

COMMUNITY & DEVELOPMENT SERVICES

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MEETING MINUTES
PLANNING COMMISSION

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

DATE: July 1, 2025 TIME: 7:00 PM

1. **CALL TO ORDER:** 7:03 PM – Chair Kirkwood
2. **PRAYER:** 7:03 PM – Chair Kirkwood
3. **PLEDGE OF ALLEGIANCE:** 7:04 PM - Led by Chair Kirkwood
4. **ROLL CALL:** 7:05 PM – Wendy Doyle
Commissioners Present: Chair Kevin Kirkwood, Vice Chair Robert Poletiek, Van Sands, Dede Schott-Grace, John Gresham, Kyle DeNardo, Diana Edstrom, Nicole Hunt, and Dan McCallin.
Commissioners Absent: None.
Meeting Staff: Jennifer Jones, Community & Development Services (CDS) Director and Wendy Doyle, PC Recording Secretary.
Meeting Staff Consultant: Blake Young, Kimley-Horn and Associates, Inc.
5. **STAFF REPORT:** 7:05 PM – Jennifer Jones
Recent actions of the Board of County Commissioners reported.
6. **CITIZEN COMMENTS** - Unrelated to public hearings: 7:06 PM – None. Chair Kirkwood
7. **APPROVAL OF MEETING MINUTES:** 7:06 PM – None. Chair Kirkwood
8. **PRESENTATION – ELBERT COUNTY COMPREHENSIVE PLAN 2045 INTRODUCTION:** 7:06 PM – 7:38 PM
Blake Young, AICP, Project Manager, Kimley-Horn and Associates, Inc. – introduced the project team; summarized the plan is a regulatory document to guide the decision-making process when it comes to land use and future decisions down the road for the next ten to twenty years; reviewed roles and responsibilities of a Community and Steering Committee (local knowledge), County Staff and Consultants (technical experts), Planning Commission (advisors to BOCC), and Board of County Commissioners (decision makers); reviewed the project’s 11-month schedule; stated the project revolves around community engagement - community buy-in and requirements within the Colorado Revised Statutes, C.R.S. 30-28-106 (as of 2022); provided methods of community engagement; addressed the goals for the community survey; and presented the next steps in the process.

Feedback and Questions: Topics discussed included Steering Committee (15-member) makeup and guidelines; survey efforts and participation; rural counties that were successful with a plan that resisted traditional city urbanization but were able to maintain low growth; uncontrollable growth; infrastructure; landowner land-locking; public engagement; Planning Commission involvement; County’s current and former vision statements; vision statement and goals processes; comprehensive plan 1st draft timeline – February, 2026; post-1st draft next steps directed by the BOCC; and overall services provided by Kimley-Horn.

9. SEMI-QUASI-JUDICIAL PUBLIC HEARING: 7:38 PM

UPDATES TO ELBERT COUNTY ZONING AND SUBDIVISION REGULATIONS – Chairman Kirkwood

Overview: The Planning Commission discussed their recommended revisions to the Elbert County Zoning Regulations (ECZR) and Elbert County Subdivision Regulations (ECSR) at a work study session on April 22, 2025.

Per the Planning Commission's request, revisions were drafted which reflect the following:

- Elimination of the Concept Brief (formerly Concept Plan) process;
- Elimination of the Economic Development Zone Overlay (EDZ) and related processes;
- Addition of an 18-month timeframe for community meetings; and
- Addition of a three-year landscape warranty period.

In addition, minor corrections included through the affected articles.

Staff Presentation: None – Chair Kirkwood

Applicant: Planning Commission

Departments and Offices Affected: Community & Development Services (CDS) and Board of County Commissioners (BOCC)

Public Testimony Opened/Closed: None – Chair Kirkwood

Commission Discussion: Chair Kirkwood

Brief discussions held between Planning Commissioners and Staff included the existing Amendment 5; prospect of an Amendment 6; redline document captures previous discussion; discussions on edits not included in the previous discussion; topics for future amendment consideration; Zoning map/GIS mapping; community meeting language, community comments, and due process.

Call for Motion: Chair Kirkwood

Commissioner Dede Schott-Grace moved the Planning Commission makes a recommendation of approval to the Board of County Commissioners for the Regulation Updates, including ECZR Articles I, II, III, IV, V, VIII, IX, Appendix A, Appendix B, and ECSR Articles I, II, III, IV, XIII, Appendix B, Appendix C, as presented.

Commissioner Nicole Hunt seconded the motion.

Call for Roll Call Vote: Chair Kirkwood

Van Sands – AYE.

Dede Schott-Grace – AYE.

John Gresham – AYE.

Nicole Hunt – AYE.

Kyle DeNardo – AYE.

Dan McCallin – AYE.

Diana Edstrom – AYE.

Robert Poletiek – AYE.

Kevin Kirkwood – AYE.

Motion Passed 9 – 0.

SEMI-QUASI-JUDICIAL PUBLIC HEARING CLOSED: 7:56 PM

10. PUBLIC HEARING PROCESS: 7:57 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 Chair's statement concluded with the order of business for public hearings.

COYOTE RIDGE PUD REZONE (RZ-2024-0258)

Staff Presentation: Jennifer Jones - presented the proposed application requesting approval to rezone approximately 112 acres from Agriculture (A) to Planned Unit Development (PUD) for the property generally located at the northeast corner of County Road 13 and County Road 178. The proposed PUD would allow up to 237 dwelling units with a combination of single-family detached and single-family attached units. The developed land would account for approximately 37% of the total land area. The remainder of the site consists of (approximately) roads (21%), and open space (43%). Open space includes parks, open spaces, buffer areas, floodplains, and detention ponds. A PUD is zoning and creates allowable land uses with planning areas being a typical way of illustration because it isn't platting; are not actual lots yet. The proposed PUD consists of six planning areas of which four are residential, one is a park, and one is the perimeter road along the northern edge of the site. A required Development Guide only applies to properties located within the boundary. Water and wastewater service to be provided by Spring Valley Metro District.

Based upon review of the approval criteria found in Elbert County Zoning Regulations Article VII.F. and the findings in the Staff Report, *staff provided considerations for decision and potential conditions of approval* of Coyote Ridge PUD Rezone (RZ-2024-0258).

Applicant Presentation: Applicant Representative Julie Gamec, THK Associates, Inc., on behalf of property owners Dave Quatrochi and Bill Hart – introduced the applicants/property owners and Kirstin Ferrin, LSC – Traffic Engineer. Mr. Hart provided an overview of the project's 23-year history and the creation of the development. Ms. Gamec reviewed the community vision, rezoning to allow for a variety of lot sites; existing parcels, changes to parcels, and final parcel configurations – Deeds of Trust are being updated and are expected to be completed mid-July; legal descriptions on the cover sheet of the rezoning package to be updated when Deeds of Trust are recorded; clarification that the four lots to the north will remain 35-acre lots with neighborhood covenants being developed; and addressed rezoning criteria.

Public Testimony Opened: Chair Kirkwood

Testimony in opposition: Siobhan Roder-Cox, 42943 Vista Ridge Road, Parker, CO 80138. Topics included traffic and noise impacts; not compatible; and wildlife safety concerns.

Testimony in favor: None.

Public Testimony Closed: Chair Kirkwood

Applicant Rebuttal: Kirstin Ferrin referenced short-term and long-term traffic scenarios and analysis results in the traffic impact study; highlighted current traffic, and traffic growth; road construction; and traffic flow changes. Ms. Gamec recognized there is a lot of change happening in Elbert County and there is impact to the surrounding community. Mr. Quatrochi commented on changes in the area including development, roads, community considerations; and positive impacts.

Commission Discussion: Chair Kirkwood

Brief discussions held between Planning Commissioners, Staff, and Applicants included impacts to subdivision roads, traffic, equestrian lifestyle/mindset; pre-purchase knowledge, legalities, and County awareness of the bridal path; Zoning Amendment 4; utility easements not yet on property; notification recipients; traffic study; road construction/maintenance/name/access clarifications; and water sufficiency and augmentation plan.

Commissioner Schott-Grace:

- Comments – disagrees with the traffic study; tremendous amount of existing traffic; not against the whole project - thinks traffic is too much for the area; and traffic needs addressed better, differently.

Commissioner Gresham:

- Comment – no questions; feels it fits into the plan and fits in with what is south of it.

Commissioner DeNardo:

- Inquiries – pertaining to resident use of the open space and mitigation of impact to wildlife. *Applicant*-primarily passive uses including loop trail system, maybe benches; more active uses would be in the centralized park area; will work with Colorado Parks and Wildlife (CPW) for preliminary plat and willing to do some additional coordination .
- Inquiry – if historical resources were pulled on the properties. *Applicant*-according to County's GIS database, nothing is listed on the property.
- Inquiry – for the development timeline. *Applicant*-no developer in line so probably within a 5-year timeline to build out; no start date at this moment.
- Inquiry – for the price range intension for the single-family homes. *Applicant*-cannot answer that without having a developer in mind.
- Inquiry – as to why architectural guidelines/designs list seven or eight models of homes. *Applicant*- confirmed, explained "toolbox" elements for the different styles, and developer choices. Mr. Quatrochi added it is pretty premature to answer the question; additional information may be available during the preliminary plat stage should the project receive rezone request approval; and noted the variety of lot sizes.
- Inquiry – if property owners will oversee the development or get the rezone approved and sell it off. *Applicant*-possibly, not eliminating any options.

Commissioner Poletiek:

- Inquiry – for clarity regarding intension of various home styles. *Applicant*-not necessarily the intension, wanted to give options.

Commissioner McCallin:

- Inquiries – if property owners are professional builders and plans to finance. *Applicant*-property owners are not professional builders and will form their own metropolitan district in order to get the bonding funds to build out infrastructure and associated costs.
- Inquiry – on the approximate square footage of the houses shown in the legend. *Applicant*-cannot speak to actual home sizes/footprints; design guidelines set specific setbacks.
- Comment – concerned there seems to be more questions than answers. *Applicant*-from a rezoning point of view thinks a lot of the questions can be answered during the plat process.
- Inquiry – if there is precedent (or similar developments) for density for 237 homes on 112 acres; project's range of density is from 2.91 to 4.79 dwelling units per acre. *Staff*-(not having exact numbers on hand to reference) the County has a variety of other PUDs that have the same or higher density within their boundaries; 2.9 is probably on the low end. *Applicant*-density is calculated as the number of units per acre, the calculation is a ratio to itself.

Commissioner Sands:

- Comment – no questions.

Commissioner Hunt:

- Inquiry – open space versus developed land percentages. *Applicant*-43% open space exceeds zoning regulations 40% requirement; not looking to compare open space with other developments, looking at meeting the regulations and project needs best.
- Recommendation – (communication to Commission) to consider revising the open space topic in PUDs as would like to see more open space; 3 to 1 scenario is considered low density in neighboring counties; and Elbert County is a more rural county.
- Comments – concerned moving ahead discussing the application without having all of the material the zoning regulations say the Commission should have when taking into account an application; items excluded from the packet today that should (her opinion) have been included as they are required documents for the application such as deeds that are still in the works and processing.
- Comments – (communication to Commission) pertaining to regulations: Article I.F. Planning Commission 1. and 15. and Article II.B. General Requirements. Documents are part of the application and according to zoning regulations, the PC purpose is to review the application before submission to the BOCC; cannot do that if don't have all of the documents.
- Recommendation – based on the fact that the record has not been fully submitted to the PC cannot make a recommendation to the BOCC because don't actually have the full application.

- Request – for consideration of a continuance so can get the full application for the next meeting in two weeks; prefers to see all of the evidence and make a decision as a quasi-judicial PC member.

Additional Questions/Comments:

- Chair Kirkwood - Inquiry if obtaining the required information is accomplishable within two weeks. *Staff*-appreciates the concerns being brought up; happy to have discussions with PC, BOCC, and County Attorney aside from this particular application. Brief discussion between PC and Staff pertaining to agenda packet contents.

Commissioner Edstrom:

- Inquiry – about rendering of duplex units. *Staff*-referring to zoning regulations, straight zoning districts don't allow for duplexes or multi-family; a PUD is the only option to allow for that housing type.
- Inquiry – if there should be standards for these types of units that can be used in the development guide or is it totally up to the applicant to make those determinations. *Staff*-in the PUD it is completely customizable, there are not any standards that can be applied across the board for duplex, for paired homes, or for multi-family. *Applicant*-provided information on setbacks and architectural aesthetics.
- Inquiry – for information on duplex setbacks. *Applicant*-can provide information to Staff to pass along to the Board if requested; front and side setbacks for duplex units are often looked at very similarly to single-family detached.
- Inquiry – if water will be deeded over to Spring Valley. *Applicant*-it was deeded over to Spring Valley approximately a year ago and it is still in effect.
- Comment – The County's Master Water Plan has a recommendation for a new development to obtain water from another centralized system or sewer system.
- Inquiry – as to how a duplex is counted for density. *Applicant*-a duplex is counted as two units/households.
- Comment – (communication to Commission) have discussed density, the housing needs assessment plan, and County population growth. Brief discussion among Commissioners related to state demographic numbers and County lots, population growth, and housing types.
- Recommendation – to the applicant for consideration of patio homes requiring less maintenance/water/tending that would be attractive to 55+ active adults and as potential starter homes.

Commissioner Kirkwood

- Comments – a little concerned that actually considering another PUD on a very small piece of property; shared thoughts on the property, open space, and water pond/waterway;
- Recommendation – for consideration of a stipulation that CDS, BOCC, and PC get together to discuss concerns regarding the memo addressing packet contents.
- Inquiry – to Staff for a public hearing continuation date and time certain. Continuation based upon missing documentation; perception of incomplete application; and elements the PC needs to help form opinions on whether standards are met, compliant, creating a traffic or safety hazard, including Deeds. *Applicant*-inquired if it is possible to grant approval pending a condition on the requirements. The Commissioner responded it is not possible in fairness to the applicant. *Staff*-for clarification to the applicant, it is noted that the list of items included in the packet was presented to and approved by the Board and the County Attorney.
- Requests – for a conversation to be scheduled with the PC, County Commissioners, County Attorney, and CDS Director and a meeting with the applicant to finalize the public hearing. *Staff*-date certain options for continuance are August 5th and 19th. The Commissioner selected August 19th.

Call for Motion: Chair Kirkwood

Commissioner Nicole Hunt moved the Planning Commission move consideration of Coyote Ridge PUD (RZ-2024-0258) to August 19, 2025, 7:00 PM, so the Planning Commission will have a complete application to consider including all documents required for a Rezone to a PUD.

Commissioner Dede Schott-Grace seconded the motion.

Call for Roll Call Vote: Chair Kirkwood

Van Sands – AYE.

Dede Schott-Grace – AYE.

John Gresham – NAY. I don't believe we should punish the applicant for this. We should go ahead and vote on it.

Nicole Hunt – AYE.

Kyle DeNardo – NAY. I’m on the same page as John. I don’t think the applicant should be punished for a memo that was sent out.

Dan McCallin – AYE.

Diana Edstrom – AYE.

Robert Poletiek – NAY.

Kevin Kirkwood – NAY. I also believe that we don’t need to punish the applicant for this.

Motion Passed 5 – 4.

Chair Comment: Public hearing is continued to date and time certain August 19, 2025, 7:00 PM, 215 Comanche Street, Kiowa, CO 80117.

11. ADJOURNMENT: 9:24 PM

Commissioner Robert Poletiek moved to adjourn.

Commissioner Dan McCallin seconded the motion.

Motion Passed 9 – 0.