

Summary of Planning and Zoning Commission Votes  
Regular Meeting of the Aurora Colorado Planning Commission  
May 27, 2020

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p><b>EAST BEND – PRELIMINARY PLAT W/ADJUSTMENT (Ward II)</b>            CASE MANAGER: Ryan Loomis APPLICANT: Richmond American Homes of Colorado Inc            Development Application: DA-2218-00 Case Number: 2019-4024-00            General Location: Northeast Corner of S Tower Road and S Andes Circle (1680 S Tower Rd)            Condition:            1. Resolution of outstanding technical issues prior to recordation of the Preliminary Plat and issuance of any building permits.</p>	Approve w/a condition	<p><b>Approved w/a condition</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up deadline            June 22, 2020</p>
5b.	<p><b>SUNBELT AURORA – SITE PLAN (Ward II)</b>            CASE MANAGER: Ryan Loomis APPLICANT: MPV Properties            Development Application: DA-2222-00 Case Number: 2020-6004-00            General Location: Northwest Corner of Tower Road and 22<sup>nd</sup> Avenue            Condition:            1. The resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.</p>	Approve w/a condition	<p><b>Approved w/a condition</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up deadline            June 22, 2020</p>
5c.	<p><b>THE SHOPS AT PARKER AND PEORIA – CONDITIONAL USE (Ward IV)</b>            CASE MANAGER: Liz Fuselier APPLICANT: Galloway and Company            Development Application: DA-1713-04 Case Number: 2006-6001-04            General Location: Northwest Corner of S Parker Road and S Peoria Street (3105 S Peoria St)            Condition:            1. Subject to the approval of the Site Plan Amendment by the Planning and Zoning Commission.</p>	Approve w/a condition	<p><b>Approved w/a condition</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up deadline            June 22, 2020</p>
5d.	<p><b>THE SHOPS AT PARKER AND PEORIA – SITE PLAN AMENDMENT (Ward IV)</b>            CASE MANAGER: Liz Fuselier APPLICANT: Galloway and Company            Development Application: DA-1713-04 Case Number: 2006-6001-03            General Location: Northwest Corner of S Parker Road and S Peoria Street (3105 S Peoria St)            Condition:            1. The resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.</p>	Approve w/a condition	<p><b>Approved w/a condition</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up deadline            June 22, 2020</p>

**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: EAST BEND**

Planning Commission Hearing Date: May 27, 2020  
Deadline for City Council Call Up: June 22, 2020  
Ward: Ward II

Project Type: Preliminary Plat with Adjustment  
DA Number: DA-2218-00  
Case Number(s): 2019-4024-00  
Location: QS:12N –Intersection of Tower Road and S. Andes Circle  
Case Manager: Ryan Loomis

**Description:**

The applicant, Richmond American Homes of Colorado, Inc., is requesting approval of a Preliminary Plat for 92 duplex homes and an adjustment to reduce the rear setback on some of the lots. The 10.3-acre property is located east of S Tower Road and about a half mile north of Iliff Avenue. S Andes Circle surrounds the project site along the east side of the development and intersects with S Tower Road at two locations. The property, which is shaped like a semi-circle, is currently undeveloped within the Mixed-Use-Neighborhood (MU-N) District, which permits two-family (duplex) dwelling units. The property is surrounded predominantly by single-family residential within the Low Density Residential (R-1) District. There is also a church (Tower Community Fellowship) south of the site.

The duplex homes are alley-loaded, with building frontages facing S Tower Road, S Andes Circle and a new north-south street proposed to bisect the project site. The new street will be designed to meet street standards, with sidewalks and curbside landscaping on both sides, and the alleys will be between 20 and 24 feet in width. The duplex units will have attached two-car garages and many of the homes will have an 18-foot deep driveway for guest parking. An Adjustment is requested to reduce the rear setback to 5 feet for four of the lots. The project provides both off-street and on-street parking along the private street, as well as along South Andes Circle.

Twenty-one (21) registered neighborhood organizations and thirty-two (32) adjacent property owners were notified of the Preliminary Plat application. Comments were received from 2 outside agencies. There were three comments received from community members and a neighborhood meeting was held on March 3, 2020, however there were no attendees.

**Testimony Given at the Hearing:**

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

Commissioner Gaiser asked who makes the responses to the neighborhood comments. Mr. Loomis responded that the applicant responds to neighborhood comments when they submit the next submission.

Commissioner Gaiser asked about the concern with prairie dogs on the property and how they will be removed from the site. Mr. Loomis replied that the applicant is provided a policy on prairie dog removal based on provisions per Colorado law.

Commissioner Gaiser asked why there is a private street in the new development. Mr. Loomis explained that duplexes need to front a public or private street because otherwise the units would be considered Green Courts, which are not allowed in the MU-N zoning district. Commissioner Gaiser further asked why the private street is not a public street. Kristine Tanabe, Public Works, stated that it was determined by the City Engineer and Director of Public Works that because this street will not be servicing any other neighborhood it should be a private street. Reduction for the width of Andes Circle was supported by City Engineer as well.

Commissioner Hogan mentioned that in the staff report there is reference to a street vacation for the reduction of S. Andes Circle to be decided by City Council at a later hearing. She asked if the street vacation is not approved if it will have an impact on the site plan. Mr. Loomis responded that it would have an impact because the front setbacks are required to be 20 feet along S. Andes Circle. Mr. Loomis explained that if the Street Vacation is denied, the Preliminary Plat would need to come back to Planning Commission requesting an adjustment for reduced front yard setbacks. Brandon Cammarata, Planning Manager, concurred with Mr. Loomis and stated that the project would need to be reconfigured if the Street Vacation is denied by City Council. Ms. Tanabe also stated that Public Works supports the reduction and stated that an 85-foot right-of-way is not needed for S. Andes Circle.

Anthony Files, Terracina Design, 10200 E Girard Avenue, Building A, Suite 314, Denver, CO, did not have a presentation but said he was excited about the new neighborhood and was available for any questions.

Commissioner Jetchick asked if the homes were for-sale product and if there will be any formation of a metropolitan district. Mr. Files responded stating that the development is market rate for sale and that an HOA will be established for maintenance of public spaces and the private street.

Commissioner Lyon explained the city's position and policies for prairie dogs. He stated that the treatment is governed by the Colorado Division of Wildlife, and that the applicant will ensure that they are dealt with according to the policy.

Commissioner Gaiser noted that an environmentalist will need to look at the colony to make sure there are no burrowing owls on the site.

Commissioner Bush asked Assistant City Attorney Dan Money to address the consequences to adhering to suggestions regarding the prairie dogs. Mr. Money said the applicant would need to get the permits necessary, and explained cases where municipalities were sued. Commissioner Bush asked if there are any consequences by the city and asked if there is a liability if the dogs are not removed and they move to another property. Mr. Money stated there is no real liability, anybody can sue but that the City has immunity. Commissioner Bush asked if the applicant is liable. Mr. Money responded that it would be on a case by case basis and that he could not make that judgement or give legal advice to the applicant.

Commissioner Lyon asked the applicant how they will be dealing with the prairie dogs. Mr. Files responded that they will work with the Colorado Wildlife division before working on the site.

Mr. Cammarata read an email from Mr. & Mrs. Kevin Anderson into the record. Their concerns included deterioration of the neighborhood due to increased traffic, noise, density, and crime, which became more noticeable with the construction of Brookhaven Condominiums to the east. They mentioned that currently there is year-round illegal fireworks, cars speeding, drug dealings and shootings. They also stated that the amenities and infrastructure in the area are already overtaxed.

Jeff Pauley, 18891 E Oregon Drive, Aurora, CO spoke and said he was glad that development is being done at the site. Mr. Pauley voiced concerns regarding drainage and would like the traffic signal to be on the southern intersection of S. Andes Circle and Tower Road instead of the north intersection to have reduced speeds along Tower Road. Mr. Pauley also mentioned concerns with street parking and stated that the families that move to the new subdivision will have more than two cars, and cars will have to park on both sides of the street. He stated that the narrowing of S. Andes Circle could pose a problem.

Ms. Tanabe responded to the drainage question and said the site is meeting all the requirements for detention and water quality, because of the adjacency to creek the detention pond will be of benefit to the sites drainage.

Brianna Medema, Public Works, commented on the traffic questions. Ms. Medema stated that the location of the traffic signal was specifically examined during the review process, and that because of the site design, the location of the traffic light where currently proposed will meet the warrants for federal grants much faster than at the other intersection according to the traffic study conducted. Mr. Loomis explained that the parking to be provided exceeds the requirements, and that 425 spaces are being proposed.

Syd Stamper, 18789 E Oregon Drive, Aurora, CO asked if any of the duplex units will be low income or Section 8. Mr. Files indicated that the units will all be for sale and be market rate.

Mr. Cammarata read an email from Tim Adams of 18822 E Oregon Drive, Aurora, CO. The questions included:

1. What is the family size of the development area?
2. How will traffic issue be addressed adding that many units to a small area. Quote "I know the development on Liff Ave/Tower with all the apartments and houses, which has better access out of their facilities versus what this small section will entail.
3. Will there be light installation on either side of Andes Circle and Tower Road?
4. What about the traffic situation on Colorado Ave going toward Dunkirk Street? Many cars already use this and traffic does not pay attention of speed – already too dangerous – how will the city respond to this?

Kory Cook, 1794 S Cathay Street, Aurora, CO voiced concerns regarding density, and stated that 92 units is a large amount of families. He was also concerned about on-street parking and impacts to visibility due to the curve of the S Andes Circle, especially during the winter and disposal of snow along S Andes Circle at the intersections with Tower Road. He said the placement of traffic signal does make sense. He also voiced a concern regarding traffic from the development on to Colorado Road to access Dunkirk Street.

Commissioner Jetchick stated that the MU-N zoning does not allow single-family detached, only attached. Mr. Cammarata said duplexes are permitted.

Mr. Cammarata read an email from Mr. Mike Foley into the record. Mr. Foley stated that he wants the property to remain as commercial due to traffic concerns.

Commissioner Lyon asked what the zoning was. Mr. Cammarata said the property is zoned MU-N, which allows both residential and commercial and that the proposal is within the parameters.

Anne Howe, 1479 S Biscay Court, Aurora, CO stated that she has seen owls in the neighborhood so that may indicate there is nesting within the holes left behind by the prairie dogs. Ms. Howe asked will the metro district be created just for East Bend. She also voiced concerns regarding drainage and water flowing down Bahama Street from the nearby church property.

Ms. Tanabe stated that this project does not address drainage from the church and further explained that the East Bend project is meeting all the requirements for the drainage flows and explained the drainage outfall.

Mr. Files noted that a homeowners association will be established for this neighborhood and will be responsible for maintaining all public areas as well as snow removal. A metro district will not be formed.

James Blain, 1883 E Colorado Drive, Aurora, CO asked the following questions:

1. Will area residents be able to view the HOA documents before the development is approved/denied?
2. Will this development target Section 8 residents? What will be the rules regarding subleasing the residences?
3. What has the developer determined for the local school impact? Number of students per grade, what are the current capacity for those grades?
4. What is the targeted resident age group? Demographics being targeted?
5. What is the target income range?
6. What other local planned or in-process developments may be adding to the school burden?
7. If the south part of Andes Circle is narrowed, this limits the in/out access at Tower Road. At present, there is room for two lanes to turn right or left onto Tower Road. Does the narrowing of Andes at this location eliminate the two "exit" lanes?
8. How does this development change the snow-clearing effort of the city on Andes Circle (which to this point has been inconsistent)?
9. There are utility boxes on the south side of Andes Circle (on the church side of the property) that continues to be built out. This can be difficult for motorists to see over or around. How will these utility boxes be affected with the new development?

10. What will be the city rule regarding on-street parking? Will street parking be allowed at any locations on S Andes Circle?

11. Will this development have walls along South Andes Circle?

Ms. Medema stated that there will be stop signs and explained their locations.

Mr. Loomis stated that there will not be a wall along S Andes Circle, there will not be a fence canyon along that street.

Mr. Files stated that the school district did not indicate that there would be a negative impact on the local schools with the addition of these homes. He further stated that the demographics to be targeted are first-time homebuyers and empty nesters who are downsizing. Commissioner Lyon stated that a homeowner could rent their home to another party, and Mr. Cammarata concurred.

Mr. Cammarata read an email from Lora Smith into the record, which asked the following questions: Are the homeowners that are facing Andes Circle going to be required to install new fences because of this new construction? Is Richmond going to pay for it? Who will be responsible for all the trash that is going to be left behind by the many new residents? How high will the units be? Will they be able to look down into our backyards?

Mr. Cammarata stated that no fences along existing properties will be built.

Mr. Loomis stated that the maximum height for the proposed homes is 31 feet.

### **Planning Commission Results**

Agenda Item 5a – Preliminary Plat with Adjustment

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

Move to approve, with one condition, the Preliminary Plat with one Adjustment for a reduced rear setback for Lots 23, 24, 33 and 34, because the proposal complies with the requirements of Code Section 146-5.4.A.3.b and Code Section 146-5.4.4.D.3 of the Unified Development Ordinance because the proposal:

1. Meets the intent of the “Established Neighborhood” designation in Aurora Places and promotes compatibility with the established neighborhood.
2. Complies with the applicable standards in the UDO.
3. Enhances the existing city infrastructure by constructing new sidewalks and contributing funds for a future traffic signal at the north intersection of South Tower Road and South Andes Circle.
4. Provides for internal efficiency of design and pedestrian circulation.
5. Creates no material adverse impact on abutting lots and provides for adequate on-site parking.
6. Promotes compatibility with established neighborhood.
7. Provides for internal efficiency of design and adequate pedestrian circulation.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the Preliminary Plat and issuance of any building permit.

### **Further Discussion:**

No further discussion occurred.

Action Taken: Approved with a Condition

Votes for the Preliminary Plat with Adjustment: 7

Votes against the Preliminary Plat with Adjustment: 0

Absent: None

Abstaining: None

Planning Department  
City of Aurora, Colorado

## **SUMMARY OF PLANNING COMMISSION ACTIONS**

**Project Name: SUNBELT AURORA - SITE PLAN**

Planning Commission Hearing Date: May 27, 2020  
Deadline for City Council Call Up: June 22, 2020  
Ward: Ward II

Project Type: Site Plan  
DA Number: DA-2222-00  
Case Number(s): 2020-6004-00  
Location: Northwest Corner of Tower Road and 22<sup>nd</sup> Avenue  
Case Manager: Ryan Loomis

**Description:**

The applicant, MPV Properties, is requesting approval of a Site Plan for a 13,827 square-foot equipment rental and repair building and approximately 40,000 square-feet of outdoor storage for Sunbelt Rentals. The 5.13-acre property is located at the northwest corner of N Tower Road and E 22<sup>nd</sup> Avenue. The property is undeveloped and is within the Industrial District (I-2). The property is bordered by the High Line Canal to the north and west, vacant land to the east across Tower Road, and an existing industrial building to the south across 22<sup>nd</sup> Avenue. A residential district (R-1) is located within 300 feet of the property to the southeast, which triggers Planning and Zoning Commission approval. The property is within the Industrial Hub Placetype, which includes areas typically dedicated to manufacturing, warehousing, distribution, fulfillment centers, freight operations and renewable energy enterprises.

The proposed development includes a single building that will be situated within the west-central portion of the project site. Sunbelt Rentals is an equipment rental and repair facility that provides commercial rentals of small construction equipment. This site will include an indoor facility with office space, a conference room, a public retail and rental space, and maintenance bays for equipment maintenance and repair. The site also includes a secure, fenced outdoor storage yard for the rental equipment. The types of equipment likely to be stored on-site includes scissor lifts, small forklifts, small earth moving machinery, air compressors, generators, and other general construction tools. Rental equipment will be loaded onto trailers in the morning and delivered to contractors, with occasional rental of smaller equipment to the general public for home projects throughout the day.

Three (3) adjacent property owners and five (5) 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 staff recommendation.

No questions were asked by Planning Commissioners.

Applicant did not provide a presentation but mentioned they were available to answer any questions.

## **Planning Commission Results**

### Agenda Item 5b – Major Site Plan

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

Move to approve, with a condition, the Site Plan because the proposal complies with the requirements of Code Section 146-5.4.3.B.2.c.i of the Unified Development Ordinance, because the proposal:

1. Complies with the requirements of the Unified Development Ordinance and meets the intent of the Industrial Hub Placetype;
2. Improves existing city infrastructure;
3. Protects environmentally-sensitive areas adjacent to the site;
4. Maintains access to transit; and
5. Mitigates impacts on surrounding areas by providing quality building design and architecture and adequate buffering through landscape design.

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 Major Site Plan: 7

Votes against the Major Site Plan: 0

Absent: None

Abstaining: None

Planning Department  
City of Aurora, Colorado

## **SUMMARY OF PLANNING COMMISSION ACTIONS**

**Project Name: THE SHOPS AT PARKER AND PEORIA**

Planning Commission Hearing Date: May 27, 2020  
Deadline for City Council Call Up: June 22, 2020  
Ward: Ward IV

Project Type: Conditional Use and Site Plan Amendment  
DA Number: DA-1713-04  
Case Number(s): 2006-6001-03; 2006-6001-04  
Location: Northwest Corner of S Parker Road and S Peoria Street (3105 S Peoria Street)  
Case Manager: Liz Fuselier

**Description:**

The applicant, Galloway and Company, is requesting approval of a Conditional Use and a Site Plan Amendment for a drive-thru Interactive Teller Machine (ENT), which is similar to an ATM but provides additional services to customers. The subject site is located on 1.22 acres at the northwest corner of S Parker Road and S Peoria Street, at the southern end of The Shops at Parker and Peoria multi-tenant retail center. Access will be provided from the existing entrance from Peoria Street. The property is zoned MU-C (Mixed-Use Corridor) within the Subarea A Character Area. The site is within an Urban District Placetype.

The project will include the construction of an ITM or “interactive” video conference feature teller machine which will allow customers to deposit or withdraw money as well as receive assistance from a bank employee while remaining in their cars. The project includes a drive-thru with dedicated queuing for five cars while retaining onsite parking for 51 vehicles to serve the retail center. The ITM will be accessible 24 hours/7 days per week.

Site improvements associated with the development will include removing an existing landscape island and several parking spaces, and installing a new landscape island, drive-thru ITM station, screen wall and landscape material. Site lighting and utilities will remain intact, along with the existing pedestrian circulation. Parking and landscaping will be replaced to maintain the existing approved standards of the Site Plan document. The drive-thru lane is screened with landscaping and a low wall to minimize the effects of the queuing cars on nearby rights-of-way.

Two (2) adjacent property owners, sixteen (16) neighborhood associations and seven (7) agencies were notified of the application. No comments were received, and a neighborhood meeting was not held.

**Testimony Given at the Hearing:**

Liz Fuselier, Case Manager, gave a presentation of the items including staff recommendations.

Aaron McLean, Galloway and Company, 6162 S Willow Drive, Suite 320, Greenwood Village, CO, gave a presentation of the items. Ent Credit Union is taking over the end cap of this building and will have the ITM kiosk as an accessory use to the bricks and mortar bank.

Jenny Romano, Galloway and Company, 6162 S Willow Drive, Suite 320, Greenwood Village, CO, gave a presentation of the items. Project improvements on the site will include a 3-foot tall screen wall along the new drive aisle for screening and enhancing landscaping along the right of way as well as internally.

Commission Bengen asked about the name of the credit union or bank that will be affiliated with the ENT. The applicant answered that it is the ENT Credit Union out of Colorado Springs, CO. Commissioner Bengen asked who the landlord is for this retail center. The applicant indicated that they will be tenants and that the landlord is an out of state company.

Commissioner Turcios asked why some applications schedule community meetings and why some do not.



Ms. Fuselier explained that per code, some applications must schedule community meetings; if a project has numerous community comments then staff suggests the applicant schedule a meeting.

Commissioner Hogan asked about any parking space lost due to the addition of the ENT. Ms. Fuselier explained that the parking continues to meet code requirements.

### **Planning Commission Results**

#### Agenda Item 5c – Conditional Use

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

Move to approve, with one condition, the Conditional Use because the proposal complies with the requirements of Code Section 146-5.4.6.A.3 of the Unified Development Ordinance, for the following reasons:

1. The size, scale, height, and density are consistent with the existing uses in the surrounding area;
2. The application mitigates adverse impacts by providing landscape screening and adequate stacking spaces to account for queuing; and
3. There will be minimal impacts on existing city infrastructure.

Approval to be subject to the following condition:

1. Subject to the approval of the Site Plan Amendment by the Planning and Zoning Commission.

#### **Further Discussion:**

No further discussion occurred.

#### **Action Taken:** Approved

Votes for the Conditional Use: 7

Votes against the Conditional Use: None

Absent: None

Abstaining: None

#### Agenda Item 5d – Site Plan Amendment

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

Move to approve, with one condition, the Site Plan Amendment because the proposal complies with the requirements of Code Sections 146-5.4.3.b.2.c.i and 146-5.4.4.D.3 of the Unified Development Ordinance, for the following reasons:

1. The Site Plan Amendment is compatible with surrounding uses in terms of size, scale and building design;
2. The proposal mitigates adverse impacts on the surrounding areas by screening the drive-thru and providing adequate queuing spaces and
3. The proposed development is compatible with and similar to adjacent retail uses along Parker Road and Peoria Street.

Approval to be subject to the following condition:

1. The 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 Amendment: 7

Votes against the Site Plan Amendment: None

Absent: None

Abstaining: None