

MEMORANDUM

TO: Board of County Commissioners
Regular Meeting – January 23, 2019

THRU: Cindy Houben, Community Development Director

FROM: Suzanne Wolff, Assistant Director

RE: Resolution Approving an Extension of Vested Real Property Rights for the Collins Subdivision/PUD

SUMMARY: Pursuant to Section 2-20-170, the Applicant is seeking a twenty (20) year extension of the vested rights associated with the Collins Subdivision/PUD approvals.

APPLICANT: McCabe Properties LLC

REPRESENTATIVE: Alan Richman

LOCATION: Tracts 8, 9, 10 and 11, J.H. McCabe Tracts and the Fathering Parcel, McCabe Ranch

ZONING/LOT SIZE/EXISTING CONDITIONS AND APPROVED DEVELOPMENT: The properties are zoned RS-30 and contain:

| Tract Number | Acreage | Zoning | Existing Development | Approved Development |
|------------------|--------------|--------|--|--|
| Tract 8 | 58.38 acres | RS-30 | Aspen House – 4,500 sf | 8,250 sf (with GM allotment) |
| Tract 9 | 32.32 acres | RS-30 | AH Duplex – 1,600 sf | 5,750 sf (new SFR – GM exempt) |
| Tract 10 | 102.41 acres | RS-30 | Non-Development Tract | None |
| Tract 11 | 13.23 acres | RS-30 | Hex House – 1,200 sf | 5,750 sf (GM exempt) |
| Fathering Parcel | 271.63 acres | RS-30 | Sopris House – 3,100 sf Collins Home Site - 0 sf | 5,750 sf (GM exempt) 8,250 sf (with GM allotment) |
| AH-RM | 0.683 acres | AH | Ranch Manager's House – 1,900 sf | 3,000 sf (with GM allotment) |
| AH-DUP | 0.261 acres | AH | AH Duplex – 0 sf (replacement location when duplex removed from Tract 9) | 1,600 sf (GM exempt) |

BACKGROUND:

- The J.H. McCabe Tracts Subdivision received final subdivision approval from Pitkin County, pursuant to Resolution No. 80-90; the final plat is recorded in Plat Book 10 at Pages 47-49, and amended in Plat Book 16 at Page 83. The Subdivision created Tracts 1-11.
- The McCabe Ranch Low Impact Subdivision (LIS) received final subdivision approval from Pitkin County, pursuant to Resolution No. 94-33; the final plat is recorded in Plat Book 34 at Pages 37-39. The LIS created Tracts A-D.

- A non-development easement is imposed on approximately 278 acres of land (176 acres of the LIS and all 102 acres of Tract 10). An open space restriction is imposed on 30+ acres of land across portions of Tracts B and D and the Fathering Parcel. An agricultural use restriction is imposed on another 275 acres of land, comprising portions of Tracts 1, 2, 3, 4, 5, 8, 9, A, B, C and D.
- The BOCC granted a Growth Management allotment of 3,750 square feet of additional floor for the Aspen House on Tract 8, pursuant to Resolution No. 078-2004. A Covenant memorializing the commitments is recorded as Reception No. 507539.
- The BOCC granted a Growth Management allotment for 6,250 square feet of floor area to the Fathering Parcel, pursuant to Resolution No. 136-2004, to be divided between the Sopris House, the Collins Home Site, and the Ranch Manager's House. A Covenant memorializing the commitments is recorded as Reception No. 507540.
- The BOCC approved a 10 year extension of vested rights for the allotments granted by Resolution Nos. 078-2004 and 136-2004, pursuant to Resolution No. 155-2004 (Exhibit 8 to Application). Attached to the Resolution is a Settlement Agreement between the Applicant and the Snowmass/Capitol Creek Caucus, which addresses concerns raised by the Caucus during the review process for the allotments.
- To effectuate the Settlement Agreement, the Applicant submitted a Subdivision/PUD application, which the BOCC approved by Resolution Nos. 114-2008, 048-2010 and 004-2011; the Final Plat is recorded in Plat Book 100 at Pages 3-8. The BOCC granted a 10-year vested right that will expire on April 14, 2020, which vested right is memorialized in a Development Agreement recorded as Reception No. 588961 (Exhibit 13 to Application).
- The BOCC approved a rezoning of the Ranch Manager's House and the replacement duplex site from RS-30 to AH and the rezoning of Tract 9 from AH to RS-30, pursuant to Ordinance No. 29-2008.

REFERRAL COMMENTS: The Snowmass Capitol Creek Caucus voted unanimously to support the request for a 20 year vested right. The McCabe Ranch HOA had no objections and supports the request.

STAFF COMMENTS:

VESTED RIGHTS EXTENSION: The Applicant is requesting a 20 year extension of the vested rights for the Collins Subdivision/PUD. The Applicant has submitted the application in advance of the expiration date, in order to leave time to prepare plans for houses on Tract 8, 9, 11 and the Fathering Parcel, if an extension is not granted.

Pursuant to Land Use Code Sec. 2-20-170(c)(2):

A vested right, as defined in C.R.S. 24-68-101 et. seq., may be vested for a period longer than three (3) years through the use of a development agreement. A development agreement is an agreement between the County and the property owner providing that vested rights will be granted for a longer term in return for additional certainty or benefits granted by the property owner to the County regarding a specific final development of the property. For example, vested right for periods longer than the statutory three (3) year period may be considered if (a) the applicant makes commitments that the property will protect significantly more open space, or will provide significantly more affordable housing, than would otherwise be required by this Land Use Code, or (b) the proposed development will be completed in phases, and the County and applicant wish to agree on the timing of those phases and related infrastructure requirements. Development agreements shall not be used simply to extend the three (3) year vesting period when significant additional contributions of open space or affordable housing (beyond the requirement of this Land Use Code) are not made, and a phased development is not involved, or simply to provide additional flexibility in the timing of development.

A Development Agreement was recorded to memorialize the original 10 year vested right granted in 2010. The Applicants propose to enter into an updated and re-stated development agreement.

Pursuant to Sec. 2-20-170(d), the BOCC shall consider the following criteria in reviewing a request for an extension of vested property rights:

1. *The applicant's compliance with any conditions requiring performance prior to the date of application for extension or reinstatement of vested rights.*

Response: Subsequent to the BOCC's approval of the Subdivision/PUD in Resolution Nos. 114-2008, 048-2010 and 004-2011, the Applicant has complied with those conditions of approval that were required to be accomplished at this stage of the development process:

- Amended Subdivision Plat and PUD Plan recorded in Plat Book 100 at Pages 9-14.
- Development Agreement memorializing the conditions of approval recorded as Reception No. 588961.
- Affordable Housing Covenant restricting the Ranch Manager's House and the planned affordable housing duplex recorded as Reception No. 588959.
- GMQS Covenants memorializing the commitments made to obtain additional floor area allotments for Tract 8 and the Fathering Parcel recorded as Reception Nos. 507539 and 507540.

2. *The progress made in pursuing the project to date, including the effort to obtain any other permits, such as building permits, and the expenditures made by the applicant in pursuing the project.*

Response: The Applicants have recorded all required documents required to pursue the project. The Applicant has also undertaken the following projects in reliance on the approvals:

- Obtained a building permit to expand the Sopris House to a floor area of approximately 5,000 square feet (where 5,750 square feet is approved). Cost – approximately \$225,000.
- Installed a fire hydrant near the Sopris House and cleaned out a pond to provide a water source for the hydrant. Cost – approximately \$135,000.
- Installed fencing, defined cattle crossings and planted riparian vegetation to protect and restore riparian areas along Elk Creek. Cost – approximately \$45,000.
- Placed overhead power lines underground on the Fathering Parcel. Cost – approximately \$82,000.
- Prepared and submitted building permit applications to stabilize and restore the Historic Red Barn and Irrigator's Cabin on Tract 8. Cost – approximately \$275,000.
- Paid for professional services and application fees. Cost – approximately \$150,000.

3. *The nature and extent of any benefits already received by the County as a result of project approval, such as impact fees or land dedications.*

Response: The County has received the following benefits as a result of the project approval:

- The Ranch Manager's House was a free market residence. It was deed restricted as an RO unit and limited to no more than 3,000 square feet.
- The Applicant agreed to replace the affordable housing duplex on Tract 9 with a new affordable housing duplex on the Fathering Parcel. Deed restriction has been recorded. Replacement has not yet occurred.
- The Applicant agreed in 2004 to designate the Historic Red Barn, Irrigator's Cabin and the Homestead House as historic landmarks, which at that time meant that they were listed on the County's Historic

Inventory. The Applicant agreed to maintain the historic integrity of these structures. The Applicant agreed not to seek greater density, more floor area, or other incentives in exchange for the designation.

- The Applicant agreed to limit the height of the Aspen House and Collins House to 21' to the mid-point (reduced from 28'), and to break up the mass of these two houses, which could contain up to 8,250 square feet.

The Applicant notes that prior approvals placed development restrictions, including a non-development restriction, and open space restriction and an agricultural use restriction on 575 of the 825 acres that comprise the McCabe Ranch. As a result McCabe Ranch continues as a working ranch with irrigated pastures and hayfields and cattle grazing. The Ranch Manager and his employees also run cattle, irrigate pastures and put up hay on many other ranch properties in the Capitol and Snowmass Creek valleys, including the Child Ranch, Wieben Ranch, Monastery properties, Maurin Ranch, Lazy O Ranch and High Mesa Ranch. The Applicant notes that these properties establish the rural character of the area that is valued by the public.

4. *The needs of the County and the applicant that would be served by approval of the extension or reinstatement request.*

Response: The Applicant states, “The open space and ranching features of the Ranch have been preserved through the non-development, open space and agricultural use restrictions that make the Ranch a model conservation subdivision in the Old Snowmass community.” The Applicant notes that the Ranch has been substantially unchanged over the last 14 years, due in large part to the extended vested rights that were previously granted, and asserts that the needs of the County and the Applicant will be served by granting a 20 year vested right to allow the Applicant “to continue to pursue a cautious and measured approach to the development of the properties rather than rushing into the development of all of the remaining allotments.”

The Applicant further commits to designate the three historic structures – Historic Red Barn, Irrigator’s Cabin and Homestead Cabin – to the Pitkin County Historic Register. The GMQS Covenants designated the structures as “historic landmarks”. The County’s Historic Register did not exist at that time, so designation to the Register is appropriate to follow through on that commitment. Designation to the Register will require that the Applicant to record a Covenant to ensure the long-term preservation of the structures.

In addition, the Applicant committed in the GMQS Covenants to “maintain the historic integrity” of the structures, however, it is not specified how this would be accomplished. The Applicant is now committing to substantial improvements to the structures, as detailed on Pages 9-11 of the Application. The Applicant has submitted building permit applications for the restoration of the Red Barn and the Irrigator’s Cabin; the permits have been approved, but have not been issued. The Historic Preservation Officer has reviewed and approved the permits. The estimated cost to restore the Red Barn is approximately \$200,000 and to restore the Irrigator’s Cabin is approximately \$75,000. The Applicant is preparing plans to restore the Homestead Cabin; the Historic Preservation Officer has preliminarily reviewed the plans, but the building permit application has not been submitted. The Applicant agrees to include a timeline for completion of the restoration in the updated and restated Development Agreement.

The 2018 Snowmass-Capitol Creek Master Plan “encourages a maximum house size of 5,750 square feet.” Two of the approved residences could develop up to 8,250 square feet of floor area with the Growth Management allotments that were granted. The Master Plan also states, “Existing homes of any size and vacant land with established development approvals that have not expired are considered

approved until those approvals have expired.” As noted above, the Caucus supports the requested 20 year extension of the vested rights.

Sec. 2-20-170(d) states, “Unless explicitly stated in the resolution or decision of the Board authorizing the extension or reinstatement, the vested right shall be modified ... to require that the approved development conform to the terms and provisions of the Land Use Code on the date of the extension or reinstatement.” There are several changes to the Code that are incorporated in the conditions of approval:

- Expansion of the Aspen House, the Hex House, the Sopris House and the Ranch Manager’s House shall be subject to Site Plan Review, prior to building permit application, unless determined to be exempt from Site Plan Review, pursuant to Secs. 7-10-30 and 7-20-120(c)(4).
- The new residence on Tract 9 and the Collins Home Site residence on the Fathering Parcel shall be subject to Site Plan Review, prior to building permit application.

Staff would note that Section 9 of original Development Agreement vests the barn and agricultural building square footages shown in Table 2, but states that Tracts 8, 9, 10 and 11 and the Fathering Parcel would be eligible to increase those amounts if the Code changed. The Code has changed to provide separate floor area exemptions for agricultural buildings – barns, equipment storage buildings, greenhouses, and loafing sheds. In addition, the Code now counts existing buildings towards the floor area exemption for each category. The Code in effect in 2010 included all agricultural buildings in one category, and did not count existing agricultural buildings towards the exemption. The following chart summarizes the approved agricultural building square footage that is currently vested, and the exempt floor area for agricultural buildings allowed under current Code.

| Tract Number | Acreage | Approved Barn & Agricultural Building Square Footage | Current Code - Exempt Floor Area for Agricultural Buildings |
|------------------|--------------|--|---|
| Tract 8 | 58.38 acres | 6,089 sf (2,725 existing + 3,364 additional based on 58 sf/acre) | 4,060 barn (including existing sf) 1,600 greenhouse 990 ag equipment storage Unlimited loafing sheds |
| Tract 9 | 32.32 acres | 4,096 (2,240 existing + 1,856 additional based on 58 sf/acre) | 4,060 barn (including existing sf) 1,300 greenhouse 990 ag equipment storage Unlimited loafing sheds |
| Tract 10 | 102.41 acres | 5,916 (0 existing + 5,916 additional based on 58 sf/acre) | 5,916 sf (102 acres x 58 sf/acre) |
| Tract 11 | 13.23 acres | 1,462 (replacement) | 1,160 barn 1,300 greenhouse 1 loafing shed |
| Fathering Parcel | 271.63 acres | Unlimited (>160 acres) (43,740 existing) | Unlimited barn 990 ag equipment storage 1,600 greenhouse Unlimited loafing sheds |

The current Code would allow more exempt floor area for agricultural buildings than was specified in the original Development Agreement, but existing buildings would count towards the exemptions. Staff recommends that the updated and restated Development Agreement specify the exempt floor areas shown above. In addition, per the current Code, the Applicant will be required to record an Occupancy Covenant and Agreement against a property that takes advantage of the floor area exemptions for agricultural building, prior to issuance of a building permit for a new or expanded agricultural building.

While the Caucus supports a 20 year vested right, staff is concerned with that length of an extension. Staff is currently working on updates to the Caucus area plans, which will then result in an update to the overall County Comprehensive Plan. This will then inform County-wide changes to the Land Use Code. A long-term vested right will protect the property against future Code changes.

Staff recognizes the benefits associated with the original development approvals and the additional benefits proposed, and would support at least a 5 year extension, with changes to the conditions of approval to conform to the current terms and provisions of the Code.

RECOMMENDATION: Staff recommends that the BOCC adopt the “Resolution Approving an Extension of Vested Real Property Rights for the Collins Subdivision/PUD.”

ATTACHMENTS:

- A. Snowmass Capitol Creek Caucus & McCabe Ranch HOA
- B. Application

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY,
COLORADO, APPROVING AN EXTENSION OF VESTED REAL PROPERTY RIGHTS FOR
THE COLLINS SUBDIVISION/PUD**

Resolution No. ____-2018

RECITALS

1. Pursuant to Section 2.8.4 (Actions) of the Pitkin County Home Rule Charter (“HRC”), all matters not required to be acted upon by ordinance or formal resolution may be acted upon by informal resolution.
2. McCabe Properties LLC (“Applicant”) have applied to the Pitkin County Board of County Commissioners (“BOCC”) to request a twenty (20) year extension of the vested real property rights associated with the Collins Subdivision/PUD, pursuant to Sec. 2-20-170(d) of the Land Use Code (“Code”).
3. The parcels are described as Tracts 8, 9, 10 and 11, J.H. McCabe Tracts and the Fathering Parcel, McCabe Ranch.
4. The properties are zoned RS-30 and contain 58.38 acres (Tract 8), 32.32 acres (Tract 9), 102.41 acres (Tract 10), 13.23 acres (Tract 11), and 271.63 acres (Fathering Parcel).
5. The J.H. McCabe Tracts Subdivision received final subdivision approval from Pitkin County, pursuant to Resolution No. 80-90; the final plat is recorded in Plat Book 10 at Pages 47-49, and amended in Plat Book 16 at Page 83. The Subdivision created Tracts 1-11.
6. The McCabe Ranch Low Impact Subdivision (LIS) received final subdivision approval from Pitkin County, pursuant to Resolution No. 94-33; the final plat is recorded in Plat Book 34 at Pages 37-39. The LIS created Tracts A-D.
7. A non-development easement is imposed on approximately 278 acres of land (176 acres of the LIS and all 102 acres of Tract 10). An open space restriction is imposed on 30+ acres of land across portions of Tracts B and D and the Fathering Parcel. An agricultural use restriction is imposed on another 275 acres of land, comprising portions of Tracts 1, 2, 3, 4, 5, 8, 9, A, B, C and D.
8. The BOCC granted a Growth Management allotment of 3,750 square feet of additional floor for the Aspen House on Tract 8, pursuant to Resolution No. 078-2004. A Covenant memorializing the commitments is recorded as Reception No. 507539.
9. The BOCC granted a Growth Management allotment for 6,250 square feet of floor area to the Fathering Parcel, pursuant to Resolution No. 136-2004, to be divided between the Sopris House, the Collins Home Site, and the Ranch Manager’s House. A Covenant memorializing the commitments is recorded as Reception No. 507540.
10. The BOCC approved a 10 year extension of vested rights for the allotments granted by Resolution Nos. 078-2004 and 136-2004, pursuant to Resolution No. 155-2004. Attached to the Resolution is a

Settlement Agreement between the Applicant and the Snowmass/Capitol Creek Caucus, which addresses concerns raised by the Caucus during the review process for the allotments.

11. To effectuate the Settlement Agreement, the Applicant submitted a Subdivision/PUD application, which the BOCC approved by Resolution Nos. 114-2008, 048-2010 and 004-2011; the Final Plat is recorded in Plat Book 100 at Pages 3-8. The BOCC granted a 10-year vested right that will expire on April 14, 2020, which vested right is memorialized in a Development Agreement recorded as Reception No. 588961.
12. The BOCC approved a rezoning of the Ranch Manager's House and the replacement duplex site from RS-30 to AH and the rezoning of Tract 9 from AH to RS-30, pursuant to Ordinance No. 29-2008.
13. The BOCC heard this application at a duly noticed public hearing on January 23, 2019, at which time evidence and testimony were presented with respect to this application.
14. The BOCC finds that it is appropriate to grant a 5 year extension of the vested rights, given the Applicant's compliance with applicable conditions of approval and progress in pursuing the project to date, and the benefits received by the County as a result of the approval, including the following:
 - A. The Ranch Manager's House was a free market residence. It was deed restricted as an RO unit and limited to no more than 3,000 square feet.
 - B. The Applicant agreed to replace the affordable housing duplex on Tract 9 with a new affordable housing duplex on the Fathering Parcel. Deed restriction has been recorded. Replacement has not yet occurred.
 - C. The Applicant agreed in 2004 to designate the Historic Red Barn, Irrigator's Cabin and the Homestead House as historic landmarks, which at that time meant that they were listed on the County's Historic Inventory. The Applicant agreed to maintain the historic integrity of these structures. The Applicant agreed not to seek greater density, more floor area, or other incentives in exchange for the designation.
 - D. The Applicant agreed to limit the height of the Aspen House and Collins House to 21' to the mid-point (reduced from 28'), and to break up the mass of these two houses, which could contain up to 8,250 square feet.
15. The BOCC further recognizes the benefit to the public from the earlier development restrictions, including a non-development restriction, and open space restriction and an agricultural use restriction on 575 of the 825 acres that comprise the McCabe Ranch. As a result, McCabe Ranch continues as a working ranch with irrigated pastures and hayfields and cattle grazing, and is an important part of the rural character of the area.
16. The BOCC further finds that the Applicant has committed to an additional level of protection for the historic structures – the Red Barn, Irrigator's Cabin and Homestead Cabin – by designating these structures to the Pitkin County Historic Register and recording a Covenant to ensure their preservation. In addition, the Applicant has committed to substantial improvements in order to restore the structures, which was not a requirement of the prior approvals.
17. The BOCC further finds that the 2018 Snowmass-Capitol Creek Master Plan states, "Existing homes of any size and vacant land with established development approvals that have not expired are considered approved until those approvals have expired," and that the Snowmass Capitol Creek Caucus supports the requested 20 year extension of the vested rights.
18. The BOCC further finds that the Ranch has been substantially unchanged over the last 14 years, due in large part to the extended vested rights that were previously granted.

19. The BOCC further finds that it is appropriate to designate the historic structures – the Red Barn, Irrigator’s Cabin and Homestead Cabin – to the Pitkin County Historic Register.
20. The BOCC further finds that it is appropriate to modify the approvals to conform to the terms and provisions of the current Code, as specified in the conditions below.
21. The BOCC finds that it is in the best interests of the citizens of Pitkin County to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Pitkin County Board of County Commissioners that it does hereby approve the Collins Subdivision/PUD Extension of Vested Real Property Rights, subject to the following conditions, which shall run with the land and be binding on all successors in interest:

1. The Applicant shall adhere to all material representations made in the current or prior applications or in public meetings or hearings and shall consider those representations to be conditions of approval, unless amended by other conditions.
2. This vested right is granted in association with the approvals granted pursuant to BOCC Resolution Nos. 114-2008, 048-2010 and 004-2011. The conditions of those Resolutions shall remain in full force and effect, except as amended herein.
3. Within 90 days of the date of this approval, the Applicant shall submit for recordation an Amended and Re-Stated Development Agreement to memorialize the conditions of this approval. The Agreement shall be reviewed as to form and content by the County Attorney and Community Development Director, prior to recordation. The Agreement shall include provisions with regard to the preservation of the historic structures and a timeline for completion of the proposed restoration work.
4. Prior to submission of any building or other development permit applications for the new residence on Tract 9, the Collins Home Site residence on the Fathering Parcel and the new duplex on the AH-DUP parcel, the owner shall be required to submit for approval an application for Site Plan Review, pursuant to Secs. 2-30-20 and 7-10-50 of the Code.
5. Prior to submission of any building or other development permits for expansion of the Aspen House on Tract 8, the Hex House on Tract 11, the Sopris House on the Fathering Parcel, or the Ranch Manager’s House on the AH-RM Parcel, the owner shall be required to submit for approval an application for Site Plan Review, pursuant to Secs. 2-30-20 and 7-10-50 of the Code, unless determined to be exempt from Site Plan Review, pursuant to Secs. 7-10-30 and 7-20-120(c)(4) of the Code.
6. Agricultural buildings on Tracts 8, 9, 10 and 11 and the Fathering Parcel shall be subject to the floor area exemptions in the current Code, which shall be reflected in the Amended and Re-Stated Development Agreement. The Applicant shall be required to record an Occupancy Covenant and Agreement against a property that takes advantage of the floor area exemptions for agricultural building, prior to issuance of a building permit for a new or expanded agricultural building.
7. No structural development in excess of 30” above or below natural grade shall occur within the setbacks of the lot, with the exception of driveways and associated retaining walls of up to 6’ above or below natural grade and fencing. Landscaping in the form of berms shall not exceed four feet from the most restrictive grade. Any development located within setbacks mandated by County zoning regulations that does not comply with these restrictions shall require a variance from the Board of

Adjustment. Approval of an activity envelope within such setbacks does not assure approval of a variance.

8. No calculations for height, bulk, setback, size, floor area, or any other building and zoning requirements have been conducted. These requirements will be considered at the time of building permit. Any structures represented in the application may not be permitted under building and zoning regulations.
9. Statutory vested rights for the approval contained herein are granted pursuant to the Pitkin County Land Use Code and Colorado Statutes, subject to the exceptions set forth in Pitkin County Land Use Code, § 2-20-170 and C.R.S., § 24-68-105. The statutory vested rights granted herein shall expire on _____, 2024.

NOTICE OF PUBLIC HEARING PUBLISHED IN THE ASPEN TIMES WEEKLY on the 27th day of December, 2018.

APPROVED AND ADOPTED on the 23rd day of January, 2019.

PUBLISHED AFTER ADOPTION FOR VESTED REAL PROPERTY RIGHTS in the Aspen Times Weekly on the ____ day of _____, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO

Jeanette Jones,
Deputy Clerk and Recorder

Greg Poschman, Chair

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

John Ely,
County Attorney

Cindy Houben,
Community Development Director

Case #P065-18
PID #264505404008, 264505404009, 264505404010, 264505404013, 264507101004

Subject: McCabe Ranch Properties Extension of Vested Rights
From: David Chase <ddc0501@gmail.com>
To: Suzanne.wolff@pitkincounty.com
Date Sent: Wednesday, November 21, 2018 11:41:28 AM GMT-07:00
Date Received: Wednesday, November 21, 2018 11:41:30 AM GMT-07:00

Dear Suzanne,

I am writing on behalf of the Snowmass Capitol Creek Caucus and the McCabe Ranch HOA. I chair both the Caucus and the HOA.

At last night's meeting the Caucus unanimously approved the application of McCabe Properties as presented in the County's document. This includes their request for a 20 year extension of their vested rights.

The McCabe Ranch HOA was provided the same document and has been polled to determine if there was any objection to the request for extension of vested rights. There are no objections and, therefore, it has been approved.

Please let me know if you have any questions.

David Chase
970-927-3592