



TOWN OF ELIZABETH

**TOWN OF ELIZABETH
Planning Commission Regular Meeting
Tuesday, November 19, 2024 at 6:30 PM
Town Hall, 151 S. Banner Street**

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

This is a meeting of the Planning Commission held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand and state your name and address to the Commission. Your comments will be limited to 3 minutes. The Planning Commissioners may not respond to your comments during this meeting. Rather, they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Commissioners, Administrative Staff, or Employees will not be recognized. If a response from Staff is requested, the Chair will direct Staff to have a response at the next regularly scheduled Commission meeting.

AGENDA CHANGES

CONSENT AGENDA

- [1.](#) Minutes of the Regular Meeting of August 6, 2024

PUBLIC HEARING

- [2.](#) Ordinance 24-14, Amending Code Regarding Use by Special Review Approvals

NEW BUSINESS

3. Discussion and possible action on recommendation to the Board of Trustees approval of Ordinance 24-14, an Ordinance Repealing and Reenacting Section 16-9-30 of the Town of Elizabeth Municipal Code Regarding Use by Special Review Approvals

STAFF REPORT

COMMISSIONER REPORTS

ADJOURNMENT



TOWN OF ELIZABETH

PLANNING COMMISSION

PLANNING COMMISSION – RECORD OF PROCEEDINGS

August 6, 2024

CALL TO ORDER

The Regular Meeting of the Elizabeth Planning Commission was called to order on Tuesday, August 6, 2024, at 6:31 PM by Chair George Fick.

ROLL CALL

Present were Chair George Fick, Vice Chair Amy Schmidt, and Commissioners Greg Lindbloom, Shawn Sommer, Cynthia Thye, and Ed Beard. Commissioners Julie Uhernik and Jim Santangelo were not present. There was a quorum to conduct business.

Also present were Community Development Director Zach Higgins, Planner/Project Manager Alexandra Cramer, Town Administrator Patrick Davidson, and Deputy Town Clerk Harmony Malakowski.

PUBLIC COMMENT

There was no public comment.

AGENDA CHANGES

No agenda changes from Staff.

No agenda changes by the Commissioners.

Agenda set.

CONSENT AGENDA

1. Minutes of the Regular Meeting of July 2, 2024

Motion by Commissioner Thye, seconded by Commissioner Lindbloom, to approve the Consent Agenda as presented.

The vote of those Commissioners present was unanimously in favor. Motion carried.

Chair Fick closed the Regular Meeting and opened the Public Hearing at 6:34 PM.

PUBLIC HEARING

2. Ordinance 24-06, Amending Chapter 16 of the Elizabeth Municipal Code

Ms. Cramer provided a Staff report.

Grace Erickson with Providence Consulting representing the applicant, Turn 2 Development, LLC, introduced herself.



TOWN OF ELIZABETH

PLANNING COMMISSION

Chair Fick opened the Hearing to Public Comment.

Mark Trahan – Town of Elizabeth resident
Angela Anderson – Town of Elizabeth resident

Chair Fick closed the Public Hearing and reopened the Regular Meeting at 6:47 PM

NEW BUSINESS

3. Discussion and possible action on recommendation to the Board of Trustees to approve the rezoning of 889 S Elizabeth Street

Motion by Commissioner Lindbloom, seconded by Vice Chair Schmidt, to recommend approval regarding the rezoning of 889 S Elizabeth Street to the Board of Trustees.

The vote of those Commissioners present was 5 in favor and 0 opposed. Motion carried.

Chair Fick closed the Regular Meeting and opened the Public Hearing at 6:58 PM.

PUBLIC HEARING

4. Ordinance 24-10, E-86 PUD Amendment

Ms. Cramer provided a Staff report.

John Prestwich representing the applicant, Jim Marshall, introduced himself.

Chair Fick opened the Hearing to Public Comment.

Tracy Hutchins – Town of Elizabeth resident
Mark Trahan – Town of Elizabeth resident
Angela Ternus – Town of Elizabeth resident
Angela Anderson – Town of Elizabeth resident
Paul Schwarzkopf – Town of Elizabeth resident

Chair Fick closed the Public Hearing and reopened the Regular Meeting at 7:18 PM.

NEW BUSINESS

5. Discussion and possible action on recommendation to the Board of Trustees to approve Ordinance 24-10, an Ordinance Amending the Planned Unit Development (PUD) Zoning for the Property Generally Known as the E-86 PUD

Motion by Vice Chair Schmidt, seconded by Commissioner Lindbloom, to recommend approval of Ordinance 24-10, an Ordinance Amending the Planned Unit Development (PUD) Zoning for the Property Generally Known as the E-86 PUD, to the Board of Trustees

The vote of those Commissioners present was 0 in favor and 5 opposed. All Commissioners present opposed. Motion did not pass.



TOWN OF ELIZABETH

PLANNING COMMISSION

STAFF REPORT

- Community Development Director Higgins provided updates regarding:
 - Streetscape
 - Historic Advisory Board's oral histories
 - GOCO Grant
 - Neighborhood Block Parties
 - Town Hall Interns
 - RFP for the Gesin Lot

COMMISSIONER REPORTS

There were no Commissioner Reports

ADJOURNMENT

Motion by Commissioner Thye, seconded by Vice Chair Schmidt, to adjourn the meeting at 7:37 PM. The vote of those Commissioners present was unanimously in favor. Motion carried.

Chair George Fick

Town Clerk Michelle Oeser



TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Zach Higgins, AICP Community Development Director
Alexandra Cramer, Planner/Project Manager

DATE: November 19th, 2024

SUBJECT: Ordinance 24-14

SUMMARY

Approval of Ordinance 24-14 would amend Section 16-9-30 of Chapter 16 of the Town of Elizabeth Municipal Code, regarding Uses by Special Review, to create an exception to the five-year time limitation for uses by special review when the use includes a residential component.

Background:

Uses by Special Review are intended for activities that may impact surrounding properties and require additional oversight beyond standard zoning requirements, generally for uses that are more intense than the normal allowance. The current code's five-year review requirement allows the Town to periodically evaluate these uses to ensure ongoing compatibility with neighboring properties. While this review process is appropriate for commercial or industrial special uses that could affect surrounding areas over time, residential developments represent permanent community investments that could warrant a different approach. The proposed amendment would exempt uses with residential components from the five-year time limitation while maintaining the Town's ability to address any compliance issues through standard enforcement mechanisms. Importantly, this amendment does not change the initial public hearing approval process for residential uses by special review - these uses will still require Board approval following standard public notice and hearing procedures. The amendment only eliminates the requirement for periodic reviews after the initial approval.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 24-14, an Ordinance amending Chapter 16, Section 16-9-30 of the Elizabeth Municipal Code.

ATTACHMENT(S)

Ordinance 24-14

Section 16-9-30 (Current Code Language)

ORDINANCE 24-14

AN ORDINANCE REPEALING AND REENACTING SECTION 16-9-30 OF THE TOWN OF ELIZABETH MUNICIPAL CODE REGARDING USE BY SPECIAL REVIEW APPROVALS

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. Section 16-9-30 of the Elizabeth Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 16-9-30. Limitations.

Uses by special review shall be permitted for a duration of time specified by the Board of Trustees at the Board of Trustees' discretion for no longer than five (5) years, depending on the nature and the intensity of the use, or until the land use changes, whichever first occurs, and the Town may review such approval every (5) five years in order to ensure compliance with the criteria set forth in Section 16-9-20, and any other conditions of approval. **Provided however, the time limitation set forth herein shall not apply to a use by special review approval for any use that includes a residential component.**

Section 2. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 3. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this _____ day of _____, 2024.

Passed by a vote of _____ for and _____ against and ordered published.

Tammy Payne, Mayor

ATTEST

Michelle M. Oeser, Town Clerk

Sec. 16-9-30. Limitations.

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Item 2.

Page 7