

## PLANNING COMMISSION

Commerce City Planning Commission  
May 6, 2014

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**CU-104-14: Groendyke Transport is requesting approval of a Conditional Use Permit in order to develop property located at the southwest corner of E. 93rd Place and Yosemite Street for their new transportation terminal.**

Ms. Stevens introduced the case and asked that the record reflect that the file contained the relevant notice and publication information. Mr. Workman reviewed the staff report and presentation. He explained that three separate items were being requested as part of the Conditional Use Permit: a reduction in the Floor Area Ratio (FAR) requirement from .15 to .05, an increase in the maximum front setback from 80-feet to 135-feet, and the ability to operate a transportation terminal for vehicles that carry flammable, explosive, hazardous, or highly toxic materials. No inquiries from the public have been received regarding the request. Staff recommended that the Planning Commission forward the conditional use permit to the City Council with a favorable recommendation subject to two conditions listed in the staff report.

Mr. Keith Hensel, 1838 Street, Boulder, CO addressed the commission on behalf of the applicant and stated that he had nothing further to add.

Chairman McFarlin opened the hearing for public comment. There being no public comment, the public hearing was closed and a motion was requested.

**Motion:**

Commissioner Robertson made the following motion “I move that the Planning Commission enter a finding that, subject to certain conditions, the three requests contained in this Conditional Use Permit for the property located at the southwest corner of E. 93rd Place and Yosemite Street contained in case CU-104-14 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit subject to the following conditions:

- A. The applicant shall provide a letter of approval from the Farmer’s Reservoir and Irrigation Company (FRICO) to the Planning Division or incorporate provisions to address FRICO’s concerns in the final construction documents prior to the issuance of a permit for the construction of the principle structure.
- B. The applicant shall maintain current licenses with all regulators of their operations.”

Commissioner Jones seconded the motion.

McFarlin     Yes  
Dreiling     Yes  
Jones         Yes  
Montano     Yes  
Robertson    Yes

5 Yes, Motion Passed.