



COUNTY OF ELBERT

PLANNING DEPARTMENT

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165



September 24, 2015
For the Planning Commissioners meeting of
October 6, 2015

TO: ELBERT COUNTY PLANNING COMMISSION

FROM: CAROLYN PARKINSON, PLANNER II

RE: SU 15-0016 QUAIL RUN GUN CLUB SPECIAL USE REVIEW AMENDMENT- A REQUEST FOR AN AMENDMENT TO THE EXISTING SPECIAL USE PERMIT IN SECTION 2, TOWNSHIP 8S, RANGE 64W. THE AMENDMENT WOULD ALLOW ONE OF THE EXISTING RANGES ON SITE TO BE CONVERTED INTO A 100 YARD HIGH POWER RANGE, AND TO ALLOW THE USE OF ALL HIGH POWER RIFLES UP TO AND INCLUDING 50 CALIBER.

**APPLICANT: JERRY AND ANNETTE WILLIAM
REPRESENTATIVE: JOHN MORGAN**

SUMMARY OF REQUEST:

Quail Run Club, LLC currently operates a sport shooting and bird hunting preserve located at 6852 Quail Run Circle, in Elbert County. This range has been in operation since 1994. In addition to the existing approved uses permitted by SUR 94-10, SUR 99-09-10, and SU12-0002 this proposed amendment would allow one of the existing ranges to be converted to a 100 yard range and would allow the use of all high power rifles up to and including 50 caliber. The range consists of four (4) berms separating the three shooting alleys. All four berms are currently approximately fifteen feet (15') in height. The proposed expansion would retain that minimum height. The specific location of the range is shown on the accompanying SUR graphic and depicted as Use Area "A".

This expanded range would be used by the public, 4-H shooting and other youth and community groups, and the Elbert County Sheriff's Department for training purposes. There is no change in hours of range operation. All other provisions and requirements of SUR 94-10, SUR 99-09-10 and SUR12-0002 would remain in effect should this proposed amendment be approved.

The applicant has submitted a Development Guide for the proposed expansion. Community and Development Services have reviewed the Development Guide and are in agreement with the content. A copy of the Development Guide has been included in the Commissioners packet.

PERTINENT DATA:

Site Description – The property on which the expansion is proposed consists of 46+ acres. The overall shooting facility however, includes another parcel to the East that is owned by Florence York and consists of 248+ acres. To the south of the facility are a 20 acre parcel owned by the applicant and a 13 acre parcel owned by Stanley Marguerites. To the West is a 13 acre parcel owned by the applicant, a ten acre parcel owned by Daniel Klick, and a 35 acre parcel owned by Sorin Natural Resource Partners. To the North are an 80 acre and a 760 parcel owned by the Norma Jean Branson Family Trust. Existing access to the proposed site is from Quail Run Circle and no change in access has been proposed. Access for this parcel is at the end of the Quail Run Circle cul-de-sac. Adjacent properties are zoned RA1 (Residential-Agricultural 1), AR (Agricultural-Residential), and A (Agricultural), and range in size from 10 to 760 acres. Structures on the site include a club house and a single wide trailer used for ammunition recycling, a maintenance shop and a bird barn.

Floodplain- According to the flood plain maps on file with the Elbert County Planning Department, no portion of the expansion area falls within the 100 year flood plain.

Existing Zoning – A (Agricultural one)

Proposed Zoning – No change in zoning is being proposed.

Surrounding Land Use and Zoning – All adjacent parcels to the site are zoned RA1, AR or A with appropriate use.

BACKGROUND:

This shooting club was originally approved under SUR 94-10, and amended under SUR 99-09-10 to allow an additional shooting tower and dog boarding kennels. There are currently no dog boarding facilities on the site. The original Special Use Permit (SUR 94-10), specified that only shotgun firearms would be permitted at the facility with ammunition being restricted to number 4 birdshot and number 7 clay shot. The approved amendment SU12-0005 allowed the addition of a hand gun range and expanded the uses, weaponry and the ammunition calibers. The uses proposed by this application, (SU15-0016) are not allowed by the current Special Use Permit, and are not a use by right for parcels zoned Agricultural (A). In the “A” zoned category, any use not listed as a use by right must be approved as a Use by Special Review, or in this case as an amendment to the existing permit.

EVALUATION:

Part II, Section 17, C – Procedures of the Elbert County Zoning Regulations specifies that an application for a Special Use Review must be evaluated by the appropriate referral agencies. Community and Development Services identified ten (10) agencies to evaluate and comment on

this application. The following is a summarization of their responses; complete responses can be found in the file and have been provided in the Commissioners packet.

Kiowa Fire District – No objection to this proposal

Kiowa Conservation District – No comments

Colorado Division of Water Resources –No comments

Colorado Parks and Wildlife – No objections

Intermountain Rural Electric Company – No comments

Elbert County Assessor – No objections

Elbert County Public Works Dept. – No objection

Elbert County Sheriff's Office – No objection

Elbert County Mapper – No objection

Elbert County Engineer- No comments

FINDINGS:

Approval of this proposal requires compliance with the following standards for approval:

1. *Whether the proposed Special Use complies with the requirements of the Elbert County Master Plan, Elbert County Zoning Regulations, and Elbert County Subdivision Regulations* - This proposal is located on an agriculturally zoned area of the county. The Master Plan does not include discussion on Special Uses for this area. However, the Master Plan does assert that its implementation is to be guided and regulated by the Zoning Regulations and Subdivision Regulations. If approved, this Special Use Permit proposal will comply with the Zoning Regulations. The applicants will be required to comply with Part II, Section 20, B of the Elbert County Zoning Regulations, as it pertains to off-street parking. The applicants for this proposal have also complied with the general provisions for Special Use Applications as defined in Part II, Section 17, B, including all provisions for public notice. Since there is to be no division of land, no provision of the Subdivision Regulations is applicable.
2. *Whether the proposed Special Use is in harmony and compatible with the surrounding area and neighborhood* - The Special Use Review process ensures that land uses not listed as uses by right are appropriate for the specified location and zoning district. This proposal is for a use identified as being permitted through the Special Use Review process for A (Agricultural) zoned property. Through the Special Use Review process, appropriate local, state, and federal agencies have been notified and provided an opportunity to comment. Furthermore, this is a

request to expand a use that has existed in harmony with the surrounding neighborhood since 1995. Community and Development Services found no zoning compliance complaints on file for the current approved use. Additionally, there is no indication in the referral responses that the proposed activity will result in negative impacts to the surrounding area. It is the Planning Department's opinion that this proposal is compatible with the surrounding area and neighborhood.

3. *Whether the proposed Special Use will adversely impact the provision of public services* – There is no indication that this special use will adversely impact the provision of public services.
4. *Whether the proposed Special Use will adversely impact the environment* – The use of Best Management Practices for lead removal, as described in the Development Guide for this expansion, have been reviewed by Elbert County Engineering. There is no indication that this special use will adversely impact the environment.
5. *Whether the proposed Special Use will create traffic congestion or burden the existing road system* – No referral agency has stated that this application will create traffic congestion or burden the existing road system. Access to the facility is via County maintained roads. Public access related to this facility has been in place since 1995. Public Works referral for this proposal indicated no objections.
6. *Whether the proposed Special Use will be adequately landscaped, buffered, and screened* –The plan exhibit submitted for the application does not include a landscape plan; however, the size of the subject properties, together with the placement of the range on those properties, should provide adequate screening and buffering from public roads and for surrounding properties.
7. *Whether the proposed Special Use Review will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Elbert County* – There are no indications from the referral agencies that approval of the proposal will pose concerns to the health, safety, or welfare of the present or future inhabitants of Elbert County.

RECOMMENDATION:

Recommend approval of SU 15-0016, with the following conditions of approval:

1. If five (5) or more signed, verifiable, complaints are lodged within a single year, the Special Use will be reviewed by the County.
2. The applicant will comply with all requirements as defined in the Development Guide for Quail Run Gun Club LLC. Those requirements include, but are not limited to, specific information on hours of operation, allowable activities, and a commitment to the Best Management Practices described in the Development Guide.
3. The Special Use Exhibit and associated Development Guide will be recorded with the Elbert County Clerk and Recorder within 90 days of Board of County Commissioners' approval.
4. The requested Special Use will not become effective until all conditions are met, and documents recorded.
5. Adopt the findings enumerated herein.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Carolyn Parkinson", is written over a light gray rectangular background.

Carolyn Parkinson
Planner I