

APPROVED MINUTES APRIL 27, 2005  
 CITY OF GUNNISON - PLANNING & ZONING COMMISSION  
 REGULAR MEETING

rev. 5/5/05

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
HARVEY HARRIMAN – VICE CHAIR	X		
JIM SEITZ	X		
BOB BEDA	X		
KURT SCHRAM	X		
JONATHAN HOUCK	X		
COUNCILMEMBER THOMAS SMITS		X	

OTHERS PRESENT: COMMUNITY DEVELOPMENT DIRECTOR STEVEN WESTBAY, CITY PLANNER KIM ANTONUCCI, PLANNING TECHNICIAN ANDIE RUGGERA, JIM AND DONNA O’CONNOR, THEA INTVELD, CARRIE PELHAM, MIKE SPRITZER, JON SCHUMACHER, TL LIVERMORE, ELLEN HARRIMAN, DAVE MICHAELSON, JOSIE CASEBOLT, JAKE SPRITZER AND OTHER CONCERNED CITIZENS.

I. CALL TO ORDER AT 7:00 BY CHAIR LOTHAMER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. APPROVAL OF MARCH 9, 2005 MEETING MINUTES

Commissioner Harriman moved to approve the March 9, 2005 regular meeting minutes. Commissioner Schram seconded the motion.

Roll Call Yes: Seitz, Beda, Lothamer, Houck, Schram, and Harriman

Roll Call No: None

Motion Carried

IV. CONSIDERATION OF APRIL 6, 2005 MEETING MINUTES

Commissioner Seitz moved to approve the April 6, 2005 regular meeting minutes as amended. Commissioner Harriman seconded the motion.

Roll Call Yes: Beda, Lothamer, Houck, Schram, Harriman, and Seitz

Roll Call No: None

Motion Carried

V. CONSIDERATION OF APRIL 13, 2005 MEETING MINUTES

Commissioner Seitz moved to approve the April 13, 2005 regular meeting minutes as amended. Commissioner Harriman seconded the motion.

Roll Call Yes: Beda, Lothamer, Houck, Schram, Harriman, and Seitz

Roll Call No: None  
Motion Carried

VI. PUBLIC HEARING; CITY OF GUNNISON, VF 05-1, TO PROHIBIT  
MOTORIZED VEHICLES IN AN UNIMPROVED ALLEY ADJACENT TO  
THE GUNNISON COMMUNITY SCHOOL, BETWEEN 9<sup>TH</sup> AND 10<sup>TH</sup>  
STREET AND NORTH OF DENVER AVENUE, BLOCK 95, WEST  
GUNNISON AMMENDED

Chair Lothamer opened the public hearing at approximately 7:05 p.m.

Proof of publication was shown for the record.

Director Westbay gave an overview of the application and explained the process as being similar to creating a one-way alley. Westbay continued stating there was a discrepancy with the alley width. The original plat of 1881 is too difficult to read to make a determination of the width. There was discussion on the use of the alley, specifically the path being used by children from the school, a conceptual drawing provided by the O'Connor's (entered into the record as Exhibit 1), emergency access, and if the alley needs to be improved or left unimproved.

The following public comment was received:

Jon Schumacher, representing Jim and Donna O'Connor, stated his clients were in support of the City and the safety of the children. Mr. Schumacher further stated the O'Connor's were willing to support the City as long as the access on Exhibit 1 was addressed. He stated they agree the City has the power to regulate the alley, and appreciate a public hearing to give their input. Mr. Schumacher and Director Westbay discussed the possibility of a license agreement. Mr. Schumacher stated he was not comfortable with a license agreement.

Jim O'Connor, owner of adjacent property, informed the Commission he has lived at 619 N Pine since 1999. Mr. O'Connor stated he has seen many children using the path and would like to preserve it, on the other hand he would like to use it for himself. He stated several surveys in his possession indicate the alley is 30 feet wide. Mr. O'Connor discussed with the Commission the drawing entered as exhibit 1, stating he would like the alley to be a second access to his property. Mr. O'Connor stated he felt he has the support of the school district.

Donna O'Connor, 619 N Pine, stated the children don't use the path five months out of the year. Ms. O'Connor mentioned it would be nice to develop a different path for the children.

Planner Antonucci read a letter into the record, from Jake and Barbara Spritzer, dated April 21, 2005, indicating major concern for the safety of the children passing through the alley due to the roughness of the terrain and the inability to observe children through the shrubbery.

There was discussion between the Commission and Director Westbay regarding the following:

- Vehicular access;
- Concern of the proposed fence as shown on exhibit 1 regarding the safety of the children;
- Liability insurance requirement with a License Agreement if exhibit 1 was accepted; and
- Lack of pedestrian paths near the school on Denver Street.

The Commission directed Staff to determine the width of the alley and research possible pedestrian paths in the area.

The public hearing was closed at approximately 8:10 p.m.

Commissioner Harriman moved to remand application VF 05-1, regarding the alley between 9<sup>th</sup> and 10<sup>th</sup> Street and north of Denver Avenue back to Staff. Commissioner Seitz seconded the motion.

Roll Call Yes: Beda, Lothamer, Houck, Schram, Seitz, and Harriman

Roll Call No: None

Motion Carried

VII. PUBLIC HEARING CONTINUED AND POSSIBLE RECOMMENDATION; GUNNISON COUNTY AND WESTERN STATE COLLEGE, VF-04-4 VACATION OF THE EASTERN TERMINUS OF DENVER AVENUE, EAST OF COLORADO STREET

Chair Lothamer opened the public hearing at approximately 8:10 p.m.

Director Westbay requested the public hearing be continued, as more time was needed by the applicant, to bring completed material before the Commission.

Commissioner Harriman moved to continue the public hearing on application VF 04-4, to vacate the eastern terminus of Denver Avenue, until May 25, 2005 at 7:00 p.m.

Commissioner Schram seconded the motion.

Roll Call Yes: Seitz, Beda, Lothamer, Houck, Schram, and Harriman

Roll Call No: None

Motion Carried

VIII. POSSIBLE RECOMMENDATION; GUNNISON COUNTY, ZA 05-1, RE-ZONING OF ROCK CREEK, PHASE II

Director Westbay and the applicant, Dave Michaelson, reviewed the dimensional standards for the proposed development of Rock Creek, Phase II. Mr. Michaelson stated he believed he addressed the concerns of setbacks, lot sizes, and access. There was discussion on roads, parking, and snow storage.

Commissioner Harriman moved to recommend to City Council to change the zoning for Rock Creek, Phase II, from PUD R-2 to PUD R-2M with the lot regulation table for Lots 13 through 32 and the following findings and conditions:

Findings of fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the City of Gunnison Land Development Code; and the City of Gunnison Master Plan Volumes I and II (1994).
2. The Planning and Zoning Commission finds that the property is currently zoned PUD with an R-2 designation, and is adjacent to single family residential dwellings and vacant land, and the adjacent lands are PUD R-2 designated zone districts.
3. The Planning and Zoning Commission finds that the application requests the rezoning from a PUD with an R-2 designation to a PUD with an R-2M designation. The Planning and Zoning Commission further finds that a lot development table has been established to document specific development regulations for Rock Creek Phase 2.
4. The Planning and Zoning Commission finds the following are considered to be significant amenities resulting from this rezoning:
  - Approximately 26 percent of the land area shall be dedicated as public open space; this open space will be maintained by the association and/or Gunnison County.
  - The density (units per acre) allowed under the original zoning designation (R2) will not be exceeded by this new zoning designation.
  - Every dwelling unit constructed by this project will be deed restricted affordable housing.
5. The Planning and Zoning Commission finds that the four review standards as stated in the Land Development Code for amendments to the official zoning map have been met based on the following conditions of approval:

Conditions:

1. The applicant shall provide the City with a boundary survey of the site along with a metes and bounds description of the real property affected by this rezoning.
2. The Lot Regulation Table as finalized shall be used to administer the general development provisions on this site.
3. Any development standards not addressed by the approved Rock Creek Phase 2 Lot Regulation Table shall comply with R2-M Zoning and/or any other related development standards addressed in the City of Gunnison Land Development Code.

Commissioner Houck seconded the motion.

Roll Call Yes: Seitz, Beda, Lothamer, Schram, Houck, and Harriman

Roll Call No: None

Motion Carried

IX. THREE-MILE PLAN ANNUAL REVIEW

The Commission stated the Three-Mile Plan would be reviewed by the Master Plan by default and revision of the Master Plan will occur later in the year.

X. ADJOURNED at approximately 9:15 p.m.

---

Diane Lothamer, Chair

Attest:

---

Andie Ruggera, Secretary