

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, February 2, 2018**  
**Planning Commission will meet in the Crested Butte Town Hall**  
**507 Maroon Avenue, Crested Butte, Colorado**

**8:15 a.m.** Leave Blackstock's

**10:00 a.m.** **Scarp Ridge, LLC – Irwin Helipad**, site visit, request to create a year round helipad on the west side of the existing snow cat storage barn.

**Lunch**

**Planning Commission will meet in the Crested Butte Town Hall**  
**507 Maroon Avenue, Crested Butte, Colorado**

**1:15 p.m.**

- **Call to order; determine quorum**
- **Approval of Minutes**
- **Unscheduled Citizens**

**1:30 p.m.** **Scarp Ridge, LLC – Irwin Helipad**, public hearing, request to create a year round helipad on the west side of the existing snow cat storage barn. The helipad would be used exclusively for Eleven clients to access the recreation activities conducted on Scarp Ridge L.L.C.'s property and National Forest, including snow cat assisted skiing, under the Forest Service Special Use Permit, and summer recreation uses; located approximately 12 miles west of the Town of Crested Butte, above and north of Lake Irwin and the Irwin townsite, legally described as being located on the Lead Chief lode mining claim, U.S. survey No. 2731, Ruby Mining District, including 8 additional claims, all in the Ruby Mining District, as inholdings within the Gunnison National Forest, and generally within Sections 27, 33 and 34 T13S R87W 6th P.M. **LUC 17- 00044**

**2:30 p.m.** **Whetstone Industrial Park – L&D Ranches**, work session, presentation of Preliminary/Final Plan, request to subdivide a 35-acre parcel into 17 one-acre lots for a commercial/light industrial/industrial park, with an allowance for an accessory residential unit, in association with a primary light industrial or commercial use. Located south of Riverland Industrial Park, west of Highway 135. The parcel is legally described as Part of Lot 1, All Lots 2, 3, 4, Part of the SENW, Part of NESW, SESW 33.93-acres in SWSE, 0.41-acres in SESE Section 18, Lot 1 E1/2NW 3.51-acre in W1/2NWNE Section 19, Township 14 South, Range 85 West, 6<sup>th</sup> P.M. **LUC-16-00013**

**Adjourn**

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**GUNNISON COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**February 2, 2018**

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The Gunnison County Planning Commission conducted a regular meeting, in the Crested Butte Town Hall, 507 Maroon Avenue, Crested Butte, Co. **Present:**

Chairman- Kent Fulton Vice-Chairman-Jack Diani Commissioner- AJ Cattles Alternate Commissioner- Sarah Coleman Alternate Commissioner- Vince Rogalski	Asst. Director- Neal Starkebaum Manager of Administrative Services- Beth Baker Others present as listed in text
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**Absent:** Commissioners Venard and Mugglestone

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

Moved by Cattles seconded by Rogalski to approve the minutes of January 5, 2018, as amended. The motion passed unanimously.

**Unscheduled Citizens:**

Eileen Whitley requested a more flexible format for the Brush Creek public hearing that would include enough time for each individual to make their presentation. She asked for an adequate voice.

David Leinsdorf agreed with Whitley.

**Scarp Ridge, LLC – Irwin Helipad (LUC-17-00044)** The Gunnison County Planning Commission conducted a site visit. They viewed the location of the request to create a year round helipad on the west side of the existing snow cat storage barn. The helipad would be used exclusively for Eleven clients to access the recreation activities conducted on Scarp Ridge L.L.C.'s property and National Forest, including snow cat assisted skiing, under the Forest Service Special Use Permit, and summer recreation uses; located approximately 12 miles west of the Town of Crested Butte, above and north of Lake Irwin and the Irwin townsite, legally described as being located on the Lead Chief lode mining claim, U.S. survey No. 2731, Ruby Mining District, including 8 additional claims, all in the Ruby Mining District, as inholdings within the Gunnison National Forest, and generally within Sections 27, 33 and 34 T13S R87W 6th P.M.

There were no minutes taken during the site visit.

**Scarp Ridge, LLC – Irwin Helipad (LUC-17-00044)** The Gunnison County Planning Commission conducted a public hearing. They reviewed the request to create a year round helipad on the west side of the existing snow cat storage barn. The helipad would be used exclusively for Eleven clients to access the recreation activities conducted on Scarp Ridge L.L.C.'s property and National Forest, including snow cat assisted skiing, under the Forest Service Special Use Permit, and summer recreation uses; located approximately 12 miles west of the Town of Crested Butte, above and north of Lake Irwin and the Irwin townsite, legally described as being located on the Lead Chief lode mining claim, U.S. survey No. 2731, Ruby Mining District, including 8 additional claims, all in the Ruby Mining District, as inholdings within the Gunnison National Forest, and generally within Sections 27, 33 and 34 T13S R87W 6th P.M.

Commissioner Sarah Coleman recused herself from the review of this project.

Present representing Planning Commission: Commissioners Fulton, Cattles, Diani, and Rogalski.

Present representing Planning Staff: Assistant Director of Community Development Neal Starkebaum and Manager of Administrative Services Beth Baker.

Present representing the application: attorney David Leinsdorf, project representatives Jake Jones and John Featherman.

With a quorum present Fulton opened the public hearing.

Baker confirmed adequate public notice. The public notice was published in the Crested Butte News and Gunnison Country Times and the applicant submitted the proof of posting and certified mailing receipts.

**Planning Commission Site Visit Comments:**

- Fulton-there was a lot of noticeable noise from snowmobiles in the area. It was good to see the site.
- Diani- did not attend
- Cattles- nothing more to add
- Rogalski-agreed with Fulton

Jones said the company offers high quality tourism with a low number of tourists and the company is headquartered in Crested Butte.

Leinsdorf said there would not be a "helipad" as noticed in the public notice, they will merely be taking out a few trees to the west of the cat barn and putting a wind sock on the cat barn. It is just a landing area.

Starkebaum noted referral agencies have made comments, and members of the public have made comments on the project, they are on file in the Community Development Department and can be viewed on the County website. Fulton added all the comment letters are read by the commissioners.

Cattles clarified this is not a heli-ski operation.

Jones summarized the application. The general idea is to transport guests by helicopter to Irwin, on an infrequent basis, from outside of the county to Irwin. There would be an average of four operations of the helicopter per month. Diani asked if there would be designated flight paths: Jones agreed to submit an operating plan. Diani asked if the helicopter would remain at the site until the customer wants to leave- or leave and come back: Jones said it will be up to the operator.

Fulton asked how many requests for this service there had been. Jones said about six, primarily in the winter. He added there is not an operating plan yet but they are likely to be dropped off and picked up later. Rogalski asked about fueling: Jones said there would be no fueling on site.

Diani asked why the guests couldn't fly into the Gunnison airport and be shuttled up to the site: Jones said most guests currently are picked up at the airport.

Fulton read the comment letter from Colorado Parks and Wildlife (CPW.) He asked how the issues CPW outlined, particularly the lynx concerns, would be mitigated. Jones said CPW states they do not have a specific concern on this matter. He added there is currently significant human impact in this area. The impacts of the helicopter fit within the scope of the current operation. It is not a pristine environment for lynx, etc.

Cattles asked how high the helicopters will fly. Jones said they have high quality aircraft.

Fulton requested the potential flight plans, and comments from the charter companies running these flights.

Diani noted the snowmobiles are noisy and requested a comparison of the noise decibels made by snowmobiles and helicopters.

**Public Comment:**

Harvey Castro pointed out adding more noise is not a good thing to do. As time goes on snowmobiles will become quieter. The helicopters will fly over sage-grouse and heron areas.

Susan Tyzzer was concerned with the potential impacts to the wilderness areas. She noted the residents are here for peace, quiet and beauty, helicopters will disturb this.

Deidre Witherell asked what percentage of their clients requested this service: Jones said a very small percentage. She asked if they would lose business if this was not being provided: Jones said yes, a little. She said it sounds like a very small gain with a very large impact.

Tom Jensen asked why they can't use the Gunnison airport: Jones said we do that now, but this an amenity they would like to provide their guests.

Mary Jane Bridges asked what advantages to Crested Butte and the county residences this would provide. Jones said it is an overall advantage.

John Ellis said employing locals does not entitle one to take advantage of the community. The door will be opened to helicopter use in the upper end of the valley.

Lee Eakin lives in the town site to be flown over. Leinsdorf said it is easily avoided and could be specified to avoid flying over the town site.

Linda Roberts said there will be noise impacts up and down the valley, depending on the flight plans.

Matt Reed, representing HCCA, said the application does not comply with the LUR. This should be denied because of the standards in the LUR. Leinsdorf said there is no prohibition in the LUR to have a helicopter land with permission from the land owner.

Jim Starr agreed with the all the public comments made. He added the helicopters would be large and powerful and the sound will travel more when they are flying higher. Avalanches can be created by helicopters and he was concerned for the potential of avalanche caused by these flights.

Fulton continued the public hearing to March 2, 2018 at 1:00 PM.

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**Whetstone Industrial Park- L&D Ranch (LUC-16-00013)** The Gunnison County Planning Commission conducted the first work session on the Preliminary Plan submittal for the request to subdivide a 35-acre parcel into 17 one-acre lots for a commercial/light industrial/industrial park, with an allowance for an accessory residential unit, in association with a primary light industrial or commercial use. Located south of Riverland Industrial Park, west of Highway 135. The parcel is legally described as Part of Lot 1, All Lots 2, 3, 4, Part of the SENW, Part of NESW, SESW 33.93-acres in SWSE, 0.41-acres in SESE Section 18, Lot 1 E1/2NW 3.51-acre in W1/2NWNE Section 19, Township 14 South, Range 85 West, 6<sup>th</sup> P.M.

With a quorum present Chairman Fulton opened the work session.

Present representing Planning Commission: Commissioners Fulton, Diani, Cattles, Rogalski and Coleman.

Present representing Planning Staff: Assistant Director of Community Development Neal Starkebaum and Manager of Administrative Services Beth Baker.

Present representing the application: attorney Marcus Lock, applicant Bill Lacy, and engineer Tyler Harpel.

Lock explained the preliminary/final plan submitted contained no material changes from the approved sketch plan. He addressed the concerns identified at sketch plan.

#### **Visibility from Highway 135:**

- It has been addressed through berming and elevation differences.
- Open space provided at the south end of the subdivision to add buffering.

- The north end is adjacent to the industrial park.
- Per the covenants the HOA will be responsible for maintaining the landscaping and buffering on common areas.
- Covenants restrict building height which should eliminate much of the visibility based on the berming plan.

**Segregations/limitations on types of uses:**

- A flexible approach provided to ensure segregation and limitation.
- When a lot is conveyed by the developer, it has to be restricted to industrial, light industrial, or subordinate residential use.
- A designation will be recorded against the lot and adjoining lots.
- No industrial lot (which excludes pure light industrial) will be permitted next to subordinate residential lots.
- The market can dictate the need for subordinate residential/ industrial type uses.
- Certain activities that are particularly noxious are prohibited such as kennels, which tend to be loud at all hours.

**Protection of the Slate River:**

- The covenants prohibit activities that would harm the Slate River.
- The County has access to obtain samples of river water for testing.
- The drainage design utilizes the LID drainage concept to slow down, treat and infiltrate the storm water before it can become a concentrated, destructive force.

**Riverland Industrial Park LOA concerns:**

- They are ensuring the roadways meet all CDOT standards and have been in frequent contact with CDOT.
- The applicant continues to work with all private parties on the roadway to reach a road use agreement.
- In the absence of such an agreement, Colorado law provides that everyone provide a pro rata share of maintenance cost.
- Requests that Whetstone be restricted to less intensive activities than Riverland, that Whetstone not have residential uses on certain lots, and other requests are unreasonable and intended to secure a competitive advantage for Riverland, which is not appropriate.
- With the pond, paved roads, berming, landscaping and covenants, Whetstone Industrial Park will be an exemplary industrial park, and likely increase property values within Riverland as well.

**Compliance with CB Fire Protection District requirements:**

- The water supply and other planning fully complies.
- In response to CBFDP comments received:
- Unique road names will be on the final plat.
- Driveway certification is part of the file.
- They have confirmed the sufficiency for fire flows. They are updating the plans to reflect clarifications.
- The maximum square footage should be 5,850 sq. ft. for light industrial with subordinate residential.

**Level of commercial/ retail permitted within the development:**

- The permitted commercial/retail uses are in keeping with the neighborhood.
- The commercial/ retail has to relate to the industrial/ light industrial use of the lot.
- The commercial/ retail has to be incidental and subordinate.
- Examples would be the sale of goods manufactured on the lot, such as a cabinet maker manufacturing and selling cabinets from a lot along with cabinet repair/ construction supplies and tools.

**The level of County approval for varying uses:**

- The covenants include a list of uses that will not require any land use change approval.
- Any use that is not one of the expressly permitted uses will require an amendment to the covenants, which must be approved by the County and the HOA.

**CDOT Comments:**

- The applicant has complied with all informational requests by CDOT.
- An updated cost estimate has been prepared to account for CDOT's overlay concerns.

**Public Works Comments:**

- They are updating the designs to account for the shoulder width as requested by Public Works.
- They expect to have fully updated designs soon.

**CPW Comments:**

- The covenants require bear proof trash receptacles.
- A new provision has been added to the covenants, "All pet food shall be securely stored."
- Exterior fencing is required by the adjacent agricultural owner, but other fencing is generally prohibited unless specifically approved by the association.
- Covenants require that domestic animals are on leashes or contained in a structure.

**CDWR Comments:**

- The CDWR letter confirmed that the proposal has a physically adequate water supply as was also addressed in the materials by SGM.
- The legal adequacy is established by the Court approved augmentation plan for the subdivision.

**Additional Items:**

- Storage as light industrial allowing subordinate residential, but without limitation on the size of the storage operation itself.
- If a subordinate residential unit is dedicated as workforce housing, they would like to be able to increase the square footage of the residence or residences with only an administrative review application by that lot owner.

Harpel said they have drilled a well which produces 58 gallons per minute. He added the berm will buffer the buildings from Highway 135. There will be two different water lines including one for fire suppression from the pond.

Lock said the landscaping requirements are vague within the lots because they are industrial lots. Lacy said there has to be adequate snow storage on the lots too. Cattles said landscaping should be limited in the snow storage areas and swales. He added any landscaping required on an industrial park lot should be limited.

The Planning Commission will conduct a work session and a joint public hearing March 16, 2018.

Fulton closed the work session.

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Fulton adjourned the regular meeting of the Gunnison County Planning Commission.

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/S/ Beth Baker

Community Development Department Services Manager  
Gunnison County Community Development Department