

Summary of Planning and Zoning Commission Votes
 Regular Meeting of the Aurora Colorado Planning Commission
 April 22, 2020

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	CULVER'S OF AURORA – CONDITIONAL USE (Ward IV) CASE MANAGER: Christopher Johnson APPLICANT: Lu Sisters, LLC Development Application: DA-1238-04 Case Number: 1979-6047-29 General Location: Approximately 340 feet south of the intersection of S Buckley Road and Mexico Avenue	Approve	Approved For Approval: 5 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 2	Call-up deadline Next two Council meetings
5b.	CULVER'S OF AURORA – MAJOR SITE PLAN (Ward IV) CASE MANAGER: Christopher Johnson APPLICANT: Lu Sisters, LLC Development Application: DA-1238-04 Case Number: 1979-6047-28 General Location: Approximately 340 feet south of the intersection of S Buckley Road and Mexico Avenue 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 w/ a condition For Approval: 5 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 2	Call-up deadline Next two Council meetings

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

Project Name: CULVER'S OF AURORA

Planning Commission Hearing Date: April 22, 2020
Deadline for City Council Call Up: Next two Council Meetings
Ward: Ward II

Project Type: Conditional Use and Major Site Plan
DA Number: DA-1238-04
Case Number(s): 1979-6047-28; 1979-6047-29
Location: QS:12L – Approximately 340 feet south of the intersection of Buckley Road and Mexico Avenue
Case Manager: Christopher Johnson

Description:

The applicant, Yan McCarley, is requesting approval of a Site Plan for a 4,300 square-foot Culver's restaurant franchise location. A Conditional Use request is also part of this application to permit a drive-through in a MU-C zone district. The approximately .87-acre site is located approximately 350 feet south of the intersection of Buckley Road and E Mexico Avenue in the Aurora Highlands Shopping Center. The subject site is surrounded by MU-C zoning to the north, east, and south, which include a variety of restaurants and retail in the existing shopping center. To the west of this site, across Buckley Road, is the Horseshoe Park Neighborhood which is zoned R-1 (Low Density Single-Family District). There are no adjustment requests associated with this project.

This proposal is located at the site of a former Safeway Fueling Station, which has since been demolished. The restaurant is proposed to be 4,300 square-feet with an outdoor patio and a drive-through window for to-go service. The building will be constructed of cultured stone and 3-coat stucco of various shades, with storefront glazing and metal accent canopies. The building has been designed and placed within the site so that the drive-through window and stacking lanes are behind the building away from the street, which adheres to the use-specific standards of the UDO. Circulation will be provided around the building and new connections will be made to the existing shopping center. This development will involve off-site improvements and restriping to the shopping center parking lot to ensure circulation throughout the wider site.

Twenty-three (23) registered neighborhood organizations and six (6) 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 Bengen asked if all the necessary environmental remediation had been completed, given that the proposed restaurant would be built on the site of a former gas station. Mr. Johnson stated that all environmental remediation, including the removal of subsurface tanks, was done during the demolition of the gas station.

Commissioner Jetchick asked about whether sight triangles were included on the plans, as they were not visible on the version she was reviewing. Mr. Johnson and staff member Briana Medema, with Traffic Engineering, explained what symbol on the plans represented the sight triangles and that if there were any errors with sight triangles the corrections could be completed during the technical review period following the hearing.

Krysta Houtchens, Entitlement and Engineering Solution, 501 S Cherry Street, Suite 300, Glendale, CO, the applicant's representative, stated that she and the applicant team were available to answer any questions that the Commission may have. Ms. Houtchens also reiterated that environmental remediation of the site had been completed and they had documentation of this to provide if need be.

Planning Commission Results

Agenda Item 5a – Conditional Use

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

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 for the following reasons:

The proposal:

1. Complies with all applicable standards, regulations, and plans which affect the property;
2. Is consistent with the size, scale and intensity of the surrounding area;
3. Will have no negative impact on existing city infrastructure or public improvements;
4. Will have no result in the dislocation of existing tenants; and
5. Adequately mitigates adverse external impacts through site design.

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 5

Votes against the Conditional Use: 0

Absent: None

Abstaining: None

Vacancies: 2

Agenda Item 5b – Major Site Plan

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

Move to approve, with one condition, the Major Site Plan, because the proposal complies with the requirements of Code Section 146-5.4.3.B.2.c for the following reasons:

1. The project complies with all applicable standards, plans and conditions which affect the property;
2. The proposed use is identified as a supporting land use in the Established Neighborhood Placetype in the Aurora Places Plan;
3. There is sufficient capacity with existing City infrastructure and public improvements to accommodate the development; and
4. The proposal is compatible with surrounding 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 one condition

Votes for the Site Plan: 5

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Vacancies: 2