



# Town of Elizabeth

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## Planning Commission Regular Meeting

Tuesday, May 20, 2025 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 February 4, 2025

### Public Hearing

This matter requires this body to conduct a quasi-judicial hearing, which means the body must find facts and base its decision upon the application of the adopted regulation standards/criteria and the competent, substantial, and material evidence received during this hearing.

2. Ordinance 25-07, An Ordinance Amending Various Provisions of Chapter 16 of the Town of Elizabeth Municipal Code Updating the Town's Land Use and Development Code

### New Business

3. Discussion and possible action to recommend approval of Ordinance 25-07, An Ordinance Amending Various Provisions of Chapter 16 of the Town of Elizabeth Municipal Code Updating the Town's Land Use and Development Code to the Board of Trustees

**Action may be taken on any and all items listed on the agenda.**

Accommodations for disabilities may be made upon request.

## **Staff Report**

### **4. Staff Report**

## **Commissioner Reports**

## **Adjournment**

**Action may be taken on any and all items listed on the agenda.**  
Accommodations for disabilities may be made upon request.



# TOWN OF ELIZABETH

PLANNING COMMISSION

## PLANNING COMMISSION – RECORD OF PROCEEDINGS

February 04, 2025

### CALL TO ORDER

The Regular Meeting of the Elizabeth Planning Commission was called to order on Tuesday, February 04, 2025, at 6:32 PM by Chair George Fick.

### ROLL CALL

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

Also present were Planner/Project Manager Alexandra Cramer, Town Administrator Patrick Davidson, Public Works Director Mike DeVol, Assistant Public Works Director James McErnie, 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 December 3, 2024

Motion by Vice Chair Schmidt, seconded by Commissioner Thye, to approve the Consent Agenda as presented.

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

### NEW BUSINESS

2. Discussion and possible action on Planning Commission Resolution 25-01, a Resolution establishing a designated public place for the posting of meeting notices pursuant to C.R.S. 24-6-402(2)(c)

Motion by Vice Chair Schmidt, seconded by Commissioner Santangelo, to approve Planning Commission Resolution 25-01, a Resolution establishing a designated public place for the



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### PLANNING COMMISSION

posting of meeting notices pursuant to C.R.S. 24-6-402(2)(c).

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

#### 3. Election of 2025 Chair

Motion by Vice Chair Schmidt, seconded by Commissioner Santangelo, to elect George Fick as the Planning Commission Chair for 2025.

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

#### 4. Election of 2025 Vice Chair

Motion by Commissioner Thye, seconded by Commissioner Uhernik, to elect Amy Schmidt as the Planning Commission Vice Chair for 2025.

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

Chair Fick closed the Regular Meeting and opened the Public Hearing at 6:38 PM.

### **PUBLIC HEARING**

#### 5. Minor Development and Site Plan for the Main Street Depot project

Ms. Cramer provided a Staff report.

Patrick Davidson with the Town of Elizabeth as applicant, and Don and Linda Bulmer as co-applicants, provided comments.

Chair Fick opened the Hearing to Public Comment.

Paul Hunter – Town of Elizabeth Resident

Paul Schwartzkopf – Town of Elizabeth Resident

Chair Fick closed the Public Hearing and reopened the Regular Meeting at 7:42 PM.

### **NEW BUSINESS**

#### 6. Discussion and possible action on recommendation of approval to the Board of Trustees regarding the Minor Development and Site Plan for the Main Street Depot project

Motion by Commissioner Thye, seconded by Vice Chair Schmidt, to recommend approval to the Board of Trustees regarding the Minor Development and Site Plan for the Main Street Depot project.

The vote of those Commissioners present was 4 in favor and 1 opposed. Commissioner Uhernik opposed.



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## PLANNING COMMISSION

### STAFF REPORT

No further Staff reports.

### COMMISSIONER REPORTS

- Chair Fick asked Staff to let the Board of Trustees know that the Planning Commission has an official recommendation that the parking in lieu be reevaluated or eliminated.
- Commissioner Thye wanted to know if there was an update on the Design Guideline recommendation that was put forward by the Planning Commission.
- Commissioner Thye wanted to know if there was a way to bring back the Main Street Archway into the budget discussions.

### ADJOURNMENT

Motion by Vice Chair Schmidt, seconded by Commissioner Santangelo, to adjourn the meeting at 7:47 PM. The vote of those Commissioners present was unanimously in favor. Motion carried.

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Chair George Fick

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Deputy Town Clerk Harmony Malakowski



# TOWN OF ELIZABETH

COMMUNITY DEVELOPMENT DEPARTMENT

**To:** Planning Commission  
**From:** Alexandra Cramer, Planner/Project Manager  
**Date:** May 20<sup>th</sup>, 2025  
**Subject:** Ordinance 25-07

## Executive Summary

This memo provides background information on Ordinance 25-07, which proposes specific amendments to Chapter 16 of the Town Code regarding assisted living services. The ordinance makes three key changes:

1. Redesignates assisted living services from a Special Review use to a Use by Right in Commercial Mixed Use (CMU) and Regional Commercial (RC) districts
2. Adds three new definitions to Section 16-1-20 of the Municipal Code
3. Updates Section 16-6-10 to add specific parking and loading requirements for assisted living services

## Background

The proposed changes address an identified procedural barrier to senior housing development in our community. Currently, assisted living services are only allowed as a Special Review use in all zoning districts, including commercial areas. The Planning Commission identified this as a significant obstacle to senior housing facilities locating in Elizabeth, as operators are hesitant to invest time and resources in an uncertain approval process for property they don't yet control.

## Specific Code Changes

The ordinance makes the following specific amendments to the Municipal Code:

### 1. Table 16-5 Amendments (Section 1 of the Ordinance)

- Changes "Assisted living services" from "S" (Special Review) to "A" (Use by Right) in both:
  - Commercial Mixed Use (CMU) District
  - Regional Commercial (RC) District
- Adds a footnote to Table 16-5: "Assisted Living Services in the CMU and RC Districts shall not exceed a density of 20 units per acre"

### 2. Definition Additions (Section 2 of the Ordinance)

Adds three new definitions to Section 16-1-20:

**Assisted living services:** "A residential facility that makes available to three or more adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be



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## COMMUNITY DEVELOPMENT DEPARTMENT

available on a twenty-four-hour basis, but not to the extent that regular twenty-four hour medical or nursing care is required. Examples include, but are not limited to, memory care facilities, senior living communities and skilled nursing facilities. This definition does not include rehabilitation facilities primarily used for addiction treatment or substance abuse recovery."

**Group Home:** "A residential setting for at least four, but no more than eight, individuals with disabilities, including intellectual and developmental disabilities, where services and support are provided."

**Retirement/Group Housing Services:** "Housing designed for and marketed to persons of retirement age (typically 55 years and older) that provides independent living accommodations with optional supportive services, such as meals, housekeeping, transportation, and recreational activities. These facilities typically do not provide the level of personal care, protective oversight, or regular supervision that is found in assisted living services. Examples include independent living communities, retirement villages, and active adult communities. This definition does not include facilities that provide medical or nursing care as a primary service or assisted living services as defined in this code."

**Note:** These additional definitions are being added to provide clarity and to clearly distinguish between these similar but distinct residential care types. The definitions help prevent confusion in code interpretation and application.

### 3. Parking and Loading Requirements (Section 3 of the Ordinance)

Amends Section 16-6-10 by adding specific requirements for assisted living services:

- **Parking:** 0.5 spaces per unit plus 1 space per employee on the shift with the highest number of employees
- **Loading:** One dedicated loading space plus one area for dedicated ambulance access

#### Process Note

Even with this change, assisted living facilities in commercial districts will still undergo the standard site plan process with referral agency reviews and public hearing, maintaining appropriate oversight for these developments.

#### Local Context

Several assisted living facilities in nearby communities were analyzed to determine appropriate density standards:

- Castle Country Living (Castle Rock): 25.26 units per acre
- MorningStar: 25.47 units per acre
- Pine Grove Crossing: 28.86 units per acre
- Brookside Inn (proposed in Elizabeth, 2018): 15.51 units per acre



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Based on this analysis, the 20 units per acre standard in the CMU and RC districts balances development feasibility with community character.

## **Staff Recommendation**

Staff recommends approval of Ordinance 25-07, an Ordinance amending Chapter 16 Table 16-5, Section 16-1-20, and Section 16-6-10 of the Elizabeth Municipal Code regarding assisted living services.

## **Attachment(s)**

Ordinance 25-07

## ORDINANCE 25-07

### AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 16 OF THE TOWN OF ELIZABETH MUNICIPAL CODE UPDATING THE TOWN'S LAND USE AND DEVELOPMENT CODE

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

Section 1. Table 16-5 of the Elizabeth Municipal Code entitled "Public-Institution/Regional Commercial/Commercial/Mixed Use/Downtown Use Matrix" is amended regarding "Assisted living services" to read as follows:

- A. The use designation "Assisted living services" is hereby amended from "S" (Special Review) to "A" (Use by Right) in the Commercial Mixed Use (CMU) District and the Regional Commercial (RC) District; and
- B. An additional footnote is hereby added to Table 16-5 as follows: "Assisted Living Services in the CMU and RC Districts shall not exceed a density of 20 units per acre".

Section 2. Section 16-1-20 of the Elizabeth Municipal Code is hereby amended by the addition thereto of new definitions to read as follows:

*Assisted living services* means a residential facility that makes available to three or more adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a twenty-four-hour basis, but not to the extent that regular twenty-four hour medical or nursing care is required. Examples include, but are not limited to, memory care facilities, senior living communities and skilled nursing facilities. This definition does not include rehabilitation facilities primarily used for addiction treatment or substance abuse recovery.

\* \* \*

*Group Home* means a residential setting for at least four, but no more than eight, individuals with disabilities, including intellectual and developmental disabilities, where services and support are provided.

\* \* \*

*Retirement/Group Housing Services* means housing designed for and marketed to persons of retirement age (typically 55 years and older) that provides independent living accommodations with optional supportive services, such as meals, housekeeping, transportation, and recreational activities. These facilities typically do not provide the level of personal care, protective oversight, or regular supervision that is found in assisted living services. Examples include independent

living communities, retirement villages, and active adult communities. This definition does not include facilities that provide medical or nursing care as a primary service or assisted living services as defined in this code.

Section 3. Section 16-6-10 of the Elizabeth Municipal Code is hereby amended by the amendment of subsection (b)(11) and the addition thereto of a new subsection (b)(12) to read as follows:

(b) The listed uses shall be subject to the following parking space requirements. Each type of use shall be applied independently to individual areas within the building (i.e., a restaurant would have a dining area, office space and other spaces such as a kitchen).

\* \* \*

(11) Assisted Living Services:

(A) 0.5 spaces per unit plus 1 space per employee on the shift at which the highest number of employees are regularly present on the premises; and

(B) Such use shall also provide one dedicated loading space plus one additional area for dedicated ambulance access.

(12) All other uses not specifically mentioned: One (1) parking space shall be provided for each five hundred (500) square feet of usable floor area.

Section 4. 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 5. 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 6. 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 \_\_\_\_\_, 2025.

Passed by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against and ordered published.

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Angela Ternus, Mayor

ATTEST

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Michelle M. Oeser, Town Clerk



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COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Planning Commission  
**FROM:** Alexandra Cramer, Planner/Project Manager  
**DATE:** May 20<sup>th</sup>, 2025  
**SUBJECT:** Staff Report

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### Project Updates

- **Main Street Streetscape Project:** The Main Street Streetscape project is in its final phase. Installation of remaining street furniture (benches and trash receptacles), street trees, street painting and lighting is scheduled for completion by June 1st.
- **Main Street Depot Parking Lot:** Construction of the Main Street Depot Parking Lot is proceeding on schedule. The project remains on target for completion by June.
- **Oddfellows Building Mural:** Installation of the mural on the Oddfellows building commenced on May 12th and is anticipated to be completed by May 17th.

### Historic Advisory Board (HAB) Activities

- **Historic Building Coloring Contest:** The Historic Advisory Board is hosting a coloring contest featuring the historic bank building for elementary school students (K-5). Community voting will be held at the Elizabeth Library from May 27th through June 6th, with contest winners to be announced during the inaugural Friday Night Market.
- **Oral History Program:** The HAB continues to expand its Oral History Program with several new interviews. The complete collection can be accessed on their website at [historicelizabethco.org](http://historicelizabethco.org).

### In Progress

- **Parks and Recreation Master Plan:** The Greater Elizabeth Parks, Recreation, Open Space and Trails Master Plan is currently in the drafting phase. Staff will present the draft to the Planning Commission for review and feedback once completed.