



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 2021 - 25**

**A RESOLUTION APPROVING THE APPLICATION FOR DOS RIOS VILLAGE TOWNHOMES  
LUC-20-00015  
SIMCO VENTURES, LLC**

**WHEREAS**, Simco Ventures, LLC, proposes to build six buildings containing four townhomes each for a total of 24 townhomes. Twelve of the townhomes will be 2-bedroom, 1.5 bath at approximately 1,000 square feet. Twelve of the units will be 3-bedroom, 2-bath at 1,200 square feet.

The total aggregate floor area of all the buildings is approximately 27,060 square feet. The applicant is considering constructing carports that have not been included in the total floor area, however, are on the site plan.

The subject parcel is at 37764 W. Highway 50, Gunnison. It is west of the City of Gunnison. The parcel is legally described as parcels 1 and 2, Section 10, Township 48 North, Range 1 West, N.M.P.M.

**WHEREAS**, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on June 18, July 23, August 20, and September 3, 2021; 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 September 3, 2021 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. This project is initially classified as a Major Impact and the applicant has demonstrated compliance with the standards of Section 3-111: B.1. and the impact classification has been reduced to Minor Impact.
2. This application is consistent with the standards and requirements of this *Resolution*.
3. The total disturbance area will be over one acre; therefore, it is anticipated the applicant will need to obtain a Storm Water Discharge Permit from the Colorado Department of Public Health and Environment (CDPHE) as well as a final release or final certification for the project from CDPHE when completed.
4. The proposed development is in Gunnison Sage-grouse and black bear habitat.
5. The proposed density of the development is substantially similar and compatible with the neighborhood.



6. "Dos Rios Village Declaration of Protective Covenants" have been included as part of the application and comply with applicable standards.
7. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development 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 Dos Rios Village Townhome application need be conducted by the Board, and further, the Board hereby approves the Dos Rios Village Townhome application for LUC No. 2019-00015 as recommended by the Planning Commission, with the following conditions:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. The applicant shall comply with the conditions for developing within Sage-Grouse Habitat in accordance with a Certificate of Administrative Review (No. 57, Series 2020) recorded in the office of the Gunnison County Clerk and Recorder at Reception No. 666938.
3. Amendment or termination of the protective covenants is subject to approval by Gunnison County.
4. Bear proof trash containers shall be installed at the development in accordance with comments from Colorado Parks and Wildlife.
5. Gunnison County Public Works shall work with the developer during the installation of the deep utilities and connection to the County sewer system to resolve some issues on the south end of the parcel at County expense.
6. The storm water retention shall be engineered to ensure historic flow rates are not exceeded at proposed outfalls. This requirement shall be memorialized in the Development Improvement Agreement that will also require any necessary permits are issued by and released via final approval from CDPHE.
7. A description of the method(s) used to regularly inspect and maintain any proposed storm water retention and detention facilities, if applicable, shall be provided as part of the Development Improvement Agreement.
8. A Development Improvement Agreement shall be executed and funded in compliance with Section 16-118: Development Improvement Agreement Required and shall include the following improvements:



- 1) Roadway Plan & Profile, Dos Rios Village, dated August 13, 2021 and stamped by Robert L. Williams, P.E.
- 2) Grading, Drainage, & Erosion Control, Dos Rios Village, dated August 13, 2021 and stamped by Robert L. Williams, P.E.
- 3) Utility Plan, Dos Rios Village, dated August 13, 2021 and stamped by Robert L. Williams, P.E.
- 4) A Storm water Discharge permit from the Colorado Department of Public Health and Environment. Storm water retention shall be engineered so that historic flow rates are not exceeded at proposed outfalls.
- 5) Landscaping Schedule dated March 9, 2021.

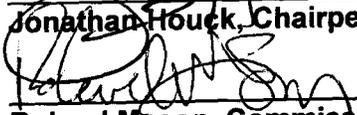
9. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
10. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
11. 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 permit.
12. 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 Houck, seconded by Commissioner Smith and adopted on this 5<sup>th</sup> day of October, 2021.

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

  
Jonathan Houck, Chairperson

  
Roland Mason, Commissioner

  
Elizabeth Smith, Commissioner



ATTEST:

*Melanie Ballou*  
Deputy County Clerk

