

June 20, 2017

UPLOADED TO CITY OF AURORA
DEVELOPMENT APPLICATION REVIEW
ALSO BY EMAIL

Heather L. Lamboy, Planning Supervisor
15151 E. Alameda Parkway, Suite 2300
Aurora, Colorado 80012
hlamboy@auroragov.org

Re: DA-1609-17 Kings Point CSP No 2 – CSP and Plat (“CSP 2”); Objections on behalf of Chenango Homeowners Association

Dear Ms. Lamboy:

As representatives for the Chenango Homeowners Association (“Chenango”), we have the following objections to CSP 2 (as defined above). Additional documents referenced below include the Kings Point Framework Development Plan approved March 4, 2002 (the “FDP”) and the Amended and Restated Agreement between Kings Point Limited Liability Company (“KP”) and Chenango dated February 28, 2002 (the “Chenango Agreement”).

As you know, the FDP prohibits the ‘Property Owner’ (Kings Point) from making certain changes (referred to as “Material Changes”) without Chenango’s prior written approval. (See FDP, Mitigation Measures, Sheet number 12 of 12, Section VIII “Changes to the FDP” which states: “Property Owner shall make no modifications to the FDP land use area locations or the land use categories, shall not increase the size or density within any land use area, whether expressed as a maximum number of dwelling units per area or maximum gross building square feet per area, and shall not change the roadway alignments shown on the FDP, without the prior written consent of Chenango...”). The Chenango Agreement contains a similar prohibition which forbids, among other things, Kings Point from making any change in the location or configuration of a designated land use area. Additionally, Kings Point is required to submit any proposed Material Changes to Chenango for review before submitting them to Aurora.

Kings Point’s CSP No. 2 / Final Plat No. 2 (submitted to the City of Aurora on April 29, 2017) contains Material Changes that were not presented to Chenango for review and approval prior to being submitted to Aurora. The Material Changes include, but are not limited to, Kings Point improperly altering the size and configuration of Land Use Areas L11, L9, and M16. Chenango never reviewed these changes before King Point submitted them to Aurora and Chenango does not approve these Material Changes. As a result,

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Chenango objects to Kings Point's April 29, 2017 submission and requests that Aurora not approve the submission.

This letter is not intended to include any and all of Chenango's objections to CSP No. 1 or CSP No. 2 and Chenango specifically reserves the right to raise additional objections in the future.

Sincerely,

Moye White LLP

A handwritten signature in blue ink that reads "Patrick G. O'Dickey #41592 for". The signature is stylized and written in a cursive-like font.

Keely Downs

KCD/dsc