

COMMERCE CITY PLANNING COMMISSION

January 5, 2016

Page 1

CALL TO ORDER: Chairman J.E. “Mac” McFarlin called the meeting to order at 6:00 p.m.

PLEDGE: Chairman McFarlin led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL: Lorena Ruiz called roll. **Present:** McFarlin, Dreiling, Cammack Jones and Robertson.

OTHERS PRESENT: Steve Timms, Planning Manager
Caitlin Hasenbalg-Long, Planner
Paul Workman, Planner
Karen Stevens, Deputy City Attorney
Lorena Ruiz, Administrative Specialist

For the record, alternate Commissioner MacCallum was present in the audience.

MINUTES: Commissioner Jones made a motion to approve the minutes of the December 2, 2015 meeting. Commissioner Dreiling seconded motion.

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

CASES: The Planning Commission heard the following case.
Proceedings continued on the following pages.

PLANNING COMMISSION

Commerce City Planning Commission
January 5, 2016

Commerce City Civic Center
Page 2

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 the 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.

PLANNING COMMISSION

Commerce City Planning Commission
January 5, 2016

Commerce City Civic Center
Page 3

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

Z-931-16: Midwest Truck Parts and Service is requesting a zone change from AG to PUD for the property located at 7790 E. 88th Avenue:

Ms. Stevens introduced the case and asked that the record reflect that the file contained the relevant notification and publication information. Mr. Workman reviewed the staff report and the presentation, including the Development Review Team’s recommendation for approval.

Henry Hollender, 9201 W. Tennessee Avenue, Lakewood, was present on behalf of the applicant and agreed with staff’s presentation. He stated the Denver facility would entirely relocate to Commerce City.

Chairman McFarlin opened the hearing for public comment. Noting that no person indicated a desire to testify, he closed the hearing and requested a motion.

Motion:

Commissioner Jones the following motion “I move that the Planning Commission enter a finding that the requested PUD Zone Document for the property located at 7790 E. 88th Avenue contained in case Z-931-16 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the PUD Zone Document.” Commissioner Robertson seconded motion.

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

PLANNING COMMISSION

Commerce City Planning Commission
January 5, 2016

Commerce City Civic Center
Page 4

Staff Business

Mr. Timms stated there are cases scheduled for the February 2, 2016 meeting.

Adjournment:

There being no further business to discuss, Chairman McFarlin adjourned the meeting at 6:35 p.m.

J.E. "Mac" McFarlin
Chairman

Lorena Ruiz,
Administrative Specialist