

Commerce City

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Commerce City, CO 80022
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Meeting Minutes - Draft

Tuesday, December 4, 2018

6:00 PM

Council Chambers

Planning Commission

Call to Order

Chairman Popiel called the meeting to order at 6:00 p.m.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

Candice Alexander called roll.

Present: Popiel, Cammack, Jones, Thomas, Yost

Excused: Amador, Anderson

Approval of Minutes:[Min 18-128](#)

September 4, 2018

Attachments: [Minutes September 4, 2018](#)

Commissioner Cammack made a motion to approve the September 4, 2018 meeting minutes. Commissioner Thomas seconded the motion.

Aye: 3 - Popiel, Cammack, Thomas

Abstained: 2 - Yost, Jones

[Min 18-131](#)

November 7, 2018

Attachments: [Minutes November 7, 2018](#)

Commissioner Jones made a motion to approve the November 7, 2018 meeting minutes. Commissioner Yost seconded the motion.

Aye: 3 - Jones, Yost, Cammack

Abstained: 2 - Popiel, Thomas

Case(s):

[Pres 18-465](#)

CU-002-87-19: Phillips 66 Pipeline, LLC is requesting an amendment to their existing Conditional Use Permit (CUP) to construct one additional above ground storage tank for the property located at 3960 E. 56th Avenue (PINS: 182513100003, 182513100012, 182513100006 & 182318200057), zoned I-3

Attachments: [Staff Report](#)
[Vicinity Map](#)
[Narrative](#)
[Conditional Use Agreement](#)
[Conditional Use Permit](#)
[Development Plan](#)

Mr. Hader introduced the case and asked that the record reflect the file contained the relevant notification and publication information. Mr. Timms reviewed the staff report and presentation including the DRT recommendation for approval, subject to three conditions and one advisory.

The Commission asked questions regarding Vasquez Blvd and Colorado Blvd traffic, tank capacity, and berm safety.

Applicant, Chad Pollock, 3960 E 56th Avenue, Commerce City, addressed the commission. In response to questions by the commission he explained there are no future expansion plans but that they are in the process of building a VCU that was approved by BOA in December 2017.

Beth Heizerman, 3960 E 56th Avenue, Commerce City, addressed the commission on behalf of the applicant. In response to questions by the commission Beth explained the facility's steel prevention control measures plan. This plan is mandatory for any storage tank above 1,320 gallons. She also stated tanks would be adjusted to fit the required containment area if berms needed to be changed.

The meeting was open to the public. There being no further discussion on the request, a motion was requested.

Commissioner Jones made the following motion: "I move that the Planning Commission enter a finding that, subject to certain conditions, the request contained in this Conditional Use Permit amendment for the property located at 3960 E. 56th Avenue contained in case CU-87-002-19 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit amendment subject to the following conditions:

A. The applicant shall remain compliant with all standards regulating their operations.

B. The applicant shall provide any updates to the Emergency Response and Management Manual to the City with 30 days of a change.

C. This Conditional Use Permit approves the bulk storage of petroleum products. Any change in either of the following shall require an amendment to this Conditional Use Permit:

i. The storage of any other product that requires a Conditional Use Permit as identified in the Land Development Code as it may be amended.

ii. The bulk storage of any product at this property that is in excess of the latest approved development plan.

ADVISORY:

Any new construction, interior tenant finish work, paving, fences, walls, signs, and/or buildings on the site shall require a building permit as required by the City."

The motion was seconded by Commissioner Thomas.

Popiel, Yes

Jones, Yes

Cammack, Yes

Yost, Yes

Thomas, Yes

5 yes, motion passed.

[Pres 18-466](#)

CU-116-19: BASF Corporation is requesting a Conditional Use Permit (CUP) to turn a legal nonconforming adhesive manufacturing plant into a legal conforming adhesive manufacturing plant for the property located at 10601 Fulton Street, Brighton, CO (PINS: 172110004001 & 172110004002), zoned I-3.

Attachments: [Staff Report](#)
 [Vicinity Map](#)
 [Statement of Operations](#)
 [Description of the Proposed Use](#)
 [Development Plan](#)

Mr. Hader introduced the case and asked that the record reflect the file contained the relevant notification and publication information. Mr. Callender reviewed the staff report and presentation including the DRT recommendation for approval, subject to 3 conditions.

Applicant, Seth Meyers 10601 Fulton St, Brighton, CO addressed the commission. Applicant answered questions by the commission regarding material storage, hazardous materials, retention pond, manufacturing of glue, time-frame for parking lot and warehouse expansion, and branding.

Site Manager, Bill Hack, 10601 Fulton St, Brighton, CO presented a slideshow while conducting a brief overview of BASF's products and processes.

The meeting was open to the public. There being no further discussion on the request, a motion was requested.

Commissioner Jones made the following motion: "I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Conditional Use Permit for the property located at 10601 Fulton Street contained in case CU-116-19 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit subject to the following 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."

Commissioner Thomas seconded the motion.

*Popiel, Yes
Jones, Yes
Cammack, Yes
Yost, Yes*

Thomas, Yes

5 yes, motion passed.

Board Business:

The next Planning Commission meeting will be held on January 9th.

Staff Business:

Executive Administrative Supervisor Tricia Mason notified the commission that Planning Commission Liaison Lorena Ruiz is no longer with the City.

Adjournment

The meeting adjourned at 6:42 p.m.