

PLANNING COMMISSION

Commerce City Planning Commission
June 16, 2015

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Z-925-15: Old Dominion Freight Line, Inc. - Zone Change from I-2 to I-1 - Property with PIN 182307400027.

S-638-15: Consolidation of Four Lots into One Lot – 5601 Holly Street.

CU-106-14-15: Conditional Use Permit for Expansion of Transportation Terminal – 5601 Holly Street.

Ms. Stevens introduced the cases and asked that the record reflect that the files contained the relevant notification and publication information. Ms. Hasenbalg-Long reviewed the staff reports and presentation, including the Development Review Team's recommendations for approval, subject to six conditions for the Conditional Use Permit only. She noted two concurrent Minor Modification cases were under administrative review.

In response to questions by the commission, staff explained the Tri-County Health Department provided comments to the applicant regarding regulation compliance for the new fuel station. The removal of storage tanks is required by the Colorado Department of Public Health and Environment.

Brian Norbury, Manager of Operations for Old Dominion Freight Lines at 5601 Holly Street, was available for questions. He stated no additional traffic would be created by the expansion. Chairman McFarlin opened the hearing to the public. Noting that no person indicated a desire to testify, he closed the hearing and requested three separate motions.

Z-925-15 Motion:

Commissioner Robertson made the following motion "I move that the Planning Commission enter a finding that the requested Zone Change for the property located at 5171 East 56th Avenue contained in case Z-925-15 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change."

Commissioner Jones seconded the motion.

Cammack	Yes	
Dreiling	Yes	
Jones	Yes	
McFarlin	Yes	
Robertson	Yes	5 Yes, Motion passed.

S-638-15 Motion:

Commissioner Robertson made the following motion "I move that the Planning Commission enter a finding that the requested Final Plat for the property located at 5601 Holly Street contained in case S-638-15 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Final Plat."

Commissioner Jones seconded the motion.

Cammack	Yes
Dreiling	Yes
Jones	Yes

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McFarlin Yes
Robertson Yes 5 Yes, Motion passed.

CU-106-14-15 Motion:

Commissioner Robertson moved that the Planning Commission enter a finding that, subject to the conditions listed on the revised suggested motion that was distributed prior to the hearing, the requested Amendment to the existing Conditional Use Permit for the property located at 5601 Holly Street contained in case CU-106-14-15 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Amended Conditional Use Permit subject to the those conditions. The following are the conditions that were contained in the distributed motion:

- A. Landscaping shown as part of Phase 1 on the approved landscape plan for CU-106-14 shall be installed prior to issuance of a Certificate of Occupancy for the IT room addition.
- B. A landscape escrow shall be paid for landscaping shown as part of Phase 2 for CU-106-14 prior to issuance of a Certificate of Occupancy for the IT room addition.
- C. The landscaping shown as part of Phase 2 on the landscape plan submitted in conjunction with CU-106-14 shall be installed within 18 months of the date of approval of CU-106-14-15, unless this condition is waived by the Community Development Director because the construction of the proposed terminal expansion submitted in conjunction with CU-106-14-15 is substantially underway. In that event, the landscaping shown on the landscape plan submitted in conjunction with CU-106-14-15 shall be installed prior to the issuance of a Certificate of Occupancy for the expanded terminal.
- D. A site investigation plan addressing flammable gas, the nature and extent of solid waste, and contaminated soils and groundwater shall be completed and submitted to Tri-County Health Department and the Solid Waste Section of the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (CDPHE) for review and approval prior to the issuance of any building permits for the proposed expansion.
- E. A traffic study for the subject property shall be approved by the Public Works Department prior to issuance of any building permits for the proposed expansion.
- F. A drainage report for the subject property shall be approved by the Public Works Department prior to issuance of any building permits for the proposed expansion.

Commissioner Jones seconded the motion.

Cammack Yes
Dreiling Yes
Jones Yes
McFarlin Yes
Robertson Yes, 5 Yes, Motion passed.