

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



August 13, 2021

Stephanie Fuentes Harvey  
Cadence Capital Investments  
6400 S Fiddlers Green Circle, Suite 1820  
Greenwood Village, CO 80111

**Re: Second Submission Review – 7-Eleven at Smith and Tower - Site Plan and Plat**  
Application Number: **DA-2208-00**  
Case Numbers: **2020-6060; 2020-3059-00**

Dear Ms. Fuentes Harvey:

Thank you for your submission. We have reviewed your plans 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.

Numerous comments from the previous review were not addressed and there are still important issues to resolve. Additionally, without a plat submittal to date, there may be new comments on the Site Plan during the next review. Please revise your previous work and send us a new submission on or before September 7, 2021.

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 let me know. I may be reached at 303-739-7261 or [dbickmir@auroragov.org](mailto:dbickmir@auroragov.org).

Sincerely,

Deborah Bickmire, Senior Planner  
City of Aurora Planning Department

Attachments: Avigation Easement Form

cc: Steve Cromer - The Dimension Group, 5600 S Quebec St Ste 325c Greenwood Village, CO 80111  
Scott Campbell, Neighborhood Services  
Cesarina Dancy, ODA  
Filed: K:\\$DA\2208-00rev2



## Second Submission Review

### SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- A resubmittal will not be accepted without the plat
- Submit a letter to the Director of Public Works to request a deferral (Public Works)
- Provide ramps along the accessible route (Life/Safety)
- Revise the lanes to support the ultimate roadway section (Traffic)
- Add pond maintenance access (Public Works Engineering)
- Mix up plant material and adjust landscape tables (Landscaping)

### PLANNING DEPARTMENT COMMENTS

#### **1. Zoning and Land Use Comments**

1A. Revise the Letter of Introduction to describe the proposed Site Plan and how it meets the approval criteria in [Section 146-5.4.3.B.2.c](#). Also include an operations plan that outlines, at a minimum, the use(s) within the building, number of pumps, number of employees, and hours of operation.

1B. The Avigation Easement previously recorded did not include a legal description and illustration of the site. Please complete the attached form, provide a legal description and illustration and return to the case manager. The City will record the avigation easement.

1C. It is customary for a convenience store, especially one with a restaurant, to provide an outdoor seating area. Staff encourages the applicant to consider adding this amenity.

#### **2. Completeness and Clarity of the Application**

2A. Numerous comments from the last review were not addressed. The comments in this letter are a summary, however, all comments can be found in the redlines. Please ensure all are addressed.

2B. Expand the area shown in the Vicinity Map to provide greater context for the site location.

2C. Remove adjacent property owner names. Only show the zoning district and subdivision plat name/lot if applicable.

2D. Remove contractor and construction related notes. These plans are not for construction.

2E. Building area needs to be consistent on all sheets.

2F. Show the location of the air pump on the plans.

#### *Parking and Access*

2G. There are 69 parking spaces proposed when only 19 are required. That is more than 3.5 times greater than needed. Please reduce the number of parking spaces or provide a justification to support the request.

2H. Identify where the tanker truck will park while filling the fuel tanks.

2I. Move the bike rack so the accessible route is not impacted.

2J. Add a sidewalk between the parking lot and Smith Road sidewalk to accommodate the accessible route.

2K. It appears accessory equipment, such as an ice machine and/or a propane tank rack, etc. are proposed on the sidewalks surrounding the building. The sidewalk must maintain a minimum clear width of ## feet.

#### *Photometric Plan*

2L. Fixture labels are floating and don't relate to fixtures. Fixture symbols should be more readable, and each should be labeled. Simple labels like A, B, C... will be acceptable.

2M. "Dots" are too large and obscure data. Revise.

2N. Add a description for each fixture type in the luminaire schedule.

2O. Identify the maximum height of pole lights, including the height of the base.

#### **3. Architecture and Urban Design**

3A. Provide a materials board with actual samples with the next submittal.

3B. Building elevations appear to be labeled incorrectly. Please revise.

3C. Show the outline of the fuel canopy and dimension. Show any proposed color banding on the canopies. Show for all 4 sides. Accent colors may be used as decorative elements on the canopy fascia, but they shall be limited to horizontal bands of a total area not to exceed 40 percent of the area of the canopy fascia.



3D. Four-sided architecture is required. Add variations in the building façades and/or materials to enhance all building elevations. See Table 4.8-8 for the architectural requirements for primary, secondary and minor facades and ensure that each façade meets the requirements. The rear façade specifically needs enhancement.

3D. Label the material of the fueling canopies, add the color and clarify if it is opaque.

3E. Add a note to Sheet 9 stating: “Accent colors may be used as decorative elements on the canopy fascia, but they shall be limited to horizontal bands of a total area not to exceed 40 percent of the area of the canopy fascia.”

3F. Provide black and white elevations with the next submittal and upload the color elevations separately. The colored elevations are too dark to read well when printed to mylar.

3G. Remove all signage from the elevations. You may show a light, dashed line and indicate that is the location of future signage.

3H. Mechanical equipment shall be screened. The mechanical boxes on the building wall must be screened with landscape or some other material.

#### **4. Signage**

4A. Add the maximum permitted sign area and number of signs to the Site Data. The calculation for frontage on an arterial street is two square feet of sign area for each linear foot of longest side of the canopy for the first 100 feet, then one-half square feet of sign area for each linear foot of building frontage thereafter as measured along the building frontage. The canopy is 136 feet long, therefore,  $100' \times 2$  plus  $36' \times 0.5$  would give you a total of 218 square feet of signage for the site. The maximum number of signs is 5.

4B. Proposed monument sign locations have not been shown on the Site Plan. Show and label all proposed monument signage on the Site Plan and landscape plans or a minor amendment will be required to add them in the future.

4C. Show all colors and/or accents on the canopy fascia.

#### **5. Landscaping Issues**

5A. Curbside landscape areas between 6-10' in width should not include cool season grasses per Section 146-

4.7.5.C.2.a.iii. Native seed can be used, and other landscape could consist of a mix of shrubs and decorative grasses.

5B. List surface materials in the Landscape Notes and identify any free-standing lights.

5C. Only show the buffer width that is to be provided. Incentives used should be noted under the buffer table, rather than on the plans. Landscape should be distributed in planting beds throughout the buffer.

5D. Provide a landscape island at the terminus of the row of parking, adjacent to the trash enclosure.

5E. Tall landscape screens shall consist of a *mixture* of shrubs. More than one plant species is required.

5F. Identify 5 and 1-gallon plant material separately in the landscape tables. Add a note for the tree and shrub equivalents per Section 146-4.7.3.B.7.

5G. No more than 20 percent of the street buffer plant material shall be ornamental grasses. Differentiate shrubs and grasses separately in the buffer tables.

5H. Parking lots shall be screened by shrub species that will reach a minimum height of three feet at maturity. The material along the east property line

5I. Make sure all existing and proposed easements are labeled on the landscape plan.

5J. Add concrete and edger to the Legend. Edger is required between all shrub beds and turf.

5K. Reference the UDO instead of the old code.

5L. Only show the Plant Schedule once.

5M. Specify mulch material.

5N. Repeat comments:

- Vary landscape material. Continuous rows of 30-45 of the shrubs is not acceptable.
- Add “NOT FOR CONSTRUCTION” on landscape sheet.
- Show the 100-year water elevation in the detention area.
- Show the general location(s) of all proposed monument signage.



**6. Addressing** (Phil Turner / 303-739-7357 / [pcturner@auroragov.org](mailto:pcturner@auroragov.org))

6A. Please provide a digital .shp or .dwg file for addressing and other GIS mapping purposes. Include the parcel, street line, easement and building footprint layers at a minimum. Please ensure that the digital file provided is in a NAD 83 feet, Stateplane, Central Colorado projection so it will display correctly within our GIS system. Please eliminate any line work outside of the target area. Please contact me if you need additional information about this digital file.

**REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES**

**7. Civil Engineering** (Kristin Tanabe / 303-739-7306 / [KTanabe@auroragov.org](mailto:KTanabe@auroragov.org) / Comments in green)

**Site Plan**

7A. A plat is required. Additional reviews may be required as the first review of the plat will be with the 3rd submittal of the site plan.

7B. Show and label pond maintenance access, spillway, 100-year water surface elevation

7C. Show and label all proposed and existing easements on all plans.

7D. A 5.5' sidewalk is required on Andes Way.

7E. Additional lights are required on Tower Road and Andes Way.

7F. Label pavement material(s).

7G. Add a note that street light locations are conceptual. Final street light locations will be determined by photometric analysis submitted with the street lighting plans in the civil plan submittal.

7H. Include fixtures for streetlights. They should be identified as SL-4 for arterials and SL-1 for local streets.

7I. A License Agreement is required for the "pork chop" at the Smith Road entry.

7J. With no proposed storm sewer on site or curb cuts to the pond, how do flows get to the pond? Where is the outlet structure for the pond?

7K. The minimum slope at the pond bottom is 2%. Indicate the direction of emergency overflow from the detention pond.

7M. The maximum slope is 6% for 75-feet when sloping down into a site from an arterial roadway.

7N. A railing is required for sidewalks adjacent to 3:1 slopes.

7O. Label street slopes and slopes in landscape areas.

7P. The maximum slope in the right-of-way is 4:1 and 3:1 on-site. The minimum slope away from the building is 5% for 10-feet for landscape areas, and 2% for impervious surfaces.

7Q. If there is storm sewer proposed on the site, add a note indicating if the storm sewer system is public or private and who will maintain it.

7R. Do not cut and paste roadway sections from the manual. Please draft the proposed street sections.

7S. Pavement sections are not required on site plans, only on civil plans. Please remove. Only the type of pavement is required to be identified on the site plan

7T. Increase the size of the symbols Legend. The text and symbols are too small to read.

7U. The Site Plan will not be approved by Public Works until the Preliminary Drainage Report is approved.

**Future Roadway Build-out Exhibit**

7V. This Exhibit needs to be part of the recorded site plan. Full design for deferred improvements needs to be included with a deferral agreement including grading. Additionally, a letter addressed to the Director of Public Works needs to be submitted requesting the deferral, describing the deferred improvements and providing a justification for the deferral

7W. The sidewalk at the intersection is incorrect.

7X. The sidewalk on Tower Road should be detached.

7Y. Remove "Future" from the title and "For Reference Only" from the sheet.

7Z. The diagram does not show the ultimate section for Smith Road.

7AA. There is no tree lawn in the ultimate condition on Smith Road. Provide an 8' attached sidewalk.

7BB. Remove the AutoCad SHX text items in the comment section. Flatten the document to reduce the select-ability of the items.



**8. Traffic Engineering** (Carl Harline / 303-739-7584 / [charline@auroragov.org](mailto:charline@auroragov.org) / Comments in amber)

**Site Plan**

**Traffic Impact Study**

8A. The section of Tower Road is a 3-through lane roadway, so additional auxiliary lanes (right turn lanes) are applicable to this development. Add additional right-of-way width to the section.

8B. Previous comments were not addressed. Please add.

8C. Include signal timing sheets in the appendix.

8D. See comments throughout the report.

**Site Plan**

8E. Section of Tower Road should be 3-through-lanes (in each direction) at full build out. The proposed eastern flowline does not support the ultimate build condition. In order to provide necessary northbound left/right turn lanes (per TIS analysis), the entire northbound approach needs to shift at least 6' to the east, and the curblines need to be adjusted to allow for a future 3-thru-lane northbound configuration. With the northbound curblines in place, added pavement may be hatched out via pavement markings.

8F. Provide the taper rate into the site.

8G. The right lane must turn right (R3-7R).

8H. The curblines on Smith need to be adjusted to accommodate the needed right turn lane onto Andes Way to match the future build scenario exhibit.

8I. Add the sight triangle for northbound Andes Way.

8J. Move the stop signs as noted on the redlines.

8K. Show the sight triangles on the landscape plans per TE-13. Ensure plantings do not obstruct sight triangles per Roadway Manual Figure 4.04.2.10.1.02.1.

8L. Add sign dimensions on Sheet 8.

**Future Roadway Build-out Exhibit**

8M. The northbound left turn lane needs to be centered on right-of-way. Space needed for 3 southbound lanes in the section. Northbound right turn lane is in addition to the standard 110' ROW.

8N. The eastbound right turn into Andes Way is warranted (see curblines west of access point for what is needed).

**9. Fire / Life Safety** (Mark Apodaca / 303-739-656 / [mapodaca@auroragov.org](mailto:mapodaca@auroragov.org) / Comments in blue)

9A. Provide A Knox Box at main building entrance. Show and label the Knox Box as an X within a box symbol and label with the following example: "Knox Box with approved hardware." Label on the Site Plan, Utility Plan, Elevations, Landscaping and Photometric Plans.

9B. Show the location of the Emergency Disconnect Switch per 2015 IFC section 2303. The emergency disconnect switch shall be located within 100' but not less than 20' from the fuel dispensers.

9C. Provide a bold dashed line to show exterior accessible route throughout site to the required accessible entrances (60%), site amenities (mail, trash & similar) and transportation stops (or to edge of site near public transportation stops).

9D. Maintain a minimum 1-foot clearance to all exterior accessible routes.

9E. Provide accessible ramps for the accessible route.

9F. A fire lane easement is not required for this site. Please remove fire lane signs on the plans and the details on Sheet 8.

9G. Add the note provided on Sheet 4.

**10. Real Property** (Maurice Brooks / 303-739-7294 / [mbrooks@auroragov.org](mailto:mbrooks@auroragov.org) / Comments in magenta)

10A. Schedule a pre-application with Real Property prior to submitting the subdivision plat.

10B. Dedicate any easements and/or right-of-way in the plat.

10C. Add the lot, block and subdivision information.

10D. Any encroachments into easements will require a License Agreement. Please contact Grace Gray ([ggray@auroragov.org](mailto:ggray@auroragov.org)) to start the process. The License Agreement must be complete prior to approval of the Site Plan.

**11. Xcel Energy**

11A. No comments at this time, however, comments may be forthcoming during review of the subdivision plat.

Return to:  
Janice Napper, City Clerk and Recorder  
City of Aurora Colorado  
15151 East Alameda Parkway  
Aurora Colorado 80012

### **AVIGATION EASEMENT**

1. The undersigned (the "Grantor(s)") (is)(are) the owner(s) of that certain parcel of real property more particularly identified and described in the legal description attached to and made a part of this instrument as Exhibit A (the "Property").
2. Grantor(s), for (itself)(themselves), (its)(their) successors and assigns, hereby grant(s) and convey(s) to THE CITY OF AURORA, COLORADO, its successors and assigns (the "City"), a perpetual and assignable easement in and over the Property and a right-of-way for the free and unrestricted passage and flight of all aircraft in the navigable airspace above the surface of the Property as defined by the Federal Aviation Act of 1958, 49 U.S.C. § 40101, et seq., and the regulations adopted pursuant thereto, as the same are from time to time amended (the "Airspace").
3. Said easement and right-of-way shall include, but is not limited to:
  - a. For the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons of any and all aircraft now known or hereafter invented, used, or designated for navigation of or flight in the air, in, through, across or about any portion of the Airspace;
  - b. The right to cause or create, or permit or allow to be caused or created in the Airspace, such noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke, and all other effects as may be inherent in the proper operation of aircraft;
  - c. The right to clear and keep clear the Airspace of any portions of buildings, structures, or improvements of any and all kinds, and of trees, vegetation, or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees or any other objects which extend into the Airspace and the right to cut to the ground level and remove any trees which extend into the Airspace;
  - d. The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navigation, any and all buildings, structures, or other improvements, and trees or other objects now upon, or that in the future may be upon, the Property, and which extend into the Airspace; and,
  - e. The right of ingress to, passage within, and egress from the Property, solely for the above stated purposes.

4. Grantor(s) hereby covenant(s) with Grantee as follows:

a. Grantor(s) will not construct, install, permit or allow any building, structure, improvement, tree, or other object on the Property to extend into the Airspace, constitute an obstruction to air navigation, or obstruct or interfere with the use of the easement and right-of-way herein granted; and

b. Grantor(s) will not use or permit the use of the Property in such a manner as to create electrical or electronic interference with radio communication or radar operation between any installation upon the Airport and any aircraft.

5. The easement and right-of-way granted herein shall be deemed in gross, being conveyed to Grantee for their benefit and the benefit of any and all members of the general public who may use said easement or right-of-way operating aircraft in or about, or in otherwise flying though, the Airspace.

6. The covenants and agreements made herein shall run with the land and shall be binding upon Grantor(s) and (its) (their) successors and assigns.

7. The City is hereby designated as agent for all purposes regarding the enforcement or removal of the easement and right-of-way granted herein.

8. It is understood and agreed that Grantor(s) shall have no right or cause of action, either in law or in equity, for damages or injury to any person or property arising out of or resulting directly or indirectly, from the overflight of aircraft, or for damages or injury to any person or property resulting from any noise or nuisance of any kind or description resulting, directly or indirectly, from aircraft overflights; provided, however, that nothing herein shall divest Grantor(s) of any right or cause of action for damages to any person or property resulting from the negligent operation of aircraft overflights over the described premises at any altitude above ground level.

9. Nothing herein shall be construed to be a waiver of the governmental immunity afforded to the City or any other governmental agency or department by virtue of the Colorado Governmental Immunity Act, Section 24-10-101, et seq, C.R.S., as amended.

(Page intentionally left blank.)



EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

GRANTOR(S)

By: \_\_\_\_\_

By: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

STATE OF COLORADO )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, \_\_\_\_\_, by  
\_\_\_\_\_, \_\_\_\_\_ (and  
\_\_\_\_\_) (Grantor(s)).

Witness my hand and official seal.

My Commission Expires: \_\_\_\_\_