

**FREMONT COUNTY  
PLANNING COMMISSION MEETING MINUTES  
December 2, 2025, AT 3:00 P.M.**

**MEMBERS PRESENT**

Travis Payne  
Dale McCullough  
Rudl Mergelman  
John Carper

**STAFF PRESENT**

Dan Victoria, Planning Director  
Danielle Adamic, Senior Planning Coordinator

**1. CALL TO ORDER**

Vice-Chairman Payne Called the meeting to order at 3:00 pm.

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**3. APPROVAL OF THE DECEMBER 2, 2025, PLANNING COMMISSION AGENDA**

Vice-Chairman Payne asked if there were any changes, additions or corrections to the December 2, 2025, Fremont County Planning Commission Agenda.

**MOTION**

Mr. Carper motioned to accept the December 2, 2025, Fremont County Planning Commission Meeting agenda.

**SECOND**

Mr. Mergelman second the motion.

Vice-Chairman Payne called for a roll call vote, and the motion passed unanimously. (4 of 4)

**4. APPROVAL OF THE OCTOBER 7, 2025, PLANNING COMMISSION MEETING MINUTES**

Vice-Chairman Payne asked if there were any changes, additions or corrections to the October 7, 2025, Fremont County Planning Commission Meeting Minutes.

**MOTION**

Mr. Carper motioned for approval of the October 7, 2025, minutes.

**SECOND**

Mr. Mergelman second the motion.

Vice-Chairman Payne called for a roll call vote, and the motion passed unanimously. (4 of 4)

Vice-Chairman Payne asks staff to present the first item on the agenda.

## **5. NEW BUSINESS:**

### **(1.) VPR 25-001 McKinley Elementary School**

Director Victoria presents the staff report. He states that the Representative from School District RE-1 is Scott Morton

#### **Consultant(s):**

3 Rocks Engineering and Surveying – Stewart L. Mapes, Jr. PLS

#### **Purpose:**

Requesting approval for a Vacation of Public Right-of-Way at 1240 McKinley Street in Cañon City.

#### **Reasons for the proposed vacation:**

This is a 16' .193 acres Right-of-Way platted for an alleyway, that crosses lots 19, 20, 21, 22, 25, 26, 27, & 28, of Macons Subdivision. It serves no transportation or utility function, the McKinley Elementary school has been developed on a portion of this alleyway on lots 21, 22, 25, and 26.

#### **Improvements:**

McKinley Elementary school is built on a portion of the right-of-way

#### **WAIVERS:**

1. Notification to utility companies.
  - Due to the utility usage of the lot(s) not changing, nor will any adjacent properties be affected by the vacation of the right-of-way.
2. Waiver of application fees.
  - Due to the public nature of this project.

#### **COMMENTS RECEIVED:**

##### **Fremont Conservation District:**

They feel the applicant should notify all relevant utility companies and the Lincoln Park Crooked Ditch Irrigation Company of the proposal.

Planning & Zoning Department Recommends Approval with the following:

1. Approval of:
  - a. Waiver Request #1 – Notification to Utility Companies.
  - b. Waiver Request #2 – Application Fees
    - Staff recommends a partial refund of the fees in the amount of \$560.00 and hold \$40.00 for the recording fees.
    - Receipt # 2025-09-03-KE-17644 in the amount of \$600.00.

Vice-Chairman Payne asks the applicant to speak about this application.

Mr. Scott Morton states that he is the director of operations for Canon City Schools and they are requesting the Vacation of the right-of-way at McKinley. The building has been on site since the 60's when it was built and just recently in their construction process, the gym edition, they found out they had this right-of-way listed on the plat.

Vice- Chairman Payne asks if there are any comments or questions from the commissioners.

Mr. McCullough states that they indicated on the application that there aren't any utilities in this right of way at all, how about to the east from the school.

Mr. Morton states there is no traffic use there at all.

Mr. McCollough asks if anybody objected to the vacation.

Director Victoria states that people had come in to inquire what this application was about because they had been notified since they are 500 ft. from the project and had no opposition voiced to staff.

Vice-Chairman Payne states that to staff knowledge, there is no other ditch lateral that runs to the east correct, through this right-of-way that could be extended for any reason.

Director Victoria asks Brandon Hayes from 3 Rocks Engineering to speak about this.

Mr. Hayes states that as to the utility notifications, they did not notify a ditch company of any kind, they did notify the utility companies that were servicing the school. They will absolutely notify the ditch company if that is needed.

Vice- Chairman Payne states he is open for a motion.

**MOTION**

Mr. McCullough Motioned to Approve VPR 25-001 McKinley Elementary School Vacation of Public Right-of-Way with staff recommendations.

**SECOND**

Mr. Carper second the motion.

Vice- Chairman Payne called for a roll call vote, and the motion passed unanimously. (4 of 4)

**6. ADJOURNMENT**

Vice- Chairman Payne adjourned the meeting at 3:09 p.m.

  
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CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

1-6-2024  
\_\_\_\_\_  
DATE