Planning & Development Services

City of Aurora

Planning Division
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April 9, 2018

Walid R Maaliki
R & R, LLC
709 S Havana St
Aurora, CO 80012

Re: **Initial Submission Review** - J D Byrider (Jordan Motors) - Conditional Use
Application Number: **DA-1152-03**
Case Number: **1997-6088-06**

Dear Mr. Maaliki:

Thank you for your initial submission, which we started to process on Monday, March 19, 2018. We reviewed it and attached our comments along with this cover letter. The first section of our review highlights our major comments. The following sections contain more specific comments, including those received from other city departments and community members.

Another formal submission is not required, however; **the applicant must email the Case Manager a revised Operations Plan and Letter of Introduction no later than April 23, 2018**. In addition, please **begin the easement dedication process for the required signal easement as soon as possible. This easement dedication shall be a Condition of Approval for the Conditional Use.**

Your estimated Planning Commission hearing date is still set for Wednesday, May 09, 2018. Please remember that all abutter notices for public hearings must be sent and the site notices must be posted at least 10 days prior to the hearing date. These notifications are your responsibility and the lack of proper notification will cause the public hearing date to be postponed. It is important that you obtain an updated list of adjacent property owners from the county before the notices are sent out. Take all necessary steps to ensure an accurate list is obtained, to include checking with adjacent builders if development activity and/or sales are taking place on properties adjacent to your site.

As always, if you have any comments or concerns, please give me a call. I may be reached at (303) 739-7249 or at sullman@auroragov.org.

Sincerely,

Sara Ullman, Planner
City of Aurora Planning Department

cc: Mindy Parnes, Planning Department
John Neal, Maaliki Motors, 709 S Havana Street, Aurora, CO 80012
Susan Barkman, Neighborhood Liaison
Mark Geyer, ODA
Filed: H:\$DA\1152 03rev1.rtf

First Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Conditions of approval regarding landscaping installation and signal easement dedication
- Auto repair clarification
- Inventory parking count
- Ensure existing trees are preserved

PLANNING DEPARTMENT COMMENTS

1. Neighborhood Comments

Name: Yves Genty
Organization: P.O. box 20571
Address: Del Mar Neighborhoods United, Denver CO
Phone: (720) 629-9894
Email: gentyryves@gmail.com
Comment: Such a busy intersection for another dealership.

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2. Completeness and Clarity of the Application

Conditions of Approval

- Signal Easement: Please begin the easement dedication process as soon as possible for the additional land area required for the signal easement. Dedication of this signal easement shall be a Condition of Approval for the Conditional Use of auto sales. (Our response) In process with Real Property – Andy Niquette
- Landscape Material: The installation of all landscaping in conformance with the approved Landscape Plan shall be a Condition of Approval for the Conditional Use of auto sales. (Our response) Noted and will be adhered to.

Colorado Department of Transportation (CDOT) Access Permit

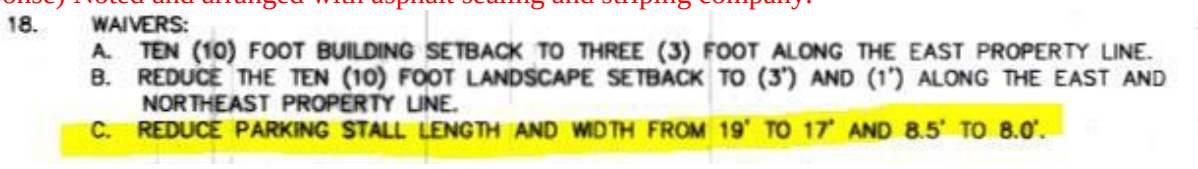
- See comments from CDOT regarding the acceptability of the existing access permit.

Auto Repair

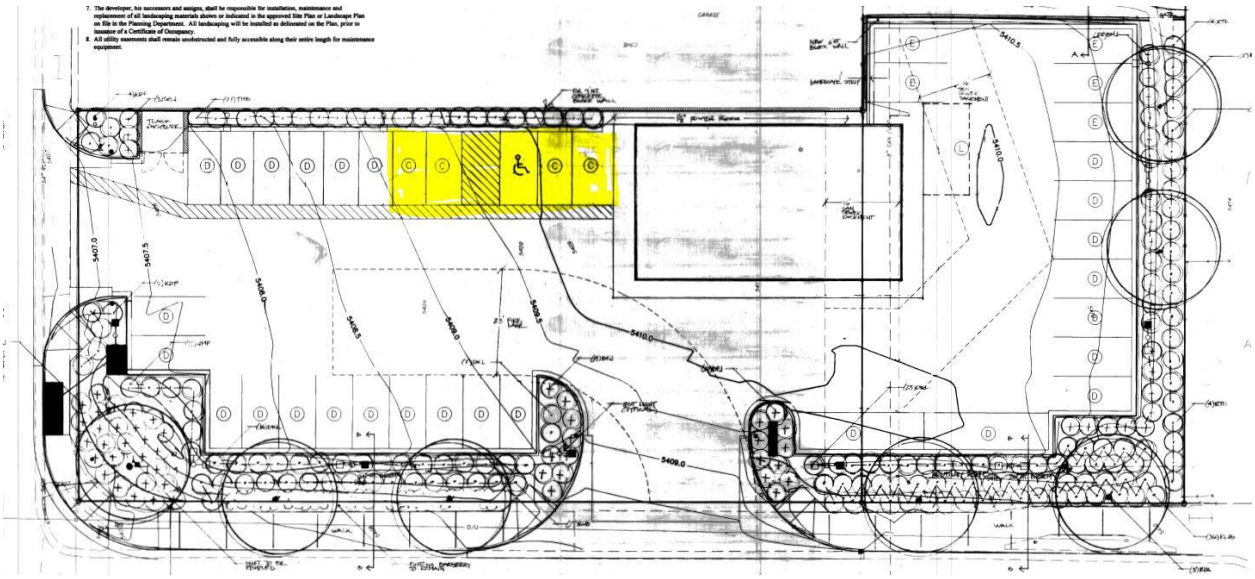
- The Operations/Business Plan identifies that a Mechanic is to be employed to "inspect and repair vehicles to make ready for sale." As previously explained in the Pre-Application Notes, auto-repair is not permitted by the underlying zoning. Per Code Section 146-601 automobile services "that includes the removal of engines, transmissions, axles, or paint and/or body/frame repair are considered a nonconforming use." The Business Plan should identify the specific services that will be provided by the mechanic. (Our response) No mechanical work is anticipated on the property. There will only be detailing work for the delivery of cars (washing, detailing, etc.)

Parking

- Re-Striping: Per the Letter of Introduction, the applicant intends to re-surface the existing parking area. Please note that the 1997 site plan was approved with a waiver to reduce the parking stall length and width from 19' to 17' and 8.5' to 8.0'. When the parking area is re-striped, please ensure that parking spaces designated for display are sized at 17'x8.0' (consistent with the approved waiver), and as conditions allow, customer parking should meet current width requirements of 8.5'. Please revise the Letter of Introduction to verbalize this intent. (Our response) Noted and arranged with asphalt sealing and striping company.



18. WAIVERS:
A. TEN (10) FOOT BUILDING SETBACK TO THREE (3) FOOT ALONG THE EAST PROPERTY LINE.
B. REDUCE THE TEN (10) FOOT LANDSCAPE SETBACK TO (3') AND (1') ALONG THE EAST AND NORTHEAST PROPERTY LINE.
C. REDUCE PARKING STALL LENGTH AND WIDTH FROM 19' TO 17' AND 8.5' TO 8.0'.



- Inventory Parking: The Operations/Business Plan outlines an intent to have an inventory of 35-45 vehicles for sale at the 590 North Havana Street property. Per the approved site plan, there are only 36 on-site parking spaces provided at the subject property. Per correspondence with the applicant, this inventory is representational of another operation under the same ownership and the Operations/Business Plan for the 590 North Havana location will be revised so that the proposed vehicle inventory is accommodated with the existing site conditions.

PARKING TABULATION

GROSS FLOOR AREA:	2,376 SF @ 1 SPACE/600 SF =	4
EMPLOYEES FOR OPERATION:	6 EMPLOYEES @ 1 SPACE/1.5 EMP. = (MAX SHIFT LOAD)	4
STANDARD PARKING REQUIRED:		8
STANDARD PARKING PROVIDED:		8
HANDICAP PARKING REQUIRED:	1 SPACE FOR 1–25 REQ. SPACES =	1
HANDICAP PARKING PROVIDED:		1
TOTAL PARKING PROVIDED:		9
LOADING SPACES REQUIRED:	1 SPACE FOR LESS THAN 20,000 GFA =	1
LOADING SPACES PROVIDED:		1
DISPLAY (FOR SALE) SPACES PROVIDED:		26
TOTAL DISPLAY, PARKING, & LOADING SPACES PROVIDED:		36

On-Site Parking Per Approved Site Plan

3. Landscape Design

Kelly K. Bish, PLA, LEED AP/ Kbish@auroragov.org / (303) 739-7189/ PDF comments in teal.
J.D. Byrider Original Landscape Plan
General Comments:

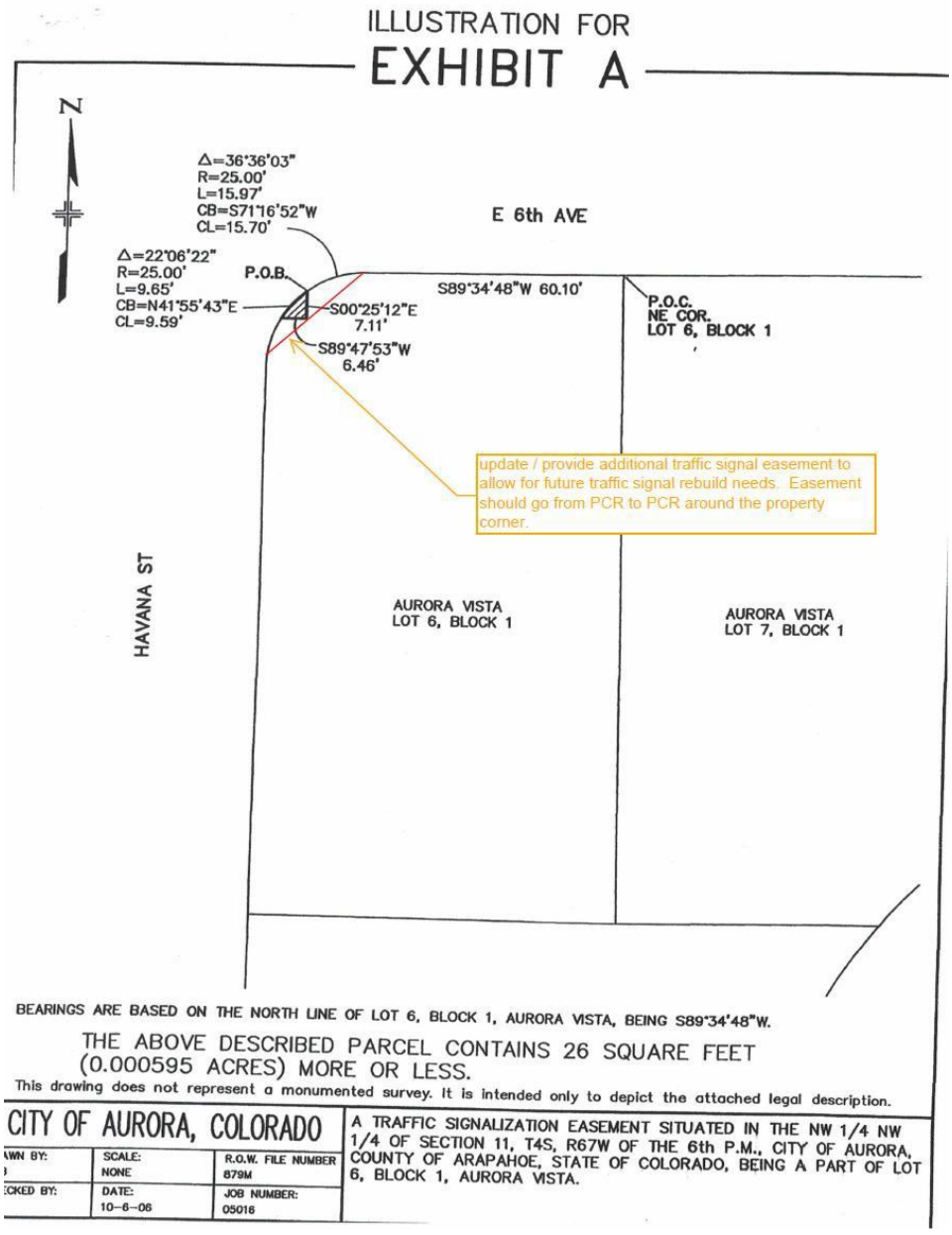
- The applicant in their response to the pre-application review comments has indicated that they intend to conform to the landscape design in the original site plan. This would include the installation of the missing shrub material as noted on the original landscape plan along Havana Street and the eastern property boundary. See the mark-ups on the original landscape plan attached to this letter. (Our response) Noted and will be followed.
- Also important to note is that the existing street trees should not be removed in an attempt to provide perceived enhanced visibility into the site. Street trees are required per the zoning code and the Havana Overlay District. Removal of street trees will result in the payment of tree mitigation fees and the installation of new street trees to meet code requirements. (Our response) There are no plans to remove any existing trees. Should any need replacing, they will be replaced per the Original Site Plan.

REFERAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

4. Building and Life Safety
Neil Wiegert/ 303 739-7613/ nwiegert@auoragov.org
Approved as submitted.

5. Traffic Engineering
Victor Rachael/ 303 739-7529/ vrachael@auroragov.org
No site plan provided. Additional traffic signal easement area required. CDOT approval is from 1998, outreach and confirmation on validity of approval required – applicant to confirm with CDOT. (Our response) Please see below #10

Also see figure below for extend of signal easement dedication required:



6. Real Property
Darren Akrie, dakrie@auroragov.org and Maurice Brooks, mbrooks@auroragov.org
No comments from Real Property Services. There may be a need for the Traffic Signal easement to be dedicated. Contact our traffic engineers for clarification. (Our response) In process

7. Forestry
Jacque Chomiak/ 303 739-7178/ jchomiak@auroragov.org
There are existing trees on the site, but according to the plans, will not be disturbed. However, since there will be resurfacing of the parking lot, it is critical that the trees are protected during this phase. (Our response) Noted

Any trees that are preserved on the site during construction activities shall follow the standard details for Tree Protection per the current Parks, Recreation & Open Space Dedication and Development Criteria manual. Parks, Recreation & Open Space Dedication and Development Criteria manual. These notes shall be added to the plan. (Our response) Noted and accepted

I would reiterate the second point in the Landscaping section. The street trees should not be removed or tree mitigation requirements would apply. (Our response) Noted

8. **Havana Business Improvement District (BID)**
Name: Gayle Jetchick, Director of the Havana BID
Organization: 337 Oswego ST
Address: 337 Oswego ST Aurora CO 80010
Phone: (303)514-0958
Email: gmjetchick@comcast.net
Comment: I have no problem with the conditional use on this parcel since it previously was a used car dealership. Independence House, the previous tenant, was a concern for neighbors as parolees were required to go there for output drug testing and neighbors reported an uptick in property crimes after they opened for business. A car dealership will cause much less unwanted traffic for neighbors. This dealership is located in the Havana Motor Mile which is a big tax revenue generator for the City of Aurora. I support this application.

9. Regional Transit Authority (RTD)
Scott Woodruff/ 303.299.2943/ Clayton.woodruff@rtd-denver.com
The RTD has no comments for this project.

10. Colorado Department of Transportation (CDOT)
Name: Marilyn Cross
Organization: 2000 South Holly Street
Address: CDOT Region 1 Denver CO 80222
Phone: 3035124266
Email: marilyn.cross@state.co.us
Comment: CDOT does not have an issue with the use. Proposed use is consistent with existing State Highway Access Permit. If the use of the access changes or needs modifications, a new access permit will be required. Since Havana and 6th Avenue are contract maintenance areas, no permitting from CDOT will be needed at the time of construction.