



RESOLUTION NO. 2023-52

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION APPROVING PLANNING CASE #PLN23-021, A REQUEST FOR A CLASS 6 MINOR PUD MODIFICATION TO THE COPPER MOUNTAIN PUD TO AMEND TABLE 1. PERMITTED USES AND DENSITY; FOXPINE INN CONDO, UNIT 1 & 2 COMMERCIAL SPACE, ZONED COPPER MOUNTAIN PUD (APPLICANT: ELENA SCOTT, NORRIS DESIGN) AND

WHEREAS, Elena Scott, Norris Design on behalf of David Luthi has applied to the Board of County Commissioners for a Minor PUD Amendment to the Copper Mountain PUD to amend Table 1. Permitted Uses and Density; Foxpine Inn Condo, Unit 1 & 2 Commercial Space, zoned Copper Mountain PUD; and

WHEREAS, the Planning Department has reviewed the application and recommended that it be approved; and

WHEREAS, the Board of County Commissioners has reviewed the application at a public hearing held on May 23, 2023, with public notice as required by law and considered the evidence and testimony presented at the hearing; and

WHEREAS, the Board of County Commissioners finds as follows:

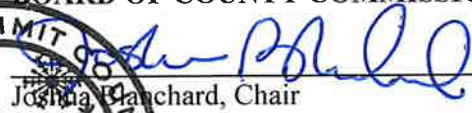
1. The modification is consistent with the efficient development and preservation of the entire PUD in that it encourages a more efficient use of existing condominium space that may otherwise remain vacant.
2. The modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD or the public interest because there are no proposed changes to the building footprint for the Foxpine Inn, nor will there be any changes to the permitted uses, open space, or recreational uses on Parcel 26 of the East Village Neighborhood.
3. The modification is not granted solely to confer a special benefit upon any person.
4. The proposed PUD modification is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan, the Ten Mile Master Plan, and the Copper Mountain Subbasin Plan. Goals within these various master plan documents promote infill redevelopment and adaptive reuse where appropriate infrastructure is available.
5. The proposed PUD modification is consistent with the County’s Zoning Policies because the PUD modification does not affect setbacks, permitted uses, landscaping, open space, or other development standards.
6. The proposed PUD amendment is consistent with the public health, safety and welfare. Adequate water, sewer, and fire protection services can be provided.
7. The proposed PUD modification is not substantial and conforms to the intent and integrity of the original PUD and the PUD modification has been determined to be a minor amendment in accordance with Section 12202.04 because, 1) the PUD modification is not substantial and maintains the intent and integrity of the original PUD; 2) while the PUD modification does increase in the number of residential units, it decreases the amount of commercial floor area available on Parcel 26; 3) no new uses are requested; and 4) there is no decrease in the amount of open space.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT A Request for a Class 6 Minor PUD Modification to the Copper Mountain PUD amending Table 1. Permitted Uses and Density; Foxpine Inn Condo, Unit 1 & 2 Commercial Space, zoned Copper Mountain PUD, is approved.

ADOPTED THIS 23RD DAY OF MAY 2023.

COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS





Joshua Blanchard, Chair

ATTEST:



Taryn Power, Clerk & Recorder