

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

BOCC Public Hearing Room, 215 Comanche Street, Kiowa, CO 80117

DATE: February 4, 2025 TIME: 7:00 PM

1. **CALL TO ORDER:** 7:00 PM – Chair Willcox
2. **PRAYER:** 7:00 PM – Chair Willcox
3. **PLEDGE OF ALLEGIANCE:** 7:01 PM - Led by Chair Willcox
4. **ROLL CALL:** 7:02 PM – Wendy Doyle
Commissioners Present: Chair Danny Willcox, Vice Chair Kevin Kirkwood, Van Sands, Dede Schott-Grace, Robert Poletiek, John Gresham, Nicole Hunt, and Kyle DeNardo. Vacant Seat(s): One.
Meeting Staff: Marc Dettenrieder, Director of Community and Economic Development; Kelsey Lanham, Land Use Planner; and Wendy Doyle, PC Recording Secretary.
5. **STAFF REPORT:** 7:02 PM – Marc Dettenrieder
Recent actions of the Board of County Commissioners reported. Planning Commissioner Hunt replaced Commissioner Waller – District 1 seat, and Planning Commissioner DeNardo replaced Commissioner Buck – District 2 seat.
6. **CONSENT AGENDA ITEMS:** 7:04 PM None – Marc Dettenrieder
7. **ELECTION OF OFFICERS:** 7:04 PM – Chair Willcox
Call for Chairman nominations: Robert Poletiek nominated Kevin Kirkwood. Dede Schott-Grace seconded the nomination. No additional nominations. All in favor.
Call for Vice Chairman nominations: Kevin Kirkwood nominated Robert Poletiek. Dede Schott-Grace seconded the nomination. No additional nominations. All in favor.
ELECTION OF OFFICERS FINAL: Chairman Kevin Kirkwood, Vice Chairman Robert Poletiek 7:06 PM
8. **CITIZEN COMMENTS** - Unrelated to public hearings: 7:06 PM - Chair Kirkwood
Xcel Energy's Power Pathway. Carrie Jibblits, 19656 Wedemeyer Rd., Kiowa, CO – board member of Elbert County Environmental Alliance (ECEA) opposing the proposed project submitted an information sheet for the public comment file; Don Gray, 16000 Hwy 86, Kiowa, CO – affected landowner/board member of ECEA opposing Xcel. Topics of concern included negative impacts on wildlife, community health and safety, and property values.
CITIZEN COMMENTS CLOSED: 7:14 PM – Chair Kirkwood
9. **APPROVAL OF MEETING MINUTES:** 7:14 PM
Commissioner Schott-Grace moved to approve the January 7, 2025, meeting minutes as presented.
Commissioner Poletiek seconded the motion.
Motion Passed 8 – 0.

10. PUBLIC HEARING PROCESS: 7:15 PM – Chair Kirkwood

Appointed by the Board of County Commissioners (BOCC), the Planning Commission is a quasi-judicial volunteer board that essentially takes the application at hand, references the regulations and ordinances in place, and compares them with the application. Following the public hearing, the commission may vote one of three ways: 1. Vote to recommend approval; 2. Vote to recommend denial; 3. Recommend approval with conditions. The recommendation is forwarded to the BOCC holding the authority to approve the application. All testimony must be competent, on topic and not repetitious. The Vice Chair's statement concluded with the order of business for public hearings.

PUBLIC HEARING:

BIGHORN RIDGE REZONE (RZ-2023-0316) 7:16 PM

Staff Presentation: Kelsey Lanham, Land Use Planner - presented the proposed application requesting approval to Rezone 79.72 acres from Agriculture (A) to Agriculture Residential (AR) at 316 Ponderosa Lane, Elizabeth, CO 80107.

Based upon review of the approval criteria found in Elbert County Zoning Regulations Article III.C.4 and the findings in the Staff Report, *staff recommends approval with conditions* of Bighorn Ridge Rezone.

Applicant Presentation: Grace Erickson, Providence Consulting, on behalf of property owner Gary Hansen – stated property owner's intent is to proceed with subdivision of up to seven (7) lots for personal use.

Public Testimony Opened: Chair Kirkwood

Testimony in opposition: Carrie Kee, 120 Overlook Road, Elizabeth, CO 80107. Topics included traffic impact, safety, and road maintenance.

Testimony in favor: Chad Roach, 415 Rockhaven Drive, Elizabeth, CO 80107. Topics included right to develop and compatibility.

Public Testimony Closed: Chair Kirkwood

Applicant Rebuttal: Grace Erickson addressed topics of concern raised during Public Testimony.

Commission Discussion: Chair Kirkwood

Brief discussions held between Planning Commissioners, Staff, and Applicant included area density, traffic, access, and water. Once fully recorded, Planning Commissioners will receive revised, updated regulations.

Commissioner Hunt inquiries and requests:

- Period of time between community meeting and application submission was one year; likely turnover in the community occurred. *Staff*-Current regulations do not specify a timeline when something must be submitted after a community meeting.
- Affidavits reflected stamps/signatures of a party other than the property owner or applicant representative. *Staff*-Affidavits signed and notarized, attesting noticing completed, in compliance with Elbert County regulations. Regulations do not require applicant to personally attest.
- Posting of Signs: Notarized certification reflects oath that notice of the signs were posted on the property for 14 consecutive days; however, date posted is 5 days. *Staff*-notice date was met; regulations revisions approved by the Board of County Commissioners (not yet recorded) will read "14 days prior to hearing" as opposed to "14 consecutive days."
- Request for proof of sign posting to be included in agenda packets. *Staff*-Proof will be provided going forward.
- Request for responses from all agencies to be included in agenda packets. *Staff*-Agencies that responded with full comments were provided; however, no objection responses were not.
- Response to Public Health request for confirmation of number of wells to be installed was not reviewed in contents of the agenda packet. *Applicant Representative*-Indicated her referral response letter (included in the agenda packet) responds to the request; including 1 existing well and 6 new wells in accordance with augmentation plan.

Call for Motion: Chair Kirkwood

Commissioner Sands moved the Planning Commission make a RECOMMENDATION OF APPROVAL to the Board of County Commissioners for RZ-2023-0316, subject to the three (3) Conditions of Approval recommended in the staff report.

Commissioner Poletiek seconded the motion.

Motion Passed 8 – 0.

PUBLIC HEARING, BIGHORN RIDGE REZONE (RZ-2023-0316) CLOSED 7:55 PM

11. ADJOURNMENT: 7:55 PM

Commissioner Schott-Grace moved to adjourn.

Commissioner Poletiek seconded the motion.

Motion Passed 8 – 0.