



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2020 - 1**

**A RESOLUTION APPROVING THE SKETCH PLAN FOR
LUC-19-00008
HUNTER RIDGE, LLC**

WHEREAS, Hunter Ridge, LLC proposes the development of sixteen residential units on an approximately 10-acre parcel. Four triplex units (twelve units) and four single-family residential lots are proposed. The applicant proposes that the units will be served by the Mt. Crested Butte Water and Sanitation District for central water and sewer services.

Lot sizes range from 0.65 to 0.97 acres. Single family homes are proposed to be no greater than 8,500 sq. ft. Triplex buildings are proposed to be no greater than 8,500 sq. ft. Two of the triplex units are proposed to be deed restricted as workforce housing.

The subject parcel is at 45 Hunter Hill Road. It is adjacent to the Town of Mt. Crested Butte. The parcel is legally described as a parcel of land in the SW1/4SE1/4, Section 26, Township 13 South, Range 86 West, 6th p.m.

WHEREAS, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on September 6, 2019, October 18, 2019 and November 15, 2019; and

WHEREAS, after a review of the application and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, at its regular meeting on November 15, 2019 forward to the Board of County Commissioners a Recommendation of approval of that application with certain Findings and Conditions;

NOW, THEREFORE, the Board hereby adopts the Planning Commission's Recommendation, with these Findings:

1. 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 applicant is 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.
2. This application, by definition, is classified as a Major Impact.
3. Pursuant to Section 7-102:Standards of Approval for Major Impact Projects:



- a. This Sketch Plan application is generally consistent with the standards and requirements of the *Resolution*, pursuant to Section 7-103, *i.e.*, compliance of the proposed land use change with the standards of the *Resolution* are required to be determined broadly and conceptually during Sketch Plan review. This application has broadly addressed, and the Commission has broadly evaluated this submittal for its integration of the standards of the *Resolution* within its conceptual presentation of the proposed development. The burden in the Preliminary Plan review is on the applicant to provide detailed information and mitigation proposals for evaluation.
 - b. A determination of whether or not the proposed land use change would result in a significant adverse net effect to adjacent land uses can occur only after the applicant has designed mitigations in response to conflicts and general issues raised during this Sketch Plan review process. While the applicant has proffered conceptual mitigations to elements that have been raised as issues by the public and by the Planning Commission, determination of the effectiveness of those proposals requires additional information that engineered solutions might provide.
 - c. Phasing has not been proposed by the applicant within this Sketch Plan submittal.
 - d. All uses have been identified on lots within this proposed subdivision.
4. There appear to wetland plant species on the subject parcel and a wetlands delineation certified by the U.S. Army Corps of Engineers or documentation from a professional wetlands delineator that no wetlands exist shall be submitted as part of the Preliminary Plan application.
 5. Colorado Parks and Wildlife identified recommendations for protection of wildlife and wildlife habitat in their comment letter which shall be integrated in the Preliminary Plan application.
 6. Colorado State Forest Service included recommendations for mitigation of wildlife risk in their comment letter which shall be incorporated as part of the Preliminary Plan application.
 7. Conflicts exist between the Town of Mt. Crested Butte's community plan and the County's standards. County standards shall apply where there are conflicts.
 8. The proposed development and density is substantially similar to the neighborhood parcels.
 9. The Mt. Crested Butte Water and Sanitation District has indicated a willingness to serve the proposed development.
 10. The subject parcel is in an area of mapped geologic hazards. The applicant submitted a report from Lambert and Associates, dated December 27, 2018 titled, "Theoretical Slope Stability Analysis for the Proposed Hunter Ridge Subdivision, Crested Butte, Colorado."
 11. Concerns related to traffic, access, and safety have been expressed by Gunnison County Public Works, the Town of Mt. Crested Butte, and the general public.



12. Concerns related to snow storage have been expressed by Gunnison County Public Works, the Town of Mt. Crested Butte, and the general public.
13. The following have been identified as significant issues related to this application during the Sketch Plan review process:
 - a. Compatibility with neighborhood
 - b. Access and safety
 - c. Geologic hazards
 - d. Traffic
 - e. Safety of pedestrians and cyclists
 - f. Potential failure of the proposed development due to development costs associated with geologic hazards
 - g. Snow storage
 - h. Service of water and sewer by the Mt. Crested Butte Water and Sanitation District
 - i. Need for additional residential lots
14. Integration of the standards of Section 13-119: *Standards to Ensure Compatible Uses*, as well as other measures to mitigate issues raised during this Sketch Plan review is required within the Preliminary Plan submittal. Issues that have been identified relative to compatibility include but are not limited to:
 - a. Size of proposed units
 - b. Safety of pedestrians and cyclists on Hunter Hill Road
 - c. Aesthetics including road cuts, retaining walls
 - d. Potential slope failures
15. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development department file relative to this application; including all exhibits, references and documents as included therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that no additional public hearing on the Hunter Ridge, LLC Sketch Plan need be conducted by the Board, and further, the Board hereby approves the Hunter Ridge, LLC Sketch Plan for LUC No. 2019-00008 as recommended by the Planning Commission, with the following conditions:

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.
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:
 - a. Compatibility with neighborhood
 - b. Access and safety
 - c. Geologic hazards



- d. Traffic
 - e. Safety of pedestrians and cyclists
 - f. Potential failure of the proposed development due to development costs associated with geologic hazards
 - g. Snow storage
 - h. Service of water and sewer by the Mt. Crested Butte Water and Sanitation District
 - i. Need for additional residential lots
3. Demonstration of an adequate and physical legal supply of water shall be included as part of the Preliminary Plan application in compliance with Section 7-301: J. 12. *Water Supply Plan*.
 4. Provisions for wastewater treatment shall be included as part of the Preliminary Plan application in compliance with Section 7-301: J. 13. *Sewage Disposal/Wastewater Treatment*.
 5. A detailed road plan, traffic study and summary addressing compliance with the Town of Mt. Crested Butte's road standards shall be prepared by a Colorado-licensed engineer in compliance with Section 12-103: *Road System* and shall be included as part of the Preliminary Plan application.
 6. Snow storage shall be included as part of the Preliminary Plan application and shall address concerns raised by the general public and Gunnison County Public Works. A narrative describing how snow storage may impact slope stability shall be prepared by a Colorado-licensed engineer.
 7. The recommendations from Colorado Parks and Wildlife noted in Section 11-106: *Protection of Wildlife Habitat Areas* shall be integrated into the covenants and subdivision plan and included as part of the Preliminary Plan application.
 8. A wetlands delineation, certified by the U.S. Army Corps of Engineers or documentation from a professional wetlands delineator that no wetlands exist shall be included as part of the Preliminary Plan application.
 9. A detailed geotechnical analysis in compliance with the standards of the Gunnison County *Land Use Resolution* and addressing the recommendations of CGS shall be submitted as part of the Preliminary Plan application.
 10. The Preliminary Plan application shall comply with the recommendations in the report prepared by Lambert and Associates, dated December 27, 2018 titled, "Theoretical Slope Stability Analysis for the Proposed Hunter Ridge Subdivision, Crested Butte, Colorado."
 11. The Preliminary Plan application shall be submitted to the Colorado Geological Survey for review and comment.
 12. A detailed avalanche analysis, in compliance with Section 11-104: G. 1. *Development in Avalanche Hazard Areas*, shall be prepared and submitted as part of the Preliminary Plan application. The analysis shall be prepared by a qualified professional engineer licensed in the State of Colorado or qualified professional geologist, specializing in avalanche hazard area identification and analysis, and approved by the County.



13. Detailed protective covenants that address wildfire hazard, defensible space, and landscaping in accordance with Fire Wise guidelines shall be included as part of the Preliminary Plan application.
14. A landscaping plan integrating the recommendations of the Colorado State Forest Service shall be included as part of the Preliminary Plan application.
15. Draft covenants or restrictions for the proposed workforce housing units shall be submitted as part of the Preliminary Plan application. The applicant shall consult the Gunnison Valley Regional Housing Authority for guidance on drafting the covenants or restrictions.
16. A detailed plan, analysis, and visual rendering showing any proposed retaining walls shall be prepared by a Colorado-licensed engineer and included as part of the Preliminary Plan application.
17. The applicant shall explore utilization of access off of Castle Road for the proposed subdivision and provide evidence of such.
18. Residential building size limitations shall align with the Town of Mt. Crested Butte standards (i.e. floor area ratios).
19. A detailed snow storage plan that addresses the concerns of Gunnison County Public Works, the Town of Mt. Crested Butte and the general public shall be included as part of the Preliminary Plan application.
20. Integrating the standards of Section 13-119: *Standards to Ensure Compatible Uses*, as well as other measures to mitigate issues raised during this Sketch Plan review, is required within the Preliminary Plan submittal. Mitigation must address:
 - a. Size of proposed units
 - b. Safety of pedestrians and cyclists on Hunter Hill Road
 - c. Aesthetics including road cuts, retaining walls
 - d. Potential slope failures
21. 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.
22. The applicant shall be required to submit and actively pursue the completion of the Preliminary Plan application within 12 months after the date of approval of the Sketch Plan. Per Section



7-202: Q. *Extension of Submittal Deadline*, 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 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.

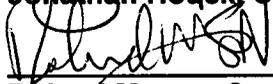
- 23. This approval is founded on each individual requirement. Should the applicant successfully challenge, in a judicial proceeding, any such finding or requirement, this approval is null and void.
- 24. This Sketch Plan approval may be revoked or suspended if Gunnison County determines that any material 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.
- 25. 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.
- 26. 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.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner MASON, seconded by Commissioner MESSNER, and adopted on this 7TH day of JANUARY, 2020.

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO**


Jonathan Houck, Chairperson


Roland Mason, Commissioner


John Messner, Commissioner

ATTEST:

Elizabeth Mense

Gunnison County Clerk and Recorder



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