

**CITY OF BRIGHTON
PLANNING COMMISSION**

MINUTES

February 9, 2023

Approved as presented

I. CALL TO ORDER

Commissioner Maslanik called the meeting to order at 6:03 p.m.

II. PLEDGE OF ALLEGIANCE

Commissioner Maslanik asked Commissioner LeDonne to lead the Pledge of Allegiance.

III. ROLL CALL

Roll call was taken with the following Commissioners in attendance: Chris Maslanik, William Leck, Michael Pishaki, Valerie Wolf, and Kathryn LeDonne. Alternate Jolene Cohen-McCoy was excused.

STAFF PRESENT

Yasmina Shaush, Assistant City Attorney; Mike Tylka, Assistant Director of Community Development; Kate Lesser, Commission Secretary; Shannon McDowell, Senior Long Range Planner; Summer McCann, Assistant Planner.

IV. MINUTES OF PREVIOUS MEETINGS

Motion by Commissioner Pishaki to approve the December 8, 2022 minutes as presented

Second by Commissioner Wolf

Voting Aye: All present

Motion passes: 5-0

V. PUBLIC INVITED TO BE HEARD ON ITEMS NOT ON THE AGENDA

None presented.

VI. AGENDA ITEMS

1. Elections of Planning Commission Chair and Vice Chair
2. Bromley Park Planned Unit Development 28th Amendment: Summer McCann Presenting
3. Disconnection *Land Use and Development Code* Amendment: Shannon McDowell Presenting

1. Elections of Planning Commission Chair and Vice Chair

Commissioner Maslanik opened the floor for nominations of Chair and Vice Chair:

Commissioner Leck submitted a nomination for himself to continue serving as Vice Chair.

Commissioner Wolf submitted a nomination for Commissioner Maslanik to continue serving as Chair.

No other nominations were submitted.

Commissioner Leck was unanimously elected as Vice Chair of the Planning Commission.

Commissioner Maslanik was unanimously elected as Chair of the Planning Commission.

2. Bromley Park Planned Unit Development 28th Amendment

Chair opened the public hearing at 6:09 p.m.

Chair invited Staff to present, summarized:

Ms. McCann presented the item as outlined in the staff report and confirmed that legal publication and posting were completed for this hearing. Ms. McCann stood ready for questions.

Chair called for questions from the Commission of Staff, summarized:

Commissioner Maslanik requested clarification regarding whether the only decision the Commission is making is for a reduction in the square footage of the proposed building.

Ms. McCann confirmed that all other standards and code requirements would still be met, but the amendment would remove the 1,500 square foot principle building size requirement.

Chair invited the Applicant to present, summarized:

Chad August, 1385 S. Colorado Boulevard, Denver, CO 80222, provided a brief introduction of the team and stood ready for questions.

Chair called for questions from the Commission of the Applicant or Staff, summarized:

None presented.

Chair called for the public to ask any questions the Applicant or Staff, summarized:

None presented.

Chair called for any further questions from the Commission or the public.

Gursev Bajwa, 15550 Fairway Drive, Commerce City, CO 80022, spoke in favor of the commercial project being proposed.

Chair called for any member of the public to speak on behalf of this item being presented.

One proponent was present.

Gursev Bajwa at 15550 Fairway Drive, Commerce City, CO 80022

Chair called for any member of the public to speak in opposition of this item being presented.

No opponents were present.

Chair closed the public hearing at 6:20 p.m.

The Commission Secretary read the resolution into the record.

Chair called for discussion among Commissioners, summarized:

Commissioner LeDonne stated that she visited the site and is in favor of this amendment bringing new businesses to the City.

Commissioner Maslanik stated that he is pleased to see this development being made available for an end-user.

Motion by Commissioner Leck to approve the resolution as presented.

Second by Commissioner Wolf.

Voting Aye: All present

Motion passes: 5-0

3. Disconnection Land Use and Development Code Amendment

Chair opened the public hearing at 8:23 p.m.

Chair invited Staff to present, summarized:

Ms. McDowell presented the item as outlined in the staff report and confirmed that legal publication and posting were completed for this hearing. Ms. McDowell stood ready for questions.

Chair called for questions from the Commission of Staff, summarized:

Commissioner LeDonne complemented staff for setting a procedure in place for these types of applications.

Commissioner Leck questioned whether the City has ever seen a de-annexation.

Ms. Shaush stated that these procedures mirror the Colorado Revised Statutes, which are also used by statutory cities and towns. Before Brighton became a home rule municipality, that is the process that was followed. The Code will now reflect the same process that was followed in the past.

Mr. Tylka stated that the last deannexation was approximately six years ago when a building on the south side of Telluride Street was in the middle of the City's boundary line, so the building was disconnected.

Commissioner Maslanik asked whether disconnection could be denied on a case-by-case basis, and whether an individual property could be de-annexed or if it must be the whole plat.

Ms. McDowell stated that anyone could request to be disconnected from the City, but they still must meet the statutory requirement, which includes 1/6 contiguity.

Ms. Shaush stated that, theoretically, disconnection could be requested for any parcel of property within City limits, but it is unlikely that an individual residence would be approved for disconnection due to existing utility services, etc.

Chair called for the public to ask any questions the Applicant or Staff, summarized:

None presented.

Chair called for any member of the public to speak on behalf of this item being presented.

No proponents were present.

Chair called for any member of the public to speak in opposition of this item being presented.

No opponents were present.

Chair closed the public hearing at 6:37 p.m.

The Commission Secretary read the resolution into the record.

Chair called for discussion among Commissioners, summarized:

None presented.

Motion by Commissioner Pishaki to approve the amendments as presented.

Second by Commissioner LeDonne.

Voting Aye: All present

Motion passes: 5-0

VII. OLD BUSINESS

None presented.

VIII. NEW BUSINESS

1. 2023 Conflict of Interest Form

Ms. Lesser presented the forms and collected signed copies from all Commissioners in attendance.

IX. REPORTS

1. 2023 State of the City Address on April 5, 2023 (RSVP Required)

Ms. Lesser provided a reminder for Commissioners to RSVP for the State of the City Address if they plan on attending.

2. Reports: Assistant Director of Community Development

Mr. Tylka provided an update of current developments.

3. Tentative Next Meeting: TBD

Mr. Tylka stated that the next meeting is tentatively set for March 23rd.

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X. ADJOURNMENT

Motion to adjourn at 6:44 p.m.

Motion by Commissioner LeDonne

Second by Commissioner Wolf

Voting Aye: All Present

Motion passes: 5-0

Recorded by Kate Lesser