

November 1, 2016

Ms. Caitlin Hasenbalg Long, City Planner Commerce City Community Development 7887 East 60th Avenue Commerce City, CO 80022

Re: Diversified Transfer and Storage Truck Terminal at 104th Ave. and Havana St. Development Plan, Conditional Use, and Final Plat Application Request

Hello Caitlin,

On behalf of Diversified Transfer and Storage, we are resubmitting this Development Plan, Conditional Use, and Final Plat application for a cold-storage food facility / truck terminal at 10391 and 10381 Havana Street in Commerce City. In addition to the following project narrative, the following items are included with this submittal:

- Response to Comments
- Staff's Original Redlines
- Development Plan
- Truck Circulation Plan
- Plat
- Traffic Impact Report
- Traffic Signal Needs Study
- Color/Materials Board
- CD of the Above Materials

If you have questions or comments during the application process, please contact one of the following members of the development team.

Applicant/Owner:

Diversified Storage & Transfer 5140 Race Court Denver, CO 80216 Contact: Jay Foley 406.896.3417 jayf@dtsb.com Applicant Representative/Planner/Landscape Architect: Norris Design 1101 Bannock Street Denver, Colorado 80023 Contact: Libby Kaiser 303.892.1166 Ikaiser@norris-design.com



Engineer: Harris Kocher Smith 1120 Lincoln Street, Suite 1000 Denver, Colorado 80203 Contact: John O'Rourke 303.623.6300 jorourke@HKSENG.com Architect: Primus Builders 8294 Highway 92, Suite 210 Woodstock, GA 30189 Contact: Erik Gunderson 770.928.7120 equnderson@primusbuilders.com

Conditional Use Narrative

The following Statement of Operations describes the proposed use, as required by the Conditional Use application.

Narrative of the Operations

Diversified Transfer and Storage (DTS) proposes to build, operate, and maintain a facility for cold food storage and distribution southeast of I-76 and East 104th Avenue. The 9.7-acre project site is currently undeveloped and zoned Light Intensity Industrial District (I-1), which allows truck terminals as a conditional use.

The storage facility is intended for temperature sensitive foods and related products. Specific types of foods include frozen bakery, ice cream, frozen prepared meals and vegetables, yogurt, fruit juices, hops, fruit puree, frozen and fresh meats, cheeses, soups, pasta, desserts, dairy products, candy and confections. The duration food is stored is based on customer needs and the shelf life of various food products. Frozen foods are normally stored 30 to 120 days based on the retailer opportunity for special purchases, such as seasonal items including prepared pies and turkeys for holidays. Chill storage is generally less than 1 month due to the shorter shelf life of fresh food. The facility would also store paper supplies for grocery stores and packaging materials for food manufacturers, including plastic containers, seals, and cardboard case packaging.

The site's primary cold storage use is in support of DTS' trucking operations. The over-the-road fleet provides transportation of food and related items that are temperature sensitive to health food retailers, national wholesale grocers, food service suppliers, microbreweries, grocery retailers, food manufacturers, candy manufacturers, and local artisan manufacturers using fresh and frozen foods. The service area includes the Greater Denver area, as well as New Mexico, Western Nebraska, Southern Wyoming, and Western Colorado. Truck arrivals and departures are staggered throughout the day with loading and unloading taking approximately 2 hours each.

The storage facility would provide 12 loading docks for trucks to back up to a 35-degree transfer area accessing freezers and coolers at a range of temperatures, from 0 to 70 degrees, including frozen, chill and ambient storage for manufacturers and distributors. The warehouse space would be constructed in three phases, ultimately containing 106,803 s.f. A 6,969 s.f. office space attached to the warehouse would be built in Phase 1 for clerical and management staff, recruiting, retention, and human resources. Phase 1 would also all site improvements, including parking for trailers and cars, circulation, and water detention, and a 9,120 s.f. maintenance shop with three repair bays and one bay for washing trucks. Routine, preventative maintenance of truck tractors and refrigerated trailers will be performed on-site, including oil changes, lube, tires, brakes, lights, and freon recharging. DTS will take trucks to an off-site vendor for major repairs or body work.



Hours and Days of Operation

This facility will operate seven days per week, every day of the year, from 4:00am until 8:00pm Monday through Friday; on Saturday and Sunday the warehouse will be open 24 hours.

The hours of each shift and the number of employees assigned to each shift follows. Office employees have staggered shifts from 6am to 4pm, 7am to 5pm, and 8am to 6pm.

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1.	Τhι	Thursday		
	0	Warehouse	Shift 1: 8am – 7pm (3 employees) Shift 2: 12pm – 10pm (2 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (2 employees)	
	0	Office	Open: 6am – 6pm (8 employees)	
2.	5			
	0	Warehouse	Shift 1: 6am – 4 pm (3 employees) Shift 2: 3:30pm – 12am (3 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (3 employees)	
	0	Office	Open: 6am – 6pm (8 employees)	
3.	Saturday			
	0	Warehouse	Shift 1: 6am – 4pm (3 employees) Shift 2: 3:30pm – 2am (3 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (3 employees)	
	0	Office	Closed	
4.	Sur	Sunday		
	0	Warehouse	Shift 1: 4am – 4 pm (3 employees) Shift 2: 4pm – 4am (3 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (3 employees)	
	0	Office	Closed	
5.	Monday			
	0	Warehouse	Shift 1: 4am – 4 pm (3 employees) Shift 2: 4pm – midnight (3 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (3 employees)	
	0	Office	Open: 6am – 6pm (8 employees)	
6.	. Tuesday			
	0	Warehouse	Shift 1: 6am – 2 pm (2 employees) Shift 2: 12pm – 10pm (2 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (3 employees)	
	0	Office	Open: 6am – 6pm (8 employees)	
7.	Wednesday			
	0	Warehouse	Shift 1: 6am – 2 pm (2 employees) Shift 2: 12pm – 10pm (2 employees)	
	0	Repair Shop	Shift 1: 7am – 5pm (2 employees)	
	0	Office	Open: 6am – 6pm (8 employees)	



Number of Employees

There are 24 people currently working in a DTS facility located at 5140 Race Court in Denver. These employees will relocate to the new facility in Commerce City, to which 11 employees will be added immediately, for a total of 35 employees at this location. At full build-out, DTS anticipates approximately 50 employees. DTS offers current Colorado employees mid-level salaries averaging more than \$47,000 annually.

Number of Parking Spaces Required and Provided

The City has classified the proposed use as a transportation terminal, which would require1 parking space per 250 s.f. of indoor space, which would amount to 463 spaces at full build-out. This would result in an excessive amount of unused parking and would make the proposed use infeasible at this site. Alternatively, according to Table VII-3 Off-Street Parking Requirements in the City's Land Development Code, a warehouse over 50,000 s.f. would require 1 space / 5,000 s.f., an office space accessory to a warehouse would require 1 space / 300 s.f., and the maintenance shop would require 1 space / 500 s.f. Using the warehousing definitions, the proposed use would require approximately 65 spaces as shown on the Cover Sheet of the Development Plan.

However, based on the number of anticipated employees and the need to provide parking spaces for over-the-road drivers, the current site plan provides 85 auto parking spaces and 20 trailer parking spaces. Based on the Applicant's experience in the industry at other facilities, they believe the amount of parking proposed will meet their needs both initially and as they expand in the future.

Average Daily Peak Trips Generated

The Traffic Impact Report included with this submittal estimates 357 daily trips based on the industry-accepted standard ITE Trip Generation Handbook that has been agreed to by the City of Commerce City engineering personnel. This includes 58 trips during the AM peak hour and 50 trips during the PM peak hour.

However, the applicant estimates 159 weekly trips based on specific schedules and operations of the facility.

Type of Equipment or Processes Used

Forklifts, Class 8 trucks, refrigerated trailers, three truck repair bays, and one wash bay will facilitate the safe delivery, storage, and transfer of food among producers, trucks, temperature-controlled rooms, and retailers.

Description and Process for Storing or Handling any Hazardous Materials

No storage or handling of hazardous materials is anticipated. Any potentially hazardous materials, such as cleaning solutions, antifreeze, etc., will be stored in the shop facility, away from the food storage area.

Regulating Agencies with Inspection Information

The current location in Denver has annual inspections by Denver Fire and OSHA conducts periodic audits/inspections to ensure employee health and safety. The OSHA inspections will continue to occur, but DTS is unsure if regular fire inspections will occur at the new Commerce City location by local fire safety officials. DTS is open to such inspections if required and requests further guidance from city staff on this issue during this review process.



The following statements describe how the project will complement the City and how any impacts will be mitigated.

Compliance with the Purpose, Goals, and Objectives of the Comprehensive Plan

The Comprehensive Plan designates the project site for future office / flex uses. The site is within the Industrial Enclave Focus Area, where the Comprehensive Plan seeks to "retain the industrial uses and jobs focus, with heavier industrial uses buffered in the interior by lighter industrial uses near residential areas and high-visibility corridors." The proposed project supports many of the Plan's goals and policies, including the following:

- LU 2.1 Infill development promoted: the project will infill on a vacant site surrounded by industry.
- LU 2.3 Development paced with utilities: the site has access to necessary infrastructure and services.
- LU 4 Retain existing industrial areas and land for future jobs: the proposed use will provide wellpaying jobs for a growing population.
- ED 1 Increase economic diversification and opportunities for clean, prosperous business: the project provides for the clean transfer of food.
- ED 2 Retain and increase a strong employment base: the project will increase job opportunities.
- FS 2 Retain and increase revenue-producing land uses: the project will contribute positively to city revenues.
- T 6.3 Coordinated efforts for roadway appearance: the project will contribute to landscaping along 104th Ave.
- AD 1 Improve the image of gateways and corridors: the project will use quality materials that will
 improve the appearance of the I-76 and 104th Avenue gateway.

Harmony with the Character of the Neighborhood

The proposed use is similar in character to the many trucking-oriented businesses and manufacturing companies in the neighborhood:

- To the south, there is Sage Truck Driving School, Isco Industries, Prime Trailer, and Pro Disposal.
- To the east lies vacant land and Cummins Rocky Mountain, which manufactures truck parts.
- To the northeast is Williams Scotman, a mobile and modular space provider.
- To the west, across I-76, is Pulltarps, which manufactures truck tarps.
- To the north, across 104th Avenue and I-76, sits Recycling Connections, Team Heating and Air, and several other businesses with a similar industrial character.

General Compatibility with the Surrounding Area

As stated above, the proposed use is compatible with the surrounding truck-oriented businesses.

Community Need for the Proposed Use

The local and regional community relies on the transfer and temperature-controlled storage of food between producers and retailers to ensure a safe, healthy food supply.

Effects on Adjacent Property and How They will be Mitigated

DTS anticipates no significant, negative effects on adjacent property owners as this proposed use is in character with surrounding uses. High-quality buildings and landscaping will be provided per Commerce City requirements and will ensure that this development meets or exceeds the quality of surrounding development.

Effects on Public Infrastructure and Services and How They will be Mitigated

The proposed facility will require new water and sanitation connections and gas and electric lines, and DTS is working with the necessary jurisdictions to ensure service requirements are met. The South Adams County Water and Sanitation District has agreed to provide water and wastewater service to the property, per the letter included with this submittal. As for stormwater mitigation, DTS proposes to build a water detention facility on the southeast corner of the site adjacent to an existing drainage corridor.

The Traffic Impact Study and the Traffic Signal Needs Study, included with this submittal, estimate about 80% of vehicles are projected to utilize Joliet to/from E. 104th Ave. for site access with a small percentage (20%) using Joliet /Havana/E. 96th Ave. Due to a projection of 357 daily trips, the Traffic Signal Needs Study indicates a traffic signal is warranted at Joliet in 2016 at today's traffic levels. The applicant is willing to pay for the installation of a traffic signal at this time and is coordinating with Public Works to execute a Public Improvements Agreement. However, as of this submittal, the applicant has not received a PIA, and a thorough legal review of the cost sharing contract will need to be completed.

Site Characteristics

The project site is currently vacant and relatively flat with a drainage corridor adjacent to its southern boundary. The site has excellent access to I-76 and 104th Avenue, as well as water and energy infrastructure. The site is ideal for a light industrial, infill development that will provide an appropriate transition between 104th Avenue and heavier industrial uses to the south.

Landscaping and Screening Strategies to Mitigate Impacts

The planting design for this project consists of a mixture of foundation, parking lot, and buffer plantings to make the site visually attractive from within as well as helping to provide screening from nearby uses. Within the site, the landscape plan exceeds Commerce City's plant quantity minimums in order to provide at least a 75% living plant material coverage in the landscape areas. The same can be said for the perimeter of the site. Along the north and east property boundaries, where parking is planned, screening is provided that consists of plant material that is at least 3' in height in combination with upright evergreens and taller grasses. Along 104th Avenue the buffer is 10' wide, and along Havana Street this buffer is at least 5' wide. The edge of the planting beds along these two streets meanders to better relate to the meandering walks proposed in the 104th Avenue Streetscape Plan. Along the entire perimeter of the site there will also be decorative metal security fencing to help add to the screening and to control access.

Noise, Dust, Odor or Other Nuisances that May Impact the Surrounding Area

The proposed use will not generate excessive noise, dust, odor, or other nuisances that would negatively impact the surrounding area.

Conditional Use Approval Criteria

In order to approve a Conditional Use Permit request, the City Council must find that all of the following criteria have been met. Descriptions of compliance with each criterion is provided below.

 The proposed use will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, either as they presently exist or as they may exist in the future as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city;
 As the proposed use is harmonicus with the surrounding character, it will not adversely affect adjacent property.

As the proposed use is harmonious with the surrounding character, it will not adversely affect adjacent property.



Instead, this project will reinforce surrounding uses and job opportunities, contribute positively to tax revenues, and help to strengthen a hub of industry that serves the greater Denver metropolitan region. Adequate parking is provided. However, a signal is warranted at Joliet based on today's traffic levels, which the project will increase. The applicant is willing to pay for the signal upon reviewing the Public Improvements Agreement.

- Any adverse effect has been or will be mitigated to the maximum extent feasible, including but not limited to sufficient landscaping and screening to ensure harmony for adjoining uses; As mentioned above, the proposed truck terminal will blend in well with surrounding uses and visual impacts will be minimal. Sufficient landscaping is proposed to soften the architectural footprint and supplement the 104th Avenue Streetscape Plan.
- 3. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features; The site's size and shape are ideal for the proposed use and its likely expansion. The flat topography will help minimize grading, while the adjacent drainage corridor and proposed detention pond will help prevent flood hazard. Additionally, the recent improvement of Havana Street and 104th Avenue will provide excellent access to I-76, US85, and the regional transportation network, key to the transfer of refrigerated food. There are no significant natural features on the site.
- 4. The proposed use will be adequately served by, and will not impose an undue burden on, any of the existing improvements, facilities, and services of the city or its residents. Where any such improvements, facilities, utilities, or services are not available or are not adequate to service the proposed use in the proposed location, as part of the application and condition of approval, the applicant shall be responsible for establishing an ability, a willingness, and a binding commitment to providing such improvements, facilities, utilities, and services in sufficient time to serve the proposed use;

With the exception of the intersection of Joliet and 104th Ave., existing city facilities and services adequately serve the proposed project and will not be burdened by its approval. Gas and electric service is available, and the South Adams County Water and Sanitation District can serve the property. In addition, emergency vehicle access to the site is provided via the curb cut and cul-de-sac off Havana Street, and a detention pond will be built on-site to help prevent flooding. To mitigate increased traffic at Joliet and 104th Ave., the applicant is willing to pay for a traffic signal upon review of the PIA.

- 5. The applicant has provided adequate assurances of continuing maintenance; *It is in the applicant's best interest to adequately maintain the proposed facility to ensure safe operations that continue to attract business.*
- 6. There is no evidence to suggest that the use violates any federal, state, or local requirements; and *As proposed, the use doesn't violate any local, state, or federal regulations.*

One of the following criteria is met:

1. There is a community need for the proposed use at the proposed location, given existing and proposed uses of a similar nature in the area and of the need to provide and maintain a proper mix of uses both within the city and the immediate area of the proposed use; or

The cold storage and transfer of food is a modern necessity and the proposed location for this project is excellent, considering its proximity to I-76 and the nature of surrounding industrial businesses. About 80% of



vehicles are projected to utilize Joliet to/from E. 104th Ave. for access with a small percentage (20%) using Joliet /Havana/E. 96th Ave. See Figure A9 in the Traffic Impact Report.

2. The use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan and all other plans or programs adopted by the city. *The use complies with many relevant goals in the comprehensive plan and doesn't appear to conflict with other city plans or programs.*

Development Plan / Final Plat Narrative

The Development Plan and Final Plat applications require the following information.

Proposed Use and Project Scope

As stated above, DTS proposes to build, operate, and maintain a facility for cold food storage and distribution southeast of I-76 and East 104th Avenue. The parcel is currently undeveloped and zoned Light Intensity Industrial District (I-1), which allows truck terminals as a conditional use. The facility would provide 12 loading docks for trucks to back up to a 35-degree transfer area accessing freezers and coolers at a range of temperatures, from 0 to 70 degrees. The 9.7-acre site would also provide office space, a maintenance shop with three repair bays and one wash bay, parking for trailers and cars, circulation, and water detention. The site provides ample space for the future expansion of freezers and coolers, to the west of the proposed facility.

Site Layout and Circulation

The 9.7-acre site is more or less rectangular with an east-west orientation. Building 2, consisting of three repair bays and one wash bay is situated nearest Havana Street with a north-south orientation that partially screens the majority of trailer parking and loading bays adjacent to Building 1, which sits near the center of the site. The imminent expansion of Building 1 would occur westward. Circulation consists of access off Havana Street from an existing curb cut. Trucks entering the site would head northward to access the repair and wash bays, with turning radii accommodated westward and southward into the loading dock and trailer parking spaces. Vehicular parking lies along the northern edge of the site along Havana Street. A detention pond is provided in the southwest corner of the site.

Number of Employees

There are 24 people currently working in a DTS facility located at 5140 Race Court in Denver. These employees will relocate to the new facility in Commerce City, to which 11 employees will be added immediately, for a total of 35 employees at this location. At full build-out, DTS anticipates approximately 50 employees. DTS offers current Colorado employees mid-level salaries averaging more than \$47,000 annually.

Hours of Operation

This facility will operate seven days per week, every day of the year, from 4:00am until 8:00pm Monday through Friday; on Saturday and Sunday the warehouse will be open 24 hours.

Number of Vehicles or Deliveries

The Traffic Impact Report included with this submittal estimates 357 daily trips based on the industry-accepted standard ITE Trip Generation Handbook that has been agreed to by the City of Commerce City engineering personnel. This includes 58 trips during the AM peak hour and 50 trips during the PM peak hour.



However, the applicant estimates 159 weekly trips based on specific schedules and operations of the facility.

Buffering of Neighboring Land Uses

As stated above, the proposed use is similar in character to the many trucking-oriented businesses and manufacturing companies in the neighborhood and buffering isn't necessary as the project won't negatively impact the neighborhood. Nevertheless, sufficient landscaping meeting city requirements will be provided to soften the architectural footprint, parking and loading areas.

Project Phases, Construction Timelines, and Opening Date

The first phase of the project, consisting of Building 1 and 2, will begin immediately after City approval. The first phase will also include all necessary site circulation, parking, and stormwater detention to accommodate full buildout. Construction will last five to six months with an anticipated opening date in the spring of 2017. Customer demand is expected to require expansion of the warehouse in three to five years. Landscaping will also be phased as shown on the Landscape Phasing Plan, which shows that native seed will be planted in the area of future building expansion.

Development Plan Approval Criteria

1. Complies with city standards;

The project complies with the City's development standards, including building, setback, landscaping, stormwater, and lighting requirements. The warehouse will be 48' tall at the roof ridge, the office will be 33.5' tall to the parapet, and the maintenance facility will be 30'2" tall. All buildings are within the required minimum and maximum site setbacks. Parking lot and drive aisle setbacks include 20' from I-76, 104th Avenue and Havana Street, and 10' from the site's southern boundary. The landscape plan exceeds Commerce City's plant quantity minimums in order to provide at least a 75% living plant material coverage in the landscape areas and along the perimeter of the site. Required stormwater detention is provided in the southwest corner of the site. The lighting plan will provide sufficient luminescence for nighttime operations while minimizing light pollution along the perimeter.

2. Is consistent with any previously approved subdivision plat, rezoning concept plan, or other plans or land use approvals;

As stated above, the proposed use is conditionally allowed within the Light Industrial zoning district and the project complies with the City's Comprehensive Plan.

- Provides adequate mitigation for any significant adverse impacts resulting from the use; and No significant adverse impacts are anticipated to result from implementation of the proposed use. Additional traffic could be mitigated with a new signal at Joliet and 104th Ave.
- 4. Creates a positive precedent for the future cumulative development of the immediate area. As stated above, this project will reinforce surrounding uses and job opportunities, contribute positively to tax revenues, and help to strengthen a hub of industry that serves the greater Denver metropolitan region. The site, building architecture, and landscaping have been thoughtfully designed to create an attractive transition from 104th Avenue to heavier industrial uses to the south.
- 5. Provides utilities, drainage, and other necessary facilities in accordance with the final PUD Development Permit.



As stated above, the infill site is easily serviceable with existing water, and utility infrastructure, and on-site stormwater detention will be provided. The applicant is willing to pay for a new traffic signal at Joliet and 104th Ave., assuming the terms of the PIA are agreeable.

Final Plat Approval Criteria

- 1. The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document; The proposed project is not associated with any previous rezoning, concept plan or PUD Zone Document.
- 2. The subdivision is consistent with and implements the intent of the specific zoning districts in which it is located; *As stated above, the proposed use is conditionally allowed within the existing Light Industrial zoning district.*
- There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;
 As proposed, the use doesn't violate any local, state, or federal regulations or requirements.
- 4. The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;

The proposed project meets the intent of the City's Land Development Code. Site layout, circulation, utility extensions, landscaped buffers, and a detention basin have been efficiently designed to minimize land disturbance and meet the City's development standards while accommodating project operations. No riparian areas, trees, or desirable vegetation exist on the site that would require preservation.

- 5. The subdivision complies with applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible; *The proposed development maximizes the size and orientation of a single parcel in a manner that ensures compliance with Commerce City's development standards.*
- 6. The subdivision:
 - a. Will not result in substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program, or ordinance adopted by the city; or *As described in the preceding responses, the proposed project will not adversely affect adjacent properties. DTS believes adequate parking is provided on-site to accommodate employees and facility operations. The project will not negatively affect present or future public improvements envisioned by the Comprehensive Plan, Land Development Code, or other plans, programs, or ordinances. In fact, if the applicant pays for the signal warranted at Joliet and 104th Ave., traffic conditions in the area will improve.*
 - b. Any adverse effect has been or will be mitigated to the maximum extent feasible; Landscaped buffers and building locations will mitigate views of the truck bays and loading docks from surrounding roads and a detention basin will mitigate stormwater runoff.



7. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;

Emergency access will be provided via the curb cut and cul-de-sac off Havana Street. Adequate and sufficient utility infrastructure service the site. The proposed use is not anticipated to utilize recreation facilities, parks, or schools, or otherwise impact the existing levels of community services. A new signal at Joliet and 104th Ave. will improve levels of transportation service to existing and future development.

- 8. A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and *A public improvement agreement between the city and the applicant will be executed with project approval.*
- As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity. The existing and proposed infrastructure has been rationally planned and designed to accommodate three phases of development.

The development team believes this request meets the standards set forth in order to achieve approval of these Development Plan, Conditional Use, and Final Plat applications. We appreciate your careful review and look forward to working with Commerce City through the review process and the eventual approval of this application. Please contact me with any questions or concerns.

Sincerely, Norris Design

Libby Karser

Libby Kaiser Project Manager