



CU-120-21

Location:	9155 Boston Street
Applicant:	Crystal Packaging, Inc.(owner Boston Henderson, LLC)
Request:	Conditional Use Permit & associated Development Plan

Case Summary

- Address: 9155 Boston Street (south of 92nd Ave and east of Yosemite St)
- Site Size: 6.94 acres
- Existing building: 71,000 sq. ft.
office/warehouse/processing and 62 outdoor tanks with approx. 2 mil. gal. capacity
- Request: CUP and Development Plan approval for existing operations and site improvements
- Current zoning: I-3
- Future land use: General Industrial

Applicant's Request

Request 1: Existing tank farm exceeding 48,000 gallon above-ground capacity (requested increased capacity from existing 2.01 million gallons to 2.5 million gallons);

Request 2: Chemical processing and blending;

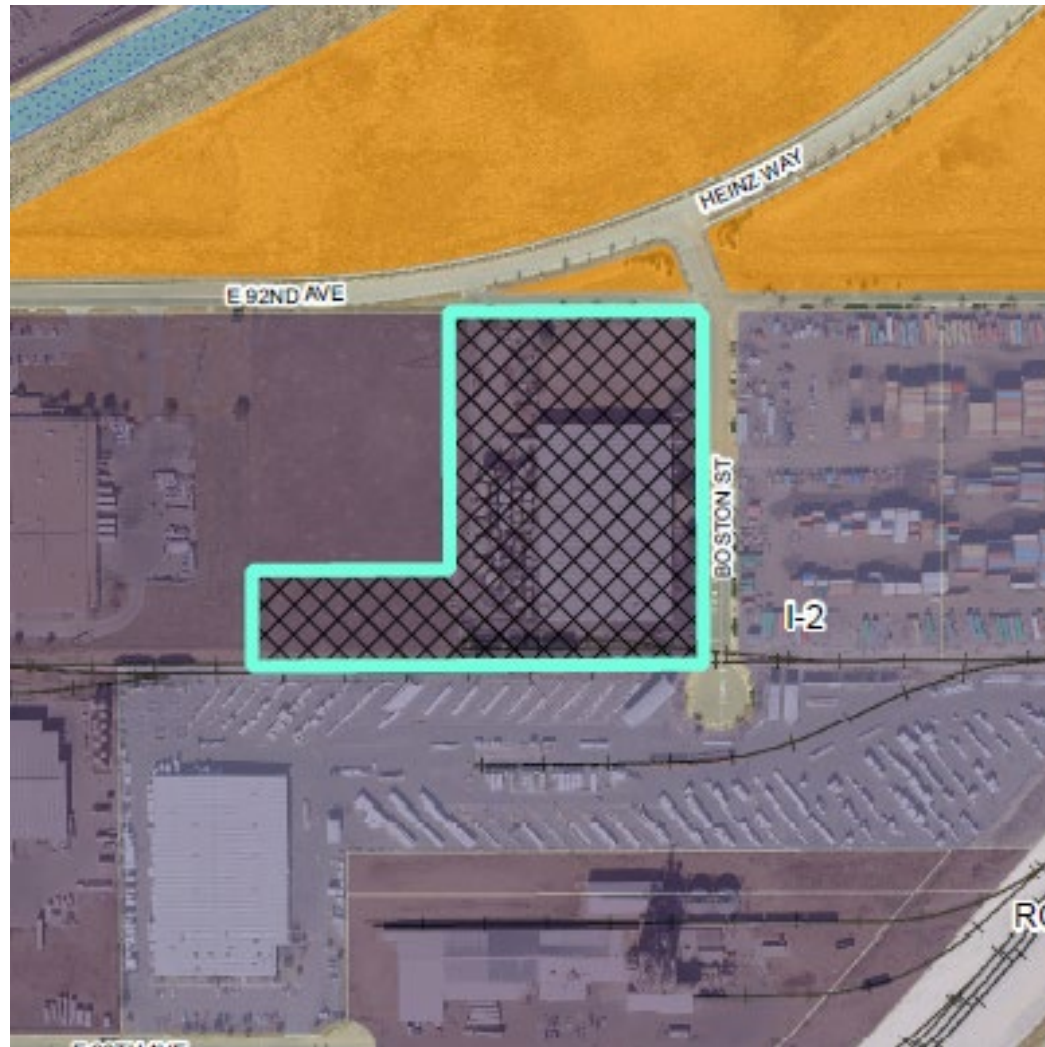
Request 3: Storage and processing of hazardous materials;

Request 4: Petroleum product manufacturing; and

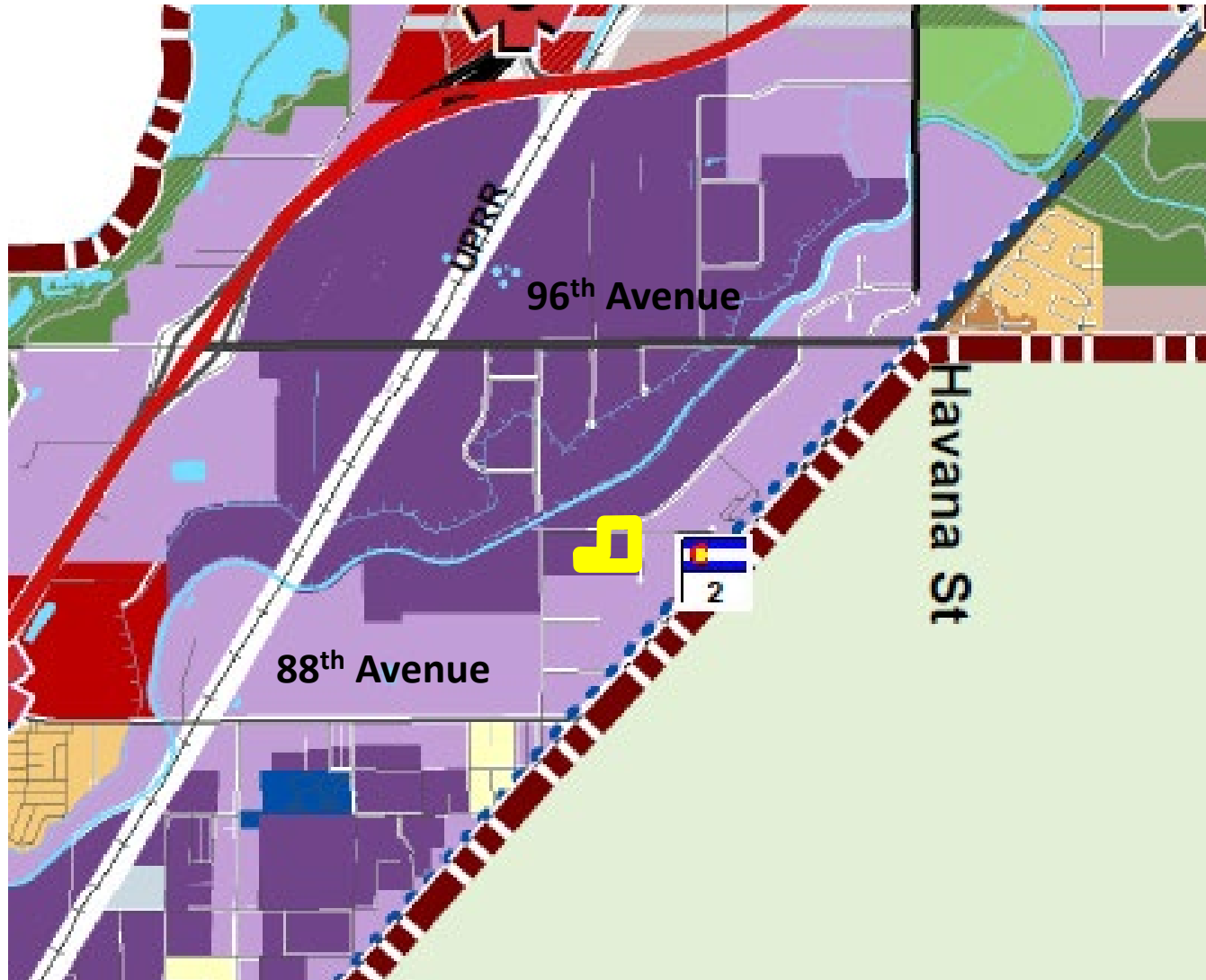
Request 5: Existing/modified rail spur (future expansion possible)

Development Plan: site operations and improvements

Subject Property



Future Land Use

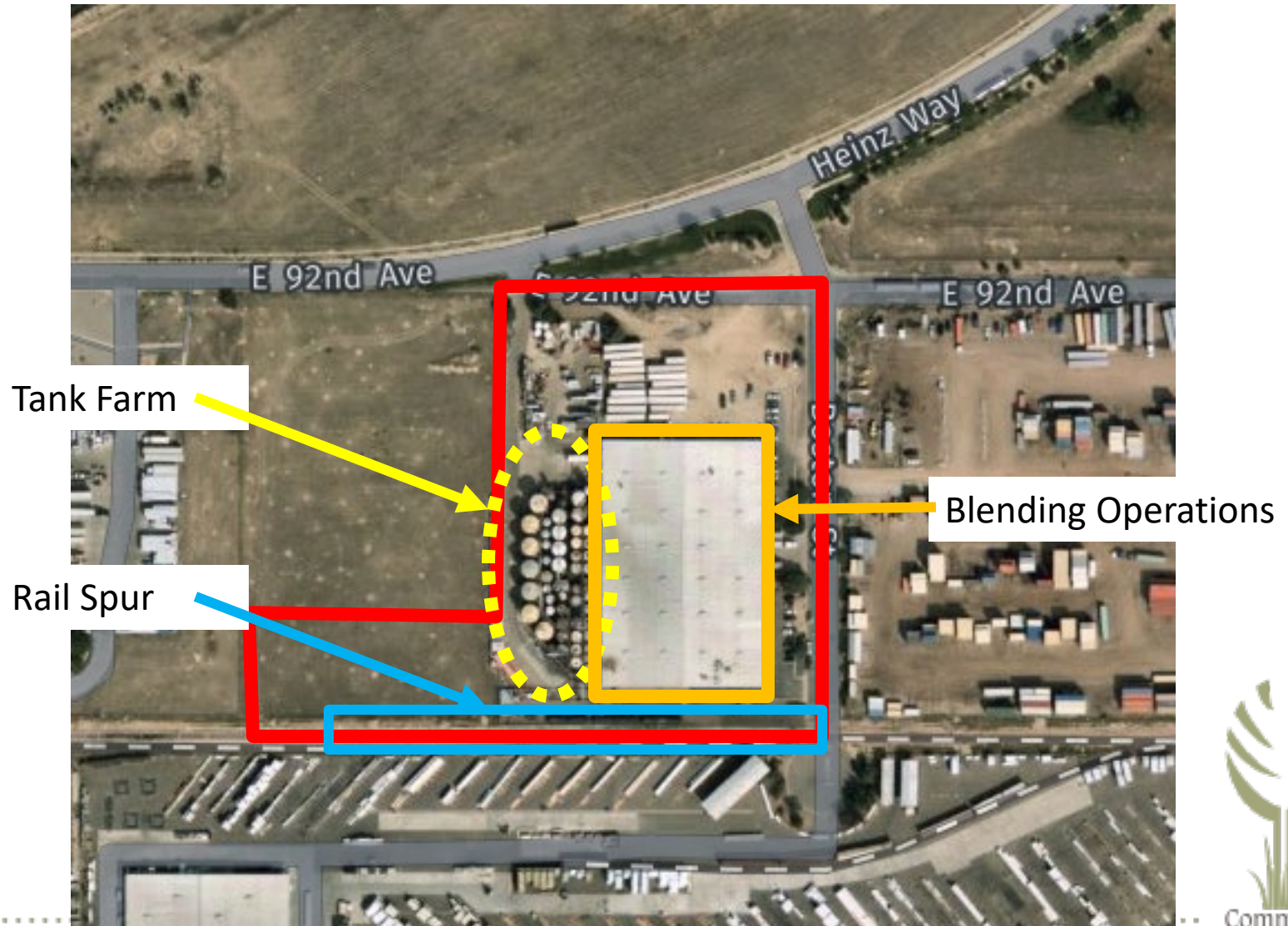


Case History

- Existing Site:
 - Developed in Adams County in 1983 with tank farm
 - Zoned I-3 with annexation in 2008; became legal non-conforming
 - Rocky Mountain Petroleum previous tenant
- Crystal Packaging moved to site from Denver in 2018
 - Est. in 1977
 - Started with mostly airline related products, grew to include commercial and consumer products
 - Emphasis on organic and environmentally friendly cleaning product production



Current Site Aerial



Crystal Packaging, Inc.

- Est. 1977
- Blended chemical products to airline industry
- Expanded over years to include products such as automotive, commercial and household products
 - Windshield wiper fluid, airplane deicer, synthetic oils, household cleaners, etc.
 - Organic and environmentally-friendly cleaning products
- Asset Purchase agreement in 2018
 - Move to subject site
 - Acquired Rocky Mountain Petroleum operations on site
- 42 employees on site (increase of 30 from previous operator)

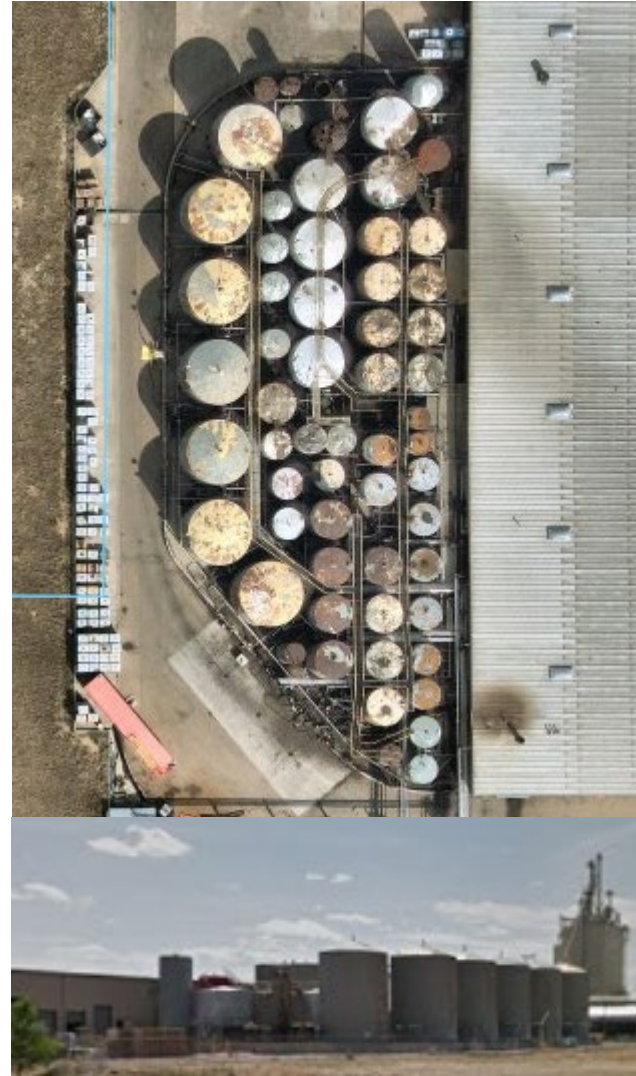
Environmentally-friendly and organic

- Household cleaning products
 - Available in most retail stores, including King Soopers, Whole Foods, Wal-Mart, Sprouts, etc.
- Organic and environmentally-friendly processes for cleaning products
- Production in Commerce City increases local production and can help keep retail costs lower



Request 1: Tank Farm

- Concrete spill containment area per fire and state codes
- 62 tanks, 2.01 million gallon capacity
- Tanks range in size from 5,000 gallons to 108,000 gallons



Tank Farm Details

- Secondary containment area based on largest tank size and part of emergency response plan
 - Concrete containment basin
 - 1.5 times largest tank volume (177,238 gallon containment area)
 - To date, only small spills in or out of building, less than 20 gallons
- Material storage – primarily non-hazardous
 - One tank stores methanol, which is flammable in quantity
- Reviewed and approved by Fire and Building safety codes
- All tanks are plumbed separately and due to type of materials stored, would be improbable to have multiple tank failures simultaneously

Request 2: Chemical processing/blending

- 71,000 sq. ft. building
- Blending and packaging of household products such as windshield wiper fluid, cleaning products, etc.
- No raw chemical manufacturing



Request 3: Storage and processing of hazardous materials.

- Most materials non-hazardous
- Methanol quantity requires H occupancy for flammability
- SACFD inspection
- Explosion-proof pumps added
- Used for blending operations

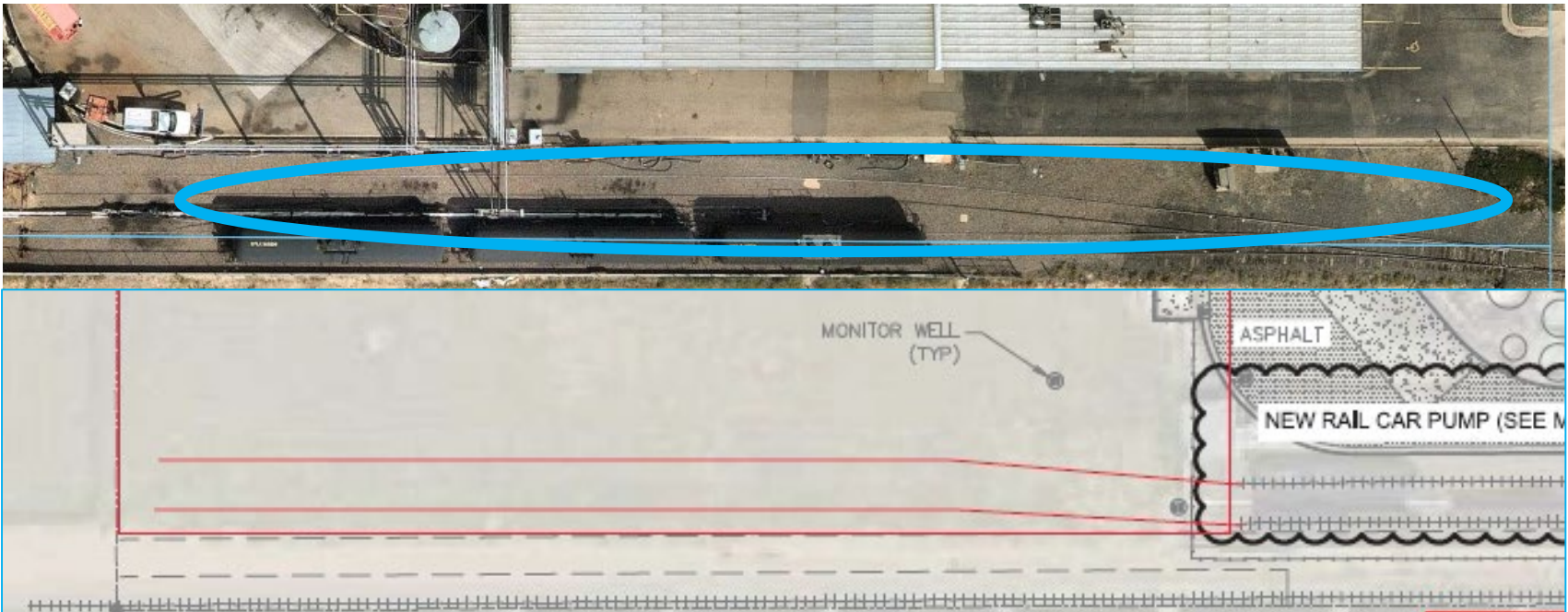


Request 4: Petroleum product manufacturing/blending

- Raw petroleum products are not refined, manufactured, or stored on site
- Products used in blending, automotive products



Request 5: Rail Spur



- Existing rail spur on south side of building, used to bring materials
- Possible expansion to west

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Improvements

- No additional public improvements are required.
- Additional landscaping along 92nd Avenue and Boston Street.
- Screened outdoor storage.
- Additional screening fence at northwest corner for tank farm.



SACFD Analysis

- Fire lane/no parking near tank farm
- Maintain 26 foot wide access
- Hazardous material sign on appropriate tank
- SACFD review of building and construction permits at time of submittal

Planning Commission Analysis

- Based on the applicant's request, the PC believes the CUP and Development Plan requests meet the approval criteria.
- The proposed CUP is suitable for the area and the site. The established business includes a stable job base of approx. 40 employees.
- Will allow for the use of an already developed site.
- Proposed site improvements add to the site compliance.

Planning Commission Analysis

- Overall site operations
 - Requests are suited to the site and the surrounding industrially developed area
 - Existing infrastructure and improvements in the area support the use and transportation to and from the site
 - Provides a stable employment base at the site



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Planning Commission Analysis

- Request 1 (tank farm)
 - Existing tank farm allows the utilization of existing improvements rather than a new tank farm
 - Replacement tanks allow business growth in an existing industrial area; painting new tanks beige or tan will reduce visual impact in future
 - Minimize visual impact with landscape/fence along 92nd Avenue



Planning Commission Analysis

- Requests 2-4 (blending, petroleum, and hazardous materials)
 - Operations occur primarily within building, with some outdoor storage
 - The operations at the site will have an emphasis on organic and environmentally-friendly products
 - The site is in a developed industrial area and the use will not substantially impact the area
 - An emergency response plan is in plan to address any spill or incidences involving chemicals
 - The CUP will allow the business to grow on site

Planning Commission Analysis

- Request 5 (rail spur)
 - The site is in an industrial area and the rail spur will not create substantial impacts
 - There is existing rail infrastructure in the area



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Planning Commission Analysis

- Development Plan
 - Associated with CUP request and operation of Crystal Packaging
 - Includes site improvements to mitigate uses
 - Meets city code requirements, including LDC



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Proposed Conditions

- A. The applicant shall install all proposed site improvements associated with the Conditional Use Permit within 12 months of approval of this CUP. These improvements include, but are not limited to, new construction of tanks, fencing, and landscaping as identified in the concurrently approved Development Plan.
- B. In no case shall the total storage tank capacity in the outdoor tank farm exceed 2,500,000 gallons.
- C. All new or replaced storage tanks in the outdoor tank farm shall be colored beige or tan.
- D. Any changes to the Emergency Response Plan shall be provided to the City's Police Department no later than 90 days after a change is made.

CUP Approval Criteria

- LDC Approval and Review Criteria
 - All six criteria of LDC Sec. 21- 3230(3)(a) met
 - At least one criteria of LDC Sec. 21-3230(3)(b) met



Development Plan Approval Criteria

- LDC Approval and Review Criteria
 - All four criteria of LDC Sec. 21-3212(5) met



Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 500 feet	✓	7 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Commerce City Sentinel-Express
Placard/Sign on Property	At least one sign on subject property	✓	Two Signs Posted

All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda.

Planning Commission Recommendation

- The Planning Commission recommends **approval with conditions** to City Council regarding both the Conditional Use Permit and the Development Plan in this case.



Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the City Council may have.

