

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Thursday, June 6, 2024**

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The Gunnison County Planning Commission conducted a regular meeting in the Planning Commission Meeting Room in the Blackstock Government Center, 221 N. Wisconsin, Gunnison, Co. and on Zoom

**Present:**

Chair - Roland Mason	Director of Community and Economic Development- Cathie Pagano
Commissioner- Julie Baca	Director of Planning- Hilary Seminick
Commissioner- Eric Phillips	Planner- Sean Pope
Commissioner Matt Schwartz	Planner- Rachael Blondy
Alt. Commissioner- Catherine McBreen	Planning Technician – Jena Greene
	Others present as listed in text

**Absent:** Vice-Chair- Fred Niederer, Alt. Commissioner- Bill Barvitski

**Recused:** None

**Zoom:** Julie Baca

**Regular Meeting:** With a quorum present Chairperson Mason opened the June 6, 2024, regular meeting of the Planning Commission at 8:45 am.

Moved by McBreen seconded by Phillips to approve Planning Commission meeting minutes, dated May 4, 2024. The motion passed unanimously in support.

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**Unscheduled Citizens**

None

**Special Meeting: July 11<sup>th</sup>, 2024**

Staff requested that the planning commission hold a special meeting on July 11<sup>th</sup>, 2024, since there was to be no meeting on July 4<sup>th</sup> because of the holiday. All present, with the exception of Schwartz, said they could attend.

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**Public Hearing: LUC-23-00027 | GVS LLC Solar**

Chair Mason opened the public hearing at 9 am. Confirmed adequate public notice. Greene Confirmed adequate public notice

**Applicant Presentation**

Taylor Henderson was present. Reviewed key points from the previous work session. Concerning the trailhead and parking lot, he planned to achieve a gold standard and work closely with the Town to make sure the work was completed in a timely manner. Felt confident that they had a good plan for the trail head. He was waiting to see what type of public comment came through concerning the landscaping and buffering, and then get direction from the commission, adding that he had a lot of conversations with adjacent property owners in person last summer. Henderson acknowledged that there was a lot of support from the community in public comment letters. They had not yet received a

notarized letter concerning the ditch, but they were in discussion and intended on meeting the standard 25-foot buffer.

### Staff Presentation

Sean Pope added that there were no major updates from the work session. Noted that all of the public comments were in support.

The primary concern from the last meeting was the applicability of the buffering and Commission had wanted to from the public before deciding. The site plan as submitted was a complaint concerning the ditch setbacks but noted that it was within the ditch owners' rights to remove any fencing in order to access the ditch in the locations where the fencing crossed.

Pope asked that the commission review the draft decision document and encouraged questions.

### Questions/Discussion

Mason noted that there had been a lot of public comment in support of the project.

The buffering requirement was discussed. McBreen acknowledged that the letters expressed in support of solar energy but was concerned that there was a lack of clarity about the high visibility of the panels from HWY 135. Suggested that trees be planted. Mason acknowledged that there were existing trees in the CDOT right of way but stated he was against Berms.

Phillips didn't see where the LUR set a standard to require buffering and didn't see the need to require buffering. Schwartz agreed and noted that there was no water onsite. Stated it be worse to require trees and for them all to die because there wasn't water. Mason agreed, also expressed concern that tree growth and didn't want the panels to have to altered in the future. Back added that there was no way to control what CDOT did with the right of way, and that while they could require the applicant to plant vegetation, the future growth was too great of a concern. It was noted that there was one comment the was in support of the wildlife fencing (Van Atta) but since there wasn't a lot of comment concerning the visual aspects, the Board would not require any buffering.

### Public Comment

Dara McDonald, Town of Crested Butte Town Manager: The Town of Crested Butte was very supportive of this project, noting that it had taken a while to get to this point and they were hoping to implement it soon. Acknowledged the difficulty of finding a site to do a meaningful amount of solar on. There were definitely constraints with the site, it wasn't the most economical and appreciated that the commission's diligence in reviewing the application and not imposing vegetation that may diminish future generation on the site.

Matt Fier, Gunnison County Electric: GCEA was in support of the project, agreed to buy all of the power generated by the project for the next 30 years, noted that this was at an expense to GCEA, but they heard for members and the Board and wanted to see the project move forward. This was a good site because they had a good working relationship with the Town and was close to the GCEA substation. Excited to see it move forward.

### **Close Public Comment**

Seminick noted that staff typically didn't include a decision document for review until directed to by the commission, but in an effort to be more efficient, they supplied a draft today to get feedback from the commission. The document included standard recommendations for any minor impact project, in addition to conditions regarding compliance with the Geotech and avalanche hazard report, the fencing, and the notarized agreement concerning the ditch.

Mason was supportive of having the draft document in this instance, acknowledging that this project had been in the works since 2019.

Baca made a motion to approve the project as presented. Phillips asked to add in the finding concerning buffering, which Pope read would state "based on the standards above, planning commission found that no buffering is required for the project".

Baca made a motion to approve the project as amended. Seconded by Phillips. The motion passed unanimously in support.

Mason closed the public hearing at 9:25.

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### **Work Session: LUC-23-00053 | Minor Impact | Klinowski New commercial**

#### Staff Presentation

Rachael Blondy gave an overview of the project. Martin Klinowski was proposing a new commercial use at 1775 HWY 135 and presented the site, just a mile north of the City of Gunnison, and just south Discount Storage. The proposed use would be a duplex with a party wall agreement with a woodworking shop for Professional Contractors Inc. on one side and a veterinary center for Rocky Mountain Veterinary Services with an exam room, surgical room, garage and bathroom on the other side. The project was classified as a minor impact because it was a change of commercial use to a total size of 10,000 sf or less, and the proposed building would be just under 6,000 sf. Total including both sides of the duplex.

Staff reviewed the application against the LUR and found that it met most of the standards. Since the parcel was within 400 feet of the North Gunnison Sew Line, the applicant was required to connect, and was working with Gunnison County Public Works on the connection. It was noted that the sewer line was on the opposite side of HWY 135 from the parcel. The applicant had previous water rights from the state, and he had just submitted his application with the state the day before and wasn't concerned about getting the wells approved. Lastly, the applicant had requested an impact classification reduction and had submitted a letter outlining the request, which had been provided to the commission.

#### Applicant Presentation

Klinowski was proposing to build a wood working shop, adding that he helped build and supply nice, economical cabinets for some of the affordable housing projects in the valley. His wife's business was Mountain Veterinarian, adding that she worked mostly with large animals offsite, which most other vets in the valley really didn't do. She was being pushed out of her current building location and needed a new space. Had owned the property since before the LUR was adopted by the county and was agreeable to "playing by the rules" since the approval of this project would help him and his wife better service the community.

Blondy reviewed the impact classification reduction criteria from the LUR. The applicant was requesting that the classification be reduced from a minor impact to an administrative review. Seminick added that because this was a commercial use, that there would still be public notice and a 15-day public comment period, but the application wouldn't be reviewed by Planning Commission or have a public hearing. The Comments and application would be reviewed by staff. The Planning Commission would need to find that the application met the standards outlined in 3-111, which included demand for public services, impacts on impact area environment, and impacts on all existing and proposed development. Staff noted that connecting to the sewer helped to demonstrate the impact reduction, and encouraged the Planning Commission to determine if the impact of the proposal could be reduced to an administrative review based on the information provided.

CDOT access to county road 10 was discussed. The adjacent properties and their uses were discussed. The applicant was proposing wells since connecting to City water would require annexation, which was not available since the parcel wasn't adjacent to the city and therefore not eligible for annexation. The City of Gunnison was in support of the Land Use Change.

The standards in LUR section 3-111. B.1. were reviewed. Mason stated that he thought reducing the impact classification reduction made sense for this project. The rest of the commission agreed.

McBreen made a motion for an impact classification reduction from a minor impact to an administrative review. Seconded by Phillips. The motion passed unanimously in support.

There would still be a 15-day public comment period. The commission thanked the applicant for coming in early.

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### **Work Session: LUC-24-00011 | Minor Impact | Hartman Castle New Commercial**

#### **Staff Presentation**

Seminick introduced the project. This was a proposal to rehabilitate the historic structure to be used as an event and educational center. The Historic Hartman castle was tucked away past the KOA. It was constructed by the Hartman's in the late 1800's and was one of the oldest structures in the Gunnison area. It could not be moved as it wouldn't hold up and would lose its historic context. A lot of aspects of the project were nonconforming. It would also need to get a variance for a boundary line adjustment from the Board of Adjustment due to setback requirements.

The proposal had adequate parking, was already served by sewer and water. Seminick noted that the biggest hurdle for the applicants would be the actual restoration and fundraising. Functionally, the application was for the event center and historic education center.

#### **Applicant Presentation**

Applicants were present and distributed brochures to the commissioners. The big piece was the castle. When Annie Hartman and ministers designed it, the space would be super functional to the new use. It was unusual for a building from this time to not be heavily remodeled. The existing floor plan would function well for weddings and events. Gave an example of an event at the depot in Crested Butte, noting that this would be a similar type of venue. Amazing that so much of the original building was there. They planned to have gardens and anticipated continuing to use the dwelling for housing to

generate income for the non-profit. The small garage shop to be used as ADA bathrooms and kitchen for catering for events. To venue was to be open year-round and the applicants were anticipating a lot of outdoor summer events.

Questions from the Board None

Seminick added that the next step was to determine if another work session was needed, then schedule a public hearing and site visit.

The Board in support of a site visit and public hearing, but didn't think another work session was needed, especially since the project was already hooked up to water and sewer. The board appreciated the letter from the City in support of keeping the building where it was even though it didn't comply with the 3-mile plan.

The former restaurant use was discussed. When the restaurant use was abandoned in the 1990s, so the commercial aspect, triggering the need for a new commercial use application. The addition from the restaurant was planned to be removed due to poor construction.

Seminick asked the commission if they were comfortable with staff providing a draft recommendation to help streamline the process. There was support from all members present.

Seminick explained the BOA variance, and that the meeting should be a joint public hearing where the planning commission would reside, and BOA would make a decision.

Mason ended the work session at 10:32 am.

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Mason adjourned the meeting at 10:32 am.