



Case #CU-131-24

Crown Container

09/16/2024

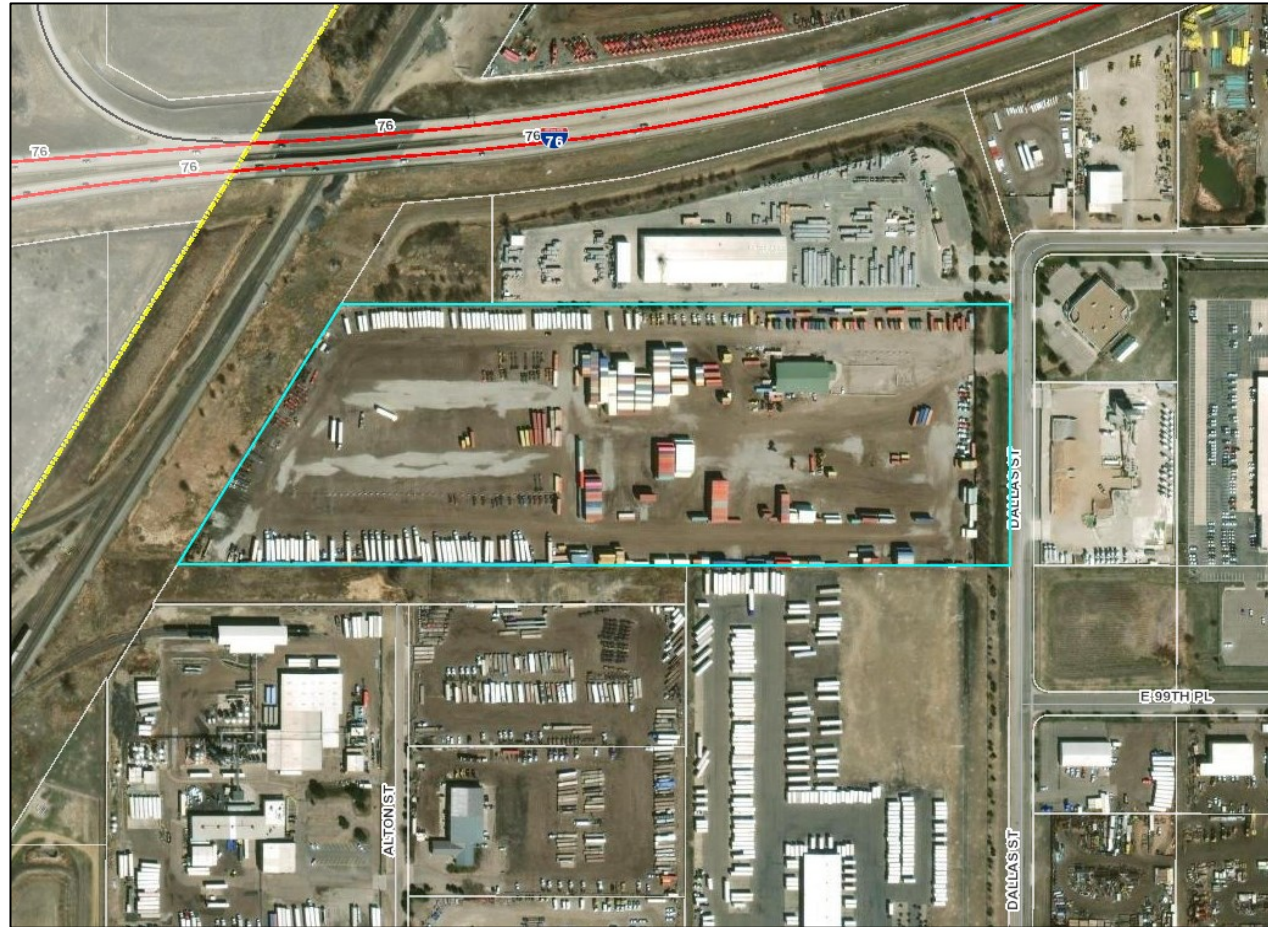
Case Summary

- Location: 10051 Dallas Street
- Request: CUP to allow stacking of shipping containers above 20 feet and a building addition with site improvements
- Zoning: I-3, Heavy Intensity Industrial
- Future land use designation: General Industrial

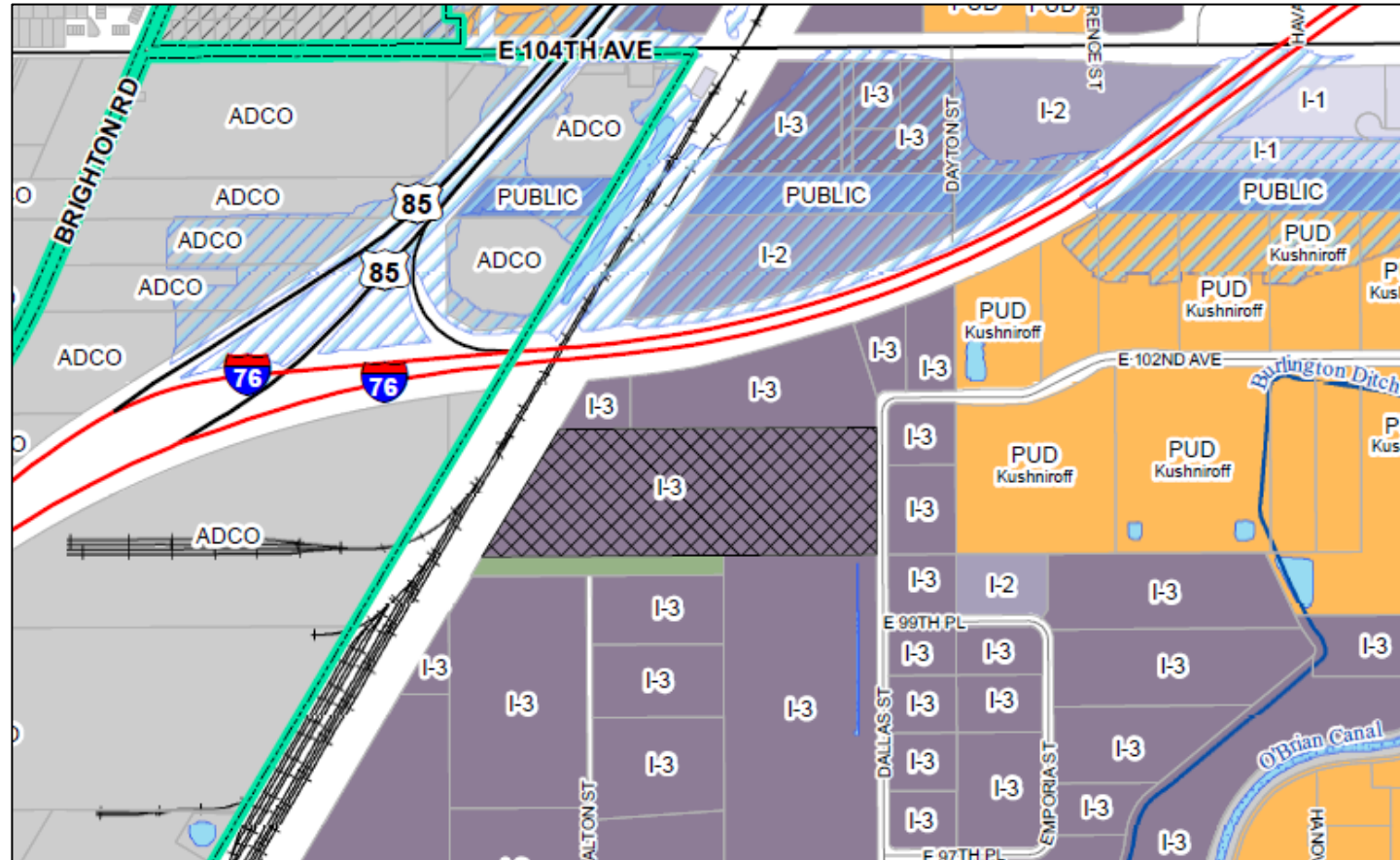
Request

- Stacking of storage containers higher than 20 feet
 - Not to exceed 40 feet
- 22,000 s.f. expansion of the existing building
- New security gate and fueling area
- Additional access point
- Improved surfacing
- Additional landscaping and screening

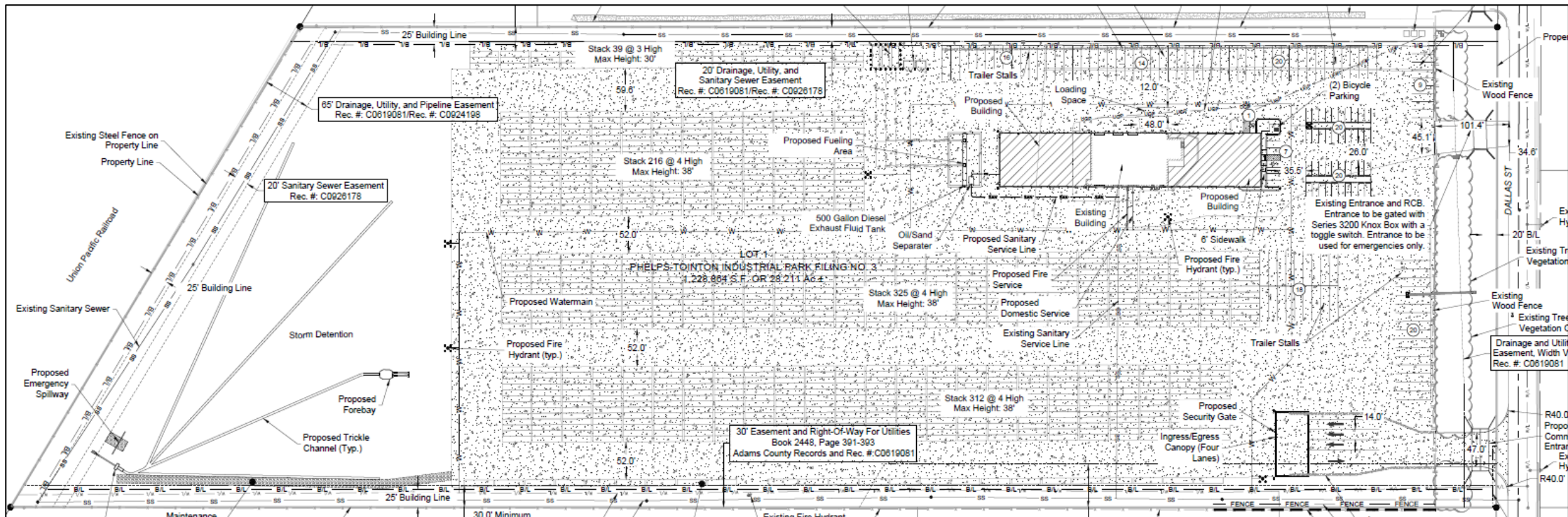
Aerial Map



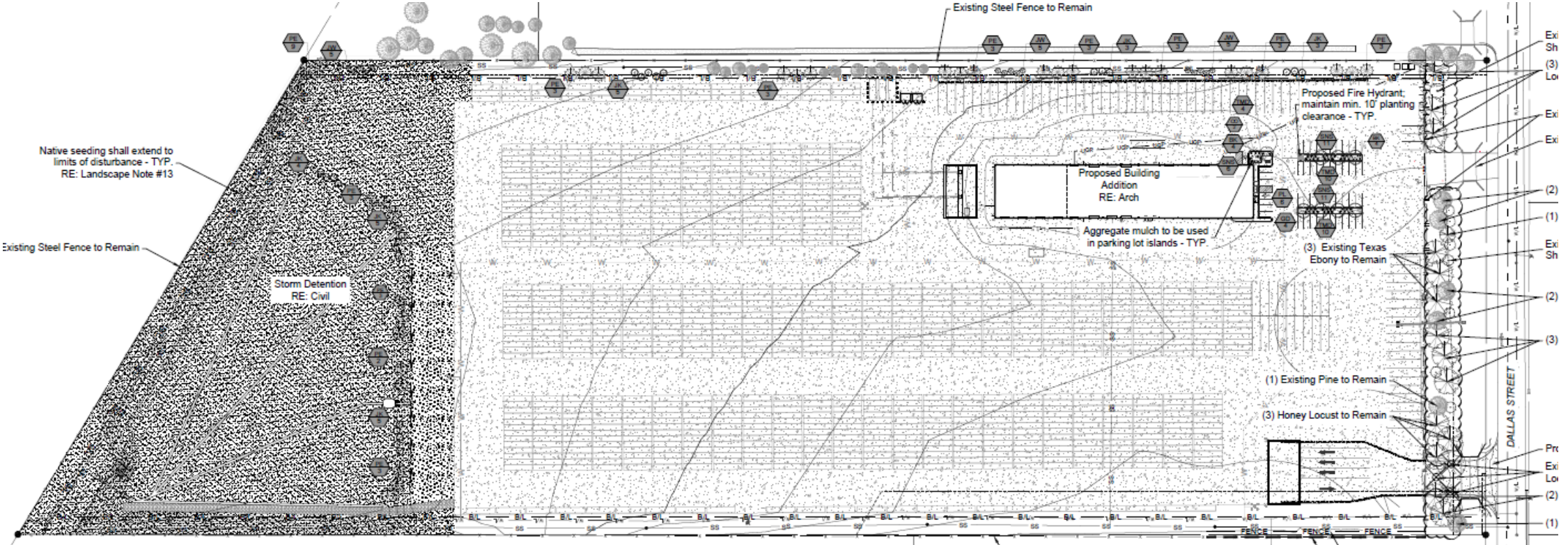
Zoning Map



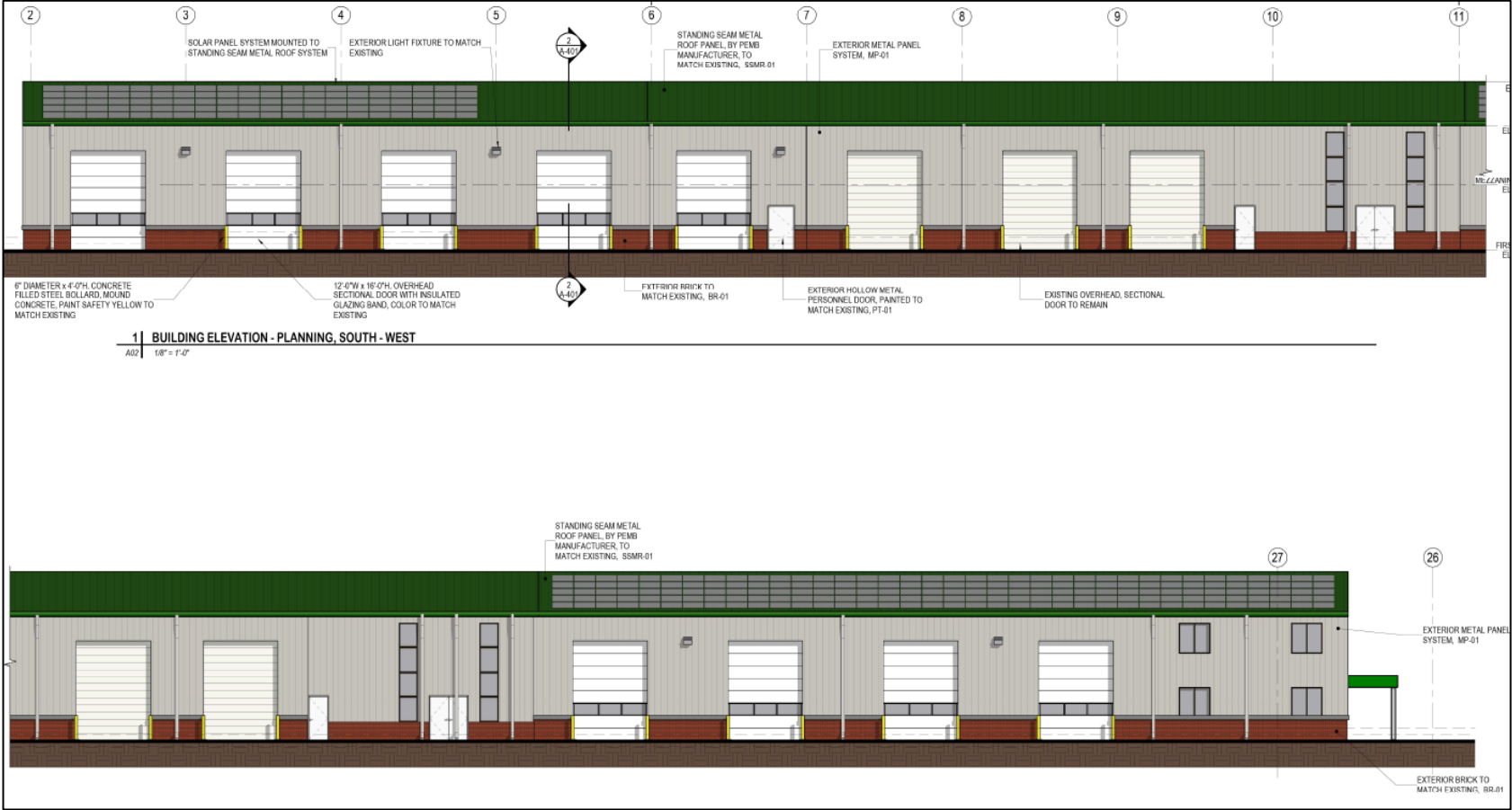
Site Plan



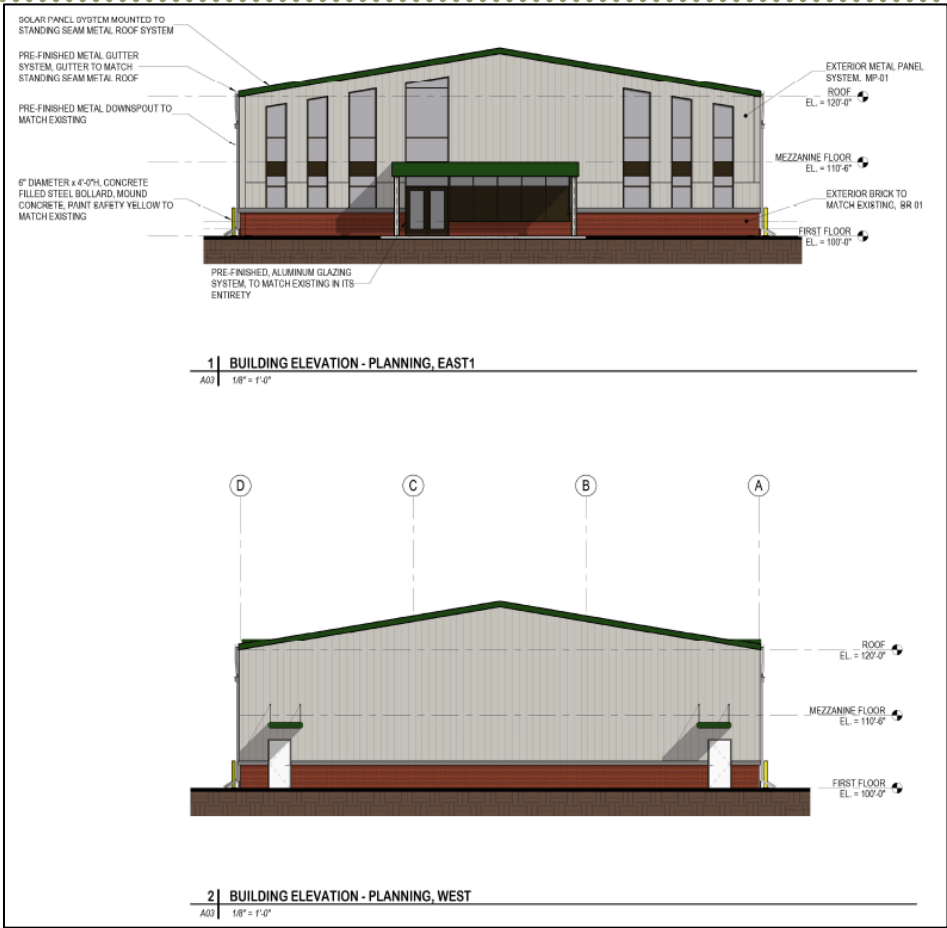
Landscape Plan



Elevations - 1



Elevations - 2



Planning Commission

- Heard by Planning Commission on August 6, 2024
- Planning Commission voted 5-0 to recommend approval to City Council

Considerations

- The property has stored and stacked containers since before it was annexed into the City.
- The surrounding properties are zoned I-3 with heavy intensity industrial uses including outdoor storage.
- The site surfacing will be improved and adequate screening and landscaping will be added to the site as part of the request.
- Stacking of the containers will not exceed 40 feet in height.

Conditional Use Permit Approval Criteria - 1

Sec. 21-3230(3):

(a) All of the following criteria are met:

- (i) The proposed use will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, either as they presently exist or as they may exist in the future as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city;
- (ii) Any adverse effect has been or will be mitigated to the maximum extent feasible, including but not limited to sufficient landscaping and screening to ensure harmony for adjoining uses;
- (iii) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;

Conditional Use Permit Approval Criteria - 2

- iv. The proposed use will be adequately served by and will not impose an undue burden on any of the existing improvements, facilities, and services of the city or its residents. Where any such improvements, facilities, utilities or services are not available or are not adequate to service the proposed use in the proposed location, the applicant shall, as a part of the application and as a condition of approval, be responsible for establishing an ability, a willingness, and a binding commitment to provide such improvements, facilities, utilities and services in sufficient time to serve the proposed use;
- v. The applicant has provided adequate assurances of continuing maintenance;
- vi. There is no evidence to suggest that the use violates any federal, state, or local requirements; and

Conditional Use Permit Approval Criteria - 3

(b): One of the following criteria is met:

- i. There is a community need for the use at the proposed location, given existing and proposed uses of a similar nature in the area and of the need to provide and maintain a proper mix of uses both within the city and the immediate area of the proposed use; or
- ii. The use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan and all other plans or programs adopted by the city.



Staff is available to answer any questions.

Conditional Use Permit - (i)

- (a) All of the following criteria are met:
- **The proposed use will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, either as they presently exist or as they may exist in the future as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city;**
- The subject property currently stores and stacks shipping containers and the surrounding properties are heavy industrial uses within I-3 zoning. The request to stack shipping containers above 20 feet is not expected to create a substantial adverse effect on the neighborhood as the applicant will be screening the site adequately. *Therefore, it can be found that this application **meets Criteria (i)**.*

Conditional Use Permit - (ii)

- **Any adverse effect has been or will be mitigated to the maximum extent feasible, including but not limited to sufficient landscaping and screening to ensure harmony for adjoining uses;**
- There is an existing landscape buffer along Dallas Street that screens the property from the public Right-of-Way. Additional screening and landscaping is being proposed with this request that will further mitigate any potential adverse effect to neighboring properties.
*Therefore, it can be found that this application **meets Criteria (ii).***

Conditional Use Permit - (iii)

- **The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;**
- This site has been used for storage and stacking of shipping containers since it was annexed into the City. The use will not be changing and the site surfacing, screening, and landscaping will be improved as a result of the request. *Therefore, it can be found that this application meets Criteria (iii).*

Conditional Use Permit – (iv)

- The proposed use will be adequately served by and will not impose an undue burden on any of the existing improvements, facilities, and services of the city or its residents. Where any such improvements, facilities, utilities or services are not available or are not adequate to service the proposed use in the proposed location, the applicant shall, as a part of the application and as a condition of approval, be responsible for establishing an ability, a willingness, and a binding commitment to provide such improvements, facilities, utilities and services in sufficient time to serve the proposed use;
- The site has been in operation prior to its inclusion into the City in 2007 and is adequately served by the necessary utilities. Commerce City Engineering, South Adams County Water and Sanitation District, and South Adams County Fire Department reviewed the request and had no outstanding issues. *Therefore, it can be found that this application **meets Criteria (iv)**.*

Conditional Use Permit – (v)

- **The applicant has provided adequate assurances of continuing maintenance;**
- The applicant has indicated that the site will be maintained to the standards of the City and has ensured that the stacking of the containers will be done in line with industry practice to reduce risk and promote safety. *Therefore, it can be found that this application meets Criteria (v).*

Conditional Use Permit – (vi)

- **There is no evidence to suggest that the use violates any federal, state, or local requirements; and**
- **City Staff did not receive any comments to suggest that the applicant violates any Federal, state, or local requirement. *Therefore, it can be found that this application meets Criteria (vi).***

Conditional Use Permit – (b)(i)

- **(b) One of the following criteria is met:**
- **There is a community need for the use at the proposed location, given existing and proposed uses of a similar nature in the area and of the need to provide and maintain a proper mix of uses both within the city and the immediate area of the proposed use; or**
- *Not applicable.*

Conditional Use Permit – (b)(ii)

- The use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan and all other plans or programs adopted by the city.
- The storage and stacking of shipping containers is consistent with the I-3 zoning of the property and is in line with the future land use designation of General Industrial. It also accomplishes a goal of retaining industrial development within the Industrial Enclave Focus Area. *Therefore, it can be found that this application **meets Criteria (ii).***