Planning and Business Development

City of Aurora

Planning Division
15151 E. Alameda Parkway, Ste. 2300
Aurora, Colorado 80012
phone 303.739.7217

AuroraGov.org

February 4, 2025

Scott Auker
Suncap Real Estate Investment
500 W Cypress Creek Rd 755
Ft. Lauderdale, FL 33309

Re: **Second Submission Review:** Bank of America at Aurora Plaza Site Plan and Conditional Use
Application Number: DA-2339-01
Case Numbers: 1981-6061-19; 1981-6061-20

Dear Scott Auker:

Thank you for your second submission, which we started to process on January 13, 2025. 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 February 25, 2025.

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.

Projects that have gone one year without a submission will be considered inactive and require a 25% restart fee to be reactivated. After 18 months of inactivity, projects that are not reactivated will be closed and retired.

As always, if you have any comments or concerns, please let me know. I may be reached at 303-739-7112 or swasinge@auroragov.org.

Sincerely,

Stacy Wasinger

Stacy Wasinger, Senior Planner
City of Aurora Planning Department

cc: Todd Hager, Galloway
Lorianne Thennes, ODA
Filed: K:\$DA\2339-01rev2

Second Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Due to the remaining comments, another submittal will be required prior to scheduling the items for Planning and Zoning Commission hearing.
- Please clarify the sidewalk deferral request and the interim and ultimate state of the sidewalk along E. Mississippi Avenue. The landscape plan shows landscaping in the area for the future sidewalk and the timing is unclear.
- Please reach out to Land Development Review regarding easements to be dedicated by separate document and license agreements.
- An adjustment will not be required for the retaining wall (see Item 1F).
- See Engineering comments regarding the sidewalk deferral request (see Item 8).
- Update fire lane signage and accessible route symbology (see Item 10).
- Please contact Aurora Forestry to address comments regarding tree protection requirements (see Item 12).

PLANNING DEPARTMENT COMMENTS

1. Zoning and Use Comments

1A. Written comments received from Xcel Energy are attached to this letter. Please respond to their comments within the response letter for your next submission.

1B. *Repeat comment*: Please clarify authorization from the Wendy's parcel to move the driveway. The easement was provided, but it is not clear that it includes moving the entrance of the driveway.

- *Update*: Thank you for the clarification on the additional easement. Please work with Land Development Review Services on any easement to be completed by separate document. For this case, the easement will need to be in place prior to recording the site plan.
- Note that a mylar change or amendment will be required if the existing site plan for Wendy's is affected (i.e. parking or other site features are significantly changed). The site plan of record for that development is attached to this letter.

Site Plan

Sheet 1:

1C. Remove the City Council portion of the approvals box from the lower right corner.

1D. Please clarify and revise the allowable signage calculation per UDO 146-4.10.5.B. The building frontage on Mississippi Ave. is approximately 60 feet, which would allow a maximum sign area of 120 square feet. Signage details are not required with the site plan, but the maximum area must be updated.

Sheet 2:

1E. Please dimension all buildings, parking spaces, drive-thru covering, easements, and any other features on the site plan. This will help clarify parking stall dimensions, stacking area, etc.

1F. Include case numbers and title of adjoining approved site plans.

- MARSHALLS AURORA PLAZA (CN 1981-6061-12)
- WENDY'S AT MICHAELS AURORA PLAZA (CN 1981-6061-16)
- MURPHY FUEL AT MARSHALL PLAZA (CN 1981-6061-17 and 1981-6061-18)

Sheets 2 and 5:

1G. *Repeat comment*: Note any proposed fences and walls. Please provide details as well. See UDO 146-4.7.9.T for retaining wall requirements.

- *Update*: Thank you for clarifying the height and location of the retaining walls. Per the details provided regarding the retaining walls, it appears that the maximum height of the lower retaining wall is 6 feet and the higher retaining wall is 4 feet 8 inches above grade, with an over 5 foot separation. If this is accurate, then the code requirement is met, and an adjustment is not needed. The height of the wall is measured from adjoining grade to the top of the wall and the required separation in code is 36 inches.

2. Streets and Pedestrian Comments

Sheet 9:

2A. *Repeat comment*: Thank you for the inclusion of an outdoor plaza area. Please include pedestrian features such as decorative pavement, pedestrian scale lighting, shade features, site furniture, landscape borders with amenities such as tree cut-outs and raised planters, etc.

- *Update*: Thank you for the clarification regarding the provided table and chairs. The requirement can be satisfied in multiple layouts and with different features. Due to the use and location, consider alternatives, such as raised planters and benches, to meet this requirement.

2B. Please show or extend the pedestrian connection to the parcel to the north per UDO Table 4.5-3.

3. Parking Comments

3A. *Repeat comment*: See UDO Table 4.6-4 for parking lot design requirements. The parking spaces must be 9' by 19' (not 18').

- *Update*: Please include dimensions for both head-in and angled parking to demonstrate code requirements. Also include dimensions for stacking space areas.

4. Architectural and Urban Design Comments

4A. *Repeat comment*: Please provide color elevations and a digital material board.

4B. *Repeat comment*: The north and east elevations will require additional articulation (such as a vertical element, material change, recess or pop-out, etc.) to break up the plane.

- *Update*: Thank you for the additional information and clarification of articulation. The east elevation will still need an additional element, such as a window (or faux window), horizontal element, or other element to break up the façade plane.

4C. *Repeat comment*: Include an elevation/detail of the trash enclosure.

- *Update*: Thank you for the clarification that there is no trash enclosure on-site. Is the trash collection location in the overall complex instead?

5. Landscaping Issues (Tammy Cook / tdcook@auroragov.org / Comments in bright teal)

Site Plan:

Sheet 2:

5A. A 9' attached walk is not shown here.

Sheet 4:

5B. If the intent is for this walk to be constructed as part of this application, both this sheet and the landscape plans must show this walkway. When will this walk be constructed?

Sheet 7:

5C. Although there is an encumbrance along this perimeter an adjustment will be required for the Street Trees for the curbside landscape.

Sheet 9:

5D. The Civil base is still showing a future 10-foot walk where the plant material is shown along this perimeter. What is the timing anticipated on this "future walk"?

5E. Provide the dimension of this planting area measured from the back of the walk for when the walk is to be constructed.

5F. You should include both conditions on different sheets. When the sidewalk gets constructed, there needs to be a landscape plan for that, or it will be all rock in the future. Include a table documenting the UDO curbside landscape requirements for the detached sidewalk condition. A note should be added to the "Attached" Condition landscape plan that says: A detached sidewalk along Mississippi Road is anticipated in the future. Landscaping for the curbside can be found on sheet X.

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

6A. Please submit a preliminary digital addressing .SHP or a .DWG file as soon as possible. This digital file is used for street naming, addressing and preliminary GIS analysis. Include the following layers as a minimum:
- Parcels
- Street lines
- Building footprints (If available)

6B. Please ensure that the digital file is provided in a NAD 83 feet, State plane, Central Colorado projection so it will display correctly within our GIS system. Please provide a CAD .dwg file that is a 2013 CAD version. Please eliminate any line work outside of the target area. More information can be found at: https://auroragov.org/CADtoGISstandards OR by contacting CADGIS@auroragov.org

7. Planning Transportation (Tom Worker-Braddock / 303-739-7340 / tworker@auroragov.org / Comments in bright teal)

7A. No further comment at this time.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

8. Civil Engineering (Jonathan Phan / 303-739-8273 / jphan@auroragov.org / Comments in green)

Site Plan

Sheet 1

8A. Advisory note: Civil plans will be submitted under the 2025 Roadway Manual.

Sheet 2

8B. Please show the receiving ramp. ADA requires a complete path of travel (TYP.).

8C. Advisory note: If this sign is within the sidewalk easement a license agreement is needed.

8D. Mississippi Ave is an arterial road (TYP.).

Sheet 4

8E. Please provide the slope percentage (TYP.).

8F. Label existing contours (TYP.) (3.J.1.a of the 2025 Roadway Manual).

8G. Show the grading to be sloped away from the building within 10 feet (4.B.1.c of the 2025 COA Roadway Manual) (TYP.).

8H. What is this heavier line-type weight supposed to be?

8I. Label roadway classification and dimension the ROW width (TYP.).

Sheet 5

8J. Remove the approval block as it's not needed on the site plan.

Sheet 14

8K. Please show and call out the existing streetlights (TYP.).

8L. Advisory note: During the civil plans you will need to evaluate the existing public streetlights for conformance with the 2025 Roadway Manual. Additional streetlights may be needed.

Sidewalk Deferral Letter

8M. Identify how many linear feet of sidewalk are being deferred.

8N. Identify the section of code and the specific criteria the code follows under https://aurora.municipal.codes/UDO/146-5.3.19.B

8O. Update dimension to10'.

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

Site Plan

Sheet 3

9A. REPEAT COMMENT, provide dimension of access width.

9B. REPEAT COMMENT, parking space is 9'x19' per UDO 4.6.5 Table 4.6-4

9C. Relocate further north closer to the exit.

9D. Need to provide vehicle turning template to verify vehicles can turn hard left to get into left drive-thru lane.
9E. Provide dimensions (for drive-thru).
9F. Add STOP sign.
9G. REPEAT COMMENT, provide dimension of access width.

Traffic Impact Study

Page 1:

9H. TIS is approved.

10. Fire / Life Safety (Carl Horst / 303-739-7639 / chorst@auroragov.org / Comments in blue)

10A. Please update the data block to reflect the following items;

- 2021 IBC Construction Occupancy classification

Sheet 2:

10B. Please label the fire lane signs and provide one fire lane sign in the location shown at the northwest corner. The center sign placed at the north may be moved to this location.
10C. Please provide a legend that shows the bollards.
10D. Please Identify the access aisle and the accessible van parking spot individually.

Sheet 3:

10E. Please provide detailed graphic examples of signage to be installed. Example given.

Sheet 4:

10F. Please provide the slope percentages along the accessible route, Aisle and parking.
10G. Please provide a legend that shows the bollards.
10H. Please Identify the access aisle and the accessible van parking spot individually.
10I. Please label the fire lane signs and provide one fire lane sign in the location shown at the northwest corner. The center sign placed at the north may be moved to this location.

Sheet 14:

10J. Please identify the full path of the accessible route by dash delineation.

11.Aurora Water (Samantha Bayliff / 303-739-7490 / sbayliff@auroragov.org / Comments in red)

Site Plan

Sheet 2:

11A. This is the drainage report RSN, not the civil plans. Additionally, this site has been approved. Use EDN 224290.

Sheet 6:

11B. If you intend to include text calling out these easements and providing EDN numbers, don't cut them off.
11C. REPEAT COMMENT: remove these labels from the utility plan.
11D. Call this out as "proposed"
11E. REPEAT COMMENT: Per approved plans directly to the west (EDN 224290), the water stub is not being provided by the adjacent property. See below for the approved waterline for the adjacent property that is currently under construction.
11F. Dedicate water easement by separate document. The site plan will not be approved until the easement has been dedicated.
11G. Mississippi (correct typo).
11H. REPEAT COMMENT: call out the removal of the plug as well.
11I. This is not the correct RSN and the project is now approved, so these should be EDN 224290.
11J. Since there is no existing waterline stub, this comment is not relevant.
11K. REPEAT COMMENT: define AHJ on the plan sheet.
11L. Odd formatting?

12. Forestry (Becky Lamphear/ 303-739-7139 / rlamphea@auroragov.org / Comments in purple)

12A. PLEASE CONTACT AURORA FORESTRY.
12B. Tree mitigation is always above and beyond the Landscape Code requirements.
12C. Shrubs and grasses cannot count towards tree mitigation for planting back on site. Mitigation must be in

the form of planting trees, payment into the community tree fund, or a combination of both. The applicant can also upsize trees required by the landscape code.

12D. The caliper inches that will be lost are 70", but only 22" would be required for planting back onto the site. The mitigation value is $2,940.00.

TREE #	SPECIES	DIAMETER	MITIGATION VALUE	COMMENTS	MITIGATION INCHES
1	White Ash	14	$828.85		6
2	White Ash	16	$539.30		3
3	Silver Maple	14	$507.68		3
4	Pear	7	$240.68		3
5	Pear	7	$240.68		3
6	Crab	6	$291.26		2
7	Crab	6	$291.26		2
Total		70	$2,939.71		22

NOTE: Mitigation values based on International Society of Arboriculture's Guide to Plant Appraisal. Species, diameter, condition, and location factors were included in the assessment.

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

Sheet 1

13A. Add this standard Site Plan Note:

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.

Sheet 2-5

13B. Continue with the easement dedications by separate documents (Typ.) They should be completed prior to any building permits.

13C. Add the size of the easement (Typ.)

13D. Add "Private" as indicated for Utility easement.

14. Easements (Grace Gray / 303-739-7277 / ggray@auroragov.org)

14A. Easement dedications to be submitted to dedicationproperty@auroragov.org, releases to be submitted to releaseeasements@auroragov.org.

15. Xcel Energy PSCo (Donna George / 303-571-3306 / ReferralsXcelDistribution@xcelenergy.com)

15A. Please see attached.

16. Arapahoe County (Terri Maulik / 720-874-6840 / referrals@arapahoegov.com)

16A. Planning Division: Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.

City of Aurora

AuroraGov.org

Xcel Energy℠

PUBLIC SERVICE COMPANY

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

January 22, 2025

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

Attn: Stacy Wasinger

Re: Bank of America at Aurora Plaza - 2nd referral, Case # DA-2339-01

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the second referral documentation for **Bank of America at Aurora Plaza** and has **concerns**.

The "Response Xcel Energy Comment Letter.pdf -". This document is for Case No. DA-1052-27; therefore, it appears to have been uploaded into the wrong folder.

Additionally, the document entitled "00_BOA Aurora Plaza_Responses.pdf - Responses" shows the applicant comment "Response: Response letter included with resubmittal" – however, there is no response letter on the website for Case No. DA-2339-01.

Please advise.

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