

Summary of Planning Commission Votes
 Regular Meeting of the Aurora Colorado Planning Commission
 September 25, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	1950 N CHAMBERS CELL FACILITY – REDEVELOPMENT PLAN (Ward II) CASE MANAGER: Dan Osoba APPLICANT: Velocitel Development Application: DA-2177-00 Case Number: 2019-6026-00 General Location: Approximately 264 feet south of the Southwest Corner of the intersection of Chambers Road and Montview Boulevard alignment Condition: 1. Resolution of outstanding technical issues prior to recordation of the redevelopment plan and issuance of any building permits.	Approve with a condition	Approved with a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Deane)	Call-up deadline Oct 21, 2019
5b.	1950 N CHAMBERS CELL FACILITY – HEIGHT WAIVER (Ward II) CASE MANAGER: Dan Osoba APPLICANT: Velocitel Development Application: DA-2177-00 Case Number: 2019-6026-01 General Location: Approximately 264 feet south of the Southwest Corner of the intersection of Chambers Road and Montview Boulevard alignment	Approve	Approved For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Deane)	Call-up deadline Oct 21, 2019
5c.	MURPHY CREEK TOWNHOMES PA 15 – SITE PLAN WITH WAIVER (Ward II) CASE MANAGER: Brandon Cammarata APPLICANT: Toll Brothers Development Application: DA-1250-44 Case Number: 2019-4011-00 General Location: Northwest Corner of E Jewell Avenue and S Flatrock Trail	Approve with a wavier and a condition	Denied For Approval: For Denial: 6 Abstentions: 0 Absent: 1 (Deane)	City Council Meeting date Oct 21, 2019 due to appeal

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: 1950 N CHAMBERS CELL FACILITY REDEVELOPMENT PLAN AND HEIGHT WAIVER
Planning Commission Hearing Date: September 25, 2019
Deadline for City Council Call Up: October 21, 2019
Ward and Council Member: Ward II - Johnston

Project Type: Redevelopment Plan and Height Waiver
DA Number: DA-2177-00
Case Numbers: 2019-6026-01; 2019-6026-00
Location: QS:04J – Approximately 264 feet south of the Southwest Corner of the intersection of Chambers Road and Montview Boulevard
Case Manager: Dan Osoba

Description:

The applicant, Velocitel, is requesting approval of a Redevelopment Plan to construct a 71-foot “monopine” commercial mobile radio service (CMRS) facility and associated ground equipment on an existing 1.23-acre industrial property at 1950 N. Chambers Road. A “monopine” is a stealth telecom facility that has been designed to resemble a pine tree in order to blend in with the adjacent natural environment or man-made setting. The faux pine branches and foliage cover the cell antennae to mitigate visual impacts of the pole and equipment. The subject site is surrounded by industrial land uses to the north and south, warehousing across Helena Street to the east, and single-family residential across the N. Chambers Road right-of-way to the west. This location does not have an existing Site Plan; therefore, the applicant has created a Redevelopment Plan which includes as-built details of the existing site conditions as well as the proposed “monopine” telecom facility, equipment shelter, landscaping and fencing. Freund Plumbing and Heating Contractors currently operate their business out of the building at 1950 N. Chambers Road and the adjacent property directly to the north. The “monopine” and fenced lease area is proposed at the rear of the building.

The site is zoned M-1 Light Industrial Zone District, which permits stealth and non-stealth cell facilities. The proposed “monopine” telecommunication antennae will be located at a maximum height of 65-feet with a 6-foot lightning rod to reach a maximum proposed height of 71-feet. This application was reviewed under the previous zoning code because it was submitted prior to September 21st, 2019 (the effective date of the Unified Development Ordinance). Buildings and structures in the surrounding vicinity are one- or two-stories; however, through pole placement and the “monopine” design, the visual impact of the proposed facility can be mitigated (photo simulations are provided in Exhibit D). The proposed pole location is in the rear of the property behind the existing one-story industrial building. All associated ground mounted equipment will be within an 875 square-foot lease area at the rear of the property and screened from view by a 9-foot wooden fence. Juniper shrubs have been provided adjacent to the lease area as well. The “monopine” pole and lease area are designed to allow space for future co-locations onto this site as encouraged within the CMRS code (Code Section 146-1200).

Seven (7) adjacent property owners and twelve (12) neighborhood associations were notified of the application. No comments were received, and a neighborhood meeting was not held.

Testimony Given at the Hearing:

Dan Osoba, Case Manager, gave a presentation on the items, which included staff recommendations and conditions of approval. The conditions of approval from the Unified Development Ordinance for Site Plans (Section 146-5.4.3.B.2.c.i) and Height Adjustments (Section 146-5.4.4.D.3.c) were read into the record.

Planning Commission Results

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

Move to approve, with a condition, the site plan for a 71-foot “monopine” cell facility and associated ground equipment, because it complies with the requirements of code section 146-5.4.3.B.2.c.i for the following reasons:

1. The proposal is consistent with the Aurora Places Plan goal to provide high-quality and reliable services throughout the city;
2. Does not impact existing city infrastructure and public improvements;
3. Provides an alternative “monopine” cell facility design; and
4. Complies with code section 146-1200 for site selection and design criteria for CMRS facilities.

Approval to be subject to the following condition:

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

Further Discussion:

None

Action Taken: Approved with a Condition

Votes for the Redevelopment Plan: 6

Votes against the Redevelopment Plan: 0

Absent: 1 (Deane)

Abstaining: None

Agenda Item 5b – Height Waiver

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

Move to approve, the Height Adjustment for a 71-foot telecom facility, because it complies with the requirements of Code Section 146-146-5.4.4.D.3.c, for the following reasons:

1. The proposal is compatible with the adjacent industrial zone districts and land uses;
2. Does not negatively cast shadows or inhibit light to surrounding properties due to the placement of the pole in the rear of the site; and
3. Mitigates visual impacts on surrounding properties due to the stealth “monopine” design.

Further Discussion:

None

Action Taken: Approved

Votes for the Height Waiver: 6

Votes against the Height Waiver: 0

Absent: 1 (Deane)

Abstaining: None

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: MURPHY CREEK TOWNHOMES PA-15 –SITE PLAN WITH WAIVER

Planning Commission Hearing Date: September 25, 2019

Deadline for City Council Call Up: October 21, 2019

Ward and Council Member: Ward II

Project Type: Site Plan with Waiver
DA Number: DA-1250-44
Case Number: 2019-4011-00
Location: QS:12V – Northwest Corner of E Jewell Avenue and S Flatrock Trail
Case Manager: Brandon Cammarata

Description:

The applicant, Toll Brothers Inc, is requesting approval of a site plan with one waiver for 174 townhomes on 17.3 acres. The development is located at the northwest corner of Jewell Avenue and Flat Rock Trail and is bounded on the west and north by the Murphy Creek Golf Course.

The proposal includes a loop street that intersects Flat Rock Trail at two locations. Most of the proposed townhomes face the loop street or the golf course. The proposal includes two common green spaces located in the center of the development as well as numerous small “green courts.” A trail connection is proposed at the northwest corner of the development connecting to the existing Murphy Creek trail. An internal sidewalk network connects all homes, open spaces, and the public right-of-way. The internal sidewalk network includes a public walkway along the golf course, connecting the townhomes facing the golf course.

All the proposed townhomes include a two-car garage in the rear, accessed from a shared common drive, and 117 additional parking spaces are proposed throughout the development primarily along on the primary loop street as either on-street parking or small parking areas at entrances to the shared drives.

The townhomes are in groupings that range from four to seven units with two distinct architectural styles, “Craftsman” and “Territorial”. Three color schemes are provided for each style with a total of four distinct floor plans. The buildings meet or exceed building materials requirements with over 30% masonry on facades facing the street, golf course, or other public or common areas. The buildings are all proposed to be two stories. A waiver is requested reducing the rear setback requirement from 10 feet to 5 feet relating to the distance of the garage to the shared drive (Murphy Creek GDP Section 2.1).

The Murphy Creek General Development Plan (GDP) is the primary regulatory document applicable to this proposal. The GDP identifies this site as Planning Area 15 (PA-15) allowing up to 248 multi-family units. The proposal meets all applicable requirements except for the rear setback waiver requested.

Fifteen adjacent property owners and six (6) registered neighborhood organizations were notified of the site plan application. Neighborhood comments were received expressing concern with the townhomes being available a rental product. General concerns also included the setback waiver request and increase in traffic and people and the general design and compact layout. A comment was also received expressing concern over a “chemical plume” originating from the Lowry Landfill Superfund Site. The applicant has provided a response to that concern.

A neighborhood meeting was held before the application was submitted on May 14, 2019. Twenty-three people signed the attendance sheet. The site design shown at that meeting is very similar to the current proposal. Development concerns were identified, such as traffic and drainage. Parking was also a concern identified. In response to the numerous comments about the number of parking spaces, staff worked with the developer to enhance guest parking options.

During the review process concerns arose from neighbors regarding the rental occupancy of the proposed units. All the units will be owned and managed by a single entity, and the occupants will all be renters. Neighbors met with staff on August 16, 2019, to discuss their concerns. The zoning code does not distinguish between rental and owner-occupied units, and the design standards and allowances are the same.

Testimony Given at the Hearing:

Brandon Cammarata, Case Manager, gave a presentation of the item, which included the staff recommendation and a condition of approval.

Darryl Berger, Berger Holdings, 4900 Scottsdale Road, Suite 4900, Scottsdale, AZ, representing the applicant, provided an overview regarding the rental approach and provided examples of similar approaches in other communities. Mr. Berger also provided information on how the rental units are maintained by the property manager.

Greg Saia, Toll Brothers, 10 Inverness Drive East, Englewood, CO, representing the applicant, provided an overview of the design components of the project addressing: trail connections; traffic calming; a 25-foot landscape buffer along the golf course; building design; open space and amenities; detention ponds; parking; and green courts.

Sheila Cox, 1845 S Buchanan Circle, Aurora, CO, spoke in opposition of the item. She stated that she would like to see a fence along the golf course. She expressed that 174 units are too dense, and residents of this proposed development should not be able to use the Murphy Creek Pool because it is overcrowded. She suggested there are not enough services here to support more people and that the units should not be rentals.

Paula Smolen, 24011 E Hawaii Place, Aurora, CO, suggested it is not appropriate to compare other places to Murphy Creek and she is concerned with the lack of services in the area such as bus service and groceries. Ms. Smolen expressed concern about the potential impact of a contamination plume in the area. She felt there was deception regarding communication about the rental component of the project with the neighbors. She expressed dissatisfaction with previous developers in Murphy Creek.

Margaret Sobey, 1403 S Addison Court, Aurora, CO, presented four reasons for the opposition of the project. Ms. Sobey identified deception by the applicant regarding the rental component of the project. She also identified concerns with the rear setback waiver, master HOA issues, and safety concerns regarding the potential impact of a contamination plume in the area.

Planning Commission Results

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

Move to deny the Site Plan and one waiver of Murphy Creek GDP Section 2.1 for a reduction of the rear building setback from 10-feet to 5-feet, for the following reasons:

1. Inadequate existing facilities;
2. Not compatible with city's comprehensive plan;
3. Not compatible with street connectivity goals;
4. Not compatible with design intent of the community; and
5. Not compatible with character of existing neighborhood.

Further Discussion:

Commissioner Staley stated concerns about the lack of connectivity and the lack of a clubhouse or common facility and no clear connection to the golf course clubhouse.

Dan Money, Assistant City Attorney, asked for clarification purposes if the density proposed is permitted in the GDP. Mr. Cammarata answered the density was originally determined for multi-family and the proposed amount is permitted.

Commissioner Lyon stated that the city invested \$10 million in the golf course, and this project is not compatible with the surrounding golf community. He also stated that the architectural design is not of compatible quality and interest; there are too many units and not enough open space to meet the quality of life and open space needs. He suggested a maximum density identified 20 years ago is not necessarily correct for today's market.

Commissioner Jetchick expressed concerns with the lack of shopping in the area for families and the unknown impact on schools. She also indicated that she would like to have affordable housing as a component of the project.

Chairman Bengen stated that rental units need to be placed judiciously. He also has concerns with lack of transportation and shopping to support the proposed rental conditions.

Action Taken: Denied

Votes for the Site Plan: 0

Votes against the Site Plan: 6

Absent: 1 (Deane)

Abstaining: None

Filed: K:\\$DA\1250-44sps.rtf