

Planning Division
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Aurora, Colorado 80012
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September 22, 2023

David Gertz, GWG Development
1011 Humbolt Street
Denver, CO 80216

Re: Second Submission Review – South Abilene Storage – Conditional Use and Redevelopment Plan
Application Number: **DA-1622-08**
Case Numbers: **1989-6037-13; 1989-6037-14**

Dear Mr. Gertz:

Thank you for your second submission, which we started to process on August 29, 2023. We have reviewed your plans 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.

Since several important issues remain, you will need to make another submission. Please revise your previous work and send us a new submission on or before Friday, October 6th, 2023

Note that all our comments are numbered. When you resubmit, include a cover letter specifically responding to each item. The Planning Department reserves the right to reject any resubmissions that fail to address these items. If you have made any other changes to your documents other than those requested, be sure to also specifically list them in your letter.

The estimated Planning & Zoning Commission hearing date is now set for November 8, 2023, due to a late submittal and the need for another review. 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.

As always, if you have any comments or concerns, please let me know. I may be reached at 303-739-7126 or kkreimey@auroragov.org.

Sincerely,

Kim Kreimeyer, Senior Planner II
City of Aurora Planning Department

cc: Dane Courville, dmcourville@yahoo.com
Lorianne Thennes, ODA
Filed: K:\SDA\1622-08rev2



Second Submission Review

SUMMARY OF KEY COMMENTS FROM ALL DEPARTMENTS

- Completeness of Application and Development Standards (see Items 2A-I)
When responding to a comment, please provide a clear description of how the comment has been addressed.
- Repeat Comments (see Items 2C, 2D, 2G, 2H, 2I, 3A, 3D, 5A, 7B, 7D, 9A, AND 10A)
There were several comments from the first referral that were not addressed prior to being resubmitted. Please address the requested information prior to the resubmittal of documents for this application.
- Fire/Life Safety Issues (see Items 9A-F)
- Meeting with staff to discuss comments (see Items 2A and 2J)

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments and Concerns

- 1A. Your comment response letter did not address if you have contacted the following individuals to discuss their comments, or if you'd like us to help facilitate a neighborhood meeting to bring together all respective stakeholders. The letter of Introduction states that you welcome a neighborhood meeting, but your comment response to the first comment letter was, "Mr. Gertz has not made contact with the two adjoining landowners that supplied comments." Please let me know if you'd like us to help facilitate a neighborhood meeting.

2. Completeness and Clarity of the Application

2A. Comment Response Letter

The comment response letter did not provide clear responses to many of staff's comments:

1. Applicants Response - "...if they are not directly addressed explanatory notes and labels are inserted in the Operations Letter, Letter of Introduction, and Site Plan accordingly." This is not sufficient to address the comment. Please address each comment directly and in the space below each comment.
2. Applicants Response - "Additionally, there were a few notes that were illegible on the PDF we were provided. Once the notes are provided we will revise. The notes are currently just random symbols, numbers, and letters (not wording; looks like a PDF glitch maybe):" Please provide specific sheet numbers and sheet titles so staff can address the issue." Also, the various departments have specific colors for their comments, indicated in the comment letter next to their name and contact information. Providing us with the color of the comment is essential, otherwise, there is no way for us to track what you're referring to. Staff's contact information and the color of their comments are provided as part of each comment letter. It is strongly recommended that you contact the reviewer directly to resolve issues, prior to resubmitting. You can always contact your case manager to arrange a meeting with city staff to answer questions.
3. When information and notes are asked to be added to the site plan, please add them to the site plan and not to the Letter of Introduction and Operations Plan. They can be added to the Letter of Introduction and Operations Plan in addition to the site plan, but not in place of them.
4. Applicants Response - "Further information is needed from the owner and/or department with the concern." Please be sure to contact the specific department and/or the owner and resolve the item before your next submittal.
5. Applicant response to city staff comment - that parking spaces will need to be removed/relocated out of the Fire Lane. The response "It is understood that alterations, improvements, and/or removals to existing condition of the site is not proposed and is not to change. Only a variance was being requested. This was readdressed in the revised Letter of Introduction." This is a site plan and conditional use application and there are sections of the Zoning Code, Building Code, Fire Code, etc. that the site plan must meet. If you are not proposing to bring an item into compliance with the Zoning Code, please explain why you are not, and why you think the Planning Commission should consider approving your site plan. You will need to work with the various departments if not meeting their codes/requirements, e.g. Building Code, Fire Code, etc.



2B. Letter of Introduction:

- There are several corrections needed, please see the redlined pdf for more details.
- This letter mentions a note on the approved plat, regarding the denial of your business license. I don't see a plat amendment. Is this a typo and do you mean plan? Please clarify.
- Paragraph two mentions that you were not found guilty of a zoning violation and the zoning questions were settled. It is my understanding that there were two zoning violations that the owner plead guilty to resulting in this conditional use and site plan. Please revise the Letter of Introduction accordingly.
- Please clarify what "...newer buildings that have been added by the surrounding property owners actually enclose the site..." in paragraph five.
- Paragraph six, "All other aspects of the facility meet the requirements imposed by ordinance." The parking stalls, no on-site restrooms, architectural standards for the office, Budget Truck Rental operating without a conditional use or business license, as well as other zoning code requirements have not been met. Please revise this paragraph accordingly. Also, please remove "like all other facilities," the city does not compare facilities, we review each according to the various codes, e.g., Zoning Code, Building Code, and Fire Code.
- In Section A - "Illustrate the proposed site's compliance with the criteria of the Conditional Use, Section A."
 - A. a through g
 - a. Your site plan and conditional use application does not meet the applicable standards of the UDO., drive aisle widths, parking stall dimensions, building architectural requirements, trash enclosure(s), permanent structure for the manager's office and there are more. As mentioned in the pre-app notes, if you are not going to bring all items into compliance, please explain why you are not and why you think the Planning Commission should consider approving your proposal.
- In Section B - "Detail my intended use of the facility as a compliant and meets the requirements of a Self-Storage Facility."
 - B. 1 through 5 and Chapter 146.3.3.5.Y
 - Comment B-2 "Gertz response to this comment: There is a separate office on-site that will ... The office is an onsite shipping container. ... The shipping container is not a "permanent" structure. The "Office" will need to be a permanent structure. The shipping container cannot be used as an office.
 - Comment B-4 "Gertz response to this comment: Inoperable vehicles are allowed within an enclosed structure. Since the facility is for all intents and purposes "enclosed" with the requested waiver, this use is allowed for self-storage." The site is not enclosed (a roof and four walls) and inoperable vehicles are not permitted. Please revise the response accordingly.
 - Chapter 146.3.3.5.Y. "Gertz response to this comment: there is a separate office on-site that will be used for operations and management of the facility. The office location is indicated on the associated site plan. The office is an onsite shipping container." A shipping container cannot be used as an office and is not a permanent structure. Revise the onsite office to meet city code.
- In Section C - "Addressing the comments and items as presented on the Initial Site Plan Letter."
 - The comments in this section are responses to the pre-application notes, "Key Issues" and should be a separate document. They may remain as part of your letter of introduction but should also be submitted as a separate document and re-titled as Pre-application Notes Key Issues Response Letter and be submitted as part of your next submittal.
 - There are also some comments and corrections. Please see the relined pdf for more details.
- In Section "Final comments" - second paragraph.
 - Your comment "There is approximately an acre and a half that has been sitting empty for years and years, that constitutes the storage lot." There seems to be a conflict between this sentence and other statements in the document that the site has been operating for the past 7 years as an outdoor storage. Please clarify. See the redlined pdf for additional comments/corrections.



2C. Operational Plan:

- Please revise the document name to “Operations Plan”, this will detail the operations of the use.
- Comment F, “An onsite manager’s office is present in the form of a shipping container (8’x20’)” As mentioned in the Pre-App Notes, note 3, second bullet, “Attendant “Office” – The current situation with the attendant’s “office” being located in an RV, in the yard, is not permitted. An office (not a residence) will need to be a permanent structure included on the site plan if desired.”
A shipping container is not a permanent structure, please revise the site plan and associated documents accordingly.
- Comment H, “An onsite manager is permitted by current zoning to reside on the property” Yes, an on site manager is permitted to reside on the property in a permanent, habitable structure. There is no residential structure shown on the site plan. Please refer to Code Section 146.3.3.5.Y for requirements. A shipping container is not a permanent structure, please revise the site plan and associated documents accordingly.
- Comment K, “There is a public restroom available on site.” **This is a repeat comment:** Show and label the on-site restroom on the Site Plan, Sheet 4.
- Comment L, “Lighting for the facility is under cover of the current canopy structures and does not affect adjoining landowners during non-operational hours.” **This is a repeat comment:** Show and label lights on the Site Plan, Sheet 4.
- Comment P, “No water/sanitary services are made available on site.” This comment conflicts with comment K above that there is a public restroom available on site. Please clarify.

2D. Sheet 1/ Cover Sheet:

- Please remove “South Abilene Storage at the bottom of the sheet title on all sheets. It is repetitive.
- Please show and label E Florida Avenue to the Vicinity Map.
- Note 21, Remove this note, it is not needed on the site plan.
- Note 22, is not needed, the new site plan will supersede the old site plan.
- Note 23, Based on the Zoning Code a Conditional Use is required for the Budget Truck Rental, the conditional use can be added to this application or applied for separately. Please let us know which way you plan to proceed.
- Note 24, The lights need to be shown and labeled on the site plan.
- Note 25, This note conflicts with Sheet 4, which calls out on-site restrooms.
- Notes 9 and 27, Do not screen notes.
- Note 28-31, These notes should be removed or completed. Architectural Elevations are required for a Redevelopment Plan, as is a Photometric Plan. Please provide the previously requested documents.
- The number of open parking spaces listed in the Data Table does not match the one listed on the Site Plan sheet. Please clarify.
- One bicycle parking space is required. Please revise the Data Table accordingly.
- Please remove the two boxes within the Amendment Box.
- Note 17, Adjustment requests should not be part of the standard notes, since it is a separate and special request, requiring Planning Commission approval. See the redlined pdf site plan for more details. Also, when requesting an adjustment please provide justification for the adjustment.
- Please change the SHEET INDEX as shown on the redlined pdf site plan cover sheet.
- This is a new site plan and no longer the Abilene Attic, please remove the text in all the titles that refer to Abilene Attic.
- Please make all text black and do not screen back this text.

2E. Sheet 2/ Context Plan:

- Please change the "SITE" label and circle back to black so it is easily legible.
- Notes 7 and 8 have some typos. Please revise accordingly.
- Please revise the sheet title in the lower right corner to meet city naming convention and sheet layout.

**2F. Sheet 3/ Site Survey:**

- To be consistent move the sheet name to the center of the sheet. See redlined pdf for more details.
- Notes 5 and 6 have some typos. Please revise accordingly.

2G. Sheet 4/ Site Plan:

- The Site Plan must show all existing and proposed easements. The easement do not need to have all of the Book and Page information on this sheet, only the easement, dimension and label just like this Fire Lane easement. See my example Utility and PSCO Easements.
- Please add the abutting zoning on all abutting properties on the site.
- **This is a repeat comment:**
Show and label existing and proposed lighting, building mounted as well as light poles, and ensure lighting is compliant with the neighborhood protection and general lighting standards.
- Show and label trash enclosure(s) providing dimensions between building and enclosure. Trash enclosures are a requirement of the site plan.
- **This is a repeat comment:**
Standard parking stall dimensions are 9'X19'. Revise the site plan to meet the code.
- Label all fences and gates.
- A shipping container used as an office is prohibited. The "office" needs to be a permanent structure as well. If you want an office, it will have to meet all regulations of the city.
- **This is a repeat comment:**

Provide architectural elevations of the On-site Office building. Corrugated Metal is not permitted as the primary exterior building material in the MU-C zone district.

- Please change the site plan elements back to black, like they were shown on the first submittal. Do not screen them back.
- Add the PSCO easement to this sheet.
- Add the current zoning designation of the site, MU-C Mixed Use Corridor, to this sheet.
- The drive aisles cannot both be one-way heading south. How does the Fire Truck navigate the site?
- Add the square footage of the two warehouse-style storage units. 1,391 SF and show how these units are accessed.
- A two way drive aisle for 60-degree parking is twenty-two feet (22'). Nineteen feet (19') is substandard. Please request an adjustment to Code Section 146-4.6.5.D.6 Stall Size and Drive Aisles Dimensions.
- Show and label building setbacks for all buildings.
- Show the gas, water, and sanitary sewer lines and easement(s). These lines should be grayed/screened back, while the easement lines should be black or dark gray and not grayed/screened back.
- Note 1, This is a Site Plan and Parking is a required element to be shown on the site plan. Please remove this note and renumber the remaining notes.
- Note 2, What is the number of storage units in the enclosed buildings?
- Note 3, The number of open parking spaces here does not match the one listed on the Cover sheet. Please clarify.
- Note 3, Please differentiate each type of parking space on the site plan with a different hatch, crosshatch, dot/stipples, diagonal hatch, etc. See the site plan pdf for more details.
- Note 5, Add the following to note 5, "Vehicle, RV, boat, trailer, food truck, travel trailer, shipping container, or other storage item."
- Note 11, Trash Enclosures are a required site plan element. Show and label trash enclosure(s) on the site plan.
- Note 12, Please remove this note. It is not needed on the site plan.
- Per the Pre-app notes, the site lighting must be turned off between 11:00 pm and 7:00 am. Please add the following note to the site plan: "16) All site lighting must be turned off between 11:00 p.m. and 7:00 a.m."



- **This is a repeat comment:**
Per the pre-app notes, add a note listing employees hours on-site.
- Site Plans are required to show the parking lot design and dimensions so there is no need to call it out in the sheet title.

2H. Sheet 5/ Fence Plan:

- **This is a repeat comment:**
The images of the fences show fabric on the fence, which is not permitted in the City of Aurora. Fabric as a screening method is not permitted. Please clarify the proposed screening method, if any. Revise notes 2 and 5 accordingly.
- **This is a repeat comment:**
Add the materials of the proposed fence, e.g., 6-foot black wrought iron fence.
- Make the image black, like it was in the first submittal, and not grayed/screened back.

2I. Sheet 6/ Landscape Plan:

- Show all landscaping as black and not screened back.
- Label all fences and gates.
- **This is a repeat comment:**
Please explain how you access the east side of the building in the picture, on this sheet, for repairs and maintenance. Add a note stating such under the picture on this sheet.
- **This is a repeat comment:**
Provide Building Elevations of the office, drawn to scale and with material callouts, door, windows, building height, building light fixtures, wall signs (dimension sign area envelop), and any rooftop equipment (labeled and screened). This will need to be a separate sheet. Please label it "Building Elevations" sheet 7.

- 2J. If you are not clear about a comment, please contact the reviewer directly. Each staff member's contact information is provided above their comments and next to the department they are in. If after you have contacted staff individually and you would like to arrange a meeting please contact your case manager and she can arrange a meeting.

3. Zoning and Development Standards Comments

- 3A. **This is a repeat comment:**
There appears to be a Budget Truck Rental business operating from this lot. This business does not have a business license, nor a conditional use to operate. If the truck rental business is desired to continue, the parking area for the trucks will need to be included in the site plan. In addition, property owner approval will be required as a signatory on the application for this use. The response that "this has been addressed and explained in the revised site plan and letter of introduction.", will need to be clarified. There is no indication on the site plan that is issue has been addressed. Please make it clear if you are going to pursue an additional conditional use and obtain a business license for truck rental or if the business will be stopping operations on this property.
- 3B. Operations Plan - Conditional Use for Self-Storage:
- See comment 2C above.
- 3C. Letter of Introduction:
- See comment 2B above.



4. Architectural and Urban Design Comments

4A. This is a repeat comment:

Provide architectural elevations of the On-site Office building. Corrugated Metal is not permitted as the primary exterior building material in the MU-C zone district. A shipping container is not a permanent structure to be used as an office and does not meet design standards for the city.

5. Lighting Comments

5A. This is a repeat comment:

All lighting, existing and proposed, should be shown, and labeled on the site plan. To ensure it is compliant with the neighborhood protection and general lighting standards, all lighting shall not exceed 15' in height. This includes lights on poles and lights on buildings. Please acknowledge this requirement by showing and labeling all existing and proposed lighting on the site plan.

6. Addressing (Phil Turner / 303-739-7357 / pturner@auroragov.org)

6A. No additional comments.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

7. Civil Engineering (John Springs / 303-739-7572 / jsprings@auroragov.org / Comments in green)

In addition to the summarized comments below, please see comments on Site Plan pdf sheets:

- 7A. Sheet 1 - Notes 30 and 31 are incomplete with question marks. Complete those comments.
- 7B. Sheet 3 - **Repeat Comment:** Use black for proposed improvements and callouts (typ);
- 7C. Sheet 4, Parking Layout shows a storage space numbered "84" at this location. Confirm there is not a conflict with the transformer or any other equipment or permanent surface features.
- 7D. Sheet 4 - **Repeat Comment:** Show the existing transformer, manhole, and air handling equipment to ensure there is no conflict with this storage space.

8. Traffic Engineering (Dean Kaiser / 303-739-7584 / djkaiser@auroragov.org / Comments in amber)

8A. No additional traffic issues.

9. Fire / Life Safety Erick Bumpass / 303-739-7627 / ebumpass@auroragov.org / Comments in blue)

9A. **Most of the corrections from the first referral were not addressed prior to being resubmitted. Please address the requested information prior to the resubmittal of documents for this project.** Please address the following items:

- 9B. Sheet 1
 - 1. Please add the Access Control Gate or Barrier System note as shown.
 - 2. Please add the Self-Service Storage Facility Emergency Access requirements note as shown.
 - 3. Please correct note number 4 to reference the 2021 IBC, not the 2015 as indicated at the beginning of note #4.
 - 4. Please include the following information in the data Block:
 - a. 2021 IBC Construction Type of structure(s).
 - b. Indicate if structures are fire sprinkled or non-fire sprinkled. (Note: This information is needed to determine the number of fire hydrants required to support this site.) -Information was added to the notes and not included in the data Block as requested.
 - c. Maximum Building Height. -Please provide a specific building height. "One-Story is not sufficient information.
 - d. Van Handicap Parking Spaces Provided and Required. -Please delineate between the number of Van Accessible Spaces required and the number of Van Accessible Spaces provided.
 - e. Van Handicap Parking Spaces Required.
 - 5. Notes 27 through 31 are not Standard Notes.



9C. Sheet 3

1. Note on plans show “Existing 20’ Access Gate & Fence”. The minimum clear width opening shall be 23’. This does not meet the minimum requirements. Was a Site Plan Amendment ever applied for and approved for this site with Land development Services?
2. Has the 23’ Emergency And access easement shown been vacated? Records reflect a Fire Lane and Utility Easement. Please work with Land Development Services to determine if a Public or Public Access easement is required into this site.
3. Please show the locations of the Knox Box hardware on the site plan and include the Knox Box Symbol in a legend.
4. Label all gates based on the examples provided.
5. Please provide documentation on the preemption devices to be installed. Provide manufacturer’s cut sheets for SOS System that show the UL 325 Listing. NFPA 18.2.4.2.6.1
6. Please provide a Photometric plan that shows the entire Accessible route delineated by a heavy dashed line so that the minimum 1-foot candle of lighting required can be verified.
7. Gates shall comply with ASTM F2200. Provide Gating Cut sheets from the manufacturer that show listing information.
8. Fire Department Access to the Fire Hydrant at the north end of the property is compromised. Further adjustments that ensure the Hydrant is and remains unobstructed will need to be discussed. Please schedule a meeting with Fire Life Safety to discuss viable options.
9. Encroachment into the fire lane is prohibited. It appears the gate/gate components such as the gate post is encroaching into the fire lane.
10. Were Building Permits ever applied for and obtained with the required subsequent inspections for the new Fencing and gating for the property? If so, please provide a Permit number for reference where the scope of work was covered.
11. The main gate must be an electronic system that includes an emergency vehicle gate opening system utilizing a redundancy back-up system that consists of a siren operation system (S.O.S.), an automatic Knox Key Switch and a manual override. Please revise to reflect accordingly.
12. Please show and label the fire lane sign locations to meet the following requirements.
13. Signs shall be located at the right side of the fire lane entrance and at the end of the fire lane. The intermediate signs shall have double headed arrows pointing in both directions.
14. Typically, the maximum spacing of the fire lane signs is established at 100’ on center with signs being placed on both sides of the fire lane easement. Where excessive curvature of the fire lane exists, the spacing of the fire lane signage will be increased as needed.
15. The signs shall be set at an angle of not less than 30 degrees and not more than 45 degrees with the curb or line of traffic flow.
16. Fire lane signs should be installed 2’ behind curb or sidewalk.
17. The clearance to the bottom of the sign shall be 7 feet. There shall be no other signs attached to the sign or the signpost.
18. Placement of these fire lane signs cannot encroach into the 29’ inside turning radius of the fire lane easement, obstruct any fire hydrant or fire department connection or encroach into the accessible route of the sidewalk area.

9D. Sheet 4

1. Site Plan needs to show the Gating System to be installed at the south entrance. It appears the Plans are only showing existing fence detail.
2. The vehicle parking/storage spaces cannot encroach into the Fire Lane Easement as shown on the plans. (Facilities and structures shall be maintained in a manner that does not impede accessibility for Fire department operations. NFPA 1)
3. Please include the turning Radii for the entire Fire Lane Easement within the site.
4. Please detail the Vehicle and Man Gates on the Plans. The Plans appear to only show a fence detail on the south side.



5. "SIGNAGE AND STRIPING" package shall be included for approval with the Site Plan, and shall include fire lane and handicapped parking signs, sign details, handicapped parking stall details, and locations for all. Sign package shall include all signs as required by other City of Aurora departments.
6. Show Accessible Parking Aisle that should be directly adjacent to the parking stall.
7. Gate must be able to open beyond the fire lane easement.
- 9E. Sheet 5
 1. The installation of any gating system will require a City of Aurora licensed contractor to obtain a building permit through the Aurora Building Division prior to the start of any work. This would be considered a structural, life safety and electrical review within the Building Division that is conducted on behalf of the Fire Chief. For assistance, please call 303-739-7420 and ask for a Life Safety Plans Examiner.
 2. A license agreement through Land Development Services (Public Works) is also needed to account for the encroachment into the dedicated easement.
 3. Provide actual gate detail/section provided within the submittal. Each gate detail must include gating label name convention included. Include width, operating mechanism(automatic/manual), Knox hardware, automatic/manual, etc.
- 9F. Sheet 6
 1. The gates cannot encroach into the Fire Lane Easement. The Gate swing must clear the entire Easement.
 2. Removal and replacement of the existing Gates and Fencing requires a Building Permit.
 3. The plans must reflect the Vehicle and Man Gates at the south entrance. It appears that only a fence is shown across this entrance. Please update the plans to show the current scope of work.

10. Utilities/Aurora Water (Jennifer Wynn / 734-258-6523 / jwynn@auroragov.org / Comments in red)

10A. Sheet 3:

- **Repeat Comment:**
Gates and fences over easements need license agreements.

11. Land Development Services (Maurice Brooks / 303-739-7294 / mbrooks@auroragov.org / Comments in magenta)

11A. Land Development Services staff are behind on reviews and their comments will be late. Maurice Brooks will send his comments via email directly to you. Please note that the Land Development Services comments must be addressed prior to your next submittal.

12. Xcel Energy

12A. No resubmittal is necessary.