

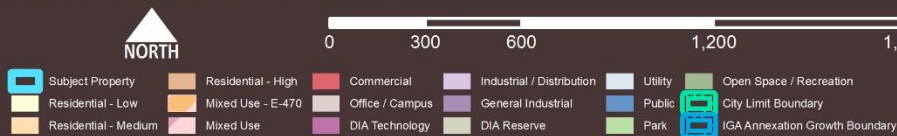
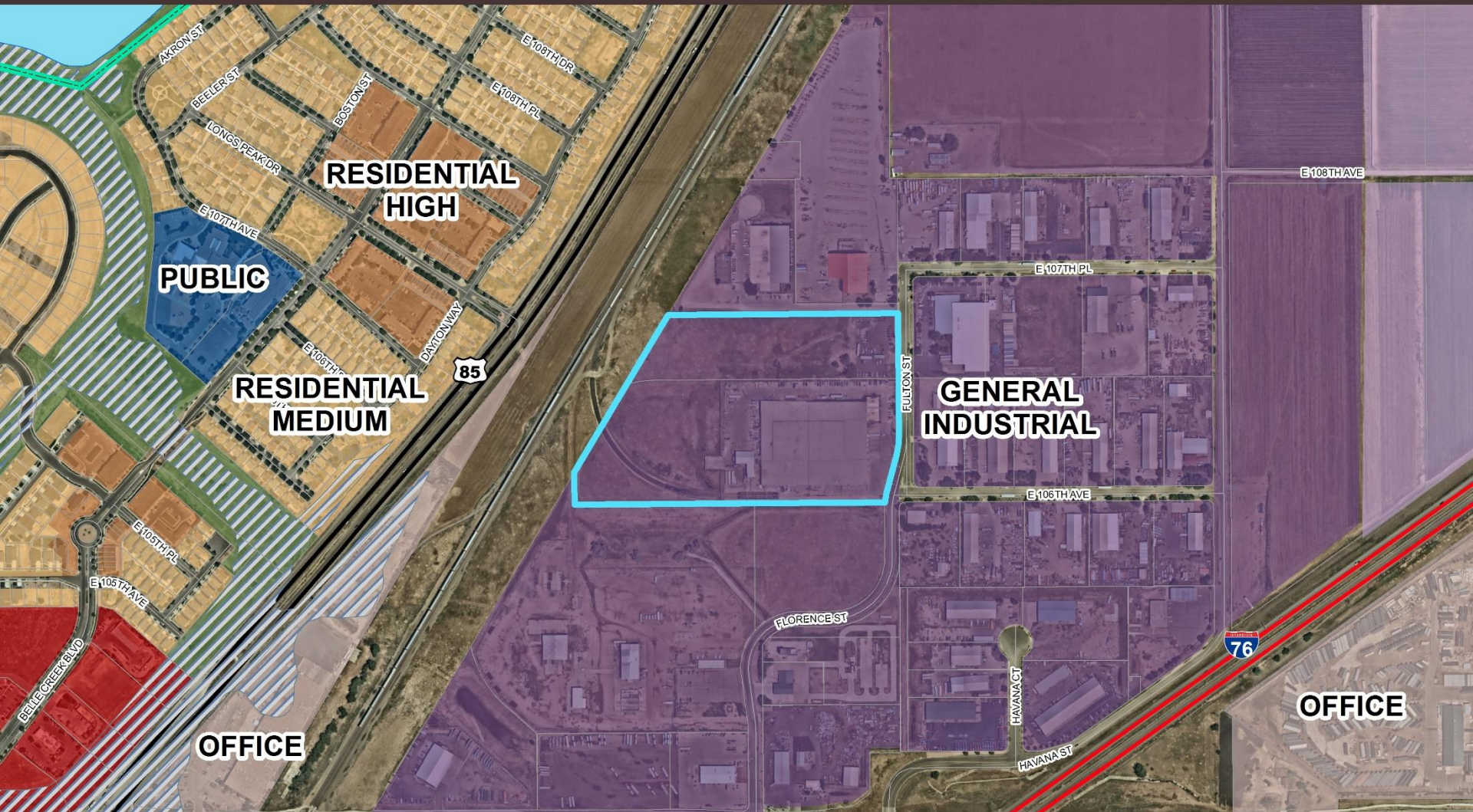


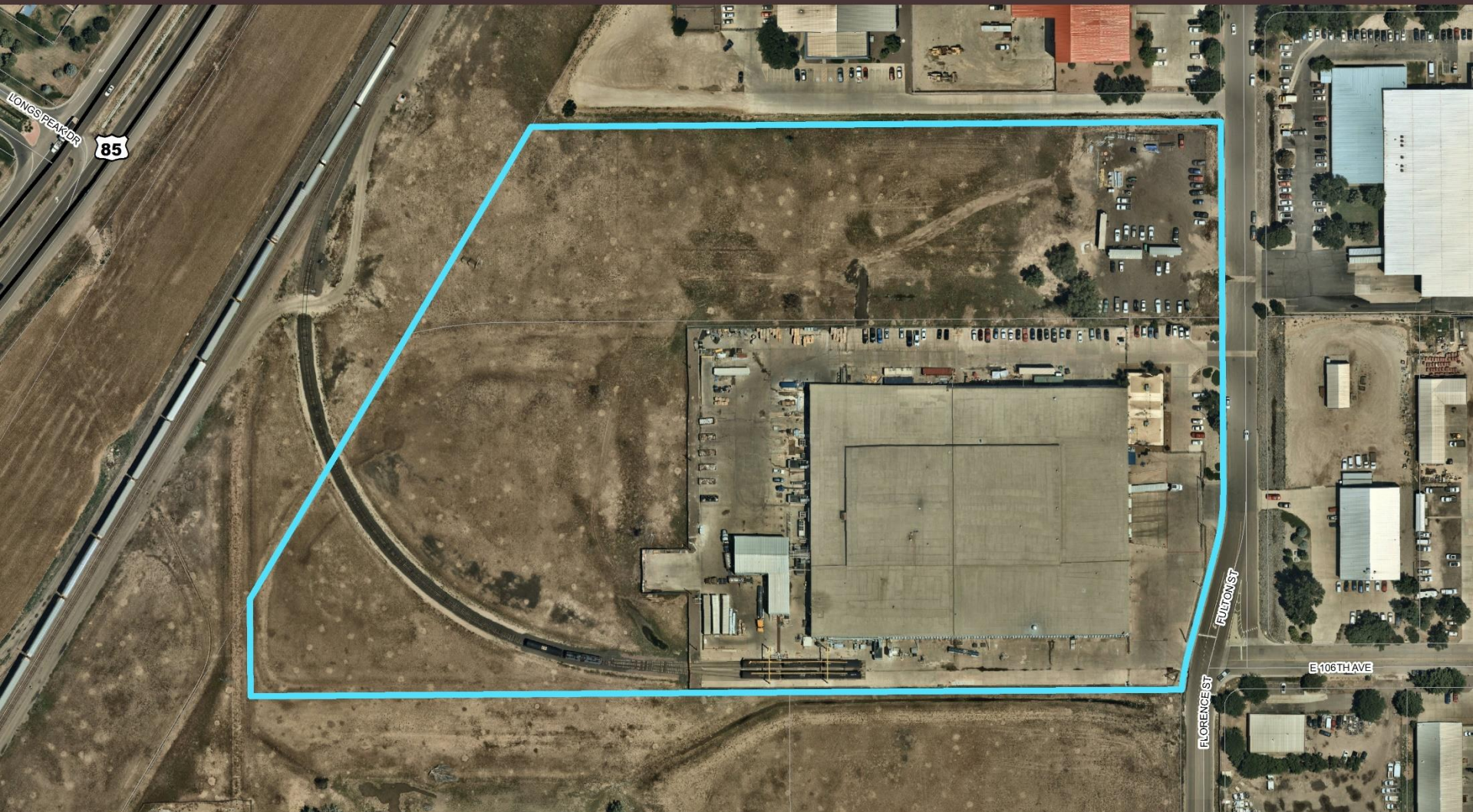
Case #: CU-116-19

BASF Corporation
10601 Fulton Street

Presented by Brad Callender, City Planner

Commerce City Planning Division
Prepared By: cd_callender
Date Saved: 12/3/2018
Document Path: O:\PC_Planning Commission\Conditional
Use Cases\CU-116-19 BASF Corporation (BC)\PC





0 100 200 400 600 800 1,000 1,200 Feet

-  Subject Property
-  City Limit Boundary
-  IGA Annexation Growth Boundary

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Site Conditions

Northwest from Fulton Street



Southwest from Fulton Street

Applicant's Request

- Applicant is requesting Conditional Use Permit approval to turn a legal, non-conforming adhesive manufacturing operation into a legal, conforming adhesive manufacturing operation
- Annexed by the City in 2007 as part of the “Northern Enclave Industrial Annexation”
- The subject property is currently zoned I-3 (Heavy-Intensity Industrial)
- Adhesive manufacturing is listed in the Land Use Table under LDC Article 5 as a “Conditional Use” in the I-3 zoning district
- Prior to being annexed into the City, the manufacturing operation had CUP approval from Adams County (1991); BASF purchased the site in 1997



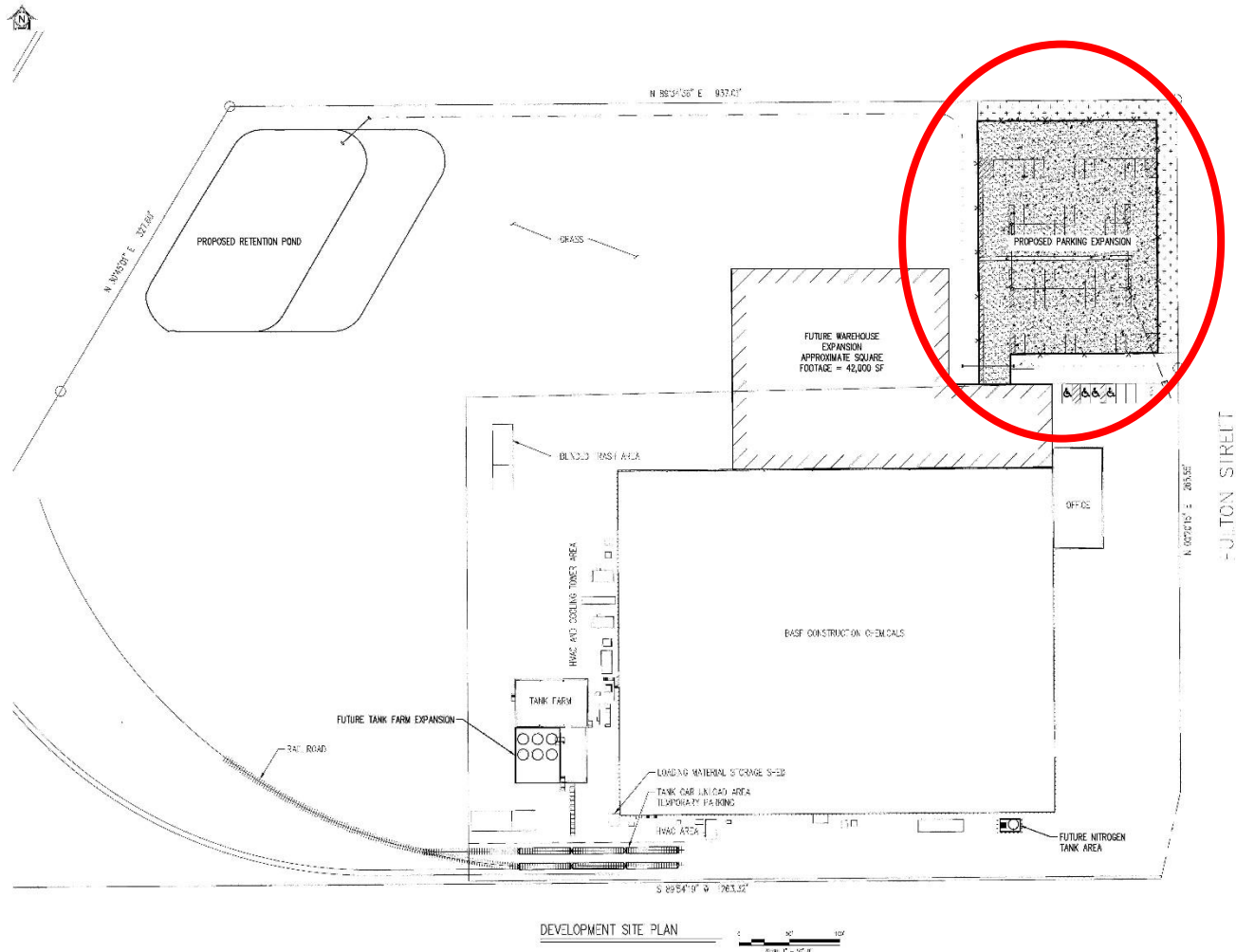
Operation Overview

- Adhesive manufacturing has existed on the site since 1991
- Site is ± 20.399 acres
- Existing manufacturing building is 150,000 Sf
- 145 employees
- 3 accesses from Fulton Street
- 1 rail spur from Union Pacific Railroad
- Facility operates 24 hours a day



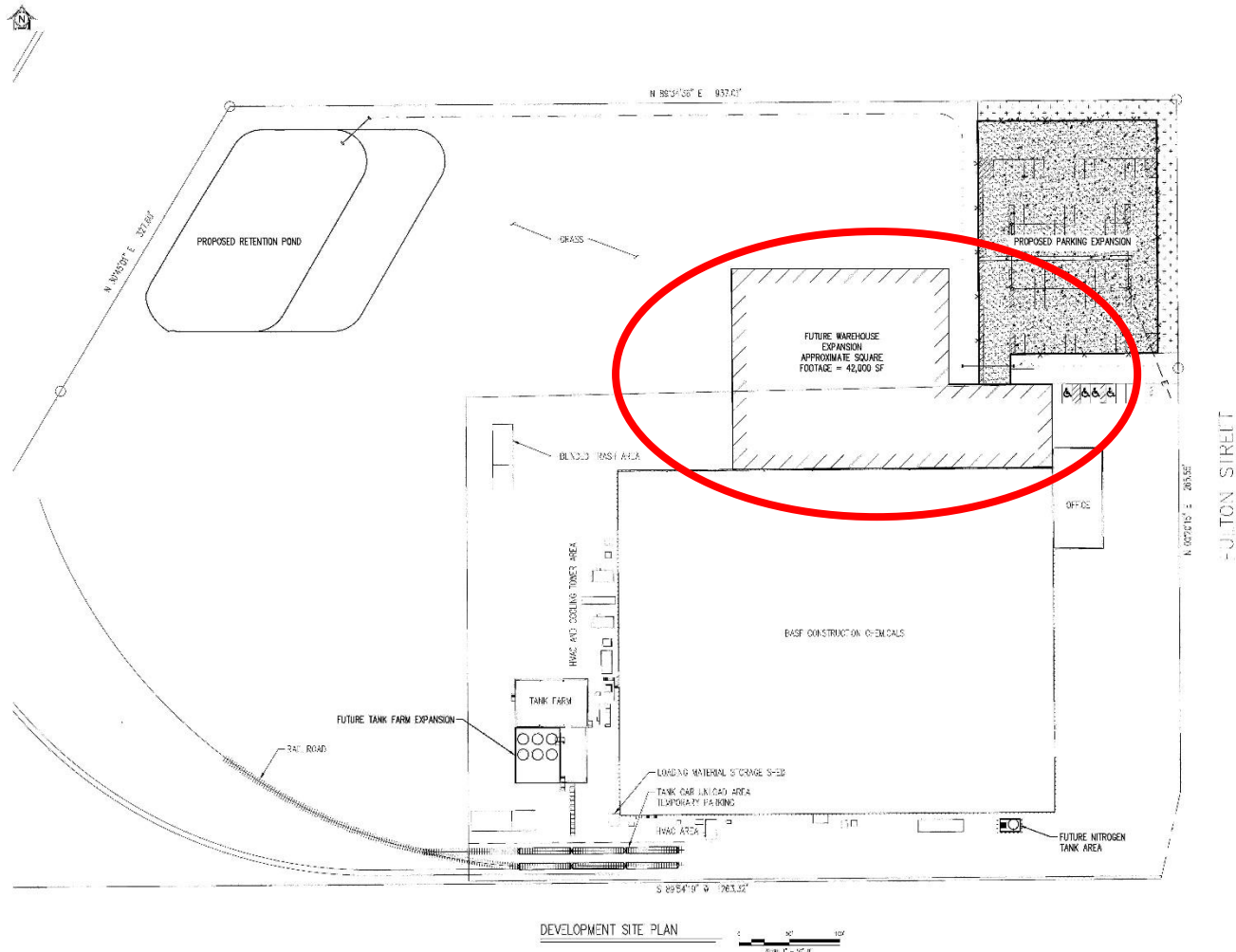
Planned Expansions

- Immediate need for the CUP is to expand employee parking at the northeast corner of the site (117 spaces)



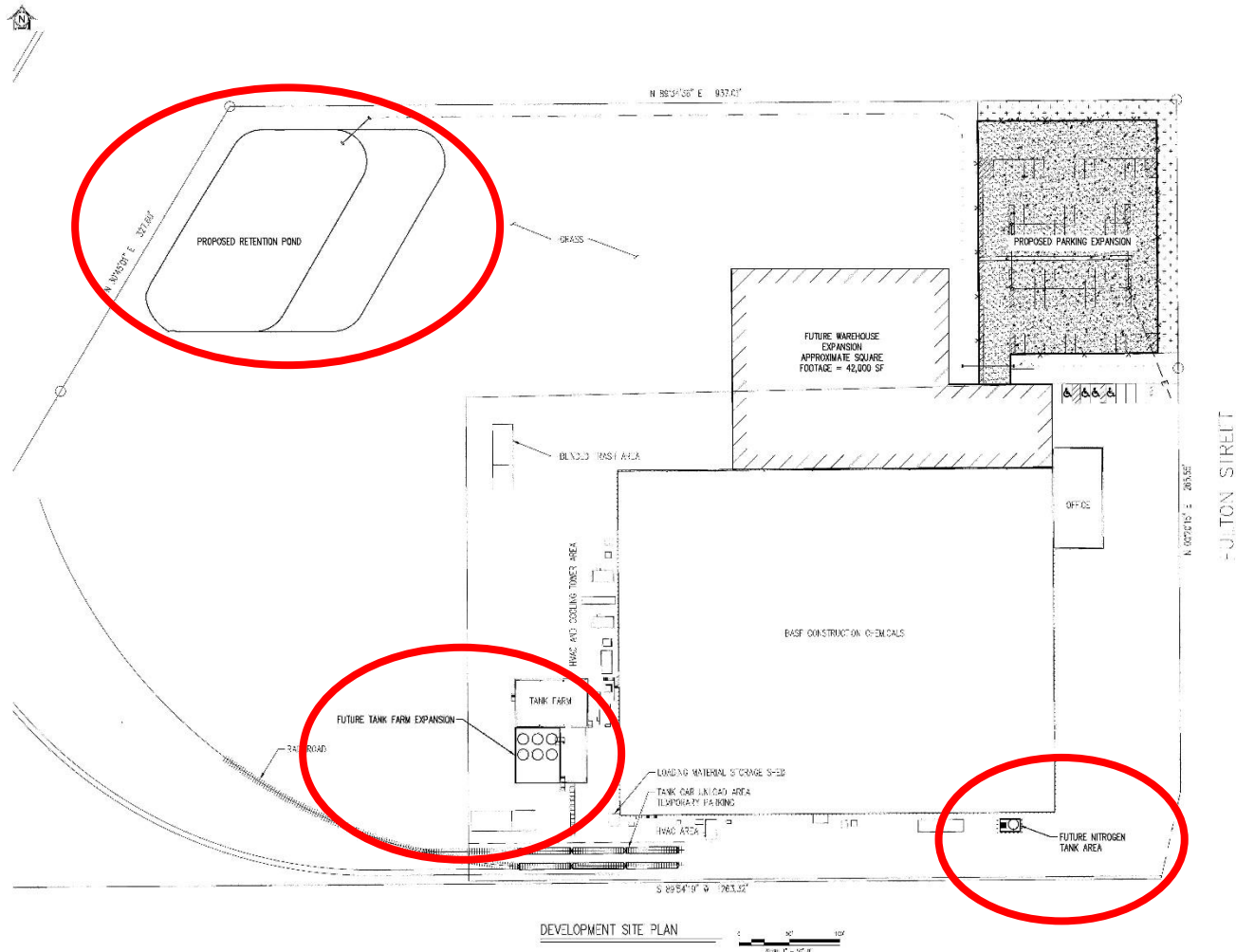
Planned Expansions

- Future ±42,000 Sf warehouse expansion on the north side of building



Planned Expansions

- Future improvements also include additional tanks on the south side of the building & expanding the retention pond



Outside Agency Review

- South Adams County Fire Protection District

“BASF meets the requirements of the International Fire Code and National Fire Protection Association Standards as adopted by Commerce City. BASF has fire protection systems, emergency planning and preparedness plans, safety procedures that meet or exceed the International Fire Code and the National Fire Protection Association. The South Adams County Fire Department does not have any issues with BASF’s proposed Conditional Use Permit.”

- Colorado Department of Public Health & Environment

BASF complies with all state regulations

- Tri-County Health Department

BASF complies with all local health department regulations



Regulating Agencies

- The Colorado Department of Public Health and Environment (CDPHE)
 - Solid Waste Management Division
- The Environmental Protection Agency (EPA)
- The Occupational Safety and Health Administration (OSHA)



Personnel & Community Safety

- BASF personnel:
 - Trained annually on facility emergency procedures
- Brighton BASF Integrated Contingency Plan
 - Provides framework for emergency response training and procedures, evacuation plan etc.
 - Collaborates with local emergency response agencies
- Restricted access and perimeter fencing at facility



Planning Commission Analysis

- The Planning Commission recognized the operation existed prior to being annexed into the City
- Request would allow the applicant to expand their operations in compliance with the Land Development Code
- Existing operations maintain compliance with all regulatory requirements
- Proposed parking lot will be developed in compliance with LDC requirements



CUP Approval Criteria

- Proposed use will not result in a substantial or undue adverse effect on adjacent property
- Any adverse effect has been or will be mitigated to the maximum extent feasible
- Characteristics of the site are suitable for the proposed use
- Proposed use will be adequately served by and will not impose an undue burden on existing improvements
- Applicant has provided adequate assurance of continuing maintenance
- No evidence the use violates any federal, state or local requirements
- Proposed use complies with the general purposes, goals, objectives, policies and standards of all City plans, programs and ordinances
- Use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan



Planning Commission

- On December 4th 2018, the Planning Commission held a public hearing and voted 5-0 to forward the CUP request to City Council with a recommendation of **approval** subject to 3 conditions.



Conditions

- A. The applicant shall remain compliant with all standards regulating their operation.
- B. The applicant shall provide any updates or changes to the BASF Brighton Integrated Contingency Plan within 30 days of said updates or changes.
- C. This Conditional Use Permit allows for adhesive manufacturing on the subject property. This Conditional Use Permit is not attached to and does not run with the property for which it is granted. Any change in ownership shall require the issuance of a new conditional use permit.



Public Notification

- As of January 7, 2019, staff has received no requests for additional information or objections to this CUP request.





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.

