



Planning Division
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AuroraGov.org

October 21, 2024

Chris Fellows
Windler Public Improvement Authority
9155 E Nichols Ave, Suite 360
Centennial CO 80112

Re: Initial Submission Review: Windler Midtown – Site Plan (Neighborhood Plan Pilot)
Application Number: DA-1707-38
Case Numbers: 2024-4021-00

Dear Chris Fellows:

Thank you for your second submission, which we started to process on October 2, 2024. We have reviewed your plans and attached our comments along with this cover letter. The comments provided are intended to be incorporated in the future application submissions for civil plans, landscaping/lighting plans, and final plat. Upon the receipt of this comment letter, you may now proceed with a request to submit applications/plans for civil plan submission as well as a development application for the final plat and landscape/lighting plans. Please proceed with these applications at your earliest convenience. In an effort to synchronize the review of these detailed drawings, staff will be scheduling the plat and landscape reviews to match the timeline review of the civil plan drawings. Please ensure that the applications are submitted together (both for initial and subsequent reviews). Staff will also ensure that the reviews are started simultaneously.

In addition to starting new applications, the neighborhood plan should proceed to decision. It is our intent to finalize the neighborhood plan without subsequent technical reviews (remaining comments are minor and should be addressed within the future application submissions). In this unique case, however, the neighborhood plan does need to address the design standard requests for attainable housing through the adoption of an FRLO Pattern Book. Using this method, the application will not need to go to Planning Commission with adjustments, and the decision will remain administrative. Please review planning comments for more information. Lastly, it is anticipated that the approval will include some general conditions of approval to address the code requirements for future submissions and limited information contained in the plan at this level.

The estimated Administrative Decision date is still tentatively set for November 6, 2024. This would require the final changes to the FRLO Pattern Book must be submitted and accepted back to staff by this Friday, October 25th. It is likely this date will need to be pushed back, so please communicate with staff regarding your expected timeline to finalize these changes. Please remember that all abutter notices must be sent, and the site notices must be posted at least 10 days prior to the decision date. These notifications are your responsibility and the lack of proper notification will cause the decision date to be postponed. It is important that you obtain an updated list of adjacent property owners from the county before the notices are sent out. Take all necessary steps to ensure an accurate list is obtained.



As always, if you have any comments or concerns, please let me know. I may be reached at 303.739.7227 or atibbs@auroragov.org.

Sincerely,

Aja Tibbs, Planning Supervisor
City of Aurora Planning Department

cc: Rachell Shall, Martin Martin, 12499 W. Colfax Ave, Lakewood CO 80215
Cesarina Dancy, ODA
Filed: K:\\$DA\1700-1799\1707-38rev2



Second Submission Review

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments, and Concerns

- 1A. Repeat comments have been received by DEN and also include associated new comments from USDA.

2. Completeness and Clarity of the Application

- 2A. Revise the planning areas for this project to match the master plan amendment in process.
- 2B. Repeat comment: Remove “resubdivision of tract A” from the title, since this document is not linked to a final plat. Instead, note that this is a portion of Tract A of Windler Subdivision Filing No. 4. The future final plat will be a resubdivision of Filing No. 4.
- 2C. A master plan amendment for this area is currently within the pre-submission process. Approval of the master plan amendment will be a condition of the neighborhood plan approval.
- 2D. Per the neighborhood plan pilot program, the review process for this neighborhood plan is complete and ready to proceed to decision. Therefore, the next application process will be to proceed with civil plan submission with development services, as well as a development application (DA) with current planning. The submission items required for the planning will include a landscape plan set that meets the landscape plan requirements currently residing within the site plan manual. Since not yet reviewed, the photometric lighting sheets for all common areas, and the fencing typical drawings and plan sheets should also be included with this plan. A final plat document is also anticipated with this DA submission. As noted in the cover sheet, the reviews for these applications will be scheduled for simultaneous review to ensure that the detailed elements are properly coordinated and meet all applicable code requirements.
- 2E. Planning has reviewed the attainability requests and would like to proceed with an administrative decision by finalizing the requests as an FRLO Pattern Book that is unique and specific to only the midtown neighborhood. Please see the redlined document, and the drafted attachment which will provide additional guidance on the final document that should be produced. As this is a new document, planning staff anticipates additional meetings/off-line reviews to finalize the details. Please note that our agreement to proceed with this methodology is limited to the scope of the proposal, the FRLO standards, and the negotiated mitigating factors that have been coordinated thus far. The FRLO Pattern Book will need to formally document this arrangement and limit it specifically to the midtown neighborhood.

3. Zoning and Subdivision Use Comments

- 3A. Remove the Village North neighborhood details from sheet 6. This only adds to more items that need to be coordinated between the applications. Staff is fine leaving the housing type numbers as a separate column to demonstrate the overall FRLO compliance, but the lots and map of this area are not needed.
- 3B. The zone maps amendments for this area are still in process. The approval of these changes will be required prior to site plan or plat approval and will be a condition of approval on this neighborhood plan.
- 3C. Repeat Advisory Note: A site plan application will be required for the affordable housing site demonstrated on the neighborhood plan.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

4. Civil Engineering (Julie Bingham / 303.739.7403 / jbingham@auroragov.org / Comments in green)

- 4A. Intersection angle shall be 90 degrees +/-5 degrees.
- 4B. Identify radii of Fire Lane easements.
- 4C. The civil plans will require that where Motor Courts and/or Loop Lanes are used show the AASHTO “P” turning movements (vehicle tracking templates) are in conformance with Section 4.04.2.08.3 and Section 4.04.2.09.4, respectively.
- 4D. Minimum 425' centerline radius for a one-way couplet.



5. Traffic Engineering (Steve Gomez / 303.739.7300 / sgomez@auroragov.org / Comments in orange)

Neighborhood Plan Set

- 5A. Per comment response, applicant shall provide fire truck/truck turning templates at all Connector Blvd intersections and sight triangles at ALL intersections that include the public ROW per COA TE-13 with Civil CDs
- 5B. Previous comment not addressed: Move all ped ramps closer to intersection

Traffic Conformance Letter

- 5C. This memorandum will not be approved until the Windler Master Plan Amendment, September 30, 2024, traffic report is approved.
- 5D. Provide a map showing Midtown area including PAs
- 5E. See comments throughout memorandum

6. Fire / Life Safety (Mark Apodaca / 303.739.7656 / mapodaca@auroragov.org / Comments in blue)

Sheet 1 of 19 / Cover

- 6A. Update the construction type to IRC.

Sheet 9 of 19 / Site

- 6B. See comment to show the fire lane easement outside turning radii.

Sheets 11, 12, 13, 14 of 19 / Site

- 6C. See new fire hydrant locations.

7. Aurora Water (Gustav “George” Slovensky / 303.739.7431 / gslovens@auroragov.org / Comments in red)

Neighborhood Plan Set

- 7A. Place the following note on all plan sheets showing drainage infrastructure:
This Neighborhood Plan contains site grading, lot layouts, storm sewer and inlet layouts, connections to adjacent conveyance systems and ponds and other elements of drainage design for the site that cannot be evaluated by the City for approval without the detailed engineering analysis that will be submitted at a later time with Civil Plans. Approval of this Neighborhood Plan by the City does not imply approval for any aspect of grading or drainage design that may be shown herein or any variances from City drainage criteria.
- 7B. See redlines to correct labeling errors for adjacent project numbers. (Note: Planning would prefer that DA or CN numbers are used for reference in planning documents – please keep this comment in reference for the future civil plan submission).

8. Aurora Water (Casey Ballard / 303.739.7382 / cballard@auroragov.org / comments in red)

- 8A. The loop road at the end of Green Road is new. Are there plans to continue Green Road further west? If so, would it be beneficial to extend water with a stub in that direction.
- 8B. Comment response indicated this portion of waterline (in green road south between Catawba and Buchannan) is not serving the homes directly south. If that is correct, please remove this portion of the waterline.

9. PROS (Scott Hammons / shammons@auroragov.org / Comments in mauve)

- 9A. Please note that all spaces will need to be amenitized to receive credit.
- 9B. Cross walks will need to be added at the site plan level to allow for ped access to the park.
- 9C. Ensure that all trails meander through the center of the tract

10. Denver International Airport – Planning (303.342.4105 / denplanningreferrals@flydenver.com)

- 10A. The proposed development is in the “5-Mile ‘Known - Wildlife Attractant Separation Area” for the final build-out of future DEN Runways, as defined by the Federal Aviation Administration (FAA). The USDA Wildlife Biologists assigned to DEN (#dia-operations-usdawildlife@flydenver.com) assist in implementing DEN's Wildlife Hazard Management Plan and have requested coordination as this project progresses. USDA and DEN will provide assistance with the requirements outlined in the current version



- of FAA Advisory Circular 150/5200-33C (see link below).
- 10B. DEN also requests that the landscape plan include maintenance of trees and grasses to reduce attractants for wildlife such as raptor species, blackbirds/starlings, and geese. Fruit-producing trees and shrubs should be avoided. Water quality ponds/detention structures must be designed to meet a 48-hour drain time following a 100-year event.
https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentnumber/150_5200-33
- 10C. The site is found within/under the navigable airspace associated with DEN, as promulgated, and regulated by the Federal Aviation Administration (FAA) under 14 CFR Part 77, Objects Affecting the Navigable Airspace. Based on Part 77 and the development site location, the proponent is required to file notice with the FAA, via the FAA Form 7460-1 process (Notice of Proposed Construction or Alteration), of any structure or temporary construction equipment (e.g., cranes) that penetrate Part 77 surfaces. The FAA website from which the need for the 7460 process can be determined (“Notice Criteria Tool”) and/or the filing can be initiated is: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. This Development requires an Avigation Easement
- 10D. Refer to attached USDA comment letter

Please use the below information and documentation to combine/refine the information provided in the “attainability” request document.

Document should be titled: Windler Midtown FRLO Pattern Book

Content:

Intro page 1: Code Guidance on FRLO Standard Flexibility

*Add overall lot map and lot types from attainability packet.

146-4.2.3.B. Purpose. The purpose of the Flexible Residential Lot Option is to offer additional flexibility for the creation of diverse residential housing types in with supporting non-residential uses in Subarea C, beyond that flexibility provided by Sections 146-4.2.3.A (Subarea C Small Residential Lot Standards), 146-4.2.3.C (Green Court Dwellings), and 146-4.2.3.E (Motor Court Dwellings), by removing minimum lot size standards for residential lots in return for compliance with the standards in this Section 146-4.2.3.B and those purposes and standards in the Subarea C Flexible Residential Lot Handbook.

In absence of the FRLO Handbook, the following development patterns will be permitted within the Windler Midtown Neighborhood per the conditions and design mitigation outlined within this booklet. The approval of these patterns are specific to the limited application outlined within the Midtown neighborhood (as specified within each request) and does not guarantee or preclude any agreement by the city to expand the requests to other areas of the Windler development. Changes or modifications to any of the requests outlined within this Windler Pattern Book will require an amendment and approval of the Planning Director.

Request 1 (1a): To allow the garage door for a one-car tandem garage with a front-loaded driveway to meet the off-street parking requirements (2 spaces per dwelling unit).

*Add with imagery provided by ideate – include lot map to demonstrate what housing types apply to this request.

Code Section(s): 146-4.6.5.D.4.b. In Subareas B and C, all required parking spaces shall be individually accessible except for guest parking in private driveways leading to single-family detached, single-family attached, and two-family dwellings. Unless otherwise stated, tandem parking for the purpose of meeting minimum parking requirements is prohibited.

2	Dwelling, Green Court	2 space per dwelling unit.
	Dwelling, Live/work	For manufactured homes:
	Dwelling, Loop Lane	1 additional space per 5 dwelling units for guest parking
	Dwelling, Motor Court	For live/work dwelling:
	Dwelling, Single-Family Attached (Townhouse)	Additional parking requirements apply to non-dwelling space as indicated in this Table 4.6-1
	Dwelling, Single-family Detached	
	Dwelling, Two-family (Duplex)	
	Manufactured Housing	

Mitigation/conditions:

-Only proposed for front loaded garages – 1-car garage width at the street (will not provide more than 2 car garage spaces) and will meet the minimum 47% garage width requirement.

-Dwelling must be 2 or more stories (not permitted with 1-story dwellings)

-Will not be combined with masonry reduction request, or with parking pad request (parking and carports are not permitted within front or side yard setback).

-Lot width must allow a minimum of 1 on-street parking space in combination with placement and width of driveway at the street.

-Front porch is required with a minimum of 6x9 ft on the front elevation

-Front yard and curbside landscape requirements must be met per UDO. The only exception is the allowance to remove the requirement for a front yard tree by increasing street trees to 1 tree per 30 linear feet (rather than 1/40LF standard).

Request 2 (1c): To allow the garage door for a two-car garage to exceed 47% (up to 54%) of the total width of a front elevation.

*Add with imagery provided by ideate – include lot map to demonstrate what housing types apply to this request.

Code Section: 46-4.6.5.C.9. Garage Doors as a Percentage of Front Façades. In all Subareas, where a garage door or doors accommodating one or two cars in non-tandem configuration appear on the front of a residential structure, the door or doors shall not occupy more than 47 percent of the total width of the front elevation. For garages built to accommodate three or more vehicles in non-tandem configuration, the garage doors shall not occupy more than 55 percent of the total width of the front elevation. All three-car garages shall have a minimum two foot offset between the single and double garage doors, or between two single doors if three single doors are provided.

Mitigation/Conditions:

-Only proposed for front loaded garages – 1-car garage width at the street (will not provide more than 2 car garage spaces).

-Dwelling must be 2 or more stories (not permitted with 1-story dwellings)

-Will not be combined with masonry reduction request, or with parking pad request (parking and carports are not permitted within front or side yard setback).

-Lot width must allow a minimum of 1 on-street parking space in combination with placement and width of driveway at the street.

-Front porch is required with a minimum of 6x9 ft on the front elevation

-Front yard and curbside landscape requirements must be met per UDO. The only exception is the allowance to remove the requirement for a front yard tree by increasing street trees to 1 tree per 30 linear feet (rather than 1/40LF standard).

Request 3 (1b): To remove the garage requirement for alley-loaded single-family detached units.

*Add with imagery provided by ideate – include lot map to demonstrate what housing types apply to this request.

Code Section: 146-4.6.5.C.6. Garage Required. In Subareas B and C, single-family detached and two-family dwellings shall include a garage structure large enough to fully enclose at least one off-street parking space per dwelling on the same lot as the residential structure.

Mitigation/Conditions:

- Alley loaded product only. The parking pad must be located to the rear of the lot with alley access.
- Area must be retained for the potential construction of a future garage structure through a 27ft easement along the alley. The principal house cannot encroach (unless to provide a garage), and storage sheds will not be permitted to cover the parking area.
- Garage requirements will still apply at block ends and/or corner lots for sides that are adjacent to streets or open space/park tracts.
- Covenants to be developed which address applications for use of the easement area (such as temporary storage sheds, gates/fencing, and maintenance responsibilities of the parking pad areas.
- Design materials and styles shall continue to be required for any proposed garages within the easement.

Request 4 (2a): Remove the masonry requirements for single-family and two-family dwellings in exchange for increased architectural design elements.

*Add with imagery provided by ideate – include lot map to demonstrate what housing types apply to this request.

146-4.8.3.D.1. Except as required by Section 146-4.8.6.B (Applicability and Exceptions) a minimum average of 15 percent of the net façade area of each primary structure shall consist of masonry. The percentage of masonry coverage may vary among any residential design plans or the elevations of any residential design plans submitted; provided, that the minimum average coverage is met with each separate submission.

Mitigation/Conditions:

- Alley loaded product only.
- Front porch, with rails, is a required architectural element. Additional architectural value points are awarded based on the percentage of the front elevation that the porch occupies.
- Additional points awarded for masonry as an incentive (for facades that masonry would be appropriate).



Animal and Plant
Health Inspection
Service

Wildlife Services CO

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12345 W. Alameda
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Lakewood, CO
80228
303.328.9041 Main
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Project Review for Windler Village North – 1804763

Documents Reviewed – Site Plan, Landscape Plan, Plat

The Windler Village North development is within the Denver International Airport (DEN) 5-mile separation distance, as detailed in Federal Aviation Administration (FAA) Advisory Circular (AC) 150-5200-33C. It is within the approach/departure corridors of four out of six runways, as well as other frequently used circling airspace. Additionally, the project boundaries are approximately 4.5 miles from Colorado Air and Space Port property, and 3.5 miles from Buckley Space Force Base property. Therefore, the Windler Village North project exists within a complex aeronautical environment near multiple airports, all of which are managed for wildlife hazards to aviation by the United States Department of Agriculture, Wildlife Services (WS). The site on which the project will be executed previously existed as agriculture and/or grazed land, providing little outstanding habitat attractants as compared to the surrounding area.

Multiple portions of AC 150-5200-33C apply to the Windler Village North development and should be considered by planners and developers to not introduce avian wildlife attractants to this critical airspace. The following items within Windler Village North planning documents would potentially attract wildlife and should be modified to prevent introducing hazards to aviation safety:

- **Landscaping:** WS recommends against the establishment of any landscaping or vegetation in the 5-mile separation buffer which may attract wildlife. Throughout the Landscape Plan document are plans for dense, linear, and overlapping segments of vegetative landscaping (reference pages 7-16). While the introduction of vegetative landscaping is aesthetically pleasing, it will likely increase bird abundance to the area which previously existed as grazing land. Page 18 lists plans to introduce 271 trees and 2,620 shrubs along the streetscape. Page 30 lists plans to introduce 144 large trees, 112 ornamental trees, 4,539 shrubs, over 8,000 grasses, and over 600 perennial flower plants.

WS generally discourages introducing trees and shrubs in to the 5-mile separation zone. If this recommendation cannot be adhered to, tree and shrub species should be significantly reduced and spaced as to prevent the establishment of a continuous canopy or dense cover. WS recommends against planting layered vegetation as depicted in the Landscape Plan. Long-term plant growth should also be considered when spacing. Any introduced plants should also be of species or cultivars which do not produce seed, fruit, or any other wildlife food attractant. Any grass species not currently listed in the DEN WHMP approved seed mixes is not recommended for use within the 5-mile separation buffer.

Reference FAA AC 150-5200-33C for guidelines on landscaping for projects within the 5-mile separation zone.

- **Community and Neighborhood Parks:** The Windler Village North Landscaping Plan document lists plans to create multiple types of parks throughout the development (reference page 1). As previously mentioned, the conversion from grazed land to irrigated, turf grass conditions with layered, landscaped plants would likely attract wildlife. Parks with short turf grass also have high potential to attract Canada geese and Snow geese. Goose species have been shown to present an increased potential for damaging aircraft strikes. Community parks often allow for the establishment of resident Canada goose populations also. These individuals may not migrate and often present year-round strike risk. WS recommends diligent efforts by local communities to prevent geese from utilizing any parks near DEN.

WS recommends limiting features in parks, such as fruit, seed, or dense canopy bearing trees or shrubs. Increasing vegetative spacing and reducing individual plants is also recommended. The use of hardscaping such as large rocks, crushed stone, and other landscaping features which do not attract birds should replace plants to the greatest extent possible.

- Detention Ponds, Wetlands, and other Water Sources: WS did not observe in the reviewed documents any plans to establish bodies of open water. If there are plans which were not noticed in the review, WS recommends adhering to the guidelines below.

FAA AC 150-5200-33C states “Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, ponds and fountains for ornamental purposes, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. Where possible, airport operators should modify stormwater detention ponds to allow a maximum 48-hour detention period for the design storm”. Additionally, “Detention basins should remain totally dry between rainfalls”. WS recommends against the establishment of any body of water which does not completely drain within 48 hours.

Reference FAA AC 150-5200-33C for guidelines on water-based attractants within the 5-mile separation zone.

Plans within the Windler Village North documents have the potential to increase wildlife abundance and strike risk in the project area and should be reconsidered within the 5-mile separation zone. While WS recognizes the importance of aesthetically pleasing landscaping and water features, aviation safety is paramount and should be prioritized within the FAA designated safety zones. Given the geographic orientation of the Windler development, WS recommends that landscaping plans be significantly modified and specifically reference practices which will mitigate the potential to increase avian wildlife hazards near DEN.

Reference the USDA General Project Review 2024 document for additional information on wildlife attractants which are common to development projects near DEN.

Respectfully,

Jared Myers, Wildlife Biologist
USDA Wildlife Services, CO