

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS GRANTING GENERAL SUBMISSION  
APPROVAL FOR THE CONDOMINIUMIZATION  
of the  
AIRPORT BUSINESS CENTER ROW HOUSE PROJECT

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Resolution No. 78-125

WHEREAS, application has been made for the condominiumization of twelve (12) row houses on Lot 1, Block 7 of the Airport Business Center (the "project") construction of which (for rental purposes) was approved by the Board of County Commissioners in its Resolution No. 78-74 (approved July 10, 1978), and

WHEREAS, the Board of County Commissioners has previously reviewed the General Submission application for the project, found it satisfactory, with one exception, that is its compliance with the requirements of Section 5.30 (Housing) of the Pitkin County Land Use Code, and

WHEREAS, said section provides that any applicant may satisfy the housing requirement by demonstrating that, because of special circumstances, the development will not be exclusionary as defined in Resolution No. 74-87, and

WHEREAS, said resolution defines exclusionary development as follows:

"...exclusionary development is herein defined to mean developments which by their nature, or lack of planning, can reasonably be expected to consist of housing or residential units of which more than 50% will likely be bought and sold, traded or speculated with by persons who are not in low or middle income brackets, or persons who are not or will not use said housing for primary residences..."  
(Emphasis added.)

AND WHEREAS, the project lies within the B-2 Zone District which establishes a minimum six-month lease period, and the applicant has agreed, by restriction incorporated in its land lease, to limit occupancy to employers and employees of Pitkin County who will use the units as their primary residence (reserving the right of the Housing Authority to verify compliance at the time of such sale or other transfer of ownership) and

WHEREAS, the Board has found that compliance with these requirements, and the following additional considerations, provide

adequate evidence that the development of the project will not result in exclusionary housing as described in the Land Use Code:

(a) Each unit contains commercial space and the project is located within what is considered to be a business or commercial district, an area considered "undesirable" by those who can afford to pay a substantial price for residential accommodations.

(b) The following also affects the desirability of the row house units from the standpoint of a tourist or a second home buyer:

(1) Proximity of Highway 82;

(2) Proximity to the Pitkin County Airport and related noise generated from the airport and the existing flight pattern above the Aspen Airport Business Center;

(3) Proximity to the Aspen metropolitan sanitation sewer plant;

(4) Proximity to the Holy Cross electric Subdivision; and

(5) The project is adjacent to an automotive garage, service station with a towing business, a children's day care center and existing low and moderate cost rental housing.

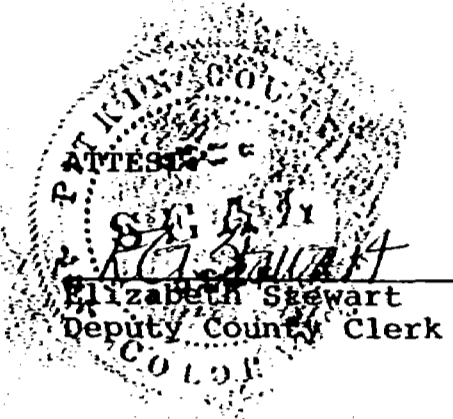
(c) The Aspen Airport Business Center presently contains 80 apartment units with no rental controls and all 80 apartment units have historically been (and continue to be) used as primary residences.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Pitkin County, Colorado, do hereby grant General Submission approval for the condominiumization of twelve (12) row houses on Lot 1 of Block 7 of the Airport Business Center conditioned upon the applicant insuring, by appropriate provisions in its land lease (acceptable to the County Attorney) that occupancy in the project will be limited to employers and employees of Pitkin County, using these units as their primary residence, and authorizing the Pitkin County Housing Authority to verify the same at each transfer of ownership.

Approved by the Board of County Commissioners on October  
23, 1978.

PITKIN COUNTY, COLORADO  
BOARD OF COMMISSIONERS

By: Robert W. Child  
Robert W. Child  
Chairman



APPROVED AS TO FORM:

Sandra M. Stuller  
Sandra M. Stuller  
County Attorney