

# **GUNNISON COUNTY PLANNING COMMISSION**

**PRELIMINARY AGENDA: August 29, 2024**

**221 N. Wisconsin, Suite D Gunnison CO, 81230**

**In person or on Zoom**

*Disclaimer: agenda discussion item times are approximate. Public hearings may start on or after the posted notice time. Work sessions may start earlier or later than the posted time.*

**8:45 a.m.**

- Call to order; determine quorum.
- Approval of Minutes from the July 18, 2024, Planning Commission meeting
- **Unscheduled Citizens:** A brief period in which the public is invited to make general comments or has questions of the Commission or Staff about items which are not scheduled on the day's agenda.
- **New – Miscellaneous/Staff Reminders/Announcements**

**9: 00 a.m.**

## **Work Session: LUC-22-00049 Major Impact | Preliminary/Final Plan | Whetstone Housing**

Applicant proposes development of an essential workforce housing residential development on the site. The total parcel is 15.1 acres. Approximately 252 units are proposed at the site, the majority (more than 40% per Essential Housing standards) shall be deed restricted. The units will vary and include: apartments, townhomes, and live/work units. The parcel is located at 25115 Highway 135, a tract of land in the NW1/4SE1/4, Section 12, T14S, R86W, 6th PM.

9:00 a.m. Overview of LUR Major Impact Process

9:20 a.m. Overview of application and changes between Sketch and Preliminary Plans

9:50 a.m. Overview of project infrastructure (water, sewer, roads, trails, fire protection, snow storage)

10:30 a.m. Break

10:40 a.m. Overview of compliance with Sketch Plan conditions

11:30 a.m. Referral agency comments

12:00 p.m. Planning Commission questions, comments, requests for information

## **Adjourn**

**Please click the link below to join the webinar:**

**<https://us06web.zoom.us/j/86337231015>**

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NOTE: Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room 221 N. Wisconsin St. in Gunnison, across the street from the Post Office. This is a preliminary agenda; agenda times may be changed up to 24 hours before the meeting date. If you are interested in a specific agenda item, you may want to call the Planning Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations may contact the Planning Department before the meeting.

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Thursday, August 15, 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:**

Chairperson-Roland Mason Vice-Chairperson- Fred Niederer Commissioner- Eric Phillips Commissioner- Julie Baca Commissioner Matt Schwartz Alt. Commissioner- Bill Barvitski Alt. Commissioner Catherine McBreen	Director of Community and Economic Development-Cathie Pagano Director of Planning- Hilary Seminick Planner-Rachel Blondy Planning Technician – Jena Greene Others present as listed in text
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**Absent:** None

**Recused:** None

**Zoom:** Mason, Baca

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With a quorum present Vice Chairperson Niederer opened the August 15, 2024 regular meeting of the Planning Commission at 8:45 am.

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**Moved by** Schwartz seconded by Phillips to approve the Planning Commission meeting minutes, dated August 1, 2024, as with the amendment as noted by Schwartz to change that his recusal was due to general comments, not legal comments. The motion passed unanimously in support.

General Comments from Staff

Seminick made a comment concerning the upcoming schedule. Asked to conduct two site visits for the October 3<sup>rd</sup> at Harmels and discount storage, noting that could cause the meeting to go into the afternoon. All in attendance said they thought they could be available for a longer meeting for that day.

Greene reminded the commission that there was to be an additional planning commission meeting for the month of August on August 29<sup>th</sup> to review the Whetstone affordable housing project

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**9:01 am: Public Hearing: LUC-24-00023 Minor Impact | Levary Building over 5000 sf**

The Applicant, David Levary, represented by Wright Angle Construction, was proposing a residence over 5,000 square feet on Ranch 2, Whetstone Mountain Ranch, commonly known as 228 Willow Lane, Crested Butte.

Confirmation of Adequate Public Notice

Blondy and Greene Confirmed adequate public notice for the project.

Applicant Presentation

Jim Jose of SHM architects and Mike Wright of Wright Angle construction were present on behalf of the applicant. Jose noted that while the primary building was proposed to be over 5000 sf, that the

Staff Comments

Blondy reviewed the criteria for approval outlined in the LUR for approving the project.

Questions by Review Body

Niederer, thought the that the application was well thought out, including the placement of the home

Seminick reviewed some key points made by planning commission during the work session for this project including the placement of the garage below ground

Public Comment

Todd Culvin, 99 Creekside Land. Served on the Board for Whetstone Mountain Ranch, and was also an adjacent property owner. Expressed support in both capacities, noting that the application was consistent with WMR guidelines.

Blondy noted that there were two public comments and read them aloud. Both were from adjacent homeowners across highway 135.

JD Singam, 92 Aspen Lane. Asked if the county required a lower HERS rating for the efficiency of larger homes like this. Niederer and Barvitski spoke to this comment, noting that this would be addressed during the building permit process.

Applicant response – none

Staff Response – none

Planning Commission

The commission reviewed the draft decision document, which was requested by the commission at the previous work session. Niederer, asked if there was a stipulation concerning screening or landscaping, staff noted that the screening was determined to be compliant with the LUR.

There were no changes proposed by the commission.

Niederer closed the public hearing.

Phillips made a motion to approve LUC-24-00023, Minor Impact, Levary Building over 5000 sf. Seconded by Schwartz. The motion passed unanimously in support.

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**Public Hearing: LUC-24-00026 Minor Impact | Moore/Redick Aggregate Floor Area Over 7000 sf** The Applicants, Dave Redick & Deedee Moore, represented by Jered Wilkinson, propose to construct a 1,200 sq. ft. horse barn, with no plumbing or utilities, on Lot 26 of the Star Mountain Ranch Subdivision at 397 Star Mountain Drive, Gunnison, CO. A 3,444 sq. ft. single family residence with a 2,687 sq. ft. garage was constructed on the parcel in 2017 under Building Permit no. BP-17-00234.

Confirmation of adequate public notice

Greene and Pope confirmed adequate public notice.

Applicant presentation

Applicants Moore and Redick were present. Moore explained that the proposed aggregate square footage with the addition of the proposed barn was to be about 7300 sf

Staff Presentation

Pope gave an overview of the project. The proposal was for a horse barn with no utilities. Pope added that there was adequate screening on the parcel.

Questions by review body

None

Public Comment

Pope reviewed the public comments that had been submitted before the meeting– there were 5 emails received. 4 of the 5 received were in support. The other letter was from the HOA, which went into detail concerning their lack of HOA approval. Pope explained that staff reviewed the LUR and that there was no requirement for HOA approval in order for staff to approve a land use application.

Kim Doering – 640 Star Mountain. Present because they were confused about the difference between, they were building. DRC gave a preliminary approval. The permit packet noted that the minor impact application noted that HOA approval was required.

Seminick clarified that the application did have that listed, but it was not required per the LUR or for a building permit. This was on the application to give the applicant a heads up that if they were a member of an HOA that they would need to make sure they followed up with them. Seminick also noted that if the application was approved by the county, there was no guarantee of HOA approval.

Gary and Tersea Steffens – owned 2 lots in Star Mountain Ranch. In support of the project. Noted that there was a lot of confusion around the process. He recommended that having some sort of decision tree available to help clarify.

Bob and Amy Skelton – owners in star mountain, Expressed support.

Marcia Landwehr – Chair of DRC and Board member, just received updated application from Moore previous night.

Applicant Response – None.

Staff Response – Seminick replied to Steffens' ask for a decision tree, noting that there was a flow chart, and acknowledged that it could use a refresh.

Planning Commission Response – Barvitski, noted that he was in support. Phillips was in support of due to screening, noting that it was a good example for building over 7000 sf aggregate.

Schwartz Made a motion to approve LUC-24-00026 decision document as written. Seconded by Phillips. Passed unanimously in support.

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### **Work Session: LUC-24-00010 Minor Impact | Horowitz Ridgeline Vantage**

The Applicants, Matanya and Kelsey Horowitz, represented by David Gross General Contractors, requested a Ridgeline Vantage review for a proposed single-family residence and a 1,713 sq. Ft. detached secondary residence on Lot 15, Trappers Crossing at Wildcat, AKA 265 Saddle Ridge Rd. Crested Butte.

#### Applicant presentation

Matanya Horowitz was on zoom to present. They purchased 265 saddle ridge road, not fully aware of the topographical challenges that were associated with the lot, their access was through a 50-foot easement onto a steeper part of the lot. They had been working on a design that would meet fire department requirement. The applicant highlighted areas on the site that had sloped greater than 30%. The plan at this time was to build the driveway and the guest house, and then build a main home at a later time.

The applicant reviewed the ridgeline vantage analysis.

#### Staff Comments

Pope noted that this application was originally a driveway to vacant land, which included a Geotech report. The project was referred to CGS, who requested a setback from the ridge, which was still in process. The setbacks required 150 ft setbacks, noting that the county requirements were 25' so the applicant would need to go through a variance through their HOA. Pope also noted that the balloon test was very difficult to see with the existing vegetation, with the most noticeable from the town of CB. 11-105 f2 prohibited that development was prohibited on slopes greater than 30% in a very high wildfire hazard, putting a lot of constraints on the potential building locations.

#### Questions from Planning Commission

Planning Commission asked if there was an alternative building location, and how that would have been evaluated. The applicant noted that there were moving parts with CGS, Geological analysis, and slope stability. Based on all these things, this was the best location.

Mason asked if the applicant had considered reducing the height of the house. The applicant noted that they had worked to reduce the height of the house already with a plan to have the foundation dug lower and minimized the size of the second floor.

Mason asked if the application was referred to the town of CB. Pope noted that comments were submitted from the Town. Schwartz noted that the comments noted that

Phillips clarifies locations where the roof would be visible from the balloon test. Pope noted that 8<sup>th</sup> street in the Town of CB

Seminick noted that on 3-102

Phillips asked for clarification of how the screening would work with the wildfire code requirements. Seminick clarified that since health and human safety was considered first, therefore the requirements of the wildfire code were to be considered before screening.

Next steps The applicant would work with staff to schedule a site visit and additional work session.

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### **Work Session: LUC-24-00016 Minor Impact | Petrus Holdings, Building over 5,000 sf**

The Applicant Petrus Holdings Inc., represented by Nathaniel Smith, Esq., proposed the construction of a 13,000 sq. ft. Hermitage House with a 3,500 sq. ft. unfinished basement, a 3,200 sq. ft. Secondary Residence, and 9,000 sq. ft. Barn at 4500 Forest Service Road 563. Development was proposed to take place on a single parcel out of three parcels of land, which total approximately 1,200 acres.

#### Applicant Presentation

Nate Smith was present in the room. He gave some background on the applicant, Petrus Holdings, noting that the monks who would be living onsite lived a simple lifestyle. The proposal was for 3 separate structures on the property. The first being a hermitage house, which was proposed to be a simple two-story structure with bedrooms and a chapel, built minimalistic but still to code, with an unfinished basement. The other structure was proposed to be a bit more modern with amenities to house the occasional visitor, or to be used in the event of isolation. The other was to be a large barn for storage and support minor agricultural uses. Existing structures consisted of a large barn and other small structures that would be demolished once the new buildings were constructed. This was a 12000-acre parcel that was completely surrounded by public lands. Visible impacts were minimal to none because of the simplicity of the proposed structures and the size of the parcel. Construction and construction methods. The plan was to minimize impacts.

Andrew Shulman, Alex Neese of SGM – wildlife expert, Jerry Burges of SGM and Steve Baker, who were a part of the applicant's development team, were also present to help answer questions.

Niederer clarified why the construction window was proposed from July to October. The applicant said that it was to meet the suggestion of CPW to minimize wildlife disturbance.

#### Staff Comments

Pope noted CPW's comments concerning types of construction and what was allowed at certain times, delineation of exterior construction and during what times. Pope also reviewed LUR section 13-105 G – structure exceeding 5000 sf.

#### Planning Commission Comments

Barvitski – building seasons, anticipated that everything would be built at the same time? Yes, planning to try and knock it out quickly to minimize impacts

McBreen – feasibility of getting an ambulance up there, exploring alternative access such as helicopter pad vs. using snowmobiles/snowcat

Question from Gary Steffens of Star Mountain Ranch - would the cars be parked on star mountain ranch? Smith noted that there was to be about 20 brothers being there at a time. They were looking at parking one vehicle on private property with a landowner, on star mountain if they would allow it. The design had changed to be one structure to help ensure health and safety during winter months.

Building site was .6 from any private properties, all adjacent were public lands with the exception of stables ranch. Utilities were proposed to be off grid solar w/ generator back up, and compliant low impact wood burning stove, propane. Planning to use minimal electricity, mostly there as a backup.

Wildlife Concerns – this project would have a significant impact on wildlife while being built. CPW letter of refuge. Road, amount of traffic would increase and see additional use to area. Alex Nees – whole property was mapped as an elk production site, and CPW asked for minimal disturbance during the months of May and June, which was the reasoning behind the proposal of the July 1 start for construction, and with consideration of the migration season in the fall, but needing to get as much building as possible

Road Concerns - goal to keep road rustic, but concerns for significant use during construction, and number of vehicle trips per day during construction. Burges added that the goal was to keep the road as a level 2 forest service road. This was initially a well-built forest service road, but it hadn't been maintained. Currently isn't have authorization to improve the road. Didn't anticipate ever being authorized to improve the road. Vehicle trips per day were hard to anticipate – currently anticipating that materials would show up in waves. The modular construction of the house would help cut down on traffic, hoping to substantially reduce traffic. Working with contractor to see if construction crews could stay on site during construction time. Pope reminded the commission that the county didn't have purview over FS roads.

Barvitski – FS permit for use. Noted that the brothers were interested in doing the work.

Classification clarification – classified as single family. Were there similar uses/projects to compare to? Seminick noted camp Gunnison, group off of CR 149, but those projects were also classified as commercial.

Standards for approval based on 11-106 G – Applicant would need to work with referral agencies.

#### Next steps

Applicant needed to fully respond to August 6<sup>th</sup> CPW letter, resolution of CPW comments, then schedule another work session. Planning commission was in support of not doing a site visit. More clarity on overall large size of the project.

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Meeting Adjourned at 11:54 am



Cathie Pagano, Assistant County Manager  
Gunnison County Community & Economic Development Department

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From: Cathie Pagano, Assistant County Manager for Community and Economic Development  
To: Planning Commission  
Date: August 22, 2024  
Re: LUC-22-00049, Whetstone Community Housing

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### **LUR Process Overview for Major Impact Projects**

Gunnison County has submitted the combined Preliminary/Final Plan application for LUC-22-000049 on June 28, 2024. The Board of County Commissioners approved the Sketch Plan application in Resolution No. 2023-2 which was recorded at Reception No. 689672 on February 9, 2023. Section 7-202: P. *Expiration* requires that an applicant submit the Preliminary Plan within twelve months after the date of approval. On January 4, 2024 the applicant submitted a request for a one-year extension to submit the Preliminary Plan application. The Board of County Commissioners approved the extension request which allowed the applicant until February 9, 2025 to submit the Preliminary Plan application. You may review the Sketch Plan resolution of approval and the decision document in the online file.

Preliminary Plan review requires the applicant to formulate detailed, design/engineered solutions to the issues and concerns identified during Sketch Plan review, and to address, in a site-specific manner, all other issues that are relevant to Preliminary Plan. There will be a joint public hearing(s) during the Preliminary Plan process. The estimated minimum timeline for Preliminary Plan review is 4.6 months. The LUR requires that the:

*“Preliminary Plan shall address all of the areas presented in the approved Sketch Plan, shall be consistent with the approved Sketch Plan and shall specifically address and comply with the conditions stated in the BOCC’s approval. If the Preliminary Plan represents a significant variation from the approved Sketch Plan, that variation shall be clearly and completely identified or described. The Preliminary Plan may address phases that are Projected to be phases of the Final Plan, though all studies and engineering design shall address the entirety of the Project.”*

Section 7-103: C.1. allows Preliminary and Final plan to be “combined and processed together based upon consideration of the following factors: design, size, public concern, public facilities and services.” The applicant has requested that Preliminary and Final plan be combined. The Final Plan only includes Planning Commission review if it was mandated by the Board of County Commissioners at the conclusion of Preliminary Plan. The Final Plan phase does not include a public hearing. Final plan typically includes submission of a final subdivision plat, final subdivision covenants, and cost estimates. Because this application is not for subdivision neither the plat nor the covenants would be required to be submitted. Staff recommends approval of the request to combine preliminary and final plans.

### **Overview of Application and Changes from Sketch Plan**

The applicant proposes the development of an essential workforce housing residential development on the site. The Sketch Plan application proposed 231 units on the 15-acre parcel including 430 bedrooms and 422 parking spaces. The Sketch Plan proposed 231 units in 30 buildings. The total parcel is approximately 15 acres.

	Units	Bedrooms	Parking	Buildings	Building Size Range	Open Space
<b>Sketch Plan</b>	231	430	422 (1.8 spaces/unit)	30	1,200 sq ft - 42,000 sq ft	6.6 acres (44%)
<b>Preliminary Plan</b>	252	476	421 (1.67 spaces/unit)	23	1,171 sq ft- 45,385 sq ft	7.2 acres (47%)

The Preliminary Plan proposes 252 residential units with 476 bedrooms of which the majority (more than 40% per Essential Housing standards) will be restricted for essential housing. The application proposes the development of 30 buildings, ranging in size from 1,171 square feet (maintenance building) to 45,385 (apartment building):

- 80% of units will be restricted to local workforce with the following income requirements and target rental rates by AMI:
  - 40% of the units will be deed restricted for residents earning 120% AMI or less
  - 10% of the units will be restricted for residents earning 170% AMI or less
  - 30% of the units will be restricted with a local workforce requirement but not a specific AMI limitation
- 20% do not have a specific commitment

The deed restriction language that is proposed is included within the Utility Extension Agreement to Provide Water and Sewer Service, dated July 15<sup>th</sup> and states:

*“Owner shall restrict at least 80% (202 units) of all units as workforce and essential housing meeting the following minimum restrictions:*

1. *Workforce housing means the household includes:*
  - a.) *At least one member working for at least 30 hours a week, or 1,500 hours per year for a Gunnison County based employer (“Full Time Worker”); or*
  - b.) *A retired or disabled person who was a Full Time Worker at least four years immediately proper to such person’s retirement or disability*
2. *A minimum of 202 units will be restricted for workforce housing.*
3. *No less than 40% (101 units) of the total number of units shall serve households earning no more than 120% Area Median Income (“AMI”).*
4. *In addition, no less than 10% (25 units) of the additional units shall serve households earning no more than 170% AMI.”*

There are 252 units proposed in 23 residential structures and include multifamily units, townhomes and live-work units. The Sketch Plan proposed 231 units in 30 buildings. The proposed buildings include:

2. Maintenance Building – 1,171 sf
2. Duplex buildings – 3,596 sf
3. Triplex buildings – 6,046 sf
4. Apartment building – 8,890 sf
5. Apartment buildings – 28,125 sf
6. Live/work townhomes – 7,201 sf
7. Triplex buildings – 3,877 sf
8. Apartment building – 32,031 sf
9. Apartment building – 36,882 sf
10. Apartment building – 27,324 sf
11. Apartment building – 45,385 sf

The following amenities and facilities are proposed as part of the application:

- Park facilities that include: 7x7 sized youth soccer field, shade structure, picnic tables, grills, playground area
- Fenced dog park/run
- Dedicated central greenway connecting neighborhood to transit and underpass
- Installation of geothermal fields for energy efficiency and air source heat pumps
- Perimeter trail
- Internal sidewalks
- Maintenance barn to contain equipment and vehicles
- Stormwater detention pond
- Internal bus shelter (for school bus or future transit connectivity)
- Benches throughout site
- Community meeting space (Building 11) with indoor/outdoor space. Community space includes kitchenette.
- Office/lease space
- Storage in larger apartment buildings

Please review the Whetstone Workforce Housing Staff Report dated August 29, 2024 for a comprehensive analysis of the entirety of the application and compliance with LUR standards.

### **Sketch Plan Conditions**

The Sketch Plan approval identified eleven conditions of approval. For efficiency, only conditions that require a specific response from the applicant are included here. The staff report includes a comprehensive analysis of each condition.

Livability: Condition 2.a. of the Sketch Plan approval states: “Applicant shall describe the livability of the larger buildings alongside Highway 135 and their compatibility with community character including design, form, massing, and architectural features, taking into account the modification provisions of Section 9 and the need for liberal construction of LUR in favor of providing adequate housing for all people.”

The applicant has provided a response in the Preliminary Plan narrative (page 33) to each condition:

*“Livability has been a key focus for the County, Servitas and consulting team. Following Gunnison County’s Sketch Plan process, the Whetstone project team has identified Livability and Performance goals that it will be used to evaluate tradeoffs during the design phase. Livability is a broad design concept that includes goals for both the site and within the buildings.*

*Livability on the site: During the Design Workshop with County, Crested Butte representatives, stakeholders and residents, Livability was addressed with the following revisions to the sketch plan:*

- 1. Inclusion of a programmable multi-use field available for Town of Crested Butte parks and recreation programming. The project was able to accommodate this into the site design of the Central Park. The adjacent building #11 can provide restrooms for public use during games or events at the fields. Some seasonal parking may be available for visitors.*
- 2. Accessible, pedestrian-friendly site planning is extremely important to the success of the project. The streetscape and buildings in the central neighborhood are designed with garden-level covered patios so that the least road and the central green feel pedestrian-scaled and approachable.*
- 3. The site plan was enhanced by including a primary pedestrian connection through the middle of the, connecting all residents north to south in alignment with the underpass under Highway 135. In addition to providing access for the bus stops on both sides of the highway, this underpass will also connect to the Deli Trail to Crested Butte.*
- 4. Parking is an important site consideration; however the most important livability element is to focus on transit-oriented development, is targeting slightly less than the 1.8 spaces/unit parking ratio (with the parking ratio currently set at 1.67 spaces/unit). Some of the parking may be compact, and at least 10% will be pre-wired for electric car charging as a requirement of the Transformational Affordable Housing, Homeownership, and Workforce Housing Grant (“the Grant”).*

*Livability of the buildings*

- 1. The Alley Flats #6 were removed because of the difficulty of snow removal and the additional cost for so many separate small buildings. Cost per unit is an important livability consideration because it affects rents. These Alley Flat units were relocated into a more efficient version of walk-up buildings #4 and #5. Building #4 remained at 2-stories, while building #5 increased to 3-stories in the middle section but remained 2-stories on both ends.*
- 2. Building #9 increased to three stories so that it can make up grade in the lower level as the steeper section of the site slopes down from highway 135. This third story at building #9 also allows the building to push up against the berm along the highway.*

3. *Covered porches at building entries were identified as an opportunity for the architectural design to create an inviting, pedestrian-scaled experience. As mentioned above, the central neighborhood will also provide covered patios at the units to activate the street. However, there will only be a limited number of private decks above the garden-level. These will only be provided where needed to break down the scale of the buildings and create architectural interest of the facades.*
4. *In buildings with double-loaded corridors, windows and daylighting are provided at the ends of corridors. Common stairs are also glazed for natural light. Straight runs in stairs make it easier to move furniture. Some buildings also have secondary entries to facilitate move-in/move-out, as well as allowing exits from stairs (but re-entry only at primary and secondary building entries). These additional accessible entries allow more type-A units to be located on the upper floors, enhancing accessibility since the buildings typically do not provide elevators.*
5. *Storage for boots, coats, bikes, and skis are a key priority for residents. All units provide a large “mud room” in lieu of a coat closet. Additional private storage outside the unit (but within the buildings) is also available for rent to store gear.*
6. *Also inside the units, large kitchens with bar seating typically form the center of daily life – eating, homework, and socializing. Large closets and 10’x10’ bedrooms also provide enough private space for roommates or families to share the units.*
7. *Amenity space for residents is proposed to be provided in Building #11, adjacent to the Central Park.”*

Multi-modal Connectivity. Condition 2.b. states “Applicant shall identify options for multimodal connection to the site that is safe and accessible, taking into account the modification provisions of Section 9 and the need for liberal construction of LUR in favor of providing adequate housing for all people.”

The applicant has provided a response in the Preliminary Plan narrative (page 35) to each condition:

*“The County is committed to development of a roundabout and underpass. The underpass design is underway as a separate project by Gunnison County with engineering firm Mead and Hunt. The development of housing and construction of the roundabout work together on the planning side but have different funding sources and implementation timelines. Creating safe, well-connected access to the underpass has been a driving factor for site plan development as shown in the design and engineering plans. A central pathway system links the entire property north to south, with only two vehicular crossings interrupting the length of path. Along with the pathways, engineering and landscape have collaborated to develop a set of terraced walls, berms and landscape to gently and accessibly connect the underpass to the transit stops.”*

Additionally, the applicant on July 29, 2024, submitted an overview of the timeline of the development of the roundabout and underpass and how it aligns with the construction schedule and occupancy of units. The County has committed to initiating construction of the roundabout no later than 2027. In discussions with John Cattles, the County is also pursuing interim safety measures to be implemented during construction of Whetstone and the roundabout to ensure the safety of all using the intersection. The County is in discussions with CDOT to determine what measures CDOT will allow. More detail is expected prior to the first work session.

Modifications/Incentives. Condition 3 of the Sketch Plan approval states, “The applicant shall further identify how the proposed project modifications allowed per Section 9-604: A. 6. *Modified Development Standards*, will result in residences that will be more energy-efficient, will provide more amenities, or improved design, and will not jeopardize public health, safety or welfare than if the modifications are not approved.”

The applicant has provided a detailed response to this condition for each requested modification and incentive which are described in detail in the next section. The application states:

*“The proposed buildings have been designed in a manner to increase efficiencies—both energy and cost efficiencies and do not jeopardize public health, safety, or welfare. The buildings, especially 9-12 have been designed in a manner to utilize the topography and grade at the site to reduce the appearance and massing of the structures from Highway 135. Locating larger structures closer to the highway creates a sense of arrival to the community with this site which will help to slow traffic on Highway 135. It is important to consider the tradeoffs that are necessary for developing essential housing—larger buildings are more cost effective and energy efficient and can house more people, while smaller buildings may be more culturally acceptable and align with past development patterns. However, if the highest priority is housing our community members and workforce in energy efficient units that are connected to our communities and part of great neighborhoods—larger buildings are a critical tool. We cannot house everyone in single family or even duplex and triplex units while still maintaining open space, ensuring multi-modal connection, and aligning with our climate and energy efficiency goals.*

*There are a variety of reasons why these incentives are necessary for the Whetstone project which are outlined below.*

- 1. Committed to deed restricted affordable housing exceeding requirements of 9-600.*
- 2. Need to maintain construction cost efficiency which 3 story buildings offer in order to keep costs low, resulting in lower rents.*
- 3. There are 252 units in 23 proposed residential structures in the Preliminary Plan (“PP”) application. The Sketch Plan had 231 units in 30 buildings, excluding the carriage house buildings located in the Central Neighborhood Zone. The number of buildings has been reduced to free up more site area for amenities, snow storage, and detention, explained more thoroughly below.*
- 4. Through the course of the PP development and workshop with the community, the team needed to identify additional site area for (1) amenities, a 7x7 sized youth soccer field programmable for Crested Butte recreation, dedicated central greenway connecting entire neighborhood to transit and underpass, (2) more on-site snow storage and (3) detention. Some buildings were removed to accommodate these needs and units replaced with a third story element on several structures.*
- 5. Reduced number of buildings reduces costs which is one of the trade-offs required to maintain affordability at Whetstone.*
- 6. Berm along Highway 135 is maintained with a height of 3’ to 6’.*
- 7. All 3 -story buildings also have 2-story elements, reducing scale.*

8. *The site will incorporate geothermal and additional energy efficient design strategies. There is increased energy efficiency with reduced number of structures.”*

Building Height Incentive: The applicant requests an increase in height of 25% for Buildings 5A, 5B, 5C, 9, 10, 11, 12. This is a change from Sketch Plan which requested an increased height for two buildings (10 and 12). According to the application, “These buildings are designed to work with the site topography and be minimally obtrusive from Highway 135. The public benefit of the taller buildings will allow more units in the development for essential housing. No solar access will be obstructed for other units nor will solar access be obstructed for adjacent property owners.” Section 9-604: A.3. allows for a 25 percent maximum height increase when “such increase is found to not interfere with solar access or potential solar access of existing adjacent structures, and the County determines the increase to be in the public benefit in its allowance for additional and/or larger residences that are deed-restricted pursuant to this Division.”

The closest buildings to the development are in the Riverland Industrial Park. The buildings in Riverland along the property line between the industrial park and Whetstone are built out. The location and orientation of the new buildings in Whetstone do not block any solar access. The lots in Creekside Subdivision are separated from Whetstone by a road and their solar access would not be blocked by this development.

The Sketch Plan approval found:

*“The applicant has met its burden to establish that application of a modification of the standards set forth in the LUR, including but not limited to, Section 13-103, to allow for an increase in height of 25% for two buildings proposed in the plan, is generally consistent with the standards of the Gunnison County Land Use Resolution. Further review and final determination of application of this modification will occur at Preliminary and Final Plan application. The applicant has established that its application meets the standards of Section 9-604: A.3, which states, “An increase of 25 percent in the maximum structure height allowed pursuant to Section 13-103: G.: Allowed Structure Heights, when such increase is found to not interfere with solar access or potential solar access of existing adjacent structures, and the County determines the increase to be in the public benefit in its allowance for additional and/or larger residences and that are deed-restricted pursuant to this Division. In addition, the modification standards of Section 9-604: A.6 potentially apply to this application with regard to the foregoing.”*

Reduced Setback Requirements Incentive: The applicant requests a modification from this standard for setbacks from internal subdivision roads. The application states:

*“This was not applicable at Sketch Plan and is now requested as an incentive with the Preliminary Plan (“PP”) application. Section 13-104: Setbacks from Property Lines and Road Rights-of-Way Table 7 requires a 25-ft. setback from platted subdivision development roads. Many of the buildings in the development are 10-15 ft from the internal road network. The proposed traditional neighborhood design and compact form is appropriate for this site and makes a more livable community for the residents, helping to create better pedestrian scale along the streetscape, slow traffic on roads, create easy access to transit, and provide more amenity and park space. As a reference, the Town of Crested Butte setbacks which are 7.5-11.5 feet depending on roof slope. Roof forms at Whetstone have been designed to minimize snowfall onto public sidewalks.”*

Staff finds that this request likely has no impact on adjacent property owners and will only impact the residents in the Whetstone development. Additionally, staff agrees that the reduced setbacks and traditional neighborhood design support and enable a community that has safe streets and sidewalks for all users and mobility types. The current setback standards reflect a more suburban style of development that is not aligned with the goals of this neighborhood.

Deferred Fees Incentive. In compliance with this Section, the applicant has requested that all fees be deferred.

Building Size Modification. The applicant has requested a modification to Section 13-105, as allowed by this Section. The application identifies:

*“...the following sizes for the proposed buildings:*

- 1. Maintenance Building – 1,171 sf*
- 2. Duplex buildings – 3,596 sf*
- 3. Triplex buildings – 6,046 sf*
- 4. Apartment building – 8,890 sf*
- 5. Apartment buildings – 28,125 sf*
- 6. Live/work townhomes – 7,201 sf*
- 7. Triplex buildings – 3,877 sf*
- 8. Apartment building – 32,031 sf*
- 9. Apartment building – 36,882 sf*
- 10. Apartment building – 27,324 sf*
- 11. Apartment building – 45,385 sf*

*We request a modification to the design standards of Section 13-105: D.2. Maximum Building Size and Maximum Aggregate of All Structures which states the maximum building size for multi-family residences is 10,000 square feet and the aggregate maximum is 12,500 square feet, as allowed by Section 9-604: A.6.*

*The proposed buildings have been designed in a manner to increase efficiencies—both energy and cost efficiencies and do not jeopardize public health, safety, or welfare. The buildings, especially 9-12 have been designed in a manner to utilize the topography and grade at the site to reduce the appearance and massing of the structures from Highway 135. Locating larger structures closer to the highway creates a sense of arrival to the community with this site which will help to slow traffic on Highway 135. It is important to consider the trade-offs that are necessary for developing essential housing—larger buildings are more cost effective and energy efficient and can house more people, while smaller buildings may be more culturally acceptable and align with past development patterns. However, if the highest priority is housing our community members and workforce in energy-efficient units that are connected to our communities and part of great neighborhoods—larger buildings are a critical tool. We cannot house everyone in single family or even duplex and triplex units while still maintaining open space, ensuring multi-modal connection, and aligning with our climate and energy efficiency goals.”*

The Planning Commission shall determine if the requested building size modification complies with the standards of this Section. The Sketch Plan decision approved an increase in building size:

*“The applicant has demonstrated that the larger buildings will be more energy efficient; will provide more amenities, including the creation of park and open space due to size and location of the buildings; improved access to transit for residents in larger buildings; and reduced traffic and vehicles in the remainder of the neighborhood because of the larger buildings’ location adjacent to the highway.*

*The proposed modification does not jeopardize public health, safety, or welfare and that neither Section 13-105 nor viewsheds are amongst the “public health, safety, and welfare” standards described in Section 1-105: Sections Necessary for Immediate Preservation of Public Health, Safety, Welfare, and the Environmental and Natural Resources.”*

Landscaping Modification. The applicant requests a modification to the landscaping standards as allowed by this Section:

*“Modifications are requested for landscaping and buffering design requirements under Article 13-111. The landscape plant quantity reduction allows Whetstone to meet Wildland Urban Interface Code (IWUIC), maximize usable spaces for community gathering and recreation, provide snow storage in optional locations to ease maintenance and increase available parking closer to residence doors. No landscape reduction is requested for the berm and buffer along Highway 135. Please see the Landscape Plans LS-001 for required and provided landscaping table.*

The applicant proposes the installation of fewer trees than required by this Section. County staff has not updated the landscaping standards since the adoption of the IWUIC which can complicate landscaping. Sheet LS-001, “Overall Notes” prepared by Norris Design and dated June 28, 2024 describes the proposed planting schedule. Based on the standards of this Section 415 trees and 1,247 shrubs would be required; the applicant proposes 249 trees and 627 shrubs. Staff supports the proposed reduction. Numerous projects have been required to install trees and shrubs in ecological systems that don’t typically include those species and struggle to maintain landscaping (Tomichi Gravel Pit, Riverland, etc.). The current landscaping standards do not account for the sage brush landscape in a way that aligns with water conservation and the local climate.

Parking Incentive. As allowed by Section 9-604: B.1. the applicant requests a reduction in required parking for the proposed development. The applicant proposes 421 parking spaces for 252 units (1.67 space/units); the Sketch plan proposed 422 parking spaces for 231 units (1.8 spaces/unit). The LUR requires two parking spaces for up to a 3-bedroom unit. There are 476 bedrooms proposed (0.88 space/bedroom). No units have more than three bedrooms. The application states:

*“...Whetstone must achieve a balance for site, building and project needs to maintain target AMI rental rates. Part of this balance is providing a slightly lower parking ratio, encouraging transit use through connection to services and safe pathway systems.*

*The County, Servitas and the design team have worked very hard to balance the number of units with needed parking at the site. The County’s separate project to develop an underpass from the site connecting Whetstone to transit and a multi-modal path justify the reduction in parking. The reduction in parking will not jeopardize public health, safety, or welfare and because of the proposed underpass connection to transit it will likely improve public health and safety by reducing vehicle*

*trips and emissions. Additionally, the reduction in parking allows for the development of improved park and open space that is an amenity for residents.”*

The Whetstone development proposes a multimodal connection to the Town of Crested Butte (and other areas). Parking requirements are notoriously expensive and land consumptive for affordable housing developments. Many municipalities are drastically reducing parking requirements in recognition of the costs associated with them (dollars, environment, proliferation of more cars on roads, etc.). The applicant has developed an intersection plan that connects the neighborhood to the Town of Crested Butte via bus, car, bike or walking. Residents can also use the free bus to access other communities (Mt. CB or Gunnison). The Planning Commission shall determine if the requested building size modification complies with the standards of this Section. The Sketch Plan decision approved a reduction in parking standards:

*“...the Commission finds that modification of the foregoing standard, and application of Section 9-604(B)(1) is appropriate because the applicant has established reasonable efforts to balance the number of units with needed parking at the site. The applicant has shown that its proposal of 1.8 spaces/unit still provides parking for residents and that parking, along with the applicant’s separate project to develop an underpass from the site connecting it to transit and a multimodal path justifies a modification of the normal parking standard.”*

### **Engineering**

- A. Water/Sewer. The applicant has provided a Utility Extension Agreement dated July 15, 2024 with the Town of Crested Butte for domestic water supply and treatment of the wastewater. The applicant has provided the required engineering reports and analysis as described in the applicable standards. The applicant has contracted with the Upper Gunnison River Water Conservancy District for the purchase of augmentation water. The existing residential well permit has been submitted to the Colorado Division of Water Resources for conversion to an irrigation only well. Issuance of the well permit shall be a condition of any approval. Irrigation water demand detail can be found in the “Whetstone Exhibits” and the plan titled, “Parks and Open Space” dated June 28, 2024. The “Preliminary Utility Report, Whetstone Workforce Housing, Gunnison County, Colorado,” prepared by Joel Price, P.E. of Kimley Horn and dated June 25, 2024 was submitted and states:

*“This report demonstrates that the proposed water and sanitary sewer infrastructure for this Project will be sufficient to serve the aforementioned development through analysis of the Project’s impact on the existing Town of Crested Butte (“Town”) water and sanitary sewer system with hydraulic modeling. Water and sanitary sewer mainlines will be owned and maintained by Gunnison County.”*

- B. Road and Trails System Plan. The applicant has submitted fully engineered road plans prepared by Shelby Madrid, P.E. of Kimley Horn and dated June 28, 2024. The applicant has already received approved access permits from CDOT for the development. Access Permit No. 324018 has been issued for up to 256 units and requires that the applicant construct a roundabout for the development and that the existing accesses be completely removed. Access Permit No. 324019 is for the southern entrance point and allows right-in, right-out only access. The application states, “The design team has consulted with Gunnison County Public Works and the Town of Crested Butte on the design of the internal development roads and has created a cross section to accommodate on-street parking, pedestrian safety, landscaping and snow storage and removal.” A “Traffic Impact

Study” dated December 2023 and prepared by Kimley Horn has been submitted as part of the application. The plans have been referred to Gunnison County Public Works for comment.

- C. Fire Protection. The applicant has met with the Crested Butte Fire Protection District to review the proposed plans and design. A copy of the application has been referred to CBFDP for review and comment. The development has been designed in alignment with the standards of the 2021 International Wildland Urban Interface Code.
- D. Snow Storage and Stormwater Management. Areas for snow storage and stormwater detention have been delineated on the plans and submittal documents. Snow storage detail can be found in the “Whetstone Exhibits” and the plan titled, “Access and Parking Plan” dated June 28, 2024.

Subject to State standards, storm water runoff is required to be managed onsite, to direct runoff to stable, vegetated areas capable of maintaining sheet flow for infiltration, or to discharge to a storm water conveyance structure, designed to accommodate the projected additional flows from the proposed project. The application states: “The overall drainage design for the site consists of collection of developed stormwater via curb/gutter and inlets for conveyance to the on-site private detention pond in the south corner of the site. Developed stormwater will be treated for water quality and 100-year detention attenuation, generally consistent with the Mile High Flood District standards.”

The “Final Drainage Report: Whetstone Workforce Housing, Gunnison County, Colorado,” dated June 25, 2024 and prepared by Kimley Horn and stamped by Shelby Madrid, P.E. was submitted. The report states, “Proposed drainage designs associated with the Project have been designed in substantial accordance with applicable Gunnison County standards and Mile High Flood District Manual and are not anticipated to adversely affect the existing drainage facilities to which they discharge.” Additionally, the applicant submitted the “Stormwater Management Plan (SWMP), Whetstone Workforce Housing, Crested Butte, Colorado,” dated February 2024 and prepared by Kimley Horn.

**Referral Agency Comments.** A request for comments was sent to the following agencies: Town of Crested Butte, RTA, Colorado Parks and Wildlife, Gunnison County Public Works, RE1-J School District, Crested Butte Fire Protection District, Colorado State Forest Service, Colorado Department of Transportation, Colorado Division of Water Resources, GCEA, Gunnison Valley Regional Housing Authority, and Colorado Department of Public Health and Environment.

Comments were received from RTA, Colorado Parks and Wildlife, Gunnison County Public Works, CDOT, Colorado Division of Water Resources and CDPHE. Comments are noted in the staff report and included in the permit database file.



# GUNNISON COUNTY, COLORADO PLANNING DEPARTMENT STAFF REPORT SKETCH PLAN for WHETSTONE COMMUNITY HOUSING

Land Use Change Permit Application: Gunnison County  
represented by Servitas  
Application No. LUC-22-00049  
Date application scheduled with Planning Commission:  
August 29, 2024  
Prepared by: Cathie Pagano, Assistant County Manager  
for Community and Economic Development

<b>APPLICANT NAME:</b>	Gunnison County
<b>PROPERTY OWNER NAME:</b>	Gunnison Board of County Commissioners
<b>PROJECT DESCRIPTION:</b>	<p>The applicant proposes the development of an essential workforce housing residential development on the site. The total parcel is 15 acres. 252 residential units with 476 bedrooms are proposed at the site of which the majority (more than 40% per Essential Housing standards) will be restricted for essential housing:</p> <p>80% of units will be restricted to local workforce with the following income requirements and target rental rates by AMI:</p> <ul style="list-style-type: none"> <li>• 40% of the units will be deed restricted for residents earning 120% AMI or less</li> <li>• 10% of the units will be restricted for residents earning 170% AMI or less</li> <li>• 30% of the units will be restricted with a local workforce requirement but not a specific AMI limitation</li> <li>• 20% do not have a specific commitment</li> </ul> <p>The deed restriction language that is proposed is included within the Utility Extension Agreement to Provide Water and Sewer Service, dated July 15<sup>th</sup> and states:</p> <p><i>“Owner shall restrict at least 80% (202 units) of all units as workforce and essential housing meeting the following minimum restrictions:</i></p> <ul style="list-style-type: none"> <li>A. <i>Workforce housing means the household includes:</i> <ol style="list-style-type: none"> <li>1. <i>At least one member working for at least 30 hours a week, or 1,500 hours per year for a Gunnison County based employer (“Full Time Worker”); or</i></li> <li>2. <i>A retired or disabled person who was a Full Time Worker at least four years immediately proper to such person’s retirement or disability</i></li> </ol> </li> <li>B. <i>A minimum of 202 units will be restricted for workforce housing.</i></li> <li>C. <i>No less than 40% (101 units) of the total number of units shall serve households earning no more than 120% Area Median Income (“AMI”).</i></li> <li>D. <i>In addition, no less than 10% (25 units) of the additional units shall serve households earning no more than 170% AMI.”</i></li> </ul>

There are 252 units proposed in 23 residential structures and include multifamily units, townhomes and live-work units. The Sketch Plan proposed 231 units in 30 buildings. The proposed buildings include:

1. Maintenance Building – 1,171 sf
2. Duplex buildings – 3,596 sf
3. Triplex buildings – 6,046 sf
4. Apartment building – 8,890 sf
5. Apartment buildings – 28,125 sf
6. Live/work townhomes – 7,201 sf
7. Triplex buildings – 3,877 sf
8. Apartment building – 32,031 sf
9. Apartment building – 36,882 sf
10. Apartment building – 27,324 sf
11. Apartment building – 45,385 sf

The application states, “The number of buildings has been reduced to free up more site area for amenities, snow storage, and detention...” The application proposes 421 parking spaces for 252 units (1.67 spaces/unit). The LUR requires two spaces for up to a 3-bedroom unit (504 spaces), the applicant requests a reduction to 421 spaces or 17%. Section 9-604: B. 1. allows an applicant to request reduced parking requirements for essential housing projects. Of the 15.1 acres, 7.2 acres (47%) will be set aside for open space which exceeds the LUR standard and is a slight increase (3%) from the Sketch Plan application. There is space to accommodate a potential small commercial use in Building 11. At this time no specific use is proposed other than a leasing office for the neighborhood and community room for the neighborhood residents.

The following amenities and facilities are proposed as part of the application:

- Park facilities that include: 7x7 sized youth soccer field, shade structure, picnic tables, grills, playground area
- Fenced dog park/run
- Dedicated central greenway connecting neighborhood to transit and underpass
- Installation of geothermal fields for energy efficiency and air source heat pumps
- Perimeter trail
- Internal sidewalks
- Maintenance barn to contain equipment and vehicles
- Stormwater detention pond
- Internal bus shelter (for school bus or future transit connectivity)
- Benches throughout site
- Community meeting space (Building 11) with indoor/outdoor space. Community space includes kitchenette.
- Office/lease space
- Storage in larger apartment buildings

Separate from this housing application, the County is pursuing redevelopment and redesign of the Brush Creek and Hwy 135 intersection. The County has contracted with Mead & Hunt to develop a design for the intersection that would address safety and traffic. As part of that process, a proposed design for pedestrian and bike

	<p>underpass has been designed. All of these projects impact the land use change application but are not specifically in the purview of Planning Commission review. CDOT has reviewed and permitted (see Access permits in application file) the intersection redesign and underpass. These projects relate to the traffic impacts of the application and the Planning Commission will need to consider that aspect.</p> <p>Per Section 7-103: C.1. the applicant has requested that Preliminary and Final plan be combined. The LUR requires that the PC consider design, size, public concern, public facilities, and services in consideration of combination. Because the proposed development is not a subdivision there will likely not be any new or different information submitted for final plan. The applicant would not be required to submit a final subdivision plat or covenants because it is not a subdivision. Staff recommends approval of this request.</p>
<b>PROPERTY LOCATION:</b>	The subject parcel is located at 25115 Hwy 135. The parcel is legally described as: a tract of land in the NW1/4SE1/4, Section 12, Township 14 South, Range 86 West, 6 <sup>th</sup> pm. There are two separately deeded parcels that are part of this application, including the parcel described in warranty deeds recorded at Reception Nos. 658634 and 685777 and the plat recorded at Reception No. 685778.
<b>SURROUNDING LAND USES:</b>	Surrounding land uses include residential, industrial, and agricultural.
<b>AGENCY AND DEPARTMENT REVIEWS:</b>	<p>A copy of the application was sent via email on July 17, 2024 to the following referral agencies for review and comment:</p> <ol style="list-style-type: none"> <li>1. Town of Crested Butte. No comments received from referral request however Town and County have been working together on utility extension agreement including payment of tap fees agreement and roundabout/underpass installation.</li> <li>2. RTA; Comments received in a letter dated August 9, 2024 from Scott Truex, Executive Director.</li> <li>3. Colorado Parks and Wildlife: Comments received in a letter dated August 7, 2024 from Codi Prior, District Wildlife Manager.</li> <li>4. Gunnison County Public Works: Comments received in a memo dated August 7, 2024 which support the application.</li> <li>5. RE1-J School District. No comments received.</li> <li>6. Crested Butte Fire Protection District. No comments received.</li> <li>7. Colorado State Forest Service. No comments received.</li> <li>8. Colorado Department of Transportation. In an email dated, July 24, 2024 from Brian Killian he noted that CDOT had no additional comments and had issued the access permits for the project.</li> <li>9. Colorado Division of Water Resources: Comments received in a letter dated August 22, 2024 from Ailis Thyne, P.E..</li> <li>10. GCEA. No comments received.</li> <li>11. Gunnison Valley Regional Housing Authority. Staff responded that they did not have time to comment.</li> <li>12. Colorado Department of Public Health and Environment: Comments received in a letter from Brendan Cicione, Air Quality and Transportation Planner.</li> </ol>
<b>ATTACHMENTS</b>	See application file in public access database
<b>PRE-APPLICATION CONFERENCE:</b>	A pre-application conference was conducted between staff and the applicants prior to submittal of the application.
<b>PRELIMINARY/FINAL PLAN STATUS OF APPLICATION:</b>	<p>The Whetstone Housing Preliminary/Final Plan application was submitted on June 28, 2024. The Community Development determined the revised application was complete on July 29, 2024</p> <p>The <i>Land Use Resolution</i> requires that Preliminary/Final Plan review accomplishes:</p> <ol style="list-style-type: none"> <li>1. Discussion of the proposal.</li> </ol>

		<p>2. A process to formulate detailed, design/engineered solutions to issues and concerns identified during Sketch Plan review and to address, in a site-specific manner, all other issues that are relevant to the Preliminary Plan.</p> <p>3. Submittal by the applicant is required to address specific sections of the Land Use Resolution and to address compliance with Sketch Plan conditions.</p>
<p><b>PLANNING COMMISSION TASKS AT INITIAL SKETCH PLAN WORK SESSION:</b></p>		<ul style="list-style-type: none"> <li>— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application</li> <li>— Hear applicant presentation</li> <li>— Review staff comments identifying compliance of application with standards, and other standards with which the application must comply in order to be approved</li> <li>— Identify and consider issues</li> <li>— Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted</li> <li>— Set site visit date</li> <li>— Determine if application is ready to be set for joint public hearing, or if additional work session is required</li> </ul>
EA or EIS is required for this project	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project located in Special Geographic Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phasing proposed	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Phasing is described in the “Whetstone Phasing Exhibit REV” dated June 28, 2024.
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Protective Covenants Outline	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No covenants are proposed as part of the development, nor are they required. The development is not a subdivision. The entire parcel will be owned by Gunnison County and all units will be rentals.
<b>COMPLIANCE WITH CONDITIONS OF SKETCH PLAN APPROVAL</b>		
<b>Sketch Plan Condition</b>	<b>Complies with Sketch Plan conditions</b>	<b>General Comments/References to specific documentation</b>
<p>1. Pursuant to Section 7-103: C., in the submittal of Preliminary Plan, the applicant shall formulate detailed, designed/engineered solutions to the issues and concerns identified during this Sketch Plan review, and shall address, in a site-specific manner, all other issues that are relevant to the Preliminary Plan.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>Applicant Response: <i>“Kimley Horn has provided detailed design engineering plans with this Preliminary and Final Plan submittal. Plans include grading and drainage, utility plan and profiles, stormwater management, utility and drainage reports. Engineering has played a critical role in developing the technical documents that have been coordinated with the site plan, building footprints and landscape to ensure a cohesive, coordinated set of plans for this submittal and review.”</i></p> <p>This staff report describes the application’s compliance with the standards of Preliminary/Final plan requirements.</p>

<p>2. The Preliminary Plan application shall address how the application and proposed development will address the following issues identified during the Sketch Plan review process:</p> <p>a. Applicant shall describe the livability of the larger buildings alongside Highway 135 and their compatibility with community character including design, form, massing, and architectural features, taking into account the modification provisions of Section 9 and the need for liberal construction of LUR in favor of providing adequate housing for all people.</p> <p>b. Applicant shall identify options for multimodal connection to the site that is safe and accessible, taking into account the modification provisions of Section 9 and the need for liberal construction of LUR in favor of providing adequate housing for all people.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	<p>Applicant Response: <i>“Livability has been a key focus for the County, Servitas and consulting team. Following Gunnison County’s Sketch Plan process, the Whetstone project team has identified Livability and Performance goals that it will be used to evaluate tradeoffs during the design phase. Livability is a broad design concept that includes goals for both the site and within the buildings.</i></p> <p><i>Livability on the site: During the Design Workshop with County, Crested Butte representatives, stakeholders and residents, Livability was addressed with the following revisions to the sketch plan:</i></p> <ol style="list-style-type: none"> <li><i>1. Inclusion of a programmable multi-use field available for Town of Crested Butte parks and recreation programming. The project was able to accommodate this into the site design of the Central Park. The adjacent building #11 can provide restrooms for public use during games or events at the fields. Some seasonal parking may be available for visitors.</i></li> <li><i>2. Accessible, pedestrian-friendly site planning is extremely important to the success of the project. The streetscape and buildings in the central neighborhood are designed with garden-level covered patios so that the least road and the central green feel pedestrian-scaled and approachable.</i></li> <li><i>3. The site plan was enhanced by including a primary pedestrian connection through the middle of the, connecting all residents north to south in alignment with the underpass under Highway 135. In addition to providing access for the bus stops on both sides of the highway, this underpass will also connect to the Deli Trail to Crested Butte.</i></li> <li><i>4. Parking is an important site consideration; however the most important livability element is to focus on transit-oriented development, is targeting slightly less than the 1.8 spaces/unit parking ratio (with the parking ratio currently set at 1.67 spaces/unit). Some of the parking may be compact, and at least 10% will be pre-wired for electric car charging as a requirement of the Transformational Affordable Housing, Homeownership, and Workforce Housing Grant (“the Grant”).</i></li> </ol> <p><i>Livability of the buildings</i></p> <ol style="list-style-type: none"> <li><i>1. The Alley Flats #6 were removed because of the difficulty of snow removal and the additional cost for so many separate small buildings. Cost per unit is an important livability consideration because it affects rents. These Alley Flat units were relocated into a more efficient version of walk-up buildings #4 and #5. Building #4 remained at 2-stories, while building #5 increased to 3-stories in the middle section but remained 2-stories on both ends.</i></li> <li><i>2. Building #9 increased to three stories so that it can make up grade in the lower level as the steeper section of the site slopes down from highway 135. This third story at building #9 also allows the building to push up against the berm along the highway.</i></li> <li><i>3. Covered porches at building entries were identified as an opportunity for the architectural design to create an inviting, pedestrian-scaled experience. As mentioned</i></li> </ol>
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		<p>above, the central neighborhood will also provide covered patios at the units to activate the street. However, there will only be a limited number of private decks above the garden-level. These will only be provided where needed to break down the scale of the buildings and create architectural interest of the facades.</p> <p>4. In buildings with double-loaded corridors, windows and daylighting are provided at the ends of corridors. Common stairs are also glazed for natural light. Straight runs in stairs make it easier to move furniture. Some buildings also have secondary entries to facilitate move-in/move-out, as well as allowing exits from stairs (but re-entry only at primary and secondary building entries). These additional accessible entries allow more type-A units to be located on the upper floors, enhancing accessibility since the buildings typically do not provide elevators.</p> <p>5. Storage for boots, coats, bikes, and skis are a key priority for residents. All units provide a large “mud room” in lieu of a coat closet. Additional private storage outside the unit (but within the buildings) is also available for rent to store gear.</p> <p>6. Also inside the units, large kitchens with bar seating typically form the center of daily life – eating, homework, and socializing. Large closets and 10’x10’ bedrooms also provide enough private space for roommates or families to share the units.</p> <p>7. Amenity space for residents is proposed to be provided in Building #11, adjacent to the Central Park.”</p> <p>b. Applicant shall identify options for multi-modal connection to the site that is safe and accessible, taking into account the modification provisions of Section 9 and the need for liberal construction of LUR in favor of providing adequate housing for all people.</p> <p>Applicant Response: “The County is committed to development of a roundabout and underpass. The underpass design is underway as a separate project by Gunnison County with engineering firm Mead and Hunt. The development of housing and construction of the roundabout work together on the planning side, but have different funding sources and implementation timelines. Creating safe, well-connected access to the underpass has been a driving factor for site plan development as shown in the design and engineering plans. A central pathway system links the entire property north to south, with only two vehicular crossings interrupting the length of path. Along with the pathways, engineering and landscape have collaborated to develop a set of terraced walls, berms and landscape to gently and accessibly connect the underpass to the transit stops.”</p> <p>The application goes into detail on livability beginning on page 27 of the narrative which includes architectural character, environmental sustainability, neighborhood character, trails &amp; parks, and access &amp; transit.</p>
<p>3. The applicant shall further identify how the proposed project modifications allowed per Section</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD</p>	<p>Applicant Response: “The proposed buildings have been designed in a manner to increase efficiencies—both energy and cost efficiencies and do not jeopardize public</p>

<p>9-604: A. 6. <i>Modified Development Standards</i>, will result in residences that will be more energy-efficient, will provide more amenities, or improved design, and will not jeopardize public health, safety or welfare than if the modifications are not approved.</p>		<p><i>health, safety, or welfare. The buildings, especially 9-12 have been designed in a manner to utilize the topography and grade at the site to reduce the appearance and massing of the structures from Highway 135. Locating larger structures closer to the highway creates a sense of arrival to the community with this site which will help to slow traffic on Highway 135. It is important to consider the tradeoffs that are necessary for developing essential housing—larger buildings are more cost effective and energy efficient and can house more people, while smaller buildings may be more culturally acceptable and align with past development patterns. However, if the highest priority is housing our community members and workforce in energy efficient units that are connected to our communities and part of great neighborhoods—larger buildings are a critical tool. We cannot house everyone in single family or even duplex and triplex units while still maintaining open space, ensuring multi-modal connection, and aligning with our climate and energy efficiency goals.”</i></p>
<p>4. The proposed development shall include bear-proof trash containers and limits on the use of bird feeders in compliance with the recommendations of Colorado Parks and Wildlife.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>Applicant Response: “Bear proof trash containers are proposed in the landscape plans. Additional trash enclosures for large scale materials management will be secured and provided by Waste Management.”</p>
<p>5. Per LUR Section 7-202(O), approval of this Sketch Plan application constitutes a final decision of approval for the general development concept only, but shall not constitute approval of any detailed design or engineering submittals or proposed solutions to specific problems revealed during the Sketch Plan review or later in the review process. Sketch Plan approval by the Board shall not constitute approval of the Major Impact project, or permission to proceed with construction of any aspect of the proposed land use change. Approval at this stage only authorizes the applicant to submit a Preliminary Plan application. If, during the Preliminary and Final Plan reviews, the applicants are unable to fulfill all of the requirements of this Resolution or any requirements imposed as part of the Preliminary or Final Plan review, then the application shall be denied at the Preliminary or Final Plan review stage.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>No applicant response required.</p>
<p>6. The applicant shall be required to submit and actively pursue the completion of the Preliminary Plan application within twelve (12) months after the date of approval of the Sketch Plan. Per Section 7-202: Q. <i>Extension of Submittal Deadline</i>, the Board may extend the deadline to submit a Preliminary Plan application for no more than 12 months beyond the date of the 12-month expiration, and only</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p>The Sketch Plan application was approved by the Board of County Commissioners on February 9, 2023 in Resolution No. 2023-2 recorded at Reception No. 689672. On January 4, 2024 the applicant requested an extension for submittal of the Preliminary Plan application. At the January 16, 2024 BOCC regular meeting, the BOCC approved the extension request for one year (due February 9, 2024).</p>

<p>one extension may be granted. Failure to submit a complete Preliminary Plan application within this time period shall render the Sketch Plan approval null and void, and require the applicant to begin the Sketch Plan review process again.</p>		
<p>7. This approval is founded on each individual requirement. Should the applicant successfully challenge, in a judicial proceeding, any such finding or requirement, this approval is null and void.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>No applicant response required.</p>
<p>8. This Sketch Plan approval may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>No applicant response required.</p>
<p>9. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change application.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>No applicant response required.</p>
<p>10. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>No applicant response required.</p>
<p>11. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>No applicant response required.</p>
<p><b>APPLICABILITY OF LAND USE RESOLUTION STANDARDS:</b></p>		
<p>Standard, by LUR section, division and/or article</p>	<p><b>Preliminary/Final Plan complies, or compliance will be determined during review</b></p>	<p><b>Staff Comments/ References to specific documentation</b></p>
<p>7-102: Standards that apply to all Major Impact applications:</p>		

7:102: A.: The proposed land use change is required to comply with, and the burden is on the applicant to demonstrate through competent evidence, that the proposed land use change complies with all applicable requirements of this *Resolution*.

7-102: B.: Compatibility with community character; no adverse impact future development of the development area.

Yes  No  N/A

Applicable, the applicant shall demonstrate that the project is compatible with community character, or an enhancement of the character of existing land uses in the development area and shall not adversely impact the future development of the development area.

The application states:

*“Gunnison County and Servitas propose an essential workforce housing neighborhood on the subject parcel. The Gunnison Valley’s Housing Needs Assessment is in the process of being updated as part of the recent One Valley Resiliency Roadmap, and most recent numbers from the 2024 Gunnison Valley Market Update shows a current shortage of between 1,080 - 1,345 units to catch up and keep up with demand by 2029. The impacts of housing shortage have been detailed at public meetings and in the media. Businesses do not have enough employees; essential services cannot hire essential staff from teachers to physicians because of the lack of affordable housing at all price points. The development of essential workforce housing is essential to maintaining community character– without year-round residents that live and work in the community the very core and essence of the community is gone. Essential Housing standards, Section 9-601, states the following, which was written in 2006 and the lack of essential housing has only grown worse:*

*‘The wellbeing of the residents and visitors in Gunnison County is dependent upon a supply of affordable workforce housing being available for emergency services personnel, medical practitioners, teachers and other employees crucial to our economy and community so they can live within reasonable proximity to their worksites and provide necessary public- and private-sector services. The documented trend of increasing housing and land prices in Gunnison County has resulted in an inadequate supply of Essential Housing for county residents. This jeopardizes the ability of local employers to hire and retain employees, thus negatively impacting business operations.’*

*The proposed neighborhood has been designed to be compatible and complementary to the natural systems and existing land uses in the area, connected to neighboring parcels and multi-modal access via a pedestrian underpass, and appropriate buffering in mind. The consultant team has worked extensively with community members and adjacent landowners in the design of the neighborhood. Additionally, the design team is working with the Town of Crested Butte on a utility extension agreement for water and wastewater treatment systems. We anticipate receipt of the Utility Extension Agreement from the Town of Crested Butte on 7/15/24.”*

The applicants did enter into a Utility Extension Agreement with the Town of Crested Butte on July 15, 2024.

		<p>The Sketch Plan decision noted that, “The proposed development is compatible with the community character and is an enhancement of the development area because it will create a secure source of housing for community residents and does not adversely impact the area.”</p>
<p>7-102: C.: Phases stand alone</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Each phase shall contain the required roads, bridges, utilities, landscaping, and other improvements that are necessary and desirable for residents of the project. If the Land Use Change incorporates any amenities for the benefit of the County, such as trail connections, these shall be constructed within the first phase of the Project, of, if this is not possible, then at a time defined and agreed upon as part of the Development Improvement Agreement at Final Plan approval.</p> <p>A Development Improvements Agreement shall be required to be executed upon any final approval of the development. The applicant proposes one phase for development of the proposed subdivision.</p> <p>The application states:  <i>“There are several phases of on-site and off-site construction that will occur with development of Whetstone, some of which will be concurrent and some of which will occur later in the construction process. It is expected that utilities being extended from the Town of Crested Butte will be installed initially, concurrently with grading and excavation on site. Following grading and excavation, on-site utilities and geothermal well drilling will occur, followed by the first phase of housing.</i></p> <p><i>Please see the Phasing Plan which identifies Phase 1 utilities, infrastructure and buildings and the graphic timeline.”</i></p> <p>After further conversations with the applicant, they intend to build the entire project at one time—it will take several years but it will not be phased in a fashion similar to other subdivisions where one portion is built and rented while the other portion is entirely undeveloped. However, as units are constructed, the applicant proposes to allow occupancy of those units as long as all utilities are available, emergency access is sufficient, and all life safety elements are installed and operational.</p>
<p>7-102: D.: Uses identified on all subdivision lots</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>All uses proposed on the subject parcel are defined within the Sketch Plan submittal. Proposed uses include 252 residential housing units with 476 bedrooms.</p> <ul style="list-style-type: none"> <li>• Maintenance Building – 1,171 sf</li> <li>• Duplex buildings – 3,596 sf</li> <li>• Triplex buildings – 6,046 sf</li> <li>• Apartment building – 8,890 sf</li> <li>• Apartment buildings – 28,125 sf</li> <li>• Live/work townhomes – 7,201 sf</li> <li>• Triplex buildings – 3,877 sf</li> <li>• Apartment building – 32,031 sf</li> <li>• Apartment building – 36,882 sf</li> <li>• Apartment building – 27,324 sf</li> </ul>

		<ul style="list-style-type: none"> <li>• Apartment building – 45,385 sf</li> </ul> <p>The following amenities and facilities are also included:</p> <ul style="list-style-type: none"> <li>• Park facilities that include: 7x7 sized youth soccer field, shade structure, picnic tables, grills, playground area</li> <li>• Fenced dog park/run</li> <li>• Dedicated central greenway connecting neighborhood to transit and underpass</li> <li>• Installation of geothermal fields for energy efficiency and air source heat pumps</li> <li>• Perimeter trail</li> <li>• Internal sidewalks</li> <li>• Maintenance barn to contain equipment and vehicles</li> <li>• Stormwater detention pond</li> <li>• Internal bus shelter (for school bus or future transit connectivity)</li> <li>• Benches throughout site</li> <li>• Community meeting space (Building 11) with indoor/outdoor space. Community space includes kitchenette.</li> <li>• Leasing/management office</li> <li>• Storage in larger apartment buildings</li> </ul>
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no secondary residences are proposed as part of this application.
9-102: Home occupations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, home occupations are allowed as part of this application and shall comply with the standards of this Section.
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.

9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, this is not proposed as part of this application.
9-600: Essential housing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the proposed development includes essential housing. The applicant proposes that more than 40% of the residential units will be essential housing units, as defined by the LUR. Whetstone will be deed restricted, exceeding the code requirements, as approved at Sketch Plan. 80% of units will be restricted to local workforce with the following income requirements and target rental rates by AMI:</p> <ul style="list-style-type: none"> <li>• 40% of the units will be deed restricted for residents earning 120% AMI or less</li> <li>• 10% of the units will be restricted for residents earning 170% AMI or less</li> <li>• 30% of the units will be restricted with a local workforce requirement but not a specific AMI limitation.</li> <li>• 20% do not have a specific commitment</li> </ul> <p>The deed restriction language that is proposed is included within the Utility Extension Agreement to Provide Water and Sewer Service, dated July 15<sup>th</sup> and states:</p> <p><i>“Owner shall restrict at least 80% (202 units) of all units as workforce and essential housing meeting the following minimum restrictions:</i></p> <p>A. Workforce housing means the household includes:</p> <ol style="list-style-type: none"> <li>1. <i>At least one member working for at least 30 hours a week, or 1,500 hours per year for a Gunnison County based employer (“Full Time Worker”); or</i></li> <li>2. <i>A retired or disabled person who was a Full Time Worker at least four years immediately proper to such person’s retirement or disability</i></li> </ol> <p>B. <i>A minimum of 202 units will be restricted for workforce housing.</i></p> <p>C. <i>No less than 40% (101 units) of the total number of units shall serve households earning no more than 120% Area Median Income (“AMI”).</i></p>

		<p>D. <i>In addition, no less than 10% (25 units) of the additional units shall serve households earning no more than 170% AMI.</i></p> <p>The applicant has requested the following modifications as allowed by Section 9-604: Incentives to Provide Essential Housing.</p> <p>A.1. The application is eligible for this incentive.</p> <p>A.2. Not applicable, the applicant is not seeking an increase in size for a primary residence.</p> <p>A.3. Applicable, an increase in height of 25% is requested for Buildings 5A, 5B, 5C, 9, 10, 11, 12. This is a change from Sketch Plan which requested an increased height for two buildings (10 and 12). According to the application, “These buildings are designed to work with the site topography and be minimally obtrusive from Highway 135. The public benefit of the taller buildings will allow more units in the development for essential housing. No solar access will be obstructed for other units nor will solar access be obstructed for adjacent property owners.”</p> <p>A.4. Applicable, the applicant requests a modification from this standard for setbacks from internal subdivision roads. The application states:  <i>“This was not applicable at Sketch Plan and is now requested as an incentive with the Preliminary Plan (“PP”) application. Section 13-104: Setbacks from Property Lines and Road Rights-of-Way Table 7 requires a 25-ft. setback from platted subdivision development roads. Many of the buildings in the development are 10-15 ft from the internal road network.</i></p> <p><i>The proposed traditional neighborhood design and compact form is appropriate for this site and makes a more livable community for the residents, helping to create better pedestrian scale along the streetscape, slow traffic on roads, create easy access to transit, and provide more amenity and park space. As a reference, the Town of Crested Butte setbacks which are 7.5-11.5 feet depending on roof slope. Roof forms at Whetstone have been designed to minimize snowfall onto public sidewalks.”</i></p> <p>Staff finds that this request likely has no impact to adjacent property owners and will only impact the residents in the Whetstone development. Additionally, staff agrees that the reduced setbacks and traditional neighborhood support and enable a community that has safe streets and sidewalks for all users and mobility types. The current setback standards reflect a more suburban style of development that is not aligned with the goals of this neighborhood.</p>
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		<p>A.5. Applicable, the payment of fees and possible deferral has been requested by the applicant.</p> <p>A.6. Modified Development Standards. This Section allows an applicant to request modifications to the design requirements of Article 10, Article 11, Article 12, and Article 13, “provided that the requested modification will result in residences that will be more energy-efficient, will provide more amenities, or improved design, and will not jeopardize public health, safety, or welfare.”</p> <p>The applicant requests two modifications per this Section—building size and landscaping requirements.</p> <p><b>Building Size:</b> The applicant has requested a modification to Section 13-105, as allowed by this Section. The application identifies: <i>“the following sizes for the proposed buildings:</i></p> <ol style="list-style-type: none"> <li>1. Maintenance Building – 1,171 sf</li> <li>2. Duplex buildings – 3,596 sf</li> <li>3. Triplex buildings – 6,046 sf</li> <li>4. Apartment building – 8,890 sf</li> <li>5. Apartment buildings – 28,125 sf</li> <li>6. Live/work townhomes – 7,201 sf</li> <li>7. Triplex buildings – 3,877 sf</li> <li>8. Apartment building – 32,031 sf</li> <li>9. Apartment building – 36,882 sf</li> <li>10. Apartment building – 27,324 sf</li> <li>11. Apartment building – 45,385 sf</li> </ol> <p><i>We request a modification to the design standards of Section 13-105: D.2. Maximum Building Size and Maximum Aggregate of All Structures which states the maximum building size for multi-family residences is 10,000 square feet and the aggregate maximum is 12,500 square feet, as allowed by Section 9-604: A.6.</i></p> <p><i>The proposed buildings have been designed in a manner to increase efficiencies—both energy and cost efficiencies and do not jeopardize public health, safety, or welfare. The buildings, especially 9-12 have been designed in a manner to utilize the topography and grade at the site to reduce the appearance and massing of the structures from Highway 135. Locating larger structures closer to the highway creates a sense of arrival to the community with this site which will help to slow traffic on Highway 135. It is important to consider the trade-offs that are necessary for developing essential housing—larger buildings are more cost effective and energy efficient and can house more people, while smaller buildings may be more</i></p>
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		<p><i>culturally acceptable and align with past development patterns. However, if the highest priority is housing our community members and workforce in energy-efficient units that are connected to our communities and part of great neighborhoods—larger buildings are a critical tool. We cannot house everyone in single family or even duplex and triplex units while still maintaining open space, ensuring multi-modal connection, and aligning with our climate and energy efficiency goals.”</i></p> <p>The Planning Commission shall determine if the requested building size modification complies with the standards of this Section. The Sketch Plan decision approved an increase in building size:</p> <ul style="list-style-type: none"> <li>a. <i>“The applicant has demonstrated that the larger buildings will be more energy efficient; will provide more amenities, including the creation of park and open space due to size and location of the buildings; improved access to transit for residents in larger buildings; and reduced traffic and vehicles in the remainder of the neighborhood because of the larger buildings’ location adjacent to the highway.</i></li> <li>b. <i>The proposed modification does not jeopardize public health, safety, or welfare and that neither Section 13-105 nor viewsheds are amongst the “public health, safety, and welfare” standards described in Section 1-105: Sections Necessary for Immediate Preservation of Public Health, Safety, Welfare, and the Environmental and Natural Resources.”</i></li> </ul> <p><b>Landscaping:</b> The applicant requests a modification to the landscaping standards as allowed by this Section:</p> <p><i>“Modifications are requested for landscaping and buffering design requirements under Article 13-111. The landscape plant quantity reduction allows Whetstone to meet Wildland Urban Interface Code (IWUIC), maximize usable spaces for community gathering and recreation, provide snow storage in optional locations to ease maintenance and increase available parking closer to residence doors. No landscape reduction is requested for the berm and buffer along Highway 135. Please see the Landscape Plans LS-001 for required and provided landscaping table.</i></p> <p>The applicant proposes the installation of fewer trees than required by this Section. County staff has not updated the landscaping standards since the adoption of the IWUIC which can complicate landscaping.</p> <p>Sheet LS-001, “Overall Notes” prepared by Norris Design and dated June 28, 2024 describes the proposed planting schedule. Based on the standards of this</p>
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		<p>Section 415 trees and 1,247 shrubs would be required; the applicant proposes 249 trees and 627 shrubs. Staff supports the proposed reduction. We have seen on numerous projects that the installation of trees and shrubs in ecological systems that don't typically include those species struggle to maintain landscaping (Tomichi Gravel Pit, Riverland, etc.). The current landscaping standards do not account for the sage brush landscape in a way that aligns with water conservation.</p> <p><b>Overall Modifications</b> according to the application:  <i>"There are a variety of reasons why these incentives are necessary for the Whetstone project which are outlined below.</i></p> <ol style="list-style-type: none"> <li><i>1. Committed to deed restricted affordable housing exceeding requirements of 9-600.</i></li> <li><i>2. Need to maintain construction cost efficiency which 3 story buildings offer in order to keep costs low, resulting in lower rents.</i></li> <li><i>3. There are 252 units in 23 proposed residential structures in the Preliminary Plan ("PP") application. The Sketch Plan had 231 units in 30 buildings, excluding the carriage house buildings located in the Central Neighborhood Zone. The number of buildings has been reduced to free up more site area for amenities, snow storage, and detention, explained more thoroughly below.</i></li> <li><i>4. Through the course of the PP development and workshop with the community, the team needed to identify additional site area for (1) amenities, a 7x7 sized youth soccer field programmable for Crested Butte recreation, dedicated central greenway connecting entire neighborhood to transit and underpass, (2) more on-site snow storage and (3) detention. Some buildings were removed to accommodate these needs and units replaced with a third story element on several structures.</i></li> <li><i>5. Reduced number of buildings reduces costs which is one of the trade-offs required to maintain affordability at Whetstone.</i></li> <li><i>6. Berm along Highway 135 is maintained with a height of 3' to 6'.</i></li> <li><i>7. All 3 -story buildings also have 2-story elements, reducing scale.</i></li> <li><i>8. The site will incorporate geothermal and additional energy efficient design strategies. There is increased energy efficiency with reduced number of structures."</i></li> </ol> <p>B.1. As allowed by Section 9-604: B.1. the applicant requests a reduction in required parking for the proposed development. The applicant proposes 421 parking spaces for 252 units (1.67 space/units); the Sketch plan proposed 422 parking spaces for 231 units (1.8 spaces/unit). The LUR requires two parking spaces for up to a 3-bedroom unit. There are 476 bedrooms proposed (0.88 space/bedroom). The application states:</p>
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		<p><i>“...Whetstone must achieve a balance for site, building and project needs to maintain target AMI rental rates. Part of this balance is providing a slightly lower parking ratio, encouraging transit use through connection to services and safe pathway systems.</i></p> <p><i>The County, Servitas and the design team have worked very hard to balance the number of units with needed parking at the site. The County’s separate project to develop an underpass from the site connecting Whetstone to transit and a multi-modal path justify the reduction in parking. The reduction in parking will not jeopardize public health, safety, or welfare and because of the proposed underpass connection to transit it will likely improve public health and safety by reducing vehicle trips and emissions. Additionally, the reduction in parking allows for the development of improved park and open space that is an amenity for residents.”</i></p> <p>The Whetstone development proposes a multimodal connection to the Town of Crested Butte (and other areas). Parking requirements are notoriously expensive and land consumptive for affordable housing developments. Many municipalities are drastically reducing parking requirements in recognition of the costs associated with them (dollars, environment, proliferation of more cars on roads, etc.). The applicant has developed an intersection plan that connects the neighborhood to the Town of Crested Butte via bus, car, bike or walking. Residents can also use the free bus to access other communities (Mt. CB or Gunnison). The Planning Commission shall determine if the requested building size modification complies with the standards of this Section. The Sketch Plan decision approved a reduction in parking standards:</p> <p><i>“...the Commission finds that modification of the foregoing standard, and application of Section 9-604(B)(1) is appropriate because the applicant has established reasonable efforts to balance the number of units with needed parking at the site. The applicant has shown that its proposal of 1.8 spaces/unit still provides parking for residents and that parking, along with the applicant’s separate project to develop an underpass from the site connecting it to transit and a multimodal path justifies a modification of the normal parking standard.”</i></p> <p>B.2. 7.2 acres (47%) of open space is proposed which exceeds the LUR standard and does not necessitate a modification.</p>
10-102: Locational standards for residential development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>The standards of this Section are applicable.</p> <p>The standards of this Section require that an application for a new residential development shall initially be reviewed for its location relative to existing development and shall be located adjacent to existing population centers, within</p>

		<p>a municipal three mile plan area or “to a subdivision that is served by a central wastewater treatment system that was platted and approved pursuant to the requirements of the former <i>Gunnison County Land Use Resolution</i>.”</p> <p>The proposed development is within the municipal three-mile plan area for the Town of Crested Butte.</p>
<p>10-103: Residential density</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No  <input checked="" type="checkbox"/> TBD</p>	<p>Applicable, the standards of this Section apply. The proposed development is within a municipal three-mile plan area of the Town of Crested Butte. The County and the Town do not have an intergovernmental agreement for the three-mile area around the Town and therefore if there is a conflict between Town and County standards, County standards shall apply.</p> <p>The following response is included in the application narrative:</p> <p><i>“The essential workforce housing development is within the Town of Crested Butte’s three-mile area plan (Area Plan) which was last updated in 2011. Gunnison County has not adopted the three-mile plan. The Town has also recently developed the Crested Butte Compass Plan which is in the final stages of adoption. County staff engaged with Town staff on Town’s plans, infrastructure, site design, and long-term community housing goals of both jurisdictions.</i></p> <p><i>The Area Plan stated goals include: a healthy environment; a high quality of life; housing for people who live and work in the community. The subject parcel is located in the “Middle Slate River Valley” as defined in the Area Plan. The Area Plan identifies incentives such as increased density for the development of local housing (essential housing). The Area Plan does identify the subject parcel, along with the adjacent Colvin parcels (but not the recently acquired Gers parcel) as “priority preservation areas.” The prioritization of these parcels as preservation areas would leave them as islands that are adjacent to industrial, residential developments and the highway.</i></p> <p><i>The Area Plan identifies the following goals for residential design:</i>  <i>Preservation of the natural character of the land and habitat</i>  <i>Clustered buildings</i>  <i>Provision of substantial open space</i>  <i>Solar access and alternative energy</i>  <i>Preservation of agricultural uses whenever possible</i></p> <p><i>The Whetstone essential housing development has clustered buildings on the parcel, created open space that is meaningful for the neighborhood and accessible for the residents, and prioritized solar access and alternative energy for the development. No agricultural lands are impacted by the proposed development. Since the Sketch Plan approval, the Central Park design has moved forward, integrating a multi-use field that is sized to be programmed for recreational needs of the Town’s Parks and Recreation department and Whetstone residents.</i></p>

		<p><i>The Area Plan also recommends that development should provide trails as identified on the Crested Butte Trail Plan. A central trail is proposed through the community, linking residences to the park and underpass. The future underpass will also provide connection to the Deli Trail to the Town of Crested Butte and existing transit stops. During the Design Workshops on 9/14 and 9/15 the team spent considerable time discussing the road design, snow storage, and traffic calming solutions. Road designs have been included with this Preliminary and Final Plan submittal to create a street cross section that accommodates on-street parking, drainage, utilities, snow storage and a pedestrian realm that has appropriate scale. The neighborhood has been designed with two access points to Highway 135, which was approved by CDOT with the Access Permit in March 2024, which improves safety and traffic flow. All exterior lighting shall comply with the County’s exterior lighting standards which requires fully-shielded and full cutoff fixtures. Whetstone also proposes connection to the Town’s water and sewer service which is an identified goal in the Area Plan, and the agreement is being finalized between the Town and the County. The Area Plan recommends that development include land available for public transit systems; the development includes internal bus stops, which are provided with the bus stop and underpass.</i></p> <p><i>The Area Plan includes a section on housing with a specific goal: “The housing policies of the Crested Butte Area Plan are designed to develop a socially, culturally and economically balanced community with an appropriate mix of residential dwelling unit types for permanent residents, part time residents, and tourists.” The Whetstone neighborhood meets this goal by providing deed-restricted essential housing for the local workforce. The Town’s Compass Plan identifies key themes heard from the community and defines community values. The Compass Plan describes a desire to implement policies that “make driving less convenient while simultaneously improving and expanding transit opportunities as an attractive alternative.”</i></p> <p>Additionally, the Compass Plan describes concerns about housing insecurity:</p> <p>‘A tension that was an undercurrent to many of the conversations was a deeply held fear of housing insecurity and lack of economic mobility. For example, residents of the Town feel threatened by the changes they are witnessing, including losing their quality of life, a growing divide between the haves and have nots, an inability to maintain the existing culture and community, the inability to afford a home, and the lack of opportunity to build and sustain a life here that future generations can experience.’</p> <p><i>The proposed Whetstone workforce housing development addresses a challenge described in the Compass Plan:</i></p>
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		<p>'Affordable Housing: Increasingly throughout each jurisdiction, individuals are unable to afford housing near where they work. There are many compounding issues, including the diversity of the housing stock, strategic density, the need to incentivize deed-restricted units, and a lack of options that are walkable, bikeable, and served by transit.'"</p> <p><b>“a. CONDITIONS ARE APPROPRIATE FOR SMALLER LOTS OR GREATER DENSITY. The project shall be considered for smaller lots or greater density when all of the following four requirements are met:</b></p> <p><b>1. DEVELOPMENT SERVED BY PUBLIC WASTEWATER TREATMENT SYSTEM. The development is or will be served by a public wastewater treatment system, by approval of the subject application pursuant to Section 12-106: Sewage Disposal/Wastewater Treatment.</b></p> <p>The County and the Town of Crested Butte signed a Utility Extension Agreement dated July 15, 2024 for the Town to serve the development with water and wastewater utilities.</p> <p><b>2. DEVELOPMENT SERVED BY OTHER SERVICES AND FACILITIES. To the maximum extent feasible, the development is or will be served by a public water supply, public transportation and other public services and facilities by approval of the subject application.</b></p> <p>See above regarding the request to the Town of Crested Butte for wastewater and water service. Additionally, the proposed development is adjacent to an existing RTA bus stop on Highway 135. The application states, “Whetstone is served by existing transit stops, and improvements to the intersection, including an underpass, will be constructed following approvals from CDOT and identification of funding source(s) and partnerships.”</p> <p><b>3. COMPATIBLE WITH NEIGHBORHOOD. The development is compatible with the neighborhood existing when the Land Use Change Permit application is submitted. Methods of ensuring compatibility may include, but are not limited to:</b></p> <p><b>a. PERMANENT COVENANTS TO ENSURE CONTINUED COMPATIBILITY WITH NEIGHBORHOOD USES AND DENSITIES. The proposed development includes permanent protective covenants that, at a minimum, address the following, to ensure that, if approved, it remains compatible with the neighborhood uses and densities that exist as of the date of approval of the Land Use Change Permit:</b></p> <p><b>1. DESIGN STANDARDS. Building exterior design standards.</b></p> <p>The applicant has included construction plans designed based on feedback received during two public charrettes. The narrative application includes goals and guiding principles that have been utilized to develop the exterior design of the site and architectural character of the buildings and include:</p>
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		<ul style="list-style-type: none"> <li>• <i>“Streets and layout will encourage community interaction and engagement, and provide for safe circulation around the neighborhood and to internal gathering spaces.</i></li> <li>• <i>Community amenities will be placed close to residences and eliminate possible hindrances of access.</i></li> <li>• <i>Integrate Wildland Urban Interface (WUI) design practices and ensure long-term safety from natural high-alpine considerations (wildlife, wildfires, snow storage)</i></li> <li>• <i>Consider long-term maintenance in design and provide realistic continued operations.</i></li> <li>• <i>Design with snow storage in mind. Providing adequate snow storage on site and providing snow storage routes and maintenance paths to easily remove and store snow.</i></li> <li>• <i>Build upon and maintain the region’s architectural legacy but without replicating in-authentically.</i></li> <li>• <i>There are 11 unique building types creating variety both in architectural typologies but also in scale, colors and materials.</i></li> <li>• <i>Main building entries are covered with “front porches” that signify inviting entries, protect residents from snow and ice, and break down the scale and massing of the buildings.</i></li> <li>• <i>Durable low maintenance materials meant to hold up in mountain climates.</i></li> <li>• <i>Natural looking materials and colors blend in with surroundings.</i></li> <li>• <i>Timeless mountain modern style</i></li> <li>• <i>Accommodate all seasons by integrating comfortable high-alpine design solutions</i></li> <li>• <i>Optimize space usage and provide adequate storage to best reflect preferred activities and life priorities.</i></li> <li>• <i>Large “mud rooms” for boots, coats, and other seasonal gear for mountain living.</i></li> <li>• <i>Storage space for bikes, tools, and seasonal gear within the buildings are located outside the units and are available for lease.</i></li> <li>• <i>Consider functionality, efficiency and costs for appliance, heating and plumbing solutions.</i></li> <li>• <i>Provide covered entries with roof pitch considerations for snow shed.</i></li> <li>• <i>Provide outdoor spaces for private resident use such as patios, porches and decks.”</i></li> </ul> <p><b>2. LANDSCAPING. Landscaping requirements.</b></p> <p>Landscaping is proposed and discussed in Section 9-604 and 13-111.</p> <p><b>3. OUTSIDE PARKING AND STORAGE. Standards and limitations on outside parking and storage.</b></p>
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		<p>The applicant has included a parking plan. 421 parking spaces are proposed for 252 units. The LUR requires two parking spaces for up to a 3-bedroom unit. The applicant has requested a reduction in parking standards. The application includes storage in each unit and larger storage areas in the multifamily buildings. All housing units constructed within Whetstone shall have secure bulk storage spaces for outdoor equipment and gear.</p> <p><b>4. COMPATIBILITY OF USES. Conditions pursuant to Section 13-119: Standards to Ensure Compatible Uses.</b></p> <p>The proposed essential housing neighborhood has been designed to ensure that it is compatible with and complementary to the nearby residential or public use areas.</p> <p><b>5. BUILDING SIZE. Building size.</b></p> <p><b>b. SITE LAYOUT AND DESIGN. The proposed development shall locate buildings and lots to minimize to minimize visual impact.</b> Building size and visual impact are discussed above in standard to ensure compatible uses.</p> <p><b><i>4. IMPACT OF INCREASED DENSITY IS MITIGATED. The decision-making body finds that impacts of the increased density have been reasonably mitigated; methods of mitigation may include, but are not limited to:</i></b></p> <p><b><i>a. ADDITIONAL OPEN SPACE. The amount of open space included in the proposed development exceeds the amount required by Section 13-108: Open Space and Recreation Areas by at least ten percent of the total land designated for residential uses within the development.</i></b></p> <p>A major impact residential project is required to provide 30% open space. This requirement may be modified per Section 9-604: B.2. but the applicant is not requesting a modification to this standard. The total parcel is 15.1 acres and 7.2 acres (47%) is open space.</p> <p><b>b. PROVISION OF ESSENTIAL RESIDENCES. Provision of Essential Residences that equal at least ten percent of the total number of residences, in addition to any other applicable requirements of this Resolution.</b></p> <p>The application meets and far exceeds this standard and the goal for the entire project is to provide essential residence for our community.</p> <p><b>c. CLUSTERING OF RESIDENCES. Residences are clustered to minimize visual impact and impacts on wildlife habitats as depicted on Wildlife Habitat Maps.</b></p>
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		<p>The residences and units are clustered and based on traditional neighborhood design and form with the intention of creating a livable, vibrant, and attractive neighborhood.</p> <p><b>d. PARTICIPATION IN PUBLIC TRANSPORTATION SYSTEM. As applicable, provision of a bus stop or similar facility for use with an existing public transportation system.</b></p> <p>The proposed development is located adjacent to an RTA bus stop on Highway 135. Additionally, the applicant has created space within the development (see #16 on Map 1 of the application) for a bus connection. At this time RTA and Mtn. Express do not anticipate circulating within the development but the applicant has created the space for that future opportunity. The applicant proposes a multimodal connection under Highway 135 to safely connect residents to the bus stop and trails.</p>
10-104: Locational standards for commercial, industrial or other non-residential uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, a mixed-use structure and live/work units are proposed within the development. Section 10-104: B. states that new growth should be located adjacent to an incorporated municipality or consistent with a three-mile plan area.</p> <p><i>“The building identified on the site plan as mixed use may include several different neighborhood serving uses such as a co-work space, childcare, mental health center offices, shared/rentable community space, or a cafe. These proposed uses comply with Section 10-104: B.2. as is contemplated in the Crested Butte Area Plan. The Area Plan identifies that neighborhood serving commercial uses are appropriate. Additionally, Section 10-104: C.1.e. Identifies that a commercial use that is designed to serve a specific residential area is appropriate and compatible.”</i></p>
11-102: Voluntary best management practices	No submittal requirements; no standard of compliance	
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not within the mapped 100-year floodplain.
11-104: Development in geologic hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not within a mapped geologic hazard area. The applicant did submit a “Geotechnical Study, Whetstone Development, 25115 State Highway 135, Gunnison County, Colorado,” prepared by CMT Technical Services and dated November 17, 2023.
11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, the parcel is in a high wildfire hazard area. A copy of the application has been referred to the Crested Butte Fire Protection District and Colorado State Forest Service for review and comment. The structures and site have been designed in compliance with the 2021 International Wildland Urban Interface Code.
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, a copy of the application has been sent to Colorado Parks and Wildlife (CPW) for review and comment. The subject parcel is not in an area of defined sensitive wildlife habitat.

		<p>The application states that the development will utilize bear-proof trash containers and restrict use of bird feeders.</p> <p>In a letter from Codi Prior, District Wildlife Manager, CPW dated August 7, 2024, Ms. Prior states:</p> <p><i>“CPW would suggest that educational materials be displayed throughout the subdivision. Messaging may include the following principles: Leave no Trace, Stay the Trail, Living with Bears, Staying Safe in Moose Habitat, Protecting Riparian Habitat, etc. CPW would be happy to consult on appropriate messaging and education.... CPW recommends that all residents and commercial businesses are required to use bear-proof trash containers.... Dogs outside their yard, kennel, or dog-run should be on a leash or otherwise under direct control....CPW recommends that domestic cats are kept indoors or under direct control while outdoors.... CPW recognizes the need for affordable housing across our communities, and hopes that this development helps retain current residents on a more permanent basis. However, it is also likely that this development will attract new residents, and therefore CPW would continue to advocate for the County, local municipalities, and Federal land management agencies to consider planning that accommodates for what may be a substantial increase in our local human population. In addition to demands on all basic infrastructure and community resources, this proposed project will increase usage of nearby public lands, which will require continued discussions around natural resource sustainability and stewardship. Increased intensity of use on local roads and trails will result in additional habitat fragmentation and ongoing impacts to local wildlife. A notable increase in traffic volume on Highway 135 is also likely, which will result in more wildlife-vehicle collisions and further discourage any wildlife movement across Highway 135. CPW recommends that Gunnison County continue engagement with the Colorado Department of Transportation (CDOT) to assess future conditions and determine if mitigation to wildlife impacts is possible; CPW would be willing to participate in those discussions.”</i></p>
11-107: Protection of water quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the subject parcel includes water bodies within 125 feet and shall comply with the standards of this Section. No development is proposed within the inner restrictive buffer of a water body. Development is proposed within 125 feet of a water body and the applicant has provided the required elements of a water quality protection plan within the Preliminary Plan application. Staff recommends that the developer install silt fencing and protection methods along the southern most property line to ensure protection of the water body. The application notes, “Additionally, developed stormwater runoff from the site will be conveyed to a new onsite stormwater treatment pond in the south corner of the site. The stormwater treatment pond has been sized to treat and attenuate the Water Quality Capture Volume (WQCV) consistent with the MHFD standards for water quality treatment. Additionally, a trickle channel has been included in the design of the pond for sediment settlement and ease of maintenance.”</p>
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p>Not applicable, there are no ridgelines, as defined in the LUR, on the subject parcel.</p>

11-109: Development that affects agricultural lands	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not adjacent to an agricultural operation, as defined in the LUR and shall comply with the standards of this Section.
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not beyond snowplowed access.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not an inholding in a national wilderness.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not above timberline.
12-103: Road system	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	<p>Applicable, the development of the road system shall comply with this Section. A copy of the application has been referred to Gunnison County Public Works Department and the Colorado Department of Transportation.</p> <p>The applicant has already received an approved access permit from CDOT for the development. Access Permit No. 324018 has been issued for up to 256 units and requires that the applicant construct a roundabout for the development and that the existing accesses be completely removed. Access Permit No. 324019 is for the southern entrance point and allows a right-in, right-out only access. The applicant proposes two access points to the development. Engineered road plans are included within the application. The application states, "The design team has consulted with Gunnison County Public Works and the Town of Crested Butte on the design of the internal development roads and has created a cross section to accommodate on-street parking, pedestrian safety, landscaping and snow storage and removal."</p> <p>A "Traffic Impact Study" dated December 2023 and prepared by Kimley Horn has been submitted as part of the application. CDOT noted that they have reviewed the application, issued the access permits and worked with the design team and do not have any additional comments.</p> <p>Comments from CDPHE note that dust control shall be required during construction.</p> <p>Comments from RTA state:  <i>"We do not anticipate adding bus stops to serve this subdivision and do not want, nor do we believe it is necessary, to have GVRTA buses divert off of the Highway to serve the subdivision. Therefore, we request that the County include pedestrian access from the subdivision across Highway 135 as part of the project.</i></p> <p><i>The proposed future pedestrian underpass is situated well for people who want to use the bus. However, with the increased number of potential transit passengers created by the subdivision, we are concerned that if the underpass is not constructed at the same time as the subdivision, it could create a dangerous situation for people crossing the highway to use the bus. Without the underpass, it is likely that fewer of the subdivision's residents would choose to use transit to go to and from their homes. In order to maximize safety and the use of transit, we</i></p>

		<p><i>ask that the underpass be completed before any residents move into the subdivision and if this is not possible, that any delay be short and that mitigation measures be put in place to enable residents to cross the highway safely during the delay.”</i></p> <p>Gunnison County Public Works commented on the application and noted that they had participated in the review of the application as it was developed and support the application.</p>
12-104: Trails	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, trails are proposed as part of this application. An internal trail on the subject parcel is proposed that will be dedicated to the public at large. Detail can be found in the “Whetstone Exhibits” and the plan titled, “Circulation and Trails Plan” dated June 28, 2024.</p>
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the applicant has provided a utility extension agreement with the Town of Crested Butte for service of domestic water supply. The applicant proposes that irrigation water be provided by an onsite well. The applicant has submitted a contract with the Upper Gunnison River Water Conservancy District for the purchase of augmentation water. The existing residential well permit will be submitted to the Colorado Division of Water Resources for conversion to an irrigation only well. Issuance of the well permit shall be a condition of any approval. Irrigation water demand detail can be found in the “Whetstone Exhibits” and the plan titled, “Parks and Open Space” dated June 28, 2024. According to an email from John Cattles, Assistant County Manager, “The Upper Gunnison has confirmed that they have base units available for purchase and the County has submitted the initial application. Once the contract with Upper Gunnison has been executed, the County will submit the information to the Division of Water Resources to convert the well permit. If for some reason, the well permit conversion is not approved the County will utilize water from the Town of Crested Butte water supply for irrigation.”</p> <p>The “Preliminary Utility Report, Whetstone Workforce Housing, Gunnison County, Colorado,” prepared by Joel Price, P.E. of Kimley Horn and dated June 25, 2024 was submitted and states:</p> <p><i>“This report demonstrates that the proposed water and sanitary sewer infrastructure for this Project will be sufficient to serve the aforementioned development through analysis of the Project’s impact on the existing Town of Crested Butte (“Town”) water and sanitary sewer system with hydraulic modeling. Water and sanitary sewer mainlines will be owned and maintained by Gunnison County.”</i></p> <p>CDOT and Army Corps permits may be required for the construction of water and wastewater utility lines to the Town of Crested Butte, if the application is approved it will be a condition of approval that the applicant obtain all required state and federal permits.</p>

		<p>Comments from the Division of Water Resources in a letter dated August 22, 2024 state:</p> <p><i>“The well as permitted, cannot be used for the proposed development and would need to be re-permitted pursuant to a water court approved augmentation plan to be used in the multi-residential unit or for irrigation use.</i></p> <p><i>The referral materials stated onsite wells will be used to provide irrigation water, however no additional information regarding irrigation water was provided. In order for well permits to be used for irrigation use on the proposed development, the permit would need to be issued pursuant to a water court approved augmentation plan. Therefore, our office recommends the applicant provide information regarding the augmentation plan the proposed well with operate under.</i></p> <p><i>The application materials indicate that a stormwater detention structure will be constructed as a part of this project. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use the Colorado Stormwater Detention and Infiltration Facility Notification Portal to meet the notification requirements.”</i></p>
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the applicant has provided a utility extension agreement with the Town of Crested Butte for service of wastewater treatment for the development. The “Whetstone Sanitary Sewer System Feasibility Study for Gunnison County, Gunnison County, Colorado,” dated December 2023 and prepared by RG and Associates LLC is included in the application. The “Preliminary Utility Report, Whetstone Workforce Housing, Gunnison County, Colorado,” prepared by Joel Price, P.E. of Kimley Horn and dated June 25, 2024 was submitted and states:</p> <p><i>“This report demonstrates that the proposed water and sanitary sewer infrastructure for this Project will be sufficient to serve the aforementioned development through analysis of the Project’s impact on the existing Town of Crested Butte (“Town”) water and sanitary sewer system with hydraulic modeling. Water and sanitary sewer mainlines will be owned and maintained by Gunnison County.”</i></p>
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the subject parcel is within the Crested Butte Fire Protection District (CBFPD) and a copy of the application has been referred to CBFPD and Colorado State Forest Service for review and comment. The applicant has provided “Whetstone Fire Staging Area Exhibit” dated January 18, 2024.</p>
13-102: B.: Location within municipal three-mile plan area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>Applicable, the subject parcel is within a municipal three-mile plan. The Crested Butte Area Plan has not been adopted by Gunnison County. A copy of the application has been referred to the Town of Crested Butte.</p>

13-103: General Site Plan Standards And Lot Measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, the site plan complies with the standards of this section as shown on the "Overall Site Plan" dated February 7, 2024 and prepared by Kimley Horn.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, road setbacks and property line setbacks, are required to comply with the standards of this Section. The applicant meets all setback requirements except for setbacks between buildings and internal development roads. As noted above and in the application the applicant requests a modification to this setback standard.
13-105: Residential Building Sizes And Lot Coverages	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the applicant proposes the development of 252 residential units. The proposed units will be located in twelve different building types described as follows:</p> <p>There are 252 units proposed in 23 residential structures and include multifamily units, townhomes and live-work units. The Sketch Plan proposed 231 units in 30 buildings. The proposed buildings include:</p> <ol style="list-style-type: none"> <li>1. Maintenance Building – 1,171 sf</li> <li>2. Duplex buildings – 3,596 sf</li> <li>3. Triplex buildings – 6,046 sf</li> <li>4. Apartment building – 8,890 sf</li> <li>5. Apartment buildings – 28,125 sf</li> <li>6. Live/work townhomes – 7,201 sf</li> <li>7. Triplex buildings – 3,877 sf</li> <li>8. Apartment building – 32,031 sf</li> <li>9. Apartment building – 36,882 sf</li> <li>10. Apartment building – 27,324 sf</li> <li>11. Apartment building – 45,385 sf</li> </ol> <p>The standards of this Section require a Minor Impact land use change permit for development of structures greater than 10,000 square feet (multi-family) or 12,500 square feet (aggregate). However, Section 9-604: A. 6. Allows the decision-making body to approve modifications to the requirements of Article 13, "provided that the requested modification will result in residences that will be more energy-efficient, will provide more amenities, or improved design, and will not jeopardize public health, safety or welfare." The applicant has requested a modification of the standards of Section 13-105 and states:</p> <p><i>"The proposed buildings have been designed in a manner to increase efficiencies—both energy and cost efficiencies and do not jeopardize public health, safety, or welfare. The buildings, especially 9-12 have been designed in a manner to utilize the topography and grade at the site to reduce the appearance and massing of the structures from Highway 135. Locating larger structures closer to the highway creates a sense of arrival to the community with this site which will help to slow traffic on Highway 135. It is important to consider the trade-offs that</i></p>

		<p><i>are necessary for developing essential housing—larger buildings are more cost effective and energy efficient and can house more people, while smaller buildings may be more culturally acceptable and align with past development patterns. However, if the highest priority is housing our community members and workforce in energy-efficient units that are connected to our communities and part of great neighborhoods—larger buildings are a critical tool. We cannot house everyone in single family or even duplex and triplex units while still maintaining open space, ensuring multi-modal connection, and aligning with our climate and energy efficiency goals.”</i></p> <p>The Sketch Plan approval found:  <i>“5. The applicant has met its burden, under LUR Section 9-604: A.6. to establish a modification of the standards set forth in the LUR, including but not limited to, Section 13-105, to allow for an increase in the maximum size of multifamily residential buildings is generally consistent with the standards of the Gunnison County Land Use Resolution. Further review and final determination of application of this modification will occur at Preliminary and Final Plan application.</i></p> <ul style="list-style-type: none"> <li><i>a. The applicant has demonstrated that the larger buildings will be more energy efficient; will provide more amenities, including the creation of park and open space due to size and location of the buildings; improved access to transit for residents in larger buildings; and reduced traffic and vehicles in the remainder of the neighborhood because of the larger buildings’ location adjacent to the highway.</i></li> <li><i>b. The proposed modification does not jeopardize public health, safety, or welfare and that neither Section 13-105 nor viewsheds are amongst the “public health, safety, and welfare” standards described in Section 1-105: Sections Necessary for Immediate Preservation of Public Health, Safety, Welfare, and the Environmental and Natural Resources.”</i></li> </ul>
13-107: Installation Of Solid-Fuel-Burning Devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no solid fuel burning devices are proposed as part of this application.
13-108: Open Space And Recreation Areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, a major impact residential project is required to provide 30% open space. This requirement may be modified per Section 9-604: B.2. but the applicant has not requested a modification. The total parcel is 15.1 acres and the applicant proposed 7.2 acres (47%) open space.
13-109: Signs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, any proposed sign(s) shall meet the requirements of this Section.
13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, parking in compliance with this Section shall be required.</p> <p>Section 9-604: B.1. allows the decision-making body to modify development standards including parking for essential housing projects provided “that the</p>

		<p>requested modification will result in residences that will be more energy efficient, will provide more amenities, or improved design, and will not jeopardize public health, safety, or welfare.”</p> <p>As allowed by Section 9-604: B.1. the applicant requests a reduction in required parking for the proposed development. The applicant proposes 421 parking spaces for 252 units (1.67 space/units); the Sketch plan proposed 422 parking spaces for 231 units (1.8 spaces/unit). The LUR requires two parking spaces for up to a 3-bedroom unit. The application states:</p> <p><i>“...Whetstone must achieve a balance for site, building and project needs to maintain target AMI rental rates. Part of this balance is providing a slightly lower parking ratio, encouraging transit use through connection to services and safe pathway systems.</i></p> <p><i>The County, Servitas and the design team have worked very hard to balance the number of units with needed parking at the site. The County’s separate project to develop an underpass from the site connecting Whetstone to transit and a multi-modal path justify the reduction in parking. The reduction in parking will not jeopardize public health, safety, or welfare and because of the proposed underpass connection to transit it will likely improve public health and safety by reducing vehicle trips and emissions. Additionally, the reduction in parking allows for the development of improved park and open space that is an amenity for residents.”</i></p> <p>The Whetstone development proposes a multimodal connection to the Town of Crested Butte (and other areas). Parking requirements are notoriously expensive and land consumptive for affordable housing developments. The applicant has developed an intersection plan that connects the neighborhood to the Town of Crested Butte via bus, car, bike or walking. Residents can also use the free bus to access other communities (Mt. CB or Gunnison). The Planning Commission shall determine if the requested building size modification complies with the standards of this Section. The Sketch Plan decision approved a reduction in parking standards:</p> <p><i>“...the Commission finds that modification of the foregoing standard, and application of Section 9-604(B)(1) is appropriate because the applicant has established reasonable efforts to balance the number of units with needed parking at the site. The applicant has shown that its proposal of 1.8 spaces/unit still provides parking for residents and that parking, along with the applicant’s separate project to develop an underpass from the site connecting it to transit and a multimodal path justifies a modification of the normal parking standard.”</i></p>
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<p>13-111: Landscaping And Buffering</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable, this Section requires that a Major Impact application “shall integrate the elements of the site plan and design, so that the land use change preserves and enhances the unique identity of the site. Landscaping may include plant materials including trees, shrubs, ground covers, perennials and annuals, and other materials including rocks, walls, fences, planters and paving materials.”</p> <p>The applicant has provided landscape and hardscape plans in the application materials prepared by Norris Design and dated February 9, 2024. As noted above, the applicant has requested a reduction in the overall number of trees installed on the property. Section 13-111: E.1. states, “At least one tree and three shrubs shall be provided per each 500 sq. ft. of the area that is shown as being landscaped on the landscape plan. All landscape planting areas that are not dedicated to trees or shrubs shall be landscaped with grass, groundcover, or other appropriate landscape treatment.”</p> <p>The applicant proposes a reduction in the total trees provided in the development: <i>“The landscape plant quantity reduction allows Whetstone to meet Wildland Urban Interface Code (IWUIC), maximize usable spaces for community gathering and recreation, provide snow storage in optional locations to ease maintenance and increase available parking closer to residence doors. No landscape reduction is requested for the berm and buffer along Highway 135. Please see the Landscape Plans LS-001 for required and provided landscaping table.”</i></p> <p>Sheet LS-001, “Overall Notes” prepared by Norris Design and dated June 28, 2024 describes the proposed planting schedule. Based on the standards of this Section 415 trees and 1,247 shrubs would be required; the applicant proposes 249 trees and 627 shrubs. Staff supports the proposed reduction. We have seen on numerous projects that the installation of trees in shrubs in ecological systems that don’t typically include those species struggle to maintain landscaping (Tomichi Gravel Pit, Riverland, etc.). The current landscaping standards do not account for the sage brush landscape in a way that aligns with water conservation.</p> <p>The overall landscaping plan detail can be found in the “Whetstone Exhibits” and the plan titled; “Landscape Exhibit” dated June 28, 2024.</p>
<p>13-112: Snow Storage</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable, the applicant has identified areas of snow storage on the site plan. Snow storage detail can be found in the “Whetstone Exhibits” and the plan titled, “Access and Parking Plan” dated June 28, 2024.</p>

13-113: Fencing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the proposed development is not adjacent to agricultural operations, as defined in the LUR. Any fencing installed at the subject parcel shall comply with the requirements of this Section.
13-114: Exterior Lighting	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, the standards of this Section shall be applied at the time of building permit application. All lighting proposed on the parcel shall comply with this Section. Detail can be found in the “Whetstone Exhibits” and the plan titled “Lighting Plan” dated June 28, 2024 and the “Whetstone Building Mounted Lights” exhibit.
13-115: Reclamation And Noxious Weed Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, a reclamation permit shall be required prior to any development of the site. Please see maintenance notes on sheet LS-001 in the landscape plan set.
13-116: Grading And Erosion Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, the applicant has provided a grading and drainage plan (see Kimley Horn Erosion Control plan set, Final Drainage Report, and Stormwater Management Manual).
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, this is a Major Impact subdivision, which may create more than 10,000 square feet of impervious surface area created by road and driveway improvements. The applicant has provided a grading and drainage plan (see Kimley Horn Erosion Control plan set, Final Drainage Report, and Stormwater Management Manual).</p> <p>Subject to State standards, storm water runoff is required to be managed onsite, to direct runoff to stable, vegetated areas capable of maintaining sheet flow for infiltration, or to discharge to a storm water conveyance structure, designed to accommodate the projected additional flows from the proposed project. The application states: “The overall drainage design for the site consists of collection of developed stormwater via curb/gutter and inlets for conveyance to the on-site private detention pond in the south corner of the site. Developed stormwater will be treated for water quality and 100-year detention attenuation, generally consistent with the Mile High Flood District standards.”</p> <p>“Final Drainage Report: Whetstone Workforce Housing, Gunnison County, Colorado,” dated June 25, 2024 and prepared by Kimley Horn and stamped by Shelby Madrid, P.E. was submitted. The report states, “Proposed drainage designs associated with the Project have been designed in substantial accordance with applicable Gunnison County standards and Mile High Flood District Manual and are not anticipated to adversely affect the existing drainage facilities to which they discharge.”</p> <p>“Stormwater Management Plan (SWMP), Whetstone Workforce Housing, Crested Butte, Colorado,” dated February 2024 and prepared by Kimley Horn.</p>
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no water impoundments, as defined in this Section, are proposed as part of this application.
13-119: Standards To Ensure Compatible Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	Applicable, this Section notes that, “Proposed land use changes shall be designed, constructed, and maintained in a manner that will not adversely affect

		<p>the character and tranquility of nearby residential or public use areas, as well as the following:</p> <p><b>1. HAZARDS OR NUISANCES.</b> <i>Land use changes shall not subject other uses to undue noise, dust, fumes, odor, explosion, aircraft flight patterns, or other hazards or nuisances, whether the result of design, location, basic character, or of planned or reasonably expected growth.</i></p> <p><b>2. ADVERSE IMPACTS TO ADJOINING LAND.</b> <i>Land use changes shall eliminate or minimize or mitigate conflicts between adjoining land uses and to the maximum extent feasible, avoid changes that will result in significant net adverse impact to adjoining land.</i></p> <p>“Significant net adverse effect” is defined in the Land Use Resolution as, “...an impact of an action, after mitigation, which is considerable or substantial, and unfavorable or harmful; includes social, economic, physical, health, aesthetic and historical impacts, and biological impacts including but not limited to, effects on natural resources or the structure or function of affected ecosystems.”</p> <p>Further, this Section notes that, “...the applicable review body may recommend and the decision-making body shall be authorized to impose conditions that are necessary to minimize any potentially adverse impacts” as conditions of approval of a Permit, but does not require that those conditions be devised in actions taken on plans submitted in the phases of review that precede recommendation and/or action on a Permit (in this case, Sketch or Preliminary Plans for a Major Impact project).</p> <p>Conditions that may be imposed upon the Permit may include: Limitation on hours of operation and deliveries; relocation on a site of activities that generate potential adverse impacts on adjacent uses including noises and glare; appropriate placement of trash receptacles; appropriate location of loading and delivery areas; appropriate lighting location, intensity, and hours of illumination; appropriate placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities; the requirement of additional landscaping and buffering; the imposition of height and size restrictions to preserve light, privacy, views of significant features from public property and rights-of-way, and to ensure reasonable compatibility of structure sizes; preservation of natural lighting and solar access; ventilation and control of odors and fumes; and the imposition of paving or other means as a dust control measure.</p> <p>The application states:  <i>“The proposed essential housing neighborhood has been designed to ensure that it is compatible with and complementary to the nearby residential or public use areas. The County has worked with adjacent landowners and community stakeholders to design a neighborhood that will be an asset to the community and</i></p>
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