Minutes of the Board of County Commissioners Meeting, held on April 8, 2015 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:
Darius Allen, Chair
Marianne Dunne, Vice-Chair
Mike Yohn, Commissioner
Jason Kelly, County Attorney
Dennis Hunt, Interim Administrator
Brittney DeHerrera, Chief Financial Officer
Belina Ramirez, Office Manager

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

M/S Dunne/Yohn motion to approve the agenda of April 8, 2015.
Motion was passed unanimously.

Consent agenda Items:

Approval of General Business/Minutes

The Following Minutes were presented:
Regular Minutes-March 25, 2015
Public Hearing-Marcelo & Amelia Juarez

M/S Dunne/Allen motion to approve the Minutes of March 25, 2015.
Motion was passed unanimously with Yohn abstaining due to being absent at this meeting.

Approval of Bills/Obligations

Check #’s 114262-114365 & Check #’s 29400-29419

M/S Yohn/Dunne motion to approve the Bills/Obligations
Motion was passed unanimously.

Public Comment
Approval of Consent Agenda

Alamosa County Organizational Chart
Public Policy Services Engagement Agreement-George K Baum & Co
Underwriter Engagement Agreement-George K Baum & Co.

Pull Organizational Chart for more discussion

M/S Yohn/Dunne motion to approve Consent Agenda without Organizational Chart
Motion was approved unanimously.

Organizational Chart
Dennis Hunt presented the Alamosa County Organizational Chart.

Commissioner Dunne asked for elaboration because the last chart had DHS accountant under the
Finance Officer. Eventually that is the intent but for organization and accountability it is listed
this way.

Commissioner Allen commented that that accountant should stay under DHS at this time.

Mr. Hunt stated it is a working document so it can be changed at any time. The Chart will be
dated so we know which the most recent document is.

m/s Yohn/Dunne motion to approve Organizational Chart
Motion was passed unanimously.

Public Hearings

Special Use Permit-The Top of the World Series Baseball Park

Geoffery West and Erwin Young, applicants and Gordon Bosa Attorney were present. Rachel
Baird and Ken Vanlwarden were present.

Commissioner Yohn disclosed he attended the Planning Meeting on March 11th. He did not
participate and he did not give an opinion. He just attended as a citizen.

Commissioner Yohn thanked everyone coming out and voice their opinion.

Exhibit 45 Letter from Bill and Corine Elithorpe was read:

Commissioner Yohn: There are big concerns with a big project like this such as the location and
the impact that is has on everyone in the Valley. The Department recommendations and what
County has control over and what the State actually controls. The water is controlled by the
State so it has to be addressed by the State. Wastewater is a concern of the State. Land Use has
informed us all this year of the new regulations that are in place. The proximity to adjacent
landowners well he first moved out there and there was hardly any neighbors. Now it is a fairly
good suburb. He cannot deny anyone else the same lifestyle he has enjoyed. He understands that. The impact can be positive or negative it is what you make it. There are a couple of recommendations he would like to add. Decommissioning, it is a risk on adventure like this but with artificial turf and the fencing need to be removed properly if the facilities were not used anymore. A Bond would have to extend past construction. Another thing is professional signage and properly permitted signage. He would like it to be attractive. He has done research into Federal lands and Wildlife Refuge. In the State of Colorado 36.6% of all land in Colorado is federally controlled. To control the property outside of that without purchasing it and owning it is that right? That is why there are boundaries to separate Wildlife Refuge from private lands. Fish and Wildlife Service manages 89 million acres which is slightly bigger than Germany. They do dedicate a lot of land and property to wildlife. Also that the County also has property in that vicinity. The applicant has received the Code of West that states the County cannot maintain all the roads in the County.

Commissioner Dunne stated Alamosa is known as the Land of the Cool Sunshine. She thinks Mr. West realized how hot it was playing in 100 degrees in Arizona. She would like to stress the opportunity for children. They don’t have many facilities in the Valley for the children. She hopes the children will become curious of the Wildlife Refuge. Her and her family use the refuge a lot. She hopes the dialogue Suzanne continues. She appreciates Laura Lannings concern of all the permits. They will be done correctly the County and the State don’t cut on permits. She questioned the point of the septic systems that are used just in the winter time.

Mr. VanIwarden stated they would be similar to those used in South Fork, Wolf Creek Ski Lodge, and trailer parks in South Fork that are only operated in the summer time. Typically those types of systems are under a Class D operator so they have a special operator that is trained for that system. It is designed when the system is not in use it is shut down and then reactive it when the season is ready to begin again. He took a class on this. He can reassure that their taskled to have great oversight on it.

Dave Jones: Those septic systems are privately paid for. They are not financed by County.

Commissioner Dunne stated she was happy they addressed the concern of the night lighting. So many people that come visit enjoy seeing the stars. Her main concern is to make sure the children are welcomed in Alamosa. All of us in the community need to welcome them. The Bond issue is very important.

Commissioner Allen stated we don’t get this kind of turnout all the time so for us it a big project. He does have some concerns. One is on the pre-application there are different names on there. Rachel Biard stated Top the World is a LLC so she had pre-conferences with everyone in the LLC. It is in the pre-application process.

Mr. Kelly stated that is fine just the applicant is correct.

Commissioner Allen asked Mr. West why he picked Alamosa and why that spot.
He was born in California in a town this size. His father was born in Chico California. His father wanted to retire here and own a RV park in San Luis. He has always loved this place. Over the time they talked about leaving Los Angeles. He owned his own auto shop. In raising kids he has 4 kids they wanted to get away from the gangs. Overtime they were invited to Cooperstown New York. He already builds baseball fields in the intercity. He does a lot of restoration of high school baseball fields and intercity rec that don’t have the money. He seen crop circles where he envisioned baseball fields there. We could build a Cooperstown. His dad used to say San Luis was the poorest town in the United States. He thought wow they can revitalize the area. He takes intercity kids to all over the United States. Hundreds of children go to USSA Championship in Steamboat Springs. This is already done. For 10 years he has been thinking of this. He purchased the property last summer. He was told to talk to the gator man so he did. He had a hit pitch competition last weekend. They had 1200 hits this past weekend. His camps all are free to the kids in the Valley. It wasn’t a big turnout because it was Easter and a wrestling tournament. He tells the kids if you keep your grades up you could attend ASU or other colleges. He works in Watts as a head baseball coach. He also helps kids with life skills, stay off drugs and help them deal with law enforcement. They hate police so I they see positive role models. This community has problems with gangs and would change the dynamic. One you teach the fundamentals. It is a step towards homework and listening to their parents. He has a story where a mother restricting him in going to play baseball and I told him hug and kiss your mother and take out the trash.

Commissioner Allen stated his concern of the County roads. Baca Road is not an improved lane so this will fall back on the County to take care of this. Decommissioning we have with Solar companies where they put money in the bank or have an irrevocable letter from a lending institution. A third party comes in and determines what it would take to decommission. They need something in place if someone calls regarding the roads are you going to pay for it.

Mr. West spoke with Rachel Baird before and he said they would have plenty of equipment to maintain the roads and actually make it better. The dust is his concern as well. He can’t bring in kids that pay $850 for a dust storm. He estimated approximately $7000 a mile which is feasible and he would work with the County. With the Park and Ride they are trying to discourage traffic out there. He wants them to spend money and revitalize downtown. Realistically they want to open in 2016. We need to get a whole overview in case of an expansion. They are going to deal with these problems on a 50% capacity in the 1st year. They are not going 15,000 all in one summer it has to build upon itself. They will work with the county to work on that.

Commissioner Allen stated they have an east field and west field so how will they get across without invading someone else’s property.

Erwin Young stated he owns East of the Park right now and they have a tentative agreement with the Railroad. They can go to the railroad and use the railroad property. The best option would be if the County would give them an easement. They do have two accesses.

Suzanne Bueachane stated the deed states residential access so if it is not commercial that is not correct access. This is the Lazoni property.
Mr. Kelly stated he hasn’t seen the deed so if it says residential it will be limited to residential. The deed has the control. They would have to get a new deed.

Commissioner Allen asked the Refuge how many acres they own.

Ms. Beauchane stated a little over 12,000 acres.

Commissioner Allen asked how much of a buffer they like would to see.

Ms. Beauchane stated she would have to do a little studying. Maybe 1/2 mile or ¼ mile radius.

Sharon Vaughn spoke. She represents the 3 Refuge’s in the Valley. Refuges are looked at their communities in terms of their involvement. They look at the community in answering that question. Land is managed for the Wildlife Refuge and with their partners they manage for the resources of the American people for future generations. You are all partners of the Refuge. So how important is public land to them.

Commissioner Allen stated you didn’t answer his question and what kind of buffer would they be looking for.

Ms. Vaughn stated they would have to do some research.

Commissioner Allen stated he has lived here for 40 years. A lot of things they mentioned was water, wildlife, noise, and vegetation. There is not a lot vegetation right now on that property.

Ms. Beauchane stated there is a lot of wildlife that uses that area. A lot of the species are declining and may be disturbed. Deer do well in town. The species of concern are those that will be disturbed. Right now she couldn’t say.

Commissioner Allen asked how he feels about doing a dust environmental impact assessment.

Mr. West stated there is a window of opportunity and if we delay we could delay into not doing it at all. It is not feasible. He is going to live there on the property. He is not like Wal-Mart the money will stay here. He could only enhance it, he is going to reduce the dust what it is now.

Commissioner Allen asked if we don’t have this done right we can’t go back. They talk to solar developers that spend six years to get a permit. He doesn’t want to put the County in jeopardy in anyway. The water problem if you don’t know and he doesn’t know so they need a third party to come in to determine. He is for the project.

Mr. Bosa stated as far as the water goes that is what the Water Division is for. It you more conditions it would make not feasible so it never goes. You can write in conditions but if you keep imposing the need for more studies it won’t get done. What are the state agencies for?

Commissioner Dunne questioned they agreed with Pat McDermott to send the study that was done before to him to see.
Commissioner Yohn asked the list of the seven staff recommendations are there comfortable with them.

Mr. West stated yes.

Mr. Kelly stated he would recommend changing the recommendation wording as followed:

1. Wherever reasonable, the facility must install fixtures and appliances designed for water conservation; and

2. Proper handling of disposal waste and wastewater as mandated by the State is required; failure to comply with the proper handling of waste and wastewater; or failure to comply with any state regulation shall be grounds for revocation of this Special Use Permit; and

3. Prior to construction, Applicant shall provide Alamosa County with written authorization that there is adequate water resources for the project; and

4. Accumulation of waste, construction material, or any other potential blight and refusal to remove said blight is grounds for the revocation of the Special Use Permit; and

5. Light and sound disturbances at levels that are deemed excessive or create a nuisance to the community, as determined by the sole discretion of the County, shall be abated, and may result in suspension or revocation of the Special Use Permit; and

6. The applicant shall be responsible for maintaining, installing or providing any new roads for access, and to repair and maintain, at the sole discretion of the County, any existing county roads damaged during the construction and use of the facility according to county standards and specifications; and

7. This permit shall expire twelve (12) months from the day it is issued unless the Applicant has a valid building permit on file or has received a certificate of completion from the Alamosa Building Inspector; and

8. Applicant shall be required to enter into a decommission agreement with Alamosa County prior to any construction which at the sole discretion of the county adequately provides for security in restoring the property to its native state.

9. Nothing in this Special Use Permit shall be construed as a waiver of any provision of the Alamosa County Land Use regulations.
m/s Dunne/Yohn motion to approve Special Use Permit with recommendations read by County Attorney

Motion was approved unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2015 – SUP – 1

RE: APPLICATION OF GEOFFREY WEST ON BEHALF OF TOP OF THE WORLD SERIES BASEBALL PARK, LLC FOR A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A YOUTH BASEBALL PARK IN ALAMOSA COUNTY, COLORADO.

Commissioner Dunne moved for the adoption of the following Resolution. Commissioner Yohn seconded the motion.

WHEREAS, Applicants Geoffrey West a/k/a Top of the World Series Baseball Park have submitted an application for a special use permit to allow the construction and operation of a youth baseball park in Alamosa County on the following property:

The S1/4SE1/4 of Section 10, Township 37 North, Range 11 East, N.M.P.M., in Alamosa County, Colorado. and; A tract of land in the N1/2 NE1/4 of Section 14, Township 37 North, Range 11 East of the N.M.P.M, being more particularly described as follows:

Beginning at the northeast corner of this section, also known as the northeast corner of this tract; thence S90°00'00"W 2653.84 feet to the northwest corner of the tract; thence S00°02'49"W 500.35 feet to the southwest corner of the tract; thence S82°59'13"E 2670.79 feet to the southeast corner of the tract; thence N00°00'00"E 825.51 feet to the point of beginning at the northeast corner of the above referenced tract, County of Alamosa, State of Colorado. and; A tract of land in the N1/2 NE1/4 of Section 14, Township 37 North, Range 11 East of the N.M.P.M, being more particularly described as follows: Beginning at a point 825.51 feet S00°00'00"W of the northeast corner of this section, also known as the northeast corner of this tract and the southeast corner of Tract 1; thence N82°59'13"W 2670.79 feet to the northwest corner of the tract; thence S00°02'49"W 827.46 feet to the southwest corner of the tract; thence N89°56'50"E 2649.39 feet to the southeast corner of the tract; thence N00°00'00"E 499.61 feet to the point of beginning, County of Alamosa, State of Colorado.

said property being zoned Rural (RU) District; and

WHEREAS, a public hearing was held before the Alamosa Planning Commission on March 11, 2015, to consider said application

WHEREAS, a public hearing was held before the Board of County Commissioners on April 8, 2015, to consider said application;

WHEREAS, proper notice was provided as required by law; and
WHEREAS, testimony was received by the Board of County Commissioners both in favor of and in opposition to the application; and

WHEREAS, the Board of County Commissioners has considered the application, and the evidence presented, including testimony by applicant and witnesses, and exhibits entered into the record and finds that the application meets all the requirements of the Alamosa County Land Development Code pertaining thereto; and

WHEREAS, the proposed use is consistent with the objectives and purposes of the Alamosa County Land Development Code; and

WHEREAS, the Board of County Commissioners hereby adopts and makes the findings as set forth in the Staff Report.

IT IS THEREFORE RESOLVED AND ORDERED that the Special Use Application to allow the construction and operation of the above mentioned youth baseball park upon the above-described property is hereby GRANTED as a Special Use pursuant to the Alamosa County Land Development Code under Article 8, Section 8.8 subject to the following conditions:

10. Wherever reasonable, the facility must install fixtures and appliances designed for water conservation; and

11. Proper handling of disposal waste and wastewater as mandated by the State is required; failure to comply with the proper handling of waste and wastewater; or failure to comply with any state regulation shall be grounds for revocation of this Special Use Permit; and

12. Prior to construction, Applicant shall provide Alamosa County with written authorization that there is adequate water resources for the project; and

13. Accumulation of waste, construction material, or any other potential blight and refusal to remove said blight is grounds for the revocation of the Special Use Permit; and

14. Light and sound disturbances at levels that are deemed excessive or create a nuisance to the community, as determined by the sole discretion of the County, shall be abated, and may result in suspension or revocation of the Special Use Permit; and

15. The applicant shall be responsible for maintaining, installing or providing any new roads for access, and to repair and maintain, at the sole discretion of the County, any existing county roads damaged during the construction and use of the facility according to county standards and specifications; and
16. This permit shall expire twelve (12) months from the day it is issued unless the Applicant has a valid building permit on file or has received a certificate of completion from the Alamosa Building Inspector; and

17. Applicant shall be required to enter into a decommission agreement with Alamosa County prior to any construction which at the sole discretion of the county adequately provides for security in restoring the property to its native state.

18. Nothing in this Special Use Permit shall be construed as a waiver of any provision of the Alamosa County Land Use regulations.

Passed by roll call vote: Allen, Dunne and Yohn all in favor.

DATED this 8th day of April, 2015

BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

By

Darius Allen, Chairman

(SEAL)

ATTEST:

Melanie Woodward, Clerk of the Board

Alamosa County Clerk & Recorder
Dune View Spirits Liquor License Renewal

Melanie Woodward and student Marcus McAuliffe from Ortega Middle School were present. Background check came back good. She hasn’t had any complaints.

m/s Dunne/Yohn motion to approve Liquor License Renewal for Dune View Spirits
Motion was approved unanimously.

Alamosa County Department of Human Services
Employee Vacancy Request

Catherine Salazar was present. This position is in the Child Welfare Unit. Charles Torrez tendered his resignation March 30th. She is requesting the Board’s authorization to fill the position of Child Welfare Case Worker.

Mr. Hunt stated he already approved to advertise this position.
Commissioner Yohn asked how she came with the salary amount.

Ms. Salazar stated that is the entry level salary. She checks with Connie Ricci that it corresponds.

Commissioner Dunne asked if she filled the Case Aid position. Ms. Salazar stated they are in the process of reviewing the applications. The accounting position they are advertising at this time.

m/s Yohn/Dunne motion to approve Employee Vacancy Request
Motion was approved unanimously.

Child Welfare Allocation Committee Staffing Survey Questions

The Governor signed a bill approving 100 caseworkers statewide. This is a process of allocating those positions by County. This survey is reiterating that we are still interested in a caseworker or two. Because we are a County Tax Relief County we get 100%. This questionnaire is due Friday this week. She would like to confirm this with the Board. This additional funding will definitely be helpful. At previous meeting she informed the Board she requested a Supervisor position. If the opportunity presents itself for two positions she would like to take that. If counties received an even split of the state funding it would equate to $94,295. This would allow for 100% of funding for a Supervisor and .7 percent funding for a Case Manager.

Commissioner Dunne asked if we are asking for one supervisor or both positions. Could they pay .3 percent of the salary since we are looking for one any way.

If the Board is amenable to fill in the rest it would be a great opportunity. At this point this survey is to see where we are at exactly and where the dollars shift out is yet to be determined.

Commissioner Dunne stated they hate to add a position if the state doesn’t continue the funding so this needs to be stated in the survey. It is a problem for the Counties to take on another position and then no funding and we are stuck paying that position.

It was shown Statewide over 500 additional caseworkers were needed. The thinking is they will come back next year to ask for the additional funding and they would continue funding for another 100 positions for the next fiscal year. Her hope going into the future that those two positions would be fully funded for 2016 and 2017 and going forward in the future.

Commissioner Yohn stated his concern is the continued funding as well. It states a county could qualify one year and not meet the qualification in future years so provide additional comments that provided on continued future funding.

Commissioner Allen stated it says for equipment also. It is for office space and computers stated Ms. Salazar.
Mr. Hunt stated there were talks about allocation being the redistribution be according to population.

Ms. Salazar stated Commissioner Allen is on the board so she believes he won’t let that happen.

Commissioner Dunne asked how the other counties ratios are.

Ms. Salazar stated we have the biggest child welfare unit valley wide so we have larger caseloads. The other counties maybe smaller.

**m/s Yohn/Dunne motion to accept Child Welfare Allocation survey**
**Motion was approved unanimously.**

**Alamosa County Assessor**  
*Employee Vacancy Request*

Sandra Hostetter was present. She is losing two employees Shannon Lujan, Transfer Clerk/Mapping Tech and Jason Luna who was trained for Appraiser but hadn’t been licensed yet.

**m/s Yohn/Dunne motion to approve two employee vacancy positions**  
**Motion was approved unanimously.**

**Alamosa County Facilities Management**

Andrew Atencio was present. A Landscaping Proposal was presented. He is requesting funding to continue this project. They put this proposal last year.

Commissioner Dunne stated she has heard to never use Kentucky Blue grass. All vendors bring that kind into town stated Mr. Atencio.

Ms. DeHerrera stated they had money budgeted already with the Facilities Expansion for landscaping. Their hopes were to get it in when they built the building. There is $50,000 budgeted but not all was for landscaping but for LEED as well.

Commissioner Yohn asked if they can use Conservation Trust Funds for this project and keep that Facilities Expansion money for ongoing costs for the Facility.

Ms. DeHerrera stated it doesn’t fit the five eligible categories. She would think they would disallow it in the annual review. We would have to reimburse them for it if they disallow it. She would not like to be on their target list.

Mr. Atencio stated playgrounds are different they would need fencing. The City doesn’t have fencing stated Commissioner Dunne. Calvillo’s didn’t either stated Commissioner Yohn.

Mr. Kelly stated if we get the new justice building they could use the Conservation Trust Funds to do landscaping between the two buildings.
Ms. DeHerrera stated they scrutinize every dollar we spend, they are asking about the Fair donation right now.

Commissioner Allen stated it used to be pretty flexible for Conservation Trust money but he knows some counties that have had to pay it back.

Mr. Hunt stated they just went through an audit and it wasn’t favorable so that is why they are coming down on local governments.

**m/s Yohn/Dunne motion to go ahead with landscaping proposal**

**Motion was approved unanimously.**

Some of the departments in the new building have concerns of public going behind the counters. He received an estimate for swing gates for each counters to prevent customers going back. It will match the existing counters. The total is $3,687 installed. Each department has two gates.

This would come out of Facilities Expansion as well stated Ms. DeHerrera. Moving forward we need to stay tight unless it is in dire need we need to make due with things for a while especially with unexpected expenditures like George K Baum agreement.

Commissioner Yohn stated it is for the safety of their employees. We knew there would be additional costs.

**m/s Yohn/Dunne motion to approve the gates for the Annex building**

**Motion was approved unanimously.**

The offices at the Annex building are requesting screens for video training in each conference room. The request was for $3500 for all rooms or $1351 for the one conference room to be wired by WSB. It is not efficient. There is a sign up board to reserve the room.

**m/s Yohn/Dunne motion to approve one screen at $1351 for the Annex building.**

**Motion was approved unanimously.**

**Worksession**

**Division of Homeland Security and Emergency Management**

**Discussion of Mobile Command Center**

**Board/Staff Updates**

**12th Judicial Building**

They are needing a response whether to go forward with a 3 story building plan. Commissioners decided to look into two elevators.

**m/s Dunne/Yohn motion to ask Reilly Johnson to move ahead with a 3 story building plan.**

**Motion was approved unanimously.**
City Comprehensive Plan

The City is doing Comprehensive Plan. They are asking for us to participate. Commissioner Yohn stated he spoke with Heather Brooks and they wanted one representative from the County and they suggested Commissioner Marianne because you live in the City limits. The Commissioners agreed Marianne be representative for this.

Aurora’s Gaylord Rockies Hotel

They are requesting a support letter. Commissioner Allen stated he was on the State Economic Board at that time. They had several applications to pick and choose which this Gaylord Hotel met the criteria. There was a huge lawsuit.

m/s Dunne/Yohn motion to support the Aurora Economic Development Council by providing a support letter signed by all three commissioners
Motion was approved unanimously.

Adjourn

There being no further business, the Regular Meeting of the Board of Alamosa County Commissioners was adjourned.

ATTEST:

[Signatures]
Belina Ramirez, Office Manager

Darius Allen, Chairman

Marianne Dunne, Vice-Chair

Mike Yohn, County Commissioner
Minutes of the Public Hearing for Top of the World Series Baseball Park was held on April 8, 2015 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present:  
Darius Allen, Chair  
Marianne Dunne, Vice-Chair  
Mike Yohn, Commissioner  
Dennis Hunt, Interim Administrator  
Jason Kelly, County Attorney  
Brittney DeHerrera, Chief Financial Officer  
Belina Ramirez, Office Manager

Geoffery West and Erwin Young, applicants and Gordon Bosa Attorney were present. Rachel Baird and Ken VanIwarden were present.

Proposal: The applicants are proposing an outdoor recreation facility, the Top of the World Series™ Baseball Park, that will consist of 24-38 playing fields to serve little league baseball players in major tournament competitions.

Legal Description:
The S1/2SE1/4 of Section 10, Township 37 North, Range 11 East, N.M.P.M., in Alamosa County, Colorado. and; A tract of land in the N1/2 NE1/4 of Section 14, Township 37 North, Range 11 East of the N.M.P.M, being more particularly described as follows:  
Beginning at the Northeast corner of this section, also known as the Northeast corner of this tract; thence S90°00'00"W 2653.84 feet to the Northwest corner of the tract; thence S00°02'49"W 500.35 feet to the Southwest corner of the tract; thence S82°59'13" E 2670.79 feet to the Southeast corner of the tract; thence N00°00'00" E 825.51 feet to the point of beginning at the Northeast corner of the above referenced tract, County of Alamosa, State of Colorado. and; A tract of land in the N1/2 NE1/4 of Section 14, Township 37 North, Range 11 East of the N.M.P.M, being more particularly described as follows: Beginning at a point 825.51 feet S00°00'00"W of the Northeast corner of this section, also known as the Northeast corner of this tract and the Southeast corner of Tract 1; thence N82°59'13"W 2670.79 feet to the Northwest corner of the tract; thence S00°02'49"W 827.46 feet to the Southwest corner of the tract; thence N89°56'50"E 2649.39 feet to the Southeast corner of the tract; thence N00°00'00" E 499.61 feet to the point of beginning, County of Alamosa, State of Colorado.

Project History and Background:  
The applicants, Geoffrey West and Erwin Young are proposing to develop a youth baseball park for tournament competitions concentrating on the 12 and under age group. The site consists of three parcels totaling over 160-acres approximately 6 miles east of the City of Alamosa. The parcels are each zoned Rural (RU). According to the Alamosa County Land Use and
Development Code (LUCC), outdoor recreation is only permitted in Rural (RU) zoned districts with a Special Use Permit. Modeled after the Cooperstown theme park in New York, they anticipate operating for twelve weeks per summer from June until August and hosting up to 1,200 teams per season. They believe the San Luis Valley is an ideal location for this project because of the cool, arid climate, the 350 days of sunshine, the proximity of many local attractions, and the centralized location in the U.S. making it within 1,200 miles of millions of potential customers. Their business plan estimates a significant economic impact if this project is successful. According to their business plan, if they host 100 teams for 12-weeks each summer, with each team having 19 players and charging $850 per person per week, revenue would total 19.38 million dollars. This does not include expected revenue for advertising with major companies or spectator fees which they estimate could add at least another million dollars in sales. At full capacity the park will have significant build-out but it is important to note that their development is restricted to the density that they are currently proposing. Exceeding the amount of development they have committed to on their site plan (Exhibit #12) would require either an entirely new hearing before the Board of County Commissioners or, based on the size of the expansion, repeating the Special Use Permit process in its entirety. The applicants have worked with Reynolds Engineering to develop a realistic, conceptual master plan with rough calculations for water consumption needs, parking requirements, wastewater treatment, and total footprint. The plan proposes construction of the following:

Western Park:
1. Bunk house for 100 umpires
2. Three practice field clusters of 5-fields with a snack shack and restrooms for each field cluster
3. Shop with restroom
4. Three residential houses

Eastern Park:
1. Fifty bunkhouses for 1,400 kids and 400 coaches
2. Cafeteria with meeting room
3. Four restroom and shower buildings
4. Depot Building with restrooms
5. Gift shop
6. Managers house
7. Four snack shacks with restrooms
8. Four baseball field clusters of 5-fields with snack shack and restrooms for each field cluster and three additional baseball fields.

The project has garnered support from a multitude of community organizations and businesses including: the City of Alamosa, the Denver and Rio Grande Scenic Railroad, the San Luis Valley Council of Governments (SLVCOG), the Development Resources Group (DRG), the Alamosa County Economic Development Corporation (ACEDC), Adams State University Community
Partnerships, the Alamosa Convention and Visitor’s Bureau, Adams State University’s Head Baseball Coach, and numerous local restaurants, retail stores, and lodging establishments.

Water consumption is a major concern while discussing a development of this magnitude in the San Luis Valley. The applicants have stated that they intend to install artificial turf, eliminating the need for irrigation. Therefore, the site plan prepared by Reynolds Engineering does not include calculations for irrigation. Water consumption was calculated based on planned park use for 3-months per year, with 75 games per day for 4 weekdays or 300 games per week. It is estimated that 1,800 players and umpires will stay at the park during the week and there will be an average of 1,800 spectators at the park during the weekday games. Championship games will have a higher water requirement with an anticipated 5,000 attendees and players. Total weekday consumption is projected to average around 83,345 gallons, while championship games will increase daily consumption by about 16,000 gallons. For a twelve-week season, the park’s total water used would be approximately 7.38 million gallons or 22.7 acre feet of water. Only 5% of this water would be consumptive use, meaning that 95% of that water will be returned to the aquifer.

With one existing domestic well and three domestic well permits, the Division of Water Resources Division 3 engineer, Craig Cotton, sent a letter in response to this project. He stated that domestic wells are not legal water supplies for commercial operations of this magnitude and that an exempt commercial well permit limits annual withdrawal to 1/3 of an acre foot. He went on to state that they either have the option to purchase augmentation water from the San Luis Valley Water Conservancy District or to secure a legal water supply through a change of water right decreed by the local Water Court. The applicants approached the San Luis Valley Water Conservancy District about augmentation water to which the District Manager, Michael Gibson, responded by stating that if the parcels are petitioned into District’s boundaries, they can supply enough augmentation water to supplement what would be a high average of consumptive use at 2-3 acre feet. Mr. Gibson has requested I read his letter at the conclusion of this staff report.

Another major concern for a facility of this size is access. Access for the West Park is proposed off County Road 116 South and access for the East Park is off County Road 8 South. Most of the spectators are expected to access the park via shuttle and railroad from the downtown Alamosa train depot. Onsite parking will be provided mainly for team vehicles and space has only been allotted for 450 parking spaces.

Courtesy letters were sent to the Alamosa County Road and Bridge department and the Colorado Department of Transportation. James Horn from CDOT responded that the junction of U.S. Highway 160 and County Road 116 have no turn lanes and based upon the level of development required for a facility of this size, auxiliary turn lanes and an access permit may be required. He also requested ongoing updates on the progress of this project. Access off County Road 8 South to the eastern property would cross the railroad tracks and would require approval from the
railroad, and both a crossbuck sign and stop sign. Information from the railroad indicates they are amenable to working with the developers to that end. Access off County Road 8 South from U.S. Highway 160 is most likely from County Road 114 S which already has an eastbound right turning lane.

Public Notice:
Adjacent land owners within 1,500 feet of the subject properties have been notified by mail and notice was published in the Valley Courier. Courtesy Letters were sent to CDOT, the Alamosa County Road and Bridge Department, the Alamosa-Monte Vista National Wildlife Refuge (NWR), the San Luis Valley Water Conservancy District, and the Rio Grande Water Conservation District.

Compatibility:
This parcel is surrounded on each side by Rural (RU) zoned properties that are either used for residential purposes or are vacant land. The Alamosa NWR is the property adjacent to the south across County Road 8 South and is located less than 1,000 feet from the western property.

Special Use Approval Criteria
No special use permit shall be approved unless the following findings are made concerning the application:

1. That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.
2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.
3. That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
4. That the application will not adversely affect the adopted plans and policies of the county, or violate the character of existing standards for development of the adjacent properties.
5. Environmental protections, wildlife habitats, ground and surface water, air quality, jurisdictional wetlands.

Findings:
1. The application is not anticipated to endanger the public health or safety if located where proposed. The significant increase in traffic and potential safety issues that are associated with that increase can be resolved by cooperating with CDOT and the County Road and Bridge department. Wastewater disposal needs are addressed by the site plan prepared by Reynolds Engineering and the final engineered system will be in conformance with all the standards of the Colorado Department of Health and Environment (CDPHE).
2. The applicant has met all the Special Use Permit application standards. The site conforms to the principles of sound land use planning inasmuch as the proximity of railroad frontage and a major highway travel corridor. The amount of land available for a development of this size without encroaching on dense residential or commercial areas is also an advantage. The distance to the City of Alamosa is somewhat of an obstacle but serves as a potential revenue builder for the railroad.

3. The Special Use Permit is not expected to have any adverse effects upon the adjoining property owners as many of the adjoining lots are vacant. Although, this project represents a significant departure from the rural character of the neighborhood, it meets a specific demand in the county by encouraging economic development. Furthermore, the developers are committed to being conscientious neighbors and have decided against holding night games so as not to cause light pollution. For property taxation purposes, the Alamosa County Assessor appraises property based on use and the installation of a commercial development in the area will not change the taxation rate of nearby lots that are assessed at residential rates.

4. It is not believed that the application will adversely affect the adopted plans and policies of the county. The proposal is consistent with the economic development goals as stated in the LUDC Article 1, Section 1.3: E.) Encourage quality J.) Maintain opportunities for development and redevelopment to respond to changes in the marketplace, while respecting the character of surrounding areas;

5. The proposed application is not anticipated to impact environmental protections, wildlife habitats, ground and surface water, air quality, or jurisdictional wetlands (See Critical Habitat and Floodplain Map) because wastewater treatment will be managed in accordance with state regulations and water consumption will be authorized and overseen by state water engineers.

**Department Recommendation:**
The applicant has met all submittal requirements for a Special Use Permit according to the Alamosa County LUDC. The Land Use staff has reviewed the proposed application and recommends approval of the Special Use Permit application with the following conditions:

1. Wherever reasonable, the facility must install fixtures and appliances designed for water conservation;
2. Proper handling and disposal of waste and wastewater as mandated by the State is required; failure to comply with proper handling and disposal is grounds for the revocation of the Special Use Permit;
3. Light and sound disturbances at levels that are deemed excessive or create a nuisance to the neighbors must be abated or may result in the suspension or revocation of the Special Use Permit;
4. Accumulation of waste, construction material, or any other potential blight and refusal to remove said blight is grounds for the revocation of the Special Use Permit;
5. The county shall not repair, maintain, install or provide any streets for the proposed project and requires that the applicants repair any County roads damaged during the construction or use of this facility. Any road repair shall be done in accordance with County methods and material specifications;
6. An approved special use permit shall expire 12 months from the date of approval unless the applicant has a valid building permit on file or has received a certificate of completion from the Alamosa County Building Inspector.
7. To ensure proper decommissioning and restoration of the site in the event the development fails to materialize, the applicants are required to provide a short-term bond during construction.

Planning Commission Recommendation:
The Planning Commission met on March 11, 2015 to hear this application. When the applicants were asked to discuss their proposal, Attorney Gordon Bosa, representing the applicants, stated that it has huge potential for economic impact and at least eight full-time employees and that the Valley rarely gets an economic opportunity of this size with such a low impact on the environment.

Applicant Geoffrey West stated that he wants to have free baseball clinics for local kids and hire baseball players from the college as employees. He does not want to damage the solitude of the rural area or obstruct views to Mount Blanca and plans to place the ball fields in depressed bowls to limit sound projection. He has initiated a park-and-ride agreement with the San Luis & Rio Grande Scenic Railroad to reduce traffic on U.S. Highway 160. He said that he has tried to meet with neighbors to convey that he is committed to reducing the impact of the park. He finished by stating that he wants to relocate from California, become a part of the community, and help revitalize the Valley.

Planning commission member, Monte Mullins questioned whether studies have been done to gauge the impact on wildlife on the refuge. Mr. West said they had not received any communication from the NWR but had decided preemptively to compromise by not installing lights and abstaining from holding night games so as not to disturb the wildlife. Mr. Mullins also questioned how confident the applicant is that the project will primarily rely on the park-and-ride system and said he thought that parents would like to leave the site between games and would want access to their vehicles. The applicant responded that he believes visitors will be interested in patronizing hotels and RV parks in Alamosa and the surrounding communities and would be discouraged from parking onsite so as to reduce impact to neighbors and dust production. Mr. Mullins asked if the applicants were prepared to install AC/DC lanes if required by CDOT to which the applicant replied that they would do whatever necessary.
Planning commission member, Joe Martinez stated that there are already many parking problems downtown and he wonders how the applicants will mitigate against adding thousands of extra tourists. The applicants responded that they are considering parking areas near Walmart and hope that the park will encourage shuttle businesses to develop and become an economic opportunity for local entrepreneurs. They also believe parking around town will encourage local spending. Mr. Martinez questioned the possibility of a hydrological study if necessary. The applicants responded that they are trying to cooperate and if they become aware that neighbors are having difficulties with their wells they will find a way to mitigate the impacts. Planning commission member, Pete Magee stated that the applicants have many obstacles and proceeded to open the forum for public comment.

The following comments were in opposition to the application:

• Suzanne Beauchaine, Refuge Manager for Alamosa and Monte Vista NWR, stated that although she supports economic development, she is opposed to the proposed location because of the impact to the water table, senior water rights holders, the potential contamination of drinking wells, and fragmentation of habitat. She believes that the increase in traffic along El Rancho Lane, which is the direct access to Alamosa NWR, will impact visitor satisfaction and pose a threat to wildlife. Her main concern is water and believes that if the water is drawn down below vegetation, it will create dead zones, which increase invasive weeds and destroy habitat. She is also concerned about the potential for contamination with a septic system of that size. Water testing performed in the past has already shown septic contamination from houses that are much further away than this proposed development. Finally, habitat fragmentation will affect habitat far beyond the boundaries of this project and many species will leave the area. Mr. Mullins asked Ms. Beauchaine that if there were assurances that water and wastewater impacts would be mitigated, if she would still be opposed to project. She stated that the project would be better sited closer to the City of Alamosa and that the impact will cause serious species displacement throughout the Refuge.

• Pat Gonzales, stated that he is worried about trains and loudspeakers causing noise pollution.

• Bob Bright, stated that traffic is a serious concern and that there must be an in depth look at trip generation. He thinks the railroad is only part of the solution and measures must be taken to reduce impact on county roads and Highway 160. He believes the applicants should open an RFP to traffic planning experts to calculate traffic impact while considering support services, trash services, ancillary services, law enforcement, and food delivery.

• Ruth Lewis, is mainly worried about trespassing between the two baseball parks.

• Diane Underwood, a NWR volunteer, stated that the many international visitors they host to view wildlife will be negatively impacted by this project. She stated that she knows economic development is important but the NWR system brings money into the Valley. Her greatest concern is the noise generation because it will affect rural lifestyles and the peace that attracts people to the NWR.
• Laura Lanning, conveyed concern about her well going dry and access on Baca Lane. She fears that parking on the road may conflict with emergency services. Her other concerns were dust generation, adverse weather conditions, and the considerable distance for visitors who fly in from Albuquerque or Denver. She stated that she had heard that wastewater would be disposed of in an open pit. Staff responded that open pits are absolutely illegal and that new regulations that were mandated by the state in July of 2014 are extremely strict and primarily focused on increasing the standards of water treatment. Staff made a comparison to the Great Sand Dunes National Park & Preserve, which operates around the same seasonal schedule for tourists and uses a commercial grade septic system that serves 300,000 people annually.
• Brian Underwood, stated that the facility could not be built without negatively impacting the refuge and that it should be built in town.

The following comments were in support of the application:
• Bob Zimmerman, former Alamosa County Commissioner, said he found the proposal refreshing because development proposals don’t happen very often. He stated that changing the tax classification from dry graze to commercial will increase property tax value. He feels most local projects intend to remove land from the tax rolls and this project is a great opportunity to generate more property tax and sales tax revenue. Finally, he stated that it is not up to the Planning Commission to determine if it is a sound business plan, it only matters that they meet the requirements of the LUDC, not whether they think it will be successful. He stated that he lives in the vicinity of this development and he is concerned about water but the wells are already going down. He believes that we can do all the water studies we want but it may or may not make a difference, and we need to look at something else to bring in tax revenue.
• Jeff Owsley, Director of the Small Business Development Center, has considered the feasibility of the project and believes it can work. He isn’t familiar with the project’s financials but the economic impact could be like a cruise ship dropping off tourists in a port city. Even if business is half as successful as they predict, tourists can spend up to $96 a day and that would be a game changer for the San Luis Valley. He stated that has been running out at the NWR for five years but has never seen a tourist or the visitor center open. He believes the development will actually increase visitorship to the NWR and taking advantage of the new tourists will create new businesses and jobs.
• Randy Wright, from the Alamosa Economic Development Corporation, stated that the applicants have many hurdles to cross and that although the refuge isn’t the perfect site, there will be habitat challenges everywhere. The applicants are willing to work out parking and traffic issues and positive impacts could include new hotels or a shuttle business. He questioned how anyone could oppose a project with this many positive aspects for the community. He also believes it will increase visitors at the Refuge and give baseball players an opportunity to learn about the Refuge during their downtime. He expressed that he doesn’t want economic development at the expense of habitat or safety but this is just the first step in development.
• Andrew Rice, City of Alamosa Communities Activity Director, believes in economic development in the form of sport tourism and that it will help overcome the many barriers to outdoor recreation and benefit local youth. The applicants have offered free baseball clinics and
knowledge of these types of mega-tournaments will help generate interest in baseball. He continued, stating “How many chances will we, as a region, be presented with that will significantly positively influence our regional economy and simultaneously provide a benefit to our children? If getting our youth physically active and involved in positive social activities is a community priority; we should do all we can to provide opportunities and encourage active behavior when plausible. I think this is a rare and great opportunity”.

After closing public comment, Pete Magee stated that the Valley receives very few opportunities for economic development. He doesn’t think it will have a disastrous impact to the Refuge and may even enhance exposure to the Refuges. As far as water use, there will be no net increase in consumptive use of water, it will be 100% augmented and 2-3 acre feet is nothing compared to the 180-acre feet that is used for potatoes. He went on to say “We’ve known for ten years that our water is over-appropriated and we have less precipitation but there’s been no effort to find economic development to replace our agricultural economy.” This project means an increase in property taxes and could be a great opportunity to partner with ASU. The park will only have an impact three months of the year but there are great benefits in terms of entrepreneurship. He stated, “It’s not like we don’t need jobs in the San Luis Valley. It’s not our task to decide if this is a good project or a bad project, our task is to follow the land use code and if it meets the requirements, the criteria we’ve established; then it’s our responsibility to approve it” He also stated that Special Use permits are only valid for twelve months without initiating development. He would like to give the applicants at least that time to work out the issues with traffic, water, and sanitation.

Monte Mullins asked about CDOT’s response to the project proposal and whether the applicant’s would need to fulfill CDOT’s requirement before they begin construction and how the traffic needs are determined. Staff responded that traffic needs are simply based on the project estimates and improvement costs are borne by developer. CDOT determines that an increase of 10 vehicles per hour (VPH) is the threshold for a left turn deceleration lane and 25 VPH is the threshold for a right turn deceleration lane. Mr. Mullins questioned whether CDOT has final say ultimately on whether this project gets approved and staff responded by saying that this project faces scrutiny from CDOT, water regulatory agencies, CDPHE, and that County approval is just the first step in long process of approval from other agencies. Mr. Mullins acknowledged the impact to wildlife but stated that we don’t get opportunities like this very often. He admitted that he doesn’t know what the recourse would be if there are negative impacts but he doubts the effects on wildlife will be catastrophic. Ultimately, he believes that the benefits probably outweigh the negatives.

Joe Martinez agrees that this development will increase flow to the refuge and increase revenue. Furthermore, he reiterated that it isn’t the Planning Commission’s job to decide whether it’s a great project but economic growth is on everyone’s mind and is important to all of us. He believes this project has elements that could spark growth and that there are sufficient checks and balances for water and traffic that will be handled by outside agencies. He asserted that they
have a responsibility to allow the project to move forward and let other entities decide if the project is possible. The Planning Commission voted unanimously to recommend the approval to the Top of the World Series™ Baseball Park with the conditions presented by staff and an additional condition for decommissioning the site.

Mr. West stated if you give them a chance one year from now they will be able to work out all the water, sewage, and traffic problems.

Commissioner Allen asked if anyone is in favor of or opposition to this application.

Gordon Bosa spoke. There is a huge economic potential in this project. His clients have indicated willingness to work with the neighbors. A good indication of that is without negotiating the lighting which resulted in redirecting their night games. Some of the problems they already worked on are

1. Traffic issue: They are working with the Railroad and hoping to implement procedures to get the train out there. They have economic development committees and haven’t been able to generate anything to this valley. In some respect some people think that is ok.
2. They are faced with serious water problems but they propose to use relatively little water and most goes back into the aquifer.
3. They are aware of materials the forest service uses for their roads so they are thinking of using that.

It is 12 and under baseball who doesn’t like that. They are hearing a lot of resistance from supporters of the wildlife area. It shouldn’t dictate what happens all around the wildlife area if there were concerns the area should have been established to accommodate those concerns and the roads shouldn’t have happened. The wildlife area should have enough area. The visiting area isn’t even close to this area. He does a lot hiking there and he doesn’t see how this would impact this area. It shouldn’t control all the surrounding ground. This project is clean, wholesome, and has potential for economic development.

Pat McDermott: He is with Division of Water Resources. Craig Cotton has submitted a letter regarding this project. His concern is the estimates of water consumption have not been reviewed by his office closely with the engineer. The 5% consumptive use rate for a septic system is a little on the low side. They would like the opportunity to meet with the engineer in the near future to review those estimates and make sure they are consistent with the numbers they use. Their letter states this area is serviceable by the Water Conservancy District. The consumptive use of this proposed project would be somewhere in the realm of 2-5 acre feet in his estimation.
Charles Spielman spoke. He lives in Rio Grande County and is also a member of Friends of the Refuge. He is a member of the Rio Grande Basin Roundtable. He is genuinely concerned of the rapid decrease in bird count. He has brought this up many times at meetings. Among the problems is not the presence of people or the people’s activities. Anyone that runs over a deer in downtown streets of Alamosa or has been at City Parks in Denver that have seen the thousands of wild geese and ducks can agree. He doesn’t think the nearness to activities or people is a real problem. He serves as chair of MNI subcommittee. This basin is short of industrial and commercial development. 98.5% of water use is for agricultural and 1.5% is total of MNI. We need to get these things going. He is a geological engineer and believes there will be little impacts to water wells. This program is optimistic and a very risky project. We should be saying Thank you for taking this risk and what can we do to help you. It is safe to say this will be a boom to all of the counties in the San Luis Valley not just Alamosa so that is why he is in support of this. If you deny this he will be talking to them about moving to Rio Grande County.

Dave Jones spoke. He resides in Rio Grande County. This does have potential for huge economic development. There are some concerns he has there was comparison to Sand Dunes of their water use. The Operation of that system is different from this. It has year round supervision. Septic systems don’t do use well with intermediate use. He is concerned with 3 months of the year use and then sitting dormant for the rest of the year. The Chesapeake Bay water issues people found in summer homes that run on septic’s contribute disproportionately to water quality problems because when the people arrive they have this being dormant and then being reactive with lots of flushing and then being dormant again. They have a lot more water to dilute than we do. He is not an expert in water but they should consider how this could be dealt with before approving this Special Use Permit. They need expertise to address it. He presented articles discussing seasonally-used septic systems. Lighting sensitivity the applicants graciously said no lighting but are there restrictions in place.

Carl Jaroff spoke. He is a member of the SLV Tourism Association Board. He was asked by the board to voice their support of this project. They are all about promoting economic development in the San Luis Valley by bringing in more visitors. The potential of this project matches very well with this. This is a great opportunity for the San Luis Valley to increase our economic base in a relatively diverse way.

Brian Underwood spoke. He is a member of the Friends of the Refuge. He is against this Special Use Permit. At any given time there will be 5,000 people out there that cannot help the refuge. The land was zoned rural and it should stay that way. The Land Use Development Code states “preserve and enhance the counties natural environment, including the Rio Grande Corridor, Wildlife habitats, wetlands, and avoid natural hazards in the development of the county”. There is no way a project that large will enhance the Wildlife Refuge. As a citizen of Alamosa County this will cost the county money. They will have to divert money out there. It will cost medical services, emergency services, police services, and sheriff services. He is not
against this project but they should work with this group and find better land for this project. He would request commissioners to deny this project.

Suzanne Beauchane spoke. She wished they had more research done on the location of this project. They have concerns of the location of the project. They support getting kids outside but they do have concerns. The amount of water needed could impact water rights, impact drinking wells, and the ability to create wildlife habitat with water. The groundwater table could drop further. One Mitigation opportunities they could do is a hydrological study to monitor groundwater levels. They can get augmentation water but this won’t be replaced in time and place. It will just be put in the river so the water removed from that area which is upstream of the groundwater for the refuge will not be put back in that location. Wildlife disturbance of increased traffic, dust, lighting, noise, and loss of adjacent habitat can negatively impact the refuge wildlife. They call this cumulative impacts and they can act like a direct loss of habitat since a lot of disturbance will cause wildlife to abandon a large chunk of the northern part of the refuge. Many species need large intact habitats like the Sage Thrasher which is adjacent to the proposed field. This is a bird of concern because its population is declining. They need large areas of intact shrub lands. They are concerned with the run off of parking lots, leach fields, and the artificial turf that might carry contaminates directly into the refuge wetland, groundwater, and thus into the Rio Grande. Currently the flooding pattern for surface runoff hits County Road 8 South and drains into the refuge. They would like to offer their contamination specialist and potentially get funding to do a baseline Contaminant study. They would request the developers to submit a stream runoff plan to prevent those contaminates from those surface such as the parking lots and the artificial turf. They also would like insurance of night lighting never happening as a criteria. They would like to get the kids out to the refuge.

Charlie Griego spoke. They as the City support economic development not only in the City but Alamosa County and the San Luis Valley. A project of this magnitude would help the whole San Luis Valley. He presented a letter to support of this project from the City of Alamosa. They respect the Wildlife’s concerns. Together there is a way to work something out. If we don’t have a traffic problem then we have a big problem here in Alamosa because we don’t have anybody coming down here.

Ron Brink spoke. He congratulate these people for looking at a positive economic development. He has some concerns of the location if that is the best location for this. He has concerns of the Wildlife which needs to be looked into. They need to be careful under the unlikely fact that this may fail and cause a great cost to Alamosa County to clean up. They should consider a bond. He has a big concern of the water they have to be careful that this is handled right. The run off could be a problem. Make sure this doesn’t cause problems. The ground that is covered by the seal for parking could cause problems.
Laura Lanning spoke. She is an adjoining landowner to Erwin Young’s property. She shares the same concerns of water and lighting. Another concern is this is going to take a lot of permits and inspections and she wants to make sure this handled right, above board in all aspects. She thinks this is going to be a full time job for someone to handle these permits and inspections.

Jeff Otay spoke. He resides in Deer Valley Meadow and he is in favor of this. We need more things out there. They have pits out there that have decreased the land values. He thinks with them out there his land value will go up which would help Deer Valley Meadows. It is the “ghetto” area of Alamosa.

Max Ruybal spoke. He has 3 young boys and he is in support of this. It is a good opportunity for the youth in the Valley to give them something to do. They are surrounded by the wildlife. That is a beautiful aspect of living the Valley. This area is a once in a lifetime opportunity for them. They can build their baseball skills and give them an opportunity to go somewhere. He is younger and he knows there is a big problem with drugs so this is an opportunity to give kids an outlet to stay away from drugs and alcohol. He stayed away from that because he was always involved in athletics. To be a top athlete you have to stay away from drugs. He thinks this is a good thing for the Valley.

Jeff Owsley spoke. This is hard for him because he loves the Wildlife Refuge and just the environment here. He was looking at the map of the dark area shown of the Wildlife Refuge. It is about 6 miles wide by 8 miles deep. He was thinking of how scarcely populated it is. He was thinking if there are other areas in Colorado such as this. He looked in Colorado. Two ponds Refuge in Arvada which is really densely populated in that area. There is a huge amount of houses around there. He got curious and used a map tool that he uses to map routes for running to see how far the distance from one point to another. From the corner of the baseball lot to the Wildlife Refuge Visitor Center is 3.71 miles. The corner of the baseball lot to the corner of the Wildlife Refuge is ¼ around .26 of a mile. From the other side it is ¼ mile away to Alamosa. 3.7 Radius of Alamosa is from City Hall to Rustic Log Furniture. In Two Ponds is 3.7 radius there is 146,690 people which is like two Invesco fields by that refuge. In Alamosa there are 504 people in that same amount of space. 5000 is a lot of people to us but it is only .0003 percent of that same population of Two Ponds. We should be able to have the same thing here. He understands there are different birds and different species that need different types of land.

Ted Lay spoke. He supports this project. He knows Erwin Young and can vouch for his integrity. He gets behinds things and works to see things through. The attraction of youngsters to this area and the interaction of the community creates challenges to impact our area. They have shown an initiative to go out and do something rather than do the videos and do the drug thing. They need to take responsibility of this challenge. He is a retired teacher and feels disappointment with the task of the public school system has risen or failed to. The water issue is a legitimate issue and must be thoroughly investigated but we need to reinvest in our youth so
we could see them as once again as the promise of the future and not the liability as we see them in the paper. Let’s get behind them.

Randy Wright spoke. He has a great deal of respect for Suzanne Beuchanne. He has a degree in Biology and is sensitive to those issues. He was woken up by a Sagethrash this morning in the middle of a subdivision. They need to be sensitive to the intrusion. It is not that huge of an impact. Maybe they need to buy more a little further out. Water is an issue. Geoffery West they have thrown a lot of hurdles at him and he has addressed these issues. He will take care of these issues. He doesn’t know they are issues until we bring them up. We need to instead say what could we do to help take care of these hurdles with you. We are an agricultural community but we know water is drying up so what plan do we have to replace that income. There could be 1000 people a week coming and leaving if we had 1000 people a week staying there would be some challenges. There is so many economic developments that can happen here is incredible. Jeff spoke of a manufacturing firm that has to do with sportswear that could relocate here. If 1800 spend $20 here that is half of a million dollars. What about the tourists that spend $100 a day. This is an economic boom for Alamosa and the San Luis Valley. The dust is an issue. Talks of possibly using mag chloride on the roads. He visited Greeley and his son wanted to visit management areas for hunting. There are tons of wildlife running around and among the border was a canal separating from an oil and gas exploration. He probably met 20 trucks from the oil and gas exploration but no dust. Nothing seemed to be bothered. We have to be sensitive about the refuge. Some of the things have been blown out of proportion. The Challenge is we don’t want it in our backyard. This is junk land. We can’t get a better place than where it is at.

Matt Abbey spoke. Last week he sent a memo in support. The Railroad is in favor of the development. There is nothing more important to the Railroad than Public Safety so he took time to discuss with Sheriff Jackson. He has comfort with their approach and services they are intending to deliver. They plan on two trips per day between the depot and the ballpark potentially reaching out to the West near the hotels. They can get 12 trips a day the carrying capacity railroad with the departure frequency and the seats available meets and exceeds the carrying capacity of the railroad itself. Please build this in his backyard. The Fright enterprise is successful but the Passenger and Scenic side is improving but has its challenges. They expect to cover their costs and maybe make some money but it will not get them rich. This service is viewed fundamentally different than an excursion train. This is viewed by the Regulatory Agency as an Intercity Passenger Service. This isn’t an excursion train because it would be used to transport members of the public from Point A to Point B for the purposes of transportation not for jolly. It falls under a different set of regulations which means that the majority of the excursion fleet they have is for their summer site service doesn’t qualify. They would have to put a tremendous amount of money into it to get it there. The ownership of this Railroad does have this equipment that is at or near the level of compliance required for this service. They would bring in some and take some of their equipment and get it compliant. He has been asked several times what would it take to get a passenger train to South Fork. What they would need is
a fully compliant Intercity Passenger Train set. This is the anchor tenant for a project like this. This Baseball Park provides the impetus to get compliant equipment so we could start looking at bigger projects that we cannot simply do with the excursion equipment. County Road 114 is good option for routing traffic in. There was discussion on the impact for children and youth. He grew up in Seattle. When he arrived here the community welcomed them. They did notice the relative lack of kid activities advertised and readily accessible. He got engaged with the Rec Center and began to teach rocket launching. This activity gave light to him and his wife opening Hobby Town. He sees this as an enormous positive for kids, railroad, tourism, businesses, and Alamosa as a destination. The concerns of water and the proximately to the refuge he understands is equally sensitive but their commitment to management leaves him a high degree of comfort.

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20. LETTERS TO AGENCIES
21. NOTICE TO APPLICANT YOUNG
22. NOTICE TO APPLICANT WEST
23. CONCEPTUAL PLAN
24. BUSINESS PLAN
25. SLV WATER CONSERVANCY DIST - LETTER
26. SLV WATER CONSERVANCY DIST - LETTER TO E YOUNG
27. WATER DIV 3 – STATE ENGINEER – LETTER
28. LETTERS FROM FRIENDS OF THE REFUGE

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29. SLV WATER CONSERVANCY DIST – EMAIL
30. NATIONAL WILDLIFE REFUGE – LETTER
31. EMAILS RECEIVED MARCH 11, 2015
32. LANZONI/THOMSON LETTER
33. LETTER TO COMMISSIONERS FROM LINDA COZART
34. LETTER FROM MATTHEW ABBEY
35. LETTER FROM DIANE UNDERWOOD
36. EMAIL FROM BRIAN UNDERWOOD
37. LETTER FROM ROBERT ZIMMERMAN
38. LETTER FROM TREVER ZIMMERMAN
39. LETTER FROM STEVEN RUSSELL
40. LETTER FROM CHARLES SWISHER
41. BOCC LETTER FROM WILDLIFE REFUGE
42. BOCC LETTER FROM LANZONI/THOMSON
43. WOLKOW PRICE EMAIL
44. WASTEWATER STUDY
45. LETTER FROM BILL AND CORINE ELLITHORPE

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ALAMOSA COUNTY

RESOLUTION NO: 2015 – SUP – 1

RE: APPLICATION OF GEOFFREY WEST ON BEHALF OF TOP OF THE WORLD SERIES BASEBALL PARK, LLC FOR A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A YOUTH BASEBALL PARK IN ALAMOSA COUNTY, COLORADO.

Commissioner Dunne moved for the adoption of the following Resolution. Commissioner Yohn seconded the motion.

WHEREAS, Applicants Geoffrey West a/k/a Top of the World Series Baseball Park have submitted an application for a special use permit to allow the construction and operation of a youth baseball park in Alamosa County on the following property:

The S%SE% of Section 10, Township 37 North, Range 11 East, N.M.P.M., in Alamosa County, Colorado. and; A tract of land in the N1/2 NE1/4 of Section 14, Township 37 North, Range 11 East of the N.M.P.M, being more particularly described as follows:
Beginning at the Northeast corner of this section, also known as the Northeast corner of this tract; thence S90°00'00"W 2653.84 feet to the Northwest corner of the tract; thence S00°02'49"W 500.35 feet to the Southwest corner of the tract; thence S82°59' 13" E 2670.79
feet to the Southeast corner of the tract; thence N00°00'00" E 825.51 feet to the point of beginning at the Northeast corner of the above referenced tract, County of Alamosa, State of Colorado. and; A tract of land in the N1/2 NE1/4 of Section 14, Township 37 North, Range 11 East of the N.M.P.M, being more particularly described as follows: Beginning at a point 825.51 feet S00°00'00"W of the Northeast corner of this section, also known as the Northeast corner of this tract and the Southeast corner of Tract 1; thence N82°59'13"W 2670.79 feet to the Northwest corner of the tract; thence S00°02'49"W 827.46 feet to the Southwest corner of the tract; thence N89°56'50"E 2649.39 feet to the Southeast corner of the tract; thence N00°00'00" E 499.61 feet to the point of beginning, County of Alamosa, State of Colorado.

said property being zoned Rural (RU) District; and

WHEREAS, a public hearing was held before the Alamosa Planning Commission on March 11, 2015, to consider said application

WHEREAS, a public hearing was held before the Board of County Commissioners on April 8, 2015, to consider said application;

WHEREAS, proper notice was provided as required by law; and

WHEREAS, testimony was received by the Board of County Commissioners both in favor of and in opposition to the application; and

WHEREAS, the Board of County Commissioners has considered the application, and the evidence presented, including testimony by applicant and witnesses, and exhibits entered into the record and finds that the application meets all the requirements of the Alamosa County Land Development Code pertaining thereto; and

WHEREAS, the proposed use is consistent with the objectives and purposes of the Alamosa County Land Development Code; and

WHEREAS, the Board of County Commissioners hereby adopts and makes the findings as set forth in the Staff Report.

IT IS THEREFORE RESOLVED AND ORDERED that the Special Use Application to allow the construction and operation of the above mentioned youth baseball park upon the above-described property is hereby GRANTED as a Special Use pursuant to the Alamosa County Land Development Code under Article 8, Section 8.8 subject to the following conditions:

1. Wherever reasonable, the facility must install fixtures and appliances
designed for water conservation; and

2. Proper handling of disposal waste and wastewater as mandated by the State is required; failure to comply with the proper handling of waste and wastewater; or failure to comply with any state regulation shall be grounds for revocation of this Special Use Permit; and

3. Prior to construction, Applicant shall provide Alamosa County with written authorization that there is adequate water resources for the project; and

4. Accumulation of waste, construction material, or any other potential blight and refusal to remove said blight is grounds for the revocation of the Special Use Permit; and

5. Light and sound disturbances at levels that are deemed excessive or create a nuisance to the community, as determined by the sole discretion of the County, shall be abated, and may result in suspension or revocation of the Special Use Permit; and

6. The applicant shall be responsible for maintaining, installing or providing any new roads for access, and to repair and maintain, at the sole discretion of the County, any existing county roads damaged during the construction and use of the facility according to county standards and specifications; and

7. This permit shall expire twelve (12) months from the day it is issued unless the Applicant has a valid building permit on file or has received a certificate of completion from the Alamosa Building Inspector; and

8. Applicant shall be required to enter into a decommission agreement with Alamosa County prior to any construction which at the sole discretion of the county adequately provides for security in restoring the property to its native state.

9. Nothing in this Special Use Permit shall be construed as a waiver of any provision of the Alamosa County Land Use regulations.

Passed by roll call vote: Allen, Dunne and Yohn all in favor.

DATED this 8th day of April, 2015
(SEAL)

ATTEST:

Melanie Woodward, Clerk of the Board

There being no further business, the Public Hearing for Top of the World Series Baseball park was adjourned.

ATTEST:

Belina Ramirez, Office Manager

Darius Allen, Chair

Marianne Dunne, Vice-Chairman

Mike Yohn, County Commissioner