

# **CONDITIONAL USE PERMIT**

## **FOR OPERATION OF A WINDSHIELD REPAIR BUSINESS/LIGHT AUTO REPAIR BUSINESS**

### **CASE #CU-96-12**

**WHEREAS**, the City Council of the City of Commerce City, Colorado finds that a conditional use permit for a windshield repair/light auto repair business (“Conditional Use Permit”) should be granted pursuant to the Land Development Code of the City of Commerce City in Case #CU-96-12 for that property described in exhibit “A” attached hereto and made a part hereof, located at 7360 Highway 2, Derby Downtown District, Commerce City, COLORADO; and

**WHEREAS**, the City of Commerce City believes that this Conditional Use Permit is only appropriate if certain conditions are met; and

**WHEREAS**, the City of Commerce City desires to set to writing the conditions of the Conditional Use Permit.

**NOW THEREFORE**, the Conditional Use Permit applied for in Case #CU-96-12 is granted by the City of Commerce City subject to the following conditions:

#### **CONDITIONS:**

- A. The facility may only be used for glass/windshield repair and light-duty automotive repairs to operable, licensed vehicles no greater in gross vehicle weight (GVW) than a standard, full-size pickup truck.
- B. All repair work, installation of parts, hydraulic hoists, pits, and all lubrications, greasing, automobile detailing, or repairing equipment shall be performed entirely within the enclosed building.
- C. The existing outdoor grease pit shall not be used for any automotive services and shall remain screened from view.
- D. Landscaping on the site shall be provided by utilizing a minimum of six (6) large pots with a diameter of at least 44-inches that may be planted with live plants including trees, shrubs and flowers. The applicant is responsible for ensuring the plants are adequately watered and remain in a healthy condition.

Failure to comply with the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use Permit authorized for the above-described property, it being expressly determined by the City Council that the Conditional Use Permit granted by the City of Commerce City in Case #CU-96-12 is not proper in the absence of

compliance with the conditions herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the conditions herein imposed or issue a summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this Conditional Use Permit, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

**IN WITNESS WHEREOF**, the undersigned have set their hands effective the 18<sup>th</sup> day of June, 2012.

***CITY OF COMMERCE CITY, COLORADO***

By: \_\_\_\_\_  
Sean Ford, Mayor

**ATTEST:**

\_\_\_\_\_  
Laura J. Bauer, City Clerk

*Exhibit "A"*

***LEGAL DESCRIPTION***

*Case #CU-96-12*

LOT 4,  
BREWER'S RESUBDIVISION OF PART OF BLOCK 50,  
DERBY,  
COUNTY OF ADAMS,  
STATE OF COLORADO.