

CONDITIONAL USE PERMIT

FOR AN ADHESIVE MANUFACTURING OPERATION IN THE I-3 ZONING DISTRICT

CASE # CU-116-19

WHEREAS, the City Council of the City of Commerce City, Colorado finds that a conditional use permit for an adhesive manufacturing operation in the I-3 zoning district ("Conditional Use Permit") should be granted pursuant to the Land Development Code of the City of Commerce City in Case # CU-116-19 for that property described in exhibit "A" attached hereto and made a part hereof, located at 10601 Fulton Street, Brighton, Colorado; and

WHEREAS, the City of Commerce City believes that this Conditional Use Permit is only appropriate if certain conditions are met; and

WHEREAS, the City of Commerce City desires to set to writing the conditions of the Conditional Use Permit.

NOW THEREFORE, the Conditional Use Permit applied for in Case # CU-116-19 is granted by the City of Commerce City subject to the following conditions:

CONDITIONS:

- A. The applicant shall remain compliant with all standards regulating their operations.
- B. The applicant shall provide any updates or changes to the BASF Brighton Integrated Contingency Plan within 30 days of said updates or changes.
- C. This Conditional Use Permit allows for adhesive manufacturing on the subject property. This Conditional Use Permit is not attached to and does not run with the property for which it is granted. Any change in ownership shall require the issuance of a new conditional use permit.

Failure to comply with the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use Permit authorized for the above-described property, it being expressly determined by the City Council that the Conditional Use Permit granted by the City of Commerce City in Case # CU-105-14-18 is not proper in the absence of compliance with the conditions herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the conditions herein imposed or issue a summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the conditions set forth in this Conditional Use Permit, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

IN WITNESS WHEREOF, the undersigned have set their hands effective the 7th day of January, 2019.

CITY OF COMMERCE CITY, COLORADO

By: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk

Exhibit “A”
Case # CU-116-19

Legal Description

SUB:DI GIORGIO IND PARK LOT:12 EXC RD (REC NO 2012000031493)