

Summary of Planning and Zoning Commission Votes  
Regular Meeting of the Aurora Colorado Planning Commission

November 10, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p><b>ENCLAVE AT SADDLE ROCK – SITE PLAN (Ward VI)</b>            CASE MANAGER: Heather Lamboy      APPLICANT: GB Capital LLC            Development Application: DA-1074-15      Case Number: 2019-4016-00            General Location: Northeast Corner of S Wenatche Street and Ponderosa Trail South            Conditions:            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><b>Approved w/ a condition</b>            For Approval: 4            For Denial: 3            (Jetchick, Turcios and Banka)            Abstentions: 0            Absent: 0</p>	<p>Call-up            Deadline            December 6, 2021</p>
5b.	<p><b>KING SOOPERS FUEL + WELLS FARGO CONDITIONAL USE FOR A DRIVE-THROUGH ATM IN A MU-C ZONE DISTRICT (Ward IV)</b>            CASE MANAGER: Ariana Muca      APPLICANT KRF Idaho LLC            Development Application: DA-2279-00      Case Number: 2021-6031-01            General Location: Northwest Corner of S Havana Street and E Idaho Place</p>	Approve	<p><b>Approved</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up            Deadline            December 6, 2021</p>
5c.	<p><b>KING SOOPERS FUEL + WELLS FARGO CONDITIONAL USE FOR A FUELING STATION IN A MU-C ZONE DISTRICT (Ward IV)</b>            CASE MANAGER: Ariana Muca      APPLICANT KRF Idaho LLC            Development Application: DA-2279-00      Case Number: 2021-6031-02            General Location: Northwest Corner of S Havana Street and E Idaho Place</p>	Approve	<p><b>Approved</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up            Deadline            December 6, 2021</p>
5d.	<p><b>KING SOOPERS FUEL + WELLS FARGO SITE PLAN W/ADJUSTMENT (Ward IV)</b>            CASE MANAGER: Ariana Muca      APPLICANT: KRF Idaho LLC            Development Application: DA-2279-00      Case Number: 2021-6031-00            General Location: Northwest Corner of S Havana Street and E Idaho Place            Conditions:            1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.</p>	Approve w/ an adjustment and a condition	<p><b>Approved w/ an adjustment and a condition</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up            Deadline            December 6, 2021</p>
5e.	<p><b>US BANK AT SERENITY RIDGE – CONDITIONAL USE FOR A DRIVE-UP ATM IN A MU-C ZONE DISTRICT (Ward VI)</b>            CASE MANAGER: Ariana Muca      APPLICANT: KLM Colorado            Development Application: DA-1618-20      Case Number 2015-6032-02            General Location: Approximately 900 feet southeast of the intersection of E Smoky Hill Road and E Arapahoe Road</p>	Approve	<p><b>Approved</b>            For Approval: 7            For Denial: 0            Abstentions: 0            Absent: 0</p>	<p>Call-up            Deadline            December 6, 2021</p>

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5f.	<p><b>US BANK AT SERENITY RIDGE – SITE PLAN AMENDMENT (Ward VI)</b>  CASE MANAGER: Ariana Muca                      APPLICANT: KLM Colorado  Development Application: DA-1618-20      Case Number 2015-6032-01  General Location: Approximately 900 feet southeast of the intersection of E Smoky Hill Road and E Arapahoe Road  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><b>Approved w/ a condition</b>  For Approval: 7  For Denial: 0  Abstentions: 0  Absent: 0</p>	<p>Call-up  Deadline  December 6, 2021</p>
5g.	<p><b>BUCKLEY YARD COMMERCIAL - INFRASTRUCTURE SITE PLAN</b>  CASE MANAGER: Todd Hager                      APPLICANT: Evergreen Development Co  Development Application: DA-2252-01      Case Number: 2021-6021-00  General Location: Northeast Corner of S Airport Boulevard and E Alameda Parkway  Conditions:  1. Recordation of Buckley Yard Master Plan prior to recordation of the Infrastructure Site Plan.  2. Resolution of outstanding technical issues prior to recordation of the Infrastructure Site Plan and issuance of any building permits.</p>	Approve w/ conditions	<p><b>Approved w/ conditions</b>  For Approval: 7  For Denial: 0  Abstentions: 0  Absent: 0</p>	<p>Call-up  Deadline  December 6, 2021</p>
5h.	<p><b>UNIFIED DEVELOPMENT ORDINANCE – TEXT CHANGE AMENDMENT PERTAINING TO BATTERY OPERATED ALARMED ELECTRIC FENCES.</b>  CASE MANAGER: Brandon Cammarata      APPLICANT: City of Aurora Planning &amp; Development Services  Development Application: DA-2163-07      Case Number: 2018-1006-07  General Location: Within the boundaries of the city</p>	Recommend approval	<p><b>Recommended approval</b>  For Approval: 7  For Denial: 0  Abstentions: 0  Absent: 0</p>	<p>City Council  Meeting Date  November 22, 2021</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 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: THE ENCLAVE AT SADDLE ROCK GOLF NORTH**

Planning Commission Hearing Date: October 27, 2021

Ward: VI

Project Type: Site Plan  
DA Number: DA-1074-15  
Case Number(s): 2019-4016-00  
Location: QS:24T – Northeast Corner of S Wenatchee Street and Ponderosa Trail  
Case Manager: Heather Lamboy

### Description:

The applicant, GB Capital LLC, proposes to construct 30 single-family detached homes on 7.95 acres located between E Arapahoe Road and E Smoky Hill Road on the west side of S Ponderosa Trail within the Saddle Rock Golf Club North development. The Saddle Rock Golf Club North General Development Plan (GDP) identifies this tract of land as a future school site or Single-Family Detached, Moderate Density. The site was dedicated to the Cherry Creek School District as a school with the initial development approval. The proposed density is 3.7 dwelling units per acre on the site; however, there is a provision in the GDP that states, "If school is not built on the designated 'school' parcel, then that part of the parcel east of [S Ponderosa Trail] may not be built as single-family detached...the developer shall still be allowed to build the maximum number of units permitted as indicated on the parcel summary." The specific text is included in the image in the Results of Development Review section of this report. Up to 33 units are permitted on this site. No adjustments have been requested with this application.

The lot sizes vary from 6,000 square feet to greater than 9,000 square feet. Access is provided via two entrances of S Ponderosa Trail. The subdivision design includes a loop lane and a cul-de-sac; the sides of buildings will face along S Ponderosa Trail, which will prevent a fence canyon appearance. Pedestrians will be able to access the E-470 Multi-Use trail via a protected crossing with pedestrian-triggered crosswalk signals. A park amenity is located central to the development. The park includes benches, gathering space, and a permanent cornhole installation.

The Saddle Rock North GDP requires that the architectural design of the homes comply with the architectural design standards that are part of the GDP. Signage, fencing, and lighting elements will comply with the Saddle Rock branding standards. This project has been reviewed by the Saddle Rock Design Review Committee.

A virtual neighborhood meeting was held on August 24, 2021. Prior to the formal submission of an application, a neighborhood meeting was held in 2019 to discuss the sale and development of Cherry Creek school sites in Sorrel Ranch and Saddle Rock. Community concerns have included increases in traffic as well as speeds of traffic on Ponderosa Trail, density, and the proposed design of the homes. Twenty-one (21) adjacent property owners and eight (8) registered neighborhood organizations were notified of the application. The application was redesigned after the first submittal. Five (5) neighborhood comments were received with the second submission review, which reiterated many of the items expressed at the community meeting on August 24.

### Testimony Given at the Hearing:

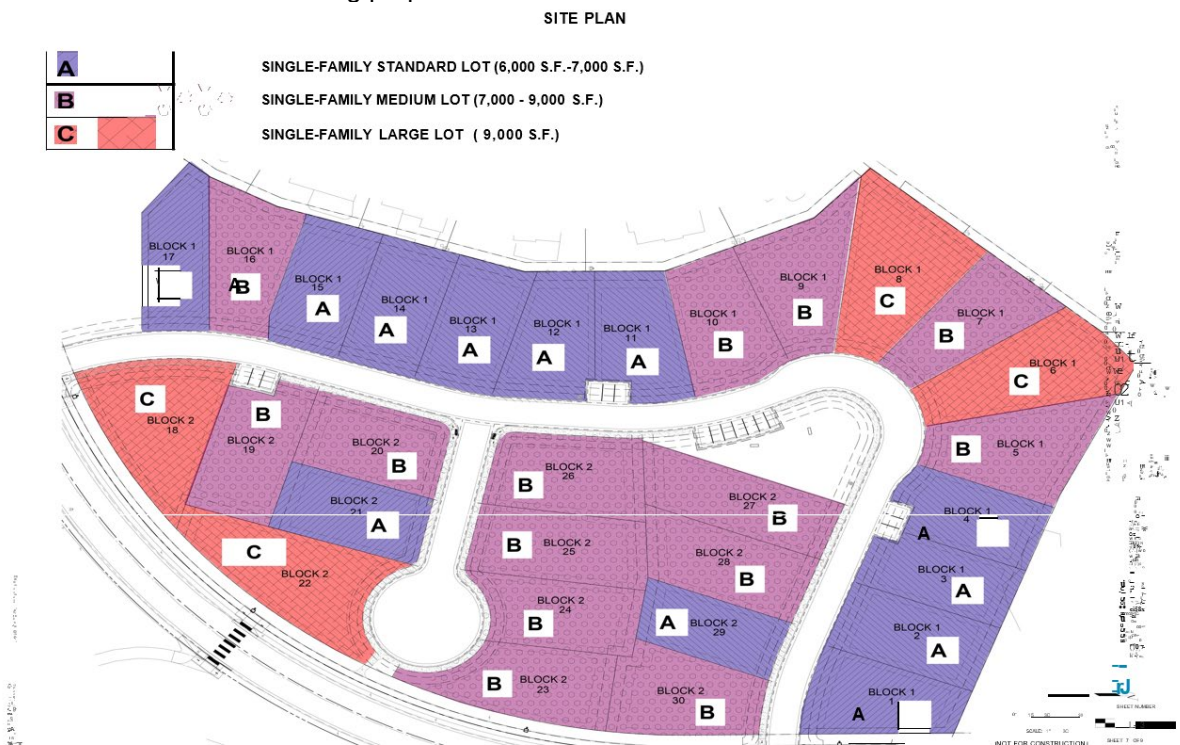
Heather Lamboy, Case Manager, gave a presentation of the item, including the staff recommendation. Ms. Lamboy provided photos as part of the presentation so that the Commissioners would understand the site and its context.

Commissioner Jetchick asked whether the site was originally dedicated for a school, and if so, where are the children going to school. Ms. Lamboy pointed out that Vicky Lisi, with the Cherry Creek School District, was in attendance. Ms. Lisi, Cherry Creek School District, 4700 Yosemite Street, Englewood, CO, stated that the schools zoned for this area include Creekside Elementary, Liberty Middle School and Grandview High School.

Julie Gamec, THK Associates, 2953 S Peoria Street, Aurora, CO, representing the applicant gave a presentation of the item. She reviewed the Saddle Rock Golf Club North GDP and noted the amendment that was made permitted consideration of the area on the east side of Ponderosa Trail. She also added that the minimum lot sizes per the GDP are being met, and provided a graphic illustrating the same.

Chair Lyon asked Ms. Gamec about the letter of introduction, which references 3.1 dwelling units per acre. He stated that, on an approximately 8-acre site, that would be limited to 24 dwelling units. Ms. Gamec reiterated that the GDP establishes density, and there is a specific provision that allows for up to 33 dwelling units.

Ms. Gamec also provided a graphic to illustrate the various lot sizes. She stated that approximately 40% of the lots are 6-7,000 square feet (A), 46% are 7-9,000 square feet (B), and 13% are larger than 9,000 square feet. She elaborated on the lot layout and how the curves in the street impact lot placement and size. Ms. Gamec also reviewed the setbacks to abutting properties.



Commissioner Jetchick asked about the sizes of the homes and price points. Jay Garcia, Thrive Home Builders, 1875 Lawrence Street, Suite 900, Denver, CO, representing the applicant stated that the one-story homes will range from 1,800 to 2,000 square feet. If basements are finished (which is an option), then the homes will vary from 3,400 to 3,600 square feet. Mr. Garcia stated that pricing will depend on the surrounding market comparables, which he estimated to be the low to upper \$600,000 range, and with added options could be more than \$700,000.

Chair Lyon made the observation that there is a conflict in the GDP. He stated that the site being considered is only approximately 8 acres, which given the permitted 3.1 dwelling units per acre, totals 24 units. He asked the applicant why they feel they can build more than 24 units. Ms. Gamec, referring to the sheet of the GDP which references the permitted density, and the note as well as a table that references that the amount of homes that can be built is 33 units.

Chair Lyon observed that the Commissioners are finders of fact, and he commented that the two items – density and permitted number of units as referenced in the table on the GDP, are in conflict. He stated that it's either 8 acres and 24 units and 9 acres and 30 or 31 units. He asked whether the applicant would consider an amendment for the application to go to 24 units instead of 30 units. Geoff Babbitt, the developer, GB Capital LLC, 2953 S Peoria Street, Suite 200, Aurora, CO, responded that when the GDP was drafted the original

developer did not know the final size of the site in relation to the road. He further stated that when the road was put in, the original developer designed the note to state that the area east of the road would be dedicated to the metro district, however, the developer should still be allowed to build the prescribed units shown in the parcel summary, which is 33. Based on neighborhood feedback, the density was lowered to 30 units and Mr. Babbitt stated he was not interested in lowering the number of units to 24. He added that the value of the site would be deteriorated by the loss of 6 units, which would impact the school's district's value for the site.

Commissioner Jetchick asked whether 24 more expensive houses, that match the overall surrounding development better, would be an alternative. She said that it would likely be a bigger return on those houses. Mr. Babbitt responded that his firm is the developer of the site, not the builder. He stated that as he is the contract purchaser of the site, he would have to have a conversation with the seller, the Cherry Creek School District. He commented that Thrive, the homebuilder, did a lot of market research to determine the product they are proposing for the site. Mr. Garcia, stated that the research suggested that the homes be in the 1,800-2,000 square foot size which is somewhat age targeted. He stated that the development would be low traffic generating but higher end, high quality homes.

There were no remaining questions from the Commissioners.

*The chair then opened the public comment portion of the meeting. He stated that each presenter is limited to 5 minutes and asked that the same comments not be stated over and over again. Below is a list of interested parties that spoke at the public hearing and a brief overview of whether they supported or opposed the application. Generally, those that were opposed cited concerns with traffic, density, parking, compatibility issues with the surrounding neighborhood, and general disagreement with how the density was calculated for the site according to the Saddle Rock General Development Plan.*

The following people spoke on the project.

Lori McHale, 22921 E Euclid Circle, Aurora, CO, an abutting property owner, stated that it was promised by CCSD that the property would not be sold when she bought her home 7 years ago. She voiced concerns with home density, traffic safety, an abutment with no buffer, that she would like a large easement installed, and that there will be a house 30 feet from her home. Developer refuses to install buffers, fences, etc. Home design is another concern and compatibility.

Jim Mattson, 6596 S Versailles Court, began by complimenting Heather and Susan Chapel for helping the community navigate the hearing process. He observed that the same questions that the Commission asked of the applicant was the same line of questions that the community has asked. He stated that his research lines up with the permitted density being 3.1 dwelling units per acre, and not 33 units. He provided a series of slides to illustrate his point. He stated disagreement with the interpretation of the intent of the GDP note, and he felt that the property would have to have a GDP Amendment to consider the density being proposed.

Robert Uphoff, 6567 S Winnipeg Court, Aurora, CO, a citizen, spoke in opposition, stating that parking is an issue. He commented that the proposed setbacks do not allow for yards for children or parks. He requested that the community be age-restricted.

Bryce Anderson, 22971 E Euclid Circle, Aurora, CO, an abutting property owner, stated fire safety is a concern and that there is not enough access for fire equipment.

Jim Johnson, 6544 Winnipeg Circle, Aurora, CO, a citizen, stated that he felt that staff's density calculation justification is ridiculous. He commented that the developer is meeting the absolute minimal requirements and that the proposal does not fit, a lot of infrastructure is needed because of what will be built. Commissioner Hogan asked Mr. Johnson what the current values of the homes are in the vicinity. Mr. Johnson responded that on average the values are in the mid-\$800,000 range.

Fernando Rivera, 6587 Winnipeg Circle, Aurora, CO, a citizen, stated that traffic safety is a concern along Ponderosa Trail, and that this would increase the number of pedestrian injuries and possible loss of life. He commented that the recently-constructed traffic control measures that have been put in place are not working.

Laura Stubbs, 22931 E Euclid Circle, Aurora, CO, an abutting property owner, stated that her concern is privacy with the density of this plan. They would have three more neighbors in their backyard space with a buffer of 15 feet.

Tony Trapasso, 22941 E Euclid Circle, Aurora, CO, an abutting property owner, stated that in Saddle Rock, the average lot square footage is over 10,000 square feet – the proposed lots are 7,000 square feet. He added that he would like the property to be developed tastefully, and he doesn't believe that will happen.

Christopher Colwell, 6579 S Versailles Court, Aurora, CO, a citizen, cited traffic concerns with ingress and egress from the site.

Mike Hermsen, 6559 S Versailles Court, Aurora, CO, a citizen, stated that the proposal is not compatible, both in size and property comparables.

Lesleigh Potter, 6576 S Versailles Court, Aurora, CO, an abutting property owner, stated that there is no park for Saddle Rock North, so the property has been used as such. Ponderosa Trail is the only thoroughfare to get to Smoky Hill and that is why traffic is such a concern.

Richard King, 22507 E Hoover Place, member of Development Review Committee for Saddle Rock Metro District has not approved any designs.

Andrew Scacco, 22826 E Calhoun Pl, Aurora, CO, stated he enjoys the wildlife in the proposed site. He stated that he had concerns for the safety of residents that potentially would be walking across Ponderosa Trail given the traffic volume and speeds.

James McHale, 22921 E Euclid Circle, Aurora, CO, an abutting property owner, stated that it would be nice to have dedicated open space, and that the proposal is not compatible and will be detrimental to the area.

Philip Rodriguez, 22791 E Euclid Circle, Aurora, CO, stated average lot sizes for surrounding properties average 10,856 square feet. He added that the proposed development should match the type of homes in the area and the average home price. There will be a huge discrepancy between existing homes and what is proposed.

Chair Lyon commented that the applicant was permitted a 5-minute rebuttal.

Mr. Babbitt stated he has worked for over two years with staff, and had two neighborhood meetings, and in response to community comments has lowered density. He noted that a crosswalk with traffic calming features has been added to the proposal, the traffic study shows that this project produces less traffic than a school would. He stated that they have followed all of the guidelines that were printed and recorded in regard to Saddle Rock GDP and is not requesting waivers.

Commissioner Jetchick asked what kind of fencing is proposed. Ms. Gamec responded that the fencing along Ponderosa Trail would be the iron fencing as required by the GDP. As far as fences on private lots, the developer will not install those as part of the initial development and that would be up to the homeowners that purchase those lots.

Commissioner Hogan asked if the originally planned school was built would there be more or less traffic. Ms. Gamec responded that it would be more and stated that she would be happy to provide specific numbers if the Planning Commission wished.

Chair Lyon commented that the application is 30 dwelling units on the site. There are other issues that have been raised related to traffic, density, home spacing and parking which the commissioners can consider, but really don't have a choice on the application, it either needs to be approved or denied. If the application is approved, there is still the opportunity for abutting property owners to appeal the decision to the City Council.

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

Move to deny Agenda Item 5c for the following reasons:

1. The proposal is not compatible with the surrounding uses and does not comply with the Saddle Rock General Development Plan.
2. Adverse impacts have not been mitigated.

Commissioner Hogan stated the challenge that it does say on the document that whomever builds here would be “x” number of units, which is 33 units now. She commented that perhaps back then they just didn’t do the math and they didn’t do it properly. It does appear that the original document is in conflict to itself. She stated that she was having trouble with the denial because of that. She stated that it is her hope that there can be continued conversation between the neighborhood and the developer, because frankly she sees the need for a diversity of housing. She commented that with baby boomers coming up, and they want a smaller house on a smaller lot. This could be something that could be compatible. She stated perhaps the item should be continued so that more discussion could occur. Commissioner Gaiser stated that he concurred with Commissioner Hogan.

Chair Lyon stated a concern with the development agreement stating that the density calculation should be 3.1 dwelling units per acre and therefore a total of 24 units.

Chair Lyon called for a vote to deny.

The motion failed on a vote of 3 to 3 with Hogan, Gaiser and Banka voting against the denial.

Assistant City Attorney Dan Money stated that the motion to deny failed. Mr. Money suggested that there be a motion to approve, and if that fails, there would be two options. It could come back so that the 7<sup>th</sup> planning commissioner could be present and cast a vote, applicant can also decide that they would like to appeal straight to Council. He commented that it is normally a motion is a failure if it is a tie vote.

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

Move to approve, with a condition, the Site Plan because it 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 proposal is identified as a primary land use in the Established Neighborhoods Placetype in the Aurora Places Plan and furthers the “Housing for All” principle.
2. There is capacity with the existing City infrastructure to accommodate the development and improvements, such as sidewalk and trail connections, will improve City infrastructure and public improvements.
3. The proposal is compatible with the surrounding uses and complies with the Saddle Rock General Development Plan standards.
4. Adverse impacts have been mitigated.

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.

Motion failed on a vote of 3 to 3 with Bush, Jetchick and Lyon voting against.

Commissioner Gaiser made a motion to approve the project, which was seconded by Commissioner Banka.

Mr. Money stated that it is up to the applicant to determine whether he wants to come back to the Planning Commission, forward directly to City Council, or whether they would like to withdraw the application.

Chair Lyon asked the applicant what they would like to do. Mr. Babbitt responded that they would like to continue and come back to the next hearing when the seventh commissioner is present.

Commissioner Lyon then stated that the case would be continued to December 10<sup>th</sup> for the purpose of voting on the case when the seventh planning commissioner is present.

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Commissioner Turcios stated that she heard the testimony of the October 27, 2021 meeting and read the staff report.

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

Move to approve, with a condition, the Site Plan because it 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 proposal is identified as a primary land use in the Established Neighborhoods Placetype in the Aurora Places Plan and furthers the "Housing for All" principle.
2. There is capacity with the existing City infrastructure to accommodate the development and improvements, such as sidewalk and trail connections, will improve City infrastructure and public improvements.
3. The proposal is compatible with the surrounding uses and complies with the Saddle Rock General Development Plan standards.
4. Adverse impacts have been mitigated.

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:**

Commissioner Hogan asked if the vote is based on the information that was given at the last meeting or can new information be introduced and considered.

Chair Lyon stated that no new information will be presented, and the vote is to be based on the information provided at the last meeting.

Mr. Money confirmed what Chair Lyon stated because this is a continuation of the vote and not the public hearing. In order to consider new information, the public hearing would need to be reopened and would have to meet legal requirements such re-noticing.

The motion passed on a vote of 4 to 3 with Jetchick, Turcios, and Banka voting against.



Planning Department  
City of Aurora, Colorado

## SUMMARY OF PLANNING COMMISSION ACTIONS

### **Project Name: KING SOOPERS FUEL + WELLS FARGO DRIVE-THRU ATM - CONDITIONAL USES AND SITE PLAN**

Planning Commission Hearing Date: November 10, 2021  
Deadline for City Council Call Up: December 6, 2021  
Ward: IV

Project Type: Conditional Use and Site Plan  
DA Number: DA-2279-00  
Case Number(s): 2021-6031-00; 2021-6031-01; 2021-6031-02  
Location: QS11B – Northwest Corner of S Havana Street and E Idaho Place  
Case Manager: Ariana Muca

#### **Description:**

KRG Idaho, is requesting approval of a Site Plan for a Wells Fargo ATM, kiosk, and fueling station. The request requires Conditional Use approvals for the fueling station and the drive-through ATM. The proposed site is approximately 1.01 acres in size, zoned Mixed-Use Corridor (MU-C) in Zoning Subarea A. The site is currently a one-story Aurora National Bank Facility located on the northwest corner of East Idaho Place and South Havana Street. The proposal is surrounded by vacant parcels anticipated for future mixed-use commercial and retail uses associated with a large-scale Costco located south of the property.

The proposed site will include 6,874 square feet of building coverage consisting of the employee-only kiosk, the two drive-through ATMs, and a 24-hour pump fueling station with canopy and associated parking. The site will be accessed from East Idaho Place to the south. The two drive-through Wells Fargo ATMs have one-way access off East Idaho Place with the necessary queuing length to accommodate customers.

The employee kiosk is fronting East Idaho Place. The building design exhibits a four-sided design, including varying architectural materials and parapet heights, a stone veneer base, brick veneer, aluminum composite accent panels, and storefront windows.

The site rests west of Havana Street. The demolition of the existing building triggers “Condition 1” of the Havana Street Overlay District. This condition requires curbside landscaping, a 10’ detached sidewalk along South Havana Street, and a landscape buffer. These Havana Street requirements were met with the proposal, and no adjustments regarding the Havana Street Overlay district are requested.

Seven (7) adjacent property owners and fourteen (14) registered neighborhood organizations were notified of the application. One neighborhood comment was received, and neighborhood meeting was held in response on October 22, 2021. The meeting was attended by Arnie Schultz and he discussed his concern of the development’s impact traffic and the surrounding neighborhood.

#### **Testimony Given at the Hearing:**

Ariana Muca, Case Manager, gave a presentation of the item including the staff recommendations.

Arnie Schultz, 1137 Oakland Street, Aurora, CO, Village East Neighborhood Association, spoke in opposition to the application, arguing that it does not comply with UDO due to the landscape perimeter adjustment being asked. Citizen Arnie Schultz, discussed the traffic that will be coming out of Costco at peak traffic times, and the negative impact it would have on the community

Nate Abbott, Galloway and Company, 6162 S Willow Drive, Suite 320, Greenwood Village, CO, representing the applicant, thanked the commission and city staff. Nate Abott discussed how the team worked on mitigating traffic. The applicant discussed access to the site is an 80-foot wide swath, which will be closed off and believes that will help with traffic flow on Havana Street. The ATMs will be right in/out and should not have a negative impact on traffic. The site application went above and beyond for landscape planting material. The applicant is replacing sidewalks will be 10-foot detached.

Commissioner Jetchick stated being pleased that Condition One of the Havana Overlay District is being applied with 10-foot sidewalks being detached and improved landscaping.

Commissioner Gaiser responded to traffic concerns. Stating he has been at the Costco many time and has not seen any traffic issues.

### **Planning Commission Results**

Agenda Item 5b – Conditional Use for a Drive-through ATM in a Mixed Use-Corridor Zone District

A motion was made by Commissioner Hogan and seconded by Commission Banka

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 all applicable standards in the Unified Development Ordinance and other adopted City regulations.
2. The application is consistent with the Comprehensive Plan “City Corridor” Placetype and will help further city goals of developing new commercial uses within this placetype that will serve nearby neighborhoods.
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.

**Action Taken:** Approved

Votes for the Conditional Use: 7

Votes against the Conditional Use: 0

Absent: None

Abstaining: None

Agenda Item 5c: Conditional Use for a Fueling Station in a Mixed Use-Corridor Zone District

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

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 all applicable standards in the Unified Development Ordinance and other adopted City regulations.
2. The application is consistent with the Comprehensive Plan “City Corridor” Placetype and will help further city goals of developing new commercial uses within this placetype that will serve nearby neighborhoods.
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.

Chair Lyon brought discussed the term adjustment. The term may be a matter of semantics, amendments were in the old code, now they are termed adjustments which are more site specific.

Commissioner Hogan frequents Costco and does not see current congestion concern. Commissioner Hogan asked the applicant and city staff to explain what traffic increases were to be seen in this area due to the installation of a drive thru ATM and King Soopers Gas Stations.

Brian Horan, Galloway and Company, 6162 S Willow Drive, Suite 320, Greenwood Village, CO, representing the applicant, explained the results of the traffic study. ATM traffic will be the same as it is now, fueling station will

increase by 50 to 60%. Most of this increase is through pass-by trips, not usually destination trips. The traffic study showed that a large increase in traffic is not to be expected.

Commissioner Hogan wanted a specific net vehicle increase to this development. Nate Abbott responded with 2000 vehicles per day. Commissioner Hogan proceeded in questioning if the current traffic light is adequate and is timing proper to address that increase.

B Brian Horan, a study was submitted that included the signal light, study shows that the intersection can handle that traffic.

Steven Gomez, Public Works, Traffic Engineer, responded that the traffic study, approved by staff shows that queing will not be an issue, and the intersection is adequate.

**Action Taken:** Approved  
Votes for the Conditional Use: 7  
Votes against the Conditional Use: 0  
Absent: None  
Abstaining: None

#### Agenda Item 5d – Site Plan with Adjustment

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

Move to approve, with one condition 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, and other adopted City regulations.
2. The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.
3. The proposed development is compatible with the surrounding development.
4. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

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:** No further discussion.

**Action Taken:** Approved with Condition  
Votes for the Conditional Use: 7  
Votes against the Conditional Use: 0  
Absent: None  
Abstaining: None

Planning Department  
City of Aurora, Colorado

## SUMMARY OF PLANNING COMMISSION ACTIONS

**Project Name: US BANK AT SERENITY RIDGE**

Planning Commission Hearing Date: November 10, 2021  
Deadline for City Council Call Up: December 6, 2021  
Ward: VI

Project Type: Conditional Use and Site Plan Amendment  
DA Number: DA-1618-20  
Case Number(s): 2015-6032-01; 2015-6032-02  
Location: QS:26X – Approximately 900 feet southeast of the intersection of  
E Smoky Hill Road and E Arapahoe Road  
Case Manager: Ariana Muca

**Description:**

The applicant, KLM Colorado, is requesting approval for a site plan amendment and a Conditional Use Permit to install a drive-through ATM southeast of the existing US Bank in the Serenity Ridge Commercial Activity Center. The subject site is located on the southeast corner of East Smoky Hill Road and East Arapahoe Road. It is within the Mixed-Use Corridor (MU-C) zone district in Subarea C and within the Commercial Hub Placetype of the Aurora Places Comprehensive Plan. The site is accessed from East Smoky Hill Road and internal cross-access drives.

The proposed development involves the removal of 10 parking spaces for the installation of the ATM structure and associated queuing lane. This lane provides enough space to allow a total of 3 cars to queue. The proposed elimination of parking spaces still provides for sufficient parking and will exceed the minimum parking required. Minimal impact to the landscape will occur with the site plan amendment. One landscape island will be moved to approximately 18 feet to the southwest to accommodate the ATM. The proposed hours of operation are 24 hours per day, 7 days per week; the expected number of customers per day is 46. The ATM will have 24-hour video surveillance and an alarm system.

Thirteen (13) registered neighborhood organizations and three (3) adjacent property owners were notified of the Site Plan Amendment and Conditional Use application. No comments were received, and a neighborhood meeting was not held.

**Testimony Given at the Hearing:**

Ariana Muca, Case Manager, gave a presentation of the item, including the staff recommendations.

**Planning Commission Results**

Agenda Item 5e – Conditional Use

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

Move to approve the Conditional Use request 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 Comprehensive Plan “Commercial Hub” Placetype goal to create a unique mix of uses in a relatively dense urban fabric.
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. Capacity exists with existing city infrastructure and public improvements to accommodate the business.
5. Adverse impacts to the surrounding area have been mitigated.

**Further Discussion:**

No further discussion occurred

**Action Taken:** Approved  
Votes for the Site Plan: 7  
Votes against the Site Plan: 0  
Absent: None  
Abstaining: None

Agenda Item 5f – Site Plan Amendment

A motion was made Commissioner Banka and seconded by Commissioner Gaiser

Approve, with one condition, the Site Plan Amendment, because it 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 proposal is compliant with standards and requirements for landscaping, screening and parking per the UDO.
2. The proposal has no negative effects on pedestrian and vehicular movements.
3. The amendment does not have an increased impact on City infrastructure nor public improvements.
4. The expansion is compatible and comparable with the surrounding commercial land uses within the Serenity Ridge development.

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\1618-20sps.rtf

Planning Department  
City of Aurora, Colorado

## SUMMARY OF PLANNING COMMISSION ACTIONS

**Project Name: BUCKLEY YARD COMMERCIAL - INFRASTRUCTURE SITE PLAN AND PLAT**

Planning Commission Hearing Date: November 10, 2021

Deadline for City Council Call Up: December 6, 2021

Ward: II

Project Type: Infrastructure Site Plan

DA Number: DA-2252-01

Case Number(s): 2021-6021-00; 2021-3019-00

Location: QS:09L – Northeast Corner of S Airport Boulevard and E Alameda Parkway

Case Manager: Todd Hager

**Description:** The applicant, Evergreen Development Company, is requesting approval of an Infrastructure Site Plan (ISP). The infrastructure improvements are needed to support the development of the commercial phase of Buckley Yard, which is adjacent to Airport Boulevard, per the Buckley Yard Master Plan. The infrastructure improvements include the development of one public street and one private street, utility mains, mass grading of the site, storm sewer systems, and locating stormwater detention and treatment facilities in anticipation of future site planning. The property is zoned MU-C (Mixed Use-Corridor) and consists of approximately seven acres located at the northeast corner of S. Airport Boulevard and E. Alameda Parkway. The site is currently vacant.

This ISP provides significant infrastructure improvements within the commercial area of the Buckley Yard Master Plan with a street network to support both the commercial phase of development and access to the residential development, which is planned to the east. The commercial area includes five commercial lots located between E Alameda Drive and E Alameda Parkway on the east side of Airport Blvd.

The Buckley Yard Master Plan, an approximately 44-acre development, consists of the previously mentioned approximately seven acres of commercial and about 37 acres of residential. 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. In addition, residents will benefit from proximity to commercial uses on-site and a private park within the community and neighborhood.

**Testimony Given at the Hearing:**

Todd Hager, Case Manager, gave a presentation of the item, including the staff recommendations.

Chair Lyon asked if the property was in Subarea B or C and if it was in C then it wouldn't have gone to Planning Commission but Administrative Decision. Mr. Hager confirmed that he was correct in that statement.

**Planning Commission Results**

Agenda Item 5g – Infrastructure Site Plan

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

Approve the Infrastructure Site Plan with two conditions because it 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 proposal complies with the standards of the UDO and other adopted regulations;
2. Adequate infrastructure has been provided and impacts are mitigated; and,
3. The proposed Infrastructure Site Plan is compatible with the surrounding development and meets all Master Plan standards.

Approval to be subject to the following conditions:

1. Recordation of Buckley Yard Master Plan prior to recordation this Infrastructure Site Plan; and,
2. Resolution of outstanding technical issues prior to recordation of the Infrastructure Site Plan and issuance of any building permits.

**Further Discussion:**

No further discussion occurred.

**Action Taken:** Approved with Conditions  
Votes for the Infrastructure Site Plan: 7  
Votes against the Infrastructure Site Plan: 0  
Absent: None  
Abstaining: None

Filed: K:\\$DA\2252-01sps.rtf

Planning Department  
City of Aurora, Colorado

## **SUMMARY OF PLANNING COMMISSION ACTIONS**

### **Project Plan Name: UNIFIED DEVELOPMENT ORDINANCE - TEXT CHANGE**

Planning Commission Hearing Date: November 10, 2021  
City Council Meeting Date: November 22, 2021  
Wards: All

Project Type: UDO Amendment Pertaining to Battery Operated Alarmed Electric Fences  
DA Number: DA-2163-07  
Case Number(s): 2018-1006-07  
Location: Within the boundaries of the city  
Case Manager: Brandon Cammarata

#### **Description:**

This proposed Unified Development Ordinance (UDO) amendment would allow "Battery Operated Alarmed Electric Fences" (Electric Fences) as an accessory use in industrial zone districts (administrative approval) and with a conditional use (planning commission approval) in some mixed-use zone districts.

These electric fences have specifications proposed in the UDO and Chapters 22 and 66, Building and Building Regulation and Fire Prevention and Protection of city code. In general, these fences are erected four to eight inches behind (inside) a permitted fence with multiple electrified wires running horizontally, extending up to two feet above the regular fence to a maximum of ten feet. Proposals for these fences would be reviewed through the "site plan" or "site plan amendment" processes and require permits through the building department.

This text amendment proposal has been initiated by City Council and has been discussed at the City Council subcommittee, Planning and Economic Development (PED) on August 12, 2020, and again on April 14, 2021. In addition, the proposed ordinance was presented at the City Council Study Session on October 18, 2021, where the City Council identified no concerns.

Development application is applicable to the incorporated city boundaries. No public comments were received.

#### **Testimony Given at the Hearing:**

Brandon Cammarata, Planning Manager, gave a presentation of the item, including the staff recommendation.

Michael Pate, Amarak, 50 Assembly Street, 5<sup>th</sup> Floor, Columbia, SC, stated that he was present for technical information regarding the devices and that he is in support of the staff recommendation.

#### **Planning Commission Results**

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

Recommend approval to City Council the Unified Development Ordinance Text Amendment Pertaining to Battery Operated Alarmed Electric Fences because the amendment complies with Code Criteria Section 146-5.4.1.C.3.b, of the Unified Development Ordinance for the following reasons:

1. The change to the Ordinance text is appropriate to permit "battery operated alarmed electric fences" in limited industrial areas or by conditional approval.
2. The limited allowance of "battery-operated alarmed electric fences" is a reasonable accommodation supporting businesses' needs for security with sufficient limitations and protections to limit the risk to first responders and the public at large.

#### **Further Discussion:**

Commissioner Hogan asked if the purpose of this typed of fence is to provide security. Mr. Cammarata (staff) responded that the fence is for security



Commissioner Hogan ask if the fences will have gates. Mr. Cammarata (staff) responded that gates are anticipated.

Deputy City Manager Batchelor added that gating was a large part of the discussion with fire and life safety to understand how the gating would work and to clarify expectations if police or fire had to interact with a gating system.

Commissioner Hogan ask if there is anything that will prevent someone from falling onto the fence from the inside. Mr. Pate with Amarak said the fence is off during business hours and no one would be inside during off hours when the fence is on.

**Action Taken:** Recommendation to City Council

Votes for the UDO Amendment: 7

Votes against UDO Amendment: 0

Absent: None

Abstaining: None

Filed: K:\\$DA\2163-07sps.rtf