

## COMMERCE CITY PLANNING COMMISSION

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August 2, 2016

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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 Thomas. **Absent:** Robertson

**OTHERS PRESENT:** Steve Timms, Planning Manager  
Jenny Axmacher, Planner  
Robin Kerns, Planner  
Robert Sheesley, Interim City Attorney  
Kerry Romero, Administrative Supervisor  
Lorena Ruiz, Administrative Specialist

**MINUTES:** Commissioner Jones made a motion to approve the minutes of the May 3, 2016 meeting. Commissioner MacCallum seconded motion.

Jones	Yes	
MacCallum	Yes	
McFarlin	Yes	
Dreiling	Yes	
Cammack	Yes	5 yes, Motion passed

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

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**Z-937-16: Nuanes/King,LLC is requesting to rezone a portion of the property located at 6601 Colorado Boulevard from AG to I-1.** Mr. Sheesley introduced the case and noted that the file contained the relevant notification and publication information. Ms. Axmacher reviewed the staff report and presentation, including the Development Review Team recommendation for approval, subject to one condition.

Jeanie King, 3100 Cherry Creek Drive, Denver, addressed the commission and was available for questions. Chairman McFarlin opened the hearing for public comment. Noting that no person indicated a desire to testify, he closed the hearing and requested a motion.

**Motion:**

Commissioner Jones made the following motion “I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Zone Change for the property located at 6601 Colorado Boulevard contained in case Z-937-16 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change subject to the following conditions:

- A. No building permit may be issued for the property until a subdivision plat, corresponding to the rezoning request is approved.”

Commissioner Dreiling seconded the motion.

Jones	Yes	
Dreiling	Yes	
McFarlin	Yes	
Cammack	Yes	
MacCallum	Yes	5 yes, Motion passed

*\*Note: Cases S-662-16 and D-305-16 were presented together.*

**S-662-16: Crown Enterprises, Inc. is requesting approval of the Aberdeen South Subdivision Replat, a request to consolidate 2 lots into 1 lot, for the property located at 10251 Newark Street, zoned I-2.**

**D-305-16: Crown Enterprises, Inc. is requesting approval of a development plan for a transportation terminal located at 10251 Newark Street, zoned I-2.** Mr. Sheesley introduced the cases and noted that the files contained the relevant notification and publication information. Mr. Kerns reviewed the staff report and presentation, including the Development Review Team’s recommendation for approval. Mr. Kerns noted a condition of approval in case Z-833-05 required Planning Commission review and City Council approval of a development plan application on the subject property.

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The Commission asked questions about a traffic analysis, capacity of traffic on 104<sup>th</sup> Avenue, installation of a traffic signal and funding, and the traffic impacts caused by the railroad crossing.

Dan Onifer, 12225 Stevens Way, Warren, Michigan was present to answer questions by the Commission. He thanked staff for their assistance throughout the process. He explained there are two types of trucks onsite, highway dispatched and line haul trucks, which generate approximately 60 trips per day from 6:00 a.m. to 9:00 p.m.

The meeting was opened to the public. There being no persons present to testify, the public hearing was closed and two separate motions were requested.

### **Discussion on the Vote:**

The Commission expressed their support for the proposal. However, they believed further review of the traffic study was required before moving forward with a recommendation for approval due to the high traffic congestion and impacts to the ingress and egress of the site. The Commission agreed to continue the Development Plan to the next scheduled meeting and move forward with making a recommendation to City Council for the Subdivision request.

### **S-662-16 Motion:**

Commissioner Jones made the following motion "I move that the Planning Commission enter a finding that the requested Consolidation Plat for the property located at 10251 Newark Street contained in case S-622-16 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Consolidation Plat." Commissioner Dreiling seconded the motion.

Jones	Yes	
Dreiling	Yes	
Cammack	Yes	
MacCallum	Yes	
McFarlin	Yes	5 yes, Motion passed

### **D-305-16 Motion:**

Commissioner Dreiling made the following motion "I move that the Planning Commission continue the requested Development Plan for the property located at 10251 Newark Street contained in case D-305-16 to the September 6, 2016 meeting." Commissioner Cammack seconded the motion.

Dreiling	Yes	
Cammack	Yes	
Jones	Yes	
MacCallum	Yes	
McFarlin	Yes	5 yes, Motion passed

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**Ordinance 2108: An update to the Land Development Code in relation to Park Impact Fees.** Mr. Timms reviewed the staff report and presentation including the Development Review Team's recommendation for approval. He noted that a study session was held with City Council, where staff was directed to remove park impact fee requirements for non-residential developments. As a result, section 21-921 of the LDC will be amended to modify the language requiring park impact fees.

**Motion:**

Commissioner Jones made the following motion "I move that the Planning Commission recommend that City Council approve Ordinance #2108, an ordinance amending the Commerce City Land Development Code." Commissioner MacCallum seconded the motion.

Jones	Yes	
MacCallum	Yes	
Dreiling	Yes	
Jones	Yes	
McFarlin	Yes	5 yes, Motion passed

**Commission Business:**

The commission requested to hold a study session at the next scheduled meeting to discuss the implementation of Bylaws.

**Adjournment:**

There being no further business to discuss, Chairman McFarlin adjourned the meeting at 7:12p.m.

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J.E. "Mac" McFarlin  
Chairman

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Lorena Ruiz,  
Administrative Specialist