

Planning Division
15151 E. Alameda Parkway, Ste. 2300
Aurora, Colorado 80012
303.739.7250



June 7, 2019

Justin Henry
2323 Dayton Street
Aurora, CO 80010

Re: Initial Submission Review – Watering Bowl – Site Plan and Conditional Uses
Application Number: DA-2179-00
Case Numbers: 2019-6024-00; 2019-6024-01; 2019-6024-02; 2019-6024-03

Dear Mr. Henry:

Thank you for your initial submission, which we started to process on Monday, May 13, 2019. We reviewed it and attached our comments along with this cover letter. The first section of our review highlights our major comments. The following sections contain more specific comments, including those received from other city departments and community members.

Since many important issues still remain, you will need to make another submission. Please revise your previous work and send us a new submission on or before Friday, June 28, 2019. Your Planning Commission hearing date is tentatively set for Wednesday, August 14, 2019 if all submissions are made on time and all staff comments are sufficiently addressed.

Note that all our comments are numbered. When you resubmit, include a cover letter specifically responding to each item. The Planning Department reserves the right to reject any resubmissions that fail to address these items. If you have made any other changes to your documents other than those requested, be sure to also specifically list them in your letter.

As always, if you have any comments or concerns, please give me a call. I may be reached at 303-739-7857.

Sincerely,

Sarah Wieder, Senior Planner
City of Aurora Planning Department

cc: Jon Jennings, Jennings Architecture, PO Box 72, Blackhawk, CO 80422
Patrick Gehlhoff, Alcalde Design Consulting, 2810 Dahlia St, Denver, CO 80207
Meg Allen, Neighborhood Liaison
Jacob Cox, ODA
Filed: K:\SDA\2179-00rev1.rtf



Initial Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Review and address all neighborhood comments based on staff recommendations (see Item 1)
- Ensure consistency between all documents when you resubmit (see Item 2)
- Update the Letter of Introduction to include additional information (see Item 2)
- Activate the corner of 23rd Avenue and Dayton Street per comments in the pre-application meeting (see Item 3)
- Provide justification and proposed mitigation for all three Conditional Use requests (see Item 3)
- Re-survey the site to ensure that property lines are shown in the correct location (see Item 4)
- Revise the configuration of the parking area to meet code requirements (see Item 5)
- Update the information included in the Parking Analysis (see Item 5)
- Make improvements to the building façade to comply with architectural standards (see Item 7)
- Address all comments on the Landscape Plan (see Item 8)
- Provide pedestrian lights along 23rd Avenue and Dayton Street (see Item 9)
- Review and update the plan set based on Civil Engineering requirements (see Item 9)
- Update the Traffic Impact Study to address Traffic Engineering comments (see Item 10)
- Ensure that the water meter is within a landscaped area (see Item 11)
- Provide a sprinkler system for the building based on the 2015 IFC (see Item 13)
- Show the required fire riser room, fire department connection and fire hydrant (see Item 13)
- Identify the accessible route from the building to the public right-of-way and to all site amenities (see Item 13)
- Address Real Property comments and start easement dedication / license agreement processes (see Item 14)
- Review and address comments from Xcel Energy and Tri-County Health Department (see Items 15 and 16)

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments and Concerns

1A. 5 registered neighborhood organizations and 9 adjacent property owners were notified of application. Three comments were received, one from a neighborhood organization and two from property owners. The main concerns include noise, lighting, parking and traffic. In lieu of a neighborhood meeting, staff suggests that you meet directly with the two individuals that submitted comments who you have not met with yet (Mary and Moh). In addition, staff highly recommends that you speak with the residents in the apartment buildings closest to the site across 23rd Avenue. Because they are renters, they are not notified by mail of the application, but they will be very impacted by this use and they will find out about the project prior to Planning Commission when signs are posted on the site. You may also wish to reach out to the property owner of these apartment buildings even though they did not submit comments. When you resubmit, please respond to the comments below and include details about the meetings / discussions you have with these individuals.

Name: Mary Vaught

Comment: Very concerned about increased traffic and noise from outside entertainment. Mostly concerned with noise from outdoor entertainment.

Name: Moh Sadaoui

Comment: See attached comment letter.

Name: Nadine Caldwell

Organization: Northwest Aurora Neighborhood Organization

Comment: See attached comment letter.



2. Completeness and Clarity of the Application

- 2A. As a general comment, many of the documents you submitted with this application (Site Plan, Traffic Impact Study, Letter of Introduction) do not match and show different things. All documents must be consistent when you resubmit, or staff will not accept the next submittal. Every sheet within the Site Plan must match as well.
- 2B. Please update to the Letter of Introduction. Additional information is needed to describe what changes are being made to the building and the overall site, how the parking lot is changing, what infrastructure improvements you are doing, how you are meeting the vision outlined for the Original Aurora – General District, etc. A person reading this letter should be able to understand exactly what is proposed for this project without looking at the Site Plan.
- 2C. The title on all documents submitted for this application should be the same. For example, the Site Plan refers to this as “23rd and Dayton Street Redevelopment,” while the Letter of Introduction refers to it as “Beer Garden at Stapleton.” Whichever title you decide to use should be the same on all documents. Please also ensure that “Site Plan and Conditional Uses” is included after the title per redline comments.
- 2D. Revise the Vicinity Map to identify 25th Avenue in the correct location.
- 2E. Note the three Conditional Use requests on the Cover Sheet.
- 2F. Update the Data Block per redline comments.
- 2G. Add a line for “City Council” in the Signature Block.
- 2H. Provide consistent title blocks and sheet numbers within the Site Plan. See redline comments.
- 2I. Please ensure that all proposed site features are identified and labeled with the next submittal. For example, internal site lighting, outdoor speakers, netting for the volleyball courts, stage areas, waste receptacles for dogs, etc. are not shown on the current Site Plan.
- 2J. Include an additional sheet within the plan set for “Site Details.” This sheet should include details for bike racks, trash enclosures, lighting fixtures, fences, volleyball courts, bocce ball courts, etc.
- 2K. Please provide a Legend on all sheets within the plan set that includes hatching for various site materials, all site elements, etc. It is easier to call out items using a number or a symbol than text and makes the plan less cluttered.
- 2L. Staff recommends that you reorient the plan to be east-west instead of north-south on the sheet with the next submittal so that it is larger and easier to see.
- 2M. As a reminder, the city has developed CAD Data Submittal Standards for internal and external use to streamline the process of importing AutoCAD information into the city’s Enterprise GIS. Please note that a digital submission meeting the [CAD Data Submittal Standards](#) is required before your final Site Plan mylars can be routed for signatures or recorded. Please review the CAD Data Submittal Standards and email your Case Manager the .DWG file before submitting your final Site Plan mylars. Once received, the city’s AutoCAD Operator will run an audit report and your Case Manager will let you know whether the .DWG file meets the city’s standards.

3. Zoning and Land Use Issues

- 3A. As outlined in the pre-application meeting notes, the city considers the intersection of Dayton Street and 23rd Avenue to be an important gateway corner in this area and has concerns about the lack of street activation with this proposal. It does not appear that you have worked to address this comment with this submittal. When you resubmit, please show how you plan to activate this corner and improve its appearance. Please include specific details. Given the vision of this area outlined in the Original Aurora Zoning Code and the Conditional Uses that are requested, this is a key item to achieving staff’s support of the overall project.
- 3B. Please be aware that you will need to comply with the city’s noise requirements in [Section 146-1802](#). Based on the adjacent residential uses, the maximum number of decibels (dBA) permitted from 7 am – 9 pm is 55 dBA and the maximum number of decibels permitted from 9 pm – 7 am is 45 dBA. Please add a note to the cover sheets that states that you will comply with the city’s noise requirements for adjacency to residential uses. You will also need to be cognizant of scheduling any outdoor activities in the evening as this would likely exceed the noise levels.
- 3C. Based on the proposed uses, three Conditional Uses must be requested as part of this application: 1) Outdoor Recreation and Entertainment in the Original Aurora – General (OA-G) District, 2) Bar and Tavern in the OA-G District, and 3) After-Hours Entertainment in the OA-G District. Detailed justification for all three Conditional Use requests must be provided in the Letter of Introduction. For each Conditional Use, you must state the request, provide an explanation of what you are proposing, and justify it based on the approval criteria in [Section 146-402](#). Please also discuss how you are proposing to mitigate any potential negative impacts of this use.



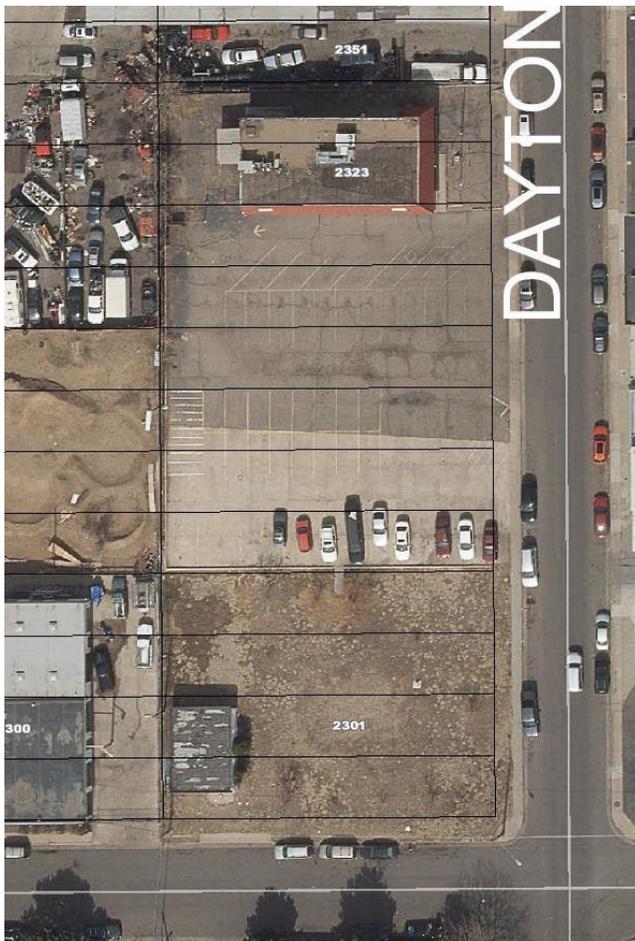
3D. Please relocate the trash enclosure away from the Dayton Street frontage so it's not directly adjacent to the public realm / pedestrian space. Moving it to the western side of the parking area seems to make sense.

3E. Please clarify where loading / unloading will occur for deliveries per Section 146-1506. Will this be done during off-hours? If so, please specify a timeframe in the Letter of Introduction so the Planning Commission understands this.

3F. Include an operations plan in the Letter of Introduction that describes what rules will be implemented for dogs. Is there a designated area for them to use the restroom? Are there any rules around dogs that continuously bark that could be a nuisance for neighbors? Where are they restricted from going on the site, if any? Are they allowed to be off-leash? Please answer these questions and include any other rules you will be abiding by.

4. Streets and Pedestrian Issues

4A. It does not appear that the property lines are shown in the correct locations in the Site Plan. Below is an aerial from the city's GIS system that shows where your property lines are relative to the city-owned rights-of-way. The black lines more or less represent where the property begins. There appears to be around 11' from the edge of the existing curb lines along Dayton Street and 23rd Avenue to the edge of the property. It appears that you are showing about 8'. Please re-survey the site to ensure that the Site Plan is accurate as having the property lines in the incorrect locations would impact the siting of all uses on the property.



4B. 23rd Avenue is labeled as "23rd Street" on all sheets in the Site Plan. Please update.

4C. As required by Fire / Life Safety, please delineate the accessible route to the building and all site amenities on every sheet in the Site Plan.



5. Parking Issues

5A. Revise how the parking information is included in the Data Block and include the total number of parking spaces required by [Section 146-745](#), Table 7-18. See redline comments for additional information.

5B. Please extend the length of all parking spaces by one foot to 19' to meet code requirements.

5C. The drive aisles in the parking lot should be reduced in size. They should only be 23' wide instead of 28'-8". Reducing the size of the drive aisles will ensure that you meet the parking space length requirements and allow more space for landscaping to address the comments outlined in Item 8.

5D. Based on the limited amounts of vehicular parking on-site, please provide additional bicycle racks. There is plenty of room for them east of the building and there will likely be many people riding their bikes here based on the number of people that ride their bikes to Stanley Marketplace.

5E. Please update the provided Parking Analysis to account for the new zone district / standards that were adopted in October 2018. In addition, please take the parking restrictions adjacent to the site into account in your analysis of on-street parking availability. No parking is permitted on the streets adjacent to this site from 10 pm – 5 am.

6. Signage Issues

6A. Please review [Section 146-1613](#) regarding permitted and proposed signage. You can have more than 80 square feet of signage based on the street frontage and the parking lot frontage. If you are unsure, please just state "Per Section 146-1613" in the Data Block.

6B. If a monument sign is proposed, it needs to be shown on all sheets and you must include a detail of the base (height and materials) on the requested Site Details sheet.

6C. Please remove the location of wall signs from the Building Elevation sheets. This is reviewed under a separate sign permit submittal to the Building Department.

7. Architectural and Urban Design Issues

7A. As a general comment, it appears that the inside layout of the building was designed first and then translated to the outside instead of designing the façade first and modifying the internal layout based on that. Although staff understands that this is an adaptive reuse project and there are limitations, improvements to the architecture are needed with the next submittal to show that you are working to meet the intent of [Section 146-744](#).

7B. Because the entrances on the south side of the building are not centered over the new roof feature you are proposing, the façade of the building appears a little off. Consider providing a canopy instead that extends over the south and east elevations to help meet the standards in [Section 146-744](#).

7C. Staff recommends that you stain or paint the brick so it's a more modern color to fit better with the proposed metal siding and trim on the upper portions of the building. This would make the building look more unified.

7D. As outlined in [Section 146-744](#), certain amounts of glazing are required along primary street frontages for buildings in Original Aurora. Please add more windows or make the existing windows larger on the south and east elevations with the next submittal to show that you are attempting to meet this standard. Although there is some flexibility because this is an adaptive reuse project, only keeping the existing windows does not meet this intent.

7E. Some of the existing doors you are wanting to keep look like "mirror" doors and it looks like you can't see into them. This creates safety issues for the Police Department. It is highly recommended that you replace the doors so that all doors match and so that they fit in with the architecture of the building.

7F. All materials, colors and architectural features must be called out on the Building Elevation sheets.

7G. Verify that all bars will be removed from any existing windows.

7H. Please include colored elevations and / or renderings with the next submittal. These are extremely helpful for when the project goes to Planning Commission.

7I. It is unclear where rooftop or mechanical equipment and vents are located. Please include a roof plan that calls out and shows the location of any rooftop or mechanical equipment and vents greater than eight inches in diameter. Also show their location on the elevations drawings. All equipment, both existing and proposed, must be screened per [Section 146-1300](#). Use drawings to explain how this will be accomplished. Screening may be done either with an extended parapet wall, or a freestanding screen. The screening should at least be as high as the equipment it hides.

7J. Please be aware that you will need to prepare a materials board. It should be mounted on an 8.5" x 11" foam board and should have samples of the primary materials / colors. Please submit this to staff with the next submittal.

**8. Landscaping Issues** (Kelly Bish / 303-739-7189 / kbish@auroragov.org / Comments in bright teal)

- 8A. Provide a detail of the new retaining wall with material, color call-outs and bottom and top of wall elevations.
- 8B. Include a Legend that includes the various line types sanitary sewer, water, property line, fencing, easements, etc. and all hatching proposed on the sheet.
- 8C. Label the two types of fencing being proposed.
- 8D. Include the street lights on Sheet 3 and include the symbology in the Legend.
- 8E. Show and label the proposed detention pond area.
- 8F. Include a Site Data Table on Sheet 3 similar to the example provided.
- 8G. No trees have been provided as indicated in the non-residential building elevation landscaping information table. Mountain Lilac is considered a shrub. However, 20 shrubs may be provided in lieu of two trees.
- 8H. The landscape material key should include the plant symbology.
- 8I. Plant sizes shall be represented as 2.5" cal. for deciduous canopy trees, 2' caliper for ornamental trees. Shrubs shall be 5 gallon. Grasses may be 1 gallon or 5 gallon.
- 8J. While water conservation is important, this is an urban environment and plant material typically associated with the plains is not appropriate in this condition. Please update the plant material key and include plant material with more color and aesthetic value.
- 8K. Yucca should not be used in the streetscape or anywhere pedestrian traffic will be present due to the sharp, cactus-type leaves.
- 8L. Not able to locate the botanical name Ceanothus Fendieri. Mountain Lilac does exist, but not with that botanical spelling.
- 8M. Do not include the table of street frontage / buffer and non-street frontage buffer requirements.
- 8N. The soil preparation note should not state that it shall be per city and local standards as the city does not have standards. It should be based upon soil tests and recommendations.
- 8O. Dimensions shall be provided for the tree openings and sidewalks.
- 8P. Numbers should only be associated with quantities, not to identify the specific plant. Please label the plants per industry standard.
- 8Q. If providing a larger planting area along the street, make sure to label the one planting area that is larger than the others and not typical.
- 8R. Dimension the drive aisles on Sheet 3. They seem excessively wide. More space should be given to planting in front of the building and along the parking lot edge to the west.
- 8S. Include the sight distance and sight triangles for the both driveway entrances.
- 8T. Is the sidewalk area going to be pavers? Scored concrete? Label and make sure to add the hatching pattern to the Legend.
- 8U. What is happening at the corner of 23rd Avenue and Dayton Street adjacent to the bocce court? If it is a landscape bed, label and provide an enlargement with plants.
- 8V. What is the mulch treatment for the typical streetscape planter diagram?
- 8W. In the tree openings / planting beds along the street frontages, provide a variety of shrubs / grasses and possibly some flowers for interest throughout the season. The plant material provided is very lean and does not provide much interest. These planting beds help to define the pedestrian space from the street.
- 8X. Call out or label all items shown on Sheet 3.
- 8Y. What is the proposed mulch treatment for the shrub bed along the western boundary of the parking area?
- 8Z. If the area in the middle of the parking lot is intended to be a landscaped parking lot island, it needs to be contained within curbing or it will be driven over by cars.



REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

9. Civil Engineering (Kristin Tanabe / 303-739-7306 / ktanabe@auroragov.org / Comments in green)

- 9A. The Site Plan will not be approved by Public Works until the Preliminary Drainage Report is approved.
- 9B. Show and label directional curb ramps.
- 9C. A drainage easement is required for all detention / water quality ponds. Show this easement on the Site Plan.
- 9D. Indicate the material type and the height range for the proposed retaining wall. A pedestrian railing is required on walls greater than 30" in height. All concrete retaining walls require structural calculations with the Civil Plan submittal.
- 9E. Dimension the existing and proposed sidewalks.
- 9F. Show the proposed utilities on the Landscape Plan to ensure there are no conflicts between utilities and trees.
- 9G. Show the detention pond outfall and existing storm sewer in 23rd Avenue
- 9H. Light poles cannot be in the access and must be behind the curb.
- 9I. Pedestrian lights are required along the adjacent streets. Please refer to Section 4.10.4.02.01 of the city's draft lighting standards.
- 9J. Street and pedestrian lights on public roads will be owned and maintained by the city and must meet the city's standards. Please refer to the draft lighting standards for allowable fixtures and light details. A street lighting plan is required with the Civil Plan submittal.
- 9K. General guidelines for street light spacing on local streets is between 180'-300' apart. Please refer to Section 4.10.4.02.02 of the city's draft lighting standards.
- 9L. Add a note on Sheets 6 and 7 indicating if the storm sewer system is public or private and who will maintain it.
- 9M. Remove erosion control from Sheet 7 as this is provided in the Civil Plans, not the Site Plan,
- 9N. Offsite contours are required for a minimum of 50'. If a survey of offsite areas is not possible, the city's LIDAR can be used.
- 9O. Clarify inconsistencies with curbs vs. curb stops in the parking lot.
- 9P. Show and label the emergency overflow for the detention pond. Adjacent structures cannot be impacted by the emergency overflow.
- 9Q. There is a maximum of 4:1 slope for detention ponds. There is also a maximum 2% slope in any direction for handicap parking spaces and a minimum 2% slope for all non-paved surfaces.
- 9R. Is there a pan proposed at the accesses off of Dayton Street to ensure flows are directed to the pond rather than exiting the site?
- 9S. Label the existing storm sewer along 23rd Avenue.
- 9T. Show and label the pond maintenance access. Access is required to the bottom of the pond as well as the top of the outlet structure and must be in a drainage easement tied to a public way. Please refer to Section 3.62 and 6.39 of the Storm Drainage Criteria Manual for additional requirements.

10. Traffic Engineering (Brianna Medema / 303-739-7336 / bmedema@auroragov.org / Comments in orange)

- 10A. Make all requested revisions to the Traffic Impact Study.
- 10B. Add a note to the Cover Sheet stating that the developer is required to place traffic control, street name signs, and guide signs on all public streets approaching an intersection with a public street.
- 10C. Provide sight distance triangles on Sheets 2 and 3 per COA standards.
- 10D. Show existing and proposed stop signs.
- 10D. Show existing signs (such as "No Parking") along the project frontage.

11. Aurora Water (Casey Ballard / 303-739-7382 / cballard@auroragov.org / Comments in red)

- 11A. The water meter must be within a landscaped area. It appears to be in a landscaped area on Sheet 6, but in a concrete area on Sheet 3. Please ensure both sheets match. See Section 17.08 for requirement.



12. Forestry (Becky Lamphear / 303-739-7177 / rlamphea@auroragov.org)

12A. The trees located next to the fence on the west side of the property are in very poor condition, so no mitigation will be required on the site.

13. Fire / Life Safety (John Van Essen / 303-739-7489 / jvanesse@auroragov.org / Comments in blue)

13A. Per 2015 IFC, Section 903.2.1.2 and Section 903.2.1.3, Note 3, when an A-2 / A-3 occupancy fire area is located on a floor other than a level of exit discharge serving such occupancies, a sprinkler system will be required. Please update the Site Plan.

13B. Because of the sprinkler system requirement, a fire riser room will need to be added to the Site Plan. In addition, a fire department connection (FDC) with approved Knox hardware will be needed.

13C. A new fire hydrant must be installed along Dayton Street to serve the FDC because there are no existing fire hydrants here. Include this on the Site Plan with the next submittal.

13D. Include accessible spaces required / provided and van accessible spaces required / provided in the Data Block.

13E. Please change the occupancy to IBC A-2 and the construction type of UBC Type V-N.

13F. Show the accessible route from the building to the public right-of-way and to all site amenities.

13G. Show and label the existing Knox Box on Sheet 2 and Sheet 4.

13H. Move the accessible parking space to the location noted on Sheet 2.

13I. Show an accessible ramp on Sheet 2.

13J. Identify the van accessible space on Sheet 2.

13K. Show the entire accessible route on Sheet 6 and verify the required minimum lighting of 1-foot / candle along the entire accessible route.

14. Real Property (Maurice Brooks / 303-739-7294 / mbrooks@auroragov.org / Comments in magenta)

14A. Revise the Site Plan Notes per redline comments.

14B. Add bearings and distances to the boundary of the site.

14C. Include the right-of-way widths on all sheets.

14D. There are a few items encroaching into new easements. Contact Grace Gray (ggray@auroragov.org / 303-739-7277) to start the license agreement process.

14E. Dedicate all proposed easements by separate document. Contact Andy Niquette (aniquett@auroragov.org / 303-739-7325) to start this process.

15. Xcel Energy (Donna George / 303-571-3306 / donna.l.george@xcelenergy.com)

15A. See the attached comment letter.

16. Tri-County Health Department (Kathy Boyer / 720-200-1585 / kboyer@tchd.org)

16A. See attached comment letter.

Moh Sadaoui
Dayton Street, LLC
2351-2361 Dayton Street, Aurora, CO 80010

May 31, 2019

Tel: 303-619-0175
msadaoui@msn.com

Ref: Comments

Development Application: DA-2179-00 Watering Bowl

Site Address: 2301-2323 Dayton Street, Aurora CO 80010

This is an exciting project that will add vibrancy to the neighborhood. There are multiple proposed mixed use/residential housing projects in the area (adjacent properties) and the characteristics highlighted herein are relevant to consider for future residents.

Late operating hours, until 2AM, although not expected to be daily we see potential conflict and nuisance with these late hours. Midnight seems to be more acceptable; although the scale of the venues may not be exact same we suggest following guidelines other outdoor venues which surround residential areas follow (Red Rocks, Comfort Dental Center, Clement Park Amphitheater, etc.). Outdoor speakers should follow the City of Aurora ordinances and should not disrupt outside of quiet hours.

Stage music will also create disturbances should concerts and events be held that go beyond quiet hours, the 4PM end time proposed seems agreeable as this should not disrupt majority of sleep schedules for residents.

The lighting at the volleyball courts should be chosen to match the facade of the neighborhood plans and we acknowledge and appreciate they will be turned off by 11:10PM on rec league evenings.

Lastly, although the parking is said to be self-provided and sufficient, we have all experienced the influx of visitors to the area with already existing successful projects. During busy times, the parking swells and has caused inconveniences and I believe this project will draw the same overflow. More thought on mitigation of this and additional parking should be considered.

The recreation leagues and events to be hosted on the premises should always consider the impact on neighbors and publication of plans ahead of time would be useful for neighbors (to plan for congestion, nuisance, and potential participation). Overall we hope this is a complimentary project to the proposed residential projects and will serve as an opportunity for residents to enjoy the amenity in the neighborhood.

We look forward to cooperating and collaborating to make this a great experience and success.

Sincerely,

COMMENTS CONCERNING THE BEER GARDEN AT 2323 DAYTON STREET

SOME OF THE CONCERNS WE HAVE ARE AS FOLLOWS:

With an outdoor activity like volleyball there can be an excessive amount of noise produced just by the fact that people are playing a competitive game and yelling, cheering, etc., are part of the game. How will this issue be handled?

Sand was mentioned as being the surface for the volleyball courts. We would like to discourage this use and sand has a way of getting into everything and is not easy to contain.

There is residential directly across the street from the volleyball courts, how will they be affected by lighting, noise, and car traffic until late into the night. There is also residential ½ block to the East that will also be affected by the same issues. Are these people aware of this potential business? Most of these residents might be renters but that does not make them any less important than property owners.

As mentioned, we have a concern about parking issues: daytime and evening. Parking is not allowed on the street after 10 pm, so this might deter clients, if they can't find parking on the street. Daytime parking on the street is not possible as every space is filled with cars on Dayton Street from 22nd Avenue to 25th Ave from surrounding businesses, Stanley customers, residents, etc.

Lighting for the outdoor activities at night needs to be addressed and also outdoor speakers that are going to be used for music. Surrounding residents and businesses should not be affected by either of these issues.

Bocce ball courts seem to be pretty innocuous and might draw senior citizens to the site.

Having a restaurant there would be good for the neighborhood as it was stated that the prices would be economical in comparison to Stanley Market's food prices.

Our referral person has met with Justin Henry, the applicant, and they had a conversation about the above issues but it remains to be seen how all of this will be handled. We feel the City has to make sure that all issues are addressed in a manner that is satisfactory to not only the City but the applicant and surrounding owners, residents, etc.

Northwest Aurora Neighborhood Org.
Nadine Caldwell, Board member and referral person



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

May 30, 2019

City of Aurora Planning and Development Services
15151 E. Alameda Parkway, 2nd Floor
Aurora, CO 80012

Attn: Sarah Wieder

Re: Watering Bowl, Case # DA-2179-00

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Watering Bowl**. Please be aware PSCo owns and operates existing overhead electric distribution facilities along the westerly property line. Also, it is not clear whether or not the patio will be covered, or where the stage is planned. Bear in mind that per the National Electric Safety Code, a minimum 10-foot radial clearance must be maintained at all times from all overhead electric facilities including, but not limited to, construction activities and permanent structures.

Should the project require any new natural gas or electric service or modification to existing facilities, the property owner/developer/contractor must complete the application process via FastApp-Fax-Email-USPS (go to: xcelenergy.com/InstallAndConnect). The Builder's Call Line is 1-800-628-2121. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



May 22, 2019

Sarah Wieder
City of Aurora Planning and Development Services
15151 E. Alameda Parkway
Aurora, CO 80012

RE: Watering Bowl, DA-2179-00
TCHD Case No. 5628

Dear Ms. Wieder,

Thank you for the opportunity to review and comment on the Site Plan and Conditional Use applications for the adaptive reuse of a building for use as a restaurant bar and outdoor entertainment area with volleyball courts, bocce ball, and outdoor patios, located at 2323 Dayton Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

Food Service Plan Review

TCHD reviews plans for new and remodeled retail food establishments to reduce the risk of food borne illnesses. Plans for all new and remodeled retail food establishments must be reviewed by TCHD for compliance with Colorado Food Code and approved by the Department before the start of construction. The applicant shall submit plans for the proposed food establishment to our Administration Office at 6162 S Willow Drive, Suite 100, Greenwood Village, along with the Plan Review Specification Packet found at <http://www.tchd.org/DocumentCenter/View/2094>. More information can be found at <http://www.tchd.org/246/Restaurants-Grocery>. We recommend a review of the plans by TCHD be completed before the City issues a building permit for the construction.

The applicant may call TCHD's Plan Review Hotline, at our Administrative Office at (303) 846-6230, regarding requirements for, and scheduling a plan review. Instructions for opening a retail food establishment can be found on line at TCHD's web site at <http://www.tchd.org/DocumentCenter/View/315>.

Sun Safety for Outdoor Common and Gathering Areas

Skin cancer is the most common cancer in the United States. Colorado has the 5th highest death rate from melanoma, the most deadly form of skin cancer. A leading risk factor for skin cancer is exposure to ultraviolet rays (UV) from the sun. Seeking shade when outside is one of the best ways to prevent overexposure to UV rays. TCHD recommends the use of shade in common areas like courtyards, patios and play areas through the planting of trees or physical shade structures. It is important that shade

structures and appropriate landscaping are considered early in the design process so that they can be incorporated well into the overall site plan. These considerations optimize the opportunity for people to shield themselves from the sun and reduce their risk of skin cancer. TCHD recommends shade be provided in the outdoor activity areas.

Building Demolition

Fugitive Dust, Lead, and Asbestos

The application indicates that the existing garage at the southwest corner of the site will be demolished.

The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions. State air quality regulations require that precautions be taken prior to demolition of buildings to evaluate the presence of asbestos fibers that may present a health risk. If asbestos is present, actions must be taken to prevent their release into the environment. State regulations also address control of ozone depleting compounds (chlorofluorocarbons) that may be contained in air conditioning or refrigerating equipment. The applicant shall contact the APCD at (303) 692-3100 for more information. Additional information is available at <http://www.cdphe.state.co.us/ap/asbestos>.

Buildings constructed prior to 1978 may contain lead paint. Environmental Protection Agency's (EPA) 2008 Lead-Based Paint Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from lead-based paint hazards associated with renovation, repair and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. More information can be found here <https://www.epa.gov/lead/lead-renovation-repair-and-painting-program-rules> and <https://www.epa.gov/lead>. The applicant may contact, and the Environmental Protection Agency EPA at 1-800-424-5323 for more information.

Vector Control – Building Demolition

Rodents such as mice and rats carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, saliva, or through rodent bites. For example, Hantavirus Pulmonary Syndrome (HPS), a rare but potentially lethal viral infection, can be found in the droppings and urine of rodents commonly found in southwestern United States. When buildings are demolished, rodents can spread to surrounding properties and increase the risk of vector exposure to humans. The applicant should plan for vectors and eliminate any known infestations prior to demolition. Information on rodent control can be found at <http://www.tchd.org/400/Rodent-Control>.

Mosquito Control - Stormwater Facilities

The site plan indicates that a detention pond is proposed. Detention ponds can become sites for mosquito breeding. To reduce the potential for human exposures to West Nile and other mosquito-borne viruses, TCHD recommends that the applicant prepare a

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mosquito control plan. Elements of the plan should include proper design, construction and regular inspection and maintenance of stormwater quality facilities, and mosquito larvaciding if the insects become a problem. The applicant may submit the mosquito control plan to TCHD for review. More information is available here <http://www.tchd.org/276/Mosquitoes-West-Nile-Virus>. A guidance document is attached.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions on TCHD's comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line extending to the right.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD

**Tri-County Health Department
Guidance for Preparation of
Mosquito Control Plan**

A Mosquito Control Plan should contain the following elements:

1. Designation of a management entity

This is the entity with authority/responsibility for implementing the plan. Typically, this will be a Special District or a Homeowners Association. If this is the case, the applicant shall submit a copy of the organizational Service Plan, by-laws or other legal document providing the authority for mosquito control. If the entity is the developer, this should be noted.

2. Funding mechanism

A method needs to be put in place to finance the program. This could be a commitment for the Service District, HOA or developer to include adequate funds for the activities as part of its annual budgeting process, or a plan by the District or HOA to assess an annual fee on residents in the subject service area, or to fund the program in some other way, per its legal authority as noted in #1.

3. Activities that will be undertaken to prevent mosquito breeding conditions

This section places emphasis on the proper design, construction, operation and maintenance of stormwater facilities to prevent mosquitoes from breeding. In most instances, it is nothing different than is already required by the County and Volume 3 of the Urban Drainage and Flood Control District's (UDFCD) Urban Storm Drainage Criteria Manual for flood control and stormwater quality. The literature on this subject, supported by local field experience, suggests that if stormwater facilities are well-designed, built to specification, and regularly inspected and maintained to meet operating standards, stormwater facilities that are designed to completely drain in 72 hours or less are likely to do so and to prevent mosquito breeding conditions.

The likelihood or extent of mosquito breeding can also be reduced through the proper design, construction and inspection/maintenance of retention ponds or constructed wetlands that are intended to hold permanent water pools.

We have found that at the time of construction of stormwater facilities, there is often little thought given to continuity of maintenance. Requiring the applicant to think through the tasks that need to be accomplished from design through operation, who will be responsible for tasks in each phase, and a schedule for their accomplishment increases the probability that these tasks will be completed.

Ideally, before getting to this point, the applicant will have considered stormwater facility options that do not rely on extended retention or detention of stormwater without flushing over a period of 2-3 days; e.g. grass swales, porous pavements, landscape detention,

reducing directly connecting impervious areas to increase infiltration. This would be coordinated through and in compliance with the requirements of the County's Engineering and/or Stormwater sections.

Suggested elements in this section include the following:

- Design review – Qualified personnel review construction plans and conduct field investigation to ensure construction per specifications of UDFCD Volume 3 and County criteria.
- Operation and maintenance activities:
This should identify who will conduct these activities (e.g., staff or contractor), and a schedule or trigger point for doing each task. Again, the UDFCD's Vol. 3 contains minimum operation and maintenance activities. If staff are to be used, this section should note if they will need training and how they will receive it.
- Regular inspections:
Facilities that are found to retain water should be inspected regularly to ensure that no mosquito larvae are present. Facilities should be inspected once a week beginning in April and continuing through September.
- Larvacide program:
Even if inspections do not reveal larvae, a larvaciding program should be established as a preventive measure at the same time that the inspection program begins (generally May) and continue through September. Some mosquitoes lay their eggs in mud, and when rain falls later, they can hatch and present a problem. Larvacide should be applied at the recommended rate and frequency specified by the product manufacturer. Mosquito control products can be found by doing a search on the internet.
Natural control of mosquito larva can be very effective is done properly. Consult the Colorado Department of Wildlife, Fisheries Division, for consultation on proper stocking of ponds with fish that will effectively control mosquito larvae.

For Technical Assistance - Contact Monte Deatrich, Tri-County Health Department's mosquito control specialist, if you have any questions about any elements of the mosquito control program. Mr. Deatrich is in Tri-County's Commerce City office; he can be reached by phone at (303) 439-5902, or by e-mail at mdeatric@tchd.org.