



Commerce City

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

Meeting Minutes - Draft

City Council

Monday, October 7, 2024

6:00 PM Council Chambers, 7887 E 60th Ave, Commerce City, CO 80022. The meeting will also be conducted in a hybrid format via Zoom. Registration link: https://c3gov.zoom.us/webinar/register/WN_80pNVvXIQyezgd690JwGxA

Regular Meeting.

Times given are estimates only
Revised 10/07/2024 at 11:30 PM.

1. Call to Order/Roll Call

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Douglas on October 7, 2024, at 6:00 PM.

Present: 9 - Mayor Steven J. Douglas, Mayor Pro Tem Susan Noble, Council Member Oscar Madera, Council Member Rocky Teter, Council Member Renee Millard-Chacon, Council Member Craig Kim, Council Member Charles Dukes, Council Member Sean Ford and Council Member Kristi Douglas

2. Pledge of Allegiance

The pledge of allegiance was recited.

3. Approval of Agenda

A motion was made by Council Member Madera, seconded by Council Member Teter, to amend the agenda to move Public Hearings before Public Comment. VOTE: 5 - Aye, 4 - Nay (Chacon, S. Douglas, K. Douglas, Noble)

8. Public Hearings

[Z24-0001](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 5400 FOREST ST FROM LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) AND HEAVY INTENSITY INDUSTRIAL DISTRICT (I-3) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

Mayor Douglas opened the public hearing.

Dave White, representing JFW Trucking, gave the applicant's presentation and were present to take questions from Council.

Kathleen Taylor, Senior Planner, provided the staff presentation to Council.

No public testimony was received.

Mayor Douglas closed the public hearing.

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Dukes, that this Zoning Ordinances be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Z-980-24](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 9021 E-470 FROM AGRICULTURAL DISTRICT (AG) TO REGIONAL COMMERCIAL DISTRICT (C-3)

Mayor Douglas opened the public hearing.

Anthony Mulloy, Construction Director with Applegreen USA, gave the applicant's presentation and were present to take questions from Council.

Nathan Chavez, City Planner, provided the staff presentation to Council.

No public testimony was received.

Mayor Douglas closed the public hearing.

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, that this Zoning Ordinances be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Z-979-24](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 9022 E-470 FROM AGRICULTURAL DISTRICT (AG) TO REGIONAL COMMERCIAL DISTRICT (C-3)

Mayor Douglas opened the public hearing.

There was no public testimony.

Mayor Douglas closed the public hearing.

A motion was made by Council Member Teter, seconded by Council Member Dukes, to continue the hearing on Ordinance PUDA23-0005 to the end of the City Council meeting. VOTE: Unanimous, all present affirmed.

A motion was made by Council Member Kim, seconded by Council Member Ford, that this Zoning Ordinances be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Z-792-05-24](#)

AN ORDINANCE APPROVING THE ONE BUCKLEY PUD ZONE DOCUMENT AMENDMENT TO CREATE NEW PLANNING AREAS, ALLOW ADDITIONAL COMMERCIAL LAND USES, ALLOW RESIDENTIAL LAND USES, AND ESTABLISH BULK AND DESIGN STANDARDS FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF EAST 120TH AVENUE AND BUCKLEY ROAD

Mayor Douglas opened the public hearing.

Brad Nelson, representing Farnsworth Group, gave the applicant's presentation and were present to take questions from Council.

Dalton Guerra, Senior Planner, provided the staff presentation to Council.

No public testimony was received.

Mayor Douglas closed the public hearing.

A motion was made by Mayor Pro Tem Noble, seconded by Mayor Douglas, that this Zoning Ordinances be introduced and approved on first reading by Council as seated and the planned unit development zone document be amended to require a minimum of fifteen percent parks or open space in Lot B and require at least twenty-five percent of vertical construction of commercial development to occur in Lots A or C prior to the issuance of a building permit for a residential unit in Lot B. The motion was withdrawn.

A motion was made by Mayor Pro Tem Noble, seconded by Mayor Douglas, to continue the ordinance to December 2, 2024. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

The public hearings will be conducted in a hybrid format in person and via Zoom. There will be an opportunity to testify live during the meeting or in advance via email or regular mail. Visit c3gov.com/council and click on “Virtual Meeting and Public Comment Instructions” for instructions on how to register or submit comments. The deadline to register to comment and to submit written comments is noon on Monday, October 7th. Please contact the City Clerk to request paper copies of materials.

4. Public Comment

[24-141](#)

Public Comment - City Council will conduct this meeting in person at the Commerce City Civic Center, 7887 E 60th Ave, Commerce City, CO 80022. There will be the opportunity for public comment at the meeting during public comment and/or for each agenda item. Comments may be consolidated under the Public Comment part of the meeting. The public can submit their comments live during the meeting in person, via Zoom, or in advance through mail or email. Visit c3gov.com/council and click on “Meeting agendas” for the full meeting agenda and “Virtual Meeting and Public Comment Instructions” for instructions on how to submit live verbal and written comments. The deadline to register via Zoom or submit written comments is noon on Monday, October 7, 2024.

Derek Gruenberger spoke on Ordinance 2616's language around potential annexation areas.

Jackie Valdez spoke on traffic in their neighborhood.

Glen Murray spoke on Ordinance 2616's language around potential annexation areas.

Scott VanHeusen spoke on the agenda amendment to move public hearings before public comment.

Keith Rogers spoke on traffic in their neighborhood.

5. Proclamations and Recognitions

[Proc 24-036](#)

Proclamation Declaring October 2024 as Manufacturing Month in Commerce City, Colorado

A motion was made by Council Member Dukes, seconded by Council Member Madera, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Proc 24-026](#)

Proclamation Declaring October 14, 2024 as Indigenous Peoples' Day in Commerce City, Colorado

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Dukes, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Noticed Council Business

[24-254](#)

Requesting a crosswalk along E. 64th Ave and Memorial for Isabella Salas Morales

A motion was made by Council Member Chacon, seconded by Council Member Kim, to direct staff to reach out to the family of Isabella Salas Morales to establish a memorial and to look into installing a traffic calming measure at 64th Avenue and Glencoe Street. VOTE: Unanimous, all present affirmed.

6. Presentations

[Pres 24-104](#)

Oil and Gas Monthly Update

Libby Tart, Environmental Planner, provided the monthly environmental planning policy and oil and gas update.

7. Consent Agenda

Mayor Pro Tem Noble requested to pull Resolution 2024-097, Resolution 2024-122, Ordinance 2627, and Ordinance PUDA23-0003 from the Consent Agenda.

A motion was made by Council Member Kim, seconded by Council Member Millard-Chacon, to approve the Consent Agenda as amended. ROLL CALL VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Min 24-170](#)

Minutes of the September 16, 2024 Regular Meeting

[Min 24-174](#)

Minutes of the September 23, 2024 Special Meeting

[Res 2024-097](#)

A RESOLUTION ADOPTING THE COMMERCE CITY ECONOMIC DEVELOPMENT STRATEGIC PLAN

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Douglas, that this Resolution be continued to hold a public hearing on the resolution at the next available date. VOTE: 4 - Aye (Chacon, K. Douglas, S. Douglas, Noble), 5 - Nay. Motion failed.

A motion was made by Council Member Madera, seconded by Council Member Dukes, that this Resolution be adopted and direct staff to promote the strategic plan to the community. VOTE:

Aye: 6 - Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Kim, Council Member Dukes and Council Member Ford

Nay: 3 - Mayor Douglas, Council Member Millard-Chacon and Council Member Douglas

[Res 2024-122](#)

A RESOLUTION IN SUPPORT OF SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT BALLOT MEASURE FOR THE 2024 NOVEMBER ELECTION

A motion was made by Council Member Dukes, seconded by Council Member Teter, that this Resolution be adopted. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2621](#)

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT WITH THE PHOENIX LIMITED PARTNERSHIP, A WYOMING LIMITED PARTNERSHIP

[Ord 2626](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH FAMILY PROMISE OF GREATER DENVER; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

[Ord 2627](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH BLACK PARENTS UNITED FOUNDATION; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

A motion was made by Council Member Dukes, seconded by Council Member Kim, to allow Council Member Douglas to recuse themselves from the vote. VOTE: 8 - Aye, 1 - Recused (K. Douglas)

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, that this Ordinance be approved on second & final reading. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes and Council Member Ford

Recused: 1 - Council Member Douglas

[Ord 2628](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH SERVICIOS DE LA RAZA; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

[Ord 2629](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH BENEFITS IN ACTION; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

[PUDA23-0003](#)

AN ORDINANCE APPROVING THE COMMONS AT 104TH 2ND AMENDMENT PUD ZONE DOCUMENT AMENDMENT TO ALLOW ADDITIONAL LAND USES, INCLUDING SIT DOWN RESTAURANTS WITH A DRIVE THRU, EV CHARGING STATIONS, AND RETAIL STORES FOR PLANNING AREA A CONSISTING OF 6.97 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EAST 104TH AVENUE AND POTOMAC STREET

A motion was made by Mayor Douglas, seconded by Council Member Ford, that this Zoning Ordinances be approved on second & final reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Public Hearings

A motion was made by Council Member Noble, seconded by Council Member Ford, to make the public hearing on Ordinance PUDA23-0005 as the current item. VOTE: 8 - Aye, 1 - Nay (Dukes)

[PUDA23-0005](#)

AN ORDINANCE APPROVING THE MILE HIGH GREYHOUND PARK PUD ZONE DOCUMENT AMENDMENT 2 TO ALLOW FOR LIMITED DRIVE-THRU USES IN PLANNING AREA B. THE PROPERTY CONSISTS OF 10.52 ACRES AND IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF EAST 62ND AVENUE AND ELM STREET

Mayor Douglas opened the public hearing.

Caitlin Quander, legal counsel to the Urban Renewal Authority, provided the applicant's presentation and was present to take questions from Council.

Heather Vidlock, Planning Manager, provided the staff presentation.

No public testimony was received.

Mayor Douglas closed the public hearing.

A motion was made by Council Member Madera, seconded by Council Member Teter, that this Zoning Ordinances be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

9. Ordinances on 1st Reading

A motion was made by Council Member Kim, seconded by Council Member Teter, to extend the automatic time of adjournment to 11:10 PM. VOTE: 7 - Aye, 2 - Nay (Ford, Madera)

[Ord 2613](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF COLORADO DEPARTMENT OF TRANSPORTATION FUNDS IN THE AMOUNT OF \$453,600 FOR THE FISCAL YEAR 2025 HIGHWAY SAFETY IMPROVEMENT PROGRAM.

A motion was made by Council Member Dukes, seconded by Council Member Madera, that this Ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2619](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO LOCAL ENTITY AIR NETWORK (CLEAN) GRANT IN THE AMOUNT OF \$1,000 FOR LOVE MY AIR PROGRAM ACTIVITIES.

A motion was made by Council Member Dukes, seconded by Council Member Millard-Chacon, that this Ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2646](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING UNENCUMBERED FUND BALANCE IN THE GENERAL FUND IN THE AMOUNT OF \$1,276,250 FOR USE ON THE ADAMS TOWER 6TH FLOOR RENOVATION, INCLUDING SPECIFIED INTERFUND TRANSFERS, AND AUTHORIZATION OF THE EXPENDITURES THEREOF

A motion was made by Council Member Kim, seconded by Council Member Dukes, that this Ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 8 - Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Nay: 1 - Mayor Douglas

10. Ordinances on 2nd Reading

[Ord 2616](#)

AN ORDINANCE ADOPTING THE COMMERCE CITY 2045 COMPREHENSIVE PLAN

Council Member Kim offered a friendly amendment to the motion to allow Council Member Chacon to work with the City Manager's Office to update language in the Comprehensive Plan Chapter 11. Mayor Douglas accepted the friendly amendment as the presiding officer.

A motion was made by Council Member Madera, seconded by Council Member Dukes, that this Ordinance be approved on second & final reading as amended in the staff provided memo. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

11. Administrative Council Business

A motion was made by Mayor Douglas, seconded by Council Member Kim, to draft a letter of support for Comcast seeking a state grant. VOTE: Unanimous, all present affirmed.

12. Council Reports

City Manager Rogers highlighted items presented in their weekly report provided to council earlier. The mayor and council reported on their attendance at various meetings and events.

A motion was made by Mayor Douglas, seconded by Council Member Chacon, to extend the automatic time of adjournment to 11:25 PM. VOTE: 5 - Aye, 4 - Nay (Dukes, Ford, Madera, Teter)

[24-236](#)

Review of Work Schedule

13. Adjourn

A motion was made by Council Member Chacon, seconded by Council Member Chacon, to adjourn the meeting. VOTE: 6 - Aye, 3 - Nay (Kim, Madera, Teter)

The meeting adjourned at 11:23 PM.

In accord with the city charter, the city clerk read the title to all ordinances and resolutions adopted by Council at this meeting.

Dylan A. Gibson, City Clerk

[24-248](#)

City Manager Week in Review Report

[24-242](#)

City Council Policies

Any member of the public requesting accommodations, with respect to rights under the Americans with Disabilities Act, to attend or participate in any public meeting, and/or to obtain this notice in alternate formats, is asked to please contact the City Clerk at 303-227-8791 as soon as possible before the meeting.