



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Meeting Minutes

Planning Commission

Tuesday, August 6, 2024

6:00 PM Council Chambers, 7887 E. 60th Ave Commerce City, CO 80022. The public can participate virtually by registering in advance with the Zoom Registration: https://c3gov.zoom.us/webinar/register/WN_yLBU4fVFSIekg0f58FqVDg

Meetings occur in person in the City Council Chambers (location above). The public can watch the meeting live on the city's public access TV or Xfinity cable channels 8 and 881 or on our YouTube channel. The Zoom link above allows virtual participation.

New Commission Member Orientation - 4:30 PM

Orientation held in Conference Room 2108

Call to Order - 6:01 PM

The meeting is called to order at 6:01 PM

- Present** 5 - Commissioner Timothy Hoskens, Commissioner Robb Shecter, Commissioner Debra Eggleston, Commissioner David Sanchez, and Commissioner Steven Vanheusen
- Excused** 1 - Commissioner Garret Biltoft

Roll Call

A motion was made by Commissioner Shecter and seconded by Commissioner Hoskens to vote upon a Temporary Chairperson to run this meeting.

- Ayes:** 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

Approval of Minutes:

[Min 24-129](#)

July 2,2024 Planning Commission Meeting Minutes

Attachments: [July 2,2024 Meeting Minutes](#)

A motion was made by Commissioner Eggleston, seconded by Commissioner Hoskens, that this Minutes be approved VOTE:

- Ayes:** 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

Public Hearings

[Pres 24-432](#)

Z-973-21-24: Anderson-CRP Trust is requesting approval of an Annexation Zone Change for three parcels from ADCO A-3 (Adams County Agricultural-3) to Commerce City PUD (Planned Unit Development). The subject property is approximately 120.94 acres and is located at 9901 Chambers Road. This item was continued from the July 2nd Planning Commission Meeting

- Attachments:**
- [Zone Change Report](#)
 - [Applicant Planning Commission Concerns Response](#)
 - [Vicinity Map](#)
 - [Applicant Narrative](#)
 - [PUD Zone Document](#)
 - [Concept Plan](#)
 - [Neighborhood Meeting Summary](#)
 - [Public Comment](#)

A motion was made by Commissioner Eggleston to reopen the Anderson Ranch Hearing Case and seconded by Commissioner Hoskens. Vote: Ayes: 5 - Commissioner Eggleston, Commissioner Hoskens, Commissioner Sanchez, Commissioner VanHeusen, and Commissioner Shecter.

Commissioner VanHeusen and Commissioner Sanchez recused themselves from the hearing.

Planner, Nathan Chavez announced the case followed by a presentation from the applicants and staff.

There were 2 members of the public that provided comments in opposition of the proposal.

A motion was made by Commissioner Hoskens and Commissioner Eggleston proposed a condition on 102nd avenue.

Interim Director, Jeff Brasel, clarified that this application for the Plan Unit Development approves the zoning and the next step in the process would be the subdivision plat and they wouldn't be able to plat land they don't own.

Commissioner Eggleston withdrew her condition.

A motion was made by Commissioner Hoskens, "I would like to move that the Planning Commission find the requested plan unit development zoning for the property located at 9901 Chambers Road contained in case Z-973-21-24 meets the criteria of the Land Development Code and based on such finding recommend that the City Council approve the PUD zoning" seconded by Commissioner Eggleston, VOTE:

Ayes: 3 - Commissioner Hoskens, Commissioner Shecter and Commissioner Eggleston

Recused: 2 - Commissioner Sanchez and Commissioner Vanheusen

[Pres 24-433](#)

CU-131-24: Crown Associates LLC is requesting approval of a Conditional Use Permit for the stacking of shipping containers higher than 20 feet. The subject property is currently zoned I-3 (Heavy-Intensity Industrial), consisting of approximately 28.24 acres, and is located at 10051 Dallas Street.

Attachments: [Conditional Use Permit Report](#)
[Vicinity Map](#)
[Applicant Narrative](#)
[Plans](#)

Planner, Dalton Guerra, announced the case.

The applicant and staff presented the case.

A motion was made by Commissioner Eggleston, "I move that the Planning Commission enter a finding that the requested Conditional Use Permit for the property located at 10051 Dallas Street contained in case CU-131-24 meets the criteria of the Land Development Code and based on such finding recommend that the City Council approve the PUD zoning" seconded by Commissioner VanHeusen, VOTE:

Ayes: 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

[Pres 24-434](#)

PUDA23-0003: Southwestern Property Corporation is requesting approval of the Commons at 104th 2nd Amendment PUD Zone Document, to allow additional land uses, for the 16.57 acre property generally located at the southeast corner of Potomac Street and East 104th Avenue.

Attachments: [PUD Amendment Report](#)
[Vicinity Map](#)
[Applicant Narrative](#)
[Proposed Zone Document](#)
[Existing Zone Document](#)

Planner, Dalton Guerra, announced the case.

The applicant and staff presented the case.

A motion was made by Commissioner Hoskens, "I move that the Planning Commission enter a finding that the requested PUD zone document amendment located at the southeast corner of Potomac St. and E.104th Ave. contained in case PUDA23-0003 meets the criteria of the Land Development Code and based on such finding recommend that the City Council approve the PUD amendment" seconded by Commissioner VanHeusen, VOTE:

Ayes: 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

[Pres 24-435](#)

Z-979-24: Applegreen, is requesting approval of a Zone Change for one, approximately 4.40-acre, lot from AG (Agricultural) to C-3 (Regional Commercial). The subject property is located at 9021 E-470, along the eastern (northbound) side of E-470 between East 88th Avenue and East 96th Avenue.

- Attachments:** [Zone Change Report](#)
 [Vicinity Map](#)
 [Applicant Narrative](#)
 [Site Plan & Elevations](#)

Nathan Chavez announced the case.

The applicant and staff presented the case.

A motion was made by Commissioner Hoskens,"I would like to move that the Planning Commission finding the requested zone change for the property located at 9022 E-470, contained in case Z-979-24 meets the criteria of the Land Development Code and based on such finding recommend that the City Council approve the zone change with the following conditions: number one, once the Adams County Water and Sanitation District has utilities constructed within 400 feet of the project location the owner will be required to connect to the water districts utilities at that time" seconded by Commissioner Sanchez, VOTE:

Ayes: 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

[Pres 24-436](#)

Z-980-24: Applegreen, is requesting approval of a Zone Change for one, approximately 4.47-acre, lot from AG (Agricultural) to C-3 (Regional Commercial). The subject property is located at 9022 E-470, along the western (southbound) side of E-470 between East 88th Avenue and East 96th Avenue.

- Attachments:** [Zone Change Report](#)
 [Vicinity Map](#)
 [Applicant Narrative](#)
 [Site Plan & Elevations](#)

Nathan Chavez announced the case.

The applicant and staff presented the case.

A motion was made by Commissioner VanHeusen, "I move that the Planning Commission enter a finding the requested zone change for the property located at 9022 E-470, contained in case Z-979-24 meets the criteria of the Land Development Code and based upon such finding recommend that the City Council approve the zone changes with the following conditions: number one,

once the South Adams County Water and Sanitation District has utilities constructed within 400 feet of the project location the owner will be required to connect to the SACWSD utilities at that time" seconded by Commissioner Sanchez, VOTE:

Ayes: 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

[Pres 24-437](#)

Comprehensive Plan: An update of the Commerce City Comprehensive Plan

Attachments: [DRAFT Commerce City Comprehensive Plan](#)
[Comprehensive Plan Memo](#)

Interim Community Development Director, Jeff Brasel, presented the Comprehensive Plan.

There was 1 public comment including a letter of support for the plan.

A motion was made by Commissioner Eggleston, "I move that the Planning Commission enter a finding that the comprehensive plan is satisfactory to the Planning Commission and recommends that the City Council approve and adopt the comprehensive plan with the following conditions: all the recommended changes be made as listed in the Commerce City 2045 Comprehensive Plan memo dated August 6, 2024, that's condition one. Condition two is that it be translated into Spanish when the plan is completed. And then condition three would be to make sure that the changes are made from Mr. Harmon's letter" seconded by Commissioner Hoskens, VOTE:

Ayes: 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

Attorney Business:

Attorney, Genevieve Gill, brought up the motion for case Z-980-24 was incorrectly read.

A motion was made by Commissioner Eggleston to reconsider the hearing, seconded by Commissioner Sanchez, Vote: Ayes: 5 -Commissioner Eggleston, Commissioner Hoskens, Commissioner Sanchez, Commissioner VanHeusen, and Commissioner Shecter.

A motion was made by Commissioner Eggleston, "I motion that the Planning Commission enter a finding the requested zone change for the property located at 9022 E-470, contained in case Z-980-24 meets the criteria of the Land Development Code and based on such finding recommend that the City Council approve the zone change with the following conditions: Once the South Adams County Water and Sanitation District has utilities constructed within 400 feet of the project location the owner will be required to connect to the South Adams County Water and Sanitation District utilities at that time" seconded by Commissioner Sanchez, VOTE:

Ayes: 5 - Commissioner Hoskens, Commissioner Shecter, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

Excused: 1 - Commissioner Biltoft

Elections of Chair and Vice Chair to be scheduled for September Meeting

Board Business:

Commissioner Hoskens discussed the interest of the planning board in joining the American Planning Association as a condition of planning board.

A motion was made by Commissioner Hoskens, "If the planning commission can join the American Planning Association and request city council to provide budget fund in the 2025 budget" seconded by Commissioner Sanchez, VOTE:

Ayes: 4 - Commissioner Hoskens, Commissioner Eggleston, Commissioner Sanchez and Commissioner Vanheusen

Nays: 1 - Commissioner Shecter

Staff Business:

Staff to provide updates on the Tower Landfill cases heard in June

Planner, Nic Berry, let the planning commission know all Tower Landfill cases have been approved by City Council.

Adjournment - 9:16 PM