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February 28, 2022

Via E-mail: Hader, Matt - CA [mhader@c3gov.com](mailto:mhader@c3gov.com)

Matt Hader  
Interim City Attorney – City of Commerce City  
7887 E 60th Ave.  
Commerce City, CO 80022  
(303) 289-8130

***Re: Reunion Filing 38 Final Plat Public Hearing - Recusal of City Council Member Susan Noble***

Dear Mr. Hader,

Spencer Fane, LLP represents Clayton Properties Group II, Inc. d/b/a Oakwood Homes (“Oakwood”). Oakwood owns approximately 21.9 acres of property located at the southeast corner of E. 112th Ave & Chambers Rd., commonly referred to as Reunion Filing 38 (“Reunion Filing 38”). Oakwood’s application for final subdivision plat approval of Reunion Filing 38 is currently pending with Commerce City (“City”). Please accept this correspondence as Oakwood’s formal request for Commerce City Council (“Council”) Member Susan Noble (“Noble”) to immediately recuse herself from the March 7, 2021 public hearing before Council regarding the Reunion Filing 38 application (“Hearing”).

A. Background

Per the City’s Land Development Code, process, applications for final subdivision plats are generally administratively approved by City staff, unless a hearing is requested by the director, City Council, or the public. *Commerce City, Colorado Land Development Code, Article III, Sec. 21-3200*. City Council voted on whether to require the public hearing process for the Reunion Filing 38 Final Plat (wherein Noble voted City Council should require public hearings). However, this vote did not amass the necessary majority of votes to pass the motion, and therefore, a public hearing for the Reunion Filing 38 application was not required by City Council.

Following City Council’s failed vote to require a public hearing, Noble posted on her professional Facebook account, on two separate occasions, public service announcements concerning approval of the Reunion Filing 38 Final Plat application. Noble’s social media posts detail her position that public hearings are necessary for all land use development project approvals, and that the relevant public must request a public hearing for their opinions to be

considered by the City in its approval/disapproval of the Reunion Filing 38 application. Copies of Noble's social media posts are attached hereto as Exhibit 1.

As a result of Noble's social media postings, per public request, the Hearing for the approval/disapproval of the Reunion Filing 38 Final Plat application before City Council was required and scheduled for March 7, 2022.

In addition, Noble has been communicating, via email, with City residents regarding the Reunion Filing 38 Final Plat application and upcoming Hearing. Noble's email communications are attached hereto as Exhibit 2.

#### B. Noble's Lack of Impartiality

Per Council Policy, the upcoming Hearing is quasi-judicial in nature and requires all City Council members, including Noble, to conduct themselves in an impartial manner when determining whether or not to approve the Reunion Filing 38 Final Plat application. See COUNCIL POLICY #CP-22 (Procedure for Quasi-Judicial Hearings) ("The conduct of quasi-judicial public hearings by the City Council shall be accomplished in a legal manner that is fair to all members of the public. In this regard, the City Council intends that each quasi-judicial public hearing shall be conducted in an open and impartial manner that recognizes the concerns of all members of the public having a legitimate interest in the proceeding and allows an opportunity for the City Council to give fair consideration to all issues presented at the public hearing.").

Noble, however, is incapable of serving as an impartial decision maker in the quasi-judicial Hearing. Noble's social media usage and conduct surrounding the Reunion Filing 38 Final Plat application and Hearing constitute improper ex-parte communications and inherent personal interest/bias—evidencing her lack of impartiality.

First, Noble's public social media posts evidence her voluntary, improper ex-parte communications with City residents, who would have an interest in the approval of the Reunion Filing 38 development, prior to the public's request for the Hearing. *See, Ex. 1*. Noble has not previously publicly posted any public service announcements on Facebook for other issues before City Council—thus, spotlighting this particular issue. *See, id.* Last, Noble responds to the merits of Commerce City residents' comments, made in response to her social media posts, against the development of Reunion Filing 38. *See, id.*

Moreover, Noble's Facebook posts are not simply notifying the relevant public of a public hearing. Rather, Noble's Facebook posts push her personal position and bias that public hearings are necessary for all land use development project approvals, specifically the Reunion Filing 38 development. *See, id.* Noble's Facebook posts reveal her personal bias that staff-approved development plans fail to account for the potential negative community impact development plans may have, including the negative impact the Reunion Filing 38 development would inevitably have on City residents. *See, id.*

Second, Noble's email communications demonstrate her willingness to use her elected position to advance her own and certain residents' positions on the Reunion Filing 38 Final Plat matter, and meet with residents regarding their concerns about the development of Reunion Filing 38 outside of, and prior to, the Hearing. *See, Ex. 2.*

Ultimately, Noble's social media usage and conduct, constituting ex-parte communications and bias, necessitate her recusal from participating and voting in the upcoming Hearing. Noble's conduct surpasses the conduct for which other council members recused themselves. *See, Soon Yee Scott v. City of Englewood*, 672 P.2d 225, 228 (Colo. App. 1983) (finding a council member properly recused himself when said council member organized a petition drive in opposition to an applicant's proposed massage parlor, and published an article in the Denver Post urging citizens to answer opinion polls in order to prevent the issuance of an unwanted license).

Moreover, Noble's social media pre-hearing conduct is almost identical to hypothetical improper conduct cited by Colorado Intergovernmental Risk Sharing Agency (CIRSA). *See Ethics, Liability & Best Practices for Elected Officials Handbook*, CIRSA, Second Edition 2019, at 49. According to CIRSA, such improper social media postings warrant a council member's recusal from participating in a quasi-judicial matter on the basis they've revealed they're non-neutrality. *Id.* at 50.

### C. Noble's Council Policy Violations

Noble's social media usage and conduct also fails to comply with several Council Policies. For example, COUNCIL POLICY #CP-22 (Procedure for Quasi-Judicial Hearings) (N) requires Noble to take precautions to avoid and prevent improper ex-parte communication with any party in interest and refrain from any activity which could give the perception of an improper ex-parte communication with a party in interest. Noble's actions do not comport with this policy.

Per COUNCIL POLICY #CP-24 (Council Social Media Activity), council members should consider practical and legal concerns which may constrain, prevent, or prohibit discussion by a council member of certain topics, including, but not limited to litigation, pending investigations, *land use matters*, personnel issues, and other topics. Further, council members are specifically advised to *use caution when using social media to the extent that a quasi-judicial matter could be involved*. Here, Noble's social media use fails to consider explicitly-noted practical and legal concerns regarding the discussion of certain topics (e.g., land use matters), and fails to exercise appropriate caution since a quasi-judicial matter is involved.

As such, Noble, in accordance with COUNCIL POLICY #CP-14 (Ethics Policy) (D)(1) and COUNCIL POLICY #CP-22 (Procedure for Quasi-Judicial Hearings) (N), must disclose her personal interest in the Reunion Filing 38 matter and shall elect to not vote thereon, and shall refrain from attempting to influence the decisions of the other members of the governing body in voting on the matter.

If Noble fails to disclose her personal interest in the Reunion Filing 38 matter and subsequently votes thereon at the Hearing, she would be in violation of COUNCIL POLICY #CP-

20 (Public Comment during City Council Meetings) (E). Per COUNCIL POLICY #CP-20(E), City Council is required to be impartial so that quasi-judicial hearings will be conducted in a fair and impartial manner. By not being impartial, Noble cannot uphold the duties of a City Council member, necessitated by COUNCIL POLICY #CP-20(E), so that the Reunion Filing 38 quasi-judicial Hearing will be conducted in a fair and impartial manner.

D. Request for Recusal

Given Noble is incapable of serving as an impartial decision maker in the upcoming Hearing the Reunion Filing 38 Final Plat, for the reasons set forth herein, her recusal is necessary to avoid a biased City Council decision and to properly afford Oakwood, as applicant, due process. Therefore, we request Noble immediately recuse herself from the Hearing and elect to not vote thereon in accordance with Council Policies and Colorado law. Please provide the City's assurances Noble will do so no later than Friday, March 4, 2022.

Please contact the undersigned should you have any questions or would like to discuss this matter further. We look forward to your anticipated cooperation in this matter.

Very truly yours,

SPENCER FANE LLP



Michelle L. Berger

**Exhibit 1**

The image is a screenshot of a Facebook post by Councilmember Susan Noble, dated December 11, 2021. The post contains several paragraphs of text regarding a public hearing for a final plat in Ward IV. The text discusses the proposed development, the city council's role, and the importance of transparency. It also mentions a background of previous development projects and a proposal for a citizen review board. The post includes a photo of a sign and a screenshot of a portion of the Reunion Filing No. 38 plat. Below the main text is a blue bar with a small image of a signpost.

**Councilmember Susan Noble**  
December 11, 2021 · 🌐

Ward IV PSA: Reunion Filing No. 38 Final Plat to create 153 residential lots and 11 tracts at southeast corner of Chambers Rd and 112th St (abutting Buffalo Run Golf Course). If you have any comments or concerns regarding this case, please contact Jennifer Jones, jjones@c3gov.com (Community Development Dept.) Deadline: 5pm, Mon., Dec. 13

(Photos are The Greens to the left [north] to The Estates [Heartland St on the south]. Posted sign facing Chambers Rd. And screenshot of portion the Reunion Filing No. 38 plat under consideration.)

This is the first in a series of PSAs to be posted by me as your city council representative about proposed development projects in Ward IV (east of Chambers Rd) to underscore my commitment to you for transparency in government.

The city council voted to call up an individual Settlers Crossing plat for a public hearing in January before the planning commission and city council. (Settlers Crossing development project is located in the northeast of Tower Rd and 96th St.) Last Monday, public hearings we requested for two other individual plats were narrowly defeated on a tie vote. As you know, our effort to ensure public hearings for new housing development projects in Commerce City for at least the next six months was reversed on a rescission vote before the election.

Background: Virtually all development projects in Commerce City are reviewed and approved by staff. Most never come before the city council or the planning commission. Public notification is in the form of a sign posted on the property during the final 10 days of the staff approval process and a notice in the Commerce City Sentinel. During these 10 days, you can comment on the project or request a public hearing. There is no opportunity after the posted deadline. Thereafter, the project is approved administratively.

The city council will be considering new land use and zoning rules in January. The current Planned Unit Development (PUD) is a category with broad uses.

1 🗨️ 2 Comments

Like Comment Share

Most relevant ▾

Write a comment...

**David Polley**  
What was the original plan for this plot? Commercial?

This should be angering more people. As the area grows more and more land that was promised to be for commercial or recreational use is being changed to more homes. And home plays are being changed to high-density. This has to be approved by the city, but not the council or a committee, just approved by a city employee who may or may not live here? The near-sightedness of the city and the developers will hurt the city and our community in the long run. If the developers continue to change the land use and go back on the promises that they sold to us when we moved here the problems we currently have will just grow. More residents means more students for schools that cannot handle it. If we take away commercial land use than less businesses are close by for locals to work and shop at. Meaning we have to travel further to make or spend our money. It also means that traffic and road conditions are just going to get worse. Just go to Pena and Tower at 4:30 on any weekday to get a taste of what it will be like everywhere in Reunion. And if it is high-density residential with easy access to highways, petty crime, break ins, and vehicle theft will rise and stress an already understaffed and under funded PD.

But hey, if the developers get to make more money for their stock holders and add more money to the council member's campaigns who approve of this, I guess that is what our community is destined to become. A Company Town controlled by Oakwood and the other developers on the backs of the people who live here.

I propose that a citizen review board be created to review any changes to development plans. This board should comprise of citizens who live in the ward in which the change is to take place and chaired by their city council representative. In addition an at-large member should be in attendance to review these filings. This board should also have purview over any newly created metro districts. The goal of this board shall be to ensure the long-term sustainability in the best interest of the local community and residents.

Like Reply 7w

**Councilmember Susan Noble**  
David Polley interesting idea. In a way, this exists in the form of the Planning Commission. However, I see your differences. I'll look into it.

Merry Christmas to you and yours, David!

Like Reply 5w

Reunion Filing 38 Final Plat Public Hearing - Recusal of City Council Member Susan Noble  
 February 28, 2022  
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**Councilmember Susan Noble**  
December 13, 2021 · 🌐


Public Service Announcement (PSA) regarding proposed subdivision: Settlers Crossing Filing No. 3 Subdivision Final Plat to create 154 residential lots and 11 tracts at the northeast corner of E. 96th and Tower Rd., zoned PUD (Planned Unit Development).

If you have any comments or concerns regarding this case, please contact Harry Brennan at hbrennan@c3gov.com (Community Development Dept.) Case #S-782-21. Deadline: 5pm, Tues, Dec. 14

This is the second in a series of PSAs to be posted about proposed development projects in Ward IV (east of Chambers Rd), which I represent, to underscore my commitment to you for transparency in government.

Background: Virtually all development projects in Commerce City are reviewed and approved by staff based on existing criteria. Most never come before the city council or the planning commission. Public notification is in the form of a sign posted on the property during the final 10 days of the staff approval process and a notice in the Commerce City Sentinel. During these 10 days, you can comment on the project or request a public hearing. The city council may also vote to hold a public hearing if the majority agrees. After the posted deadline, the project is approved administratively.

At city council's direction, the city council will be considering new land use and zoning rules in January. The current Planned Unit Development (PUD) is a category with broad uses.



3 Comments

👍 Like    💬 Comment    ➦ Share

Most relevant ▾

Write a comment...

**Author**  
Councilmember Susan Noble  
Update 12/16/21 from City Manager

"As a result of the posting and notice sent out regarding the proposed development at the intersection of 112th Avenue and Chambers Road a person with legal standing raised a valid objection. As a result, Filing 38 will be called up for a public hearing. The date for the Planning Commission public hearing has been set for February 1, 2022.

If all goes according to schedule, then the case will come to the City Council in a public hearing on March 1, 2022."

City Correction 12/17/21: City Council public hearing, March 7, 2022.

Like Reply 6w Edited

**Susan Seib**  
Why build homes in site of a land fill? Better site for business, warehouse, or airport parking.

Like Reply 7w

**David Polley**  
Susan Seib funny but not funny, but I can see that landfill from my office in Westminster.

Like Reply 7w

## Exhibit 2

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**From:** gbecker48@aol.com <gbecker48@aol.com>  
**Sent:** Tuesday, February 8, 2022 11:49 AM  
**To:** Noble, Susan - CC <snoble@c3gov.com>; Memmer, Katelyn - CD <kmemmer@c3gov.com>; Jones, Jennifer - CD <jjones@c3gov.com>  
**Cc:** danell.kalcevic@kalcevicfarms.com; racheleng82@gmail.com; judischmitt88@gmail.com; supernursebecky@hotmail.com; estowe@beckerstowe.com  
**Subject:** Re: Public Hearing Planning Commission February 10, 2022

**Susan** - I tried to get the information about this public hearing from the City's website last evening (Monday, 2/7/21), but did not see anything about it being a Zoom meeting, ability to register, etc. I wrote most of this e-mail last evening and saved as a draft to send this AM. Thank you for keeping us updated on the status of the public hearing.

I was sent a copy of the Notice from one of my neighbors. It indicates that the meeting will be held in Council Chambers and that "[G]eneral public access will be limited." In reviewing the documents, including the City Staff Report, posted to the website, it is pretty clear that only owners of property within 300 feet of the proposed development of Filing 38 were notified, which is why only our Gallery neighbors closer to Chambers were sent the notice. I believe that those property owners may be planning to attend and speak at the public hearing. I am only trying to be helpful to them and the neighborhood, including the greater Reunion area, in general.

**Rachel and Danell** - Have either of you discussed this matter with Phil Baca (who probably also got this notice)? I don't have an e-mail or phone number for him ...maybe he's one of the four persons who caused this meeting to go to a public hearing in the first place??? Whether or not, he may have a lot of helpful history with Filing 38, given how long he has lived in the Gallery and his long service on the board of the Gallery HOA.

**Kaitlyn and Jennifer** - I am not planning to attend this public hearing but I would like to submit some written comments, as follows:

(1) It is already very difficult to make a left turn from Heartland onto Chambers (sometimes right turns are a problem also since larger SUVs/trucks pull out to make a left turn onto Chambers and block the sight lines of those trying to make right turns). The Traffic Study does not seem to analyze anything but the existing intersection of 112th and Chambers. The traffic routinely speeds along both Heartland and Chambers at speeds in excess of the posted speed limits. There have been many times that I have been southbound on Chambers stopped in the left turn lane for Heartland, thinking I might be rear-ended by some other driver speeding southbound on Chambers. I believe Chambers should be analyzed at Heartland and on south to 104th, as well as northbound on Chambers to 120th. I hope that a light or three-way stop at Heartland and Chambers is being planned.

(2) The Traffic Study is also deficient in that it refers to a traffic study in October 2021 and then analyzes only the impact of the proposed development at the "high density residential" level, ignoring completely all of the residential building going on currently (but not yet completed and occupied houses) to the east of the golf course club house with impacts on 112th, and, in turn, Chambers to the east.

(3) The Traffic Study makes certain recommendations on page 29 of the Report. Are all or any of these recommendations required to be implemented as a component of the approval of the development of Filing 38?

(4) Walkability and Safety - Our Reunion neighborhoods appear to have a lot of walkers, runners, baby strollers, etc. In connection with the development of Filing 38, will sidewalks be required to be installed on the east side of Chambers from Heartland to 112th? There is just a gravel path right now. Are there plenty of safe crosswalks along Chambers? I note that Turnberry Elementary is on the west side of Chambers, closer to Hwy 2. (Presumably 27J is busing those projected 119 children to the elementary, middle and high schools anyway?) Also, the bicycle riders all along the east side of Chambers often seem to be at risk at the intersection of Chambers and Heartland. It looks like the developer and the City made many adjustments to make the golf course "happy," but not any adjustments for amenities like "sidewalk completion from Heartland to 112th" for people who aren't golfers and are generally prohibited from walking on the golf course paths.

(5) In light of the recent terrible Marshall fire, has South Adams County Fire Protection District been consulted about wildfire mitigation, not only for this development, but also for the dry high winds conditions along the golf course and all of the existing and future homes in the golf course area?

I know these comments are not directed specifically to the requested increase in density for Filing 38, but they are directed to the problems our Reunion neighborhood is experiencing as the City has allowed greater and greater density, accommodating developers and home builders without any sensitivity to the concerns of the REAL PEOPLE who already live here. I would be happy to submit these comments more formally (electronically) but did not see a method by which to do so in the City's website. Perhaps you could let me know how to do so.

Thank you, Georgeann Becker (16111 Fairway Drive, Commerce City, CO 80022)

---Original Message---

From: Noble, Susan - CC <[snoble@c3gov.com](mailto:snoble@c3gov.com)>  
To: [gbecker48@aol.com](mailto:gbecker48@aol.com) <[gbecker48@aol.com](mailto:gbecker48@aol.com)>  
Cc: [danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com) <[danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com)>; [racheleng82@gmail.com](mailto:racheleng82@gmail.com) <[racheleng82@gmail.com](mailto:racheleng82@gmail.com)>; [judischmitt88@gmail.com](mailto:judischmitt88@gmail.com) <[judischmitt88@gmail.com](mailto:judischmitt88@gmail.com)>; [supernursebecky@hotmail.com](mailto:supernursebecky@hotmail.com) <[supernursebecky@hotmail.com](mailto:supernursebecky@hotmail.com)>; [estowe@beckerstowe.com](mailto:estowe@beckerstowe.com) <[estowe@beckerstowe.com](mailto:estowe@beckerstowe.com)>  
Sent: Tue, Feb 8, 2022 8:43 am  
Subject: Re: Public Hearing Planning Commission February 10, 2022

Hi again —

Sorry for the delay. The Zoom info for registering isn't available yet. We cleared up some questions last night regarding next steps following lifting of the mask order. When the registration link to speak via Zoom at the Planning Commission meeting, I'll send it although it will also be available on link you'll find below to agenda. You may also testify in person at City Hall.

Meantime, here is the criteria upon which all planning decisions on final plats rely. Arguments for approval, denial or modifications are based on one or more of these criteria:

LDC Final Plat Approval Criteria Analysis from Sec. 21-3241(3):



Criteria (a): The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;

Criteria (b): The subdivision is consistent with and implements the intent of the specific zoning district in which it is located;

Criteria (c): There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;

Criteria (d): The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;

Criteria (e): The subdivision complies with all applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible;

Criteria (f): The subdivision:

(i) Will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city; or

(ii) Any adverse effect has been or will be mitigated to the maximum extent feasible;

Criteria (g): Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;

Criteria (h): A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and

Criteria (i): As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

I'll be back.

All my best,  
Susan

P.S.

Here is link to Planning Commission agenda. The item is second on the agenda. Each of the Attachment documents will have a link to important information about the case.

Agenda

<https://commerce.legistar.com/View.ashx?M=A&ID=926332&GUID=3685063F-2359-4742-9911-01313FD1A2DA>

Case

S-776-20-22

Oakwood Homes is requesting approval of the Reunion Filing No. 38 Final Plat to create 153 residential lots and 11 tracts on approximately 21.9 acres for the property located on the southeast corner of 112th Ave & Chambers Rd., zoned PUD (Planned Unit Development District).

Attachments:

Staff Report

Vmap

Applicant Letter

Traffic Study

Final Plat

Development Agreement

Susan Noble, Councilmember, Ward IV  
(720) 773-1773  
7220 E. 60th Av  
Commerce City, CO 80022

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**From:** Noble, Susan - CC <[snoble@c3gov.com](mailto:snoble@c3gov.com)>  
**Sent:** Friday, February 4, 2022 8:39:51 PM  
**To:** [gbecker48@aol.com](mailto:gbecker48@aol.com) <[gbecker48@aol.com](mailto:gbecker48@aol.com)>  
**Cc:** [danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com) <[danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com)>; [racheleng82@gmail.com](mailto:racheleng82@gmail.com) <[racheleng82@gmail.com](mailto:racheleng82@gmail.com)>; [judischmitt88@gmail.com](mailto:judischmitt88@gmail.com) <[judischmitt88@gmail.com](mailto:judischmitt88@gmail.com)>; [supernursebecky@hotmail.com](mailto:supernursebecky@hotmail.com) <[supernursebecky@hotmail.com](mailto:supernursebecky@hotmail.com)>; [estowe@beckerstowe.com](mailto:estowe@beckerstowe.com) <[estowe@beckerstowe.com](mailto:estowe@beckerstowe.com)>  
**Subject:** Re: Public Hearing Planning Commission February 10, 2022

Hi again —

I followed up with staff this evening regarding the omission of information about how to participate and view, which is usually noted on the agenda. It appears that the meeting will be via Zoom (public comment after registering) and live-streaming, but the links won't be available until Monday.

I'll get that information to you as soon as I have it.

Have a good weekend!

All my best,  
Susan

Direct: 303-679-3477

Susan Noble, Councilmember, Ward IV  
(720) 773-1773  
7220 E. 60th Av  
Commerce City, CO 80022

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**From:** Noble, Susan - CC <[snoble@c3gov.com](mailto:snoble@c3gov.com)>  
**Sent:** Friday, February 4, 2022 4:50:00 PM  
**To:** [gbecker48@aol.com](mailto:gbecker48@aol.com) <[gbecker48@aol.com](mailto:gbecker48@aol.com)>  
**Cc:** [danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com) <[danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com)>; [racheleng82@gmail.com](mailto:racheleng82@gmail.com)

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February 28, 2022  
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<racheleng82@gmail.com>; judischmitt88@gmail.com <judischmitt88@gmail.com>; supernursebecky@hotmail.com <supernursebecky@hotmail.com>; estowe@beckerstowe.com <estowe@beckerstowe.com>

**Subject:** Re: Public Hearing Planning Commission February 10, 2022

Hi —

I can give information and facts that are publicly available but am not permitted to provide more than that. The City Council's role will be as judges in the upcoming City Council public hearing on Mar. 7 (I incorrectly stated Mar. 10). I will be unable to hear arguments or positions until that evening.

The Planning Commission public hearing is on Feb. 10. Here is the link to the meeting and the documentation for the case, which is second on the agenda.

<https://commerce.legistar.com/View.ashx?M=A&ID=926332&GUID=3685063F-2359-4742-9911-01313FD1A2DA>

I'll follow up with how to comment by mail and in person. It doesn't appear that this is a Zoom meeting or live-streamed.

All my best,  
Susan

Direct cell: 303-579-3477

Susan Noble, Councilmember, Ward IV  
(720) 773-1773  
7220 E. 60th Av  
Commerce City, CO 80022

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**From:** gbecker48@aol.com <gbecker48@aol.com>

**Sent:** Friday, February 4, 2022 4:29:53 PM

**To:** Noble, Susan - CC <snoble@c3gov.com>

**Cc:** danell.kalcevic@kalcevicfarms.com <danell.kalcevic@kalcevicfarms.com>; racheleng82@gmail.com <racheleng82@gmail.com>; judischmitt88@gmail.com <judischmitt88@gmail.com>; supernursebecky@hotmail.com <supernursebecky@hotmail.com>; estowe@beckerstowe.com <estowe@beckerstowe.com>

**Subject:** Re: Public Hearing Planning Commission February 10, 2022

Susan - Thanks for your attention to this. I am glad that a public hearing will be conducted. I note from Rachel that you will be meeting with her about this matter and will coordinate with her about our concerns. Thanks again, Georgeann

---Original Message---

From: Noble, Susan - CC <snoble@c3gov.com>

To: gbecker48@aol.com <gbecker48@aol.com>

Sent: Fri, Feb 4, 2022 3:04 pm

Subject: Re: Public Hearing Planning Commission February 10, 2022

Hi Georgeann —

Is this the first notification that you've received? Did you also receive a notification around 8-10 weeks ago from the city about the plans for 112th and Chambers and the opportunity to ask questions or call for a public hearing? There was a small sign on the property.

I posted a Public Service Announcement on Nextdoor 7 weeks ago. An affected person with legal standing protested and caused the public hearing. Planning Commission is on Feb. 10 and the City Council public hearing is Mar. 10.

I'll post another PSA tomorrow. Thank you for the reminder. Here's the link to the one I posted last year:

[https://nextdoor.com/p/tMxZNdxK997z?utm\\_source=share&extras=MTcxODUSOTI%3D](https://nextdoor.com/p/tMxZNdxK997z?utm_source=share&extras=MTcxODUSOTI%3D)

My direct cell line is 303-579-3477.

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All my best,  
Susan

Susan Noble, Councilmember, Ward IV  
(720) 773-1773  
7220 E. 60th Av  
Commerce City, CO 80022

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**From:** [gbecker48@aol.com](mailto:gbecker48@aol.com) <[gbecker48@aol.com](mailto:gbecker48@aol.com)>  
**Sent:** Friday, February 4, 2022 1:30:22 PM  
**To:** Noble, Susan - CC <[snoble@c3gov.com](mailto:snoble@c3gov.com)>  
**Subject:** Fwd: Public Hearing Planning Commission February 10, 2022

I transposed in creating your e-mail address. Please see note below. Thanks.

-----Original Message-----

**From:** [gbecker48@aol.com](mailto:gbecker48@aol.com)  
**To:** [snoble@c3gov.com](mailto:snoble@c3gov.com) <[snoble@c3gov.com](mailto:snoble@c3gov.com)>  
**Cc:** [danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com) <[danell.kalcevic@kalcevicfarms.com](mailto:danell.kalcevic@kalcevicfarms.com)>; [racheleng82@gmail.com](mailto:racheleng82@gmail.com) <[racheleng82@gmail.com](mailto:racheleng82@gmail.com)>; [judischmitt88@gmail.com](mailto:judischmitt88@gmail.com) <[judischmitt88@gmail.com](mailto:judischmitt88@gmail.com)>; [supernursebecky@hotmail.com](mailto:supernursebecky@hotmail.com) <[supernursebecky@hotmail.com](mailto:supernursebecky@hotmail.com)>  
**Sent:** Fri, Feb 4, 2022 12:58 pm  
**Subject:** Public Hearing Planning Commission February 10, 2022

Susan - My name is Georgeann Becker. I have been a resident of the Gallery at Reunion since March 2019. My husband and I met you in December 2019 at a "Cereal with Santa" event at Bison Ridge.

A couple of neighbors who live in the Gallery, but closer to Chambers than we do, got a Notice of a Public Hearing on February 10, 2022, regarding an Oakwood request relating to the permitting of development of 153 homes at the SE corner area of 112th and Chambers. I tried to get the agenda information and background regarding this today but it was not yet available on the City's website. I was told by telephone that the agenda would be put on the City's website by end of business today.

I am concerned that many interested residents of the Reunion areas and other neighborhoods close to this corner may not have gotten this notice, but will be concerned about traffic and other development issues for this quadrant of 112th and Chambers. I am wondering if you might post something about this Public Hearing on Reunion Nextdoor and your Facebook page and any other avenue you may have to notify residents, giving them the opportunity to comment, either in writing before the hearing or at the hearing.

Thank you.

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