

April 3, 2025

Ani Karabashian
City of Aurora - Planning Department
15151 E. Alameda Parkway, Ste. 2300
Aurora, Colorado 80012

RE: (Initial) Submission Review: AURORA TOWN CENTER SUBDIVISION FILING NO 5 - REPLAT
Application Number: DA-1772-04
Case Numbers: 2025-3009-00

Dear Ani,

Thank you for the comments on March 5th, 2025 for the above-mentioned project. To address your comments concisely and simplify your review of the Initial submission, we have summarized your comments and our responses below.

COMMENT RESPONSE LETTER: SECOND SUBMISSION REVIEW

- 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 March 21, 2025.
 - *Response: We will try and get this back to the City as soon as possible once all comments have been addressed or coordinated.*
- 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.
 - *Response: Acknowledged, this letter is intended to function as the comment response 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
 - *Response: Acknowledged.*

XCEL ENERGY

- Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has reviewed the plat for Aurora Town Center F5. Please be aware PSCo has existing underground electric and natural gas distribution facilities throughout 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 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.
 - *Response: No new natural gas, electric service, or modification to existing facilities are proposed.*

- For additional easements that may need to be acquired by separate PSCo document, the Designer must contact a Right-of-Way and Permits Agent.
 - *Response: No additional easements are needed at this time.*
- 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.
 - *Response: Acknowledged.*

ARAPAHOE COUNTY

- Engineering Services Division of Arapahoe County Public Works and Development (Staff) thanks you for the opportunity to review the outside referral for the proposed project located in the City of Aurora. Staff has no comments regarding the referral at this time based on the information submitted.
 - *Response: Thank you for review.*
- Please know that other Divisions in the Arapahoe County Public Works Department may submit comments as well.
 - *Response: Acknowledged.*
- If you have any questions, please feel free to contact our offices at 720-874-6500.
 - *Response: Acknowledged.*

CITY OF AURORA

Planner 1: Ani Karabashian / 303-739-7133 / akarabas@auroragov.org

Summary of Key Comments From All Departments

- Add Access Agreement Note (see Item 2B)
- Fire Lane Easement Passing Through Existing Structure (see Item 5B)
- Fire Line Crossing Lot Lines (see Items 6A-6C)
- Send Closure Report (see Item 7G)
- Existing Underground Electric and Natural Gas Distribution Facilities (see Item 9A)
 - *Response: See Items below for applicable responses.*

PLANNING DEPARTMENT COMMENTS

1. COMMUNITY QUESTIONS, COMMENTS AND CONCERNS

- 1A. No community comments at this time.
- *Response: Thank you for your review.*

2. ZONING AND SUBDIVISION USE COMMENTS

- 2A. (Advisory) In the future, if the property owner of any of the newly created lots decides to remove the existing building and construct a new building, the building will need to adhere to the MU-R zone district dimensional standards. [Click here](#) to review those requirements.
- *Response: Acknowledged.*
- 2B. Please provide a note on the proposed replat plans that provides a brief detailed description of the existing access agreements and how they will be applied to the new lot configuration.
- *Response: Note added to the plat.*

3. PARKING COMMENTS

3A. How will you approach these portions of the lots in terms of the property lines within the parking lot? Will parking spaces within each lot be assigned to each property owner? Does the existing parking agreement address how the parking lot portion of these lots is shared?

- *Response: The Operation and Maintenance Agreement and first amendment for the site was provided to the City on December 10, 2024. The existing parking, operation, and maintenance agreements in place will address the division of parking within the parking lot portion of the lots.*

4. ADDRESSING

Phil Turner / 303-739-7357 / pcturner@auroragov.org

4A. Please provide a digital .shp or .dwg file for addressing and other GIS mapping purposes. Include the parcel, street line, easement and building footprint layers at a minimum. Please ensure that the digital file provided in a NAD 83 feet, Stateplane, Central Colorado projection so it will display correctly within our GIS system. Please eliminate any line work outside of the target area. Please contact me if you need additional information about this digital file.

- *Response: Included dwg: "196737001 ACP PLT GIS 20250319.dwg"*

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

5. FIRE / LIFE SAFETY

Rich Tenorio / 303-739-7628 / rtenorio@auroragov.org/ Comments in blue
Sheet 4

- a.** Proposed - new access easement ... Need to check if there any alignment issues
 - *Response: Access easement generally follows the alignment of the drive lanes.*
- b.** Existing Subdivision plan notes a 60' Yard Clear Area Rec No. B2051160. not sure if it needs to be released...
 - *Response: That document does not provide a plottable description.*
- c.** Access Easement stops here....
 - *Response: Correct, Lot 2, Block 1 is not a part of this replat.*

Sheet 5

- d.** How do we approach these portions of the parking lot? How are they assigned? How do we handle the property lines?
 - *Response: The Operation and Maintenance Agreement and first amendment for the site was provided to the City on December 10, 2024. The existing parking, operation, and maintenance agreements in place will address the division of parking within the parking lot portion of the lots.*
 - e.** Does this encroach into any existing buildings?
 - *Response: No, this doesn't encroach into any existing buildings.*
- 5A.** Label all Fire Lane Easements to be dedicated and to be released.
- *Response: No fire lane easements are being dedicated or released with this plat.*

5B. A portion of Fire Lane Easement passes under a structure (Raising Cane's) and may need to be released.

- *Response: The Raising Cane's property is not part of this plat. This easement was released by quit claim deed D9025313 recorded on March 25, 2019 which we were not able to locate. Coordinate with the City since no title review done on neighbors' property.*

6. AURORA WATER

Ashley Duncan / 720.859.4319 / aduncan@auroragov.org / Comments in red Sheet 5

6A. There is a fire line that might be crossing lot lines, starting in lot 9, but connecting to the building in lot 10. If this is the case, a private license agreement will be required between the two owners.

- *Response: Since both parcels are currently under the same ownership, nothing required as coordinated.*

6B. The fire line for the building on lot 11 looks like it might be on the border of lot 10 and lot 11, if it crosses lot lines a private license agreement will be required.

- *Response: Since both parcels are currently under the same ownership, nothing required as coordinated.*

6C. There is a fire line that might be crossing lot lines, starting in lot 6, but connecting to the building in lot 7. If this is the case, a private license agreement will be required between the two owners.

- *Response: Since both parcels are currently under the same ownership, nothing required as coordinated.*

6D. License agreements are required for the two fire lines in the utility easements.

- *Response: Both the utility easement and fire lines are existing and no modifications are proposed.*

7. LAND DEVELOPMENT SERVICES

Roger Nelson / 303.799.5103 / ronelson@auroragov.org / Comments in magenta

7A. All new easements to be dedicated by plat. Easement releases to be submitted to releaseeasements@auroragov.org. All departments requiring a license for items encroaching into row or city owned lands must be submitted.

- *Response: Acknowledged.*

7B. (Advisory Comment) The City of Aurora has revised the subdivision plat checklist (2025) to include new covenants amongst other changes and this checklist must now be followed..

- *Response: Acknowledged*

7C. (Advisory Comment) Send in the 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.) per COA 2025 Subdivision Plat Checklist Item 19.b.

- *Response: Acknowledged, we are going to wait until final submittal to send the updated title commitment.*

- 7D. (Advisory Comment)** Provide statement of authority for person signing on behalf of the entity named in the title commitment.
- *Response: Acknowledged, this has been provided.*
- 7E. (Advisory Comment)** Send in the Certificate of Taxes Due show they are paid in full up to and through the plat approval date of recording. Obtained from the County Treasurer's office (This Certificate of Taxes should be submitted no later than your second submittal of the plat.) per COA 2025 Subdivision Plat Checklist Item #19.a.
- *Response: Acknowledged, this will be provided with the final submittal in order to be within 30 days of recording.*
- 7F. (Advisory Comment)** Be advised - sometimes the margins or scale factor may not match the County or City standards as stated in the Subdivision Plat Checklist. If any of these factors are misaligned or scale does not match the drawing information, then this may cause the plat to be sent back and corrected and thus adding time to your submittal. And in turn, you may need to update the Title Commitment to bring it within the 30-day time limit. Please check these items before sending the plat in for recording.
- *Response: Acknowledged*
- 7G.** Send in a closure report for the plat exterior boundary per COA 2025 Subdivision Plat Checklist Item #19.d.
- *Response: This has been included with this resubmittal.*
- 7H.** Send in the State Monument Records for the aliquot corners used in the plat per COA 2025 Subdivision Plat Checklist Item #19.e.
- *Response: Will include with next submittal. The south quarter corner was not found, we are working on getting this re-set.*

Subdivision Plat Sheet 1

- 7I.** Top margin only needs to be ½"
- *Response: Acknowledged*
- 7J.** Title – Revise to match description as redlined.
- *Response: Acknowledged*
- 7K.** Vicinity Map – label all public roads within ½ mile of the site exterior.
- *Response: Revised*
- 7L.** Dedication – Revise to reference recording information, correct section, correct range, correct state, address additional redline comments, remove additional spaces, reference the ROW recording information and add additional bounds calls, match the dedication language on the 2025 COA Subdivision Plat Checklist.
- *Response: Revised*
- 7M.** City of Aurora Approvals – Match the checklist verbatim.
- *Response: Acknowledged*

7N. Owner Certification – match the title commitment reported owner name.

■ *Response: Revised*

7O. Covenants – match the checklist verbatim and see advisory comments above

■ *Response: Revised*

7P. Notes: #4 Revise the date to be within 30 days of plat approval.

■ *Response:*

7Q. Notes: #9 Replace “or” with “and”,

■ *Response: Revised*

7R. Add note regarding overflights of aircraft.

■ *Response: Revised*

a. Recorded at Reception Number E2120485 in the Arapahoe County Clerk & Recorder's official records,

■ *Response: Revised*

b. The rest of the sentence should match the information given in 2nd through 4th lines of the title block. The areas underlined should be modified to fit your plat.

■ *Response: Revised*

c. Label all public street names (Typical)

The vicinity map must show the outline of the property being subdivided and its relationship to existing street rights-of-way (with street name labels) within a ½ mile of the exterior. Include a north arrow and distance ratio. If not to scale, add a label stating "NTS". (Typical) COA 2025 Subdivision Plat Checklist Item #3.

■ *Response: Revised*

d. to the northeasterly Right-of-Way of S. Abilene Street as shown in Reception No. B2051158 of said official records?

■ *Response: Revised.*

e. to the westerly Right-of-Way of S. Sable Boulevard as shown in Book 5985, Page 581 of said official records?

■ *Response: Revised.*

f. Add the following note per title commitment B-2 Item #10. The owners or occupants of the lands herein described shall have no right or cause of action, either in law or in equity, for damages or injury to any person or property arising out of or resulting directly or indirectly, from the overflight of aircraft, or for damages or injury to any person or property resulting from any noise, nuisance, vibrations of any kind or description resulting, directly or indirectly, from aircraft overflights provided, that nothing contained in the foregoing easement shall divest the owners or occupants, their heirs, successors administrators or assigns, of any right or cause of action for damages to any person or property resulting from the negligent operation of aircraft overflights over the described premises at any altitude above ground level.

■ *Response: Revised*

Sheet 2

7S. Report the ROW recording information for E. Ellsworth Avenue.

■ *Response: Revised*

7T. Dimension where easement lines intersect the boundary or lot lines.

■ *Response: There are too many easement lines to show the dimensions of each. We are showing the dimensions of all easements being dedicated by this plat.*

7U. Fully describe found monuments.

■ *Response: Revised.*

7V. Do not show underlying subdivision names.

■ *Response: Revised*

7W. Label E. Bayaud Ave.

■ *Response: This is not a platted avenue.*

7X. Tie all found monuments to the survey with B&D's.

■ *Response: Revised.*

a. If the abutting property is street right-of-way or alley (existing or proposed), show abutting right-of-way lines, widths, and recording information which created the street or alley. You also need to show the existing public or private streets that line up across the abutting streets or easements. Show the street names. Label all abutting city limits lines, counties, townships, and ranges. Per COA 2025 Subdivision Plat Checklist Item #14.

■ *Response: Revised*

b. On What? #5 Rebar? (Typical) Fully describe monument and cap stamping COA 2025 Subdivision Plat Checklist Item #13.d.(1)

■ *Response: Revised*

c. Tie to survey with B&D/Curve Data (Typical)

■ *Response: Revised*

d. Bayaud Avenue (Private Drive)? See Assessor Map

■ *Response: This is not a platted avenue.*

Sheet 3

7Y. Set monuments at found drill holes, if those were accepted.

■ *Response: Revised*

7Z. Label E. Bayaud Ave.

■ *Response: This is not a platted avenue*

7AA. Tie all found monuments to the survey with B&D's.

■ *Response: Revised*

7BB. Dimension where easement lines intersect the boundary or lot lines.

- *Response: There are too many easement lines to show the dimensions of each. We are showing the dimensions of all easements being dedicated by this plat.*
- 7CC.** Fully describe found monuments
 - *Response: Revised*
- 7DD.** Do not show underlying subdivision names.
 - *Response: Revised*
- 7EE.** Report all recording information, show & label all existing easements, show opposing ROW lines.
 - *Response: Revised*
- 7FF.** Recover or Set the S ¼ Corner of Section 7.
 - *Response: Acknowledged, we are in the process of re-setting this corner*
- 7GG.** Detail the conflicting boundary evidence and add a note to sheet 1 as required, correct the SW Corner of Section 7 description.
 - *Response: Revised*
- a.** 5' Utility Esmt. Rec. No. 1489607?
 - *Response: Revised*
- b.** S. Crystal St? (See Assessor Map)
 - *Response: This is not a platted street*
- c.** Show westerly ROW line.
 - *Response: Revised*
- d.** Site Triangle Esmt? Rec. No. B6080105?
 - *Response: This is not plottable based on the description in that document.*
- e.** Filing No. 4 also shows: Rec. No. B2177314 Rec. No. B3113058?
 - *Response: Rec. No. B2177314 and B3113058 does not appear to show this easement*
- f.** Set or Recover: Fully describe monument and cap stamping COA 2025 Subdivision Plat Checklist Item #13.d.(1) also see Colorado AES Board Rules.
 - *Response: Revised*

Sheet 4

- 7HH.** If any easements are to be released follow the COA protocol for that process,
 - *Response: Acknowledged*
- 7II.** Label existing easements.
 - *Response: We are showing these on sheets 2 and 3, there is not enough space to show them on all sheets.*
- 7JJ.** Remove "Hereby Dedicated" in all instances.
 - *Response: Revised*

- a. Remove "Hereby Dedicated" in all instances (Typical)
 - *Response: Revised*
- b. Label existing easement widths, purpose, and recording information. (Typical)
 - *Response: We are showing these on sheets 2 and 3, there is not enough space to show them on all sheets.*

Sheet 5

- 7KK. Should proposed access easement parallel the lot line?
 - *Response: Access easements aligned with the existing drive lanes rather than parallel to lot lines to match existing conditions.*
- 7LL. Remove "Hereby Dedicated" in all instances
 - *Response: Revised*
- 7MM. Add distance to Detail H.
 - *Response: Revised*

8. ARAPAHOE COUNTY PLANNING

Emily Gonzalez / 720-874-6500 / referrals@arapahoegov.com

- 8A. Engineering Services Division of Arapahoe County Public Works and Development (Staff) thanks you for the opportunity to review the outside referral for the proposed project located in the City of Aurora. Staff has no comments regarding the referral at this time based on the information submitted. Please know that other Divisions in the Arapahoe County Public Works Department may submit comments as well. If you have any questions, please feel free to contact our offices at 720-874-6500.
 - *Response: Thank you for your review.*

9. XCEL ENERGY PSCO

Donna George/ 303-571-3306 / ReferralsXcelDistribution@xcelenergy.com

- 9A. Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has reviewed the plat for Aurora Town Center F5. Please be aware PSCo has existing underground electric and natural gas distribution facilities throughout 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 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.

For additional easements that may need to be acquired by separate PSCo document, the Designer must 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.

 - *Response: No new natural gas, electric service, or modification to existing facilities are proposed.*

10. ARAPAHOE COUNTY PLANNING DIVISION

Terri Maulik/ 720-874-6650 / referrals@arapahoegov.com

10A. 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.

■ *Response: Thank you for your review.*

We appreciate your review and approval of the site plan. Please contact me at 720-943-9966 or Michael.Hart@kimley-horn.com should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Michael Hart, PE