



## Development Review Team Comments

**Date:** 10/4/2024

**Project Number:** VSP2024-00027

**Project Name:** 55th Street T&T Bar Parking Variance

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**Commenting Division:** Planner Review 2nd Review

**Name of Reviewer:** David DeBoskey

**Date:** 10/04/2024

**Email:**

**Complete**

2nd Review

Applicant addressed planning comments. Please take heed of Building Safety's comments, though. The land use case review is complete, however, before we take the case to the Board of Adjustment hearing we recommend that the applicant addresses the building concerns. If approved, a variance has one year to complete all relevant building permits, and if these building concerns are not addressed and completed within that one year time frame, the variance approval is invalid and you will have to do this all over again. There is a possibility that the building concerns might not take as long as a year to sort out, but that's a risk the applicant takes. To address the building concerns please reach out the E-Permit Center and one of our building safety reviewers - Heather Whitaker if you have any questions.

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**Commenting Division:** Building Safety Review 2nd Review

**Name of Reviewer:** Heather Whitaker

**Date:** 10/03/2024

**Email:**

**Complete**

BSD-1 This building does not have a C.O. to occupy as a night club. The last C.O. issued with this building was for a B and F-1 occupancy in 2009. A building permit will be required for a change in use/occupancy to occupy this building as a nightclub.

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**Commenting Division:** Application Intake 2nd Review

**Name of Reviewer:** Sue Turner

**Date:** 09/11/2024

**Email:**

**Complete**  
resubmittal

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**Commenting Division:** Planner Review

**Name of Reviewer:** David DeBoskey

**Date:** 08/16/2024

**Email:**

**Resubmittal Required**

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No Response Required

PLN1:

Request to reduce the required number of parking spaces for a nightclub use from 81 spaces to 56 spaces.

This request came about during a CIU, USE2023-00034.

This would be a 30% reduction.

### 3-25-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement shall be one (1) acre in an Industrial-1 District.

Subject lot: 0.94 acres

### 3-25-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in an Industrial-1 District shall be one hundred (100) feet.

Subject lot: 150 feet

PLN2:

### 2-02-23-06 CRITERIA FOR APPROVAL

The Board of Adjustment in approving a variance shall consider:

1. Special physical requirements or circumstances exist which are peculiar to the land, the lot, or some aspect inherent in the land causes the hardship and are not applicable to other lands in the same district.
2. The literal interpretation of the provisions of these standards and regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these standards and regulations.
3. Granting of the variance requested will not confer on the applicant any special privilege denied by these standards and regulations for other land in the same zone district.
4. Because of physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the physical requirements of these standards and regulations.
5. The special circumstances applicable to the property have not been created by voluntary action or negligence by any person presently having an interest in the property.
6. The granting of the variance will be in harmony with the general purpose and intent of these standards and regulations and with the Adams County Comprehensive Plan.
7. The granting of a variance from strict application of these standards and regulations will not cause substantial detriment to the public good or impair the intent of these standards and regulations.
8. The variance would not allow a use which (a) is not otherwise permitted in the zone district in which the property is located, (b) would result in the extension of a non-conforming use, or (c) would change the zone classification of any or all of the subject property.

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Action (or acknowledgement) Required:

PLN3: The request says 81 spaces, but the totals amount to 86 spaces. Which is it? If the site plan needs to change, then you'll need to resubmit with an updated site plan with parking table. If it's the request (81) that can be easy, just request that upon resubmittal.

PLN4: Moreover, the parking chart table says "Elevated Seating Area" and then attaches "16 Occupants" to it. When it says "occupants" do you mean "seats"? Based on "Elevated Seating Area" I would presume seats, but this needs to be clearer throughout.

PLN5: The regulations allow for a Transportation Demand Management Study which can help. I believe we have talked about this option, and I want to double check that this remains not an option you want to explore?

4-15-04-06-02 PARKING ADJUSTMENTS Transportation Demand Management Study.

The Development may receive additional reductions in required parking by providing a Transportation Demand Management Study (Study) that reviews multiple comparable projects in the region. The Study must be prepared by a traffic or parking professional. Additional parking reductions up to 25% of the total required off-road parking as recommended by the Study may be approved by the Director (..more to this, but wanted to have you see the code reference).

PLN6: On-street parking would be something you will show to the Board of Adjustment, as Staff does not consider that adequate parking spaces.

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**Commenting Division:** Building Safety Review

**Name of Reviewer:** David DeBoskey

**Date:** 08/16/2024

**Email:**

**Complete**

BSD-1 Where parking is provided, accessible parking spaces shall be provided in compliance with Table 1106.1, except as required by sections 1106.2 through 1106.4 of the 2018 IBC.

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**Commenting Division:** Planner Review

**Name of Reviewer:** David DeBoskey

**Date:** 08/16/2024

**Email:**

**Complete**

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**Commenting Division:** Development Engineering Review

**Name of Reviewer:** David Dittmer

**Date:** 08/15/2024

**Email:**

**Complete**

No comments at this time



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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Megan Grant

**Date:** 08/15/2024

**Email:**

**Complete**

ENV1. No specific environmental comments about the parking space variance.

ENV2. The applicant provided a water and sewer bill for the existing building. Proof of water and sewer availability for the specific proposed project will be required with subsequent permit application(s). Will-serve letters from North Washington Street Water and Sanitation District (or other applicable water and sewer provider) and/or documentation of correspondence regarding proof of water and sewer availability and service for the specific proposed project will be required for Adams County review at time of subsequent permit application(s).

The following comments will apply to subsequent development application(s):

ENV3. The subject parcel is located within the Adams County Mineral Conservation Overlay (MCO) district, the purpose of which is to establish reasonable and uniform limitations, safeguards, and controls for the conservation and wise utilization of natural resources and for rehabilitation of excavated land. Land within this classification is designated as containing commercial mineral deposits in sufficient size parcels and in areas where extraction and rehabilitation can be undertaken while still protecting the health, safety, and welfare of the inhabitants of the area and Adams County. Although this parcel is located within the MCO district, the parcel is less than 5 acres and previously developed; therefore, the MCO restrictions are not applicable in this case.

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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Megan Grant

**Date:** 08/15/2024

**Email:**

**Comment**

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The following comments apply to flammable gas:

ENV4. If you have documentation related to flammable gas investigation(s) and/or methane mitigation systems for the subject parcel, please provide this information for Adams County review.

ENV5. This parcel is located within the Flammable Gas Overlay (FGO) district. The FGO district covers properties/parcels that are either known to be historic landfill sites or are within a certain proximity of known historic landfills, both of which present specific environmental and public health risks if such land is disturbed.

ENV6. The FGO requires that if the applicant proposes to construct buildings, change the use of any lot, or disturb the soil of any lot within the overlay, they shall either conduct a flammable gas investigation to determine that flammable gas (methane) is not present within the subsurface soils or design the building(s) with a flammable gas control system. Refer to Adams County Development Standards and Regulations (ACDSR) Section 3-40.

ENV7. The soil gas investigation plan and design of flammable gas control system, as necessary, must be approved by Colorado Department of Public Health and Environment (CDPHE) and Adams County Health Department (ACHD). Approval documentation and all responses from the aforementioned organizations must be submitted to the Chief Building Official within the Adams County Community and Economic Development Department prior to permit approval.

ENV8. Construction or soil disturbance activities within the FGO must adhere to special precautions. If it has not been demonstrated that flammable gas is not present, the following health and safety practices shall be followed:

1. A flammable gas indicator will be utilized at all times during trenching, excavation, drilling, or when working within ten (10) feet of an open excavation.
2. Before personnel are permitted to enter an open trench or excavation, the trench or excavation will be monitored to ensure that flammable gas is not present in concentrations exceeding 1% and that oxygen is present at a minimum concentration of 19.5%. When in an excavation or trench, each work party will work no more than five (5) feet from a continuous flammable gas and oxygen monitor.
3. When trenching, excavating, or drilling deeper than two (2) feet into the fill, or in the presence of detectable concentrations of flammable gas, the soils will be wetted and the operating equipment will be provided with spark proof exhausts.
4. A dry chemical fire extinguisher, ABC rated, will be provided on all equipment used in the landfill.
5. Personnel within or near an open trench or drill hole will be fully clothed, and wear shoes with non-metallic soles, a hard hat and safety goggles or glasses.
6. Exhaust blowers will be used where trenches show a concentration of 1% flammable gas or a concentration of less than 19.5% oxygen.
7. Smoking will not be permitted in any area within one hundred (100) feet of the excavation.
8. Personnel will be kept upwind of any open trench unless the trench is continuously monitored.
9. All other applicable Safety and Health Regulations for Construction, as promulgated in 29 CFR by the Occupational Safety and Health Administration, shall be met. Applicable regulations include, but may not be limited to, the confined space standard (Part 1926.21(b)(6)(i) and (ii) in Subpart C); gases, vapors, fumes, dusts and mists (Part 1926.55 in Part 1926 Subpart E); fire protection and prevention (Part 1926 Subpart F); and trenching and excavation (Subpart P).
10. Compliance with the Occupational Safety and Health Administration's confined space requirements for general industry, as promulgated in 29 CFR 1910.146 and Appendices A- F.

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**Commenting Division:** Neighborhood Services Review

**Name of Reviewer:** Cornelia Warnke

**Date:** 07/30/2024

**Email:**

**Complete**

There are no open violations at this location at this time. No comment.

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