

COMMERCE CITY PLANNING COMMISSION

October 6, 2015

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CALL TO ORDER: Chairman J.E. “Mac” McFarlin called the meeting to order at 6:00 p.m.

PLEDGE: Chairman McFarlin led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL: Lorena Ruiz called roll. **Present:** McFarlin, Dreiling, Cammack, Jones, and Robertson.

OTHERS PRESENT: Steve Timms, Planning Manager
Jared Draper, Planner
Paul Workman, Planner
Karen Stevens, Deputy City Attorney
Kerry Romero, Administrative Supervisor
Lorena Ruiz, Administrative Specialist

For the record, alternate Commissioner Harvest Thomas was present in the audience.

MINUTES: Commissioner Robertson abstained from voting on the August 4, 2015 minutes because he was not present at the meeting.

Commissioner Jones made a motion to approve the minutes of the August 4, 2015 meeting. Commissioner Cammack seconded the motion.

Jones	Yes	
Cammack	Yes	
McFarlin	Yes	
Dreiling	Yes	
Robertson	Abstained	4 Yes, Motion passed.

CASES: The Planning Commission heard the following case.
Proceedings continued on the following pages.

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CU-112-15: A Good Shop is requesting a Conditional Use Permit for an auto body and repair shop at 7350 Highway 2, zoned PUD. Ms. Stevens asked that the record reflect that the file contained the relevant notification and publication information. Mr. Draper reviewed the staff report and presentation. The Derby Review Board approved site improvements and catalyst funds in September 2015. The Development Review Team recommended approval, subject to three conditions.

In response to questions by the commission, staff explained that tow-in vehicles would be moved from the site within 24 hours, the applicant is proposing landscape improvements at a later time, and the Highway 2 expansion will not affect access to the site.

Alan Stern, 2000 West 92nd Avenue, Federal Heights, stated that all tow-ins will be transferred to the main shop located in Thornton because it specializes in heavy collision repair. The Commerce City location would not repair vehicles with major damage. Mr. Stern explained that a privacy fence was not included in the proposal because of the high cost and it would not be necessary since the amount of tow-ins would be low.

Rod Titoni, 7350 Highway 2, Commerce City, stated the owner of the property located north of the subject property did not have any objections to the request.

Chairman McFarlin opened the hearing for public comment. There being no public comment, the public hearing was closed and a motion was requested.

Motion:

Commissioner Robertson made the following motion “I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Conditional Use Permit for the property located at 7350 Highway 2 contained in case CU-112-15 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit subject to the following conditions:

1. Landscaping, approved tow-in screen wall, and wrought iron fencing shall be installed along the perimeter of the site to align with the vision and goals of the Derby Design Guidelines and requirements of the Land Development Code within 9 months of approval;
2. The applicant shall continue maintenance of the site to include no outdoor storage of junk or inoperable vehicles and keeping the site in an orderly appearance;
3. All applicable improvements to the exterior of the building or the site shall be reviewed by the Derby Review Board.”

Commissioner Dreiling seconded the motion.

Robertson	Yes	
Dreiling	Yes	
Cammack	Yes	
Jones	Yes	
McFarlin	Yes	5 Yes, Motion passed

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Z-913-15: The City of Commerce City and Shell Oil Company are requesting annexation zoning to Public and Agricultural for the properties generally located at the northeast corner of E. 96th Avenue and Peoria Street. The City of Commerce City is requesting annexation zoning to Agricultural for property generally located at the northeast corner of the Rocky Mountain Arsenal National Wildlife Refuge and south of E. 96th Avenue. Ms. Stevens introduced the case and asked that the record reflect that the file contained the relevant notification and publication information. Mr. Workman reviewed the staff report and the presentation, including the Development Review Team's recommendation for approval, subject to one condition. He noted that a concurrent annexation case AN-232-15 was being considered by City Council. The property is undeveloped with no imminent plans for development. Two letters of support were received for the request.

The hearing was opened to the public. There being no public comment, the public hearing was closed and a motion was requested.

Motion:

Commissioner Jones made a motion "I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Annexation Zoning for the properties generally located at the northeast corner of E. 96th Avenue and Peoria Street as well as the property at the southwest corner of E. 96th Avenue and the Buckley Road alignment contained in case Z-913-15 meet the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Annexation Zoning subject to the following condition:

1. At the request of the city, the property owner will dedicate right-of-way for Peoria Street and E. 96th Avenue at no expense to the city."

Commissioner Cammack seconded the motion.

Jones	Yes	
Cammack	Yes	
Dreiling	Yes	
McFarlin	Yes	
Robertson	Yes	5 Yes, Motion passed

Z-928-15: The City of Commerce City is requesting to rezone from Agricultural to Public for property generally located at the northwest corner of East 96th Avenue and Peoria Street. Ms. Stevens introduced the case and asked that the record reflect that the file contained the relevant notification and publication information. Mr. Workman reviewed the staff report and the presentation. The property is the future site of the Maul Reservoir and will not be open for recreations purposes. The Development Review Team recommended approval for the request.

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There were no questions or comments from the public and the meeting was closed and a motion was requested.

Motion:

Commissioner Cammack made the following motion “I move that the Planning Commission enter a finding that the requested rezoning for the property generally located at the northwest corner of E. 96th Avenue and Peoria Street contained in case Z-928-15 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the rezoning.” Commissioner Jones seconded the motion.

Cammack	Yes
Jones	Yes
Dreiling	Yes
McFarlin	Yes
Robertson	Yes

5 Yes, Motion passed.

Commission Business:

The Commission discussed attendance for the Boards and Commissions Basic Workshop on October 28, 2015.

Staff Business:

The final Historic Preservation Plan was distributed to the Commission. Staff thanked the Commission for their input and support during the historic preservation plan process.

The meeting schedule was discussed for the remainder of 2015.

Adjournment:

There being no further business to discuss, Chairman McFarlin adjourned the meeting at 6:45pm.

J.E. “Mac” McFarlin
Chairman

Lorena Ruiz,
Administrative Specialist