

COMMUNITY & DEVELOPMENT SERVICES

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PLANNING COMMISSION
TRAINING 6:00 PM/REGULAR MEETING 7:00 PM
Tuesday, March 3, 2026

Administration Building, 215 Comanche Street, 2nd Floor Public Hearing Room, Kiowa, CO 80117

- 1. TRAINING:** 6:00 PM Guest Speaker. Marissa Ginger, Environmental Health Specialist, Elbert County Public Health and Environment Department. Commissioners Present: Chair Kevin Kirkwood, Vice-Chair Robert Poletiek, Kyle DeNardo, Dan McCallin, and Ken Madsen. Commissioners Absent: Nicole Hunt, John Gresham, Dede Schott-Grace, and Dan Guthrie. Meeting Staff: Jennifer Jones, Community & Development Services Director; Danny Klibaner, Land Use Planner and Wendy Doyle, PC Recording Secretary. Other Staff: Mars Garcia, Information Technology.
Ms. Ginger presented, then answered various questions. Topics of discussion included position roles and responsibilities; participation in land use referrals; land use referrals - Local Public Health Agency (LPHA) vs. Colorado Department of Public Health and Environment (CDPHE); lot size requirements; public information efforts; and Onsite Water Treatment System (OWTS) permit processes, requirements, and standards for options.
- 2. CALL TO ORDER:** 6:30 PM Chair Kirkwood called the meeting to order.
- 3. INVOCATION/PLEDGE OF ALLEGIANCE:** Chair Kirkwood provided the Invocation and led the Pledge of Allegiance.
- 4. ROLL CALL/ATTENDANCE:** 6:32 PM Wendy Doyle called the roll.
Commissioners Present: Chair Kevin Kirkwood, Vice-Chair Robert Poletiek, Kyle DeNardo, Ken Madsen, and Dan McCallin.
Commissioners Absent: Nicole Hunt, John Gresham, Dede Schott-Grace, and Dan Guthrie.
Meeting Staff: Jennifer Jones, Community & Development Services Director; Danny Klibaner, Land Use Planner; Lance Ingalls, County Attorney; and Wendy Doyle, PC Recording Secretary.
Other Staff: Mars Garcia, Information Technology.
- 5. STAFF REPORT:** Jennifer Jones reported that the three different Public Notice signs currently used (all yellow) are now color-coded with Notice of Public Hearing – yellow signs; Notice of Community Meeting – white signs; and Notice of Administrative Decision – blue signs. The differentiating of Public Notice signs by color is intended to provide the public with clarification on the purpose of the posted notice.
- 6. APPROVAL OF MEETING MINUTES:** 6:34 PM Chair Kirkwood.
Commissioner DeNardo moved to approve the February 17, 2026, meeting minutes as presented.
Commissioner Poletiek seconded the motion.
Call for Vote: Chair Kirkwood.
Motion Passed 4 – 0. Commissioner McCallin absent in the vote.
- 7. CITIZEN COMMENTS:** 6:35 PM Chair Kirkwood. None presented.
- 8. PUBLIC HEARINGS:** 6:37 PM Chair Kirkwood.

PUBLIC HEARING #1, RECOMMENDATION ON ELBERT COUNTY WILDFIRE RESILIENCY CODE OPENED: 6:37 PM
Chair Kirkwood.

Staff Presentation: Lance Ingalls presented the 2025 Colorado Wildfire Resiliency Code from the Colorado Wildlife Resiliency Code Board. A recommendation of approval of the code and a certification of the State version is being requested. For purposes of adoption, the code is being treated as a new building code as it is not an amendment to a code, it is a standalone Colorado Wildfire Resiliency Code. The code must first be presented to the Planning Commission because it is a code that covers a new area of the County (the entirety of unincorporated Elbert County) and it requires a recommendation and a certified copy from the Planning Commission to the Board of County Commissioners. Mr. Ingalls reviewed the 2025 Colorado Wildfire Resiliency Code Map; Fire Intensity Classification - Legend; and highlighted there are different levels of building code requirements based on the fire classification a property is located within and protection that the structure or the defensible space will have with respect to fire zone.

Applicant Comments: Not Applicable.

Board Discussion: Chair Kirkwood.

Staff addressed questions. Topics included past wildfires; involvement of fire districts; fire risk levels; and related statutory processes and requirements.

Public Testimony Opened/Closed: 6:47 PM Chair Kirkwood. None Presented.

Applicant Rebuttal: Not Applicable.

Call for Motion: 6:48 PM Chair Kirkwood.

Commissioner DeNardo moved the Planning Commission recommend approval of the Elbert County Wildfire Resiliency Code that certifies the 2025 Colorado Wildlife Resiliency Code.

Commissioner Poletiek seconded the motion.

Call for Vote: Chair Kirkwood.

Motion Passed 5 – 0.

PUBLIC HEARING #1, RECOMMENDATION ON ELBERT COUNTY WILDFIRE RESILIENCY CODE CLOSED: 6:48 PM
Chair Kirkwood.

Meeting Recess: 6:48 PM to 7:00 PM Chair Kirkwood.

PUBLIC HEARING #2, THE ESTATES AT CYPRESS RIDGE PRELIMINARY PLAT (PP-2025-0004) OPENED: 7:00 PM
Chair Kirkwood.

Staff Presentation: Danny Klibaner presented the application requesting approval of a Preliminary Plat to subdivide two parcels totaling 421.35 acres into 186 lots ranging from one to three acres, with an average lot size of 1.481 acres. The currently vacant subject properties located at 988 and 1574 State Highway 86, Elizabeth, CO 80107, are owned by Jim Marshall, MF Investment Partners LLC and Kirby Ross, BK2 LLC. Residential-1 (R-1) zoning was approved under the Ridgewood Estates Rezone (Resolution 24-24) by the Board of County Commissioners on June 26, 2024. The presentation included background and existing conditions; site characteristics; public notification and referral processes; and timeline of project. Mr. Klibaner reviewed considerations for decision; findings and review criteria; and potential conditions of approval.

Applicant Presentation: 7:15 PM

Applicant Representative PCS Group, LLC introduced the project team and summarized the proposal. Jim Marshall, landowner/developer, and project team members reviewed access points/traffic management details; Town of Elizabeth sewer service agreement status; and water rights/adequacy/sources.

Public Testimony Opened: 7:30 PM Chair Kirkwood

Brad Eidt, Elizabeth, CO; Pat Lutz, Elizabeth, CO; and Dave Morales, Elizabeth, CO. Topics included financial viability of the proposed subdivision and financial burdens of the metro district including private road and signage repairs/maintenance, and public safety risks; traffic increase to adjacent subdivision, Legacy Trail; traffic impact to Highway 86; and the execution of project phases. Mr. Eidt for public record: agreement by Jim Marshall (at their expense) to move the Wild Pointe Ranch monument located at Legacy Ridge Street and Highway 86 to a different location.

Public Testimony Closed: 7:36 PM Chair Kirkwood

Applicant Rebuttal: The project team addressed the topics raised during public testimony including monument relocation acknowledgment by Jim Marshall.

Board Discussion: Chair Kirkwood.

Staff and the applicant project team addressed questions. Topics included open space and easement restrictions; Colorado Department of Transportation (CDOT) traffic standards and processes; water system options; wildlife recommendations; projected timeframe for project - phase 1 thru final buildout; home price points and anticipated buyers; Town of Elizabeth negotiations (sewer); sewage production/system capacity; tree preservation regulation; and xeriscape/hardscape.

Call for Motion: 8:14 PM Chair Kirkwood.

Commissioner DeNardo moved the Planning Commission recommend approval for the Estates at Cypress Ridge Preliminary Plat, PP-2025-0004, with the conditions that were mentioned by staff's presentation.

Commissioner Poletiek seconded the motion.

Call for Roll Call Vote: Chair Kirkwood.

AYES: Ken Madsen, Dan McCallin, Kyle DeNardo, Vice-Chair Robert Poletiek, and Chair Kevin Kirkwood.

NAYS: None

Motion Passed 5 - 0.

PUBLIC HEARING #2, THE ESTATES AT CYPRESS RIDGE PRELIMINARY PLAT (PP-2025-0004) CLOSED: 8:15 PM Chair Kirkwood.

9. ADJOURNMENT: 8:15 PM Chair Kirkwood.

Commissioner Poletiek moved to adjourn.

Commissioner DeNardo seconded the motion.

Call for Vote: Chair Kirkwood.

Motion Passed 5 – 0.

NOTICE:

These minutes are Action Minutes and summarize actions taken at the meeting. The full audio/video and agenda packet is available at <https://www.elbertcounty-co.gov>