

Planning Division  
15151 E. Alameda Parkway, Ste. 2300  
Aurora, Colorado 80012  
303.739.7250



December 28, 2023

Randall Hertel  
Tower Metropolitan District  
20100 E 32<sup>nd</sup> Parkway  
Aurora, CO 80011

**Re: Initial Submission Review – 38<sup>th</sup> Extension Between Himalaya Rd and Odessa St - Site Plan**  
Application Number: **DA-1127-49**  
Case Numbers: **2023-6057-00**

Dear Mr. Hertel:

Thank you for your initial submission, which we started to process on December 7<sup>th</sup>, 2023. 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 to maintain your administrative decision date. Please revise your previous work and send us a new submission on or before January 19<sup>th</sup>, 2024.

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.

Your Administrative Decision date is tentatively scheduled for February 28<sup>th</sup>, 2024. Please remember that all abutter notices for hearings must be sent and the site notices must be posted at least 10 days prior to the hearing date. These notifications are your responsibility and the lack of proper notification will cause the hearing date to be postponed. It is important that you obtain an updated list of adjacent property owners from the county before the notices are sent out. Take all necessary steps to ensure an accurate list is obtained.

As always, if you have any comments or concerns, please let me know. I may be reached at 303-739-7132 or [egates@auroragov.org](mailto:egates@auroragov.org).

Sincerely,

Erik Gates, Planner 1  
City of Aurora Planning Department

cc: Ryan Littleton, HR Green, INC.  
Justin Andrews, ODA  
Filed: K:\SDA\1100-1199\1127-49rev1



## *Initial Submission Review*

### **SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS**

- The buildout of the remainder of E 38<sup>th</sup> Ave and E 36<sup>th</sup> Dr needs to be described. [Planning]
- There are a few trees that appear to be missing, undersized, or of a species that does not grow in Aurora. [Landscaping]
- A number of signage and street marking alterations are needed for 38<sup>th</sup> Ave. [Traffic Engineering]
- Add fire hydrants where indicated on the plans. [Fire/Life Safety]
- Water quality and detention/EURV are required for the 38th Ave improvements. [Aurora Water]
- Numerous minor labeling comments throughout. See the site plan for full comments. [Land Development Review]
- Please see the outside agency review letter from Xcel Energy. There are conflicts with existing utilities.

### **PLANNING DEPARTMENT COMMENTS**

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

1B. There were no community comments or concerns on this review cycle.

#### **2. Completeness and Clarity of the Application (Comments in teal)**

[Site Plan Page 1]

- 2A. A data block is needed on this cover sheet that includes items such as project area, zoning, building code version, hardscape area, landscape area, and any parking. Please reach out to your case manager if you need an example data block template.
- 2B. An amendment box of a minimum 3"x 4" size is needed on this cover sheet for any future amendments to the site following site plan approval.

[Site Plan Page 2]

- 2C. Add note: "The developer, his successors and assigns, shall be responsible for installation, maintenance and replacement of all landscaping materials shown or indicated on the approved Site Plan or Landscape Plan on file in the Planning Department. All landscaping will be installed prior to issuance of Certificate of Occupancy."
- 2D. Add note: "Prior to final acceptance of public improvements, if the adjacent site is not under construction, the curb cut/curb returns and cross pan must be removed and replaced with sidewalk, landscaping and curb and gutter at the developer's expense. The developer acknowledges the risk of constructing the curb cut without approved civil plans for the adjacent site showing the curb cut."

#### **3. Zoning and Land Use Comments (Comments in teal)**

3A. There were no zoning or land use comments on this review.

#### **4. Streets and Pedestrian Issues (Comments in teal)**

[Site Plan Page 6]

- 4A. The public improvement plan states that E 38th improvements will be completed with the development of PA-14 (triggered by the Food Bank of the Rockies project). This includes the connection of E 38th Ave from Odessa to Piccadilly. The rest of E 38th should be proposed or a note on when this will be constructed should be included for Staff review. A public comment on the Food Bank of the Rockies review concerned about traffic impacts could be addressed by the full completion of 38<sup>th</sup> Ave.
- 4B. The far eastern stub should align with 36th Dr as platted.
- 4C. The PIP states that the connection of 36th Drive will be completed with the buildout of E 38th Ave. As such, this remaining section of 36th should be shown or a note should be provided detailing when this will be proposed for Staff review.

#### **5. Parking Issues (Comments in teal)**

5A. There were no parking issues on this review.

**6. Architectural and Urban Design Issues (Comments in teal)**

6A. There were no architectural or urban design issues on this review.

**7. Signage Issues (Comments in teal)**

7A. There were no signage issues identified on this review.

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

[Site Plan Page 5]

- 8A. Update the landscape plan to include an updated base with lighting. Several poles are missing and/or turned off on the landscape plan sheets.
- 8B. Just an FYI in the event the applicant would like to, code does permit all native seed in curbside landscape areas that are 10' or wider in width. Shrubs are also perfectly fine.
- 8C. Drip is always permitted in the curbside landscape. However, a temporary above ground irrigation system may be used to establish the native seed but will be required to be removed. Spray and rotor irrigation systems are no longer permitted in the curbside areas on a permanent basis.
- 8D. If it is possible to shift the fire hydrant in the Area 1 Landscape so that the tree can remain, that would be best.
- 8E. The notes at the bottom of the landscape plan sheets appear to be incorrect and may have been copied and pasted from a different project.
- 8F. Work with Aurora Water on the temporary irrigation of the native seed as they have specific requirements/water allocations associated with the temporary irrigation.
- 8G. Add " Not for Construction" to all landscape plan sheets.

[Site Plan Page 6]

- 8H. Why is there a gap between the identified trees? Why isn't another tree being provided here as there doesn't seem to be a light pole or utility conflict.
- 8I. What is the identified line traversing the sidewalk? It appears as if it is curbing.

[Site Plan page 9]

- 8J. Remove "All" the landscaping notes shown on this sheet as the city does not review landscape construction drawings and the bulk of these are for that purpose. Only include the required landscape notes as specified in the Landscape Reference Manual available on line and any other notes required by other city departments. In addition, please specify what entities are responsible for the maintenance of the curbside landscape area versus the median which appears to be all rock.
- 8K. If the rock mulch information is correct as listed in note 8 under Shrub/Tree Planting Notes, it should remain as one of the required landscape notes. Is the same rock mulch being used in both the curbside landscape and the median or are different types being proposed between the two areas? Also include information on the proposed edger.
- 8L. The Cork tree is not known to grow in Aurora.
- 8M. Add edger to the legend.
- 8N. Deciduous trees along arterial streets are required to be 2.5".
- 8O. If conflicts exist, then an adjustment should be requested or additional shrubs provided at a ratio of ten shrubs to one tree. If possible try to make adjustments to the spacing of the trees relative to the lighting.

**REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES****9. Civil Engineering (Christopher Eravelly / 303-739-7457 / [ceravell@auroragov.org](mailto:ceravell@auroragov.org) / Comments in green)**

[Site Plan Page 3]

- 9A. Please include proposed public street light type (ex. SL-4) and pole height per COA standard.
- 9B. Label the street lights as "public".
- 9C. Please dimension existing and proposed sidewalk. (Typical)
- 9D. Please do not show cross pans on the Site Plans (typical) Cross pans will be included with the Civil Plan submittal for review and approval or Add callout: Cross pans shown but not reviewed or approved with Site Plan approval.
- 9E. Please add these additional notes to the Roadway Site Plan sheets.



- "Minimum slope on unpaved areas is 2%, minimum slope on asphalt is 1%, and minimum slope on concrete is 0.5%."
- "The maximum slope within ROW is 4:1, the maximum slope for property outside of the ROW is 3:1."

**10. Traffic Engineering** (Joshua Hoffman / [jhoffman@auroragov.org](mailto:jhoffman@auroragov.org) / Comments in amber)

[Site Plan Page 3]

- 10A. Proposed approach marking needs to be shown.
- 10B. Sign #4 needed at the indicated location (RLMTR, 36"x36").
- 10C. Right Lane Must Turn Right sign should be R3-7.
- 10D. Illustrate proposed crosswalk from RSN 1757307. [2 comments]
- 10E. Relocate arrow to start of turn lane.
- 10F. Illustrate and call out STOP sign from RSN 1757307.
- 10G. Illustrate and call out STOP sign and RIGHT ONLY sign from RSN 1757307.
- 10H. Relocate arrow to start of turn lane.
- 10I. Install R6-1 sign, 36"x12" at the indicated location.

[Site Plan Page 4]

- 10J. Relocate arrow to start of turn lane.
- 10K. Call out existing STOP sign.
- 10L. Relocate arrow to start of turn lane.
- 10M. Illustrate and label existing STOP sign.
- 10N. Right Lane Must Turn Right sign should be R3-7.

**11. Fire / Life Safety** (Stephen Kirchner / 303-739-7489 / [stkirchn@auroragov.org](mailto:stkirchn@auroragov.org) / Comments in blue)

[Site Plan Page 2]

- 11A. Add hydrant in this street section. Use notes provided.

[Site Plan Pages 3 & 4]

- 11B. Add hydrants at identified locations.

**12. PROS** (Erick del Angel / [edelange@auroragov.org](mailto:edelange@auroragov.org) / Comments in Purple)

[Site Plan Page 6]

- 12A. As previously stated, PROS currently maintains the medians in 38<sup>th</sup> Avenue west of this project which are landscaped with rock cover. It is anticipated that PROS will maintain the future medians that will be completed with this project. Therefore, after feedback from OSNR Director, it has been decided that PROS would support rock gravel so it will match the rest of the arterial medians and be less maintenance for the city.

**13. Aurora Water** (Steven Dekoski / [acaton@auroragov.org](mailto:acaton@auroragov.org) / Comments in red)

[Site Plan Page 1]

- 13A. Water quality and detention/EURV are required for the 38th Ave improvements.

[Site Plan Page 3]

- 13B. The water mains should be within a drive isle. Move water line connection off the steep slopes.

**14. Land Development Review** (Roger Nelson / 720-587-2657 / [ronelson@auroragov.org](mailto:ronelson@auroragov.org) / Comments in magenta)

- 14A. Numerous minor labeling comments throughout. See the site plan for full comments.

[Site Plan Page 1]

- 14B. Add the legal description to the Owners Signatures section.

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

- 15A. Public Service Company has an existing *electric transmission* line along the south side of East 38<sup>th</sup> Avenue, and an existing *high-pressure natural gas transmission* pipeline crossing East 38<sup>th</sup> Avenue diagonally at Odessa Street. Any activity including annexation, zoning, grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval.



- 15B. Encroachments across Public Service Company's easements *and facilities* must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner.
- 15C. PSCo is requesting that, prior to any final approval of the development plan, it is the responsibility of the property owner/developer/contractor to contact the following for development plan review and execution of License Agreements:
- **for Electric Transmission:** email [coloradorightofway@xcelenergy.com](mailto:coloradorightofway@xcelenergy.com) or website [www.xcelenergy.com/rightofway](http://www.xcelenergy.com/rightofway)
  - **for High Pressure Natural Gas Transmission:** [encroachment requests \(xcelenergy.com\)](http://encroachment.requests(xcelenergy.com)) - click on Colorado; an engineer will then be in contact to request specific plan sheet.
- 15D. Please be aware PSCo owns and operates existing underground electric distribution facilities along the north property line. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction. For any modification to existing **distribution** facilities, the property owner/developer/contractor must complete the application process via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect).