

**SAN MIGUEL COUNTY PLANNING COMMISSION
MINUTES – REGULAR MEETING**

July 14, 2022

Online Meeting

Present: Lee Taylor, Chair
Josselin Lifton-Zoline, Vice-Chair
M.J. Schillaci, Secretary
Ian Bald, Member
Matthew Bayma, Member

Absent: Tobin Brown, Sr. Alternate

Planning Staff Present: Kaye Simonson, Planning Director
John Huebner, Senior Planner

County Staff Present: Amy Markwell, County Attorney
Nancy Hrupcin, Legal Assistant, County Attorney's Office

9:00 a.m. Site Visit: SUPs for Artisans, Cultural Events at Lot 4, DCP former mine, CR 62L.

10:19 a.m. Chair called the meeting to order.

10:00 A.M. PUBLIC HEARING: LAND USE APPLICATION

Applicant: Daniel Collins
Property Owner: Collins-Morehead, LLC
Location: Deep Creek Road
Parcel(s): Lot 4, Deep Creek Placer, former mine; PIN#456326400025
Zone District: (HC) Heavy Commercial
Proposal: Request for Special Use Permit to allow a Light Industrial, research and development facility for artisans and craftsmen together with a Special Use Permit for Public Facilities to allow specific cultural events with up to 200 people to occur at the former mine.

Those who addressed the commission:

Anton Viditz-Ward, Manager – Deep Creek Experimental, Applicant representative
Daniel Collins, Managing Partner, Collins-Morehead LLC, Applicant
Laurie Lundquist-Collins, Collins-Morehead LLC, Applicant

Lee Taylor stated that he knows the applicant; Josselin Lifton-Zoline stated that she knows the applicant through the Telluride Institute; and, Ian Bald stated that he is friends with Dan and Laurie. They stated that they have no financial interest in the project, and that their relationships with the applicant will not affect their judgment regarding this application.

John Huebner, Senior Planner, presented the Planning staff report included in the packet materials. Dan Collins, Managing Partner, Collins-Morehead LLC, submitted an application, received May 25, 2022, seeking a Special Use Permit for light industrial, research and development facilities for artisans, craftsmen, and for various "cultural events" for the public at their former limestone mine, a 47-acre property, zoned Heavy Commercial (HC). The property is located 7 miles west of the Town of Telluride on the north side of Hwy 145 off County Road 62L, Deep Creek Road.

The subject property is located across State Highway 145 from both the San Miguel County Road and Bridge and the Colorado Department of Transportation maintenance shops. The residential properties adjacent to the mine property are owned by the Collins and Morehead families of Collins-Morehead LLC, which is the applicant.

The former mining facility contains approximately 65,000 square feet of tunneled interior space. These underground areas have an average ceiling height of 20 feet and are lit overhead with dirt and rock surfaces underfoot.

The applicant proposes a variety of light industrial uses, including welding and industrial fabrication, equipment maintenance, storage, industrial design, and fine art production within the former mining facility. This workspace is used by local artisans and craftspeople engaged in activities that cannot be conducted elsewhere within the Telluride Region. Anton Viditz-Ward manages a collective of seven fabricators and artisans who work at the mine. There are also 15 storage spaces, which the renters access infrequently.

There is an outdoor event space proposed on the equipment apron to host cultural activities involving up to 199 persons.

The eight proposed cultural events per year occur in the fall, winter, and spring, in conjunction with Telluride Arts, Mountain Film, Deep Creek Experimental, and the Telluride Institute. These events include the burning of wood sculptures, mechanical fire sculptures, an altar, light art, live music, and a DJ. There is parking onsite with overflow parking proposed on Deep Creek Road (CR 62L).

The applicant has stated that the subject property is an appropriate location, "given the character of the proposed activities" (e.g. cultural events and art displays) in addition to the special events. Primary concerns are for public health and safety primarily related to fire safety and suppression and emergency egress.

The applicant noted that they are working with the State Electrical Inspector to obtain permits and approval for the electrical system. Regarding the development of a fire protection plan and adequacy of ventilation, the applicant will review that plan with Scott Heidergott, the Fire Marshal, to determine what his requirements will be. It is their understanding that they will no longer be working with the Colorado Division of Reclamation, Mining and Safety (DRMS) regarding reclamation and safety as that relationship was concluded when they satisfied the reclamation requirements outlined in the mine permit and were subsequently released from the

bond. The applicant will also work with Matt Gonzales, Building Official, to determine if there are any Building Code compliance issues.

Public Notice for today's meeting and this application was published in the Telluride and Norwood newspapers, and notice mailed to adjacent property owners.

The application was referred to county officials and state and local agencies. Referral comments were received.

Mike Bordogna, County Manager, expressed concern with the interior storage of flammable materials such as gas tanks or welding tanks, and with hosting public events inside the facility.

Telluride Fire Protection District Fire Marshal Scott Heidergott provided preliminary comments. He discussed with Planning staff that a standpipe system, which is a series of pipes that connect a water supply from a fire department water supply vehicle to hose connections at the mine entrance, could be provided in lieu of providing a fire apparatus turnaround on the "equipment apron" and/or providing a fire suppression system on site. A monitored alarm notification system for smoke, heat and carbon monoxide shall be installed in the occupied area of the mining facility. Egress signage throughout the mining facility must be inspected on completion. A fire lane shall be maintained from CR 62L to the mine parking area. Also, no fire events are to be conducted in the interior of the mining facility.

Gregory Powers, CDWR Well Commissioner, confirmed that the water well associated with this parcel is a commercial well and that the uses proposed are consistent with those permitted.

Matt Gonzales, SMC Building Official, stated that a building permit is required to verify code compliance for a new occupancy classification for the uses proposed in the application. Issues that will need to be addressed include emergency egress, ventilation rates, accessibility, fire suppression, and bathroom facilities. He recommends that the mining facility should not be occupied until a Certificate of Occupancy has been obtained.

Kelly Crane, CPW District Wildlife Manager, stated that the former Deep Creek Mine lies within the following CPW mapped wildlife ranges for black bear overall; elk, summer, winter, and severe winter; mountain lion overall; and mule deer summer and winter. She recommended that fences be used minimally and bear-proof trash cans and dumpsters be used at all times on site.

No public comments were received.

The Planning Commission asked where the water well is located, if there were safety fences on the equipment apron, and the condition of guardrails. Commission asked if there are any FAA concerns; there are none as the property is not in any critical airport zones. Matt Gonzales, Building Official stated that the mine and apron are a unique occupancy scenario, and discussed the applicant potentially reducing total square footage by permanently blocking portions of the mine. The Commission asked what the full scope of proposed uses are and what is required under the International Building Code. Matt relayed that he needs additional information, including a code analysis for all the items that need to be addressed. There was further discussion

of a parking plan being required and the issue of parking blocking the road, particularly for emergency access. Using shuttles to events was also discussed.

Amy Markwell, County Attorney added that the liability issues are her biggest concerns and would like to see the release of the reclamation liability issued by the Colorado Division of Reclamation and Mining Safety.

The applicant, Daniel Collins, shared that he spoke with the Fire Marshal about fire issues and a monitored smoke alert system. He has reached out to Peak/Superior Alarm for estimates and recommendations. Anton Viditz-Ward added that he has communicated with the fire department and sheriff on how to approach safety needs. They have been parking on one side of the road, added fire extinguishers, and added solar lighting along the access road for safety. The commission questioned the applicant on snow storage on site and having bear-proof trash containers. They further inquired about the storage usage. The materials stored are on pallets, with some clients never going into the mine. Anton brings the materials out with a skid steer. It was confirmed that the owners are carrying liability insurance, and discussed the organizations using the mine also be required to prove insurance coverage.

The commission discussed continuing the item to give the applicant time to provide the information and documentation requested. The applicant requested a minimum of 60 days to address the issues discussed and further requirements.

11:35 a.m. Chair opened Public Comment.

None received.

11:36 a.m. Closed Public Comment

MOTION by Josselin Lifton-Zoline to continue the Public Hearing for Collins-Morehead LLC — Lot 4, Deep Creek Placer; Special Use Permit application to October 13, 2022 meeting. The Applicant will provide the information and documentation requested by the referral agencies, county staff, and Planning Commission to the Planning Department at least two (2) weeks prior to the above-scheduled date as follows:

1. Respond to the safety requirement identified by the Telluride Fire Marshal to be able to submit and obtain necessary Fire permit approvals.
2. Work with San Miguel County Building Official to determine issues that must be resolved in order to obtain necessary Building permit approvals.
3. Contact the Colorado Department of Transportation and obtain an updated access permit for the proposed special uses, if required.
4. Respond to other comments received from referral agencies.
5. Respond to comments and issues enumerated by the Planning Commission as follows:

- A. Provide the DRMS release of reclamation report.
- B. Submit the engineering report for review.
- C. Submit a copy of the electrical permit
- D. Provide a more detailed parking and transportation plan for the events.
- E. Provide a plan for safety rails/fences along drop-offs to protect event attendees.
- F. Provide permanent and event exterior lighting plans.
- G. Provide a copy of storage safety protocols that are provided to users.
- H. Provide a copy of safety rules and protocols for special events.

SECONDED By MJ Schillaci. **VOTE PASSED 5-0**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	<u>Absent</u>

11:44 a.m. Recessed.

11:51 a.m. Reconvened

WORKSESSION:

Discussion to amend Section 5-10, Special Uses, to add criteria related to cumulative impacts, and to clarify standards.

APPROVAL OF THE MINUTES:

MOTION by MJ Schillaci to approve the June 9, 2022 minutes as presented.

SECONDED by Josselin Lifton-Zoline. **VOTE PASSED 4-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	<u>Absent</u>

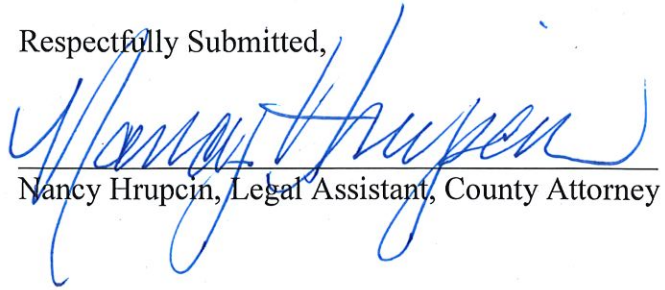
PLANNING COMMISSION AND STAFF COMMENTS

Kaye Simonson updated the commission on the following items:

- A request has been submitted to the BOCC for a four-month extension to the Genesee PUD Sketch Plan approval.
- RFQ deadline for the Master Plan update is due July 15, 2022. Kaye needs two people from the commission to review and interview potential candidates.
- The August CPC meeting will potentially be a work session and annual reviews.

12:55 p.m. Adjourned.

Respectfully Submitted,



Nancy Hrupcin, Legal Assistant, County Attorney

Approved on August 11, 2022.

SAN MIGUEL COUNTY PLANNING COMMISSION



M.J. Schillaci, Secretary

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