

**PARK COUNTY
PLANNING COMMISSION
MEETING MINUTES
856 Castello Ave.
June 11, 2019 at 9:00 AM**

Present: Charlie Schultz, Geri Salsig, Susan Jones, Jim Sapp, Bob Banks

Staff: Jennie Gannon, Planning Technician; Louise Derengowski, Planning Technician; Erin Smith, County Attorney

Charlie introduced the Planning Commission and Staff.

APPROVAL OF AGENDA: Jennie requested the addition of discussion of three letters sent in by people interested in serving on the Planning Commission.

Jim motioned that the agenda be approved as amended, Suzy seconded and motion passed unanimously.

APPROVAL OF MINUTES: Geri motioned to approve the May 14, 2019 minutes as presented, Susy seconded and motion passed unanimously.

Charlie explained the meeting process to the audience.

LAND USE PUBLIC HEARINGS:

REZONING CASE #18ZON-05

Property is part of the SE ¼ NW ¼ S5 T11 R72, addressed as 29436 C.R. 77, Lake George. The applicant is requesting to rezone the lot from the Conservation-Recreation zone district to the Residential zone district.

APPLICANT: Jeremy Siefkas

- Louise made the Power Point presentation.
- Jeremy Siefkas came forward. Charlie asked about the Forest Service access permit that expires in 2038. The applicant replied that he will need to reapply with a fee, and it will automatically be re-issued.
- No public comment.
- Charlie closed public portion of hearing and called for deliberation.
- Erin pointed out that the staff report contains the criteria for deliberation and approval.
- Bob made a motion to approve the case as presented and Jim seconded. Vote was taken and the motion passed 5-0.

REZONING CASE #18ZON-15

Properties are located in the NW ¼ of T12 R71 S29, addressed as 37900 and 37888 Hwy. 24. Lake George. The applicant is requesting to rezone the library and former school lots from Mixed Use with conditions to Commercial and Mixed Use with no conditions (Resolution #2012-38).

APPLICANT: Park County

- Louise made the power point presentation.
- There were no questions.
- No public comment.
- Charlie closed the public portion of the hearing and called for deliberation.
- Susan motioned to recommend approval as presented, with the recommended condition and Geri seconded. Vote was taken and motion passed 5-0.
- Louise pointed out there will be two resolutions, one for each property.

REZONING CASE #19ZON-06

Properties are Tract 1 and Tract 2 Six Shooter Junction Subdivision (Unplatted), addressed as 1410 County Road 90 and 1400 County Road 90, Lake George. The applicant is requesting to rezone from Agricultural (A) to Agricultural Small Lot (A-35).

APPLICANT: Eric Simonson, PLS dba Rampart Surveys, LLC

- Jennie made the power point presentation.
- Eric Simonson came forward and stated that all surveying for these two properties has been done and deposited with the County. Bob clarified where the access easement was to be.
- No public comment.
- Charlie closed public portion of hearing and called for deliberation.
- Jim motioned to recommend approval of the rezoning as presented with the two staff recommended conditions and Bob seconded. Vote was taken and motion passed 5-0.

REZONING CASE #19ZON-07

Property is Pike Trails Ranches Filing 4 Lot 196, addressed as 308 Chipmunk Circle, Guffey. Applicant is requesting to rezone from Residential (R) to Residential Estate (R-20).

APPLICANT: Mary L. Curtis

- Jennie gave the Power Point presentation. She pointed out the condition for approval recommended by Staff – that the existing driveway must be registered and approved by the County prior to approval by the Board of County Commissioners – had been met the day before.
- The applicant, Mary Curtis, came forward and explained her plans for the existing accessory structures and new workshop.
- No public comment.
- Charlie closed public portion and called for deliberation.
- Jim motioned to recommend approval the rezoning without the already met recommended condition and Susie seconded. Vote was taken and the motion passed 5-0.

REZONING CASE #19ZON-03

Property is a 187.91- acre tract of land in Sections 9 and 10, Township 15S, Range 73W, addressed as 6384 Highway 9, Guffey. Applicant is requesting rezoning from Residential Estate (R-20) to Agricultural (A).

APPLICANT: Mary L. Curtis

- Jennie made the Power Point Presentation.
- Geri recused herself from voting.
- The Planning Commission read the letter that the applicant had given to them that morning from Colorado Rid-a-Critter, regarding removal of beavers from the subject property.
- Mary Curtis came forward to give the history of her ownership of property. She has a grazing lease with Michael Moore. The land has always been used for Agricultural purposes. In the past she had needed money so had put the land up for sale. Later she took it off the market, consolidated her three parcels and had the property appraised. The owner of the wolf sanctuary in Lake George was interested in buying it, but she has decided not to sell. She has no set plans for now for the property, but will be keeping the use Agricultural.
- Charlie called for public comment. There was none.
- Charlie closed the public portion and asked for deliberation.
- Bob asked about the Beaver Ponds, clarifying that they are natural, built by beavers and not by the landowner.
- Jim motioned to recommend approval of the case as presented and Bob seconded. Vote was taken and motion passed 4-0.

REZONING CASE #19ZON-04

Property is 18.45 acres in the NW4 NW4 S19, T13 R76, addressed as 1559 Wagon Wheel Road. The applicant is requesting to rezone the lot from Agricultural to Residential.

APPLICANT: Frank Gross

- John made Power Point presentation.
- There were no questions.
- Applicant came forward and talked about the history of the parcel. It had been part of an agriculturally zoned ranch.
- There was no public comment.
- Charlie closed the public portion and called for deliberation.
- Bob made the motion to recommend approval of the rezoning as presented and Jim seconded. Vote was taken and motion passed 5-0.

REZONING CASE #19ZON-05

Property is 105 acres in the S1/2 S12 and N1/2 S13, T09 R78. The applicant is requesting to rezone the lot from Mining and Residential to Recreational Vehicle Park and Campground.

APPLICANT: Red Canoe Holdings, LLC

- John made the Power Point presentation.
- There were no questions for John.
- Applicants came forward. Pat Neve and Lynn Smith Peter said they have a passion for camping and saw a need in this community for some upscale camping. This is a 117- acre parcel but they only want to develop 40 acres and leave the rest as open space. They appreciate neighbors' concerns and have worked with professionals in this business in order to create a plan and business model that compliments the Park County Strategic Master Plan. They are passionate about being good stewards of the land, river and wildlife. They have talked to neighbors and business owners in the area and had a community meeting, and they have incorporated and tried to address some of the concerns brought up by the community.
- Bobby Craig, the project architect, came forward. He designed the campground and went over the plans for the configuration and operation of the campground.
- Charlie opened the hearing to public comment.
- Quinn Engle, who lives across CR 19 from the subject property came forward and talked about the concerns she has about the HASP application completed by the applicants. She pointed out several discrepancies and answers to application questions which did not seem to make sense. She wants HASP to relook at this because she believes there could be more water being used than is stated in the application. She also stated concerns about traffic increase on County Road 19 and felt that the road might need to be widened. She proposed that the applicants create their own road in to the campground instead of using CR 19.
- Kim Martin, owner of an environmental engineering company came forward and said that, for her, the biggest issue is the proposed waste water treatment sizes and that they need to be increased. The water issue is also huge. An Environmental Impact Statement should be done before the rezoning. More due diligence should be done by the County.
- Amanda Willshire came forward representing Linda McClaine and Laurie Mitchell who are adjacent property owners. She read a letter, written by McClaine and Mitchell, that was in the application packet received by the Planning Commission. She said this proposal brings more risks than benefits to the community and talked about concerns including noise, lighting, campfires, trespassing and vandalism. RVs and trails are visible from their house. Property values will go down, insurance premiums and deductibles will increase. Charlie asked where the McClaine/Mitchell property is located and it was found on the map.
- Dustin Morgan, adjacent owner, came forward and read the rest of the letter written by Linda McClaine and Laurie Mitchell. He then stated his own concerns: Fire could run right up the hill into the residential area. Will they have good enough fire mitigation? Insurance? Impacts to environment and neighborhood could be too large. How could water table be affected? Will they be able to cover financially all the houses that could burn?

- Mary Kay Mansfield, adjacent owner, came forward. She has the same concerns as have been mentioned already. She did not get a letter notifying her of this hearing. Her property is 400 feet from one of the leach fields. How will that affect her well as leach field is above. Can that be moved?
- Ernie Holland, who lives off of CR 19, came forward. Most of his concerns had already been addressed. All traffic will come off of Mosquito Pass, right by his house. Dust and traffic are main concerns. Very concerned about new well affecting his well which is only 60 feet deep. Pointed out that in the last 10 years this area has turned into moose habitat and CPW should be involved in this plan.
- Tom Mansfield also lives on CR19. He owns property within the lines of the subject property (an "in-holding"). He said he had not been contacted by anyone regarding this case and mentioned the same concerns already talked about. He said Environmental impacts have not been studied well enough.
- Dan Nye lives with his brother who is an adjacent property owner. Concerned about environmental impacts. He is in law enforcement and was part-time officer in Alma for two years, and pointed out that there is not adequate law enforcement in Alma for this influx of people. Requested that this rezoning be declined.
- Kendra Morgan lives on Adventure Road and came forward to be on record against approval of this proposal and has the all of the same concerns previously mentioned.
- Frank Brown lives on Loony Lane, adjacent on the south end of subject property. He spoke against this rezoning citing many of the concerns already stated.
- Steve Merrick spoke against the case.
- Mary Merrick came forward so that she could go on record. She has the same concerns and thanked the Planning Commission for their time.
- Randall Barnes spoke against the application. His main concerns are safety and environmental. Dust on roads is horrendous now. Speed and unregistered OHVs and dirt bikes are a concern. He believes development should be controlled and has the same concerns as everyone else. He said the only people he knows that are for this development are business owners.
- Bob Ensign, trustee on Alma Town Board. He said he has talked to many people in the Alma community and that they do not see any need for this development, or benefits to them. Alma is not set up to be a tourist town it is more of a bedroom community. Mentioned same issues. Charlie asked if Alma had decided not to annex this property. Mr. Ensign said that Alma had never made a decision that the applicant withdrew.
- Charlie closed public comments and called the applicants forward.
- Lynn first addressed Quinn Engle's questions and then answered some questions from the Planning Commission. Development is outside of flood plain and wetlands, wetland delineation has been done and setbacks are met. 1041 review went through CPW and County and there will only be three actual buildings constructed. Most of the campsites are between 1/3 and 1/2 mile away from existing homes. Detention ponds and leach fields were discussed, may be moved if they do not meet State and County standards. Dust on roads is a concern but not applicants' responsibility. OHVs and dirt bikes will not be ridden on the property and must be trailered to where they can ride—there will be brochures and information provided to the campers regarding this and other County information. Division of Water Resources had no concerns with their water usage. They did pull the annexation request because they could not wait for 3 to 5 years so that waste water issues could be resolved. Cost to trench to campground would have been prohibitive. They would not rely on Alma for enforcement but would rely on County Sheriff. There will be employees on site and they have talked to other campgrounds regarding security and common problems. Numerous business owners are very receptive to this idea.
- Bobby Craig came back to show pictures of the proposed development.
- Charlie asked about lights. Bobby said there will be no street lights and only dark sky compliant fixtures on buildings. Is there a buffer zone between campground and residential sites? This development will be several hundred feet from the two in-holdings and there will be a 100 ft. setback for any camping.
- Susy asked:
 1. Where can people go if bad storm sets in? Community Center is only 200-300 feet from campsites.
 2. Playground usage? Will only be used for guests and neighbors are welcome.

3. Are vehicles permitted? Vehicles permitted for camping will be marked.
 4. Are there any regulations regarding checking in or out? That could be any time with reservation.
 5. Do the Conestoga wagons have cooking facilities? No. They can grill, there is a mini fridge, these people will probably go into town to eat.
- Jim asked applicant to address noise. There will be quiet hours. Was 1041 approved? John Deagan said that notice was submitted to CPW who did not respond within the given 30 days. It was then submitted to the County Manager who also did not respond within 30 days. By County 1041 regulations, 1041 permitting was not required. Applicant spoke with Tyler Stoltzfus, CPW district manager, who did not have any major concerns, but had suggestions for fencing to keep wildlife out, dog regulations.
 - Bob asked about where staff would stay? One unit can be dedicated to caretaker dwelling. Others will camp and work during the heavy summer months.
 - Jim asked about insurance coverage--do they have insurance that can cover neighbors' homes? No. They do have insurance for themselves and their land.
 - Charlie closed public portion and called for 15-minute break.
 - Meeting was reconvened at 12:45.
 - Charlie called for deliberation.
 - Jim asked about requirements for a 1041 Wildlife Permit. Why would non-response from CPW and County mean that it would not be required? John explained that the 1041 regulations are also designed to protect applicants from arbitrary County actions. Erin said if there is no response it can be considered that there are no concerns.
 - Charlie read the standards of approval for rezoning in the Land Use Regulations and the responses to those on the staff report.
 - Jim said that compatibility with adjacent properties is a large concern. Also the 1041 wildlife permit and impacts on wildlife habitat are serious issues and he was disappointed that there is not a requirement for a 1041 permit.
 - Bob is worried about sewer and water plans and also thought there should be a 1041 permit required. Why weren't people notified? John said all adjacent property owners were notified and the list is in the application. He did not receive any undeliverable envelopes.
 - Charlie asked about the Advisory Board on the Environment referral. John said they did not receive the application prior to their June meeting but they will be able to review and respond for the BOCC hearing.
 - Standards of approval were discussed.
 - Fire danger, fencing and various mitigation possibilities for other concerns brought up by the public were discussed.
 - Charlie called for a motion.
 - Jim wanted to discuss the requirement for compatibility with the immediate surrounding area, stating that though every other standard was met, this is not acceptable. Compatibility and staff recommendations for approval were discussed.
 - Geri made the motion to recommend denial of the application and Jim seconded. Vote was taken and motion passed unanimously.

Commission read over letters from people interested in being on the board. Jennie told them that Sheila wanted them to pick one that she could recommend to the BOCC. There is one alternate position open on the Planning Commission.

PUBLIC COMMENT: none.

MEETING WAS ADJOURNED AT 1:40P.M.