

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

February 9, 2021

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<b>1671 ALTURA BOULEVARD – ZONING MAP AMENDMENT (Ward II)</b> CASE MANAGER: Sarah Wile                      APPLICANT: Columbia Ventures Development Application: DA-2299-00      Case Number: 2021-2009-00 General Location: Southwest Corner of 17 <sup>th</sup> Avenue and Altura Boulevard	Recommend Approval	<b>Recommended Approval</b> For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	City Council Meeting Date March 14, 2022
5b.	<b>PIVOT ENERGY SOLAR – SITE PLAN (Ward II)</b> CASE MANAGER: Liz Fuselier                      APPLICANT: Pivot Energy Solar Inc Development Application: DA-2290-00      Case Number: 2021-6044-00 General Location: Northeast Corner of N Tower Road and E 6 <sup>th</sup> Avenue Conditions: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.	Approve with a condition	<b>Approved with a condition</b> For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up Deadline Feb 28, 2022
5c.	<b>MAA ABILENE MULTI-FAMILY – SITE PLAN W/ADJUSTMENTS (Ward IV)</b> CASE MANAGER: Ariana Muca                      APPLICANT: Mid-America Apartments LP Development Application: DA-2292-00      Case Number: 2021-4029-00 General Location: Northeast Corner of Abilene Street and Florida Avenue Conditions: 1. Resolution of outstanding technical issues prior to recordation of the Site Plan and issuance of any building permits.	Approve with two adjustments and a condition	<b>Approved with two adjustments and a condition</b> For Approval: 6 For Denial: 0 Abstentions: 0 Absent: 0 Vacancies: 1	Call-up Deadline Feb 28, 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: 1671 ALTURA BOULEVARD**

Planning Commission Hearing Date: February 9, 2022

City Council Meeting Date: March 14, 2022

Ward: II

Project Type: Zoning Map Amendment  
DA Number: DA-2299-00  
Case Number(s): 2021-2009-00  
Location: QS:04H: Southwest Corner of 17<sup>th</sup> Avenue and Altura Boulevard  
Case Manager: Sarah Wile

**Description:**

The applicant, Columbia Ventures, is requesting approval of a Zoning Map Amendment from the R-2 District (Medium Density Residential) to the R-4 District (High Density Residential) for 4.5 acres. The property is located at the southwest corner of 17<sup>th</sup> Avenue and Altura Boulevard (1671 Altura Boulevard). The site is undeveloped with the exception of a vacant single-family home on the east. It is adjacent to mobile home parks, a multi-family building, a church, and an elementary school. In the future, the applicant intends to develop affordable, workforce housing with a job training center in partnership with Cross Purpose, a non-profit organization that offers career and community development. Any proposed development on the property will require a new Site Plan application that will be reviewed by all city departments and outside agencies, as well as adjacent property owners and registered neighborhood organizations.

A Zoning Map Amendment is proposed because although both the R-2 and R-4 Districts permit multi-family development, the R-2 District does not permit office uses such as the proposed job training center. The purpose of the R-4 District is to allow for a diverse range of housing types ranging from single-family and two-family residences to high-density multi-family apartments, neighborhood services, and some limited office uses. All future development on the site will be required to meet Neighborhood Protection Standards in the Unified Development Ordinance.

The site is within the Established Neighborhood placetype in the Aurora Places Comprehensive Plan, which is characterized by predominantly residential areas of various densities, including multi-family residential, and also supports limited retail, service, and office uses. The principles and goals of this placetype align with the Zoning Map Amendment request. It is also consistent with the city's Housing Strategy Plan, which the City Council adopted in December 2020. This plan encourages expanding the diversity of housing types for a variety of incomes and supporting workforce development, which are two goals of this project. Thirteen adjacent property owners and eight registered neighborhood organizations were notified of the application. Two comments were received from adjacent property owners.

One comment was supportive of the zoning change, and the other comment noted concerns about traffic on adjacent streets. The applicant reached out to the adjacent property with concerns and spoke with them about the infrastructure improvements that will be included when a Site Plan is submitted in the future and noted that there would be a Traffic Impact Study prepared. A neighborhood meeting was not held due to the limited number of comments received.

**Testimony Given at the Hearing:**

Sarah Wile, Case Manager, gave a presentation of the item, including the staff recommendation.

Alisha Hammett, Shopworks Architecture, 301 W 45<sup>th</sup> Avenue, Denver, CO, representing the applicant, gave a presentation of the item.

Dillon Baynes, Columbia Ventures, 1454 La France Street, Atlanta, GA, the applicant, also gave a presentation of the item.

Commissioner Gaiser asked what they believe the chances are of getting CHFA funding this first round. Mr. Baynes stated that they aren't sure, but they are one for one when applying for projects in Colorado so far and hope to be successful. Commissioner Gaiser noted that adding the office space and job training for clients will increase their chances substantially and that this is a great model for the city.

Commissioner Hogan asked what the percentage of the development will be office / job training and what portion will be multi-family if they go to the R-4 District. Ms. Wile stated that staff hasn't seen a formal Site Plan submittal yet, but her understanding is that about 70% of the site would be multi-family and 30% would be for the office building. Ms. Hammett stated that that is generally correct and she believes it will actually be about 80% multi-family and 20% office.

Commissioner Hogan asked whether the zoning would remain R-4 even if they are not awarded CHFA funding. Ms. Wile stated that the property would remain R-4 indefinitely if it is approved by City Council unless the property owner requested to change it to another zone district in the future. Mr. Baynes also noted that the property owner is a church and their singular vision for the site is developing affordable housing.

Commissioner Walls asked the applicant to discuss the conversation he had with the adjacent property owner regarding traffic concerns. Mr. Baynes stated that the property owner's singular concern was school pick-up around 3:00 pm on weekdays. Mr. Baynes noted that their project will not generate much traffic at this time of day, so it shouldn't add to the congestion during that period. They will do a Traffic Impact Study when they submit their Site Plan and work with Traffic Engineering to address any other concerns.

Commissioner Banka asked if this area is serviced by the Aurora Fire Department or volunteer firefighters. Ms. Wile stated that given its proximity to existing city fire stations, she believed it would be serviced by the Aurora Fire Department and nothing has been brought up in previous conversations that it would not be.

### **Planning Commission Results**

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

Move to recommend approval of the Zoning Map Amendment from the R-2 District to the R-4 District City Council because the proposal complies with the criteria in Section 146-5.4.1.C.1.3 of the Unified Development Ordinance for the following reasons:

1. It is consistent with the spirit and intent of the Comprehensive Plan.
2. It complies with other policies and plans adopted by the City Council such as the Housing Strategy Plan.
3. It is consistent with surrounding uses and development.
4. It will not create any dislocations of tenants or occupants of the property.

### **Further Discussion:**

Commissioner Jetchick stated that one of the goals of City Council has always been to live where you work and she believes that this proposal will help to fulfill that goal.

Commissioner Bush concurred with Commissioner Jetchick.

Commissioner Walls stated that he is concerned with moving from R-2 to R-4 because it is a big change, but that he will support the project and looks forward to seeing the Site Plan in the future.

**Action Taken:** Recommend Approval  
Votes for the Zoning Map Amendment: 6  
Votes against the Zoning Map Amendment: 0  
Absent: None  
Abstaining: None  
Vacancies: 1

Planning Department  
City of Aurora, Colorado

## **SUMMARY OF PLANNING COMMISSION ACTIONS**

**Project Plan Name: PIVOT ENERGY SOLAR**

Planning Commission Hearing Date: February 9, 2022  
Deadline for City Council Call Up: February 28, 2022  
Ward: II

Project Type: Site Plan  
DA Number: DA-2290-00  
Case Number(s): 2021-6044-00  
Location: QS:06N – Northeast Corner of N Tower Road and E 6<sup>th</sup> Avenue  
Case Manager: Liz Fuselier

**Description:**

The applicant, Pivot Energy Solar Inc, proposes a Site Plan to construct a solar garden on approximately 45.0 acres. The site is currently vacant and is located at the northeast corner of the intersection of E 6<sup>th</sup> Avenue and North Tower Road. The site is zoned Accident Potential Zone District (APZ) is within Subarea B. The Aurora Places Comprehensive Plan designates this area as part of an Urban Green Space Placetype. The land use north and east are part of the Aurora Sports Complex with Buckley Spaceport located directly south of this project. PAR Electrical Company, a commercial electrical business is located to the west. The existing Aurora Community Solar Gardens abuts this parcel directly to the west of this proposed project.

Pivot Energy participated in an RFP process with the City of Aurora in late 2020 for the right to use the city owned parcel for a solar project. Pivot was awarded the RFP and has a lease/license agreement with the City of Aurora to build these solar arrays. This project will provide community solar subscriptions to multiple low-income ratepayers, along with other residential ratepayers and commercial electrical customers.

The proposed solar equipment will be installed in two phases, both during 2022. The first phase will represent about 40% of the installed capacity and will be operational by the summer of 2022. The second phase will begin construction in the fall and will be operational by the end of 2022. The development includes an unpaved drive that is engineered to support fire trucks for emergency response. An 8-foot security wood post and woven wire fence is proposed to surround the project. All proposed equipment and transformers are proposed interior to the property.

Three adjacent property owners and seven registered neighborhood groups were notified. No comments were received during development review and a neighborhood meeting was not held.

**Testimony Given at the Hearing:**

Liz Fuselier, Case Manager, gave a presentation of the item, including the staff recommendation.

Commissioner Walls asked how long the RFP contract was expected to last.

Kyle Sundman, Pivot Energy, 1750 15<sup>th</sup> Street, Suite 400, Denver, CO, representing the applicant, stated the program is part of the Xcel Solar Rewards Program which provides for a 20-year program with an option to extend within another program for between 5-10 years.

Commissioner Hogan asked given the lease length, can there be a clause in the site plan that the property would be brought back to the original condition when the lease ends or they leave the property.

Ms. Fuselier stated that the lease provides language to remediate the site.

Mr. Sundman stated that there is a lease clause mandating property deconditioning and added that Pivot Energy practices holistic land management techniques as well.

Ms. Fuselier stated that the inclusion of site deconditioning language to the site plan can be completed during the technical review period.

### **Planning Commission Results**

A motion was made by Commissioner Walls and seconded by Commissioner Hogan

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

1. The Site Plan with is consistent with Aurora Places Comprehensive Plan by locating renewable energy uses within "Urban Green Space" placetype.
2. The application is consistent with surrounding uses in terms of size and scale.
3. The City's existing infrastructure and public improvements have adequate capacity to serve the proposal.
4. The application is compatible with the surrounding 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:**

Commissioner Banka asked if the clause that Commissioner Hogan requested needed to be in the motion.

Dan Money, Assistant City Attorney, indicated that this clause could be added but is not necessary since the discussion is part of the record and staff has stated that it will be part of the technical review process.

**Action Taken:** Approved with a Condition

Votes for the Site Plan: 6

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Vacancies: 1

Planning Department  
City of Aurora, Colorado

## SUMMARY OF PLANNING COMMISSION ACTIONS

**Project Name: MAA ABILENE MULTI-FAMILY**

Planning Commission Hearing Date: February 9, 2022  
Deadline for City Council Call Up: February 28, 2022  
Ward: IV

Project Type: Site Plan with Adjustments  
DA Number: DA-2292-00  
Case Number(s): 2021-4029-00  
Location: QS:11G – Northeast Corner of Abilene Street and Florida Avenue  
Case Manager: Ariana Muca

**Description:**

The applicant, Mid-America Apartments, L.P., is requesting approval of a Site Plan to redevelop a vacant LA Fitness gym, as a 259-unit apartment building and a parking garage (MAA Multi-family). The site is located at the northeast corner of Abilene Street and Florida Avenue. The site is located across from the Florida Station RTD rail line. The site is within the Mixed-Use Corridor (MU-C) Zone District which permits multi-family development. Adjacent development includes a La Quinta hotel to the south and Colorado Early College adjacent north of the site. Shared drive lanes will be provided between MAA Abilene Multi-family and Colorado Early College. An existing single-family detached residential neighborhood is to the east.

The redevelopment will feature the five-story multi-family building. The proposed multi-family building will improve the streetscape along this stretch of Abilene Street with street trees in tree openings, and pedestrian amenities such as bike racks and benches. The design incorporates a "gateway corner" at the Abilene and Florida intersection across from the RTD Florida Station. Ground floor access will be incorporated along Abilene Street and Florida Avenue, including a fitness center, leasing area, and patios. The northern portion of the redevelopment area adjacent to Colorado Early College will have a 5-story 376-stall parking garage located internal to the site. Additional parking is proposed with 17 surface parking stalls for 393 parking spaces exceeding the required 311 parking spaces. In addition, public drive access is proposed between the parking garage and the existing Colorado Early College to the north to retain the existing vehicular connection. There will be a drive lane that will separate the existing residential development to the east and building height will be 68'-5" (5 stories), which is consistent with neighborhood protection standards.

This proposal meets all site plan requirements for zoning traffic and drainage, with two zoning adjustments requested to increase the maximum building length and encroachment into landscape buffers. More detailed information about the adjustment requests are discussed later in the report. The proposed Site Plan is consistent with the approval criteria in the UDO and the Florida Station Area Plan and staff supports the proposed building length adjustment and encroachment into landscape buffer adjustment.

A total of twenty-five (25) neighborhood associations and ten (10) adjacent property owners were notified of this project. Five comments were received (see Exhibit H). One neighborhood meeting was held on November 17, 2021. Issues discussed at the meeting included the building setback from the neighborhood and keeping pedestrian pathways open through construction. Colorado Early College is directly to the north and wanted coordination during the construction process. The illustration below describes the buildings' relationship to the adjacent residential homes. The trees shown are existing and will remain and the proposed setback exceeds city requirements.



**Testimony Given at the Hearing:**

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

Commissioner Banka stated concern over the 17 off street parking spaces. Florida Station does not have parking and designing extra parking could be a benefit to patrons of the station.

Ms. Muca explained that RTD was contacted before the start of the project and were not interested in a co-design or shared space. RTD was part of the review process and did approve the application.

Commissioner Gaiser furthered the conversation by stating that if RTD wanted space in the parcel they had the opportunity.

Bart French, MAA Communities, 5040 Addison Circle, Suite 200, Addison, TX, representing the applicant, gave a presentation of the item.

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

Bobby Long, Kephart, 2555 Walnut Street, Denver, CO, representing the applicant, gave a presentation of the item.

Commissioner Jetchick asked for the breakdown of the bedrooms and prices ranges within the development.

Mr. French responded that the development would be a market rate community with 60% 1-bedroom 40% 2-bedroom, no 3-bedrooms for this project due to the urban area. Prices will vary from \$1400 to \$2300 roughly.

Commissioner Walls asked for further explanation on ingress/egress on Abilene Street and questioned if there was enough space for vehicular turning.

Mr. French responded that the main entrance off Abilene Street would have full movement access.

Commissioner Walls noted that there are massive problems with the left turn out of the development and wanted further explanation from a traffic study.

John Stafford, Harris, Kocher, Smith, 1120 Lincoln Street, Suite 1000, Denver, CO, representing the applicant, explained that a traffic study was done and explained how other routes could be used for residents.

Ms. Muca responded that the Traffic Impact Study was not included in the application package to Commissioners, but staff from the Traffic Department were available for questions.

Commissioner Walls reiterated that he wanted to see the Traffic Impact Study.

Steven Gomez, Traffic Engineer for the City of Aurora, explained that the Traffic Impact Study is showing that there are reasonable movement and access points. There should not be any issues with exiting the access points on site.

Commissioner Bush asked for an explanation on fire safety for a building of this length.

Mr. Long, responded there will be a Type 3 construction with a higher fire resistance. There will be multiple fire walls within the building all checked and approved by Fire and Life Safety of the City of Aurora. The building will also ensure that the fire department can access both the building and the roof.

Commissioner Hogan asked if there is an increase of traffic if future signalization will be needed. And in turn will the applicant pay for part of the signalization.

Mr. Gomez explained how traffic light costs work.

Commissioner Hogan asked if the applicant is aware that it could trigger another signal, and that they would need to share the cost.

Mr. Stafford responded that signalization is based on warrants and with the private drive they would not meet the warrants and was not concerned for the cost of signalization.

### **Planning Commission Results**

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

Move to approve, with one condition, the Site Plan with two Adjustments to increase the maximum building length 146-4.8.5.2.1.b., and encroachment into the front landscape buffer 146-4.7.5.D.5, 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 including the Florida Station Area Plan.
2. The proposal is identified as supporting land use in the Innovation District 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 potential negative impacts.
4. The proposal will improve and expand existing multimodal transportation connections, which includes transit and bicycle connections to regional trails.
5. The project is compatible with surrounding residential and mixed-use developments.
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 mylars and issuance of any building permits.

### **Further Discussion:**

No further discussion occurred.

**Action Taken:** Approved with a Condition and Two Adjustments

Votes for the Site Plan: 6

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Vacancies: 1