

COMMERCE CITY PLANNING COMMISSION

November 8, 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: Lorena Ruiz called roll. **Present:** Dreiling, Cammack, Frank, Herrera and Jones. **Absent:** Popiel

OTHERS PRESENT: Jenny Axmacher, Planner
Robin Kerns, Planner
Steve Timms, Planning Manager
Matt Hader, Deputy City Attorney
Michelle Ferdig Hill, Senior Economic Development Specialist
Andrew Pihaly, City Engineer
Lisy Henson, Development Review & Coordination Engineer
Tricia Mason, Executive Administrative Supervisor
Candice Alexander, Administrative Specialist
Lorena Ruiz, Administrative Specialist

MINUTES: Commissioner Jones made a motion to approve the minutes of the October 3, 2017 meeting. Commissioner Cammack seconded the motion.

Jones	Yes	
Cammack	Yes	
Dreiling	Yes	
Frank	Yes	
Herrera	Yes	5 yes, Motion passed.

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

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CU-113-17: Blue Sky, LLC is requesting a Conditional Use Permit for the manufacturing, processing, use, sale, and storage of flammable, corrosive, explosive, and toxic substance associated with a proposed 13,025 sf. warehouse and (4) four 12,000-gallon storage tanks to be used in the distribution operations of roofing products for the property located at 4308 E. 60th Avenue, zoned I-3.

Mr. Hader introduced the case and asked that the record reflect the file contained the relevant notification and publication information. Mr. Kerns reviewed the staff report and presentation including the DRT recommendation for approval, subject to four conditions. Mr. Kerns noted a neighborhood meeting was held to allow an opportunity for the community to provide feedback and ask questions.

Steve Wilson, 2900 North Government Way, Coeur D'Alene, Idaho, thanked staff for the hard work and assistance throughout the process. Mr. Wilson stated all state mandated regulations are followed for hazardous chemicals.

The Commission asked questions regarding the referral response from The South Adams County Fire District, hazardous chemical regulations, and floodplain requirements.

Chairman Dreiling 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 Frank 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 4308 E. 60th Ave. contained in case CU-113-17 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:

- A. The Conditional Use Permit shall apply for the applicant only, with no right of assignment, unless a revision to this Conditional Use Permit is obtained.
- B. To receive a Certificate of Occupancy, the applicant shall install all proposed site improvements associated with this subject City approved Conditional Use Permit. These improvements include, but are not limited to, new construction of tanks, storage building, paving, fencing, and landscaping as identified in the approved Development Plan.
- C. In no case shall the total storage tank capacity exceed 48,000 gallons.
- D. All storage tanks shall be colored beige/tan."

The motion was seconded by Commissioner Jones.

Frank	Yes
Jones	Yes

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Cammack	Yes	
Dreiling	Yes	
Herrera	Yes	5 yes, Motion passed.

Note: Cases V-87-17 and Z-943-17 were presented together.

V-86-17: Mid-Rail Real Estate, LLC is requesting a vacation of Right-of-Way of Ulster Street between East 83rd Avenue and East 84th Avenue.

Z-943-17: Mid-Rail Real Estate, LLC is requesting to rezone from I-2 to PUD the property generally located on the north and south side of East 84th Avenue west of Ulster Street; the northeast of Ulster Street and East 83rd Avenue; and a portion of the adjacent property at Ulster Street and East 83rd Avenue.

Mr. Hader introduced both cases and stated that they would be presented together. He asked that the record reflect that the files contained the relevant notification and publication information. Ms. Axmacher reviewed the staff report and presentation including the DRT recommendation for approval subject to one condition. She noted that a portion of the property is owned by Elite Real Estate. A neighborhood meeting was held in August. Attendees were generally supportive of the request and raised concerns regarding infrastructure in the area. Staff confirmed that the traffic study was reviewed and approved by the city.

The Commission asked questions regarding product types, number of employees, limited signals at rail crossings, and fencing style.

Sam Stein 6000 Jensen Drive Houston TX, was present on behalf of the applicant. He stated the business would be relocated from Denver to Commerce City. Mr. Stein explained the site was selected because of the access to a rail spur.

The meeting was opened to the public. There being no additional discussion or response from public, the public hearing was closed and two separate motions were requested

Z-943-17 Motion:

Commissioner Frank made the following motion "I move that the Planning Commission enter a finding that, subject to certain conditions, the requested PUD Zone Document for the property located at the north and south side of East 84th Avenue west of Ulster Street; the northeast of Ulster Street and East 83rd Avenue; and a portion of the adjacent property at Ulster Street and East 83rd Avenue contained in case Z-943-17 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the PUD Zone Document subject to the following condition:

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- A. The applicant must plat the property for the rail spur (Area D) and consolidate it into the White property (Area C) prior to the issuance of a building permit for a structure on either parcel.”

The motion was seconded by Commissioner Jones

Frank	Yes	
Jones	Yes	
Cammack	Yes	
Dreiling	Yes	
Herrera	Yes	5 yes, Motion passed.

V-87-17 Motion:

Commissioner Jones made the following motion “I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Vacation of Rights-of-way for the property located at Ulster Street between East 83rd Avenue and East 84th Avenue contained in case V-87-17 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Vacation of Rights-of-way subject to the following condition:

- A. The vacated right-of-way must be platted into the adjacent properties via an approved subdivision plat prior to a building permit being issued for a structure on the subject property.”

The motion was seconded by Commissioner Cammack.

Jones	Yes	
Cammack	Yes	
Dreiling	Yes	
Frank	Yes	
Herrera	Yes	5 yes, Motion passed.

Presentation Items

Ms. Mason asked for feedback on the electronic packet delivery process. The Commission expressed their desire to continue receiving paper packets via mail.

Irondale Presentation

Ms. Axmacher stated the City is kicking off a neighborhood plan for the Irondale neighborhood at City Council’s direction. The goal for the Plan is to create achievable goals and implementation strategies for the overall improvement of Irondale. The plan is currently in the Discover phase where the consultant is actively soliciting feedback from a number of

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groups including the Planning Commission. The commission is encouraged to provide feedback regarding their vision for Irondale as well as any issues or concerns they have.

The Commission had questions and comments regarding infrastructure, utility easements, types of improvements, Adams County participation, community outreach, railroad spurs and potential impacts, and improvements to Rosemary Street and 88th Avenue.

Staff thanked the Commission for their input and explained further interactions would occur with the Commission in the next phases of the plan.

Commission Business:

The Commission congratulated Commissioner Frank on her appointment to City Council. Staff explained the next steps to fill the newly vacant position on the Planning Commission.

Adjournment:

There being no further business to discuss, Chairman Dreiling adjourned the meeting at 7:20 p.m.

Joseph Dreiling
Chairman

Lorena Ruiz,
Administrative Specialist