



October 21, 2021

Kris Zerr  
K&K Construction  
4028 S. Kalispell St.  
Aurora, CO 80013

Re: Case #Z-967-20

Dear Mr. Zerr,

The resubmitted Zone Change documents were reviewed and discussed by the Development Review Team (DRT). As a result, the following issues remain and require your response to the City's satisfaction before we are able to schedule the hearings for rezoning of the property.

**DRT General Comments:**

- Once the items identified in this comment letter have been addressed, staff is generally supportive of your request.
- Staff has referenced certain sections of our Land Development Code (LDC) in this comment letter and our enclosed redlines. A copy of this document is available at <http://www.c3gov.com/LDC>.
- Staff would encourage you to review Article IX of the LDC in order to get a sense of some of the fees that are associated with development. **Please note:** there may be additional fees associated with your development that are not identified in Article IX.
- It is important to note that while staff has made every effort to make this comment letter all-inclusive, there may be additional comments on future submittals that have not been identified here based on the changes to your plans.
- Any comments received from South Adams County Water and Sanitation District and South Adams County Fire District have been included or will be forwarded but you should also contact those agencies directly for their processes. Also, please see the collection of responses from other referral agencies attached to this cover letter.
- Please note that I am providing updated responses to the comments that were originally provided by Stacy Wasinger on September 2, 2020. These are provided in the context of your resubmittal materials provided. My updated comments that are required to be addressed are in dark font.
- Please respond to these updated comments by **November 16th, 2021** to keep the project active and progressing.

**Z-967-20 (zone change)**

**Planning Division – Travis Reynolds**



### General Comments

1. Please note that your summary of the public meeting highlights a neighborhood meeting that occurred in 2007. Staff believes that it is reasonable to say that this meeting may no longer be indicative of the sentiments of surrounding landowners.

Previous submittals provided materials drafted for circulation of a flier regarding input to the rezoning of the property to the proposed I-2 Industrial zone district. Please provide a summary to indicate if this flier was circulated to surrounding landowners, and if so, the responses that were received.

If this outreach did not occur, staff strongly suggests it in advance of any scheduled public hearing for the rezoning of the property. The use of public notifications, circulated by the applicant, can be a good method of communicating your intentions for the property in advance of the public hearing.

### Landscape Plan

1. Per your response to the original comment, please depict the additional shrubs that will increase the number to 84 as outlined per the requirements. Please submit the updated drawing as your next submittal.

Please address all of these comments in your next submittal; the resubmittal can be made electronically at this time. Paper copies will be required at a future submittal for the file documentation, but are not required for this resubmittal under current procedures. Please contact staff with any questions about submittal requirements at the time of resubmittal. In addition, please include a response letter to the issues listed in this letter. Any subsequent resubmittal requires a typical five (5) week review period. If you have any additional questions, feel free to contact me at 303.286.4874 or [swasinger@c3gov.com](mailto:swasinger@c3gov.com).

Sincerely,

Travis Reynolds  
City Planner  
City of Commerce City



June 15, 2021

Kris Zerr  
K&K Construction  
4028 S. Kalispell St.  
Aurora, CO 80013

Re: Case #Z-967-20

Dear Mr. Zerr,

The submitted Zone Change application has been reviewed and discussed at the Development Review Team (DRT). As a result, the following issues were brought up:

**DRT General Comments:**

- Once the items identified in this comment letter have been addressed, staff is generally supportive of your request.
- Staff has referenced certain sections of our Land Development Code (LDC) in this comment letter and our enclosed redlines. A copy of this document is available at <http://www.c3gov.com/LDC>.
- Staff would encourage you to review Article IX of the LDC in order to get a sense of some of the fees that are associated with development. **Please note:** there may be additional fees associated with your development that are not identified in Article IX.
- It is important to note that while staff has made every effort to make this comment letter all-inclusive, there may be additional comments on future submittals that have not been identified here based on the changes to your plans.
- Any comments received from South Adams County Water and Sanitation District and South Adams County Fire District have been included or will be forwarded but you should also contact those agencies directly for their processes. Also, please see the collection of responses from other referral agencies attached to this cover letter.
- Please note that I am providing updated responses to the comments that were originally provided by Stacy Wasinger on September 2, 2020. These are provided in the context of your resubmittal materials provided. My updated comments that are required to be addressed are in dark font.
- Please respond to these updated comments by **July 13<sup>th</sup>, 2021** to keep the project active and progressing.

**Z-967-20 (zone change)**

**Planning Division – Travis Reynolds**

General Comments



1. Due to the mix of residential and industrial uses in the area, a neighborhood meeting would be beneficial. Staff typically suggests a neighborhood meeting in public hearing cases when it is beneficial to have conversations with neighbors before the public hearing before Planning Commission and City Council. Staff does currently have a procedure for remote neighborhood meetings since the City is not currently holding in person meetings. However, there may be some alternative outreach methods as well, to meet the intent of a neighborhood meeting. Mailers or flyers to nearby property owners/residents that could be returned with comments would be a potential alternative. Please contact staff with any questions, and to coordinate as needed. **Updated comment: Please provide a summary of the neighborhood meeting and a list of respondents.**
2. Please see the attached Public Improvements Agreement (PIA) for reference. This PIA is still in effect for the subject property.
3. A subdivision plat may be submitted for development, as well as any other platting requirements. Please note that buildings may not cross property lines; if future development is proposed, a subdivision plat may be required. Please also note that the outdoor storage use on the southern lot may be maintained so long as both properties are under common ownership. If that southern lot is sold, any outdoor storage would need to be associated with another use/ building per LDC Sec. 21-21-5254(4).
4. Please show any new ground-mounted or wall signage if any is proposed with this development. Details of any new signage is required.
5. Please include the Parcel Identification Number (PIN) on each sheet.
6. Aerial imagery shows that some of the use from the auto salvage yard to the north may encroach onto the northern lot. Please note that this use is not permitted in the I-2 zone and should not encroach onto the subject lots for the rezone. **Please indicate if a fence exists between the property lot line. If not, the City requests that you install one in that location as part of this rezoning application.**

#### Site Plan

1. Buildings B and C are noted as sheds. Please elaborate on the use of these structures. Are they accessory storage to the primary use of the contactors' office/yard?
2. Please include a site data table with building FAR, parking calculations, landscape area calculations, etc. on the site plan. Much of this information is in the narrative, but should be also on the site plan.
3. Please indicate the amount of required parking and proposed parking on the site plan. An amount totaling more than 150% of required parking is not permitted per LDC Sec. 21-7233. Please note parking design standards in LDC Sec. 21-7242. The dimensions of the parking stalls should be included on the plans; depending on the angle of parking, the minimum parking dimensions must be met. Please also note the material of the parking areas (required by code to be a hard surface such as hot-mix asphalt or concrete).
4. Please include the existing setbacks to the buildings on the site plan. Have the setback dimensions detailed in the narrative been measured and shown on the site plan?
5. The aerial imagery of the site shows that the existing fence and parking in the front may be partially in the ROW for Uinta. However, that is not an exact measurement as sometimes the aerial may be a little off from the survey and the site plan indicates that the parking is on-site. Has it been verified that the parking and fence are out of the ROW?



6. The existing landscaping appears well established and placed. The front fencing obscures it from view somewhat, but it could add to the visual appeal from Uinta if the landscaping was more visible. The fencing in front might be pulled back to show off the landscaping in front of the office.
7. The land development code requires surfacing and screening standards for outdoor storage per LDC Sec. 21-5254.
  - a. The narrative notes the storage area as recycled asphalt (which is the minimum required surfacing for outdoor storage areas) but per the aerial and submitted photos some of the area appears to be other materials, such as dirt. Fire access also may require drive aisle in the storage area be able to support fire equipment. Please confirm the materials of the drive aisle areas and storage areas in the outdoor storage area. **Noted inclusion in the site plan. The remaining outdoor storage area (absent concrete parking and landscape areas) must be recycled asphalt. Staff will conduct a site visit to ensure proper coverage of the outdoor storage area.**
  - b. Outdoor storage is also required to be screen from ROW and non-industrial adjacent land uses with a solid fence. However, the LDC also prohibits mesh on chain-link fencing. The mesh on the chain-link fencing must be removed and the site plan note where solid screen fencing is required and provided. The property to the south and east may not need screen fencing due to adjacent industrial uses. **Please ensure that fencing is provided along the southern border of the southern parcel (along E 84<sup>th</sup> Avenue) to screen for the outdoor storage. Imagery indicates that the fence does not exist in this area of the site. Please show its proposed alignment on the site plan. Please note that ongoing storage of materials in excess of the eight foot stacking/piling height may require a conditional use permit - per Sec. 21-5254.(7)(a)(i).**
8. If a plat is submitted with the next review, please match the legal description to the concurrent proposed plat.

#### Landscape Plan

1. Please reference Table VII-14 Non-Residential Development Landscape Requirements for the base landscape standard and include a landscape calculations table for the existing landscaping on the plans. Much of this information is in the narrative, but should be included on the plan as well. Please note that the
2. Please see attached Landscape Plan "Facts to Know" for reference. The landscape notes should be included on the plan
3. Please also identify ground cover/mulch areas of existing landscaping in the table on the plans.
4. In the narrative, the trees identified on site include boxelders and a variety of ash tree, which are not counted as part of the approved plant list (FTK attached). Ash trees in particular are discouraged due to the Ash Borer infestation. Can you please confirm the species and variety of trees on site?
5. Please show any existing and proposed easements on the landscape plan.
6. Parking islands are required for any range of parking spaces over 15 spaces and at the end of any row of parking spaces per LDC Sec. 21-7541(1)(c). It does not appear that any of the parking areas would need to meet this requirement, but please note.
7. **Please note that the existing landscaping is currently below the required standards of the I-2 district. As depicted for the industrial uses, the minimum required amount of landscaping would be 25,700 sq. ft. of overall landscaping. Currently, your proposal is highlighting 4890 sq. ft. of landscaping (5.7% of the total site and 19% of the required amount). Do you have opportunities for**



additional landscaping in any of the on-site portions of the site? Additionally, the district standards require 42 trees and 84 shrubs as a baseline landscape minimum. Your submitted inventory depicts 54 trees and 23 shrubs existing on-site. Are there additional opportunities for additional plantings of shrubs to meet the district standards?

#### Lighting Plan

1. Is any new outdoor lighting proposed? If so, a lighting plan may be required.

#### Building Elevations

1. Please note that any new building or building expansion would be subject to LDC industrial design standards.
2. The Building Division may have further comments regarding existing buildings, if additional permits are required.

**Please see additional enclosed redlines and comments from other referral agencies and City Departments.**

- Commerce City Parks and Recreation Department
- Commerce City Public Works Department
- Adams County Community Development
- Farmers Reservoir and Irrigation Company - FRICO

Please address all of these comments in your next submittal; the resubmittal can be made electronically at this time. Paper copies will be required at a future submittal for the file documentation, but are not required for this resubmittal under current procedures. Please contact staff with any questions about submittal requirements at the time of resubmittal. In addition, please include a response letter to the issues listed in this letter. Any subsequent resubmittal requires a typical five (5) week review period. If you have any additional questions, feel free to contact me at 303.289-8219 or [treynolds@c3gov.com](mailto:treynolds@c3gov.com).

Sincerely,

Travis Reynolds  
City Planner  
City of Commerce City

Encl.: Comment letters

# MEMMO

**To:** Travis Reynolds, Planner

**From:** Traci Ferguson, Parks Planner

**Subject:** Z-967-20 8442 Uinta St.

**Date:** May 25, 2021

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I have reviewed the above proposal and have no comments. A park fee-in-lieu will not be charged for this zone change.

Please feel free to contact me at 303-227-8788 or [tferguson@c3gov.com](mailto:tferguson@c3gov.com) with any questions.





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## INTEROFFICE MEMORANDUM

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TO: Travis Reynolds, Planner  
FROM: Monroe Trotman III, Development Review Engineer  
DATE: May 28, 2021  
SUBJECT: Z-967-20 – 8442 Uinta Street – Zone Change – 2<sup>nd</sup> Review

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Public Works has reviewed the above referral and has the following comments:

Zone Change:

1. Public Works has reviewed this case and has no objections with the Zone Change for 8442 Uinta Street from Agricultural to I-2.
2. Applicant is advised that any modifications, development, subdivision, etc. to the site will constitute a Development and/or Subdivision review through the City of Commerce City Planning Department for review and approval. Moreover, the following may be required by Public Works as part of a Development and/or Subdivision review:
  - a. A Traffic Impact study is required if the last study is more than two years old, and/or if the land use intensity and traffic generation has increased by more than 15% within this development.
  - b. A Drainage report is required with this development if the site disturbance shown in the Site Plan is greater than 10,000 square feet, thus requiring a drainage report. Refer to Chapter 3 of the City Storm Design Criteria and UDFCD design manuals for the drainage report requirements.
  - c. A Grading Permit is required with this development if the site disturbance shown in the Site Plan is greater than 5,000 square feet, thus requiring a grading permit. The City requires that a Grading Plan Review Application be completed, and a review fee be paid. Information about the Grading Permit process can be found at: <https://www.c3gov.com/doing-business/developing-in-commerce-city/civil-plan-approval-grading-permits>. Please ensure that all required elements for the grading permit are submitted. Grading permit documents can be submitted to [pwpermits@c3gov.com](mailto:pwpermits@c3gov.com).
  - d. A CDPHE State Storm Water Discharge Permit is required for this development if the disturbed area as indicated in the Site Plan is



greater than 1 acre. The City will require a copy of this permit in order to obtain your Grading Permit.

If you have any questions, please call me at extension 8174. MT

ec: Joe Wilson, Public Works Director  
Brent Soderlin, P.E., City Engineer  
Chris Hodyl, P.E., Development Review Manager



May 25, 2021

Travis Reynolds, Case Planner  
City of Commerce City, Community Development Department  
7887 East 60<sup>th</sup> Avenue  
Commerce City, Colorado 80022

Re: Case Number: Z-967-20

Thank you for including the Adams County Community and Economic Development Department in the review for Case Number: Z-967-20. Adams County has reviewed all the attached documents and while the County is not necessarily in opposition to the subject request, we would like to provide the following concerns:

1. The north half of the project site is adjacent to Unincorporated Adams County right-of-way. Per Section 3 of the Intergovernmental Agreement (IGA) regarding the maintenance of public rights-of-way between Adams County and Commerce City, entered into Dec. 9, 2011, the right and responsibility to issue right-of-way permits shall be vested in the party having legal jurisdiction over the particular roadway. That being said, if improvements are required within the County owned portion of Uinta St, a County engineering review and construction permit will be required.
2. The subject parcel is located adjacent to several residences in unincorporated Adam County. A rezone to Industrial-2 could allow for several uses that are incompatible next to residential, which is of concern to the County. We would request additional information on what the applicant would propose to mitigate the effects the potential uses could have on the adjacent residential properties. The landscape plan provided does not show a width for the landscape buffer.

Please do not hesitate to reach out to Adams County with any questions or concerns.

Thanks,

**Eden Steele, Civil Engineer I**  
Community and Economic Development  
4430 S. Adams County Parkway  
Brighton, Colorado 80601  
ESteele@adcogov.org  
720.523.6897

**Layla Bajelan, Long Range Planner II**  
Community and Economic Development  
4430 S. Adams County Parkway  
Brighton, Colorado 80601  
[LBajelan@adcogov.org](mailto:LBajelan@adcogov.org)  
720.523.6863

**The Farmers Reservoir and Irrigation Company**  
**80 South 27<sup>th</sup> Avenue**  
**Brighton, CO 80601**  
**303-659-7373**

**TO:** City of Commerce City

**DATE:** May 25, 2021

**EMAILED TO:** Travis Reynolds (treynolds@c3gov.com)

**APPLICANT:** Kris Zerr

**RE:** Zone Change

**CASE #:** Z-967-20

**DEAR** Mr. Reynolds:

I wish to submit the following information regarding the above referenced project.

       The concerns of Farmers Reservoir and Irrigation Company are in the area of encroachment to the Right of Way of the canal. FRICO requires a **minimum** of 25' on each side of the canal for a maintenance road plus the distance to the toe of the ditch embankment. The boundaries of the Right of Way must be agreed upon. FRICO's fee ownership is 60 feet, (35' on the south side and 25' on the north side)

       Drainage is another concern that must be addressed as FRICO does not allow any developed storm flow into our canals. This will apply if any development happens.

       Property concerns need to be resolved.

       No construction of any structure can be put on our ROW. No use of any sort including pedestrian or vehicle on our ROW is approved.

       No trees, bushes, plants shall be placed within FRICO's ROW.

       Please send drainage study and additional information regarding your project so that we may complete our review and that review criteria can be sent to you, if applicable.

       FRICO does not accept retention ponds adjacent to our facilities, however, we may grant a variance with submittal of application and engineering deposit for review of drainage plan and other documents.

       Canal road may not be used for access without approval and executed agreement.

       FRICO will require a license agreement

       FRICO will require an access permit

       FRICO will require a seepage agreement

  **X**   FRICO No comments on application/proposal

       We request to comment again.

The applicant        has or   **X**   has not completed a Project Review Application and submitted a deposit for review fees with the Ditch Company. In addition to the above comments, FRICO's comments are limited to this set of plans.

Please email Scott Edgar, FRICO General Manager or Eve Craven should you have any questions.

Sincerely,

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**Scott Edgar**  
[Scott@farmersres.com](mailto:Scott@farmersres.com)  
FRICO, General Manager



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**Eve Craven**  
[Eve@farmersres.com](mailto:Eve@farmersres.com)  
FRICO, Projects Coordinator



September 2, 2020

Kris Zerr  
K&K Construction  
4028 S. Kalispell St.  
Aurora, CO 80013

Re: Case #Z-967-20

Dear Mr. Zerr,

The submitted Zone Change application has been reviewed and discussed at the Development Review Team (DRT). As a result, the following issues were brought up:

**DRT General Comments:**

- Once the items identified in this comment letter have been addressed, staff is generally supportive of your request.
- Staff has referenced certain sections of our Land Development Code (LDC) in this comment letter and our enclosed redlines. A copy of this document is available at <http://www.c3gov.com/LDC>.
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- Any comments received from South Adams County Water and Sanitation District and South Adams County Fire District have been included or will be forwarded but you should also contact those agencies directly for their processes.

**Z-967-20 (zone change)**

**Planning Division – Stacy Wasinger**

General Comments

1. Due to the mix of residential and industrial uses in the area, a neighborhood meeting would be beneficial. Staff typically suggests a neighborhood meeting in public hearing cases when it is beneficial to have conversations with neighbors before the public hearing before Planning Commission and City Council. Staff does currently have a procedure for remote neighborhood meetings since the City is not currently holding in person meetings. However, there may be some alternative outreach methods as well, to meet the intent of a neighborhood meeting. Mailers or flyers to nearby property owners/residents that could be returned with comments



- would be a potential alternative. Please contact staff with any questions, and to coordinate as needed.
2. Please see the attached Public Improvements Agreement (PIA) for reference. This PIA is still in effect for the subject property.
  3. A subdivision plat may be submitted for development, as well as any other platting requirements. Please note that buildings may not cross property lines; if future development is proposed, a subdivision plat may be required. Please also note that the outdoor storage use on the southern lot may be maintained so long as both properties are under common ownership. If that southern lot is sold, any outdoor storage would need to be associated with another use/ building per LDC Sec. 21-21-5254(4).
  4. Please show any new ground-mounted or wall signage if any is proposed with this development. Details of any new signage is required.
  5. Please include the Parcel Identification Number (PIN) on each sheet.
  6. Aerial imagery shows that some of the use from the auto salvage yard to the north may encroach onto the northern lot. Please note that this use is not permitted in the I-2 zone and should not encroach onto the subject lots for the rezone.

#### Site Plan

1. Buildings B and C are noted as sheds. Please elaborate on the use of these structures. Are they accessory storage to the primary use of the contactors' office/yard?
2. Please include a site data table with building FAR, parking calculations, landscape area calculations, etc. on the site plan. Much of this information is in the narrative, but should be also on the site plan.
3. Please indicate the amount of required parking and proposed parking on the site plan. An amount totaling more than 150% of required parking is not permitted per LDC Sec. 21-7233. Please note parking design standards in LDC Sec. 21-7242. The dimensions of the parking stalls should be included on the plans; depending on the angle of parking, the minimum parking dimensions must be met. Please also note the material of the parking areas (required by code to be a hard surface such as hot-mix asphalt or concrete).
4. Please include the existing setbacks to the buildings on the site plan. Have the setback dimensions detailed in the narrative been measured and shown on the site plan?
5. The aerial imagery of the site shows that the existing fence and parking in the front may be partially in the ROW for Uinta. However, that is not an exact measurement as sometimes the aerial may be a little off from the survey and the site plan indicates that the parking is on-site. Has it been verified that the parking and fence are out of the ROW?
6. The existing landscaping appears well established and placed. The front fencing obscures it from view somewhat, but it could add to the visual appeal from Uinta if the landscaping was more visible. The fencing in front might be pulled back to show off the landscaping in front of the office.
7. The land development code requires surfacing and screening standards for outdoor storage per LDC Sec. 21-5254.
  - a. The narrative notes the storage area as recycled asphalt (which is the minimum required surfacing for outdoor storage areas) but per the aerial and submitted photos some of the area appears to be other materials, such as dirt. Fire access also may require drive aisle in the storage area be able to support fire equipment. Please confirm the materials of the drive aisle areas and storage areas in the outdoor storage area.



- b. Outdoor storage is also required to be screen from ROW and non-industrial adjacent land uses with a solid fence. However, the LDC also prohibits mesh on chain-link fencing. The mesh on the chain-link fencing must be removed and the site plan note where solid screen fencing in required and provided. The property to the south and east may not need screen fencing due to adjacent industrial uses.
8. If a plat is submitted with the next review, please match the legal description to the concurrent proposed plat.

#### Landscape Plan

1. Please reference Table VII-14 Non-Residential Development Landscape Requirements for the base landscape standard and include a landscape calculations table for existing landscaping on the plans. Much of this information is in the narrative, but should be included on the plan as well.
2. Please see attached Landscape Plan “Facts to Know” for reference. The landscape notes should be included on the plan
3. Please also identify ground cover/mulch areas of existing landscaping in the table on the plans.
4. In the narrative, the trees identified on site include boxelders and a variety of ash tree, which are not counted as part of the approved plant list (FTK attached). Ash trees in particular are discouraged due to the Ash Borer infestation. Can you please confirm the species and variety of trees on site?
5. Please show any existing and proposed easements on the landscape plan.
6. Please include sight distance triangles on the landscape plan per the city's Engineering standards.
7. Parking islands are required for any range of parking spaces over 15 spaces and at the end of any row of parking spaces per LDC Sec. 21-7541(1)(c). It does not appear that any of the parking areas would need to meet this requirement, but please note.

#### Lighting Plan

1. Is any new outdoor lighting proposed? If so, a lighting plan may be required.

#### Building Elevations

1. Please note that any new building or building expansion would be subject to LDC industrial design standards.
2. The Building Division may have further comments regarding existing buildings, if additional permits are required.

**Please see additional enclosed redlines and comments from other referral agencies and City Departments.**

- Xcel Energy
- Tri-County Health Department
- Commerce City Public Works Department



Please address all of these comments in your next submittal; the resubmittal can be made electronically at this time. Paper copies will be required at a future submittal for the file documentation, but are not required for this resubmittal under current procedures. Please contact staff with any questions about submittal requirements at the time of resubmittal. In addition, please include a response letter to the issues listed in this letter. Any subsequent resubmittal requires a typical five (5) week review period. If you have any additional questions, feel free to contact me at 303.286.4874 or [swasinger@c3gov.com](mailto:swasinger@c3gov.com).

Sincerely,

Stacy Wasinger  
City Planner  
City of Commerce City

Encl.: Comment letters  
Subdivision "Facts to Know"  
Neighborhood Meeting "Facts to Know"  
Development Plan "Facts to Know"  
Landscape Plan "Facts to Know"  
Approved Plant List "Facts to Know"

# MEMMO

**To:** Stacy Wasinger, Planner

**From:** Traci Ferguson, Parks Planner

**Subject:** Z-967-20 8442 Uinta St.

**Date:** August 27, 2020

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I have reviewed the above proposal and have no comments. A park fee-in-lieu will not be charged for this zone change.

Please feel free to contact me at 303-227-8788 or [tferguson@c3gov.com](mailto:tferguson@c3gov.com) with any questions.







August 19, 2020

Stacy Wasinger  
City of Commerce City  
Community Development Department  
7887 East 60<sup>th</sup> Avenue  
Commerce City, CO 80022

RE: K and K Construction, 8442 Uinta, Z-967-20  
TCHD Case No. 6444

Dear Ms. Wasinger,

Thank you for the opportunity to review and comment on the application for a Zone Change from AG to I-2 for 1.9 acres located at 8442 Uinta. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

#### **Vector Control - Storage**

Rodents such as mice and rats carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. Items stored on the floor, tightly packed, and rarely moved provide potential harborage for rodents. Due to the variety of items to be potentially stored at this site, TCHD recommends that the applicant create a plan for regular pest control. Information on rodent control can be found at <http://www.tchd.org/400/Rodent-Control>.

#### **Noise – Loud Use**

Regular exposure to elevated sound levels can have a negative impact on both physical and mental health by increasing the risk of stress, hearing impairment, hypertension, ischemic heart disease, and sleep disturbance. Colorado's noise abatement statute (CRS 25-12-103) sets maximum permissible noise levels for various land uses at different time periods. Noises that exceed these levels are considered to be a public nuisance. Noise levels from commercial uses are considered a public nuisance if they exceed 60 db(A) beyond 25 feet of the property boundary during the day (7 a.m. – 7 p.m.). At night (7 p.m. - 7 a.m.), the nuisance level is 55 db(A).

It appears that the subject parcel may be adjacent to residential uses. TCHD recommends that the applicant consider how noise from the industrial operation could impact nearby residents, and consider noise mitigation measures could aid in the mitigation of nuisance noises. These measures could include setbacks, sound walls, vegetative barriers, construction design, operational practices, or similar measures.

K and K Construction  
August 19, 2020  
Page 2 of 2

Please feel free to contact me at 720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org) if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line extending to the right.

Kathy Boyer, REHS  
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Monte Deatrich, TCHD



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3284  
[donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com)

August 19, 2020

City of Commerce City Community Development Department  
7887 East 60<sup>th</sup> Avenue  
Commerce City, CO 80022

Attn: Stacy Wasinger

**Re: 8442 Uinta Street Rezone, Case # Z-967-20**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **8442 Uinta Street Rezone** and has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Should the project require any new natural gas or electric service or modification to existing facilities, the property owner/developer/contractor must complete the application process via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect).

Donna George  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-571-3306 – Email: [donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com)



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## INTEROFFICE MEMORANDUM

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TO: Stacy Wasinger, Planner  
FROM: Monroe Trotman III, Development Review Engineer  
DATE: August 14, 2020  
SUBJECT: Z-967-20 – 8442 Uinta Street – Zone Change – 1<sup>st</sup> Review

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Public Works has reviewed the above referral and has the following comments:

Zone Change:

1. A drainage report is required with this development. The site disturbance shown in the Site Plan is greater than 10,000 square feet, thus requiring a drainage report. Refer to Chapter 3 of the City Storm Design Criteria and UDFCD design manuals for the drainage report requirements.
2. A Grading Permit is required with this development. The site disturbance shown in the Site Plan is greater than 5,000 square feet, thus requiring a grading permit. The City requires that a Grading Plan Review Application be completed, and a review fee be paid. Information about the Grading Permit process can be found at: <https://www.c3gov.com/doing-business/developing-in-commerce-city/civil-plan-approval-grading-permits>. Please ensure that all required elements for the grading permit are submitted. Grading permit documents can be submitted to [pwpermits@c3gov.com](mailto:pwpermits@c3gov.com).
3. A CDPHE State Storm Water Discharge Permit is required for this development. The disturbed area as indicated in the Site Plan is greater than 1 acre. The City will require a copy of this permit in order to obtain your Grading Permit.

If you have any questions, please call me at extension 8174.

MT

ec: Brent Soderlin, P.E., City Engineer

## Wasinger, Stacy - CD

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**From:** Melanie Poole <mpoole@mhfd.org>  
**Sent:** Thursday, July 23, 2020 8:37 AM  
**To:** Wasinger, Stacy - CD  
**Cc:** Teresa Patterson  
**Subject:** MEP Submittal - No Comment - 8442 UINTA (Z-967-20)

Stacy,

This is in response to the request for our comments concerning the referenced project. We appreciate the opportunity to review this proposal and have no comment, as this project does not include any major drainage features. We do not need to receive any future submittals on this project.

Please feel free to contact me or Teresa Patterson with any questions or concerns.

Thanks,

### **Melanie Poole, PE**

Project Engineer

#### **MILE HIGH FLOOD DISTRICT**

2480 W. 26th Ave. Suite 156-B | Denver, CO 80211

**Office:** 303-455-6277 | **Cell:** 843-621-6357 | [www.mhfd.org](http://www.mhfd.org)

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### **Melanie Poole**

Project Engineer

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