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August 26, 2019

Debbie Bickmire
Planner II, City of Aurora
15151 E Alameda Pkwy, Aurora, CO 80012

Dear Debbie:

In July, United Properties (UP) signed a lease with Tempur Sealy International (Tenant) at 18701 E. 38th Avenue for all of Building 1. The purpose of this Minor Site Plan Amendment application is to request exterior site plan modifications that are required for Tempur Sealy to operate in the existing building. These items include perimeter security fencing, conversion of 96 auto stalls into additional trailer parking, additional 15 dock doors in previously approved knock-out locations, and a concrete patio to allow for employees to enjoy outdoor space.

The below text in black is taken from the email that was sent to United Properties by Debbie Bickmire on Thursday August 15, 2019. United Properties responses are shown in blue.

-----BEGIN EMAIL EXCERPT-----

The Minor Amendment needs to include the following, at a minimum:

Application with cover letter of explanation

RESPONSE: Included.

1. Operations plan that includes and explanation of the proposed use(s), hours of operation, number of employees, description of trailer and loading operations.

RESPONSE: Tempur Sealy will use the facility for assembly and distribution of mattresses. The Tenant operates a 12-hour day shift and will be using the additional requested functional dock doors for their distribution purposes. All dock doors are in previously approved knock-out locations per the approved and recorded site plan for the overall development. The Tenant will have minimal trailer pick-ups after business hours, which truck pickups will be pre-loaded during normal business hours and no dock door operation will occur during the nightly pickups. Tempur Sealy will be employing approximately 150 people at this facility, which are all new jobs to Aurora.

Staff is very concerned about the impacts to the residents north of this building and how the applicant is addressing those issues.

RESPONSE: As part of the original development application for Tower Business Center, United Properties notified forty-five adjacent property owners and two registered neighborhood organizations prior to Planning Commission hearing in fall of 2017. A neighborhood meeting at the board meeting of the Master Homeowners Association for Green Valley Ranch on August 28, 2017 was held, where UP presented the potential project to the residents for consideration and comment. There were 12 residents who attended the meeting, and the residents in attendance only expressed concern that there

could be a marijuana facility on the site, which is a company policy that we do not accept any uses of that kind. United Properties was able to show the proposed 469' of 8' cedar fence to screen the proposed trailer parking and were able to show the natural buffer between the homes, which is roughly 360'. Staff concluded that we had adequately addressed questions from the residents regarding the development and the project was approved at Planning Commission and then City Council.

As mentioned above, UP has previously provided roughly 469' of 8' cedar fence on the original approved site plan all along the trailer parking on the north side of the building. To further mitigate external effects of the proposed minor site plan amendment, UP and Tempur Sealy have included 8' opaque cedar fencing along the entire north side of the truck court as well as the entire eastern side of the site where additional trailer parking has been requested. This provides full opaque screening to the truck court as well as screening of the additional trailer parking. To provide a more aesthetic fence along the road frontage, we have proposed an 8' ornamental iron fence with 20x20 masonry columns along 38th Avenue frontage.

To address the additional concerns expressed by staff regarding the impact to adjacent residential, our outreach team had numerous conversations with the Council office for Denver City Council District #11. The majority of the abutting neighbors live in Denver Council District #11 and we wanted to be sure and reach out directly to Councilwoman Stacie Gilmore to discuss the project. We were told, per research from the constituent database, that a small handful of calls had been received about the project in the last few years. Notably the calls had focused on the road way improvements and the duration of time to make the repairs. Additionally, there was a call about truck traffic and a question about the approval of the project. The council office had reached out to Aurora and understood the full approval process that was undertaken for our project. Denver council staff told inquiring neighbors that the process had been fully approved by Aurora and had followed all appropriate notification provisions.

Additionally, our team stopped by the Council district office to make sure there were no additional calls. In our discussion with the Council Aide, it was made clear that only a few calls had been received in the last few years on the project. We discussed how to best engage the neighborhood moving forward as the project continues to build out and becomes fully occupied. It was determined that it would be appropriate for United Properties to provide a Neighborhood Contact for the development. This designated representative will be contacted directly by the city council office and his or her number will be given to neighbors that do call about the project.

Lastly, we want to continue to be good neighbors. We have spent a great deal of time and monies to design neighborhood appropriate fencing, buffering and other modifications to limit our impact. If there are additional concerns in the future, we will work with adjacent neighborhood associations or individual neighbors to try and mitigate any impacts and will provide a direct point of contact. We understand this is a transition of uses and will continue to utilize best efforts to be part of a larger neighborhood.

Property Manager- Toni Keiser (303) 292-3700, Cushman & Wakefield

2. Revise Lot 4 site plan to:
 - a. Show the location(s) of all proposed fencing and gates.
 - i. All loading and trailer parking areas to be screened with opaque fence
RESPONSE: All loading and trailer parking to be screened with 8' opaque cedar fencing.
 - ii. Fences shall be placed a minimum of 4' behind adjacent sidewalk ([Section 146-1470\(E\)](#))
RESPONSE: The fence is 23' behind adjacent sidewalk.
 - iii. 18" x 18" Masonry columns required on 38th Ave. ([Section 146-1743](#), Table 17.2). Columns shall be placed at all fence corners, transitions to other fence styles along a run of fence, and fence termination points.
RESPONSE: 20x20 masonry columns have been placed every 56' along 38th Avenue, including at fence corners, transitions to other fence styles. Fence termination points are against the building.
 - iv. Include direction of gate swing and identify emergency access mechanism. Contact Will Polk directly at 303-739-7371 with questions
RESPONSE: All fence detail, including gate material and locations, sliding gate directions, masonry column detail is included in the design application. There are five (5) gate location, emergency access mechanisms are outlined in the site plan amendment application. We will coordinate with Will Polk directly with any questions.
 - b. Show location of proposed trailer parking and update quantity in Site Data block. Update Landscape Coverage and Hard Surface Coverage areas for removed landscape islands.
RESPONSE: The conversion of auto stalls into trailer parking is shown along the eastern portion of the building and the Site Data block has been updated. The trailer parking will be used by Tempur Sealy for trailer storage with no truck attached to the trailer.
 - c. Revised landscape plan to accommodate fence. Fence along 38th Avenue shall be located behind the required landscape buffer.
RESPONSE: The landscape plan has been updated to accommodate trailer parking, fencing and concrete patio plan. An updated landscape plan has been included with this submittal.
 - d. Add the amendment to the Amendment Block on the Cover Sheet and include a brief description of the changes. Show revisions with a cloud and note amendment with a delta. Make sure all sheets affected by the proposed changes are revised.
RESPONSE: All sheets affected by proposed changes have been revised and submitted with this request. The Amendment Block on the cover sheet includes a brief description of the changes, and all changes are indicated by a cloud/note.
 - e. Provide revised elevations for additional dock doors and update Site Data block.
RESPONSE: Revised elevations included.
 - f. Provide details and elevations for each proposed fence type and columns.
3. Provide a fully updated traffic study. A letter will not suffice.
RESPONSE: An updated traffic study has been submitted as part of this administrative request.
 - a. This should include all previously studied locations.

RESPONSE: The updated study includes all previously studied locations.

- b. PW is concerned that the removal of the public access to a full movement driveway on 38th will shift traffic to Tower and therefore result in additional improvements (longer turn lanes, etc.).

RESPONSE: The site plan amendment for Tempur-Sealy proposes security fencing that would preclude retail traffic travel to Access D. This re-route of retail traffic is not expected to cause a negative impact to retailer, retail patrons or site accesses. Considering the highest, non-reduced peak hour traffic volume of 41 vehicles, this traffic could be divided among the three available accesses to continue direct or in-direct travel along 38th Avenue. The distributed addition of traffic volume (approximately 14 vehicles during afternoon peak hour) to available access will cause no negative impact to access or public roadway operations. Additional public roadway improvements, such as longer turn lanes, are not needed to accommodate this minor change in site traffic distribution.

- c. Note the study needs to address the additional bays requested and the impacts on truck volume as a result.

RESPONSE: Both the original and updated traffic study uses the Institute of Transportation Engineers land-use category of General Light Industrial and its independent variable of square feet of building floor area to estimate vehicle trip generation for this type of facility. The additional dock doors were evaluated, and no relationship between the number of dock doors to trip generation was concluded. Tenant will use most of the dock doors on the NE corner of the building and will use the dock doors on the south side of the building less frequently.

- d. The applicant should work with our traffic group prior to the kick off of the revised study to ensure all necessary elements are identified. Contact Brianna Medema at 303-739-7336.

RESPONSE: Applicant discussed the required updated traffic study with Brianna on Tuesday, August 20th via phone.

- 4. If traffic study justifies the vacation of the public access easement, provide a Quit Claim deed with legal and exhibit for the area of the public access easement being vacated. This item will be addressed by Real Property through the standard process.

RESPONSE: We can coordinate quitclaiming the public access easement from the City back to the Property Owner pursuant to the easement release process (just as we did for the Utility & Slope Easement along Tower, and the slope and drainage easement along 38th Avenue.

- 5. A License agreement is required for the proposed gate / fence within the fire lanes. Contact Grace Gray in Real Property at 303-739-7277 to initiate the process. It takes 6-8 weeks to complete.

RESPONSE: A Master License Agreement between the City of Aurora and Tower Business Center was executed on July 19th, 2018. The License Agreement permits construction of all improvements noted on the Site Plan, upon final approval of the same by the City. As such, any approved amendment to the Site Plan to show additional "Development Improvements" allows those additional Development Improvements to be constructed pursuant to the terms and conditions of the License. We have been coordinating with Grace Gray and will continue to do so.

-----END EMAIL EXCERPT-----

[illegible]

Please reach out directly with any comments or questions upon your review. We hope that we have adequately responded to each comment to address staff comments regarding the requested changes. Your review and approval of this application is appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Kelley", with a long horizontal flourish extending to the right.

Kevin Kelley
United Properties
Executive Vice President