

GRAND COUNTY PLANNING COMMISSION
MEETING MINUTES

Wednesday, July 13, 2022

MEMBERS PRESENT: Marcus Davis Kim Shepton
 Deborah Fitch Bob Gnuse
 Will MacDonald Shaun Mullahey
 Lynn Adams

MEMBERS ABSENT: Ryan McNertney

STAFF PRESENT: Kristen Manguso Taylor Schlueter
 Maxine LaBarre-Krostue Lonie Ragsdale
 Jorune Klisauskaite

The meeting was called to order by Chairperson Marcus Davis at 6:30 PM. Roll call was taken. Staff did not have any minutes for review. There were 3 people present at the WebEx/In Person Planning Commission Meeting.

CERTIFICATE OF RECOMMENDATION

PLANNING COMMISSION, JULY 13TH, 2022

PROJECT NAME	Second Amended Final Plat - Tom Drake Subdivision Exemption
APPLICANT	Scanlon, Sandra
LOCATION	Tom Drake Sub Exempt Lot: 2A AMD Final Plat Drake Filing 1 st and Tom Drake Sub Ex (AKA 788 GCR 519)
ZONING	Forestry and Open District (F)
GROWTH AREA	Grand County Rural Growth Area 2
STAFF	Jorune Klisauskaite, Planner I
REQUEST	Approval of a Second Amended Final Plat to reestablish two (2) lots on a 31.09 acre, Subdivision Exemption parcel which was previously amended into one (1) lot.

PURPOSE OF REQUEST AND BACKGROUND

In 1992, the Tom Drake Subdivision Exemption, recorded at Reception No. 303475, divided a 57.97 acre parcel into three (3) lots of 5 acres, 26.22 acres, and 26.75 acres respectively near Pole Creek Golf Course. In 2017, Lots 1 and 2 of the Tom Drake Subdivision Exemption were combined to create the current subject property, Lot 2A. Sandra Scanlon Revocable Trust and Mary Petryzyn Revocable Trust own the subject property by Warranty Deed recorded at Reception No. 2017006031.

Sandra Scanlon, the Applicant, is now requesting approval of a Second Amended Final Plat to reestablish two (2) lots on the 31.09 acre parcel. The purpose of this request is to allow for another single family dwelling to be built.

The Applicant had originally applied for a Subdivision Exemption, however, Staff has determined that an Amended Final Plat process is in the best interest of both Staff and the Applicant providing a shorter review process. The current plat for this project will thus need to be altered to reflect those changes.

STAFF RECOMMENDATION

Staff recommends approval of the Second Amended Final Plat – Tom Drake Subdivision Exemption to divide Lot 2A back into two lots. The following conditions are to be met or sufficiently addressed prior to any meeting of the Board of County Commissioners.

1. A thirty foot (30') water quality setback shall be represented on the plat for the ditch on the south end of Lot 2A.
2. The title of the plat shall be changed to reflect the change in land division process.

The following conditions shall be met or sufficiently addressed prior to recording:

3. A 14" x 18" black-line Mylar with approved addresses and road numbers, as outlined above, shall be provided.
4. A Quit Claim Deed shall be provided for abutting Grand County Road 519.
5. A Quit Claim Deed shall be provided conveying the new property description for each newly created lot.
6. An electronic copy of the Final Plat shall be provided.
7. All recording fees are to be paid by the Applicant.

Sandra Scanlon, The Applicant, introduced herself.

Bob Gnuse asked for clarification on what the "AMD" in the name on the plat stands for and asked about the history of the lot. Are they sharing a driveway?

Staff, responded "AMD" stands for Amended for the previous Amended Final Plat. The outside boundary stays the same but the internal property lines of the lots will be changing. Then stated they will not be sharing a driveway.

William MacDonald asked why the well was not abandoned.

Staff, stated that out of all honestly we think it was a mistake. There was a name change in 2017 after the Amended Final Plat which combined lots 1 & 2. We are working with Megan at the DWR to prevent this from happening in the future. DWR and the County need to be on the same page.

Will MacDonald requested clarification on the Water Quality Setback.

Staff, confirmed it is 30 feet from the high water mark.

Lynn Adams asked for clarification on the Conditions.

Staff, stated there is seven total conditions.

Marcus Davis requested that we number top to bottom.

Lynn Adams made a motion for approval with 7 conditions as presented.

Shaun Mullahey seconded the motion.

Motion was approved unanimously.

CERTIFICATE OF RECOMMENDATION

PLANNING COMMISSION, JULY 13TH, 2022

PROJECT NAME	Stagecoach Meadows Amended Final Plat Lots 15A, 17, and 18 and Utility Easement Vacations.
APPLICANT	Christopher Koerner; Christine and Paul Bockmann
LOCATION	1142 GCR 5171 Stagecoach Meadows
ZONING	Forestry and Open (F)
STAFF	Jorune Klisauskaite, Planner I
REQUEST	The Applicants are requesting approval to split co-owned Lot 17 into halves and combine each respective half to Lot 15A and Lot 18. The Applicants are also requesting approval to vacate twenty foot utility easements along common property lines of Lot 15A & 17 and 17 & 18.

PURPOSE OF REQUEST AND BACKGROUND

Christopher Koerner is the owner of Lot 18 by Warranty Deed recorded at Reception No. 2000010539. Christine and Paul Bockmann are the owners of Lot 15A by Warranty Deed recorded at Reception No. 2021014097. Both parties have undivided 50% interest in Lot 17 which lies in between their individually owned lots, by Special Warranty Deed recorded at Reception No. 2022002353 of the Grand County Records.

The Applicants are requesting approval of an Amended Final Plat to split and combine half of Lot 17 with Lot 15A and the other half with Lot 18, creating two lots out of three.

Stagecoach Meadows was originally platted in 2000 (Reception No. 2000008387) with dedicated twenty foot (20') easements along all rear and side lot lines. This request would vacate the common property line of Lot 15A & 17 and 17 & 18 in addition to the corresponding utility easements.

The proposal will also extend building envelopes of the existing two lots, Lot 15A and Lot 18, by connecting them to the building envelope of Lot 17. The newly established building envelopes will remain the same distance from County Road 5171 and all setbacks. If approved Lot 17A will become 3.87 acres and Lot 15B will become 5.83 acres.

The proposed Amended Final Plat will vacate property lines and corresponding utility easements of Lot 17 and reestablish a twenty foot (20') utility easements to the newly shared property line of Lot 15B and Lot 17A.

STAFF RECOMMENDATION

Staff recommends approval of the Stagecoach Meadows Amended Final Plat Lots 15A, 17, and 18 and the corresponding utility easement vacations. The following conditions are to be met or sufficiently addressed prior to any meeting of the Board of County Commissioners:

1. The title of the plat shall be corrected to reflect conveyance to the subdividers as outlined above.
2. Easement references shall be corrected to reflect accurate Reception Numbers.
3. All public utility companies shall approve of the utility easement vacation.
4. Certified public notification will be made to property owners within 500 feet, all public utility companies, and the Middle Park Times at least twenty (20) days prior to a Board of County s meeting in regards to the utility easement vacations.

The following conditions shall be met or sufficiently addressed prior to recording:

5. A 14"x 18" black-line Mylar with approved addresses and road numbers shall be provided.
6. Quit Claim Deeds shall be provided conveying the new property description for each newly created lot.
7. An electronic copy of the Final Plat shall be provided.
8. All recording fees are to be paid by the Applicant.

All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

***Christopher Koerner, The Applicant,** introduced himself and requested clarification on the name on the plat. He questioned the lot number.*

***Marcus Davis** stated no we take the smallest number.*

***Will MacDonald** asked if the property is on well and septic.*

***Staff,** responded yes.*

***Marcus Davis** requested that Agenda language include "Easement Vacation."*

***Will MacDonald** made a motion for approval as presented.*

Bob Gnuse seconded the motion.

Motion was approved unanimously.

CERTIFICATE OF RECOMMENDATION

Planning Commission, July 5, 2022

- PROJECT NAME:** Casa Colorado Special Use Permit
- APPLICANT:** William MacDonald
- LOCATION:** Lot 48, Block 1, Winter Park Ranch 3rd Filing, 319 to GCR 831 (aka Little Pierre Ave).
- ZONING:** R – Residential District
- STAFF:** Kristen Manguso
- REQUEST:** The Applicant is requesting a Special Use Permit to allow for a rooming or boarding home with over five (5) rooms within an existing home.

DISCUSSION

William MacDonald is representing Brittany Diane Nudge who owns the property by Warranty Deed recorded at Reception No. 2016009418 of the Grand County Records. A single family dwelling constructed in 1978, consisting of 6308 square feet is located on the property. There is also a 720 square foot dwelling built in 1980. The Applicant has provided a narrative stating there are 11 bedrooms and 8 bathrooms within the homes, and a Short Term Rental Permit has been on this property since 2016. This request is to allow long term housing for up to 38 individuals.

Staff is aware of the inconsistency with the fact that short term rentals are permitted with a fee and long term rentals (over 30 days) require a Special Use Permit under our current zoning regulation. Staff will be working on fixing this issue over the winter months. With that said, the regulations as written today require a Special Use permit.

STAFF COMMENTS:

Proper public notification will occur prior to any hearing before the Board of County Commissioners as required.

STAFF RECOMMENDATION:

Staff recommends approval of the Casa Colo Special Use Permit with the following conditions to be met or sufficiently addressed prior to any hearing before the Board of County Commissioners:

1. Verification that the required construction improvements have been completed to R1 building code shall be provided prior to any hearing by the Board of County Commissioners.
2. The Applicant shall contact East Grand Fire Department regarding fire access and safety. Written confirmation shall be provided prior to any hearing before the Board of County Commissioners.
3. An update site plan showing parking that complies with the setbacks outlined in the Grand County Zoning Regulations Section 14.4 (2)(a) Off Street Parking shall be provided.
4. The initial permit shall be for one (1) year and expire August 30, 2023

The following language shall be made part of any issued Special Use Permit:

5. The Permittee shall obtain all necessary taps, pay required charges and perform any line upgrades as determined by Winter Park Water and Sanitation District. Line upgrades will be within a timeframe as required by the District. Other requirements that do not require construction shall occur within two (2) months of notification by the District. Failure to stay in compliance with any requirements of the District will result in a default hearing before the Board of County Commissioners to determine if the Special Use Permit will be suspended or revoked.
6. All exterior lighting shall be designed and installed to direct the light inward and downward onto the site and away from the adjoining properties. The source of light shall not be visible above a horizontal plane and shall fall within the property line. This can be accomplished by installing lighting fixtures designed to direct the light down or by installing shields in combination with angled lighting directing the light downward.
7. If parking creates issues for neighbors or plow drivers, the Applicant will be required to reduce the number of vehicles on site.

That all standard terms and conditions as previously applied to Special Use Permits apply to this request.

- Offsite Impacts
- Compliance with County, State and Federal Regulations
- Limitation of Liability

- Site Maintenance
 - Alteration of Terms and Conditions
 - Storage of Junk and Abandoned Property
 - Binding Contract
 - Right to Enter Site
 - Violations of Terms and Conditions
 - Termination
-

William MacDonald recused himself from this discussion.

Kim Shepton asked staff when letters are sent to agencies are we waiting on their responses to move forward.

Staff, stated we send them within a week or so. We will not move forward without their response.

Marcus Davis stated that we are bringing back all old protocols

Christina Christenson, Employee Housing Manager, Winter Park Resorts, (webex) introduced herself and stated if they have any questions to let her know.

Shaun Mullahey asked for clarification on parking.

Will MacDonald, The Applicant stated that there will be a new site plan submitted. We are planning for sixteen cars.

Marcus Davis asked Christina if she can explain how they plan to keep the parking down.

Christina Christenson, Employee Housing Manager, Winter Park Resorts, stated that we do not believe in double parking. Residents are required to tell the resort if they have a vehicle when they are hired.

Shaun Mullahey asked if they have a plan if there is a parking crisis.

Christina Christenson, Employee Housing Manager, Winter Park Resorts, stated that we do there is a Resident Advisor on the property and a policy in place.

Lynn Adams asked about bedroom capacity.

Will MacDonald, The Applicant stated that there is a maximum capacity of 30 person(s).

Kim Shepton asked about the location of the bus route.

Will MacDonald, The Applicant stated that the bus stop is within 200 yards or so from the house.

Deb Fitch stated this is well thought though and thanked the applicant.

Bob Gnuse echoed Debs compliments.

Staff, requested the Chairman Marcus Davis to add the following conditions:

8. The applicant shall keep point of contact information for Winter Park Resort on file with Community Development
9. RA Information is strongly encouraged

Marcus Davis confirmed the Short Term Rental history of the property and asked if there is any history of complaints or violations?

Staff, stated the only issue William had was with the Building Department on a permit. There is no history of STR complaints or violations.

Bob Gnuse made a motion for approval with 9 conditions as amended.

Deb Fitch seconded the motion.

Motion was approved unanimously.

CERTIFICATE OF RECOMMENDATION

Planning Commission July 13, 2022

PROJECT NAME: Casa Vista Special Use Permit

APPLICANT: William MacDonald

LOCATION: Parker Outright Exemption and Subdivision Exemption, Lot 3, aka 687 County Rd 517.

ZONING: F – Forestry and Open

STAFF PLANNER: Kristen Manguso

REQUEST: The Applicant is requesting a Special Use Permit to allow for long term rentals in addition to their already approved Short Term Rental license.

DISCUSSION

The applicant is the current owner of Lot 3, Parker Outright Exemption and Subdivision Exemption by Special Warranty Deed recorded at Reception No. 2014001402 of the Grand County Records. The Parker Outright Exemption and Subdivision was approved by the Board of County Commissioners on July 21st 1998 and recorded on July 24, 1998 at Reception No. 98007862.

Resolution No. 1998-7-14 approving this land use request stated that Lots 1 and 2 were reviewed under the Subdivision Exemption Regulations while Lot 3 was processed as an Outright Exemption. During the platting process, Lot 3 was restricted from sale until an approved water augmentation was obtained and recorded. On July 22, 2008, by Resolution No. 2008-7-24, the restriction from sale was released as an approved water augmentation plan was recorded at Reception Number 2008007007.

The existing home is approximately 6500 square feet in size and has 9 bedrooms and 8 ¼ bathrooms according to County Assessor records. However, the Applicant has stated it is an 11 bedroom home. The Applicant shall work with the Assessor to ensure County records are corrected prior to issuance of any Special Use Permit.

This request is to obtain a Special Use Permit that allows for Camps and Lodges with over five (5) bedrooms in the Forestry and Open zoning district for long term rentals during the winter months, while continuing the short term rental program in the summer. The Applicant is proposing to lease the home to Winter Park Resort so they can house up to 30 of their employees for the winter season.

Staff is aware of the inconsistency with the fact that short term rentals are permitted with a fee and long term rentals (over 30 days) require a Special Use Permit under our current zoning regulation. Staff will be working on fixing this issue over the winter months. With that said, the regulations as written today require this permit.

STAFF COMMENTS:

Proper public notification will occur as required prior to any hearing before the Board of County Commissioners.

STAFF RECOMMENDATION:

Staff recommends approval of the Casa Vista Special Use Permit with the following conditions to be met or sufficiently addressed prior to any hearing before the Board of County Commissioners:

1. The initial permit shall be for one (1) year and expire August 30, 2023.
2. The Applicant shall contact East Grand Fire Department and obtain a letter stating approval of using this property as requested.

The following conditions shall be met prior to issuance of any Special Use Permit:

3. The measuring devices as required within the augmentation plan shall be installed and maintained. Proof shall be provided to Community Development in the form of a picture or site visit by Staff prior to issuance of and Permit.
4. The Permittee shall enter into a contract with Middle Park Water Conservancy District and provide a copy of this contract to the Planning Department each year showing compliance with augmentation plan.
5. The Applicant shall work with the Assessor to ensure County records are corrected prior to issuance of any Special Use Permit.
6. The Applicant shall amend their Short Term Rental Permit to allow a maximum capacity of 26 people.

The following conditions shall be made a part of any Special Use Permit:

- The augmentation plan requires the Applicant to file an annual report with the Division Engineer by November 15th of each year summarizing diversion and replacements made under this plan. A copy of this report shall be provided to Community Development by November 30th of each year.
- All other conditions of the approved augmentation plan 02CS224 recorded at Reception No. 2008007007 shall be strictly adhered to.

- No expansion of the On-Site Wastewater treatment system shall be allowed without a permit obtained from the Colorado Department of Public Health and Safety.
- Any replacement of the existing On-Site Wastewater treatment system must be designed to be under 2000 gallons unless the required permit is obtained from the Colorado Department of Public Health and Safety.
- All exterior lighting shall be designed and installed to direct the light inward and downward onto the site and away from the adjoining properties. The source of light shall not be visible above a horizontal plane and shall fall within the property line. This can be accomplished by installing lighting fixtures designed to direct the light down or by installing shields in combination with angled lighting directing the light downward.

All standard terms and conditions as applied to previous Special Use Permits apply to this request:

- Offsite Impacts
 - Compliance with County, State and Federal Regulations
 - Limitation of Liability
 - Site Maintenance
 - Alteration of Terms and Conditions
 - Storage of Junk and Abandoned Property
 - Binding Contract
 - Right to Enter Site
 - Violation of Terms and Conditions
 - Termination.
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William MacDonald recused himself from this discussion.

Marcus Davis applauded the Applicant for agreeing to install the sprinkler system confirmed parking was not an issue, and asked if Winter Park Resort is associated with this application?

Will MacDonald, The Applicant confirmed that Winter Park Resort is affiliated with this application and that they will be renting this for workforce housing as well.

Marcus Davis added the following conditions:

1. The applicant shall keep point of contact information for Winter Park Resort on file with Community Development
2. RA Information is strongly encouraged

Christina Christenson, Employee Housing Manager, Winter Park Resorts, stated they do operate off of a waitlist for employee housing.

Shaun Mullahey asked for clarification on parking and bus routes. Unlike the first application this is not anywhere close to the bus routes.

Christina Christenson, Employee Housing Manager, Winter Park Resorts, of Casa Vista, stated that due to the remote location and having a maximum capacity of twenty-six (26) parking spaces, we will be sure that all residents have a vehicle or ride share option.

Lynn Adams asked if the sprinkler system is required.

Will MacDonald, The Applicant confirmed and stated that he is working with East Grand Fire District and will install it.

Kim Shepton asked if the water was approved in 2008, why does the applicant need to go through the process again.

Staff, stated this is just a transfer of ownership at this point. We need to make sure that the applicant has a contract with Middle Park Water Conservation District who replace the water when it is used.

Bob Gnuse asked why the applicant cannot have two septic systems on the same property.

Staff, states that anything over 2000 gallons requires a state system.

Bob Gnuse made a motion for approval with 7 conditions as amended.

Deb Fitch seconded the motion.

Motion was approved unanimously.

Shaun Mullahey made a motion to adjourn at 07:55 PM.

Lynn Adams seconded the motion.

Motion was approved unanimously.
