

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
May 2, 2017 AT 3:00 P.M.**

MEMBERS PRESENT

Byron Alsup (Chairman)
Michael Pullen
Larry Brown
Larry Baker
Mark Masar
Dennis Weid
Gardener Fey

STAFF PRESENT

Matt Koch, Planning Director
Samantha Kozacek, Planning Assistant

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES

November 1, 2016 Planning Commission Meeting
April 4, 2017 Planning Commission Meeting

5. UNFINISHED BUSINESS

6. NEW BUSINESS

7. REQUEST: CUP 17-001 Yevoli Cobblestone Pit – 10 Year Renewal

Request approval of a **Conditional Use Permit, Department file #CUP 17-001 Yevoli Cobblestone Pit** by Yevoli Cobblestone Inc., for the property which is *located approximately 4 miles southeast of the intersection of State Highway 67 and County Road 19, aka Siloam Road, then approximately 1600 feet southwest of the intersection of County Road 19 and County Road 835C, aka Green Valley Ranch Road. Then approximately one hundred (100) feet to the corner of the property. The property is located Southeast of the city of Florence, Colorado.* The proposed number of trucks hauling from the site is a maximum of 10 per day during daylight hours. The proposed hours of mining, crushing, stockpiling, etc. are from 7 a.m. to 3 p.m., Monday through Friday.

REPRESENTATIVE: MARK YEVOLI

8. REQUEST: SRU 17-001 Loco Mountain Outfitters

Request approval of a **Special Review Use, Department file #SRU 17-001 Loco Mountain Outfitters** by Flynn High Ranch Enterprises Partnership, for the property which is *located approximately 1 mile south of U.S. Highway 50, east of Fremont County Road 37, a.k.a. McCoy gulch Road, southwest of Texas Creek.* Loco Mountain Outfitters has operated from this location for many years and was just recently found to be non-compliant with having no SRU approval. The applicant has submitted this application to bring the site into compliance with the current Fremont County Regulations. Loco Mountain outfitters has a normal capacity of 6 hunters and 3 guides. The existing ranch house is used as the base camp for the guided hunting trips.

The Fremont County Department of Public Health and Environment and the Fremont County Building Department have reviewed the application and have defined the use as a bed and breakfast and thus satisfied the requirements for the use.

REPRESENTATIVE: JIM FLYNN

9. REQUEST: SRU 17-002 Deer Mountain Fire Protection (Fire Station No.3)

Request approval of a Special Review Use, Department file #SRU 17-002 Deer Mountain Fire Protection District (Fire Station No.30). The site is located *south of the intersection of Bird Point Drive where Bird Point Drive connects back into Bird Point Drive*, in the Indian Springs Subdivision. The site is 1.0 acres and was approved for fire use through a Subdivision Waiver by the Board of County Commissioners. There is an existing garage that will remain and a proposed garage that will be heated for fire equipment.

REPRESENTATIVE: KAREN MCKEE

10. REQUEST: ZC 17-001 – Journey Quest Zone Change Request

Request approval of a **Zone Change**, Department file #ZC 17-001 Journey Quest by Mark Anderson, for the property which is *located at the northwest corner of the intersection of U.S. Highway 50, and Fremont County Road 27, in the Texas Creek area*. Journey Quest is a non-profit rafting and outdoor wilderness ministry. JQ has operated from across the street in a small building behind the restaurant, Barry's Den, for many years and wants to move to the vacant property across the street as proposed. The site consists of 6.29 acres, along the Arkansas River.

REPRESENTATIVE: MARK ANDERSON

11. ADJOURNMENT

1. CALL TO ORDER

Chairman Byron Alsup called the meeting to order at 3:00 p.m.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

Chairman Alsup asked if there were any changes, additions or corrections to the May 2, 2017 Fremont County Planning Commission Meeting Agenda.

MOTION

Mr. Larry Brown moved to accept the May 2, 2017 Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Gardener Fey seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

4. **APPROVAL OF THE NOVEMBER 1, 2016 PLANNING & APRIL 4, 2017 COMMISSION MEETING MINUTES**

Chairman Alsup asked if there were any changes, additions or corrections to the November 1, 2016 & April 4, 2017 Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Michael Pullen moved to approve the November 1, 2016 & April 4, 2017 Fremont County Planning Commission Meeting Minutes.

SECOND

Mr. Larry Baker seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

5. **UNFINISHED BUSINESS**

6. **NEW BUSINESS**

REQUEST: CUP 17-001 Yevoli Cobblestone Pit – 10 Year Renewal

Request approval of a **Conditional Use Permit, Department file #CUP 17-001 Yevoli Cobblestone Pit** by Yevoli Cobblestone Inc., for the property which is *located approximately 4 miles southeast of the intersection of State Highway 67 and County Road 19, aka Siloam Road, then approximately 1600 feet southwest of the intersection of County Road 19 and County Road 835C, aka Green Valley Ranch Road. Then approximately one hundred (100) feet to the corner of the property. The property is located Southeast of the city of Florence, Colorado.* The proposed number of trucks hauling from the site is a maximum of 10 per day during daylight hours. The proposed hours of mining, crushing, stockpiling, etc. are from 7 a.m. to 3 p.m., Monday through Friday.

REPRESENTATIVE: MARK YEVOLI

Mr. Mark Yevoli stated the purpose behind this Conditional Use Permit is to continue the mining that has been on going on for a while. They would like to have the permit be for the life of the mine. They extract about four thousand (4,000) ton a year from the mine and want to get to six thousand (6,000) tons a year. The new road base amount to the County is six percent (6%) of the material extracted when previously it was fifteen hundred (1,500) tons. The percentage is a lot better because the previous amount was almost thirty percent (30%) of what we had been producing.

Mr. Matt Koch gives a presentation. All notifications for this application have been met. The Department thinks that the Life of Mine status would be a good term for this CUP. The Site Plan needs to have the Cutthroat Trout Habitat noted on the map. I believe that Fremont County Department of Transportation (FCDOT) suggested a seven percent (7%) amount of gravel to be given to the County. Asking for waivers for Landscaping & Buffering Plan, Lighting Plan, and Hard Surfacing.

Chairman Alsup inquired as to if there was a current septic system on the property.

Mr. Yevolie stated that the previous owner Mr. Beadle had applied and been permitted for the use of a septic system.

Mr. Koch stated that the current waste management system has been submitted and accepted by Environmental Officer Sid Darden. The only existing building on the property is a vault privy that they had approval for.

Mr. Larry Brown stated he had seen the original paperwork in the packet about the septic and then noticed the email from Sid Darden from February that Mike Cox had been contacted about the existing vault privy.

Mr. Yevoli stated they didn't know if they needed a permit for it. So by their thinking they needed to get it inspected and then discovered it had been and approved previously.

Mr. Brown stated there was an application signed in February.

Mr. Yevoli stated they hadn't found out until after that.

Mr. Baker stated they used Siloam Road. And how many trips would you be making?

Mr. Yevolie stated that was correct and they made one hundred and thirty trips in a years' time.

Mr. Baker stated that that road gets torn up a lot.

Mr. Yevolie stated that is why they give road base to the County and when they didn't have the type that was being looked for they donated decorative rock that was used for memorials.

Mr. Baker stated that there is some movement towards that road being paved.

Mr. Koch stated that it was up to the developer of that area to pave the road. But it would be a good idea that if and when it happens if Mr. Yevolie would donate some road base to the project.

MOTION

Mr. Mark Masar moved to approve CUP 17-001 Yevolie Cobblestone with all requested waivers.

SECOND

Mr. Gardner Fey seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

REQUEST: SRU 17-001 Loco Mountain Outfitters

Request approval of a **Special Review Use, Department file #SRU 17-001 Loco Mountain Outfitters** by Flynn High Ranch Enterprises Partnership, for the property which is *located approximately 1 mile south of U.S. Highway 50, east of Fremont County Road 37, a.k.a. McCoy gulch Road, southwest of Texas Creek*. Loco Mountain Outfitters has operated from this location for many years and was just recently found to be non-compliant with having no SRU

approval. The applicant has submitted this application to bring the site into compliance with the current Fremont County Regulations. Loco Mountain outfitters has a normal capacity of 6 hunters and 3 guides. The existing ranch house is used as the base camp for the guided hunting trips. The Fremont County Department of Public Health and Environment and the Fremont County Building Department have reviewed the application and have defined the use as a bed and breakfast and thus satisfied the requirements for the use.

REPRESENTATIVE: JIM FLYNN

Mr. Jim Flynn stated that this Special Review Use Permit is for guided tours. The property is on two ranches currently. These properties are all family owned. They stated doing outfitting back in 2002. The hunts are typically five (5) days. They offer archery and rifle hunts. The lodge is off of County Road 37. The lodge itself is for the hunters to stay at during their hunt. They cook breakfast and dinner for the hunters. They maybe have four to five cars a day using that road so there are no traffic issues. The property is surrounded by BLM property.

Mr. Koch stated that the application is complete and all notifications have been done. The well is currently for Residential use and the Colorado Division of Water Resources stated that Mr. Flynn needs to make the well Commercial Use. Asking for waivers for Landscaping & Buffering Plan, Lighting Plan, and Hard Surfacing. No drainage report is required for this application. They have been in operation for the last fifteen (15) years and are going to be in compliance with this application submittal.

Mr. Fey inquired about American Disabilities Act (ADA) parking requirements.

Mr. Koch stated that since this is a preexisting structure they do not have to apply and go through having ADA requirements.

Chairman Alsup inquired about application Item 28, showing it is a critical wildlife habitat but answering no to Colorado Division of Wildlife review.

Mr. Koch stated that they had been notified but did not send in a response.

MOTION

Mr. Michael Pullen moved to approve application SRU 17-001 Loco Mountain Outfitters with all waiver requests.

SECOND

Mr. Baker seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

REQUEST: SRU 17-002 Deer Mountain Fire Protection (Fire Station No.3)

Request approval of a Special Review Use, Department file #SRU 17-002 Deer Mountain Fire Protection District (Fire Station No.30). The site is located *south of the intersection of Bird Point Drive where Bird Point Drive connects back into Bird Point Drive*, in the Indian Springs Subdivision. The site is 1.0 acres and was approved for fire use through a Subdivision Waiver

by the Board of County Commissioners. There is an existing garage that will remain and a proposed garage that will be heated for fire equipment.

REPRESENTATIVE: KAREN MCKEE

Ms. Karen McKee stated that they are just adding a garage to a property for bigger and more secure storage of equipment. The property was donated to the Department community members. The current garage on the property only houses a small truck and it not energy efficient or air tight. There is currently an one thousand (1,000) gallon water storage in Cotopaxi but it takes a long time to get from Cotopaxi to Indian Springs in the case of an emergency and this new outbuilding will make it easier to get to people during an emergency situation.

Mr. Koch gave a picture presentation of property. Notifications and submittal requirements have been met by the applicant. Asking for waivers for Landscaping & Buffering Plan, Lighting Plan, and Hard Surfacing. This property has gone through a Subdivision Waiver process within the last two years. FCDOT does not have any issues with this application and neither does the County Engineer.

Chairman Alsup inquired to if there were any bathroom or drains purposed in the new garage?

Ms. McKee stated that no there would not be any restroom facilities this is only going to be used for storage.

Mr. Koch stated that there was a question about water. There is however, a community well that they are allowed to draw from.

Mr. Fey inquired if there were any wells on this property.

Ms. McKee stated that only Station One has a well.

Mr. Fey inquired if they had the equipment to draw from the River.

Ms. McKee stated that they could draw from the River if they needed to.

MOTION

Mr. Dennis Wied moved to approve application SRU 17-002 Deer Mountain Fire Protection (Fire Station No.3) with all waiver requests.

SECOND

Mr. Brown seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

REQUEST: ZC 17-001 – Journey Quest Zone Change Request

Request approval of a **Zone Change, Department file #ZC 17-001 Journey Quest** by Mark Anderson, for the property which is *located at the northwest corner of the intersection of U.S. Highway 50, and Fremont County Road 27, in the Texas Creek area.* Journey Quest is a non-

profit rafting and outdoor wilderness ministry. JQ has operated from across the street in a small building behind the restaurant, Barry's Den, for many years and wants to move to the vacant property across the street as proposed. The site consists of 6.29 acres, along the Arkansas River.

REPRESENTATIVE: MARK ANDERSON

Mr. Mark Anderson stated that their business was a youth ministry. We need more space than what previously had because we are a growing business. We are currently still in our small facility until we can have our bigger building completed next year. With the way the property is situated we would have been in a flood plain. So we went through getting a variance so that we could do our business and keep it out of the flood zone and get close to meeting our setback requirements.

Mr. Koch stated that all submittal requirements and notifications have been met. The two Contingency Items Compliance with any requirements from the Colorado Department of Transportation per the submitted access permit. (not received at the time of review), and compliance with the requirements from the Fremont County Department of Transportation per the letter dated 3-23-2017. Presentation of property and where things will be built and access taken from. The applicant has gone through a tremendous amount of work to get this going and approved. They have worked on flood plain issues and with the County Engineer to correct any issues. They have gone before Board of Zoning and Adjustment to get the setback areas adjusted and it was approved.

Mr. Anderson inquired about the cost of paving the road that they use to take access due to the FCDOT request for pavement. He stated that they are not the only company that uses the road so they don't feel like they should take on the entire cost of it.

Mr. Wied inquired that in their current location where do the guests park?

Mr. Anderson stated that they park in the same gravel parking lot they have always used and then they walk over to the boat house.

Mr. Wied stated that then there isn't really any significant reason that the road should be paved because nothing in this area has changed. Is the parking area in the flood plain?

Mr. Anderson stated that was correct it was in the FEMA floodplain.

Mr. Wied stated that he doesn't see the requirement for paving to be done as something that is necessary because there isn't a change in traffic or use of that road.

Mr. Fey inquired if FCDOT wanted Mr. Anderson to repave the road.

Mr. Koch stated that they wanted an overlay added to the road.

Mr. Fey inquired if the property would be secured at night?

Mr. Anderson stated they have an area they camp and adding a barrier would be a good idea for them to make a plan for it.

Mr. Fey inquired if the Board was able to make a recommendation to waive the paving.

Mr. Koch stated yes.

Mr. Fey inquired if the restaurant was for sale.

Mr. Anderson stated correct. They want a new facility so that a new owner wouldn't have any effect on their business.

Mr. Wied inquired about the layout map.

Mr. Anderson stated that the large area at the end of the parking lot was a turnaround area.

Mr. Fey inquired if the property ever gets flooded when the runoff happens.

Mr. Anderson stated they have been operating since 2012, and have seen the river get as high as sixty-five hundred (6,500) CFS and it only flooded up to the boat ramp not to where people parked. It only washed out rock on the boat ramp.

Mr. Wied inquired if there was a septic tank on the property.

Mr. Anderson stated that it wasn't installed yet but it has been engineered.

Mr. Koch stated they haven't gotten approval yet because approval for the Zone Change needs to happen and the building permits need to be issued.

Chairman Alsup inquired if there was any food preparation that happened in the business.

Mr. Anderson stated they are not a commercial kitchen. But they do have food storage on the property.

Chairman Alsup inquired as to what type of signage they are planning to have for their business.

Mr. Anderson stated they have a large canvas sign but there aren't any lights that accompany it. They may add lighting to the new building that states rafting but nothing like spot lights.

Chairman Alsup inquired if there was any response from the Arkansas Headwaters Recreation Area.

Mr. Koch stated they were contacted but they have not sent in comments for this application or the Variance they had applied for.

Chairman Alsup inquired if the Zone Change went through would the Rural Highway Business setback requirements.

Mr. Koch stated no it didn't, but they have gone through the approval of getting a variance already.

Mr. Brown inquired that when they pull their building permit does it require that the handicapped spaces be hard surfaced.

Mr. Koch stated that they will have to be but when the building permits are pulled and the concrete is being poured for the foundation that is usually when the spaces are completed.

MOTION

Mr. Dennis Wied moved to approve application Zone Change 17-001 Journey Quest with all waiver requests including waving having the road paved. The reasoning behind approval of the Zone Change are the property was not properly zoned and the purposed Zone Change will be in conformance with the Master Plan.

SECOND

Mr. Fey seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (7 of 7)

ADJOURNMENT

Chairman Alsup adjourned the meeting at 3:59 p.m.

Byron Alsup 8-1-17
CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION DATE