

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



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June 13, 2022

Kay Stallworthy
Cadence Capital
6400 S. Fiddler's Green Circle, Ste. 1820
Greenwood Village, CO 80111

Re: Fourth 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. Stallworthy:

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 outside agencies.

Please revise your previous work and send us a new submission on or before July 5, 2022. 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.

Sincerely,

Deborah Bickmire, Senior Planner
City of Aurora Planning Department

Attachment: Avigation Easement Form, RTD Guidelines

cc: Kristin Sullivan, Foster Graham Milstein & Calisher, LLP, 360 South Garfield Street, Suite 600, Denver, CO 80209
Jerry Davidson, Perception Design Group, Inc.
Scott Campbell, Neighborhood Services
Cesarina Dancy, ODA
Filed: K:\\$DA\2208-00rev4



Fourth Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Submit a signed Avigation Easement with legal description and illustration (Planning)
- Include a response to comments with the next submittal (Planning)
- Show and label pond maintenance access, slopes, and include a detail of the retaining wall (Public Works)
- Show the ultimate roadway on the Site Plan, revise the Traffic Study (Traffic)
- Modify the Fire Lane Easement (Life/Safety)
- Revise the curbside landscape and proposed plant material (Landscaping)

PLANNING DEPARTMENT COMMENTS

1. Zoning and Land Use Comments

1A. A response to the written comments was not provided with this resubmittal. Please include a response to these comments with the next submittal.

1B. An Avigation Easement had not yet been submitted. Please provide a signed copy of the attached document with the next submittal along with a legal description and illustration of the site. The City will record the easement.

1C. Revise the Letter of Introduction to remove the Code Compliance with Use Specific Standards section.

2. Completeness and Clarity of the Application

2A. Add fueling station to the proposed uses and revise the Site Data Table per the comments on the redlines.

2B. Label the movements of each entrance, ie.. full movement, right-in/right-out.

2C. Verify the correct locations for the sight triangles with Traffic.

2D. The dumpster enclosure cannot be oriented to face out toward the street. Angle it to orient it internally or parallel to the internal drive.

2E. Show existing and proposed easements on all sheets.

2F. Show the accessible ramps on both sides of the driveways.

2G. Will the electrical transformer or switchgear be in an enclosure?

2H. Add a symbol for landscape/impervious areas on the Site Plan.

2I. What is the purpose of identifying the old right-of-way in the street sections? Confirm with Public Works it should be removed.

2J. Show contour tie-ins on the grading plan.

2K. Include a detail for the proposed pole lights and show the maximum height(s). The maximum permitted height is 25'.

2L. Add the mounted height for pole lights to the Luminaire Schedule.

3. Architecture and Urban Design

3A. Provide a materials board. It is required prior to scheduling the public hearing.

3B. The wall mounted mechanical equipment needs to be screened (Section 146-4.7.8.A). You can use landscape or a screen wall.

3C. Add the following note regarding screening rooftop equipment: Roof-mounted mechanical equipment shall be screened from public view from the street centerline by a parapet or mechanical screen that is integrated into part of the building's architectural design.

3D. Only one set of building elevations is required in the plan set. You can remove the colored elevations and upload them as a separate document with the next submittal. The last sheet showing materials can be removed.

3E. Include what color banding is proposed for the fuel canopy. Be clear on which elevations it is proposed.

3F. Review the elevation references (north, south, etc.) for accuracy.

3G. What material will be used for the trash enclosure gates? Please label.

3H. Add "P-3" to the Materials Legend.

3I. Remove the Façade Character Elements tables.



4. Landscaping Issues

4A. Show and label all existing and proposed easements.

4B. Show, label and dimension all landscape buffers.

4C. Per Section 146-4.7.5.C.2 the curbside landscape along Andes Way and Smith Road shall include shrubs in addition to trees. Shrubs and ornamental grasses should be provided for no less than one shrub per 40 square feet or shrub equivalents may be installed within the curbside landscape area and no more than 40 percent of the shrub count can be ornamental grasses provided as shrub equivalents. Shrubs are assumed to be an average of four feet wide at maturity. No more than five percent of perennials may be provided as shrub equivalents. Shrubs and ornamental grasses shall be five-gallon size at time of installation and perennials shall be provided at a ratio of three one-gallon perennials to one five-gallon shrub.

4D. Instead of putting trees in the curbside landscape along Tower Road, can they be planted behind the sidewalk? That is the City's preference so they would not be removed when Tower Road is widened. If the trees cannot be located behind the sidewalk, put the shade trees behind the pond and use shrubs per the above ratio in the curbside landscape.

You are strongly encouraged to remove the cool season grasses from the curbside landscape.

4E. Put the curbside landscape in its' own table instead of in the Buffer Table. Revise the frontage lengths to remove the driveways.

4F. Per Code Section 146-4.7.3.B.1.e , Austrian Pines shall not be planted closer than 20 feet to a street edge, sidewalk, or parking area as measured from the trunk of the tree to the edge of the pavement. Please replace the three proposed along the fire lane.

They will be too large and encroach into the easement.

4G. Is the Chinkapin Oak a seedless variety? Trees that drop fruits or have thorns shall not be planted within 20 feet of public walks or within parking lot islands or medians.

4H. All parking lot terminal islands are required to include a tree. A 9' x 20' island should also include a minimum of 6 shrubs.

4I. Provide additional building perimeter landscape for the west façade. Landscape must be within 20' of the building to be counted.

4J. The site data should be consistent with the data on the cover sheet.

4K. The detention pond landscape should be called Open Space Landscape and only include the area outside of the flood elevation. Please review the calculations.

4L. Include details for planting shrubs and trees, and edger.

4M. Include a detail for the retaining wall.

4N. Use the city standard landscape notes.

4O. Address all comments and notations on the redlines.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

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

Site Plan

5A. Add the notes provided on the redlines.

5B. Label the curb return radii at each curb return at public right-of-way.

5C. Label proposed cross pans.

5D. Show and label pond maintenance access. An access easement is required from the drainage easement to public right of way (through the site) for maintenance access.

5E. Show and label proposed streetlights.

5F. Include a typical section for the retaining wall. Indicate the material of the retaining wall and add the maximum height or a height range. A railing or barrier is required on walls greater than 30". Structural calculations are required on all walls greater than 48'. The wall must be a minimum of 2' away from the property line.

5G. Dimension the right-of-way in the street sections.

5H. Show and label maintenance access to the pond bottom and the top of the outlet structure outside of the pond bottom. Label slopes - maximum 4:1 side slope, minimum 2% pond bottom.



- 5I. Show and label the 100-year water surface elevation, label the emergency spillway, indicate the direction of the emergency overflow, and label the drainage easement.
- 5J. Label slopes in landscape areas – minimum 2% required in all non-paved areas.
- 5K. The minimum slope away from the building is 5% for 10' for landscape areas, and a minimum 2% for impervious areas.
- 5L. The maximum slope in any direction at handicap parking spaces is 2%.
- 5M. Clarify/label storm sewer as public or private.
- 5N. Include a detail for the proposed streetlights.
- 5O. The Site Plan will not be approved the Public Works until the Preliminary Drainage Report is approved.
- Plat**
- 5P. An access easement is required from the detention pond through the site to the public right-of-way for maintenance access to the pond.
- 5Q. A minimum 25' radius is required as noted.

6. Traffic Engineering (Carl Harline / 303-739-7584 / charline@auroragov.org / Comments in amber)

Traffic Impact Study

6A. The highlighted queues with the proposed configuration on Page 9 indicate why this intersection is deemed to operate poorly with only a 4-thru-lane approach. Per the clip included with the redlines, the lengths may not even represent full queue length. Per exhibits shown by the site plan documentation, a three-thru-lane northbound approach is anticipated as the ultimate configuration, and should be evaluated and documented to determine how effective it is at increasing capacity for the intersection of two major arterial roadways in close proximity to an interstate facility.

Ultimate Roadway Buildout Exhibit

- 6B. Previous iterations of this plan have included the pond location, which seemed to impede the likeliest location for a signal pole (in the absence of a right turn island, where the pole would otherwise be located). Please include where a signal pole can fit within the context of the build scenario in the absence of a channelized right turn island or provide a right turn island.
- 6C. Previous comment on the ultimate roadway exhibit noted that a pedestrian island channelization would be appropriate for the northbound right turn lane, and it was indicated in comment response that it was "completed," but not shown here. In the absence of a channelization, please include truck turning templates for the northbound right turn, given high volume of truck traffic through this area.

Site Plan

- 6D. Add ADA ramp for the north/south connection and show how all the ramps connect in the proposed concrete island.
- 6E. Show the ultimate roadway configuration to confirm the right-of-way is sufficient. Please refer to the previous comments on the ultimate layout dated November 2021.

7. Fire / Life Safety (Mark Apodaca / 303-739-656 / mapodaca@auroragov.org / Comments in blue)

- 7A. Revise the IBC and construction type references on the cover sheet.
- 7B. Remove the portion of the fire lane easement highlighted on Sheet 3 and update the plat.
- 7C. Show a symbol and label the Knox Box location.
- 7D. Label proposed and existing fire hydrants. Relocate proposed hydrants as noted on the redlines.
- 7E. Include wheel stops for accessible parking spaces and provide a detail.
- 7F. Identify the exterior accessible route with a heavy dashed line. The route shall be continuous to the public way and all site amenities. A heavy dashed line shall be shown on Site, Utility, Grading, Photometric and Landscaping Plans.
- 7G. Show the accessible parking spaces and aisle on the Grading Plans.
- 7H. Provide spot elevation for the accessible parking spaces on Sheet 5. The maximum grade is 2%.
- 7I. Update the sign details on Sheet 8.



8. Real Property (Roger Nelson / 720-587-2657 / ronelson@auroragov.org / Comments in magenta)

Site Plan

- 8A. Monuments are not shown on the Site Plan. They should be fully described in the basis of bearing statement.
- 8B. Add recordation information for adjacent right-of-way.
- 8C. Exterior boundary, bearings and distances should match the subdivision plat.
- 8D. Reference easement to be consistent with the plat.
- 8E. Any encroachments into easements will require a License Agreement. Please contact Grace Gray (ggray@auroragov.org) to start the process. The License Agreement must be complete prior to approval of the Site Plan.

Plat

- 8F. Provide AES Board monument record to match the 1/16th corner described on the subdivision plat.
- 8G. Add the note provided on the cover sheet.
- 8H. Show the northly right-of-way line of Smith Road and the westerly right-of-way line of Tower Road.
- 8I. Subsequent line lengths should equal the total.
- 8J. Address all comments and notations on the redlines.

9. Regional Transportation District (RTD) (C. Scott Woodruff / clayton.woodruff@rtd-denver.com)

- 9A. RTD submitted the following comments in the first review. Please include a response.
 - The RTD has an existing Stop that is not shown on the plan sheet. The bus stop will need to be reinstated and have included our guidelines. The developer will need to install the bus stop. See attached RTD Guidelines.

Return to:
City Clerk
City of Aurora Colorado
15151 E Alameda Pkwy Suite 1400
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 "Grantee"), 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"), as it pertains to operations by Buckley Air Force Base ("BAFB").
3. Said easement and right-of-way granted to Grantee 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; and
 - 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; and
 - c. The right to clear and keep clear the Airspace of any buildings, structures, or improvements of any kind, trees, vegetation, or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees or any other facilities that extend into the Airspace and the right to remove or demolish any portions of such obstructions that extend into the Airspace which Grantee has not previously approved; and
 - 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 facilities now upon, or that in the future may be upon, the Property, and that 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, erect, or grow upon the Property any structure, building, tree, or other facilities that extend into the Airspace, without prior written approval of Grantee, which approval shall not be unreasonable withheld; 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 BAFB 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 through, 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 Grantee 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 Grantee or any other governmental entity 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:

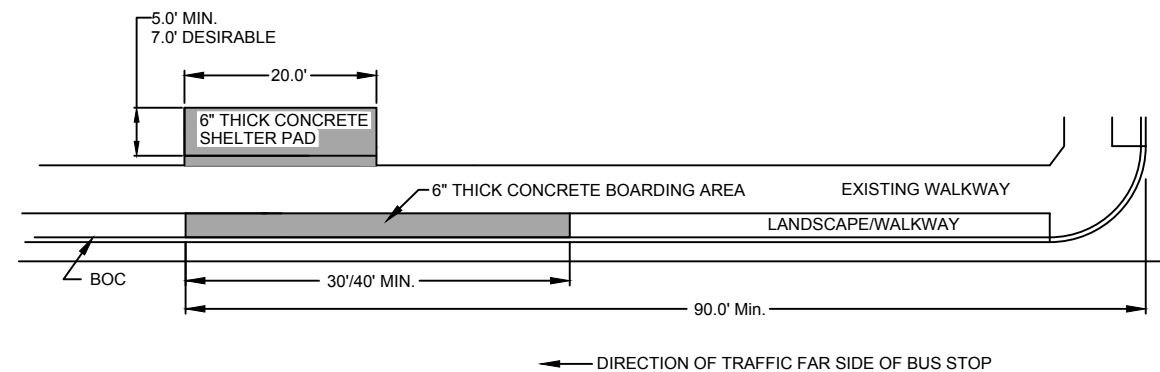
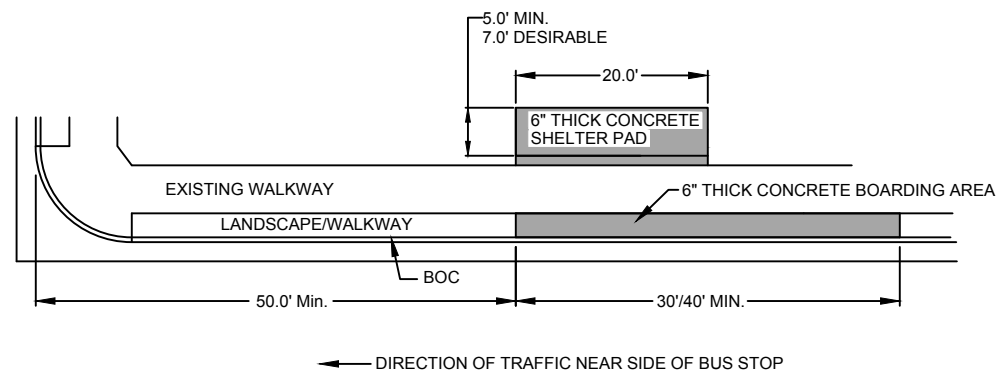
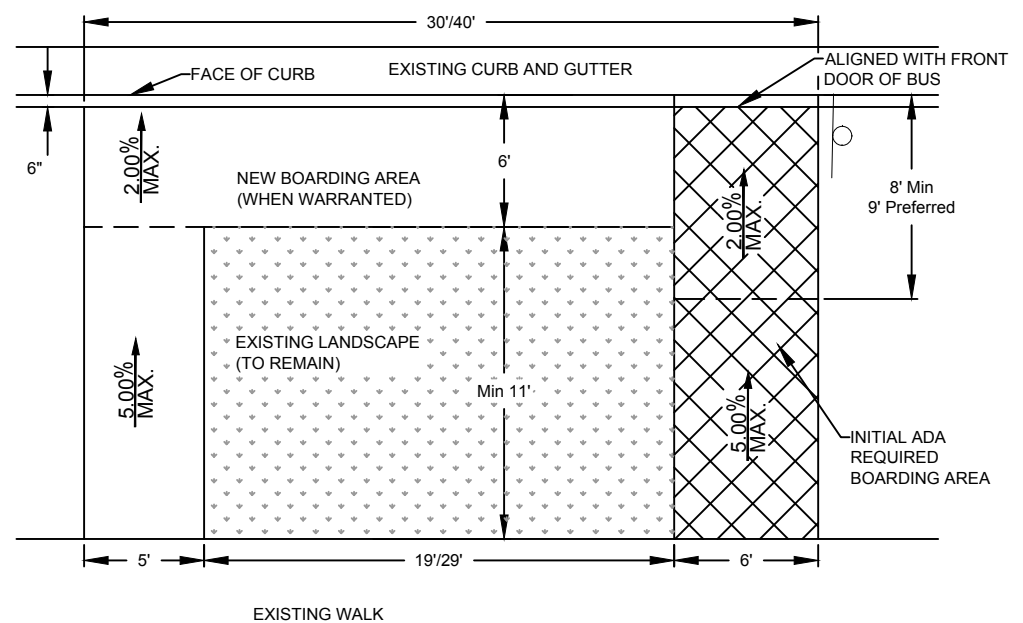
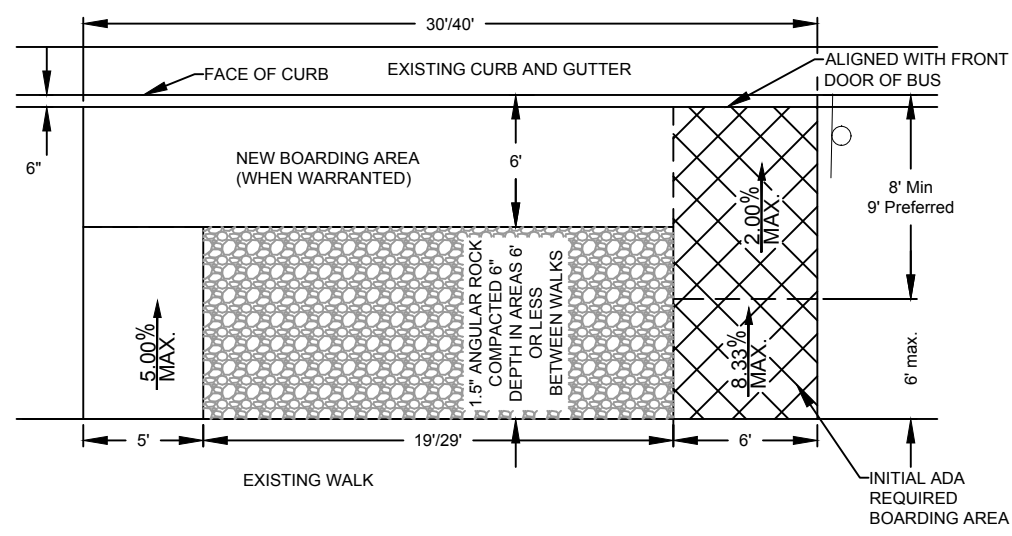
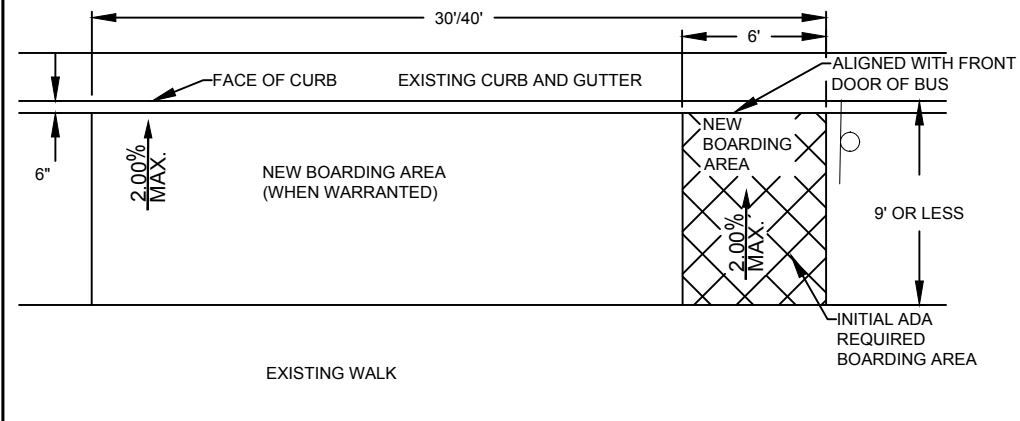
By: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of
_____, _____, by
_____, _____ (and
_____) (Grantor(s).

Witness my hand and official seal.


My Commission Expires: _____



1. FAR SIDE BUS STOPS ARE REFERRED.
2. BUS STOP LOCATIONS SHALL BE COORDINATED WITH RTD SERVICE PLANNING AND LOCAL AGENCIES.
3. BUS PAD INSTALLATION IS DETERMINED BY PAVING DESIGN, SOIL, AND SUBGRADE CONDITIONS, PREFERENCES OF LOCAL AGENCIES, AND FUNDING AVAILABILITY.
4. WIDTH OF BOARDING AREA CONCRETE BOARDING PAD SHALL BE 9' WHEN EXISTING ROW IS AVAILABLE, OTHERWISE A MINIMUM WIDTH OF 8' IS REQUIRED.
5. CONCRETE SHALL BE A MINIMUM THICKNESS OF 6".
6. A 6" THICK CONCRETE SHELTER PAD SHALL BE PROVIDED 20' IN LENGTH AND 5' MINIMUM (7' DESIRABLE) FOR PLACEMENT OF BUS SHELTER, SET BACK A MINIMUM OF 8' (9' DESIRABLE) TO ALLOW FOR DEPLOYMENT OF LIFTS FROM BUSES FOR THE AID OF DISABLED PASSENGERS.
7. FAR SIDE BUS STOPS SHALL HAVE FRONT OF BOARDING AREA PLACED 90' MINIMUM FROM FACE OF CURB OF THE EXISTING CROSS STREET.
8. NEAR SIDE BUS STOPS SHALL HAVE FRONT OF BOARDING AREA PLACED 50' MINIMUM FROM FACE OF CURB OF THE EXISTING CROSS STREET.
9. CONCRETE BOARDING AREA SHALL BE PROVIDED ENTIRE 30'/40' FROM FACE OF EXISTING WALK TO BACK OF CURB WHEN BUS SHELTER IS INSTALLED.

----	----	JV	----
NO.	REVISIONS	BY	DATE

DESIGNED BY: --	DATE: #####	CHECKED BY: JS	DATE: #####
DRAWN BY: ##	DATE: #####	APPROVED BY: HJS	DATE: #####

FILE NAME:	SEE LEFT MARGIN
HORZ. SCALE:	
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RTD ENGINEERING
DIVISION

REGIONAL TRANSPORTATION DISTRICT
1600 BLAKE STREET
DENVER, COLORADO 80202
(303) 628-9000

BUS INFRASTRUCTURE STANDARD DRAWINGS
REGIONAL TRANSPORTATION DISTRICT

CIVIL BUS STOP LAYOUT

SHEET
REFERENCE
NUMBER:
SD-C101
08 OF 68