



# CU-21-91-94-96-97-17

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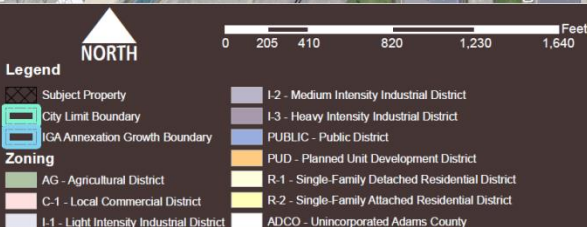
Amend and/or Remove certain Conditions

L. G. Everist

7321 E. 88<sup>th</sup> Avenue



- Current Zoning:
  - I-3
- Comp Plan:
  - General Industrial



Commerce City Planning Division  
Prepared By: Workman  
Date Saved: 11/4/16

PIN = 172121011009





# Aerial



Commerce  
**CITY**



Southeast corner looking north

# CUP History I

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- CU-21-91 approved in 1991 with 18 conditions to allow:
  - Sand and gravel operations
  - Rock crushing operations
  - Concrete batch plant operations
  - Asphalt batch plant operations





# CUP History II

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- CU-21-91-94:
  - Condition compliance.
  - Allow an asphalt batch plant not owned by L. G. Everist.
- CU-21-91-94-96:
  - Establish use areas on the property for clarity.
  - Amended nine conditions and added one condition (19 total conditions).
- CU-21-91-94-96-97:
  - Condition compliance.
  - Allow an anti-freeze recycling business not owned by L. G. Everist.
  - Added two additional conditions (21 total conditions)



# Applicant's Request

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- Remove and/or amend certain conditions.
  - Reduce paperwork
  - Reduce City staff time
  - Reduce unnecessary hearing burdens



# Existing Condition Analysis

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- The existing development conditions are a result of the development standards that were in place in 1991.
  - The City was smaller, less complex, and did not have the standards and processes that are in place today.
  - Development conditions were common at that time, but are no longer necessary.
- Amend 2 of the existing 21 conditions to update language.
- Remove 13 of the existing 21 conditions that have been completed.
- Keep 6 of the existing 21 conditions related to operations and uses unchanged.
- 8 total conditions.





# Existing CUP Impacts

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- The uses approved under the original and amended CUP (1991, 1994, and 1997) are still allowed to operate, subject to compliance with regulations.
- Proposed future uses requiring a CUP will be required to get them.
- Proposed future uses-by-right will be allowed without public hearing, like all other I-3 properties.
- L. G. Everist is still accountable for conditions related to things like hours of operation and having a HAZMAT plan.



# Compliance with CUP approval criteria

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- The character of the area is industrial, the existing use is industrial, and the operations have been occurring for 26 years without any recorded violations.
- The operations are compliant with regulating agencies.
- The site has been adequately accommodating the use for 26 years.
- The site has been adequately served by utilities for 26 years.
- The application indicates continued maintenance of the property and L. G. Everist has a track record for doing so.
- There is no indication the use violates any laws.
- The use complies with the City's plans and ordinances.
- The request is compliant with the Comprehensive Plan.



# Public Contact

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- To date, staff has not been contacted by anyone related to this request.



# Planning Commission Recommendation

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- On March 7, 2017 the Planning Commission voted 5-0 to forward a recommendation for **approval** to the City Council, subject to conditions.







**City staff and the applicant are  
available to answer questions.**

