

Summary of Planning Commission Votes
 Regular Meeting of the Aurora Colorado Planning Commission
 January 23, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	PENSKE TRUCK RENTAL FACILITY EXPANSION – REZONE FROM B-3 TO M-1 (Ward II) CASE MANAGER: Dan Osoba APPLICANT: Penske Development Application: DA-1461-02 Case Number: 2018-2009-00 General Location: Southeast Corner of 32 nd Avenue and Chambers Road (15400 E 32 nd Avenue)	Recommend approval	Recommended Approval For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	City Council Meeting Date Feb 25, 2019
5b.	MONOPINE CELL FACILITY AT 1550 SABLE BOULEVARD – SITE PLAN (Ward II) CASE MANAGER: Dan Osoba APPLICANT: Powder River Development Development Application: DA-2148-00 Case Number: 2018-6037-00 General Location: Approximately 280 feet north of the intersection of Sable Boulevard and E Colfax Avenue (1550 Sable Boulevard) Conditions: 1. The applicant must provide additional correspondence with property owners which demonstrates that an exploration of alternative locations did not yield reasonable options. 2. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.	Approve with conditions	Approved with two conditions For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Feb 4, 2019
5c.	RAISING CANE’S CHICKEN FINGER RESTAURANT – CONDITIONAL USE (Ward III) CASE MANAGER: Elizabeth O’Brien APPLICANT: Raising Cane’s Chicken Finger Restaurant Development Application: DA-1554-09 Case Number: 2001-6087-18 General Location: Northwest Corner of E Alameda Avenue and S Crystal Street (14241 E Alameda Avenue)	Approve	Approved For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Feb 4, 2019
5d.	RAISING CANE’S CHICKEN FINGER RESTAURANT – SITE PLAN (Ward III) CASE MANAGER: Elizabeth O’Brien APPLICANT: Raising Cane’s Chicken Finger Restaurant Development Application: DA-1554-09 Case Number: 2001-6087-17 General Location: Northwest Corner of E Alameda Avenue and S Crystal Street (14241 E Alameda Avenue) Condition: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.	Approve with a condition	Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Feb 4, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5e.	PUBLIC STORAGE AT TOLLGATE CREEK – CONDITIONAL USE (Ward IV) CASE MANAGER: Dan Osoba APPLICANT: Public Storage Development Application: DA-2166-00 Case Number: 1984-6073-05 General Location: Southeast Corner of S Idalia Street and E Mississippi Avenue (1150 S Idalia Street)	N/A	Estimated for 2/13/2019	N/A
5f.	PUBLIC STORAGE AT TOLLGATE CREEK – SITE PLAN AMENDMENT (Ward IV) CASE MANAGER: Dan Osoba APPLICANT: Public Storage Development Application: DA-2166-00 Case Number: 1984-6073-04 General Location: Southeast Corner of S Idalia Street and E Mississippi Avenue (1150 S Idalia Street)	N/A	Estimated for 2/13/2019	N/A
5g.	THE TOWNCENTER AT GATEWAY PARK – SIGN VARIANCE (Ward II) CASE MANAGER: Debbie Bickmire APPLICANT: Ad Light and Sign Development Application: DA-1174-72 Case Number: 2006-6014-02 General Location: West of Tower Road between Salida Street and I-70 (3511 N Salida Court)	N/A	Estimated for 2/13/2019	N/A
5h.	RUSH NORTH – CONDITIONAL USE FOR AN OIL AND GAS PERMIT (Ward II) CASE MANAGER: Elizabeth O'Brien APPLICANT: ConocoPhillips Company Development Application: DA-2154-00 Case Number: 2018-6056-01 General Location: Northeast Corner of E Jewell Avenue and Powhaton Road	N/A	Estimated for 2/13/2019	N/A
5i.	RUSH NORTH – OIL AND GAS PERMIT (Ward II) CASE MANAGER: Elizabeth O'Brien APPLICANT: ConocoPhillips Company Development Application: DA-2154-00 Case Number: 2018-6056-00 General Location: Northeast Corner of E Jewell Avenue and Powhaton Road	N/A	Estimated for 2/13/2019	N/A
5j.	SAMARITANS PURSE DATA CENTER AT GATEWAY PARK IV EAST – SITE PLAN (Ward II) CASE MANAGER: Stephen Rodriguez APPLICANT: Samaritans Purse Development Application: DA-1174-69 Case Number: 2018-6025-00 General Location: Northwest corner of Tower Road and E 40 th Avenue (17891 E 40 th Avenue)	N/A	Estimated for 2/13/2019	N/A
5k.	RUSH SOUTH PHASE TWO – CONDITIONAL USE FOR AN OIL AND GAS PERMIT (Ward II) CASE MANAGER: Sarah Wieder APPLICANT: ConocoPhillips Company Development Application: DA-2012-02 Case Number: 2017-6005-03 General Location: Powhaton Road alignment approximately ½ mile south of Jewell Avenue	N/A	Estimated for 2/13/2019	N/A
5l.	RUSH SOUTH PHASE TWO – OIL AND GAS PERMIT (Ward II) CASE MANAGER: Sarah Wieder APPLICANT: ConocoPhillips Company Development Application: DA-2012-02 Case Number: 2017-6005-02 General Location: Powhaton Road alignment approximately ½ mile south of Jewell Avenue	N/A	Estimated for 2/13/2019	N/A

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5m.	RESIDENCE INN AURORA – SITE PLAN (Ward IV) CASE MANAGER: Elizabeth O'Brien APPLICANT: H and H Management Company Development Application: DA-2147-00 Case Number: 2018-6041-00 Genral Location: Northeast Corner of S Abilene Street and Yale Avenue	N/A	Estimated for 2/13/2019	N/A

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 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

Site Plan Name: PENSKE TRUCK RENTAL FACILITY EXPANSION - REZONE

Planning Commission Hearing Date: January 23, 2019

City Council Meeting Date: February 25, 2019

Ward and Council Member: Ward II

Project Type: Rezone from B-3 Highway Service District to M-1 Light Industrial District

DA Number: DA-1461-02

Case Number: 2018-2009-00

Location: QS:02J – Southeast Corner of 32nd Avenue and Chambers Road
(15400 E 32nd Avenue)

Case Manager: Dan Osoba

Description:

The applicant, Penske Truck Rental, is requesting approval to rezone a 5.23 acre parcel located at the southeast corner of S. Chambers Road and E. 32nd Avenue from Highway Service District (B-3) to Light Industrial District (M-1). The site is adjacent to an existing Penske Truck Rental facility to the east, the Union Pacific railroad to the south, a retail strip center to the west, an existing dwelling unit and 7-Eleven fueling station to the north. The subject property is surrounded by Light Industrial Districts (M-1) in all directions and the uses within the Light Industrial District are compatible with the existing adjacent land uses.

The purpose of the Light Industrial District is to provide locations for light manufacturing, office uses, wholesaling, and related services. Such locations may be in proximity to neighborhoods and are intended to produce minimal external impacts. Because of this, uses are of low intensity, external effects are limited, and permitted uses are limited to those that can be operated in a clean and quiet manner. This rezoning and the proposed land use complies with the purpose and intent of the zone district and Aurora Places Plan.

The applicant intends to expand the existing Penske operation on the adjacent parcel to the east into the subject parcel to provide additional paved parking area for both employee and customer growth. The applicant is only requesting approval of the rezoning at this time; however, the applicant will be required to submit a Site Plan and Conditional Use application for the expanded Penske Truck Rental facility, which will require further Planning Commission review under a separate application.

Fourteen (14) adjacent property owners and two (2) neighborhood associations were notified of the application. No neighborhood comments were received during development review of this application and no neighborhood meeting was held.

Testimony Given at the Hearing:

Anna Vanden Touten, 1018 S Moline Street, Aurora, CO, a concerned citizen, voiced concerns regarding the prairie dogs on the proposed site. She noted that they are key components to the ecosystem and they are losing their habitat due to development. She asked how the applicant planned to handle the large colony of prairie dogs on the site.

Mindy Parnes, Planning Manager, responded that prairie dogs are handled by the State of Colorado Division of Wildlife.

Sean Yentsch, 579 Shady Lane, Hummelstown, PA, representing the applicant, responded by saying that the prairie dogs would be relocated. He noted that in the past, he had worked with the Division of Wildlife to remove and relocate the prairie dogs for a different Penske facility.

Chairman Bengen noted that this is a rezoning application at this time and asked the applicant to keep the prairie dog issue in mind when a Site Plan is submitted.

Ms. Parnes explained that when the site plan is submitted, the applicant will need to have another public hearing before the Planning Commission and should address the prairie dog colony relocation at that time.

Commissioner Lyon asked how the proposed 5.23-acre parking lot will be utilized.

Mr. Yentsch answered the parking lot will not be open to the general public, but will be utilized for fleet parking or vehicles that are going to be leased or serviced. It may also be used for employee parking.

Planning Commission Results

Agenda Item: 5a – Rezone from B-3 (Highway Service District) to M-1 (Light Industrial District)

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

Move to recommend approval to City Council the Rezoning from B-3 (Highway Service District) to M-1 (Light Industrial District), because the proposal complies with the requirements of Code Section 146-401(C), for the following reasons:

1. It is consistent with the Aurora Places Plan Industry Hub placetype and the typical land uses.
2. The proposal demonstrates that the rezone is compatible with existing adjacent land uses and zoning with the proposed Penske facility concept plan.

Further Discussion by the Commission:

No further discussion occurred.

Action Taken: Recommended Approval

Votes for the Rezone: 7

Votes against the Rezone: 0

Absent: None

Abstaining: None

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: MONOPINE CELL FACILITY AT 1550 SABLE BLVD - SITE PLAN

Planning Commission Hearing Date: January 23, 2019

Deadline for City Council Call Up: February 4, 2019

Ward and Council Member: Ward II

Project Type: Site Plan

DA Number: DA-2148-00

Case Number: 2018-6037-00

Location: QS: 04H – Approximately 280 feet north of the intersection of Sable Boulevard and Colfax Avenue

Case Manager: Dan Osoba

Description:

The applicant, Powder River Development, is requesting approval of a Site Plan to construct a 70-foot monopine cell facility and associated equipment adjacent to an existing commercial building at 1550 N. Sable Boulevard. The site is located within an existing shopping center at the northeast corner of N. Sable Boulevard and E. Colfax Avenue. There is an existing Star Mart fueling station to the south, a drive-thru restaurant to the east, a hotel which is currently under construction to the north and a gas station to the west. This location does not have an existing Site Plan on file, therefore the applicant has provided a Site Plan which includes as built details of the existing site conditions.

The site is zoned B-4 Business and Commercial District, which permits stealth and non-stealth cell facilities and allows a maximum height of 75-feet. A monopine is a type of cell facility that is constructed to resemble a pine tree and conceal aerial antenna equipment. The proposed monopine is 75 feet tall in compliance with the maximum height of the underlying zone district. Associated ground mounted equipment will be screened from view by a wooden fence. The monopine and lease area have been designed to allow space for future colocations onto this facility in compliance with Code Section 146-1200(G).

During development review the applicant demonstrated that a search of alternative locations for rooftop facilities yielded no reasonable alternatives. The new Comfort Suites at Cadence hotel to the north is to be constructed to a height of 56 feet. Additionally, the applicant must provide correspondence with this new adjacent property owners which inquires about the potential rooftop cell facility installations. Please see the conditions of approval.

Four (4) adjacent property owners and twelve (12) neighborhood associations were notified of the application. Three (3) phone calls were received during development review with general questions regarding location, design and overall height. A neighborhood meeting was not held.

Testimony Given at the Hearing:

James Ries, the applicant from Powder River Development, asked that the Commission approve the request with both conditions. He stated that he was available for questions. There were no further questions.

Planning Commission Results

Agenda Item 5b – Site Plan

A motion was made by Commissioner Lyon and seconded by Commissioner Staley.

Move to approve, with two conditions, the Site Plan for a 70-foot monopine cell facility and associated ground equipment because it complies with the requirements of Code Section 146-401(C), for the following reasons:

1. This proposal complies with the goal of the Aurora Places Plan to provide high-quality and reliable utility services throughout the city.
2. The facility does not have a large impact City infrastructure and can utilize existing access and utilities.
3. The proposal meets mechanical screening requirements;
4. The monopine design is less obtrusive than a standard monopole design, and,
5. The application complies with Code Section 146-1200 Site Selection Criteria and Design Criteria for CMRS facilities.

Approval to be subject to the following conditions:

1. The applicant must provide additional correspondence with property owners which demonstrates that an exploration of alternative locations did not yield reasonable options.
2. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.

Further Discussion by the Commission:

No further discussion occurred.

Action Taken: Approved with Conditions

Votes for the Site Plan: 7

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

**Site Plan Name: RAISING CANE'S CHICKEN FINGER RESTAURANT
CONDITIONAL USE AND SITE PLAN**

Planning Commission Hearing Date: January 23, 2019
Deadline for City Council Call Up: February 4, 2019
Ward and Council Member: Ward III

Project Type: Conditional Use and Site Plan
DA Number: DA-1554-09
Case Numbers: 2001-6087-17; 2001-6087-18
Location: 08G – Northwest Corner of E Alameda Avenue and Crystal Street
Case Manager: Elizabeth O'Brien

Description:

The applicant, Raising Cane's Chicken Finger Restaurant, is requesting approval of a Site Plan and a Conditional Use for a drive-through restaurant. The subject property is located at the northwest corner of Alameda Avenue and Crystal Street. It is currently zoned (CCZD) City Center Zone District – Fringe and is part of the Aurora City Place Master Planned development. Within the City Center Zone District, drive-through facilities require a Conditional Use review. The site is adjacent to shared Aurora City Place parking to the north, a Westerra Credit Union to the east and a US Bank Branch to the west and fronts on Alameda Avenue across from the Aurora Town Center Mall.

The Site Plan proposes the demolition of an existing restaurant and the construction of a 3,608 square-foot chicken finger restaurant with a drive-through component. The proposed building will be located to the southeast corner of the property to allow for better pedestrian access and to create an urban edge along both Alameda Avenue and Crystal Street. The new location of this building, in addition to the enhanced pedestrian connections, architecture and patio spaces, satisfies the requirements set forth in both the Aurora City Place Master Plan and the City Center Station Area Plan. The City Place Design Review Committee (Developer's Architectural Control Committee) has reviewed and approved the proposed site plan.

To mitigate the visual impacts of the drive-through element, enhanced landscaping has been added along Crystal Street. The drive-through queuing lanes and pick-up window are oriented towards the rear and side of the building, minimizing the visual impact. Enhanced building perimeter landscaping will also be provided. Significant outdoor patio seating is also included, providing accessibility to the street as well as the main entry. The patio seating includes a variation in pavement treatment, seating types, and awnings to provide shade. The proposed building materials will include brick in varying colors, steel and stucco. Architectural enhancements include wainscoting, corner quoins and parapets. The colors, materials and design used in this proposal have been reviewed and approved by the Developer's Architectural Control Committee (DACC) for the Aurora City Place.

Six (6) adjacent property owners and fifteen (15) neighborhood associations were notified of the application. No comments were received and no neighborhood meeting was held.

Testimony Given at the Hearing:

Commissioner Bengen asked staff about the placement of the dumpster and how this dumpster would be accessed. He also asked about whether there would be screening of the dumpster.

Staff pointed out the location of the dumpsters on the site and indicated that details for a solid fence around the dumpster have been included on the Site Plan.

Commissioner Hettick asked staff if they are comfortable with the interaction between the pedestrian movements and vehicular traffic on the site.

Staff answered that throughout the many iterations of overall site design, the design proposed at the hearing gave the best possible interaction between pedestrian and vehicles. Mindy Parnes, Planning Manager, also mentioned that the intention of the building placement was to encourage enhanced pedestrian access to the building corner entry, thereby eliminating the need to cross through the parking lot or drive-through.

Commissioner Staley indicated some concern over the amount of hardscape on the site and asked staff whether tree canopy has been included in the detention and water quality analysis. Ms. Parnes indicated that the applicant has provided landscaping elements within the parking lot that are above the City's standard requirements. Kristin Tanabe, Public Works, also indicated that the tree canopy is not a part of the required analysis for addressing water quality and detention and stated that the site is in compliance with all necessary requirements.

Kirsten Roberts, Raising Cane's, at 6800 Bishop Road, Richardson, TX, spoke on behalf of the applicant and gave a brief presentation. Her presentation included an overview of the company, the products sold at the restaurant, the history of the company and the philanthropic work that is done for every community that Raising Cane's becomes a part of. Ms. Roberts also mentioned the traffic concerns with the first month after opening, as this is historically the busiest time for a new location of Raising Cane's.

Mindy Parnes asked if it was very busy during the first month of operation.

Ms. Roberts answered that yes, the restaurants are typically very busy within the first month of operation. She also mentioned that during the first month, additional traffic calming measures are taken to ensure everyone's safety. This includes additional employees outside of the building to mitigate any traffic congestion issues.

Planning Commission Results

Agenda Item 5c – Conditional Use for a drive-through in the City Center Zone District Fringe

A motion was made by Commissioner Hettick and seconded by Commissioner Lyon

Move to approve the Conditional Use for a drive-through in the City Center Zone District -Fringe, because the proposal complies with the requirements of Code Section 146-402(C), for the following reasons:

1. The proposal is compatible with adjacent uses;
2. The proposal will not change the predominant character of the surrounding area;
3. The proposal will not adversely impact existing roadway infrastructure; and
4. The proposal controls and mitigates external negative impacts on the drive-through by re-orienting the building towards the street to create an urban edge and by enhancing the drive-through screening.

Further Discussion by the Commission:

No further discussion occurred

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

Agenda Item 5d – Site Plan

A motion was made by Commissioner Hettick and seconded by Commissioner Lyon.

Move to approve, with one condition, the Site Plan, because the proposal complies with the requirement of Code Section 146-405(F), for the following reasons:

1. The proposal is consistent with the Aurora Places Comprehensive Plan Strong Economy principle to support “a strong economy with active urban places” and Urban District Placetype;
2. The proposal will not significantly impact existing infrastructure based on the Traffic Impact Letter;
3. The proposal meets or exceeds the urban design, building architecture and landscape architecture requirements; and
4. The proposal controls external negative impacts by incorporating enhanced landscape buffers and utilizing smart design.

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 by the Commission:

Commissioner Hettick stated that he is happy to see the development coming in, given the fact that it has been sitting vacant for some time and that some of the area restaurants in the area are struggling to stay open.

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