

Summary of Planning Commission Votes
 Regular Meeting of the Aurora Colorado Planning Commission
 April 24, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p>READY MIX AURORA – GDP AMENDMENT (Ward II) CASE MANAGER: Stepen Rodriguez APPLICANT: Owens Brothers Concrete (Ready Mix) Development Application: DA-2141-00 Case Number: 1991-2011-03 General Location: Southeast Corner of E 2th Avenue and Chambers Road (2500 N Chambers Road) Condition: 1. Resolution of outstanding technical issues prior to recordation of the GDP and issuance of any building permits. 2. Compliance with the Operations Plan.</p>	Approve w/ two conditions	<p>Recommended approval with two conditions For Approval: 6 For Denial: 1 (Bengen) Abstentions: 0 Absent: 0</p>	City Council Meeting Date May 20, 2019
5b.	<p>READY MIX AURORA – SITE PLAN (Ward II) CASE MANAGER: Stepen Rodriguez APPLICANT: Owens Brothers Concrete (Ready Mix) Development Application: DA-2169-00 Case Number: 2000-6025-04 General Location: East of the Southeast Corner of 33rd Avenue and Revere Street (12610 E 33rd Avenue) Condition: 1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits. 2. Compliance with the Operations Plan.</p>	Approve w/ two conditions	<p>Approved with two conditions For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	Call-up deadline May 20, 2019
5c.	<p>CHRISTIAN BROTHERS – SITE PLAN AMENDMENT (Ward V) CASE MANAGER: Stephen Rodriguez APPLICANT: Christian Brothers Automotive Development Application: DA-1811-09 Case Number: 2006-6045-19 General Location: Northeast Corner of Jordan Road and E Arapahoe Road (14755 E Arapahoe Road) Conditions: 1. Site Plan note shall be modified to read, “A maximum of 15 operable vehicles can be parked overnight on the site and any other vehicles on-site shall be stored in bays inside of the building and not on adjacent properties” 2. The applicant will secure off-site remote parking within an industrial zone district within one year to eliminate the need for overflow parking and auto storage.</p>	Recommendation not provided	<p>Approved with two conditions For Approval: 6 For Denial: 1 (Bush) Abstentions: 0 Absent: 0</p>	Call-up deadline May 20, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5d.	ROCKINGHORSE CSP NO 11 – CSP AMENDMENT WITH WAIVER (Ward VI) CASE MANAGER: Heather Lamboy APPLICANT: Nash Inspiration LLC Development Application: DA-1370-35 Case Number: 2017-4018-01 General Location: Southwest Corner of Inspiration Lane and Ignacio Place	N/A	Continued to May 8, 2019	N/A
5e.	MURPHY CREEK EAST – FDP AMENDMENT W/WAIVERS (Ward II) CASE MANAGER: Heather Lamboy APPLICANT: Lennar Development Application: DA-1250-40 Case Number: 2001-7003-02 General Location: South of Jewell Avenue and east of the Flat Rock Trail alignment Conditions: 1. Resolution of outstanding technical issues prior to recordation of the FDP Amendment with Waivers. 2. All townhome lots must have a minimum size of 1,250 square feet. 3. Notification and enhanced vapor mitigation for all residential units. 4. The 5.27-acre park must be constructed with Filing No 3. 5. Both motor courts and green courts shall include different architectural styles and colors between the buildings to provide variety along the streetscape. 6. Compliance with the design standards established in the draft Unified Development Ordinance (UDO)	Approval with four waivers and six conditions	Recommended approval w/ four waivers and six conditions For Approval: 5 For Denial: 0 Abstentions: 0 Absent: 2 (Deane, Harding)	City Council Meeting Date May 20, 2019
5f.	KARIS SITE 225 – SITE PLAN WITH WAIVERS (Ward I) CASE MANAGER: Deborah Bickmire APPLICANT: P-8 D-C Industrial Site 225 Development Application: DA-2172-00 Case Number: 2019-6004-00 General Location: West of I-225 between Smith Road and 38 th Avenue alignment Condition: 1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.	Approve with two waivers and a condition	Approved w/ two waivers and a condition For Approval: 5 For Denial: 0 Abstentions: 0 Absent: 2 (Deane, Harding)	Call-up deadline May 20, 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: READY MIX AURORA - GDP AMDT AND SITE PLAN

Planning Commission Hearing Date: April 24, 2019
GDP Amendment City Council Meeting Date: May 20, 2019
Deadline for City Council Call Up for Site Plan: May 20, 2019
Ward and Council Member: Ward II

Project Type: General Development Plan Amendment and Site Plan
DA Number: DA-2141-00
Case Number(s): 1991-2011-03; 2000-6025-04
Location: QS:03J – Southeast Corner of E 25th Avenue and Chambers Road
(2500 N Chambers Road)
Case Manager: Stephen Rodriguez

Description:

The applicant, Ready Mix Aurora, proposes a General Development Plan (GDP) Amendment and Site Plan to allow a rock/concrete crushing facility on their existing site and to combine two outdated and conflicting Site Plans. The approximate overall 18-acre site is located east of the Chambers Road and the private road known as E 25th Drive intersection and is zoned Planned Development (Batch Plant), which is equivalent to an industrial zoning classification. The site abuts Sand Creek on its southern perimeter and Star K Ranch open space along its eastern boundary. The site is currently home to a concrete batch plant and aggregate stockpile areas that are permitted by the Park Chambers (Ready Mix) GDP and a previous conditional use was granted for the batch plant. A vacant home located on part of the site that is leased is scheduled for demolition.

The proposed Site Plan consolidates both the Owen Brothers Concrete Site Plan and Park Chambers Planned Building Group, which together, constitute the overall Ready Mix site. A revised GDP document eliminating the prohibition of "*Rock/Concrete Crushing Operations*" is also proposed. The owner is proposing the new Site Plan in order to remove existing buildings on site, provide a small office and locate the new crushing facility, if approved. The current GDP and Owens Brothers Concrete Site Plan currently prohibit *Rock/Concrete Crushing Operations* at the site and the applicant is proposing to amend the plans to allow crushing of concrete. The proposed hours of operation are from 6:00 am to 5:00 pm Monday through Saturday, similar to the current hours of existing operations. No stockpiles of concrete, recycled or otherwise is allowed on site.

Access to the site is off of Chambers Road via previously vacated East 25th Drive. The former Idalia Street coming off of East 25th Drive within the site was also vacated. Ready Mix batches concrete on the site and sells the concrete and concrete block from the site. "Come - back concrete", concrete that was not poured at the job site and emptied from trucks, is a by-product of the batch process.

Referrals were sent to registered neighborhood groups within a mile and abutting property owners as required. During the course of various reviews, staff received phone calls from the Norfolk Glen HOA, Morris Heights Neighborhood Association and Laredo Highline HOA,

expressing concerns about the proposal. Concerns ranged from dust and air pollution to overall environmental impacts as well as potential mitigation measures for surrounding neighbors. As a result of the neighborhood concerns, the applicant held a meeting on October 10, 2018 at the Ready Mix site. The meeting was attended by City staff, HOA representatives and Ready Mix. Topics discussed covered current operations, the proposed concrete crushing facility and operations, dust, noise and environmental concerns. The applicant responded to all major concerns raised at the meeting.

After the meeting conducted by Ready Mix, staff received a letter of opposition dated October 17, 2019 from Sherry Stumbaugh, Norfolk Glen HOA.

The Park Chambers PBG/GDP was approved by Planning Commission and City Council in 1983. The document includes site and landscape plans, standards and a subsequent Conditional Use approval (1991) for a batch plant on the site with additional standards and allowed uses. The Owens Brothers Site Plan, approved in 2001, was for a portion of the site to operate concrete related operations. Owens Brothers has since been acquired by Ready Mix who operates the entire site/facility. Several amendments have occurred over time for such items as demolishing buildings, adding a truck rinse off area and storage.

Testimony Given at the Hearing:

Stephen Rodriguez, the Planning Case Manager, gave a presentation on the items, including staff recommendations and conditions to adhere to the Operations Plan.

Commissioner Lyon asked staff about why the note prohibiting concrete crushing on the site was added previously. Mr. Rodriguez responded that it was due to the Norfolk Glen HOA expressing opposition to this use when the original GDP was created.

Commissioner Staley asked staff what specifically the PROS concerns were and Mr. Rodriguez responded, air, water, and wildlife (Bald Eagle's Nest).

Commissioner Hettick asked the applicant why the crushing facility is needed.

Mr. Alex Schatz, Ready Mix, 2500 E Brannan Way, Denver, CO, representing the applicant, responded that it would lessen truck traffic to not have to haul the concrete off-site for crushing and that there would be less impacts with air and dust.

Commissioner Lyon asked the applicant about noise levels for the crushing. Mr. Schatz, responded that a noise study was not required, however, the project would adhere to all noise restriction levels and hours of operation in city code and the Colorado Department of Health and Environment (CDPHE).

Commissioner Staley proceed to ask the applicant about decibel levels at Star K Ranch to the east. Mr. Schatz stated that they did not focus on noise/decibel levels at Star K Ranch.

Chairman Bengen asked the applicant if they have any concrete crushing facilities that they can hold as an example of the proposed operations. Mr. Schatz responded that they do not. Chairman Bengen followed up with a question to staff asking about adherence to the Operations Plan and what would happen if the applicant didn't adhere to it. Staff deferred to city attorney Dan Money who responded that the applicant could be fined or ticketed as a result of Code Enforcement violations.

Chairman Bengen also asked if the applicant knew of any similar facilities that were located close to neighborhoods. Mr. Schatz referenced a specific location in rural Sedalia, CO, that performs concrete crushing, however, he went on to state that the site is not comparable to Aurora in density and neighborhoods.

Planning Commission Results

Agenda Item 5a: General Development Plan (GDP) Amendment

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

Move to recommend approval, with conditions, to the City Council the General Development Plan Amendment because the proposal complies with the requirements of Code Section 146-403(C), for the following reasons:

1. The General Development Plan Amendment as proposed is consistent with the requirements outlined in the GDP for this heavy industrial use.
2. The amendment is consistent with other policies and plan adopted by City Council that restricts hours of operations and dust mitigation.

Approval to be subject to the following conditions:

1. Resolution of outstanding technical issues prior to recordation of the GDP and issuance of any building permits.
2. Compliance with the Operations Plan.

Further Discussion by the Commission

No further discussion occurred.

Action Taken: Recommended Approval with Conditions

Votes for the GDP Amendment: 6

Votes against the GDP Amendment: 1 (Bengen)

Absent: None

Abstaining: None

Agenda Item 5b: Site Plan

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

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

1. The proposal shows internal vehicular circulation.
2. The proposal addresses potential negative effects on surrounding uses.
3. There is a well-defined operations plan that limits hours of operation and dust and spill over controls.
4. The landscape buffer around the site perimeter mitigates potential impacts on the adjacent park's properties.

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.
2. Compliance with the Operations Plan.

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: CHRISTIAN BROTHERS - SITE PLAN AMDT

Planning Commission Hearing Date: April 24, 2019

City Council Meeting Date: May 20, 2019

Ward and Council Member: Ward V

Project Type: Site Plan Amendment

DA Number: DA-1811-09

Case Number: 2006-6045-19

Location: QS:24H – Northeast Corner of Jordan Road and E Arapahoe Road

Case Manager: Stephen Rodriguez

Description:

The applicant, Christian Brothers Automotive, requests approval of a Site Plan amendment to modify an existing Site Plan note prohibiting overnight storage of vehicles on-site. The 0.6 acre site is located near the corner of Arapahoe Road and Jordan Road to the south of the Valley Country Club golf course, and is the last lot on the eastern-most portion of The Shoppes at Arapahoe Commons master planned development. The property is zoned Planned Development – Commercial (B-1).

In 2006, The Shoppes at Arapahoe Commons Vested Master Site Plan was approved, and development standards and guidelines were established for land use, building materials, architecture, landscaping, parking, signage, screening, and open space. The applicant is required to comply with all aspects of the aforementioned master site plan regarding this previously approved Christian Brothers Site Plan Amendment.

On July 25, 2012, the Planning Commission voted to approve with conditions the Christian Brothers Automotive Conditional Use and Site Plan. Subsequently, the project was *called-up* by City Council and heard at the September 10, 2012 Council meeting. Both the Site Plan Amendment and Conditional Use were approved with the same conditions, one of which was a site plan note prohibiting overnight parking/storage of vehicles. The note, *“There will be no outside storage of vehicles on the site”* was added to the Christian Brothers Site Plan and is currently in effect. This limitation was placed at the request of concerned neighbors outside of Aurora in Arapahoe County and Centennial. Also because of the neighborhood commercial designation there were concerns that the use might become more industrial in nature.

Recently, the applicant requested to remove the aforementioned note prohibiting overnight parking on the site. They claim that they were not aware of the prohibition when they agreed to lease the property and are requesting a Site Plan Amendment to remove the note.

Nine neighborhood referral cards were sent out to registered HOAs within a one-mile radius of the property and abutting property owners. Ms. Rhonda Livingston, a concerned citizen, sent in comments and contacted staff expressing opposition to the proposed amendment. In response to her concerns, the applicant met with Ms. Rhonda Livingston on February 7, 2019 to address her concerns. Ms. Livingston provided a letter to staff expressing her opinion of how the meeting went and still opposes the proposed amendment.

Additionally, Ms. Livingston provided to staff 59 photographs of the Christian Brothers and adjacent Good Times overflow parking taken recently. The photos appear to show an inoperable vehicle and lease cars next door at the overflow site; parking on the Christian Brothers site in non-designated parking spots; and vehicles being worked on in the parking lot.

Testimony Given at the Hearing:

Stephen Rodriguez, Case Manager, gave a presentation on the item, including staff recommended conditions to mitigate the parking problem on site and the off-site overflow site.

Commissioner Deane asked for a clarification from Code Enforcement Officer Barry Dombrowski of what constitutes an operable vehicle. Mr. Dombrowski responded that it is a vehicle that is roadworthy, not damaged and is registered. He also went on to discuss when leased vehicles are being transitioned for sale and how they have a special tag to allow them to be operated on the road and still be legal. Mr. Dombrowski went on to state that he counted 36 vehicles in the overflow parking site at the vacated Good Times establishment that very morning and that there were cars parked on the Christian Brothers site that were next to parking islands and not in designated spaces.

Mr. Joe Roos, Christian Brothers, 362 Mountain Cloud Circle, Highlands Ranch, CO, spoke on behalf of Christian Brothers and summarized a variety of charitable activities that Christian Brothers either sponsors or performs.

Mr. Jared Beard, 14755 E Arapahoe Road, Aurora, CO, the applicant, spoke and stated that when he agreed to be a franchisee of Christian Brothers that he did not know about the note on the site plan restricting parking and storage of vehicles overnight on the Christian Brothers site. When the former Good Times site became vacant, Mr. Beard approached the owner and asked to use the site to store overflow cars on the site. City attorney Dan Money asked Mr. Beard if he had a parking agreement with the Good Times owner and Mr. Beard stated that he did.

Rhonda Livingston, 6555 S Jordan Road, Centennial, CO, a Centennial resident, spoke against the proposal. She stated that vehicles are parked in unmarked spaces on the Christian Brothers site and that Mr. Beard's off-site overflow area is packed with vehicles, many of which are inoperable.

Jill Meakins, 6483 S Abilene Street, Centennial, CO, a Centennial resident, spoke against the proposal and noted that there are leased vehicles, unlicensed vehicles, vehicles with expired tags, and inoperable vehicles at the overflow parking site. Ms. Meakins also noted that business owners in the area have noticed the overflow areas and its negative impacts to the area.

Commissioner Hettick stated that he has seen junkyards and that Christian Brothers is not a junkyard. This comment was in response to a previous speakers alluding to Christian Brothers and the overflow site resembling a junk or salvage yard.

Greg Carter, 6699 S Helena Street, Centennial, CO, representing the Valley Country Club, spoke in opposition of the project, commenting that the overflow parking by Christian Brothers amounts to *parking abuse* and negatively affects the surrounding businesses and area.

Sandra Coen, 2761 S Fairax Street, Denver, CO, spoke in support of the item, citing the significant charitability of the company and how much they have helped those in need.

City Attorney Dan Money asked staff about the recommendation to City Council and why the project is required to proceed to City Council (call up) in addition to the Planning Commission. Staff responded that the original Site Plan and Conditional Use application went to Council previously where a condition was attached to the approval to add a note to the Site Plan prohibiting overnight parking on the site. Therefore, it was determined by the Planning Manager that the proposal should proceed to the Planning Commission and City Council, with a recommendation from Planning Commission to the Council for ultimate approval. Mr. Money disagreed and stated that since current city code states that this type of application is heard only at Planning Commission, unless this case is appealed or called up, then the Planning Commission is the deciding body and not City Council.

Planning Commission Results

Agenda Item 5c: Site Plan Amendment

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

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

1. The proposal will mitigate external negative effects on surrounding properties.

Approval to be subject to the following conditions:

1. Site Plan note shall be modified to read, "*A maximum of 15 operable vehicles can be parked overnight on the site and any other vehicles on-site shall be stored in bays inside of the building and not on adjacent properties.*"
2. The applicant will secure off-site remote parking within an industrial zone district within one year to eliminate the need for overflow parking and auto storage.

Further Discussion by the Commission

No further discussion occurred.

Action Taken: Approved with Conditions

Votes for the Site Plan Amendment: 6

Votes against the Site Plan Amendment: 1

Absent: None

Abstaining: None

The Planning Commission took at recess at 7:41 p.m. and Dexter Harding left the meeting. Meeting was resumed at 7:49 p.m.

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: MURPHY CREEK EAST - FDP AMENDMENT W/WAIVERS

Planning Commission Hearing Date: April 24, 2019

City Council Meeting Date: May 20, 2019

Ward and Council Member: Ward II

Project Type: Framework Development Plan Amendment with Waivers

DA Number: DA-1250-40

Case Number(s): 2001-7003-02

Location: QS:13U,3V,14U,14V – South of Jewell Avenue and East of the
Flat Rock Trail alignment

Case Manager: Heather Lamboy

Description:

The applicant, Murphy Creek LLC, represented by Lennar Homes and Norris Design, proposes a Framework Development Plan (FDP) amendment to reconfigure the infrastructure and update the Public Improvement Plan and to request waivers to reduce minimum lot size requirements, increase the percentage of permitted small lots, and modify new motor court and “green court” configurations. The 171-acre master planned area is generally located between E Jewell Avenue on the north and E Yale Avenue on the south and is bounded by S Flat Rock Trail on the west and S Harvest Mile Road with a Public Service Company 210-foot utility corridor along the eastern property line.

The proposed FDP Amendment will permit both single-family detached residential homes as well as townhomes on the approximately 171-acre site. The current FDP was approved in 2002. Some of the road and utility infrastructure was installed at that time, but no homes have been constructed. Additionally, a 10-acre school site was dedicated to Aurora Public Schools at that time. The maximum permitted density for the previously-approved FDP was 894 units, of which 631 were will be designated for single-family detached and the rest was identified as multi-family housing. Approximately 15 acres of open space, trails, and parks were designated and will remain.

The applicant is proposing to change the composition of housing types with an overall density of 870 units with only single-family detached and attached products, eliminating the multi-family components. These housing types will include front-loaded single-family homes, motor courts with single-family homes, townhomes fronting streets and townhomes fronting “green courts.” The project will be phased, and public improvements, such as the construction of roadways, parks and the installation of utilities, have been identified for each phase. For the detached single-family housing, the applicant is proposing “cottage” motor court lots that vary between approximately 2,500 and 2,900 square feet, and small (45’x110’), medium (50’x110’) and large (60’x110’) lots. The total number of small lots (lots less than 55’ in width) proposed is 552. While the applicant is requesting waivers to the current code, the intent is to comply with updated code requirements based on Unified Development Ordinance (UDO) lot sizes. Existing code limits the percentage of small lots to 35%. Please note in the proposed UDO, only lots less than 50 feet and 4500 square feet will be considered “small.” The number of small lots cannot exceed 50%, and if they do, enhanced architectural standards and percentage of lot types will have to be vetted through the individual Contextual Site Plans.

Another component of the FDP Amendment is the update of the Public Improvement Plan, which outlines triggers and phasing for infrastructure and park improvements in Murphy Creek East.

Twenty-eight (28) adjacent property owners and three (3) registered neighborhood organizations within one mile of the project were notified. A substantial number of neighborhood comments were received during the review process. Concern was expressed with the desire for the quality of the housing to be consistent with the existing homes in Murphy Creek North, traffic impacts, and site design. Concern was also expressed regarding the small lot sizes. Graphics were presented at the neighborhood meeting held on December 11, 2018 (which are illustrated below). To be consistent with the Murphy Creek neighborhood design theme, the homes are designed utilizing “Country Farmhouse”, “Craftsman/Bungalow,” “Prairie,” “Colorado Rustic,” and “Denver Cottage/Tudor Style” themes.

Prior to submittal of the application for the FDP Amendment, one neighborhood meeting was held on December 11, 2018 to discuss the project. The neighborhood expressed concern with the need for the quality of the proposed development to be similar to the existing Murphy Creek development. Additional concerns included traffic impacts and architectural design and building quality. There were additional inquiries about the Aurora Public Schools plan for the dedicated school site, potential impacts from the Lowry Landfill plume, and Metro District responsibilities.

The proposed waivers are to the current Zoning Code. There has been ongoing discussion regarding the update of the Zoning Code, and proposals regarding permitted lot sizes given the new housing products that are being offered, including those on green courts, motor courts, paired homes, and smaller lots.

Waiver Request	Existing Code	Proposed UDO	Proposed
Lot Size – Standard Lots	Standard Lots 60’ x 100’, 57’x100’ with detached sidewalk and tree lawn	Standard Lots 50’ x 90’ (Min lot area 4,500 square feet)	276*
Lot Size – Small Lots	Small Lots less than 55’ in width	Motor Courts: -2,500 to 2,900 square feet Detached Single Family Single-Family Lots (not Motor Court): -Less than 50’ in width or less than 4,500 square feet	276* Motor Courts will comply with UDO
Lot Size - Townhomes	Table 14.1, varies based on buffer and incentive features	1, 250 square feet	1,190 square feet (interior with 1-car garage) Cannot be smaller than 1,250 square feet – recommend commitment to minimum lot size 1330 square feet (interior with 2-car garage) 2,345 square feet (end unit not facing

Waiver Request	Existing Code	Proposed UDO	Proposed
			street) 2,520 square feet (end unit facing street) -Average of 1,477 square feet
Setbacks – Single Family Detached Standard	Front: 20’ Side: 5’ Rear: 20’	Front: House – 15 feet Garage – 20 feet Side: 5’ or building code Rear: 10’	Comply with proposed UDO
Setbacks – Single Family Detached Small	Front: -20’ to nearest front-loaded garage door -8’ to nearest side-loaded garage door Side: 5’ Rear: 15’	Front: -10 feet to house -18 feet to garage Side: 5’ or building code Rear: 10’	Comply with proposed UDO
Setbacks – Single Family Attached	Table 14.1-varies based on buffer width and incentive features Standard Design: 10-20’ Xeric Design: 6’-12’	Front: 10ft to 20 feet, 5’ to front porch Side: 0’ interior; 5’ detached side, 10’ abutting local street Rear, alley loaded: 5’	Comply with proposed UDO

Total Lots: 870

Small Lots: 552 (current code)

*Approximate figures, engineering and detailed site planning may slightly affect the number of lots. Each Contextual Site Plan will comply the UDO standards. No more than 50% of lots can be small lots.

- Green courts are a new product type and with the UDO additional detail on how to define Green Courts has been developed.
 - The defining features of the Green Court as part of the proposed UDO are generally as follows:
 - i. Green Court open space shall be 30 feet wide or as per code standards;
 - ii. Both ends of the Green Court open space have frontage on a public street;
 - iii. Each Green Court Dwelling development shall have direct frontage on and pedestrian access to a street;
 - iv. End units of each group of attached Green Court Dwellings shall abut a public or private street;
 - v. At least 50 percent of the Green Court open space area shall be landscaped and shall be designed to accommodate foot traffic and play areas;
 - vi. All Green Court Dwellings shall have front entry features (porches or stoops) fronting on a Green Court open space or a street;

- vii. Utilities should be located outside the central Green Court open space area;
- viii. Maintenance and management of common areas shall be provided by a homeowners' association or other similar entity;
- ix. All standards in Section 146-4.5 (Access and Connectivity) apply to Green Court dwellings.

The applicant has expressed a commitment to these standards and has provided design standards as they relate to the Green Courts in the FDP Amendment. Design details will be reviewed as part of the Contextual Site Plan for the townhomes.

Testimony Given at the Hearing:

Heather Lamboy, the Planning Case Manager, gave a presentation on the item, including staff recommendation and conditions.

Commissioner Lyon asked for clarification of the required notices referred to in Condition #3. Ms. Lamboy explained the notice is disclosed at the time of sale regarding the adjacency to the landfill and the potential and environmental impacts. Commissioner Lyon asked if it was of staff's opinion that the proposal has a high level of architectural quality as is required by the design guidelines. Ms. Lamboy answered yes and further stated that the applicant has set a high level of design standards as part of the Framework Development Plan Amendment, which will be enforced during the Contextual Site Plan review process.

Commissioner Lyon stated that Murphy Creek is a golf course community and that to neighbors there is a compatibility issue but there is a difference between "being different" from what is existing and being compatible with what is there now. He also acknowledged that the housing market has changed since the beginning of the development of Murphy Creek in the early 2000s. He asked staff for their thoughts on development being different and compatible. Ms. Lamboy answered that the proposal is compatible because there is an existing single-family attached development at the entrance of Murphy Creek North. Multi-family development was always originally planned for two planning areas in Murphy Creek East. As a new housing product type, the motor court homes are different, but designed in a manner to be compatible.

Chairman Bengen stated that several neighborhood comments that were included in the back-up materials a reference to senior housing was mentioned, but he did not see anything in the materials that stated that senior housing was planned. Ms. Lamboy answered that the product type could be attractive to seniors, but there are no regulations or controls for senior housing only in this proposal.

Commissioner Staley asked for staff to point out the commercial nodes for the FDP. Ms. Lamboy answered there are no commercial nodes associated with this FDP but were part of the overall Murphy Creek Plan, she demonstrated the location of the planned nodes and noted other properties that have been allocated for commercial development.

Commissioner Staley asked if there is any attention being taken to orientation of homes for solar access. Ms. Lamboy answered that level of detail is not addressed in the FDP. Commissioner Staley asked if the park located next to the school site will a private or public park. Ms. Lamboy stated that the park planned adjacent to the school will be part of a neighborhood activity center and will be a private park maintained by the metro district but will probably be open to the public.

Commissioner Deane asked if there are any plans in the FDP establishing retail in the area. Ms. Lamboy explained that retail and restaurants are market driven and is not mandatory.

Bill Mahar, Norris Design, 1101 Bannock Street, Denver, CO, representing the applicant, gave a presentation of the item.

Commissioner Deane asked about the environmental assessment and what was tested for. Mr. Mahar explained that the assessment was a Stage One assessment which is a standard approach. The assessment found that there are no imminent dangers. The applicant will be providing notices of the landfills to buyers with any other mandatory disclosures.

Commissioner Lyon asked if the small lots will accommodate the architectural styles being proposed. Mr. Mahar answered affirmatively.

Commissioner Deane left the meeting at 8:26 p.m.

Commissioner Staley asked the applicant if they believed that they will be providing enough parks and open space for the density being proposed. Mr. Mahar answered the applicant is meeting the requirements set forth by the city of Aurora. Mr. Mahar also explained the additional amenities that will be part of the community.

Chairman Bengen asked if the Commission will be reviewing the future site plan for this proposal. Ms. Lamboy stated that typically, the site plans for this area are approved administratively so long as waivers do not exceed 10% of requirements or an appeal is filed by an abutting property owner.

Bonnie Rader, 71 Algonquian Street Aurora, CO, spoke in opposition, citing concerns regarding, the Denver Arapahoe Disposal Site (DADS) and the flow of contaminants along the Murphy Creek paleo channel from the south.

Richard Rader, 71 Algonquian Street Aurora, CO, spoke in opposition, also expressing concerns regarding the DADS and the need to promote healthy communities. He also expressed the need for the project to comply with the original design standards.

Jon Barber, 25144 E 2nd Avenue, Aurora, CO, spoke in opposition, expressing concerns regarding radon mitigation, the need for retail establishments in the area and the traffic on Gun Club Road and the lack of infrastructure to support the existing heavy traffic.

Edith Henke, 25501 E 2nd Place, Aurora, CO, spoke for Paula Smolen who was unable to attend due to illness, expressed concerns regarding the excessive waivers being requested and the project not being compatible with the existing development.

Lynn Swanson, 1595 S DeGaulle Way, Aurora, CO, spoke in opposition, citing concerns regarding the design standards of the proposal and the disregard for the original vision for the area.

Jessica Reed, 24560 E Jewell Avenue, Aurora, CO, spoke in opposition, also expressing concerns regarding safety hazards along Gun Club Road because of the heavy traffic and the lack of public safety services.

Lane Lyon, 5892 Boston Court, Denver, CO, a local realtor, spoke in support of the item. He stated that the home buyers of today are interested in the housing types that the proposal is offering because they are smaller homes with less yard and lower price points.

Margaret Sobey, 1403 S Addison Court, Aurora, CO, spoke in opposition, citing the applicant's lack of response to community concerns during the review process and the lack of updated materials being made to the public. Ms. Sobey also commented that approving a plan that is in

conformance with the new Unified Development Ordinance before it is adopted is not right and noted that the proposal is not compatible or consistent with the existing development in Murphy Creek.

Dave Schriener, 24211 E Wyoming Place, Aurora, CO, representing the Murphy Creek Metro District No 2, spoke in opposition, citing that the proposal is not compatible with the existing golf course community of Murphy Creek. Current residents are not excited about the proposal and see it as a potential liability to their lifestyles and home values. The lack of infrastructure to support the increase in traffic and schools was also a concern.

Planning Commission Results

Agenda Item 5e: Framework Development Plan with Waivers

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

Move to recommend approval, with conditions, to the City Council the Framework Development Plan with waivers to Section 146-1101 Lot Size Requirements and Percentage of Small Lots; Section 146-1102 Building Setbacks; Section 146-1108 Motor Courts; and Section 146-2001 Green Courts for the following reasons:

1. The proposal is reflective of the “Emerging Neighborhood” Placetype by including a variety of housing types, with higher-density housing located at the neighborhood edges; by organizing the neighborhood around the central park and school, and utilizes a street pattern that balances traffic flow with safe pedestrian and bicycle connectivity.
2. The proposal is consistent with the E-470 corridor district intent and purpose statements.
3. The proposal is consistent with the proposed Unified Development Ordinance standards, policies and plans.

Approval to be subject to the following conditions:

1. Resolution of outstanding technical issues prior to recordation of the FDP Amendment with Waivers.
2. All townhome lots must have a minimum size of 1,250 square feet.
3. Notification and enhanced vapor mitigation for all residential units.
4. The 5.27-acre park must be constructed with Filing No 3.
5. Both Motor Courts and Green Courts shall include different architectural styles and colors between the buildings to provide variety along the streetscape.
6. Compliance with the design standards established in the draft Unified Development Ordinance.

Further Discussion by the Commission

In its deliberation, members of the Planning Commission commented that the mix of housing types was attractive, and that the utilization of architectural guidelines would help to ensure a quality of architecture that is compatible and comparable with Murphy Creek North. A commission member lamented the fact that the area still lacks convenient commercial opportunities for the residents of Murphy Creek and adjoining neighborhoods.

Action Taken: Recommended Approval with Four Waivers and Six Conditions

Votes for the Site Plan: 5

Votes against the Site Plan: 0

Absent: 2 (Harding & Deane)

Abstaining: None

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: KARIS SITE 225 - SITE PLAN W/WAIVERS

Planning Commission Hearing Date: April 24, 2019
Deadline for City Council Call Up: May 20, 2019
Ward and Council Member: Ward II

Project Type: Site Plan with Waivers
DA Number: DA-2172-00
Case Number: 2019-6004-00
Location: QS:01F – West of I-225 between Smith Road and 38th Avenue alignment
Case Manager: Deborah Bickmire

Description:

The applicant, P8 D-C Industrial Site 225, proposes a Site Plan for a 142,900 square-foot industrial building on 14.6 acres. The undeveloped site is zoned M-3 (Heavy Industrial) and is immediately adjacent to the I-225 right-of-way to the east, Union Pacific Railroad right-of-way to the south, warehouse/industrial uses to the west, and a warehouse/distribution development in the City and County of Denver to the north.

The proposed development consists of a single spec building of approximately 142,900 square feet with 26 loading bays that will be able to accommodate up to four separate tenants. Permitted uses in the M-3 zone district include warehouse/distribution, manufacturing, office, and equipment repair or rental.

Two areas comprising approximately 5.3 acres on the north and south ends of the site are designated for outdoor storage. Access to the site will be from E. 37th Place and E. 37th Avenue, both located along the site's western boundary. The applicant will be responsible for ensuring the extension of 37th Avenue to the site from Wheeling Street.

The building will be constructed of tilt-up concrete, painted in warm gray tones. The building includes color blocking, reveals, varied roof lines, glazed windows and metal accents. Primary entrances are located on the east and west facades, with the dock doors oriented north and south. A total of 114 parking spaces, including 8 accessible spaces, are provided for customer parking on the east and west sides of the site.

The two outdoor storage areas will have a gravel surface with a paved 23-foot firelane. The storage areas will be screened by a combination of landscaping and a six-foot composite fence. Chain link is proposed on interior lot lines and along the interior of the composite fence for security reasons. Waivers are requested to allow for a reduction in the required setback from I-225 and to allow the eastern landscape buffer to be located on the inside of a 6-foot composite fence where adjacent to the vehicle parking area.

Eight abutting property owners and two registered homeowner associations within one mile of the location received a referral. One comment was received from Anadarko, a mineral interests holder, objecting to the approval of a development plan until the applicant enters into an agreement regarding surface use. No neighborhood meeting was held.

Testimony Given at the Hearing:

Rolf Anderson, 319½ W. State St., Geneva, IL 60134, representing the applicant, explained they were proposing a Class A distribution center on the formerly government controlled property. Commissioner Hettick asked what types of material would be stored outdoors. Mr. Anderson responded there would be goods and commodities such as building supplies and/or large mechanical equipment.

Planning Commission Results

Agenda Item 5f: - Site Plan with Waivers

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

Move to approve, with a condition, the Site Plan with waivers to Code Section 146-1424, Table 14.1 to allow the landscape buffer on the inside of the fence and Code Section 146-405(F), for the following reasons:

1. The proposal is consistent with the Aurora Places "Industrial Hub" Placetype and adjacent development.
2. The proposal provides internal efficiency of design.
3. The proposal establishes a high quality of urban design and building architecture.

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

Chairman Bengen asked Assistant City Attorney, Dan Money, if the Commission was required to consider a condition of approval per the Anadarko objection. Mr. Money explained that, per state law, the matter was private because the site is not within the Greater Wattenburg area and the Commission did not have to act on the request.

Action Taken: Approved with Two Waivers and a Condition

Votes for the Site Plan: 5

Votes against the Site Plan: 0

Absent: 2 (Harding, Deane)

Abstaining: None