dooryard			X	X	
Stoop	X	X	X	X	X

Table 4.2.7.3: Permitted Building Types	Block		
	C-6	C-7	D-5
Row House	X	X	X
Flex/Loft	X	X	X
Courtyard	X	X	X
Urban Block	X	X	X
Liner with Garage	X	X	X
Exposed Garage		X (2)	X (2)
Podium High-Rise			X
Urban Anchor			
Urban Supermarket		X	X
Min. # of Types	1	1	2

(1) Minimum frontage occupancy excludes length of frontage allocated for potential roadway connection.
 (2) May only be exposed on block fronts iv and v. On block front v they may only be exposed above the ground floor.

Table key: X – permitted; N/A – not applicable; NP or “blank” – not permitted or none permitted; P-1 – permitted with a limit of one per blockfront; P-2 – permitted with a limit of two per blockfront.

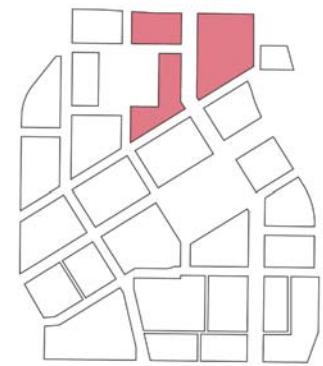
Figure 4-9:
Block Group 6 Development Diagram



Key

- Developable area
- Developable area between minimum and maximum setback
- X-#** Block designation
- ii* Blockfront designation
- X'** Distance in feet
- Property line
- Build-to line
- Minimum setback line
- Maximum setback line
- Alley, suggested location
- Potential street connection
- North arrow
- 0 100 200 300 ft

Key Plan



4.3.1 Explanation of Standards

The building type standards and guidelines cover the following:

A. Intent Statement

This statement describes the development intent and typical characteristics for the respective building type.

B. Facade Width

Facade width standards regulate the maximum width of a building facade. If the frontage length exceeds the maximum facade width the facade must be broken by providing a change in building type.

Alternatively, any two of the following techniques may be employed:

- Provide a ~~vertical horizontal~~ plane break with one facade set behind the other by at least two feet.
- Provide a material change.
- Provide a change in the overall type, size, spacing, or proportion of windows or fenestration system or change in sill heights and head conditions. This option is applicable only to vertically proportioned windows.
- Provide a change in facade compositional strategy including roof heights, and roof types. For example, a symmetrical facade may be placed next to a facade with a repetitive bay system that is not symmetrical.
- Provide separate and additional primary entries from the street.

C. Building Height and Massing

Height standards regulate the maximum building height. Building height shall be defined pursuant to the W.M.C. **Screened mechanical equipment areas not visible from the ground level may exceed the maximum building height.**

Some building types require horizontal or vertical plane breaks or both (see also Figure 4-10). ~~Vertical Horizontal~~ plane breaks shall not alleviate the minimum building frontage occupancy requirements from Section 4.2. Building facades facing build-to lines shall provide plane breaks in a manner such that the overall building frontage meets the minimum building frontage occupancy requirements (see Section 4.2.1 B.). Plane breaks are only required at street-facing facades. **Where ground floor retail uses are provided per Section 2.3.2, the ground floor is not required to meet plane break requirements.**

Furthermore, a maximum allowed footprint per story is presented for certain building types. The maximum allowable footprint per story limits the percentage of occupiable space per building story in relationship to the building's ground-floor footprint (see Figure 4-10). For example, a four-story building that limits the maximum allowable footprint of the fourth story to 60 percent may satisfy this requirement by providing setbacks, decks, patios, building articulation, or similar massing strategies that assure that the fourth story occupies no more than 60 percent of the building. Balconies shall count toward the maximum allowable footprint unless they are open to the sky or at least 18 feet in height.

These standards intend to articulate new development and avoid monotonous, block-like building designs in favor of more varied building designs with reduced bulk at the upper stories.

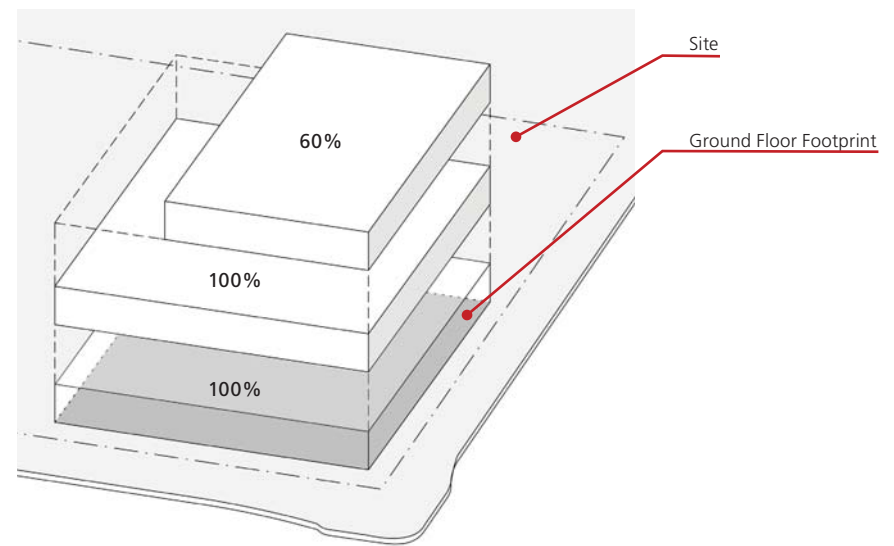


Figure 4-11: Maximum Footprint Per Story Diagram

The maximum footprint per story is computed based on the building's ground floor footprint, not the overall site area.

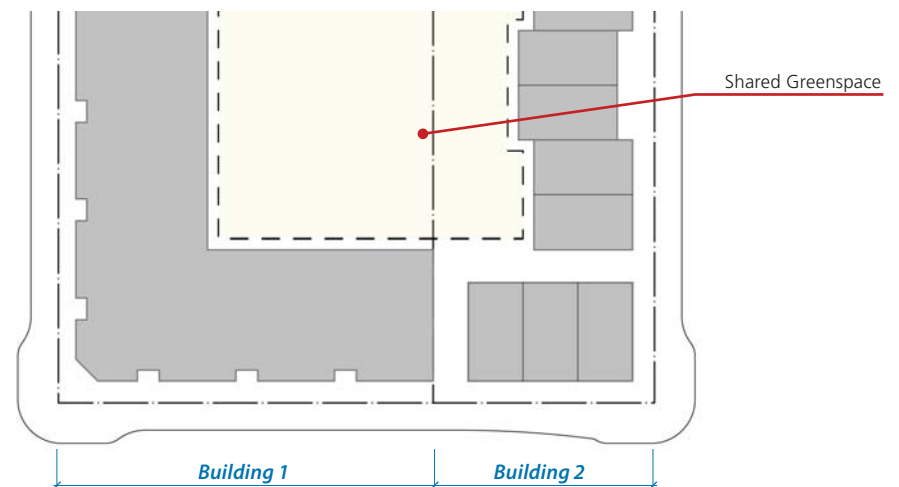


Figure 4-12: Shared Outdoor Space Diagram

Adjacent buildings may combine the required outdoor spaces into one shared space provided the cumulative minimum requirements for each building is met.

D. Maximum Upper Level Frontage Occupancy

Certain building types have limitations on the percentage of the building frontage that can be occupied above 45 feet in height. These standards are included in order to provide more variety and visual interest at the upper levels. The upper level frontage occupancy is based on the ground-floor plan. Facade portions that are set back at least eight feet from the ground-floor building face are considered as not occupying the upper level frontage.

less than 15 feet in depth shall not count towards fulfilling the required amount.

Required outdoor space can be shared between adjacent building types, as long as the cumulative minimum requirements for each type are satisfied (see Figure 4-12).

I. Landscape

The landscape standards regulate the design of outdoor space including the amount of outdoor space that is required to be planted with vegetation.

E. Frontage Types

This standard lists which frontage types are permitted for each building type. Developments must also comply with the permitted frontage type standards of the applicable block development standards.

F. Pedestrian Access and Entries

This standard regulates the location and orientation of building entries.

G. Parking

Building type parking standards provide parking design regulations that are specific to each building type.

E. Outdoor Space

Each building type requires a specific amount of outdoor space to be designated on site. Such outdoor space may either be private, only accessible to the occupants (**common area**), or open to the general public. Outdoor space may be located at grade, atop a podium or at the rooftop unless the location is restricted by the selected building type. Regardless of location, the design of outdoor space shall maximize solar access. Setbacks

4.3.2 Row House



Row House Diagram

Houses with common walls line a street front.



Row House Illustrative Photo

A. Intent Statement

A structure that consists of at least three primary residences with common walls, side by side along the building frontage. The structure has individual garages for each unit, accessed from an alley, or may have a shared structure with dedicated spaces. Row houses may also wrap the podium of a high-rise building type.

B. Facade Width

1. Maximum of 26 feet for each row house unit, except that the facade width of a row house on block corners may be up to 30 feet.
2. The maximum number of attached row houses allowed is 10 townhouses per facade string. **The minimum distance between facade strings is 20 feet.**

C. Building Height & Massing

1. Maximum height shall be 45 feet.
2. Facade strings shall have at least one **encroachment or plane break** per 100 linear feet, such as a porch, balcony, **recess** or **projectionplane break**. The combined length of **plane breaks** shall occupy at least 10 percent of the facade length.
3. Building faces abutting side streets or yards shall provide at least one horizontal **plane break** of at least three feet, and one vertical **plane break** of at least two feet.
4. In a three-story building, a two-story row house can be stacked over a separate ground-floor unit.

5. The maximum allowed footprint per story shall be determined by the following table:

Table 4.3.2.1: Height in Stories	Maximum Allowed Footprint per Story			
	1	2	3	4
2	100%	100%	–	–
3	100%	100%	100%	–
4	100%	100%	100%	60%

D. Maximum Upper Level Frontage Occupancy

Not applicable.

E. Frontage Types

Permitted frontage types: dooryard and stoop (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

The primary entrance shall be accessible directly from the street, through the frontage.

G. Parking

1. Garages shall accommodate no more than two cars and shall be integrated into the back of the row house.
2. Podium parking is permitted, in which case a unit may also be accessed from the parking area or internal building corridor, and no individual garage parking is required.
3. Above-ground garage structures shall be concealed from view along the street behind the row houses.

4. Parking stalls shall meet the construction and maintenance standards of the W.M.C.

H. Outdoor Space

1. Amount required. At least 10 percent of the lot area shall be provided as outdoor space.
2. Types. Permitted outdoor space types that count toward the satisfaction of the required amount of outdoor space are: elevated terraces, patios, verandas, balconies, yards, decks, and roof gardens.
3. Design. The outdoor space area must be open to the sky, except for any allowable **encroachments** (see Section 4.5.9) and any shade structures within the space.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving and planters is encouraged.
2. At least 25 percent of the required on-site outdoor space shall be planted with ground cover, shrubs, trees, or a combination thereof.

4.3.3 Flex/Loft Building



Flex/Loft Building Diagram

Flex/loft units arranged side by side



Flex/Loft Building Illustrative Photo

Note: Paseos permitted for access to residential units above

A. Intent Statement

An integrated residence and work space, occupied by a single unit. Often two or more such units shall be arranged side by side along the Principal Frontage that has been designed or structurally modified to accommodate joint residential and work occupancy. Flex/loft buildings may also wrap the podium of a high-rise building type.

B. Facade Width

1. Maximum of 30 feet for each flex/loft unit.
2. The maximum number of attached flex/loft units is 10 per facade string.

C. Building Height & Massing

1. Maximum height shall be 50 feet.
2. Facade strings shall have at least one *encroachment or plane break* per 100 linear feet, such as a porch, balcony, *recess* or *projectionplane break*. The combined length of plane breaks shall occupy at least 105 percent of the facade length.
3. Building faces abutting side yards shall provide at least one horizontal plane break of at least three feet, and one vertical plane break of at least two feet.
4. The maximum allowed footprint per story shall be determined by the following table:

Table 4.3.3.1: Height in Stories	Maximum Allowed Footprint per Story			
	1	2	3	4
2	100%	100%	–	–
3	100%	100%	100%	–
4	100%	100%	100%	80%

D. Maximum Upper Level Frontage Occupancy

Not applicable.

E. Frontage Types

Permitted frontage types are: storefront, *storefront café*, and dooryard (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

The primary entrance shall be accessible directly from the street, through the frontage, except that primary residential entries may be accessed through work space, through a paseo between units, or from the rear.

G. Parking

1. Individual garage parking may be integrated into the back of the flex/loft building.
2. Podium parking is permitted, in which case a unit may also be accessed from the parking area, and no individual garage parking is required.
3. Above-ground garage structures shall be concealed from view along the street behind the flex/loft building.
4. Parking stalls shall meet the construction and maintenance standards of the W.M.C.

H. Outdoor Space

1. Amount Required. At least 15 percent of the lot area shall be provided as outdoor space.

2. Types. Permitted outdoor space types that count toward the satisfaction of the required amount of outdoor space are: elevated terraces, patios, verandas, balconies, decks, and roof gardens.
3. Design. The outdoor space area must be open to the sky, except for any allowable *encroachments* (see Section 4.5.9) and any shade structures within the space.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving and planters is encouraged.
2. At least 25 percent of the required on-site outdoor space shall be planted with ground cover, shrubs, trees, or a combination thereof.

4.3.4 Courtyard Building



Courtyard Building Diagram

A grouping of units around central courtyards.



Courtyard Building Illustrative Photo

Courtyard view of a courtyard building.

A. Intent Statement

A grouping of townhouses or multi-family units arranged around a central courtyard or series of courtyards at grade or above a parking podium. The building may contain residential or commercial uses, and parking is below ground or accommodated in up to two above-grade podium levels.

B. Facade Width

Maximum 200 feet. See 4.3.1 B for additional explanation of this standard.

C. Building Height & Massing

1. Maximum height shall be 765 feet.
2. The maximum allowed footprint per story shall be determined by the following table:

Table: 4.3.4.1: Height in Stories	Maximum Allowed Footprint per Story			
	1-2	3	4	>5
2	100%	–	–	–
3	100%	80%	–	–
4	100%	100%	80%	–
>5	100%	100%	80%	80%

D. Maximum Upper Level Frontage Occupancy

Portions of facades above 45 feet in height and greater than 150 feet in length shall occupy no more than 80% of the primary facade plane established on the ground floor.

E. Frontage Types

Permitted frontage types are: *forecourt*, storefront, *storefront café*, *urban frontage*, and dooryard (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

1. The internal courtyard shall be accessible from the street, through the frontage. Where the internal courtyard is located above the ground plane, a grand public stair is encouraged. Access may be gated.
2. The primary entrance to each ground-floor unit shall be directly from the street or courtyard. Entrances shall occur at a maximum interval of 60 feet.
3. Primary access to units above the ground floor shall be through a lobby accessed from the street or the courtyard.

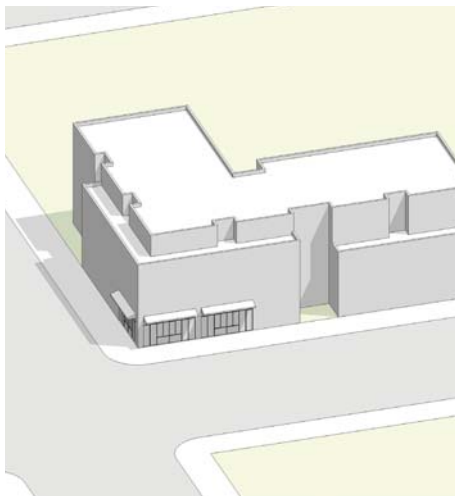
G. Parking

1. Parking may be accommodated in up to two levels of above-ground podium, below ground, or both.
2. A liner of habitable space shall conceal above-ground podium parking garages from view.
3. Residential parking shall be separate from retail parking, except for any residential guest parking.
4. Parking stalls shall meet the construction and maintenance standards of the W.M.C.

H. Outdoor Space

1. Amount Required. At least 15 percent of the lot area shall be provided as outdoor space.
2. Types. Permitted outdoor space types that count toward the satisfaction of the required amount of outdoor space are: patios, verandas, and courtyards.
3. Dimensions. The minimum courtyard dimension shall be 30 feet on one side for buildings. If the courtyard is surrounded by 3 or more sides or if the building is three or more stories, the minimum dimension on one side shall be 40 feet.
4. *Encroachments*. Encroachments into the outdoor space are permitted on all sides, provided that the minimum 30-foot dimension is maintained, exclusive of the *encroachments*.
5. Design. The outdoor space area must be open to the sky, except for any allowable *encroachments* (see Section 4.5.9) and any shade structures within the space. Communal outdoor spaces shall provide high quality amenity and be easily accessible for all residents.
 1. **Landscape**
 1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving and planters is encouraged.
 2. At least 25 percent of the required on-site outdoor space shall be planted with ground cover, shrubs, trees, or a combination of thereof.

4.3.5 Urban Block Building



Urban Block Building Diagram

A building type that can accommodate a variety of uses



Urban Block Building Illustrative Photo

A. Intent Statement

A building designed for occupancy by retail, service, office, and/or residential uses on the ground floor, with upper floors also configured for office and/or residential uses, however two-story retail is permitted. Parking is accommodated below ground.

B. Facade Width

Maximum 225 feet. Facades greater than 175 feet in length must have at least one facade break of at least 20 feet in length and 10 feet in depth. See 4.3.1 B for additional explanation of this standard.

C. Building Height & Massing

1. Maximum height shall be 765 feet.
2. The maximum allowed footprint per story shall be determined by the following table:

Table 4.3.5.1: Height in Stories	Maximum Allowed Footprint per Story			
	1-3	4	5	>5
2-3	100%	–	–	–
4-5	100%	85%	75%	–
>5	100%	100%	85%	75%

D. Maximum Upper Level Building Frontage Occupancy

Portions of facades above 45 feet in height and greater than 150 feet in length shall occupy no more than 80% of the primary facade plane established on the ground floor.

E. Frontage Types

Permitted frontage types are: *forecourt*, storefront, *storefront café*, *urban frontage*, stoop, and dooryard (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

1. Primary entrances to upper floors shall be accessed through: 1. an interior courtyard or 2. a lobby, which is accessed directly from the street.
2. Primary access to the ground-floor space shall be directly from the street and shall occur at a maximum interval of 60 feet. For urban block buildings in the retail core fronting Westminster Boulevard and Gray Street see entrance standards in Section 4.5.3 A.2.
3. Primary retail entrances shall remain accessible and unlocked during regular business hours.

G. Parking

1. Parking may be accommodated in up to two levels of above-ground podium, below ground, or both.
2. A liner of habitable space shall conceal above-ground podium parking garages from view.
3. Parking stalls shall meet the construction and maintenance standards of the W.M.C.

H. Outdoor Space

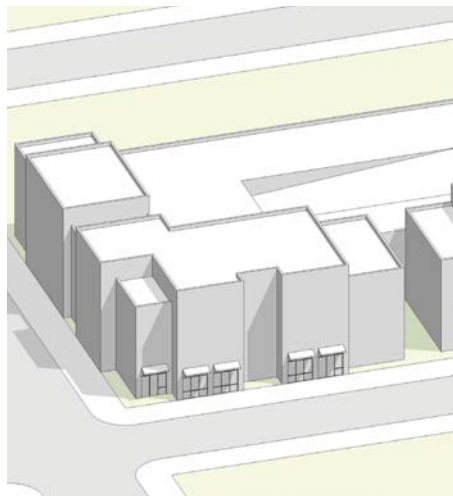
1. Amount Required. At least 15 percent of the lot area shall be provided as outdoor space.

2. Types. Permitted outdoor space types that count toward the satisfaction of the required amount of outdoor space are: patios, verandas, courtyards, and roof gardens.
3. Dimensions. Each common area or public outdoor space shall have a minimum dimension of 20 feet on each side.
4. *Encroachments*. Encroachments into the outdoor space are permitted on all sides of the space, provided that the minimum 20-foot dimension is maintained, exclusive of the *encroachments*.
5. Design. The outdoor space area must be open to the sky, except for any allowable *encroachments* (see Section 4.5.9) and any shade structures within the space.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving and planters is encouraged.
2. At least 25 percent of the required on-site outdoor space shall be planted with ground cover, shrubs, trees, or a combination of thereof. Landscaping in pots or planters may be included in computing the total landscaped area.

4.3.6 Liner Building with Garage



Liner Building Diagram

A building suitable for a variety of uses wraps a parking structure



Liner Building Illustrative Photo

Street view of a liner building. The facade does not reveal the parking use behind.

A. Intent Statement

A building and garage ensemble where the building directly fronts the street and wraps around an above-ground garage. The building is designed for occupancy by a mixture of uses. The garage can either be attached or detached to the building.

B. Facade Width

1. Maximum 225 feet. Facades greater than 175 feet in length must have at least one facade break of at least 20 feet in length and 10 feet in depth. See 4.3.1 B for additional explanation of this standard.
2. Where the garage length exceeds 225 feet, a second similar building type may be attached and interconnected, but it must appear as a separate building and have its own entrance from the street. In this situation a facade break is not required.

C. Building Height & Massing

1. Maximum height shall be 65 feet. The building shall be no less than 35 feet tall. The maximum garage height shall not exceed the liner building more than 10 feet in height, up to a maximum 55 feet be 45 feet.
2. The maximum allowed footprint per story shall be determined by the following table:

Table 4.3.6.1: Height in Stories	Maximum Allowed Footprint per Story			
	1-3	4	5	>5
2-3	100%	–	–	–
4	100%	90%	–	–
5	100%	90%	75%	–
>5	100%	100%	85%	75%

D. Maximum Upper Level Building Frontage Occupancy

Portions of facades above 45 feet in height and greater than 150 feet in length shall occupy no more than 80% of the primary facade plane established on the ground floor.

E. Frontage Types

Permitted frontage types are: *forecourt*, storefront, *storefront café*, *urban frontage*, stoop, and dooryard (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

1. Primary entrances to upper floors shall be accessed through an interior courtyard or lobby, accessed directly from the street.
2. Primary access to each ground-floor space shall be directly from the street and shall occur at a maximum interval of 60 feet. For liner buildings in the retail core fronting Westminster Boulevard and Gray Street see entrance standards in Section 4.5.3 A 2.
3. All retail spaces should be accessed from a ground-floor, single-tenant entry along a street, courtyard, or Paseo.
4. Primary retail entrances shall remain accessible and unlocked during regular business hours.
5. In addition to the building's required primary entrances, there may be ancillary entrances to the building from parking garages.

G. Parking

Parking stalls shall meet the construction and maintenance standards of the W.M.C.

H. Outdoor Space

1. Amount Required. At least 10 percent of the lot area shall be provided as outdoor space.
2. Types. Permitted outdoor space types that count toward the satisfaction of the required amount of outdoor space are: patios, verandas, courtyards, and roof gardens.
3. Dimensions. Each common area or public outdoor space shall have a minimum dimension of 20 feet on each side.
4. Encroachments. *Encroachments* into the outdoor space are permitted on all sides of the space, provided that the minimum 30-foot dimension is maintained, exclusive of the *encroachments*.
5. Design. The outdoor space area must be open to the sky, except for any allowable *encroachments* (see Section 4.5.9) and any shade structures within the space.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving and planters is encouraged.
2. At least 25 percent of the required on-site outdoor space shall be planted with ground cover, shrubs, trees, or a combination of thereof. Landscaping in pots or planters may be included in computing the total landscaped area.

A. Intent Statement

A multi-level building organized around a central core with the first 2-5 floors expressed as a Podium. The building is composed as a Tower and a podium (the base), which may contain a parking garage.

B. Facade Width

Maximum **facade width of the podium** is 300 feet.

C. Building Height & Massing

1. Maximum podium height is 65 feet; minimum height is 35 feet.
2. A high-rise tower may exceed the podium height. The length to width ratio for the tower shall be no greater than 2:1. The maximum floor plate of the tower shall be 20,000 SF.
3. The tower shall step back from the face of the podium a minimum of 10 feet, measured perpendicular to the property line.

D. Maximum Upper Level Building Frontage Occupancy

1. Portions of facades above 45 feet in height and greater than 150 feet in length shall occupy no more than 80% of the primary facade plane established on the ground floor.
2. Portions of facades above 65 feet in height:
 - if less than 100 feet in length shall occupy no more than 90% of the primary facade plane established on the lower floors,
 - if between 100 and 150 feet in length shall occupy no more than 80% of the primary facade plane established on the lower floors, and

- if greater than 150 feet in length shall occupy no more than 70% of the primary facade plane established on the lower floors

E. Frontage Types

Permitted frontage types are: *forecourt*, storefront, *storefront café*, *urban frontage*, stoop, and dooryard (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

1. Primary entrances to upper floors shall be accessed through an interior courtyard or lobby, accessed directly from the street.
2. Ground floors shall contain habitable building space and access to each ground-floor space shall be directly from the street and shall occur at a maximum interval of 60 feet. For podium high-rise buildings in the retail core fronting Westminster Boulevard and Gray Street see entrance standards in Section 4.5.3 A 2.
3. All retail spaces shall have their primary access from a ground-floor, single-tenant entry along a street, courtyard, or paseo.
4. The primary retail entrances shall remain accessible and unlocked during regular business hours.
5. In addition to the building's required primary entrances, there may be ancillary entrances to the building from parking garages and areas.

G. Parking

1. If accommodated in an above-ground garage, parking shall be concealed from view along the street for the first 21 feet

of height through a liner of habitable space.

2. Above 21 feet, above-ground garages shall be screened from view along the street by habitable space or by landscaping, outdoor screens, cladding, or the appearance of architectural features, such as windows, or a combination thereof.
3. Parking stalls shall meet the construction and maintenance standards of W.M.C. 11-7-4 (B).

H. Outdoor Space

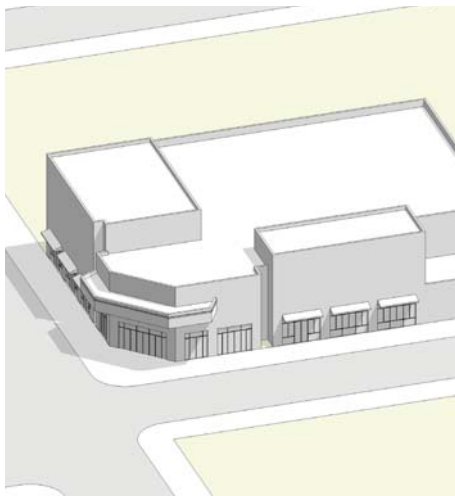
1. Amount Required. At least 30 percent of the lot area shall be provided as outdoor space.
2. Types. Permitted outdoor space types that count toward the satisfaction of the required amount of outdoor space are: patios, verandas, courtyards, and roof gardens. At least one half of the required outdoor space must be common, usable by all residents of the building.
3. Dimensions. Each common outdoor space shall have a minimum dimension of 30 feet on each side. Each private outdoor space shall have a minimum dimension of six feet on one side.
4. Encroachments. *Encroachments* into the common outdoor space are permitted on all sides of the space, provided that the minimum 30-foot dimension is maintained, exclusive of the *encroachments*.

5. Design. The outdoor space area must be open to the sky, except for any allowable *encroachments* (see Section 4.5.9) and any shade structures within the space.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving is encouraged.
2. At least 25 percent of the required on-site outdoor space shall be planted with ground cover, shrubs, trees, or a combination of thereof. Landscaping in pots or planters may be included in computing the total landscaped area.

4.3.9 Urban Anchor Building



Urban Anchor Building Diagram



Urban Anchor Building Illustrative Photo

A. Intent Statement

The urban anchor building type accommodates the need for large-footprint anchor retailers or movie theaters while providing active uses at secondary frontages. Ground-floor storefronts or other liner uses avoid exposing blank walls on street fronts.

B. Facade Width

No limit, except that a maximum of 150 feet of the anchor use may be exposed to a building frontage line. Anchor buildings that are longer than 150 feet must be lined with other uses for the portion of the frontage exceeding 150 feet.

C. Building Height & Massing

1. Maximum height shall be 765 feet.
2. Minimum height is 35 feet.
3. The maximum anchor floor plate is 60,000 SF. The City may grant an exception for cinemas, concert halls, or other live performance spaces.
4. The maximum allowed footprint per story shall be determined by the following table:

Table 4.3.9.1: Height in Stories	Maximum Allowed Footprint per Story		
	1-3	4	>5
2-3	100%	–	–
4-5	100%	90%	–
>5	100%	75%	75%

D. Maximum Upper Level Building Frontage Occupancy

Portions of facades above 45 feet in height and greater than 150 feet in length shall occupy no more than 80% of the primary facade plane established on the ground floor.

E. Frontage Types

Permitted frontage types are: *forecourt*, storefront, *storefront café*, *urban frontage*, and stoop (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

1. Primary entrances to upper floors shall be accessed through an interior courtyard or lobby, accessed directly from the street.
2. Primary access to each ground-floor anchor shall be directly from the street and shall occur at a maximum interval of 200 feet. Liner building entries shall be accessible directly from the street and shall occur at a maximum interval of 60 feet. All retail spaces should be accessed from a ground-floor, single-tenant entry along a street, courtyard, or alley. For anchors in the retail core fronting Westminster Boulevard and Gray Street see entrance standards in Section 4.5.3 A.2.
3. Primary retail entrances shall remain accessible and unlocked during regular business hours.
4. In addition to the building's required primary entrances, there may be ancillary entrances to the building from parking garages and areas.

G. Parking

1. Above-ground garages shall be concealed from view along the street for the first 21 feet of height through a liner of habitable space.
2. Above 21 feet, above-ground garages shall be screened from view along the street by habitable space or by landscaping, outdoor screens, or cladding.
3. Parking stalls shall meet the construction and maintenance standards of W.M.C. 11-7-4 (B).

H. Outdoor Space

Amount Required. None.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas, the use of permeable paving is encouraged.

4.3.10 Urban Supermarket



Urban Supermarket Diagram



Urban Supermarket Illustrative Photo

A. Intent Statement

This building type provides additional flexibility for developments incorporating a supermarket use while ensuring compatibility with the new downtown’s urban, mixed-use environment. Housing or office space may be built above.

B. Facade Width

Maximum 300 feet.

C. Building Height & Massing

1. Maximum height shall be 765 feet. 110 feet shall be permitted where blocks allow the podium high-rise building type. In such cases the podium high-rise building type height and massing and outdoor space standards apply (see Section 4.3.8).
2. Minimum height shall be 35 feet.
3. The maximum supermarket floor plate is 65,000 SF.
4. The maximum allowed footprint per story shall be determined by the following table:

Table 4.3.10.1: Height in Stories	Maximum Allowed Footprint per Story		
	1-3	4	>5
1-3	100%	–	–
4-5	100%	90%	–
>5	100%	75%	75%

D. Maximum Upper Level Building Frontage Occupancy

Portions of facades above 45 feet in height and greater than 150 feet in length shall occupy no more than 80% of the primary facade plane established on the ground floor.

E. Frontage Types

Permitted frontage types are: *forecourt*, storefront, *storefront café*, *urban frontage*, stoop, and dooryard (see Section 4.4). Developments must also comply with the permitted frontage types of the block development standards (see Section 4.2).

F. Pedestrian Access & Entries

1. Primary entrances to upper floors shall be accessed through an interior courtyard or lobby, accessed directly from the street.
2. Primary access to each ground-floor space shall be directly from the street and shall occur at a maximum interval of 60 feet. A supermarket use may reduce the entry frequency to 150 feet on one blockfront. For urban supermarkets in the retail core fronting Westminster Boulevard and Gray Street see entrance standards in Section 4.5.3 A.2.
3. All retail spaces should be accessed from a ground-floor, single-tenant entry along a street, courtyard, or alley.
4. Primary retail entrances shall remain accessible and unlocked during regular business hours.
5. In addition to the building’s required primary entrances, there may be ancillary entrances to the building from parking garages and areas.

G. Parking

1. Above-ground garages shall be concealed from view along the street for the first 21 feet of height through a liner of habitable space.
2. Above 21 feet, above-ground garages shall be screened from view along the street by habitable space or by landscaping, outdoor screens, or cladding.
3. Parking stalls shall meet the construction and maintenance standards of W.M.C. 11-7-4 (B).

H. Outdoor Space

Amount Required. None.

I. Landscape

1. All outdoor space shall be landscaped or hardscaped. In hardscaped areas the use of permeable paving is encouraged.

4.4 FRONTAGE TYPE STANDARDS AND GUIDELINES

A building's frontage is the interface between the public realm and private development. This Plan recognizes that the successful design of this interface significantly contributes to the realization of an active and engaging urban environment.

Buildings within the Plan area have ground-floor frontages that are human-scaled, provide visual interest, and access to ground-floor uses. This section provides a palette of prototypical frontage types that are permitted. Standards include dimensional criteria, criteria for openings, as well as criteria for the ground plane immediately adjacent to the frontage, such as minimum glazing (see Figure 4-13).

4.4.1 Explanation of Standards

A. Frontage Intent Statement

This statement describes the building-to-street relationship that each frontage type is meant to achieve.

B. Entries

These standards address entries at the block-fronts, not those that are internal to the site.

C. Dimensions

Specific dimensions of features like massing, entry height, openings, and setbacks are delineated here.

D. Paving and Landscaping

This standard addresses the area between the property line and building face.

E. Furnishing Zone

This standard addresses furnishing within front setbacks.

F. Additional Standards and Guidelines

These standards and guidelines provide additional direction in shaping the appropriate building-to-street relationship. They address glazing at the ground floor, frontages, and entries.

G. Storefronts Guidelines

This standard addresses the design of building frontages, such as maximum length of a blank wall.

4.4.2 Storefront



Storefront Illustrative Section

Ground floor uses open directly to the sidewalk.

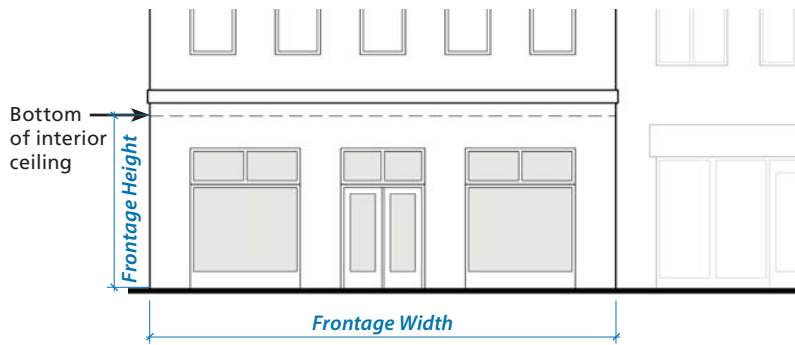


Figure 4-13 : Minimum Frontage Glazing Diagram

The frontage glazing area shall be measured from the finished floor to the bottom of ceiling of the ground floor.



Storefront Illustrative Photo

A. Intent Statement

Storefront frontages provide direct access to ground-floor spaces that are located adjacent to the sidewalk. Storefronts are typically associated with retail uses but may accommodate other uses as permitted by the regulating plan (see Chapter 2). Where permitted, storefront frontages may provide outdoor seating areas or outdoor displays or both.

B. Entries

Entries should be set at the adjacent sidewalk or within an alcove that is adjacent to a sidewalk.

C. Dimensions

Storefronts shall be between 12 to 25 feet high, measured from the finished floor to the bottom of ceiling of the storefront space. Storefront spaces shall be set no more than twelve inches above the adjacent sidewalk at the primary entrance.

D. Paving and Landscaping

The area between the property line and the building face shall be paved per Section 3.5.1.

E. Furnishing Zone

Where permitted, outdoor seating may be provided in front setbacks (see Section 3.4). Product displays (e.g. flowers, food, merchandise displays) are encouraged near storefront entries.

F. Additional Standards

1. At least 60 percent of the storefront facade area at the ground floor shall be glazed (see Section 4.4). Glazing shall be transparent and clear. Opaque,

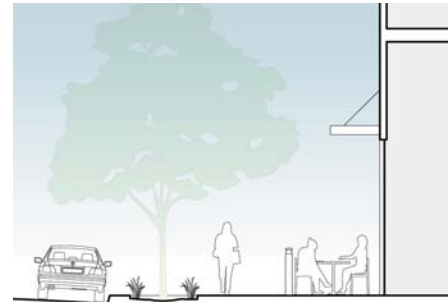
highly reflective, and dark tinting are not permitted. The sill height of a storefront window shall be no more than 30 inches high measured from the adjacent finished sidewalk.

2. Unoccupied storefronts may be temporarily covered from the inside with white or light color paper, fabric or film, which may contain a graphic image or otherwise permitted signs.

G. Storefronts Guidelines

The maximum length of blank walls facing the street is limited to 15 horizontal feet for any one stretch.

4.4.3 Storefront Café



Storefront Café Illustrative Section

Outdoor seating is located immediately adjacent to a ground-floor use.



Storefront Café Illustrative Photo

A. Intent Statement

Storefront cafés provide ground-floor café and restaurant spaces directly accessible from the adjacent sidewalk. *Storefront café* frontages are similar to storefront frontages but provide specific provisions for outdoor seating.

B. Entries

Entries should be set at the adjacent sidewalk. *Storefront cafés* facing 88th Avenue and overlooking the South Park may provide outdoor seating areas on raised terraces.

C. Dimensions

Storefront cafés shall be between 12 to 25 feet high, measured from the finished floor to the bottom of ceiling of the storefront space. Storefront spaces shall be set no more than twelve inches above the adjacent sidewalk or terrace.

D. Paving and Landscaping

The area between the property line and the building face shall be paved per Section 3.5.1.

E. Furnishing Zone

Where permitted, outdoor seating may be provided either in front setbacks (see Section 3.4). Product displays (e.g. flowers, food, merchandise displays) are encouraged near storefront entries.

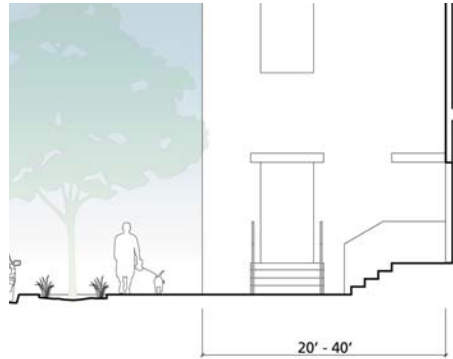
F. Additional Standard and Guidelines

Same as storefront frontage type (see Section 4.4.2 F.).

G. Storefronts

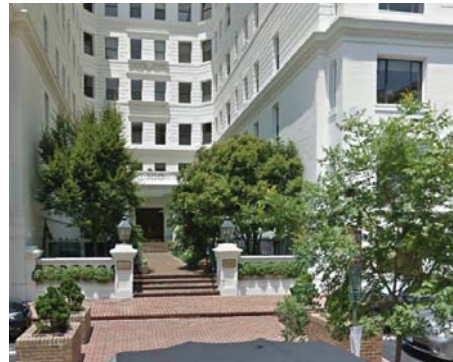
Same as storefront frontage type (see Section 4.4.2 G.).

4.4.6 Forecourt



Forecourt Illustrative Section

The building entry is located off a forecourt. The entry may or may not be raised above the sidewalk level.



Forecourt Illustrative Photo

A. Intent Statement

Forecourts are open areas located at primary building entrances. They may be designed as gardens or as paved courtyards. Frontages utilizing a *forecourt* must comply with minimum frontage occupancy standards (see Section 4.2).

B. Entries

The *forecourt* shall enter from the adjacent sidewalk. Building entries opening onto the *forecourt* shall be at the finished floor of the *forecourt* or may be raised up to three feet above the *forecourt*.

C. Dimensions

1. *Forecourts* shall be set at grade or may be elevated up to 18 inches above the adjacent sidewalk.
2. Depth of the *forecourt* shall be between 10 and 40 feet.
3. Width of the *forecourt* shall be between 20 and 40 feet.

D. Paving and Landscaping

Forecourts may be planted with grass, shrubs, or other ground cover or be paved. All walks shall be paved.

E. Furnishing Zone

Outdoor furniture is permitted in *forecourts*. High quality, durable fixed benches and planter pots are encouraged. Water features are permitted.

F. Additional Standards and Guidelines

1. *Forecourts* should be open to the sky. Porches are not permitted.
2. *Forecourts* may be gated.

4.4.7 Urban Frontage



Urban Frontage Illustrative Section

An urban frontage type for residential lobbies or commercial ground-floor uses.

A. Intent Statement

An *urban frontage* is suitable for residential lobbies or commercial/office uses. It provides access to ground-floor uses, but is primarily characterized by windows facing the sidewalk.

Unlike storefronts, there is no minimum ground floor height.

B. Entries

Urban frontages shall enter from the sidewalk. Entries should be articulated by canopies or awnings.

C. Dimensions

Urban frontages shall be set at grade or may be elevated up to 12 inches above the adjacent sidewalk.

D. Paving and Landscaping

Urban frontages are characterized by hardscape and may include landscaping where permitted by the street standards (see Chapter 3).

E. Furnishing Zone

Where permitted, outdoor seating may be provided in front setbacks (see Section 3.4).

F. Additional Standards

1. At least 50 percent of the facade area at the ground floor shall be glazed (see Section 4.4). Glazing shall be transparent and clear. Opaque, highly reflective, and dark tinting are not permitted. Blank wall area permitted as per 4.5.1-A.4 can be excluded from the ground floor glazing calculation.



Urban Frontage Illustrative Photo

4.5 ADDITIONAL BUILDING DESIGN STANDARDS AND GUIDELINES

The additional standards and guidelines of this section apply to all development in the Plan area. They address the composition of buildings as well as functional aspects of building, parking, and outdoor space design. The goal of this section is to ensure that development within the new downtown is consistent with the goal of human-scale mixed-use environment in which each individual building furthers the overall Plan vision.

4.5.1 Building Massing, Scale, and Architecture

The specific criteria included throughout these design standards and guidelines have been included to achieve a design that is consistent with the general massing, scale and architectural criteria articulated in this section 4.5.1, such that a building that is consistent with the specific criteria and standards will also be consistent with the overall massing, scale and architectural vision.

A. Standards

1. Massing and Scale Variation. The massing, scale, and architectural style of proposed buildings in the Plan area shall be varied to create a unique, attractive project and avoid a uniform and monotonous urban form. Employ techniques to break the building mass through interlocking volumes of differing heights and widths to avoid monolithic building. Incorporate a diversity of building scales and massing, such that the resulting design appears

as a neighborhood that has grown over time.

2. ~~Minor-Facade Articulation Plane Breaks.~~ Facade ~~articulation plane breaks~~ creates a visual rhythm along the street through offsets, recesses, stepped facades, varying materials or colors, and architectural features such as balconies, awnings, ~~projections~~ or similar elements. The facade plane shall be ~~articulated broken by a minor break~~ at least every 45 feet.
3. ~~Major-Facade Plane Breaks.~~ ~~Major~~ facade plane breaks create visual interest along long street frontages and break the massing of large buildings through vertical breaks in the building plane, reveals or recesses, or material changes. See Figure 4-10 for ~~definition and~~ illustration of vertical and horizontal plane breaks. ~~Vertical breaks in the building plane shall be at least 24 inches from the adjacent facade plane, measured perpendicular to the property line.~~ Reveals or recesses shall be at least five feet deep. Changes in color or material texture are not permitted as ~~major~~ facade plane breaks. ~~Major~~ facade plane breaks shall ~~are encouraged to~~ occur at least once every 1050 feet measured parallel to the property line.
4. Blank Walls. Blank walls (defined as having no active use, glazing or doorway) shall be limited to 20% or 40 feet of the Building Facade, whichever is greater.
5. Corner buildings shall have architectural treatments such as increased height and building mass or entry designs such as angled or curvilinear form to help “anchor” corner buildings and further define the street.

B. Guidelines

1. Variety. Buildings should be composed of a variety of forms and contrasting shapes and should employ attractive and complementary building materials and architectural features.
2. Scale. In general, the overall scale, massing, roof form, materials, and architectural style of new structures shall provide a variety of forms, depth and texture, and encourage a cohesive neighborhood character by building new structures at a scale that is appropriate to the human-scaled environment of the new downtown.
3. Wall planes. Building massing should include a variation in wall planes and height as well as roof forms to reduce the perceived scale of the building.
4. Building Stepbacks. Building stepbacks at the upper stories can transition between different building heights. Where a taller building adjoins a shorter building, building stepbacks are encouraged.
5. Architectural Style. The architecture of the building shall clearly delineate an architectural style, and shall not appear as a simplified version thereof, with appropriate fenestration patterns, architectural features, proportions and materials consistent with the style.

4.5.2 Building Facades

A. Standards

1. Fenestration and Articulation. Buildings shall have fenestration that establishes a clear pattern on the facade (with special attention paid to facades that are visible from a public street) and that provides depth and additional articulation.



Building Massing (4.5.1)

Large windows break the rhythm of balconies and accentuates the building corner.



Varied Building Massing (4.5.1)

Bays, recesses, roof variations visually break the building mass.



Facade Plane Breaks (4.5.1)

A series of vertical breaks in the facade plane enriches a long building facade.

- Maximum Facade Length. Building facades longer than 175 feet, measured along the property line, shall vary the facade such that the resulting facade segments appear to be individual building facades. Facade segments shall be separated by continuous vertical datum lines on either side of which the facade appearance differs. Facade segments can be differentiated by variations in fenestration size and rhythm, facade material, texture, color, pattern, or a combination thereof (see 4.3.1 B). Facade segments should generally correspond to interior uses and relate to ground-floor entries.

B. Guidelines

- Human Scale. Human scale proportions and architectural building details that emphasize and reflect the presence and importance of people are encouraged.
- Building Design. The design of all buildings should be of a high quality and character appropriate to development in the new downtown.
- Facade Massing. Massing offsets, fenestration, varied textures, openings, recesses, and design accents are strongly encouraged to ensure there are no un-articulated walls and monolithic roof forms.
- Architectural elements such as stepbacks, overhangs, balconies, verandas, and porches that add architectural character are encouraged.
- Shade and Shadow. Employing shade and shadow by reveals, surface changes, overhangs and/or sunshades to provide visual interest on facades exposed to the sun is encouraged.

- One-Story Elements. One-story architectural elements and massing should be incorporated into two and three-story building designs to the greatest extent possible.

4.5.3 Entrances

A. Standards

- Primary Entrance. The primary entrance to buildings shall be oriented to the street front, rather than to the parking lot or garage, alley, or interior of lot.
- Frequency at Retail Core. At buildings fronting Westminster Boulevard and Gray Street between 89th and 90th Avenues, entrances shall occur at a maximum interval of 45 feet.

B. Guidelines

- Secondary Entrances. Side or rear building entrances should always be accompanied by a front, street-facing entrance.
- Entrance Articulation. Special paving, lighting, and landscaping should be included at primary entrances to clearly identify the entrance and to enhance the overall building design.

4.5.4 Passageways

A. Standards

- Width. Pedestrian passageways shall be no less than 15 feet wide.
- Height where Covered. If pedestrian passageways are covered, they require a floor to ceiling height of at least two times their width, but no greater than three times their width.

- Design. Passageways shall be lighted and designed to be safe and inviting.

B. Guidelines

- Pedestrian Access. Pedestrian passageways should be introduced to increase access within and across blocks.
- Location. Pedestrian passageways may be open or roofed, and may go between or through buildings, to courtyards, parking areas, or civic spaces.

4.5.5 Windows

A. Standards

- Design. Outer surface of window frames set within masonry, stucco or simulated masonry or stucco walls shall be recessed from the wall surface by at least four inches. This does not apply when windows face alleys. Pop-in muntins are not permitted below the third floor.
- Glazing. Highly-reflective, mirrored, heavily-tinted and opaque glazing are not permitted (except that opaque glazing may be used as spandrel glass). Window glazing must be transparent with clear or limited UV tint so as to provide views to and from the inside of the building and the street.

B. Guidelines

- Orientation. Windows should overlook public areas to allow for increased safety.
- Location. Regardless of architectural style, it is recommended that windows be located in such a way so as to help avoid the creation of blank walls.



Human-Scale Architecture (4.5.2)

Variation in form and color create an enlivened block frontage.



Entrances (4.5.3)

A canopy, lighting, and a slight recess accentuate the primary entrance.



Windows (4.5.5)

Windows are recessed from the exterior wall surface.



Projecting Balconies (4.5.11)

Projecting balconies used sparingly accent, but do not dominate.



Recessed Balconies (4.5.11)

Balconies are set back from the primary building face.



Wood Fence (4.5.12)

Fences and walls may delineate property lines between adjoining private properties.



Hedge Screening Service Area (4.5.12)

A hedge and other plantings effectively screens a service area from view.

4.5.10 Awnings and Shade Devices

The following standards and guidelines apply to awnings and shade devices that are not located at front setbacks or build-to lines.

A. Standards

1. Clearance. Awnings and shade devices shall maintain a minimum clearance of eight feet above the adjacent floor level.
2. Materials. Materials for awnings and shade devices shall be durable.

B. Guidelines

1. Placement. Limit placement to over windows and doors, not walls in between.
2. Place awnings and other shading devices so as not to interfere with pedestrian signage for shops and businesses. Design awning heights on a building to be consistent along the facade or frontage line so as to maintain a consistent street edge.

3. Aim to provide continuous awnings or shade devices at southern and western exposures above storefronts and storefront cafés.
4. Mountings. Use mountings that respect and enhance moldings that may be found above storefronts or sign panels.
5. Materials & Colors. Use materials that complement other materials on the building. Use colors that complement building colors and design.

4.5.11 Balconies

A. Standards

1. Design. All balconies shall be accessible from inside the building and shall not be completely enclosed.
2. Decorative Railings. Decorative railings attached to the building facade that do not create occupiable balconies are permitted.

B. Guidelines

1. Location. Balconies are encouraged on projects facing major public spaces such

as parks, playgrounds, and plazas. Balconies are permitted on internal courtyard spaces.

2. Minimum Depth. Balconies ~~should~~ shall be no less than six feet in depth.
3. Recessed Balconies. Recessed balconies are acceptable.

4.5.12 Walls, Hedges, and Fences

Garden walls, retaining walls, hedges and fences may be used to define the edge between adjoining private properties. Walls, hedges, and fences facing the public street shall also comply with the frontage type standards (see Section 4.4).

A. Standards

1. Height. No fence, wall, or hedge shall exceed six feet in height. The top of a fence shall remain level in stepped conditions.
2. Location. Garden walls, retaining walls,

hedges and fences shall be built at least 18 inches from the property line, to allow room for footings and planting.

3. At Storefronts. Walls and fences shall not be used at storefronts or *storefront cafés*, except that retaining walls are permitted in situations where they are necessary to accommodate grade changes.
4. Materials. Solid perimeter walls shall be constructed of high quality enduring construction materials such as masonry or ornamental metal. Retaining walls shall be masonry, stone, or finished concrete when they are visible from the street. Concrete block and interlocking concrete pavers (such as keystone) are not permitted.
5. Plastic and Vinyl. No plastic or vinyl fencing shall be permitted forward of the build-to line, unless the material is a recycled plastic lumber (RPL).

4.5.14 Building Materials and Color

A. Standards

1. Building Materials. Building materials shall be high-quality and durable.

B. Guidelines

1. Materials. Use high quality craftsmanship and materials at the ground level, with ample use of texture, articulation and use of natural materials like brick, wood, and stone. Natural materials and tones are encouraged; metals should primarily be used as accents or roofing.
2. Colors. Light, natural tones are encouraged for expansive wall surfaces. Strong, bright colors should be used as accent colors.
3. Branding. Building colors that turn a building into an extension of a brand are strongly discouraged.

4.5.15 Sustainability

Passive sustainability practices are woven into this Plan through the standards and guidelines. In addition, new development is encouraged to be certified under Leadership in Energy and Environmental Design (LEED Silver certification or better), Energy Star, or other recognized sustainability rating programs. The goal is to assure that all new development considers sustainable building practices and strives to minimally impact the natural environment.

A. Standards

1. All new development shall be designed with a commitment to sustainability at both the site and the building level.

4.5.16 Service and Utilities

A. Standards

1. Location. Service, utility, and mechanical functions, including retail loading, shall be located **along and accessed within** alleys whenever present. When alleys are not present, service functions shall be placed **behind** buildings and provisions for access shall be made.
2. Screening. Service, utility, and mechanical equipment that is visible from the street shall be **screened from view with landscaping or enclosed by a screening device or located within the building**ures. Backflow preventers and fire standpipes, along with utility box transformers shall be screened.
3. Screening Design. All screening devices shall be compatible with the architecture, materials and colors of adjacent buildings.
4. Trash Enclosures. Walls Required. Trash areas that are visible from public streets or other properties shall be enclosed by masonry walls. Entrances shall be enclosed by an opaque metal door.
5. Trash Enclosure Dimensions. Trash enclosure walls shall be six feet high.

B. Guidelines

1. Trash and storage enclosures should be architecturally compatible with the project design and incorporated into service areas within buildings, wherever possible. Landscaping should be provided adjacent to the enclosure to screen them and deter graffiti.
2. Trash enclosures and retail loading areas should be sited to minimize nuisance to adjacent properties.
3. The location of trash enclosures should be easily accessible for trash collection and should not impede general site circulation patterns during loading operations.
4. Mechanical equipment should vent to an alley wherever possible.
5. Roof-vent penetrations and mechanical equipment should be located at least ten feet from any exterior building face.
6. Gutters and downspouts should be made of galvanized steel, copper (not copper coated), or aluminum.

4.6 PARKING AND LOADING DESIGN STANDARDS

The following parking and loading design standards shall apply to all parking provided in the Plan area.

Parking areas and landscaping, driveways, service access and facilities shall not qualify as outdoor space.

4.6.1 Parking Location

1. Parking shall be located in parking garages or structures. Surface parking lots are not permitted except as temporary parking lots (see Section 4.6.5 below).
2. At blockfronts facing public streets, at-grade or above-ground parking shall be screened by a habitable space no less than 20 feet deep, except when utilizing the exposed garage building type (see Section 4.3.7). Subterranean parking may extend to the property line (see Section 4.5.9 G.).

4.6.2 Parking Access

1. Parking shall be accessed from a public or private alley when present. If no alley is present and parking access must be from the street, driveways shall not be located within 60 feet of an intersection, measured the distance perpendicular from the property line closest to the intersection. Driveways shall not be located at the terminus of a street.
2. In no case shall the total number of access driveways on a blockfront exceed the number specified in the service and access

point standards for the applicable block development standards (see Section 4.2).

3. Pedestrian entrances to all parking shall be directly from the street, except that underground parking garages may be entered directly from a building.

4.6.3 Parking Dimensions

1. Parking design shall conform to City of Westminster's off-street parking construction and maintenance standards, handicapped parking space standards, and bicycle parking standards (see W.M.C. 11-7-4 (C)-(E)). Notwithstanding the W.M.C. parking standards, off-street parking spaces shall not be less than nine feet wide and 18 feet long.
2. Tandem parking spaces are permitted in attended parking facilities for commercial and retail and are permitted in unattended residential parking facilities.
3. Hydraulic lifts are permitted in attended parking facilities and key operated unattended lifts are permitted in unattended residential parking facilities.
4. Robotic parking is permitted subject to City approval.
5. Parking garages that primarily serve residential buildings may have multiple entries to take advantage of multiple site grades. The different garage levels need not be internally connected.

4.6.4 Parking Design

1. Bike parking, car-share parking, and other alternative ride vehicles shall be given priority placement within parking structures.

4.6.5 Temporary Parking Lots

1. Temporary parking lots are defined as parking lots that are in place for less than 24 months. Temporary parking lots shall be exempt from parking location and parking design and landscaping standards.
2. Temporary parking lots fronting Westminster Boulevard, Gray Street, Eaton Street, or Central Parkway shall provide a 20-foot deep landscape buffer at blockfronts facing any of these streets.
3. Temporary parking lots shall be paved.
4. Temporary parking lots need not comply with block development standards including minimum building frontage occupancy.

4.6.6 Driveways

1. The maximum width for a one-way driveway is 12 feet and for a two-way driveway is 22 feet.

4.6.7 Loading Areas

1. Service and loading areas shall be located away from public streets whenever possible. Entrances to loading areas shall be no more than 18 feet wide. Entrances

fronting public streets shall be enclosed by an opaque gate covering the entire entrance. Such gates shall be of high-quality and durable materials that complement the architecture of the building. Loading areas must accommodate both trash and recycling.

2. On-street loading spaces will only be provided if off-street loading is not available. A vehicle may occupy a loading space for a maximum of 30 minutes whilst actively engaging in picking up or delivering goods.

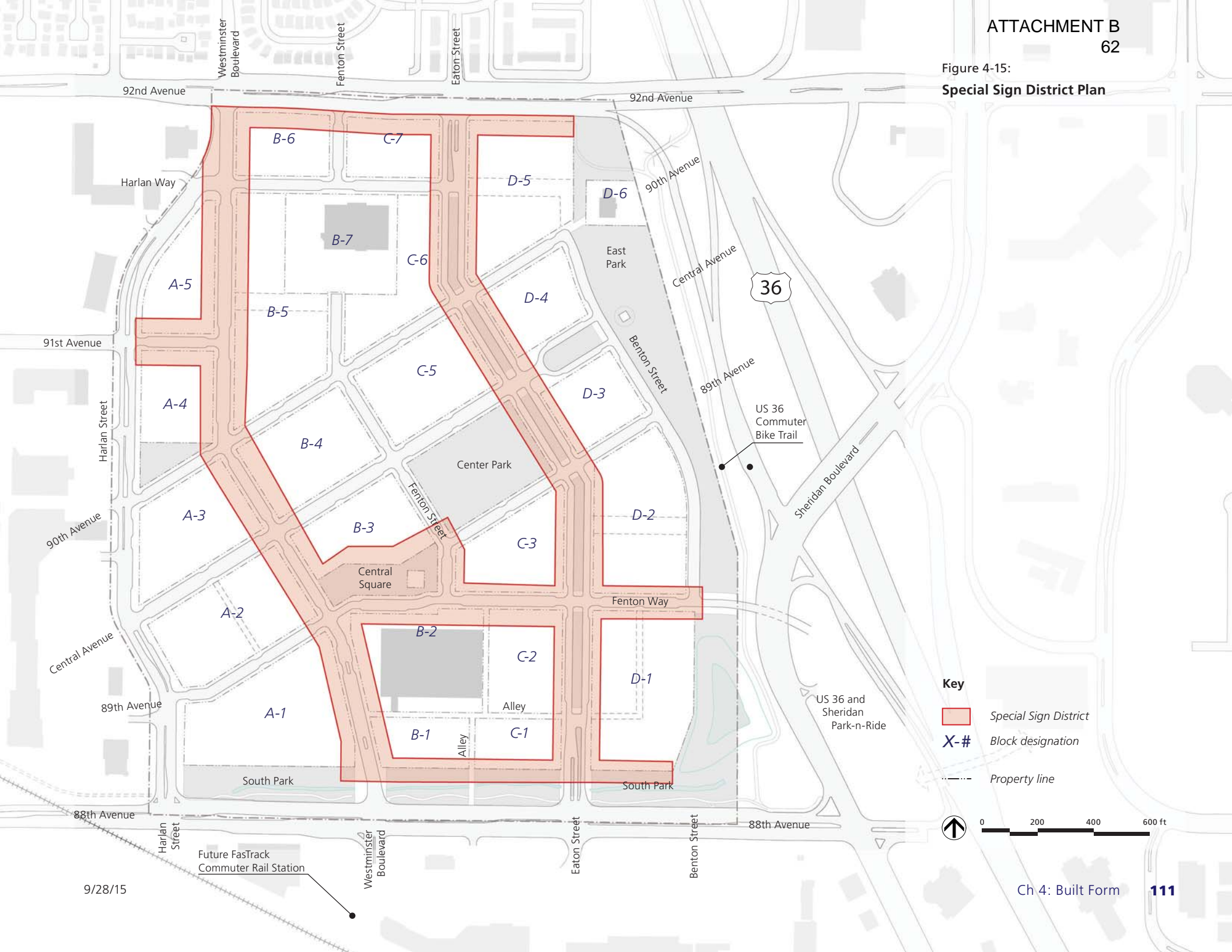
4.6.8 Parking Required

1. The minimum number of vehicle parking spaces required shall be determined by the following table:

Table 4.6.8.1: Required Parking	Parking Stall Requirement
Office, commercial, business, and similar uses.	3.0 parking stalls per 1,000 SF
Residential	1.25 per dwelling unit

2. Reductions to required parking may be applicable for affordable and age-restricted residential uses, as per the W.M.C.
3. A portion of the non-residential parking requirement may be met off-site by public parking through purchase of Parking Space Equivalents. See Section 6.4: Implementation Measures.

Figure 4-15:
Special Sign District Plan



5.1 OVERALL DESIGN INTENT

The Downtown Specific Plan recognizes that access to public green space significantly contributes to the quality of life in a city. This is particularly the case in urban development where individual access to private green space may be limited.

This plan sets aside 18.2 acres for public green space – that is approximately 17 percent of the overall Plan area. This is in addition to the public rights-of-way that are treated as an integral part of the public space network (see Chapter 3).

It is this Plan’s goal to provide public green spaces that vary in size, character, and the activities they facilitate, and that are easily and conveniently accessible from all parts of the new downtown.

Policy Objectives

1. Provide a network of public spaces and parks that serves the needs of residents, workers and visitors to the downtown area.
2. Ensure that public spaces foster and encourage civic and social gatherings and a sense of ownership for all Westminster residents.
3. Employ the “Power of 10” principle in each public space, where each destination provides ten things to do – activities and smaller-scale experiences that establish the space as a must-visit, beloved destination.
4. Cluster activities together to create a busy, dynamic place for many different types of people at different times of the day.

5. Foster connectivity and interaction between surrounding uses and public spaces, allowing activities to spill onto plazas from adjacent uses.
6. Incorporate flexibility into the design of public spaces in order to maximize opportunities and uses, particularly in relation to seasonal changes.
7. Incorporate the themes of health and fitness, food and gardening, tech-oriented amenities and activities, dynamic, interactive art, community celebrations and gatherings and spontaneity.
8. Incorporate public art as an integral part of the public realm experience throughout the downtown.

5.2 PUBLIC GREEN SPACES

While the final design and programming of the downtown’s public green spaces will occur in future planning phases, this Plan provides basic conceptual cornerstones for the envisioned spaces. These cornerstones focus primarily on each space’s spatial relationship with the Plan as a whole, basic features, edges, transitions, and connections between other public and green spaces as well as integration of proposed bike and pedestrian trails. Additional detail about park and public space programming is addressed in the Project for Public Spaces Report in the Appendix.

The green space network shown in Figure 5-1 includes **two urban squares or plazas a central square** and a linear median park on Eaton Street. Additionally, two linear parks shape the edges of the Plan area, and a well-sized neighborhood park, Center Park, sits near the center of the Plan area.



Eaton Street Green Boulevard

Artist’s rendering of the green boulevard, a linear green space spanning from 88th Avenue to 92nd Avenue.

Figure 5-1:
Public Green Space Plan



- Key**
- X-# Block designation
 - Center Park
 - East Park
 - South Park
 - West Park
 - Central Avenue
 - Eaton Street "Green Boulevard"
 - Central Square
 - Plan area boundary



5.2.4 Central Square

A. Intent Statement

Central Square is a central gathering and activity space in the heart of downtown. It serves residents, locals, and visitors alike and is located at the center of activity in the retail core. The square is framed by buildings on all sides with ground-floor retail uses lining its edges.

Development directly abuts the square to the north ~~and south~~, ~~while~~ with Fenton Street, Westminster Boulevard ~~and Gray Street~~, and 89th Avenue forming ~~from~~ the east, ~~and~~ west, and south edges of the plaza. To the southwest, the square has views of the Front Range and Mt. Evans in the distance. To the south, the square has a direct view to South Park and the future commuter rail station, creating the opportunity for views north along Westminster Boulevard to the corner of the square. To the northeast, 89th Avenue facilitates a direct connection to the US 36 and Sheridan Park-and-Ride. ~~Central Avenue slopes up towards East Park where a landmark is located in the view axis.~~

In conjunction with special events, temporary street closures can increase the size of the square (see Section 3.7).

B. Green Space Opportunities

Central Square is conveniently accessible from all directions and should be programmed with active events that draw the local community as well as visitors. Ground-floor retail uses should be encouraged to spill into the square to provide activity and interest at different times of the day.

Potential programmatic elements are highlighted in Figure 5-5.

C. Green Space Edges

1. Northern and Southern Building Edges. Buildings abut the northern and southern edges of the square. Here ground-floor retail, restaurant, and café uses should be encouraged to activate the space's edges.
2. Westminster Boulevard. Westminster Boulevard is the primary thoroughfare passing Central Square. The square's design should allow passersby to see activity on the square. Westminster Boulevard's landscaping and identity design should be continued along the plaza edge.
3. ~~89th Avenue~~ ~~Gray Street~~. As one of downtown's primary retail streets, it should be anticipated that large numbers of pedestrians will cross from ~~Gray Street~~ ~~89th Avenue~~ sidewalks to the square. Enhanced ~~street paving or~~ crosswalks should provide safe crossings at intersections.



Central Gathering Space

A public green space at the center of the downtown.

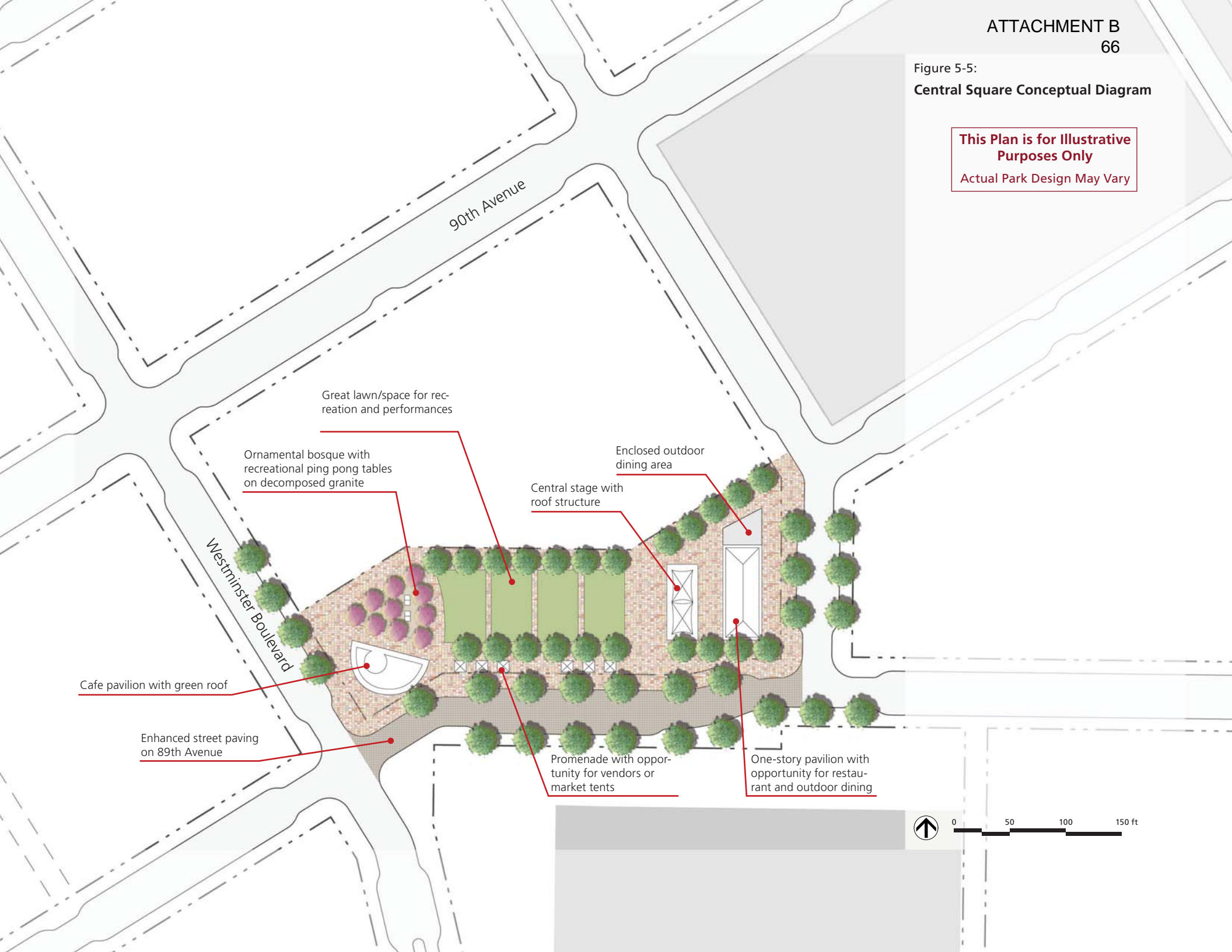


Seasonal Activities

An ice rink is set up in the winter.

Figure 5-5:
Central Square Conceptual Diagram

**This Plan is for Illustrative
Purposes Only**
Actual Park Design May Vary



Great lawn/space for recreation and performances

Ornamental bosque with recreational ping pong tables on decomposed granite

Enclosed outdoor dining area

Central stage with roof structure

Westminster Boulevard

Cafe pavilion with green roof

Enhanced street paving on 89th Avenue

Promenade with opportunity for vendors or market tents

One-story pavilion with opportunity for restaurant and outdoor dining



0 50 100 150 ft

6.1 PLAN IMPLEMENTATION

The Westminster Downtown Specific Plan is intended to guide and regulate development within the Specific Plan Area. The Plan anticipates new development in the area facilitated by a significant investment in infrastructure and public amenities. This chapter provides the framework for implementation, including a detailed implementation program.

6.2 RELATIONSHIP TO OTHER PLANS

Comprehensive Plan

The Downtown Specific Plan is consistent with the goals and policies of the Comprehensive Plan, including those specifically addressing the Westminster Downtown Focus Area. The Focus Area goals for the site include:

- F-G-1 Establish the Downtown Westminster Focus Area as the City's new downtown.
- F-G-2 Create a vibrant destination that serves as a cultural center for the community and as a regional hub and destination.

The Comprehensive Plan will be amended to reference the Downtown Specific Plan as the regulatory document for all properties located within this Plan's boundaries. The Comprehensive Plan will designate the Downtown Specific Plan area with the Focus Area land use designation. Updates to other sections in the Comprehensive Plan will include changes or additions to implementing policies and maps for Land Use, Multi-modal Circulation and Parks, Open Space and Recreation.

Municipal Code

The Westminster Municipal Code (W.M.C.) prescribes standards, rules and procedures for all development within the city. The Downtown Specific Plan sets forth land use and development regulations for the Downtown Westminster area and will be incorporated by reference in the W.M.C. Where there is conflict with the W.M.C., the Specific Plan shall prevail. Where the Specific Plan is silent, the W.M.C. shall apply.

Westminster Center Urban Renewal Plan

The Westminster Center Urban Renewal Plan (WCURP) envisions the Plan area as a "new transit-oriented mixed-use neighborhood including residential, retail, entertainment and employment uses, all adjacent to a new multi-modal transit station." This Specific Plan carries out the vision of the WCURP and is consistent with its objectives and implementation policies. No amendment to the WCURP is necessary.

6.3 DEVELOPMENT PROCESS

This section outlines the development review and approval process for all development within the Downtown Specific Plan District. All general improvements to a site within the Downtown Specific Plan District will require submittal of an Official Development Plan (ODP) for review. The development review process for projects proposed within the Downtown Specific Plan District is streamlined based on required consistency with the policies, standards and guidelines established by the Plan. Conformance with the Specific

Plan and related utility and infrastructure plans in the Appendix ensures that the proposed project concept is consistent with the vision and intent of the Plan. As such, the development review process allows applicants to begin at the technical level of review.

Review Process

The review process for projects within the Downtown Specific Plan District shall be consistent with W.M.C. 11-5-10 with the exception of submittal of a concept plan for review. An Official Development Plan (ODP) and Development Application shall be submitted for all proposed projects. The format and required elements of the ODP submittal are provided in the ODP Checklist for Specific Plan Districts, a copy of which is available in the Planning Division office or online through the Planning Division website. The ODP shall include phasing and associated timeliness if applicable.

Approval Process

Approval of a project is contingent upon the proposed project meeting the standards of approval of an ODP as described in W.M.C. 11-5-16. The plan must also demonstrate conformance with the **parcels, blocks**, standards and requirements set forth in this Plan.

Variances

Property owners may apply for a variance from the standards and requirements set forth in this Plan of up to 10 percent of the standard. The Planning Manager may approve the variance subject to finding that the intent of the standard or requirement in question is met and surrounding development and the public realm are not negatively impacted.

For variances that exceed 10 percent of any standard or requirement in this Plan, refer to W.M.C. 2-2-8.

Impact Fees and Recovery Costs

Fees for development within the City apply to projects within the Downtown Specific Plan District. These fees include:

- Public Art
- Public Land Dedication
- Park Development Fee
- School Land Dedication
- Water and Sewer Tap Fees
- Potable Irrigation
- **Parking Space Equivalents, if applicable**

Impact fees specific to each development project will be calculated as part of the ODP process and project approval. Likewise, recovery costs for infrastructure may also apply, and will be addressed through the ODP process.

6.4 IMPLEMENTATION MEASURES

The implementation program presented in this chapter provides information about the infrastructure needed for the development of the downtown area.

Infrastructure Improvements

The infrastructure required for the development of the Downtown area includes streets, utilities, parks and public spaces, and shared public parking facilities for non-residential development. The Specific Plan is designed to allow infrastructure to be built incrementally over time as the area develops. Certain major streets, park facilities and utility mains that serve the entire planning area will be constructed by the City and repaid through assessments or taxes over time.

Streets

The Downtown Specific Plan introduces a new street grid over the 105-acre site. With most of the former mall structure and parking lots demolished, all of the internal streets within the Plan boundaries will be reconstructed. Several key streets will be constructed by the City in order to establish the framework of the street grid and facilitate the first phases of development on the site. These streets include ~~all or portions of~~ Westminster Boulevard, Eaton Street, 89th Avenue, ~~Central Avenue~~, 90th Avenue, 91st Avenue, ~~Harlan Way~~, and ~~a portion of~~ Fenton Street ~~that will connect via underpass to the Westminster Center RTD Bus Park and Ride~~. The remainder of the street grid, including sidewalks and landscaping within the site will be constructed as development occurs. ~~It is assumed that~~ These elements will be ~~constructed as part of~~

~~private development projects and be~~ maintained as City rights-of-way.

Street improvements are also anticipated for all of the streets bordering the Plan area. The Sheridan Boulevard bridge and street are currently under construction to accommodate three travel lanes in each direction. To the west, the Harlan Street alignment will be modified at the northwest portion of the site to accommodate Westminster Boulevard improvements. Additional improvements to the street will occur over time as funds are available as part of the City's Capital Improvements Program (CIP). These include intersection improvements at 88th Avenue, bike lanes along the length of the street, on-street parking, and reduction of lanes from four to two with a shared turn lane/landscaped median.

Defining the northern and southern boundaries of the Plan Area, 88th Avenue and 92nd Avenue will be analyzed for potential road diets. The intent of these road diets will be to facilitate safer pedestrian and bicycle access into Downtown across these streets, and in the future to and from the planned RTD commuter rail station just south of 88th Avenue. Improvements to these streets will be identified as part of the City's Transportation Master Plan and CIP.

Water and Sanitary Sewer

The projected demand for water and sanitary sewer use surpass the site's existing infrastructure capacity. Several major citywide improvements are planned or underway as of 2014 that will expand and improve infrastructure capacity for the Plan area as well as a much larger area of the City to the north and south of the site. These improvements are planned for completion by 2017. Within the site, water and sanitary sewer

lines will be constructed in concert with new street construction, including the initial street framework to be constructed by the City. Additional water sanitary sewer lines will be constructed in concert with new streets. Main line stub-outs from the initial utility infrastructure will be installed at planned street and alley connections. It is anticipated that utilities along these streets will be the responsibility of private development projects with a recovery or other financial mechanism for sharing the cost of line extensions under streets that will serve multiple properties.

Storm Water Retention

Storm water retention and detention requirements for the Plan area are based on a 100-year storm event. The site is currently served by an existing retention pond at the southeast portion of the site at the corner of Sheridan Boulevard and 88th Avenue. This retention pond will be expanded and relocated slightly west and north to serve development on the eastern half of the site. Retention for the development areas for the west half of the site will be served by the existing retention pond located to the south of the Lowe's Shopping Center south of 88th Avenue.

Electric, Gas and Telecommunications Utilities

Existing electric and gas lines that serve the site will need to be relocated within the planned street rights-of-way. As streets are constructed, these utilities will be added concurrently. The City will be responsible for a portion of these utilities as part of initial street construction in downtown, and will coordinate with Xcel Energy and private developers to lay utilities and locate transformers on the remainder of the street network. Cable and fiber optic lines will be installed by

private providers.

Parks and Plazas

Over 18 acres of parks and plazas are proposed within the Specific Plan Area, which will result in approximately 3.0 to 3.6 acres of park space per 1,000 residents. Green space within the Plan area is comprised of linear parks on the eastern and southern edges of the site, a central park at Eaton Street and 89th Avenue, ~~two linear~~ park medians along Eaton Street, ~~a small parklet within~~ Central Avenue Parkway, and a central Plaza off of Westminster Boulevard. An additional two acres of park space is anticipated within the Plan area, the location for which will be identified as part of future development.

All of the parks and green space within the Plan area will serve as public space and will be programmed to serve a wide range of activities and users. Design, development and management of these spaces will be City-led, with the expectation that all developments in the Plan area will pay a fair share financial contribution towards park construction and management. Additional development impact fees for public land dedication will apply to projects with residential uses.

Management and Maintenance of the Public Realm

One or more maintenance districts may be established to manage, fund, maintain and program public facilities within downtown. Well-maintained, high quality and actively programmed public facilities are essential elements of a vibrant, attractive downtown. As such, the maintenance district(s) will comprise all public streets, plazas, parks and other public infrastructure in downtown.

Public Art

Public art is an important aspect of the identity and character of Westminster’s new downtown. As part of the City’s public art program, all commercial and multi-family residential development projects are required to contribute to the program. In the Plan area, all development projects shall contribute \$2,000 per 1.0 acre to the public art program. The City will develop a plan for public art within the Downtown area, which may include working with other local and Denver Metro arts districts and programs to expand and highlight public art in Downtown.

Parking Program

The intent of the parking program is to maximize efficiency of parking within the Plan area. The Downtown ~~Specific Plan District will~~ area will be serviced by public parking both on-street and in off-street shared-use parking structures. ~~establish a Parking District to serve all non-residential uses within the Plan area. The Parking District will be comprised of on-street parking and off-street shared-use parking structures.~~

All development in the Plan area will be required to meet the prescribed parking ratios within the Specific Plan District. Non-residential parking demand can be met fully on-site, fully off-site ~~by public parking within the Parking District~~, or a combination of on-site and public parking ~~Parking District space~~. If public parking ~~the Parking District~~ is utilized to meet non-residential parking spaces for a project, ~~an equivalent number of required parking spaces may be purchased as Parking Space Equivalents, a fee for which shall be prescribed by City Council. spaces shall be purchased at the time of development approval by a fee-in-lieu per space~~

~~The Parking District~~ shall be holistically managed and monitored to ensure that parking demand and supply are in balance, new parking spaces are added as necessary to meet demand, and parking facilities are safe, well-maintained, and easy to access.

6.5 IMPLEMENTATION PROGRAM

Implementation of the vision for a new downtown will be achieved through regulatory actions and infrastructure improvements. Table 6.5.1 outlines the expected actions and improvements necessary to achieve build-out of downtown. These actions will occur incrementally, with expected timeliness noted in the table, and will be coordinated by the City or other public agencies. Specific infrastructure improvements will be implemented in concert and negotiation with private development as it occurs.

Table 6.5.1: Implementation Program				
	Improvement or Plan Component	Action	Coordinating City Department or Public Agency	Anticipated Timeframe
Planning and Zoning Regulations				
PHASE I	Comprehensive Plan	Amend to reference the Westminster Downtown Specific Plan, including maps and text	Planning	Early 2015
	Westminster Municipal Code	Amend to reference the Westminster Downtown Specific Plan	Planning	
	Property Rezoning	Re-zone properties to Westminster Downtown Specific Plan District	Planning	
Site Preparation				
PHASE I	Site overlot grading and site preparation	Complete demolition of existing site improvements; grading; site preparation	Engineering	Early 2015
Street and Traffic Improvements				
PHASE I	Westminster Boulevard	Construct Westminster Boulevard from 88th Avenue to 92nd Avenue, curb to curb with temporary gravel trail	Engineering	2015
	Eaton Street	Construct Eaton Street from 88th Avenue to Park Place 92nd Avenue and from 92nd Avenue to Harlan Way, curb to curb incl. median		
	89th Avenue	Construct 89th Avenue from Westminster Boulevard to Eaton Street		
	Park Place	Construct Park Place from Fenton Street to Eaton Street		
	Central Avenue	Construct Central Avenue from Westminster Boulevard to Fenton Street		
	90th Avenue	Construct 90th Avenue from Harlan Street to Fenton Eaton Street		
	Harlan Way	Construct Harlan Way from Westminster Boulevard to Eaton Street		
	91st Avenue	Construct 91st Avenue from Harlan Street to Westminster Boulevard		
	Fenton Street (partial)	Construct Fenton Street from 92nd Avenue to Harlan Way and from south of the Brunswick property to 89th Avenue Eaton Street to Sheridan Boulevard underpass		
Sheridan Boulevard Underpass	Construct Sheridan Boulevard underpass connecting the Plan area with the US 36 and Sheridan Park-n-Ride	Engineering	2018 ⁷	

Table 6.5.1 Continued				
	Improvement or Plan Component	Action	Coordinating City Department or Public Agency	Anticipated Timeframe
	Remaining Street Improvements	Construct remaining rights-of-way as shown on Figure 2-1, including sidewalks on streets constructed as part of Phase I	Individual segments to proceed prior to building permit issuance for new buildings	Ongoing
Utilities				
PHASE I	Dry Utilities	Construct dry utilities in coordination with Phase I street construction, including conduits for telecommunication utilities. Work with Xcel Energy to plan, design and locate facilities in concert with the urban design standards of this Plan	Engineering	2015
	Stormwater Detention Pond	Expand and relocate existing stormwater detention pond per Figure 2-1	Engineering	
	Storm Water Drainage	Construct in concert with new street construction	Engineering	
	Water	Relocate water main, in concert with construction of storm water detention pond/overlot grading	Engineering, Public Works	
	Sanitary Sewer	Relocate sanitary sewer main line in concert with construction of storm water detention pond/overlot grading	Engineering, Public Works	
	Remaining Dry Utilities	Construct dry utilities in coordination with new streets as they are constructed, including conduits for telecommunication utilities. Work with Xcel Energy to plan, design and locate facilities in concert with the urban design standards of this Plan	Developer, with City review by Engineering	Ongoing
	Storm Water Drainage	Construct in concert with new street construction	Engineering	
	Water and Sanitary Sewer Lines	Construct remaining water and sanitary sewer lines to serve new development as it occurs in concert with new street construction	Engineering, Public Works	
	LDCIS Sewer Improvements & Zone 3 Project	Complete improvements to the LDCIS and Zone 3 to accommodate the first phases of development	Public Works	2017

Table 6.5.1 Continued				
	Improvement or Plan Component	Action	Coordinating City Department or Public Agency	Anticipated Timeframe
Streetscape Improvements				
	Streetscape Master Plan	Develop a streetscape master plan that provides detailed design and specifications for each streetscape project. The plan should address hardscape materials, location, spacing and species of street trees, crosswalk enhancements, variations in conditions along the street and relationships of street improvements to curb cuts, alleys, etc.	Community Development; Parks, Recreation and Libraries	2015
	Streetscape Improvements for Phase I Streets	Complete streetscape improvements consistent with the Streetscape Master Plan.	Engineering	As development occurs
	Eaton Street Median Enhancements	Complete Eaton Street median streetscape/public green space		
	Remaining Streetscape Improvements	Work with individual property owners to complete area-wide streetscape improvements as development occurs, including sidewalks, landscaping, lighting, lane reconfiguration, street parking, bicycle lanes, furnishings and amenities and public art and signage (where applicable)	Community Development; Individual segments to proceed prior to building permit issuance for new buildings	
	Harlan Street Streetscape Improvements	Design according to this Plan and the Streetscape Master Plan; add to the CIP	Engineering; Planning	
	88th Avenue "Road Diet" and Streetscape Improvements	Design and add to the CIP	Engineering; Planning	
	92nd Avenue "Road Diet" and Streetscape Improvements	Design and add to the CIP. Prioritize improvements to the north side of the street to enhance pedestrian and bicycle connectivity to the US 36 bike trail and downtown.	Engineering; Planning	

Table 6.5.1 Continued				
	Improvement or Plan Component	Action	Coordinating City Department or Public Agency	Anticipated Timeframe
Public Green Spaces				
	Public Green Space Master Plan	Vision, programming, design parameters	Parks, Recreation and Libraries; Planning	2015
	Individual Parks Design	Define park facilities, programming and design parameters for all new parks.	Parks, Recreation and Libraries; Planning; Engineering	Beginning 2015, ongoing as parks projects are funded
PHASE I	South Park (Allen Ditch)	Incorporate the construction on new parks into the City's Capital Improvement Program.		2016, construction completion 2017
	Center Park			
	East Park			
	Central Square			
	Station Plaza			
	Identify Additional Park Location		Parks, Recreation and Libraries; Planning	As development occurs
Bike and Pedestrian Trails				
	US 36 Commuter Bike Trail	Complete regional bike route from 92nd Avenue bridge underpass to 88th Avenue	CDOT	Early 2015
	Temporary Harlan Street Trail		Community Development; Parks, Recreation and Libraries	2015
	Allen Ditch Trail			2017
Public Parking				
	On-Street Parking	Install on-street time limit signs and meters	Engineering	As development occurs
	Parking District Structures	Construct district-owned or joint venture parking structures		

Table 6.5.1 Continued				
	Improvement or Plan Component	Action	Coordinating City Department or Public Agency	Anticipated Timeframe
Wayfinding and Public Art				
	Wayfinding Master Plan	Design and identify locations for directional, gateway and navigation signage for destinations, parking and other locations within the Plan area	Community Development	2017
	Public Art Master Plan	Identify locations, artists, art installations and other regional partners to locate art within the public spaces in the Plan area	Community Development; Parks, Recreation and Libraries	

D

Dooryard

A frontage type as defined in Section 4.4.4.

Driveway

As defined in Section 4.6.6.

E

Elevation

An exterior wall of a building not along a Frontage Line.

Encroachment

Any structural element (including architectural features) that extends from the Building Face into the public right-of-way or Setback. Permitted Encroachments are provided in Section 4.5.9.

Encroachment Area

The area of land between the Building Face and the back of the curb, where Encroachments may be located.

F

Facade

A Building Face that is along a Frontage.

Facade String

A series of Row House or Flex/Loft units attached together in a single building.

Facade Width

The horizontal distance of a single building Facade.

Fenestration

The arrangement and design of windows and other openings on a building's Facade.

Flex/Loft Building

A low-density Building Type defined in Section 4.3.3.

Foot Candle

A unit of illumination on a surface that is everywhere one foot from a uniform point source of one candela and equal to one lumen incident per square foot.

Forecourt

A Frontage Type as defined in Section 4.4.6.

Frontage

The extent of a building or of land along a public right-of-way or open space.

Frontage Occupancy

The minimum percentage of the Block Front that must contain a building. Frontage Occupancy requirements shall apply to the first three floors of a building.

Frontage Type

As defined in Section 4.4.

Front Yard

The area between the building and the front property line, typically landscaped or paved.

Full Cut-Off

Describes a luminaire that has no direct up-light (no light emitted above the horizontal) and complies with glare requirements as defined by the Illuminating Engineering Society of North America (IESNA).

Furnishing Area

A multi-purpose area that serves as a buffer between the pedestrian travel way and the vehicular travel way and parking on the street. It provides space for sidewalk appurtenances such as street trees, planting strips, street furniture, public art, sidewalk café seating, sign poles, signal and electrical cabinets, fire hydrants, bicycle racks and bus shelters.

G

Greenscreen

A frame attached to a building wall built along the Build to Line, building edge, or on the same plane as the Facade that allows for vines and plant growth. It may mask a parking lot from the street, provide privacy to a side yard, and strengthen the special definition of the public realm.

Ground Plane

A horizontal plane of reference from which vertical measurements can be taken. Usually the ground plan refers to the adjacent grade at the sidewalk.

H

Habitable Space

Space in a structure that is occupiable and is used primarily for **residential, office, and retail** ~~us living, sleeping, eating, selling of goods, or cooking.~~ Bathrooms, closets, halls, Storage areas and utility spaces are not considered habitable **although may be accessory to the primary habitable use spaces.**

Habitable Projecting Space

The portion of the building enclosed by walls and a roof that projects beyond the Building Face and is raised a minimum of nine feet from the sidewalk, such as bay windows.

Habitable Encroaching Space

The portion of the building enclosed by walls and a roof that projects beyond the Building Face along the ground floor.

L

Large-Scale Architectural Lighting

Lighting elements placed on a significant portion of a building's facade to highlight or accentuate vertical, horizontal, or other elements of the structure's architecture.

LEED

Leadership in Energy and Environmental Design. A green building rating system developed by the US Green Building Council that provides a suite of standards for the environmentally sustainable design, construction and operation of buildings and neighborhoods.

Liner Building

A building or portion of a building containing habitable space that is located along a block frontage so that it screens a parking garage, urban anchor, or similar building from view.

Liner with Garage Building

A medium density Building Type defined in Section 4.3.6.

Lot Area

As defined in the Westminster Municipal Code.

Lot Width

The horizontal distance between side lot lines, measured at the Property Line at right angles to the lot depth at a point midway between the front and rear lot lines.

M

Maximum Height Ratios

The ratio (expressed as a percentage) of the floor area of the upper stories of a building to the building footprint at grade.

Minimum Frontage Occupancy

(also Minimum Building Frontage Occupancy) is the minimum percentage of a blockfront at which a building frontage is set either at or within ten inches of the build-to line or within the minimum and maximum setback lines, as required by the block development standards.

Maximum Upper Level Frontage Occupancy

Certain building types have limitations on the percentage of the building frontage that can be occupied above 45 feet in height. The upper level frontage occupancy is based on the ground-floor plan. Facade portions that are set back at least eight feet from the ground-floor building face are considered as not occupying the upper level frontage

N

Non-Habitable Projecting Space

The portion of the building that extends beyond the Building Face, which is not enclosed by walls and a roof and raised a minimum of nine feet from the ground floor, such as a balcony.

Non-Habitable Encroaching Space

The portion of the building that extends beyond the Building Face along the ground floor, which is not enclosed by walls and a roof, such as a Stoop.

P

Plane Break

A vertical or horizontal offset of adjacent in-a Building Faces used to create articulation and break up long wall planes. Building Faces shall be offset at least 24 inches from the adjacent facade plane, measured perpendicular to the property line, unless required otherwise by a specific section of this Plan.

Podium High-Rise Building

A high density Building Type defined in Section 4.3.8.

Primary Entrance or Principal Entrance

The main point of access for pedestrians into a building.

Principal Frontage

The Frontage designated to bear the addresses of and Principal Entrances to the individual units of a Row House or Flex/Loft Building, or other building.

Private Street

See definition of Street, Private.

Projection

An architectural element or portion of the building that extends beyond the Building Face into the public right-of-way or Setback that is raised a minimum of nine feet from the sidewalk or open space.

R

Row House

A low density Building Type defined in Section 4.3.2.

Roadway

The area in the right-of-way as measured from curb to curb intended for vehicular travel, as well as bicycle travel, in designated areas.

S

Side Yard

The private (or semi-private) open space located on the sides of a Row House or Flex/Loft Building Type.

Sidewalk Dining Zone

A portion of the public sidewalk or private front yard dedicated to outdoor dining.

Sidewalk Grade

A level plane along the top of the sidewalk pavement.

Sign

Any display board, wall, object, or any other material or medium used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public. See Westminster Municipal Code.

Stoop

A Frontage Type as defined in Section 4.4.5.

Storefront

A Frontage Type as defined in Section 4.4.2.

Storefront Cafe

A Frontage Type as defined in Section 4.4.3.

Street

A public or private thoroughfare, which affords principal means of access to the abutting property. See Street Types in Section 3.4.

Figure 1-3:
Illustrative Master Plan



36

US 36
Commuter
Bike Trail

US 36 and
Sheridan
Park-n-Ride



0 200 400 600 ft

Future FasTrack
Commuter Rail Station



Agenda Memorandum

City Council Meeting
September 28, 2015



SUBJECT: Resolution No. 29 re Service Commitment Allocations for 2016

Prepared By: Grant Penland, Principal Planner

Recommended City Council Action

Adopt Resolution No. 29 allocating 3,398 Service Commitments for the year 2016 to the various categories of the Growth Management Program including 600 Service Commitments for residential competitions for new Single-Family Detached, Single-Family Attached, Multi-Family, Senior Housing, and Traditional Mixed Use Neighborhood Developments.

Summary Statement

- Each year, the City Council allocates Service Commitments (hereafter “SC”) to the various Growth Management Program categories to serve the new development for the year. (One SC is the unit of measure for required City services for one single-family detached unit.)
- The SC Allocation table in the Background section details the recommended allocations in each category.
- Staff is requesting that 500 SCs be allocated for Category B (new residential) projects and that 100 additional SCs be allocated for Category E (new senior housing) projects for the 2016 Growth Management Competition. The allocated SCs would accommodate potential awards for new projects through build-out.
- The total SC allocation, including all previous years’ allocations, from the potable water supply is 3,398 SCs. The allocation includes 600 SCs to be awarded on a competitive basis in 2016 to new residential and senior housing projects. SCs for projects awarded in 2015 have been moved into the “Active” category.
- Staff is recommending competitions in all five categories [Single-Family Detached (SFD), Single-Family Attached (SFA), Multi-Family (MF), Senior Housing, and Traditional Mixed Use Neighborhood Developments (TMUND)]. If there are no applications submitted in one or more of the competition categories, or if fewer SCs are needed as a result of the competitions, those remaining SCs are returned to the City’s water supply figures.
- The City currently has approximately 12,262 SCs available for new development purposes in the water supply. City water supplies and treatment capacity are significantly greater than what is required to meet the recommended SC allocations for 2016. Any remaining, unused SCs at the end of each year are returned to the water supply figures.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issues

1. Should the City allocate Service Commitments to the various Growth Management Program categories as detailed in this report?
2. Should the City conduct a competition this year in each of the new residential categories as outlined in this report?

Alternatives

1. Do not adopt the attached resolution allocating Service Commitments to the various Growth Management Program categories for use in 2016. Staff recommends allocating Service Commitments for the 2016 competition in an amount sufficient to award one or more projects.
2. Do not authorize new residential competitions for 2016. City staff has received interest from developers for a 2016 competition and demand for new homes seems to be rising. Therefore, this option is not recommended, as the residential competition process is the mechanism the City uses to allow residential projects to proceed to the City's development review process. The Service Commitment allocation would bring the total Service Commitments set aside for the 2016 residential competition process (600 SCs) to approximately 4.9% percent of the 12,262 Service Commitments currently available for build-out.

Background InformationAnnual Allocations

The City's Growth Management Program was established in 1978 to aid the City in balancing growth with the City's ability to provide and expand services including water, water treatment, sewer, police, fire, parks and recreation, etc. At the end of each year, City staff complete projections of new development in the upcoming year and develop recommendations for City Council regarding Service Commitment allocations (the units of measure for required City services) as required by the Growth Management Program. These Service Commitment (SC) allocations are set aside on an annual basis from the overall SC supply figures to serve the demand in the following year for all of the various residential and nonresidential categories designated within the Growth Management Program. City Council formally establishes these annual allocations by adoption of a resolution. Service Commitments that are allocated but are not issued to new development during the year are returned to the water supply figures for use in future years.

With the exception of the reclaimed water category (Category R), SC allocation recommendations have been based on historical allocations by the City and the ability of the City to provide the necessary services. "Active" residential (Categories A and L) refers to projects that are under construction, have previous binding agreements for SCs with the City (such as Legacy Ridge), meet build-out and infill development criteria, are approved projects awarded in previous competitions, or are new South Westminster or Downtown Westminster residential projects (see "Residential Competitions" below for additional information). Category C (Non-Residential) sets aside SCs for new commercial, office and industrial projects. The City has water agreements in place for Federal Heights, the Standley Lake Water and Sanitation District, and Shaw Heights, and a small number of SCs are allocated in Category D (Outside City Contracts) to accommodate contract requirements in those areas. Category F (Public and Contingency) reserves SCs for new city projects and facilities such as park development, libraries, and fire stations.

The total allocation from the potable water supply as detailed below is 3,398 SCs and is based on the projected development activity of active projects under construction, those in the City's development review process, and submittals expected in the near future. According to figures provided by the City's Water Resources staff in the Department of Public Works and Utilities, there are approximately 12,262 SCs

available for build-out, which is more than adequate to accommodate the requested additional allocations for 2015.

2016 SERVICE COMMITMENT ALLOCATIONS

CATEGORY	DESCRIPTION	PROPOSED ALLOCATIONS
<u>Potable</u>		
A and L	All Active Residential and Legacy Ridge	1,798
B	New Residential (for competition process)	500
C	Non-Residential	500
D	Outside City Contracts	25
E	Senior Housing (for competition process)	100
F	Public and Contingency	100
W	Downtown Westminster	<u>375</u>
	Total – Potable	3,398

Residential Competitions

The number of new residential development is managed through the competition process. “Active” residential projects are awarded on a first-come, first-served basis (up to any limits placed on the original competitive awards). New residential projects must compete for available SCs through a competition process. The City’s Growth Management Program does allow some exceptions to the competitive process. These include new residential projects in South Westminster (south of 80th Avenue) in order to promote development and redevelopment in this older area of the City, Legacy Ridge (due to a previous binding agreement with the City), Downtown Westminster (to promote redevelopment), and those projects that meet “build-out” and “infill” definitions in the Westminster Municipal Code. Successful projects in the competition process are then allowed to proceed to the City’s development review process. Service Commitments for single-family detached projects are calculated at one SC per unit, 0.7/unit for single-family attached, 0.5/unit for multi-family, and 0.35/unit for senior housing. This equates to the relative amounts of water used annually by each of these types of dwelling units.

The intent of the SC competitions is for a limited number of new residential projects to proceed to the City’s development review process. Each of the five competitions (Single-Family Detached, Single-Family Attached, Multi-Family, Senior Housing, and Traditional Mixed Use Neighborhood Developments) is based on the City’s adopted residential design guidelines for that category. With the exception of the TMUND competition (judged by a design jury), projects receive points by providing “incentive” items that the applicants choose. These incentive items are listed and detailed in the residential design guidelines.

Prior to 2008, a specific number of SCs were set aside for each competition with a limit of one new project in each category. However, beginning in 2008, with the slower housing market and uncertainty of which types of projects will be submitted, the City established a pool of SCs for all of the competitions. This allows the City maximum flexibility to award to more than one project in any category, if so desired, as a result of the competitions.

A competition was held for 2015, and seven projects were awarded out of ten entries. City Council awarded a total of 462.8 service commitments for two Traditional Mixed Use Neighborhood Development (TMUND) projects, four Single Family Detached, and one Multiple Family project.

The awards to individual projects through the competition process include SCs needed in subsequent years to build out each of the winning projects. As a result, it is not necessary for the winning projects to re-compete in multiple years in order to complete the same project. If there are no applications submitted in any of the competition categories, or fewer SCs are needed as a result of the competitions, those remaining SCs are returned to the City’s water supply figures.

Because SCs are awarded to new residential projects on a competitive basis and many developers do not want their possible competitors to know their plans in advance, staff has not included a specific list of the potential sites for competition submittals. However, the requested additional residential allocations are based on recent conversations with developers about potential projects, balanced with the availability of water and responsible managed growth.

The Service Commitment competition meets Council's Strategic Plan Goal of "*Beautiful, Desirable, Safe and Environmentally Responsible City*" by balancing growth with the City's ability to provide water and sewer services, preserving the quality of life for the existing Westminster residents, and providing a balance of housing types.

Respectfully submitted,

Donald M. Tripp,
City Manager

Attachment: Resolution

RESOLUTION

RESOLUTION NO. **29**

INTRODUCED BY COUNCILLORS

SERIES OF 2015

**A RESOLUTION
ALLOCATING SERVICE COMMITMENTS FOR THE YEAR 2016 PURSUANT TO THE
CITY'S GROWTH MANAGEMENT PROGRAM AS SET FORTH IN CHAPTER 3, TITLE XI
OF THE WESTMINSTER MUNICIPAL CODE**

WHEREAS, the City of Westminster has adopted by Ordinance a Growth Management Program through 2020; and

WHEREAS, the City's Growth Management Program as set forth in Title XI, Chapter 3, W.M.C. calls for the periodic determination of the availability of Service Commitments and allocation of such Service Commitments among various categories of potential users; and

WHEREAS, the City Council of the City of Westminster has, with the aid of detailed factual reports and expert opinions from its Staff and consultants, examined the raw water supply, the sewage treatment capacity, the water treatment capacity, and other factors affecting the availability of Service Commitments; and

WHEREAS, the City Council of the City of Westminster has previously determined, in connection with its adoption of Title XI, Chapter 3, W.M.C., that the City's ability to award Service Commitments is restricted; and

WHEREAS, the demand of different land uses on the City's ability to provide utilities and other services vary due to density and intensity of the particular use; and

WHEREAS, City Council has previously determined that the Comprehensive Land Use Plan shall assist the City in making future decisions concerning the desired mix of land uses at build-out of the City; and

WHEREAS, it is the intent of City Council to recognize the many factors influencing demand for new water and sewer service, while remaining cognizant of the large capital investments in land and public improvements made by developers with projects that are already started, and recognizing the efficiencies inherent in encouraging the completion of existing development projects that can use existing public capital facilities before approving new ones.

NOW, THEREFORE, be it resolved by the City Council of the City of Westminster:

That based on all of the information available to the City Council on this date, for the period beginning January 1, 2016, through December 31, 2016, the City allocates 1,798 Service Commitments (“SCs”) to Categories A (A-1, A-2, and A-3), and L (L-1, L-2, and L-3) collectively, 500 SCs to Category B (B-1, B-2, B-3, and B-4), 500 SCs to Category C, 25 SCs to Category D, 100 SCs to Category E, 100 SCs to Category F, and 375 SCs to Category W without adverse effects on existing water users and without in any way endangering the health, safety, and welfare of the citizens of Westminster and of other persons dependent upon the operation of a safe and efficient public water and sanitation system by the City.

PASSED AND ADOPTED this 28th day of September, 2015.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

By: _____
Office of the City Attorney