

Commerce City

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



Meeting Minutes - Draft

Tuesday, January 14, 2020

6:00 PM

Council Chambers

Planning Commission

Call to Order

Chairman Popiel called the meeting to order at 6:00pm

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

Jessica Main called roll. All present affirmed.

Present 5 - Chair Jonathan Popiel, Commissioner Dennis Cammack, Commissioner Karen Anderson, Commissioner L. Warren Jones, and Alternate Commissioner Jordan Ingram

Staff in attendance:

Caitlin Long, Planner

Domenic Martinelli, Planner

Jason Rogers, Community Development Director

Steve Timms, Planning Manager

Jennifer Jones, Principal Planner

Matt Hader, Deputy City Attorney

Jessica Main, Administrative Specialist

Approval of Minutes:

[Min 20-10](#)

January 7, 2020 Minutes

Attachments: [1 January 7, 2020 Draft](#)

A motion was made by commissioner Jones, seconded by Commissioner Ingram, that these minutes be approved. VOTE:

Aye: 3 - Chair Popiel, Commissioner Cammack and Commissioner Jones

Abstained: 2 - Commissioner Anderson and Alternate Commissioner Ingram

Case(s):

[Pres 20-46](#)

Z-953-18-20: Atwell, LLC is requesting approval of a replacement PUD Zone Document for approximately 600 acres to allow for various uses including residential, commercial, parks and schools, office/flex, and subsurface extraction of oil and gas, located at the northeast corner of E 88th Ave and Tower Rd, currently zoned PUD.

Attachments: [Project Report](#)
 [Vmap](#)
 [Narrative](#)
 [FLUP2](#)
 [Traffic Study](#)
 [PUD Zone Document](#)

Matt Hader, Deputy City Attorney, introduced the case and seeing that all required notice was met, Mr. Hader introduced staff presenting the case.

Caitlin Long, City Planner, presented Z-953-18-20 and noted DRT recommendation of approval subject to one condition.

Discussion from the board related to the proposed location of well pad site and how the added condition affects the location.

Seeing no further questions for the planner, Chairman Popiel invited the applicant to speak.

*Brad Burns - 9875 W. La Concha Las Vegas, NV
Mr. Burns shared his own presentation and recapped the information Ms. Long presented and made himself available for questions.*

*Discussion from the board related to developers background, his experience with job recruitment and sustainability and his plan for bringing jobs to the area, as well as interest in land designated for commercial use.
Commissioner Anderson shared her concern with Tract N being allowed for vertical mixed use (including daycare centers and senior living) being that it is so close to the landfill.*

The Applicant was amendable to this request.

Seeing no further questions, Chairman Popiel opened it up for public comment.

*Megan Harry - 1301 Lawrence St. Denver, CO - Extraction Oil and Gas
Discussed discrepancies in the PUD Zone Document Plan and the Well Site surface use agreement and opposed the added condition.*

*Steve Douglas - 10970 Reunion Pkwy. Commerce City, CO
Opposed the proposed PUD Zone Document Plan due to the Condor Well Site proposed location.*

Applicant addressed the public's comments by stating the oil and gas operator and the property owner are close to making a new surface use agreement, which would move the proposed Condor well pad site east across E-470, if agreed upon there would be no well pad site west of E-470.

Domenic Martinelli, City Planner, provided an update on the Oil and Gas permit for the Legato property.

Seeing no further comments, Chairman Popiel called for a vote.

A motion was made by Commissioner Cammack: I move that the Planning

Commission enter a finding that, subject to certain conditions, the requested PUD Zone Document for the property bounded by East 96th Avenue, E-470, East 88th Avenue, and Tower Road, contained in case Z-953-18-20 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 conditions:

Condition 1: As listed in the Table of Land Uses on sheet 8 of the Legato PUD Zone Document, the "Subsurface Extraction" land use shall be changed to a Conditional Use (C) rather than a Use by Right (R).

Commissioner Jones second. Vote:

Aye: 5 - Chair Popiel, Commissioner Cammack, Commissioner Anderson, Commissioner Jones and Alternate Commissioner Ingram

Board Business:

None

Attorney Business:

None

Staff Business:

None

Adjournment

The meeting adjourned at 7:11 pm.