

## Planning Commission Minutes of April 20, 2022

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The Planning Commission of the County of Jefferson, State of Colorado, met for pre-meeting on April 20, 2022. Commissioner Tim Rogers, Chairman, presided. Commissioner Hatton, Commissioner Spencer, Commissioner Cooke, Commissioner Jost, Commissioner Becker, and Commissioner Duncan were present.

Commissioners Hatton and Becker 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  
Ben Johnson, Host, Engineer  
Renaë Hansen, Co-Host, Graphic Design Specialist  
Nick Nelson, Senior Planner  
Dylan Monke, Planner  
Fritz Clauson, Planner  
Felicity Selvoski, Planner  
Megan Hazen, Planner  
Lindsey Wire, Engineering Supervisor  
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 Duncan and by unanimous vote, approved the minutes of March 23, 2022 and April 13, 2022.

#### **PUBLIC HEARING CONSENT AGENDA**

##### **21-124243PF**

Preliminary and Final Plat (continued from April 13, 2022)

##### **Case Name:**

Porter Ranch Subdivision

##### **Owner:**

The Virginia W. Payne Living Trust

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**Applicant:** Scott Porter  
**Location:** 634 Humphrey Drive  
Section 17, Township 4 South, Range 71 West  
**Approximate Area:** 52.59 Acres  
**Purpose:** **To subdivide the property into 2 lots for single-family detached units.**  
**Case Manager:** Lindsey Wire

**21-133086RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** 3402 Avenue C ODP  
**Owner/Applicant:** 7220 LLC  
**Location:** 3402 Avenue C  
Section 35, Township 4 South, Range 71 West  
**Approximate Area:** 0.50 Acres  
**Purpose:** **To Rezone from Commercial-One (C-1) to Planned Development (PD) to allow a duplex.**  
**Case Manager:** Fritz Clauson

**21-140265RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** Aberle Property ODP  
**Owner/Applicant:** Cheyenne H. and David Howard Aberle  
**Location:** 8239 South Turkey Creek Road  
Section 33, Township 5 South, Range 70 West  
**Approximate Area:** 4.55 acres  
**Purpose:** **To rezone from Agricultural Two (A-2) and Mountain Residential One (MR-1) to Planned Development (PD) following MR-1 standards to legalize existing structures.**  
**Case Manager:** Dylan Monke

The Planning Commission, upon motion of Commissioner Jost, 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**

**21-107324RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** Bouton Veterinary Hospital ODP  
**Owner/Applicant:** Houston Family Enterprises LLC  
**Location:** 10667 West Progress Avenue  
Section 16, Township 5 South, Range 69 West

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**Approximate Area:** 1.69 acres  
**Purpose:** **To rezone from Agricultural Two (A-2) to Planned Development (PD) to allow canine and feline boarding to be added to an existing veterinary clinic with an existing single-family residence**  
**Case Manager:** Dylan Monke

## Sworn Testimony

Zell Cantrell, Applicant Representative  
Dr. Laura Houston, Owner  
John Lietz, Citizen in Support  
Delos Mlady, Citizen in Opposition  
Kathy Mlady, Citizen in Opposition  
Jim Anthony, Citizen in Support  
Peter Johnson, Citizen in Opposition  
Terri Decarlo Poste, Citizen in Opposition  
Sally Lotspeich, Citizen in Support  
Monica Anthony, Citizen in Support  
Stan Kobayashi, Citizen in Support  
John Stroud, Citizen in Support  
Carter Laing, Citizen in Support  
Jan Weiss, Citizen in Support  
Daniel Mondragon, Citizen in Support

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

**21-130822RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** Nob Hill ODP  
**Owner/Applicant:** Nob Hill Evergreen LLC and Skyline Ridge Holdings LLC  
**Location:** 945 Nob Hill Road and 41-164-05-020, 41-164-05-003, and 41-164-05-002 PIN Section 16, Township 4 South, Range 71 West  
**Approximate Area:** 8 acres  
**Purpose:** **To rezone from Planned Development (PD) to PD to allow 14 residential dwelling units, or 14 lodging units and an existing duplex.**  
**Case Manager:** Dylan Monke

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## Sworn Testimony

Mike Chadwick, Applicant Representative

Barbara Burke, Nob Hill Subdivision HOA

Following the taking of sworn testimony and a general discussion, the Planning Commission upon motion of Commissioner Cooke, 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 10:40 p.m.

ATTEST:

PLANNING COMMISSION OF THE  
COUNTY OF JEFFERSON, COLORADO



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April 20, 2022

Date



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4-27-22

Date

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**April 20, 2022**

**RESOLUTION**

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**21-124243PF** Preliminary and Final Plat (continued from April 13, 2022)  
**Case Name:** Porter Ranch Subdivision  
**Owner:** The Virginia W. Payne Living Trust  
**Applicant:** Scott Porter  
**Location:** 634 Humphrey Drive  
Section 17, Township 4 South, Range 71 West  
**Approximate Area:** 52.59 Acres  
**Purpose:** **To subdivide the property into 2 lots for single-family detached units.**  
**Case Manager:** Lindsey Wire

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 recordation of the Plat mylars being prepared in accordance with the red-marked print dated April 20, 2022.
  - C. Payment of \$600 for fees-in-lieu of park land dedication prior to

- plat recordation. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
- D. Payment of \$400 for fees-in-lieu of school land dedication prior to plat recordation This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
  - E. Submittal of a current tax certificate from the County Treasurer's Office indicating that all ad valorem taxes applicable to Porter Ranch Subdivision for prior years have been paid.

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>Spencer</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Duncan</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, April 20, 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

**April 20, 2022**

**RESOLUTION**

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**21-133086RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** 3402 Avenue C ODP  
**Owner/Applicant:** 7220 LLC  
**Location:** 3402 Avenue C  
Section 35, Township 4 South, Range 71 West  
**Approximate Area:** 0.50 Acres  
**Purpose:** **To Rezone from Commercial-One (C-1) to Planned Development (PD) to allow a duplex.**  
**Case Manager:** Fritz Clauson

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, duplex, or two-family residential land uses are compatible with the existing and allowable single-family detached residential, duplex, or two-family residential land uses in the surrounding area. The Rezoning would allow existing land use conditions to remain and allow accessory uses on the property which is consistent with the surrounding land uses.
  - B. The proposal is in general conformance with the Comprehensive Master Plan because it meets the land use and density recommendations in the Evergreen Area Plan and is in conformance with the other applicable sections of the Plan goals and policies.
  - 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, the Kittredge Sanitation and Water District, and the

Jefferson County Sheriff's Office. Existing infrastructure is adequate and available to serve the proposed land uses.

- E. The proposed land uses 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>Spencer</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Duncan</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, April 20, 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

**April 20, 2022**

**RESOLUTION**

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**21-140265RZ** Rezoning (*continued from April 13, 2022*)  
**Case Name:** Aberle Property ODP  
**Owner/Applicant:** Cheyenne H. and David Howard Aberle  
**Location:** 8239 South Turkey Creek Road  
Section 33, Township 5 South, Range 70 West  
**Approximate Area:** 4.55 acres  
**Purpose:** **To rezone from Agricultural Two (A-2) and Mountain Residential One (MR-1) to Planned Development (PD) following MR-1 standards to legalize existing structures.**  
**Case Manager:** Dylan Monke

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 residential land use is compatible with the existing and allowed residential uses on the properties in the surrounding area. This rezoning will not change the number of buildable lots on the subject property and provides for dimensional standards like those of the surrounding residential land uses.
  - B. The proposal is in general conformance with the Comprehensive Master Plan (Plan) because it meets the goals and policies in all applicable sections of the Plan.
  - C. The proposal is not expected to have any negative impacts upon the property in the surrounding area, because the number of buildable lots will not change.
  - D. The subject property has adequate water service, provided by an on-site well, and adequate wastewater service provided by an on-site wastewater treatment system. The Inter-canyon Fire Protection District provides emergency medical and fire services.

The Jefferson County Sheriff's Office provides law enforcement services. The subject property has adequate infrastructure and services available to serve the existing and 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	<b>Rogers</b>	<b>aye</b>
Commissioner	<b>Spencer</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Duncan</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, April 20, 2022.



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Kimi Schillinger  
Executive Secretary

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**April 20, 2022**

**RESOLUTION**

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**21-107324RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** Bouton Veterinary Hospital ODP  
**Owner/Applicant:** Houston Family Enterprises LLC  
**Location:** 10667 West Progress Avenue  
Section 16, Township 5 South, Range 69 West  
**Approximate Area:** 1.69 acres  
**Today's Action:** To continue the case to June 8<sup>th</sup>, 2022, to allow the applicant to address suggested conditions to the proposed ODP.  
**Purpose:** To rezone from Agricultural Two (A-2) to Planned Development (PD) to allow canine and feline boarding to be added to an existing veterinary clinic with an existing single-family residence  
**Case Manager:** Dylan Monke

The Jefferson County Planning Commission hereby recommends **CONTINUANCE** of the above application.

Commissioner **Duncan** 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>Spencer</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Duncan</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

Jefferson County Planning Commission Resolution  
Case #21-107324RZ  
April 20, 2022  
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regular hearing held in Jefferson County, Colorado, April 20, 2022.



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Kimi Schillinger  
Executive Secretary

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

BEFORE THE PLANNING COMMISSION  
COUNTY OF JEFFERSON  
STATE OF COLORADO

**April 20, 2022**

**RESOLUTION**

---

**21-130822RZ** Rezoning (continued from April 13, 2022)  
**Case Name:** Nob Hill ODP  
**Owner/Applicant:** Nob Hill Evergreen LLC and Skyline Ridge Holdings LLC  
**Location:** 945 Nob Hill Road and 41-164-05-020, 41-164-05-003, and 41-164-05-002 PIN Section 16, Township 4 South, Range 71 West  
**Approximate Area:** 8 acres  
**Purpose:** **To rezone from Planned Development (PD) to PD to allow 14 residential dwelling units, or 14 lodging units and an existing duplex.**  
**Case Manager:** Dylan Monke

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 and duplex residential and lodging land uses are compatible with the existing and allowable mixture of single-family detached and attached residential, commercial, and industrial land uses in the surrounding area.
  - B. The proposal is in general conformance with the Comprehensive Master Plan (CMP). The proposal is not in conformance with the CMP recommendation for Industrial, Residential, and Office land uses. However, the proposal satisfactorily addresses the three factors for proposed land uses out of conformance with the CMP and the proposed lodging land use meets the CMP recommendation for transition between residential and light industrial land uses at the recommended density. 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 Evergreen Fire Protection District and the Jefferson County Sheriff's Office. Water and sanitation services are provided by the Evergreen Metropolitan District. Existing infrastructure and services are adequate and available to serve the proposed land uses.
- 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>Spencer</b>	<b>aye</b>
Commissioner	<b>Jost</b>	<b>aye</b>
Commissioner	<b>Cooke</b>	<b>aye</b>
Commissioner	<b>Duncan</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, April 20, 2022.



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Kimi Schillinger  
Executive Secretary