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# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224  
PHONE (970) 349-1162, WEBSITE: [www.cbsouth.net](http://www.cbsouth.net), FAX (970) 349-1163

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## Board Meeting Minutes May 12, 2021 – via Uber Conference

Board Members on Conference Call: Allison Butcher, Mary Haskell, Margaret Loperfido, Matt McCombs, David Neben, Scott Thomes

Staff Attending: Dom Eymere, Benita Bellamy, Sue Wallace

Public in Attendance as identified by Uber Conference Call Log: Rob Fessenden

Mary called the meeting to order at 6:04 pm.

### **Approval of Minutes for April 14, 2021 P.O.A. Board Meeting**

Updates and/or corrections to the April 14, 2021 Meeting minutes were requested. One grammatical error was identified for correction. David made a Motion to approve the April 14, 2021 minutes. Matt seconded the Motion and the Motion carried.

### **Monthly Financial Report for April 30, 2021**

Dom provided the Financial report update for the period ending April 30, 2021, Total Income was \$420,769 and Total Expenses were \$133,031 resulting in Net Income of \$287,738. From a Balance Sheet perspective, as of April 30, 2021, Total Assets were \$1,323,274. Operating and money market accounts totaled \$323,507. Reserve Funds totaled \$356,493. Refundable Performance Deposits amount to \$149,000 and are held in segregated accounts.

The certificate of deposit that matured on 4/29/2021 was converted into a check and mailed to the Association. Staff continues to search for interest rate options that will earn higher than current money market rates. Due to the FDIC insurance limit of \$250,000 per financial institution combined with our current cash balances, two additional financial institutions will be recommended at the next Board meeting. The collection of Dues remains relatively consistent with past years, with approximately \$335,000 collected as of April 30, 2021 of the \$352,000 invoiced out, or approximately 95%. In summary, the POA remains in good financial condition.

Dom requested questions or comments. Matt asked Dom for his observation on growth is in CB South. Dom noted that 2018 was a strong growth year and that growth dipped in 2019 and 2020. This year we are seeing application fees grow, but anticipate it to flatten out. It was noted that Property Transfer fees are running very high. Matt pointed out that it is important to keep tabs on the pace of buildout and growth as it relates to water and key issues. The Board requested Dom to report these statistics quarterly. Dave reminded everyone that Metro District has planned for 4000 housing units at full buildout and agrees that a quarterly report would be beneficial. Allison motioned to approve the April 30, 2021 Financial Report and Margaret seconded the Motion and the Motion carried.

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## New Business

**Scheduled Property Owner Comment Time** – No members were on the conference call.

### **Consideration of a Change in Land Use to a Multi-Family Residence, Lot 18, Block 4, Filing # 2, 391 Cement Creek Road**

Dom introduced Rob Fessenden, owner of the property under consideration. Prior to the project review, Rob made a suggestion that the regulations initiating tonight's review should be included in the Residential Design Guidelines. The language currently exists within the Commercial Area Master Plan (CAMP). The CAMP document is usually not referenced for a residential, land development project.

Dom clarified that CB South has a use by right to build one or two units within the subdivision; Multi-family units are only allowed in Filings 1 and 2. The Special Area Regulations has this noted and a land use change to multi-family should have Board approval. This project is considered appropriate being adjacent to several, multi-family units. Dom noted the proper notifications were made; all adjacent landowners were mailed a certified letter. David shared that he was part of the DRC discussions and confirmed that the committee worked with Rob on the project changes. David is in favor of the project moving forward and Mary agreed. The Board asked Dom if any comments were received from the adjacent property owners or membership and Dom confirmed there were none. Scott inquired if the DRC requests have been sufficiently met and Dom confirmed that requests from the first review have been addressed. Mary made a Motion to approve the change in land use from a vacant lot to a Multi-Family residence on Lot 18, Block 4, Filing 2. Scott seconded the Motion and the Motion carried.

### **Consideration of a Special Event Permit for Amplified Outdoor Music on May 28<sup>th</sup>, Tully Burton, 282 Elcho Avenue**

The Special Area Permit Application for five, amplified outdoor sound events from May to September was reviewed. Dom requested a site plan and also requested Tully to notify the public through publication in the newspaper of each proposed event. The May 28<sup>th</sup> event will have the band on the patio, and he is requesting the music to end at 11pm. It was noted that the decibel levels will be high, and Dom suggested more sound mitigation be considered. The Board discussed the request and identified the challenges of playing too late, the estimated size of attendees and was cautious to approve this request as a repeating event. The Board felt that specific details were missing, and that the application is incomplete. They would like to see a complete site map identifying emergency exits, parking areas, trash areas and overall layout. The music for the event should end around 9 pm and the attendance should be capped at a maximum number.

The discussion continued regarding the appropriateness of music events held at the restaurant, along with event size and hours. The neighborhood will be impacted by the sound and the event should be considerate of the surrounding residents, the family community, and the safety to all concerned. Matt believes this is not appropriate for the neighborhood based on the scope provided on the application. Many items such as road closures, trash, and mostly the due diligence to notify the community is not represented on the application. This size of event requires solid community

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outreach especially if it is to be repeated throughout the season. The Board needs to understand the community's perspective and would welcome an opportunity to meet during a Board meeting. Allison agreed. David suggested a late afternoon-evening concert that is more family friendly. Margaret agreed and thought we should help with the missing details to facilitate a successful live music event. Matt stated that he is not in support of the event to be held at the restaurant. He believes that music events should be held in the park, where it is in keeping with a more family friendly environment.

Dom asked for the Board to review their conditions. Conditions identified were proof of a communication plan to the community as well as with local authorities such as fire and police, regarding road closures and parking mitigation. Life safety issues should be a priority, should there be an emergency. As previously discussed, a site plan that includes layout, trash areas, parking plans as well as an earlier time and maximum number of attendees. It is important the attendees do not overflow into the street or require a road closure. The Board is very willing to work through the outstanding issues so he may proceed with future events. They appreciate the business need within the community. Dom will work with Tully on reworking the proposal. Mary requested an application be developed with all the appropriate details including an emergency plan for fire, police etc. Scott reiterated that the site plan should include all details.

## **Consideration of an Application to Cluster Two Lots, Zuni Brewery, Lot 17 and Lot 18, Block 6, Filing # 2, 325 and 247 Elcho Avenue –(Action)**

Dom presented the application and Mary asked for any comments from the Board. Matt made a Motion to accept the Cluster Declaration application and David seconded the Motion. The Motion carried.

## **Continued Business**

### **Review of Covenant Amendment Draft: Reviewing Remaining Articles and Ballot Structure**

Sue presented the next phase of the covenant rewrite. An updated timeline was shared, and Sue identified May 28, 2021 as the goal to have a final draft released to the community. She also noted that legal review of the final draft was complete. The May 19<sup>th</sup> board work session will focus on the “wedge” issues such as Temporary Use of Campers, Short-Term Rental Use, 2-story vs. 3-story and Animals and Livestock. The camper discussion and Short-Term Rental are the main discussion points that the Board should work through. Sue offered for consideration, excluding the maximum number of rental days for a short-term rental in the covenants and including it in a board policy instead. It was previously determined that the 2-story vs. 3-story decision requires more data from the traffic study and the density study. Therefore, no proposed changes on the 2 vs 3 story topic are being proposed in the covenants but we should consider leaving language open to allow for the Board to make policy. Sue noted that her goal is to make sure that the Board is very comfortable with the changes, understands the material. She will have an agenda in advance.

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## **Manager's Report**

Water meters are installed, and the water systems have been turned on for the season. Staff is gearing up for the summer projects including painting the basketball court, painting the tennis and pickleball courts as a temporary fix. Dom has been working with WESA and we will be sharing the cost of new soccer goals which will be a great economical savings. The information request has been issued to Met Rec for the possible park planning grant. Once we know if the funding will be available, we will look to source a planner for the project; the goal will be to have it completed by November. A skate park donor list was shared, and Dom has asked the Board to identify possible donors who may have interest in the funding campaign. Matt asked about the skate park design and funding structure. Allison identified that we are looking to get funding through private donors, grants as well as the Association. She noted that if there were funders that would like to be big donors and have design input, we would be open to that but so far no one has come forward in that capacity. The committee is looking to have 80% funded and the remaining 20% to be covered by the P.O.A. The next skate park meeting is scheduled for Tuesday, May 18<sup>th</sup> at 5pm. This topic will be on the June Board agenda.

Mary asked Dom to identify the location of the new solar, speed limit signs. The P.O.A. now has a total of three. He suggested permanently keeping one on Blackstock Drive and on Teocalli Road; the third sign can be moveable as needed. Allison asked if the remaining 15-mile per hour signs are being installed and Dom stated it will be complete next month. He has also made a request of County Commissioner Roland Mason to put forth a resolution for an official change of speed limit within the subdivision; this is required to make it enforceable. David suggested we get creative and strategically place "road furniture" or striping to get folks to slow down along the park.

Margaret and David met with Eric Roemer and Rich Saperstein from Pioneer Plaza. Margaret provided an update on items discussed and their requests. They included: 1). changing the 35-foot height plus parapet to a 36-foot height plus parapet; 2). Providing a timeline on the traffic study and density study as it relates to 3-stories and the possibility of a reissued 3-story ballot; 3). Increase the parking offset from 10% to 20% or 25%. 4). Reduce the first story minimum ceiling height to 10 feet; 5). Reduce the 100% commercial use on the first floor of the Active Ground Floor Use Zone (known as Glacier Street) to 50% to permit a garage for residential use. David concurred and noted if we plan to revisit these issues, we include the opinions of all the stakeholders within Block 6. Eric and Rich are open to continued meetings after more concrete information is known.

Dom reiterated that we have tried to work with them throughout the CAMP process and afterward. We are still gathering the analytics on density and traffic currently. What the P.O.A. is looking for is open discussion with all the Pioneer Plaza owners to review the Glacier Street easement request (Easement number 4). Adagio Properties has verbally granted this request with the plat for the Crested Butte Dental building. This is critical for the development of Glacier Street and the commercial core.

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**Confirm Next Meeting Date:** Wednesday, June 9, 2021, 6 pm

**June Board Meeting Agenda Items:**

1). Skate Park

**Adjourn** – 8:06 pm