



# **Case #Z-660-97-99-00-03(2)-17-22 PUD Zone Document Amendment**

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**Location: 9801 Havana Street**

**Applicant: Hanley Holdings**

**Request: PUD Zone Document Amendment**

# Introduction

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- Staff enters into the public record the contents of the case file, the PUD Zone Document regulations, and this digital presentation.
- Additionally, the property is located within the City of Commerce City. All required notification and posting requirements have been met.

# Case Summary

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- 9801 Havana Street
- A PUD Zone Document Amendment to the Mountain View Industrial Park PUD
- Current zoning: PUD
- Future land use: Industrial/Distribution

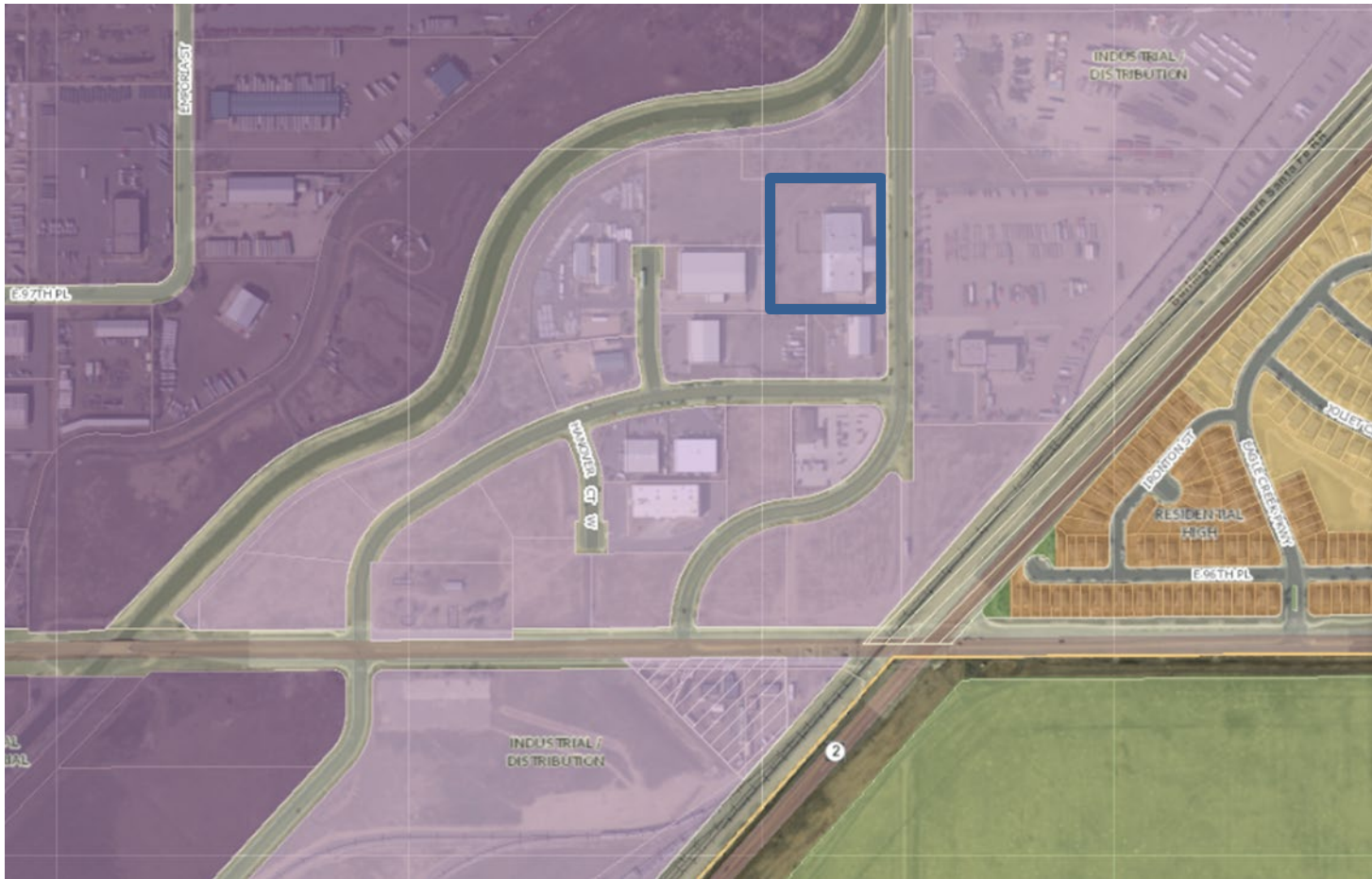
# V-Map



# V-Map (detail)



# Future Land Use Plan



# Applicants Request

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- Applicant requesting the use of pipe fitting, welding, and steel metal fitting
  - Forging and stamping
  - Heavy construction equipment/contracting
- Appropriate designation is I-2 or I-3
- Pinnacle Steel
- Specialize in welding steel columns used in electrical substations.
- 15 employees (5 in office, 10 in manufacturing bay).

# Public Hearing Summary

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- In accordance with Section 21-3251(2) of the Land Development Code (LDC), Planned Unit Developments are reviewed by the Development Review Team (DRT) and the Director of Community Development
- Planning Commission holds a public hearing and provides a recommendation to the City Council
- City Council holds a public hearing and makes a final decision to approve, approve with conditions, or deny the application based on the approval criteria from Section 21-3251(3)



# Case Background

- Annexed from ADCO and rezoned from AG to PUD
- A total of five (5) amendments have been approved.

Z-660-97-99	March, 1999	Amendment 1 to the Mountain View Industrial Park PUD – Amendment to re-plat two lots (Block3, Lots 8 and 9) into three lots, which requires the movement of lot lines and movement of zone boundary lines.	<b>Approval</b>
Z-660-97-99-00	August, 2000	Amendment 2 to the Mountain View Industrial Park PUD – Amendment to reduce fence masonry standards, reduce FAR, access points, and the addition of architectural standards.	<b>Approval</b>
Z-660-97-99-00-03	June, 2003	Amendment 3 to the Mountain View Industrial Park PUD - Amendment to reduce floor area ratio, increase outdoor storage limitation, decrease setback requirements, add propane storage as a Use-by-Right subject to Fire Marshal and Building Official approval, and modify landscape requirements to new City landscape ordinance standards.	<b>Approval</b>
Z-660-97-99-00-03	July, 2003	Amendment 4 to the Mountain View Industrial Park PUD – Amendment to reduce floor area ratio, increase outdoor storage limitation, decrease setback requirements, add propane storage as a Use-by-Right subject to Fire Marshal and Building Official approval, and modify landscape requirements to new City landscape ordinance standards. (For Lot 3 of Block 3 only)	<b>Approval</b>
Z-660-97-99-00-03(2)-17	April 2017	Amendment 5 to the Mountain View Industrial Park PUD – To change Block 1, Lots 1 & 2 to allow I-1 uses and General Retail.	<b>Approval</b>



# PUD Adoption & Zoning

**LEGEND**

- EXISTING FIRE HYDRANT
- EXISTING CONTOURS
- PROPOSED STREET CENTERLINE
- PROPOSED EASEMENT
- LOT LINES
- EXISTING GASLINE
- EXISTING OVERHEAD POWER LINE
- EXISTING SANITARY SEWER
- EXISTING WATER LINE
- EXISTING UNDERGROUND PHONE LINE
- BUILDING SETBACK
- INDICATION LIMITS
- EXISTING ZONING

**VICINITY MAP**

City of Commerce City  
 Approved by the Planning Commission this day of Jan, 1997  
*[Signature]*  
 Chairman

Approved by the City of Commerce City, City Council this day of Mar, 1997  
*[Signature]* *[Signature]*  
 Mayor

City Clerk and Recorder  
*[Signature]* *[Signature]*

Developer's Certificate:  
 Matthew New Industrial Park, LLP, representing the City of Commerce City, being the owner of the property located in the County of Adams, State of Colorado, does hereby submit this Final Planned Unit Development and agrees to perform under the terms noted herein.  
*[Signature]*  
 State of Colorado  
 County of Adams

The foregoing unit development certificate was acknowledged before me this 25th day of March, 1997  
 Notary Public  
*[Signature]*  
 My Commission Expires 5/31/02

Developer/Consultants:  
 Developer: Tom Davis  
 5000 Old New Industrial Park, LLP  
 500 Lafayette Street, Suite 404  
 Denver, CO 80219  
 Lead Planner: Tullie Appleby, Inc.  
 11900 Grant St., Suite 304  
 Denver, CO 80231  
 Civil Engineer: Tullie Appleby, Inc.  
 11900 Grant St., Suite 304  
 Denver, CO 80231

## LOT SUMMARY TABLE

LOT	USE	SIZE (ACRES)	F.A.R.	MAX. BLDG. HEIGHT (FT)
BLOCK 1				
1	RETAIL	1.48	.25	35
2	RETAIL	2.88	.25	35
BLOCK 2				
1	I-2	1.40	.25	50
2	I-2	1.40	.25	50
3	I-1	1.34	.25	35
4	RETAIL	1.34	.3	50
5	I-1	1.69	.3	50
6	I-2	1.69	.3	50
7	I-1	1.40	.3	50
8	I-1	1.40	.3	50
BLOCK 3				
1	I-1	2.07	.3	50
2	I-2	1.34	.25	50
3	I-2	1.21	.25	50
4	I-2	1.73	.25	50
5	I-2	2.28	.25	50
6	I-2	2.57	.25	50
7	I-2	1.61	.25	50
8A	I-2	1.71	.25	50
8B	I-1	1.43	.25	50
9A	I-1	1.07	.3	50
10	I-1	1.55	.3	50
11	I-1	1.56	.3	50



# PUD Landscape Standards

SHEET 4 OF 6

## LANDSCAPE NOTES

### AMENDMENT #2

- 1.) THE APPLICANT IS RESPONSIBLE FOR ONLY THE LANDSCAPING ALONG HAVANA STREET AND 96TH STREET MEDIANS AND RETENTION PONDS. THE CONCEPTUAL LANDSCAPING IS TO BE INSTALLED BY INDIVIDUAL LOT OWNERS PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT.
- 2.) ALL LANDSCAPE AREAS AND MEDIANS PROPOSED TO CONTAIN LANDSCAPE PLANT MATERIALS ALONG HAVANA STREET AND HENZE WAY SHALL HAVE THE EXISTING SOIL AMENDED WITH A MINIMUM OF FOUR CUBIC YARDS OF WELL-ROTTED COW OR SHEEP MANURE, MOUNTAIN OR SPAGNUM PEAT MOSS OR A COMBINATION THEREOF CONTAINING A MINIMUM OF 40 PERCENT ORGANIC MATTER AT AN APPLIED RATE PER 1,000 SQUARE FEET, DIGGED OR TILLED INTO THE SOIL AT A DEPTH OF 30" INCHES.
- 3.) ALL PLANTING BEDS ARE TO BE CONTAINED BY 1/2" X 4" INTERLOCKING TYPE OF STEEL EDGER. EDGING IS NOT REQUIRED WHERE A BED IS ADJACENT TO CURBS, WALLS, WALKS, OR SOLID FENCES.
- 4.) ALL PLANTING BEDS TO CONTAIN 1 - 1/2" WASHED RIVER ROCK OR WOOD MULCH OVER WEED CONTROL FABRIC AT A THREE INCH DEPTH.
- 5.) ALL TREES ARE TO BE STAKED AND GUTED FOR A PERIOD OF ONE YEAR.
- 6.) THE OWNER, THE OWNER'S SUCCESSORS, OR THE OWNER'S APPOINTEE SHALL MAINTAIN THE LANDSCAPE AS ORIGINALLY APPROVED BY COMMERCE CITY.
- 7.) ALL TURFED AREAS ARE TO BE ADEQUATELY COVERED BY AN AUTOMATIC IRRIGATION SYSTEM.
- 8.) ALL CONTAINER STOCK TO BE REMOVED FROM ANY METAL OR PLASTIC CONTAINERS. ALL BURLAP WRAPPING AND WIRE AROUND ROOT BALLS ARE ALSO TO BE REMOVED FROM ALL PLANT STOCK PRIOR TO PLANTING.
- 9.) FOR BEST RESULTS, RETENTION POND AREAS SHOULD BE SEEDS BETWEEN NOVEMBER 1 AND APRIL 30 INTO NON-FROZEN GROUND. AFTER SEEDING, THESE AREAS SHOULD BE MULCHED WITH 4000 #/ACRE OF GOOD, CLEAN STRAW OR NATIVE HAY. AFTER THE MULCH IS SPREAD UNIFORMY OVER THE SURFACE, IT SHOULD BE "COMPACTED" INTO THE SOIL. CRIMPING SHOULD BE DONE AS NEAR AS POSSIBLE ON THE CONTOUR OF THE LAND.
- 10.) CHANNELS ONE AND TWO TO BE SEEDS AS PER RETENTION AREAS. SEE 5 AND 6 OF 9 FOR CHANNEL LOCATIONS.
- 11.) TREE LOCATION ALONG HENZE WAY AND SHRUB BEDS ON HANOVER CT. EAST AND WEST ARE CONCEPTUAL AND MAY CHANGE WHEN DRIVEWAYS ARE INSTALLED AND VISION TRIANGLES ARE CONSIDERED. TREES ARE TO BE PLANTED 30 FEET ON CENTER.
- 12.) LANDSCAPE AREAS ON HANOVER CT. EAST AND WEST ARE BETWEEN THE BACK OF CURB AND THE LOT LINE AND INCLUDE 500 AND SHRUB BEDS. SHRUBS ARE NOT TO EXCEED 30" ABOVE THE CUTTER FLOWING. THESE LANDSCAPE BEDS MAY CHANGE WHEN DRIVEWAY CUTS ARE INSTALLED AND SIGHT DISTANCE TRIANGLES ARE CONSIDERED. SHRUB BEDS TO CONTAIN FIVE SHRUBS EACH.
- 13.) AREAS WITHIN THE 96TH AVENUE MEDIAN (16 FEET OR GREATER) TO BE LANDSCAPED AND IRRIGATED.
- 14.) TREES PLANTED ALONG HAVANA STREET TO BE 30 FEET APART (ON CENTER). HOWEVER, SPACING MAY BE ALTERED DUE TO DRIVEWAY CUTS AND SIGHT VISION TRIANGLES.
- 15.) THE CITY AND MOUNTAIN VIEW INDUSTRIAL PARK, LLP, SHALL EXAMINE THE INCORPORATION OF THE RETENTION BASINS INTO THE CITY'S OPEN SPACE AND TRAILS PLAN AND EXECUTE A DEVELOPMENT AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS AND RECREATIONAL AMENITIES WITHIN THE RETENTION BASINS.

### AMENDMENT #3

REFER TO AMENDMENT #2, EXCLUDING NOTE #15 AND INCLUDING THE FOLLOWING NOTE:

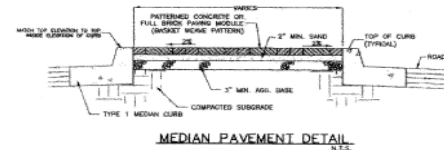
ALL LANDSCAPING INCLUDING THE LANDSCAPING FOR 96TH AVENUE AND THE MEDIANS WITHIN 96TH AVENUE SHALL COMPLY WITH ALL CURRENT OR FUTURE REQUIREMENTS CONTAINED IN THE CITY OF COMMERCE CITY MUNICIPAL CODE AND THE CITY OF COMMERCE CITY APPROVED PLANT LIST AND LANDSCAPING SPECIFICATION DOCUMENT.

### AMENDMENT #4 & AMENDMENT #5

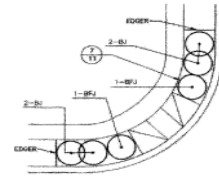
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## LANDSCAPE DETAILS

### AMENDMENT #2, AMENDMENT #3, AMENDMENT #4 AND AMENDMENT #5

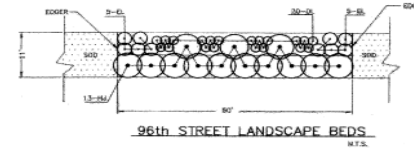


MEDIAN PAVEMENT DETAIL

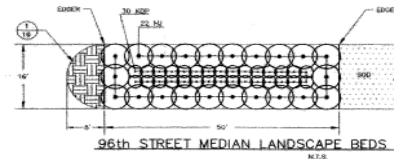


TYPICAL CORNER PLANTING DETAIL

NOTE: THE EXACT TYPE AND AMOUNT OF TREES, S.H.S., SHRUBS AND GROUND COVER WILL BE DETERMINED BY THE CITY PRIOR TO INSTALLATION BY THE APPLICANT.



96th STREET LANDSCAPE BEDS



96th STREET MEDIAN LANDSCAPE BEDS

## PLANT SCHEDULE

### AMENDMENT #2

#### PLANT SCHEDULE

DECIDUOUS CANOPY TREES			
AP	AUTUMN PURPLE ASH	FRAXINUS AMERICANA "AUTUMN PURPLE"	2' CAL. B A B 34
CA	CHAMBERLAIN ASH	FRAXINUS PENNSYLVANICA "CHAMBERLAIN"	2' CAL. B A B 14
RL	REDMOND LINDEN	TILIA CORDATA "REDMOND"	2' CAL. B A B 30
H1	HAYRATA HONEYLOCUST	ELEUTHERA TRIACANTHOS BERNIS "HAYRATA"	2' CAL. B A B 17
SH	SHADOWERMASTER HONEYLOCUST	ELEUTHERA TRIACANTHOS BERNIS "SHADOWERMASTER"	2' CAL. B A B 40
EVERGREEN TREES			
PF	POKEROSA PINE	PINUS PONDEROSA	6' HT. B A B 4
SMALL DECIDUOUS TREES/DECIDUOUS SHRUBS			
APL	AMERICAN PLUM	PRUNUS AMERICANA	5 GAL. 17
CC	CANDICE CHERRYBERRY	PRUNUS VIRGINIANA	5 GAL. 22
NDP	NATHANIEL DYWES POTENTILLA	POTENTILLA FRUTICOSA "KATHERINE DYWES"	5 GAL. 190
TS	SHADBLOW SERRINGERRY	AMELANCHIER CANADENSIS	5 GAL. 32
TS	THREE-LEAF SUMAC	RUBUS TRIFOLIOLATA	5 GAL. 24
EVERGREEN SHRUBS			
SJ	SPRINGMOOR JUNIPER	JUNIPERUS SABINA "SPRINGMOOR"	5 GAL. 20
SPJ	SPRINGFALD JUNIPER	JUNIPERUS SABINA "SPRINGFALD"	5 GAL. 16
HJ	HUGHES JUNIPER	JUNIPERUS HORIZONTALIS "HUGHES"	5 GAL. 165
PERENNIALS/GRASSES			
OL	ORLAY (ORANGE)	HEMEROCALLIS SP.	1 GAL. 120
EL	ENGLISH LAMPOON	LAMNOLLA MAGNIFICOLOA MUNSTEAD	1 GAL. 60
	BARTON WESTERN WHEATGRASS (LUNA PULESCENT WHEATGRASS LINCOLN SMOOTH BROMGRASS)		SEED 197,591 5 P. (45/45/30 BLEND)



Commerce  
CITY

# Land Use Table

Uses Allowed by Zoning District  
R = Allowed by Right P = Use by Permit C = Conditional Use OG = Oil & Gas Permit Blank Cell = Excluded

Use Classification	Specific Use Type	NAICS Code	R-1	R-2	R-3	R-4	MHP	C-1	C-2	C-3	MU-1	I-1	I-1S	I-2	I-3	AG	PUBLIC	Additional Regulations
Contractor Operations	Construction Crane Uses														R			
	Contractor's shop and storage yard	236-238										*	*	R	R			<a href="#">21-5254</a>
	Contractor—landscaping	561730												R	R	R		
	Heavy construction equipment (new/used sales and storage)	237												R	R			
	Special trade contractors	238										R	R	R	R			

Uses Allowed by Zoning District  
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Use Classification	Specific Use Type	NAICS Code	R-1	R-2	R-3	R-4	MHP	C-1	C-2	C-3	MU-1	I-1	I-1S	I-2	I-3	AG	PUBLIC	Additional Regulations
Manufacturing, Metal	Foundries	3315																
	Forging and stamping	3321												R	R			
	Hardware manufacturing	3325										R	R	R	R			
	Machinery shops; turn products; screw, nut, and bolt manufacturing	3327										P	P	P	P			



# Current Site

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# Neighborhood Character

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West – I-2 Industrial



South

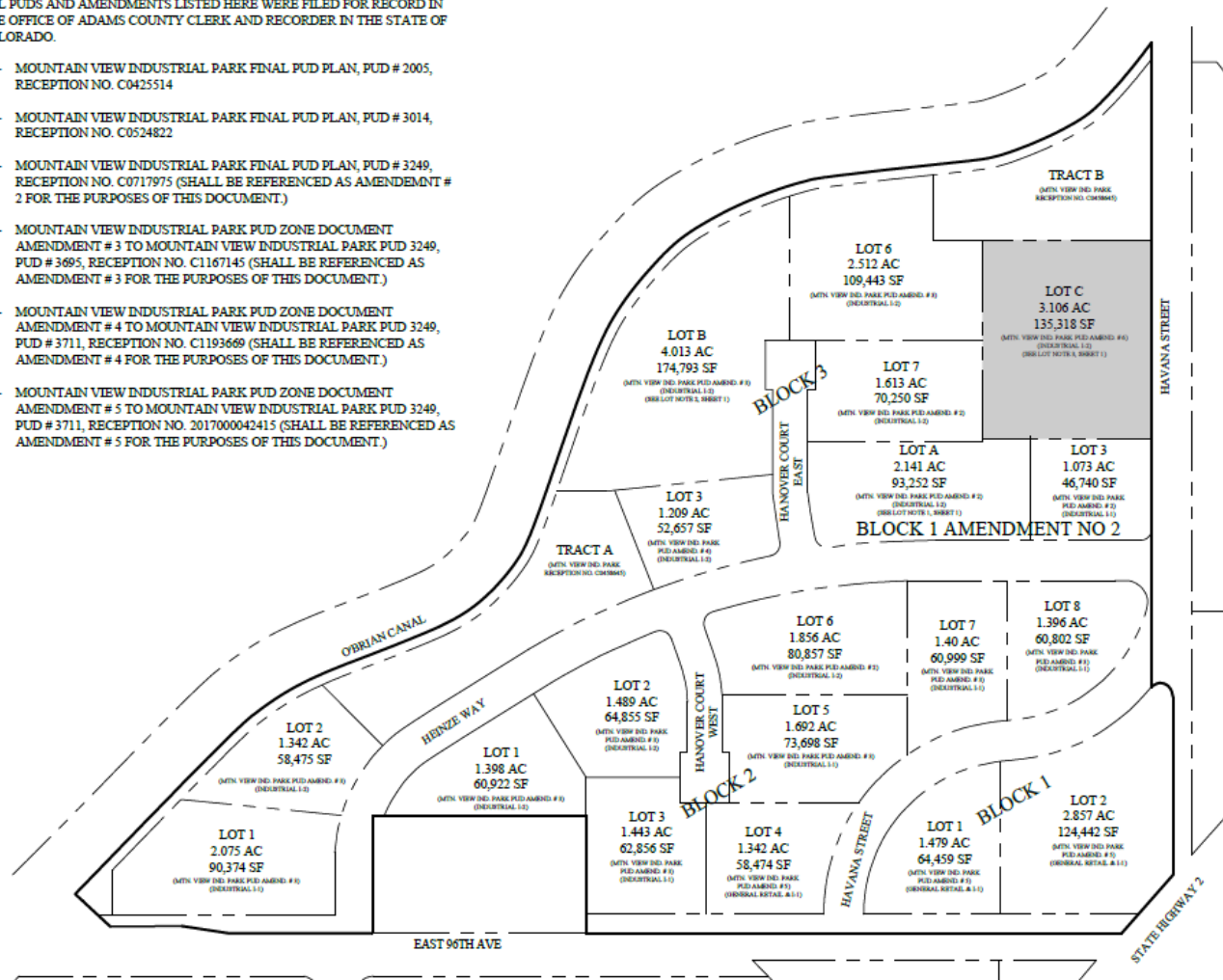


North

# Amendment

11. PUDS AND AMENDMENTS LISTED HERE WERE FILED FOR RECORD IN THE OFFICE OF ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO.

- MOUNTAIN VIEW INDUSTRIAL PARK FINAL PUD PLAN, PUD # 2005, RECEPTION NO. C0425514
- MOUNTAIN VIEW INDUSTRIAL PARK FINAL PUD PLAN, PUD # 3014, RECEPTION NO. C0524822
- MOUNTAIN VIEW INDUSTRIAL PARK FINAL PUD PLAN, PUD # 3249, RECEPTION NO. C0717975 (SHALL BE REFERENCED AS AMENDMENT # 2 FOR THE PURPOSES OF THIS DOCUMENT.)
- MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT AMENDMENT # 3 TO MOUNTAIN VIEW INDUSTRIAL PARK PUD 3249, PUD # 3695, RECEPTION NO. C1167145 (SHALL BE REFERENCED AS AMENDMENT # 3 FOR THE PURPOSES OF THIS DOCUMENT.)
- MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT AMENDMENT # 4 TO MOUNTAIN VIEW INDUSTRIAL PARK PUD 3249, PUD # 3711, RECEPTION NO. C1193669 (SHALL BE REFERENCED AS AMENDMENT # 4 FOR THE PURPOSES OF THIS DOCUMENT.)
- MOUNTAIN VIEW INDUSTRIAL PARK PUD ZONE DOCUMENT AMENDMENT # 5 TO MOUNTAIN VIEW INDUSTRIAL PARK PUD 3249, PUD # 3711, RECEPTION NO. 2017000042415 (SHALL BE REFERENCED AS AMENDMENT # 5 FOR THE PURPOSES OF THIS DOCUMENT.)

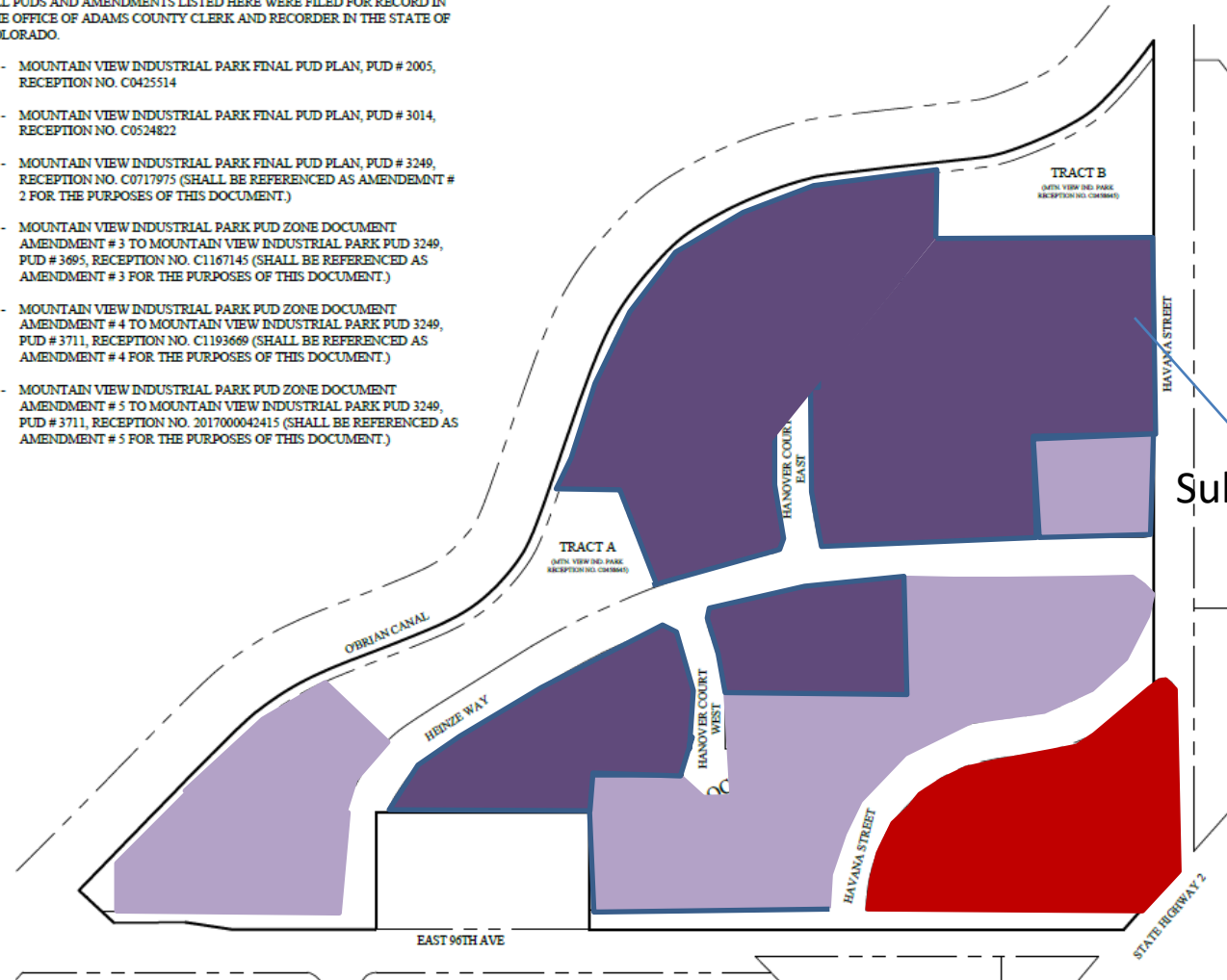


Commerce  
CITY

# Amendment

ALL PUDS AND AMENDMENTS LISTED HERE WERE FILED FOR RECORD IN THE OFFICE OF ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO.

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Subject Site





# PC Analysis

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- The Development Review Team (DRT) reviewed this case in a meeting on January 20, 2022
- The DRT made an official recommendation of *approval* for this particular case
- DRT reviewed the PUD Zone Document Amendment against the technical requirements of the **city's PUD Zone Document standards**, and the policies of the **Comprehensive Plan**.

Staff distributed the PUD Amendment for review to all relevant **referral agencies**.

There were no comments from said agencies.

DRT had no comments for this particular case.



# PC Analysis

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- Project Benefits:
  - This proposed use would be beneficial to the city by bringing an additional 15 jobs to the city with additional jobs proposed in the future.
  - The proposed use will diversify the uses in this PUD.
  - Air emissions permit will be required by city.
  - Enhanced landscaping will be maintained and screening from the drainage field to the north will be proposed.

# Approval Criteria (Cont.)

- (a) The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;

## Staff Analysis

- *The I-2 zoning designation is consistent with Mountain View Industrial Park PUD. Further, it conforms to the previous PUD amendments. The Mountain View Industrial Park PUD, and its five consequent amendments, are city-adopted documents that were approved in March 1999, August 2000, June 2003, July 2003, and April 2017, respectively. Furthermore, the Comprehensive Plan identifies this property as industrial, appropriate for I-2 uses.*

*Staff finds this application **meets** this criterion.*



# Approval Criteria (Cont.)

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- (b) The PUD zone document is consistent with any previously reviewed PUD concept schematic;

## Staff Analysis

- *No PUD concept schematic plan has been submitted to the City for this application since it is a single lot and it is an already developed industrial park.*

*Staff finds that this criterion is **not** applicable.*



# Approval Criteria (Cont.)

- (c)The PUD: (i)Addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments; or(ii)The PUD is required to avoid completely prohibiting a legal, permitted business use within the city;

## Staff Analysis

- *The Mountain View Industrial Park PUD Zone document incorporated higher level landscape, fencing, and architectural design requirements than traditional industrial districts found within the City. The proposed amendment will continue this requirement and will improve their site as needed.*

*Staff finds this application **meets** this criterion.*



# Approval Criteria (Cont.)

- (d) The PUD complies with all applicable city standards not otherwise modified or waived by the city;

## Staff Analysis

- *This proposal was reviewed by referral agencies for conformance with standards in which all comments have been addressed. Public works has made comments on making sure that the legal description matches what is on the warranty deed. Planning provided comments to the applicant to identify the changes on the PUD.*

*Staff finds this application **meets** this criterion.*

# Approval Criteria (Cont.)

- (e) The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;

## Staff Analysis

- *The subject property is fully developed and is part of the existing PUD. No changes to connectivity are proposed. Existing streets and sidewalks are complete, in place, and provided connectivity through the subdivision, to the subject property, and to Havana Street.*

*Staff finds this application **meets** this criterion.*



# Approval Criteria (Cont.)

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- (f) To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

## Staff Analysis

- *No significant adverse impacts were identified. Higher level design for landscaping and screening, as identified in the PUD, has been applied to the site.*

*Staff finds this application **meets** this criterion.*



# Approval Criteria (Cont.)

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- (g) Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;

## Staff Analysis

- *Infrastructure and utilities exist within and alongside of the subdivision and subject property. No further changes are proposed. The police department and fire district have reviewed this application and are available to service this property, as it has been annexed into the City for decades and has been a developed industrial property for almost 20 years. Staff finds this application **meets** this criterion.*



# Approval Criteria (Cont.)

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- (h) As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing;

## Staff Analysis

- *The subject property is fully developed and all infrastructure for the subdivision has been constructed. No further phasing of improvements is needed or anticipated, as it is a developed site.*

*Staff finds this application **meets** this criterion.*

# Approval Criteria (Cont.)

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- (i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

## Staff Analysis

- *The proposed use requires I-2 zoning, which requires a PUD Zone Document Amendment. The proposed use cannot be accomplished through other land use applications.*

*Staff finds this application **meets** this criterion.*

# Tri-County Recommendation

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- An air permit may be required for some of the uses allowed in the I-2 zone district.
- Tri-County recommends that the City require the applicant to have obtained the facility's air emissions permit as a condition for issuance of a building permit.
- Applicant should contact TCHD directly for more information.



# Planning Commission Recommendation

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- Planning Commission heard this case on April 5, 2022
- **Planning Commission voted 5-0 to recommend with one condition *approval* of the case to City Council**



# Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 300 feet	✓	36 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Commerce City Sentinel-Express
Placard/Sign on Property	At least one sign on subject property	✓	One Sign Posted

*All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda.*

# Public Feedback

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- As of the April 5, 2022 PC Meeting, Staff has not received any questions or comments from the public.





Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the City Council may have.

