

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



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March 25, 2024

Kevin Elliot
2095 N Oswego Street
Aurora, CO 80010

Re: Second Submission Review – 2095 N Oswego Street ADU – Conditional Use
Application Number: **DA-2378-00**
Case Numbers: **2024-1001-00**

Dear Mr. Elliot:

Thank you for your second submission, which we started to process on March 6, 2024. 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.

Please revise your work and make another submission directly to me via email on or before April 3, 2024. If your revised documents are not submitted by April 3, 2024, then the PC date will be pushed back to a future date.

The Planning & Zoning Commission hearing date is *tentatively scheduled on April 24, 2024*. 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 303-739-7450 or efuselier@auroragov.org.

Sincerely,

Liz Fuselier, Planner II
City of Aurora Planning Department

cc: KPN Engineering LLC 27799 E Links Place Aurora CO 80016
Brit Vigil, ODA
Filed: K:\\$DA\DA-2378-00rev2



Second Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- External Agency Comment Letter (Planning)
- Letter of Introduction (Planning)
- ADU Requirements (Planning)
- Conditional Use Criteria (Planning)
- Data Block Information (Planning)
- Labelling (Planning)

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments and Concerns

- 1A. Please see Public Service of Colorado letter attached. Respond to it your Letter of Introduction with your next submission. **(Second request)**

2. Completeness and Clarity of the Application

- 2A. Please include a Letter of Introduction with the next submittal. This letter should *introduce the project, how the unit will be used, how the application meets the conditional use criteria and any other items of information you believe are relevant to the application*. Please submit the Letter of Introduction as a separate document. (Second Request) Please contact the Case Planner with any questions regarding drafting the Letter of Introduction.
- 2B. An ADU is a conditional use within the OA-R-1 zone district. Please see the Criteria for Approval for a Conditional Use below. ***Your Letter of Introduction must specifically address how each of these criteria is met by your proposal*** which will assist in showing the Planning and Zoning Commission how this project meets this criteria. Please provide a **more robust description** of how this proposed ADU meets the criteria set forth below.
- The following criteria shall be applied in reviewing each Conditional Use application:*
1. The compatibility of the proposed use with existing and planned uses on abutting properties;
 2. Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area;
 3. The proposed use will not change the predominant character of the surrounding area;
 4. The ability to mitigate adverse and undesirable impacts to the surrounding area, including but not limited to visual impacts, air emissions, noise, vibrations, glare, heat odors, water pollution, electromagnetic interference, and other nuisance effects;
 5. Amount of traffic generated and capacity and design of roadways to handle anticipated traffic;
 6. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;
 7. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use;
 8. The city council, planning commission, or planning director are authorized to consider the past performance of an applicant in their consideration of any conditional use. The planning commission, city council, or planning director may use as a basis for denial whether the applicant or developer is determined to be in violation of any requirements, conditions, or representations on a prior development.
- 2C. Please remove yellow highlighted sections of the data block.
- 2D. The zoning is: OA-R-1 not QA-R-1; please change.
- 2E. Data Block: Please provide square footage of ADU structure, the square footage of adjacent "open space/Patio" and number of parking spaces required and proposed. Please indicate measurement used (i.e. square feet) for context.
- 2F. Please provide actual height of the ADU. Provide height of primary house as well.
- 2G. Number sheets x of Y; such as 1 of 3.
- 2H. Please use the same Project Title for all 3 sheets. "Accessory Dwelling Unit For..."



- 2I. Please use directional language when labeling the elevations. For example, East Facing elevation, southern elevation etc. Please change all four elevations.

3. Architectural and Urban Design Comments

- 3A. **Sheet 1-** Pagination should reflect x of y; please modify. (Second request)



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

February 6, 2024

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

Attn: Liz Fuselier

Re: 2095 Oswego Street ADU, Case # DA-2378-00

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined there is a **possible conflict** with **2095 Oswego Street ADU**. Please be aware PSCo owns and operates existing overhead electric distribution facilities along the alley near the proposed building. Bear in mind that per the National Electric Safety Code, a minimum 10-foot radial clearance must be maintained at all times from all overhead electric facilities including, but not limited to, construction activities and permanent structures. Please review the attached close proximity documentation.

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 for new facilities, the Designer must contact a Right-of-Way Agent.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 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

ATTN: Kevin Eliot

RE: 2095 Oswego Street ADU (Project) – Potential Overhead Utility Line Conflict

Dear Building Project Owner:

At Xcel Energy, safety is at the foundation of everything we do. According to the plans you submitted, your project has been identified as possibly having an overhead electric utility line conflict. Working near energized electric lines is extremely dangerous and, if safety measures are not taken, your project could put workers, building occupants and members of the public at risk during construction or in the future.

By working together early in the planning process to identify and resolve overhead electric utility line conflicts, we can help your project stay on time and budget. We will work with you and the City of Aurora to provide guidance and review designs for safety.

Xcel Energy's electric standards require all workers, materials, and tools (including scaffolding and ladders) to stay at least 10 feet from overhead power lines. Depending on equipment used and power line voltage, minimum safe vertical and horizontal distances may be greater than 10 feet. For details on Xcel Energy's specifications, please refer to [Xcel Energy's Standards for Electrical Installation and Use](#).

In addition to Xcel Energy requirements, Federal (OSHA) and state laws and regulations require minimum clearances from power lines during construction and through the life of a building to ensure a safe workspace for construction and maintenance. The National Electric Safety Code also specifies minimum safe distances between buildings and power lines.

While you are responsible to know and comply with all federal, state and local laws and regulations and Xcel Energy's requirements, we're here to help. By contacting us early in the planning process, we can help you navigate these rules and avoid costly work stoppages, delays, rework or fines.

Xcel Energy will confirm to your local permitting authority that you either requested, or failed to request, to move, underground or otherwise make safe overhead utility lines.

Let us help you keep your project moving forward smoothly, safely and on schedule. Visit xcelenergy.com/InstallAndConnect, call the Colorado Builders Call Line at **800-628-2121 (Monday-Friday, 7 a.m. – 5 p.m.)** or email bclco@xcelenergy.com to discuss your project and possible conflicts as soon as possible.

We look forward to partnering with you to keep your project safe.

OVERHEAD CLEARANCES FOR NEW CONSTRUCTION

INFORMATION SHEET

LOOK UP AND PLAN AHEAD TO WORK SAFELY AROUND POWER LINES



At Xcel Energy, safety is at the foundation of everything we do. Whether your project is a tree house, addition, single-family home, multi-family dwelling or commercial building, keeping a minimum safe distance from power lines is critical. If you are planning to build, renovate or do maintenance on a structure in our service territory, no matter how small or large the job, it's important to verify the location of overhead utility lines.

Keeping your distance from energized lines isn't just a safety rule. It can help you stay on schedule and budget. Federal and state laws require a safe workspace – now and through the long-term life of a building -- for construction and maintenance workers like window washers, masons or painters. The National Electric Safety Code specifies a minimum safe vertical and horizontal distance between buildings and power lines.

Always contact us before construction

Start the process by applying for service through Xcel Energy's Builders Call Line. Visit [xcelenergy.com/InstallAndConnect](https://www.xcelenergy.com/InstallAndConnect), or call **800.628.2121**.

We will work with you to determine whether nearby power lines need to be de-energized, relocated and/or undergrounded before work is performed. Please specify if any of the following apply to your project.

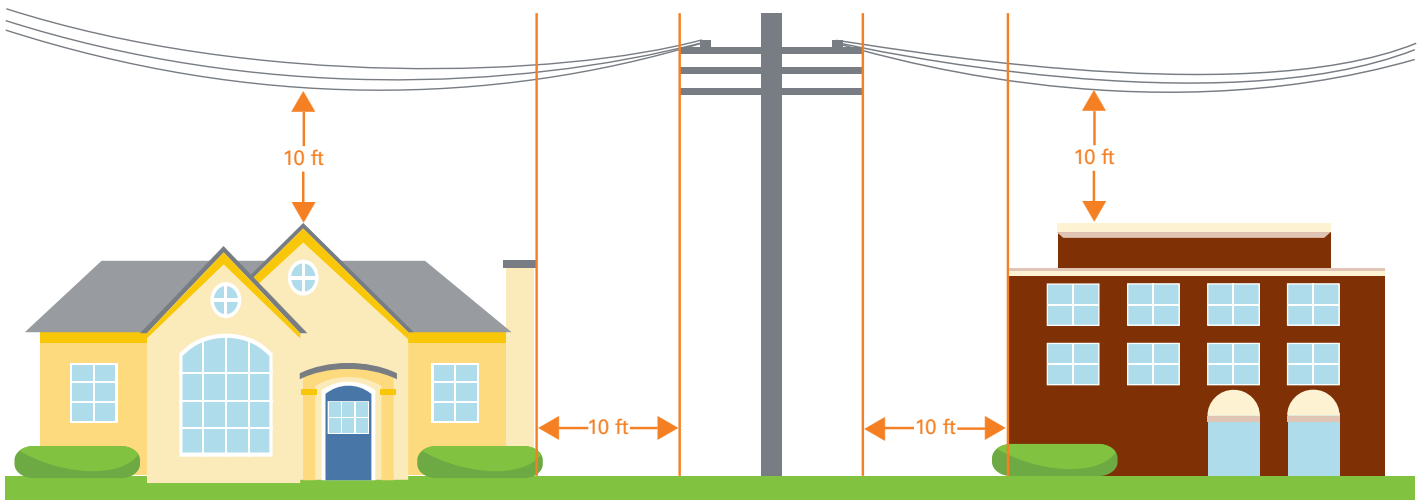
- If you plan to build or work on any structure closer than 10 feet to an overhead power or service line
- If any portion of your structure will be underneath a power line
- If your project will **ever** bring any part of the building, equipment or people (workers or occupants) closer than 10 feet to overhead lines
- If your project will **ever** require construction or maintenance equipment such as ladders, scaffolding, building tools or materials within 10 feet of overhead lines
- If a crane, derrick, aerial lift or similar equipment will cross or carry anything over or within 20 feet of overhead lines
- If you're not sure about the required clearance standards, or where power lines may be located



OVERHEAD CLEARANCES FOR NEW CONSTRUCTION

It is a requirement that all workers, materials and tools including scaffolding and ladders must stay at least 10 feet from overhead power lines. Minimum safe vertical and horizontal distances may be greater than 10 feet, depending on equipment used and power line voltage. Find more at

[xcelenergy.com/start_stop_transfer/installing_and_connecting_service/site_requirements](https://www.xcelenergy.com/start_stop_transfer/installing_and_connecting_service/site_requirements).

Minimum Overhead Clearances**Let us lend a hand**

You are responsible for knowing and complying with all federal, state and local laws and regulations and utility requirements. But we're here to help. Xcel Energy can assist you to navigate these rules and avoid costly delays, rework or fines. We will work with you and your local permitting authority to provide guidance and review designs for safety.

Let us help you keep your project moving forward smoothly, safely and on schedule.

Visit **[xcelenergy.com/InstallAndConnect](https://www.xcelenergy.com/InstallAndConnect)**, or contact our Builders Call Line at **800.628.2121**.

To report an emergency, or if you need immediate assistance, please call our Electrical Outage line at **800.895.1999**. Don't forget — there may be other lines you can't see. Always call **811 before you dig** to verify the location of underground utilities.

