



BOARD OF ADJUSTMENT

December 12, 2017

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- CALL TO ORDER:** Chairman David Pocs called the meeting to order at 5:30 p.m.
- PLEDGE:** Board member Brinkerhoff led the Pledge of Allegiance to the Flag of the United States of America.
- ROLL CALL:** Candice Alexander called roll. **Present:** Pocs, Leffel, Benzal, Brinkerhoff, Haug
- OTHERS PRESENT:** Brad Callender, Planner
Steve Timms, Planning Manager
Matt Hader, Deputy City Attorney
Candice Alexander, Administrative Specialist
Lorena Ruiz, Administrative Specialist
Tricia Mason, Executive Administrative Supervisor
- MINUTES:** Board Member Haug made a motion to approve July 11, 2017 (as revised) and August 8, 2017 meeting minutes. Board member Benzal seconded the motion.
- | | |
|--------|-----|
| Haug | Yes |
| Benzal | Yes |
| Pocs | Yes |
| Leffel | Yes |
| Benzal | Yes |
- 5 – Yes, Motion passed
- CASES:** The Board of Adjustment proceeded with the public hearing.
Case proceedings continued on the following pages.

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AH-1746-17: Phillips 66 Pipeline, LLC is requesting a height exception in order to construct a 60' Vapor Construction Unit for the property located at 3960 E 56th Avenue, zoned I-3. Mr. Hader introduced the case and noted that the file contained the relevant notification and publication information. Mr. Callender presented the staff report and presentation including the Development Review Team's recommendation for approval, subject to 2 recommended conditions.

The board had questions regarding the referral response from Tri-County Health, color scheme of the vapor construction unit, and minimum required setback distance.

Applicant, Chad Polak, 3960 E. 56th Avenue, Commerce City, CO 80022 was present to answer questions from the board. The applicant stated that completion of this project will allow them to meet current throughput levels to reduce the Volatile Organic Compounds (VOC) by 30% to be in compliance with federal and state laws, and also provide growth opportunity within the facility. The applicant explained that in response to the Tri-County Health referral, 2 landfills located to the north and west of the facility are located outside of their facility.

The meeting was open to the public with no responses.

The board discussed and confirmed revising the motion verbiage under condition b to: "The existing Vapor Combustion Unit (VCU) shall be dismantled and removed from the site within 6 (six) months of the **implementation** of construction the proposed 60' (sixty-foot) VCU."

Mr. Hader read the motion to include the revision and confirmed agreement with the board.

Motion:

Board member/Chairman Leffel made the following motion "I move that the Board of Adjustment find that upon satisfying the following conditions:

- A. The proposed Vapor Combustion Unit (VCU) shall be painted tan in color, with the top 5' (five-feet) of the VCU painted black to avoid visible soot/residue marks.
- B. The existing Vapor Combustion Unit (VCU) shall be dismantled and removed from the site within 6 (six) months of the **implementation** of construction the proposed 60' (sixty-foot) VCU. Haug seconded the motion.

Leffel	Yes
Haug	Yes
Pocs	Yes
Brinkerhoff	Yes
Benzel	Yes

5 – Yes, Motion passed

RECORD OF PROCEEDINGS

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BOARD BUSINESS:

9109 Monaco Street

In response to a question by the board, staff stated the applicant of 9109 Monaco Street submitted a zone change application that is currently out for referral. It will be reviewed by Planning Commission and then go to City Council. No meeting dates have been scheduled as of yet. Staff took aerial photos from the board to pass along to appropriate staff as part of the referral process.

Boards and Commissions Reappointments

The board was informed if they are up for reappointment in February 2018, they are to send a request to staff expressing interest to be reappointed.

Council reappointments to boards and commissions and establishment of a new sub-committee will take place at the next council meeting.

Chairman Pocs term will be expiring in February 2018 and there 2 alternate positions available on the Board of Adjustment. Chairman Pocs was notified to contact staff if interested in being reappointed.

STAFF BUSINESS:

There will be no meeting in January.

ADJOURN:

There being no further business to discuss, Chairman Pocs adjourned the meeting at 5:57 p.m.

(Signature)

_____, Acting Chairperson
(Print Name)

Candice Alexander,
Recording Secretary