

COMMERCE CITY PLANNING COMMISSION

October 3, 2017

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CALL TO ORDER: Chairman Joseph Dreiling called the meeting to order at 6:00 p.m.

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

ROLL CALL: Candice Alexander called roll. **Present:** Dreiling, Cammack, Jones, Popiel, and Frank

OTHERS PRESENT: Steve Timms, Planning Manager
Chris Cramer, Director of Community Development
Troy Smith, Deputy City Manager
Robert Sheesley, City Attorney
Matt Hader, Deputy City Attorney
Tricia Mason, Executive Administrative Supervisor
Candice Alexander, Administrative Specialist

Alternate Commissioners Herrera and Thomas were present in the audience.

MINUTES: Commissioner Jones made a motion to approve the minutes of the August 1, 2017, meeting. Commissioner Popiel seconded the motion.

Jones	Yes
Popiel	Yes
Dreiling	Yes
Cammack	Yes
Frank	Yes

5 yes, motion passed.

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

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Z-896-11-12-16-17: DIA Tech Center, LLC is requesting to amend the DIA Tech Center PUD, in order to include 28.15 acres of land proposed for annexation to allow for non-residential uses for the property located at approximately the northwest corner of Tower Road & E. 81st Avenue, zoned Unincorporated Adams County. Mr. Hader introduced the case and asked that the record reflect the file contained the relevant notification and publication information. Mr. Timms presented the staff report and presentation including the DRT recommendation for approval.

The commission did not have any comments/questions for staff.

Chris Thompson, 5753 Shasta Circle, Littleton CO, stated the annexation zoning is compatible with DIA Tech Center, the adjacent PUD property to the south. Annexation zoning would allow an opportunity to build out the infrastructure at 83rd Avenue in order to access DIA Tech Center with a 2nd access. An overlay of the PUD's design guidelines onto DIA Tech Center's property would also provide more marketable and quality sites, and would create more jobs for Commerce City.

The hearing was opened to the public. There being no further discussion on this request, the public hearing was closed and a motion was requested.

Motion:

Commissioner Jones made the following motion "I move that the Planning Commission enter a finding that the requested Annexation Zoning for the subject property contained in case Z-896-11-12-16-17 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Annexation Zoning." The motion was seconded by Commissioner Popiel.

Jones	Yes	
Popiel	Yes	
Dreiling	Yes	
Frank	Yes	
Cammack	Yes	5 yes, motion passed.

Ordinance 2146: The City of Commerce City is requesting to amend Article IX of the LDC to enact a new impact fee to support capital facility needs for fire and emergency services to provide service to new development. Mr. Hader introduced the case. Mr. Sheesley and Mr. Smith reviewed the proposed fire protection impact fees and the draft ordinance to implement the fees. Staff is seeking recommendations from the Planning Commission and input on key points. Mr. Sheesley reviewed the structure of the proposed fee and ordinance, and Mr. Smith discussed administration issues, impacts on economic development and other policy issues in the city.

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The Brighton Fire Rescue District and the South Adams County Fire Protection District each submitted studies and presented to City Council at study sessions. Both districts have requested for the city to implement the studies. The Brighton Fire Rescue District submitted a revised study. The revised document was provided to the commission.

The Commission asked about revisions to the Brighton Fire Rescue District's study, impact fee value changes, future commercial-industrial and state law affects, clarification of in-kind contributions, past processes of obtaining funds, and fees on additional builds.

Mr. Sheesley noted the Ordinance would be updated to reflect the Brighton Fire Rescue District's revised study.

The hearing was opened to the public with no response.

Discussion on the Vote:

The Commission voiced concerns with impact fee appearing as a tax increase, not receiving enough information related to the fees, timing of receiving hardcopy packets, and ballot vs. ordinance process. As a result, the Commission discussed continuing the action item to a future hearing date. Due to the sense of urgency, staff suggested a special meeting be held should the commission decide to continue the item.

In response to questions by the Commission, Mr. Hader clarified the item would go to Council, with or without a recommendation from the Commission-

The Commission commented on the need to support the Districts if it would benefit resident's safety.

There being no further discussion on the request, a motion was requested.

Motion to continue case:

Commissioner Cammack made a motion to continue Ordinance #2146 for further review. The motion was not seconded. Motion failed.

Final Motion:

Commissioner Jones made the following motion "I move that the Planning Commissioner recommend that City Council not approve Ordinance #2146." The motion was seconded by Commissioner Popiel.

Jones	Yes	
Popiel	Yes	
Dreiling	No	
Frank	No	
Cammack	Yes	3 Yes, 2 No, motion <i>to not approve</i> passed.

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Commission Business:

The November Planning Commission Meeting will be held on Wednesday, November 8th due to the election.

Staff Business:

Ms. Mason reviewed the new upcoming process regarding distribution of the agenda packets beginning on January 1, 2018.

In response to questions by the commission, staff explained there would be cost savings, less labor intensive process, and elaborated on the need to stay consistent with a streamlined process throughout the City. The Commission requested administrative staff email PDF attachments in addition to the link to the City's website. Testing of this new process would begin as of the next meeting.

Adjournment:

There being no further business to discuss, Chairman Dreiling adjourned the meeting at 6:52 p.m.

Joseph Dreiling
Chairman

Candice Alexander,
Administrative Specialist