### Summary of Planning and Zoning Commission Votes

**Regular Meeting of the Aurora Colorado Planning Commission**

**September 22, 2021**

<table>
<thead>
<tr>
<th>Agenda Item #</th>
<th>Item Description</th>
<th>Plg Dept Recom</th>
<th>Plg Comm Action*</th>
<th>Est. City Council Schedule**</th>
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<tbody>
<tr>
<td>5a.</td>
<td>HIGH POINT AT DIA – COMPREHENSIVE PLAN AMENDMENT (Ward II)</td>
<td>Recommend Approval</td>
<td>Recommended Approval</td>
<td>City Council Meeting Date October 11, 2021</td>
</tr>
</tbody>
</table>
|               | CASE MANAGER: Sarah Wile  
|               | APPLICANT: City of Aurora Planning Department  
|               | Development Application: DA-1746-30  
|               | General Location: Northeast Corner of 65th Avenue and Lisbon Street | | For Approval: 7  
|               | | For Denial: 0  
|               | | Abstentions: 0  
|               | | Absent: 0  |
| 5b.           | TRANSPORT 2020-1 – INITIAL ZONING TO I-2 (ZONING MAP AMENDMENT (Ward II) | Recommend Approval | Recommended Approval | City Council Meeting Date October 11, 2021 |
|               | CASE MANAGER: Stephen Rodriguez  
|               | APPLICANT: Transport Colorado  
|               | Development Application: DA-1793-07  
|               | General Location: Northwest area of 48th Avenue and Imobden Road | | For Approval: 7  
|               | | For Denial: 0  
|               | | Abstentions: 0  
|               | | Absent: 0  |
| 5c.           | TRANSPORT 2020-2 – INITIAL ZONING TO I-2 (ZONING MAP AMENDMENT (Ward II) | Recommend Approval | Recommended Approval | City Council Meeting Date October 11, 2021 |
|               | CASE MANAGER: Stephen Rodriguez  
|               | APPLICANT: Transport Colorado  
|               | Development Application: DA-1793-08  
|               | General Location: Between 48th Avenue and Colfax Avenue east of Imboden Road | | For Approval: 7  
|               | | For Denial: 0  
|               | | Abstentions: 0  
|               | | Absent: 0  |
| 5d.           | TRANSPORT 2020-3 – INITIAL ZONING TO I-2 (ZONING MAP AMENDMENT (Ward II) | Recommend Approval | Recommended Approval | City Council Meeting Date October 11, 2021 |
|               | CASE MANAGER: Antionnio Benton  
|               | APPLICANT: Transport Colorado  
|               | Development Application: DA-1793-09  
|               | General Location: Southeast area of 48th Avenue and Manila Road | | For Approval: 7  
|               | | For Denial: 0  
|               | | Abstentions: 0  
|               | | Absent: 0  |
| 5e.           | BELLCO CREDIT UNION AT EAST CREEK COMMERCIAL - CONDITIONAL USE (Ward III) | Approve | Approved | Call-up Deadline October 11, 2021 |
|               | CASE MANAGER: Ariana Muca  
|               | APPLICANT: Bellco Credit Union  
|               | Development Application: DA-2087-03  
|               | General Location: Northwest Corner of E Virginia and S Airport Boulevard | | For Approval: 7  
|               | | For Denial: 0  
|               | | Abstentions: 0  
<p>|               | | Absent: 0  |</p>
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<tbody>
<tr>
<td>5f.</td>
<td>BELLCO CREDIT UNION AT EAST CREEK COMMERCIAL SITE PLAN AMENDMENT W/ADJUSTMENTS (Ward III)</td>
<td>Approve w/ adjustments and a condition</td>
<td>Approved w/ adjustments and a condition</td>
<td>Call-up Deadline October 11, 2021</td>
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<tr>
<td></td>
<td>CASE MANAGER: Ariana Muca  APPLICANT: Bellco Credit Union</td>
<td></td>
<td>For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</td>
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<td></td>
<td>Development Application: DA-2087-03 Case Number: 2018-6015-05</td>
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<td></td>
<td>General Location: Northwest Corner of E Virginia and S Airport Boulevard</td>
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<td></td>
<td>Condition: 1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.</td>
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<td>5g.</td>
<td>PRONGHORN CAR WASH AT POMEROY - CONDITIONAL USE (Ward VI)</td>
<td>Approve w/ a condition</td>
<td>Approved w/ a condition</td>
<td>Call-up Deadline October 11, 2021</td>
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<td></td>
<td>CASE MANAGER: Ariana Muca  APPLICANT: Vibe Car Wash</td>
<td></td>
<td>For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</td>
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<td></td>
<td>Development Application: DA-1670-06 Case Number: 2021-6023-01</td>
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<td></td>
<td>General Location: Southeast Corner of S Aurora Parkway and S Elk Way</td>
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<td>5h.</td>
<td>PRONGHORN CAR WASH AT POMEROY - SITE PLAN (Ward VI)</td>
<td>Approve w/ an adjustment and conditions</td>
<td>Approved w/ an adjustment and conditions</td>
<td>Call-up Deadline October 11, 2021</td>
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<td></td>
<td>CASE MANAGER: Ariana Muca  APPLICANT: Vibe Car Wash</td>
<td></td>
<td>For Approval: 4 For Denial: 3 (Banka, Hogan, Jetchick) Abstentions: 0 Absent: 0</td>
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<tr>
<td></td>
<td>Development Application: DA-1670-06 Case Number: 2021-6023-00</td>
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<td>5i.</td>
<td>MOUNTAIN VIEW COMMUNITY HOMES - ZONING MAP AMENDMENT FROM R-1 TO R-2 (Ward IV)</td>
<td>Recommend Approval</td>
<td>Recommended approval</td>
<td>City Council Meeting Date October 25, 2021</td>
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<tr>
<td></td>
<td>CASE MANAGER: Daniel Osoba  APPLICANT: Habitat for Humanity of Metro Denver</td>
<td></td>
<td>For Approval: 6 For Denial: 1 (Jetchick) Abstentions: 0 Absent: 0</td>
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<td>Development Application: DA-2269-00 Case Number: 2021-2004-00</td>
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<td>General Location: Southwest Corner of E Evans Avenue and S Joliet Street</td>
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<td>5j.</td>
<td>MOUNTAIN VIEW COMMUNITY HOMES - SITE PLAN W/ADJUSTMENT (Ward IV)</td>
<td>Approve w/ an adjustment and conditions</td>
<td>Approved w/ an adjustment and conditions</td>
<td>City Council Meeting Date October 25, 2021</td>
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<td></td>
<td>CASE MANAGER: Daniel Osoba  APPLICANT: Habitat for Humanity of Metro Denver</td>
<td></td>
<td>For Approval: 4 For Denial: 3 (Banka, Hogan, Jetchick) Abstentions: 0 Absent: 0</td>
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<tr>
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<td>Development Application: DA-2269-00 Case Number: 2021-4013-00</td>
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<td>General Location: Southwest Corner of E Evans Avenue and S Joliet Street</td>
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<td>Conditions: 1. Approval of the Zoning Map Amendment from R-1 Low-Density Single-family Residential District to R-2 Medium Density District. 2. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.</td>
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</tbody>
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**PLEASE NOTE:** Planning Commission approvals and denials are always listed in terms of the APPLICANT'S original request, regardless of whether the Commission's motion was phrased as a motion to approve or to deny. For example, Commission members voting FOR a motion to ACHIEVE deny approval are listed as voting for “denial”.

**City Council hearing dates listed are preliminary—final dates may be subject to change.**
SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: HIGH POINT AT DIA – COMPREHENSIVE PLAN AMENDMENT
Planning Commission Hearing Date: September 22, 2021
City Council Meeting Date: October 11, 2021
Ward: II

Project Type: Comprehensive Plan Amendment
DA Number: DA-1746-30
Case Number(s): 2021-1004-00
Location: QS:93R – Northeast Corner of Lisbon Street and 65th Avenue
Case Manager: Sarah Wile

Description:
A Comprehensive Plan Amendment is requested to change an 85-acre parcel from the Emerging Neighborhood placetype to the Urban District placetype. The site is bounded by Lisbon Street to the west, 65th Avenue to the south, Picadilly Road to the east, and E-470 to the north. The purpose of this amendment is to ensure that the Aurora Places Placetype Map is consistent with the approved Master Plan for this area. The property is zoned MU-A (Mixed-Use Airport) District and is within the High Point at DIA Master Plan, which was recently amended in 2020. The Master Plan identifies multi-family and single-family attached within this area (no single-family detached) and contains design standards to ensure a more urban layout, so the Urban District placetype is more compatible with the future uses than the Emerging Neighborhood placetype designation.

This parcel is currently surrounded by the Urban District placetype on all sides, so changing this designation will create consistency with adjacent properties. It will also ensure that single-family detached homes will not be constructed north of 64th Avenue, which was a concern raised by Denver International Airport (DEN) during the review of the High Point at DIA Master Plan due to airport noise. Single-family detached homes are not primary or supporting uses within the Urban District placetype, while multi-family and single-family attached are considered supporting uses. Two applications, one within Planning Area 64 and one within Planning Area 5a, are currently under review for multi-family and single-family attached housing, so both are consistent with the proposed change. This request is a city-initiated Comprehensive Plan Amendment and is supported by the property owner, ACM High Point VI LLC. No comments were received from adjacent property owners or other stakeholders.

Testimony Given at the Hearing:
Sarah Wile, Case Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Hogan asked whether the property owner was on the call and whether they were supportive of the Comprehensive Plan Amendment. Ms. Wile stated that she wasn’t aware of whether the property owner was in attendance, but noted that they provided all of the material associated with the Comprehensive Plan Amendment and that they were in favor of the change.

There was no public comment.

Planning Commission Results

Agenda Item 5a – Comprehensive Plan Amendment

A motion was made by Commissioner Banka and seconded by Commissioner Bush.

Recommend approval of the Comprehensive Plan Amendment to Urban District to City Council because the proposal complies with the requirements of Section 146-5.4.1(A) for the following reasons:
1. It promotes the long-term economic health of the city by ensuring that the placetype for this area is consistent with the urban, mixed-use vision for the High Point at DIA Master Plan and the overall 64th Avenue Corridor; and
2. It protects the public health and safety of the citizens of Aurora by ensuring that future land uses are more compatible with surrounding development and with external environmental issues such as airport noise.

Further Discussion:
No further discussion occurred.

Action Taken: Recommended Approval
Votes for the Comprehensive Plan Amendment: 7
Votes against the Comprehensive Plan Amendment: 0
Absent: None
Abstaining: None

Filed: K:\$DA\1746-30sps.rtf
Project Name: TRANSPORT 2020-1
Planning Commission Hearing Date: September 22, 2021
City Council Meeting Date: October 11, 2021
Ward: II
Project Type: Zoning Map Amendment – Initial Zoning
DA Number: DA-1793-07
Case Number(s): 2021-2001-00
Location: Northeast area of 48th Avenue and Imboden Road
Case Manager: Stephen Rodriguez

Description:
The applicant, Transport Colorado on behalf of Western Transport, LLC, is requesting an initial zoning from Unincorporated Adams County A-3 (Agricultural) to Industrial District (I-2) for approximately 157 +/- acres of undeveloped and vacant land, located east of Imboden Road between E 56th Avenue and E 48th Avenue. This initial zoning request is being requested with an annexation for the same area and is surrounded on two sides (east and west) by properties already within city boundaries in the Transport master planned development. Unincorporated Adams County land surrounds the property on the north and south sides. Surrounding properties are currently zoned Industrial District (I-2) on the west, Airport District (AD) and Unincorporated Adams County AV (Aviation) to the east, Unincorporated Adams County AV (Aviation) to the north, and Unincorporated Adams County A-3 (Agricultural) to the south.

This proposed initial zoning and related annexation would result in consistent zoning and jurisdiction in this developing area of Aurora. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities, as well as maintenance of public infrastructure and provision of services.

The proposed I-2 zone district is compatible with the surrounding zoning and the intent for future development is consistent with the goals outlined for the Industry Hub Placetype in Aurora Places. Adjacent property owners were notified of the application. No registered neighborhood organizations exist within one mile of the property. No comments were received throughout the review process and no neighborhood meeting was held.

Testimony Given at the Hearing:
This case was presented with two other Transport Initial Zonings due to their similarity in scope.

Antonnio Benton, Case Manager, representing staff, gave a presentation of the item, including the staff recommendations.

Ken Puncerelli, LAI Design Group, 88 Inverness Circle, East, Suite J-101, Englewood, CO, representing the applicant, gave a presentation of the item.

Chair Lyon asked how much developed open space will be available for employees.

Mr. Puncerelli responded that there will be trail improvements next to the public right-of-way and existing drainage areas. He referenced images shown in his PowerPoint presentation.

There was no public comment.
Planning Commission Results

Agenda Item 5b – Zoning Map Amendment – Initial Zoning

A motion was made Commissioner Bush and seconded by Commissioner Hogan.

Move to recommend approval to the City Council for the Transport 2020-1 Initial Zoning (Zoning Map Amendment) to I-2 (Industrial District), because the proposal complies with the requirements of Section 146-5.4.1.C of the Unified Development Ordinance for the following reasons:

1. The initial zoning and related annexation are needed to integrate the current parcel into the surrounding City of Aurora zoning to result in consistent zoning and jurisdiction in this developing area. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities as well as maintenance of public infrastructure and provision of services.

2. The proposed zoning district is supported by Aurora Places as part of the "Industry Hub" Placetype and helps meet the goals of providing areas dedicated to manufacturing, warehousing, distribution, fulfillment centers, freight operations, and renewable enterprises, playing an important role in the city's employment base and economy.

3. The potential size, scale, height and density of the proposed initial zoning to I-2 are compatible with the current impacts associated with the same surrounding I-2 and AD zoning.

4. The initial zoning will be a benefit to the surrounding neighborhoods and will be progress toward meeting general employment goals outlined in the Comprehensive Plan.

Further Discussion:
No further discussion occurred.

Action Taken:  Recommended Approval
Votes for the Initial Zoning:  7
Votes against the Initial Zoning:  0
Absent:  None
Abstaining:  None

Filed: K:\$DA\1793-07sps.rtf
SUMMARY OF PLANNING COMMISSION ACTIONS

**Project Name:** TRANSPORT 2020-2
**Planning Commission Hearing Date:** September 22, 2021
**Deadline for City Council Call Up:** October 11, 2021
**Ward:** II

**Project Type:** Zoning Map Amendment – Initial Zoning
**DA Number:** DA-1793-08
**Case Number(s):** 2021-2002-00
**Location:** Between 48th Avenue and Colfax Avenue east of Imboden Road
**Case Manager:** Stephen Rodriguez

**Description:**
The applicant, Transport Colorado on behalf of Western Transport, LLC, is requesting an initial zoning from Unincorporated Adams County A-3 (Agricultural) to Industrial District (I-2) for approximately 642 +/- acres of undeveloped and vacant land, located east of Imboden Road between E 48th Avenue and the Union Pacific Railroad (UPRR) right-of-way. This initial zoning request is being requested with an annexation for the same area and is surrounded on three sides by properties (east, west, and south) already within city boundaries in the Transport master planned development. Unincorporated Adams County land abuts the subject property to the north. Surrounding properties are currently zoned Industrial District (I-2) on the east, west, and south sides, and Adams County A-3 (Agricultural) zoning is to the north.

This proposed initial zoning and related annexation would result in consistent zoning and jurisdiction in this developing area of Aurora. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities, as well as maintenance of public infrastructure and provision of services.

The proposed I-2 zone district is compatible with the surrounding zoning and the intent for future development is consistent with the goals outlined for the Industry Hub Placetype in *Aurora Places*.

Adjacent property owners were notified of the application. No registered neighborhood organizations exist within one mile of the property. No comments were received throughout the review process and no neighborhood meeting was held.

**Testimony Given at the Hearing:**
This case was presented with two other Transport Initial Zonings due to their similarity in scope.

Antonnio Benton, Case Manager, representing staff, gave a presentation of the item, including the staff recommendations.

Ken Puncerelli, LAI Design Group, 88 Inverness Circle, East, Suite J-101, Englewood, CO, representing the applicant, gave a presentation of the item.

Chair Lyon asked how much developed open space will be available for employees.

Mr. Puncerelli responded that there will be trail improvements next to the public right-of-way and existing drainage areas. He referenced images shown in his PowerPoint presentation.

There was no public comment.
Planning Commission Results

Agenda Item 5c – Zoning Map Amendment – Initial Zoning

A motion was made by Commissioner Gaiser and seconded by Commission Banka.

Move to recommend approval to the City Council for the Transport 2020-2 Initial Zoning (Zoning Map Amendment) to I-2 (Industrial District), because the proposal complies with the requirements of Section 146-5.4.1.C of the Unified Development Ordinance for the following reasons:

1. The initial zoning and related annexation are needed to integrate the current parcel into the surrounding City of Aurora zoning to result in consistent zoning and jurisdiction in this developing area. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities as well as maintenance of public infrastructure and provision of services.

2. The proposed zoning district is supported by Aurora Places as part of the "Industry Hub" Placetype and helps meet the goals of providing areas dedicated to manufacturing, warehousing, distribution, fulfillment centers, freight operations, and renewable enterprises, playing an important role in the city’s employment base and economy.

3. The potential size, scale, height and density of the proposed initial zoning to I-2 are compatible with the current impacts associated with the same surrounding I-2 zoning.

4. The initial zoning will be a benefit to the surrounding neighborhoods and will be progress toward meeting general employment goals outlined in the Comprehensive Plan.

Further Discussion:
No further discussion occurred.

Action Taken: Recommended Approval

Votes for the Initial Zoning: 7
Votes against the Initial Zoning: 0
Absent: None
Abstaining: None

Filed: K:\$DA\1793-08sps.rtf
## SUMMARY OF PLANNING COMMISSION ACTIONS

**Project Name:** TRANSPORT 2020-3  
**Planning Commission Hearing Date:** September 22, 2021  
**Deadline for City Council Call Up:** October 11, 2021  
**Ward:** Ward II

- **Project Type:** Zoning Map Amendment - Initial Zoning  
- **DA Number:** DA-1793-09  
- **Case Number(s):** 2021-2003-00  
- **Location:** Southeast Area of 48th Avenue and Manila Road  
- **Case Manager:** Antonnio Benton

### Description:
The applicant, Transport Colorado on behalf of Western Transport, LLC, is requesting an initial zoning from Unincorporated Adams County A-3 (Agricultural) to Industrial District (I-2) for approximately 636 +/- acres of undeveloped and vacant land, located between the Quail Run Road alignment and Manila Road, between E 48th Avenue and the 38th Avenue alignment. This initial zoning request is being requested with an annexation for the same area and is surrounded on four sides by properties already within city boundaries in the Transport master planned development. A portion of Unincorporated Adams County land abuts the property on the north side. Surrounding properties are currently zoned Industrial District (I-2) on the east, west, north and south sides, Airport District (AD) to the north, and Unincorporated Adams County P-U-D (Planned Unit Development) zoning to the north. This proposed initial zoning and related annexation would result in consistent zoning and jurisdiction in this developing area of Aurora. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities, as well as maintenance of public infrastructure and provision of services. The proposed I-2 zone district is compatible with the surrounding zoning and the intent for future development is consistent with the goals outlined for the Industry Hub Placetype in Aurora Places.

Adjacent property owners were notified of the application. No registered neighborhood organizations exist within one mile of the property. No comments were received throughout the review process and no neighborhood meeting was held.

### Testimony Given at the Hearing:
This case was presented with two other Transport Initial Zonings due to their similarity in scope.

- Antonnio Benton, Case Manager, representing staff, gave a presentation of the item, including the staff recommendations.
- Ken Puncerelli, LAI Design Group, 88 Inverness Circle, East, Suite J-101, Englewood, CO, representing the applicant, gave a presentation of the item.

Chair Lyon asked how much developed open space will be available for employees.

Mr. Puncerelli responded that there will be trail improvements next to the public right-of-way and existing drainage areas. He referenced images shown in his PowerPoint presentation.

There was no public comment.
Planning Commission Results

Agenda Item 5d – Zoning Map Amendment – Initial Zoning

A motion was made by Commissioner Hogan and seconded by Commissioner Jetchick.

Move to recommend approval to the City Council for the Transport 2020-3 Initial Zoning (Zoning Map Amendment) to I-2 (Industrial District), because the proposal complies with the requirements of Section 146-5.4.1.C of the Unified Development Ordinance for the following reasons:

1. The initial zoning and related annexation are needed to integrate the current parcel into the surrounding City of Aurora zoning to result in consistent zoning and jurisdiction in this developing area. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities as well as maintenance of public infrastructure and provision of services.

2. The proposed zoning district is supported by Aurora Places as part of the “Industry Hub” Placetype and helps meet the goals of providing areas dedicated to manufacturing, warehousing, distribution, fulfillment centers, freight operations, and renewable enterprises, playing an important role in the city’s employment base and economy.

3. The potential size, scale, height and density of the proposed initial zoning to I-2 are compatible with the current impacts associated with the same surrounding I-2 and AD zoning.

4. The initial zoning will be a benefit to the surrounding neighborhoods and will be progress toward meeting general employment goals outlined in the Comprehensive Plan

Further Discussion:
No further discussion occurred.

Action Taken: Recommended Approval
Votes for the Initial Zoning: 7
Votes against the Initial Zoning: 0
Absent: None
Abstaining: None

Filed: H:\$DA\1793-09sps.rtf
SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: Bellco Credit Union at East Creek Commercial
Planning Commission Hearing Date: September 22, 2021
Deadline for City Council Call Up: October 11, 2021
Ward: II

Project Type: Conditional Use and Site Plan Amendment with Adjustments
DA Number: DA-2087-03
Case Number(s): 2018-6015-05; 2018-6015-06
Location: Northwest Corner of E Virginia and S Airport Boulevard
Case Manager: Ariana Muca

Description:
The applicant, Eric White of Bellco Credit Union, is requesting approval of a Site Plan Amendment for a 2,718 square-foot Bellco Credit Union Facility on 0.66 acres and Conditional Use approval for a drive-through. The proposed site is located at the northwest corner of East Virginia Avenue, and South Airport Boulevard as part of the approved East Creek Development (Planning Commission approval December 2017).

Streets surround the vacant site on three sides, with Airport Blvd on the east, E Virginia Ave on the south, and South Quari St on the west. An existing carwash abuts the site to the north. Across the street to the west are existing single-family homes as part of the residential component of East Creek. And Across the street to the south is an existing fueling station and convenience store.

This site is in the Mixed-Use Corridor (MU-C) zone district which requires a Conditional Use review for a drive-through facility. Staff supports the proposed site design orienting the building and patio space to face East Virginia Avenue and the drive-through to the north behind the building next to the adjacent commercial development. The hours of operation are typical for a bank, open 9:00 a.m. to 6:00 p.m. Monday-Friday, and 9:00 a.m. to 1:00 p.m. Saturday, and closed on Sundays. The drive-through ATM and vestibule ATM will be accessible 24 hours a day. An access card will be required for vestibule access after banking hours. This site and the other commercial sites are part of the East Creek Master Plan which includes features to integrate the commercial sites into the neighborhood, such as streets separating uses and more robust buffers between uses. In addition, the building is one story to blend with the surrounding neighborhood. The staff supports the conditional use request.

The applicant is requesting two adjustments. The first is to decrease the landscape buffer width from 20 feet to 10 feet along East Virginia Avenue. The small site necessitates the adjustment. The design of the site with the building entrance and patio space fronting directly onto Virginia Avenue mitigate the adjustment which staff supports.

The second adjustment request is for additional parking spaces. Office uses have a maximum parking allowance that the applicant wants to exceed and raise from 11 spaces to 19 spaces to accommodate expected regular parking demand for their employees and customers. The planning staff supports this adjustment due to the positive site design elements previously mentioned and the desire to mitigate any on-street parking pressures within the neighborhood.

One (1) adjacent property owners and seven (7) registered neighborhood organization were notified of the site plan application. No community comments were received. No neighborhood meeting was held.

Testimony Given at the Hearing:
Ariana Muca, Case Manager, gave a presentation of the item, including the staff recommendations.

The Commission had no questions and there was no public comment.
Planning Commission Results

Agenda Item 5e – Conditional Use

A motion was made by Commissioner Jetchick and seconded by Commissioner Banka.

Move to approve the Conditional Use request because the proposal complies with the requirements of Code Section 146-5.4.3.A.3 of the Unified Development Ordinance for the following reasons:
1. Complies with all applicable standards, regulations, and plans which affect the property.
2. Is consistent with the Comprehensive Plan “Commercial Hub” Placetype goal to create a unique mix of uses in a relatively dense urban fabric.
3. The size, scale, height, density, traffic impacts and hours of operation are compatible with existing uses in the area and will not change the predominant character of the area.
4. Capacity exists with existing city infrastructure and public improvements to accommodate the business.
5. Adverse impacts to the surrounding area have been mitigated.

Further Discussion:
No further discussion occurred.

Action Taken: Approved
Votes for the Conditional Use: 7
Votes against the Conditional Use: 0
Absent: None
Abstaining: None

Agenda Item 5f – Site Plan Amendment with Adjustments

A motion was made by Commissioner Bush and seconded by Commission Hogan.

Move to approve, with one condition, the Site Plan Amendment with Adjustments to landscape buffer width and maximum parking allowance, because it complies with the requirements of Code Section 146-5.4.3.B.2.c of the Unified Development Ordinance for the following reasons:
1. The use and site design are consistent with the placetype of “Commercial Hub” identified in Aurora Places.
2. The proposed commercial building will provide a service to residential development proximate to the site which encourages other modes accessing the site, including pedestrian, bicycle, and transit users.
3. The proposed infill development is an efficient use of existing city infrastructure.
4. The proposal complies with the standards of the UDO, The East Creek Master Plan, and other adopted City regulations.

Approval to be subject to the following condition:
1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Further Discussion:
No further discussion occurred.

Action Taken: Approved with a Condition
Votes for the Site Plan: 7
Votes against the Site Plan: 0
Absent: None
Abstaining: None

Filed: K:\$DA\2087-03sps.rtf
SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: Pronghorn Car Wash at Pomeroy
Planning Commission Hearing Date: September 22, 2021
Deadline for City Council Call Up: October 11, 2021
Ward: VI

Project Type: Conditional Use and Site Plan
DA Number: DA-1670-06
Case Number(s): 2021-6023-00; 2021-6023-01
Location: Southeast Corner of S Aurora Parkway and S Elk Way
Case Manager: Ariana Muca

Description:
The applicant, Shane Wells of Vibe Car Wash, is requesting approval of a Site Plan for a 4,825 square-foot automatic car wash facility on 1.75 acres. The proposed site is located at the southeast corner of South Aurora Parkway, and Elk Way as part of the approved Pomeroy Master Plan (Planning Commission approval December 2016). A conditional use is being requested for the carwash.

The proposal will face Aurora Parkway to the north and east. A 60-foot wide gas easement exists between the street and the site, limiting landscaping and street trees. Access to the site is from Elk Way, which wraps around the west side. Internal circulation is provided between this site and the recently approved Kum and Go fueling station to the south and east. Twenty-five vacuum stalls are proposed.

This site is in the Mixed-Use Regional (MU-R) zone district requiring a Conditional Use review for a car wash facility. Vacant land across Elk Way is planned for residential uses. The carwash tunnel faces away from future residential uses. The motor for the vacuums is located inside a building away from the residential uses to reduce noise impacts. The hours of operation are limited to primarily daylight hours, opening between 7:00 and 8:00 am and closing one hour after sunset. Landscaping along the queuing lane is intended to screen the cars from Elk Way and the residential uses. As vehicles enter the lot, they can select their wash at an automated pay station with assistance from a staff member. After purchasing a wash, they proceed forward and are guided onto the conveyor belt. After they exit, they can stay and use one of the free vacuums or exit the lot. The scale of the car wash facility site has been reduced to minimize impacts and is one story to blend with the Kum and Go located next door. An operations plan is attached as part of Exhibit B. The planning staff supports the conditional use request with the previously mentioned site design elements.

One (1) adjacent property owners and eight (8) registered neighborhood organization were notified of the site plan application. No community comments were received. No neighborhood meeting was held.

Testimony Given at the Hearing:
Ariana Muca, Case Manager, gave a presentation of the item, including the staff recommendations.

Chair Lyon asked how the noise from the vacuum system will be mitigated.

Rich Wells, Vibe Car Wash, 22562 E Layton Circle, Aurora, CO, representing the applicant, explained the noise mitigation.

Commissioner Hogan asked what the hours of operation will be. Mr. Wells stated the hours of operation will be between 7:00 and 8:00 a.m. and closing one hour after sunset.

There was no public comment.
Planning Commission Results

Agenda Item 5g – Conditional Use

A motion was made by Commissioner Gaiser and seconded by Commissioner Banka.

Approve the Conditional Use request because the proposal complies with the requirements of Code Section 146-5.4.3.A.3 of the Unified Development Ordinance for the following reasons:
1. The application complies with applicable standards in the Unified Development Ordinance and the Pomeroy Master Plan.
2. The application is consistent with the Comprehensive Plan “Urban District” Placetype and will help further city goals of developing new commercial uses within this placetype.
3. The size, scale, height, density, traffic impacts and hours of operation are compatible with existing uses in the area and will not change the predominant character of the area.
4. There is adequate capacity with City infrastructure to serve the proposed development.
5. Adverse impacts to the surrounding area have been mitigated.

Further Discussion:
There was no further discussion.

Action Taken: Approved
Votes for the Conditional Use: 7
Votes against the Conditional Use: 0
Absent: None
Abstaining: None

Agenda Item 5h – Site Plan

A motion was made by Commissioner Banka and seconded by Commissioner Jetchick.

Approve, with one condition, the Site Plan, because it complies with the requirements of Code Section 146-5.4.3.B.2.c of the Unified Development Ordinance for the following reasons:
1. The proposal complies with the standards of the UDO, the Pomeroy Master Plan, and other adopted City regulations.
2. Adequate infrastructure has been provided and impacts are mitigated.
3. The proposed development is compatible with the surrounding development.

Approval to be subject to the following condition:
1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Further Discussion:
No further discussion occurred.

Action Taken: Approved with a Condition
Votes for the Site Plan: 7
Votes against the Site Plan: 0
Absent: None
Abstaining: None
SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: Mountain View Community Homes
Planning Commission Hearing Date: September 22, 2021
City Council Meeting Date: October 25, 2021
Ward: IV

Project Type: Zoning Map Amendment and Site Plan with Adjustment
DA Number: DA-2269-00
Case Number(s): 2021-2004-00; 2021-4013-00
Location: Southwest Corner of E Evans Avenue and S Joliet Street
Case Manager: Dan Osoba

Description:
The applicant, Habitat for Humanity of Metro Denver, is requesting a recommendation of approval of a Zoning Map Amendment (Rezone) for 2.06-acres from R-1 Low-Density Single-Family Residential District to R-2 Medium Density District and requesting approval of a Site Plan for 10 duplexes (20 dwelling units) with one Adjustment. The adjustment request is to allow four of the duplexes to have frontage on two local streets (double fronted). The subject property is located at the southwest corner of E. Evans Avenue and S. Joliet Street approximately 1,000-feet east of S. Havana Street. The site is bounded by single-family residential development to the north, east, and south and the existing Mountain View United Church property to the west. The property is also located adjacent to Havana Heights Park directly to the southeast. The site is within Subarea A and is currently undeveloped with the exception of a 0.25-acre community garden. The Mountain View Community Church is the current owner of the property. They will remain the property owner and lease the land to Habitat for Humanity of Metro Denver for a term of 99 years, and will preserve the property for affordable housing. Future residents of these duplexes would own the home, but not the underlying land. The underlying property owner has authorized Habitat for Humanity of Metro Denver to submit this application.

The proposed Site Plan consists of one- and two-story duplex units configured around a cul-de-sac, which is typical for the surrounding existing neighborhood. One duplex (two dwellings) will have driveway access from S. Joliet Street, the rest of the units will have access from the cul-de-sac internal to the proposal. Street improvements are also proposed on E. Evans Avenue and S. Joliet Street that include street widening, curb, curbside landscaping, street trees and sidewalks. The sidewalk completes the network connection between E. Evans Avenue and S. Joliet Street and completes the intersection improvements with new curb ramps at all four corners. The existing community garden will be relocated to the southwest corner of the property with access from the cul-de-sac sidewalk and the Mountain View United Church property to the west.

The proposed building design and architecture for these duplexes is intended to be consistent with the existing neighborhood by creating building massing, setbacks, materials, and lot layout similar to the single-family homes within the existing neighborhood.

Thirteen abutting property owners and twenty-two registered neighborhood organizations within one mile of the property received a referral for the proposed application. Many comments were received during development review, all of which can be found in Exhibit F. The applicant held a preliminary meeting with neighbors in November 2019 to introduce the concept of building affordable for sale homes on this vacant property.

This preliminary meeting was held prior to the formal submittal to the City and included several concept plans of townhome development. Approximately 150 neighbors attended this meeting to voice concerns of traffic, safety, neighborhood character, and drainage. Additionally, two weeks after the meeting, the applicant and the Mountain View Community Church held a neighborhood walk at the property. This gave neighbors the opportunity to tell the applicant what they liked about their neighborhood and what they would like to see developed on this vacant property. Based on all this feedback, the applicant changed the format from townhomes to duplexes to reduce the proposed density and proposed a cul-de-sac to blend into the neighborhood. For further information on how the applicant has responded to community concerns, please see Exhibit C Letter of Introduction.
After the applicant formally submitted the proposed Site Plan, a “First Review Neighborhood Meeting” was held on July 7, 2021 virtually. The same adjacent property owners and registered neighborhood groups were notified of this neighborhood meeting and 53 people were in attendance. City staff presented the development review process, criteria for approval, and tentative timing of the public hearings, and the applicant made a presentation of their proposed Site Plan. Questions and concerns raised during this meeting were related to traffic, parking, consistency with the character of the neighborhood, safety, and property values. For a full list of all typed questions, comments and concerns raised during this meeting. Staff does not take a full set of meeting minutes for these neighborhood meetings; however, this exhibit provides the text from the virtual meeting. The applicant clarified parking expectations and building design in the subsequent second submission by indicating off-street parking within the driveway spaces and illustrating the dwelling units proposed with detached garages. Additional comments, questions and concerns were received during this second review.

Testimony Given at the Hearing:

Dan Osoba, Case Manager, gave a presentation of the items, including the staff recommendations.

Commissioner Banka asked what happens if the property is sold considering future homeowners will own the home, but not the land. Does it go back to Habitat or does it fall under some program within the City. How does that work in the future.

Mr. Osoba responded that Habitat will lease the land from the church for a term of 99 years, which may be extended. Habitat will then act as the property owner and will be able to sell the homes to people to move into and own the home. If a resale happens, then it goes back to Habitat to market and re-sell the property to a different homeowner.

Chair Lyon asked for clarification on two items. The first was to clarify the statement from the staff report that this application is compatible with the surrounding uses in terms of size, scale, and building façade materials. The second was to clarify that the Zoning Map Amendment agenda item requires a recommendation to City Council and that City Council will have a chance to address this issue. The Site Plan agenda item is to approve a Site Plan based on approval of the Zoning Map Amendment if that happens.

Mr. Osoba indicated that both statements are correct.

Commissioner Jetchick asked staff about parking concerns. Specifically, that Aurora City Code allows four unrelated adults to be living in the same dwelling, but only two parking spaces are provided for each unit, which means there would be at least four cars and there is very limited street parking. Who is going to enforce the parking. It looks like a bad situation about to happen.

Mr. Osoba confirmed that the Aurora Unified Development Ordinance (UDO) allows up to four unrelated adults to live in the same dwelling unit and they all may have a car, but also may not all have a car. The UDO only requires two off-street parking spaces per duplex dwelling unit, so they are complying with UDO requirements. Staff deferred the question of future parking enforcement to the applicant.

The applicant, Kory Whitaker with Habitat for Humanity of Metro Denver, 3245 Eliot St, Denver, CO 80211, gave a presentation of their proposal.

Commissioner Jetchick indicated that the land trust model Habitat and the church is using seems very good but the proposal should not punish the surrounding neighbors. It seems that most comments and concerns from the neighbors were regarding the Zoning Map Amendment. She asked the applicant what is preventing them from proposing single-family detached. Are there other funding mechanisms that Habitat can use such as increased sweat equity or non-profit supporters of Habitat to make a single-family product financially feasible and keep the R-1 zoning designation.

Mr. Whitaker responded that Habitat believed they would not be able to propose a plan that respected the size and scale of that neighborhood based on the smaller single-family homes that Habitat could build. This would not respect affordability, livability or neighborhood context.

Commissioner Gaiser asked the applicant how many developments Habitat has done in the metro area.
Mr. Whitaker responded that Habitat has built or preserved over 1,200 homes in metro Denver.

Commissioner Gaiser asked how the community response has been to the previous Habitat developments.

Mr. Whitaker responded that he did not want to speak for community members on that, but Habitat has a good track record throughout metro Denver because they are responsive to the community context and comments.

Commissioner Gaiser asked if Habitat had any projects that were rejected because of Habitat’s model.

Mr. Whitaker indicated that no projects have been rejected while he has been with Habitat.

Commissioner Gaiser indicated that no rejections does speak highly of Habitat’s work.

Commissioner Hogan asked the applicant about the price point for the Habitat homes.

Mr. Whitaker responded that the price point for 2-3 bedroom homes is between $250,000 and $350,000.

There were no remaining questions from the Commissioners. Below is a list of interested parties that spoke at the public hearing and a brief overview of whether they supported or opposed this application. Generally, those that opposed the application cited concerns with traffic, density, parking, lack of a garage for both vehicles and storage space, compatibility issues with the surrounding neighborhood, the future property tax issues with the church retaining ownership of the land, and safety issues. Those that supported the application generally cited the need for additional affordable housing and the Aurora Housing Strategy goals and practices that support this application. Any specific comments not referenced in the general list above are included in the list below.

Rev. Dr. Tracy L Hughes, 950 S Cimmarron Way #G204, Aurora, CO 80012, spoke in support of this application.

Arnie Schultz, 1137 S Oakland Street, Aurora CO 80012, spoke in support of the application.

Aditi Ramaswami, 13123 E 16th Avenue, Aurora, CO 80045, spoke in support of the application.

Barbara Marie, 2061 S Ironton Court, Aurora, CO 80014, spoke on behalf of Paige Anthony who could not attend the meeting and opposed the application.

Brenda Rivard, 2080 S Jamaica Court, Aurora, CO 80014, spoke in opposition to the application citing the number of potential residents and vehicles and indicated that the traffic study was flawed.

Carol Brautigam, 12289 E Vasser Drive, Aurora, CO 80014, spoke in support of this application on behalf of Wendi Witter, who could not attend the meeting.

Charles Thomas, 2077 S Ironton Court, Aurora, CO 80014, spoke in opposition to the application.

Chris and Nola Greenwald, 2060 S Joliet Street, Aurora, CO 80014, spoke in opposition to the application and stated that there will be no equity gained by the homeowners and resale of the homes will be difficult.

Chris Rhodes, 1037 S Evanston Way, Apt 202, Aurora, CO 80012, spoke in support of the application.

David Marshall, 10795 E Evans Avenue, Aurora, CO 80014, spoke in opposition of the application.

David Muramoto, 2060 S Jamaica Court, Aurora, CO 80014, spoke in opposition to the application.

Denise Dyksta, 720 Kingston Street, Aurora, CO 80010, spoke in support of the application.

Diana Zettlemoyer, 2046 S Joliet Court, Aurora, CO 80014, spoke in opposition of the application.

Elroy Kelzenberg, 10999 E Baltic Place, Aurora, CO 80014, spoke in support of the application.

Hamid Ahmed, 2000 S Jamaica Court, Aurora, CO 80014, spoke in opposition to the application.
John Lang, 2057 S Kingston Court, Aurora, CO 80014, spoke in opposition to the application.
Karl and Lori Young, 2076 S Kingston Court, Aurora, CO 80014, spoke in opposition of the application.
Kathy Groth, 2108 S Joliet Ct, Aurora, CO 80014, spoke in support of the application.
Kim Crossland, 2339 Flagstaff Drive, Longmont, CO 80504, spoke in support of the application.
Steven and Lisa Farley, 2007 S Kingston Court, Aurora, CO 80014, spoke in opposition of the application and indicated that the Zoning Map Amendment was a spot zone.
Lynne Jones, 3830 S Argonne Street, Aurora, CO 80013, spoke in support of the application.
Richard Jones, 3830 S Argonne Street, Aurora, CO 80013, spoke in support of the application.
Maria Sepulveda, 3245 Elliot Street, Denver, CO 80211, spoke in support of the application.
Mark Wideman, 14047 E Radcliff Circle, Aurora, CO 80015, spoke in support of the application.
Meridith Ryan, 1423 S Argonne Circle, Aurora, CO 80017, spoke in support of the application.
Mim Shea, 10701 E Evans Ave, Aurora, CO 80014, spoke in opposition to the application.
Mohamed Atwi, 2059 S Jamaica Court, Aurora, CO 80014, spoke in opposition to the application and indicated that a higher density will increase crime in the area.
Rev. Wayne A. Laws, 730 Salem Street, Aurora, CO 80011, spoke in support of the application.
Rica Shea, 10701 E Evans Avenue, Aurora, CO 80014, spoke in opposition to the application.
Richard Fugier, 2097 S Kingston Court, Aurora, CO 80014, spoke in opposition to the application.
Sandra Padilla, 23417 E Saratoga Circle, Aurora, CO 80016, spoke in support of the application.
Wameedh Abdulameer, 10963 E Evans Avenue, Aurora, CO 80014, spoke in opposition to the application.
Paige Anthony, 2190 S Ironton Court, Aurora, CO 80014, spoke in opposition to the application.
Valerie Marshall, 10795 E Evans Avenue, Aurora, CO 80014, spoke in opposition to the application.
Planning Commission Results

Agenda Item 5i – Zoning Map Amendment

A motion was made by Commissioner Bush and seconded by Commissioner Turcios.

Move to recommend to the City Council approval to the of the Zoning Map Amendment from R-1 Low-Density Single-Family Residential District to R-2 Medium Density District because the proposal complies with the criteria in Section 146-5.4.1.C.3 for the following reasons:

1. The proposed Zoning Map Amendment is requested to address housing trend changes in the surrounding area and City-wide, which include the increasing need for affordable housing options and housing availability not meeting growth demand;
2. The City of Aurora Housing Plan identifies these trends and recommends supporting mixed-income neighborhoods that offer a variety of housing options and breaking barriers to homeownership especially for low income households;
3. The application is consistent with the spirit and intent of the Aurora Places Plan because it is consistent with the “Established Neighborhood Placetype” and “Housing for All” policy;
4. The proposed application is consistent with the spirit and intent of the purpose statement of the R-2 Medium Density District because it provides medium density housing with adequate on-lot open space and amenities such as a community garden and is in close proximity to the Havana Heights Park;
5. The applicant has demonstrated that the proposed size, scale, height, density, and multi-modal traffic impacts of this proposal are compatible with the surrounding development by providing a Site Plan and traffic analysis illustrating duplex dwelling units in the same size, scale, height, and multi-modal traffic impacts of the surrounding development. The proposed density is greater than the surrounding development, but the application is compatible with the surrounding development because it provides similar building setbacks, scale, height, massing, and building design; and,
6. This application will not dislocate tenants or occupants of the property.

Further Discussion:
Commissioner Gaiser indicated he has 20 years of experience on affordable housing commissions and is currently on the Brighton Housing Authority. He also has 50 years of development experience in Arizona and Colorado. The housing prices and cost of construction have increased significantly due to the price of building products such as wood going up 300-400 percent. It is not the Planning Commission's job to redesign the site for the applicant and say why don’t you put single-family homes here. The applicant has a model that is financially viable and cannot put single-family houses on this lot and retain affordability. The applicant’s price point is $250,000 – $300,000, which is amazing. The Planning Commission is supposed to support Aurora’s Housing for All proposition and we need to support this project. We know there is a big deficit in this pricing range. He indicated that he will be voting to approve this agenda item.

Commissioner Bush agreed with Commissioner Gaiser. He also thanked everyone for attending the meeting and voicing their opinions.

Commissioner Jetchick said it is not equitable for the people who have been living in Havana Heights for along time to just rezone this property. We have to consider the people that have lived in the City for a long time and that have been paying taxes. She also indicated that she ran the Havana Business Improvement District for 12 years, so she knows this area very well and respects the fact that they’re long term citizens. She was amazed at the response from various advocacy groups that made comment and attended the meeting but weighs the residents’ comments and concerns higher. She recognizes that affordable housing is needed, but it could be elsewhere in Aurora.

Commissioner Turcios thanked everyone for attending the meeting and making comments. She alluded to the many development plans approved for market rate housing and as a Planning and Zoning Commission, she stated that we have a responsibility and a duty to ensure that aggressively addressing the issue of housing stability and affordability. We’re not trying to address this issue by punishing long term homeowners in the neighborhood but trying to address this issue for folks that are also long-term residents that are dealing with housing instability. Aurora is changing and rapidly growing and that means our neighborhoods are changing.
We need to also think about how we are diversifying neighborhoods and having to change neighborhoods to address a growing issue. It hurts all of Aurora when people are not housed because they’re not stable, not living healthy lives, and cannot contribute to the economy.

Commissioner Hogan highlighted that this application will also be heard at City Council at another public hearing, which will give time to for residents and the developer to work together to resolve some concerns. She indicated that she is very concerned about parking and the way it is laid out. That is one thing that she encouraged the developer and residents to work on. There are opportunities for improvement in that area, particularly with the church nearby. She indicated that she will be supporting this because she believes in the rights of the property owner. The property owner is looking to sell their property and has a viable development for the property. And although it requires a rezone, the property owner has the right to pair with Habitat for Humanity to go through the public process and make sure everyone has their voices heard.

Commissioner Banka agreed with Commissioner Hogan. The property owner has the right to partner with Habitat and come up with an affordable housing development. She also echoed previous Commissioners sentiments that she appreciates everyone for taking the time to come out and be heard.

Commissioner Jetchick asked if the Commission could approve the initial zoning change but deny the Site Plan and make them go back to the drawing board and work out something that is going to work for everybody.

Chair Lyon responded that there are two motions. Motion number one is a recommendation to City Council and motion number two is a Site Plan. They will be heard individually, and Commissioners can make their decisions on each agenda item.

**Action Taken:** Approved

Votes for the Zoning Map Amendment: 6
Votes against the Site Plan: 1 (Jetchick)
Absent: None
Abstaining: None

Agenda Item 5j – Site Plan with Adjustment

A motion was made by Commissioner Gaiser and seconded by Commissioner Turcios.

Move to approve, with conditions, the Site Plan with Adjustment to Code Section 146-4.3.10.C for double fronted lots because the proposal complies with the requirements of Code Section 146-5.4.3.B.2.c of the Unified Development Ordinance for the following reasons:

1. The proposal complies with the standards of UDO, Aurora Places Plan, and other adopted plans.
2. The City’s existing infrastructure and public improvements have adequate capacity to serve the proposed development because the applicant has proposed right-of-way improvements on adjacent roadways and proposed water, drainage and utility improvements to serve the dwellings.
3. The proposal protects and preserves natural areas by integrating an existing community garden into the development.
4. The proposal expands multi-modal connections with adjacent sites by completing the sidewalk network and intersection improvements of E. Evans Avenue and S. Joliet Street.
5. The proposal establishes a high-quality of urban design and architecture consistent with the surrounding neighborhood and is compatible with surrounding uses in terms of size, scale, and building façade materials.

Approval to be subject to the following conditions:

1. Approval of Zoning Map Amendment from R-1 Low-Density Single-Family Residential District to R-2 Medium Density District.
2. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.
Further Discussion:
Commissioner Hogan asked the City Attorney if the Site Plan is denied with the intent of giving the applicant and the owner time to work with the neighborhood on concerns specifically addressed tonight, what would be the effect. She indicated her intent is not to send them back to the drawing board from scratch, but to allow further cooperation between the neighbors and applicant.

Daniel Money, Assistant Senior City Attorney, responded that there are two different things that could happen if the Site Plan is denied. The Zoning Map Amendment goes to City Council no matter what the recommendation would have been, in this case a recommendation of approval was given. If the Site Plan is denied, the applicant has the right to appeal that denial to City Council. In theory, yes, if the Site Plan is denied, that gives the applicant time to talk and work with the neighborhood and propose a Site Plan that is more amenable to the neighborhood.

Chair Lyon indicated that if the Site Plan is approved, then the neighbors could also appeal that decision to City Council. So, no matter the decision, there is a possibility that the Site Plan could be appealed to City Council.

Mr. Money indicated that the applicant and abutting property owners have the same right to appeal. An appeal may be filed to the City Manager within 10 days of this hearing. City Council can also call-up the Site Plan, so there are different ways for Council to see the Site Plan at the same time as the Zoning Map Amendment.

Commissioner Gaiser indicated that it is City Council’s job to either accept the Planning and Zoning Commission approval or reject it.

Action Taken: Approved with Conditions
Votes for the Site Plan: 4
Votes against the Site Plan: 3 (Banka, Hogan and Jetchick)
Absent: None
Abstaining: None

Note: The Planning and Zoning Commission’s decision to approve with conditions the Site Plan with Adjustment has been appealed by an abutting property owner. This item will be heard during the same City Council meeting on October 25, 2021.