

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
JIM SEITZ	X		
BOB BEDA	X		
HARVEY HARRIMAN	X		
DELANEY KEATING	X		
MARTIN FROEHLICH	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER ANDIE RUGGERA, PLANNING TECHNICIAN PAM CUNNINGHAM, INEZ LIGHT, TL LIVERMORE.

CALL TO ORDER AT 7:02 BY VICE CHAIR DIANE LOTHAMER

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC HEARING AND POSSIBLE ACTION, CONDITIONAL USE APPLICATION – CU 08-4, SUBMITTED BY BRAD CROSBY FOR A HOME BUSINESS IN THE R3 ZONE DISTRICT.

The applicant, Brad Crosby, was not present. Planner Ruggera stated that the applicant was aware of the date of the public hearing but had to be out of town and planned to participate via telephone. An attempt was made to contact the applicant by telephone but was unsuccessful. Chair Lothamer determined that the public hearing would proceed as far as possible and a decision would be made whether to continue depending upon issues raised.

Chair Lothamer called the public meeting to order at 7:07.

Proof of publication was shown for the record.

Planner Ruggera reviewed the process for a conditional use application and stated that the applicant is proposing a home business at 108 North 7th Street for the operation of a one-on-one day spa and yoga instruction. The legal description of the property is Lots 6 and 7, the north eight feet of Lot 8, and the south two feet of the east/west alley adjacent to Lot 6, Block 114, West Gunnison Addition, City and County of Gunnison.

Chair Lothamer stated that because the applicant is not present the application materials are the extent of the applicant's presentation. Planner Ruggera expanded upon the explanation of the application stating that the property is a single family home in which the applicant wishes to have a day spa offering massage and yoga. The property meets dimensional and parking standards. If any non-residential employees are added, one additional space per employee will be required.

Chair Lothamer observed that according to the applicant's letter he is proposing a day spa/garden. She asked if the applicant is planning to continue to live at the property. Councilor Harriman observed that the applicant has a Crested Butte address. Planner Ruggera stated that staff asked the applicant for proof of address and his driver's license, showing 108 North 7th as his address, is included as part of the application materials.

Commissioner Seitz observed that the applicant states "Traffic will not increase due to the one on one [sic] basis of the business." Commissioner Seitz further observed that "one-on-one" implies only one person would be patronizing the business at a time, but yoga instruction could be offered to more than one person at a time. Also, the application requests a "day spa / garden." Gardens are outdoors and a home business must be indoors. The question he would ask the applicant is how many patrons would be at the residence at one time. It is implied only one person would be there at a time, but there is no way to know [without asking the applicant]. The Nuisance code covers many things, including parking. Commissioner Seitz stated he has several questions he would like to ask the applicant.

Commissioner Beda observed that the applicant and his wife are both employees, so there could be two patrons receiving treatment at the same time.

Commissioner Seitz stated that if one patron is waiting and two are receiving service, perhaps one parking space is not enough.

Commissioner Beda stated that most applications include a floor plan. The Commission has no way to know what portion of the residence will be dedicated to the home business compared to the rest of the residence. He also observed that many spas have retail sales of supplements and merchandise that would bring additional customers, which would also generate additional parking and traffic.

Commissioner Harriman moved to continue the public hearing to a time when the applicant can be present. Commissioner Seitz seconded the motion.

Roll Call Yes: Bob, Martin, Diane, Delaney, Ellen, Jim, Harvey

Roll Call No: None

Motion Carried

Chair Lothamer stated that continuance of the public hearing for Conditional Use CU 08-4 will be at the next regular meeting of the Planning and Zoning Commission on August 27th.

VANTUYL RANCH ANNEXATION MASTER PLAN CONCEPT. Director Westbay introduced the topic of discussion by providing background. The annexation was initiated following discussions with the Gunnison County Library Board regarding development and annexation of the Library Site. Staff is working on the annexation application for the VanTuyl Ranch in conjunction with annexation of the Library Site.

Also in relation to the VanTuyl Ranch annexation, staff is writing a GOCO grant application to address long-term master planning and resource elements of the ranch. By developing a master plan for the ranch, specific land uses can be defined and the master plan will address

management of the multiple uses, including agriculture, trails, recreation, urban parks, and resource protection.

An environmental impact report, which includes evaluation of resources, is part of the annexation application.

The annexation will include two distinct, but complimentary operations:

- the Library Site for public institutional endeavors and,
- the VanTuyl Ranch, which could have multiple uses, including outdoor recreation, track and field, cross country running and skiing, community school uses, library programs and agriculture.

The *VanTuyl Ranch Master Plan* will address resource protection and define how recreation can coexist with ranching.

Adjacent uses to the VanTuyl Ranch are the Palisades and VanTuyl subdivisions and the Community School.

Director Westbay explained the proposed Bridge to Bridge Trail that will cross the property.

The VanTuyl Ranch annexation will be a PUD that includes:

- a Library District;
- ranch operations utilizing the existing house and outbuildings;
- agriculture;
- recreation;
- open space; and,
- an urban park system.

It was observed that the adjacent CDOW site and the Starika properties would be enclaves if the VanTuyl Ranch is annexed. Director Westbay will contact the CDOW and the heirs to the Starika property to see if they are interested in being brought into the City.

Director Westbay listed several potential uses for the ranch operations and the ranch house, barn, outbuildings, and corrals. The Commissioners expressed various opinions about potential uses.

Director Westbay presented three conceptual plans for the 12,000 square foot library and pointed out that the architects are trying to orient the building toward the trail system. The Commissioners made the following comments:

- Commissioner Beda: The north/south alignment doesn't work well for potential solar collection.
- Commissioner Keating asked if parking for the trails will be allowed at the Library. Director Westbay stated that would be allowed and there is also potential for parking at the undeveloped parking north of the Community School.

- Commissioner Seitz observed that people will have to drive to the library. He opined that the Library should be more centrally located so that it is more accessible by biking or walking and that the VanTuyl library property could be leveraged for a more appropriate site.
- Commissioner Beda observed that the City has been trying to figure out what to do with Spencer Avenue regarding bike lanes and parking. Now, with VanTuyl Village and the library, Spencer Avenue be even more congested. Also, it is likely the schools will not want others parking on their lot due to safety and security issues. He asked if a traffic study will be done, as with other developments. Director Westbay said traffic studies have been done.
- Commissioner Froehlich: Has there been a study about a better site for the library? Chair Lothamer replied that the Library Board has been searching for years for a new location.
- Director Westbay stated that it might be beneficial for the Commissioners to meet with the Library Board to ask questions directly.
- Commissioner Keating asked if it would be possible to have a tour of the VanTuyl Ranch. Director Westbay said that will be arranged.
- Councilor Harriman asked why the ranch driveway has to be vacated and whether County Road 13 (Slaughterhouse Road) will be annexed. Director Westbay responded that the driveway will be vacated by the County so that they are not responsible for maintenance, since it is a county road. Slaughterhouse Road is on a section line; the deeded parcels on the east side are deeded from the section line through the property. It is prescriptive in nature, meaning that the road has been used for over twenty years by other parties, giving them the right to use the portion of the road that is physically developed. Therefore, because of property description problems on Slaughterhouse Road the City does not wish to annex the road.
- Councilor Harriman asked what will happen with the current library building. It was suggested it could be a branch library.

Discussion followed about agricultural uses of the VanTuyl Ranch. Director Westbay stated that the priority uses will be to continue to use the property for aquifer recharge and agriculture. Discussion followed about the pros and cons of allowing cattle on the property.

Director Westbay outlined the annexation application requirements that the City is working on completing. The entire process may take about a year to complete. He stated that the emphasis for putting the topic on the agenda was to introduce the broad concepts for the *VanTuyl Ranch Master Plan*. He intends to do further outreach to gather citizen input. There will be opportunities for more discussion in the future.

CONSIDERATION OF THE JULY 23, 2008 MEETING MINUTES. Commissioner Seitz moved to approve the July 23, 2008 meeting minutes as presented. Commissioner Harriman seconded the motion.

Roll Call Yes: Bob, Martin, Ellen, Harvey, Jim
Roll Call No:
Roll Call Abstain: Diane, Delaney
Motion passed by majority.

Discussion followed about review of the *Land Development Code*. The Commissioners stated that revising the code is a priority and having meetings devoted solely to that discussion would be acceptable. Director Westbay stated that staff has been devoting a great deal of time to annexations and grants, but that planning issues should slow down over the winter and attention can return to review of the *Land Development Code*.

UNSCHEDULED CITIZENS

TL Livermore addressed the Commission as a user of the VanTuyl Ranch. His observations are that the current lessee irrigates more heavily than Mr. VanTuyl did, which makes access in the summer more difficult. He urged the Commission to keep in mind that the ranch is a recharge area and to keep open space. He stated that although Ken MacLennan places groomed cross country ski trails on the property in the winter the signs get buried under the snow. Wind is also a factor in the area. He expressed concern about the potential of having cattle on the property because he, and others, enjoy walking their dogs on the property.

Commissioner Seitz gave anecdotal comments about the benefits of Dog Park as a potential amenity.

COUNCIL UPDATE

Councilor Ellen Harriman updated the Commission on the City Council meeting of August 12, 2008. The Council:

- heard a report from the Chamber of Commerce;
- heard a presentation from the Friends of Snodgrass;
- passed a resolution authorizing a GOCO Grant for the *VanTuyl Ranch Master Plan*;
- passed a resolution for John Taliaferro;
- went into executive session to discuss the Gunnison Rising annexation;
- learned there is the likelihood of receiving a \$325K grant for solar panels for the swimming pool; and
- she reported that the City has been striping streets and there are now new bike lanes painted on Spencer and Virginia

COMMISSIONER COMMENTS

- Commissioner Beda stated that drivers seem to be speeding on Spruce Street, especially since the street has been striped with a double yellow line. The other commissioners provided feedback on the striping, both pro and con.
- Chair Lothamer reiterated that the public hearing has been continued to the next meeting

PLANNING STAFF UPDATE

Director Westbay provided updates from the Community Development Department and other City projects:

- the City and County are working on an Intergovernmental Agreement for a sculpture garden at the Blackstock Government Center;
- the City and County are also working on an Intergovernmental Agreement for an easement for trails through the new Library Site;
- CityFest was successful, with over 500 people attending;
- the Employee Picnic on August 8th was enjoyed by all;
- staff continues working with City Council on the annexation petition status and review of metropolitan districts;
- the South Boulevard property will be conveyed to Habitat for Humanity on August 15th;
- the City Market remodel and addition are underway;
- staff has been reviewing the structural reconstruction of Villa Beauté following a fire;
- Eric Jansen, the new Building Official, began on August 11th;
- several complaints on code violations were received and have been addressed where appropriate;
- preliminary work on wetlands delineation adjacent to the Twin Bridges and North Bridge will be done soon so that the potential engineering design and permitting process can take place before winter (this is in relation to the Bridge to Bridge GOCO Grant project);
- Kendall Coffman, the new HR Technician, is on staff; and,
- the pool and ice facility projects are keeping the Building Official and Fire Marshal busy.

Commissioners were reminded to keep their packets for the continued public hearing.

ADJOURN

Chair Lothamer closed the meeting at approximately 9:03 p.m.

Diane Lothamer, Chair

Attest:

Pam Cunningham, Secretary