

**FREMONT COUNTY  
PLANNING COMMISSION MEETING MINUTES  
September 7, 2021 AT 3:00 P.M.**

**MEMBERS PRESENT**

Byron Alsup (Chairman)  
Mark Masar  
Larry Brown  
Michael Pullen  
Larry Baker  
John Hamrick  
Gardner Fey

**STAFF PRESENT**

Alicia Stone, Planning Coordinator  
Danielle Adamic, Code Enforcement Officer

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**

August 3, 2021 Planning Commission Meeting

5. **UNFINISHED BUSINESS**
6. **NEW BUSINESS**

**A: Request: MS 21-006 Wellsville Springs Minor Subdivision**

Requesting approval for a minor subdivision that will create a total of 2 lots. The subject property is in the Agricultural Rural Zone District, in Wellsville between US Highway 50 and Fremont County Road 45.

Representative: Dan Cook

**B: Request: ZC 21-002 Pikes Peak Motors**

Requesting approval to rezone 13.94 acres from Agricultural Forestry to Industrial to allow the enlargement of the existing automobile graveyard/salvage yard and incorporate a used car sales area in the front parking lot. The application also includes a request to modify the existing Commercial Development Plan (CDP) to remove 6.56 acres from the CDP that would remain vacant. The property is located in Penrose off of Highway 50, near the Fremont County Airport.

Representative: Matt Koch

## **7. ADJOURNMENT**

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### **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 August 3, 2021 Fremont County Planning Commission Agenda.

#### **MOTION**

Mr. Mark Masar motioned to accept the September 7, 2021 Fremont County Planning Commission Meeting agenda.

#### **SECOND**

Mr. Larry Brown seconded the motion.

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

### **4. APPROVAL OF THE AUGUST 3, 2021 PLANNING COMMISSION MEETING MINUTES**

Chairman Alsup asked if there were any changes, additions or corrections to the August 3, 2021 Fremont County Planning Commission Meeting Minutes.

Chairman Alsup mentioned in the beginning of new business it referenced a different application than what they received, but it was corrected later in the minutes.

#### **MOTION**

Mr. Larry Baker motioned for approval of the August 3, 2021 minutes as amended.

#### **SECOND**

Mr. John Hamrick 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**

**A: Request: MS 21-006 Wellsville Springs Minor Subdivision**

Chairman Alsup called Mr. Dan Cook to present.

Mr. Cook stated that the proposed subdivision is separating a 13.26-acre parcel. The minor subdivision would have two lots, one 8.72-acre parcel, and a 4.54-acre parcel.

Chairman Alsup asked for any further questions or comments and then called on Planning Coordinator Alicia Stone to give her staff report.

Coordinator Stone stated that the department has reviewed the application and found it to be complete and a true representation of the request as stated herein. The department finds that all minimal requirements per the Fremont County Subdivision Regulations will be satisfied by this application. Coordinator Stone stated there was a last-minute change which would encompass the well on Lot 2. Being they changed the well to lot 2 there will be only 2 contingency items. They will be required to drill a well on lot 1. Property currently has an SRU, Major Modification to change SRU boundaries, or rescind SRU. Per applicant, they will rescind SRU once Minor Subdivision is approved.

Chairman Alsup called on the Planning Commission.

Mr. Gardner Fey asked if Mr. Cook has received a new flood map.

Mr. Cook stated the new flood engineering is being done by Crab Tree Group Engineering in Salida, and it should be completed by the end of this month.

Mr. Fey asked if there is a flood map on the property right now.

Mr. Cook stated there is a flood plain and a FEMA map amendment on the structure, but is having Crab Tree Group engineer the 100-year flood plain for the entire 13.26-acre parcel.

Mr. Masar asked if he has drilled the well on lot 2. Or has filed for an extension with the well permit, and where will the well be drilled.

Mr. Cook stated he has not drilled the well but does have the extension and will email it to Alicia Stone upon closing. He stated the well location will be determined by the new building site.

Mr. Fey asked how deep the current well is and how much it is to drill a well per foot.

Mr. Cook stated the existing well is 110 feet and the cost of anew well is \$50.00 a linear foot.

Mr. Fey asked what his future plans were with this second lot, if he was going to sell. He asked if the geology of the property is pretty scary in that area.

Mr. Cook stated this is for optionality. There are 3 warm springs that are on the property and the drainage is a contingency and will be engineered with the springs and deep gullies on the property.

Mr. Michael Pullen asked about the access and that he currently comes off of County Road 45 but the 8.72 parcel how will it be accessed.

Mr. Cook stated the 30-foot access is within the property, and both parcels will split the 30-foot access.

Mr. Fey asked about the fire protection plan and that there was a \$6,000 fee per gallon in lieu of a cistern and a \$1 per gallon, what is that referring to. Does U.P. run trains on the tracks.

Mr. Cook stated that is the general guidelines and he is unsure if it applies, but may to the new construction on lot 2. Currently there is no cistern on the parcel being it was not a recommendation during the construction of the existing dwelling, and that the plan was to pull water from the river. U.P has not run trains since 1997.

Mr. Hamrick asked if the department is in receipt of the minor changes to the site plan.

Coordinator Stone stated they are and that the County Engineer has approved the request to waive the drainage plan until the building site is determined.

Chairman Alsup stated that he was open to a motion.

### **MOTION**

Mr. Larry Baker motioned to approve MS 21-006 Wellsville Springs Minor Subdivision with the contingencies that the SRU is applied for a Major Modification or is rescinded, and that the DWR letter is received by the dept.

### **SECOND**

Mr. Pullen seconded the motion.

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

### **B: Request: ZC 21-002 Pikes Peak Motors**

Chairman Alsup called Matt Koch to present.

Mr. Koch is requesting a zone change and a modification of the salvage yard. Adding 14 acres to the north side and removing 6.56 acres from the west side. Nothing else is going to change there are no new buildings or structures being proposed in this area. County Engineer has requested we move the swale to the proposed north line and extend to the west side of the property. Carrie McCook had 3 contingency items 1. Is that the sq. ft. of the building needs to be corrected. Mr. Koch just received an email from McCool stating the building is fine, it is no longer an issue. 2. Weed management plan has been received and we will turn that in. The landscape plan we are asking for a waiver of the plan, the areas are being left in a natural state.

Chairman Alsup called on Planning Coordinator to give a staff report.

Coordinator Stone stated that the department has reviewed the application and found it to be in compliance with the intent and purpose of the Fremont County Zoning Resolution. There are 3 contingency items that Carrie McCool stated. Ms. Stone asked Matt to add the sq. f.t to the site plan before the BOCC meeting. We will need a signed noxious weed plan from the applicant. The applicant needs to depict the natural landscape and vegetation areas on the site plan, the parking areas, and have a statement on it stating the areas will be free on debris, wrecked vehicles and inoperable vehicles.

Chairman Alsup asked if there were any questions regarding this application.

Mr. Fey asked if the applicant owned the 35 acres in the back.

Mr. Koch stated that they own all the land surrounding this it was several hundred acres.

Chairman Alsup asked about the past violations and if they have been resolved.

Coordinator Alicia stated that they have been resolved and Code Enforcement Officer Danielle Adamic confirmed.

Mr. Pullen asked if they were gong to continue the perimeter wall that is currently in place.

Mr. Koch stated yes that the perimeter wall is movable and that they will be adding the extra that is needed for the new boundary.

Chairman Alsup asked if the 6 acres from the west is going to be removed from this application.

Mr. Koch said yes that it has never been utilized that it has stayed in its natural state.

Chairman Alsup asked why there has been wrecked/inoperable vehicles on the outside of the perimeter fence.

Mr. Koch stated that is where they are delivered on the site plan it does show delivery and prep area. When the vehicles are delivered the employees will go thru them to get the inventory then move them to the back.

Chairman Alsup asked if there was a way to get them behind the fence and do the inventory.

Mr. Richard Murr the owner stated this is one of the reasons for this application is for more room and the vehicles then will not have to be placed out front. They crush and scrap vehicles to make room for the new ones.

Mr. Brown asked if he was selling vehicles from the front.

Mr. Murr said we are a car dealer and we were unaware that we could not display vehicles for sale in the front. With these applications we have added this to the application.

Mr. Masar asked if the sale vehicles are gong to be scrap vehicles or if they are operable vehicles.

Mr. Murr said they will only be operable vehicles.

Mr. Pullen asked if people bring these cars to him.

Mr. Murr says the vehicles come from multiple locations. He does not have a tow truck he hires out his towing or people bring them there.

Mr. Brown asked what days and hours will you sale vehicles. Will lighting be required.

Mr. Murr said normal operating hours, lighting will not be needed.

Chairman Alsup asked if the dept has received any public comments for this application.

Coordinator Stone stated there has not been any comments received.

Chairman Alsup stated that he was open to a motion.

### **MOTION**

Mr. fey motioned to approve ZC 21-002 Pikes Peak Motors with all conditions for approval being met and with the contingency of the applicant depicting the natural landscape and vegetation areas on the site plan, the parking areas, and have a statement on it stating the areas will be free on debris, wrecked vehicles and inoperable vehicles.

### **SECOND**

Mr. Masar seconded the motion.

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

## **7. ADJOURNMENT**

Chairman Alsup adjourned the meeting at 3:29 p.m.

Byron Alsup  
CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

10-5-21  
DATE