

Summary of Planning and Zoning Commission Votes
Regular Meeting of the Aurora Colorado Planning Commission
August 26, 2020

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p>FITZSIMONS GDP AMENDMENT NO 9 – GDP AMENDMENT CASE MANAGER: Heather Lamboy APPLICANT: Fitzsimons Redevelopment Authority Development Application: DA-1233-56 Case Number: 1998-2011-12 General Location: North of Montview Boulevard between N Peoria Street and N Fitzsimons Parkway Condition: 1. Resolution of outstanding technical issues prior to recordation of the General Development Plan Amendment and issuance of any building permits.</p>	Approve w/a condition	<p>Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	City Council Meeting date Sept 21, 2020
5b.	<p>STARBUCKS AT AURORA MALL PLAZA WEST – CONDITIONAL USE (Ward III) CASE MANAGER: Christopher Johnson APPLICANT: River Rock Real Estate Group Development Application: DA-1277-05 Case Number: 1984-6034-18 General Location: Southwest Corner of E Alameda Avenue and Potomac Street</p>	Approve	<p>Approved For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	Call-up deadline Sept 21, 2020
5c.	<p>STARBUCKS AT AURORA MALL PLAZA WEST – SITE PLAN WITH AN ADJUSTMENT (Ward III) CASE MANAGER: Christopher Johnson APPLICANT: River Rock Real Estate Group Development Application: DA-1277-05 Case Number: 1984-6034-19 General Location: Southwest Corner of E Alameda Avenue and Potomac Street Condition: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.</p>	Approve w/a condition	<p>Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	Call-up deadline Sept 21, 2020
5d.	<p>XCEL/ADONEA – INITIAL ZONING (Ward II) CASE MANAGER: Ryan Loomis APPLICANT: Clayton Properties Group II Development Application: DA-2236-00 Case Number: 2020-2003-00 General Location: West side of Powhaton Road between 6th Avenue and Alameda Avenue</p>	Approve	<p>Approved For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	City Council Meeting date Sept 14, 2020

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5e.	BEER GARDEN ON DAYTON – CONDITIONAL USE FOR OUTDOOR RECREATION AND ENTERTAINMENT (Ward I) CASE MANAGER: Sarah Wile APPLICANT: 2323 Dayton LLC Development Application: DA-2179-00 Case Number: 2019-6024-01 General Location: Southwest Corner of 23 rd Avenue and Dayton Street (2323 Dayton Street) Condition: 1. All volleyball and bocce ball activities shall end by 11:00 pm, and all outdoor activity area lighting shall be turned off by 11:10 pm	Approve w/a condition	Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Sept 21, 2020
5f.	BEER GARDEN ON DAYTON – CONDITIONAL USE FOR A BAR AND TAVERN (Ward I) CASE MANAGER: Sarah Wile APPLICANT: 2323 Dayton LLC Development Application: DA-2179-00 Case Number: 2019-6024-02 General Location: Southwest Corner of 23 rd Avenue and Dayton Street (2323 Dayton Street)	Approve	Approved For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Sept 21, 2020
5g.	BEER GARDEN ON DAYTON – CONDITIONAL USE FOR AFTER HOURS ENTERTAINMENT (Ward I) CASE MANAGER: Sarah Wile APPLICANT: 2323 Dayton LLC Development Application: DA-2179-00 Case Number: 2019-6024-03 General Location: Southwest Corner of 23 rd Avenue and Dayton Street (2323 Dayton Street) Condition: 1. All exterior sound systems shall be turned off by 9:00 pm	Approve w/a condition	Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Sept 21, 2020
5h.	BEER GARDEN ON DAYTON – SITE PLAN (Ward I) CASE MANAGER: Sarah Wile APPLICANT: 2323 Dayton LLC Development Application: DA-2179-00 Case Number: 2019-6024-00 General Location: Southwest Corner of 23 rd Avenue and Dayton Street (2323 Dayton Street) Condition: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.	Approve w/a condition	Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0	Call-up deadline Sept 21, 2020

PLEASE NOTE:* Planning Commission approvals and denials are always listed in terms of the APPLICANT'S original request, regardless of whether the Commission's motion was phrased as a motion to approve or to deny. For example, Commission members voting FOR a motion to ACHIEVE deny approval are listed as voting for "denial".

** City Council hearing dates listed are preliminary—final dates may be subject to change.

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: FITZSIMONS GDP AMENDMENT No 9

Planning Commission Hearing Date: August 26, 2020

City Council Meeting Date: September 21, 2020

Ward: I

Project Type: General Development Plan Amendment
DA Number: DA-1233-46
Case Number(s): 1998-2011-12
Location: QS:03E,03F – North of Montview between N Peoria Street and N Fitzsimons Parkway
Case Manager: Heather Lamboy

The applicant, the Fitzsimons Redevelopment Authority (FRA), proposes to amend the previously approved Fitzsimons Innovation Campus GDP (FIC) (GDP), to allow for interim surface parking as a Conditional Use. The proposed GDP Amendment No. 9 contains approximately 184 acres of land and is bounded by Peoria Street to the west, Fitzsimons Parkway to the north and east, and Montview Boulevard to the south. The development, to be re-coined as the “Fitzsimons Innovation Community,” is envisioned to become a hub for bio-medical and non-bio medical innovative businesses that builds upon and supports the functions at the AnschutzMedical Campus to the south.

With the proposed GDP Amendment, the intent is to retain the current prohibition of surface parking lots; however, the use table will be modified to allow for interim surface parking in response to a need for parking facilities for UCHealth as the medical campus continues to be developed. It is anticipated that, as the FIC continues to develop, the interim parking lot will be replaced by a parking garage on the Anschutz Medical Campus. The Anschutz Medical Campus is expanding at a rapid rate, including the construction of a new 12-story tower that is currently underway. According to a UCHealth parking study, approximately 22% of parking complaints is due to insufficient parking. UCHealth approached the Fitzsimons Redevelopment Authority (FRA) and requested to partner with the FRA to provide a long-term lease for an interim parking lot on FIC campus. A series of parking garages are planned on the UCHealth campus within the next 3-5 years, but an interim parking solution was necessary.

The proposal includes design guidelines, which will be implemented by the FRA’s Design Review Board (DRB). Furthermore, the amount of time permitted for an interim parking lot has a maximum of 10 years. It is likely, given the pace of development on the campus, that there will be the need for development on that site around the conclusion of the 10-year timeframe.

The proposed interim use will provide for the opportunity to support the further development of the Anschutz Medical Campus which helps to address rising healthcare needs in the region. As a major research institution, UCHealth is a leader in the region for innovative healthcare practices, and the many clinical trials performed there help to contribute to the development of medicines and treatments for a wide variety of health issues. As UCHealth grows, so will the FIC’s critical bioscience research facilities that support the mission of improved healthcare.

GDP’s Vision Statement: “The Fitzsimons Innovation Campus (FIC) is envisioned to become the most advanced and vibrant Innovation Campus in Colorado, attracting both bio-medical and non-bio medical innovators. The Fitzsimons Redevelopment Authority (FRA) recognizes that to attract the best and brightest innovators who will shape the future, the physical design of a successful campus must reflect the beliefs and culture of the innovators themselves. The characteristics of an innovation campus are distinct and unique from conventional real estate development. The objective is to create an urban research and office campus unique to Colorado that will attract bio-medical and other research companies that will benefit from proximity to the Anschutz Medical Campus. Innovative office and research uses will be at the core of the program, with retail and residential uses occurring in limited amounts in locations farther from the Anschutz Medical Campus and closer to the Light-Rail Transit Station.”

The original Fitzsimons Army Medical Center GDP extends from Colfax Avenue to Sand Creek Park and Peoria Street to Fitzsimons Parkway and was one of the very first annexations into the City of Aurora in 1944. The property was abandoned as a federal installation in 1997 and subsequently came under the ownership of the University of Colorado and the Fitzsimons Redevelopment Authority.

The very first General Development Plan was established in 1998 and encompassed the entire campus including the University Hospital and the Bioscience Park. This GDP was very general, primarily establishing the land use categories therein. Over the years, there have been amendments which related mostly to identifying the required infrastructure improvements and changes in the GDP zoning classifications to enable the development of the Fitzsimons Commons, a mixed-use development north of Montview. The most recent amendment was approved in 2016 which addressed permitted residential development surrounding the Fitzsimons 21 project to provide for more housing opportunity on-campus. Since then, one of the sites has been developed with 234 apartments, which is known as The Fremont.

This proposed GDP Amendment No. 9 is associated only with land area associated with the Fitzsimons Innovation Campus, now coined as the Fitzsimons Innovation Community, bounded by Peoria Street to the west, Fitzsimons Parkway to the north and east, and Montview Boulevard to the south. The 21 Fitzsimons development (existing mixed-use apartment community) and Federal Reserve properties are excluded from this amendment, as well as portions of the city-owned facilities located in the northeast corner of the property.

Testimony Given at the Hearing:

Heather Lamboy, Case Manager, gave a presentation of the item including the staff recommendation.

Commissioner Bush asked for clarification as to the different entities that own land north of Montview Boulevard. Ms. Lamboy explained all the different entities that owned land in that area.

Commissioner Jetchick inquired as to where a parking lot is proposed. Ms. Lamboy clarified that the topic is related to the GDP Amendment, and according to the proposed amendment, a parking lot could be feasibly located in any area that is contained within the GDP. Ms. Lamboy clarified that an application for a site plan has been submitted, which would be subject to the new GDP standards. Commissioner Jetchick asked whether a shuttle would be provided for employees since nurses and other staff's shifts end late at night. Ms. Lamboy responded that UCHHealth will be providing shuttles for their employees and added that there is already an existing shuttle that circulates on the campus.

Commissioner Lyon asked for some clarification on the proposed land uses in the different planning areas. He also asked about the design standards for the proposed parking lot specifically as to whether they would be paved lots. Ms. Lamboy answered that they would be paved, and substantial landscape buffering will be required to reduce the overall visual impact.

Commissioner Hogan asked about the enforcement of the 10-year time period. Ms. Lamboy responded that the user would have to request another conditional use hearing for a time extension.

Lyle Artz, Fitzsimons Redevelopment Authority, 12635 E Montview Boulevard, Suite 100, Aurora, CO, representing the applicant, stated that the proposed design standards will be implemented by the Fitzsimons Design Review Board and all surface lots will be paved. He commented about the timing of road improvements on the campus, noting that projects that are either proposed or expected will complete 23rd Avenue from Scranton Parkway to S Peoria Street within the next 6-12 months. Chair Lyon asked Mr. Artz whether any of the FIC land has been sold to the University of Colorado and Mr. Artz responded yes.

Planning Commission Results

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

Move to recommend approval of the Fitzsimons Innovation Campus General Development Plan Amendment to the City Council, because the proposal complies with the requirements of Code Section 146-5.4.1.3.c. of the Unified Development Ordinance for the following reasons:

1. The PD Amendment is required because a changed circumstance that requires additional interim parking on campus as it is developed and is consistent with the spirit and intent of the Aurora Places Innovation District and Urban District in which this project is sited.

2. Internal connectivity is distributed through an organized street network that is established by the GDP.
3. A greater level of design is ensured through the Fitzsimons Design Guidelines which are implemented through review by the Fitzsimons Design Review Board.
4. The PD provides for an integrated system of open spaces and parks that has been already established by the adopted GDP.

Approval to be subject to the following condition:

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

Further Discussion:

No further discussion occurred.

Action Taken: Approved with a Condition

Votes for the GDP Amendment: 7

Votes against the GDP Amendment: 0

Absent: None

Abstaining: None

Planning Department
City of Aurora, Colorado

SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: STARBUCKS AT AURORA MALL PLAZA WEST

Planning Commission Hearing Date: August 26, 2020
Deadline for City Council Call Up: September 21, 2020
Ward: Ward III

Project Type: Conditional Use and Site Plan with an Adjustment
DA Number: DA-1277-05
Case Number(s): 1984-6034-18; 1984-6034-19
Location: QS:09F – Southwest Corner of E Alameda Avenue and Potomac Street
Case Manager: Christopher Johnson

The applicant, Michael Coleman with River Rock Real Estate Group, is requesting approval of a Site Plan for a 2,200 square-foot stand-alone coffee shop building. A Conditional Use request is also part of this application to permit an accessory drive-through in a MU-C zone district. The subject site is located within a larger approximately 7.8-acre site which currently houses a multi-tenant retail center known as the Aurora Mall Plaza West Shopping Center. The existing retail center is located on the southwest corner of Alameda Avenue and Potomac Street. The retail center is zoned MU-C as well as land to the east across Potomac Street, with Parks & Open Space (Bicentennial Park) zoning to the north, and the Aurora Hills subdivision, which is zoned R-2 Medium Density District to the west and south of the shopping center.

The existing retail building is an L-shaped strip commercial building with approximately 80,000 square feet. The new building is proposed to front Alameda Avenue to the west of the existing gas station. The proposed building will be clad predominantly with a metal panel rain screen having a simulated wood slat finish appearance accented with a tile wainscot. Steel siding is used as an accent to screen any roof-top equipment, roof access ladder, and utility connections at the rear of the building.

The proposal is within the existing parking lot resulting in a minor reduction of parking spaces for the overall retail center of less than 10%. The reduction meets the criteria for administrative approval of a minor parking reduction and is supported by staff (UDO Section 146-5.4.4.F). An adjustment to Section 146-3.3.6.E.5 is also being requested. This code section requires drive-up or drive-through facilities to be located to the side or rear of the primary building and not between the façade of the building and the street. This proposal includes a drive-through lane between the building and the street. Staff is supportive of this adjustment request with the many proposed improvements to walkability and pedestrian safety on the site. In addition, the proposed drive-through configuration limits the loss of parking and provides adequate queuing for cars, which benefits the overall site.

Eleven (11) registered neighborhood organizations and twenty-one (21) adjacent property owners were notified of the site plan application. Comments were received from 2 outside agencies. There were no comments received from community members and a neighborhood meeting was not held.

Testimony Given at the Hearing:

Christopher Johnson, case manager, gave a presentation of the item, including the staff recommendations.

Commissioner Hogan asked staff about the potential for alcohol sales and whether that would be proposed at this location. Mr. Johnson explained that if that becomes a plan of the applicant's in the future, the applicant would have to apply for and receive the appropriate tavern business license for their business operations. Furthermore, Mr. Johnson explained that while alcohol sales is a permitted use in the MU-C zone district, but that in the event there is a requirement for a Conditional Use request due to the proximity of this location to residential zoning, the project would have to request approval from the Planning and Zoning Commission again.

Planning Commission Results

Agenda Item 5b: Conditional Use for a Drive-Through in a MU-C Zone District

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

Move to approve the Conditional Use request for a Drive-Through in a MU-C Zone District because the proposal complies with the requirements of Code Section 146-5.4.3.A.3 of the Unified Development Ordinance for the following reasons:

1. Complies with all applicable standards, regulations, and plans which affect the property.
2. Is consistent with the size, scale, and intensity of uses and the surrounding area.
3. Will have no negative impact on existing city infrastructure or public improvements.
4. Will not result in the dislocation of existing tenants.
5. Adequately mitigates adverse external impacts through site design.

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 7

Votes against the Conditional Use: 0

Absent: None

Abstaining: None

Agenda Item 5c: Site Plan with an Adjustment

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

Move to approve, with one condition, the Site Plan with an Adjustment to Section 146-3.3.6.E.5 because the proposal complies with the requirements of Code Section 146-5.4.3.B.2.c of the Unified Development Ordinance for the following reasons:

1. The proposed use is identified as a supporting land use in the Established Neighborhood Placetype in the Aurora Places Plan.
2. The project complies with all applicable standards, plans, and conditions which affect the property.
3. The project will have no negative impact on City infrastructure and public improvements.
4. The proposal is compatible with surrounding commercial retail land uses.

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 Conditions

Votes for the Site Plan w/Adjustment: 7

Votes against the Site Plan w/Adjustment: 0

Absent: None

Abstaining: None

Condition:

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

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: XCEL/ADONEA

Planning Commission Hearing Date: August 26, 2020
City Council Meeting Date: September 14, 2020
Ward: Ward II

Project Type: Initial Zoning
DA Number: DA-2236-00
Case Number(s): 2020-2003-00
Location: QS: 07X,08X – West side of Powhaton between E 6th Avenue and E Alameda Avenue
Case Manager: Ryan Loomis

Xcel Energy (Public Service Company of Colorado) is requesting an initial zoning to Residential – Medium Density District (R-2) for approximately 25.65 acres of undeveloped land located west of Powhaton Road and between E. 6th Avenue to the north and E. Alameda Avenue to the south. This 210-foot wide strip of land is currently within Arapahoe County and is used as a utility transmission corridor. This initial zoning request is being requested alongside an annexation for the same area and is an enclave surrounded by properties already within city boundaries. All surrounding properties are currently zoned Residential – Medium Density District.

This proposed initial zoning and related annexation would result consistent zoning and jurisdiction in this developing area. Consistent zoning and jurisdiction help to clarify expectations for development responsibilities, as well as maintenance of public infrastructure and provision of services.

The proposed zone district (R-2) is compatible with the surrounding zoning and the construction of neighborhood streets for connectivity purposes is consistent with the goals outlined for the Emerging Neighborhood Placetype in Aurora Places.

Twenty-nine adjacent property owners and three registered neighborhood organizations were notified of the application. No comments were received throughout the review process and no neighborhood meeting was held.

Testimony Given at the Hearing:

Ryan Loomis, Case Manager, gave a presentation of the item, including the staff recommendation.

No questions were asked by Planning Commissioners.

Applicant did not provide a presentation but were available to answer any questions. No questions were asked.

Planning Commission Results

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

Move to recommend approval to the City Council the Initial Zoning to the R-2 Residential – Medium Density District in accordance with Section 146-5.4.1.C of the Unified Development Ordinance for the following reasons:

1. The initial zoning is required due to the annexation of the Xcel Energy property for the construction of four public roadways.
2. The proposed zoning district is supported by Aurora Places as part of the “Emerging Neighborhood” Placetype and helps meet the goals for completely connected street networks in developing areas.
3. No new traffic impacts are associated with this initial zoning as it will remain a utility corridor with street crossings and will not be developed.
4. The initial zoning will be a benefit to the surrounding neighborhoods by allowing for completed street networks. There will be no dislocations of tenants or occupants.

Further Discussion:

No further discussion occurred.

Action Taken: Recommended Approval

Votes for the Initial Zoning: 7

Votes against the Initial Zoning: 0

Absent: None

Abstaining: None

Filed: K:\\$DA\2236-00sps.rtf

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: BEER GARDEN ON DAYTON

Planning Commission Hearing Date: August 26, 2020
Deadline for City Council Call Up: September 21, 2020
Ward: Ward I

Project Type: Site Plan and Conditional Uses
DA Number: DA-2179-00
Case Number(s): 2019-6024-00; 2019-6024-01; 2019-6024-02; 2019-6024-03
Location: QS:03A – Northwest Corner of 23rd Avenue and Dayton Street
Case Manager: Sarah Wile

The applicant, Justin Henry, is requesting approval of a Site Plan for the adaptive reuse of a vacant site into a restaurant and bar with an outdoor patio, volleyball courts, and bocce ball courts. Three Conditional Uses are also requested as part of the application to allow an outdoor recreation use, a bar and tavern use, and an after-hours entertainment use on the site. The 0.93-acre property is located at the northwest corner of Dayton Street and 23rd Avenue and is within the (MU-OA-G) Mixed-Use Original Aurora – General District. The south half of the site is undeveloped, and the north half of the site was formerly the home of American Legion Post 23, which has since moved into a different building near Buckley Air Force Base. Surrounding uses are primarily commercial (automotive and office) in nature with the exception of multi-family apartments to the south.

The existing two-story, 5,060 square-foot building is situated on the northern portion of the site. The restaurant and bar will be on the first floor of the building and the second-story will be unoccupied at this time. A parking lot with 33 spaces is located just south of the building. Although this parking lot is existing, it is being redone to comply with circulation, parking design, and landscape requirements. Just west of the building and parking lot, a 12,000 square-foot outdoor seating area is proposed. On the southern portion of the site, the existing dirt lot will be converted to an outdoor recreation area with three volleyball courts and two bocce ball courts. As part of this redevelopment project, the applicant is also proposing to upgrade the interior of the building, add landscaping, widen sidewalks surrounding the site, and improve the exterior of the building by adding architectural features and removing the existing mansard roof.

Nine adjacent property owners and five registered neighborhood organizations were notified of the application. Three written comments were received with the initial submittal of the application in June 2019. One comment was from an adjacent property owner, one was from a nearby resident in Denver, and one was from the neighborhood organization that represents the area. The comments expressed concerns regarding noise, traffic, parking, hours of operation, and lighting. Based on the number of comments received, staff recommended that the applicant reach out directly to the individuals who submitted comments to discuss the plans and share how any concerns will be mitigated. No additional comments have been received as part of subsequent submittals. Staff is recommending that conditions be placed on two of the Conditional Uses to address the concerns that were raised. Notes reflecting these conditions will be added to the Site Plan to ensure that they can be enforced by Code Enforcement.

Testimony Given at the Hearing:

Sarah Wile, Case Manager, gave a presentation on the items, including the staff recommendations.

Commissioner Bengen asked Ms. Wile whether interior noise is regulated like exterior noise. Ms. Wile stated that all noise is measured the same, whether inside or outside of the building. The applicant will be required to comply with the maximum decibels based on the adjacent land uses.

Commissioner Bengen asked Ms. Wile what types of things would cause Code Enforcement to come to the bar. Ms. Wile stated that enforcement is typically complaint-based and is usually in response to noise or policy activity. The management of the bar is important to being a good neighbor.

Commissioner Turcios asked Ms. Wile for clarification on whether the proposed restrictions on hours for outdoor recreation and exterior sound would apply just on weeknights or every day. Ms. Wile stated that the recommended conditions would apply all days of the week.

Commissioner Bengen asked Ms. Wile whether the noise from the outdoor recreation (volleyball and bocce ball games) would be subject to enforcement by Code Enforcement. Ms. Wile stated that this is subject to enforcement, but commissioners can always modify the proposed conditions to impose further restrictions.

Commissioner Gaiser asked Ms. Wile whether the second floor will be rented out and if there is access to this area. Ms. Wile stated that there will be a bathroom on the second floor, but it will be unoccupied besides that because it was cost prohibitive to make this area meet Building Code requirements. If they wish to rent it out in the future, this would be a separate approval process.

Greg Howes, R3 Design Architecture, 355 Bellaire Court, Broomfield, CO 80020, the architect representing the applicant, clarified that the restaurant and bar will be on the first floor and the second floor will be unoccupied. It is possible that there could be an office use on the second floor eventually, but modifications would need to be made to the building.

Justin Henry, 2323 Dayton Street, Aurora, CO 80010, the applicant on the project, gave a presentation. He noted that the majority of his business occurs during daylight hours and it will be a family-friendly facility. There will be family hours for the outdoor spaces for kids to play. They will have a full kitchen and will be serving full meals, as well as children's meals. There will be a roughly 50/50 split on food and alcohol sales. The reason he is requesting to keep it open until 2:00 am is for patrons who work shifts, such as hospital or service-industry workers. He also clarified that the outdoor sound system will consist of several small speakers and will not be very loud, so they shouldn't be an issue for neighbors.

Commissioner Gaiser asked Mr. Henry where alcohol will be permitted on the site. Mr. Henry stated that it will be allowed within the building and within the outdoor patio and recreation areas. The outdoor areas will be fenced in so that no one can exit the property with alcohol.

Commissioner Hogan asked Mr. Henry if he followed up with Nadine Caldwell regarding the initial letter that was sent in. Mr. Henry stated that he met with her one-on-one and talked through any concerns with her.

Planning Commission Results

Agenda Item 5e: Conditional Use for Outdoor Recreation and Entertainment

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

Move to approve, with one condition, the Conditional Use request for an outdoor recreation and entertainment use in the MU-OA-G District because the proposal complies with the requirements of Section 146-5.4.3.A of the Unified Development Ordinance for the following reasons:

1. The use complies with all standards in the UDO.
2. The use has minimal impacts on existing city infrastructure.
3. The use will not change the character of the surrounding area.
4. The use mitigates impacts on the surrounding area to the degree practicable.

Approval to be subject to the following condition:

1. All volleyball and bocce ball activities shall end by 11:00 pm, and all outdoor activity area lighting shall be turned off by 11:10 pm.

Further Discussion:

No further discussion occurred.

Action Taken: Approved with a Condition

Votes for the Conditional Use: 7

Votes against the Conditional Use: 0

Absent: None

Abstaining: None

Agenda Item 5f: Conditional Use for a Bar and Tavern

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

Move to approve the Conditional Use request for a bar and tavern use in the MU-OA-G District because the proposal complies with the requirements of Section 146-5.4.3.A of the Unified Development Ordinance for the following reasons:

1. The use is consistent with the vision outlined for Original Aurora in Aurora Places;
2. The size and scale of the use are compatible with existing and planned development;
3. The use will not change the character of the surrounding area; and
4. The use mitigates impacts on the surrounding area to the degree practicable.

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 7

Votes against the Conditional Use: 0

Absent: None

Abstaining: None

Agenda Item 5g: Conditional Use for After-Hours Entertainment

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

Move to approve, with one condition, the Conditional Use request for after-hours entertainment in the MU-OA-G District because the proposal complies with the requirements of Section 146-5.4.3.A of the Unified Development Ordinance for the following reasons:

1. The use is consistent with the vision outlined for Original Aurora in Aurora Places;
2. The size and scale of the use are compatible with existing and planned development;
3. The use will not change the character of the surrounding area; and
4. The use mitigates impacts on the surrounding area to the degree practicable.

Approval to be subject to the following condition:

1. All exterior sound systems shall be turned off by 9:00 pm.

Further Discussion:

No further discussion occurred.

Action Taken: Approved with a Condition

Votes for the Conditional Use: 7

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Agenda Item 5h: Site Plan

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

Move to approve, with one condition, the Site Plan because the proposal complies with the requirements of Section 146-5.4.3.2.B of the Unified Development Ordinance for the following reasons:

1. The Site Plan enhances the existing city infrastructure;
2. The Site Plan provides for internal efficiency of design and pedestrian circulation;
3. The Site Plan improves the building architecture and urban design features of the site;
4. The Site Plan provides multi-modal accessibility and connectivity; and
5. The Site Plan meets the intent of the "Original Aurora" designation in Aurora Places.

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: 7

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Filed: K:\\$DA\2179-00sps.rtf