

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Thursday, January 19, 2023**

The Gunnison County Planning Commission conducted a regular meeting in the Board of County Commissioners Meeting, 200 E. Virginia, Gunnison, Co. and on Zoom **Present:**

Vice-Chairperson-Andy Sovick Commissioner-Matt Schwartz Commissioner-Fred Niederer Commissioner- Julie Baca Commissioner- Annie Beall Commissioner- Eric Phillips BOCC-Jonathan Houck BOCC-Liz Smith BOCC-Laura Daniels	Assistant County Manager (ACM)-Cathie Pagano County Attorney-Matt Hoyt Director of Planning- Hilary Seminick Senior Planner – Rachel Sabbato Planner-Sean Pope Planner/ Manager of Administrative Services- Beth Baker Others present as listed in text
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Absent: None

Recused: Commissioner Annie Beall has recused herself from the review of the Whetstone Workforce Housing application.

Chairperson Andy Sovick seated Commissioner Eric Phillips for the day.

With a quorum present Chairperson Sovick opened the January 19, 2022 regular meeting of the Planning Commission.

Moved by Commissioner Schwartz seconded by Commissioner Baca to approve Planning Commission meeting minutes dated November 17, 2022, as amended. The motion passed unanimously.

Moved by Commissioner Schwartz seconded by Commissioner Baca to approve the December 1, 2022 Planning Commission minutes as presented. The motion passed unanimously.

Gregory Six Lot Subdivision (LUC-19-00013) Joint Public Hearing: The Gunnison County Planning Commission and Board of County Commissioners conducted a joint public hearing. The applicant is proposing to subdivide 3.42 acres into six single family residential lots. Located 3.42 acres in N1/2SW1/4 of Section 25, TS50N, R1W, NMPM, Colorado Highway 135, Gunnison, Co. Parcel number 301-250-00-108.

With a quorum present Chairperson Sovick opened the Joint Public Hearing. BOCC members Jonathan Houck, Laura Daniels, and Liz Smith were present.

Manager of Administrative Services Beth Baker confirmed adequate public notice. The applicants had submitted the certified mailing receipts and proof of posting, and the staff had the public notice published in the Gunnison Country Times and Crested Butte News.

Applicant John Gregory explained their application. The Gregory's have owned the property since 1996. They are requesting to develop a similar subdivision to Columbine Meadows. There is 20

ft. utility easement that would accommodate the sewer line. They have purchased augmentation water, and obtained CDOT permits for traffic from Hwy 135. They are considering allowing houses ,2000 sq. ft. or less with garages of maximum 1,500 sq. ft. They have built six homes in the subdivision behind Western Lumber, they intend to build homes similar of approximately 1,600 to 1,700 sq. ft. This is not a deviation from what has been built at the Columbine Subdivision, the lots are the same size, these houses will be stick built, there will appropriate landscaping.

Sabbato noted the commissioners had asked for covenant language which limits the garage size to 1,500 sq. ft. and changing the name to Accessory Dwelling Unit to meet the LUR standards. Storage of vehicles include one RV, which must be registered and plated. Fire Marshall Hugo Ferchau has approved the road. There is a landscaping plan working with the existing vegetation on the property, the intent of the subdivision landscaping is not to take down all the trees. There is a formula to maintain some existing vegetation. The draft plat illustrates the utility easements, and legal access from Highway 135 to the subdivision.

Daniels asked about the short-term rentals. A short-term rental could be one day to six months.

The sewer line comes down Snow Flake Lane. There will be individual wells, and it has been determined they will be adequate and will not impact any other wells in the area.

Commissioner Beall asked about the Three-Mile Plan and what the staff had discussed. Sabbato noted the North Gunnison Area Plan is in the process of evaluating the corridor. The plan is to keep up with trends and determine the inventory, and what density it can allow. The City Planning and Zoning committee letter noted the applicant has been asked to wait for approval of the plan. Commissioner Baca explained the applicants had been asked to increase the density by the commissioners. The City comments acknowledged the applicants had met the standards.

BOCC Daniels asked if water and sewer had been addressed for second residences and additional traffic. Gregory said at the time of construction they will have to go through the Division of Water to ensure a well can be used for an additional residence. Public Works has acknowledged the sewer capacity is sufficient to service secondary residences.

BOCC Smith asked with the Three-Mile Plan underway and possibility of annexation into the City are there regulations that would possibly conflict with City requirements. Sabbato pointed out the letter from the City states they have met the current standards.

Planner Sabbato explained based on the LUR if an application is for over four units it can be classified as a major impact. This applicant has requested six lots and lowering the impact to a minor impact. There are qualifying criteria in the LUR which the commissioners addressed and discussed and ultimately agreed to lower the impact from major to minor, during their meeting on October 6 2022.

Daniels asked about the CPW comments. Sabbato said the Sage-grouse biologist confirmed this would not impact the Sage-grouse. The CPW comments provide this area is not a concern, they suggest installing bear proof trash cans would help.

Public Comments:

Attorney Jacob With, representing Columbine Meadows Subdivision, noted the public notice had given the wrong address for the hearing and asked for a continuation. The public notice was not received by the HOA- he complained they then did not have sufficient notice and time to review. He said the big picture is this is a subdivision that will not look like the adjacent Columbine Meadows subdivision. The proposed subdivision could include up to 12 new residences. The Columbine Meadows side setbacks are 25 ft. He requested the Gregory subdivision side setbacks be 25 ft. He added the Planning Commission had already received a draft recommendation to review. Sovick explained a draft recommendation has been requested, but does not ensure it will be approved or even reviewed. County Attorney Hoyt addressed the public notice issue, he did not agree the hearing notice was invalid.

Property owners in the area Chris Klein and Robert Lovato said they are in development phase for their property. They are requesting a sewer easement through the roadway to tie into the line, the easement would go through the Gregory subdivision for sewer.

Property owner in the area Kelland Davis asked about the ditch that runs along the property line. Gregory said the ditch carries minimal water and primarily sub wastewater, it carries all across the field, cuts underneath the road and across the CSU property; that ditch will remain unobstructed. The homes will not have crawl spaces because of the water.

Pete Galdiotis representing HOA Columbine Meadows, said his residence adjoins the proposed subdivision. He objected to the subdivision noting;

- The lowering the impact classification to a minor impact
- Six lots could result in 12 residences
- The sewer lateral will not be sufficient and would require digging in the easement

Planner Sabato explained the determination for lowering the impact, and noted the standards of review are the same. She added the Columbine Meadows subdivision was also reduced to a minor impact.

Gregory noted there had been a meeting with former Public Works director Marlene Crosby and former City engineer Terry Zerger and Pete Gladiotis concerning this proposed subdivision.

Gregory said they are trying to be an asset to the area. They will clean the area up, add houses and landscaping to achieve privacy and congruity throughout the whole project.

BOCC Houck asked about the utility easement requested by Klein. Gregory will discuss this with an engineer to see if it is possible, if it is then they are open to discussion at a later time. He added they see no problem with a bike trail going across this property.

BOCC Daniels asked if the 20 ft. easement is only for the sewer line. It was noted it is intended for all engineering.

BOCC Houck reiterated his question concerning a utility easement for the Klein development. Gregory again said it is all engineering and he does not want to commit to it before knowing how it would impact his property. The possibility is there, but has not been determined. He would possibly be willing if it is feasible.

Moved by Baca seconded by Schwartz to continue the public hearing. The motion passed unanimously.

Chairperson Sovick continued the joint public hearing to February 16th at 9:00 a.m., in the BOCC meeting room.

Whetstone Workforce Housing (LUC-22-00049) Jt. Public Hearing: The Gunnison County Planning Commission and Board of County Commissioners conducted a joint public hearing. The applicant proposes development of an essential workforce housing residential development on the site. The total parcel is 15.1 acres. Approximately 231 units are proposed at the site, the majority (more than 40% per Essential Housing standards) shall be deed restricted based on AMI limitations which will vary based on a range of community need and the ability of the County and developer to secure supplemental funding and control costs. The units will vary and may include: apartments, townhomes, and live/work units. The parcel is located at 25315 Highway 135, a tract of land in the NW1/4SE1/4, Section 12, T14S, R86W, 6th PM.

With a quorum present Chairperson Sovick opened the joint public hearing. BOCC members Houck, Smith and Daniels were present. Sovick agreed BOCC Houck would preside over the joint public hearing. Commissioner Annie Beall has recused herself citing a possible perceived conflict of interest, because of her prior participation in the community engagement for the project. BOCC Smith said she had a conversation with George Gers, September 8, 2021, to discuss housing, density, building size, and human impacts to the north end of the valley. Gers brought up the Brush Creek proposal, and Smith reminded Gers they could not discuss Whetstone. Smith conferred with County Attorney Matt Hoyt who determined she could participate in the review of the Whetstone project., and there had been no ex parte communication.

Manager of Administrative Services Beth Baker confirmed adequate public notice. The applicants had submitted the certified mailing receipts and proof of posting, and the staff had the public notice published in the Gunnison Country Times and Crested Butte News.

Applicant representatives Assistant County Manager (ACM) John Cattles, consultants Willa Wilford and JV DeSousa explained the proposed project.

ACM Cattles presented a power point which is attached to the county online file. The plan was developed over time with diverse stake holders. The county is working on the affordable project because of the existing needs. This project is an effort to address what the community has asked

Wilford said the need for affordable workforce housing has reached the critical stage. The 490 units need now to catch up, could be addressed with the proposed 231 units by ½ the current need. The community engagement included many community meetings and was a very inclusive process. The process took over 18 months, and in that time an additional parcel was added to the site. There is a community website that documented the iterations.

ACM Cattles said the project would support the local economy with employees that can afford housing. There would be a variety of housing types available. The project design supports environmental goals, and has been an all overarching issue throughout the process.

DeSousa discussed the sketch plan design process. He said they sought to create a very inclusive process, to draw out the ideas and solutions coming from the community. It began with

a design charrette; stake holder groups co-created the solutions. A plan was developed to include quality, diversity, and community respect. The charette included many voices normally not heard, although they are typically impacted. A plan was presented October, 2021 to the BOCC. There are a series of outdoor spaces in the design. They addressed the need for a variety of housing types and sizes, so as families changed they could stay in the Whetstone neighborhood. Employees could be retained and kept in the valley. Whetstone design process went through many iterations. Factors arose over 18 months having an impact on the design. Open space creates community, it makes Whetstone a place you want to live.

There are two structures proposed along Hwy 135 which would be three stories tall to frame the entry and arrival to the neighborhood. The buildings would be sited to take advantage of the grade, mitigating the scale on Hwy 135. Moving the buildings away from the highway could result in a large parking lot on the highway, or a parking lot further down would compromise the open space. He said because of the grade the buildings will appear to be two stories or less.

BOCC Houck asked staff to describe the process of a major impact and where we are at in that. ACM Pagano said there three phases in a major impact application. The sketch, preliminary, and final plans. The sketch plan is exploratory, no detailed engineered plans are allowed. There are work sessions, site visits and a joint public hearing during the sketch plan, which takes about four ½ months. The application is forwarded to the BOCC for their review and decision.

The preliminary plan requires specific engineering. It is a similar process to sketch plan. The final plan includes the plat, easements, covenants, and no public hearing.

Public Comments:

Tod Colvin Creek Side subdivision owner of five lots on the Crested Butte side of the property, supported the project need for affordable housing and appreciated the development team. The plan addresses his concerns. There is a letter of intent addressing the concepts needed, including an access to Hwy 135, preserve the berm, limit the density between the west road and berm, and limit the height of buildings there.

Steve Schechter supported the project. He suggested using passive solar as much as possible. He was concerned the garages faced south. He recommended looking into the electric charger infrastructure to ensure it is expandable.

Loren Ahonen supported the project. He noted he currently lives next to an affordable housing project. He said “yes” in my backyard, to this proposed project.

Craig Geipel representing Alpine Glow Rentals, supported the project. He said seasonal affordable housing must be obtainable. We lose many talented and hard-working people as they leave the valley, because of the lack of housing.

On-line, Lindsey Freeburn supported the project. She had lived in valley for ten years and has lived in ten houses. It is stressful to constantly to find a place to call home. She seconded Geipel's comments. She added density makes sense. It is the backbone of creating community.

On-line Jennifer Hartman with Sunlit Architecture, asked where the water and sewer service are coming from. She also asked if the project would be annexed into the Town.

George Gibson supported the need for workforce housing and thanked the commissioners for their time. He commended the extensive community outreach. He expressed concerns with the siting of the two buildings on the highway. This design would destroy the view for locals and visitors. There has not been meaningful input. This would set a precedent, allowing large buildings on the highway. He recommended changing the location of the buildings.

John Murphy a neighbor to project, wanted to see the concept and was concerned about the property line not being accurate, the possible trespassing on his property by the residents, his industrial uses could impact the Whetstone residents, the need for night lighting, and the access onto Hwy 135.

Nan Lumb supported the project. She expressed concern with the large buildings on the highway disrupting the view corridor. The massive buildings will set a precedent urbanizing the gateway to Crested Butte. She recommended protecting the rural character, adding the Crested Butte Compass plan recommends maintaining the rural feel. There shouldn't be a tradeoff. Relocate the buildings away from Hwy 135. IT would enhance the livability, decreasing highway noise, and protecting the rural feel.

Amy Kadlec Gunnison Valley Regional Housing Authority, supports the project. It reflects what the housing needs are. The 231 units would be a huge relief to the housing needed. We don't have the resources to meet the needs of the under housed. There is a very low vacancy rate in the valley. The waits for housing are often times years. The diversity of different housing types makes communities more livable.

Teri Colvin Creekside Subdivision, said they share a common boundary on their entire left boundary. It is there backyard. She applauds the efforts and generally supports the project. Moving forward be mindful and considerate. She would not be in favor of annexation.

On- line, Steve Ferris has a second home in Skyland. He loves the project in many ways. The concern is the proximity of the large buildings to the highway. The engineers are driving the design. Make the project look good instead of the highway.

Julie Baca left the meeting at 11:30 P.M.

Jim Starr former county commissioner and town council member, supported the project. He has been involved in the affordable housing dilemma's and discussions. He expressed strong support for the project. We are at a crisis point that places an unsustainable strain on the community. This project is poised to improve housing availability. It would ease the strain on many families' housing insecurity. He recommended moved ahead quickly.

Tim Williamson Director of Gunnison Valley Climate Coalition, supported the project. He recognized the work and applauded the effort so far. He acknowledged passive solar is valuable, and the use of ground source heat pumps is excellent.

Anton Sinkewich Director of City of Gunnison Community Development, supported the project. He strongly agrees with the comments that have been made. He noted housing is a serious valley wide issue.

John O'Neil CB supported the project. He said the greatest threat is imbalance of who makes up the who in the community. A diverse community as a strong community. Lack of affordable land is a key factor. Most of the projects are not viable. This design has a great diversity. He encouraged the applicants to continue to move forward, take feed back and be courageous.

John Murphy Riverland HOA representative as a resident. He noted his concerns with Riverland Covenants and the perceived requirement to tie on and go from septic to the sewer system, if sewer line is within 400 ft.

Applicants response;

ACM Cattles said they would not have any input into who would be served by the utilities, it would be the utility provider. That is not something we have control over. The process for possible water and sewer tie in is ongoing with the Town of Crested Butte. There is a feasibility study being done. Energy and electric cars stations are being provided and pathways for expansion in the future.

There has been a study done for the building location on the highway. It notes the buildings would work well with the grade and this would provide open space rather than parking.

ACM Cattles added there will be buildings on the north boundary, to use the land efficiently. The location of the buildings on the highway side is a balance of competing issues.

Williford said she appreciated the comments. This is an all-electric site, and will engage passive solar.

On-line Isa Lenander generally supports the project. Her concerns included water and sewer, the parking garage, live work units, EV charging stations and gas vehicles should be separate, and there is little or no storage.

On-line Cass Rea supported the project. She acknowledged the of housing insecurity issues are critical.

DeSousa said the traffic circle into project will limit access to the Colvin's property. CDOT has requested the Colvins close the access used now. They are designing a new access into Colvin's property through Whetstone, allowing entering the site without feeling like they are going through the Whetstone project.

ACM Pagano said if the septic failed, then an owner in Riverland maybe required to tie in.

ACM Pagano noted the concern about precedent setting. That is not required in the LUR. The county is considering embarking on a corridor plan to create more certainty for where development is desirable.

BOCC Houck noted all comments online, email or in person have the same weight. He thanked the audience for taking their time to make comments.

Chairperson Sovick led the discussion with the Planning Commission.

Commissioner Phillips asked if the applicant knew what time the sun goes behind Whetstone in the winter or the passive solar. ACM Cattles not gotten to that level of detail yet.

Commissioner Niederer noted the issues had been discussed. The global concern seems to be the height of the builds on the highway. There is economy of scale when the building is larger. There is upwards of a 30% saving with a larger building. Projects being funded by grants etc., every dollar counts. The current iteration is a well thought out design.

Commissioner Schwartz echoed Niederer comments concerning costs. He expressed confidence in the process so far. The commissioners have gone through the language of the LUR and it is being met.

Commissioner Baca returned at 12:45 PM.

BOCC Liz Smith thanked everyone for their comments and questions. Questioned the concern over obtrusively visible and location to the highway and also noise reduction.

BOCC Daniels asked about the relationship with the RTA, Mountain Express, what will that look like in the future. She added North Valley traffic on the road is a concern, mass transit would help.

ACM Cattles is in touch with RTA and Mountain Express and the plan could accommodate both or either. The central greenway is a reserved area for a bus to pick up – possibly even a school bus.

Chairperson Sovick acknowledged many of the comments have been supportive, kudos to the team and the involvement in the community. The sticking points are still the placement of the buildings, could it be moved and retain the density.

DeSousa said there will be a the very large parking lot, unfortunately cars drive design. The parking lot means the majority of the cars come through the round-about and go directly into the parking lot.

County Attorney Hoyt pointed out section 9-604 is not discretionary, one must modify standards that do not apply to health and safety. Once it is found the applicant has demonstrated compliance you must apply.

The Planning Commission moved to provide direction to staff to prepare a draft recommendation decision of approval for the following continued joint public hearing. The motion passed unanimously.

Chairperson Sovick continued the joint public hearing to February 2, 2023 at 9:00 a.m., in the BOCC meeting room.

The joint public hearing was adjourned at 1:10 P.M.

The regular meeting of the Gunnison County Planning Commission was adjourned at 1:15 p.m.

/s/ Beth Baker

Gunnison County Community and Economic Development

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