

Planning Commission Minutes of February 23, 2022

The Planning Commission of the County of Jefferson, State of Colorado, met for pre-meeting on February 23, 2022. Commissioner Tim Rogers, Chairman, presided. Commissioner Spencer, Commissioner Cooke, Commissioner Jost, and Commissioner Becker were present.

Commissioners Hatton and Duncan were absent.

STAFF PRESENT:

Chris O'Keefe, Director Planning and Zoning Division
Russ Clark, Planning Supervisor
Kimi Schillinger, Executive Secretary, Administrative Assistant
Kristin Cisowski, Assistant County Attorney
Nick Nelson, Host, Senior Planner
Kristen Cowan, Co-Host, Planner
Felicity Selvoski, Planner
Cassidy Clements, Planner
Josh Botts, Planner
Scout Turnbach, Planner
Kayla Bryson, Planner
Lindsey Wire, Engineering Supervisor
Laura Armstrong, Engineer
Holly Powers, Administrative Lead
Julie Story, Public Affairs
Tracy Volkman, Public Health

PRE-MEETING recording is available on Livelink.

Hearing 6:15 P.M.

Public Comment

No citizens came forward to speak during the public comment period.

APPROVAL OF MINUTES

The Planning Commission upon motion of Commissioner Cooke, duly seconded by Commissioner Spencer and by unanimous vote, approved the minutes of February 9, 2022.

PUBLIC HEARING CONSENT AGENDA

No one requested to testify in the following cases:

Jefferson County Planning Commission

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21-106331RZ Rezoning
Case Name: T Bar S Ranch North Official Development Plan
Owner/Applicant: NKR Properties LLC
Location: 31983 Upper Bear Creek Road
Section 5, Township 5 South, Range 71 West
Approximate Area: 1.96 Acres
Purpose: **Rezoning from Commercial-One (C-1) to Planned Development (PD) to legalize the six existing residential units, and to allow future expansions of this use.**
Case Manager: Cassidy Clements

21-104821PF Preliminary and Final Plat
Case Name: Cedar Creek Subdivision
Owner/Applicant: Bradley J. and Janell R. Bryan Trust and Nicholas Bryan
Location: 12425 W 10th Avenue
Section 5, Township 4 South, Range 69 West
Approximate Area: 1.03 Acres
Purpose: **To subdivide the property into 3 lots for single-family detached units and 2 lots for single-family attached units.**
Case Manager: Laura Armstrong

The Planning Commission, upon motion of Commissioner Spencer, duly seconded by Commissioner Cooke and by unanimous vote, adopted the attached resolutions recommending **approval** of the cases on the consent agenda subject to the conditions of approval identified in the applicable staff reports.

PUBLIC HEARING REGULAR AGENDA

21-132042RZ Rezoning
Case Name: 4755 Eldridge St. ODP
Owner/Applicant: A Eddie Geisert and Paula D. Dunbar
Location: 4755 Eldridge St.
Section 19, Township 3 South, Range 69 West
Approximate Area: 4.59 Acres
Purpose: **To Rezone from Agricultural Two (A-2) to a Planned Development (PD) to allow a maximum of 11 single-family detached dwellings**

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Case Manager: Felicity Selvoski

Sworn Testimony

Scott Carlson, Applicant Representative
Stacey Kimbrough, Citizen in Opposition
Wyatt Kimbrough, Citizen in Opposition
Kimberley Tilton, Citizen in Opposition
Mike Rawluk, Citizen in Opposition
Paul Pronsati, Brookfield Acres HOA

Following the taking of sworn testimony and a general discussion, the Planning Commission upon motion of Commissioner Jost, duly seconded by Commissioner Spencer and by unanimous vote, adopted the attached resolution recommending **APPROVAL** of this case.

21-134883RZ

Case Name: Rezoning
Apache Trail & Mary's Drive ODP
Owner/Applicant: Rodney G Morgan & Kathleen S Estes-Morgan
Location: 29222 Marys Drive, 11609 Apache Trail, 61-223-01-017
Section 22 & 27, Township 6 South, Range 71 West
Approximate Area: 55.38 Acres
Purpose: **Rezoning from Agricultural-Two (A-2) to Planned Development (PD) to allow three dwelling units (one single family dwelling and one duplex)**
Case Manager: Cassidy Clements

Sworn Testimony

Jeanne Schaffer, Applicant Representative
Gayle Page, Citizen in Opposition
David Wallace, Citizen in Opposition
Robert Massengale, Citizen in Opposition
David Chapman, Citizen in Opposition

Following the taking of sworn testimony and a general discussion, the Planning Commission upon motion of Commissioner Jost, duly seconded by Commissioner Spencer and by unanimous vote, adopted the attached resolution recommending **APPROVAL** of this case.

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:13 p.m.

Jefferson County Planning Commission

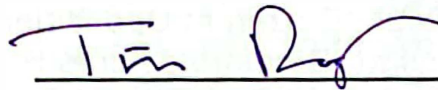
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ATTEST:

PLANNING COMMISSION OF THE
COUNTY OF JEFFERSON, COLORADO





February 23, 2022

Date

3-9-22

Date

It was moved by Commissioner **SPENCER** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 23, 2022

RESOLUTION

21-106331RZ Rezoning
Case Name: T Bar S Ranch North Official Development Plan
Owner/Applicant: NKR Properties LLC
Location: 31983 Upper Bear Creek Road
Section 5, Township 5 South, Range 71 West
Approximate Area: 1.96 Acres
Purpose: **Rezoning from Commercial-One (C-1) to Planned Development (PD) to legalize the six existing residential units, and to allow future expansions of this use.**
Case Manager: Cassidy Clements

The Jefferson County Planning Commission hereby recommends **APPROVAL** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposed single-family and multi-family residential uses are compatible with the existing and allowable single-family and multi-family residential land uses in the surrounding area. The Rezoning would allow residential uses consistent with land uses in the community and would allow for the existing uses to continue onsite.
 - B. The proposal is in general conformance with the Comprehensive Master Plan (Plan). It does not meet the land use and density recommendations in the Evergreen Area Plan, but satisfactorily addresses the three criteria for proposed land uses out of conformance with the Plan. All other applicable goals and policies of the Plan have been met.
 - C. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area have been considered, and no negative impacts were identified.

- D. The subject property is served by the Evergreen Fire Protection District for emergency medical and fire services, the Evergreen Metropolitan District for sanitation services, an individual well for water services, and the Jefferson County Sheriff's Office for law enforcement services. Existing infrastructure is available and adequate to serve the proposed land uses.
- E. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

Commissioner **COOKE** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Cooke	aye
Commissioner	Jost	aye
Commissioner	Becker	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 23, 2022.



Kimi Schillinger
Executive Secretary

It was moved by Commissioner **SPENCER** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 23, 2022

RESOLUTION

21-104821PF Preliminary and Final Plat
Case Name: Cedar Creek Subdivision
Owner/Applicant: Bradley J. and Janell R. Bryan Trust and Nicholas Bryan
Location: 12425 W 10th Avenue
Section 5, Township 4 South, Range 69 West
Approximate Area: 1.03 Acres
Purpose: **To subdivide the property into 3 lots for single-family detached units and 2 lots for single-family attached units.**
Case Manager: Laura Armstrong

The Jefferson County Planning Commission hereby recommends **APPROVAL WITH CONDITIONS** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposal conforms to the Land Development Regulation because all applicable regulations have been satisfied, or will be satisfied, prior to recordation of the Preliminary and Final Plat, as indicated within the staff report.
3. The following are conditions of approval:
 - A. Submittal of a title insurance commitment update with an effective date less than 45 days prior to the recording of the Plat which depicts no new owners or encumbrances. Said title insurance commitment shall be approved by the County Attorney's Office.
 - B. The Improvements Agreement being approved as to form by the County Attorney's Office.
 - C. The recordation of the Plat mylars being prepared in accordance

- with the red-marked print dated 2/23/22.
- D. Payment of \$9,000 for fees-in-lieu of park land dedication prior to plat recordation or payment of the fees-in-lieu of park land dedication as set forth in the Improvements Agreement prior to building permit, as applicable. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
 - E. Payment of \$6,000 for fees-in-lieu of school land dedication prior to plat recordation or payment of the fees-in-lieu of school land dedication as set forth in the Improvements Agreement prior to building permit, as applicable. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
 - F. Submittal of a current tax certificate from the County Treasurer's Office indicating that all ad valorem taxes applicable to Cedar Creek Subdivision for prior years have been paid.
 - G. Resolution of Planning Engineering comments dated 1/19/22.
 - H. Resolution of Planning comments dated 1/6/22.
 - I. Resolution of comments from Consolidated Mutual Water Company dated February 10, 2022.
 - J. Resolution of comments from Daniels Sanitation District dated February 9, 2022.

Commissioner **COOKE** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Cooke	aye
Commissioner	Jost	aye
Commissioner	Becker	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 23, 2022.



Kimi Schillinger
Executive Secretary

It was moved by Commissioner **JUST** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 23, 2022

RESOLUTION

21-132042RZ Rezoning
Case Name: 4755 Eldridge St. ODP
Owner/Applicant: A Eddie Geisert and Paula D. Dunbar
Location: 4755 Eldridge St.
Section 19, Township 3 South, Range 69 West
Approximate Area: 4.59 Acres
Purpose: **To Rezone from Agricultural Two (A-2) to a Planned Development (PD) to allow a maximum of 11 single-family detached dwellings**
Case Manager: Felicity Selvoski

The Jefferson County Planning Commission hereby recommends **APPROVAL** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposed single-family detached residential land use is compatible with the existing and allowable single-family residential uses in the surrounding area. The Rezoning would allow up to 11 single-family residential lots on approximately 4.59 acres.
 - B. The proposal is in conformance with the Comprehensive Master Plan (CMP). It meets the Land Use Recommendation for residential land uses at a density of 2.39 dwelling units per acre, where the recommended density is up to 2.5 dwellings units per acre. All other applicable goals and policies of the Comprehensive Master Plan have been met.
 - C. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area have been considered, and no negative impacts were identified.
 - D. The subject property is served by the North Table Mountain

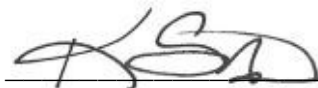
- Water and Sanitation District for water and sewer services, the Fairmount Fire Protection District for emergency medical and fire services, and the Jefferson County Sheriff's Office for law enforcement services. The subject property has adequate infrastructure and services available to serve the proposed use.
- E. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

Commissioner **SPENCER** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Cooke	aye
Commissioner	Jost	aye
Commissioner	Becker	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 23, 2022.



Kimi Schillinger
Executive Secretary

It was moved by Commissioner **JUST** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

February 23, 2022

RESOLUTION

21-134883RZ Rezoning
Case Name: Apache Trail & Mary's Drive ODP
Owner/Applicant: Rodney G Morgan & Kathleen S Estes-Morgan
Location: 29222 Marys Drive, 11609 Apache Trail, 61-223-01-017
Approximate Area: Section 22 & 27, Township 6 South, Range 71 West 55.38 Acres
Purpose: **Rezoning from Agricultural-Two (A-2) to Planned Development (PD) to allow three dwelling units (one single family dwelling and one duplex)**
Case Manager: Cassidy Clements

The Jefferson County Planning Commission hereby recommends **APPROVAL** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposed single-family residential land use is compatible with the existing and allowable single-family residential uses in the surrounding area. The Rezoning would allow three single-family residential lots on approximately 55 acres, which is consistent with the surrounding land uses and the densities of those land uses.
 - B. The proposal is in conformance with the Comprehensive Master Plan because it meets the residential land use and density recommendations in the Conifer-285 Area Plan and is conformance with the other applicable sections of the Plan goals and policies as described in section six of the Staff report.
 - C. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area has been considered, and no negative impacts were identified.

- D. The subject property is served by the Evergreen Fire Protection District, individual well and septic systems, and the Jefferson County Sheriff's Office. Existing infrastructure available and adequate for purposes of rezoning, to serve the proposed land use.
- E. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

Commissioner **SPENCER** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Cooke	aye
Commissioner	Jost	aye
Commissioner	Becker	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, February 23, 2022.



Kimi Schillinger
Executive Secretary