

COMMUNITY & DEVELOPMENT SERVICES

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3185 FAX: 303-621-3165
cds@elbertcounty-co.gov



**Meeting Minutes
PLANNING COMMISSION MEETING
BOCC Hearing Room, 215 Comanche St. Kiowa
DATE: May 16, 2023 – TIME: 7:00 PM**

1. **CALL TO ORDER:** 7:04 PM by Chair Hoogendyk
2. **PRAYER:** Performed by Chair Hoogendyk
3. **PLEDGE OF ALLEGIANCE:** Led by Chair Hoogendyk
4. **ROLL CALL:** Commissioners Present: Chair Peter Hoogendyk, Vice Chair Danny Willcox, Van Sands, Eric Carlson, Mike Buck, Roger Burton, Deanna “Dede” Schott-Grace.

Commissioners Absent: Duane Owens and Kevin Kirkwood.

Staff Present: Laura Granja, Land Use Planner and Wendy Doyle, Planning Admin. Assistant.
5. **REMINDER TO TURN OFF CELL PHONES**
6. **STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S) PERTAINING TO MATTERS OF THIS BOARD:** None
7. **CONSENT AGENDA ITEMS:** None
8. **CITIZEN COMMENTS:** None
9. **APPROVAL OF MEETING MINUTES:**
 - A. January 24, 2023, Meeting Minutes
MOTION: Approval of January 24, 2023, Meeting Minutes.
Commissioner Roger Burton made a motion to Approve the Minutes as presented.
Commissioner Danny Willcox seconded the motion. All in Favor, Motion Passed 7 – 0.
 - B. February 7, 2023, Meeting Minutes
MOTION: Approval of February 7, 2023, Meeting Minutes.
Commissioner Van Sands made a motion to Approve the Minutes as presented.
Commissioner Dede Schott-Grace seconded the motion. All in Favor, Motion Passed 7 – 0.

10. PUBLIC HEARINGS:

A. Old Sawmill Ranch Rezone (Case RZ-22-0032)

Laura Granja, Land Use Planner (on behalf of Case Manager Steven Hoese, Planning Manager) presented: Applicant requesting a rezone of 10 acres from Agriculture (A) to Agriculture Residential (AR) and 32.2 acres from Agriculture (A) to Agriculture Two (A-2) on a 42.3-acre property located at the NE corner of N. Elbert Rd. and County Rd. 74-82.

Noted: The Rezoning is to be followed by a Minor Plat creating one new 10-acre lot. The Minor Plat is not a part of this application.

APPLICANT PRESENTATION:

Andrew Horibe expressed appreciation to Commission members for their consideration of his rezoning requests, on behalf of his family.

PUBLIC COMMENTS: None

BOARD ONLY DISCUSSION: 7:21 PM

- Commissioner Carlson questioned the accuracy of Water Supply Demand presented at 10 gallons per day for the watering of 6 head of livestock referenced in a letter from the CO Division of Water Resources dated February 23, 2023.
- Commissioner Willcox advised the Applicant to look into the accuracy of the Water Supply Demand.
- Commissioner Willcox inquired to the Applicant if he intends on having livestock on the property and the Applicant replied, "yes."

MOTION: To Approve Old Sawmill Ranch Rezone RZ-22-0032, subject to the conditions listed.

Conditions of Approval:

- Applicant required to remove Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners.
- Rezone shall not become effective until all fees are paid, conditions of approval are met, and the Rezone Exhibit is recorded.
- Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
- Recordation of the Minor Plat MP-22-0033.

7:26 PM. Commissioner Dede Schott-Grace made a motion to approve. Commissioner Eric Carlson seconded the motion. All in Favor, Motion Passed 7 – 0.

B. Silver J Ranch Rezone (Case RZ-22-18334)

Laura Granja, Land Use Planner (on behalf of Case Manager Steven Hoese, Planning Manager) presented: Applicant is requesting a rezone of 15 acres from Agriculture (A) to (A-2) Agriculture and a rezone of an adjoining 6 acres parcel from Residential Agriculture (RA) to (A-2) Agriculture on property located at 4449 State Highway 86 Elizabeth, CO 80107, creating a total of 21 acres zoned A-2.

Noted: The 15 and 6 acre parcels are being combined under a separate Minor Plat application and are not a part of this rezone application.

APPLICANT PRESENTATION:

Michael Barney extended his appreciation to the Commission members for their consideration of the presented requests.

PUBLIC COMMENTS:

- Gary Jones, 4449 Hwy 86, Grandson of Casey Jones, supported the rezoning application for the land his family previously sold to Elizabeth Park and Recreation District.
- Lisaline Hewel, 34221 Forest Park Drive. Ms. Hewel's property borders Silver J Ranch and she supports the property remaining a park as opposed to it being developed.

BOARD ONLY DISCUSSION: 7:39 PM

- Commissioner Sands recalled memories of speaking with Casey Jones years ago, loving Elbert County and eventually moving to the County.
- Commissioner Burton expressed he is glad Casey Jones property was purchased by Elizabeth Park and Recreation District and highlighted the Stampede event.
- Commissioner Schott-Grace referred to Casey Jones Park as a park enjoyed by generations. She is thankful to the Jones family for the park and spends a lot of time at the park.
- Chair Commissioner Hoogendyk presented concerns that the Planning Commission Meeting packet was incomplete. I.e., a document signed absent of a Notary Public, Exhibit presented without a case number, referral letters and comments not presented.

MOTION: To Approve Silver J Ranch Rezone RZ-22-18334, subject to the conditions listed.

Conditions of Approval:

- Applicant required to remove Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners.
- Rezone shall not become effective until all fees are paid, conditions of approval are met, and the Rezone Exhibit is recorded.
- Administrative approval and recording of the minor plat combining two parcels together to occur within 180 days of Board of County Commissioners' approval.

7:45 PM. Commissioner Van Sands made a motion to approve. Commissioner Roger Burton seconded the motion. All in Favor, Motion Passed 7 – 0.

C. Casey Jones Park Rezone (Case RZ-22-18818)

Laura Granja, Land Use Planner (on behalf of Case Manager Steven Hoesle, Planning Manager) presented: Applicant requesting to rezone 27-acres Elizabeth Park and Recreation District parcel from Residential Agriculture (RA) to Agriculture (A) on property located at 4189 State Highway 86, Elizabeth, CO 80107.

APPLICANT PRESENTATION: Michael Barney had no comments and would be available to answer questions.

PUBLIC COMMENTS: None

BOARD ONLY DISCUSSION: 7:52PM

- Commissioner Sands expressed no problems with the request as it needs to be done.
- Commissioner Burton pointed out requirements indicate a need for proof of water supply. Laura Granja responded that Applicant has two well permits.
- Commissioner Schott-Grace had no comment.
- Commissioner Carlson had no comment.

MOTION: To Approve Casey Jones Park Rezone RZ-22-18818, subject to the conditions listed.

Conditions of Approval:

- Applicant required to remove Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners.
- The Rezone shall not become effective until all fees are paid, conditions of approval are met, and the Rezone Exhibit is recorded.
- Applicant records a deed to combine the 27-acre parcel with the 78.13-acre parcel currently zoned Agriculture (A) has been signed and recorded within 180 days of the BOCC Commissioners' Approval.

7:55 PM. Commissioner Danny Willcox made a motion to approve. Commissioner Roger Burton seconded the motion. All in Favor, Motion Passed 7 – 0.

D. Casey Jones Park SUR (Case SU-22-18819)

Laura Granja, Land Use Planner (on behalf of Case Manager Steven Hoes, Planning Manager) presented: Applicant is seeking Special Use By Review approval for upgrades including sewer hookups, septic system, relocating campsites from under power lines, park roadway grading and widening, emergency access, dumpster relocation and enclosure, installing bollards and ropes to improve traffic control, approval for future permanent camp-host dwelling, on property located at 4189 State Highway 86, Elizabeth, CO 80107.

APPLICANT DISCUSSION:

Michael Barney shared the benefits this project would provide to Elbert County and its Park and Recreation Division.

PUBLIC COMMENTS:

- Lisaline Hewel, 34221 Forest Park Drive, commended the hard work by individuals to get funds to improve the park and welcomed park improvements including widened roads in the event of fire and safety for neighbors around the park.
- Gary Jones, 4449 Hwy 86, agreed with Lisa Hewel's comments and is looking forward to the park's future. Mr. Jones inquired where the dumpsters are being moved to and thanked the Applicant for moving the location of the dumpsters.
- Laura Granja, Land Use Planner, responded to Mr. Jones' inquiry by referring to the Campground and Park Improvement slide.

BOARD ONLY DISCUSSION: 8:11 PM

- Commissioner Carlson had no comments.
- Commissioner Sands had no comments.
- Commissioner Burton confirmed the dumpster location and inquired if emptied via Casey Jones Park or the campground. Applicant replied the dumpster is emptied via Casey Jones Park.
- Commissioner Schott-Grace asked the percentage of campsites not connected to the sewer. Applicant replied five campsites are not connected to the sewer.
- Commissioner Chair Hoogendyk asked the closeness of the dumpster and its enclosure to the children's playground. Applicant replied and added that the dumpster's enclosure will be locked and not used for events.

MOTION: To Approve Casey Jones Park SUR SU-22-18819, subject to the conditions listed.

Conditions of Approval:

- Applicant required to remove Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners.
- The SUR shall not become effective until all fees are paid, conditions of approval are met, and the SUR Exhibit is recorded.
- The Rezoning to Agriculture (A) is approved and a deed to combine the 27-acre parcel with the 78.13-acre parcel currently zoned Agriculture (A) has been signed and recorded within 180 days of the BOCC Approval.

8:14 PM. Commissioner Danny Willcox made a motion to approve. Commissioner Eric Carlson seconded the motion. All in Favor, Motion Passed 7 – 0.

11. WORK SESSION: None

12. ANNOUNCEMENTS: None

13. ADJOURNMENT:

MOTION: To Approve to Adjourn Planning Commission Meeting.

8:15 PM. Commissioner Danny Willcox made a motion to approve. Commissioner Van Sands seconded the motion. All in Favor, Motion Passed 7 – 0.