

## **Planning Commission Minutes of February 9, 2022**

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The Planning Commission of the County of Jefferson, State of Colorado, met for pre-meeting on February 9, 2022. Commissioner Tim Rogers, Chairman, presided. Commissioner Hatton, Commissioner Spencer, Commissioner Cooke, Commissioner Jost, and Commissioner Becker were present.

Commissioners Johnson, Duncan, and Etemadnia were absent.

### **STAFF PRESENT:**

Chris O'Keefe, Director Planning and Zoning Division  
Russ Clark, Planning Supervisor  
Abel Montoya, Director Development and Transportation  
Yelena Onnen, Transportation and Engineering  
Melodie Clayton, Transportation and Engineering  
Steve Durian, Transportation and Engineering  
Kimi Schillinger, Executive Secretary, Administrative Assistant  
Kristin Cisowski, Assistant County Attorney  
Scout Turnbach, Host, Planner  
Ben Johnson, Co-Host, Engineer  
Nick Nelson, Senior Planner  
Kristen Cowan, Planner  
Claire Byers, Planner  
Josh Botts, Planner  
Cody Hedges, Planner  
Cassidy Clements, Planner  
Heather Gutherless, Senior Planner  
Megan Hazen, Associate Planner  
Dylan Monke, Senior Planner  
Holly Powers, Administrative Lead

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 Spencer, duly seconded by Commissioner Hatton and by unanimous vote, approved the minutes of January 26, 2022.

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## PUBLIC HEARING CONSENT AGENDA

No one requested to testify in the following cases:

**21-135510RZ** Rezoning  
**Case Name:** Dakota Ridge ODP Amendment No. 1  
**Owner/Applicant:** Meritage Homes of Colorado, Inc., an Arizona corporation  
**Location:** 11415 W Belleview Avenue  
Lots 1-72 and Tracts A-4, Dakota Ridge Subdivision  
Section 16, Township 5 South, Range 69 West  
**Approximate Area:** 6.01 acres  
**Purpose:** **To amend the existing Planned Development (PD) to modify the required front and side setbacks.**  
**Case Manager:** Kristen Cowan

The Planning Commission, upon motion of Commissioner Becker, duly seconded by Commissioner Spencer 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

**21-109202RZ** Rezoning (Previous hearing date November 17, 2021)  
**Case Name:** 54th and McIntyre Official Development Plan  
**Owner:** Margaret Ann Hunnicutt, and Robert Gordon Lipstreu, Sr.  
**Location:** 5400 and 5440 McIntyre Street  
Section 13, Township 3 South, Range 70 West  
**Approximate Area:** 16.16 Acres  
**Purpose:** **To rezone from Agricultural – Two (A-2) to a Planned Development (PD) to allow for 128 detached and attached dwelling units on a single lot.**  
**On December 7, 2021, this case was remanded to the Planning Commission to allow the applicant to modify the written restrictions to reduce the number of proposed dwelling units.**  
**Case Manager:** Nick Nelson

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## Sworn Testimony

Tyler Elick, Applicant Represent  
Kayleigh Robinson, Applicant Representative  
Thomas Pannell, Applicant Representative  
MaryLee Gibson, Juniper Ridge Estates HOA  
Cody Christman, Marriott Orchard HOA  
Josh Mangiagli, Citizen in Opposition  
Mike Rawluk, Citizen in Opposition  
Philip Skaff, Citizen in Opposition  
Gerry Williams, Citizen in Opposition  
Leslie Schomer, Citizen in Opposition  
Mary Lou Mobley, Citizen in Opposition  
John Rummans, Citizen in Opposition  
Paul Pronsati, Brookfield Acres HOA  
Christo Slee, Citizen in Opposition  
Tony Rawluk, Citizen in Opposition  
Megan Castle, Stonebridge Crossing HOA  
Phil Lankford, Citizen in Opposition  
Josh Moles, Citizen in Opposition  
John Delello, Citizen in Opposition  
Mac McCreless, Citizen in Opposition  
Eric Schultz, Citizen in Opposition  
Tom Buck, Citizen in Opposition  
Roberta Garrett, Citizen in Opposition  
Lelsley Walbridge, Citizen in Opposition  
Doug Raizk, Citizen in Opposition  
Julie Windholz-Brown, Citizen in Opposition  
Eliza Stallings, Citizen in Opposition  
Michael Christian, Citizen in Opposition  
Shawn Brannon, Citizen in Opposition  
Paul Pigeon, Citizen in Opposition  
Erica Hermsen, Citizen in Opposition  
Denise Bohan, Citizen in Opposition  
Debbie Erickson, Citizen in Opposition  
Adam Denno, Citizen in Opposition  
Joycelyn Schneider, 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 Cooke and by majority vote, adopted the attached resolution recommending **DENIAL** of this case.

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There being no further business to come before the Planning Commission, the meeting was adjourned at 10:53 p.m.

ATTEST:

PLANNING COMMISSION OF THE  
COUNTY OF JEFFERSON, COLORADO

  
\_\_\_\_\_

  
\_\_\_\_\_

February 9, 2022  
Date

2-23-2022  
Date

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**February 9, 2022**

**RESOLUTION**

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**21-135510RZ** Rezoning  
**Case Name:** Dakota Ridge ODP Amendment No. 1  
**Owner/Applicant:** Meritage Homes of Colorado, Inc., an Arizona corporation  
**Location:** 11415 W Belleview Avenue  
Lots 1-72 and Tracts A-4, Dakota Ridge Subdivision  
Section 16, Township 5 South, Range 69 West  
**Approximate Area:** 6.01 acres  
**Purpose:** **To amend the existing Planned Development (PD) to modify the required front and side setbacks.**  
**Case Manager:** Kristen Cowan

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 amendment to the lot and building standards of the existing townhome residential uses are compatible with the existing and allowable townhome residential uses in the surrounding area.
  - B. The proposal is in general conformance with the Comprehensive Master Plan (CMP). The existing and proposed land uses are in conformance with the CMP. 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 West Metro Fire Protection District and the Jefferson County Sheriff's Office. Water and sanitation are provided by Lakehurst Water and Sanitation

District. Existing infrastructure is adequate and available to serve the proposed land use.

- E. The proposed rezoning 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	<b>Rogers</b>	<b>aye</b>
Commissioner	<b>Hatton</b>	<b>aye</b>
Commissioner	<b>Spencer</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Becker</b>	<b>aye</b>

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 9, 2022.



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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 9, 2022**

**RESOLUTION**

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**21-109202RZ** Rezoning  
**Case Name:** 54th and McIntyre Official Development Plan  
**Owner:** Margaret Ann Hunnicutt, and Robert Gordon Lipstreu, Sr.  
**Location:** 5400 and 5440 McIntyre Street  
Section 13, Township 3 South, Range 70 West  
**Approximate Area:** 16.16 Acres  
**Purpose:** **To rezone from Agricultural – Two (A-2) to a Planned Development (PD) to allow for 128 detached and attached dwelling units on a single lot.**  
**Case Manager:** Nick Nelson

The Jefferson County Planning Commission hereby recommends **DENIAL** 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 Mixed Housing residential land use is not compatible with the existing and allowed single-family residential and agricultural land uses in the surrounding area.
  - B. The proposal is not in conformance with the Comprehensive Master Plan (CMP). The proposal is for residential land uses, as recommended by the North Plains Area Plan, but at a density of eight dwelling units/acre where one dwelling unit is recommended. The proposal does not satisfactorily address the three criteria for proposed land uses out of conformance with the CMP and other applicable goals and policies of the Comprehensive Master Plan have not been met.
  - C. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area have been considered and such

impacts (e.g., visual impacts and wildlife impacts) are not adequately mitigated by the setback, buffer, and density requirements set forth in the proposed Official Development Plan.

- D. The subject property is served by the North Table Mountain Water and Sanitation District, the Fairmount Fire Protection District for emergency medical and fire services, and the
- E. Jefferson County Sheriff's Office for law enforcement services. The subject property has adequate infrastructure and services available to serve the proposed use.
- F. The proposed land uses would 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	<b>Rogers</b>	<b>nay</b>
Commissioner	<b>Hatton</b>	<b>aye</b>
Commissioner	<b>Spencer</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Becker</b>	<b>aye</b>

The Resolution was adopted by **majority** 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 9, 2022.



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Kimi Schillinger  
Executive Secretary