

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, November 1, 2013**

- 8:45 a.m.**
- **Call to order; determine quorum**
  - **Approval of Minutes**
  - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

- 9:00 a.m.**    **Scarp Ridge LLC, LUC-13-00005**-work session/no action, Sketch Plan application. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C). The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716.

- 11:00 a.m.**    **Pilgrim Communications/KVLE-FM- LUC-13-00023-** work session/no action, request for the replacement of existing telecommunications tower, located at 1445 Highway 135, 1.2 –acres, in the NW/4SW/4 Section 25, T50N, R1W, N.M.P.M, approximately 1.5 miles north of the City of Gunnison, west of Highway 135

- End of Meeting**
- Report of actions taken by BOCC.
  - A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**Adjourn**

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
November 1, 2013**

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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center. **Present were:**

Chairman- Kent Fulton	Community Development Director Russ Forrest
Vice-Chairman- Jeremy Rubingh	Assistant Director of Community Development- Neal Starkebaum
Commissioner- - A.J. Cattles	Planner-Cathie Pagano
Commissioner-Susan Eskew	Community Development Department Services Manager-Beth Baker
Alternate Commissioner- Tom Venard	

Absent; Commissioner Warren Wilcox

**Others present as listed in text**

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With a quorum present Chairman Kent Fulton opened the regular meeting of the Planning Commission.

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**Moved by** Fulton seconded by Eskew to approve Planning Commission minutes dated October 11, 2013 as amended. The motion passed unanimously.

**Moved by** Fulton seconded by Eskew to approve Planning Commission minutes dated October 18, 2013 as amended. The motion passed unanimously.

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**Scarp Ridge LLC, LUC-13-00005-** The Gunnison County Planning Commission conducted a work session, to review the applicants request. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

With a quorum present Chairman Kent Fulton opened the work session.

Commissioner Rubingh has recused himself from the review of this application.

Applicant's attorney David Leinsdorf, engineer Norman Whitehead, project manager John Featherman, representative Laci Wright, and wildlife biologist John Monarch were present for the work session.

Planner Cathie Pagano, and Director of Community Development Russ Forrest were both present for the work session.

Fulton noted the public comment period had been closed at the conclusion of the continued joint public hearing, conducted on, October 11, 2013.

The commission discussed an email sent to planner Cathie Pagano, by U.S. Forest Service representative John Murphy, dated October 23, 2013, in reference to questions Pagano had submitted - the following was clarified by USFS;

**Pagano- Does the USFS believe that parking is allowed within the existing 60-ft. easement?**

- The 60 ft. easement is for maintenance of the road. It was never intended to accommodate a parking area for the public.

**Pagano- If a new trail alignment and trailhead are created, will the exiting easement continue to exist or will it be voided?**

- The original proposal included vacating the easement from the new trailhead to the lodge. The Scarp Ridge trail easement from the lodge going up the mountain that is no longer needed would be vacated too. This is a Regional Forester decision and has not been discussed with the Regional Office yet.

**Pagano- There has been discussion of another trail that connects to the existing Scarp Ridge trail, Trail 421. Is this a legal trail and if so, what is the fate of the trail, if the Scarp Ridge trail is realigned?**

- Trail #421 is the Scarp Ridge Trail. I believe that the other trail you are referring to is Trail #419 (the Ridge 70 trail.) There has been no discussion as to whether this trail would be affected by the realignment of the Scarp Ridge trail but this a good question.

**Pagano- If the trail is approved by the USFS, the public has asked how proper maintenance (by Scarp Ridge, LLC) will be ensured over time, especially if the owner goes out of business or sells to another owner.**

- The Forrest Service has maintenance responsibilities for all system trails so there would be no effect if they were to go out of business.

**Pagano- Does the USFS have concerns related to the campground? The public has expressed concerns about traffic from the Scarp Ridge project causing safety issues at the campground (particularly if there are large events or parties that will have more traffic than usual.) Also, the public has expressed concern about noise levels relative to events at the Irwin Lodge and how that may impact the campground.**

- We have not discussed either of these concerns. The Forest Service does not generally comment on noise coming from private property. If safety issues arise from increased traffic by construction equipment on a Forest Service road this would be addressed and possibly mitigated when we issue a road use permit.

**Pagano-The public has stated, and the applicant has acknowledged, that the existing Parking Barn encroaches 1-ft. in the easement.**

- The 60 ft. easement is for maintenance of the road so the building extending one foot onto the easement is not a concern for us since it does not impede our ability to maintain the road.

**Pagano-A member of the public asked if the USFS will allow Scarp Ridge, LLC to transport construction materials via snowcat during the winter months so that they construct the alpine cabin without creating roads.**

- The Forest Service considers all proposals. Since we don't have a proposal in hand I can't say how we would respond. On the surface it appears that allowing over the snow access as opposed to constructing a new road would result in reduced environmental impacts.

Attorney Leinsdorf noted USFS John Murphy had addressed closing the existing easement, either by vacated the easement or possibility closing it administratively, so the USFS could use the road for maintenance.

Featherman said there has been confusion for the Forest Service, the public, etc., on the trails and the trail numbers in question. The trail numbers are frequently confused. The question is how to reconnect trail # 421 to Scarp Ridge trail. Pagano explained that level of detail can be addressed at the preliminary plan phase. Leinsdorf agreed it would be addressed in the preliminary plan.

The commission reviewed the letter dated, October 21, 2013, submitted by attorney Leinsdorf. The discussion included;

- CPW, J Wenum, suggestion to encumber some the applicants' high elevation property with conservation easements to prohibit future development. Leinsdorf said the applicants will delete the Upper Alpine Hut and encumber approximately 40 acres of their property with conservation easements to provide a wildfire buffer.
- The new location of the trail will be an ongoing discussion with the Forest Service.
- For consistency with quiet hours at the Lake Irwin campground, applicants will end live and outdoor music by 10:00 P.M., and all partying will move indoors. Applicants will ensure compliance with the noise standards of LUR Section 9-301.D.10. Pagano said noise will be addressed in the preliminary plan.
- Traffic- Traffic impacts generated by large events will be reduced by requiring most quests to access Scarp Ridge lodge in vans operated by local transportation providers.

Featherman said the Kids Village and rope course will consist of natural features, for swings, slack lines, etc. It will basically be just for the kids.

Featherman explained the lodge facilities could be accessed by anyone; they would be required to book the use, and would be guided through the area. The applicants have considered allowing public use of the mountain bike trails, in the off peak season.

Fulton asked the hours for zip line use; Featherman answered daylight hours possibly 9 A.M. to 6 P.M. They also intend to use the zip lines in the winter. He added the zip lines will be placed/located by professionals.

Featherman explained the Overlook cabin on Silver Hill road will remain in the plan. Forrest said the DOW concerns were focused primarily on the high alpine cabin and it was deleted from the plan. Featherman added the Overlook cabin would have year round use.

Fulton asked if the Town of Crested Butte has submitted comments on the watershed: Pagano said not yet. Leinsdorf said they will be filing with the Town for a watershed permit as a part of the preliminary plan submittal.

Eskew was surprised Forest Service representative, J Wenum, had not responded more specifically to Donna Barker's letter of concern. Fulton said the Forest Service participated in the site visit and explained their focus was on the higher alpine areas.

The commission referred to planner Pagano's memo, dated October 23, 2013. It was noted the memo explained updates and outlined resolved issues.

Leinsdorf said the applicants are applying for a one phase project that could take many years for full build out. Pagano will confer with the county attorney on the three year vested rights aspect of approvals and this specific application.

The commission reviewed the LUR standards in reference to this application;

**Section 9-301: *Applicability and General Standards for Commercial and Industrial Uses***

- Venard- OK
- Cattles-OK, after receiving Forest Service comments
- Eskew- nothing more needed

**Section 10-102: *Location Results in No Significant Net Adverse Impact to Neighborhood***

- Fulton – the ziplines remain a concern
- Eskew-Need more information on zip lines regarding noise, visual impacts, time of use, etc.

**Section 10-103: *Residential Density***

- Fulton the mitigation seems adequate

Pagano explained any amendments to an approved plan would require a county land use change. The conservation easements would require deed restrictions, and that would eliminate any further development on the areas where there would be conservation easements.

**Section 10-104: *Locational Standards for Commercial, Industrial or other Non-Residential Uses***

- Fulton-concerned with the range in size of the structures (Leinsdorf said the larger cabin was located on Silver Hill because that location was thought to be the least obtrusive.)
- Flagged the Silver Hill cabin- the commissioners and the public have concerns and will be asking for further comments from the Forest Service

**Section 11-105: *Development in Wildfire Hazard Areas and Section and Section12-103: Road Systems***

- OK

**Section 11-106: *Mitigation of Adverse Impacts to Sensitive Habitat***

- Fulton – adequate response from the referral agencies – there will be a condition in the recommendation -**Section 12-104: *Trails***
- Fulton- clarification on trails 419 and 421 is needed from the Forest Service

**Section 13-119: *Standards to Ensure Compatible Uses***

- Commissioners remain concerned with the character and tranquility of nearby residential or public use areas

The commissioners directed staff to prepare a draft recommendation of approval to the applicants sketch plan, with conditions.

The commissioners requested;

- Specific information on timing of events, parking in town for large events, hours of operation and traffic mitigation
- Wildlife plan
- Visual impact study
- Address the zipline noise, safety, and visual impacts
- Kids village- site plan specific
- CPW to comment on Donna Barker's letter of concern and on the Silver Hill cabin
- Geologic Hazards study – avalanche information and trails planning issues
- Wildfire planning
- Hours of operation

The next work session on this application will be conducted December 6, 2013; the draft sketch plan recommendation will be considered by the commissioners at that time.

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Commissioner Fulton left the meeting for the remainder of the day. Commissioner Jeremy Rubingh arrived for the remainder of the meeting.

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**Pilgrim Communications/KVLE-FM- LUC-13-00023:** The Gunnison County Planning Commission conducted a work session. They reviewed the applicant's request for the replacement of existing telecommunications tower, located at 1445 Highway 135, 1.2 –acres, in the NW/4SW/4 Section 25, T50N, R1W, N.M.P.M, approximately 1.5 miles north of the City of Gunnison, west of Highway 135.

With a quorum present Commissioner Susan Eskew opened the work session.

Assistant Director of Community Development Neal Starkebaum explained this is the first work session. The applicants are requesting the replacement of an existing communications tower, located at 1445 Highway 135.

Applicants' representatives CEO Ron Crider and Marty Grantham were present for the work session.

Crider explained the application. The existing tower on the property has been in place for approximately 40 years. It is not up to today's standards or codes. Several companies, including Verizon have asked to rent space on the tower. The existing tower was analyzed and a replacement of the tower was recommended. The new tower will be able to beam signals to commercial and private aircraft. Aircraft in the tower's space will have internet capability. The FCC has required that an aircraft be able to communicate to the ground for emergency services. The public can also use the tower signals. The tower company has 168 towers across the US. They have more to install in the West, to ensure constant service. The existing tower cannot hold the new equipment. He reiterated they are asking to take the existing tower down and replace it with a much stronger, up to date tower. They are hoping lights will not be required on this tower. If it does not have to have lights, it will not have to be painted red and white. This tower will also stream radio more efficiently.

Starkebaum said the site analysis conducted by wildlife coordinator, Jim Cochran, showed no Sage grouse issues.

The commissioners discussed a site visit and concluded a site visit would not be necessary.

Crider said AT&T has also expressed interest in this tower for a cell site.

Rubingh asked if the new stronger signals would conflict with other radio stations; Crider said no.

Rubingh asked about the fence and landscaping; Starkebaum explained there is a lot of existing vegetation and there will be no new trees.

The commissioners agreed a public hearing should be scheduled. The also directed staff to prepare an approval decision to be considered, directly following the public hearing.

The public hearing will conducted on December 6, 2013.

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Rubingh adjourned the meeting at 11:45 am.

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/S/ Beth Baker

Community Development Department Services Manager  
Gunnison County Community Development Department