

APPROVED MINUTES JANUARY 10, 2007
 CITY OF GUNNISON
 PLANNING & ZONING COMMISSION
 REGULAR MEETING
 Rev 1/18/07

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
HARVEY HARRIMAN – VICE CHAIR			X
JIM SEITZ	X		
BOB BEDA	X		
JOHN TALIAFERRO	X		
DELANEY KEATING	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER KIM ANTONUCCI, PLANNING TECHNICIAN ANDIE RUGGERA, JOE MATYK, JERRY GREENE, DON M. MAIMONE, MELODY ROPER, RACHEL MAGRUDER, MARLENE CROSBY, RICHARD KARAS, AND PAUL JACOBS.

CALL TO ORDER AT 7:00PM BY CHAIR LOTHAMER

CONTINUED PUBLIC HEARING AND ACTION – PRELIMINARY SUBDIVISION AND ZONING MAP AMENDMENT APPLICATIONS SB 05-3 AND ZA 06-9, SUBMITTED BY JOE MATYK OF GUNNISON INVESTMENTS LLC, FOR THE PROPOSED MEADOW VISTA SOUTH (FORMERLY LARKSPUR MEADOWS), A 10.04 ACRE PARCEL LOCATED IN THE R-3 ZONE.

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

Director Steve Westbay stated notification of the public hearing was placed in the Gunnison Country Times as well as certified mail notices to adjoining property owners of the proposed Meadow Vista South. Steve entered his staff report dated January 10, 2007, into the record.

Steve gave an overview of the application and discussed access, easement needs, wetland encroachments, basic construction practices, domestic water services and fire flow, irrigation systems, storm water system, transportation impacts, and road configurations.

No comment on this public hearing was received.

The Commission, staff, and the applicant discussed provisions for utility reimbursements, and the difficulty with a Subdivision Improvements Agreement in West Gunnison. The applicant would like neighboring property owners to the north to share

the cost of developing Thornton Way. The Commission also discussed the subdivision review standards regarding road and sidewalk width. Director Westbay stated that the City's traffic consultant, Bill Fox, has looked at the transportation element of the proposed subdivision.

Chair Diane Lothamer closed the public hearing at approximately 8:55 p.m. and stated that Councilmember Ellen Harriman will not be voting until the application is presented to the Council.

PRELIMINARY APPLICATION SB 05-3 ACTION

Commissioner Bob Beda moved to approve preliminary plat application SB 05-3, Meadow Vista South with the following findings and conditions:

FINDINGS

1. The Planning and Zoning Commission finds that the domestic water system design has been modified in a manner to accommodate the design flows anticipated by development and the applicant's engineer of record (Jerry Greene) provided a written document noting that the system design will be sufficient to meet fire flow demands.
2. The Planning and Zoning Commission finds that preliminary utility plans (received by the city January 8, 2007) are lacking in some detail and those short falls must be addressed in the final plan submittal. The following issues still need to be resolved:

Easement Needs.

- Establish a 10 foot irrigation easement on the boundary common to Lots 27, 30, 31 and open space tract.
- Establish a 10 foot easement on all lot frontages as requested by Atmos Energy.

Wetland Encroachments

- A 404 wetlands permit will need to be obtained prior to the approval of the final plan.

Construction in High Ground Water

- Final Plan will need to include a construction detail page that is incorporated into the engineering plans that addresses the designs and practices to be followed for high ground water conditions

Utility Plans

- Utility plans must depict a 10 foot separation of electrical transformers from other buried utilities.
- Develop gas line layout pursuant to the Atmos Energy's construction standards.

Domestic Water Services & Fire Flow

- If it is determined that the Bidwell line should be resized to an eight inches, the city should pay the price difference for increased size along the Bidwell alignment.
- Pipe material specifications, hydrant and valve specifications, trenching methods, bedding requirements and other necessary specifics needed for final construction documents must be provided on the final plan.

Irrigation System

- A 10 foot irrigation easement needs to be depicted along the perimeter boundary common to Lots 27, 30, 31 & the Open Space tract.
- Final Plan Construction details will need to provide sufficient detail noting ditch segment size requirements.

Sewer System

- Pipe material specifications, manhole details, trench methods, bedding requirements and other necessary specifics needed for final construction documents must be provided on the final plan.

Storm Water System

- The applicant's engineer must verify the adequacy of the inlet box/drainage flows for the design elements shown at Station 5+83.
- Prior to approval of the final plan, the applicant shall obtain written approval from the Colorado Department of Transportation allowing storm water discharge into the Highway ROW.

Road System

- Andrew Lane is proposed to be approximately 585 feet which exceeds the maximum allowed cul-de-sac length (500 feet). P&Z will need to make a recommendation to the City Council regarding this deviation request.
 - Thornton Way narrows from the required ROW design of 90 feet to a 70 foot width as it enters on to the frontage road. This constriction requires that the horizontal curve geometry be reduced from the required 300 foot center line radius to a 125 foot radius. A deviation approved by the City Council is the only means to permit this access. The Planning Commission will need to make a recommendation (Pro or Con) for this deviation.
 - The required excavation depth of surface material for the road system will be dependent upon specific site conditions.
3. The Planning & Zoning Commission finds that the submitted utility plans meet the intent of requirements for preliminary plan approval but plans submitted with the final application will need to be construction level drawings.
 4. The Planning Commission further finds that the water line segment on Bidwell Avenue may need to be resized from six to eight inch diameter, and the city will pay the difference in cost to resize the line from six to eight inches. This cost sharing is limited to the line segment along Bidwell Avenue exclusively; the city will not be responsible for any other utility installation costs.

5. The Planning & Zoning Commission finds that demands for infrastructure sizes are generated by the proposed subdivision and that utility reimbursement requests by the applicant, other than that stated in finding 4 above, will not be considered by the city.
6. The Planning & Zoning Commission finds that the applicant's submitted Transportation Impact Study complies with the sketch plan condition for the document.
7. A condition of the Sketch Plan approval directed that "...*The Preliminary Plan shall adequately address engineering design elements for construction of utilities and building structures that may be affected by high ground water conditions.*" The Planning & Zoning Commission finds that this condition has been met.
8. Jurisdictional wetlands have been found to exist in the segment of Thornton Way being proposed for development. The Planning & Zoning Commission finds that permitting and any related mitigation required by the filling of these wetlands will be the responsibility of the applicant.
9. The Planning and Zoning Commission finds that during the public hearing for this preliminary plan, a citizen requested that full-cut-off light fixtures be used in this development. The Planning and Zoning Commission further finds that the applicant has testified that the subdivision shall be governed by covenants to address design and development impacts, and these covenants could include provisions for the use of full cut-off-fixtures.
10. The Planning and Zoning Commission finds that the record of this action includes all staff reports, all public hearing comments, the application contents, and written documents contained in the application files. The record is comprised of both the sketch plan and preliminary plan contents.
11. The Planning & Zoning Commission finds that the submitted preliminary plan has met the intent of the City's Subdivision Review Standards (Section 15.16.080).

CONDITIONS

1. Final engineering plans shall be "Construction Detail" quality. This means that plans, profiles, sections, and detail pages shall be legible, and that details pages showing manhole specifications, trenching/bedding requirements, pipe material, joint specifications, sump designs and all other necessary information will be included in the plans; citing the City Construction Standards, without providing the appropriate details will not be acceptable. Final engineering plans shall be designed under the supervision of a Colorado Licensed Engineer and shall be stamped by the engineer of record.
2. Final engineering plans shall address all of the utility issues cited in the staff report and these findings.
3. Final engineering plans shall address the details for construction of deep utilities in high ground water conditions; this will include but not be limited to necessary permit requirements for ground water discharge.

4. Final engineering plans shall establish construction details for building foundations in high ground water and those specifications shall be met in all building permit applications.
5. The final plat will include all the easements identified in the staff report and they shall be sized in accordance with the staff recommendations. This includes, but is not limited to, the 10 foot front lot line easement requested by Atmos Energy and adequate easements across the proposed open spaces.
6. On-street parking on local streets will be prohibited due to the proposed street section width.
7. The Final Plat shall contain a note that restricts curb cuts on Thornton Way.
8. Final Plan shall not be considered until a 404 Permit has been issued by the United States Army Corps of Engineers.
9. Final Plan approval will not be considered until the applicant present the city with written documentation from the Colorado Department of Transportation allowing for the discharge of storm water onto the Highway 50 ROW.
10. The applicant shall require within the covenants that full-cut-off fixtures be used for all exterior light fixtures.
11. Street lights to be included for this subdivision shall not exceed 30 feet in height and they shall be full-cut-off fixtures.
12. Approval of the final plan is predicated on meeting Final Subdivision submittal requirements and strict compliance with the conditions stated herein; failure to meet these requirements may result in denial of the final plan.

Commissioner Delaney Keating seconded the motion.

Roll Call Yes: Jim, Diane, John, Delaney, and Bob

Roll Call No: None

Motion Carried

ZONING AMENDMENT APPLICATION ZA 06-9 ACTION

Commissioner Bob Beda moved to recommend approval to City Council, application ZA 06-9, zoning amendment for the proposed Meadow Vista South, with the following findings:

FINDINGS

1. The Planning & Zoning Commission finds that the applicant has requested a Map Amendment to change the underlying zoning (R-3 District) for proposed lots 1-25 and lots 27-35 and designate their zoning R1-M District; Lot 26 as proposed by the preliminary plan is proposed to remain as an R-3 District.
2. Under provisions of the Gunnison Municipal Code (15.120.030 D) the consolidation of related applications may occur. The Planning & Zoning Commission finds that the submitted application was for preliminary subdivision plan and Map Amendment.
3. A recommendation for approval of this map amendment will be forwarded to the City Council at the same time as a recommendation for final subdivision is made, and the Planning and Zoning Commission finds that during the public hearing

(January 10, 2007) the applicant recognized and concurred with this processing sequence.

4. The Planning & Zoning Commission Finds that numerous development constraints exist in this area and that the city is working on a neighborhood master plan to address these issues in a coordinated and comprehension manner.
5. The Planning and Zoning Commission finds that constraints in the area include lack of existing utility services, lack of roads, high ground water, oddly shaped land ownership patterns, lack of storm water drainage and other development constraints.
6. Pursuant to Section 15.150.060 (Review Standards for Map Amendments) four standards must be met in order to approve a map amendment. The Planning and Zoning Commission finds that a review of those standards has been completed in conjunction with this application, and those standards are fulfilled based on the proposed plan and the need to mitigate existing development constraints found in the area.
7. The Planning and Zoning Commission finds that a public hearing regarding this map amendment was initiated on December 13, 2006 and continued on January 10, 2007, and that no public opposition to the Map Amendment were provided in the testimony given at the hearings.
8. The Planning and Zoning Commission finds that the record of this action is based on the application contents, public hearing comments, and related provisions defined in the Gunnison Municipal Code.
9. The Planning and Zoning Commission finds that approval of this Map Amendment is in conformance with the Gunnison Municipal Code, and the rezoning helps to protect the health, safety and welfare of the Community.

Commissioner John Taliaferro seconded the motion.

Roll Call Yes: Jim, Diane, Delaney, John, and Bob

Roll Call No: None

Motion Carried

PUBLIC HEARING AND ACTION – SB 06-5, AN APPLICATION BY THE BOARD OF COUNTY COMMISSIONERS, FOR THE MINOR SUBDIVISION OF PARCEL 1 INTO PARCEL 1A AND PARCEL 1B (FAIRGROUNDS)

Chair Diane Lothamer opened the public hearing at approximately 7:30 p.m.

Proof of publication was shown for the record.

Planner Kim Antonucci reviewed the process for a minor subdivision and stated the applicant is requesting to subdivide Parcel 1 into Parcel 1A (.27 acres) and Parcel 1B (.644 acres). Kim continued by quoting the applicants narrative: “the specific reason for requesting the subdivision of Fairgrounds Parcel 1 is to be able to complete a land exchange with an adjacent property owner”.

Melody Roper and Rachel MaGruder were present to represent Gunnison County. Ms. Roper gave a history of the subject area and stated the reasons for the request are for a land exchange with Blue Mesa Lumber and for closer parking for Fairground activities.

No public comment was received.

Chair Diane Lothamer closed the public hearing at approximately 7:45 p.m. and stated that Councilmember Ellen Harriman will not be voting until the Council level.

Commissioner Bob Beda moved to recommend approval to the City Council, application SB 06-5 for the minor subdivision of Fairgrounds Parcel 1 into Parcel 1A and 1B, with 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; the City of Gunnison Master Plan Volumes I and II (1994), the Update to the Transportation Element of the City Master Plan dated April 2000.
2. The Planning and Zoning Commission finds that the applicant requests a minor subdivision resulting in two parcels.
3. The Planning and Zoning Commission finds that the subject property is zoned Industrial and surrounding uses are residential to the north (R-3 zone), storage sheds, and vacant land.
4. The Planning and Zoning Commission finds that any developments on this parcel will require a site plan review to address drainage, utilities, easements and other site specific issues.
5. The Planning and Zoning Commission finds that the final plat will need to conform to the City's Land Development Code.
6. The Planning and Zoning Commission finds that the final plat will be recorded with the Gunnison County Clerk & Recorder, if this subdivision is approved by City Council.
7. The Planning and Zoning Commission finds that the application will meet the nine review standards as defined in the City's Land Development Code, based on the following condition:

CONDITIONS:

1. The applicant shall show a 20-foot wide utility easement on Parcel 1B for the benefit of Parcel 1A.
2. The final plat will need to show the basis of bearings as well as conform to other City Land Development Code provisions.

Commissioner Jim Seitz seconded the motion.

Roll Call Yes: Diane, Delaney, John, Jim, and Bob

Roll Call No: None
Motion Carried

CONSIDERATION OF DECEMBER 13, 2006 MEETING MINUTES

Commissioner Jim Seitz moved to approve the December 13th meeting minutes as presented. Councilmember Ellen Harriman seconded the motion.

Roll Call Yes: Bob, Diane, Delaney, John, Ellen, and Jim
Roll Call No: None
Motion Carried

COUNCIL UPDATE

Councilmember Ellen Harriman stated the Council voted to raise all utilities by two percent, gave awards to the winners of the SuperStar Properties, approved a license agreement for Janet Lucas (221 & 225 N Main Street), and approved the pre-annexation agreement for the proposed Gunnison Rising.

COMMISSIONER COMMENTS

Commissioner Jim Seitz moved to excuse Commissioner Harvey Harriman from the January 10, 2007 regular meeting. Commissioner Bob Beda seconded the motion.

Roll Call Yes: Diane, Delaney, John, Ellen, Bob, and Jim
Roll Call No: None
Motion Carried

ADJOURNED

Chair Diane Lothamer closed the meeting at approximately 9:30 p.m.

Diane Lothamer, Chair

Attest:

Andie Ruggera, Secretary