

**RECORD OF PROCEEDINGS**

---

---

Commerce City Planning Commission  
June 5, 2012

Commerce City Civic Center

**Case #CU-96-12:**

Ms. Stevens noted that the file contained the relevant notice information, and introduced Brian Garner to present the case

Mr. Garner explained the subject request for a Conditional Use Permit to operate a glass/windshield repair and light auto repair business. He noted that the property is located in the Derby Downtown District. Mr. Garner noted that the request was recently discussed at the May 2012 Derby Review Board meeting and added that the Board was in support of the Conditional Use Permit. Mr. Garner further explained that the DRT determined that the request met the criteria for a Conditional Use Permit. Therefore, the DRT recommended approval subject to 4 conditions.

Mr. Naim Kargar, property owner, was present to reply to questions from the Planning Commission. Mr. Cammack was concerned with the parking limitation on the property. Mr. Garner clarified that the site has adequate space for 4 parking spaces. He added that it is not anticipated to have a high volume of vehicles onsite at one given time. Mr. Dreiling raised concern with the disposal of used oil. Mr. Garner confirmed that any hazardous material must remain indoors and that the issue would be regulated by Tri-County Health Department. Mr. Kargar added that he will keep the amount of oil at a minimum since his business will primary focus on windshield repair. There being no further discussion on the case, Mr. McFarlin requested a motion.

**Motion:**

Mr. Jones made the following motion "I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Conditional Use Permit for the property located at 7360 Hwy. 2 contained in case CU-96-12 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit subject to the following 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."

Mr. Robertson seconded the motion. Voice Vote: All Voting Affirmed.