

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, December 1, 2017**

**Planning Commission will meet in the Planning Commission Meeting Room-  
Blackstock Government Center – 2<sup>nd</sup> Floor, 221 N. Wisconsin, Suite D**

- 8:45 a.m.**
- **Call to order; determine quorum**
  - **Approval of minutes**
  - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

- 9:00 a.m.**     **Rocky Mountain Biological Lab**, public hearing, request to host weddings and conference/workshops in Gothic, as well as expand winter use in Gothic to increase structured education programs and research. North Pole Basin improvements would permit up to 3,000 square feet of new construction, spread across six structures, to expand research and education programming. Schofield Park improvements would permit construction of up to 2,500 square feet of new construction, spread across two structures (one existing) limited to only research and education.  
**LUC-17- 00026**

- 10:00 a.m.**     **Planning Commission will leave from Blackstocks for site tour of neighborhoods:** Gunnison, C.B. South, Brush Creek corridor, Mt. Crested Butte. Sites include (in order of tour schedule):
- Meldrum Subdivision Townhomes. 800 College Avenue, Gunnison
  - Mountaineer Village Apartments. 720 N Colorado St., Gunnison
  - Van Tuyl Village Townhomes. 300 Van Tuyl Circle, Gunnison
  - Cement Creek Condos, 3 Elcho Ave, Crested Butte South
  - Waterfall Creek Condominiums, 2 Elcho Ave, Crested Butte South
  - NorthStar Condos, 148 Elcho Ave, Crested Butte South
  - Meadow Vista Condos, 283 Cement Creek Rd, Crested Butte South
  - Stallion Park, 180 S Avion Drive, Buckhorn Ranch Subdivision (including drive around Buckhorn subdivision)
  - Skyland Lodge, 350 Country Club Dr, Skyland Subdivision (including drive around Skyland subdivision)
  - River Neighborhood, Alpine Court, Skyland Subdivision
  - Anthracite Place, 513 Belleview Ave, Crested Butte
  - Pitchfork Subdivision, Mt. Crested Butte

**Planning Commission will meet in the Board of County Commissioners Meeting  
Room- Gunnison County Courthouse - 2<sup>nd</sup> Floor, 200 E. Virginia Avenue**

- 1:30 p.m.**     **APT Brush Creek Road, LLC**, work session, focus on neighborhood context and density, request for the development of 240 rental units on the subject parcel. 65% (156) of the units will be deed restricted to qualifying households earning less than 180% of the Area Median Income. The remainder of the units (84) will be free market rental units, located on the southeast corner of the intersection of Brush Creek Road and Highway 135, approximately 1.5 miles south of the Town of Crested Butte. The parcel is approximately 14.29 acres and is legally described as all of land in Section 12, Township 14 South, Range 86 West, 6<sup>th</sup> p.m., lying south and east of Brush Creek Road, and west of Larkspur Subdivision.

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
December 1, 2017**

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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center for the RMBL application, and the APT Brush Creek Rd. LLC application was conducted in the BoCC Meeting Room in the Gunnison County Courthouse. **Present :**

Chairman- Kent Fulton Vice-Chairman- Jack Diani Commissioner-Tom Venard Commissioner-Molly Mugglestone Alternate Commissioner- Sarah Coleman Alternate Commissioner- Vince Rogalski	Director of Community Development- Cathie Pagano Assistant Director- Neal Starkebaum Planner- Rachel Sabbato Manager of Administrative Services- Beth Baker  Others present as listed in text
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**Absent:** Commissioner AJ Cattles

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With a quorum present Chairman Fulton opened the December 1, 2017 regular meeting of the Planning Commission.

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**Rocky Mountain Biological Lab (LUC-17-00026)**- The Gunnison County Planning Commission conducted a public hearing. They reviewed the request to host weddings and conference/workshops in Gothic, as well as expand winter use in Gothic to increase structured education programs and research. North Pole Basin improvements would permit up to 3,000 square feet of new construction, spread across six structures, to expand research and education programming. Schofield Park improvements would permit construction of up to 2,500 square feet of new construction, spread across two structures (one existing) limited to only research and education.

Present representing staff Planner Rachel Sabbato and Manager of Administrative Services Beth Baker.

Present representing the Planning Commission: Commissioners Fulton, Diani, Venard, Mugglestone, Coleman and Rogalski.

Present representing the application: Director of RMBL Ian Billick.

With a quorum present Chairman Fulton opened the public hearing.

Baker confirmed adequate public notice. The applicant submitted the proof of posting and certified mailing receipts and the planning office had the notice published in the Crested Butte News and Gunnison Country Times.

Billick explained the application:

1. Trying to clarify how operations work: non-research, educational uses, meetings and weddings. The programs are run out of Gothic. RMBL activities were originally permitted in the late 1980s, and they did not address non-research uses.
2. Shoulder season, winter uses and what could be done.
3. North Pole Basin was acquired from CBMR. It includes existing cabins, but the buildings are in bad shape.
4. The property in Schofield Park, the cabin is used to house scientists they will convert the use from residential to commercial.

Sabbato addressed updating the winter travel management plan. Director of Public Works Marlene Crosby said the issue is on the BoCC agenda, on December 12, 2017. She explained in 2001 the BoCC did a resolution restricting motorized winter travel. The BoCC would have to make the decision whether or not to allow motorized winter travel.

Rogalski asked if they would be tearing the existing cabins down in North Pole Basin and replacing them with one structure: Billick said they are currently only used for storage, but if they were to renovate they would replace them with a new structure. The conservation easement limits the number of buildings and square footage allowed. Rogalski asked if they were planning any changes to the Schofield cabin: Billick said they will continue using the cabin for the same purposes and it will remain as is, for the time being.

Mugglestone asked if they are considering replacing the North Pole Basin cabin: Billick said they not planning to change it, but should they build it would comply with the square footage limits. The actual threshold in the area for Schofield is 5,000 square feet, and they are asking for 2,500 square feet.

Fulton asked if this plan included the number of winter trips proposed: Sabbato said it does and will be discussed by the BoCC on December 12, 2017. Billick explained they are requesting permission to go in once a week to handle logistical support, and once or twice a year they will likely need to go to move something or bring something large in.

Fulton said he would like to hear something from the Forest Service.

Billick explained the Schofield cabin is 500 to 700 square feet and the North Pole Basin cabins are between 2,500 and 3,000 square feet, and they are not requesting any increase in square footage.

Fulton asked if they are considering installing communications towers: Billick said not at this time, but in the coming years a communications tower might become advantageous. Sabbato asked if there were any communications at the Schofield site: Billick said sometimes spot communications, but nothing else.

Billick noted they have been working with avalanche experts since the early 2000's. They are trying to establish a minimum set of expertise to manage backcountry winter travel, which could include some certifications.

Fulton requested a written travel plan. Billick noted they will not be taking participants in on motorized vehicles, just supplies. They would have to be ready for an emergency if someone becomes ill or hurt.

Crosby was concerned with the trailhead parking, noting there is no room for additional parking at the trail head. Starkebaum suggested the commissioners take a big picture look at what the proposed expansion will do to the area, including the avalanche risk on Gothic Rd., resulting in increased risk to emergency responders, and potential conflicts between skiers and snowmobilers. The cumulative impacts need a long thoughtful review.

## **Public Comments**

Noel Durant Executive Director of the Crested Butte Land Trust said everything being proposed is consistent with the conservation easement. He is supportive of this application.

Robert Stuplich had questions about access. He is concerned with potential increases in trespass on his property.

Murray Cunningham was concerned with the increase of usage and access.

Claudia Cunningham was concerned with increased access and obstructed view sheds in the valley.

Crosby said a better answer is needed for how they will manage the individuals setting up and taking down a big event: Billick said typically there are problems in the middle of the summer, not the fall or winter when uses have dropped off. Crosby noted there are cumulative impacts.

Cunningham said when scientists park at the bottom of North Pole Basin, then there are campers in two new spots and sanitary issues. She said we need portable toilets and vaults.

Director of Community Development Cathie Pagano said the County has developed a tourism committee to address issues including the increased number of people in the back country and its detrimental impacts to the quality of the outdoor experience.

Coleman noted there has been a collaborative effort and we should look at what has worked and what hasn't worked. Mugglestone agreed and added RMBL as a partner is just one piece of that.

Crosby suggested a representative of the Forest Service should attend the next meeting.

The commissioners have requested details on the special events, traffic, total aggregate square footage of structures, compatibility issues and a more specific winter travel plan.

Chairman Fulton continued the public hearing to January 19, 2018 at 9 AM. It will either be conducted in the BoCC conference room or in the Blackstocks Meeting room.

**APT Brush Creek Road, LLC (LUC-17-00034)-** The Gunnison County Planning Commission conducted a site tour of neighborhoods.

No minutes were kept during the site visit.

**APT Brush Creek Road, LLC (LUC-17-00034)-** The Gunnison County Planning Commission conducted their third work session. They focused on neighborhood context and density, request for the development of 240 rental units on the subject parcel. 65% (156) of the units will be deed restricted to qualifying households earning less than 180% of the Area Median Income. The remainder of the units (84) will be free market rental units, located on the southeast corner of the intersection of Brush Creek Road and Highway 135, approximately 1.5 miles south of the Town of Crested Butte. The parcel is approximately 14.29 acres and is legally described as all of land in Section 12, Township 14 South, Range 86 West, 6<sup>th</sup> p.m., lying south and east of Brush Creek Road, and west of Larkspur.

Chairman Fulton has recused himself from the review of this application.

Commissioner Diani has been appointed Chairman for this review.

Chairman Diani opened the work session.

Present representing the Planning Commission: Commissioners Diani, Venard, Mugglestone, Coleman and Rogalski.

Present representing the Community Development staff; Director of Community Development Cathie Pagano and Manager of Administrative Services Beth Baker.

Present representing the application: representative John O'Neal, attorney Kendall Burgemesiter, and designers Margaret Loperfido and Andrew Hadley.

The work session discussion focused on neighborhood context and density. The commissioners had conducted a site tour of neighborhoods, immediately prior to this work session. Diani confirmed they did not discuss the merits of this application during the site tour. The commissioners' site tour included Meldrum

Subdivision Townhomes, Mountaineer Village Apartments, Van Tuyl Village Townhomes, Cement Creek Condos, Waterfall Creek Condominiums, North Star Condos, Meadow Vista Condos, Meadow Vista Condos, Stallion Park, Skyland Lodge, River Neighborhood, Anthracite Place, and Pitchfork Subdivision.

- ❖ **The Lofts (Meldrum Subdivision)** – 2.46 acres, 20 units, 3 buildings, total square footage : 52,935 sq. ft., 8.13 units/acre
- ❖ **Village Townhomes** -.96 acres, 24 units, total sq. ft. 31,651 sq. ft., 25 units/acre
- ❖ **Mountaineer Village Apartments**-2.93 acres, 87 units, total sq. ft. 68,425 sq. ft., 29.7 units/acre
- ❖ **Waterfall creek Bldg. Cement Creek Condo**-1.47 acres, 13 units, total sq.ft., 8.8 unit/acre
- ❖ **North Star Townhomes**-1.4 acres, 20 units, total sq. ft. 19,020 sq. ft., 14.3 units/acre
- ❖ **Stallion Park**-2.13 acres, 32 units permitted (24 constructed), 15 units/acre
- ❖ **Skyland Lodge**-1.37 acres, 55 units, total sq. ft. 35,000 sq. ft., 40 units/acre
- ❖ **Golf Villas**-6.42 acres, 53 units allowed (31 constructed), 8.3 units/acre
- ❖ **Anthracite Place**-0.5 acres, 30 units, total sq. ft. 21,875 sq. ft., 30 units/acre

Loperfido said there are several ways density is perceived. When averaging the number of people per acre this development would be comparable to Ptichfork and several other developments in the valley. She explained methods of ensuring compatibility with neighborhood uses and densities:

- Building exterior design standards
- Building sizes
- Site layout & design
- Landscaping requirements
- Standards & limitations on outside parking & storage
- LUR Section 13-119: Standards to ensure compatible uses

Hadley said they have designed the development to reduce the perception of higher density. The same unit type is not repeated over and over. There are vertical and horizontal variances. It is pedestrian friendly, and there will be pitched and flat roofed buildings. He noted breaking up the perception of higher density can be done with good design. Hadley said the Skyland Lodge is up to 39,000 sq. ft., but is well designed. Anthracite Place was originally objected to but now it is built and it performs well. It is a good design which breaks up its mass, with materials, colors and roof planes, etc.

Burgemeister said there is a precedent for approving larger buildings.

Loperfido said they used site layout and design: larger more dense buildings to increase more open space and parking, snow storage and a recreation trail to enhance the livability of the space. The elements used included:

- Locate buildings to minimize visual impacts
- Landscaping requirements
- Outside parking
- Outside storage

Hadley said there are several building types including four, eight, 16, 24, and 32 plexes. There will be some tuck under parking, covered parking, and uncovered parking.

Diani asked about the perceived height: Hadley said the eight plexes on Brush Creek Rd. will be bermed, the 16 plexes will have tuck under parking, and many of the three story buildings will be perceived as two story buildings because of their placement at a lower elevation.

Rogalski asked if the 32 and 24 plexes would all have underground parking; Hadley said yes. He added there will be storage for every unit, at least a 4x 4 storage unit and larger units get larger storage units.

Hadley said they will be minimizing potentially adverse impacts by:

- Hours of operation it is residential- the transit center will be a very small scale operation will be reasonable
- Noise and glare -it will not generate

- Trash will be collected in specific areas
- Loading & delivery may use the transit center
- Illumination- there will be none
- Outdoor services- there will be none
- Landscaping and road being paved
- Height & size restrictions between 30 and 37 ft. high
- Natural lighting even the large 24 plexes will not be any taller than any existing houses there already and they will not eclipse out lighting
- Solar access
- Odors & fumes- there will be none
- Dust control with a reclamation plan to mitigate the dust

Hadley described how they would be addressing the impacts of increased density must be reasonably mitigated:

- Open space that exceeds the amount required by section 13-108 by at least 10% of the total land designated for residential uses within the development. The development will be 50% open space.
- Provisions for essential residences that equal at least 10% of the total number of residences-65 % deed restricted units. They have adhered to the number of units required.
- Residences are clustered to minimize visual impact and impact on wildlife habitats as depicted on the wildlife map. The development is clustered leaving 50% open space.
- Provision of bus stop or similar facility for use with an existing public transportation system. They will have a transit center.

O'Neal said density is a good and necessary thing for the future. It prevents sprawl, and has benefits for public transportation. The lack of density has led to the proliferation of suburbs. Density is good for the environment and community. There are currently only 20 deed restricted units in the Brush Creek corridor. Density is essential and starts to help solve the housing issues.

Rogalski said he had looked at various buildings through the whole valley, the better looking buildings took advantage of the designs Hadley had described, by reducing visual impacts.

Coleman noted the site visit helped her conceptualize the size of buildings. She encouraged the public to take a site tour.

Diani noted the public is anxious because the increase in density might overwhelm the schools and parks, etc. Burgemeister said as it pertains to density, doing a less dense project will not decrease the impacts on Crested Butte, even if it were broken out into two developments. They will work with the Town of Crested Butte to come up with solutions. Growth will be an issue all the municipalities and the County will have to deal with.

Diani asked how the 1.5 people per bedroom number was generated. Burgemeister said there are different resources. The CDPHE standards for designing a wastewater treatment system are very conservative. The original number of 800 people was generated using two people per bedroom. The average is 1.5 people per bedroom.

Mugglestone asked if we were going to hear from the RTA: Pagano said there will be a work session based on transit. Mugglestone asked how much a development like this would cost the County to build; Pagano said tens of millions of dollars. The County has some funding and the housing authority has some funding, but no jurisdiction has tens of millions of dollars to construct a project like this.

Venard agreed with other commissioners the site tour was very beneficial and provided context for building sizes.

Diani said the most eye opening was Pitchfork and how compact that development really is.

Diani suggested making accommodations for loading and delivery, because of the significant increase in package deliveries; Burgemeister agreed to take that into consideration.

Coleman requested a comparison of different neighborhoods occupied year round. Burgemeister said the biggest contrast was Skyland Lodge. Laperfido said Stallion Park is the closest to the Brush Creek development. Pitchfork has 39 people per acre, but they have some second homeowners.

**Moved** by Venard, seconded by Rogalski for the Commission to go into executive session with County Attorney David Baumgarten, and Community Development staff for the purpose of discussing attorney client privilege. The motion passed unanimously.

The Commission went into executive session at 3:00 p.m. *Executive sessions of the Gunnison County Planning Commission are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b).*

Moved by Rogalski, seconded by Coleman to come out of executive session. The motion passed unanimously.

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#### Attorney Statement Regarding Executive Session

- Pursuant to C.R.S. 24-6-402 (4), I attest that I am the Gunnison County Attorney; that I represent the Gunnison County Planning Commission; that I attended all of the above referenced executive session; that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) (e) (I) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: \_\_\_\_\_

\_\_\_\_\_  
David Baumgarten  
Gunnison County Attorney

#### A. Chairperson Statement Regarding Executive Session

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- Pursuant to C.R.S. 24-6-402(4)(d.5)(II)(B), I attest that I am the Chairperson of the Gunnison County Planning Commission; that I attended all of the above referenced executive session; and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: \_\_\_\_\_

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Jack Diani, Chairperson Gunnison County Planning Commission

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The Commission came out of executive session at 3:15 p.m. Chairperson Diani stated that the discussion had remained on topic.

Coleman asked the applicants to identify a project that would be on a comparable scale in the valley, to inform the conversation.

## **Public Comments**

Bob Pannier was concerned with the proposed density, and noted the site has dedicated two acres for the transit center. There could be 600 to 700 residents living in the development, more than doubling the current population. There is only one way of egress in case of emergencies.

Mike Wright lives next door to this proposed development and takes issue with the comparisons to other high density subdivisions; it is not comparing apples to apples. He said there is a false sense of how affordable the units will really be. Is it worth allowing such a large development to get 16 units 50% < AMI? Is this the new norm, is this a precedent that will be set?

David Leinsdorf said the adjacent neighborhoods should be considered. This development is many times larger than Larkspur, Skyland, Riverbend and Creekside. The density should be cut way back because it is not reasonable.

George Gibson said 16 affordable housing units is not enough for the size of this project. He cited concerns with density, visibility, and affordability.

Patrick Goldman was concerned with the extreme density, feels they are not being represented, inadequate snow storage, the acreage to the number of units moves around a lot, and the transit center will take two acres take leaving only 11 acres.

Sally Jandrall noted concerns with the scope and extreme size of this proposal.

Kent Cowherd noted concerns with setting a new standard for density, the buildings will be too close to Brush Creek Road, and the three flat roofed buildings are placed all together. He asked the review focus be on the impacts the project will bring.

Carolyn Reimer was concerned with the placement of the buildings close to Brush Creek Road.

John Stroop was concerned with the lack of enough affordable housing in the development, and the need for assurance we won't have a development that is left half developed.

Nan Lumb was concerned 16 units for affordable housing of 240 units is not enough, the corridor will be forever changed with this development, public opinion is not in favor of this plan, and the development should be much smaller.

Pagano explained the next work session would focus on water, waste water, transit, parking, and the bike trail, etc. The next work session will be conducted December 15, 2017 at 9:00 a.m., in the BoCC Meeting room, 2<sup>nd</sup> floor of the courthouse, located at 200 E. Virginia, Gunnison.

The meeting was adjourned at 4:35 p.m.

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/S/ Beth Baker

Community Development Department Services Manager  
Gunnison County Community Development Department  
**17 December 01 PC Meeting**