



CITY OF BOULDER
Planning and Development Services

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web boulderplandevlop.net

CITY OF BOULDER
TECHNICAL DOCUMENT REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: April 25, 2011 **Re-submittal No. 01; Monday May 16, 2011.**
CASE MANAGER: Elaine McLaughlin
PROJECT NAME: Violet Crossing
LOCATION: 4474 N BROADWAY
COORDINATES: N08W06
REVIEW TYPE: TECHNICAL DOCUMENT REVIEW: Utility Plan, Transportation, Stormwater Plan, Final Architecture, Final Landscaping, Final Site Plan and Final Plat
REVIEW NUMBER: TEC2011-00016 and TEC2011-00017
APPLICANT: OZ ARCHITECTURE
DESCRIPTION: FINAL PLANS AND CONSTRUCTION DOCUMENTS and FINAL PLAT for Violet Crossing 98 unit residential development

I. REVIEW FINDINGS

While the Technical Document Review is progressing, with provision of this comment letter requiring several revisions, it is important to note that the implementation of the flood improvements should be initiated as soon as possible to avoid holding up the issuance of Building Permits. As noted in the Flood Engineering comments below, the proposed flood channel improvement project must be completed and the associated LOMR floodplain map revision approved by FEMA prior to the issuance of any building permits for the project.

Application needs revisions to meet all criteria; applicant must submit revisions prior to submitting final document sets for city sign off.

II. CITY REQUIREMENTS

Addressing Chandler Van Schaack, 303.441.3137

The City is required to notify utility companies, the County Assessor's office, emergency services and the US Post Office of proposed addressing for development projects. A Final Address Plat and list of all proposed addresses should be prepared and submitted in hardcopy and digital (pdf) format to P&DS staff for routing and comment. This is considered part of the Technical Document Review process for a project of this size and scope and is in addition to the Final Plat approval. Additionally, in assigning addresses and street names please refer to the attached guidelines. **A Final Address Plat has been prepared and is included with the resubmittal package.**

Drainage Brian Campbell, 303-441-3121

1. In Note 1 under the Erosion Control Notes on Sheet C0.1, change "THIRTY (30) DAYS" to "FOURTEEN (14) DAYS" to be consistent with the City of Boulder Erosion Control Note 4. **The note has been revised as requested, see sheet C0.1**
2. The initial Phase 1 Storm Water Management Plan (SWMP) shows the Vehicle Tracking Pad (VTC) placed on the Broadway side of the project. Move the VTC for the initial SWMP to enter onto Violet Avenue, which is a lower volume street. **The VTC has been re-located to the Violet Ave. access as requested.**

Engineering

1. Prior to issuance of right-of-way permit, a letter of credit or cash escrow will be required for all public improvements in the amount of 100% of the project valuation. An engineer's cost estimate is required to be provided with the next revision in order to determine the project valuation. The estimate should include all public improvements including but not limited to pedestrian bridge, flood control/channel, drainage, utility and transportation improvements. **The cost estimate will be submitted within 1 week of the package resubmittal.**

Fees (Elaine McLaughlin 303-441-4130)

Please note that 2010 development review fees include a \$131 hourly rate for reviewer services following the initial city response (these written comments). Please see the P&DS Questions and Answers brochure for more information about the hourly billing system.

Flood Control Katie Knapp, 303-441-3273

1. The floodplain information shown on the preliminary plat does not match the latest floodplain mapping for Fourmile Canyon Creek per LOMR 06-08-B289P, effective March 28, 2007. Please update the floodplain boundaries and notes and include estimated flow rates and base flood elevations per section 9-12-6(a)14, B.R.C., 1981. **The preliminary plat has been revised to reflect the current floodplain mapping for four mile canyon creek.**
2. In accordance with section 9-12-8(b)(11) and (16), include the floodplain designations, estimated flow rate and base flood elevations on the final plat. Also include the source of the floodplain information and a statement that this information is subject to change. **Estimated flow rates and B.F.E.s have been added to the final plat.**
3. The applicant shall dedicate a flood conveyance easement for the area shown as Outlot A. Please show the dedication of this easement on the subdivision plat. **Flood conveyance easement has been added to Outlot A.**

Landscaping Elizabeth Lokocz 303.441.3138

Please address the following corrections for the next submittal:

1. Connect the details on Sheet L2.0 to the appropriate call outs on the detail landscape sheets. For example, it isn't entirely clear which bench on Sheet L2.0 represents the curved bench located at the north property corner adjacent to Broadway.
ACKNOWLEDGE – SEE REVISED PLAN
2. No information appears to be included on the finish or cap for the numerous retaining walls around the site. Provide a detail showing the materials, cap and any necessary railing. Per the civil plans submitted, the walls to the east of buildings C-2 and C-3 are 36 inches high immediately adjacent to a walkway and will require a railing.
ACKNOWLEDGE – SEE REVISED PLAN AND DETAILS FOR DRY STACK AND BLOCK RETAINING
3. The turf strip with trees adjacent to the retaining wall east of buildings C-2 and C-3 scales as being six feet wide although it is labeled as eight. Please correct. The proposed grading also shows a 4:1 slope which is problematic for both the tree planting and pedestrians exiting from the adjacent parking spaces. Evaluate the possibility of absorbing more of this slope into the wall. **The landscape strip is 6' wide, labels have been revised. The grading has been revised to approximately 5% to better accommodate adjacent parking spaces. ACKNOWLEDGE – SEE REVISED DIMENSION ON PLAN. WALL HAS BEEN KEPT TO MINIMUM TO AVOID GUARDRAILS.**
4. The proposed planting at the southwest corner of the site (adjacent to Building B-2 and the Broadway/Violet intersection) may be problematic. Three Swamp White Oaks are proposed to wrap the corner. The easternmost tree appears to be on top of a proposed retaining wall and all three are in relatively small planting areas. Consider substituting a smaller tree for these spaces based on both soil and air volume. A water service (at 45 degrees) is shown at this location as well. Consider extending the tree lawn, adding one additional street tree to the west and aligning the water service at 90 degrees between these two trees to maintain the required ten foot separation.
ACKNOWLEDGE – SEE REVISED SHEET L1.2 (Prairie Gem Pear substituted for Swamp White Oak), PLANTING STRIP ALONG VIOLET HAS BEEN EXTENDED TO INCLUDE ONE ADDITIONAL STREET TREE.
5. There are also three proposed Honeylocust east of building B-3 that are in relatively narrow planting strips between the building and walk. Consider moving these trees east of the walk where they would have more soil and air volume.
ACKNOWLEDGE – SEE REVISED SHEET L1.1 (trees moved to east side of walk)
6. Double check the numbers provided in the Landscape Requirements table on Sheet L1.0. The total deciduous and ornamental trees are inconsistent with the site review approval. If this is due to a counting error, please provide an explanation in the written response.
PLANT LIST AND LANDSCAPE REQUIREMENTS TABLE ARE NOW CONSISTENT. ACTUAL PLANTS HAVE BEEN COUNTED (duplicated were found, a few shrubs removed based on building enlargements, retaining walls, etc. = see tally in plant list per category)
7. On Sheet L1.0, should "purposed pedestrian bridge" be proposed pedestrian bridge?
ACKNOWLEDGE – SEE REVISED PLAN
8. The Master Utility Plan shows the existing overhead electric line on Violet to remain. This is not consistent with the

approved Site Review and requires revisions. See the Utility comments below for additional information.
ACKNOWLEDGE – SEE REVISED SHEET L1.2 (overhead line and poles deleted)

Legal Documents

Prior to final plat approval, the Applicant is required to provide an updated title commitment current within 30 days.

Plan Documents

1. Title: Add a line under the caption which indicates "Sheet ___ of ___" **Sheet x of x has been added to the plat sheets.**
2. Move the Dedication language to the right hand side of the page and revise as follows: **Dedication language has been revised as requested and moved to the right side of the sheet.**

Know all men by these presents that the undersigned, being the owner (*delete the "s"*) of that real property . . .

As discussed with the surveyor, the reference to "except the North 30.00 feet thereof" must be deleted from the end of the legal description.

Has (*replace "have"*) caused said property to be laid out. . . , and by these presents does hereby grant, in fee, to the City of Boulder, for its use and the use of the public forever, those portions of said real property designated as 14th Street as public right-of-way, as shown on the accompanying plat.

Modify the beginning of the utility easement to read as follows:

The undersigned does further grant to the City of Boulder that real property designated as "utility easement" . . .

(after the utility easement dedication language, add the following):

The undersigned does further grant to the City of Boulder that real property designated as "public access easement" on the accompanying plat as an easement for public ingress and egress, and for the construction, installation, operation, maintenance, repair and replacement of transportation improvements and landscaping and appurtenances thereto. It is expressly understood and agreed by the undersigned that all expenses and costs involved in constructing and installing said improvements shall be guaranteed and paid for by the subdivider or arrangements made by the subdivider therefore which are approved by the City of Boulder, and such sums shall not be paid by the City of Boulder, Colorado, and that any item so constructed or installed and accepted by the City of Boulder, Colorado, shall become the sole property of the City of Boulder.

The Undersigned does further grant to the City of Boulder that real property designated as "Stormwater Detention, Drainage and Utility Easement" on the accompanying plat as easement for structures to contain storm run-off from the Subdivision and vehicular access by City vehicles and equipment for inspection and construction for stormater improvements and for construction and grading activities associated with City's construction, maintenance and reconstruction of 14th Street.

The undersigned does further grant to the City of Boulder that real property designated as "Outlot A" on the accompanying plat as an easement for a public use easement for any public purpose including, but not limited to, an easement for public access purposes, for purposes of ingress and egress, for preserving, controlling and protecting open space and scenic condition, for the purpose of the installation, construction, repair, maintenance, reconstruction and operation of utilities, accessways, bikepaths, pedestrian pathways, trails, parks, drainage, flood control channel, and appurtenance thereto, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement in and to, over, under and across the property that is described in

3. Revise the Owner's signature block as follows: **The owner's signature block has been revised as requested.**

NORTH BROADWAY CENTER, LLC,
A COLORADO LIMITED LIABILITY COMPANY

BY: _____
SOTERIOS TERRY PALMOS, AGENT

ACKNOWLEDGMENT

STATE OF _____)
) SS.

7. Insert the following immediately above the City Manager's Certificate: ***The signature blocks have been added as requested.***

APPROVALS

DIRECTOR OF PLANNING

DIRECTOR OF PUBLIC WORKS AND UTILITIES

QWEST CORPORATION

PUBLIC SERVICE COMPANY OF COLORADO

Review Process

Site Design

Transportation (Michelle Mahan, 303-441-4417)

Submittal Requirements

1. A geotechnical soils report and pavement analysis are required for the 14th Street connection and also for the emergency access lane which transverses the site per section 1.03(B). ***********
2. Street profile and cross-sectional drawings are required to be provided for the 14th Street connection per section 1.03(E) of the City of Boulder Design and Construction Standards. ***A plan and profile sheet for 14th street has been added to the set, see sheet C7.0***
3. A financial guarantee must be provided for the proposed pedestrian bridge. See associated comment under Engineering. ***********
4. The Utility Plan (Sheet C3.0) was not included in the engineering plan set and must be provided at the time of resubmittal. ***Utility plan sheet is included with the re-submittal package, both electronic and hard copies.***

Vehicular Connectivity

5. Per Section 2.04 of the City of Boulder Design and Construction Standards, the initial access grade (to a point 10 feet beyond the ROW) must be at a positive 1%-6% slope. The grade of the initial 10 feet of each drive access point must be clearly dimensioned and labeled in conformance with this standard on the Grading Plan. The area of the driveway which intersects sidewalks must be labeled as a maximum grade of 2%. Revise the plans accordingly. ***The grading has been revised to reflect 1% slope upwards for 10' beyond ROW at access drives.***
6. Additional spot grades must be provided for the on-street parking along Broadway and the curb and gutter along Violet. Revise the plans accordingly. ***Additional spot elevations have been added to the detailed grading sheets for the curb and gutter along Broadway and Violet. In many areas, contractor must match existing, additional call-outs have been added.***
7. A minimum 10-foot radius should be provided for all radii inside the parking "bump outs" along Broadway and 14th Street. Revise the plans to show this requirement being met. ***A 10' radius has been added for all radii inside the parking bump-outs.***
8. The flowline radius at the intersection of Broadway and Violet is shown to be 28-feet, but is required to be a minimum of 30-feet per Table 2-8 of the City of Boulder Design and Construction Standards. Revise the plans accordingly. ***Flowline radius has been revised to be 30'.***

9. The plans show a 24-foot wide drive cut along Broadway. The drive cut width should be narrowed in order to minimize conflicts between vehicles and bicycles/pedestrians. However, the drive cut must be no less than 18-feet. Revise the plans accordingly. ***Drive cut along Broadway has been revised to be 20' wide.***
10. The engineering plans must be revised to clearly dimension and label the transit stop improvements along Broadway. This must include the 5'x8' accessible loading area at the front of the pad, the overall pad dimensions, the bench style, and clearance dimensions for the bike rack. The bike rack configuration shown will likely require one of the racks to be removed in order to meet the spacing requirements shown in City of Boulder Standard detail 2.52.B. The standard RTD bench is the Victor Stanley Steelsites Series Model# RB-28 in black with back: <http://www.victorstanley.com/products/?mode=prodDetail&id=1&catId=1> ***The bike racks have been revised and dimensions and slopes have been added to the plans for the bus stop area. See sheets C1.0 and C2.3.***

Pedestrian/Bicycle Connectivity

11. The plans show utility poles and appurtenances located within the public sidewalk on Violet and Broadway. Revise the plans to show the poles to be removed with the undergrounding of the overhead electric and any associated utility boxes which will need to be installed. The relocation and addition of utility boxes must be coordinated with the appropriate utility company, the boxes labeled to be relocated, and the proposed locations shown on the plans. In addition, the overhead utility pole located at the intersection of Broadway and Violet will need to be relocated 18-inches outside of the required 8-foot wide sidewalk width. See also comments under Utilities. ***A note has been added to the plans to indicate undergrounding of the overhead electric along Violet. The owner is currently coordinating with Xcel and Qwest to obtain layout for proposed underground utilities.***
12. The existing street light and traffic signal pole must be labeled to remain on the utility plan. ***The existing street light and traffic signal pole have been labeled as to remain.***
13. Per Section 9-9-6(d)(5)(F) and Figure 9-15 of the Boulder Revised Code, a minimum 6 foot wide sidewalk (beyond back of curb) must be provided when immediately adjacent to perpendicular parking stalls with no curb blocks installed. Clearly dimension all pertinent sidewalks to be 6 foot minimum width and/or show curb blocks to be installed. ***6' wide sidewalks are provided at all areas where perpendicular parking stalls are shown with no curb blocks installed.***
14. The engineering, architecture, and landscape plans inconsistently dimension the landscape buffer along the west side of 14th Street and must be revised to be consistent. In addition, this sidewalk must be located a minimum of one-half-foot from the right-of-way line in order to allow for future maintenance. Revise the plans accordingly. ***Plans have been coordinated to call out a consistent dimension for the landscape buffer along the west side of 14th street.***
15. Additional spot grades must be provided for the proposed multi-use path connection to the existing low water crossing along the Creek. Revise the plans accordingly. ***The multi-use path connection to the existing low water crossing along the Creek is to be designed/constructed as part of a separate project (the Four Mile Creek improvements.)***
16. Several radii dimensions for the multi-use path connections are missing from the Horizontal Control Plan and must be added. Revise the plans accordingly. ***Dimensions for the multi-use path have been provided along the centerline, tags have been added for edge of path at locations where the path is not parallel to the centerline.***
17. The engineering plans must be revised to include the following note regarding the multi-use path's connection to 14th Street: Contractor to coordinate construction with Annie Noble, Greenways Coordinator for the City of Boulder (303-441-3242). ***The note has been added to the construction plans.***
18. The engineering plans must provide additional spot grades, slope information and dimensions in order to clarify whether appropriate grades and distances from vertical obstructions are provided adjacent to all public sidewalks and multi-use paths. Revise the plans to show the following requirements being met:
 - All retaining walls and the first step of all stoops along Broadway and Violet must be dimensioned to be a minimum of 18-inches beyond the back of walk per section 9-9-15(b)(3) of the Boulder Revised Code; ***Dimensions have been added to sheet C1.0 to indicate more than 18" separation from back of walk to retaining walls.***

- The cross slopes of the landscape areas on either side of sidewalks and multi-use paths must be dimensioned in order to ensure that 4:1 slope is not exceeded; and **Labels for Cross slopes in landscape areas have been added.**
- Guards must be provided along open-sided walking surfaces that are more than 30 inches above adjacent grade within six feet of the walkway (IBC sec. 1013.1). Guards must meet the height and opening requirements of IBC sections 1013.2 and 1013.3. **A note has been added to the plans indicating the requirement for a guard, and labels have been added to show where guards are anticipated.**

19. The Grading Plan must be revised to clearly label calculated cross slopes and longitudinal slopes of all public sidewalks, multi-use paths, and transit stops showing the proposed pedestrian ways to be ADA compliant (2% maximum cross slope and 5% maximum longitudinal slope). **Additional slope labels have been added to the plans to indicate slopes.**

Parking

20. Revise the plans to clearly dimension all parking space and accessible loading space widths. **Additional labels have been added to the plans for parking stall and accessible loading space dimensions.**
21. The plans show the bike parking pads dimensioned as 6'x13'. However, a minimum 6'x16.5' pad is required. The poles of the covering must be located outside the 16.5' width. Revise the landscaping plans to show this requirement being met. **ACKNOWLEDGE – SEE REVISED PLAN PER NEW DETAILS. MIN. PAD IS 16.5' WITH POSTS OF BIKE SHELTER OUTSIDE OF THIS DIMENSION.**
22. The following City of Boulder Standard details must be included in the Landscape Plans. The outdated version of bike parking details currently shown must be removed. The details can be found on the web at: www.bouldercolorado.gov
ACKNOWLEDGE – SEE REVISED DETAIL SHEET

2.52A – “Inverted U” Bicycle Racks

2.52B – “Inverted U” Bicycle Racks

Signage and Striping Plan

23. A separate signage and striping plan showing signage specifications in accordance with MUTCD standards must be provided. The plan must also include all proposed tree locations and any existing trees which are to remain, located within city right-of-way in order to ensure that conflicts do not occur. A minimum separation of 10-feet must be provided between all trees and signs. **A separate signing and striping plan has been added to the plan set, see sheet C8.0**
24. The signage plan must be revised to reflect the changes shown in the redlined documents sent to Drexel, Barrell, & Co. **The signage and striping plan has been edited to reflect redlines received from the City staff.**
25. The multi-use path signage details shown on sheet 7.1 and the barricade specifications shown on sheet C7.5 should be relocated to the signage and striping plan. **Due to space limitations and the number of details, we were unable to combine the details on the new signage and striping plan. A reference to the correct detail sheet has been added to the signage and striping plan.**
26. The plans must be revised to include the following standard construction notes from section 1.03(D)(4)(e) of the City of Boulder Design and Construction Standards: **The construction notes have been added to the signage and striping plan.**
- (i) Contact the City of Boulder Sign Shop (303-413-7122) for location of all signs prior to installation and for sign layout/details prior to ordering.
 - (ii) All sign sheeting to be Class XI (DG3 material) with 3M 1150 overlay film.
 - (iii) All signs shall be 0.100 gauge aluminum.
 - (iv) All sign posts to be 12 gauge 2 inch unistrut.
 - (v) All sign bases to be 12 gauge 2-1/4 inch unistrut.
 - (vi) Sign post lengths will vary, but 7 foot minimum clearance from bottom of sign to ground level is required.
 - (vii) All sign mount hardware to be Gator Lock System.

Engineering Plan Details and Notes

27. The general notes provided on sheet C0.1 are outdated and must be revised to be in accordance with section 1.03(D)(3)(e) of the City of Boulder Design and Construction Standards, updated November 6, 2009. Drexel,

Barrell, & Co. should also revise their AutoCAD base files to reflect the most recent notes. ***The notes have been revised to reflect the latest version of the DCS available on the City website. (DBCo AutoCAD base file has also been updated)***

28. City of Boulder Standard Detail 2.07 [Attached Sidewalk Curb Ramp Options] should be removed from the plans since attached sidewalk is not proposed in locations where sidewalk ramps are necessary. ***Detail 2.07 has been removed from the plans.***
29. The following Federal ADA and City of Boulder Standard details must be included in the Engineering Construction Plans. The details can be found on the web at: www.bouldercolorado.gov ***Each of the details listed below have been added to the plans.***
City of Boulder Design and Construction Standards Drawing No.
2.51 – Bicycle Path Cross-Section

CDOT Standard Plan No.
M-608-1 Sheet No. 1 of 4 Curb Ramps
M-608-1 Sheet No. 2 of 4 Curb Ramps
M-609-1 Sheet No. 3 of 3 Curbs, Gutters, and Sidewalks

RTD Standard Drawing No.
SD-C120 Civil Bus Stop Layout

Utilities Brian Campbell, 303-441-3121

1. The Utility Engineering plan set does not include Sheet C3.0 “Master Utility Plan”. Sheet C3.0 was included in the Utility Report and was used for the review, but needs to be included in the Engineering Plan Set for the next revision. ***A copy of the utility plan is being included with the resubmittal, both electronic and hard copies.***
2. The dead end water main east of Building D1 and D2, which runs north/south, is proposed to provide fire services to the respective buildings as well as a proposed Fire Hydrant assembly. The fire service for Building D1 must be tapped to the south of the proposed Fire Hydrant tap. The city would like to discuss the option of moving the fire service taps to the west side of the buildings and tapping off of the proposed water main west of the buildings. If this is done, the proposed main east of the buildings could be considered a Fire Hydrant lead and become a 6 inch diameter pipe servicing just the proposed Fire Hydrant. Update the Utility Plan and Report as necessary and include with the next set of revisions. ***The fire service for D1 has been tapped south of the proposed fire hydrant. The fire services cannot tap off the west sides of the buildings due to locations of the fire rooms in the buildings as well as potential tree conflicts.***
3. The applicant is proposing 6 taps within a very short distance located in the interior water main loop servicing Buildings B1, B2, and C1. The applicant should relocate the proposed Fire Hydrant tap to the southern main of this loop, which runs east/west. The applicant should also relocate the fire service for Building B1 adjacent to the domestic water tap for Building B1. This will eliminate 2 taps in the congested area. Include updates with the next set of revisions. ***The tap for the fire hydrant has been moved to the south line. The service connections have been moved apart to the extents possible. The fire and domestic services must enter the buildings at the locations shown, so alternative tap locations are not feasible.***
4. There is an existing water service for 4390 Broadway that is currently tapped off of the section of water main that is proposed to be abandoned. Indicate on the plans with the next revision that this service will be re-connected to the proposed re-aligned water main and that the building serviced by this tap will be provided water throughout the construction of this main. ***A note has been added to re-connect the existing service to the new water main.***
5. The east end of the proposed water main realignment at the point where the connection to the existing 12 inch water main should include a 12 inch gate valve on the eastern leg of the tee to allow the ability to isolate the existing main. Include updates to the plans with the next revision. ***A gate valve has been added to the east end of the new main, at the connection to the existing main.***
6. Although the city Design and Construction Standards allow a sewer service connection into a terminal manhole that has no possibility for extension, the city maintenance staff has had several maintenance issues regarding solids build-up in these situations. The city recommends that the applicant consider providing sewer service to Building B2 from the sewer main located in Broadway west of Building B2 rather than directly into MH 5 on the east side. ***The sanitary service for B2 has been moved to connect to the main in Violet.***

7. The Master Utility Plan shows the existing overhead electric line on Violet to remain. This is not consistent with the approved Site Review. Per Section 4.07 of the City of Boulder Design and Construction Standards, all new, replacement, or relocated electrical utilities and telecommunication and cable television systems shall be installed underground as set forth in Section 9-12-12, "Public Improvements," B.R.C. 1981. Update the plans to indicate that overhead electric line will be placed underground. These updates shall be included with the next revision. **A note has been added to the plans indicating the intent to underground the utilities along Violet. Preliminary locations for transformers are shown based on preliminary estimates. The owner is currently working with Xcel and Qwest to obtain final design for the undergrounding and site utility layouts.**

III. INFORMATIONAL COMMENTS

Engineering

1. A construction storm water discharge permit is required from the State of Colorado for projects disturbing greater than 1 acre. The applicant is advised to contact the Colorado Department of Public Health and Environment. (<http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/index.html>)
2. At time of building permit application, a separate Fence/Retaining Wall Permit will be required for all proposed retaining walls and fences on the property.

Flood Control (Katie Knapp 303-441-3273)

1. The floodplain development permit and the CLOMR application for this project did not include the proposed pedestrian bridge. A new floodplain development permit will be required for this work. **A permit including the pedestrian bridge will be applied for.**
2. The project site is currently within the conveyance and high hazard flood zones. The proposed flood channel improvement project must be completed and the associated LOMR floodplain map revision approved by FEMA prior to the issuance of any building permits for the project. **Per our discussions we are planning on making channel improvements and obtaining LOMR prior to construction commencement of the buildings of the project.**
3. A floodplain development permit was issued on June 20, 2008 for the proposed flood channel improvement project associated with this site. This permit will expire on June 21, 2011 unless construction is started on the flood channel improvements. **Our plan is to commence channel improvements prior to June 21, 2011.**

Transportation (Michelle Mahan, 303-441-4417)

1. A financial guarantee will be required at the time of final engineering and prior to building permit application for the full cost of providing eco-passes to all residents for the first 3 years following certificate of occupancy issuance.
2. The city is currently in the process of completing the internal transfer of City Park's property to public right-of-way and easement for the construction of 14th Street and the portion of the multi-use path which is on City Park's property. This will need to be completed prior to right-of-way permit.

Utilities

1. The applicant is advised that any proposed street trees along the property frontage may conflict with existing utilities, including without limitation: gas, electric, and telecommunications, within and adjacent to the development site. It is the applicant's responsibility to resolve such conflicts with appropriate methods conforming to the Boulder Revised Code 1981, the City of Boulder Design and Construction Standards, and any private/franchise utility specifications.
2. The applicant is notified that the proposed storm sewer on-site is private in nature. Maintenance responsibilities for the storm sewer lines and appurtenances will remain with the property owner.
3. The landscape irrigation system requires a separate water service and meter. A separate water Plant Investment Fee must be paid at time of building permit. Service, meter and tap sizes will be required at time of building permit submittal.
4. The applicant is advised that at the time of building permit application the following requirements will apply:
 - a. The applicant will be required to provide an accurate proposed plumbing fixture count to determine if the proposed meters and services are adequate for the proposed use.
 - b. Water and wastewater Plant Investment Fees and service line sizing will be evaluated.
 - c. Since the buildings will be sprinklered, the approved fire line plans must accompany the fire sprinkler service line

connection permit application.

5. The applicant is advised that at the time of right-of-way permit application the following requirements will apply:
 - a. All new service taps to existing mains shall be made by city crews at the developer's expense.
 - b. Since the buildings will be sprinklered, the approved fire line plans must accompany the fire sprinkler service line connection permit application.
 - c. All water meters are to be placed in city R.O.W. or a public utility easement, but meters are not to be placed in driveways, sidewalks or behind fences.
 - d. Backflow prevention assemblies are required for all domestic water service lines, fire sprinkler systems, and irrigation service lines.
 - e. On site meeting with the R.O.W. Inspector will be required before work begins.
 - f. Bikepath/sidewalk areas cannot be closed during construction.
 - g. The public R.O.W. adjacent to the site must be kept free and clear of mud and debris that result from construction activities related to the project.
 - h. The applicant will be responsible for the satisfactory repair or restoration to City Standards of any public infrastructure (curbs, sidewalks, paving, landscaping, utilities, etc.) damaged during construction.
6. The 2 year warranty period will not begin until the following are completed:
 - a. The city right-of-way inspector has accepted the new utility main.
 - b. The as-builts for the new main are submitted.
 - c. The new utility easement dedication has been approved and recorded at the county.
7. During construction of the re-aligned water main, a plan will be required that provides continual service to existing structures that currently are served off of this line.

Wetlands (Katie Knapp 303-441-3273)

1. The wetland permit that was issued for this project did not include the proposed pedestrian bridge. A new wetland permit will be required for this work.
2. A wetland permit was issued on July 18, 2008 for the proposed flood channel improvement project associated with this site. This permit will expire on July 18, 2011 unless an extension is requested.

IV. DRAFT CONDITIONS ON CASE:

See the following page for draft subdivision agreement.

V. NEXT STEPS:

Submit five sets of revised documents prior to the start of a review track (first and third Monday's of the month) to the Project Specialists at the front counter within 60 days to ensure the project remains active.

SUBDIVISION AGREEMENT

- A. Parties. This Agreement is made between the City of Boulder, a Colorado municipal corporation, (the "City"), and North Broadway Center, LLC, a Colorado limited liability company (the "Subdivider"), for the purposes of insuring that all ordinances and regulations of the City are met for the protection of the public health, welfare, and safety and obtaining the approval of the Violet Crossing Subdivision, (the "Subdivision").
- B. Consideration. The parties agree that good and valuable consideration exists as a basis for this Agreement, including, but not limited to, the City's approval of the subdivision of that parcel of land as more fully described in the attached Exhibit A and the provision of City services to the Subdivision, which Subdivider agrees is of special benefit to the Subdivision.
- C. Binding Agreement – Notice to Subsequent Purchasers. This Agreement is binding upon the Subdivider and the Subdivider's successors and assigns, jointly and individually, and it shall be recorded in the office of the County Clerk and Recorder to put the prospective purchasers or other interested parties on notice of any of its terms. Additionally, the Subdivider agrees to notify subsequent purchasers of the Subdivision or any portion thereof of the existence of this Agreement and the purchasers' potential obligations hereunder by providing a copy of this Agreement to the Purchaser.
- D. General Requirements. The Subdivider shall commence, construct, and complete the Subdivision in accordance with:
1. The provisions of approval of the Final Plat;
 2. The approved Engineering Plans dated _____ (the "Engineering Plans") on file with the City;
 3. All requirements of Chapter 9-12, B.R.C. 1981;
 4. The requirements of the "City of Boulder Design and Construction Standards";
 5. All terms and conditions of Annexation Agreement recorded at Reception No. 1079937, Annexation Ordinance No. 5355, and Development Agreement recorded at Reception No. _____; and
 6. The requirements of the Conditional Letter of Map Revision (CLOMR) approved by the Federal Emergency Management Agency.
- E. On-site Public Improvements. The Subdivider shall provide the following public improvements, at no cost to the City, and may receive reimbursement for all or part of the cost of such improvements shown on the approved Engineering Plans dated _____, including:

(the following are placeholders and the detailed list is yet to be completed)

1. Streets internal to the Subdivision;(_____ street, avenue, drive, lane, circle); and
2. Alleys within the Subdivision; and
3. All curbs, gutters, and sidewalks associated with the above streets and alleys; and
4. Traffic control devices on the above-described streets and alleys, including but not limited to _____ located at _____; and
5. A bike path and pedestrian way from _____ to _____; and
6. Equestrian trail from _____ to _____;
7. All water and sanitary and sewer mains; and
8. All storm water management improvements including conveyance, storage, and treatment facilities on Lot 1, and;
9. Fire hydrant(s) located at _____; and
10. Fire lanes; and
11. Street lights; and

The Subdivider agrees to install the improvements listed in accordance with the time limits prescribed by Subsection 9-12-13(c), B.R.C. 1981.

F. Four Mile Creek Project Improvements.

1. Construction Requirements. The Subdivider shall construct and install the flood control, drainage, landscaping, multi-use path, and pedestrian bridge improvements within proposed Outlot A, Violet Crossing Subdivision as shown on the approved Engineering Plans dated _____ (“Four Mile Creek Project Improvements”). The Subdivider agrees to install the improvements listed in accordance with the time limits prescribed by Subsection 9-12-13(c), B.R.C. 1981.
2. Contractor Selection. The Subdivider shall identify to the City, and with the City’s approval of the contractor and the contractor’s bid amount, engage a licensed Colorado contractor to construct and install the Four Mile Creek Project Improvements. The contractor’s bid amount shall be considered as the “Approved Bid Amount.”
3. Cost Sharing - Payment. If the Subdivider completes the Four Mile Creek Project Improvements within one year of the final approval of the final plat for Violet Crossing Subdivision, then the City shall reimburse the Subdivider for fifty percent (50%) of the Approved Bid Amount associated with the construction and installation of the Four Mile Creek Project Improvements upon final acceptance by the City of Boulder. If the Four Mile Creek Project Improvements are not completed within one year of the date of approval for the final plat of Violet Crossing Subdivision, then the Subdivider shall be responsible for one hundred

percent (100%) of the Approved Bid Amount.. The Subdivider shall ensure that all work performed by the Subdivider's contractor will be at the actual cost charged to the Subdivider by its contractors as shown in the approved bid. Notwithstanding the foregoing, the Subdivider agrees to pay for the following: 1) any additional permitting fees, and 2) the entire cost of the pedestrian bridge that will cross Four Mile Creek in the 13th Street Alignment as shown on the approved Engineering Plans. In exchange, the City agrees to release the Subdivider from any financial responsibility attributable to the Property in the event that another bridge is built over Four Mile Creek in the 14th Street Alignment.

4. Outlot A. The Subdivider has granted to the City a Public Use Easement on the final plat of Violet Crossing Subdivision. No earlier than one year after the Subdivider obtains a certificate of occupancy for the entire redevelopment of the Property, the Subdivider shall quitclaim its remaining interest in Outlot A to the City within 30 days of receiving a request by the City.
- G. Landscaping. The Subdivider shall be responsible for the installation of all landscaping within public right-of-way, including street trees. Prior to the issuance of either a temporary or a final certificate of occupancy, the Subdivider shall provide a financial guarantee according to the terms as set forth in Paragraph H below to secure the full cost of installing all street trees for the Subdivision. The Subdivider shall install the street trees from the approved street tree list and within the approved planting time as set forth in Chapter 3 of the City of Boulder Design and Construction Standards. Required street tree location and species shall be documented at the time of final plat approval for each lot and specified on the approved Landscape Plan for the Subdivision.
- H. Financial Security. The Subdivider shall provide to the City financial security to guarantee the construction or installation of the public improvements specified in Paragraph E, F and G and other obligations undertaken by the Subdivider in this Agreement. The guarantee will be in an amount to secure the full cost, as determined by the City of Boulder Director of Public Works, of constructing or installing the improvements. The guarantee will be either: (a) a deposit of escrow of funds with the City; (b) an escrow with a bank or savings and loan association upon which the City can draw; (c) an irrevocable clean sight draft or letter of commitment upon which the City can draw; (d) a performance bond for the benefit of the City upon which the City can collect; or (e) any other form of guarantee approved by the Director of Public Works, any one of which is in a form satisfactory to the City Attorney. The term of the guarantee shall be for a period of time sufficient to cover the construction or installation of the public improvements. If the construction or installation is not completed and paid for by the Subdivider according to the requirements of this Agreement and Chapter 9-12, B.R.C. 1981, the City may, in its absolute discretion, complete the construction or installation of the public improvements or cause the same to be done and pay outstanding claims and bills incurred in such completion from the escrow fund or guarantee furnished. The Subdivider shall pay any amount above the amount provided in the guarantee required to

complete the construction or installation of the improvements. The Public Works Director shall annually review the guarantee to assure that it meets full current costs of constructing the improvements whose installation it secures and, upon notification, the Subdivider shall amend the guarantee to meet such current costs. The City shall release the guarantee when all the improvements have been constructed or installed and the City has accepted them.

- I. Warranty. Upon completion of the public improvements and acceptance by the City, the Subdivider shall warrant all public improvements and utilities for two (2) years and shall secure the two-year (2) warranty by insurance policy or bond from a surety acceptable to the Public Works Director, payable to the City as beneficiary, in an amount adequate to replace or repair twenty (20%) percent of the total value of the improvements if they are damaged or become inoperable during the warranty period. If the Public Works Director determines that any such public improvements require repair or replacement, the Director shall so notify the Subdivider. The City will not approve any other development applications from or improvements constructed or installed by the Subdivider until the Subdivider satisfactorily repairs or replaces a defective improvement. If the Subdivider fails to repair or replace any public improvements after notice, the City may cause the work to be done and charge the cost thereof against the insurance policy or bond. If the amount of the policy, bond, or letter of credit is less than the cost of the repair or replacement, the difference shall be due and payable to the City by the Subdivider.

- J. Maintenance of Common Facilities by Property Owners. The Subdivider shall provide for the following in mutual covenants in the deeds of all property owners of the Subdivision for the continued and perpetual maintenance of the storm water management improvements, including conveyance, storage and treatment facilities located within the Drainage and Detention Pond Easement located on the east side of Lot 1, Violet Crossing Subdivision (“Common Facilities”). The Subdivider shall affirmatively advise any and all purchasers of the existence of these covenants and potential obligations created by them. The following shall also be ongoing obligations for the owners of Lot 1 and Lot 2, including the Subdivider, in the subdivision. Such lot owners shall be subject to the following restrictions or restrictive covenants:
 1. Each lot owner served by the Common Facilities shall own an undivided interest as a tenant-in-common with all of the other lot owners served by the Common Facilities. The respective undivided interests in said Common Facilities shall be appurtenant to and conveyed with the interest in each such lot in the Subdivision lots and shall not be conveyed separate and apart therefrom.
 2. The maintenance of said Common Facilities shall be the responsibility of the individual lot owners within the Subdivision served by the Common Facilities.
 3. Each lot owner within the Subdivision shall be responsible for payment of his or her proportionate share of any and all taxes or assessments assessed against the Common Facilities.

4. The Subdivider agrees that the City has the right to require the Subdivider, or future individual lot owners, to correct any deficiencies in the maintenance or repair any damages to the Common Facilities.
 5. The City reserves the right to inspect the Common Facilities from time to time to assure that the Common Facilities are being properly maintained. To the extent that these improvements are located on private property, the Subdivider grants the City a right of entry to such property to so inspect and maintain. If the City determines that these areas are not being properly maintained, the City reserves the right, but is not required to, perform the appropriate maintenance and assess the Subdivider or its successors and assigns for the cost of the maintenance. In the event that the City determines, in its sole discretion, that there is a threat to the public health, safety, or general welfare, the City may immediately perform such work or maintenance and charge the affected lots for the same.
 6. The lot owners shall perform such work within 30 days of receiving written notice from the City to cure any deficiencies.
 7. If the lot owners fail to perform such work within 30 days, after having been provided written notice from the City to cure, the City will perform the work and charge back to the affected lot owners, all costs of curing same.
 8. If Subdivider fails to pay any monies due under this agreement or fails to perform any affirmative obligation hereunder, the Subdivider agrees that the City may collect the monies due in the manner provided for in Section 2-2-12, B.R.C. 1981, as amended, as if the said monies were due and owing pursuant to a duly adopted ordinance of the City or the City may perform the obligation on behalf of the Subdivider, and collect its costs in the manner herein provided. The Subdivider agrees to waive any rights he or she may have under Section 31-20-105, C.R.S., based on the City's lack of an enabling ordinance authorizing collection of this specific debt.
- K. Letter of Map Revision. Prior to the issuance of a building permit, the Subdivider shall submit, at Subdivider's sole expense, a Letter of Map Revision and receive approval from the Federal Emergency Management Association, for the Four Mile Creek Project Improvements on the Property.
- L. Conveyance of Drainage. The Subdivider shall convey the Subdivision's drainage in an historic manner and in accordance with the approved Engineering Plans so as not to adversely affect adjacent property.
- M. Defend and Hold Harmless. The Subdivider shall defend and hold the City harmless from any and all claims or damages that may arise from the Subdivider's actions in

connection with the execution of this Subdivision, including but not limited to the construction of any public or private improvements or the failure to construct the same.

- N. Subdivider Warrants Ownership. The Subdivider warrants that it owns the property described in Exhibit A and agrees to provide an update of the preliminary title report or attorney memorandum of ownership current as of the date of recording the Subdivision Plat.
- O. Breach by Subdivider. If Subdivider breaches this Agreement in any respect, the City may withhold approval of all building permits and other development applications requested for the area within the Subdivision until the breaches have been cured. This remedy is in addition to all other remedies available to the City at law or equity.
- P. Relationship of this Agreement to Other Agreements. The terms and covenants of this Agreement are in addition to, and do not extinguish unless expressly stated, any other Agreements between the parties.
- Q. Captions. The captions herein are inserted only as a matter of convenience and for reference, and in no way define, limit or describe the scope of this Declaration or the intent of any provision hereof.
- R. Future Interests. If this Agreement is deemed to create an interest in land, this Agreement shall be enforced, if not sooner completed, during the lives of the undersigned plus twenty years and three hundred sixty-four days.

This Agreement is effective on the date below indicated upon the affixing of the parties' signatures.

SUBDIVIDER:
North Broadway Center, LLC,
a Colorado limited liability company

By: _____
Soterios Terry Palmos, Agent

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by Soterios Terry Palmos as Agent of North Broadway Center, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My Commission expires:_____

(SEAL)

Notary Public

DRAFT

CITY OF BOULDER, COLORADO

BY: _____
Planning Director

ATTEST:

City Clerk on behalf of the
Director of Finance and Record

APPROVED AS TO FORM:

City Attorney

Date

DRAFT

A: Exhibit
 Legal Description

Attachment A: Addressing Policy

City of Boulder Addressing Policy
Updated May 28, 2010

This memo describes the procedures and policies concerning street naming and house numbering in the City of Boulder.

I. AUTHORITY

The authority to approve street names and to assign house numbers is granted to the City Manager in section 9-9-20 and section 9-12-12 of the 1981 Boulder Revised Code.

Specifically, Section 9-9-20 (a), Building Address Requirements, states that the city manager will issue an address when issuing the building permit and that “buildings shall be numbered according to a city addressing system.”

Section 9-9-20 (d), Proposed Street Names, further states that “proposed street names shall be subject to approval by the city manager. Street names shall conform to the city street name plan on file at the planning department.” Presumably, this applies not only to streets in newly platted subdivisions but also newly dedicated or annexed unnamed streets.

In regards to addressing in subdivisions, Section 9-12-12(a)(1)(N) states that “lots are assigned street numbers by the city manager under the city’s established house numbering system.”

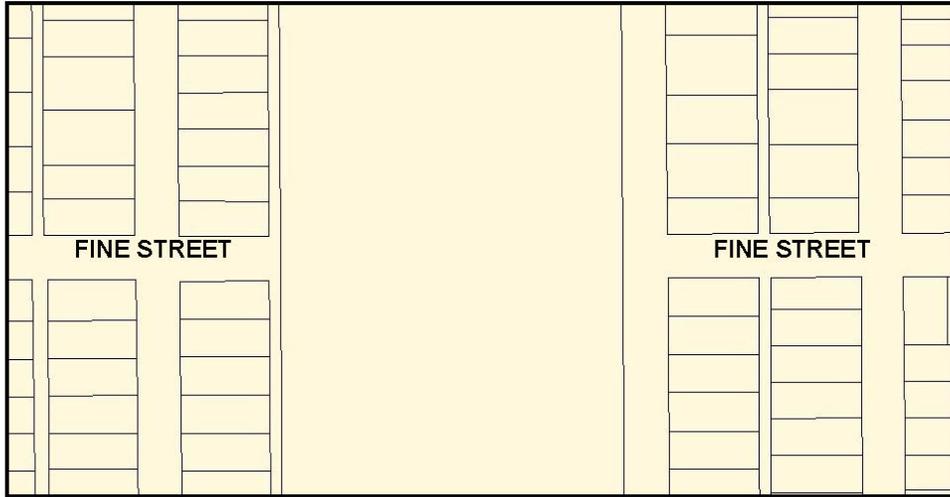
II. STREET NAMING

The following shall serve as a guide to the naming of streets in the City of Boulder:

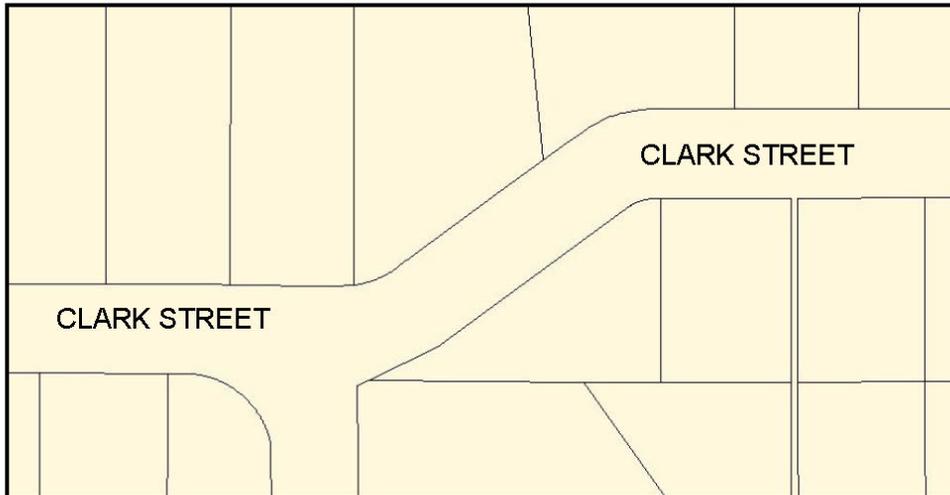
1. All new streets shall be designated in the following matter:

General Direction	Length > 1,000 feet	Length < 1,000 feet
North-South	Street	Court
East-West	Avenue	Place
Diagonal	Road	Way
Curving	Drive	Lane
Horseshoe-shaped/circle	-----	Circle
Cul-de-sac	-----	Court (N-S)
	-----	Place (E-W)
	-----	Circle
Divided Arterials	Drive	-----
	Parkway	-----
	Boulevard	-----

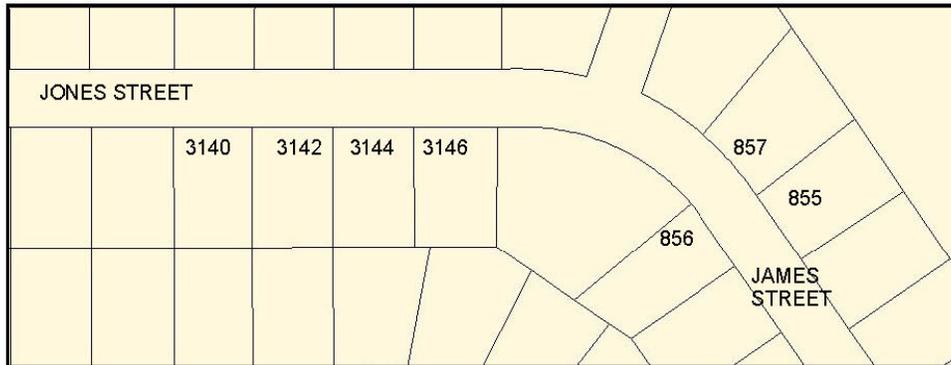
2. A street should have the same name for its entire length even though it may not be continuous.



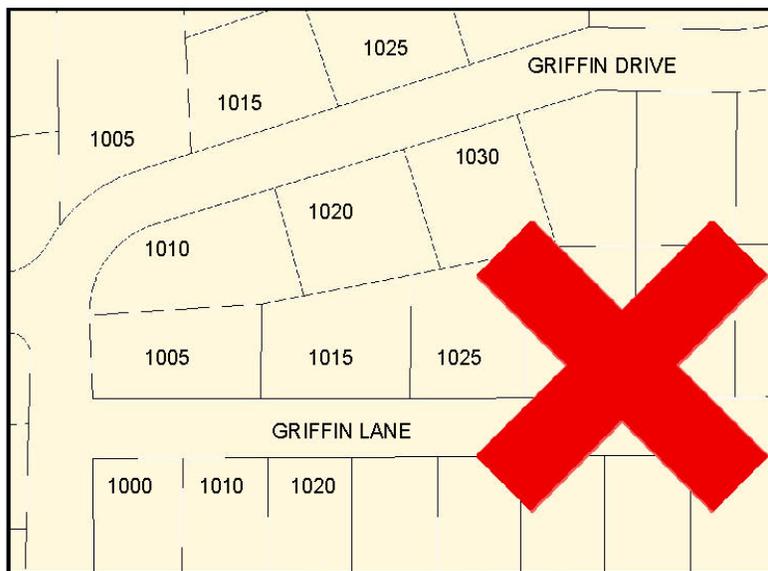
3. Streets with short jogs of less than a block (approximately 200 feet) may carry a continuous name.



4. Where a street definitely changes direction for a considerable distance (over 200 feet), the name of the street should change, and the numbering should change.



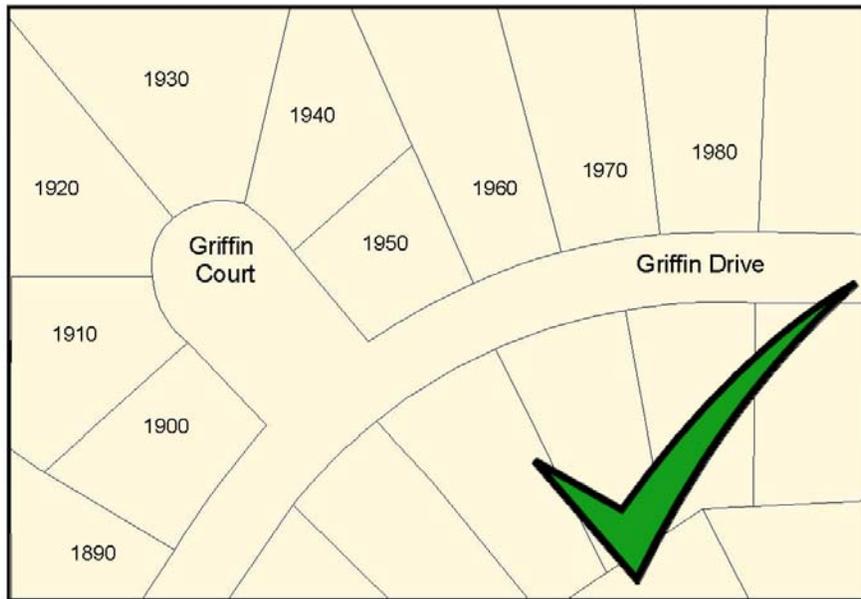
5. Street names should not be duplicated. Using the same name for both a "street" and a "court," for example, where the same house numbers appear, should be avoided. However, in the case of a short cul-de-sac, where numbers may be properly continued around the cul-de-sac, the cul-de-sac may carry the same name as the street which it adjoins; i.e., Table Mesa Drive and Table Mesa Court.



ADU's: No ADU shall be assigned a different house number than the home in which it is contained, the reason being that homes with ADU's are still considered to be single family residences.

Multi-family dwellings: In order for each unit in a multi-family dwelling unit to be assigned separate street numbers, each unit must have an entrance which is visible from the street. If this is not the case, the entire building is assigned one street number and the units use that number with an apartment number or letter added.

Commercial and Industrial Buildings: Tenants of multi-tenant buildings located in a commercial or industrial zone of the city may use either one building address with a suite number or letter or individual street addresses. In cases where separate street addresses are used and each tenant space is not visible from the street a directory should be provided.



6. Where possible, streets should be named in alphabetical order beginning at the base street.

7. The use of names of University Residence Halls should be avoided. These names are:

Aden	Buckingham	Fleming	Reed
Andrews	Cheyenne	Hallett	Sewall
Arnett	Cockerell	Kittredge	Smith
Baker	Crosman	Libby	Willard
Brackett	Farrand	Nichols	Williams

8. The use of names of **living** persons prominent in the Boulder area should be avoided. The names of **deceased** persons may be used.

9. Street names shall not duplicate nor too closely approximate phonetically the names of existing streets within the City of Boulder, the Boulder postal delivery area, or the Boulder telephone service area.

10. Streets shall be named, insofar as it is possible, according to the street naming plan of the City of Boulder. Deviations from this plan shall have the approval of the City Manager.

11. Streets with commercial names shall not be approved; i.e., Google Street
12. Street names should not consist of more than word.

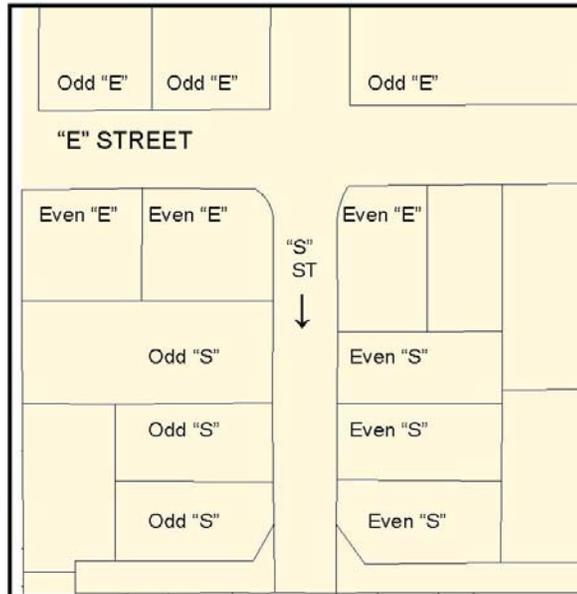
III. STREET NAME CHANGES

The name of a street may be changed if all property owners abutting the street join in the request and if the new street name is in conformance with the street naming guide. In order to ensure that proper review and notification of appropriate agencies occurs, such requests will be processed through the Development Review Committee.

IV. HOUSE NUMBERING

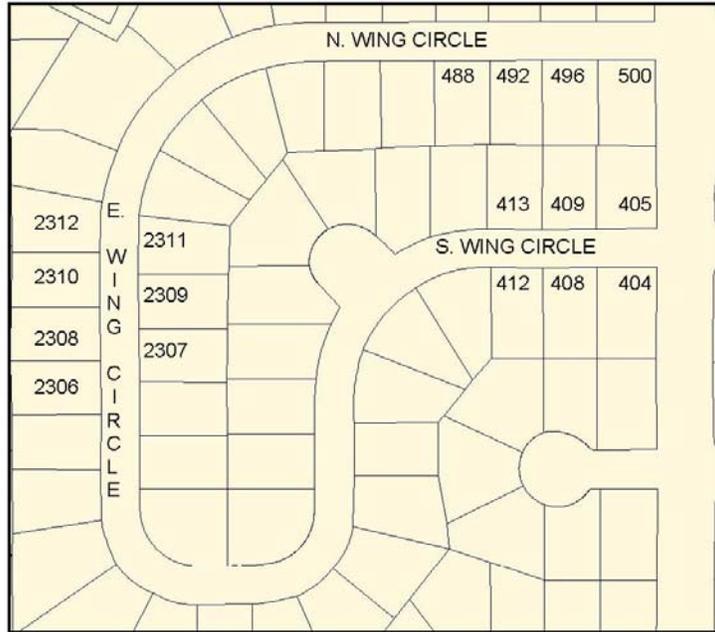
The following shall serve as a guide to the numbering of houses in the City of Boulder. All house numbers shall be assigned by the City Manager.

1. Numbers shall continue North and South from the East-West base street or line, and East and West from the North-South base street or line, according to the established grid system.
2. Odd numbers shall be on the westerly and northerly sides of the street; even numbers shall be on the easterly and southerly sides of the street.

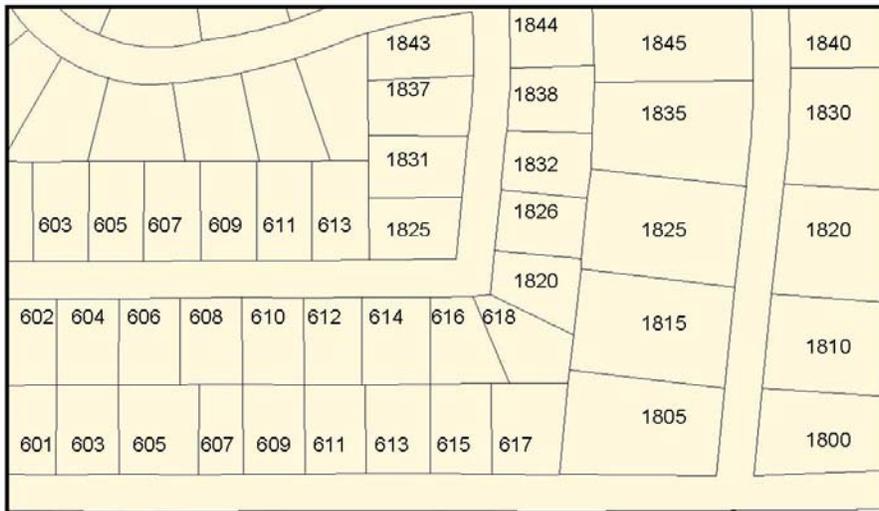


3. Numbers shall be spaced from 0 to 99 on each block so that 50 will be in the middle of the block. Where there are no intersecting streets to indicate blocks, numbers shall be based upon an imaginary line corresponding to the grid system.
4. House numbers on corner lots or through lots shall conform to the location of the front door or main entrance.
5. Numbers on closely spaced parallel streets should be staggered in order to eliminate confusion in locating an address.
6. Diagonal and curved streets having direction more nearly north-south than east-west, or at exactly 45 degrees, shall carry north-south numbers; streets having a direction more nearly east-west shall carry east-west numbers.





8. When a street does not originate at the same location as another parallel street, the numbers should begin with a number measured from the same baseline as on another parallel street



V. CHANGING HOUSE NUMBERS

Changes are made to house (or business) numbers fairly routinely. This is done at the staff level. These changes occur for primarily three reasons. First, at time of building permit, for additional units or substantial remodel, we will instigate a change of address to bring a property's address into conformance with the city's address grid. Second, if a house address is not in conformance and a subdivision is requested, the address is changed prior to the development of any of the additional lots in the subdivision. This is fairly common in the north part of the city where existing houses on large lots have been annexed. The third reason for a change of address is simply because a property owner requests it. These requests occur for a variety of reasons, but primarily the request is made in order to simplify a confusing addressing situation. Where possible, these requests are accommodated. When a change of address is made, appropriate agencies are notified.

VI. PROBLEM AREAS

House Behind a House: Projects that include a detached dwelling that does not front a public street and is not visible from a street present a difficult problem for addressing. Several alternatives have been proposed, but all have drawbacks. These alternatives are:

1. Using one street number for the entire lot and assigning letters to each unit.

The disadvantage to this system is that a street number with a letter suffix (i.e., 127-B Main St) implies that all the units are in the same building. Additionally, there is substantial public resistance to owning a single family residence and not having a unique street number. Often owners drop the letter from the address, which creates confusion for mail delivery and emergency response personnel.

2. Address the rear units using the alley.

The disadvantages are having to name numerous alleys in the community which would cause confusion both for the public as well as emergency response personnel. These alleys, many of which are substandard and/or unplatted, would probably experience increased traffic and parking problems.

3. Assigning individual numbers to each unit in accordance with the addressing grid.

There is one major disadvantage to this system. If the rear unit is not visible from the street, emergency response personnel, delivery people, and the general public often assume that the address does not exist. The solution to this would appear to be to require that such projects provide a directory facing the street which would indicate the existence of a rear unit.