

October 7, 2022

City of Aurora
Planning Division
Attn: Dan Osoba
15151 E. Alameda Parkway, Ste. 2300
Aurora, Colorado 80012

Re: 1st Technical Submission Review – Landmark at Town Center – Site Plan and Final Plat
Application Number: **DA-1594-11**
Case Number: **2022-4007-00; 2022-3007-00**

Dear Mr. Osoba:

Thank you for taking the time along with Planning Division to review the Landmark at Town Center. Valuable feedback was received on August 30th, 2022, and the following pages reference the detailed comment responses. Please feel free to reach out should you have any questions or concerns by phone at 303-892-1166 or by email at eappelgate@norris-design.com.

We look forward to working with the City of Aurora to make this project a success.

Sincerely,
Norris Design



Elyse Appelgate
Associate

1st Technical Submission Review

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments and Concerns 1A. No additional comments were received from adjacent property owners or registered neighborhood groups.

Response: Comment noted, thank you.

2. Completeness and Clarity Comments

Generally

2A. Ensure that all AutoCAD SHX text items are turned off and the PDF is flattened with your next submission.

Response: Comment noted, thank you.

Sheet 1

2B. Update the project data per the redesign of the building and change of unit counts.

Response: Updated, per comment.

2C. Update parking requirements per the changes to the unit count.

Response: Updated, per comment.

2D. Add the City Council approval per the appeal.

Response: Added, per comment.

3. Zoning Comments

Sheet 2

3A. As adjustment number 2 is not an adjustment from the UDO, please remove it from the administrative adjustments list. This can continue to be addressed in the letter of introduction or anything else public works needs.

Response: Noted, the adjustment has been removed.

4. Open Space Comments

Sheet 8

4A. Open space area that is already being used as a landscape buffer may not count towards the usable open space requirement unless that space is designed as a usable green space or common gathering space. Internal sidewalks and trails intended for use by all residents and guests may contribute to this requirement when adjacent to eight feet of a landscape area and include amenities such as benches or similar. Please revise the calculation based on the marked red areas shown on the diagram to be removed from the usable open space that does not meet the requirements listed above.

Response: The calculation has been revised based on the markup. The new roof terraces have also been included in the Open Space calculation.

4B. Please see the redlines on the usable open space diagram. There are several locations that cannot be counted towards this requirement and some areas that can be included.

Response: Noted, thank you.

4C. The dog run can be counted in total towards this requirement. The 40% limitation on dog runs is the dog park may not be more than 40% of the required 20% common usable outdoor space.

Response: Noted, thank you.

5. Architectural Design Comments

5A. Update the elevations as necessary per the elevations shown at City Council. Future comments may be made based on these changes.

Response: Elevations have been updated to show Building Types C & D.

6. Signage Comments

Sheet 1

6A. Show signage on the data block if necessary. Monument signs shall be shown on the site plan and a detailed drawing shall be provided.

Response: The site features 4 streets: East 6th Avenue, Catawba Way, East 6th Parkway, and the MU-R required walkable main street that serves as an extension of E 5th Avenue into the site. With that, the plan proposes one wall sign, a monument sign at the Catawba Way and East 6th Parkway entrances, and one and the terminus of the walkable main street identifying the leasing and amenity center. All information has been added to the site data block.

7. Landscaping Comments (Kelly Bish / kbish@auroragov.org / Comments in blue, red text)

7A. Landscape comments will be sent under a separate cover.

Response: Comment noted, thank you.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

8. Civil Engineering (Julie Bingham / jbingham@auroragov.org / Comments in green)

Site Plan Comments

Sheet 1

8A. The Site Plan will not be approved by Public Works until the Preliminary Drainage Report is approved.

Response: Preliminary Drainage Report resubmitted separately through the Amanda system.

Sheet 3

8B. Please remove AutoCAD SHX text items in the comment section. Please flatten to reduce select-ability of the items.

Response: All SHX text removed, and pdfs flattened.

Sheet 4

8C. Provide a turnaround at the end of the pavement. This would be a deferred improvement. The street cannot end without it due to Section 4.404.1.06 from the Roadway Manual.

Response: Temporary turn around added to Site Plan with 35' Radius per Section 4.404.1.06

8D. The standard for a collector street is a 6.0' detached walk per the Roadway Manual.

Response: Existing sidewalk built to approved cross section at the time of CDs. Per phone conversation and correspondence on 9/14, we provided Julie Bingham photos of the Catawaba sidewalk and she confirmed that the existing sidewalk can remain.

Sheet 6

8E. The minimum slope is 2% in unpaved areas.

Response: The proposed grading has been revised to ensure the minimum slope is met in all unpaved areas.

8F. If this is proposed asphalt, the minimum slope is 1%, typical. If it is concrete, the minimum slope is 0.5%.

Response: The proposed grading has been revised to ensure the minimum slope is met in all asphalt and concrete areas.

8G. To clarify, a drainage easement is required to encompass the entire functional portion of the pond.

8H. Maintenance access is required into the pond.

Response: Drainage Easement added to encompass the entire pond.

9. Traffic Engineering (Steve Gomez / 303-739-7336/ segomez@auroragov.org / Comments in amber)

9A. Traffic Engineering comments have been resolved.

Response: Comment noted, thank you.

10. Aurora Water (Steve Dekoski / 303-739-7490 / sdekoski@auroragov.org / Comments in red)

10A. Aurora Water comments have been resolved.

Response: Comment noted, thank you.

11. Fire / Life Safety (Will Polk / wpolk@auroragov.org / 303-739-7371 / Comments in blue)

11A. Fire / Life Safety issues have been resolved.

Response: Comment noted, thank you.

12. Parks, Recreation and Open Space (Curtis Bish / cbish@auroragov.org / 303-739-7131 / Comments in purple)

12A. Parks, Recreation, and Open Space comments have been resolved.

Response: Comment noted, thank you.

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

Site Plan and Plat Comments

13A. See the red line changes and comments on the Plat and Site Plan.

Response: See red line response to comments attached. Comments addressed. See attachment PDF for responses.

13B. Some of the easement names do not match between the documents; the Site Plan should match the Plat.

Response: All easements updated to match.

13C. Add the perimeter bearings, distances and curve data on the Site Plan.

Response: All perimeter bearings, distances and curve data have been added to the Site Plan and match those denoted on the Plat.

13D. On the Site Plan, I have indicated some step (and possible railings) encroaching into some easements. These encroachments will need to be covered by a License Agreement. Also, the balconies shown need to show a distance between them and any near easement; where a 0.00' distance is not acceptable. No portion of any building can encroach into any easement, including balconies, overhangs, awnings, etc.

Response: Steps will be included in a License Agreement. Dimensions added to balconies to show separation between easements.

13E. The monument sign is shown on the Site Plan; make sure it or any retaining walls do not encroach into any easements, or else they will need to be added to the License Agreement. Go to this link for the Real Property web page document links: <https://auroragov.org/cms/One.aspx?portalId=16242704&pageId=16509313>

Response: Noted, thank you.

End of Response to Comments

Send in the updated Title Commitment to be dated within 120 calendar days of the plat approval date.

Send in the Certificate of Taxes Due show they are paid in full up to and through the plat approval date of recording. Obtained from the County Treasurer's office.

CROSS CREEK SUBDIVISION FILING NO. 4

A RESUBDIVISION OF TRACT A, CROSS CREEK SUBDIVISION FILING NO. 2
 A PORTION OF THE NORTHWEST QUARTER OF SECTION 7,
 TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 CITY OF AURORA, COUNTY OF ARAPAHOE,,
 STATE OF COLORADO

LEGAL DESCRIPTION

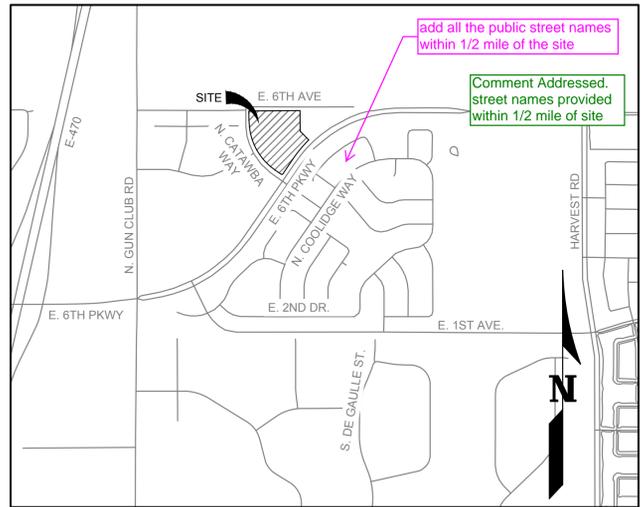
KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT IT IS THE OWNER OF A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING TRACT A, CROSS CREEK SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. B4002719 OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 7 AND CONSIDERING THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 7 TO BEAR NORTH 89°30'04" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

- THENCE 87°05'43" WEST A DISTANCE OF 714.65 FEET TO THE NORTHEAST CORNER OF SAID TRACT A AND THE **POINT OF BEGINNING**;
- THENCE ALONG THE BOUNDARY OF SAID TRACT A THE FOLLOWING NINE (9) COURSES:
- 1) SOUTH 00°31'57" EAST A DISTANCE OF 242.44 FEET TO A POINT OF CURVATURE;
 - 2) SOUTH 44°49'08" EAST A DISTANCE OF 144.06 FEET;
 - 3) ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°53'59", A RADIUS OF 1,572.00 FEET, AN ARC LENGTH OF 299.05 FEET AND A CHORD THAT BEARS SOUTH 39°43'10" WEST A DISTANCE OF 298.60 FEET;
 - 4) SOUTH 34°16'11" WEST A DISTANCE OF 204.79 FEET TO A POINT OF CURVATURE;
 - 5) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°00'23", A RADIUS OF 15.00 FEET, AN ARC LENGTH OF 23.56 FEET AND A CHORD THAT BEARS SOUTH 79°16'22" WEST A DISTANCE OF 21.21 FEET;
 - 6) NORTH 55°43'26" WEST A DISTANCE OF 86.52 FEET TO A POINT OF CURVATURE;
 - 7) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 55°11'50", A RADIUS OF 703.00 FEET, AN ARC LENGTH OF 677.25 FEET AND A CHORD THAT BEARS NORTH 28°07'31" WEST A DISTANCE OF 651.36 FEET;
 - 8) NORTH 00°31'36" WEST A DISTANCE OF 119.05 FEET;
 - 9) NORTH 89°30'04" EAST A DISTANCE OF 602.85 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS AN AREA OF 359,460 SQUARE FEET, OR 8.252 ACRES, MORE OR LESS.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO A LOT, AND A BLOCK, AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF **CROSS CREEK SUBDIVISION FILING NO. 4**, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY OF AURORA, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS, AND EASEMENTS AS SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.



VICINITY MAP
SCALE 1" = 1000'

add all the public street names within 1/2 mile of the site

Comment Addressed. street names provided within 1/2 mile of site

COVENANTS:

THE UNDERSIGNED OWNER(S), FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, COVENANT AND AGREE WITH THE CITY OF AURORA;

NO STRUCTURE CONSTRUCTED ON ANY PORTION OF THE PLATTED LAND SHOWN HEREIN SHALL BE OCCUPIED OR USED UNLESS AND UNTIL ALL PUBLIC IMPROVEMENTS, AS DEFINED BY CHAPTER 146 OF THE CITY CODE OF AURORA, COLORADO, ARE IN PLACE AND ACCEPTED BY THE CITY, OR CASH FUNDS OR OTHER SECURITY FOR THE SAME ARE ESCROWED WITH THE CITY OF AURORA, AND A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED BY THE CITY;

ALL ELECTRICAL, COMMUNITY UTILITY LINES AND SERVICES, AND STREET LIGHTING CIRCUITS, EXCEPT AS PROVIDED IN SECTION 126-505 OF THE CITY CODE AS THE SAME MAY BE AMENDED FROM TIME TO TIME, SHALL BE INSTALLED UNDERGROUND;

ALL CROSSINGS OR ENCROACHMENTS, INCLUDING BUT NOT LIMITED, TO PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, OR PRIVATE UTILITIES INTO EASEMENTS OWNED BY THE CITY OF AURORA ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO THE CITY OF AURORA'S USE AND OCCUPANCY OF SAID EASEMENTS AND RIGHTS-OF-WAY. THE UNDERSIGNED, THEIR SUCCESSORS AND ASSIGNS, HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF AURORA FOR ANY LOSS, DAMAGE, OR REPAIR TO PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, OR PRIVATE UTILITIES THAT MAY RESULT FROM THE CITY OF AURORA'S USE AND OCCUPANCY OR EXERCISE OF ITS RIGHTS IN SAID EASEMENTS AND RIGHTS OF WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, PRIVATE DETENTION POND AND DRAINAGE FEATURES OR PRIVATE UTILITIES UPON REQUEST FROM THE CITY OF AURORA AND AT NO EXPENSE TO THE CITY OF AURORA.

NOTES:

1. RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS, WAYS, AND FIRE LANES NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY. THE SAME ARE HEREBY DESIGNATED AS FIRE LANES AND EMERGENCY AND SERVICE VEHICLE ROADS, AND SHALL BE POSTED "NO-PARKING - FIRE LANE".

2. **BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 7, WHICH WAS ASSUMED TO BEAR NORTH 89°30'04" EAST WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO, AND IS MONUMENTED AS SHOWN HEREON.

3. THE EASEMENT AREA WITHIN EACH LOT IS TO BE CONTINUOUSLY MAINTAINED BY THE OWNER OF THE LOT EXCEPTING THE CITY OF AURORA FROM SUCH RESPONSIBILITY. ANY STRUCTURES INCONSISTENT WITH THE USE GRANTED IN THE EASEMENT ARE PROHIBITED.

4. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

5. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WARE MALCOMB TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, WARE MALCOMB RELIED UPON FIDELITY NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 100-N0037715-010-T02, COMMITMENT DATE MARCH 31, 2022.

6. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT. THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEFINES THE U.S. SURVEY FOOT AS 1200/3937 METERS.

7. ALL OWNERS OF LOTS ADJACENT TO E. 6TH AVENUE, NORTH CATAWBA WAY AND 6TH PARKWAY SHALL BE REQUIRED TO COMPLY WITH REQUIREMENTS OF THE AURORA CITY CODE RESTRICTING THE ABILITY TO BUILD A FENCE ALONG THOSE STREETS OR THE TYPES AND SIZES OF FENCES THAT CAN BE BUILT ALONG THOSE STREETS.

8. THE OWNERS OR OCCUPANTS OF THE LANDS HEREIN DESCRIBED 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, NUISANCE, VIBRATIONS OF ANY KIND OR DESCRIPTION RESULTING, DIRECTLY OR INDIRECTLY, FROM AIRCRAFT OVERFLIGHTS PROVIDED, THAT NOTHING CONTAINED IN THE FOREGOING EASEMENT SHALL DIVEST THE OWNERS OR OCCUPANTS, THEIR HEIRS, SUCCESSORS ADMINISTRATORS OR ASSIGNS, 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. NON-EXCLUSIVE SIDEWALK EASEMENTS ARE HEREBY GRANTED TO THE CITY OF AURORA FOR THE PURPOSE OF MAINTAINING, RECONSTRUCTING, CONTROLLING AND USING SUCH SIDEWALKS TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, PROVIDED THE CITY SHALL NOT INTERFERE WITH ANY OTHER STRUCTURES OR IMPROVEMENTS.

Comment Addressed. owner info updated with new title.

Send in the updated Title Commitment to confirm this info

OWNER:

OWNER: **GHK INVESTMENTS, LLC, A CALIFORNIA LIMITED LIABILITY, COMPANY**

SIGNATURE _____

PRINT NAME _____ PRINT TITLE _____

NOTARIAL:

STATE OF COLORADO)
) SS
 COUNTY OF _____)
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
 _____ DAY OF _____, 20____ AD BY _____ AS _____ OF

GHK INVESTMENTS, LLC, A CALIFORNIA LIMITED LIABILITY, COMPANY, WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT. THE POSITIONS OF THE PLATTED POINTS SHOWN HEREON HAVE AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TEN THOUSAND (10,000) FEET PRIOR TO ADJUSTMENTS; AND ALL BOUNDARY MONUMENTS AND CONTROL CORNERS SHOWN HEREON WERE IN PLACE AS DESCRIBED ON JUNE 21, 2021.

I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS CORRECT AND ACCURATE, IS BASED ON MY KNOWLEDGE, INFORMATION, AND BELIEF, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND DOES NOT REPRESENT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

JUSTIN C. SCHEITLER, PLS NO. 38430
 FOR & ON BEHALF OF WARE MALCOMB
 900 SOUTH BROADWAY SUITE 320, DENVER, COLORADO 80209

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

CITY OF AURORA APPROVALS:

THE FOREGOING INSTRUMENT IS APPROVED FOR FILING AND CONVEYANCE OF STREETS AND EASEMENTS AS SHOWN HEREON AND IS ACCEPTED BY THE CITY OF AURORA, COLORADO, THIS _____ DAY OF _____, 20____ AD, SUBJECT TO THE CONDITION THAT THE CITY SHALL UNDERTAKE MAINTENANCE OF ANY SUCH STREETS ONLY AFTER CONSTRUCTION HAS BEEN COMPLETED BY THE SUBDIVIDER TO CITY OF AURORA SPECIFICATIONS.

CITY ENGINEER _____ DATE _____

PLANNING DIRECTOR _____ DATE _____

send in the updated Title Commitment to be within 120 calendar days of the plat approval date

Comment Addressed. title updated and provided with new submittal

W:\DCS\21\10045000\Survey\CAD_Plat\DCS21-4045_Plat.dwg

900 south broadway st.
 suite 320
 denver, co 80209
 p 303.561.3333
 waremalcomb.com

WARE MALCOMB
 CIVIL ENGINEERING & SURVEYING

JOB NO.	DCS21-4045	
DATE:	12/14/2021	
SCALE:	NA	
Sheet	1 of 2	
2	05/19/2022	CITY COMMENTS
1	03/04/2022	CITY COMMENTS
NO.	DATE	REMARKS
DRAWN BY:	AJ	PA/PM: JCS

