



PLANNING COMMISSION

Wednesday, November 19, 2025 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

LIVE STREAM available on Town website

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

The Commission values public comment on issues relevant to Town government. To permit the fair and orderly expression of such comments, the Commission will adhere to the following rules for public comment, whether for an agenda item or during public comment for non-agenda items brought by the public.

A speaker must be recognized by the Chair to step to the podium, sign in, use the microphone, state name and address for the record, and address comments solely to the Commission, as a whole.

Each speaker is limited to 3 minutes, cannot pool time with another, and each speaker may only speak once per topic. Civility and respect is required. Comments should not be directed to Town staff, individual Commission members or to public members. Comments or disruption from audience members not recognized by the Chair are prohibited. Points already made should not be duplicated. Only written comments limited to one page will be permitted. Public members are also invited to submit comments by email to be distributed to the Commission separately. Note that comments submitted to the Town Commission are public record. Please understand that the Commission will listen and consider public comments; however, members will not discuss or take action on your comment but may refer it to staff and/or a future meeting for discussion.

Thank you for your cooperation.

Call to Order

Roll Call

Pledge

Approval of Minutes

- [1.](#) Minutes October 15, 2025

Public Hearing

- [2.](#) Highbrooke rezoning & re-subdivision from PD to R-3 for residential units at 0 Brook Street - Applicant Requests a Continuance (December 3, 2025) to complete required public notice
- [3.](#) The Eco Spa LLC, Planned Development Plan for Zoning -Applicant Requests a Continuance (December 3, 2025) to complete required public notice.

Business Items

- [4.](#) Accept Resignation of Planning Commissioner Michael Beeson

5. Discussion of and Nomination of Planning Commission Vice-Chair
6. Discussion on Planning Commission Vacancy and Appointment
- [7.](#) Discussion/Update Illumination Pointe

Public Comment - *This time is reserved for the public to speak to items not on the agenda.*

Next Meeting and Future Items

* Planning Commission Special Meeting December 3, 2025

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.



PLANNING COMMISSION

Wednesday, October 15, 2025 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

MINUTES

Call to Order

- 5:02PM

Administer Oath of Office Richard Kuehster

Roll Call

- Present: Bill Fisher, Andre Bergeron, Herb Tomitsch, Matt Stephen, Michael Beeson, Richard Kuehster
- Excused: Charlie Ihlenfeld

Pledge

Approval of Minutes

1. Minutes of August 20th, 2025 Public Hearing
 - **Motion to approve with changes as discussed.** (Beeson, Tomitsch) Roll call vote,
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson
 - o **Abstained:** Commissioner Kuehster
2. Minutes of September 3rd, 2025 Special Meeting
 - **Motion to approve.** (Tomitsch, Beeson) Roll call vote.
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson
 - o **Abstained:** Commissioner Kuehster
3. Minutes of September 17th, 2025 Regular Meeting
 - **Motion to approve.** (Beeson, Tomitsch) Roll call vote.
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson
 - o **Abstained:** Commissioner Kuehster

Business Items

4. Sign Application - Mind Quest Puzzles & Games

- Commissioner Stephen inquired about the discrepancy between the application and the diagram of the sign as presented. Applicant explained that the change was due to their landlord's sizing requirements.
 - Commissioner Beeson asked about light being on a timer. Applicant responded that they don't directly control them, and that they are only turned on in the dark.
 - **Motion to approve sign application.** (Kuehster, Beeson) Roll Call Vote,
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson, Commissioner Kuehster
5. Update on Illumination Point
- Town staff gave update on current status of application as well as discussed a Memo from John Chavez.
6. Review of Resolution 61-2025
- **Motion to approve with addition of including minutes from the 8.20.25 meeting.** (Beeson, Tomitsch) Roll Call Vote
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson, Commissioner Kuehster
7. Review of Resolution 62-2025
- **Motion to approve.** (Tomitsch, Beeson) Roll Call Vote
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson, Commissioner Kuehster
8. Review of Resolution 63-2025
- **Motion to approve with addition of including minutes from the 8.20.25 meeting.** (Beeson, Tomitsch) Roll Call Vote
 - o **Approve:** Commissioner Fisher, Commissioner Bergeron, Commissioner Tomitsch, Commissioner Stephen, Commissioner Beeson, Commissioner Kuehster
9. Errata Review Chapter 17 Land Use Code
- Memo was provided to the Commission, no action was taken by the Commission.

Public Comment - *This time is reserved for the public to speak to items not on the agenda.*

- Comment from Richard Willen. Discussed PUD for Eco Spa and Elephant Rock status and its application path going forward. Comment from Town Administrator Glen Smith on current hurdles of separating the Eco Spa PD from the overall PUD.

Next Meeting and Future Items

10. Upcoming Workshop on October 30th, 2025

Adjourn

- Motion to adjourn (Beeson, Tomitsch) "Aye" vote, all in favor.
- Meeting adjourned at 6:26PM.

TOWN OF PALMER LAKE MEMO

Date: Wednesday, October 15, 2025

Through: Glen Smith, Interim Town Administrator, Town of Palmer Lake (TOPL)

To: TOPL Planning Commission, Doug Allen, and Calvin Berstler, on behalf of Owner Tri Lakes Developers, applicant

CC: Erica Romero, Town Clerk, Town of Palmer Lake
Mike Davenport, Community Matters Institute, Contract Town Planner
Scott Krob, Town Attorney, Town of Palmer Lake
Mark Morton, PE, GMS, Inc., Consulting Engineers, Town of Palmer Lake
John Chavez, Chavez Consulting Inc., LLC, Stormwater Consultant

From: Barb Cole, Founder/Executive Director, Community Matters Institute

Re: **Brook Street Rezoning from Obsolete PUD to R-3-Recommend Approval**

This application was deemed complete for both the rezoning and minor subdivision and was sent out for referral on September 25, 2025. No comments were received regarding the rezoning to R-3; however, there are comments regarding required easements and the need to ensure that the Water Department has the necessary easement to reach the tank. The property was previously zoned PUD, but the required files to allow a past PUD to move forward were never completed. Per Code, the following is required (Code sections are in italics):

Sec. 17.1.90 Expiration of Land Use Approvals.

(a) Approval by the Board of Trustees of any Planned Development District PD plan, Final PD development plan (FDP), subdivision plat, conditional review use, site plan, or any other land use approval that does not constitute an amendment to the Official Zoning Map shall remain in effect for three (3) years unless a longer vesting period is granted by the Board of Trustees.

Sec. 17.2.162 Effective date and establishment of a planned development district (PD).

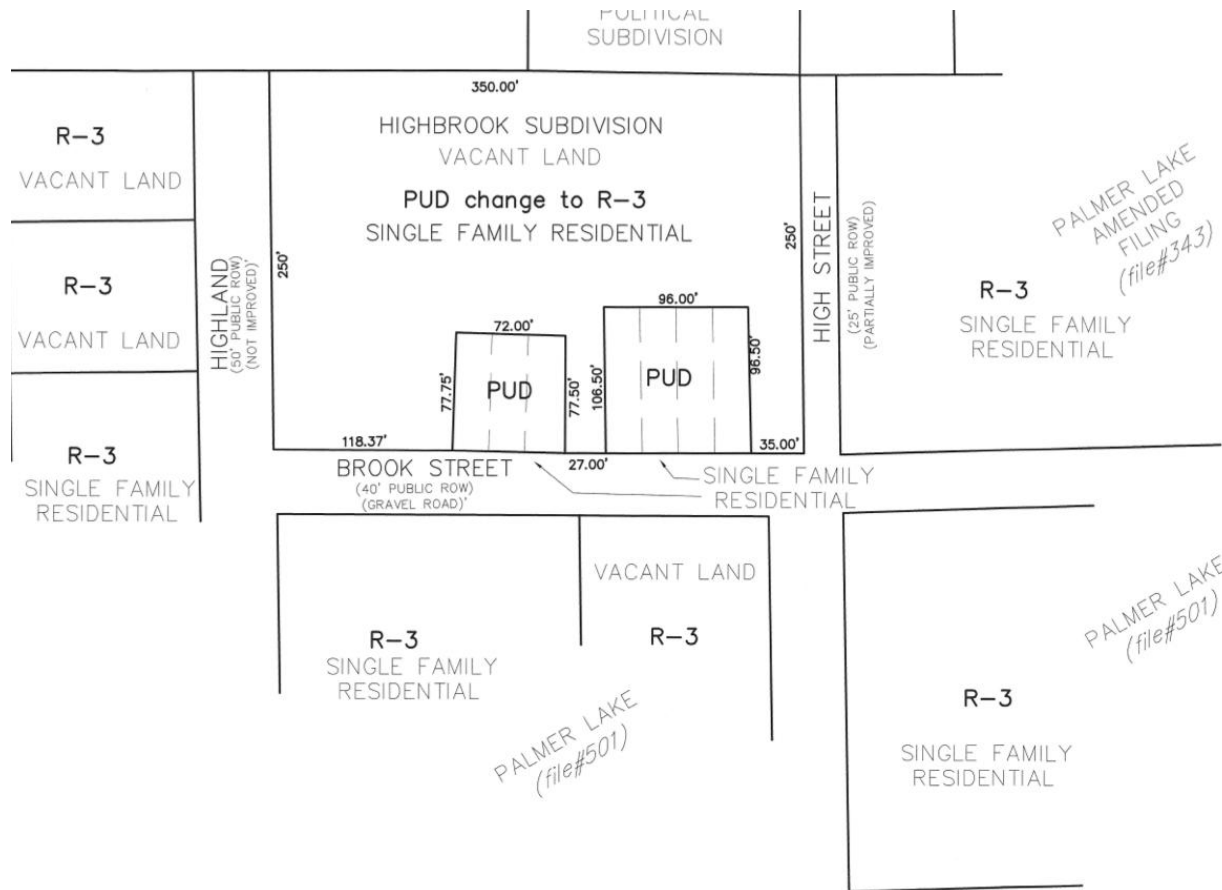
Existing PDs shown on the official zoning map. Planned developments without a planned development plan (PDP) or final development plan (FDP) recorded at the El Paso County Clerk and Recorder's Office are required to initiate a new planned development zoning application.

This PUD was not recorded, and there is no evidence of any ordinance rezoning this parcel to PUD. No development plan, neither a Planned Development Plan nor a Final Development Plan, was ever submitted. Thus, the applicant was advised that a PD was not possible because all new zone districts, including PD must be 5 acres or more.

DRT Recommendation in May 2025: The applicant was advised to rezone the parcel to R-3, which is consistent with the surrounding land all of which is zoned R-3. The attached rezoning exhibit shows the rezoning of this property to R-3.

Recommendation: The Town Planning Consultant and Development Review Team recommends approval of this rezoning to R-3. A copy of the rezoning exhibit meeting Code requirements follows.

Resubdivision: The applicant is also seeking to re-subdivide the property into 4 lots for 4 single-family dwellings. The applicant, GMS, and the DRT are working to create the necessary easements based on referral comments and the need for access.



Start your reply all with:

Received, thank you.

Thank you for letting us know.

Thank you!

 Feedback

Item 4.

-----WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate.-----

Hi Erica and Grant, please consider this email as my official resignation from the Palmer Lake Planning Commission, effective immediately.

Please acknowledge receipt of this email.

Thank you.

Michael D. Beeson
Palmer Lake

DATE: November 11, 2025

TO: Glen Smith, Erica Romero, Scott Krob

FROM: John B. Chavez

CC: Mark Morton, Barbara Cole

RE: Illumination Point Update

This memo serves as an update on compliance with the Conditions of Use approved by the Town Board of Trustees for Common Grounds located at 640 and 650 Illumination Point and Tanglewood Trailers located at 630 Illumination Point.

Tanglewood Trailers, 630 Illumination Point Conditions of Use (Resolution No. 37-2021)

Include landscaping (outdoor screening) meeting code 17.37.080, with a fifty percent emphasis on landscaping (vs. fencing), referencing Master Plan guidelines and when a site plan is developed, it is to be reviewed by the Planning Commission, within two years. The resolution was adopted on August 12, 2021.

Background

Since 2021, several meetings to discuss development requirements of the site were held between the Town and owners of 630, 640 and 650 Illumination Point. On November 5, 2021 the Town received a submittal from the engineer working for the owner of lots 3 and 4 (i.e., 630 and 640 Illumination Point) of the Illumination Point project. On November 22, 2021, the following documents were reviewed:

1. 626 ILLUMINATION POINT GESC FINAL estamped 11-16-21 jd
2. Agreement Drainage 36 Pipe - Lots 2, 3 & 4 - Signed – Final
3. Agreement Drainage of Water Lot2 Lot3 - signed 102621 – Final
4. HydraflowExpressExtension - Final 102221
5. HydroCAD Summary - Final – 102221

The submitted drainage agreement for the 36” pipe was agreed to and signed by the owners of lots 1, 2, 3 and 4 of the Illumination Point Subdivision. Comments were provided to the applicants on December 6, 2021. There were several deficiencies with the content of the grading and erosion control plan that was submitted and comments were also provided on the design of a proposed pond for lot 2.

On February 24, 2022, Mr. Thompson provided a “second submittal regarding the Site Plan for Lot 2 of the Illumination Point Subdivision.” There were twelve (12) attachments. The first was



a Memorandum dated February 24, 2022 outlining this 2nd Submittal. “This submittal addresses/responds the comments generated by Chavez Consulting and GMS to the original (1st) submittal.”

On March 8, 2022, comments on the “second submittal” were provided to Mr. Thompson. Issues remained with the grading and erosion control plan and the language used in the agreements.

On June 2, 2022, an online Zoom meeting was held with Mr. Tucker, Mr. Ferranti, Mr. Thompson, Matt Krob, Ryan Cramer (GMS), Dawn Collins, and me. I recall that there was some contention regarding the drainage between lots 2, 3 and 4. And there were issues regarding a building set back between lots 2 and 3.

In November of 2023, I received phone call complaint that Mr. Thompson had disturbed land without any stormwater control. On November 16, 2023, I visited the site and spoke with Mr. Thompson and Mr. Tucker about obvious land disturbing activities occurring on their properties without any approvals. At that visit I also notice that lot 3 and 4 had been graded flat and had several trucks parked on the lot. I was informed that Ferranti had sold his lots and the new disturbance on lots 3 and 4 was done by the new owner, Greater Grounds.

In December of 2023, Dawn Collins received an email from the Clean Water Compliance Unit of the Water Quality Control Division. The state had received a complaint regarding construction activity at 650 and 630 Illumination Point without a permit. The state representative asked for contact information for the owners of the lots.

On June 30, 2025, an online Teams meeting was held with Mr. Tucker, Mr. Thompson, Mr. Whitely, Adam Lancaster (CDOT), Scott Krob, Dawn Collins and me. During this meeting we informed the property owners that the development of the lots is a common plan of development as defined by the MS4 permit. Discussion about the change of use was the focus of the CDOT participation. At this meeting Mr. Whitely agreed to work with the Town to resolve the MS4 requirements and the CDOT requirements for an updated access permit.

Current Status of Conditions

I have no record of any additional submittals received from Mr. Thompson since March of 2022. I do not believe a final site plan was ever approved by the Town Board.

During a site visit of Tanglewood Trailers no new drainage infrastructure has been constructed. Currently drainage from lot 2 runs down the private driveway, bypassing the existing extended detention basin and discharging along the east property line.

There is no screening or landscaping installed meeting code 17.37.080, with a fifty percent emphasis on landscaping (vs. fencing). See attached photos.

Greater Grounds, 640 and 650 Illumination Point Conditions of Use (Resolution No. 40-2024)

The Conditional Use Permit was approved only for lot 4, 650 Illumination Point. Both lots 3 and 4 are in use. The Conditional Use Permit was approved on July 25, 2024.

- a. At all times the Applicant must maintain dust control in a manner presented by the applicant with a dedicated pickup truck mounted water truck and applying Dust-R/X Hydro as needed. Such dust control shall be performed when the applicant or the Town Administrator deems it to be needed;
- b. Screening to be completed within 90 days of the date of this resolution. Fencing will include an 8 ft opaque fence (not wire wildlife) at the north and east lot lines and evergreens outside the fence a minimum of 4 ft high and 20 ft on center at the north and east lot lines;
- c. All dumpsters and other storage must remain behind the screening;
- d. No retail sales shall be conducted at the site;
- e. Applicant shall meet all required CDOT regulations pertaining to the access permit and town regulations pertaining to the land development within 90 days of the date of this resolution or on such date as may be specifically agreed to by CDOT and the Town Administrator.

Background

On October 5, 2023, Jared Whitely emailed the Town Administrator and informed her that he had recently purchased 650 Illumination Point. His stated purpose for the property was for a location to park his trucks. A second reason stated was that he intended to sell landscaping materials from the site starting in Spring of 2024. After over a month of communication about the site and proposed uses, Mr. Whitely submitted a Land Use Application, a Conditional Use Application and a "Landscaping Yard Setup."

On Thursday November 16, 2023, I noticed construction activity had occurred in the Illumination Point Subdivision. I stopped and visited 630 -650 Illumination Pointe. I spoke with Mark Thompson and Jeremy Ferranti. Mr. Ferranti was upset because Mr. Thompson had excavated several trenches through his lot without any stormwater controls. Ferranti and Thompson both agreed that the work was done by Greater Grounds. It was at this time that Mr. Ferranti informed me that he had sold his lots to Mr. Whitely the owner of Greater Grounds.

On February 28, 2024, the Town Administrator reminded Mr. Whitely that he needed to submit the Conditional Use item for consideration at the March Planning Commission meeting. On March 12, 2024, Mr. Whitely submitted the following documents

- 1) GG Grading-Site Plan (1).pdf
- 2) Greater Grounds Landscape Material – Site Plan.pdf
- 3) 2024_DustRX_Hydro Brochure Sheet.pdf



- 4) GG Reference – 01.pdf
- 5) GG Reference – 02.pdf
- 6) GG Reference – 03.0df

On June 30, 2025, an online Teams meeting was held with Mr. Tucker, Mr. Thompson, Mr. Whitely, Adam Lancaster (CDOT), Scott Krob, Dawn Collins and me. During this meeting we informed the property owners that the development of the lots is a common plan of development as defined by the MS4 permit. Discussion about the change of use was the focus of the CDOT participation. At this meeting Mr. Whitely agreed to work with the Town to resolve the MS4 requirements and the CDOT requirements for an updated access permit.

Current Status of Conditions

- a. It is uncertain whether dust control has ever been applied. Recent observation of the site did not identify a pickup truck mounted water truck located on site. No dust complaints have been received by the Town.
- b. An 8ft chain link fence surrounds the site. There is no opaque screening present. Along the east property line there are three trees planted. No trees are planted along the north property line.
- c. All dumpsters and storage of materials are located behind the fence.
- d. It does not appear that any retail sales are occurring at the site.
- e. Greater Grounds submitted a Traffic Study, which includes Tanglewood Trailers traffic, to the Colorado Department of Transportation. On November 7, 2025, the Town received notice from CDOT that the updated Traffic Assessment has been reviewed and approved. The updated traffic volumes do not trigger any highway improvements. CDOT will move forward with updating the existing state highway access permit to include new traffic data and all current uses in the subdivision. The Town will be notified when the new permit is executed.

Regarding the site drainage and stormwater quality considerations, the civil engineer working on the issues for Greater Grounds submitted two MS4 applicability forms for review on November 3, 2025. The site is an applicable construction activity, and an applicable development site as defined in the MS4 permit. No permanent drainage infrastructure is constructed for the site. The south property line does have erosion control blanket installed along the slope.



Figure 1. Tanglewood Trailers (looking south from entrance). No screening.



Figure 2. Tanglewood Trailers (looking southwest from driveway): no screening; junk vehicles present.



Figure 3. Greater Grounds (north property line): no screening.



Figure 4. Greater Grounds (east lot line): incomplete screening.



Chavez Consulting Inc., LLC
Your key to stormwater compliance!



Chavez Consulting Inc., Llc
November 10, 2025 10:47 AM

Figure 5. Greater Ground (east property line): area screened with trees.



Chavez Consulting Inc., LLC
Your key to stormwater compliance!



Figure 6. Greater Grounds (south property line): erosion control blanket installed.



Figure 7. Site Drainage: runoff is bypassing existing extended detention basin.