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August 23, 2021

Chris Phipps  
MCRE  
461 E 200 S Suite 102  
Salt Lake, UT 84111

**Re: Second Submission Review: MCRE Apartments - Site Plan Amendment**  
**Application:** DA-2270-00  
**Case Number:** 1982-6017-06

Dear Mr. Phipps:

Thank you for your second submission, which we started to process on Thursday, August 5, 2021. 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 Tuesday, September 14, 2021. Your Planning Commission hearing date is tentatively set for Wednesday, October 13, 2021 if all submissions are made on time and all staff comments are sufficiently addressed with the next submittal.

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 303-739-7259.  
Sincerely,

Ariana Muca  
Planner I  
City of Aurora, Planning Department

cc: Brandon Smith - Mountain Classic Real Estate 461 E 200 S Ste 102 Salt Lake City UT 84111  
Ariana Muca, Case Manager  
Scott Campbell, Neighborhood Services  
Jacob Cox, ODA  
Filed: K:\\$DA\2270-00rev2.rtf



## Second Submission Review

### SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Continue to reach out with property owner Trevor Vernon to discuss the easement (see Planning)
- Update the Letter of Introduction and Cover Sheet per Adjustment requests (see Planning)
- Revise planting plan to screen parking (see Landscape)
- Submit drainage to civil DR to obtain approval (see Public Works)
- Easement issues and a plat needs to be added to this application or a new application for the plat must be started (see Real Property)

### PLANNING DEPARTMENT COMMENTS

#### 1. Community Questions, Comments, and Concerns

1A. The required referrals were made to registered HOA's and abutting property owners. One neighborhood referral comment was received, and it is recommended the applicant meet with property owner Trevor Vernon – see attachment in previous review letter.

1B. The City of Aurora does not have authority over the legal dispute with Trevor Vernon. Please be aware that he could be at the hearing and has a right to speak on the land use.

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

2A. All adjustments must be put clearly on the cover sheet of the site plan. Please see the examples below:

##### ADJUSTMENTS

##### VICINITY MAP

1. AN ADJUSTMENT IS BEING REQUESTED TO EXCEED THE MAXIMUM BUILDING LENGTH OF 150- FEET FOR MULTIFAMILY BUILDINGS IN SUBAREA A PER SECTION 4.8.5.D.1.A. OF THE UDO. THE BUILDING LENGTH ALONG EAST COLFAX AVE. IS INTENDED TO CREATE AN ACTIVE AND ENGAGING CONTINUOUS URBAN STREET FRONTAGE WITH THREE DISTINCT ARCHITECTURAL EXPRESSIONS TO BREAK UP THE BUILDING MASSING. THESE EXPRESSIONS INCLUDE THE CENTRAL ELEVANT AND ENTRY TO THE GARAGE. TO THE WEST IS A GROUND FLOOR RESIDENTIAL EXPRESSION UTILIZING RAISED STOOPS AND MASONRY BELOW A RHYTHM OF WHITE MASSES, AND TO THE EAST IS A MORE COMMERCIAL GROUND FLOOR EXPRESSION WITH SIMILAR WHITE MASSES ACCENTUATED WITH VERTICAL FINS AND A STRONG CORNICED PARAPET. ALONG PEDRIA ST., THE OFFSET OF THE BUILDING AT THE CORNER PLAZA AND TREATMENT OF THE FAÇADE MATERIALS CREATE A FEEL OF TWO DISTINCT MASSINGS. THE OVERALL BUILDING FAÇADES ARE BROKEN UP TO CREATE THE FEEL OF MULTIPLE FRONTAGES ALONG THE PUBLIC STREETS THAT SHARE COMPLEMENTARY DETAILING.
2. AN ADJUSTMENT IS BEING REQUESTED TO ALLOW FOUR GROUND-FLOOR, STREET FACING UNITS TO NOT HAVE DIRECT ACCESS TO THE STREET AS REQUIRED PER SECTION 2.4.5.1.1.E OF THE UDO. THERE ARE 16 GROUND FLOOR RESIDENTIAL UNITS FACING THE PUBLIC RIGHTS OF WAY, 12 OF THESE UNITS (75%) WILL HAVE STOOPS WITH DIRECT ACCESS TO THE STREET. THE FOUR UNITS WITHOUT DIRECT ACCESS ARE EITHER STUDIO OR SMALL ONE-BEDROOM UNITS THAT TYPICALLY DO NOT HAVE BALCONIES AND WHOSE CONFIGURATION IN THE BUILDING PRECLUDE A SUITABLE ACCOMMODATION OF THE REQUIREMENT. 291 OF THE 405 UNITS (72%) IN THE PROJECT HAVE BALCONIES OR PATIOS.
3. AN ADJUSTMENT IS BEING REQUESTED TO THE NON-STREET PERIMETER BUFFER REQUIREMENTS IN SECTION 4.7.5.E OF THE UDO FOR THE BUFFER REQUIRED ALONG THE SOUTHERN PROPERTY LINES AS WELL AS THE WESTERN AND EASTERN PROPERTY LINES ASSOCIATED WITH THE ACCESS BEING PROVIDED OFF OF E 14TH AVENUE. THE ADJUSTMENT IS FOR A REDUCTION IN THE BUFFER WIDTH BEYOND THE MINIMUM OF 12- FEET, THE INSTALLATION OF NO TREES DUE TO THE PRESENCE OF A UTILITY EASEMENT, AND THE INSTALLATION OF A SIDEWALK PROVIDING AN ACCESSIBLE PATH FROM THE STREET WITHIN A PORTION OF THE REQUIRED BUFFER. THE NARROW WIDTH OF THE PARCEL ADJACENT TO E 14TH AVENUE IS CAUSING A HARDSHIP WITH MEETING THE REQUIREMENTS FROM ALL CITY DEPARTMENTS WHILE STILL PROVIDING OUR ONLY FULL MOVEMENT ACCESS INTO THE SITE. WE ARE EXCEEDING THE CITY REQUIREMENTS FOR THE SHRUB AND LANDSCAPE MATERIALS IN THIS REDUCED BUFFER AREA AND ARE PROPOSING TO ENHANCE THE FACE OF THE MASONRY WALL AS MITIGATING MEASURES AS SHOWN ON THE LANDSCAPE PLANS.
4. AN ADJUSTMENT IS BEING REQUESTED TO EXCEED THE NUMBER AND AREA LIMITATIONS OF SIGNAGE REQUIRED IN SECTION 146-4.10.4 OF THE UDO. THE PROPERTY IS LIMITED TO ONE SIGN PER STREET FRONTAGE AT 96 SQUARE FEET PLUS A GRAND PROJECTING SIGN AT 70 SQUARE FEET. AS A LARGER PROPERTY THAT IN MOST CASES WOULD ENCOMPASS MULTIPLE BUILDINGS, THE PERMITTED SIGNAGE RESTRAINTS CAUSE A HARDSHIP BASED ON THE SIZE AND FRONTAGE OF THE SINGLE BUILDING. THE REQUEST FOR A MODEST 10% INCREASE IN PERMITTED SIGNAGE IS NOTED IN THE PROJECT DATA TABLE BELOW.

MURPHY CREEK PA 9C, 13 AND 14 SITE PLAN WITH ADJUSTMENTS		
GENERAL DEVELOPMENT PLAN Standard	PROPOSED STANDARD	JUSTIFICATION
Sec. 2.2 Architecture Chart – Garage Doors		<ul style="list-style-type: none"><li>• An adjustment is needed to allow for 35-foot-wide homes on the lots.</li><li>• A 35-foot-wide homes provide for additional side yard setbacks on the typical 52-foot-wide lot thereby creating more outdoor living space for the residents.</li><li>• The proposed standard, although .7% greater than permitted, is in compliance with the Aurora Unified Development Ordinance Section 146-4.6-C.8 which states the garage door shall not occupy more than 47% of the total width of the front elevation.</li><li>• The 35-foot-wide home provides for another home alternative while maintaining quality of design and compliance with the Murphy Creek GDP Architectural Design Standards</li></ul>
Max. % of garage door width to full width of elevation for two car garages: 45%	45.7% up for to a maximum of 60% of the homes.	



2B. You are asking for many adjustments with the justification being cost and that you are improving and beautifying the site. "Please consider in your review of our application that we intend to prioritize our budget to improve and beautify the site and building to contribute to the community." To support this many adjustment please explain how you are going above and beyond in an area? I am not seeing many site improvements to "beautify" the site.

2C. You cannot ask for an Aurora Water adjustment at the Planning and Zoning Commission – please take out of cover letter and introduction.

2D. In your response to comments – see page AS500 for information. Add page for site details for furnishings such waste receptacles, furnishings, planters, lighting, signage, bike storage, fencing. Are you planning to not have any new site lighting? Any planters? Any benches? Please explain.

2E. Please be sure to upload renderings and material board in next submission.

### **3. Architectural and Urban Design Issues**

3A. No further comments. Please be prepared with a material board prior to the Planning and Zoning Commission

### **4. Landscaping Issues (Chad Giron / 303-739-7185 / [cgiron@auroragov.org](mailto:cgiron@auroragov.org) / Comments in bright teal)**

#### *Landscape Plan*

*4 of 11*

8A. The PRBE is a nice plant but given the plantings along here are supposed to be screening the parking lot, these are too low to do that.

8B. Change the adjustment note to read as follows: Adjustments: Then beneath list Section 146--4.7.5K Parking Lot Landscape Islands.

#### *Landscape Details*

*5 of 11*

8C. Enlarge the Planting Legend as it is too small to read when printed out at 11"x17".

8D. Update the City of Aurora Landscape Notes per the comment provided.

### **REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES**

### **5. Addressing (Phil Turner / 303-739-7271 / [pcturner@auroragov.org](mailto:pcturner@auroragov.org))**

9A. Approved, no further comments.

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

6A. The Site Plan will not be approved by Public Works until the Preliminary Drainage Report is approved.

#### *Cover Page*

*1 of 11*

6B. Comments were added to the drainage documents. The drainage documents must be uploaded by the engineer to the civil DR folder. They will not be reviewed in the planning DA folder

6C. This will be a public document and must be able to be reproduced. Remove the copyright statement

#### *Site Plan*

*2 of 11*

6D. Directional ramps are required.

6E. Repeated comment: The drainage easement is for the pond limits. The access easement is dedicated from the drainage easement to a public way.

#### *Landscape Details*

*5 of 11*

6F. Railing required on all walls greater than 30"

*8 of 11*

6G. This will be a public document and must be able to be reproduced. Revise this statement accordingly.



**7. Fire / Life Safety** (Mark Apodaca / 303-739-7371 / [mapodaca@auroragov.org](mailto:mapodaca@auroragov.org) / Comments in blue)

*Site Plan*

*2 of 11*

7A. See comment to turn fire lane sign to face the flow of traffic.

*Grading Plan*

*3 of 11*

7B. See comment and note for fire service line.

**8. Traffic Engineering** (Steven Gomez / [sgomez@auroragov.org](mailto:sgomez@auroragov.org) / Comments in orange)

8A. Traffic Impact study has been approved.

*Site Plan*

*2 of 11*

8B. Pedestrian ramps/pass thru may be required pending directional ramp design.

*Landscape Plan*

*4 of 11*

8C. Add "and to be limbed up to 7' from roadway surface to be compliant for use within sight triangles."

**9. Forestry** (Rebecca Lamphear / [rlamphea@auroragov.org](mailto:rlamphea@auroragov.org) / 303-739-7139 / Comments in purple)

9A. Approved, no further comments.

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

10A. There are some easement issues and some License Agreement issues. See the comments on the document(s). Contact Andy Niquette [dedicationproperty@auroragov.org](mailto:dedicationproperty@auroragov.org) and [releaseeasements@auroragov.org](mailto:releaseeasements@auroragov.org) for the easement concerns and Contact Grace Gray ([ggray@auroragov.org](mailto:ggray@auroragov.org)) for the License Agreement concerns. Please note that the site plan cannot be approved until all the items needed are submitted, fully reviewed and ready to record. Send in the separate documents still needed.

*Site Plan – see notes*

*2 of 11*

10B. If this is to be a new Lot on this site, then this site will need to be platted to create it here. Contact your Case Manager to start the process for platting this Lot.

10C. License for the concrete island in the R.O.W.

10D. Send in the ownership information (deed) for this Lot - I find no evidence of this Lot.

10E. Dedicate and release these easements as shown.

10F. Label this area – see site plan.

10G. License for landscape wall and handrail encroachment.

10H. License for the portion in R.O.W.

**11. Aurora Utilities** (Ryan Tigera / [rtigera@auroragov.org](mailto:rtigera@auroragov.org) / Comments in red)

*Grading Plan*

*3 of 11*

11A. Label private.

11B. Please confirm this is a clean out and not a manhole.

11C. Show sanitary service line and call out if using existing or proposing a new one.

11D. Please reference Section 5.04 for the appropriate easement dimensions.(typical on all proposed utility easements).

11E. To clarify first review comment: street light should not be located nor hang over into the utility easement.

**12. Xcel Energy** (Donna George / 303-571-3306 / [donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com))

12A. Comment was attached in first review letter



**13. Aurora Public Schools** (Josh Hensley / 303-365-7812 / [jdhensley@aurorak12.org](mailto:jdhensley@aurorak12.org))

13A. The school land dedication requirement for the project at 2201 Clinton Street is 1.1061 acres in accordance with Section 4.3.18 of the Unified Development Ordinance. Aurora Public Schools will accept cash-in-lieu of land for this obligation valued at market value of zoned land with infrastructure in place. Cash-in-lieu is due at the time of recording of the Plat. Please let me know if you have any questions.