

OURAY COUNTY PLANNING COMMISSION REGULAR MEETING/PUBLIC HEARING MINUTES

March 16, 2021 4:00 – 6:00 pm
Meeting held at the Ouray County Land Use Office
111 Mall Road, Ridgway, Colorado

Staff Present: Mark Castrodale, Bryan Sampson, William Frownfelter (Frowny)

Planning Commission Members Present: Randy Parker, Kate Boehnke, Patsy Miller, Mark Wilson, Vince Snowbarger, Mark Iuppenlatz, Sheelagh Williams

Applicant Attending: Martha Whitmore, representing the owner of Elk Mountain Resort, Dan Quigley (Engineer)

Public Attending: Eldred Ranch

- **4:00 Public Hearing:** Request by Elk Mountain Resort Partners, LLC for approval of a 2nd Amendment to the Elk Mountain Resort Phase 1A final plat. The purpose of the amendment is to resume limited commercial operations.

- **4:03 - Public Hearing** opened by Planning Commission Chair.
 - Staff presented an overview of the application and made a recommendation to the Planning Commission to forward the application to the Board of County Commissioners with a recommendation of approval
 - Planning Commission asked clarifying questions of Staff.
 - The applicant's 'agent' Martha Whitmore of Hockersmith and Whitmore gave a brief presentation and overview of the application & Dan Quigley (from DOWL Engineering) gave an overview of the OWTS on the property.
 - The Planning Commission asked clarifying questions of the Applicant.

- **04:51 – Hearing** opened for public comment.
 - There were not any members of the public that made comments

- **04:52– Public comment** portion of the hearing closed
 - The Planning Commission then deliberated on the application.

- **Motion:**
 - Randy Parker made the following motion: I move the Planning Commission forward the application by Elk Mountain Resort Partners, LLC., to the Board of County Commissioners with a recommendation of approval containing the 11

conditions as discussed by the Planning Commission (**Bold text indicates a revision made to the conditions that were recommended by Staff**):

1. Draft plat shall be titled as follows: "2nd Amendment to the Final Plat of the Elk Mountain Resort Phase 1A"
2. Applicant shall add the following plat note(s):
 - a. Per this plat and the associated BOCC Resolution No. __(TBD)__ commercial use of the Elk Mountain Resort-Conference Center is limited specifically and exclusively to: 1, 3-bedroom caretaker cabin (cabin to be noted as such on plat), 2 – public restrooms in the main lodge, 1 – bar sink/garbage disposal in the main lodge, 10 – seat restaurant, and 13 – motel rooms.
 - b. Any changes or modifications to this plat and the associated BOCC Resolution must have prior approval by the County via an application for Plat Amendment.
3. Prior to review by the Board of County Commissioners, the Applicant shall provide an original title commitment or title policy, completed within the last 60-days, showing the names of all persons or entities having any right, title, or interest in the land included in the application.
4. Applicant shall have a plat prepared by a Colorado Licensed Surveyor and submit the plat for approval within 6 months of approval by the BOCC.
5. Prior to facility use, the domestic water meter shall be examined and verified to provide accurate flow measurements for use in potential system monitoring. Examination and certification to be by either a professional engineer or other professional qualified to do such certification. Documentation of certification to be provided to the Land Use Department prior to BOCC final approval and signature of amended plat. **A recording rain gauge shall be installed to monitor precipitation events. The "flow measurements" (OWTS) and "precipitation amounts" (Rain Gauge) shall be recorded on a monthly basis and then reported to the Ouray County Land Use Department on a quarterly basis.**
6. Aeration equipment (ie. *blower unit*) shall be recommissioned to provide odor management as needed. Certification of recommissioning and proper operation to be verified and documented by an appropriate professional. Documentation to be provided to the Land Use Department prior to BOCC final approval and signature of amended plat.
7. Prior to obtaining signatures on the final plat, the Applicant shall submit a draft to the Land Use Department, in order for Staff to review for completeness.

8. Prior to signature by the Chair of the BOCC, the Applicant shall ensure that all other signature blocks have been properly signed (all except the BOCC and Clerk & Recorder signature blocks).
9. Once approved by the BOCC, the Applicant shall record the final plat with the Ouray County Clerk & Recorder's Office within 14-days.
10. All applicable conditions, rules, and regulations within the covenants, the plat(s), the Ouray County Land Use Code, and the Building Code shall remain in effect.
11. **The Applicant shall develop an emergency action plan to address the breaching of the lagoon ponds or an overloading of the OWTS system. This Emergency Action Plan shall be reviewed and approved by the County Engineer.**

A friendly Amendment was proposed by Staff, and agreed upon by the Planning Commission, to authorize the Chair's signature on the minutes.

- **Seconded by:** Williams
- **Vote:** Unanimous
- **5:30 – Hearing adjournment**
 - **Motion:** Parker moved to adjourn the meeting
 - **Second:** Boehnke seconded the motion
 - **Vote:** Unanimous

A handwritten signature in black ink, appearing to read "Bryan Sampson", written over a horizontal line.

Submitted by: Bryan Sampson

A handwritten signature in black ink, appearing to read "Mark Luppenlatz", written over a horizontal line.

Chair Signature: Mark Luppenlatz