

TELLER COUNTY PLANNING COMMISSION

SEPTEMBER 10, 2019 – 7:00 p.m.
WOODLAND PARK CITY COUNCIL CHAMBERS
220 W. SOUTH AVENUE

MEETING MINUTES

I. Call to Order and Roll Call:

Ms. Lynda Morgan, Director of the Teller County Community Development Division, opened the meeting and noted that the Planning Commission's Chair, Mr. Haase, was not able to be present for the meeting.

Mr. Smith moved to name Ms. Dillenschneider as acting Chair of the Planning Commission for the meeting of September 10, 2019. Mr. Luttrell seconded.

Roll Call:

Yes	Mr. Thies
Yes	Mr. Smith
Yes	Ms. Dillenschneider
Yes	Mr. Carr
Yes	Mr. Luttrell

The motion carried.

Ms. Dillenschneider called the meeting of September 10, 2019 to order at 7:05 p.m.

Ms. Dillenschneider excused Mr. Smith for the rest of the meeting.

Renewed Roll Call:

Yes	Mr. Paul Thies (regular member)
Absent	Mr. Jeff Smith (regular member)
Yes	Mr. Val Carr (regular member)
Yes	Mr. Dennis Luttrell (regular member)
Yes	Ms. Wendy Dillenschneider (regular member)
Absent	Ms. Elizabeth Nijkamp (Vice-Chair)
Absent	Mr. Michael Haase (Chairman)

Also Attending:

Mr. Dan Williams, Planning Director
Ms. Lynda Morgan, CDSO Director
Mr. Paul Hurcomb, County Attorney
Ms. Camille Krochta, Recording Secretary

II. Review and Approve Minutes:

Mr. Thies moved to approve the minutes of June 11, 2019. Mr. Carr seconded.

Roll Call Vote:

Yes	Mr. Thies
Yes	Ms. Dillenschneider
Abstain	Mr. Dennis Luttrell
Yes	Mr. Carr

The motion carried.

Mr. Carr moved to approve the minutes of August 13, 2019 as amended. Mr. Luttrell seconded.

Roll Call Vote:

Abstain	Mr. Thies
Yes	Mr. Carr
Yes	Mr. Luttrell
Abstain	Ms. Dillenschneider

The motion failed.

Mr. Carr made a second motion to approve the minutes of August 13, 2019 as amended. Mr. Luttrell seconded.

Roll Call Vote:

Yes	Mr. Thies
Yes	Mr. Carr
Yes	Mr. Luttrell
Yes	Ms. Dillenschneider

The motion carried.

III. Location and Extent: Consider a request by Teller County for a Location and Extent to expand the current Teller County Sheriff's Building to enable and enhance law enforcement operations in the County on 2.73 acres zoned A-1 on Lot 1, Harris Subdivision, Filing No. 1, a portion of the S ½ SW ¼ of Section 6, T13S, R69W of the 6th P.M., County of Teller, State of Colorado (11400 W. US Hwy 24, Divide, Colorado 80814).

Mr. Williams introduced Mr. Rob Seever, Architect for the Harris Building project, Mr. Fred Clifford, Teller County Public Works Director, and Teller County Under Sheriff John Gomes.

Mr. Williams presented the Staff Report and his recommendation that the Planning Commission approve the request with conditions.

Mr. Fred Clifford, Teller County Public Works Director, answered questions of the Planning Commission on the expansion (specific department addition) of the Sheriff's building.

Undersheriff Gomes answered questions of the Planning Commission on the expansion (specific department additions) of the Sheriff's building.

Mr. Williams answered questions from the Planning Commission.

Ms. Dillenschneider opened the matter for public comment.

Public Comment: None

Ms. Dillenschneider closed public comment.

Mr. Williams read the proposed motion that the Teller County Planning Commission **APPROVE WITH CONDITIONS** the request by Teller County for a Location and Extent and request to expand the current Teller County Sheriff's Building, also known as the Harris Building, to enable and enhance law enforcement operations in the County, pursuant to Colorado Revised Statutes §30-28-110 and LUR Section 8.4, incorporating Staff findings contained in the Staff Report dated August 26, 2019.

Mr. Luttrell moved to accept the motion as read. Mr. Thies seconded.

Roll Call Vote:

Yes Mr. Thies

Yes Mr. Carr

Yes Mr. Luttrell

Yes Ms. Dillenschneider

The motion carried.

The Planning Commission took at short recess and reconvened at 7:40 p.m.

IV. Consider and Recommend to the Board of County Commissioners a request by Lutheran Valley Retreat for a Special Use Permit for an existing resort on a 240 acre property consisting of the East one-half of the Southwest Quarter of Section 7, the West one-half of the Southeast Quarter of Section 7 and the East one-half of the Northwest Quarter of Section 7, all being situated in Township 11, Range 70 West of the 6th Principal Meridian, Teller County, CO (793 Ellison Road, Woodland Park, Colorado) in the Agricultural (A-1) Zone

Mr. Williams introduced into the record two letters of opposition submitted in person September 10, 2019 prior to the hearing, opposing portions of the Special Use Permit request by Lutheran Valley Retreat.

Mr. Williams presented the staff report, recommended approval with conditions and answered questions from the Planning Commission regarding water quality, access, roads, evacuation routes and plans, and noxious weed control.

Ms. Andrea Barlow, NES Principal, gave a prepared presentation, provided the printed slides of the power point presentation, and answered questions from the Planning Commission.

Mr. Steve Johnson, Executive Director of Lutheran Valley Retreat, answered questions from the Planning Commission regarding medical emergency and fire evacuation procedures, gun range safety and operations.

Ms. Barlow answered additional questions from the Planning Commission on the Colorado Parks and Wildlife report, specifically Seasonal Deferment J and how the site study performed for Lutheran Valley Retreat minimizes any impacts to wildlife. In response to a question about the importance of the shooting range to the Special Use Permit request, Ms. Barlow stated that the shooting range is the primary reason for the request.

Mr. Johnson answered additional questions from the Planning Commission, stating that the retreat has lost some business due to the Cease and Desist orders for the shooting range. The Retreat does provide a Chief Safety Officer at each shooting station and he contracts with four NRA Certified Range Safety Officers to be present for each group shooting event. All participants bring their own guns and ammunition. No guns or rifles over 50 caliber are allowed at the Retreat.

9:00 p.m. Ms. Dillenschneider opened the matter for public comment.

Public Comment in Favor:

Mr. Wayne Pittman, Lutheran Valley Retreat Board of Directors President and participant in the men's retreat, spoke in favor of approving the requested Special Use Permit.

Mr. Richard Allen spoke in favor of approving the requested Special Use Permit.

Mr. Lacy Scott, an NRA Range Safety Officer, spoke in favor of approving the requested Special Use Permit.

Mr. George Mitchell, NRA Range Safety Officer, USA Archery Instructor, Pikes Peak Council BSA Shooting Sports Committee, Holy Cross Lutheran Church member, and Lutheran Valley men's retreat participant, spoke in favor of approving the requested Special Use Permit.

Mr. Jeremy Hetzel, Director of Student Ministries at Family of Christ Church, spoke in favor of approving the requested Special Use Permit.

Mr. Raymond Kline, Program Director at Lutheran Valley Retreat spoke in favor of approving the requested Special Use Permit.

Ms. Trish Kelm, sister of Todd Kelm, a full time Lutheran Valley Retreat staff member, spoke in favor of approving the requested Special Use Permit.

Mr. Chris Ramsel spoke in favor of approving the requested Special Use Permit.

Mr. Rod Young, Lutheran Valley Ranch homeowner, spoke in favor of approving the requested Special Use Permit.

Mr. George Kelly, former Lutheran Valley Retreat staff member, spoke in favor of approving the requested Special Use Permit.

Ms. Lindsey Kelly spoke in favor of approving the requested Special Use Permit.

Mr. Jeff Cluver, Lutheran Valley men's retreat member, spoke in favor of approving the requested Special Use Permit.

Mr. Kerry Schauland, Lutheran Valley Ranch homeowner, runs the equine program at Lutheran Valley Retreat, spoke in favor of approving the requested Special Use Permit.

Mr. Todd Kelm, Lutheran Valley Ranch homeowner, Station Lt. at Fire Department, spoke in favor of approving the requested Special Use Permit.

Mr. Elliott Schauland, Lutheran Valley Ranch homeowner, spoke in favor of approving the requested Special Use Permit.

Mr. Larry McVay, NRA Range Safety Officer, volunteer for Lutheran Valley Retreat, spoke in favor of approving the requested Special Use Permit.

Mr. Mike Davis, NRA Range Safety Officer, volunteer for Lutheran Valley Retreat, spoke in favor of approving the requested Special Use Permit.

Mr. Shad Jeseritz, Lutheran Valley Ranch homeowner, spoke in favor of approving the requested Special Use Permit.

Mr. Tom Keithley spoke in favor of approving the requested Special Use Permit.

Mr. Taylor Chessnoe spoke in favor of approving the requested Special Use Permit.

Mr. Brian Wanamaker spoke in favor of approving the requested Special Use Permit.

Ms. Margaret Kline, Lutheran Valley Retreat member, spoke in favor of approving the requested Special Use Permit.

Mr. Douglas Karges spoke in favor of approving the requested Special Use Permit.

Ms. Angela Johnson, wife of Steve Johnson, Lutheran Valley Retreat Executive Director, addressed concerns of Planning Commission regarding fire evacuation and wildlife concerns, and spoke in favor of approving the requested Special Use Permit.

Mr. Jeff Arney spoke in favor of approving the requested Special Use Permit.

Mr. Ron Landry spoke in favor of approving the requested Special Use Permit.

Public Comment Against:

Ms. Fran Dieter, part time Lutheran Valley Ranch homeowner, in spoke in favor of Lutheran Valley Retreat's programs specifically Patty's Place, but she is against approving the shooting range.

9:35 p.m. Ms. Dillenschneider closed public comment.

Ms. Andrea Barlow, NES, gave rebuttal comments, stating the adult retreats with shooting events are held in the off season and are not held at the same time as the youth camps.

Mr. Jeremy Hetzel, Youth Director at Family of Christ, answered questions of the Planning Commission clarifying no one under 18 is allowed at shooting retreats.

Ms. Andrea Barlow, NES, addressed the Planning Commission on the statement made by Mr. Wayne Pittman and the type of rifle he used at Lutheran Valley Retreat.

Mr. Wayne Pittman, clarified a bolt action 22 was used at the camp to show him the proper way to shoot, not a high powered rifle as used in Iraq.

The Planning Commission engaged in discussion about the shooting range and the caliber of weapons.

Mr. Williams read the proposed motion that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE WITH CONDITIONS** the request by Lutheran Valley Retreat, for a Special Use Permit located on property zoned Agricultural (A-1) in Teller County, Colorado, incorporating staff's findings as contained in the Staff Report dated August 21, 2019.

The Planning Commission discussed amending the proposed motion language.

Mr. Steve Johnson, Executive Director of Lutheran Valley Retreat addressed the Planning Commission, stating Lutheran Valley Retreat's standard operating procedure currently states no weapons over 50 caliber are allowed.

Ms. Andrea Barlow, NES, reiterated the statement in the written findings that all material representations of the applicant are binding, and as Mr. Johnson stated, Lutheran Valley Retreat operating procedure states no weapons over 50 caliber are allowed.

Mr. Steve Johnson referred questions of the Planning Commission to Larry McVay, Lutheran Valley Range Safety Officer, who addressed specific rifle and handgun types and calibers used at the retreat.

The Planning Commission recessed at 10:010 p.m. and reconvened at 10:20 p.m.

Mr. Williams read the revised proposed motion that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE WITH CONDITIONS** the request by Lutheran Valley Retreat, for a Special Use Permit with the following revisions to the conditions:

- #1, Subsequent Applications: sentence one: Any subsequent development applications related to this SUP, including but not limited to, and the balance of the paragraph;
- #8, Shooting Range: All rifle shooting shall be limited to 30 caliber and below and all hand gun shooting shall be limited to 45 caliber and below, and the August 17, 2015 and September 27, 2016 Cease and Desist orders are rescinded upon approval of this SUP on property zoned Agricultural (A-1) located in Teller County, Colorado, and incorporating staff's findings as contained in the Staff Report dated August 21, 2019.

Mr. Luttrell noted his concerns that the applicant was asking for forgiveness rather than asking for permission.

Mr. Thies moved to accept the motion as revised. Mr. Carr seconded.

Roll Call Vote:

Yes Mr. Thies

Yes Mr. Carr

No Mr. Luttrell

No Ms. Dillenschneider

The motion failed.

Mr. Williams read the alternate proposed motion that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE WITH CONDITIONS** the request by Lutheran Valley Retreat, for a Special Use Permit with the revisions to the following conditions:

- #1 Subsequent Applications: sentence one: Any subsequent development applications related to this SUP, including but not limited to, and the balance of the paragraph; and
- #8 Shooting Range: Use of the unpermitted shooting range at LVR is not authorized nor is it part of this SUP approval and the August 17, 2015 and September 27, 2016 Cease and Desist orders remain in effect on property zoned Agricultural (A-1) located in Teller County, Colorado, and incorporating staff's findings as contained in the Staff Report dated August 21, 2019.

Mr. Luttrell moved to accept the motion as revised. Ms. Dillenschneider seconded.

Roll Call Vote:

No Mr. Thies

No Mr. Carr

Yes Mr. Luttrell

Yes Ms. Dillenschneider

The motion failed.

Mr. Hurcomb suggested the Planning Commission consider voting on all of the conditions in the proposed motion except condition #8 regarding the shooting range. The Planning Commission considered a proposed motion that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE WITH CONDITIONS** the request by Lutheran Valley Retreat, for a Special Use Permit with revisions to the condition #1 and the deletion of condition #8 in its entirety, on property zoned Agricultural (A-1) located in Teller County, Colorado, and incorporating staff's findings as contained in the Staff Report dated August 21, 2019.

Mr. Luttrell moved to accept the motion as presented. Mr. Carr seconded.

Roll Call Vote:

Yes Mr. Thies

Yes Mr. Carr

Yes Mr. Luttrell

Yes Ms. Dillenschneider

The motion carried.

The Planning Commission then considered a motion on condition #8 regarding the shooting range, that the Teller County Planning Commission recommend to the Board of County Commissioners that it **APPROVE WITH CONDITIONS**, the request by Lutheran Valley Retreat, for a Special Use Permit, with the revisions to the condition #1 condition #8 to allow the shooting range with limits to the caliber for rifles and hand guns, on property zoned Agricultural (A-1) located in Teller County, Colorado, and incorporating staff's findings as contained in the Staff Report dated August 21, 2019.

Mr. Carr moved to accept the motion as revised, Mr. Thies seconded.

Roll Call Vote:

Yes Mr. Thies

Yes Mr. Carr

No Mr. Luttrell

No Ms. Dillenschneider

The motion failed.

The Planning Commission's recommendations will be heard at the October 10, 2019 Board of County Commissioners meeting.

V. Other Items: Staff reported on the vacation of lot lines as listed in the agenda.

VI. Adjourn: There being no further business, Ms. Dillenschneider adjourned the meeting at 10:35 p.m.