

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



July 28, 2022

Caitlin Kincaid  
Texas Roadhouse  
6040 Dutchmans Lane  
Louisville, KY 40205

**Re: Initial Submission Review – Texas Roadhouse at Blackhawk Pointe Conditional Use and Site Plan**  
Application Number: **DA-2261-01**  
Case Numbers: **1999 6002 08; 1999 6002 09**

Dear Mr. Kincaid:

Thank you for your initial submission, which we started to process on Friday, July 1, 2022. 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 Thursday, August 18, 2022. 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 estimated Planning and Zoning Commission public hearing date is tentatively set for Wednesday, September 28, 2022. Please remember that all abutter notices for public 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 public 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) 739-7259 or [amuca@auroragov.org](mailto:amuca@auroragov.org).

Sincerely,

Ariana Muca, PLA  
Planner I

cc: Marisa Kolman Greenberg Farrow 21 S Evergreen Avenue Ste 200 Arlington Heights, IL 60005  
Ariana Muca, Case Manager  
Scott Campbell, Neighborhood Services  
Justin Andrews, ODA  
Filed: K:\\$DA\2261 01rev1.rtf



## First Submission Review

### SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Questions and edits regarding ADA paths and pedestrian lighting throughout the site (Public Works).
- Include a patio area with furnishing in the subsequent submittal (Planning).
- Please include a drive-thru enlargement (Planning).
- Please submit preliminary digital addressing .SHP or a .DWG file as soon as possible (Addressing).
- Update fire lane widths and turning radius to meet code standards (Fire and Life Safety).
- There seems to be a need to dedicate and possibly release of the easements. Make sure the new configuration, width, and turning radii will work for the Fire/Life Safety Dept (Real Property).
- Several comments on the Tree Mitigation Plan.
- Traffic comments will be following
- Arapahoe County, Tri-County health, Mile High, and Excel have comments at the end of this letter.

### PLANNING DEPARTMENT COMMENTS

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

- 1A. No citizen comments were received at the first review.

#### 2. Completeness and Clarity of the Application

- 2A. Eliminate all Autocad SHX text. Your second submission will not be accepted with the SHX text.
- 2B. A fee of \$18,470.00 must be paid ahead of the second submission.
- 2C. Please make sure the introduction letter matches the details of the site plan. For both the building height and the square foot of the building. Please update the introduction letter for your next submission.
- 2D. The application title should be Blackhawk Pointe Texas Roadhouse Site plan and Conditional Use.
- 2E. Please enlarge the vicinity map - this should be 3 to 4 inches at a scale that includes the closest major arterial street intersections and all surrounding local streets.
- 2F. On the cover sheet, please add an amendment block.
- 2G. Please move the developer contact information under contacts duplicate with the geotechnical engineer.
- 2H. Regarding the Data Block, the land area should include both the ac and sf. You have under your data block sidewalks and patios, and this item will need to be updated with the addition of the required site patio. Though you do not have monument signage, you will need to note that a site plan only allows five signs per site plan, including directional. The current site plan design has seven signs and would require an adjustment.
- 2I. On all sites, plans have a title block. Please email the case manager for an example.

#### 3. Architectural and Urban Design Issues

##### *Site Plan*

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- 3A. The site triangle hatch should be included in the legend and be a lighter, more legible hatch.
- 3B. Please eliminate the 185 total parking text on the site plan. That information should be included in the site plan.
- 3C. Question regarding the southern parking lot row - based on the existing linework, will anything in this row be changed or updated?
- 3D. Adding some ADA-accessible parking directly to the south of the building is recommended as this location would not have any users crossing drive aisles.
- 3E. Add the ADA route to the legend.
- 3F. As per the pre-app notes - the incorporation of on-site amenities and site furnishings is required for all commercial developments. Including an outdoor patio area and the provision of site furniture, landscaping, and pedestrian-scaled lighting and design. For a building this size, the common area should be a minimum of 400 square feet with a minimum dimension of 15 feet. An outdoor dining area can count toward this requirement.
- 3G. In general, more pedestrian safety measures need to be made within the parking lot. With two points of access, a drive-thru, and 185 parking spaces, there is a lot of vehicular and pedestrian conflict. Pedestrian networks



should be physically separated from vehicle traffic via grade changes, decorative pavement, landscaping, walls, or other design features, and should connect the building to the parking areas, adjacent sites, and to the public way. Any pedestrian crossings that cross the drive-through lanes must be well-defined so that crossing vehicles are prompted to wait for pedestrians.

- 3H. Please include bike parking on the legend and site plan. This application is required to have three bicycle parking spaces. Bicycle spaces must comply with Section 146-4.6.3.F.2, including providing a design that includes 2 points of contact with each bicycle. Each inverted "U" rack counts as two bicycle parking spaces. Place any bicycle parking in a convenient, paved, and well-lit location.
- 3I. The concrete hatch is in the legend, but I do not see it utilized on the site plan. Please update.
- 3J. The drive-thru was not part of the pre-app therefore you were not provided notes for the drive-thru. There are specific required driving-through stacking spaces as per Table 4.6-7. A restaurant is required to have a minimum stacking space of seven, of which at least four must be located before the ordering station.
- 3K. Please include an enlargement or exhibit of the drive-thru for review.

#### A. Number of Required Stacking Spaces

Vehicle stacking spaces shall be provided in accordance with Table 4.6-7, below. Required stacking distances shall be measured from the flow line to the first parking stall or aisle. The required stacking distance for the site may be distributed between accesses serving the site, when a minimum stacking distance of 20 feet is provided at all access points.

<b>Table 4.6-7 Required Drive-Through Stacking Spaces</b>		
<b>Drive-Through Activity</b>	<b>Minimum Required Stacking Spaces (per lane)</b>	<b>Measured from Flow Line To</b>
Bank, Financial Institution, or Automated Teller Machine (ATM)	3	Teller window
Restaurant	7, of which at least 4 must be located before the ordering station	Pick-up window
Motor Vehicle Wash (Full Service)	3	Outside of washing bay
Motor Vehicle Wash (Self Service or Automated)	1	Outside of washing bay
Other	Determined by the Planning Director based on anticipated demand	

#### Elevations

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- 3L. The colored elevations are very helpful and great for commissioners to understand your design intent. Please upload the colored elevations as a separate document at the end of the site plan set. It does not need to be included in the site plan index on the cover sheet.
- 3M. Please include a peaked element on the lower awning on the west side.
- 3N. On the south side, please extend the awning to the east end and add a peaked element over the door.

#### Material Board

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- 3O. Please upload the material board as a separate document that is not part of the site plan. It does not need to be included in the site plan index on the cover sheet.

#### Site Plan Details

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- 3P. Please include site furnishing on the detail sheet.
- 3Q. Add a side elevation of the dumpster enclosure.

#### Elevations

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- 3R. The general specifications should not be included on the elevation page.
- 3S. Elevations should read as east, west, north, and south.
- 3T. These elevations shall be line drawings to scale with material callouts.
- 3U. Single-story commercial buildings shall use at least one of the horizontal articulation methods shown in Table



- 4.8-3 at an interval of 50 feet or less on each street-facing façade of the primary building.
- 3V. Section 4.8.7 of the Unified Development Ordinance (UDO) has four-sided building standards provided to eliminate the common treatment of "backs" of buildings. The rear elevation is particularly important with this site plan as it is a drive-thru spot and the main view for most patrons who will be parking behind the restaurant. The rear elevation is recommended to have a wall notch or wall/parapet height change and a higher level of architectural detailing on the pedestrian scale. In general, folks parking in the lot will need to be funneled to the sidewalk on the north in a predictable fashion.
- 3W. On the front elevation, the main door onto Iliff feels like a secondary entry. Many patrons could be using the main entrance with a large multi-family just across the street. As per table 4.8-9 there are entry requirements and options. For Commercial buildings, entries should have a projected mass, recessed mass, corner entry, or roof variation.
- 3X. Section 4.8.8 in the UDO breakdown roof materials and forms. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least three feet along every 60 linear feet of façade. On the right elevation, I have concerns about the long linear roof line, and a higher level of articulation is recommended. On the same right elevation in the same instance with the long flat roof windows, another iteration of horizontal articulation will need to be included in the next submittal. The right elevation is a secondary façade, as it can be seen from the street.

#### *Signage*

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- 3Y. A total of five signs are permitted per use, with a total of 80 square feet maximum. Please include a table with the total square feet of signage on site. The maximum total sign area cannot exceed 600 square feet and no individual sign can exceed 200 square feet. Please review section 4.10.5 of the UDO.
- 3Z. If a sign is illuminated, all letters and message content on a sign shall be individually illuminated from an internal source, with the exception that wall signs are permitted to be illuminated entirely from downcast architectural lighting fixtures. A uniformly backlight sign face is not permitted on any sign. I do not believe you are inference with this section of code but something to keep in mind.

#### *Lighting*

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- 3AA. Need to show foot candles 10' off or beyond the property line.
- 3BB. Please note that all site lighting shall be downcast and full cutoff on the site plan. Lighting needs to be shielded to residential uses to the west and south.

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

- 4A. Add the landscape sub consultants' contact information on the cover sheet.

#### *Landscape Plan*

- 4B. Select another shrub species as boxwoods do not perform well here.
- 4C. These tables provided on the landscape plan are too small. Please enlarge.
- 4D. Update the street frontage buffer table to remove that portion that is not applicable to this application.
- 4E. Locate the Tree Mitigation table on the tree mitigation plan.
- 4F. Provide a north arrow and scale.
- 4G. Provide a landscape table documenting the required and provided detention pond landscaping.
- 4H. Provide a landscape table documenting the required and provided building perimeter landscaping.
- 4I. Add "Not for Construction" to all landscape plan sheets.
- 4J. Show the grading for the entire site grayed back.
- 4K. Turn off the survey information.
- 4L. An urban sidewalk condition is required. That is a 16' hardscape area with tree openings that are 5' x 15'. Refer to UDO Section 146-4.7.5. C. 4.
- 4M. Label what appears to be benches.
- 4N. Turn off the extraneous line work if it is not the property line.
- 4O. Provide the required building perimeter landscaping.
- 4P. Can the building be constructed over a storm sewer?



- 4Q. All small parking lot islands should include six shrubs. See comment on the plan.
- 4R. Label all the plants. Not all the plants have been labeled.
- 4S. The proposed sidewalk is serving more than the Texas Roadhouse. The sidewalk serves the overall development and was originally attached. Why is the condition not being done? With no wheel stops, the cars will overhang the sidewalk and impede pedestrian movement.
- 4T. Parking lots are to be screened per Section 146-4.7.5 K.
- 4U. No sod or native seed in the parking lot islands. The minimum count of shrubs per the larger size island is 12.
- 4V. Add a landscaped parking lot island. No more than 15 spaces in row.
- 4W. Make sure the shrubs that are proposed will be 3'-4' in height at maturity within three years to screen the parking lot along the eastern property boundary.
- 4X. Be consistent with the sheet numbering. Refer to the previous sheets.
- 4Y. The detention pond requires landscaping. Refer to UDO Section 146-4.7.5.M.
- 4Z. Label the wall associated with the detention pond. Add spot grades for the top and bottom of the wall.
- 4AA. Provide a cross-section through the pond where indicated.
- 4BB. The location of the main entrance is less than ideal. There is no direct access from the parking lot for patrons. Patrons must walk through the parking lot and the drive-through lane of the To Go Pick Up window. Why isn't the main entrance facing the parking lot like the current location? The east building facade is the service area and includes the dumpsters and To Go Pick Up window. This is not where patrons should be going. The number of patrons driving will be greater than anyone ever walking to this location. Why should handicapped persons be crossing the drive-through lane for the pick-up window? This is an unsafe condition.

#### *Tree Mitigation Plan*

- 4CC. Remove required landscape notes as found in the Landscape Reference Manual available online. Also ,include a note regarding the proposed mulch treatments.

### **REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES**

#### **5. Addressing (Phil Turner / 303-739-7271 / [pturner@auroragov.org](mailto:pturner@auroragov.org))**

- 5A. Phil Turner will be the contact for addressing questions.
- 5B. Please submit 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)

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:  
<http://tinyurl.com/AuroraCAD> or by contacting [CADGIS@auroragov.org](mailto:CADGIS@auroragov.org)

#### **6. Civil Engineering (Julie Bingham/ 303-739-7403 / [jbingham@auroragov.org](mailto:jbingham@auroragov.org))**

- 6A. The Site Plan will not be approved by Public Works until the Preliminary Drainage Letter/Report is approved.
- 6B. Remove all copyright notes from all sheets.
- 6C. Please add the following notes: In locations where utility easements overlap drainage easements, only subsurface utilities shall be permitted within the portion of the utility easement that overlaps the drainage easement. Installation of above-ground utilities within a drainage easement requires prior written approval by the City Engineer. The streetlight or pedestrian light installation within the public right-of-way shall be designed, funded, and constructed by the developer/owner. Ownership and maintenance of the street/pedestrian lights shall be the responsibility of the City of Aurora once they have been accepted. Street light and/or pedestrian photometric plans shall be prepared and submitted to the City for review and approval and shall become a part of the approved civil construction plans for the project. An electrical plan showing the site location of lights, electrical one line and grounding details shall be submitted to the Permit Center for review by





the Building Department. The owner is responsible for obtaining an address for the meter(s) from the Planning Department. A Building Permit for the meter and a Public Inspections Permit for the street lights are required. Certificate of occupancies will not be issued until the street and/or pedestrian lighting plans are approved, constructed, and initially accepted.

#### *Site Plan*

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- 6D. Please add the following note: Proposed street light locations are conceptual. Final locations will be determined with photometric analysis submitted with the street lighting plans in the civil submittal.
- 6E. Indicate who is updating this curb ramp to the north. Otherwise, it will be required to be updated.
- 6F. Show the location of required pedestrian street lights on all sheets.
- 6G. Hardscape design for the urban section must include an accessible way of not less than six feet.
- 6H. Show/label all existing and proposed easements.
- 6I. Identify any areas that are to be paved with concrete.
- 6J. Label all proposed chase drains.
- 6K. Are these lights proposed for the sidewalk?
- 6L. Where are the receiving ramps for these proposed ADA ramps?
- 6M. Please add the following note: Detailed layout and design for proposed curb ramps within the right of way or along an accessible route will be completed with the civil plans.

#### *Grading Plan*

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- 6N. Recommend removing any spot elevations that don't identify critical information from these sheets.
- 6O. Max 6% slope down from the public street for 65'.
- 6P. Max 4% cross slope in the fire lane easement.
- 6Q. Min. slope away from the building is 5% for 10' for landscape areas, min. 2% for impervious areas.
- 6R. Max 2% slope in any direction at handicap parking spaces.
- 6S. Provide an access easement connecting the maintenance access to the ROW.
- 6T. Provide a typical section for the retaining walls, and identify the material. Structural calcs are required for walls over 4' or CIP walls.
- 6U. Please remove the trees from this grading sheet.
- 6V. Provide railing for walls over 30".
- 6W. Maintenance access is required to the top of the outlet structure.
- 6X. Max 4' walls in detention ponds.
- 6Y. Show/label the 100-year WSEL. Show/label the required drainage easement for the pond.
- 6Z. Add a note indicating if the storm sewer system is public or private and who will maintain it.

#### *Landscape Plan*

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- 6AA. Show all underground storm sewers on this sheet.

#### *Tree Mitigation*

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- 6BB. Please remove AutoCad SHX text items in the comment section. Please flatten to reduce the selectability of the items.

### **7.Traffic Engineering (Sylvia Lopo / 303-339-0440 / [slopo@auroragov.org](mailto:slopo@auroragov.org) / Comments in amber)**

- 7A. Traffic comments will be forwarded to you upon receipt from our Traffic Engineer. When you resubmit, please incorporate your revisions into the revised plans and include comment responses in the "comment response letter" required.

### **8.Utilities (Fatin "Iman" Ghazali/ [ighazali@auroragov.org](mailto:ighazali@auroragov.org)/ Comments in red)**

#### *Site Plan*

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- 8A. Show easement and dimensions.



- 8B. Label what should be demolished.
- 8C. Label dimensions of utilities used in connections (TYP).
- 8D. Dedicate easements for these utilities and provide easement dimensions.
- 8E. Do not locate fire suppression line in pocket utility easement; provide minimum 8 ft clearance between all three lines.
- 8F. Manhole is required for this connection if this is a 6-inch line; a 4-inch line does not require a manhole.
- 8G. Demolition of existing buildings requires a stormwater management plan and permit.
- 8H. New sanitary sewer services require two-way cleanouts.
- 8I. Label domestic and irrigation lines as private downstream of the meter; label the entirety of the fire suppression line as private.
- 8J. Label grease interceptor as private.
- 8K. The existing meter is to be abandoned at the point of connection.
- 8L. Provide pipe diameter and label as private.

*Landscape Plan*

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- 8M. Per COA standards, no trees are allowed in utility easements.
- 8N. No parking streetlights are allowed within the easement.
- 8O. These plantings are in direct conflict with the meter

**9.Aurora Water Revenue** (Diana Porter / [dsporter@auroragov.org](mailto:dsporter@auroragov.org))

- 9A. Storm Drain Development fees due 36.737 acres x \$1,242.00 per acre = \$45,627.35.
- 9B. Commercial users with meters one and one-half inches and smaller with landscaped areas not served by a separate irrigation system shall be charged an outdoor fee based upon the total landscaped area.

**10.Fire / Life Safety** (Mike Dean / 303-739-7447 / [mdean@auroragov.org](mailto:mdean@auroragov.org) / Comments in blue)

*Cover Sheet*

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- 10A. Under the Aurora site plan notes please see some spacing and typos to be edited.
- 10B. Remove notes 19, 20 and 21.
- 10C. Remove note 4 title.
- 10D. Check with the planning case manager to determine if this note was intended to be added to the standard site plan notes. This is regarding the last sentence in note 4 and it can be deleted.
- 10E. Delete 17 and 18.
- 10F. Add the following note:

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Add the following site plan cover sheet note.

THE 2015/2021 INTERNATIONAL FIRE CODE (IFC), REQUIRES ALL BUILDINGS TO BE ASSESSED FOR ADEQUATE EMERGENCY RESPONDER RADIO COVERAGE (ERRC). AT THE TIME THE STRUCTURE IS AT FINAL FRAME AND FINAL ELECTRICAL INSPECTIONS, THE GENERAL CONTRACTOR (GC) WILL BE REQUIRED TO HIRE A QUALIFIED INDEPENDENT 3RD PARTY TO ASSESS THE RADIO FREQUENCY LEVELS WITHIN THE STRUCTURE. ONCE COMPLETED, THE 3RD PARTY WILL PROVIDE THE RESULTS OF THE TEST TO BOTH THE DC AND THE AURORA BUILDING DIVISION AS TO WHETHER THE STRUCTURE PASSED OR FAILED THE PRELIMINARY RADIO SURVEILLANCE. A STRUCTURE THAT HAS PASSED THIS SURVEILLANCE REQUIRES NO FURTHER ACTION BY THE GC. A FAILED RADIO SURVEILLANCE WILL REQUIRE A LICENSED CONTRACTOR TO SUBMIT PLANS TO THE AURORA BUILDING DIVISION TO OBTAIN A BUILDING PERMIT FOR THE INSTALLATION OF AN ERRC SYSTEM PRIOR TO INSTALLATION. THIS ASSESSMENT AND INSTALLATION IS AT THE OWNER OR DEVELOPERS EXPENSE. FUTURE INTERIOR OR EXTERIOR MODIFICATIONS TO THE STRUCTURE AFTER THE ORIGINAL CERTIFICATE OF OCCUPANCY IS ISSUED WILL REQUIRE A REASSESSMENT FOR ADEQUATE RADIO FREQUENCY COVERAGE.



Provide a site "Data Block" that reflects the following (only when needed):

- a. Data Block (Statistical Information)
  - i. Number of buildings, square footage of each building and the gross square footage of all buildings on site.
  - ii. 2015 IBC Construction Type of structure(s). Indicate if structures are fire sprinkled or non-fire sprinkled.
  - iii. Maximum Building Height.
  - iv. Number of Stories (Average Height of Each Story).
  - v. Handicap Parking Spaces Provided.
  - vi. Handicap Parking Spaces Required.
  - vii. Parking Spaces Provided.
  - viii. Parking Spaces Required.
  - ix. Loading Spaces Provided.
  - x. Loading Spaces Required.
  - xi. Total number of storage spaces within the facility.
  - xii. Total number of accessible storage spaces/units provided per the 2015 IBC Section 1108.3.

#### *Site Plan*

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- 10G. Label Crosswalk.
- 10H. Remove notes 19, 20 and 21.
- 10I. There appears to be a vertical curb in this area. Show that the accessible transition between the access aisle and the adjacent sidewalk in these areas.
- 10J. Show and label with a dashed line existing and proposed fire lane easement within and abutting this site. All turning elements within a 23' fire lane easement must be 29' inside and 52' outside. 26' fire lane easements must be 26' inside and 52' outside.

#### *Tree Mitigation Plan*

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- 10K. Add the following landscape note as indicated on the site plan.
- 10L. Encroachments into existing the fire lane must be removed.

#### *Exterior Elevations*

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- 10M. Update the elevation sheets to: show symbol and label for the FDC, for the knox box, and the riser room exterior door.

#### *Exterior Elevations*

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- 10N. Update the elevation sheets to: show symbol and label for the FDC, for the knox box, and the riser room exterior door.
- 10O. Replace front, rear, left and right labels with north, south, east and west.
- 10P. Update details to show typical fire and life safety signage.

#### *Lighting*

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- 10Q. The photometric plan must show and label the location of the internal site accessible route. Provide a minimum of one foot-candle of lighting within the accessible route/

#### **11.Real Property** (Maurice Brooks / 303-739-7294 / [mbrooks@auroragov.org](mailto:mbrooks@auroragov.org) / Comments in magenta)

- 11A. There seems to be a need to dedicate and possibly releasing of the easements. Make sure the new configuration, width, and turning radii will work for the Fire/Life Safety Dept. See the other comments on the Site Plan. Show and label all the existing and proposed easements. Go to this link for the Real Property web page document links:<https://auroragov.org/cms/One.aspx?portalId=16242704&pageId=16509313>
- 11B. Review each packet for the needs of your project. Please note that the Civil Plans cannot be approved until all the items needed are submitted, fully reviewed, and ready to record. Send in the separate documents still needed.
- 11C. Note 7: 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.

11D. Add Lot, Block, and Subdivision (typ.) to legal description.

#### *Site Plan*

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11E. The existing Fire Lane easement will need to be released by separate document. Contact Andy Niquette at [releaseeasement@auroragov.org](mailto:releaseeasement@auroragov.org) to start the easement vacation process.

11F. Cover the hydrant with a Fire hydrant easement - confirm this with Aurora Water Dept. (typ.).

11G. If these "Fire Lanes" are intended to be Fire Lane easements, then show the easement lines and make sure the configurations are congruent to the wishes of the Fire/Life Safety Dept. (i.e, width, turning radii, configuration, etc.)

11H. Add Lot, Block, and Subdivision (typ.).

11I. Add the Subdivision name into the title.

11J. Show and label all existing easements.

11K. If so, begin the process of the easement dedication - contact Andy Niquette at [dedicationproperty@auroragov.org](mailto:dedicationproperty@auroragov.org)

#### *Grading Plan*

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11L. Show and label all existing easements.

11M. Begin the process of the easement dedication - contact Andy Niquette at [dedicationproperty@auroragov.org](mailto:dedicationproperty@auroragov.org)

11N. Question: does this Fire Lane need to be covered by an easement?

11O. Add the Subdivision name to the title.

11P. Add Lot, Block and Subdivision (typ.) for all sheets.

#### *Landscape Plan*

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11Q. These parking spots cannot be in a Fire Lane easement.

11R. Add Subdivision name to title.

11S. Show and label all existing easements.

11T. Add Lot, Block and Subdivision (typ.) for all sheets.

#### *Tree Mitigation Plan*

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11U. These parking medians are encroaching into the Fire Lane and Utility easement. Confirm with Fire/Life Safety Department that they will be allowed on this site.

11V. Parking spots cannot be in a Fire Lane easement.

11W. Dedicate this Fire Hydrant easement to cover the proposed hydrant.

11X. Add Subdivision name to the title.

11Y. Add Lot, Block, and Subdivision (typ.) for all sheets.

11Z. Show and label all existing easements.

### **12. Forestry (Rebecca Lamphear / 303-739-7139 / [rlamphea@auroragov.org](mailto:rlamphea@auroragov.org) / Comments in purple)**

12A. There will be many trees impacted by development. Due to the number of trees removed for the project you will be required to hire a consulting arborist for the tree inventory and appraisal. A list is provided below.

12B. Due to the location, size and condition of trees on the site, relocation is not an option. The use of tree equivalents is not permitted to mitigate tree loss. Tree mitigation is always above and beyond the Landscape Code requirements. Any tree that is removed from this site will either require replacement within the landscape or be mitigated through payment to the Community Tree Fund.

12C. Any trees that are preserved on the site during construction activities shall follow the standard details for Tree Protection per the current Parks, Recreation & Open Space Dedication and Development Criteria manual. The



Tree Protection notes shall be included in the plan. The link for the manual can be found at:

<https://auroraver2.hosted.civicle.com/cms/One.aspx?portalId=16242704&pageId=16529352>

- 12D. Please show a tree mitigation chart on the landscape plan taken from the Landscape Manual on page 29. If payment will be made into the Tree Planting Fund, add another column to the chart indicating the payment amount that will be made. If trees will be planted on the site, please show a symbol indicating trees that are specific to tree mitigation.

Name	Company	Address	Phone
David Merriman	Arbor Scape	5044 S. Youngfield Court Morrison, CO 80465	303-795-2381
Keith Worley	Forestree Development, LLC	7377 Osage Rd, Larkspur, CO 80118	303-681-2492
Robert Brudenell	The Natural Way, Inc.	1952 W. Dartmouth Ave. Englewood, CO 80110	303/347-0988
Scott Grimes	Colorado Tree Consultants	<a href="mailto:coloradotreeconsultants@yahoo.com">coloradotreeconsultants@yahoo.com</a>	303-720-8170
Stefan Ringgenberg	Boulder Tree and Landscape Consulting	7289 Petursdale Court Boulder, CO 80301	303-530-0640
Steve Geist	SavATree	8585 E Warren Ave, Denver, CO 80231	303-306-3144

**13.Arapahoe County** (Sarah White / 720-874-6500)

- 13A. Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments.

**14.Tri-County Health Department** (Sheila Lynch / 720-200-1571)

- 14A. See below for comments:



July 15, 2022

Ariana Muca  
City of Aurora Planning and Development Services  
15151 E. Alameda Parkway  
Aurora, CO 80012

RE: Texas Roadhouse at Blackhawk Point, 1635278  
TCHD Case No. 7786

Dear Ms. Muca,

Thank you for the opportunity to review and comment on the Conditional Use and Site Plan for a restaurant at 14150 E. Iliff Avenue. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

#### **Food Service Plan Review**

TCHD reviews plans for new and remodeled retail food establishments to reduce the risk of food borne illnesses. Plans for all new and remodeled retail food establishments must be reviewed by TCHD for compliance with Colorado Retail Food Establishment Rules and Regulations and approved by the Department before the start of construction. The applicant shall submit plans for the proposed food establishment to our Administration Office at 6162 S Willow Drive, Suite 100, Greenwood Village or the local health department with authority over the site at the time of development, along with the Plan Review Specification Packet found at <http://www.tchd.org/DocumentCenter/View/2094>. More information can be found at <http://www.tchd.org/246/Restaurants-Grocery>. We recommend a review of the plans by TCHD be completed before the City issues a building permit for the construction.

The applicant may call TCHD's Plan Review Hotline, at our Administrative Office at (303) 846-6230, regarding requirements for, and scheduling a plan review. Instructions for opening a retail food establishment can be found on line at TCHD's web site at <http://www.tchd.org/DocumentCenter/View/315>.

#### **Air Quality - Building Demolition**

The application indicates that the existing restaurant on the site will be demolished.

The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions. State air quality regulations require that precautions be taken prior to demolition of buildings to evaluate the presence of asbestos fibers that may present a health risk. If asbestos is present, actions must be



Texas Roadhouse at Blackhawk Point  
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taken to prevent their release into the environment. State regulations also address control of ozone depleting compounds (chlorofluorocarbons) that may be contained in air conditioning or refrigerating equipment. The applicant shall contact the APCD at (303) 692-3100 for more information. Additional information is available at <http://www.cdphe.state.co.us/ap/asbestos>.

Buildings constructed prior to 1978 may contain lead paint. Environmental Protection Agency's (EPA) 2008 Lead-Based Paint Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from lead-based paint hazards associated with renovation, repair and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. More information can be found here <https://www.epa.gov/lead/lead-renovation-repair-and-painting-program-rules> and <https://www.epa.gov/lead>. The applicant may contact, and the Environmental Protection Agency EPA at 1-800-424-5323 for more information.

#### **Vector Control – Building Demolition**

Rodents such as mice and rats carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, saliva, or through rodent bites. For example, Hantavirus Pulmonary Syndrome (HPS), a rare but potentially lethal viral infection, can be found in the droppings and urine of rodents commonly found in southwestern United States. When buildings are demolished, rodents can spread to surrounding properties and increase the risk of vector exposure to humans. The applicant should plan for vectors and eliminate any known infestations prior to demolition. Information on rodent control can be found at <http://www.tchd.org/400/Rodent-Control>.

#### **Community design to support walking and bicycling**

Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. Because research shows that the way we design our communities can encourage regular physical activity, TCHD strongly supports community plans that incorporate pedestrian and bicycle amenities that support the use of a broader pedestrian and bicycle network. Increasing multi-modal transportation has additional co-benefits including improved air quality, which can reduce contributions to climate change and exposure to pollutants associated with a number of health problems including asthma, lung cancer, and heart disease.

#### Connection to nearby bus stop or transit station:

It appears that the subject property is within one-quarter mile to the Iliff Transit Station. Since research has shown that people who use transit regularly gain tremendous health benefits, TCHD encourages the applicant to consider providing a safe and direct connection to the transit stop. This could include designing the onsite pedestrian





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facilities to easily facilitate walking from the site to the nearby transit stop, and a marked crossing across Blackhawk Street.

Please feel free to contact me at 720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org) if you have any questions on TCHD's comments.

Sincerely,

Kathy Boyer, REHS  
Land Use and Built Environment Specialist III

cc: Dylan Garrison, TCHD

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

15A. See below for comments.





**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: 303.571.3306  
Facsimile: 303. 571. 3284  
[donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com)

July 22, 2022

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

Attn: Ariana Muca

**Re: Texas Roadhouse at Blackhawk Pointe, Case # DA-2261-01**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **Texas Roadhouse at Blackhawk Pointe**. Please be aware PSCo owns and operates existing natural gas and underground electric distribution facilities within the subject property. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities *including relocation and/or removal* via [xcelenergy.com/InstallAndConnect](http://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 call the Utility Notification Center by dialing 811 for utility locates prior to construction.

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](mailto:donna.l.george@xcelenergy.com)

**16.Mile High Flood District** (Mark Schutte / 303-455-6277)

16A. See below for comment.



2480 W. 26th Ave Suite 156-B | Denver, CO 80211  
TEL 303 455 6277 | FAX 303 455 7880

www.mhfd.org

## MAINTENANCE ELIGIBILITY PROGRAM (MEP)

### MHFD Referral Review Comments

For Internal MHFD Use Only.	
MEP ID:	106325
Submittal ID:	10009231
Partner ID:	1635278
MEP Phase:	Referral

Date: July 20, 2022  
To: Ariana Muca  
Via Aurora Website  
RE: MHFD Referral Review Comments

Project Name:	TEXAS ROADHOUSE AT BLACHAWK POINTE - CONDITIONAL USE AND SITE PLAN
Location:	Aurora
Drainageway:	Jewell Tributary

This letter is in response to the request for our comments concerning the referenced project. We have reviewed this proposal only as it relates to maintenance eligibility of major drainage features, in this case:

- Not applicable

We have no comments on the referenced project as it is not eligible for maintenance. The site is not adjacent to a major drainageway or mapped floodplain and does not include any proposed MHFD master plan improvements.

**MHFD will review future submittals and reassess this determination as the design progresses or changes.**

We appreciate the opportunity to review this proposal. Please feel free to contact me with any questions or concerns.

Sincerely,

Derek Clark, PE  
Project Manager  
Mile High Flood District