



Planning Division
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March 15, 2019

Joseph Huey
Lennar Homes
9781 S Meridian Blvd, Ste 120
Englewood, CO 80112

Re: Initial Submission Review - Murphy Creek East – FDP Amendment with Waiver
Application Number: **DA-1250-40**
Case Number(s): **2001-7003-02**

Dear Mr. Huey:

Thank you for your recent submission, which we started to process on Thursday February 14, 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 several 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 March 26, 2019.

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.

Please note that there are a number of comments from the public requesting that this case be reviewed and approved through a public hearing. Due to the fact that a waiver to the FDP will be required to address the proposed product types and associated smaller lot sizes, a public hearing will be required before the Planning Commission, who will make a recommendation to the City Council. The City Council will have to consider the waiver at a public hearing.

As always, if you have any comments or concerns, please give me a call. I may be reached at (303) 739-7184.

Sincerely,

Heather Lamboy, Planning Supervisor
City of Aurora Planning Department

cc: Mindy Parnes, Planning Department
Bill Mahar, Norris Design 1101 Bannock Street Denver, CO 80204
Scott Campbell, Neighborhood Liaison
Mark Geyer, ODA



Second Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

✓Community members continue to express concern regarding the proposed waiver. The waiver request will be considered by the Planning Commission at a public hearing.

✓Typical lot layouts need to be provided, as well as the waiver request and justification. Please keep in mind that all waiver requests are to current code. This needs to be provided by close of business Monday, March 18, 2019.

PLANNING DEPARTMENT COMMENTS

1. Community Questions Comments and Concerns

A. Name: Margaret Sobey

1403 South Addison Court, Aurora CO 80018

Email: msobey@mcgcneighbors.org

Please reference attached letter that Ms. Sobey uploaded to the website.

B. Name: Sunita Nanda

Email: nanda21@comcast.net

Comment: We strongly disagree with this new proposed project. It will destroy the beauty of Murphy Creek and increase the population of the area. The majority of us moved out here for peace and tranquility which will be ruined if the project is approved.

C. Name: MCGC Neighbors

P. O. Box 441002

MCGC Neighbors Aurora, CO 80044-1002

Email: msobey@mcgcneighbors.org

Please see the attached letter that was uploaded to the website.

D. Name: Arturo Perez

1124014 E Hawaii Place, Aurora, CO 80018

Email: Arturo.perez@ncsl.org Phone: 303-363-7575

I live in the Murphy Creek subdivision and oppose the Murphy Creek East development plan in that it tries to place too many homes close together. Not having enough room for parking can lead to serious problems with neighbors as recently demonstrated with an Aurora shooting over a residential parking space. Approving this development plan will only invite problems down the road. Please deny or amend the development plan. Thank you!

E. Name: Claudia Williams

1639 S Grand Baker St Aurora, CO 80018

Email: drsafel@msn.com Phone: 303-364-3531

Comment: The city of Aurora should not have new construction that is not up to the standard of living that would not benefit the city or its people. Certainly not 3 stories that would not benefit young families with children trying to track up 3 stories with young children and groceries or our seniors which could make it dangerous for them. We do not want this kind of housing in a city that is trying desperately to make it a secure and safe place to live.



F. Name: Shayna Reibman

24272 E Iowa Place Aurora, CO 80018

Email: shayna.reibman@comcast.net Phone: 303-907-7347

Comment: I am concerned about the new Murphy Creek East development. We do not have space in our current neighborhood school to support so many additional students. Also, the roads, infrastructure, and shopping in the area do not support this level of expansion. I oppose this development at this time until further things are put into place to support the number of homes being proposed.

G. Name: Trudy White

23791 E Alabama Dr Aurora, CO 80018

Email: artisticattic@comcast.net Phone: 303-353-4099

Comment 1: I am extremely concerned about the proposed plans for Murphy Creek East. The quality of the development does not meet the standards for Murphy Creek located across Jewel. The home lots are very small and the internal street design is tight which will cause congestion, limited parking and alarmingly poor access for emergency vehicles. There are three story walk-ups that will not be of interest to many potential residents. And some of the materials being used in the homes are of lesser quality than found in Murphy Creek to the north. And of particular importance, the Murphy Creek Design Review Committee has not been involved by the Developer in reviewing and approving designs and requirements for the homes. This needs to be and will be addressed before Murphy Creek East will be able to get the required sign off.

Comment 2: Murphy Creek East - Issues: Too many homes being squeezed into the space creating an extremely high density environment; homes that are 3 story walkups to be built on postage stamp size lots, regular lots too small; inadequate parking space; emergency vehicles will have difficulty getting in and out quickly; not the quality Murphy Creek residents want across the road from us. It might help if the city held the developer to current codes and requirements and not grant the numerous amendments, waivers and/or conditional uses being requested.

H. Name: Laura Swanson

1595 S De Gaulle Way Aurora, CO 80018

Email: lauraswa@aol.com Phone: 303-344-1925

Keep the Murphy Creek community a premier community. Do not allow a developers/builders lower the quality of homes just to make a buck. Shrinking lot size, lack of adequate parking, fewer parks, tot lots, less brick/stone exteriors, 3 story "cottage" are all efforts that will lower property values. We want to keep this a desirable neighborhood. Why are so many variances being sought? It sounds like the developers/builders do not want to be held to the higher standards laid out by the City of Aurora's GDP.

I. Name: John Gomez

24618 E Wyoming Place Aurora, CO 80018

Email: gomjol@yahoo.com Phone: 720-429-3246

Comment 1: I am opposed to the development of Murphy Creek East. I do not understand how the schools will be able to support more children when they already struggle with the current classroom sizes.

Comment 2: I am against the proposed development of Murphy Creek East. I speak for many that simply don't have the time to submit a comment when I say that the roads around this area cannot support any more traffic. A single lane in each direction of Gun Club Rd has become a major hazard and a bottleneck for surrounding area traffic. Priorities have become a blur when it comes to community development and the infrastructure to support the increase of population. I am totally opposed to this development of Murphy Creek East.



J. Name: Paul Dyer

1199 S Fultondale Circle Aurora, CO 80018

Email: pwsd01@hotmail.com Phone: 720-519-5543

Request Public Hearing, Absolutely Disagree with Lowering Current Housing Values and Even Further Growth of Area without Expanding Gun Club Road First.

K. Name: Daniel Adema

1361 S Duquesne Circle Aurora, CO 80018

Email: realtyguyco@gmail.com

Comment: I am a resident of Murphy Creek and I am outraged by the notion that the new development we are seeing in Murphy Creek East involves the building of 3 -story walkups for our golf course community.

When I decided to buy in Murphy Creek, I loved the location and the fact that it was a golf course community made of single-family homes or townhomes on reasonably sized lots. The plat maps showed a building uniformity throughout the community for active residents.

Now it seems, the developer is trying to put their profits in front of our community good. These 3 story walkup units are not only any eyesore to the community that I so love, but they are also major safety risk.

Allowing the building of this type of home will also lead to more crime due to the influx of people. There is already a minimal police presence here in the E470 corridor due to the lack of APD funding and personnel, and the APD response time is even worse.

The lot sizes in this proposal have been drastically reduced to fit more homes, which will increase the number of cars, traffic and congestion in the area. Gun Club Road is already a mess during the rush hours because it is only 1-lane each way. And I have heard that this development will target a younger generation who uses public transportation.

Unfortunately, there is no public transportation available to the community.

The smaller lot sizes also mean even smaller roadways that will block emergency access to city vehicles when needed.

And when it comes to construction, 3 story walk ups are designed so the living space sits above the garage. This is extremely dangerous. Since many fires start in the garage, the builder is essentially creating matchsticks in the event of fire as it has only 1 place to go – UP. And if this happens, the roadways listed won't be able to fit emergency vehicles like fire trucks. Given the homes proximity to the landfill, this could be an environmental nightmare!

I request a public hearing prior to approval.

L. Name: Stan Moscinski

24270 E Wyoming Place Aurora, CO 80018

Email: stannet21@hotmail.com Phone: 203-849-0339

Murphy Creek community was established as a golf course community, we the property owners @ Murphy Creek would like to keep the community as is.

We belief that the 3 story walk up townhouses will be detrimental to our balance and type of buyers that will move in to the walk up townhouses. Further senior citizens will not buy into the 3 story walk ups.

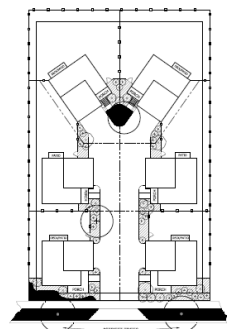
Please have the developers come up with a plan that will enhance / enrich the Murphy Creek community as the community expands.

I am against the 3 story walk up townhouse proposal.

2. Completeness and Clarity of the Application

A. Please update the title block on the Cover Sheet stating the following: “Murphy Creek East Framework Development Plan with Waivers.”

B. Add a box to the Cover Sheet that states the waiver request and justification.



TYPICAL LANDSCAPE 6-PACK

PROVIDE A MINIMUM OF:

6 TREES SHOWN / 48 SHRUBS SHOWN

*STREET TREES NOT COUNTED TOWARD THE LANDSCAPE REQUIREMENT



3. Zoning and Land Use Comments

- A. All proposed waivers will be to current code. Previously I provided examples of typical lot layouts used in other applications. Although the layout on the right does not reflect a layout that will be used in Murphy Creek East, at a minimum an illustration similar to this should be utilized.
- B. Thank you for providing Form D – the Land Use Matrix. Additionally, a simplified version of the lot matrix should be included on the FDP Amendment drawing set. The table should look similar to this:
- C. Update the graphics on the FDP Amendment to illustrate the additional street connection and changes to the pocket park area along E Asbury Drive and S Fultondale Court.

Lot Data Table

| Number of Lots | Unit Type | Lot Type | Min. Lot Sq. Ft.* | Min. Street Frontage | Min. Front Setback*** | Min. Porch Setback | Min. Side Setback **** | | Min. Rear Yard Setback | Max. Bldg Ht. |
|----------------|---------------------|------------|-------------------|----------------------|-----------------------|--------------------|------------------------|---------|------------------------|---------------|
| | | | | | | | Interior | Corner | | |
| 30 | Standard Lots ***** | Front Load | 6,000 sf | 55 Feet | 15 Feet | 10 Feet | 5 Feet** | 10 Feet | 15 Feet | 35 Feet |
| 22 | Small Lots | Front Load | 5,000 sf | 47 Feet | 10 Feet | 10 Feet | 5 Feet** | 10 Feet | 10 Feet | 35 Feet |
| 26 | Duplex Lots | Front Load | 4,100 sf | 42 Feet | 10 Feet | 10 Feet | 5 Feet** | 10 Feet | 10 Feet | 35 Feet |
| 29 | Bungalows | Front Load | 2,800 sf | 60 Feet | 10 Feet | 10 Feet | 5 Feet** | 10 Feet | 10 Feet | 35 Feet |

* The minimum lot size may be reduced by 300 sq. ft. where the lot fronts onto a street with both a minimum five-foot sidewalk and minimum eight-foot tree lawn outside of the front property line.

** Minimum 10' building separation.

*** Minimum 20 foot garage setback for all non-alley loaded lots.

**** Minimum side on street setback is 10 feet. Minimum side on open space setback is 5 feet.

***** Dimensional standards for "Standard" lots include all lots greater than 6,000 s.f. including those that would be classified as "Large" lots.

- D. Please provide some form of communication and approval from Aurora Public Schools that permits use of their property for the detention pond in Filing No. 3.
- E. For legibility purposes, please make all redlines red on the document (including clouds). The FDP Amendment will be filed electronically. A black-and-white Mylar version can be utilized for recording purposes.

Lot Data Table

| Number of Lots | Unit Type | Lot Type | Min. Lot Sq. Ft.* | Min. Street Frontage | Min. Front Setback*** | Min. Porch Setback | Min. Side Setback **** | | Min. Rear Yard Setback | Max. Bldg Ht. |
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| | | | | | | | Interior | Corner | | |
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* The minimum lot size may be reduced by 300 sq. ft. where the lot fronts onto a street with both a minimum five-foot sidewalk and minimum eight-foot tree lawn outside of the front property line.

** Minimum 10' building separation.

*** Minimum 20 foot garage setback for all non-alley loaded lots.

**** Minimum side on street setback is 10 feet. Minimum side on open space setback is 5 feet.

***** Dimensional standards for "Standard" lots include all lots greater than 6,000 s.f. including those that would be classified as "Large" lots.



REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

4. Civil Engineering Kristin Tanabe / (303) 739-7306 / ktanabe@auroragov.org

A. A 6-foot minimum sidewalk is required on all collector streets.

5. Life Safety

William Polk / 303-739-7371/ wpolk@auroragov.org / See blue redlines

Sheet 1

A. Please include Whelen Siren System.

6. Parks, Recreation & Open Space Department

Chris Ricciardiello/303-739-7154/ cricciar@auroragov.org

A. Please add the City of Aurora PROS median splashblock detail on Sheet 8.

B. POPULATION DESIGNATION

PROS will utilize the population of 2,107 stated by the applicant in Form D for park land and open space dedication.

C. Land Dedication Requirements

Murphy Creek East is responsible for providing the following park and open space land dedication calculated from the stated population of 2,107 persons.

- Neighborhood Park Land Dedication – 6.32 acres
- Community Park Land Dedication – 2.32 acres
- Open Space Land Dedication – 16.43 acres

D. Proposed Park AND OPEN SPACE acreage

The Land Use Tracking Chart and Open Space, Circulation and Village Map show an on-site provision of park and open space acreage for all villages as follows:

- Neighborhood Park – The FDP Form J indicates that the neighborhood park in Map Area D2 will be credited 4.30 acres. The deficit between required neighborhood park land dedication (6.32 acres) and provided neighborhood park dedication (4.30 acres) is 2.02 acres. The applicant shall pay cash in lieu for the 2.02 acre deficit.
- Community Park – Cash in lieu shall be paid for the 2.32 acre community park land dedication requirement.
- Open Space – The FDP Form J indicates that the total credit granted for open space will be 16.40 acres. The deficit between required open space land dedication (16.43 acres) and provided open space dedication (16.40 acres) is 0.03 acres. The applicant shall pay cash in lieu for the 0.03 acre deficit.

E. Cash in Lieu Payment:

Total cash in lieu of land dedication to be paid by the applicant is 4.37 acres.

The applicant is responsible for providing a recent (within the last 6 months) professional appraisal of the property in question with zoning and infrastructure in place as a per acre valuation for use in the cash-in-lieu payment. As an alternative, the applicant may request a land value evaluation from the City of Aurora Real Property Services Division of Public Works to define the per acre value for use in the cash in lieu.

*** The cash-in-lieu payment for land dedication shall be paid at the time of first subdivision platting.**



7. Traffic Engineering Brianna Medema / (303) 739-7336 / bmedema@auroragov.org

- A. Please make redlines as noted on the Traffic Impact Study.
- B. Reference the Master Traffic Impact Study for auxiliary lane requirements. Include that multiple intersections are planned for roundabouts, and that the design for the roundabout shall be completed when a single leg of the roundabout is built, and a small portion may be deferred, but shall be functional per City Traffic Engineering review.
- C. In the “References” section, add the Master Traffic Impact Study for the auxiliary lane specification.
- D. Indicate roundabouts at the Yale/S Flat Rock Trail and the Yale/S Harvest Mile Road intersections.

8. Utilities James DeHerrera / 303-739-7296 / jldherr@auroragov.org

- A. Please see redline comments on the MUS, PIP, and FDP Amendment. Please contact me directly with any questions.
- B. Please remove the last sentence under the first paragraph of the Water Distribution System and Sanitary Sewer System (Pages 5, 6, 10, and 11). That is something that the adjacent development’s PIP and Master Utility Study will need to address.
- C. Per section 5.02.4, no more than one fire device (fire hydrant or fire suppression line) is allowed off a dead-end water line extension. From section 5.02.2, a maximum of 12 residential units are allowed to be served from a dead-end water main.
- D. On Page 9, please clarify where E Atlantic Drive is and be sure it is labeled on Exhibit E1.

**COMMENTS ON DA-1250-40 – MURPHY CREEK EAST
FROM MCGC NEIGHBORS
February 28, 2019**

MCGC Neighbors is a registered Neighborhood Association in Aurora for Murphy Creek and other homeowners along the E-470 corridor. Our comments below are based on the applicant's documents, the presentation at the neighborhood meeting, and conversations with homeowners.

All of our 1st submission comments still stand, as no public comments have been addressed by the applicant. However, we will merely summarize them here and add one more.

We are still concerned that the southern border of the property is still referred to as "Lowry", instead of "DADS", which will make the hazard warnings for prospective homebuyers confusing, incomplete, and misdirected.

We are still concerned that a school is not proposed until Phase 2. The number of school-age children from such a densely populated community will overwhelm the already overcrowded area schools. We have no assurances that the developer will even complete Phase 2, let alone complete it in a timely manner. The past performance of Murphy Creek developers (and many other developers citywide) has shown that development is very often not timely and very often not completed.

We are still concerned about this much density with no public transportation, no shopping, no city services, etc.

We are still concerned about the inadequate access for emergency vehicles.

We are still concerned that the proposed housing products will not retain their resale value, resulting in foreclosures and rental units. This will have a negative impact on property values in Murphy East and the existing Murphy Creek North.

Note #8 on Page 1 of the FDP Amendment references Exhibit E. We could not find an Exhibit E. If this Exhibit has already been uploaded to the website, we would appreciate knowing which of the documents we should research to find it. If it has not been uploaded to the website, we request that it be uploaded.

We hope you will give thoughtful consideration to the objections we raised, and we hope that approval for this project as currently proposed will be denied.

We thank you for the opportunity to comment.

**COMMENTS ON DA-1250-40 – MURPHY CREEK EAST
FROM MARGIE SOBEY
February 28, 2019**

All of my 1st submission comments still stand, as no public comments have been addressed by the applicant. However, I will merely summarize them here and add a few questions.

As a resident of Murphy Creek North, I am still concerned that the term “Lowry” is being used to identify the southern border of the property. Knowing how the hazard warning for homebuyers was provided to me at closing, I am concerned that the DADS landfill and Lowry Landfill areas will continue being misrepresented.

I am still concerned that the proposed development would completely change the character of Murphy Creek and destroy its ambiance. The General Site Characteristics on Page 7 of the FDP Site Analysis Narrative state, “...This development has been planned as a continuum of the adjacent Murphy Creek Planned Development...”. The smaller lot sizes, increased density, and lesser design standards and building materials are NOT suitable for a golf course community and will NOT provide a continuum of our community. Instead, they will lower the property values and change the image of Murphy Creek North.

Based on past experience with waivers and amendments, it is very troubling to see these separated out. If the amendment is approved, it is almost a given that the follow on waiver will be approved as well. It seems as though it works out better for developers to present a few small changes consecutively, instead of presenting them all at once. This, however, is not usually better for the residents of the communities.

I have several questions.

Note #12 on Page 1 of the FDP Amendment states, “...The owner/developer shall be responsible for traffic signal costs at all future signal locations abutting this development. Future signal locations and cost-sharing will be determined and noted on the CSP”. Doesn’t this say 2 different things?

Note #14 on Page 1 of the FDP Amendment talks about the Whelen Warning System towers. Who is responsible for the cost of these towers?

Why does Page 16 of the 1st Review Comments show Adonea’s FDP Amendment # 2?

Why do Pages 17 – 21 of the 1st Review Comments show Aurora Highlands Lot Standards?

I hope you will give thoughtful consideration to the questions and objections I’ve raised, and I hope that approval for this project as currently proposed will be denied.

Thank you for the opportunity to comment.