## Summary of Planning and Zoning Commission Votes
### Regular Meeting of the Aurora Colorado Planning Commission

**January 26, 2021**

<table>
<thead>
<tr>
<th>Agenda Item #</th>
<th>Item Description</th>
<th>Plg Dept Recm</th>
<th>Plg Comm Action*</th>
<th>Est. City Council Schedule**</th>
</tr>
</thead>
<tbody>
<tr>
<td>5a.</td>
<td>BUCKLEY SPACE FORCE PARCEL - ZONING MAP AMENDMENT (Ward II)</td>
<td>Recommend Approval</td>
<td>Recommended Approval</td>
<td>City Council Meeting Date Feb 28, 2022</td>
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<tr>
<td></td>
<td>PROJECT MANAGER: Karen Hancock  APPLICANT: City of Aurora  Development Application: DA-2298-00  Case Number: 2021-2008-00  General Location: North of Jewell Avenue and east of The Plains Conservation Center</td>
<td></td>
<td>For Approval: 6  For Denial: 0  Abstentions: 0  Absent: 0  Vacancies: 1</td>
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<td>5b.</td>
<td>UNIFIED DEVELOPMENT ORDINANCE – UDO AMENDMENT (All Wards)</td>
<td>Recommend Approval</td>
<td>Recommended Approval</td>
<td>City Council Meeting Date March 14, 2022</td>
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<td>CASE MANAGER: Brandon Cammarta  APPLICANT: City of Aurora Planning &amp; Dev Serv  Development Application: DA-2163-08  Case Number: 2018-1006-08  General Location: Within the boundaries of the city</td>
<td></td>
<td>For Approval: 6  For Denial: 0  Abstentions: 0  Absent: 0  Vacancies: 1</td>
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<td>5c.</td>
<td>EMPORIA STREET DUPLEXES – SITE PLAN W/ADJUSTMENTS (Ward I)</td>
<td>Approve with three adjustments and a condition</td>
<td>Approved with three adjustments and a condition</td>
<td>Call-up Deadline Feb 14, 2022</td>
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<td></td>
<td>CASE MANAGER: Sarah Wile  APPLICANT: Elevation Community Land Trust  Development Application: DA-2262-00  Case Number: 2021-4005-00  General Location: Southeast Corner of 25th Avenue and Emporia Street  Conditions: 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>For Approval: 6  For Denial: 0  Abstentions: 0  Absent: 0  Vacancies: 1</td>
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<td>5d.</td>
<td>T-MOBILE SWITCHING CENTER – SITE PLAN AMENDMENT (Ward II)</td>
<td>Approve with a condition</td>
<td>Approved with a condition</td>
<td>Call-up Deadline Feb 14, 2022</td>
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<td>CASE MANAGER: Dan Osoba  APPLICANT: SW SG Construction Management  Development Application: DA-1335-33  Case Number: 2006-6019-03  General Location: Southwest Corner of Tower Road and E 22nd Avenue  Conditions: 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>5e.</td>
<td>KING SOOPERS FUEL AT ARAPAHOE CROSSING – CONDITIONAL USE (Ward V)</td>
<td>Approve</td>
<td>Approved</td>
<td>Call-up Deadline Feb 14, 2022</td>
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<td>CASE MANAGER: Todd Hager APPLICATION: Heslin Holdings</td>
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<td>Development Application: DA-1024-25 Case Number: 2021-6041-01</td>
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<td>For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1</td>
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<td>General Location: Northeast Corner of E Arapahoe Road and S Parker Road</td>
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<td>5f.</td>
<td>KING SOOPERS FUEL AT ARAPAHOE CROSSING – SITE PLAN (Ward V)</td>
<td>Approve with a condition</td>
<td>Approved with a condition</td>
<td>Call-up Deadline Feb 14, 2022</td>
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<td>5g.</td>
<td>LEGACY AT METRO CENTER – SITE PLAN WITH ADJUSTMENT (Ward III)</td>
<td>Approve with an adjustment and a condition</td>
<td>Approved with an adjustment and a condition</td>
<td>Call-up Deadline Feb 14, 2022</td>
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<td>CASE MANAGER: Heather Lamboy APPLICATION: Legacy Partners</td>
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<td>Development Application: DA-1489-20 Case Number: 2021-4023-00</td>
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<td>For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1</td>
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<td>General Location: Southeast Corner of Sable Boulevard and Centrepoint Drive</td>
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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.**
Planning Department  
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name:   BUCKLEY SPACE FORCE PARCEL  
Planning Commission Hearing Date:   January 26, 2022  
City Council Meeting Date:   February 28, 2022  
Ward:     II

Project Type:   Zoning Map Amendment  
DA Number:   DA-2298-00  
Case Number(s):  2021-2008-00  
Location:   North of Jewell Avenue and east of The Plain Conservation Center  
Project Manager:   Karen Hancock

Description:  
In May 2021, the city's Parks, Recreation and Open Space Department, City Attorney's Office, Public Works Real Property and Buckley Garrison staff finalized a real property transfer essentially "swapping" land parcels. The purpose of this parcel swap was to transfer ownership of a 10-acre property located in Buckley's south Clear Zone from the city to Buckley. In return, PROS received a POS-zoned parcel on the north side of the Base that Buckley no longer needed. This transfer represented years of complex negotiations with the federal government and provides additional protection for the Base to assure compatible development.

Both parcels included in the property transfer are zoned POS. The POS zone district allows active and passive recreational uses. Because the parcel that Buckley acquired is located in their Clear Zone adjacent to the south runway, Buckley has requested that the parcel be rezoned to APZ District. The APZ District, Clear Zone Subarea, prohibits all land uses unless needed for the continued operation of airports and aircraft. The rezone to APZ is consistent with adjacent parcels in the areas. This parcel must be kept clear of all structures, above ground utilities, people and birds to keep pilots and aircraft safe from obstructions. Buckley Garrison staff sent a letter to the City Manager asking that the city rezone the Clear Zone parcel on their behalf.

Three registered neighborhood organizations were notified. The city is the only adjacent property owner. One comment was received from the public, and a neighborhood meeting was not held. Bruce Warner, a resident of the Louisiana Purchase Neighborhood, requested information about the rezone via a telephone call and was happy to hear that the parcel would not be developed and would remain open.

This rezoning supports the Buckley Air Force Base Placetype described in Aurora Places, specifically the defining feature of protecting the Base from encroachment of development that is not compatible with Buckley’s mission. No active or passive uses are permitted on the parcel because of its location in the Accident Potential Zone Subarea, regardless of the current zoning. This rezoning will assure that the parcel has the appropriate zoning classification to prevent encroachment of non-compatible development.

Testimony Given at the Hearing:  
Karen Hancock, Project Manager, gave a presentation of the item, including the staff recommendation.

The Planning Commission did not have any questions and there were no community comments.
Planning Commission Results

Agenda Item 5a – Zoning Map Amendment – Rezone

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

Move to recommend approval to the City Council for the Buckley Space Force Parcel to be Rezoned to the APZ, Clear Zone Sub Area District in accordance with Section 146-5.4.1.C of the Unified Development Ordinance for the reasons stated in the staff report.

Further Discussion:
There was no further discussion

Action Taken:  Recommended Approval
Votes for the Zoning Map Amendment:   6
Votes against the Zoning Map Amendment:  0
Absent:  None
Abstaining:  None
Vacancies:  1

Filed: K:\$DA\2298-00sps.rtf
SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: UNIFIED DEVELOPMENT ORDINANCE
Planning Commission Hearing Date: January 26, 2022
City Council Meeting Date: March 14, 2022
Wards: All Wards

Project Type: Unified Development Ordinance Amendment
DA Number: DA-2163-08
Case Number(s): 2018-1006-08
Location: Within the boundaries of the City
Case Manager: Brandon Cammarata

Description:
The Unified Development Ordinance (UDO) was adopted by City Council in August 2019 and became effective on September 21, 2019 supported by a unanimous recommendation by the Planning and Zoning Commission (PZC) in favor of adoption. At the time the UDO was presented to Planning and Zoning Commission and City Council, staff described the likely need for a number of corrections submitted to the Commission and Council annually in the first years after adoption as staff and applicants apply the UDO standards to a variety of projects. This 2022 batch of text amendments addresses typographical errors, corrections, clarifications and missing standards. Spacing, formatting, cross-references and other non-substantive corrections are not included in these text amendments in accordance with Section 146-5.4.1.3.b.ii as follows:

Non-substantive updates to the text of the Ordinance, including but not limited to updates of hyperlinks or other references to online information related to this UDO, may be approved by the Planning Director and do not require review or approval by the Planning and Zoning Commission or City Council.

This 2022 batch of proposed amendments is applicable and includes changes to the entire document with the larger focus on corrections to Definitions and the Land Use Tables and applies to lands within the incorporated Aurora city limits and the city’s planning area boundary.

The proposed text amendments require a recommendation from the Planning and Zoning Commission with final approval by City Council.
UDO text amendments require public notice in the Aurora Sentinel newspaper. Staff presented the proposed changes to the Planning and Economic Development Committee and closely reviewed by staff members who apply UDO standards to proposed development projects. The Joint Task Force (JTF), which is a group of primarily residential and industrial developers and consultants was made aware of the amendments and the PED presentation. No written comments were received during the required notice period. Many of the corrections and clarifications were submitted by staff, code enforcement, and development applicants.

Chapter 2: Proposed text amendments include correcting typos, adding missing standards and allowances, and removing remnant archaic terminology.

Chapter 3: Proposed text amendments include revising Table 3.2 to permit neighborhood-scale land uses in neighborhood commercial nodes, adding missing uses in Zone Districts, and correcting the process for an exceptionally heavy industrial use in the APZ district that requires individual project compatibility review. Additional special standards for group homes and in-home daycare in Chapter 3 are streamlined for consistency with other sections of the UDO and state regulations.

Chapter 4: Missing standards adopted by City Council prior to the 2019 UDO adoption have been added back into the Special Dimensional Standards at the request of the Oil and Gas Manager. At the request of Public Works, traffic signal escrow text has been added back into the UDO rather than included in the Roadway Manual. Language reflecting changes to the Parks, Recreation and Open Space Manual is included in the ordinance at the request of PROS staff. Landscaping sections have been updated at the request of the Planning staff.
Chapter 6: Certain specific definitions have been updated to reflect current standards and offer consistency with UDO text amendments in other chapters.

Testimony Given at the Hearing:
Brandon Cammarata, Planning Manager, presented the item, including the staff recommendation.

Commissioner Hogan asked about text changes that are sometimes allowed uses, if uses are changed, and it could affect the neighborhood, how does the neighborhood get notified.

Mr. Cammarata explained the requirement for notification and requirements for public hearings at the Planning Commission and City Council, and for this particular group of amendments they were recommended for advancement by the Planning and Economic Development subcommittee of the city council.

Commissioner Hogan stated she doesn’t want to get into a situation where something is allowed and done by a text change rather than a rezoning.

Mr. Cammarata stated that he understands what the concern is.

Chairman Bush asked what are the legal requirements.

Mr. Cammarata explained that the legal requirements would include the notice requirements to publish in the paper and to post on the website. He also talked about the Comprehensive Plan and the extensive outreach for that, and the outreach that was originally done for the UDO.

Dan Money, Assistant City Attorney, concurred with Brandon Cammarata.

Commissioner Gaiser stated that if people are really concerned about the happenings in the city they will watch the City Council Meetings and they can attend these meetings as well. The public has opportunities to let their concerns be known via several avenues.

Commissioner Turcios asked if notices are made available in other languages.

Mr. Cammarata responded that the Aurora Sentinel publishes only in English which is where the majority of notices are published.

Planning Commission Results

Agenda Item 5b – Unified Development Ordinance Amendment

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

Move to recommend approval of the Unified Development Ordinance Amendment to the City Council because it complies with the requirements of Code Section 146-5.4.1 of the Unified Development Ordinance for the reasons stated in the staff report.

Further Discussion:
No further discussion occurred.

Action Taken: Recommended Approval
Votes for the UDO Amendment: 6
Votes against the UDO Amendment: 0
Absent: None
Abstaining: None
Vacancies: 1
PsPlanning Department
City of Aurora, Colorado

SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: EMPORIA STREET DUPLEXES
Planning Commission Hearing Date: January 26, 2022
Deadline for City Council Call Up: February 14, 2022
Ward: I

Project Type: Site Plan with Adjustments
DA Number: DA-2262-00
Case Number(s): 2021-4005-00
Location: Southeast Corner of 25th Avenue and Emporia Street
Case Manager: Sarah Wile

Description:
The applicant and property owner, Elevation Community Land Trust, is requesting approval of a Site Plan for six duplex buildings with twelve units. The 0.93-acre property is located along 25th Avenue between Emporia Street and Elmira Street and is undeveloped. It is within the Mixed-Use Original Aurora – Residential Mixed-Use (MU-OA-RMU) District in Subarea A. The property is bordered by single-family homes and multi-family apartments to the east, west, and south, and baseball fields and an office to the north across 25th Avenue.

A total of six duplex buildings are proposed, three that front on Emporia Street and three that front on Elmira Street. Each of the twelve units will be fee simple and platted on its own lot. A private 16-foot wide access drive is proposed through the middle of the site off of 25th Avenue to provide access to the rear of the units. A 2-car concrete parking pad will be provided for each unit from the alley for a total of 24 parking spaces. Modular construction is proposed for the duplex buildings, reducing construction costs and allowing the products to be offered for sale at a more affordable price for those making between 70% and 80% of the Area Median Income (AMI). The existing sidewalks will be widened to 5.5 feet along Emporia Street, 25th Avenue, and Elmira Street to improve walkability.

Three Site Plan adjustments are being requested as part of the application for the minimum lot width for duplexes in Original Aurora, the minimum front and side setback widths, and the architectural diversity requirements. More detailed information about the adjustment requests is discussed later in the report. The Site Plan is consistent with the approval criteria in the UDO, and staff is supportive of the adjustment requests.

Twelve adjacent property owners and eight registered neighborhood organizations were notified of the application. Two comments were received from neighborhood organizations in support of the project and one comment was received from an adjacent property owner who is also in support of the project. A neighborhood meeting was not held.

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

The applicant’s representative, Adam Berger of Adam Berger Development LLC, 60 S Dahlia Street, Denver, CO 80246, gave a presentation of the item.

Commissioner Banka asked whether the units will be for-sale or for-rent and what the price points will be.

The applicant, David Ogunsanya of Elevation Community Land Trust, 3310 N Saint Paul Street, Denver, CO 80205, explained that the homes will be for-sale and will be around $295,000. They were originally lower but building costs have increased and the drainage improvements are expensive. If they receive additional subsidies from the state, they will bring down the costs.
Commissioner Gaiser asked what the target Area Median Income (AMI) will be. Mr. Ogunsanya stated that it is currently at 68% AMI for a household of four. Their goal is to make them as affordable as possible and if they receive additional subsidies, the target AMI will go down.

Commissioner Gaiser asked what the AMI is for Aurora. Mr. Ogunsanya stated that it is $70,000 for a household of four at 75% AMI and that they have not changed this since 2020. Commissioner Gaiser asked for clarification on whether a family’s income would need to be $70,000 to purchase a unit and Mr. Ogunsanya stated that incomes will need to be between $70,000 and $80,000. He also noted that there are other factors like down payment assistance that could bring the income requirement down. Commissioner Gaiser noted that this would be very difficult to afford for homeless people, but it is still good that some relatively affordable homes are being built.

Commissioner Gaiser asked how much subsidy they are receiving per unit. Mr. Ogunsanya stated that they are currently capped at $100,000 per unit, but if they can get state funds, the purchase price will be reduced more. They will not be receiving CHFA credits, it is a different program.

Commissioner Bush asked what restrictions are being placed on owners so that they can’t purchase it and rent it out for market price. Mr. Ogunsanya stated that the units must be owner-occupied (although family and roommates can live with them) and they cannot be rented out as an investment. They must be occupied by the owner at least 10 months out of the year, but there are exceptions for military. When the owner sells in the future, they are required to coordinate with Elevation Community Land Trust so it’s sold to another affordable housing buyer.

Assistant City Attorney Dan Money asked how the rental requirement is enforced. Mr. Ogunsanya stated the methods they use to enforce this. He also clarified that an owner is allowed to rent out a room to help pay their mortgage as long as the owner also lives at the property.

Commissioner Hogan asked if every unit is responsible for their own landscaping or if there will be an HOA. Mr. Ogunsanya stated that there are no plans for an HOA as that adds costs to the owners. There will be a party wall agreement that defines responsibilities.

Commissioner Hogan asked how the drainage is being handled. Mr. Ogunsanya stated that there will be an underground drainage system and the cost of that maintenance is on Elevation Community Land Trust. The civil engineering consultant, Todd Lyon of Proof Civil, 600 Grant Street, Suite 210, Denver, CO 80203, further explained how the drainage works and where it’s located.

Commissioner Banka asked who oversight and maintenance of the properties because there will be no HOA and if there will be deed restrictions so that they are recognized as affordable housing when resold. Mr. Ogunsanya stated that the party wall agreement will outline who is responsible for maintenance and the land trust has a stewardship team that does annual inspections on properties to ensure they are well-maintained. Because the ground will still be owned by Elevation Community Land Trust, they will be involved in all sales in the future so the pricing is affordable indefinitely.

Commissioner Jetchick asked if there will be storage sheds available for bikes, lawnmowers, etc. because there will be no garages. Mr. Ogunsanya stated that they hadn’t considered it, but it’s a good idea. He wanted to leave it up to the homeowners to see what their needs are, but the backyards will have enough space for both parking and storage.

Commissioner Gaiser suggested that an allowance be given to each homeowner to construct a storage shed if they would like. Mr. Ogunsanya noted that that was a good idea and would be considered.
Planning Commission Results

Agenda Item 5c – Site Plan with Adjustments

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

Move to approve, with one condition, the Site Plan with three adjustments for minimum lot width, required setbacks, and architectural diversity because the proposal complies with the requirements of Section 146-5.4.3.2.B for the reasons stated in the staff report.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the Site Plan mylars and issuance of any building permits.

Further Discussion:

No further discussion occurred.

Action Taken: Approved with Condition
Votes for the Site Plan: 6
Votes against the Site Plan: 0
Absent: None
Abstaining: None
SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: T-MOBILE SWITCHING CENTER
Planning Commission Hearing Date: January 26, 2022
Deadline for City Council Call Up: February 14, 2022
Ward: II

Project Type: Site Plan Amendment
DA Number: DA-1335-33
Case Number(s): 2006-6019-03
Location: Southwest Corner of Tower Road and 22nd Avenue
Case Manager: Dan Osoba

Description:
The applicant, SWSG Construction Management, is requesting approval of a Site Plan Amendment to add a 17,500 square-foot office building and 5,000 square-foot storage building to the existing property located at 18400 E 22nd Avenue. The property is zoned I-2 Industrial District within Subarea B. The land use is classified as an office and warehouse/storage, and both are permitted land uses in the I-2 Industrial District. The property is surrounded by an equipment and repair business currently under construction to the north, a single-family home on a 5-acre property to the east, the Victory Grange Hill Post Number 452 to the south, and the Highline Canal to the west. There are no adjustments requested with this application.

The existing property includes a 58,000 square-foot building at the northeast corner for telecommunication switching equipment, generators, and surface parking. The proposed expansion is along the western and southern property lines and will include an additional 70 parking spaces, drive aisles, and an extension of the fire lane. The expansion of the site is proposed to be surrounded and screened by an 8-foot wooden fence with masonry columns to match the existing fencing on-site. Additional landscaping is proposed to help further screen the new buildings along the Highline Canal and the southern property line. The landscaping within the existing portion of the site is proposed to remain.

Eight abutting property owners and six registered neighborhood organizations within one mile of the property received a referral for the proposed application. No comments were received during the review of the application and a First Review Neighborhood Meeting was not held.

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

The Planning Commission did not have any questions and there was no public comment.

Planning Commission Results

Agenda Item 5d – Site Plan Amendment

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

Move to approve the Site Plan Amendment to add a 17,500 square-foot office and 5,000 square-foot storage building to the existing site because the proposal complies with the requirements of Code Section 146-5.4.3.B.2.c for the reasons stated in the staff report.

Approval to be subject to the following conditions:
1. Resolution of outstanding technical issues prior to final approval of the Site Plan Amendment and issuance of any building permits.
Further Discussion: None
No further discussion occurred.

Action Taken: Approved with a Condition
Votes for the Site Plan Amendment: 6
Votes against the Site Plan Amendment: 0
Absent: None
Abstaining: None
Vacancies: 1

Filed: K:\$DA\1335-33sps.rtf
Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Plan Name: KING SOOPERS FUEL AT ARAPAHOE CROSSING
Planning Commission Hearing Date: January 26, 2022
Deadline for City Council Call Up: February 14, 2022
Ward: V

Project Type: Conditional Use and Site Plan
DA Number: DA-1024-25
Case Number(s): 2021-6041-01; 2021-6041-00
Location: Northeast Corner of E Arapahoe Road and S Parker Road
Case Manager: Todd Hager

Description:
King Soopers Inc., is requesting approval of a Site Plan for a kiosk and fueling station with nine fuel pump islands. The request includes a Conditional Use approval for the fueling station. The proposed site is approximately 1.11 acres and is zoned Mixed-Use Corridor (MU-C) in Zoning Subarea C. The site is currently a vacant building and parking lot (previously Applebee's) located on the northeast corner of East Arapahoe Road and South Parker Road in the Arapahoe Crossing Shopping Center. The proposal is surrounded by parking lots to the south and east, a sidewalk to the north, and South Parker Road to the west.

The proposed site will include a 155 square-foot employee-only kiosk and a 24-hour pump fueling station with canopy and associated parking. The overall building coverage of the kiosk and the canopy totals 7,036 square feet. The site will be accessed by internal drives within the shopping center and the shopping center can be accessed via South Parker Road and East Arapahoe Road.

The employee kiosk fronts South Parker Road. The building exhibits a four-sided design with varied materials and fenestration, meeting UDO requirements.
Six (6) adjacent property owners and twelve (12) registered neighborhood organizations were notified of the application. One neighborhood association comment was received from Valley Club Acres HOA, and a neighborhood meeting was held in response on November 18, 2021. The meeting consisted of concerns regarding lighting, noise, and drainage issues the development may have on the neighborhood directly to the west of the site. The applicant and their consultant addressed the questions from the attendees.

The proposed convenience store and fueling station are within the Commercial Hub Placetype in the Aurora Places Comprehensive Plan. Commercial Hubs are critical to future economic and fiscal health of Aurora. This placetype primarily contains uses that provide goods and services to nearby Established and Emerging Neighborhoods but can also serve other placetypes in the area.

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

Commissioner Jetchick asked if there will be an air pump and where would it be located.

Mr. Hager deferred the question to the applicant.

Jessica Greenough, Galloway and Company, 6162 S Willow Drive Suite 320, Greenwood Village, CO, representing the applicant, responded that there will be a free air stand and explained where it will be located.

Commissioner Hogan asked about the hours of operation for the fuel station.

Ms. Greenough responded that it will operate 24/7 and explained when there will be an attendant in the kiosk.
Commissioner Hogan asked about lighting because of the neighbors.

Ms. Greenough answered that all lighting fixtures will be down cast lighting.

Nate Abbott, Galloway and Company, 6162 S Willow Drive Suite 320, Greenwood Village, CO, representing the applicant, gave a presentation of the item.

Commissioner Gaiser asked about the underground detention and if it was only for the fueling station.

Mr. Abbott explained that it is part of a smaller regional system to serve some of the eastern retailers within the shopping center.

Commissioner Gaiser asked about the water quality and how the water and oil will be treated.

Ms. Greenough explained that the underground detention system will treat the water via isolator rows which meets testing standards for sediment removal.

No public testimony was given during the hearing.

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 because the proposal complies with the requirements of Code Section 146-5.4.3.A.3 of Unified Development Ordinance, for the reasons stated in the staff report.

Further Discussion: None
No further discussion occurred.

Action Taken: Approved
Votes for the Conditional Use: 6
Votes against the Conditional Use: 0
Absent: None
Abstaining: None
Vacancies: 1

Agenda Item 5f – Site Plan

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

Move to approve, with one condition, the Site Plan because the proposal complies with the requirements of Code Section 146-5.4.3.B.3 of the Unified Development Ordinance for reasons stated in the staff report.

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

Further Discussion: None
No further discussion occurred.

Action Taken: Approved with Conditions
Votes for the Site Plan: 6
Votes against the Site Plan: 0
Absent: None
Abstaining: None
Vacancies: 1

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Planning Department  
City of Aurora, Colorado  

SUMMARY OF PLANNING COMMISSION ACTIONS  

Project Name: LEGACY AT METRO CENTER  
Planning Commission Hearing Date: January 26, 2022  
Deadline for City Council Call Up: February 14, 2022  
Ward: III  
Project Type: Site Plan with Adjustment  
DA Number: DA-1489-20  
Case Number(s): 2021-4023-00  
Location: Southeast Corner of Sable Boulevard and Centrepoint Drive  
Case Manager: Heather Lamboy  

Description:  
The applicant, Legacy Partners, is requesting approval for a Site Plan for a 380-unit multi-family residential building on an 8.34-acre site located at the southeast corner of Centerpointe Drive and S Sable Boulevard. The apartment building will occupy 6.34 acres, and the small urban park will occupy 2.0 acres at the southern portion of the site. The project is in the Transit-Oriented Development (TOD) Core zoning district and is part of the Metro Center Master Plan. The Legacy at Metro Center project is located within the C-1 Planning Area. It will be located north of the planned Dawson Street "Main Street" for the Metro Center project. The RTD Bus Transfer and Light Rail Station is located immediately south of the project and will offer transit connections to the rest of Aurora and the metropolitan area.  

The proposed project is consistent with the Metro Center Master Plan, which includes typical street sections that are urban in character that promote walkability. The proposed density will be 60 units per acre, which is consistent with the minimum density requirements of the TOD-Core zone district. Furthermore, a bicycle lane is proposed adjacent to the project and will transition to an elevated separated lane further east.  

The proposed building will incorporate three courtyard spaces, two at the north and south portions of the site, with a larger courtyard amenity space on the west side of the building. Ground-floor apartment units will have stoops and direct access to the courtyards. Parking will be accommodated within a parking garage in the center of the building and will be fully screened. Furthermore, this project includes a "small urban park" to the south of the site. The park will include a playground, dog park, seat walls, a shade structure with seating, and an open field for more active recreation. Planned on-site amenities include a swimming pool and deck, an outdoor kitchen, yoga terrace, and seating.  

Design guidelines provide the framework for the look and feel of development within the Metro Center master-planned area. This project was reviewed by the Metro Center Design Review Committee; correspondence regarding the review and approval is attached to this staff report. (Please see Exhibit F)  

In addition to the Master Plan, this project is being reviewed on the basis of the 2015 City Center Station Area Plan as well as the Unified Development Ordinance (UDO). This proposal includes an adjustment request to allow a longer building, and staff supports the adjustment request, which is described later in the report.  

One community comment was received during the development review process. The comment expressed concern with the loss of mountain views. Twenty-five (24) registered homeowner associations, and 52 abutting property owners received notice of the application.  

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

Eva Mather, Norris Design, 1101 Bannock Street, Denver, CO, representing the applicant, gave a presentation of the item.
Lane Cutter, Legacy Partners, 6312 S Fiddlers Green Circle, Suite 300E, Greenwood Village, CO, representing the applicant, introduced himself and company.

Scott Bryans, KTGY Architecture + Planning, 820 16th Street, Suite 500, Denver, CO, representing the applicant, gave a presentation of the item.

Commissioner Gaiser asked whether there is a fence around the light rail. Ms. Mather pointed out that there is an existing wrought-iron fence that separates the site from the light rail tracks. Ms. Lamboy stated that it is an approximately 4-foot tall fence.

Commissioner Gaiser asked if residents wanted to go to the Metro Center Light Rail stop, if they would have to go to and cross Centrepoint to get to the stop. Ms. Lamboy responded yes.

Planning Commission Results

Agenda Item 5g – Site Plan with Adjustment

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

Move to approve, with one condition, the Legacy at Metro Center Site Plan with an Adjustment to Code Sections 146-4.8.5.D.1 to allow a longer building length than permitted, because the proposal complies with the requirements of Code Section 146-5.4.3.B.2.c, and the TOD criteria for the reasons stated in the staff report

Approval to be subject to the following conditions:
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: 6
Votes against the Site Plan: 0
Absent: None
Abstaining: None
Vacancies: 1

Filed: K:\$DA\1489-20sps.rtf