



CU-21-91-94-96-97-17

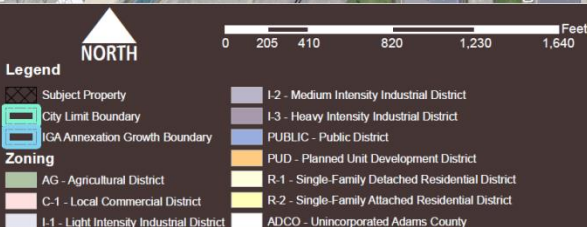
Amend and/or Remove certain Conditions

L. G. Everist

7321 E. 88th Avenue



- Current Zoning:
 - I-3
- Comp Plan:
 - General Industrial



PIN = 172121011009



Aerial



Commerce
CITY



Southeast corner looking north

CUP History I

- CU-21-91 approved in 1991 with 18 conditions to allow:
 - Sand and gravel operations
 - Rock crushing operations
 - Concrete batch plant operations
 - Asphalt batch plant operations



CUP History II

- CU-21-91-94:
 - Condition compliance.
 - Allow an asphalt batch plant not owned by L. G. Everist.
- CU-21-91-94-96:
 - Establish use areas on the property for clarity.
 - Amended nine conditions and added one condition (19 total conditions).
- CU-21-91-94-96-97:
 - Condition compliance.
 - Allow an anti-freeze recycling business not owned by L. G. Everist.
 - Added two additional conditions (21 total conditions)



Applicant's Request

- Remove and/or amend certain conditions.
 - Reduce paperwork
 - Reduce City staff time
 - Reduce unnecessary hearing burdens



Existing Condition Analysis

- The existing development conditions are a result of the development standards that were in place in 1991.
 - The City was smaller, less complex, and did not have the standards and processes that are in place today.
 - Development conditions were common at that time, but are no longer necessary.
- Amend 2 of the existing 21 conditions to update language.
- Remove 13 of the existing 21 conditions that have been completed.
- Keep 6 of the existing 21 conditions related to operations and uses unchanged.
- 8 total conditions.



Existing CUP Impacts

- The uses approved under the original and amended CUP (1991, 1994, and 1997) are still allowed to operate, subject to compliance with regulations.
- Proposed future uses requiring a CUP will be required to get them.
- Proposed future uses-by-right will be allowed without public hearing, like all other I-3 properties.
- L. G. Everist is still accountable for conditions related to things like hours of operation and having a HAZMAT plan.



Compliance with CUP approval criteria

- The character of the area is industrial, the existing use is industrial, and the operations have been occurring for 26 years without any recorded violations.
- The operations are compliant with regulating agencies.
- The site has been adequately accommodating the use for 26 years.
- The site has been adequately served by utilities for 26 years.
- The application indicates continued maintenance of the property and L. G. Everist has a track record for doing so.
- There is no indication the use violates any laws.
- The use complies with the City's plans and ordinances.
- The request is compliant with the Comprehensive Plan.



Public Contact

- To date, staff has not been contacted by anyone related to this request.



Planning Commission Recommendation

- On March 7, 2017 the Planning Commission voted 5-0 to forward a recommendation for **approval** to the City Council, subject to conditions.





**City staff and the applicant are
available to answer questions.**

