

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
May 6, 2025, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Larry Brown
Rudl Mergelman
Dale McCullough

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager
Danielle Adamic, Senior Coordinator

1. CALL TO ORDER

Chairman Hamrick Called the meeting to order at 3:00 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE May 6, 2025, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the May 6, 2025, Fremont County Planning Commission Agenda.

MOTION

Mr. Brown motioned to accept the May 6, 2025, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. McCullough second the motion.

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

4. APPROVAL OF THE February 4, 2025, PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the February 4, 2025, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Mergelman motioned for approval of the February 4, 2025, minutes.

SECOND

Mr. McCullough second the motion.

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

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS:

1. SRU 24-005 Marchand Ranch Wedding and Event Venue

Wedding and Event Venue to be operated 7 days a week. Events will primarily be held in the afternoons or evenings. The Venue has an occupancy of 250 guests inside of the structure. Location: 4801 State Highway 9, Canon City 81212

Chairman Hamrick as staff for their report.

Director Victoria states that we have **SRU 24-005 Marchand Ranch** Wedding and Event Venue to be operated 7 days a week. Events will primarily be held in the afternoons or evenings and will have an end time of 10:00 or 10:30p.m. with cleanup of the facility beginning at 11:00p.m. The venue has an occupancy of 250 guests inside of the structure.

LOCATION

4801 State Highway 9, Canon City CO 81212

BACKGROUND / ASSOCIATED CASES

Marchand Ranch Wedding and Event Venue has held an active Temporary Use Permit since April 25, 2023. In this timeframe, the Department has received no complaints regarding events at this location.

LAND ZONING AND USE

Zoning: Residential Three

NORTH: Residential Three - Residential

EAST: Residential Three - Residential/Ranching

SOUTH: Residential Three - Residential/Ranching

WEST: Residential Three - Residential

Estimated traffic Count: Unknown trips per event. A revised traffic study has been provided to CDOT, staff is waiting for a response.

CDOT original required major infrastructure upgrades based off of the trip count on the original traffic study.

Number of Access Points: 2

FIRE PROTECTION: Tallahassee Fire Protection District

FLOODPLAIN: N/A

WATER: Hauled Water- Glem Trucking- Canon City Bulk Water

SANITATION: 32'x24' bathroom structure, OWTS

ELECTRIC: Black Hills

REFUSE: Republic, 4 cu yd dumpster- weekly pick-up

NATURAL GAS/PROPANE: N/A

LIGHTING: 4 downward facing solar lights in the parking area. Lighting on buildings for use areas.

NOXIOUS WEED CONTROL PLAN: Approved

ACCESS: County Road 323A, Canon City Co 81212

PUBLIC COMMENTS/CONCERNS: None Received

AGENCY COMMENTS

Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

FCDOT:

No comment.

CDOT:

CDOT required acceleration and deceleration lanes to be installed based off the original traffic study. CDOT requested the County hold approval of the Special Review Use until an executed access permit is in place or access may be restricted.

The applicant then revised the traffic study and CDOT is conducting a review. Staff is waiting for comment.

FC BUILDING AND ENVIROMENTAL HEALTH DEPARTMENT:

This SRU is in compliance with all Fremont County Building and OWTS Regulations.

FIRE PROTECTION PLAN:

Meets all code requirements.

FREMONT CONSERVATION DISTRICT:

“concern about the spread of noxious weed seeds from people and vehicles traveling to and from the site. The Board also commented that they are aware of noxious weeds existing in the area, contrary to the application’s statement that none are known to exist.”

STAFF COMMENTS

- **Lot Dimensions** – Overall Lot 220 acres, SRU boundary 3.16 acres
- **Parking/Loading Requirements** – 77 gravel spaces / 9’X22’

3 ADA hard surfaced / 10’x20’w 8’aisle

1 Van accessible ADA hard surfaced / 11’x21’w 5’ aisle

WAIVERS:

1. Landscaping

RECOMMENDATION:

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Special Review Use Permit Major Modification application with the following contingencies/Conditions:

CONTINGENCIES:

In addition, the following contingencies shall be provided to the Department within six (6) months (**no extensions**) after final approval by the Board:

- CDOT permit
- Revised site plan

CONDITIONS:

N/A

Chairman Hamrick asks the applicant to speak.

Applicant Tiffany Foster states that they have been successful so far and are hoping to get approved for the SRU so they do not have to continue running under the Temporary Use Permit. She states that she has received a copy of the April 30, 2025, letter from CDOT and the language was slightly confusing and contradictory as far as the first sentence saying they can have 10 vehicles per hour, then the second sentence saying no event parking.

Director Victoria states that he can contact CDOT and see if they can clarify and have a clear picture so there are no misunderstandings.

Mrs. Foster states that she is comfortable with that condition being added and happy to do the shuttle and overall, the big picture down the road to have shuttle service anyway. She does feel that there are going to be certain individuals or circumstances where people are going to need to be able to drive themselves. She states the other side of that is they can have 50 cars leave at one time turning right, there is definitely a grey area. She is fine with the grey area as long as she is not getting in trouble for having possibly 10-30 vehicles on site at various events.

Mr. Mergelman states that liquor licenses seem to be a prominent part of getting these approved, but she will not have a liquor license.

Mrs. Foster states that she herself will not, that will be done through Rebecca Reish, Owens Bar Hoppers and is already cleared with Bar Hoppers and she also owns Thunder Road Liquor. She will lease a small space from her, The Bar. The operation will not have a liquor license. Similar to the operation at Pathfinder Park.

Chairman Hamrick asks if there are any questions from the commissioners and if not, states he is open to a motion.

MOTION:

Mr. McCullough motioned to approve SRU 25-005 Marchand Ranch Wedding & Event Venue with the recommended staff conditions and waivers.

SECOND:

Mr. Mergelman second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed. (4 of 4)

2. CUP 24-001 Red Creek Quarry

Holcim is seeking a Conditional Use Permit for Red Creek Quarry. The operation will be a limestone quarry that will encompass 1,492 acres including a Materials Transport and Access Corridor (MTAC) between the Red Creek Quarry location and the cement plant. The estimated lifespan of the quarry is 100 years, but request is for the life of the mine. Location: 3500 State Highway 120

Chairman Hamrick asks for the staff report.

Director Victoria states that CUP 24-001 Holcim Red Creek Quarry will operate during daylight hours, 8-12 hours/day, 7 days a week, approximately 27 employees will work at the quarry. Employees and equipment currently working the Bear Creek Quarry will operate Red Creek Quarry.

The CUP boundary will encompass 1,492 acres to include 219.72 acres for the Materials Transport and Access Corridor (MTAC) between the cement plant and Red Creek Quarry (RCQ). This MTAC will be enclosed by a 6' high chain link fence and include a 40' wide roadway for vehicular traffic and conveyor that is approximately 5.7 miles long to transport material. The MTAC will include 13 wildlife crossings. The MTAC will included a County Road 112 conveyor crossing overpass.

The site will have improvements that include a 184'x70' metal building, a vault for sanitation, a water well and a 20,000 gallon double walled above ground fuel tank with concrete wall crash protection structure.

Red Creek Quarry includes six contiguous land sections: two sections in Fremont County and four sections in Pueblo County. The mining permit in Pueblo County is expected to be submitted in the near future. This application is for the two sections of land in Fremont County and permissions for the use of the MTAC to transport material from the four sections of land in Pueblo County providing that application is approved.

Red Creek Quarry will be the new limestone and sandstone source for Holcim and will provide material to the plant for approximately 100 years.

This CUP request is for Life of Use.

LOCATION

3500 US Highway 120, Florence CO 81226

SCHEDULE No.

99912030

BACKGROUND / ASSOCIATED CASES

Bear Creek Quarry (BCQ) is the current limestone and sandstone source for cement production at the Holcim plant and is reaching the end of its life.

Red Creek Quarry has previously held CUP 02-003 to allow for exploration.

A limestone quarry and four (4) generations of cement plants have been operating east of Florence, CO since the late 1890's. The current plant facility (Plant No. 4) increased production in 2001. About 3,200,000 tons of limestone are required per year to supply the current plant. Sandstone is supplied from a smaller quarry established into the floor of the limestone quarry and is extracted at an annual rate of approximately 120,000 tons.

LAND ZONING AND USE

ZONING: Residential Three

NORTH: Residential Three - Industrial

EAST: Pueblo County

SOUTH: Residential Three - Ranching

WEST: Residential Three - Ranching

ESTIMATED TRAFFIC COUNT: Current traffic volume of 54 trips per day (No Increase)

NUMBER OF ACCESS POINTS: 2

FIRE PROTECTION: Florence Fire Protection District

FLOODPLAIN: Yes

WATER: Well

SANITATION: Vault

ELECTRIC: Utility Provider

REFUSE: Waste Management- weekly pick-up

NATURAL GAS/PROPANE: 2,000 gallon propane tank

LIGHTING: Around building area and along MTAC

NOXIOUS WEED CONTROL PLAN: Approved

ACCESS: State Highway 120, State Highway 96

PUBLIC COMMENTS/CONCERNS: None Received

AGENCY COMMENTS

Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

FCDPHE:

No concerns

FCDOT:

“Require the applicant to comply with any existing agreement for roadway maintenance as written for CR 112”.

CDOT:

Access permits will not be required at this time. However, if traffic volumes in the future increase by greater than 20% of the permitted number the permittee is required to apply for a new access permit and may be required to construct highway improvements.

FC BUILDING AND ENVIROMENTAL HEALTH DEPARTMENT:

Permits for structures will be required”.

FIRE PROTECTION PLAN:

Florence Fire Protection District does not have any opposition to these plans.

FREMONT CONSERVATION DISTRICT:

No comments at this time.

COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY:

Bear Creek Quarry Permit Amendment for Red Creek Quarry decision: Approved.

COLORADO PARKS AND WILDLIFE:

CPW recommends the project adhere to the Impact Avoidance, Minimization, and Mitigation recommendations outlined in the November 14, 2023 letter as well as adherence to the impact minimization recommendations outlined below.

- Avoid construction/development activities between November 1 and April 30. For exploration phases of the project, CPW recommends all work be completed outside the winter season.
- If adherence to the winter range timing limitation or density recommendations is not possible, as is the case with large scale mining, CPW recommends compensatory mitigation in the form of off-site habitat enhancements or protections to mitigate the direct habitat loss and functional habitat loss for big game species displaced from the project area. CPW is happy to assist in the identification of potential treatment areas and enhancement options or to discuss other potential opportunities such as, but not limited to; conservation easements or public access.

WAIVERS:

- Landscaping

RECOMMENDATION:

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Conditional Use Permit application with the following contingencies/Conditions:

CONTINGENCIES:

In addition, the following contingencies shall be provided to the Department within six (6) months (**no extensions**) after final approval by the Board:

N/A

CONDITIONS:

- Comply with any existing roadway maintenance agreements with FCDOT for CR 112.
- Apply for building permits for all structures.
- Settle on an agreement with Colorado Parks & Wildlife.

Chairman Hamrick asks representative Anjela Bellantoni to speak.

Representative Angela Bellantoni states that with her today from Holcim they have Raw Materials Manager, Mike Tully, Plant Manager, Hamza, Environmental Manager, Mr. Shapiro, Tim Smith and Justin Kurth Public Affairs and Community Relations Manager. She states that regarding traffic on County Road 112, there isn't any. They have to cross it, but the traffic is interior to the plant then stays on MTAC. So, regarding maintenance on CR 112, that is between Martin Marrietta and Holcim WCR, not Holcim USA.

Director Victoria states that FCDOT's only concern was if there was anything in place they continue to honor it.

Dr. Bellantoni states that there is nothing in place with Holcim USA.

Director Victoria states that it would not apply then.

Dr. Bellantoni states next is the sanitation vault and she has submitted an application to Wyatt Sanders and went through the Health Department process and was approved. CDOT, the access permit on HWY 96 was approved, the improvements were made and approved. The Bear Creek Quarry was first permitted in 1977 when the Division of Mining and Safety existed, it was already being mined when that agency formed, and they started permitting. It is under reclamation and the maximum remaining life is about 4 years. The intent is to transition from the Bear Creek Quarry on the North to the Red Creek Quarry on the South. With the goal to begin mining in 2027. Regarding CPW, They had a meeting with CPW at the site, October 19, 2023, received comments and that is why there are now wildlife crossings designed using CDOT specifications for the size of the animals. With the new comments, she spoke to Mr. Zach Holder, discussed keeping the conversation open.

Mr. McCullough asks if the state mining permit is good for 100 years.

Dr. Bellantoni states yes, for the life of the mine. There are regular inspections.

Mr. Tully states that they are expecting to receive all the permits by the end of the year 2025. The air permit was just being submitted today. They are working on the water permits and Pueblo County SUVCP. They expect development to start in 2026 and production in 2027.

Chairman Hamrick asks if there are any questions from the commissioners and if not, states he is open to a motion.

MOTION:

Mr. Mergelman motioned to approve CUP 24-001 Red Creek Quarry with the staff recommended conditions and waivers.

SECOND:

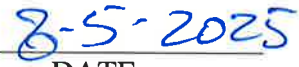
Mr. Brown second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed. (4 of 4)

3. ADJOURNMENT

Chairman Hamrick adjourned the meeting at 3:35 p.m.


CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION


DATE