The Planning Commission Meeting was called to order at 7:03 pm by Bob Lewis.

PRAYER: Led by Jim Keen

PLEDGE OF ALLEGIANCE: Led by Dan Michalak

ROLL CALL

Commission members present: Peter Hoogendyk; Dan Michalak; Bob Lewis; Linda Krauser; Jim Keen and Kipp Parker

Staff present: Christina Stanton, CDS Director; Tracey Aaron, CDS Administration; Vince Hooper (Baseline).

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S)

A. No items

CITIZEN COMMENTS ON GENERAL ITEMS – None

CONSENT CALENDAR

A. No items

APPROVAL OF MEETING MINUTES:
A.  
- Approval of Minutes for April 10, 2018 – as written.  
- Meeting Minutes for October 30, 2018 – as written  

Roll call votes were taken for each set of meeting minutes to be approved – both sets of meeting minutes were approved 6-0 with no changes.  

- Chairman Bob Lewis asked staff if there were any additional outstanding meeting minutes, or if these minutes were the last sets that needed to be voted on in order to be caught up. Chair Lewis gave his thanks to staff for keeping the meeting minutes up to date. Peter Hoogendyk also made a comment regarding the format of the meeting minutes for October 30, 2018-he stated he was very pleased with the detail and they were done very well, and it was appreciated.  
- Staff replied that with the approval of the meeting minutes that were voted on tonight, all meeting minutes were current, there were no outstanding meeting minutes needing approval. This is thanks to staff member Trish Kruse.  

PUBLIC HEARING FOR RZ-18-0032 PEAK VISTA REZONE-75.88 acres from A to AR.  

A.  Chairman Bob Lewis spoke of opening the hearing and stated that before they got started Peter Hoogendyk had something he wanted to say.  

- Commissioner Hoogendyk stated that he wanted to make a motion to continue this to another meeting. He felt he didn’t receive the documents in time to review them appropriately and he didn’t feel that he could “do justice” to the proposed application.  
- Commissioner Dan Michalak made a second on the original motion to continue this application to another meeting.  
- The applicant then asked, from the audience, as to whether he could say anything about this proposed continuance.  
- Chair Lewis told the applicant that he did not have an opportunity to speak at this time as this was a process for the PC to go through.  
- Staff also mentioned that the PC needed to continue the application to a date certain in the future.  
- There was back and forth conversation between staff, the PC members, the applicant, and murmurs from the people in the gallery. This all had to do with the motion currently on the table to continue this application to another hearing. At this point there had not been mention of continuing the application to a date certain.  
- Commissioner Lewis stated that he had a motion, and a second to continue to another date. He wanted to confirm the reason Commissioner Hoogendyk felt he needed to make the motion and asked if it was because Peter Hoogendyk believed that he didn’t have
the file in time. Peter Hoogendyk agreed with Chair Lewis, confirming the reason for his motion.

- At this time staff member Vince Hooper (Baseline) apologized for the interruption but spoke to Chair Bob Lewis to ensure that he had opened the public hearing portion of tonight’s meeting prior to the motion made by Commissioner Hoogendyk.
- Chair Bob Lewis clarified that he did open the public hearing portion of tonight’s meeting, but then stated that he had a Commissioner who wanted to make a motion before the hearing got started.
- There was discussion from Chair Bob Lewis as to the motion currently on the table to continue this hearing to another date, and why.
- Commissioner Kipp Parker made a statement to Chairman Lewis that in the interest of Parliamentary procedure, they needed to specify a date for the future. Kipp Parker also stated that he wasn’t sure he was in favor of the motion, but felt it was necessary to define the date of the continuance.
- There was additional discussion between Commission members as well as staff and the applicant.
- Chair Lewis spoke to Kipp Parker about how he felt regarding the motion on the table. Kipp Parker stated that he received the packet in time to review the contents but understands others may feel differently.
- Commissioner Linda Krausert made a comment about receiving the packet late as well, but she did have an opportunity to review the packet as she printed off the attachments received via email herself. She also spoke of the citizens in the gallery who had taken the time to come to tonight’s hearing, and the driving involved in the county when going to functions such as tonight’s hearing.
- Dan Michalak made a statement that he received the packet for tonight’s hearing 24 hours prior. He continued to speak about the importance he places on the board being able to do their due diligence. He spoke of a “rush job” and not feeling that justice would be done for this applicant or the citizens who came to the hearing tonight to hear the outcome. He stated that he needs at least one week or seven days to review any packet for a Planning Commission hearing.
- Chair Lewis addressed staff, asking what an appropriate time frame would be for the applicant and staff to be able to make a continuance work.
- Staff member Vince Hooper (Baseline) spoke of the possible dates in the future that may work to continue this hearing. The BOCC hearing for this application is scheduled for December 5th, 2018. There is a regularly scheduled Planning Commission hearing for December 4th, 2018, but Vince Hooper felt it would not be possible to continue this application tonight to the hearing date of the 4th of December without having to continue the BOCC hearing date for this application as well.
He also spoke of the currently scheduled hearing date for the next PC hearing being November 27, 2018 and that would probably work the best in order to give staff time to get the BOCC packets together based on the outcome of the Planning Commission hearing for this item.

- Peter Hoogendyk mentioned that it is written somewhere in the Planning Commission documents (By-laws, Guidelines) that the PC must receive their documents for a hearing at least seven days in advance of the hearing. He couldn’t say where it is written but was certain that it is written somewhere. He stated that this was another reason he was making a motion to continue this application to another date. He stated that he didn’t receive his materials until Monday.

- Chair Lewis stated that he was in a tough spot because he would normally have the number of Commissioners who were not comfortable with the length of time they’ve had to review these materials be able to recuse themselves, and still have a quorum with which to hear the application and vote accordingly. He spoke to the fact that there are not enough PC members currently to be able to do that. He continued that he has a motion and would entertain someone making a motion out of the discussion to a firm date. He then asked if any of his colleagues would make a motion to extend this application to a firm date of November 27th. He asked the applicant to step up to the podium and advise the board as to whether the date of November 27th would work for him.

- CJ Kirst, applicant, spoke to the PC and relayed that he has a meeting in Elizabeth on the 27th of November and he also had paid a consultant to come to tonight’s hearing all the way from Loveland. He also stated that he had spoken with the person he is representing in this application and that person does not want to have the hearing date for the BOCC moved out. He stated that he had spoken with the landowner because he heard that there may be a continuance requested at tonight’s hearing and he wanted the landowner aware. He stated that he could not postpone his requirement to be at the meeting in Elizabeth, so he would just have to figure out how to be in two places at once.

- Chair Lewis confirmed with CJ Kirst that November 27th would work for a date certain and he apologized to the applicant and the consultant for the need to continue.

- Chair Lewis called the question for an amended motion to the original motion – the amended motion was to continue this hearing to a date certain of November 27th, 2018. The vote was taken – 4 in favor and 2 opposed. Chair Lewis stated that he voted in favor because he has two Commissioners in attendance that have stated they feel that they cannot reach a decision on this application tonight. Earlier in the discussion Chair Lewis had commented that he was not in favor of continuing the hearing and he had reviewed the materials even though he had received them late as well.
• The original motion to continue was brought to a vote – there were 4 in favor and 2 opposed.
• Chair Lewis made a statement to all in attendance that this would be the first item to be picked up at the hearing to be held on November 27th, 2018. He continued with a statement to staff as to the right of the PC to expect receipt of their files in a timely manner. If staff cannot get the items to the PC in a timely manner, staff needs to not bring the PC to hearing and needs to be in contact with the Chair and advise him of any issues causing the delay. He stated that this was his expectation moving forward.
• While Chair Lewis was making his statement Commissioner Kipp Parker asked that the gallery to “hold it down please.”
• A motion was made for adjournment by Dan Michalak and a second by Peter Hoogendyk – all Commissioners were in favor.

MEETING ADJOURNED AT 7:24 PM