

**RESOLUTION CONDITIONALLY APPROVING DEVELOPMENT PLAN
D-305-17
NO. 2017-17**

WHEREAS, the City of Commerce City annexed property located 10251 Newark Street in 1985 and, pursuant to Ordinance No. Z-833-05 of October 17, 2005, the property was zoned subject to a number of conditions, including that the Planning Commission review and the City Council approve a development plan before any development may occur on the property;

WHEREAS, the owner of the property, Crown Enterprises Inc. ("Applicant"), intends to develop the property to operate a transportation terminal, and has submitted a development plan (No. D-305-17), attached hereto as Exhibit A and incorporated herein by reference, to the City for review and approval ("Development Plan");

WHEREAS, the Planning Commission reviewed the Development Plan and conducted two public hearings addressing that plan and made no recommendation; and

WHEREAS, the City Council has conducted a public hearing on the application for the Development Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

1. Based on the evidence in the record and the public hearing in this matter, the City Council makes the following findings with respect to the Development Plan, subject to the condition stated herein:

- a. The Development Plan complies with city standards;
- b. The Development Plan is consistent with any previously approved subdivision plats, rezoning concept plans, and any other plans or land use approvals;
- c. The Development Plan provides adequate mitigation for any significant adverse impacts resulting from the use; and
- d. The Development Plan creates a positive precedent for the future cumulative development of the immediate area.

2. As a condition to these findings of fact and the approval of the Development Plan, the Applicant shall contribute to the costs of design and installation of a traffic signal at the intersection of East 104th Avenue and Peoria Parkway, in addition to other fees, improvements, and contributions, in an amount roughly proportional to the nature and extent of the development's impact on traffic conditions as established in the traffic study.

3. The Development Plan is hereby approved subject to the conditions stated herein.

RESOLVED AND PASSED THIS 3RD DAY OF APRIL 2017.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, City Clerk

DRAFT

Exhibit A
(Development Plan No. D-305-17)

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