

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Thursday, August 15, 2024**

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

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

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 3rd 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 29th to review the Whetstone affordable housing project

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, but that it was under the design guidelines for the neighborhood, and was under the 7000 sf

aggregate max. The applicant had worked to minimize the footprint with multiple buildings and reduced the scale of the project. They presented renderings, noting that the garage was proposed to be below ground, as well as the trees and berms.

Staff Comments

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

Questions by Review Body

Niederer, thought 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.

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.

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 8th 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.

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 6th 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.

Meeting Adjourned at 11:54 am