

# **Commerce City**

*7887 E. 60th Ave.  
Commerce City, CO 80022  
c3gov.com*



## **Meeting Minutes - Draft**

**Tuesday, March 5, 2019**

**6:00 PM**

**Council Chambers**

**Planning Commission**

## Call to Order

*Call to order was made by Chair Popiel at 6:01 p.m.*

*Planning Commissioners present: Jonathan Popiel, Warren Jones, Dennis Cammack, Karen Anderson*

## Pledge of Allegiance

*The Pledge of Allegiance was recited.*

## Approval of Minutes:

### [Pres 19-139](#)

February 5, 2019

**Attachments:**     [Minutes](#)

*Chairman Popiel made a motion to approve the February 5, 2019 meeting minutes. Commissioner Warren Jones seconded the motion.*

*Yes - 3 - Jones, Popiel, Cammack*

*No - 0*

*Abstain - 1 - Anderson*

*Motion passed.*

**This Presentation was recommended for approval**

## Case(s):

### [Pres 19-140](#)

**Z-695-98-19:** The City of Commerce City is requesting to amend the existing PUD (Planned Unit Development) Zone Document for The Villages at Buffalo Run West to update the permitted commercial uses for the property generally located at southwest corner of E. 120th Avenue and Chambers Road.

**Attachments:**     [Staff Report](#)  
                          [Vicinity Map](#)  
                          [PUD Zone Document Existing](#)  
                          [PUD Zone Document Amended](#)

*Assistant City Attorney Geiger introduced case Z-695-98-19 and asked that the record reflect the file contained the relevant notification and publication information. Planning Manager Timms reviewed the staff report and presentation including the DRT recommendation of case Z-695-98-19. Planning manager Timms advised of the City Council date hearing which has been revised and moved to April 15th City Council.*

*Peter Brumley, Brumley Realty Inc, 8 Mesa Oak, Littleton, CO 80127, representing the owner of H&A Storage, commonly referred to as Buffalo Run Self-Storage at 112th and Chambers, addressed the commission.*

*In response to a question from the commission, Mr. Brumley addressed the following*

*discussion topics; applicant's decision on the business location, staffing, number of units, off-loading, height of the building and zoning.*

*Applicant Charlie Foster, 5600 S. Quebec St, Greenwood Village, CO 80111 addressed the commission to provide historical background information related to the property. He stated the property was originally zoned PUD in Adams County in the late 1980's. Mr. Foster became involved with an investment group who purchased the property in 1994-1995 and the original PUD in Commerce City was complete in 1999. The investment group considered this a good site because of the intersection of I-76 and E-470 coming in ½ mile east. 2 lots of the property were sold for the self-storage and 7-Eleven development. They still currently own a large lot located on Cameron and E 120th Avenue and with the advice of staff are seeking a restaurant development. Mr. Foster also stated self-contained climate controlled storage units have low traffic generation and low activity levels.*

*In response to a question from the commission, the applicant states he does not own lot 4, but still owns lot 1, which is unimproved.*

*The meeting was opened to the public:*

*Judy Dorris, 11882 Chambers Drive, Commerce City, CO, addressed the commission regarding the request to amend the existing PUD and talked about traffic issues, property value, the views, dumpster/trash concerns and lack of transparency -referencing an administrative approval, lack of notices.*

*In response the staff addressed the commission to provide public notice requirements information and the commission was satisfied with these requirements.*

*John Dorris, 11882 Chambers Drive, Commerce City, CO addressed the commission regarding the public notices.*

*Jolie Masterson 15527 E. 118th Ave, Commerce City, CO addressed the commission opposing the changes being proposed.*

*Jessie Hall 15527 E. 118th, Commerce City, CO 80022 addressed the commissioners opposing the changes being proposed. Mr. Hall states that a self-storage does not comply with current zoning standards and that it is now being requested retroactively for approval.*

*In response to a question by the commissioner, the applicant responded regarding the bulk standards being met.*

*The meeting was closed to the public at 6:56 p.m. and there being no further discussion on the request, a motion was requested.*

*Commissioner Jones made a motion. "I move that the Planning Commission enter a finding that the requested PUD Zone Document Amendment for the property located at the south-west corner of E. 120th Avenue and Chambers Rd. contained in case Z-695-98-19 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the PUD Zone Document Amendment."*

*Commissioner Cammack seconded the motion.*

*Open for commissioner discussion.*

*Commissioner Anderson requested confirmation from the staff, in reference to the storage facility building meeting existing bulk standards and other type of specifications for that type of building and that only the use was not specifically listed. The staff agreed with the commissioners statement. Commissioner Anderson restated that the building shouldn't be a noxious use or a problem for the residents. Additionally stating that the type of building could have been built there for other use types and would be voting for this amendment.*

*VOTE: Yes – 4*

*No – 0*

*Information was provided to the public after voting took place, regarding City Council's decision to move the public hearing to April 15th. The applicant and the public were encouraged to attend.*

### **Commission Business:**

*The planning commission provided City Tour ideas for the upcoming tour in late Spring.*

### **Attorney Business:**

*N/A*

### **Staff Business:**

*There will be cases in the month of April.*

### **Adjournment**

*Meeting was adjourned at 7:11 p.m.*