

ROUTT COUNTY PLANNING COMMISSION

MINUTES

MAY 6, 2021

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke and Commissioners Greg Jaeger, Andrew Benjamin, Linda Miller, Bill Norris, Brian Kelly, Paul Weese, Jim DeFrancia. and Peter Flint. Roberta Marshall and Ren Martyn were absent. Planning Director Kristy Winser and staff planner Alan Goldich also attended. Sarah Katherman prepared the minutes.

PUBLIC COMMENT

There was no public comment.

ACTIVITY: PL-21-111

PETITIONER: J Quarter Circle Mineral Co., LLC

PETITION: Renewal of Special Use Permit PP2011-020 for a gravel pit

LOCATION: Approximately 3 miles west of Hayden off of RC 65

Mr. Bruce Johnson, the owner of the gravel pit, stated that he had purchased the property containing the gravel pit in 2017, and has been working towards getting the pit back into operation. He said the original pit was around 9 acres, and that about half of it had been mined out. He said that the staff report was accurate and represented the situation very well.

Mr. Goldich reviewed the petition for a renewal of the Special Use Permit (SUP) for the existing gravel pit. He presented a vicinity map and an aerial photo of site. He indicated the location of the access road and the scale. Mr. Goldich confirmed that the pit had been permitted for 9.9 acres, and that approximately 4.5 acres of the pit has been mined. He offered that the operation was in the perfect location for a gravel pit: it cannot be seen from the County Road or from US 40 and there is a good buffer between the river and the pit. He added that due to the grading of the pit, no stormwater leaves the pit. Mr. Goldich stated the permit for the pit was first issued in 2011. No complaints have been received regarding the operation, which has been continuously in compliance. Mr. Goldich noted that because the Master Plan has not changed since the pit was originally reviewed and permitted, the review of the renewal application was limited to compliance with the existing conditions of approval. All state permits are in place.

In response to a question from Chairman Warnke regarding the sale of topsoil, Mr. Goldich clarified that no topsoil from the site is sold. He said that the state had reviewed the operation and confirmed that the quantity of topsoil would be sufficient for reclamation. He added that the most recent inspection by the Division of Reclamation, Mining and Safety (DRMS) was in 2016, when the only problem identified was weed control, which has since been addressed.

Chairman Warnke asked about Condition of Approval (COA) #24, and whether it was duplicative. Mr. Goldich said that the operator pays 6¢/ton to Routt County Public Works to cover road maintenance. The tonnage reported to the assessor is used for valuation and tax purposes. This

COA was specifically requested by the Assessor's Office and is a standard condition on all gravel pit permits.

In response to an inquiry from Chairman Warnke, Mr. Johnson said that he was fine with the tonnage limit included in the existing permit. Mr. Goldich added that the 70,000 tons is a threshold for a number of state permits. If the operation exceeds this threshold, additional permits would be required.

Commissioner DeFrancia asked about the life expectancy of the pit and about reclamation of the site when mining is finished. Mr. Johnson said that he thinks the pit will be mined out by the end of the requested permit term (10 years). Mr. Goldich said that the state holds the reclamation bond and calculates the amount of bonding required. It is Routt County's policy that if the state bonds for reclamation, the County will not require additional bonding. The 6¢/ton is collected to cover off-site impacts. Mr. Johnson added that he also pays the County annually for the application of magnesium chloride to the access roads.

Commissioner Jaeger asked who was responsible for the weed control plan. Mr. Goldich said that weed control is state law, but that an annual weed report is submitted to the County Weed Department. With regards to enforcement at the County level, Mr. Goldich said that while it has been nonexistent in the past, the County is developing an inspection plan for all permits. Mr. Johnson said that since purchasing the property he has been very aggressive with weed control.

There was no public comment.

MOTION

Commissioner Kelly moved to approve renewal of the SUP for the gravel pit, activity PL-21-111, with the following findings of fact:

1. The proposal with the following conditions is in compliance with Sections 3, 5, and 6 of the Routt County Zoning Regulations.
2. The policies and regulations have not changed since the existing permit's approval and no complaints have been received.

This approval is subject to the following conditions of approval:

General Conditions

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, 6 and 9.
2. The SUP is limited to uses and facilities presented in the approved project plan. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director without notice. Any additional uses or facilities not considered accessory must be applied for in a new or amended application.
3. Any complaints or concerns which may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.

4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. No junk, trash, or inoperative vehicles shall be stored on the property.
6. Fuel, flammable materials, and hazardous materials shall be kept in a safe area. Any spills of fuels or hazardous materials shall be reported to the Routt County Planning Department within three days of occurrence.
7. All exterior lighting shall be downcast and opaquely shielded.
8. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
9. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent to the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
10. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act as amended in 2013 and the Routt County noxious weed management plan. A weed mitigation plan shall be developed by the Permittee and reviewed and approved by the Weed Supervisor prior to issuance of the Special Use Permit.
11. This permit is contingent upon any required permits being obtained and complied with from all involved agencies including, but not limited to the following:
 - a) Division of Reclamation, Mining and Safety (DRMS) 112 Construction Materials Permit
 - b) Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division (APCD) Air Quality Permit
 - c) CDPHE Stormwater Management Plan
 - d) Routt County Public Works Grading & Excavating permit
 - e) Colorado Department of Transportation (CDOT) access permitThe operation shall comply with all Federal, State, and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.
12. Any land survey monuments shall be recorded in the Colorado Land Survey Monument Records prior to commencement of mining, and if removed, shall be replaced following reclamation.
13. Copies of all financial guarantees related to the project shall be submitted to the Planning Director prior to issuance of the Special Use Permit. The Board of County Commissioners may require a financial performance guarantee to insure restoration of the site and access

roads and compliance with other conditions of this permit. The County will not require financial guarantees that are duplicative of that required by the State.

Specific Conditions:

14. The SUP is valid for ten (10) years from the BCC approval date, provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
15. Approved uses include:
 - a) Sales from the gravel pit shall not exceed 70,000 tons per year
 - b) Extraction of sand and gravel deposits
 - c) Crushing and processing of gravel
 - d) Stockpiling of topsoil, overburden, and extracted and processed gravel
 - e) Importation of concrete and asphalt to be recycled
 - f) Scale, scale house, fuel tank, crusher, and related equipment
 - g) Reclamation
16. Days and hours of operation:
 - a) Monday through Friday: Hours of operation for extraction, reclamation, crushing, processing, loading, and hauling shall be from 7:00 a.m. to 7:00 p.m.
 - b) Saturday: Hours of operation for extraction, reclamation, loading and hauling shall be from 7:00 a.m. to 4:00 p.m.
 - c) There shall be no operation on Sundays and national holidays, which are Christmas Day, Thanksgiving Day, New Year's Day, Fourth of July, Presidents Day, Memorial Day, and Labor Day.
 - d) Warming of equipment is allowed 15 minutes prior to startup.
 - e) The Board of County Commissioners may grant temporary waiver of hours and/or days of operation for public projects or for projects with special technical requirements, by special hearing with at least 24 hours notice to adjacent property owners.
 - f) The hours of operation may be amended at the Planning Director's discretion to avoid conflicts with school busses.
17. Any amendments to the DRMS permit must be approved by the Planning Director and may be cause for a review of the SUP.
18. Soil and vegetation shall not be stripped in excess of an area required for one year of mining.
19. Topsoil and overburden stockpiles shall have a minimum of 3:1 slopes, and shall be revegetated if left undisturbed for more than six-months.
20. Any amendments to the DRMS permit must be approved by the Planning Director and may be cause for a review of the SUP.
21. The permittee shall be responsible for reclamation as set forth by DRMS gravel mining guidelines and the approved reclamation plan.

Reporting:

22. The permittee shall submit the current DRMS Annual Report for the pit to the Planning Department on or before February 15th each year for compliance verification.

23. The operator shall submit an annual report to the Planning Department and the Assessor's office that details total materials hauled, remaining reserves, and total number of truck trips by February 15th of the following year.
24. Permittee shall conduct an annual inventory of weeds on site each spring including but not limited to species identification and map locations. Inventory shall be submitted to Routt County Weed Program (RCWP) supervisor within 30 days of conducting the survey.
25. Permittee shall submit an annual report prior to December 31 of each year to document all weed control measures undertaken, including herbicides used, rates of application, and total gallons of mixed herbicide solution applied.
26. Permittee shall notify the Routt County Environmental Health Department of any written or verbal notice of violation or citation issued to the Permittee by DRMS, CDPHE, or any other permitting agency. Copies of inspection reports, annual reports, asphalt plant and crusher relocation notices, and any other documentation required to be submitted to DRMS, CDPHE, or any other permitting agency for any permits obtained through those agencies shall be submitted to the Routt County Environmental Health Department.

Access and Traffic:

27. The approved haul route shall be RCR 65 to Poplar Street to US 40. Revisions to the haul route may be approved by the Planning Director subject to Section 3.2.10 of the Zoning Regulations and upon recommendation and concurrence from the Routt County Road and Bridge Department, Town of Hayden, and the Colorado Department of Transportation, as applicable.
28. On days that school is in session, hauling shall not occur on County Road 65 (Breeze Basin Road) and/or Poplar St., in the vicinity of the school, from 7:30-8:15 am and 3:30-4:30 pm. If changes to the school bus schedule necessitate changes to these restrictions, such changes may be approved administratively without notice, following consultation with the permittee and school district.
29. The Permittee will be allowed to deliver to properties accessed by County Road 65 west of the pit entrance to the Routt/Moffat County line. Prior to any deliveries from November 1st through May 31st, the Permittee will contact the Road and Bridge Department to obtain approval for any hauling.
30. The Permittee shall continue to pay a fee of \$.06 per ton of gravel hauled to cover road maintenance costs. The Permittee shall be responsible for dust control on County Road 65 from the end of current winter maintenance to the pit entrance.
31. A maximum of thirty (30) trucks per day shall leave the pit. An increase to this maximum may be approved by the Planning Director for a temporary time period for projects on public roads.

Air Quality and Noise:

32. The Special Use Permit is contingent upon the petitioner complying with the applicable requirements of Regulation 1, Section III.D.1.b of the Colorado Air Quality Control Commission, as a minimum standard. If applicable, the operation shall maintain a State-approved fugitive dust control plan for the sand and gravel operation. In addition, no off-site transport of visible dust emissions shall be allowed. The Planning Administrator may require temporary closure of the facility if dust control measures are not effective. All haul roads and

disturbed sites shall be watered and/or chemically stabilized to minimize dust. Watering operations shall be increased immediately in response to periods of high wind. The operator shall take all appropriate actions to mitigate and control dust from all sources, including stockpiles. Environmental Health Director may require temporary closure of facility if dust control measures are not effective.

33. Noise from all on-site sources and from haul trucks shall be in compliance with the performance standards in the State noise statute (C. R. S. 25-12-103). Violations of performance standards shall be enforceable by the Routt County Planning Department and may be cause for a review of the SUP by Planning Commission and/or the Board of County Commissioners.

Miscellaneous:

34. The operator shall use the use of the mostly technologically advanced and proven procedures and equipment to mitigate the significant impacts of mining operations and associated uses.
35. Fencing shall comply with recommendations of Colorado Parks and Wildlife.

Commissioner DeFrancia seconded the motion.

The motion carried 9 – 0, with the Chair voting yes.

ACTIVITY: PL-21-108 & PL-21-109
PETITIONER: Eagle Land Development Inc.
Landaulet View Subdivision
PETITION: 1. Sketch Subdivision review for a 9-lot subdivision
2. Zone Change from General Residential to High Density Residential and Medium Density Residential
LOCATION: Approximately .5 miles east of the intersection of CR 16 and CR 212 in Stagecoach

Commissioner Weese stated that due to a conflict of interest he would be unable to participate in the consideration of this request. He recused himself. Commissioner Benjamin stated that he works with Four Points Surveying, which is representing the petitioner. He said that he has not worked on this project and has not discussed it. He stated that he would be able to evaluate the petition without bias. There were no objections to Commissioner Benjamin's participation.

Mr. Goldich reviewed Routt County's three-part process for evaluating subdivision applications. He stated that the Sketch Subdivision involves a high-level review of the proposal and the general conformance of the project with the Routt County Master Plan and applicable sub-area plans. At this level of review, the Planning Commission identifies any major issues that would need to be addressed at the next level of review. Planning Commission makes a recommendation to the Board of County Commissioners, which is the deciding body. If approved, the project moves on to the Preliminary Subdivision review, which is also heard by both Planning Commission and the Board of County Commissioners, and is far more detailed. It includes a review of engineered

drawings of the infrastructure, wildlife mitigation plan, wildfire mitigation, traffic analysis, etc. If approved, the project then moves on to the Final Subdivision, which is an administrative decision without public hearings. At this level all documents related to the subdivision are reviewed to ensure accuracy prior to recordation.

Mr. Goldich reviewed the Planning Department's policy regarding information and comments that are submitted after the staff packet has been distributed. All comments received up to 72 hours prior to the hearing will be provided to Planning Commission and made available to the public. No written comments are accepted after the deadline, but comments can be made at the hearing.

Mr. Walter Magill, representing the petitioner, presented a vicinity map of the area and indicated the subject parcel, which currently consists of three lots. He pointed out that the parcel is surrounded by large areas zoned High Density Residential (HDR). He indicated the easements on the property and the access roads off of CR 16 that would serve the proposed lots. Mr. Magill presented a site plan of the proposed subdivision which includes four lots along the southern road. Four-plexes would be built on each of these lots. A trail would be located to the south of the lots and a park would be located to the north, on the bench between these lots and those to be accessed by the northern road. The northern road would serve six single family residential lots. Mr. Magill acknowledged that the homes on the plateau would be visible from the surrounding area. All the proposed lots would be served by central water and sewer.

Mr. Magill offered that the proposed subdivision, which would include modest single family residences and multi-family residences, serves a need in the Stagecoach area and meets the goals of the Master Plan. He suggested that higher density development in the areas of Stagecoach that are served by central water and sewer is needed to make Stagecoach work as envisioned in the Stagecoach Community Plan. He noted that similar high density development is located at the corner of CR 16 and that the site is very close to the school site. Mr. Magill stated that the applicant, who intends to build the homes within the subdivision, may also look to develop the adjacent property to the west in the future

Mr. Magill clarified that the proposed zoning for the upper single family lots is Medium Density Residential (MDR) and the proposed zoning for the lower multi-family lots is HDR. He reviewed the lot sizes and said that the four-plex units would be about 2000 sq. ft. in size.

Mr. Goldich presented a site plan of the existing conditions. He said that the change from the original zoning of HDR to the current zoning, General Residential (GR), was approved in 1998. In 2008 the County approved a subdivision of the property. Although the plat was never recorded, extensions have been granted for filing the plat. Once platted, eight dwelling units could be constructed. The current proposal would increase the number of dwelling units that could be built by 14 over what is currently approved. Mr. Goldich noted that the developer intends to build and sell the units, which would mean that the lots containing the four-plexes would have to be condominiumized.

Mr. Goldich stated that the proposed subdivision would be served by central water and sewer. He stated that the Stagecoach area is designated in the Routt County Master Plan as a Potential Growth Center. He stated that what is being proposed is in compliance with the policies of the Master Plan and the Stagecoach Community Plan, adding that rarely does a proposal comply with

every policy in the Master Plan. A proposal that is deemed to be generally in compliance with the applicable plans may be approved. Mr. Goldich stated that the Morrison Creek Metropolitan Sanitation District (the District) provided information that there are currently 250 vacant lots that are connected to the central water and sewer system in the Stagecoach area. It is not known how many of these lots are for sale or how many can be accessed by existing roads.

Mr. Goldich reviewed the referral comments that had been received, all of which are included in the staff packet. He noted that Colorado Parks and Wildlife (CPW) has requested that a wildlife mitigation plan be required if the proposal moves forward. Mr. Goldich reviewed the issues for discussion that are listed on page 3 of the staff report.

Commissioner Jaeger asked if the Sketch Subdivision and the Zone Change can be approved separately. Mr. Goldich said that the Sketch Subdivision could not be approved without an approval of the Zone Change.

Ms. Winser presented a zoning map of the vicinity. She noted that the subject property is surrounded by HDR zoning and a Planned Unit Development (PUD). There is also some Low Density Residential (LDR) zoning nearby. The minimum lot size in the GR zone district is 0.5 acre; the minimum lot size in the MDR zone district is 6000 sq. ft; and in the HDR zone district the minimum lot size is 3000 sq. ft.

Commissioner Kelly noted that many areas in Stagecoach that are zoned HDR have been developed as single family residences, with the exception of the Wagon Wheel and Eagle's Nest. Ms. Winser noted that although there are many inexpensive vacant lots in the South Shore area, none of those are connected to central water and sewer. Lots that are not served by central water and sewer are not eligible for more than a single dwelling unit, regardless of zoning. She said that although Meadowgreen is developed as single family residences, those lots are eligible for more than a single unit.

Public Comment

Mr. Mike Farrell, a resident of Meadowgreen, stated that he had submitted a letter in opposition to the proposal. He said that he does not think the project is in compliance with the Stagecoach Community Plan, adopted in 2017. He cited the Future Land Use Map included in the Community Plan and stated that the policy of the plan is for the zoning in this area not to change. He said that the existing zoning in Stagecoach can accommodate a variety of housing types. He stated that the proposed densities are not appropriate for this parcel. He noted that the parcel is located on a very visible hilltop knoll and that despite the HDR zoning, the surrounding areas have all been developed with single family residences. Mr. Farrell said that the proposed development would have significant negative visual impacts on the Meadowgreen neighborhood and would reduce property values in the area. He also questioned the demand for these lots, citing the 250 buildable lots served by central water and sewer in Stagecoach. Mr. Farrell stated that the proposed development is too much for a 5-acre parcel and offered that the development allowed under current zoning would be much more appropriate. He said that the letter he had submitted had been signed by every resident of Omega Way and by 20-25 others who live in nearby neighborhoods.

Mr. David Bingham, a resident of Redhawk Village, stated that when one purchases a property, one expects the zoning in the area to remain as it is. He said that the entire area is developed as single family residences. He said that he agrees that the current zoning should not be changed.

Mr. James Zimmerman, a resident of Redhawk Village, stated that all of the full-time residents in that subdivision are opposed to the proposal. He said that the proposal is located on one of highest, most visible areas in the vicinity and would destroy the views from the existing neighborhoods. Mr. Zimmerman stated that the four-plexes are likely to be multiple story structures. He also expressed concern with the increase in traffic. He cited the number of available lots and stated that the project is not needed, is not appropriate for the area and is not wanted.

Mr. David Park asked if the owner of this parcel has an option to purchase the HDR-zoned property to the north.

Mr. Nathan Wojcik, a resident of Redhawk, stated that the view from his house looks directly into the proposed development. He asked about the change in the proposal from what was advertised and noticed. He complained that the inaccurate noticing undermines the public trust and makes it hard to evaluate what really might happen. He stated his agreement with the previous comments about the inappropriate density of the project. He also expressed concern regarding the impact of the development on the wildlife and the increase in traffic.

Mr. Chris Felton, a part-time resident of Redhawk, expressed concern with the likely high profile of the four-plex buildings and the development of the ridgeline. He said the proposed development would really impact the views. He said that if the proposal moves forward, he would like to see a requirement that only low-profile structures be allowed. He also asked that the density be reduced and expressed concern with the increase in traffic, and the impact of the headlights and the noise. He requested that a traffic study be conducted to determine the impact on the traffic and the roads.

Seeing no further comment, Chairman Warnke closed public comment.

Mr. Magill stated that the proposal is a Sketch Subdivision and can be changed. He said that the multi-family units proposed are four-plexes, with buildings in the 5500 – 8000 sq. ft. range, but that a different layout for the subdivision would be possible. He offered that density allows for growth, which ultimately will benefit Stagecoach and the community, where affordable housing is needed. Mr. Magill said that the developer is a builder and could keep the units affordable. He noted that there would be no size restriction on single family homes on 0.5-acre lots, and asked those opposed to the proposal to consider the impacts of what could be built under current zoning. Mr. Magill stated that the property is close to the school site, as well as to the potential general store site, and is well located for higher density development.

Mr. Goldich stated that this a high-level review of the development concept. He said that details of the proposal, as well as additional elements such as the traffic study and wildlife mitigation plan would not be required until the Preliminary Subdivision phase. He noted the Sketch Subdivision could be approved by Planning Commission and the Board of County Commissioners and then be denied at the Preliminary Subdivision review if the negative impacts cannot be sufficiently mitigated. Regarding the change in design since the project was noticed, Mr. Goldich stated that the original proposal had been for 13 lots, but with the proposed zoning would have allowed for a

maximum of 31 dwelling units. Under the revised proposal, 22 dwelling units would be allowed. He explained that if the change had resulted in an increase, the project would have had to be re-noticed, but because the change was for a reduction in density and therefore a reduction in potential impacts, no new notice was required.

In response to a question from Commissioner Miller, Mr. Goldich reviewed that under current zoning and approvals, eight single family dwelling units could be built, after a plat for the approved subdivision is recorded. He confirmed that there are currently three lots on the property, but the 2008 approval for an eight unit subdivision is vested.

Commissioner DeFrancia offered that the staff report states that the proposal is in substantial conformance with the Master Plan and the Stagecoach Community Plan, both of which support higher density development in this area. He offered that the proposed subdivision is in line with the surrounding pattern of development and zoning.

Commissioner Jaeger said that he is struggling with the proposed zone change, and cited Sections 8.2.1 and 8.2.1.c of the Subdivision Regulations. He said that with 250 available vacant lots he cannot see how this project is needed. He also noted that all of the surrounding neighborhoods are in opposition.

Ms. Winser stated that what is being proposed is conceptual. She noted that the applicant seems flexible and amenable to modifications, perhaps with a reduction in density. She asked that Planning Commission provide clear direction to the petitioner regarding what it would like to see if this project moves forward. She noted that the Board would consider the input from Planning Commission.

Commissioner Flint asked about Section 4.1.0 of the Subdivision Regulations, which states that after a particular date no more HDR zoning would be created. Mr. Goldich stated that this policy applies to unincorporated areas of the County, unless called for in an adopted sub-area plan. Ms. Winser added that the sub-area plan (Stagecoach Community Plan) does support higher densities in areas with central water and sewer, but also supports maintaining current zoning as indicated on the Future Land Use Map. She noted that plans are for guidance only, and applications rarely conform to every policy in a plan.

Commissioner Kelly noted that one difference between this property and the areas of Meadowgreen that are also served by water and sewer is the topography. He stated that the pitch of this parcel will likely require substantial retaining walls. He suggested that multi-family units might be more appropriate on the adjacent, flatter properties. He stated that the eight currently approved single family lots might be more appropriate for this piece of land.

Commissioner Miller noted that when the Stagecoach Community Plan was adopted in 2017, this parcel had already been rezoned to GR. She asked about the requirements for a duplex in the HDR zone district. Mr. Goldich said that this depends on the size of the lot. He said that both MDR and HDR allow for multi-family units, but 6000 sq. ft. is required per dwelling unit in the MDR zone district, whereas 3000 sq. ft. per dwelling unit is required in the HDR zone district.

Roundtable Discussion

Commissioner Benjamin recalled that when Redhawk Village was originally proposed many of the same comments were made by the neighbors, yet that development ended up being very successful. He noted that the GR zoning of this parcel is an island surrounded by HDR zoning. Commissioner Benjamin noted the lack of attainable housing in Routt County and stated that there is a need for more affordable types of development, such as Eagle's Nest. He added that there is plenty of room for the petitioner to improve the proposal after this level of review, and that he would support approval. He said that he would like to see what the plan would be to mitigate the visual impacts of the development.

Commissioner Norris stated his agreement with Commissioner Benjamin. He stated that the area is served by adequate infrastructure to support this type of development. He stated his support for the proposal.

Chairman Warnke stated that he agrees that housing is an issue in the County and that there is a need for this type of development. He said that he is uncertain if the visual impacts can be mitigated, but that he would support approval of the proposal on a conceptual basis to allow the petitioner to make modifications to improve the project.

Commissioner DeFrancia agreed with the previous comment, citing the petitioner's stated flexibility regarding the project design.

Commissioner Jaeger said that although he is not entirely opposed to the proposal, he feels that the approved eight-lot subdivision is more appropriate for the parcel and would fit better with the surrounding pattern of development. He said that his concern is with the zone change and the increase in density.

Commissioner Kelly said that although he is not concerned with higher density development in this area generally, he is concerned with the topography of this parcel. He noted that building on land this steep is expensive. He offered that the upper areas might be more suitable for 3 – 4 duplexes, with duplex or single family units on the lower portion. He said that he could not support the proposed density for this parcel, but would consider something in between the approved eight units and the proposed 22 units.

Commissioner Flint stated that he agrees with Commissioners Kelly and Jaeger and would not support the proposal, as presented.

Commissioner Miller stated that she also agrees with Commissioners Kelly and Jaeger. She said that 22 units was too many for this parcel, but that she would be willing to consider something in between, perhaps including some duplexes. Commissioner Miller stressed that she would be adamant, if the proposal moves forward, that the covenants prohibit short-term rentals.

Commissioner Benjamin reiterated that this is a high-level, conceptual review. He offered that a creative architectural solution could make this level of density acceptable.

Mr. Goldich reviewed that if the project is denied at this level, no new proposal for any subdivision of the parcel would be accepted for one full year. He noted that another option would be to table the petition to a specific date to allow the petitioner to come back with a new design. Mr. Goldich

stated that ultimately the Board of County Commissioner would be the deciding body, but that tabling could allow Planning Commission to consider an alternative design before it makes a recommendation to the Board.

Mr. Magill said that he would much prefer a tabling to a denial, and stated that the owner of the property intends to develop. The parcel will not be left vacant. He discussed several ways in which a revised subdivision proposal might be designed. He asked what Planning Commission and the community really wants for the Stagecoach area.

Commissioner Kelly stated that he would support tabling the petition to allow the project to be redesigned, and reiterated that he would like to see something in between the eight single family homes and the density currently proposed. Commissioner Miller agreed.

MOTION

Commissioner Kelly moved to table items PL-21-108 and PL-21-109, the Landaulet Sketch Subdivision and associated Zone Change, to the June 3, 2021 Planning Commission meeting to allow the petitioner to amend the proposal and reduce the proposed density of the subdivision. All information regarding the amended proposal must be submitted by May 20, 2021.

Discussion

Following a discussion of whether or not to specify in the motion a maximum number of units for the revised application, Commission Miller offered a friendly amendment to simply say that the density should be reduced. This amendment was accepted, as indicated above.

Commissioner DeFrancia seconded the motion.

The motion carried 8 – 0, with the Chair voting yes.

ADMINISTRATOR'S REPORT

Ms. Winser commended Planning Commission for the thorough discussion of the Landaulet Subdivision proposal.

Ms. Winser discussed the annual training with the County Attorney and asked if Planning Commission would be available for a daytime meeting on Thursday, May 20th (the day of the regularly scheduled meeting). She noted that there were no other items scheduled to be heard on that day. Hearing of no conflicts from those present, Ms. Winser said she would follow-up with the County Attorney.

Ms. Winser stated that the County offices are now open to the public and that staff is in the office on a rotating schedule. She said that the BCC is planning to move to in-person meetings on June 10th. She suggested that Planning Commission would most likely move to in-person meetings in July. Meetings with very short agendas could continue to be held remotely to reduce travel time for participants.

Ms. Winser reviewed the upcoming agendas and said that the Planning Department continues to be very busy with a variety of different administrative decision applications in addition to those heard by Planning Commission.

The meeting was adjourned at 9:00 p.m.