

Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
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Meeting Minutes - Draft

Tuesday, January 3, 2023

6:00 PM

This meeting will be held in person in the City Council Chambers (location above). There will be general public physical access to Council Chambers, 7887 E. 60th Ave., Commerce City, CO 80022. This meeting or virtual participation by using the Zoom link above. This meeting will be live on Channel 8 and c3gov.com/video. Zoom

Registration:

https://c3gov.zoom.us/webinar/register/WN_kd-s_DTaQk6Xf5_MV2BYuQ
Planning Commission

Call to Order

Chair Popiel called the meeting to order at 6:00 PM

Pledge of Allegiance

Roll Call

Present 5 - Commissioner Andrew Amador, Commissioner Angela VanDijk, Commissioner Garret Biltoft, Chair Jonathan Popiel, and Commissioner Jordan Ingram

Approval of Minutes:

[Min 22-342](#)

Approval of minutes for December 6, 2022 Planning Commission

Attachments: [Planning Commission Minutes 12_06_22](#)

Acting Deputy City Attorney, Sarah Geiger stated that the December 6, 2022, Meeting Minutes be corrected to reflect her title as, "Acting Deputy City Attorney." Instead of Interim City Attorney.

Minutes approved as amended

Ayes: 4 - Commissioner Amador, Commissioner Biltoft, Chair Popiel and Commissioner Ingram

Abstentions: 1 - Commissioner VanDijk

Case(s):

[Pres 22-728](#)

S-814-23: Thompson Thrift requests approval of the Second Creek Village Amendment No. 6 Subdivision Plat to replat two existing commercial lots into three commercial lots for future development. The property totals approximately 6.5 acres located at the northeast corner of Chambers Rd. and E. 104th Ave., zoned PUD (Planned Unit Development District).

Attachments: [Staff Report](#)

[Vicinity Map](#)

[Second Creek Village Amendment No. 6 Plat](#)

Acting Deputy City Attorney, Sara Geiger, introduced the case and staff presenting case # S-814-23,

Principal Planner, Jennifer Jones, presented the first case as the Second Creek Village Plat, Amendment No. 6. Located Northeast Corner of E. 104th Avenue and Chambers Road. Thompson Thrift is requesting approval of the Second Creek Village Amendment No. 6 Subdivision Plat to replat two commercial lots into three commercial plots to create a stand-alone lot for the vacant pad site. Ms. Jones stated that the Development Review Team reviewed the Plat on October 10, 2022, and found that all Land Development Codes approval criteria were met, and recommended approval of the Second Creek Village Subdivision Plat Amendment No.6.

A motion was made by Commissioner Amador, "I move that the Planning Commission enter a finding that the Second Creek Village Amendment No.6 Final Plat, for the property located at the northeast corner of E. 104th Avenue and Chambers Road, contained in case S-814-23 meets the criteria of the Land Development Code and based upon such finding, recommend that the City Council approve the Final Plat."

Seconded by Commissioner VanDijk, that Case # S-814-23 is recommended for approval VOTE:

Ayes: 5 - Commissioner Amador, Commissioner VanDijk, Commissioner Biltoft, Chair Popiel and Commissioner Ingram

Action Items:

[Pres 22-655](#)

Ord 2433: An ordinance to amend Sections 21-3250, 21-3251, 21-3252, 21-4370, and 21-6270 of the Land Development Code to update the Planned Unit Development standards, approval process, and requirements.

Attachments:[Staff Report](#)[Planned Unit Development Process: LDC Text Amendment Redline Version](#)[Planned Unit Development Process: LDC Text Amendment Clean Version](#)[Public Comment Letters](#)

Planner, Nathan Chavez, presented the Ordinance # 2433, Planned Unit Development (PUD) Process LDC Amendments.

Mr. Chavez stated that the said Ordinance # 2433 was a joint effort from the Planning Commission, City Council, and staff to identify items related to the PUD process, which includes the general lack of commercial development throughout the City's mix use areas within PUD's.

Therefore, the proposed ordinance is meant to update some of the requirements for obtaining a PUD. Additions will require developers and applicants to propose a unique product that brings innovative development to the City. Additional updates include PUD Concept Schematics requirements prior to a PUD Zone Document submittal. A PUD Concept Plan must accompany a PUD Zone Document, adding a 50-acre size minimum for new PUDs, increasing the private park land requirement for PUDs, and providing a threshold for required private park land requirements.

Mr. Chavez stated that based upon the analysis above, staff recommends that the Planning Commission forward the requested LDC Amendment (Ordinance #2433) to the City Council with a recommendation of approval.

Commissioner Amador inquired about the involvement of the developers, the impact on the development community, and how they responded to the proposed requirements.

The Planning Manager, Steve Timms, reported that the planning department meets with the development community every other month to discuss projects, and processes, and receive feedback. The Home Builders Association representatives and about 35 other building professionals attend these meetings.

Chairman Popiel ask Mr. Timms if the public comments were more concerned with additional submittals than private parks and open space.

Mr. Timms, confirmed that the Chairman was correct and clarified that these changes would not add additional application submittals.

Commissioner Amador appreciated the clarification and dedication staff has given in making such changes upfront to avoid vague language and other issues.

Commissioner Biltoft asked whether the proposed Ordinance Amendment would affect Case S-814-23.

Mr. Timms reported that the Ordinance Amendment is strictly for zoning cases not for

Conditional Uses, Subdivisions or Annexations.

Additionally, Mr. Timms, stated that a straight Rezoning would require a development plan vs a speculative type of plan, vs a speculative plan.

Virtual participation from Steve Douglas was in support of Ordinance #2433.

Public participation from Zell Cantrell of True Life Companies, located at 1601 19th Street Denver, CO, did not support the changes. Mr. Cantrell expressed concerns that 50 acres per lot would orphan certain properties West of E-470 if the City comes up with innovative developments other than infill residential. Furthermore, Mr. Cantrell was concerned about the higher density potentially getting penalized with larger open spaces.

Steve Timms, stated that the PUD would ensure developers submit innovative developments. The proposed changes are consistent with today's new era, and updating the City's codes is a means to keep up with its population growth. There are allowances for unique circumstances.

A motion was made by Commissioner Amador, "I move that the Planning Commission enters a finding that City Council approve the proposed Ordinance #2433 amending the Commerce City Land Development Code."

Seconded by Commissioner Biltoft, that Ordinance # 2433 is recommended for approval VOTE:

Ayes: 5 - Commissioner Amador, Commissioner VanDijk, Commissioner Biltoft, Chair Popiel and Commissioner Ingram

Board Business:

None

Attorney Business:

None

Staff Business:

Planning Manager, Steve Timms introduced new Planner, Mike Rosso to the commissioners reporting that Mike moved to Colorado from Florida.

Mr. Timms reported to the Commission that there is a zoning case for February's Planning Commission meeting.

Adjournment

Chair Popiel adjourned the meeting at 6:52 PM