

Summary of Planning Commission Votes
 Regular Meeting of the Aurora Colorado Planning Commission
 August 14, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p>DUTCH BROTHERS COFFEE AT ILIFF CROSSINGS SHOPPING CENTER SITE PLAN (Ward V) CASE MANAGER: Dan Osoba APPLICANT: Central Lakewood Limited Development Application: DA-1654-02 Case Number: 1979-6021-14 General Location: Northwest Corner of S Buckley Road and E Iliff Avenue (16801 E Iliff Ave) Conditions: 1. Submittal of a Letter of Approval from the Iliff Crossings Shopping Center. 2. The resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.</p>	Approve with three conditions	<p>Approved with two conditions For Approval: 5 For Denial: 0 Abstentions: 0 Absent: 1 (Deane) Vacancies: 1</p>	Call-up deadline Sept 16, 2019
5b.	<p>GLOBAL COMMERCENTER INDUSTRIAL CAMPUS – SITE PLAN AMENDMENT (Ward II) CASE MANAGER: Debbie Bickmire APPLICANT: Global Consulting LLC Development Application: DA-1986-00 Case Number: 2014-6057-00 General Location: Southwest Corner of Smith Road and Scranton Street (12600 E Smith Road) Conditions: 1. The architectural enhancements will include those that were presented by the applicant at this August 14, 2019 hearing. 2. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.</p>	Approve with two conditions	<p>Approved with two conditions For Approval: 5 For Denial: 0 Abstentions: 0 Absent: 1 (Deane) Vacancies: 1</p>	Call-up deadline Sept 16, 2019
5c.	<p>SAEEDH SMITH LLC TOW YARD – SITE PLAN W/WAIVER (Ward II) CASE MANAGER: Tanner Axt APPLICANT: Smith Road LLC Development Application: DA-2178-00 Case Number: 2019-6022-00 General Location: Southeast Corner of Smith Road and Argonne Street (18920 E Smith Road) Condition: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.</p>	Approve with a waiver for landscape buffer reduction and a condition	<p>Approved with a waiver and a condition For Approval: 5 For Denial: 0 Abstentions: Absent: 1 (Deane) Vacancies: 1</p>	Call-up deadline Sept 16, 2019

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: DUTCH BROTHERS COFFEE AT ILIFF CROSSINGS SHOPPING CENTER SITE PLAN

Planning Commission Hearing Date: August 14, 2019
Deadline for City Council Call Up: September 16, 2019
Ward and Council Member: Ward V

Project Type: Site Plan
DA Number: DA-1654-02
Case Number: 1979-6021-14
Location: QS:14K – Northwest Corner of S Buckley Road and E Iliff Avenue
Case Manager: Dan Osoba

Description:

The applicant, Central Lakewood Limited, is requesting approval of a Site Plan for a drive-thru only coffee shop on approximately 3.6 acres within the existing Iliff Crossings Shopping Center. The subject site is surrounded by commercial retail and a brewery to the east, automotive service businesses across E. Iliff Avenue to the south, a drive-thru quick serve restaurant to the west, and the Iliff Crossings Shopping Center to the north. This site (and all surrounding properties) is within the Planned Community Zone District – Commercial (PCZD-comm), in which drive-thru restaurants are a permitted use. The applicant is proposing to lease the subject site from shopping center.

The proposed 860 square-foot coffee shop will have no interior seating for customers. A proposed small exterior seating area will be available with pedestrian connections to the existing businesses to the west and the sidewalk on E. Iliff Avenue. This sidewalk directly connects to the West Tollgate Creek Trail to the west. This proposal will reduce the parking within the shopping center by 52 spaces; however, the 373 required parking spaces for the shopping center will still be met as there are currently exceeding standards by providing 467 spaces.

The building materials proposed include royal blue and gray metal panels and siding, and charcoal gray concrete masonry units. Landscaping is proposed within the required 20-foot landscape buffer adjacent to E. Iliff Avenue to include six (6) new deciduous street trees along with shrubs. Additional landscaping will be provided adjacent to the drive-thru to further screen queuing vehicles from view. Building perimeter landscaping is proposed adjacent to the proposed 3 parking spaces and outdoor seating areas.

Eleven (11) adjacent property owners and fourteen (14) neighborhood associations were notified of the application. One comment was received from an adjacent property owner regarding restrictions within a private shopping center agreement and potential impacts on other businesses within the center by reducing visibility from E. Iliff Avenue. The applicant met with the shopping center owner as well as the adjacent business owner on June 25, 2019 to discuss these comments. This meeting resulted in a decision to generate an amendment to their private covenants to allow the development of this area as a new pad site.

Testimony Given at the Hearing:

Greg Moran, Rogue Retail Development, 193 S Roslyn Street, Denver, CO, representing the applicant, gave a presentation on Dutch Brothers typical store operations, philosophy, other nationwide locations and their development strategy for the Front Range. He also spoke about the staff recommended conditions of approval. The first condition to provide a letter of approval from the Iliff Crossings Shopping Center was acceptable and the applicant would not have issues providing that letter during technical review. The second condition to add landscaped islands to the parking lot just north of the lease line would be an issue because it would require the provision of improvements to the adjacent parking lot. There are no other islands within the shopping center and he indicated that adding the islands would pose a maintenance and irrigation concern.

Mindy Parnes, Planning Manager, asked if the applicant was planning to own or lease the site.

Mr. Moran responded that the applicant will have a long-term lease with the shopping center ownership.

Ms. Parnes asked about the ownership of the shopping center.

Mr. Moran responded that Central Lakewood owns a portion of the center, including the Dutch Brothers location. Western Centers owns the western portion of the center, including the area where the landscape island improvements are recommended.

Ms. Parnes informed the Planning Commissioners that when a Site Plan (Shopping Center) is amended, non-conforming requirements must be brought into code compliance. Currently, the Iliff Crossings Shopping Center does not have any landscape islands in the parking lot and is non-conforming. As Dutch Brothers redevelops this location, the typical process is to obtain improvements to bring the site into compliance.

Mr. Moran responded that the development review comments indicated that removing parking was okay as the shopping center is over-parked. Dutch Brothers is providing site improvements and landscaping within their proposed lease area. Additionally, requiring irrigation across the property may be an issue if the owner does not want it.

Chair Bengen asked if the landscape islands recommended along the northern drive aisle is within the Dutch Brother's lease area and if curbs would be necessary for the parking lot islands.

Mr. Moran responded that the applicant is proposing curbs along the drive aisle only and curbs would be required to protect the landscaped areas. The applicant is also proposing to continue the wheel stops along the eastern row of parking to further delineate traffic movements and prevent cut-through traffic.

Chair Bengen asked Commissioner Staley to discuss irrigation and landscaping issues for the parking lot islands.

Commissioner Staley responded that any landscaping will need to be raised within a curb and be provided irrigation to survive. He also indicated that requiring the applicant to obtain approval from another entity is difficult.

Assistant City Attorney, Dan Money noted that in many cases off-site improvements cause code enforcement issues. If landscaping is dead, it becomes difficult for code enforcement to determine maintenance responsibilities.

Ms. Parnes noted that if a new development is proposed on a portion of a shopping center, an amendment to the overall shopping center Site Plan is required. The overall Site Plan should come into compliance as best as possible, specifically in the areas surrounding the changes to the overall shopping center.

Planning Commission Results

Agenda Item 5a: Site Plan

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

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

The proposal:

1. Conforms with landscaping requirements and drive-thru screening;
2. Provides for internal efficiency of design; and,
3. Provides adequate vehicular and pedestrian connectivity.

Approval to be subject to the following conditions:

1. Submittal of a Letter of Approval from the Iliff Crossings Shopping Center; and
2. The resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.

Further Discussion:

Commissioner Hettick noted that it is difficult to make the applicant provide improvements on another site.

Chair Bengen added that the applicant is making improvements to site only within the boundaries of their lease area, and agreed that requiring off-site improvements is difficult.

Action Taken: Approved with two Conditions

Votes for the Site Plan: 5

Votes against the Site Plan: 0

Absent: 1 (Deane)

Abstaining: 0

Vacancies: 1

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: GLOBAL COMMERCE CENTER – SITE PLAN AMENDMENT

Planning Commission Hearing Date: August 14, 2019
Deadline for City Council Call Up: September 16, 2019
Ward and Council Member: Ward II

Project Type: Site Plan Amendment
DA Number: DA-1986-00
Case Number: 2014-6057-00
Location: QS:01E – Southwest Corner of Smith Road and Scranton Street (12600 E Smith Rd)
Case Manager: Debbie Bickmire

Description:

The applicant, Jim Saunders, on behalf of Global Consulting, LLC, proposes an amendment to the Global Commerce Center Site Plan to modify the building configuration, add a second floor option to individual buildings, replace three buildings with one larger building and add parking. The 5.8-acre site is located at the southwest corner of Smith Road and Scranton Street, and is zoned M-1 Light Industrial Zone District.

The Site Plan was approved by the Planning Commission on March 25, 2015 for seven 13,300 square-foot, one-story buildings for industrial warehouse and marijuana cultivation uses. The project included Scranton Street public improvements (sidewalk and access), detention pond construction and the widening and sidewalk on Smith Road. All of these infrastructure improvements have been completed. No buildings have been constructed to date. The approved building architecture consisted primarily of stucco with integrally colored CMU, storefront glazing and metal accents.

The revised site plan reduces the number of buildings from seven to five. Four separate buildings will be situated on the east side of the site. Each building will be 13,020 SF with an option to increase each building to two stories and 26,040 SF. These four buildings have been designed to accommodate marijuana cultivation. The fifth building, larger building, will be a total of 27,660 SF with a potential 10,000 SF future addition. The property has two points of vehicular access, one at Scranton Street and the other on Smith Road. Perimeter and internal sidewalks connect pedestrians from the buildings to the public right-of-way.

The architecture of the four smaller buildings consists primarily of stucco with integrally colored CMU, storefront glazing and metal accents and is compatible with existing development within the area. The larger building (Building 5) will be constructed of pre-insulated metal panels with a stucco finish, ribbed accent panels and glazed windows.

Six adjacent property owners were notified of the Site Plan amendment. No comments were received.

Testimony Given at the Hearing:

Deborah Bickmire, the Planning Case Manager, gave a presentation on the item including staff's recommendation and conditions of approval, which included a condition to provide additional architectural variation and enhancements on the side and rear building elevations.

Commissioner Lyon asked what enhancements staff would like. Ms. Bickmire stated additional color contrast and color blocking would add more architectural interest to the façades.

Jim Saunders, 99175 Overseas Highway, Ste. 2, Key Largo Florida, representing the applicant, Global Consulting, LLC, gave a presentation to describe the previously approved Site Plan, the completed infrastructure, and an overview of the proposed new tenant, ESPEC and described differences in the building elevations included in his presentation. He also stated they no longer intended to develop the four smaller buildings for marijuana cultivation.

Ms. Parnes, Planning Manager, asked Mr. Saunders to discuss the proposed building materials. Mr. Saunders explained the building would be constructed with stucco finished panels in a white/light gray tone that was a corporate standard of ESPEC. Ribbed gray panels were included on the front façade and also wrapped around the front building corners. Since staff had made their recommendation, they had revised the plans to illustrate gray horizontal bands around the building and to incorporate “Dove Gray” color blocks on the façades and building corners to mimic the ribbed metal accents. Mr. Saunders stated his company was constructing the building for ESPEC, a company that performs extreme testing on products, and he anticipates this will encourage similar research uses for the 4 smaller buildings.

Ms. Parnes asked about the option to build the smaller buildings in one or two-story configurations.

Mr. Saunders said they anticipated there would be future changes to the building footprint and/or the elevations and they would come back to the Planning Commission to address those changes. He further stated their primary concern was to get approval for the one, larger building for ESPEC.

Aaron Thompson, 4032 Defoe Street, Strasburg, CO, consultant for the applicant, spoke to explain the design of the original buildings was specific to accommodate marijuana cultivation and that the smaller buildings would likely be redesigned since they are no longer being marketed for that use, but would like to retain the option to add 2nd floors to these smaller buildings.

Planning Commission Results

Agenda Item 5b – Site Plan Amendment

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

Move to approve, with two conditions, the Site Plan Amendment because the proposal complies with the requirements of Code Section 146-405(F), for the following reasons:

1. The proposal is consistent with the Aurora Places Comprehensive Plan and adjacent development.
2. The proposal will have little impact on existing city infrastructure.
3. The proposal provides for internal efficiency of design.

Approval to be subject to the following conditions:

1. Provide additional architectural variation and enhancements on the side and rear building elevations.
2. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Further Discussion:

Commissioner Hettick stated that he believes it is in Aurora’s best interest to attract the company that will be this larger building. He did not find it important to add architectural improvements to the back of the building because it will not an elevation that can be viewed; the elevation on the east can also be left as is. He did suggest that a four-panel wide parapet be installed just before the liquid oxygen storage tanks on the west elevation so that the building will more proportional.

Commissioner Bush amended the motion and it was seconded by Chairman Bengen with the conditions to be:

1. The architectural enhancements will include those that were presented by the applicant at the hearing and the new parapet as suggested by Commissioner Hettick.
2. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Commissioner Staley stated that he will not support the amended motion because he prefers that architectural design not be done from the dais. He is satisfied with the design that the applicant has provided at the hearing and would like the suggestion made by Commissioner Hettick be removed.

Commissioner Hettick stated that he was trying to address Planning's request for enhancements and variations for the building. He asked staff if what was presented by the applicant was acceptable to staff.

Ms. Parnes stated that the design presented met the intent of what staff had requested. Ms. Bickmire concurred.

Commissioner Hettick stated that he is sensitive to designing from the dais and would be willing to withdraw the suggestion to add the four-panel parapet.

Motion on the amendment failed unanimously.

Commissioner Bush amended the motion and it was seconded by Commissioner Hettick for the conditions to read as:

1. The architectural enhancements will include those that were presented by the applicant at this August 14, 2019 hearing.
2. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Motion on the amendment passed unanimously.

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

Move to approve, with two conditions, the Site Plan Amendment because the proposal complies with the requirements of Code Section 146-405(F), for the following reasons:

1. The proposal is consistent with the Aurora Places Comprehensive Plan and adjacent development.
2. The proposal will have little impact on existing city infrastructure.
3. The proposal provides for internal efficiency of design.

Approval to be subject to the following conditions:

1. The architectural enhancements will include those that were presented by the applicant at this August 14, 2019 hearing.
2. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Action Taken: Approved with two conditions

Votes for the Site Plan Amendment: 5

Votes against the Site Plan Amendment: 0

Absent: 1 (Deane)

Abstaining: None

Vacancies: 1

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: SAEEDH SMITH LLC TOW YARD - SITE PLAN WITH WAIVER

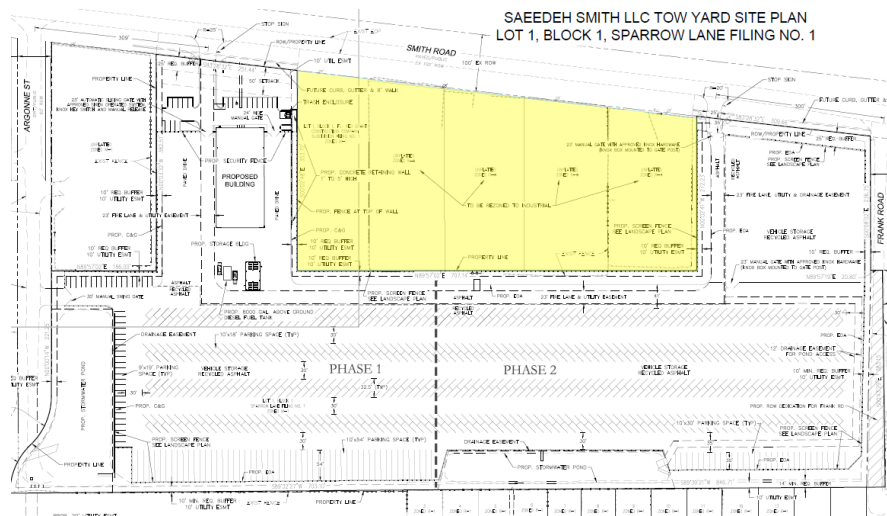
Planning Commission Hearing Date: August 14, 2019
Deadline for City Council Call Up: September 16, 2019
Ward and Council Member: Ward II

Project Type: Site Plan with Waiver
DA Number: DA-2178-00
Case Number: 2019-6022-00
Location: QS:03N – Southeast Corner of Smith Road and Argonne Street
Case Manager: Tanner Axt

Description:

The applicant, Smith Road LLC, is requesting approval of a phased Site Plan with a waiver to allow a tow yard on 17.15 acres at the southwest corner of Frank Drive and Smith Road, near the intersection of Smith Road and Tower Road. The subject property is currently vacant and is zoned M-1, Light Industrial. The adjacent uses to the south are a church and single-family detached homes. The properties to the north are currently homes operating as industrial uses and are proposed to be converted to Industrial zoning with the adoption of the Unified Development Ordinance (UDO). All other adjacent uses are industrial in nature. The new site plan includes a proposed 14,995 square foot, split-faced CMU and metal panel building with an office and auto shop and a small, 1,350 square foot, metal panel vehicle storage building that is painted to match the primary building. A Deferral of Public Improvements is being requesting as part of the application, which applies to the improvements along the street frontages.

The applicant currently operates a tow yard southwest of the intersection of E 23rd Avenue and Clinton Street, next to the Stanley Marketplace. This proposal, if approved, will facilitate the relocation of the existing tow yard operations to this industrial area along Smith Road. The proposal includes a two-phased construction timeline. The entire site will be graded, and the fire lane will be constructed with Phase I. Deferrals for public improvements for Argonne Street, Frank Road, and Smith Road are being requested, which would be triggered by the Public Works Director in accordance with the criteria outlined in Section 147-14 of the Subdivision Code. A waiver to reduce the required width and materials of landscape buffers adjacent residential properties is being proposed because the R-A zoned properties highlighted below operate as industrial uses.



Twenty-three adjacent property owners and five registered neighborhood organization were notified of the application. No comments were received. A neighborhood meeting was held on July 30, 2019. Three adjacent property owners attended to learn more about the project. No issues or concerns were raised.

Testimony Given at the Hearing:

Tanner Axt, Case Manager, gave a presentation on the items, including the staff recommendations and conditions.

Commissioner Staley asked for clarifications on the waived buffer locations and widths. Tanner Axt identified the location of the buffer reduction on the PowerPoint and described that the widths of buffers would decrease from 25 feet to 10 feet, meeting the non-street frontage buffers required between industrial uses.

Commissioner Staley then asked about tree coverage and recycled asphalt usage within the vehicle storage area. Mindy Parnes, Planning Manager, explained that vehicle storage is handled like outdoor storage, as opposed to a parking lot, because landscaping rarely survives when located within industrial storage yards. She then stated that recycled asphalt slightly increases permeability and has shown to maintain its integrity with vehicle storage operations. Kristin Tanabe, Engineer, added that code dictates that the applicant is responsible for maintaining a dust-free pavement surface for the life of the facility.

Commissioner Bengen asked for a clarification of Deferrals of Public Improvements (DPI). Kristin Tanabe explained that the DPI allows expansions and improvements of a street to occur all at once, rather than in short individual segments.

Favor Samimi, PO Box 631085, Highlands Ranch, CO, representing the applicant, made himself available for questions. He described that external effects will be minimized by his construction of a 6-foot opaque fence around the site perimeter. He explained that his operations currently occur near Stanley Marketplace and this proposal would allow operations to move to this industrial district off Smith Road.

Commissioner Lyon asked how long vehicles can stay on the property. Mr. Samimi stated that state law limits storage to 60 days, and historically, the applicant only holds vehicles for an average of 45 days. Mr. Samimi then explained that the tow yard primarily holds police impounded vehicles.

William McCay, 19200 Smith Road, Aurora, CO, an adjacent property owner, spoke about his concerns for the project. He stated that he has lived on the unimproved Frank Drive for 20 years. His concerns included the lights that currently shine into his windows at night, the noise of an existing asphalt crusher, worry that hazardous materials leaking from wrecked cars will leech into his well and septic system, the effects of diesel and gasoline fumes, the proposal's affect on traffic in the area, and the security issues associated with a tow yard.

Mr. Samimi addressed Mr. McCays concerns by stating that the current noise and light entering his windows come from other adjacent properties, often operating illegal businesses. He has not begun any operations on the site. He stated that due to the nature of his business, all cars on the lots are operable and tests have confirmed the no hazardous leaching happens at his current location. He then invited Mr. McCay to tour the tow company's existing facility. Commissioner Hettick stated that the submitted photometric plans show minimal lighting spillover onto adjacent properties.

Planning Commission Results

Agenda Item 5c – Site Plan with Waiver

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

Move to approve, with one condition, the Site Plan approval request with a Waiver to Code Section 146-1423 Landscape Site Perimeter Buffers for Non-Street Frontages, because the proposal complies with the requirements of Code Section 146-405(F), for the following reasons:

The proposal:

1. Meets the Aurora Places Industry Hub Placetype.
2. Controls external negative effects on nearby uses.
3. Screens the storage area from view and adjacent residential uses.
4. Provides an internal efficiency of design and accessibility and connectivity to public streets.

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: 5

Votes against the Site Plan: 0

Absent: 1 (Deane)

Vacancies: 1