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## Staff Report

TO: Planning and Zoning Commission

THROUGH: Derek Holcomb, AICP, Deputy Community Development Director

FROM: Michael Gradis, AICP, Planner II

DATE OF MEETING: November 9, 2016

DATE OF SUBMITTAL: November 2, 2016

SUBJECT: Resolution No. 2016-PZ-R-27: Ratification of Director of Community Development Approval of the Jordan Transfer Station Maintenance Shop Site Plan (Case No. LU-16-00108)

DISTRICT/LOCATION: District 3 – located north of E. Fremont Ave. and east of S. Jordan Rd. (<https://goo.gl/d5Bu0f>)

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### **1. Executive Summary:**

Upon review of the Jordan Transfer Station Maintenance Shop Site Plan, Case No. LU-16-00108 (the “Site Plan”), and finding that the Site Plan met all of the technical requirements and approval standards for a site plan set forth in the Land Development Code (the “LDC”), the Director of Community Development (the “Director”) approved the Site Plan on October 25, 2016. In accordance with Sections 12-14-203 and 12-14-602 of the LDC, the Director’s approval of the Site Plan must be ratified by the Planning and Zoning Commission.

### **2. Discussion:**

Baker Builders LLC and Olsen Performance Team, LLC (collectively known as the “Applicant”) on behalf of Waste Connections of Colorado, Inc. (the “Owner”) propose to construct a 9,600 square foot truck maintenance shop with four service bays on a 6.98 acre site. The existing waste transfer facility will remain on site. The site is located north of E. Fremont Ave. and east of S. Jordan Rd. The site is currently zoned Industrial (I) and is located within the Cherry Creek Business Center. As the truck repair use is not open to the general public and is accessory to the waste transfer use, it is permitted in the I zone district.

This Staff Report provides a summary of the Site Plan, a copy of which is attached. Staff recommends that the Planning and Zoning Commission ratify the Director’s approval of the Site Plan on the November 9, 2016 Consent Agenda, through approval of Resolution No. 2016-PZ-R-27. A copy of the Resolution is attached to this report and is incorporated herein by reference.

### **Site Plan Summary**

Applicant: Baker Builders LLC and Olsen Performance Team, LLC

Project Description: Site plan for a 9,600 square foot truck maintenance shop with four service bays on a 6.98 acre site  
Project Location: Located north of E. Fremont Ave. and east of S. Jordan Rd.  
Project Zoning: Industrial (I)

### **Director of Community Development Decision**

The Director approved the Site Plan on October 25, 2016, finding that the Jordan Transfer Station Maintenance Shop Site Plan met all of the technical requirements and approval standards for a site plan set forth in the LDC Section 12-14-602(D), *Approval Standards*:

- Site plans shall be used to implement physical design objectives of adopted Sub-Area Plans in a manner that is consistent with the standards of this LDC.
- The proposed site plan shall be designed to minimize impacts on the reasonable development expectations or the use and enjoyment of adjacent land or the public interest, consistent with the applicable standards of this LDC.
- The proposed site plan shall not materially and adversely affect the public health or safety through interpretations of the standards of this LDC that do not give full effect to other provisions that would be protective to health and safety if applied.
- The proposed site plan recognizes the limits of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.
- The proposed site plan provides for compatibility between the proposed development, surrounding land uses (existing or planned), and the natural environment.
- The proposed site plan provides for efficient and adequate provision of public services and solid waste removal.
- The proposed site plan protects public health and safety against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.
- The proposed site plan provides for accessibility within the proposed development and appropriate connectivity or buffering or both between the development and existing adjacent uses.
- The proposed site plan minimizes disruptions to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.
- If the site plan includes buildings that are more than 30 feet in height and the parcel proposed for development abuts existing residential development with existing views of the mountains, then the site plan shall distribute the mass of the buildings that are taller than 30 feet in a manner that allows for sight lines to the mountains from the residential development.

### **Ratification by Planning and Zoning Commission – Procedure**

Section 12-14-312(D) of the LDC establishes the applicable ratification procedures applicable to the Planning and Zoning Commission's consideration of the Director's approval of the Site Plan:

1. The Planning and Zoning Commission may ratify the Director's approval of the Site Plan upon approval of the consent agenda; or

2. The Planning and Zoning Commission may remove the ratification of the Site Plan from the consent agenda. If the Site Plan is removed from the consent agenda, the Planning and Zoning Commission is required to: (a) ratify the Site Plan by majority vote; or (b) schedule the Site Plan for a public hearing in accordance with Section 12-14-312(D)(3) of the LDC, if a majority of Planning and Zoning Commission members do not vote to ratify the Site Plan.

**3. Recommendations:**

Staff recommends that the Planning and Zoning Commission ratify the Site Plan on the November 9, 2016 Consent Agenda, by and through approval of Resolution No. 2016-PZ-R-27.

**4. Alternatives:**

The Planning and Zoning Commission may remove the ratification of the Site Plan from the consent agenda. If the Site Plan is removed from the consent agenda, the Planning and Zoning Commission is required to: (a) ratify the Site Plan by majority vote; or (b) schedule the Site Plan for a public hearing in accordance with Section 12-14-312(D)(3) of the LDC, if a majority of Planning and Zoning Commission members do not vote to ratify the Site Plan.

**5. Fiscal Impact:**

Ratification of the Jordan Transfer Station Maintenance Shop Site Plan will have no direct fiscal impact on the City.

**6. Next Steps:**

If ratified by the Planning and Zoning Commission, the Applicant is required to submit final mylars of the Site Plan to the Community Development Department for recordation within 60 days of Planning and Zoning Commission ratification.

**7. Previous Actions:**

The Director approved the Site Plan on October 25, 2016.

**8. Suggested Motions:**

Approval of the consent agenda will effect approval of Resolution No. 2016-PZ-R-27 and ratify the Jordan Transfer Station Maintenance Shop Site Plan. If the Site Plan is removed from the consent agenda, the Planning and Zoning Commission may ratify the Site Plan by majority vote with the following motion:

“I MOVE TO APPROVE RESOLUTION NO. 2016-PZ-R-27, A RESOLUTION RATIFYING THE APPROVAL OF THE JORDAN TRANSFER STATION MAINTENANCE SHOP SITE PLAN, CASE NO. LU-16-00108.”

Attachment 1: Jordan Transfer Station Maintenance Shop Site Plan, LU-16-00108  
Attachment 2: Resolution No. 2016-PZ-R-27