

Summary of Planning and Zoning Commission Votes
Regular Meeting of the Aurora Colorado Planning Commission
March 24, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	KUM & GO C-STORE AT POMEROY – CONDITIONAL USE FOR 24-HOUR OPERATIONS ADJACENT TO RESIDENTIAL (Ward VI) CASE MANAGER: Claire Dalby APPLICANT: Kum & Go Development Application: DA-1670-04 Case Number: 2020-6053-01 General Location: Southeast Corner of S Aurora Parkway and S Pronghorn Valley Way	Approve	Approved For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up deadline April 26, 2021
5b.	KUM & GO C-STORE AT POMEROY – CONDITIONAL USE FOR A FUELING STATION IN A MIXED USE-REGIONAL (MU-R) ZONE DISTRICT (Ward VI) CASE MANAGER: Claire Dalby APPLICANT: Kum & Go Development Application: DA-1670-04 Case Number: 2020-6053-02 General Location: Southeast Corner of S Aurora Parkway and S Pronghorn Valley Way	Approve	Approved For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up deadline April 26, 2021
5c.	KUM & GO C-STORE AT POMEROY – SITE PLAN WITH ADJUSTMENTS (Ward VI) CASE MANAGER: Claire Dalby APPLICANT: Kum & Go Development Application: DA-1670-04 Case Number: 2020-6053-00 General Location: Southeast Corner of S Aurora Parkway and S Pronghorn Valley Way Condition: 1. Resolution of outstanding technical issues prior to the recordation of the Site Plan and issuance of any building permits.	Approve w/ a condition	Approved w/ a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up deadline April 26, 2021
5d.	BUCKLEY YARD – ZONING MAP AMENDMENT FROM BUSINESS /TECH (I-1) ZONE DISTRICT TO MIXED USE-CORRIDOR (MU-C) AND MEDIUM DENSITY RESIDENTIAL (R-2) ZONE DISTRICTS (Ward II) CASE MANAGER: Eric Sakotas APPLICANT: Evergreen Development Company Development Application: DA-2252-00 Case Number: 2020-2006-00 General Location: Northeast Corner of S Airport Boulevard and E Alameda Parkway	Recommend Approval	Recommended Approval For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	City Council Meeting Date May 10, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5e.	BUCKLEY YARD – MASTER PLAN (Ward II) CASE MANAGER: Eric Sakotas APPLICANT: Evergreen Development Company Development Application: DA-2252-00 Case Number: 2020-7007-00 General Location: Northeast Corner of S Airport Boulevard and E Alameda Parkway Conditions: 1. The resolution of outstanding technical issues prior to recordation of the Master Plan and issuance of any building permits.	Approve w/ a condition	Approved w/ a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up deadline April 26, 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: KUM & GO C-STORE AT POMEROY

Planning Commission Hearing Date: March 24, 2021

Deadline for City Council Call Up: April 26, 2021

Ward: VI

Project Type: Conditional Uses and Site Plan with Adjustments
DA Number: DA-1670-04
Case Number(s): 2020-6053-00; 2020-6053-01; 2020-6053-02
Location: QS:22V – Southeast Corner of S Aurora Parkway and S Elk Way
Case Manager: Claire Dalby

Description:

The applicant, GC Aurora LLC, is requesting approval of a Site Plan for a convenience store and fueling station, a Conditional Use Permit for a fueling station in a Mixed-Use Regional (MU-R) zone district, and a Conditional Use Permit for a 24-hour use within 300 feet of residential zoning. Adjustments are requested for landscape buffer width and multiple signage adjustments for total sign area, quantity of signs, and height. The proposed replatted site is approximately 2.06 acres in size, zoned Mixed-Use Regional (MU-R) in Subarea C, and is included in the Pomeroy Master Plan area. The site is vacant and is located in the southwest corner of S. Aurora Parkway and future S. Elk Way just north of the Southlands Shopping Mall. Staff recommends approval of the buffer width adjustment but not the multiple sign adjustments.

The proposed site will include a 5,620 square-foot single-story convenience store, a 6-pump fueling station with canopies, associated parking, and an outdoor plaza space with a direct pedestrian connection to S. Elk Way. A 100-footwide gas easement runs along S. Aurora Parkway and does not permit building within the easement but does permit parking, internal drives and limited landscaping. The site will be accessed directly from future S. Elk Way, allowing pedestrians to circulate to and from the mall development to the south and future development to the west. The contemporary building design exhibits four-sided design including varying architectural materials and parapet heights, a stone panel base, an aluminum accent panel, and aluminum storefront windows. The proposal is adjacent to a vacant lot to the northwest which is anticipated for future commercial/retail development. The vacant land to the west across Elk Way is anticipated for residential mixed use.

Except for signage standards, the project meets Pomeroy Master Plan standards including those pertaining to land use, landscaping requirements, architectural design, and urban design. Staff worked with the applicant in coming to a consensus on the best way to satisfy Master Plan requirements for an outdoor plaza area on the site, detailed in the development review section below.

The proposed convenience store and fueling station is within the Urban District Placetype in the Aurora Places Comprehensive Plan. This placetype creates a unique mix of uses in a relatively dense urban fabric that provides a pedestrian-friendly environment and a place to live, work, shop, dine, recreate, and more. Commercial services are considered a primary land use in this placetype and therefore the proposed use is consistent with the goals and intentions of the Urban District Placetype as it will fulfill the needs of surrounding residential and commercial development.

Six (6) adjacent property owners and four (4) registered neighborhood organizations were notified of the application. 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 item, including the staff recommendations.

Commissioner Gaiser asked how traffic travelling north will access the station. Brianna Medema, Public Works, Traffic Engineering, responded that the Aurora Parkway/Elk Way intersection will eventually be signalized.

Commissioner Jetchick asked if there is any sign overlay district for Southlands like there is for Havana. Ms. Dalby responded that there is not to her knowledge and that signage must comply with the Unified Development Ordinance (UDO) and master plan.

Commissioner Lyon asked what Pomeroy has to say about this request.

Larry Jacobson, Aurora Property Investors, 4100 E Mississippi Avenue, Suite 500, Denver, CO, replied that he was representing the master developer and that there was no objection to the taller sign as it is a very challenging property with setbacks and a creek running through it.

Commissioner Bush asked if the height of the sign would interfere with traffic in any way. Ms. Medema replied that it would not interfere with traffic flow or site triangles.

Commissioner Lyon asked what aspects of the signs are unacceptable pertaining to the master plan. Ms. Dalby responded the issue was primarily the height. Brandon Cammarata, Planning Manager, responded that the UDO also only allows a 14-foot maximum.

Commissioner Hogan asked if there was other electronic messaging proposed other than the gas prices. Ms. Dalby responded there are no others proposed.

Mary Kasal, Entitlement and Engineering, 501 S Cherry Street, Suite 300, Glendale, CO, representing the applicant, gave a presentation on the item.

Commissioner Jetchick asked what the speed limit is on Aurora Parkway outside the station. Ms. Kasal responded that it is 45 miles per hour.

Commissioner Hogan asked for clarification of where the signs will be. Ms. Kasal demonstrated their locations on the site plan.

Commissioner Lyon asked if the signs are below elevation like the building is. Ms. Kasal responded that they are more at grade, but the building is well below grade.

Commissioner Hogan asked why the signs can't be reduced to 15 feet if they are adjacent to the road. Ms. Kasal responded that the pricing signage is of most importance and that takes up a large portion of the sign.

Robert Fiebig, Kum & Go, 1459 Grand Avenue, Des Moines, IA, representing the applicant, responded that the elk gable on the 20-foot sign can be dropped down. The price signs, if dropped, would only allow for two prices instead of three and if they are smaller the prices are much harder to see. The requests are all based on sight lines.

Commissioner Lyon asked how tall it would be without the elk emblem at the top. Mr. Fiebig responded that it is a shared development site, so the signage is needed.

Commissioner Lyon asked what happens if the other developer comes and asks for a 14-foot sign. Mr. Fiebig responded that they are trying to accommodate both developments with this request and no future requests would be needed.

Mike Wall, Wall Development Group, 4201 E Yale Avenue, Suite 140, Denver, CO, the developer of the adjacent parcel, said that the larger sign is of benefit to both parcels and that visibility is an issue with this site which makes the additional height necessary.

Commissioner Jetchick asked to clarify that the top of the sign with the elk is 24 feet but with the gable only 20 feet. Ms. Kasal confirmed. Commissioner Jetchick asked if the other business name could be put along the base where the masonry is. Ms. Kasal responded that it would not be compatible with signage in the area and that signs are not usually at ground level.

Commissioner Lyon asked Daniel Money, Assistant City Attorney, about how motions work for complicated items like this. Mr. Money explained that amendments can be made to motions.

Commissioner Gaiser stated that he is very familiar with the area and will be voting to deny their signage adjustment request.

Planning Commission Results

Agenda 5a – Conditional Use for 24-hour Operations Adjacent to Residential

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

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 Unified Development Ordinance and the Pomeroy Master Plan;
2. The application is consistent with the Comprehensive Plan “Urban District” Placetype and will help further city goals of developing new commercial uses within this placetype;
3. The size, scale, height, density, traffic impacts and hours of operation are compatible with existing uses in the area and will not change the predominant character of the area;
4. There is adequate capacity with City infrastructure to serve the proposed development; and,
5. Adverse impacts to the surrounding area have been mitigated.

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 5

Votes against the Conditional Use: 1 (Gaiser)

Absent: None

Abstaining: None

Vacancies: 1

Agenda 5b – Conditional Use for a Fueling Station in a Mixed Use-Regional Zone District

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

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 Unified Development Ordinance and the Pomeroy Master Plan.
2. The application is consistent with the Comprehensive Plan “Urban District” Placetype and will help further city goals of developing new commercial uses within this placetype.
3. The size, scale, height, density, traffic impacts and hours of operation are compatible with existing uses in the area and will not change 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: 0

Absent: None

Abstaining: None

Vacancies: 1

Agenda 5c – Site Plan with Adjustments

A motion was made by Commissioner Gaiser (to approve as staff recommended) and seconded by Commissioner Lyon. Commissioner Lyon then amended the motion to approve the signage adjustment as submitted by the applicant in addition to the site plan and landscape buffer adjustment. This motion was seconded by Commissioner Bush.

Approve, with one condition, the Site Plan with adjustments to Section 146-4.7.5.G, Buffer Widths, and Section 146-4.10.5, Signage quantity, area, and height, because the proposal complies with the requirements of Code Section 146-5.4.3.B.3 of the Unified Development Ordinance for the following reasons:

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

Approval to be subject to the following condition:

1. Resolution of all outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.

Further Discussion:

Commissioner Hogan stated that she wants to make sure that the minutes reflect that this is a shared monument sign for the two businesses and that without the other site plan it must be clear that they cannot come back for more monument signage.

Action Taken: Approved with a Condition

Votes for the Site Plan: 5

Votes against the Site Plan: 1 (Gaiser)

Absent: None

Abstaining: None

Vacancies: 1

Planning Department
City of Aurora, Colorado

SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: BUCKLEY YARD

Planning Commission Hearing Date: March 24, 2021
City Council Meeting Date: May 10, 2021
Ward: II

Project Type: Zoning Map Amendment and Master Plan
DA Number: DA-2252-00
Case Number(s): 2020-2006-00; 2020-7007-00
Location: QS:09L – Northeast Corner of S Airport Boulevard and E Alameda Parkway
Case Manager: Eric Sakotas

Description:

The applicant, Evergreen Development Company, is requesting approval of a Zoning Map Amendment and a Master Plan. The Master Plan is for a commercial development along S. Airport Blvd integrated with residential development to the east on approximately 44.5 total acres. The Zoning Map Amendment is to change the existing zone district from I-1 Business/Tech District to MU-C Mixed Use-Corridor District for the commercial portion of the site and R-2 Medium-Density Residential District, consistent with Aurora Places, the city's comprehensive plan.

Buckley Yard is located at the northeast corner of S. Airport Boulevard and E. Alameda Parkway, bounded by Alameda Drive to the north and Quintero Way to the east. The site itself has no significant topography or views but will benefit from proximity to the future Signature Park to the north and East Toll Gate Creek, which connects trail users to the Highline Canal Trail nearby.

This large infill site is surrounded by existing infrastructure including the fully constructed roads on all sides, nearby services and retail uses, and many nearby employers. Within the neighborhood, residents will benefit from proximity to commercial uses on-site and a private park within the community.

These amenities will allow residents and visitors convenience and access to goods, services and public spaces. Just north of the neighborhood, residents will have access to the future Signature Park, featuring East Toll Gate Creek and a trail connection to the Highline Canal Trail, one of the most extensive trails in the metropolitan area. RTD stops at the intersection of Airport Blvd and Alameda Pkwy will offer transit connections to the Aurora Metro Center Station, 40th Ave & Airport Blvd, and Nine Mile Station light rail and commuter rail stations.

The proposed Buckley Yard master plan is a significant infill project. Provision of commercial services along S. Airport Blvd will complement the commercial uses at the intersection with E. Alameda and result in an improved streetscape along the road.

Aurora Places, the City's Comprehensive Plan, is designed to serve as a foundation for decision-making related to growth and development in Aurora. This plan describes future development and land use in terms of "placetypes." Placetypes characterize specific areas based on defining character, scale, form, and function. This site area is within the placetypes of "Commercial Hub" and "Established Neighborhood" in Aurora Places.

"Commercial Hub" are centers of activity supporting adjacent neighborhoods with shopping, services, entertainment and community life. Aurora Places identifies the Commercial Hub along Airport Blvd. "Established Neighborhoods" are predominantly residential, but supported by retail, services, multifamily and office uses along perimeter streets and intersections.

The Aurora Places Plan also provides goals, policies and practices centered on the seven core principles, including Housing for All. The development of this tract of land with a mix of residential and commercial uses advance this goal. Also, as an infill development this development can accommodate more transportation options ranging from public transit, walkable destinations and access to the existing street network.

Fourteen registered neighborhood organizations and 19 adjacent property owners were notified of the master plan and rezone. No comments were received, and a neighborhood meeting was not held.

Testimony Given at the Hearing:

Eric Sakotas, Case Manager, gave a presentation of the item, including the staff recommendations.

Commissioner Jetchick asked if the private road, running north/south, would be a right-in/right-out off of the proposed E. Alameda Parkway access point. Brianna Medema, Public Works, Traffic Engineering, confirmed that this will be the case for this access point.

Commissioner Lyon asked if there will there be a variety of housing options?

Samantha Crowder, Norris Design, 1101 Bannock Street, Denver, CO indicated that they are still working through the architecture but that traditional architectural style with the emphasis on front porches will be a common theme. More detail will be provided in future site plan submissions regarding architecture and product types.

Commissioner Jetchick asked if the townhomes will be a rental product, and if the single-family homes will be for sale. Ms. Crowder confirmed that this will be the case.

Jerry Richmond, Raintree Investment Corporation, 7200 S Alton Way, Suite C-400, Centennial, CO, representing the future residential developer, further explained the multiple residential products that will be available in the development, and that there will be great variety. He also indicated that the community will have a recreational facility which will include a pool, hot tub and a dog park.

Commissioner Hogan wanted confirmation that Buckley AFB did review and approve the rezone and master plan. Mr. Sakotas, confirmed that the Buckley AFB did review the plans and did not have any issues.

Planning Commission Results

Agenda Item 5d: Zoning Map Amendment

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

Move that the Planning and Zoning Commission recommend approval to the City Council the Zoning Map Amendment from I-1 Business/Tech District to MU-C Mixed Use-Corridor District and R-2 Medium-Density Residential District because the proposal complies with the requirements of Zoning Map Amendments Code Section 146-5.4.1.C.3 of the Unified Development Ordinance for the following reasons:

1. The proposed rezoned areas from I-1 to MU-C and R-2 are supported by the 2018 Aurora Places Comprehensive Plan placetypes.
2. The proposed rezones are compatible with the surrounding development.
3. Buckley AFB has no objection to the proposed development.

Further Discussion:

There was no further discussion.

Agenda Item 5d: Zoning Map Amendment

Action Taken: Approved

Votes for the Zoning Map Amendment: 6

Votes against the Zoning Map Amendment: 0

Absent: None

Abstaining: None

Vacancies: 1

Agenda Item 5e: Master Plan

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

Approve, with one condition, the Master Plan complies with the requirements of Master Plan approval criteria are found in Section 146-5.4.1.E.3 of the Unified Development Ordinance for the following reasons:

1. The proposed mixed of uses, mixed of housing types, streets and opens space networks are consistent with the Commercial Hub and Established Neighborhood Placetypes the Aurora Places Comprehensive Plan.
2. The master plan is consistent with the permitted uses in the proposed zone districts.
3. The master plan proposes a network of streets, sidewalks and open space network that will allow future development to meet UDO requirements.
4. Buckley AFB has no objection to the proposed development.

Approval to be subject to the following condition:

1. The resolution of outstanding technical issues prior to recordation of the Master Plan and issuance of any building permits.

Further Discussion:

There was no further discussion.

Action Taken: Approved

Votes for the Master Plan: 6

Votes against the Master Plan: 0

Absent: None

Abstaining: None

Vacancies: 1