

Summary of Planning and Zoning Commission Votes
Regular Meeting of the Aurora Colorado Planning Commission
February 10, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p>HIGH POINT SUBSTATION AND TRANSMISSION LINE – CONDITIONAL USE (Ward II) CASE MANAGER: Claire Dalby APPLICANT: Public Service Comp of Colorado Development Application: DA-2249-00 Case Number: 2020-6055-01 General Location: Southeast Corner of future Tibet Road and 60th Avenue</p>	Approve	<p>Approved For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Bengen)</p>	<p>Call-up deadline March 8, 2021</p>
5b.	<p>HIGH POINT SUBSTATION AND TRANSMISSION LINE – SITE PLAN (Ward II) CASE MANAGER: Claire Dalby APPLICANT: Public Service Comp of Colorado Development Application: DA-2249-00 Case Number: 2020-6055-00 General Location: Southeast Corner of future Tibet Road and 60th Avenue Conditions: 1. PSCo will finalize and record all required easements for the transmission line right-of-way prior to construction on the encumbered parcel. 2. PSCo will grant an Avigation Easement for the substation prior to construction. 3. All outstanding technical issues will be resolved prior to recordation of the site plan and issuance of any building permits.</p>	Approve w/ three conditions	<p>Approved w/ three conditions For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Bengen)</p>	<p>Call-up deadline March 8, 2021</p>
5c.	<p>USAA ATM AURORA CITY CENTER MARKETPLACE – CONDITIONAL USE (Ward III) CASE MANAGER : Claire Dalby APPLICANT: Vellejo CC LLC Development Application: DA-1824-01 Case Number: 1984-6071-16 General Location: Southeast Corner of E Alameda Parkway and S Chambers Road Condition: 1. Resolution of all outstanding issues on the accompanying site plan amendment prior to the issuance of bulding permits.</p>	Approve w/ a condition	<p>Approved w/ a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Bengen)</p>	<p>Call-up deadline March 8, 2021</p>
5d.	<p>PANDA EXPRESS AT SMOKY HILL CROSSING – CONDITIONAL USE (Ward VI) CASE MANAGER: Ryan Loomis APPLICANT: Architect + Design Development Application: DA-2184-04 Case Number: 2020-6023-01 General Location: Southwest Corner of Smoky Hill and E-470</p>	Approve	<p>Approved For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Bengen)</p>	<p>Call-up deadline March 8, 2021</p>

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5e.	<p>PANDA EXPRESS AT SMOKY HILL CROSSING – SITE PLAN W/AMENDMENT (Ward VI) CASE MANAGER: Ryan Loomis APPLICANT: Architect + Design Development Application: DA-2184-04 Case Number: 2020-6023-00 General Location: Southwest Corner of Smoky Hill and E-470 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>Approved w/ a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 1 (Bengen)</p>	Call-up deadline March 8, 2021

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 ACHIEVdeny 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: HIGH POINT SUBSTATION AND TRANSMISSION LINE

Planning Commission Hearing Date: February 10, 2021
Deadline for City Council Call Up: March 8, 2021
Ward: Ward II
Project Type: Conditional Use and Site Plan
DA Number: DA-2249-00
Case Number(s): 2020-6055-00; 2020-6055-01
Location: QS:95S,95T,95U,96V,96W,96X,96Y – Southeast Corner of the future Tibet Road and 60th Avenue
Case Manager: Claire Dalby

Description:

The applicant, Public Service Company of Colorado/Xcel Energy, is requesting approval of a Conditional Use Permit for a new electrical substation and approval of a Site Plan for the substation and accompanying 3.8-mile 230-kilovolt transmission line. The proposed substation site is zoned Mixed-Use Airport (MU-A) and the land encumbered by the proposed transmission line is zoned MU-A and Airport District (AD). Electrical substations and transmission lines over 69-kilovolts are defined as *Major Utilities* in the Unified Development Ordinance (UDO) and require Conditional Use approval in the MU-A zone district. The proposed substation is within Planning Area 12 of the Fullenwider Master Plan.

The substation is proposed to be located on a 12-acre parcel in the southeast corner of the future intersection of 60th Avenue and Tibet Street. The substation will be enclosed by a 9-foot tall pre-cast concrete fence and will incorporate landscaping elements along this perimeter. The substation will be accessed via a private access driveway from future Tibet Street. A secondary substation access is proposed along the northern edge of the substation. A temporary access road will be constructed from 56th Avenue to the substation property to serve as access during construction and until Tibet Street is built and dedicated.

The 3.8-mile transmission line will be single pole self-supporting steel structures ranging in height from 80 to 120 feet with a typical space between structures of 800 to 1,000 feet. The line will be constructed within a 150-foot ROW and generally parallel, on the south side, future 60th Avenue, traverse southeast along the east side of Second Creek, and then parallel 56th Avenue, traverse southeast along the east side of Second Creek, and then parallel 56th Avenue on the north side and turn directly south at Powhaton Road.

Thirteen (13) adjacent property owners were notified of the application. No registered neighborhood organizations exist within one mile of the site. No neighborhood comments were received and therefore no neighborhood meeting was held.

Testimony Given at the Hearing:

Claire Dalby, Case Manager, gave a presentation of the items, including the staff recommendations.

Commissioner Hogan asked questions about conveyance of avigation easements. Ms. Dalby confirmed that the applicant will grant the easement since they are the property owners.

Commissioner Hogan asked for clarification concerning the development being approved before infrastructure (roads) are installed i.e. who will be installing them? Ms. Dalby deferred to the applicant.

Jeff Walker, the applicant representative, gave a presentation on the item. He stated that there will be an easement along Tibet Street to 56th Avenue. The Harvest Mile Metro District No. 1 will be installing 60th Avenue and Tibet Street right-of-way improvements. He also highlighted the landscaping and when it will be installed.

Commissioner Hogan asked for confirmation that landscaping will be deferred until water is within 300 feet. Mr. Walker confirmed this and that the area will be maintained to prevent erosion.

Commissioner Hogan asked if construction of Tibet will be concurrent with the construction of the substation. Mr. Walker answered that it will depend on demand in the area. Commissioner Hogan asked what will trigger road construction. Mr. Walker answered that the substation will be visited about once a month and will not require a fully developed road. He deferred to Mr. Fulenwider.

Mr. Fulenwider, representative of the land owner, gave a presentation of the item. He answered the question as to when the road will be built (triggered by adjacent development) and that the Metro District will be responsible. He expressed that Fulenwider is in full support of this project and that the area is in dire need of the electrical infrastructure.

Commissioner Lyon asked who will maintain the land and pick up trash under the transmission lines. Mr. Walker replied that PSCo will not own the transmission line property in fee and that it will be through easements. Typically, property owners are responsible for maintenance. Mr. Fulenwider ensured him that the area will be maintained.

Commissioner Hogan stated that she understands the need. She asked Mr. Fulenwider if there is any development that has been approved where infrastructure is not complete. Brandon Cammarata, Planning Manager, replied that some research would have to be done to find out if there had been a deferral. Kristin Tanabe, Public Works representative, confirmed that Fulenwider does have a Public Improvement Plan that lays out the infrastructure timing. There are other areas where Xcel has had projects approved with the landowner support.

Agenda Item 5a – Conditional Use

Planning Commission Results

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

Move to approve the Conditional Use because the proposal complies with the requirements of Code Section 146-5.4.3.A.3 of Unified Development Ordinance, for the following reasons:

1. The application complies with applicable standards in the UDO and the Fullenwider Master Plan.
2. The application is consistent with the Comprehensive Plan “Strong Economy” goal to continue to provide high-quality and reliable city and utility services throughout the city.
3. The size, scale, height, density, traffic impacts and hours of operation are compatible with existing and planned uses in the area and will not negatively affect the predominant character of the area.
4. There is adequate capacity with City infrastructure to serve the proposed development.
5. Adverse impacts to the surrounding area have been mitigated.

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 6

Votes against the Conditional Use: None

Absent: 1 (Commissioner Bengen)

Abstaining: None

Agenda Item 5b – Site Plan

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

Move to approve, with three conditions, the Site Plan because the proposal complies with the requirements of Code Section 146-5.4.3.B.3 of the Unified Development Services for the following reasons:

1. The proposal complies with the standards of the UDO, the Fullenwider Master Plan, and other adopted City regulations.
2. Adequate infrastructure has been provided and impacts are mitigated.
3. The proposed building is compatible with the surrounding and planned development.

Approval to be subject to the following conditions:

1. PSCo will finalize and record all required easements for the transmission line right-of-way prior to construction on the encumbered parcel.
2. PSCo will grant an Avigation Easement for the substation prior to construction.
3. All outstanding technical issues will be resolved 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: 6

Votes against the Site Plan: None

Absent: 1 (Commissioner Bengen)

Abstaining: None

Filed: K:\\$DA\2249-00sps.rtf

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: USAA ATM AURORA CITY CENTER MARKETPLACE

Planning Commission Hearing Date: February 10, 2021

Deadline for City Council Call Up: March 8, 2021

Ward: III

Project Type: Conditional Use

DA Number: DA-1824-01

Case Number(s): 1984-6071-16

Location: QS:09J – Southeast Corner of E Alameda Parkway and S Chambers Road

Case Manager: Claire Dalby

Description:

The applicant, Vallejo CC LLC, is requesting approval of a Conditional Use Permit to install a drive-through ATM west of Building H within the City Center Marketplace Shopping Center. The subject site is located on the southeast corner of E Alameda Parkway and S Chambers Road. It is within the Mixed-Use Corridor (MU-C) zone district in Subarea A and within the Urban District Placetype of the Aurora Places Comprehensive Plan. The site is accessed from both Alameda Parkway and Chambers Road via internal access drives.

The proposed development involves the removal of 12 parking spaces for the installation of the ATM structure and associated queuing lane. This lane will queue 3 cars at and before the ATM and 1 car after the ATM for a total of 4 queuing stalls with a 13-foot wide drive aisle. The reduction in parking still provides for the minimum parking required by the City Center Marketplace Site Plan. No changes are proposed to the existing landscape or hardscape areas. The proposed hours of operation are 24 hours per day, 7 days per week; expected number of customers per day is 46. The ATM will have 24-hour video surveillance and an alarm system.

Eighteen (18) registered neighborhood organizations and four (4) adjacent property owners were notified of the Conditional Use application. No comments were received, and a neighborhood meeting was not held.

Testimony Given at the Hearing:

Claire Dalby, Case Manager, gave a presentation of the item, including the staff recommendations.

There was no applicant presentation and there were no questions from Commissioners.

Planning Commission Results

Agenda Item 5c – Conditional Use

A motion was made by Commissioner Gaiser and seconded by Commissioner Turcios

Move to approve, with one condition, the Conditional Use 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. The proposal is consistent with the Comprehensive Plan Placetype goals.
2. It is consistent with all applicable standards, regulations, and plans.
3. It is consistent with the size, scale, and intensity of the surrounding area.
4. It will have no negative impact on city infrastructure; it demonstrates adequate mitigation of any negative impacts.

Approval to be subject to the following condition:

1. Resolution of all outstanding issues on the accompanying site plan amendment prior to the issuance of building permits.

Further Discussion:

No further discussion occurred.

Action Taken: Approved with Conditions

Votes for the Conditional Use: 6

Votes against the Conditional Use: None

Absent: 1 (Commissioner Bengen)

Abstaining: None

Filed: K:\\$DA\1824-01sps.rtf

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: PANDA EXPRESS AT SMOKY HILL CROSSING

Planning Commission Hearing Date: February 10, 2021
Deadline for City Council Call Up: March 8, 2021
Ward: VI
Project Type: Conditional Use and Site Plan
DA Number: DA-2184-04
Case Number(s): 2020-6023-00; 2020-6023-01
Location: QS:24T – Southwest Corner of Smoky Hill and E-470
Case Manager: Ryan Loomis

Description:

The applicant, Heights Venture Architect & Design is requesting approval of a Site Plan with an Adjustment and a Conditional Use, for a new 2,300 square-foot Panda Express restaurant. The subject property is zoned MU-C (Mixed-Use Corridor) within Subarea C. Per the Permitted Uses Table, the use is considered a *Restaurant*, and is a permitted use in the MU-C zone district. The restaurant includes a Drive-Thru Facility, which is an *accessory use* requiring conditional use approval. An adjustment from standards is being requested with the application related to the drive-thru lane being located between the building and an arterial street (E Smoky Hill Rd). More detailed information about the adjustment request, as well as staff's recommendation, is discussed later in the report.

The proposed project is on a 1.05-acre parcel within the Smoky Hill Crossing Master Plan. The address is 23100 E Smoky Hill Road, which is located near the southwest corner of E Smoky Hill Road and Gun Club Road, west of E-470. The site is currently undeveloped and slopes downward from E Smoky Hill Road.

The proposed site plan includes one building and one (1) drive-thru lane with a pass-through lane for additional vehicular circulation. The adjustment is being requested to allow the drive-thru lanes between E Smoky Hill Road and the building. Mitigation measures are provided to reduce impact of the drive-thru lane presence along E Smoky Hill Road, which are discussed later in the report. Additional site elements include required onsite parking to the south and east of building, on-site landscaping, street and drive aisle trees, a trash enclosure, and required curbs and access points to serve the development. Vehicular access to the Panda Express building will be provided from two entry points off a shared access drive along the south portion of the site. The entry point located near the west property line is devoted mainly for access into the drive thru lanes. The building has been designed with four-sided architecture incorporating varying parapet heights, changes in materials and canopy features over the building's entrances and adjacent to the outdoor patios. The building will be constructed of durable materials and will incorporate glazing, to create an attractive design which meets the requirements of both the Smoky Hill Crossing Master Plan and the Unified Development Ordinance (UDO). The restaurant's proposed hours of operations will comply with city code regarding operational hours, as the restaurant closes at 10:00 pm Sunday through Thursday, and 11:00 pm on Friday and Saturday.

Ten registered neighborhood organizations and seven adjacent property owners were notified of the site plan and conditional use application. No comments were received, and a neighborhood meeting was not held.

Testimony Given at the Hearing:

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

Commissioner Gaiser asked if S Yellowstone Way is a public road. Mr. Loomis responded that it is a private street.

Commissioner Gaiser asked who is in charge of plowing. Mr. Loomis deferred the answer to the applicant.

Eric Abeln, Heights Venture Architects LLP, 1111 N Loop West, Suite 800, Houston, TX, representing the applicant, gave a presentation of the item. Mr. Abeln responded that Panda will be responsible for clearing the snow on site and the developer will be responsible for clearing the roads.

Commissioner Hogan pointed out that Smoky Hill Road was misspelled on PowerPoint. Mr. Abeln appreciated the correction.

There were no comments from the public.

Planning Commission Results

Agenda Item 5d – Conditional Use for an Accessory Drive-Through, in a Mixed-Use Corridor Zone District

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

Move to approve, the Conditional Use 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. The application complies with applicable standards within the UDO, the Smoky Hill Crossing Master Plan and the Aurora Places Comprehensive Plan “Established Neighborhood” Placetype.
2. The size, scale, and height, and hours of operation of the proposal is compatible with existing uses in the Smoky Hill Crossing Master Plan.
3. The application is consistent with developing commercial uses in the master plan area. The developing area is changing from residential to commercial per MU-C zoning.
4. There is adequate capacity with existing city infrastructure to serve the project.
5. The application will not dislocate any tenants or occupants of the property.
6. The application mitigates adverse impacts on the surrounding area through screening, high quality architecture, and pedestrian connectivity.

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 6

Votes against the Conditional Use: 0

Absent: 1 (Bengen)

Abstaining: None

Vacancies: 0

Agenda Item 5e – Site Plan with Adjustment

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

Approve, with one condition, the Site Plan with an adjustment to Code Section 146-3.3.6.E.5 regarding location of drive-thru lanes, 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 site plan complies with applicable standards within the UDO, the Smoky Hill Crossing Master Plan and the Aurora Places Comprehensive Plan “Established Neighborhood” Placetype.
2. There is sufficient capacity with existing city infrastructure to serve the project.
3. The site plan is located in an urbanized area and will have no impact on environmental features;
4. The site plan enhances multi-modal connections by providing new sidewalk connections.
5. The proposed site plan is consistent with developing commercial uses within master plan area and will not change the predominant character of the surrounding area. The size, scale, and height, and hours of operation of the proposed restaurant is compatible with nearby uses.
6. The site plan mitigates adverse impacts on the surrounding area through screening, high quality architecture, and pedestrian connectivity.

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

Votes for the Conditional Use: 6

Votes against the Conditional Use: 0

Absent: 1 (Bengen)

Abstaining: None