

RESPONSE TO CITY COMMENTS

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments and Concerns

1A. Referrals were sent to six (6) adjacent property owners, six (6) outside agencies, and four (4) neighborhood organizations. No comments were received from adjacent property owners. Comments were received from three (3) outside agencies and are incorporated herein or attached to this document. Please provide responses to the comments within the response letter for your next submission.

Please see below in red for responses to each reviewers comments.

2. Completeness and Clarity of the Application Zoning and Land Use

2A. Various land uses are referenced in the Letter of Introduction, site data block, and the response to comments, however, the uses are different in all three documents. The subject property is designated as Commercial/Retail on the Master Plan Land Use Plan and per our previous discussions, the proposed uses would focus on commercial, office/flex, light industrial, storage, and distribution.

Noted. The documents will be revised to be consistent.

2B. The property is within the Airport Influence District surrounding Denver International Airport which requires an aviation easement. The response to comments stated the aviation easement was attached, however, it doesn't appear to be included in the submitted documents. Please provide a copy of the recorded aviation easement that includes the subject property. If needed, the aviation easement form can be found [here](#) and can be completed and recorded with the proposed Site Plan.

The Aviation Easement is included in this second submission.

Letter of Introduction

2C. Revise the proposed land uses in the Letter of Introduction per the comments above.

Land use has been updated.

2D. Please discuss any proposed phasing.

The site is not currently planned to be phased. Based on market demands the buildings may be developed separately.

2E. Reference Porteos development east of Harvest Road and the types of uses (to demonstrate compatibility).

Porteos development has been referenced.

2F. Discuss how the proposed Site Plan meets the criteria for a Major Site Plan found in Section 146-5.4.3.B.2.c.

Code compliance has been added.

2G. Revise references to CSPs (Contextual Site Plan) to Site Plan and FDP to Master Plan.

Language has been adjusted.

2H. Address minor edits on the redlines.

Redlines have been addressed.

Vehicular Access, Circulation, and Parking

2I. Identify internal pavement types and striping.

Information has been added.

- 2J. No more than 60 percent of the lot frontage on arterial and collector streets to a depth of 60 feet shall be occupied by surface parking. Please provide calculations to demonstrate compliance.

Calculation has been added.

Pedestrian Access and Circulation

- 2K. Provide pedestrian access to Harvest Road at each driveway entrance.

Pedestrian access has been added.

- 2L. Show the accessible route for each lot/building and one accessible route to Harvest Road.

Route is shown.

- 2M. Label and dimension all sidewalks along the perimeter and internal to the site.

Sidewalks have been dimensioned.

Signage

- 2N. Show the general location(s) of proposed monument signs.

General signage location has been added.

- 2O. Add the maximum sign area and the maximum number of permitted signs to the Site Data for each lot/building. On an arterial street frontage, two square feet of sign area for each linear foot of building frontage for the first 100 feet, then one-half square feet of sign area for each linear foot of building frontage thereafter as measured along the building frontage. Calculations are based on the longest building frontage with a public entrance. No individual sign shall exceed 200 SF. *Maximum total sign area shall not exceed 600 square feet.* (See [Section 146-4.10.5](#) for standards) Arterial example: 624 LF building = $(100 \times 2) = 200 \text{ SF} + (524 \times .5) = 462 \text{ SF}$

Signage has been added to the Site Data Table.

- 2P. The maximum number is a total of five signs permitted per use, with a total of 80 square feet per tenant if a building has more than one user.

Noted.

Building Orientation and Architecture

- 2Q. Review the architectural requirements (Tab 12) for industrial land uses found in the Fulewider Master Plan, as well as UDO Sections 146-4.8.4, 146-4.8.5, and Table 4.8-3 for building standards. Single-story industrial buildings shall use at least one of the horizontal articulation methods shown in Table 4.8-3 at an interval of 100 feet or less on each street facing the façade of the primary building. Additional wall articulation, variations in the wall planes, and variations in the roof line, at a minimum, are needed to comply with the standards.

The design has been updated to add additional articulation to the street facing facades of the building. This includes additional articulation, and window patterning. Notes have also been added to show where the building steps back 3'-0"

- 2R. Identify the primary, and if applicable, secondary entrances. All main entries shall be uniquely identified by using an arcade, covered entry, spandrel glass, or other similar architectural features.

The building is designed to accommodate multiple tenants. Canopies as well as second story glass are included at these locations

- 2S. Identify the full length, width, and area of each building and add vertical and linear dimensions to the building elevations.

Dimension have been added

2T. Label all architectural features and materials. Include details to illustrate three-dimensional elements.
Additional notes have been provided

2U. Provide a materials board and include all proposed building colors and materials.
A physical material board will be delivered to the planning office after this package is submitted digitally

2V. Add a note on the building elevation sheets that roof-mounted mechanical equipment shall be screened from public view by a parapet or mechanical screen that is integrated into part of the building's architectural design.
Note added

2W. Building entrances should include enhanced architectural elements and the area around the entrance should include a patio/amenity area for use by employees. The area should include a minimum of 400 square foot patio, shade, and site furniture. Provide more information outlining how these requirements are being accommodated.
Amenity areas with shade and benches have been added at each building for employee use. Each corner entrance also includes a bench and trash receptacle.

Screening, Walls, Fences, and Gates

2X. Delineate the trash enclosure locations more clearly. Label "Future" where applicable.
Trash enclosures have been clearly labels on the Site Plan sheets.

2Y. Provide details for the proposed retaining wall(s). Reference the sheet and detail number in the Site Plan Key Notes.
Wall details have been added to the architectural sheets.

2Z. Show and label all wall mounted and/or ground mechanical equipment. All mechanical equipment must be screened from view off-site.
Equipment is shown and labeled.

2AA. Chain link fencing within industrial zone districts must be color cladded and may not include fabric mesh or slats. Chain link fencing may not be used to meet screening requirements. Provide opaque fencing at the north and south ends of the outdoor storage areas to screen the storage from view off-site. Wrap the fence around the corners.
Fencing has been included.

2BB. Identify the setbacks of all fences from the back of the curb or sidewalk. Ensure there are no encroachments into the sight triangles.
Sight triangles have been applied and the fence has been pulled back in these locations. The sight triangles have been added to the sheets.

Photometrics

2CC. Revise the photometric readings to make the labels larger and darker to be more visible. All text needs to be readable when printed at 11" x 17".
Plans have been adjusted

2DD. Show the site boundary, and label all buildings and adjacent streets.

Plans have been adjusted

2EE. Show the accessible route.

Accessible route has been added

General Comments

2FF. Revise the Site Data Block to organize the data by lot/building. Include the area for Tract A and Lot 1 and identify Lot 1 for future development.

Information has been added to Site Data Block.

2GG. Provide one sheet that includes the entire site after Sheet 2. Label the buildings, lots and show the match lines.

Sheet has been included.

2HH. Revise the Vicinity Map to include Jackson Gap to the east, revise the jurisdictional labels, remove extra linework, and add a north arrow.

Vicinity map has been revised.

2II. Add the site location under the Site Plan title as shown on the plat.

Site location has been added.

2JJ. Revise the Site Plan title references to be consistent.

Site plan title references have been revised.

2KK. Add the Site Plan title and legal description above the Owner's Signature block.

Title and legal description have been added.

2LL. Label all buildings, lots, block, and subdivisions and make the property lines more visible on the Site Plan sheets. Also, include the square footage and dimensions of each building.

Labels have been added.

2MM. Identify any proposed phasing.

No phasing is planned at this time.

2NN. Show, label, and dimension all existing and proposed easements.

All existing and proposed site elements have been labeled.

2OO. Include details for site furniture.

Site furnishing details have been included.

2PP. Remove the "Colorado 811 Call Before You Dig" stamp. The proposed plans are not for construction.

This block has been removed.

2QQ. Show all hatches/symbols used in the Legend.

All hydrants have been labeled

2RR. Label adjacent Site Plans and include the case number for each: Harvest Road (CN 2021-6035-00), 64th Avenue (CN 2019-6049-00), 60th Avenue (CN 2021-6017-00) and Second Creek at Denali Logistics Park (2021-6008-00) Infrastructure Site Plans.

Adjacent Site Plans have been labeled.

2SS. Show Matchlines.

Matchlines have been shown and updated.

2TT. See redlines for all comments and notations.

Noted.

Plat

2UU. Why is High Point East Flg. No. 6 referenced with Tract A? Isn't Tract A included in this plat?

Plat has been updated and corrected with this submittal.

2VV. Revise the Vicinity Map to show and label all streets within ½ mile of the site and the City of Aurora / Unincorporated Adams County boundary.

Vicinity map updated.

2WW. Add the scale and a north arrow to the Vicinity Map.

Scale added.

2XX. Review the title commitment to determine whether this site is included in the recorded avigation easement.

Avigation Easement is included

3. Landscape (Tammy Cook / 954-266-6488 / tdcook@auroragov.org / Comments in teal with red)

3A. Parking lots shall be visually screened from the public right-of-way ([Section 146- 146-4.7.5.K.5.a](#)). The proposed angular planting does not provide adequate screening of the parking lot. At a minimum, provide a low continuous landscaped hedge between 3 and 4 feet high consisting of a double row of shrubs planted three feet on center in a triangular pattern.

Per section 4.7.5.K.5.c.i the parking lot screening is accomplished through a combination of trees, shrubs, and 3'-4' berms.

3B. Label and dimension the street frontage buffer and the non-street buffer instead of the adjacent property buffer.

Labels and dimensions have been added.

3C. Add the names of adjacent ISPs and include the case numbers on all landscape sheets.

Adjacent ISP numbers have been added.

3D. A tree is required in all terminal islands. If necessary, omit a parking space to add a tree.

Tree has been added.

3E. Label stop signs and adjust tree locations so the signs are not obscured. Trees shall be setback 50' from the sign.

Stop signs have been labeled. Trees have been relocated.

3F. Revise the tree and shrub counts in the tables on Sheet 14.

Tree and shrub counts have been adjusted.

- 3G. Add a note outlining tree and shrub equivalents:
 Twelve 5-gallon shrubs per one 2.5-inch caliper tree or 8-foot to 10-foot-tall evergreen tree. Ten 5-gallon shrubs per one two-inch caliper tree or 6-foot-tall evergreen tree.
 Three 1-gallon ornamental grasses per one 5-gallon shrub.

Notes has been added.

- 3H. Include all hatches/symbols in the Legend.

All hatches are included.

- 3I. Specify wood or rock mulches and if rock, include size and color.

Mulch has been specified.

- 3J. Note the "Future Commercial Site" and "Not a part of this Site Plan" on Lot 1.

Text has been added.

- 3K. Label and dimension the street frontage buffers and the non-street buffers.

Labels and dimensions have been added.

- 3L. There is a duplicate screened back landscape noted on Sheets 16- 17. Please clarify.

This landscape is being installed as part of the Harvest Road Site plan.

- 3M. What is this hatch pattern in the 10' planting buffer along the west side of the site?

Hatch pattern is mulch. Hatch has been added to the legend.

- 3N. Label the retaining or site wall noted on Sheet 18. Provide a detail that includes the height, color, and material and reference the Sheet and Detail number. Sheet 8 refers to it as a retaining wall.

Retaining wall is labeled. Detail is shown.

- 3O. Show the curbside landscape for 60th Avenue. The planting should be screened back.

Planting is shown and has been screened back.

- 3P. The table on Sheet 19 is cutting off the text.

Table has been revised.

- 3Q. Show any proposed monument signs.

Proposed monument signage has been shown.

- 3R. Address all comments and notations on the redlines.

Redline Comments have been addressed.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

4. Civil Engineering (John Springs / 303-739-7572 / jsprings@auroragov.org / Comments in green) **Site Plan**

- 4A. Revise Notes 7 and 9 on Sheet 2 with the language provided. Is there a Note 20?

Note revised.

4B. The city deems it acceptable to omit the sidewalk on the west side of the drive at 64th Avenue. Demo the sidewalk up to the curb ramp location to provide an appropriate end condition for the sidewalk.

This has been updated in the plans.

4C. Label curb return and lot corner radii.

Labels added.

4D. Dedicate the sidewalk as a separate public access easement. It cannot be combined with the fire lane.

Access easement has been expanded to add the sidewalks mentioned.

4E. Label drives as private.

Labels updated.

4F. The north/south sidewalk along the internal drive must be installed with this Site Plan. The east/west sidewalk north of Building 1 can be installed with the future commercial development.

Labels updated to reflect this.

4G. Dimension existing and proposed sidewalks.

Labels updated.

4H. Add a note stating surrounding roadways as required on the Public Improvement Plan shall be built prior to TCO/CO for this site.

Labels updated.

4I. Reference COA details for ADA ramps.

COA detail reference added.

4J. Include all hatches/symbols in the legend.

Legend updated.

4K. Label pavement material type(s).

Pavement labels updated.

4L. Clarify area(s) to remain existing and adjust contours and linework accordingly.

Topo has been updated to better show this.

4M. Provide a typical section for the two areas noted on Sheet 6.

Typical section added.

4N. Label the longitudinal roadway slope.

Labels added.

4O. Advisory note: Per 4.05.1, designers are encouraged to avoid grades less than 0.8%.

Noted.

4P. Per 2.08.1.06, minimum 0.5% slope on all concrete surfaces (e.g. gutter flowline slope).

Slopes updated to increase concrete slopes.

4Q. There is a proposed slope easement noted on Sheet 7, however, there are no slope easements shown on the plat.

Slope easements will be vacated via separate document. This note has been updated.

4R. Advisory note: During the civil plan review, the maximum cross slope along an ADA route is 2%.

Noted.

4S. Add more labels for existing contours.

Additional contour labels have been added.

4T. The maximum slope shall be 3:1.

Noted. Slope has been adjusted to be 3:1 or less.

4U. The maximum slope of a private driveway is 4% (DN) for the distance indicated in Section 4.05.4 and Figure 4.05.4.1 (75'). The maximum slope of a private street is 6% (UP). See Sheet 8 for locations.

Noted. Slopes are entrances have been adjusted to meet this requirement.

4V. Add a note including the grading criteria listed in Section 2.08.1.06.

Note added for this grading criteria.

4W. The mountable curb is required for the maintenance path. The mountable curb conflicts with the inlet noted on Sheet 8; space is needed to warp from the mountable curb section to a 3" FL depression at the inlet.

Mountable curb added.

4X. Add a note on Sheet 24 stating, "Proposed street light locations are conceptual. Final locations will be determined with photometric analysis submitted with the street lighting plans in the civil plan submittal."

Note added.

4Y. Include a table showing relevant missing information required by Section 2.12.0.1 (this applies to the north/south private street and accompanying walk only).

Table has been added.

4Z. Provide separate illumination statistics for the north/south drive and sidewalk.

Added.

4AA. Advisory note, at the time of civil plan approval, maximum uniformity of 6.0 per Table 4.10.4.04.02 will apply.

Noted.

Plat

4BB. Label the right-of-way widths.

ROW widths added.

4CC. Identify the eastern edge of the north/south access easement.

Labels have been added.

5. Traffic Engineering (Steve Gomez / 303-739-7336 / segomez@auroragov.org / Comments in amber)**Site Plan**

5A. Add the notes provided on Sheet 2.

Notes have been added.

5B. Show the entire bordering streets, not just half sections, and all adjacent and opposing accesses/intersections.

Property boarder have been added.

5C. Verify/update all intersection laneage and movements as identified in the traffic study.

Striping updated to match traffic study.

5D. Per the pre-app notes, access throat depth needs to be a min 150' from Harvest Rd flowline.

Access to the site matches the traffic study for this project.

5E. Show a signal easement at 64th Avenue for the future commercial site.

Traffic easement now shown.

5F. Show lane striping for the internal drive.

Striping added to internal drive.

5G. The internal intersection shall be perpendicular ± 5 degrees.

This intersection has been revised.

5H. Add/revise signage per comments on the redlines. Include a sign symbol in the legend.

Noted. Signage added.

5I. Show sight triangles as noted.

Noted. Fence has been adjsutod for internal sight triangles.

5J. Add directional access arrows at all intersections.

Noted. Directional arrows added.

5K. Add a right-in/right-out pork chop island at the 60th Avenue entrance.

Per traffic study, this southern intersection is a full movement one.

Striping updated to reflect this.

5L. Remove skews from crosswalks.

Crosswalks updated.

5M. Show turning movements per the comments on Sheets 12-13. Truck turning movements should not go over curbs or into opposing traffic.

Turning movements updated.

5N. Show the accessible route.

Shown.

5O. Label all streets.

All streets are labeled

5P. Provide a minimum 50' spacing between stop sign(s) and upstream trees.

Trees have been relocated.

Traffic Letter

5Q. Per the pre-app notes, site access onto 60th Avenue is right in/right out. The letter states full movement.

60th Avenue is now designed for a full access movement.

5R. The Harvest Road ISP Traffic Analysis needs to be referenced since it is the basis for lower traffic volumes on Harvest Road and the revised site access plan that is different from the MTIS.

Reference to Harvest Road ISP analysis has been included.

5S. Label all site access movements. Revise per comments on the redlines.

Updated.

5T. Revise the error on the first page.

Revised.

6. Aurora Water (Casey Ballard / 303-739-7382 / cballard@auroragov.org / Comments in red)

Site Plan

6A. An easement is not required for the private fire service.

Noted. Easements updated.

6B. Advisory: Hydrant laterals over 150 feet in length will require pressure calculations on the civil plans showing a residual pressure of 20-psi during fire flow.

Noted. Waterline updated to be closer to the hydrants.

6C. Add flow arrows to the sanitary and storm lines. Water lines do not require flow arrows.

Noted. Flow arrows added.

6D. Utility crossings are to be at significantly right angles.

Noted. Utilites have been adjusted to accommodate crossings.

6E. Ensure easements extend fully to the public right-of-way or an existing water easement.

Noted. Easements updated.

6F. Show the existing main being connected to.

Noted. connection to main updated with linework and labels.

6G. Ensure valve symbols are visible.

Noted. Valves have been added.

6H. Ensure the sanitary main is at least 5' from the lip of the gutter.

Noted. Sanitary updated per this comment.

6I. Advisory comment: the manhole noted on Sheet 10 may need to be upsized based on the size and number of pipes entering it.

Noted.

6J. Access to the pond must be maintained.

Noted. Pond access maintained.

6K. Extend water services fully to the building.

Noted. Services shown are 5' from building.

6L. Address all comments and notations on the redlines.

Noted. comments addressed.

6M. Adjust fence location(s) to be a minimum of 5' away from water meter(s).

Noted. Waterline and fence have been adjusted.

6N. License agreements will be required for the gates/fences crossing any utility easement.

Noted.

6O. Add matchline references.

Noted. Matchlines have been added and adjusted.

6P. Review viewport(s) to ensure text is not cut off.

Revised.

7. Life/Safety (Richard Tenorio / 303-739-7628 / rtenorio@auroragov.org / Comments in blue) 7A. Show looped water supply around the building(s), with water and fire lane easement.

Noted. Water has been adjusted to go around the buildings. Water and fire lane easements have been adjusted to reflect this change.

7B. Show all existing and proposed fire hydrants.

Noted. Existing and proposed hydrants are now shown.

7C. Provide fire hydrants internal to the property per IFC Appendix D.

Noted.

7D. Show, label, and dimension Fire Lane Easements.

Noted. Fire lane easements added.

7E. Show the water line connection to the Harvest Road water main.

Noted. Water line connection added and labeled.

7F. Show all accessible parking locations around the property. See graphic on Sheet 11.

Noted. Access now shown.

7G. Justify the second FDC shown in Building #2.

Noted. Only 1 FDC shown.

7H. The auto turn should include the City of Aurora Fire Dept. Cyclone apparatus. See the graphic on Sheet 12.

Noted. Autoturn adjusted and now shown.

8. Parks, Recreation and Open Space Department (PROS) (Curt Bish / 303-739-7131 / cbish@auroragov.org / Comments in purple)

8A. Within the Fulewider Master Plan, there is no open space or trail connectivity north of 64th Avenue therefore, PROS has no comments on this submittal.

Noted.

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

9A. Provide a 10' utility easement on the site perimeter to match the plat.

Noted. 10' utility easement has been added.

9B. Add the bearings, distances, etc. for the site boundary. They should be consistent with the plat.

Noted. Bearing around the property has been added.

9C. The plat cannot vacate any easements.

Noted. Slope easements to be vacated shall be via separate documents. These labels have been updated.

9D. Encroachments into utility easements will need to be covered by a License Agreement. Contact Grace Gray at licenseagreement@auroragov.org to start the License Agreement process.

Noted.

Plat

9E. Provide an updated Title Commitment to be dated within 30 calendar days of the plat approval date. (This Commitment should be submitted at the time of your final submittal of the electronic plat for recording.)

Noted. Updated title will be provided prior to recordation of plat.

9F. Send in the Certificate of Taxes Due obtained from the County Treasurer's office showing the taxes are paid in full up to and through the plat approval date of recording.

Noted. Tax certs will be provided prior to recordation of plat.

9G. Adams County requires 18" x 24" sheets with a 2" margin on the left and ½" margins on all other sides. Resize the sheets to conform.

Noted.

9H. Match plat name references.

Noted.

9I. The Basis of Bearing statement is not the same as the platted area.

Noted. This has been updated in plat.

9J. Add a note about Tract A per the plat checklist.

Noted. This has been updated in plat.

9K. Revise/edit text per comments on the relines.

Noted. This has been updated in plat.

9L. Provide a closure sheet for the legal description.

Noted. This has been provided.

9M. Provide the State Monument Records for the aliquot corners used on the plat.

Noted. This has been provided.

9N. Show the Basis of Bearing line reference.

Noted. This has been updated in plat.

9O. Add the perimeter 10' utility easement.

Noted. This has been updated in plat.

9P. Label all existing and proposed easements.

Noted. This has been updated in plat.

9Q. Review scales for accuracy.

Noted. This has been updated in plat.

9R. Add a north arrow and bar scale on Sheet 5 and details on Sheet 7.

Noted. This has been updated in plat.

9S. Label adjacent subdivision plats or label unplatted.

Noted. This has been updated in plat.

9T. Review Tract A reference for accuracy.

Noted. This has been updated in plat.

9U. Plats cannot vacate easements. Submit by separate document.

Noted. Slope easements to be vacated shall be via separate documents. These labels have been updated.

9V. Add bearings, distances, and pins per comments on the redlines.

Noted. This has been updated in plat.

9K. Revise distance(s) so there is no distance over 1,400' along any straight boundary line of a subdivision.

Noted. This has been updated in plat.

9W. Confirm easement name(s) with Aurora Water.

Noted. This has been updated in plat.

9X. Correct spelling errors and overwrites.

Noted. This has been updated in plat.

10. Revenue - Aurora Taps (Melody Oestmann /moestman@auroragov.org)

10A. Storm Drainage Development Fees Due: $\$1242 \times 35.95 = \$44,649.90$ -
Fees must be paid prior to mylar recordation.

Noted.

10B. Commercial users with meters one and one-half inches and smaller with landscaped areas not served by separate irrigation system shall be charged an outdoor fee based upon the total landscaped area.

Noted.

11. Energy and Environment (Maria Alvarez / 303-739-6824 / malvarez@auroragov.org)

11A. We have reviewed the area of your development. There are plugged and abandoned (P&A) wells in the area of your development, in addition to an existing and/or planned oil and gas facility. There may be existing underground pipelines in rights-of-way. If you have questions or concerns about this, the Energy & Environment Division can assist by providing additional information.

Noted

The Colorado Oil & Gas Conservation Commission (COGCC)/Colorado Energy and Carbon Management Commission (CECMC) maps indicate there are plugged and abandoned (P&A) wells within proximity of the proposed development. The applicant is responsible for locating the abandoned wells and ensuring adequate measures are taken to secure/buffer their locations during construction.

Noted

Please note that while wells display on the COGCC/CECMC map with a latitude and longitude, for older wells, those values have been calculated from the footage references from section lines. They are likely close to the correct spot but may not be exact. **The applicant is still responsible for physically locating such abandoned wells. The city will work with you to determine appropriate setbacks from various surface features once the wells have been located. The City recommends a permanent easement of 200 feet by 200 feet surrounding the P&A well, with no permanent structures within this easement.**

Noted

Plugged and Abandoned (P&A) wells did produce hydrocarbons during the life of the well. Wells plugged more recently should have clear records with COGCC/CECMC of the existence of any flowlines connected to the wells, and how those flowlines were handled during final remediation. Some lines are removed, and some are left buried in place. Wells plugged further in the past may not have been recorded at COGCC/CECMC regarding flowlines. Note that some flowlines were asbestos-wrapped fiberglass instead of steel and may require special precautions if removal is necessary.

Noted

In January 2021, the Colorado Oil & Gas Conservation Commission (COGCC)/Colorado Energy and Carbon Management Commission (CECMC) implemented new rules which include a two-thousand-foot (2000') setback between oil and gas locations and certain surface features, including residences and schools. The setback is measured from the edge of the oil and gas location (also referred to as the "well pad," which represents the area of the greatest extent of surface disturbance around a well.) A portion of your site is within this 2000' setback from an existing and/or planned oil and gas facility.

Noted

Currently, there are no City regulations against constructing residences within this setback from an existing oil and gas facility, however, there is a pre-sale requirement to notify future owners of the fact.

Noted

The following notice language appears in UDO section 146-3.3.5.DD.2:

“Notice to Purchasers”

- a. A seller of real property upon which an oil or gas well or facility has been located shall provide written notice of the existence of such well to a purchaser of such real property prior to the closing of the sale. The seller shall cause the following notice to be recorded with the clerk and recorder of the appropriate county:

Noted

Notice: The property known as [legal description and address] contains an oil and/or gas well. This requirement to provide notice to prospective purchasers and record such notice shall only apply to the transaction between the developer or builder and the initial purchaser and does not apply upon any subsequent sale of the property.

- b. Vendors of residentially zoned real property within a state-determined setback shall provide the following notice to prospective purchasers in 14-point bold type on a single sheet of paper that is signed by the prospective purchaser prior to entering into a contract for purchase:

Noted

Notice: Nearby oil and gas facility. This property is located within a state-determined setback from an oil and gas facility. Vendors of residentially zoned real property within a state-determined setback from an oil and gas facility shall cause the following notice to be recorded with the clerk and recorder of the appropriate county:

Noted

Notice: The property known as [legal description and address] is located within a state-determined setback from an oil and gas facility. This requirement to provide notice to prospective purchasers and record such notice shall only apply to the transaction between the developer or builder and the initial purchaser and does not apply upon any subsequent sale of the property.”

Noted

It is at your discretion whether you choose to construct residences within the state setback or modify your development plans to accommodate such. The City of Aurora regulations regarding setbacks from oil and gas facilities are subject to change in the future. Even though Colorado voters struck down a proposed 2,500’ setback in 2018, future public perception may change now that the new COGCC/CECMC rules are in effect.

Noted

The Energy & Environment Division will work with you during your project development to help you understand the location of current and future oil and gas facilities that may affect your site. In the future, a horizontal well will be drilled underneath your site. If so, the depth would be greater than 7,000 feet below the surface. At that depth, we do not expect any effects to be felt at the surface. The City of Aurora has no authority or control over subsurface well equipment or operations. Contact the Colorado Oil & Gas Conservation Commission (COGCC)/Colorado Energy and Carbon Management Commission (CECMC) for more information.

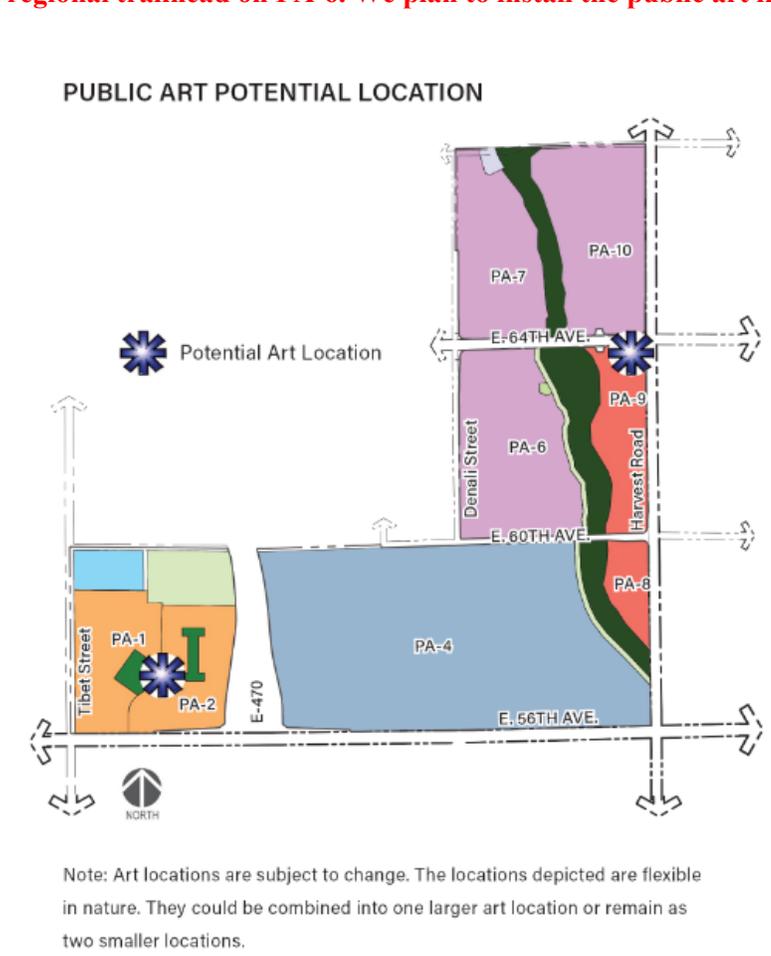
Noted

Should you have any questions about oil and gas development, please reach out to Jeffrey S. Moore, Manager of the Energy and Environment Division. Additional information regarding oil and gas development can be found in the data and maps on the Colorado Oil & Gas Conservation Commission (COGCC)/Colorado Energy and Carbon Management Commission (CECMC) website at www.cogcc.state.co.us and COGCC/CECMC GISOnline www.cogccmap.state.co.us.

12. Public Art (Roberta Bloom / 303-739-6747 / rbloom@auroragov.org)

12A. The Public Art Plan for Harvest Mile-Fulenwider does indicate public art within PA 9. Therefore, the Site Plan for PA-9 must include plans for how this public art element will be addressed.

The current Fulenwider Master Plan includes a map which shows public art on the NE corner of PA-9. This location was originally chosen when Harvest Road was planned as a major arterial connection to Denver International Airport and an associated multi-mode transportation hub was planned for this intersection. Over the course of the past 2-years, the City of Aurora and adjacent landowners have decided to move the major arterial connection to Denver International Airport from Harvest Road to Jackson Gap, one half mile to the east. As a result, Harvest Road is no longer a 6-lane major arterial and has been reduced to a 4-lanes. The multi-mode transportation hub is no longer feasible at the intersection at 64th Ave and Harvest Road, and the public art installation will also need to be relocated. We are now planning to move the public art installation from PA-9 to the regional trailhead on PA-6. We plan to install the public art in this location when PA-6 is developed.



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

13A. See attached comment letter.

Noted, easement provided.

14. Mile High Flood District (Drew Roberts / submittals@mfhd.org)

14A. See attached comment letter.

Noted.

15. Denver International Airport - Planning (303-342-4105 / denplanningreferrals@flydenver.com)

15A. Denver International Airport (DEN) received your referral letter, and we appreciate the opportunity to comment on the proposal. DEN provides the following comments:

The proposed development is within the “10,000’ Critical Area for Wildlife-Attractant Separation Area” for the final build-out of future DEN Runways, as defined by the Federal Aviation Administration (FAA). The USDA Wildlife Biologist assigned to DEN assist in implementing DEN's Wildlife Hazard Management Plan and have requested coordination as this project progresses. USDA and DEN will aid with the requirements outlined in the current version of FAA Advisory Circular 150/5200-33C (see link below).

Noted.

DEN also requests that the landscape plan include maintenance of trees and grasses to reduce attractants for wildlife such as raptor species, blackbirds/starlings, and geese. Fruit-producing trees and shrubs should be avoided.

Plants that attract wildlife are not included as part of this plan.

Water quality ponds/detention structures must be designed to meet a 40-hour drain time following a 100-year event.

The site is found within/under the navigable airspace associated with DEN, as promulgated and regulated by the Federal Aviation Administration (FAA) under 14 CFR Part 77, Objects Affecting the Navigable Airspace. Based on Part 77 and the development site location, the proponent is required to file a notice with the FAA, via the FAA Form 7460-1 process (Notice of Proposed Construction or Alteration), of any structure or temporary construction equipment (e.g., cranes) that penetrate Part 77 surfaces. The FAA website from which the need for the 7460 process can be determined (“Notice Criteria Tool”) and/or the filing can be initiated is <https://oaaaa.faa.gov/oaaaa/external/portal.jsp>.

The development is within the DEN 55 DNL and will be impacted by aircraft noise and overflights.

Noted.

16. Additional Agencies

16A Mile High Flood District MHFD

1) We have no comments on this submittal as it relates to maintenance eligibility.

Noted.

16B Xcel Energy

Public Service Company of Colorado’s (PSCo) Right of Way and Permits Referral Desk has reviewed the documentation for **Box Elder PA9**. As always, thank you for the opportunity to take part in the review process. For these *commercial/industrial/retail* lots, and to ensure that adequate utility easements are available within this development and per state statute §31-23-214 (3), PSCo requests that the following language or plat note is placed on the preliminary and final plats for the subdivision:

Ten-foot (10’) wide utility easements are hereby granted around the perimeter of platted areas including lots, tracts, parcels and/or open space areas. These easements are dedicated to the City of Aurora for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities. Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Public Service Company also requests that all utility easements are depicted graphically on the preliminary and final plats. While these easements may accommodate certain utilities to be installed in the subdivision, some additional easements may be required as planning and building progresses.

In addition, 31-23-214 (3), C.R.S., requires the subdivider, at the time of subdivision platting, to provide for major utility facilities such as electric substation sites, gas or electric transmission line easements and gas regulator/meter station sites as deemed necessary by PSCo. While this provision will not be required on every plat, when necessary, PSCo will work with the subdivider to identify appropriate locations. This statute also requires the subdivider to submit a letter of agreement to the municipal/county commission that adequate provision of electrical and/or gas service has been provided to the subdivisions.

Please be aware PSCo owns and operates existing underground electric distribution facilities along East 64th Avenue. The property owner/developer/contractor must complete the application process for any new natural gas or electric service or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

Additional easements will need to be acquired by separate document for new facilities (i.e. transformers) – be sure to have the Designer contact a Right-of-Way and Permits Agent.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.