

CONDITIONAL USE PERMIT

FOR A SALVAGE YARD

CASE #CU-109-16

WHEREAS, the City Council of the City of Commerce City, Colorado finds that a conditional use permit for the operation of a salvage yard (“Conditional Use Permit”) should be granted pursuant to the Land Development Code of the City of Commerce City in Case #CU-109-16 for that property described in exhibit “A” attached hereto and made a part hereof, located at 5245 East 48th Avenue, 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-109-16 is granted by the City of Commerce City subject to the following conditions:

CONDITIONS:

- A. The conditional use permit will expire on February 1, 2019. A renewal of the conditional use permit in accordance with the Land Development Code will be required to extend operations beyond this date.
- B. The property must be improved as shown on the approved development plan dated December 14, 2015, including drainage, landscaping, fencing, and paving, by February 1, 2017.
- C. Any expansion of the salvage yard or inoperable vehicle storage to areas outside of what is depicted on the approved development plan dated December 14, 2015, will require an amendment to this CUP.
- D. All work performed on vehicles, including repair, draining of fluids, and dismantling, shall occur entirely within the building. No repair or dismantling shall be performed outside.
- E. All vehicles stored in the yard shall be arranged in a single layer, with no stacking on top of each other. No crushing of vehicles in any manner shall be permitted on the site without first obtaining approval of a separate Conditional Use Permit.
- F. The applicant shall obtain and provide copies of any state regulatory agency permits to the City’s Planning Division by April 25, 2016.
- G. The applicant shall notify the Community Development Department in writing if the usage of the property as a salvage yard and inoperable vehicle storage is ever discontinued by Stefan Cruceanu or USA Enterprises.
- H. City staff shall be allowed to enter the premises of the subject property anytime during regular business hours for the purposes of inspecting the operation for compliance with these conditions and other applicable code requirements.

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-109-16 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 1st day of February, 2016.

CITY OF COMMERCE CITY, COLORADO

By: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, City Clerk

Exhibit “A”
Case # CU-109-16

Legal Description

LOT 1, BLOCK 1, CHEVRON U.S.A. SUBDIVISION 2ND FILING,
COUNTY OF ADAMS,
STATE OF COLORADO.