



# Christian Brothers

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10/17/18

To Whom It May Concern:

Christian Brothers Automotive in Aurora opened its doors September 30, 2013 and has been a thriving business that has provided employment, essential service for the community in fixing cars, and at the same time has been very intentional in giving back to the community through a variety of charitable activities. In 2015, after being open for a couple of years we received a visit from code enforcement of the City of Aurora, because they had received a complaint that we were parking vehicles overnight in our parking lot. We thought it seemed strange that code enforcement would visit us because we had cars in our parking lot overnight, because after all we are an automotive repair shop and all auto repairs shops have cars parked in their parking lots overnight. Barry, the code enforcement officer then showed us that the site plan notes that says "THERE WILL BE NO OUTSIDE OVERNIGHT STORAGE OF VEHICLES". We did not know that there was such a condition on the site plan, as we do not own the real estate, nor were we involved in the permitting process with the City of Aurora. In fact, the original party that made this agreement has since sold the property to an investor. We were also curious who was making this complaint, was it our gas station neighbor to our west, was it our golf course neighbor to our north that we are separated from visually by a large berm, was it the electricity transfer station to our east that is for the most part physically unoccupied, was it the strip center to our south from whom we are separated by Arapahoe Road? We were surprised to learn that the complaint was coming from one particular residence in the Algonquin Acres neighborhood located in Centennial. This neighborhood begins over 2500 feet away from our shop and there is no part of our building or parking lot that can be physically seen from any part of the Algonquin Acres neighborhood. We thought it was very strange that the City of Aurora code enforcement division would receive such a complaint from a residence that is located in a different city and cannot physically see our property from anywhere within their own neighborhood. In fact, our parking lot is mostly not visible from either Arapahoe Road and Jordan Road since it is situated on a hill.

This same particular resident has made other complaints such as cars being parked in the fire lane during business hours and parking cars in handicap spots during business hours. This does happen from time to time when our customers or incoming delivery drivers mistakenly utilize these sections of the parking lot. These sort of complaints are taken very seriously and addressed immediately and correct during the business day. In fact, we have hired additional staff so that we have the ability to move cars that are parked in these sections of the parking lot. Again this happens during business hours, cars are not left for an extended period and certainly not left overnight in fire lanes or handicap spots.

In our view, this particular resident that is not affected by our business in any way that we can see has made it a priority to complain to code enforcement many times about our business. While we can manage customers parking their vehicles in undesignated places, which we do daily, we can't manage being able to have cars parked cars overnight in our parking lot. There is simply no way to avoid this, and I would suggest that there is not a single solvent auto repair

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shop in this city and any surrounding city that does not have cars in their parking lot overnight all or at least part of the time. There are too many factors that make this not practical.

We contacted the City of Aurora, who put us in touch with Marsha Osborn, who was at the time the Neighborhood Liaison for the City of Aurora. She recommended that we do a site plan amendment, but first we would need to have the support of the neighborhoods that could potentially be affected. We sent letters to the registered neighborhoods informing them we were wanting to pursue a minor site plan adjustment and invited them to a meeting at our location to discuss our intentions and address any concerns. I personally requested that Steve Wasiecko who was then the President of the Algonquin Acres Owner Association attend since we knew this is the neighborhood this particular resident that was issuing complaints was from. The meeting took place on May 14<sup>th</sup> 2015. The only people that showed up to the meeting besides CBA and the City of Aurora representatives were the President of the Algonquin Acres Owner Association (at my request), and the husband and wife of the residence that was issuing the complaints. We thought the outcome of the meeting was positive and the president of the HOA wrote a letter part which stated "Your current request for our input was provided to the other Board members. All Board members responded to me and none have an issue with this change. Given your parking lot is essentially not visible from Jordan or Arapahoe Road, we believe overnight parking would not have any visual impact on the residential community."

Upon following up with the City of Aurora several weeks after this meeting we learned that we would not be able to just simply make an amendment as the city representative previously thought because our site was a conditional use permit, and we would need to go to a formal hearing. Since our meeting was so positive and we thought everyone, including the particular resident that was making all the complaints was in agreement that as long as we parked as many cars we could inside the building overnight, and did not leave wrecked cars out that everything would be fine so we decided not to proceed with an expensive and time consuming formal hearing. For a long time there was no complaints but then with no warning we started getting visits from code enforcements again because they had received complaints from this same resident.

A large part of our culture at our Christian Brothers Automotive locations is we are very intentional about being active and giving back to the community. Last year we gave away over 20 cars to local families in need of transportation in order to function. This comes through our customers that decide not to fix their vehicles and they move on to new cars. While other repair shops would fix them and sell them to make more money, we fix them and give them to families that are in need which are often times crucial in helping families that are in or near crisis to get back on their feet. We also financially support several non profits such as Hide in Plain Sight (which helps homeless high school student), IFCS (which helps local families in need with food, school supplies, and clothing), James Resource Network (which helps single moms that are in financial trouble become self sufficient), Bridge of Hope (which also helps single moms), Transforming Creatives (which helps starving artist to become self sufficient). We support these non-profits by featuring them to every one of our customers and offering them to donate \$15 and then we in turn double that donation by giving them \$30 off of their bill. We have raised thousands of dollars for these non-profits and at the same time raised their

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awareness. We have given free services to random people in need including some referred to us through Arapahoe County Housing, Community Development, and Senior Resources.

We also hold a major service day event two times a year in which we open our doors on a Saturday, a day we are normally closed and give free services to the less fortunate. We have over 100 people sign up in advance and commit to giving all of them a free oil change and a free safety inspection. These individuals tend to have neglected vehicles due to their financial constraints so when we see issues that make their vehicle unsafe such as brakes, cords coming through tires, loose front end components we go ahead and fix them for free. We just had our last service day this past Saturday October 13<sup>th</sup> and we performed over \$20,000 worth of services and did not collect any revenue for this. It was 100% giving back to the community. There was one car that was so dangerously unsafe that was beyond repair, we gave the owner of the car a different car for free so that they would not be endangering themselves or other people. There was a homeless couple that both suffer from mental illness whose van they were living in was on the brink of catastrophic failure and we performed over \$2,000 worth of work and stayed late to work on it long after the event was over so that these people that were already in a terrible circumstance living in their vehicle would not have their vehicle become disabled and end up in an even worse situation. I point this specific event out because code enforcement was at our door the following Monday morning because they received complaints during this weekend from the same resident that has been complaining over the last few years. Why? Because there were cars in undesignated areas and cars parked overnight on a day we helped over 100 less fortunate people in our community and receiving nothing in return. This incident has caused us to change our previous decision of not going through an expensive and time consuming formal hearing on obtaining an amendment to omit site plan note of not allowing us to have vehicles parked in our parking lot overnight.

My understanding is the city ordinance allows auto repair shops, on condition of an existing work order to have cars parked for up to 30 days. While we do not need to park any particular car anywhere near 30 days the existence of this rule that we are bound to gives us zero days, and is simply impractical for us to function if it were enforced on us. Since the resident who appears to be unaffected by our business has demonstrated she will continue to complain we do not see any other path except to request the removal of the language prohibiting cars from being parked in our parking lot overnight. We hope you will approve our request.

**Nice difference.**

Mark J. Hecht

Coyote Point Properties

668 Fathom Drive

San Mateo, Ca. 94404

October 24, 2018

City of Aurora, Colorado

15151 E. Alameda Parkway

Aurora, Co 80012

To whom it may concern,

As the owner of the property located at 14755 E. Arapahoe Road, I am writing this letter to acknowledge Jared Beard, Cherry Creek C.B.A , doing business as Christian Brothers Automotive of Aurora, to pursue a Site Amendment for said property. I further give my support and permission to Jared Beard to act in both of our capacities to address this matter.

Sincerely,

  
Mark J. Hecht