

RECORD OF PROCEEDINGS

Commerce City Planning Commission
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CASES Z-897-12 AND S-583-12:

Ms. Stevens introduced cases S-583-12 and Z-897-12, noted that the files contained the relevant notice information. She introduced Mr. Paul Workman to present the cases.

Mr. Workman explained the details of the subject requests to rezone from the current I-3 designation to a PUD designation as well as the approval of a consolidation plat, which would eliminate the existing interior lot lines that are located on the property east of Brighton Boulevard. He further explained the details of each case.

Z-897-12: Mr. Workman stated that all current operations would be legal and conforming under the proposed PUD. The PUD would reflect the needs of the refinery by realistically regulating its unique uses, facilitating land use review, and creating predictability. The Development Review Team (DRT) determined that the proposed PUD is in compliance with the Comprehensive Plan, and meets the PUD Zone Document criteria outlined in the Land Development Code (LDC); therefore, the DRT recommended approval.

S-583-12: Mr. Workman stated that the proposed plat would consolidate the property on the eastern side of Brighton Boulevard. He listed two major benefits for the request. One being that the plat would align the property with the City's Subdivision Ordinance. Another benefit is that that the plat would eliminate potential problems with future permits. The DRT concluded that the plat meets the standards in the proposed PUD and recommended approval subject to one condition.

Lisha Burnett, Manager of Stakeholder Relations, stated that Suncor Energy feels privileged to operate in Commerce City and thanked the Planning Commission for reviewing the request. Ms. Burnett stated that the proposed PUD and subdivision plat would simplify and clarify future land use procedures, it would allow the opportunity for continuous improvement, and it would provide operational excellence from both Suncor's and the City's perspective. Ms. Burnett concluded by expressing her appreciation for the relationship that has been established between Suncor and the City.

In response to Mr. Cammack's concern, Ms. Stevens clarified that because Suncor is a federally regulated industry, the City's role would only be to designate a location for the refinery operations.

There being no further discussion on the subject cases, two separate motions were requested.

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Motion Z-897-12:

Mr. Roberson made the following motion “I move that the Planning Commission enter a finding that the requested PUD Zone Document for the property generally located at 5801 Brighton Blvd contained in case Z-897-12 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the PUD Zone Document.”

Mr. Jones seconded the motion.

Voice Vote: All Voting Affirmed.

Motion passed.

Motion S-853-12:

Mr. Dreiling made the following motion “I move that the Planning Commission enter a finding that, the requested Final Plat for the property generally located at 5801 Brighton Boulevard contained in case S-583-12 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Final Plat subject to the following condition:

- A. The property owner shall work with Xcel to negotiate easements when necessary and provide a copy of the agreement to the City after it's recorded with the County.”

Mr. Jones seconded the motion.

Voice Vote: All Voting Affirmed.

Motion passed.

Mr. Cramer recognized the combined efforts of Suncor and Mr. Workman for their hard work and dedication throughout the two year process.

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ORDINANCE #1887 2012 MINOR AMENDMENTS TO THE LDC:

Mr. Workman stated that Ordinance 1887 would enact the changes discussed during the Planning Commission's study session of April 3, 2012. He explained that since its original adoption, the LDC has been and will continue to be a living document that is periodically amended and updated to ensure the document continues to meet the needs of the community. He noted that no properties would be rezoned as part of this process. Mr. Workman listed the four general categories of amendments.

- Legal clarification to the existing language
- Align the LDC with the Building Codes
- Modernization of the Code
- Community Need Identified

Mr. Workman presented the following revisions which were discussed at the planning commission study session:

- Native Seed Language
- Pole Construction
- Detached Garage Masonry Requirement
- Community Gardens

Mr. Workman concluded by stating that Staff recommended that Planning Commission forward a favorable recommendation to City Council for the 2012 minor amendments to the LDC. He confirmed for Mr. Dreiling that the City Council did not voice concerns regarding the revisions made by the Planning Commission. There being no further discussion on the request, a motion was requested.

Mr. Dreiling made the following motion "I move that the Planning Commission recommend approval of Ordinance #1887, an ordinance amending the Commerce City Land Development Code."

Mr. Jones seconded the motion.

Voice Vote: All Voting Affirmed.

Motion passed.