

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

January 12, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	STEVINSON TOYOTA EAST EXPANSION – CONDITIONAL USE (Ward III) CASE MANAGER: Antonnio Benton APPLICANT: Stevinson East Inc Development Application: DA-1354-04 Case Number: 1978-6012-13 General Location: Northeast Corner of Havana Street and Virginia Avenue	Approve	Approved For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up Deadline Feb 14, 2022
5b.	STEVINSON TOYOTA EAST EXPANSION – SITE PLAN AMENDMENT (Ward III) CASE MANAGER: Antonnio Benton APPLICANT: Stevinson East Inc Development Application: DA-1354-04 Case Number: 1978-6012-12 General Location: Northeast Corner of Havana Street and Virginia Avenue Conditions: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.	Approve w/ a condition	Approved w/ a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up Deadline Feb 14, 2022
5c.	EAST BANK SHOPPING CENTER RESIDENTIAL – SITE PLAN W/ADJUSTMENT (Ward V) CASE MANAGER: Ariana Muca APPLICANT: Kimco East Bank 689 Inc Development Application: DA-1207-11 Case Number: 1982-6001-24 General Location: Northeast Corner of S Parker Road and E Quincy Avenue Conditions: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan mylars and issuance of any building permits.	Approve with an adjustment and a condition	Approved with an adjustment and a condition For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up Deadline Feb 14, 2022

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: Stevinson Toyota East Expansion

Planning Commission Hearing Date: January 12, 2022
Deadline for City Council Call Up: February 14, 2022
Ward : III

Project Type: Conditional Use and Site Plan Amendment
DA Number: 1354-04
Case Number(s): 1978-6012-13; 1978-6012-12
Location: Northeast Corner of Havana Street and E Virginia Avenue
Case Manager: Antonnio Benton

Description:

The applicant, Stevinson Toyota East Inc., proposes a Site Plan Amendment to construct a new dealership facility on 7.7 acres of the existing Stevinson Toyota automobile dealership. Additionally, the applicant is seeking approval for a Conditional Use to allow automotive sales with supporting services, in the Mixed Use-Corridor (MU-C) zone district. The subject property is located north and east of the intersection of Havana Street and E Virginia Avenue. The proposed facility will be centrally located on the site and will include a multi-story "L" shaped building to include a vehicle showroom with offices and customer amenities. The portion of the building that fronts Virginia Avenue to the south will include a complete service department on the ground floor, with a vehicle storage parking garage on two separate levels above. Existing buildings/facilities will be demolished to allow for the new construction.

New construction is proposed in two phases. Phase 1 will include the parking garage and service areas, and Phase 2 will include the new customer service area and sales floor. No changes in the hours of operations are proposed. Regular operational hours for the automotive dealership are Monday through Saturday from 9:00 a.m. to 6:00 p.m. Service hours will start at 7:00 a.m. Monday through Friday and 8:00 a.m. on Saturdays. Primary customer vehicular access will remain from multiple access points on Havana Street, and an additional customer access point will be located on E Virginia Avenue. Access points from Ironton are proposed to be gated. The proposal includes 30 customer parking spaces, 356 display spaces (primarily located along Havana Street), 274 parking garage spaces, and 182 parking spaces for the service areas. Bicycle parking is also provided. The site will include a gating system at the E Virginia Avenue entrance. And lastly, the proposed building architecture and materials comply with the requirements in the city code. See the *Results of Development Review* for details.

The required referrals were made to the abutting property owners and the ten (10) registered HOA within a mile of the site. Multiple community comments were received, and a neighborhood meeting was held on November 9, 2021 to address comments.

Testimony Given at the Hearing:

Antonnio Benton, Case Manager, gave a presentation of the item, including the staff recommendations.

Commissioner Banka asked why the City of Aurora is requiring the applicant to seek a conditional use approval although the automotive dealership is currently an existing use on the site.

Mr. Benton responded that there was no previous Conditional Use for this site and requiring a Conditional Use now ensures that the proposal meets use-specific standards and other requirements of the Unified Development Ordinance.

Commissioner Gaiser asked if the sidewalks along Havana Street will be reconstructed.

Mr. Benton explained that the sidewalks will be updated to 10-foot wide detached sidewalks along Havana Street.

Kent Stevinson, Stevinson Automotive, 1726 Cole Boulevard, Suite 300, Lakewood, CO the applicant, gave a presentation of the item.

Commissioner Hogan asked about the species of trees and their growth over time and if that would impact the views along Havana Street.

Mr. Stevinson stated that there is a fine balance in choosing a tree species that doesn't impact views from the street and noted that it is managed through regular tree trimmings.

Planning Commission Results

Agenda Item 5a: Conditional Use for Automotive Sales and Service in a MU-C Zone District

A motion was made by Commissioner Turcios 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. It is consistent with all applicable standards, regulations, and plans including the Comprehensive Plan.
2. The size, scale, height, density, multi-modal traffic impacts, and hours of operation proposed by staff for the proposed use are compatible with existing and planned uses in the surrounding area.
3. Will not change the predominant character of the area.
4. City's infrastructure has adequate capacity to serve the development.
5. Will not create significant displacement of tenants or occupants of the property.
6. Mitigates any adverse impacts to the surrounding area to the degree practicable

Further Discussion:

No further discussion occurred.

Action Taken: Approved

Votes for the Conditional Use: 6

Votes against the Conditional Use: 0

Abstaining: None

Vacancies: 1

Agenda Item 5b – Site Plan Amendment

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

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

1. Complies with all applicable standards in the UDO which affect the property.
2. Utilizes adequate existing city infrastructure and public improvements.
3. Is compatible with the size, scale, and building façade materials.
4. Mitigates any adverse impacts to the surrounding area to the degree practicable.

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: 6

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Vacancies: 1

Filed: K:\\$DA\sps.rtf

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Project Name: EAST BANK SHOPPING CENTER RESIDENTIAL

Planning Commission Hearing Date: January 12, 2022
Deadline for City Council Call Up: February 14, 2022
Ward: V

Project Type: Site Plan with Adjustment
DA Number: DA-1207-11
Case Number(s): 1992-6001-24
Location: Northeast Corner of S Parker Road and E Quincy Avenue
Case Manager: Ariana Muca

Description:

The applicant, Kimco East Bank 689 Inc, is requesting approval of a Site Plan to redevelop a portion of the East Bank Shopping Center. The proposal is to redevelop approximately 95,000 square feet of single-story retail space into a 311-unit apartment building (multi-family) with structured parking. The 21-acre shopping center (multiple owners) is located at the northeast corner of S Parker Road and E Quincy Avenue. The proposal impacts 7.5-acres in the northeast corner of the shopping center along South Atchison Way. The site is within the Mixed-Use Corridor (MU-C) Zone District which allows the proposed multifamily development. The East Bank Shopping Center is near another retail area to the south across Quincy Avenue and Cherry Creek State Park to the west. An existing single-family detached residential neighborhood is to the north, and a single-family attached (townhome) community is to the east.

The northern portion of the redevelopment area will feature the four-story multi-family building directly adjacent to South Atchison Way. The southern portion of the redevelopment area will have a 243-stall parking garage. Additional parking is proposed with 190 surface parking stalls for 433 total parking spaces exceeding the required 374 parking spaces. The remaining retail spaces will retain dedicated parking spaces that exceed the minimum parking requirements for retail development. In addition, public drive access is proposed between the parking garage and the existing retail buildings to the south to retain a direct connection between the shopping center and the Pier Point Neighborhood to the east. The public drive will be constructed as a privately-maintained street with public access. The drive access provides access to the traffic signal at the south end of the shopping center on Quincy Avenue.

This proposal meets all site plan requirements for zoning traffic and drainage, with one zoning adjustment requested to increase the maximum building length. More detailed information about the adjustment request is discussed later in the report. The proposed Site Plan is consistent with the approval criteria in the UDO, and staff supports the proposed building length adjustment. Two hundred and thirty adjacent property owners and forty-two registered neighborhood organizations were notified of the application and public hearing. The review process has extended to approximately eight months and during that staff received over 400 written comments through the project portal.

A petition with signatures collected primarily in July is included in the backup. The petition's description was to urge opposition of the project primarily due to eliminating the access from Atchison Way, which has since been added back into the project. The petition includes approximately 539 signatures

Two neighborhood meetings were held on June 22, 2021, and August 12, 2021. Some of the concerns identified at the meeting and written comments include the increase in traffic, limited access to the traffic light on South Quincy Avenue, density, and opposition to the adjustment request regarding the building length. In addition to presentations at neighborhood meetings the applicant has responded to these many comments in writing as part of the review process

Testimony Given at the Hearing:

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

Commissioner Gaiser asked if there are any buildings with this 410' extended length been denied recently.

Ms. Muca explained that in 2021 all five cases with a building length adjustment were approved by the Planning and Zoning Commission.

Commissioner Jetchick commented on starting a vote to allow the neighbors to make a 10-minute presentation.

Brandon Cammarata, Planning Manager, explained the next order of events to commissioners, staff and public. The applicant will make their presentation, the neighborhood group has asked to follow with a ten-minute presentation and then move on to general comment. The Planning Commission would need to approve the request from the neighbors to have a ten-minute presentation.

Commissioner Turcios asked how many citizen comments were received.

Ms. Muca responded with over 300 written comments and over 500-person petition.

Commissioner Bush asked what the comments were mostly about. Ms. Muca responded most comments were in regard to traffic increase, density, access from Atchison and the adjustment on the building length.

Tyler Carlson, 1873 S Bellaire Street, Suite 1200, Denver CO, asked for an additional five minutes for the presentation.

Dan Money, Assistant City Attorney, suggested for Planning Commission to vote on the request.

Commissioner Gaiser stated if the neighborhood is being given time, then the applicant should be given additional time.

A MOTION WAS MADE COMMISSIONER JETCHICK AND SECONDED BY COMMISSIONER HOGAN. TO ALLOW THE APPLICANT AN ADDITIONAL FIVE MINUTES FOR THEIR PRESENTATION.

MOTION PASSED UNANIMOUSLY

Tyler Carlson, Evergreen Development Company, 1873 S Bellaire Street, Suite 1200, Denver CO, representing the applicant, gave a presentation of the item.

Marcus Pachner, The Pachner Company, 130 Rampart Way, Suite, 225, Denver, CO, representing the applicant, gave a presentation of the item.

Diana Rael, Norris Design, 1101 Bannock Street, Denver, CO, representing the applicant, gave a presentation of the item.

Carolynne White, Brownstein, Hyatt, Farber, Schreck PC, 410 17th Street, Suite 2200, Denver, CO, representing the applicant, gave a summary of what the Planning Commission will be making a decision on.

Commissioner Gaiser asked the applicant what the range of rents and income requirements will be. Mr. Pachner responded the rents will range \$1,500 to \$2,100 on average \$1,700 would be market rate. The project is looking to target 100% to 110% AMI, (Area Medium Income). Mr. Pachner spoke on how generally 80% AMI is considered affordable.

Commissioner Gaiser asked if this is considered to be affordable housing. Mr. Pachner responded the project is not affordable but attainable housing.

Commissioner Banka asked if the \$1,500 per month would be for a two bedroom? Marcus Pachner did not have the exact breakdown of studio, one bedroom, and two bedrooms. But the two bedrooms would come in around the \$1,700 per month.

Commissioner Bush moved to vote on the neighborhood ten-minute presentation.

A MOTION WAS MADE COMMISSIONER JETCHECK AND SECONDED BY COMMISSIONER GAISER TO ALLOW THE NEIGHBORHOOD A TEN-MINUTES PRESENTATION.

MOTION PASSED UNANIMOUSLY.

Commissioner Hogan asked the public that if the presentation covers a neighbor's concern that it not be repeated later.

Bill VanSickle, 3984 S Atchison Way, Aurora, CO, gave a presentation which highlighted the challenges the project presents to the neighborhood. He spoke on how the whole center needs be redeveloped, or it will not match the new multi-family development. Mr. VanSickle did not agree with the adjustment.

Edna Diament, 3992 S Atchison Way, Aurora, CO, spoke in opposition to the application. Her concerns highlighted points in the Comprehensive Plan, particularly the statement "great place to live work and play". She stated this project does not meet the goals of the Comprehensive Plan as there is no shopping in the immediate area. Grocery stores are 1.5 miles away in all directions. Ms. Diament felt that the neighborhood had a limited amount of time to look at the project.

Kyle Cascioli, 38136 S Atchison Way, Aurora, CO, spoke in opposition of the requested adjustment. He gave opinion on how the proposed project was the size of a superblock in Denver, Colorado.

Carol VanSickle, 3984 S Atchison Way, Aurora, CO, spoke in opposition, stating there will be negative impacts on the community. She further stated she would like to work with the applicant for a beneficial for all plan.

Debra Pond, 3850 S Atchison Way, Unit G, Aurora, CO, spoke in opposition of the project citing traffic concerns with the increase of traffic on Atchison Way. She noted how there are no traffic lights at several egress points, just stop signs which contribute to problems with the traffic flow.

Geraldine Santos-Rach, 13950 E Oxford Place, B-303, Aurora, CO, spoke in opposition citing incompatibility with surrounding neighborhood buildings. She noted that parking is also an issue for the current neighborhood. The applicant has not balanced the needs of the new development with the existing community. She stated that what needs to happen for balance: traffic light at Quincy and Atchison, light at Parker Road and Atchison, funding from the applicant to support increase of canine traffic, additional cross walks, additional funding for maintenance of Carson Park.

Sam Torres, 13899 E Radcliff Place, Aurora, CO, resident of Cherry Creek Racquet Club, stated that additional traffic is a concern for the neighboring communities. Mr. Torres spoke of road rage incidents and safety concerns. He suggested postponing the application until traffic issues have been fully addressed.

Mike Fruitman, Stadium Sportscards, 4032 S Parker Road, Aurora, CO, spoke in support of the application. Mr. Fruitman stated that he is looking forward to support for business from local residents in the center. He believes the project will revitalize the area and provided need housing in the area.

Elsi Renden, 2050 S Fairplay Street, spoke in support of the project stating housing needed.

Gracey Loucks, 2741 S Ireland, Aurora, CO, spoke in support of the item stating that housing is needed and a stoplight should be included.

Martin Brady, 5686 S Havana Court, Englewood, CO, spoke in opposition to the application, his comments highlighted the access to East Bank from Atchison Way, and how difficult it is to get onto Parker Road and Quincy Avenue. Mr. Brady also objected to the adjustment.

Janis Skinner, 3990 S Atchison Way, Aurora, CO, stated that she appreciates those who have spoken in support of the project; but they do not live in the neighborhood. The traffic concerns are a reason to say no to the application. It is the neighbors hope that the concerns voiced by them will be considered in the decision to approve/disapprove. She stated that the current existing community's needs are not being met and the Pier Point neighborhood is being underserved.

Marshall Estes, 4074 S Atchison Way, Unit 302, Aurora, CO, spoke in opposition of the project stating his main concern is the tearing down of the existing buildings for the redevelopment which causes concerns with asbestos. Requested the application be put on hold till the city has an inspector check the current state of the building and asbestos levels.

Claudia VanBuren, 3900 S Eagle, Aurora, CO, spoke in opposition of the project citing concerns about traffic, Atchison and Parker Road intersections.

Crassus Conquest, 12178 E Hampden Drive, Aurora, CO, spoke in support of the project stating that housing is needed, and this is a good location for multi-family as there is direct access to Parker Road. He also believes that project will add value to the area.

Max and Maryia Sventukh, 4140 S Parker Road, Aurora, CO, did not answer call to speak.

Juan Nieblas, 1148 S Sable Boulevard, Aurora, CO, spoke in support of the project, reiterating that housing is needed and redevelopment is good for the community.

Alenjandro Hernandez, 12178 E Hampden Drive, Aurora, CO, spoke in support of the project, citing there is need to have affordable housing and he would like to live in the area.

Herman White, 25836 E 4th Place, Aurora, CO, spoke in support, more housing options are needed in the City of Aurora. Having more choices and higher quality options are needed in Colorado.

Sam Fruitman, 4032 S Parker Road, Aurora, CO, spoke in support of the project stating that he is hopeful that this will help pave the way for young people to have more housing options available in the city.

Brandon Rich, 5445 DTC Parkway, Greenwood Village, CO, spoke in support of the application. He stated that the need for housing is great in the Denver Metro area. The supply and demand for multi-family is out of balance and because of this imbalance rents are rising. With more apartments available housing will become more affordable.

Jasper Vue, 4200 S Parker Road, Aurora, CO, spoke in support of the project and stated that he has worked with the businesses in the area on behalf of the applicant and has found that many of them want this project to proceed. Mr. Vue highlighted that the application will bring potential for new customers and will inspire future development and redevelopment in the area.

Amy O'Brien, Furniture Row, 4258 S Parker Road, Aurora, CO, spoke in support of the application. She stated that the multi-family project will help with the vacancies in the center.

Daniel Smafield, 4232 S Blackhawk Circle, Unit 5E, Aurora, CO, spoke in support of the application. Mr. Smafield stated that he understands the neighborhood concerns regarding traffic but would like the project to proceed for the greater good. The project will help to stabilize rents in the area and also help with the need for housing and support the existing local businesses.

Zoe Pericak, 4200 S Parker Road, Aurora, CO, spoke in support of the project citing the benefits for businesses and residents.

Cynthia Koneck, 13963 E Oxford Place, Aurora, CO, spoke in opposition to the application. She stated that the traffic needs to be remediated before any new development is approved. Ms. Koneck stated there will not be enough parking for existing businesses, and more green spaces are needed. She further stated, the project is not for affordable housing. Affordable housing is what is needed, and this is not.

Jen Judkoff, 14044 E Princeton Place, #A, Aurora, CO, spoke in opposition to the application stating that the project detracts from the MU-C zoning district. She also objected to the building length adjustment.

Art Zislis, 3993 S Dillon Way, #101, Aurora, CO, questioned why neighborhoods east of Carson Park were not notified of the application. The community comments that were sent in are not representative of the whole neighborhood. He stated that Carson Park needs maintenance and can't support an increase of visitors. The intersection of Parker and Quincy and entrance to the State Park is not safe. He added that a pedestrian bridge from East Bank over Parker Road would be a great addition and something that would be supported. He also stated that the proposal seems rushed and lacks public input, and will have lasting effects on the surrounding community.

Christopher Burton, 5150 E Yale Circle, Denver, CO, spoke in support of the project stating that more housing is needed in the Denver Metro Area. Many older retail centers are incorporating multi-family units to their redevelopment and it has been successful.

Marcus Pachner, rebutted issues regarding parking. Mr. Pachner explained that parking will be enforced, and the proposed parking meets the current requirements. He addressed the concerns regarding Carson Park and the need for open/green space. He stated that Carson Park is run by the City of Aurora not the development. He noted that the project would support the existing retail and bring in more customers. The application is proposing a better connection to Parker Road than that which currently exists. Mr. Pachner also gave a brief summary on the results of the applicant's Traffic Study.

Ms. White rebutted regarding the adjustment. Ms. White noted there was no recorded easement for benefit of the neighborhood.

Commissioner Turcios asked if there any projects in the works for a light at Quincy and Atchison.

Carlie Campuzano, Traffic Manager, discussed there is currently a grant funded project that is under review for the area of Parker, Quincy and Smoky Hill. A signal light is not under consideration for East Quincy and South Atchison Way. South Atchison Way and Parker Road also is not under consideration for a signal light. Since public comment has been so significant during this application there is going to be a new study done and noted that many of the neighborhood concerns do not affect the project under consideration.

Planning Commission Results

Agenda Item 5c: Site Plan with Adjustment

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

Move to approve, with one condition, the Site Plan with one Adjustment to increase the maximum building length 146-4.8.5.2.1.b., because the proposal complies with the requirements of Section 146-5.4.3.B.2 for the following reasons:

1. The proposal is consistent with all applicable standards, regulations, and plans which affect the property.
2. The proposal is identified as primary land use in the Commercial Hub Placetype in the Aurora Places Plan and furthers the "Housing for All" principle.
3. Existing City infrastructure and public improvements have capacity to serve the development, and improvements have been made to mitigate any potential negative impacts.
4. The proposal will improve and expand existing multi-modal transportation connections, which includes transit and bicycle connections to regional trails.
5. The project is compatible with surrounding residential and mixed-use developments; and
6. The proposal mitigates adverse external impacts to the surrounding area through circulation improvements as well as architectural design and detail that provides a relationship and transition to the existing neighborhood to the east.

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.

Action Taken: Approved with one Condition and an Adjustment

Votes for the Site Plan: 6

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Vacancies: 1