



Planning Division
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August 23, 2023

Skip Bailey
Tower Metropolitan District
20100 E 32nd Pkwy Ste 150
Aurora, CO 80011

Re: Initial Submission Review – First Creek 26th Avenue to 38th Avenue – Infrastructure Site Plan
Application Number: **DA-1127-45**
Case Numbers: **2023-6032-00**

Dear Mr. Bailey:

Thank you for your initial submission, which we started to process on July 20th, 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. Please revise your previous work and send us a new submission on or before September 6th, 2023.

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.

The estimated Administrative Decisions date is *tentatively* set for October 11th, 2023. Please remember that all abutter notices must be sent, and the site notices must be posted at least 10 days prior to the decision date. These notifications are your responsibility, and the lack of proper notification will cause the decision 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 303-739-7209 or sgubrud@auroragov.org.

Sincerely,

Stephen Gubrud

Stephen Gubrud, Planner I
City of Aurora Planning Department

cc: Deb Ohlinger, Olsson
Justin Andrews, ODA
Filed: K:\\$DA\1100-1199\1127-45rev1



Initial Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- First Creek Trail alignment.
- Inclusion of sidewalk, curb, gutter and landscaping along the south side of the detention pond adjacent to 26th Avenue.
- Completeness of landscape plan and adherence to landscaping requirements.
- Coordination with E-470.
- Adherence to existing Public Art Plan.

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments and Concerns

- 1A. No public comment has been received at this time. Please see outside referral agency comments at the end of this letter.

2. Completeness and Clarity of the Application

Sheet 1

- 2A. Please add site plan general notes to the cover sheet.
- 2B. **There is an outstanding balance of \$42,921.70 for this development application. All fees must be paid before the 2nd review can take place.**

3. Zoning and Subdivision Use Comments

- 3A. No comments at this time.

4. Streets and Pedestrian Comments

- 4A. Please coordinate with E-470 regarding future ROW expansion and regional trail.
- 4B. Ensure Picadilly Road bridge will not adversely impact any planned ROW expansion.
- 4C. Submitted plans do not show a regional trail where the Master Plan indicates it extends West across Picadilly Road and North across 38th Avenue. Is there a reason for this?

5. Parking Comments

- 5A. No comments at this time.

6. Architectural and Urban Design Comments

- 6A. Please review the Public Art Plan located within the Majestic Commercenter Master Plan. Ensure that art installation locations along the First Creek Trail are maintained.

7. Signage & Lighting Comments

- 7A. Lighting along the regional trail must adhere to PROS requirements.

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

Sheet 19

- 8A. While a table documenting the requirements has been included, there needs to be an actual landscape plan provided demonstrating compliance.
- 8B. Why are shrub equivalents being proposed? Unless there is an encumbrance prohibiting the installation of street trees, then trees should be used and not shrub equivalents.
- 8C. All the ponds need to be included graphically within the landscape plan sheets to document compliance with the landscape requirements. Merely stating the required and provided is not sufficient. The actual landscape plan needs to be provided.
- 8D. Why isn't the shrub requirement being met? Only three extra trees have been provided or the equivalent of 30 shrubs. That does not compensate for or meet the shrub requirement.



- 8E. This table/ image/ graphic is fuzzy and appears to be a pdf that was cut and pasted on the sheet. Please include a clear table.
- 8F. Remove these notes as they are not applicable to the landscaping for the ponds and curbside areas along Picadilly, 38th, and E. 26th Avenue.
- 8G. Why is Picadilly the only street listed, all the streets impacted such as E. 26th need to be included if ponds are being proposed adjacent to the street frontage and no further adjacent development will be possible thereby the street trees/curbside landscaping should be included with this application. Include a landscape plan that demonstrates compliance.
- 8H. Update this note to be specific as to the entities responsible for the installation, maintenance, and future replacement of the streetscape landscaping vs. the detention ponds.
- 8I. These notes do not seem applicable to this project.
- 8J. Update this note to indicate when the streetscape will be installed vs. the pond landscaping. Streetscape landscaping will not be installed when the adjoining lot develops as there will be no lot development since the area adjacent to the street is occupied by a detention pond.

Sheet 20

- 8K. As mentioned during the coordination meeting, the street trees associated with E. 26th Avenue need to be included with this application as there will not be another development application responsible for doing this.
- 8L. The minimum scale for landscape plan submittals is 1"=40'.
- 8M. Include E. 26th Avenue as well as the landscaping required for the streetscape.
- 8N. Label E-470 and include more for context.
- 8O. No walk was shown.
- 8P. The image/ graphic is fuzzy and appears to be a PDF that was cut and pasted on the sheet. The hatches aren't reading well. Please include a clear graphic.
- 8Q. Are these supposed to be CL? Not legible.
- 8R. The sheet labels in the Key Map should coincide with the actual sheet numbers.
- 8S. Where are these sheets? They are not included in this initial site plan submission.

9. Addressing (Phil Turner / 303-739-7357 / pcturner@auroragov.org)

- 9A. 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

10. Civil Engineering (Christopher Eravelly / 303-739-7457 / ceravell@auroragov.org / Comments in green)

Sheet 1

- 10A. Add Site Plan General Notes.

11. Traffic Engineering (Dean Kaiser / 303-739-7584 / djkaiser@auroragov.org / Comments in amber)

Sheet 3

- 11A. Access details need to be provided for the areas indicated.

Sheet 4

- 11B. Any trail under bridge structure issue?

12. Fire / Life Safety (Mark Apodaca / 303-739- 7656 / mapodaca@auroragov.org / Comments in blue)

- 12A. Remove signature block, no signature block on site plan/ISP.



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

Sheet 1

13A. Access to the sanitary sewer manholes is required at all times.

14. Forestry (Jacque Chomiak / 303-739-7178 / jchomiak@auroragov.org / Comments in purple)

14A. Approved, no further comments.

15. PROS (Curtis Bish / 303-739-7131 / cbish@auroragov.org / Comments in mauve)

Sheet 10

15A. Be sure that a minimum 2' wide recovery zone (shoulder) with a maximum 2% cross slope is provided on both sides of the trail along its entire length.

15B. Expand geographic extent to show the regional trail/maintenance road alignment and associated adjacent grading on this sheet.

Sheet 12

15C. Expand geographic extent to show the regional trail/maintenance road alignment and associated adjacent grading on this sheet.

Sheet 13

15D. Label the percent of slope for adjacent grading. Is a swale needed to intercept nuisance flows across the trail? 4:1 slopes are preferred parallel to trails to facilitate maintenance activities.

Sheet 14

15E. What's the reason for the slight bend in the trail? Straighten to pull it away from the creek embankment.

Sheet 15

15F. Straighten out the trail.

Sheet 16

15G. What's the longitudinal grade of the trail in this stretch? It should not exceed 5%.

15H. Where the slope adjacent to the trail is 3:1 or steeper with a drop of 6' or greater, a pedestrian railing set back at least 2' from the edge of the trail is needed if the recovery zone is less than 5 feet wide to the top of the embankment.

Sheet 17

15I. Change the trail alignment if the sweeping bend isn't needed to provide maintenance access to the creek improvements. If the trail doesn't take this route, a shortcut social trail will probably be created here.

Sheet 18

15J. Again, eliminate the bend, unless the trail must be closer to the creek centerline for purposes of maintenance access.

16. Land Development Services (Maurice Brooks / 303-739-7294 / mbrooks@auroragov.org / Comments in magenta)

Sheet 2

16A. All crossings or encroachments into easements and rights-of-way owned by the City of Aurora ("City") identified as being privately owned and maintained herein are acknowledged by the undersigned as being subject to the City's use and occupancy of said easements or rights-of-way. The undersigned, its successors, and assigns, further agree to remove, repair, replace, relocate, modify, or otherwise adjust said crossings or encroachments upon request from the City and at no expense to the City. The City reserves the right to make full use of the easements and rights-of-way as may be necessary or convenient and the City retains all rights to operate, maintain, install, repair, remove, or relocate any City facilities located within said easements and rights-of-way at any time and in such a manner as it deems necessary or convenient.

16B. Architectural features (i.e., bay windows, fireplaces, roof overhang, gutters, eaves, foundation, footings, cantilevered walls, etc.) are not allowed to encroach into any easement or fire lane.



17. E-470 Comments

17A. Occupying space for utility work, access, and any construction within the E-470 ROW and MUE (multi-use easement) is subject to and will follow the E-470 Public Highway Authority Permit Manual, April 2008, as may be amended from time to time (the "Permit Manual") and will require an E-470 Construction or Access Permit. The administration fee is \$750.00 and \$75,000 per acre for construction.

A permit will be required from E-470 for any encroachment or disturbance to E-470 ROW or MUE prior to construction. Here is a link to our permit: <https://www.e470.com/Pages/WorkingWithUs/Permits.aspx>

Clearly identify the E-470 ROW and MUE on all applicable drawings. E-470 will be widened to 4 lanes in each direction in the future. • A 10' wide concrete regional trail will be constructed along E-470 as part of the current widening project from 26th Avenue north to 104th Avenue. It will continue west to Picadilly. What is the purpose of the gravel road along the outside of the pond and how often will it be utilized?

No structures are allowed in the MUE. Coordinate proposed improvements in the MUE with our widening project contractor. An entity will need to take responsibility for the ongoing maintenance of proposed improvements within the ROW and MUE. Survey monuments along and within the E-470 ROW/MUE that are disturbed shall be reset and conform to the E-470 coordinate system. • Revegetation of disturbed areas within the E-470 property will need to meet E-470 seed mix specifications. • Any fencing disturbed will need to be reset to meet E-470 specifications. A comment/response document would be helpful to track the revisions to each submittal. • Additional comments will be issued as the design progresses

18.Xcel Energy (Donna George / 303-571-3306 / donna.l.george@xcelenergy.com)

18A. Please see the attached comment letter.

19.Mile High Flood District (Will Barkman / 303-749-5430 / mbrooks@auroragov.org)

19A. MHFD does not have comments regarding First Creek 26th Ave to 38th Ave. This is a MHFD Development Improvement Project. The stream and regional detention pond 8141 will be maintenance-eligible.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

July 28, 2023

City of Aurora Planning and Development Services
15151 E. Alameda Parkway, 2nd Floor
Aurora, CO 80012

Attn: Stephen Gubrud

Re: First Creek 26th Avenue to 38th Avenue, Case # DA-1127-45

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has determined there are **possible conflicts** with the above captioned project. Public Service Company has an existing *electric transmission* line and an existing *high-pressure natural gas transmission* pipeline with associated land rights as shown within this property. **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. Encroachments across Public Service Company's easements 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. 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 or website www.xcelenergy.com/rightofway
- **for High Pressure Natural Gas Transmission:** [encroachment requests \(xcelenergy.com\)](http://www.xcelenergy.com/encroachmentrequests) - click on Colorado; an engineer will then be in contact to request specific plan sheets

Please be aware PSCo owns and operates existing intermediate pressure natural gas and underground electric distribution facilities along East 26th Avenue and Picadilly Road. As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

For any new natural gas or electric service or modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: Donna.L.George@xcelenergy.com