Raising Cane and Immediate Neighbors

At the request of Councilwoman Sandoval, Steve Charbonneau met with representatives from Raising Cane Restaurant, immediate neighbors along Eliot and 49th, and a representative from the Chaffee Park RNO on Thursday, December 21, 2023. Our goal was to reach agreement on a Good Neighbor Agreement which would address the neighbor's issues and concerns and remove their objections to Raising Cane's request for a rezoning of their property at 4850 North Federal Boulevard.

We reached agreement on a significant number of points, but not all.

We agreed:

1. Raising Cane's will abide by all City and State ordinances and laws, specifically Denver's ordinance regarding legal decibel limits.
2. Raising Cane's will abide by all City requirements regarding lighting, specifically ensuring that their lighting will be contained on their property and not spill onto neighboring property.
3. Raising Cane's will implement policies and practices to remind its patrons of the importance and necessity of being respectful of all neighbors. This will include appropriate signage in the parking lot, at the start of the drive-thru lanes, and entrances to the lobby.
4. Raising Cane's will address the concern regarding noise impacting neighbors in the following ways;
    a. A buffer wall (see discussion later).
    b. Order board speakers are facing away from the neighbors and will have installed software to reduce the volume level dependent upon the ambient sound.
    c. Signage reminding patrons to be respectful of the neighborhood.
    d. Ensuring the doors remain closed and not propped open to the lobby.
    e. Decreasing or eliminating the music after 10p.
5. Raising Cane's will build, upon approval by the City, a solid six-foot wall extending the length of their property along Eliot Street and wrapped around the corner of 49th Avenue. This wall will be extensively landscaped on both sides. The neighbors are willing to approve of a variance to accomplish this, should it be needed.
6. Raising Cane's will ensure the trash/dumpster enclosures are fully contained and locked. Trash collection will not take place before 7a or after 10p.
7. Daily and prior to opening, Raising Cane's will walk their property, including the perimeter of their property, and pick up any trash.
8. Raising Cane's will provide security as needed and warranted for their property. They will also cooperate with the appropriate enforcement (police, STAR, SET) as needed.
9. Neighbors and Raising Cane's both encourage and request the City to make the planned improvements to the intersection of Federal and West 49th prior to the opening of Raising Cane's restaurant.

We did not reach agreement on the number of drive-thru and hours of operation.

1. For health and safety reasons (exhaust, noise, etc.), and that other immediate area restaurants have only one drive-thru, the neighbors requested one drive-thru. Raising Cane's explained that during peak times (lunch and dinner) they need two drive-thru lanes to avoid queuing into the neighborhood and increasing the time cars sit and wait. Raising Cane's did commit to only using one drive-thru lane during non-peak times.
2. Neighbors requested a closing time of 10p during the week and 12am on weekends because of nearby residential homes. Raising Cane's explained their clientele and business model is based upon a closing time of 1am or 2am, but did commit to closing at 12midnight on weekdays and 1am on Friday and Saturday.

Over this past weekend there was some additional negotiation. Two immediate neighbors, (one home) said they would sign the agreement if the closing hours were changed to 11pm during the week and midnight on the weekend, and a brick wall was stipulated. All other neighbors and RNO maintained their initial opposition to the rezoning. Raising Cane said they could not further reduce the hours from their recent reduction, and need to maintain their closing hours of midnight during the week and 1:00am on weekends.

Therefore we still do not have an agreement.