

COMMUNITY & DEVELOPMENT SERVICES

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165
cds@elbertcounty-co.gov



AGENDA PLANNING COMMISSION MEETING BOCC Hearing Room 215 Comanche St. Kiowa DATE: July 6, 2021 - - TIME: 7:00 PM

1. CALL TO ORDER

The meeting was called to order at 7:03PM

2. PRAYER Peter Hoogendyk

3. PLEDGE OF ALLEGIANCE All

4. ROLL CALL

Planning Commissioners: Danny Willcox, Duane Owens, Roger Burton, Van Sands, Peter Hoogendyk, Jason Vermillion, Jeff Franken, Dan Michalak, Justin Klassen

5. REMINDER TO TURN OFF CELL PHONES

6. STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S) PERTAINING TO MATTERS OF THIS BOARD

- A. June 16, 2021 BOCC Land Use Items: *Swift Creek Rezone (RZ-21-0005)*Promised Land Rezone (RZ-21-0007)*Lloyd ADU Setback Variance (VA-21-0033)
Christina Stanton, CDS Director updated the Planning Commission on items approved by the BOCC on June 16, 2021.
- B. June 30, 2021 BOCC Land Use Items: *Spring Valley Ranch Filing No. 6 (FP-18-0075)
This item was continued to July 14, 2021.

7. CONSENT AGENDA ITEMS ARE RESERVED FOR ITEMS that are deemed to be non-controversial. This allows the Planning Commission to spend more of its meeting time for issues in which there is a need for a more significant discussion. If anyone desires to address the Commissioners regarding an item from this day's consent agenda, please ask that the item be removed from the consent agenda for further discussion.

8. CITIZEN COMMENTS

None

9. APPROVAL OF MEETING MINUTES

A. Motion: Approval of the June 1 and 15, 2021 Minutes

Peter Hoogendyk made a motion to approve both Minutes as presented. Roger Burton seconded the motion.

Motion Passed: 7 - 0

10. PUBLIC HEARING PROCESS Chairperson Statement: This matter requires this body to conduct a quasi-judicial hearing, which means the body must find facts and base its decision upon the application of the adopted regulation standards/criteria and the competent, substantial, and material evidence received during this hearing.

All testimony must be competent, on topic and not repetitious.

Chairperson - The order of business for Public Hearings will be as follows:

1. Open Public Hearing
2. Staff Presentation
3. Applicant Presentation (if any)
4. Public Testimony
5. Public Comment Closed
6. Applicant Rebuttal
7. Board Only Discussion
8. Board Motion and Roll Call Vote
9. Close Public Hearing

Note: Once the Public Hearing has been closed, no further testimony will be taken.

11. PUBLIC HEARINGS

A. Secure RV & Boat Storage and Repair (SU-20-0048) - A request for a Special Use By Review for an RV & Boat Storage/Repair business on a property at 2151 Elizabeth Drive, Parker

Numbering convention changed to SU-21-0034 at the start of application. Moving forward this will be the project reference number.

The public hearing for Secure RV & Storage Subdivision (SU-21-0034) was opened and Christina Stanton, CDS Director, began her presentation. After Christina's overview of the application the applicant, Gregory McCloud presented to Planning Commissioners, sharing that:

- It is a family-owned business, they support local whenever possible.
- They live on site of facility.

Public comments were opened to the public -- no one commented in person nor via zoom.

Public comments were closed.

Planning Commission questions and discussions:

- Parker address clarification.
- A bathroom will not be provided to customers.
- The lighting will be inside the facility, no outdoor light pollution.
- Max capacity will be 22 boats or RVs.
- Owner only does service on campers, not boats.

Justin Klassen motioned that there is an additional condition for approval for the addition of a clearly posted and prominent sign stating that there are no restrooms on the premises. Duane Owens seconded the motion.

- Motion Passed: 7 - 1
- Discussion was opened before final motion, there was clarification of questions about RV repair types and use of electricity.

Justin Klassen motioned to approve SU-21-0034 subject to the following conditions as listed as well as the addition of condition for sign to be posted. Roger Burton seconded the motion.

- Motion Passed: 8 - 0

B. Eastin-Albers Rezone (RZ-21-0001)-- A rezone of approximately 36 acres from Agriculture (A) to Agriculture Residential (AR) on property located at 13124 State Hwy 86, Kiowa

The public hearing for Eastin-Albers (SU-21-0034) was opened and Christina Stanton, CDS Director, began her presentation. After Christina's overview of the application the applicant, Steve Eastin presented to Planning Commissioners, sharing that:

- Purpose is to split the property into three- for him, his sister, and his mom.
- Two existing homes currently.
- Have submitted a water replacement plan, waiting on the final approval from the state.
- The 10 acres with the new home will have a new well placed.

Public comments were opened to the public -- no one commented in person nor via zoom. Public comments were closed.

Planning Commission questions and discussions:

- South privacy fence encroaching neighbor's property line – willing to put a gate in, has been discussed with neighbor.
- Clarification of current well locations provided by the State Division of Water.
 - Two existing well permits, only one location is known.
 - One well permit number referenced by the State is not actually on the property.
 - Received the option to add a third well on the property from the State.

- Plans to continue sharing the known and existing well for the two currently existing houses.
- Plans to drill a new well for planned third home upon approval of 300-year water replacement plan draft given to the State Water Division.

Dan Michalak motioned to approve the condition that the Colorado State Division of Water must determine that there is sufficient water supply for the minor subdivision before it goes to the BOCC. Peter Hoogendyk seconded the motion.

No further discussion.

Motion Passed: 8 - 0

Peter Hoogendyk motioned to approve the Eastin-Albers Rezone SU-21-0034 subject to the following conditions as listed and the addition of the condition that the Colorado State Division of Water determines that there is sufficient water supply before the approval of the minor subdivision. Roger Burton seconded the motion.

No further discussion.

Motion Passed: 8 - 0

12. ANNOUNCEMENTS

None

13. ADJOURNMENT (NO LATER THAN 11:00 PM PER RESOLUTION 00-01)

Motion: To Adjourn

Justin Klassen made a motion to Adjourn. Dan Michalak seconded the motion.

Motion passed: 8 - 0

The meeting Adjourned at 8:17 PM