

PLANNING COMMISSION

Commerce City Planning Commission
January 5, 2016

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CU-109-16: USA Enterprises, LLC is requesting a conditional use permit for a salvage yard at 5245 E. 48th Avenue, zoned I-3:

Ms. Stevens introduced the case which was previously continued by the Planning Commission from their December 2, 2015 meeting. She stated that the file contained the relevant notification and publication information. Ms. Hasenbalg-Long reviewed the staff report and the presentation, including the revisions to mitigate concerns from opposing neighbors. The Development Review Team recommended approval of the Conditional Use Permit subject to eight conditions.

Stefan Cruceanu, 5255 E. 48th Avenue, Commerce City, was satisfied with the revisions to the application. He expressed appreciation to Staff for assistance throughout the process.

Richard Faye, 5201 E. 48th Avenue, Commerce City, was pleased with the access modification. He thanked the Commission and Staff for the opportunity to work with the applicant to mitigate outstanding concerns.

Motion:

Commissioner Robertson 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 5255 East 48th Avenue contained in case CU-109-16 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:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. The applicant shall obtain and provide copies of any state regulatory agency permits to the City's Planning Division by April 25, 2016.
7. 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.

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8. 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.”

Commissioner Cammack seconded motion

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