

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



May 13, 2021

Chris Ciminielle  
Kimco East Bank 689 Inc  
3500 N Broadway Ste 201  
Jericho, NY 11753

**Re: Initial Submission Review – East Bank Shopping Center Residential**  
Phased Site Plan W/Adjustment and Plat  
Application Number: **DA-1207-11**  
Case Number: **1992-6001-24; 2021-3018-00**

Dear Mr. Ciminielle:

Thank you for your initial submission, which we started to process on April 20, 2021. 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.

Since several important issues remain, you will need to make another submission. Please revise your previous work and send us a new submission on or before Friday, June 4, 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) 739-7259 or [amuca@auroragov.org](mailto:amuca@auroragov.org).

Sincerely,

Ariana Muca, Planner I  
City of Aurora Planning Department

cc: Allison Wenlund - Norris Design 1101 Bannock St Denver, CO 80204  
Ariana Muca, Case Manager  
Scott Campbell, Neighborhood Services  
Jacob Cox, ODA  
Filed: K:\SDA\1207-11rev1.rtf



## First Submission Review

### SUMMARY OF KEY COMMENTS

- Fees need to be paid before second submission
- See comments regarding architecture façade, roof and treatment between buildings
- See community concerns; a neighborhood meeting is required
- There are easement issues that need to be rectified from both Real Property and from Engineering regarding rain garden easements
- Initial review comments from Traffic Engineering are forthcoming and will be sent under separate cover

### PLANNING DEPARTMENT COMMENTS

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

1A. Jennifer Mast / 3018017330 / 4335 S. Atchison Circle / [jkmast02@gmail.com](mailto:jkmast02@gmail.com) . No! This will only increase vehicle traffic along Quincy Ave. Not a good idea since the issue of vehicle/congestion and accidents has not been resolved. I moved into the Cherry Creek Racquet Club neighborhood in 2008 and the problem has only gotten worse. Our 91 Home Neighborhood only has one way in and out and that is Atchison Circle and we only have a Stop Sign (no traffic light). Every single month since I've lived here there has been at least one vehicle crash along Quincy (between Parker Road and Smokey Hill), and at least 3 near misses per week with vehicles coming south on Atchison Way who don't realize (or don't care) that there is no merge area when turning East (left) onto Quincy. Need some action on the traffic and congestion situation before the City even thinks about giving permission for new building Construction anywhere near Parker Road and Quincy Ave

1B. Senthil Punniya / 17712 Baxter Dr / [Senthil.punniya@gmail.com](mailto:Senthil.punniya@gmail.com) . We need MORE HOUSING in the city of Aurora and Denver Metro Area. This project has to be APPROVED. This makes housing more AFFORDABLE. There may be traffic congestion in Parker/Quincy intersection. But that is a smaller issue.

1C. Dave Baron / 3837 S. Atchison Circle / [davejbaron@gmail.com](mailto:davejbaron@gmail.com) . As a property owner directly adjacent to this development, I would be highly and negatively impacted by this construction. Starting with traffic - already in the neighborhood it takes extremely long to pull out onto the busy Parker and Quincy Roads, either going into or out of the subdivision. This new building would add a significant amount of traffic to Atchison and make these wait times worse. This construction would also significantly impact the property value of my neighborhood. We live on a quiet cul-de-sac and this construction in our backyards will last literally years. This will cause our property values and quality of life to decrease. It will also negatively impact the views out of the back of our homes as it would now be obstructed with a 4-story building. Residents there would also have direct line of sight into our homes and backyards, completely removing any shred of privacy. I am highly against this construction and think it should remain zoned as commercial. There are many stores that could come into that space if the management company updated and maintained the buildings (I know they had a history of leaky roofs).

1D. Spencer Trimble / 7202431432 / 3827 S. Atchison Circle / [spencert18@gmail.com](mailto:spencert18@gmail.com) . This is a terrible spot for an apartment complex. The traffic on South Parker is terrible in this section as it is. Our backyard backs up to Casa Vallarta. Is this building being torn down? Will apartment tenants be able to look into our backyard? Will this be low income housing?

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

2A. The invoice for \$27,734.60 has not been paid. These fees are due prior to the second submission, which is scheduled for Friday, June 4, 2021.

2B. Process: Due to the number of community comments, a neighborhood meeting will be required. Please contact Scott Campbell ([scampbel@auroragov.org](mailto:scampbel@auroragov.org)) to start the process of scheduling the meeting. Neighborhood meetings are still held virtually through the Webex platform.

2C. Process: For clarification, this Site Plan will require approval from the Planning Commission.



### **3. Streets and Pedestrian Issues**

3A. The area between the Existing Building and PR Building is undesirable. Trees will get very little light, with building runoff could struggle in this zone. How will this area feel to pedestrians, especially the 5' section to Atchison Way? Would this area be better served as a formal architectural connection between the two buildings?

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

4A. This application requires adjustment for both building height and building length. In section 146-5.D.3.C of the UDO the criteria for approval is laid out and at least one of the following criteria have been met:  
The adjustment will result in a perception of development quality as viewed from adjacent streets and abutting lots that is equal to or better than would have been required without the adjustment.

4B. The hip roof is not of the same quality as that was presented at the pre-application meeting. Please see the graphic below for the roof that was presented at the pre-application meeting. The roof shown was a cementitious fascia and roofs with higher pitch and variety, and the hip roof is not of the same vocabulary.



4C. 4.8.5.B of the UDO states multifamily developments shall have a defined base, middle and cap to the building on each façade facing a street or a residential zone district. The “base” is generally the portion of the building that meets the ground. It is at least 24 inches tall, but taller buildings could be as tall as the first two stories. It shall include pedestrian-oriented elements, high transparency, and be made of high-quality and durable materials. The “middle” is the least dominant façade element. It is generally located between the “base” (anywhere above 24 inches above the ground) and the “cap” or roofline. The “cap” is the building roofline. This is generally a predominant roofline or architectural element indicating the end of a building. Based on the elevations provided, the current architecture façade does not have a strong articulation of base, middle, and cap.

4D. It is recommended that you redesign the elevation to comply with multi-family design standards. A way to articulate a façade is to provide ground-floor entries for units on the first floor. Further tools to provide architectural interest include stepbacks, material or patterning changes, horizontal offsets, changes in roof height or form, and changes in fenestration patterns among others.

### **5. Landscaping Issues** (Kelly Bish / 303-739-7189 / [kbish@auroragov.org](mailto:kbish@auroragov.org) / Comments in bright teal)

#### **Sheet 11 of 29 – General Landscape Notes**

5A. Update the General Landscape Notes where indicated.

**Sheet 13 of 29 – Site Plan**

- 5B. Include all existing and proposed easements and all utilities. There appear to be some turned off.
- 5C. It appears as if the landscaping is going to be installed in phases. Please include a separate landscape phasing plan that shows the plant material - WITHOUT LABELS that delineates what landscaping is being installed in what phase.
- 5D. There are plants selected for the end cap parking lot islands that will get too tall and cause visibility issues within the parking lot. Please select shrub species that will attain heights of less than 4'.
- 5E. Provide the missing plant labels where indicated.
- 5F. The larger islands shall contain a minimum of 12 shrubs.
- 5G. Sod, native seed nor artificial turf are permitted within parking lot islands.
- 5H. What are the rectangular crusher fines areas along the northern side of the site? What is their purpose?

**Sheet 14 of 29 – Site Plan**

- 5I. The sidewalk is different on this sheet then what is shown on the site plan sheets.
- 5J. Dimension and label the buffer.
- 5K. Include the missing utilities.

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

- 7A. The site plan will not be approved by Public Works until the preliminary drainage letter/report is approved.

**Sheet 4 of 29 – Site Plan**

- 7B. Label the proposed curb and gutter.
- 7C. Indicate wall material, height and if over 30" a railing is required.
- 7D. Label Rain garden drainage – easements are required.
- 7E. Show drainage easement for permeable pavers.
- 7F. Label or hatch paving pattern to the legend.

**Sheet 5 of 29 – Site Plan**

- 7G. Label rain garden. Drainage Easement required.
- 7H. Show/label drainage easement for permeable pavers.
- 7I. Label or add hatch pattern to the legend.

**Sheet 6 of 29 – Site Plan**

- 7J. Label Rain garden drainage – easements are required.
- 7K. Show/label drainage easement for permeable pavers.
- 7L. Add a note indicating if the storm sewer system is public or private and who will maintain it.

**Sheet 7 of 29 – Site Plan**

- 7M. Label Rain garden drainage – easements are required.
- 7N. Show/label drainage easement for permeable pavers.
- 7O. Add a note indicating if the storm sewer system is public or private and who will maintain it.

**Sheet 8 of 29 – Site Plan**

- 7P. The wall (see site plan) is more than 4' high. Please modify the max height. Railing required on all wall greater than 30".
- 7Q. Provide additional slope labels on Atchison Way.
- 7R. Min slope away from the building is 5% for 10' for the landscape areas, min 2% for impervious areas.
- 7S. Show/label drainage easement for rain gardens
- 7T. Add a note indicating if the storm sewer system is public or private and who will maintain it.



**Sheet 9 of 29 – Site Plan**

- 7U. Provide additional slope labels on Atchison Way.
- 7V. Min slope away from the building is 5% for 10' for the landscape areas, min 2% for impervious areas.
- 7W. Show/label drainage easement for rain garden.
- 7X. Add a note indicating if the storm sewer system is public or private and who will maintain it.

**Sheet 18 of 29 – Site Plan**

- 7Y. Detail 6 railing or barrier is required on all walls greater than 30"

**Sheet 27 of 29 – Site Plan**

- 7Z. Per the pre-app notes, streetlights are required on Atchison Way. Please refer to the draft lighting standards (provided upon request) for requirements.

**8. Utilities (Nina Khanzad / [nkhanzad@auroragov.org](mailto:nkhanzad@auroragov.org) / Comments in red)**

**Sheet 6 of 29 – Site Plan**

- 8A. Private storm drain and rain garden to be encompassed within a private drainage easement.
- 8B. Pool Drains to be connected to sanitary sewer.
- 8C. Match line and storm drain confusion on plan.
- 8D. See plan for items that need to be listed as private.
- 8E. Please show all existing fire and utility easements.
- 8F. Show how roof drains will tie into storm drain.
- 8G. Listing piping upstream of WM as private and downstream as private.
- 8H. Show and label pocket utility easement WM to be located in landscape area.
- 8I. Show and label utility easement (typ.)

**Sheet 6 of 29 – Site Plan**

- 8J. Listing piping upstream of WM as private and downstream as private.
- 8K. See plan for items that need to be listed as private.
- 8L. See comment on page 6 indicating that private drainage to be encompassed by private drainage easement.

**Sheet 7 of 29 – Site Plan**

- 8M. Note for CPs, provide elevations of WM outlets.

**Sheet 13 of 29 – Landscape Plan**

- 8N. Show all proposed easements on landscape plan.

**Sheet 14 of 29 – Landscape Plan**

- 8O. No trees / obstructions to enter utility easements.

**9. Traffic Engineering (Brianna Medema / 303-739-7336 / [bmedema@auroragov.org](mailto:bmedema@auroragov.org) / Comments in amber)**

**Traffic Generation Analysis Report**

- 9A. Comments will be sent separately

**10. Fire / Life Safety (Ted Caviness / 303-739-7628 / [tcavines@auroragov.org](mailto:tcavines@auroragov.org) / Comments in blue)**

**Sheet 1 of 29**

- 10A. See Comment for HB1221 implementation plan.

**Sheet 4 of 29**

- 10B. See comment for signage details, symbols, legend and locations.

**Sheet 6 of 29**

- 10C. See comment for legend, symbol and location of FDC, Knox Boxes and Exterior riser room door.
- 10D. See comment to identify location of riser room.

**Sheet 19 of 29**

- 10E. See comment for legend, symbol and location of FDC, Knox Boxes and Exterior riser room door.

**Sheet 17 of 29**

- 10F. See comment for identification of exterior accessible routes.

**11. Aurora Water** (Ryan Tigera / 303-326-8867 / [rtigera@auroragov.org](mailto:rtigera@auroragov.org) / Comments in red)

11A. There are no Storm Drainage Development Fees due, this is a replat of East Bank Mall 3.

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

12A. Trees will likely be impacted in the courtyard between some of the buildings that are scheduled for demolition. It is unclear if other trees will be impacted with the new design and construction, but it is a possibility that trees on the north side of the existing building could be impacted. Protection of the trees that will be preserved on the site is critical.

12B. Due to the location, size and condition of trees on the site, relocation is not an option. The use of tree equivalents is not permitted to mitigate for tree loss. And tree mitigation is always above and beyond the Landscape Code requirements. Any tree that is removed from this site will either require replacement within the landscape or be mitigated through payment to the Community Tree Fund.

12C. When the site plan is submitted, please show and label all existing trees on a separate sheet called Tree Mitigation Plan and indicate which existing trees will be preserved or removed. Please include grading on this sheet as well. Forestry Division staff will conduct a tree assessment after the initial submittal, which includes species, size, condition, and location factors.

12D. Any trees that are preserved on the site during construction activities shall follow the standard details for Tree Protection per the current Parks, Recreation & Open Space Dedication and Development Criteria manual. The Tree Protection notes shall be included on the plan. The link for the manual can be found at:

<https://auroraver2.hosted.civiclive.com/cms/One.aspx?portalId=16242704&pageId=16529352>

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

There are some easement issues. See the comments on the document(s). Contact Andy Niquette ([aniquett@auroragov.org](mailto:aniquett@auroragov.org)) for the easement concerns. Please note that the site plan cannot be approved until all the items needed are submitted, fully reviewed and ready to record.

***Sheet 1 of 20 – Site Plan***

13A. In the Legal Description, match the plat description as noted on the plan.

***Sheet 8 of 20 – Site Plan***

13B. Make sure no portion of the building structure (foundations, footers, roof overhangs, etc.) is/are encroaching in the proposed easements.

**14. RTD** (C. Scott Woodruff / 303-720-2025 / [clayton.woodruff@rtd-denver.com](mailto:clayton.woodruff@rtd-denver.com))

14A. The RTD has no comment on this project as none of the work impacts any of our stops.

**15. CDOT** (Steve Loeffler / 303-720-2025 / [steven.loeffler@state.co.us](mailto:steven.loeffler@state.co.us))

15A. See attached letter.

**16. Cherry Creek School District 5** (Vicky Lisi / 720-5544244 / [vlisi@cherrycreekschools.org](mailto:vlisi@cherrycreekschools.org))

16A. Cherry Creek School District No.5 has reviewed the information provided by the City of Aurora regarding this site plan for the East Bank Shopping Center development and will provide educational services to the future residents of this project. Students from this development are within the current boundaries of Polton Elementary, Prairie Middle School, and Overland High School. Boundaries are subject to change when necessary to promote the efficient utilization of school facilities.

16B. Utilizing the City of Aurora Land Development Code, the land dedication calculation for the school district is 1.0505 acres or an appropriate cash-in-lieu fee. This acreage was calculated using the Aurora Building and Zoning Code 147-48 based on student yield ratios for multi-family high density housing. The District proposes to utilize the current Appraisal Method to determine the fair market value as outlined in 14-111.05.02 B.1 of the Arapahoe County Land Development Code. The cash-in-Lieu fee would be \$343,715.

# STATE OF COLORADO

## Traffic & Safety

Region 1

2829 W. Howard Place  
Denver, Colorado 80204



COLORADO  
Department of Transportation

Project Name: **East Bank Shopping Center Residential**

Print Date:

Highway:

Mile Marker:

### Traffic Comments:

Schnerer 4-28-21

To echo Permits Comments; The TIS submitted with this proposal and recommendations contained therein are not acceptable. The Access Management Plan for SH 83 (outcome of the corridor study 2009) identifies both existing access points into the East Bank Center as: "Access to be closed with implementation of Recommended Corridor Improvements"

The City of Aurora currently has no plan to grade separate the Parker and Quincy intersection. There are however, plans to geometrically improve this intersection and is currently in preliminary design. CDOT recommends coordination with the City on a timeline and scope of the improvements.

### Resident Engineer Comments:

5/5/21,a PDF - There seems to be no planned improvements within CDOT ROW, so we have no comments at this time.

### Permits Comments:

The TIS submitted with this proposal and recommendations contained therein are not acceptable. The Access Management Plan for SH 83 (outcome of the corridor study 2009) identifies both existing access points into the East Bank Center as: "**Access to be closed with implementation of Recommended Corridor Improvements**" The proposal to keep both and signal the northern access is incongruent. It would be recommended to reverse the predominance of residential access to Atchison Way which is already functioning as a residential collector.

We believe that the City is now investigating a grade-separated solution at Quincy. More than 320 new residential units will generate additional local peak-hour traffic at the shopping center access points, currently experiencing (and projected to remain as) poor LOS (level F) in peak hours. That premise is not prudent considering short-term needs of accommodating through-traffic movement that is anticipated to increase with continued growth along the corridor. To propose signaling one of the access points is completely opposite of the plan for managing the corridor's traffic. It would be strongly recommended that a TDM strategy be devised and implemented for the conversion of this Commercial Hub into a "Placetype" Neighborhood center.

The introduction of additional residential in this area, and proximity to the State Park, will bring greater bicycle and foot-traffic towards the Quincy intersection – signalized crossing. The City should identify what multi-modal improvements may be warranted in CDOT RoW, that could necessitate a permit at those locations.

- RS 04-27-21

### Other Comments:

This proposed project is near the 23283 Parker/Quincy/Smokey Hill Local Agency project. We have not had the 23283 FIR meeting yet, so I have not been able to view any plans for 23283 to see if this proposed project conflicts with anything being done. I see that David Herzog is on your list of reviewers

since SH83 is within the vicinity, great. I have been working with Steve Gardner with the City of Aurora for 23283. I would hope that he has been included on COA's review process, but you can reach out to your referral to find out.

I did look at the plans and noticed that the parking garage does appear to be outside of the 23283 project limits, but without seeing the FIR plans, I cannot be sure. I have only been able to view aerial conceptual information to date.  
---Tracy Vance, April 28, 2021