

Text of Public Comments Received

RE: ZA 09-1, by Gunnison Valley Partners for the Request of a Planned Unit Development (PUD) Zoning in the Proposed Gunnison Rising Annexation

The following public comments were made at the Planning and Zoning Commission Regular Meeting April 8, 2009

Richard Karas: 693 Sierra Vista Way. Read from his prepared remarks:

1. Is tonight's proceeding a valid "hearing?" The Commission and the audience are here tonight for a "hearing." The purpose of such a proceeding is to gather public input, on the record, in order to assist the Commission in making an affirmative or negative recommendation to the City Council. Input may be information (presumably factual) or opinion; in any case the public's information must be based on its knowledge of the proposal at hand.

If this definition of a hearing is valid, then tonight's proceeding is not. The document to be considered, the Gunnison Rising Planned Unit Development Plan, is not complete. Instead, the only document available for public review is one submitted about six weeks ago by the applicants – this document has been so heavily revised as to bear only a passing resemblance to the one that will emerge sometime in the next month or so. Indeed, if recent experience is a fair indicator, it is possible that even the members of this Commission may not have had a chance to carefully review and make needed additional revisions to the revised PUD Plan before making a recommendation to the City Council. Thus, there will still remain a need for a true public hearing on the "final version" of the PUD Plan before the Commission acts.

Although the proposed land uses have changed innumerable times, the applicants have indicated that there will be no further changes from here until the City Council votes. If that is so, then confining tonight's "hearing" to public comment on those land uses (i.e., avoiding comment on the technical provisions and standards of the PUD Plan) might still be of value. At the very least, I hope that this hearing will be continued to a later date when the full details of the PUD Plan are finalized and available for review.

2. Comments on the proposed land uses

I am not opposed to annexation; however, I find myself still worried about a number of key aspects of this proposal.

- a. Energy, climate change, and the proposed land uses – Last year, the City adopted the International Mayors' Agreement on Climate Change and thereby committed itself to limiting energy use and its concomitant release of greenhouse gases. More recently, the Governor, in keeping with the recommendations of the International Panel on Climate Change, has called for cities and counties to achieve a 20% reduction from 2005 GHG emissions by 2020 and an 80% reduction by 2050. The City has endorsed this proposal, though there was considerable debate as to whether it would "achieve" or "work toward" that goal.

THERE IS NO ALLOWANCE FOR INCREASED POPULATION in the objective. Whether the city is committed to achieving the objective or only intends to work toward it, Gunnison must not only scale back its current use, but must see that any new development (i.e., the annexation) falls within the objective. The proposed land uses do not meet the objective, and neither the City Council, the applicants, nor the Planning Commission have given any intention of insisting that it must.

Here are some examples of the failure:

- The layout of the residential areas, with all of the commercial development at one end, requires the use of automobiles (each gallon of gasoline = 22 lbs of CO₂)
- Nearly all of the water needed by the development must be pumped uphill, in some cases by tens or hundreds of feet. And most of the water pumped uphill must again be pumped uphill as it travels through the lift station of the sewer system. This will require large amounts of energy, mostly coming from coal-fired power plants.

- As a hillside development, auto travel up to the residential and recreational areas will yield lower gas mileage and thus, increased per capital [sic] gasoline use by residents
- Two principle elements of the proposed land use, the “travel Plaza” and the RV facility, encourage additional, heavily-laden vehicle use within the valley
- There is little or no attention paid to solar access and orientation in the layout of the proposed uses and essentially none in the draft PUD regulations submitted by the applicants.
- The commercial developments and the business park developments on both sides of Hwy 50 will require large amounts of electricity, again mostly from coal-fired sources
- There is no provision of land in any of the proposed uses for generation of energy from renewable sources such as solar, or geothermal.

Ignoring this issue puts the city in the position of “selective compartmentalization” or “doublespeak” with regard to its earlier commitment.

3. Has the city acted properly in the proceedings to date?

Others here will comment on other aspects of the proposal, I’m sure. There are plenty of them—for example, traffic, economic impact to Main Street, visual impact to the eastern edge of the city, impacts on air quality, and the like. I would, however, like to ask two more questions, both related to the City’s commitment of tremendous amounts of staff time and resources to rewriting the Annexation Agreement and the PUD Plan:

- a. Does this commitment amount to a pre-approval of the annexation without full process and due diligence?
- b. Does the commitment constitute a gift of public resources to a private entity?

I do not doubt the good intentions of any of the participants in the application and review process; however, due process and the avoidance of any appearance of lack thereof are crucial to sound government. Even if the strictly legal answer is “no” to each question, it must be noted that there is a strong appearance of “yes” to both.

Side note: Growth as a “Ponzi Scheme.”

An article of faith underlying an annexation proposal is that a city must “grow or die.” If everyone follows this precept, then the people, dollars, and resources necessary to maintain this continual growth must come from an ever-widening sphere of those things. But this is a finite world, and it has only a finite ability to absorb the byproducts of such growth. We are daily confronted with evidence of this truth.

Instead of an ethos of “grow or die,” I suggest that we adopt an ethos that emphasizes self-reliance, independence, and sustainability. Perhaps, instead of relying on the hope that doubling the land area of Gunnison (and thereby increasing our use and reliance on outside resources) to improve our lives, that we ask ourselves, “How can we preserve our quality of life with what we’ve got here?” As Ken Coleman, our City Manager pointed out in a recent paper, doing so would create jobs, provide for local needs, decrease reliance on multi-national corporations and foreign nations, and it might even shield us from the vagaries of state and federal government.

Steve Schechter, resident of the County. (He provided the Commission with a copy of the Environmental Building News and pointed out an article about LEEDS neighborhoods.) I am concerned about the annexation. You have not looked at the things you need to look at. You should look at the development as a neighborhood rather than dollars in your pocket. It needs to be easy to get around in and utilize solar. If it’s not a neighborhood it adds to the problem. This is the 9th dust event of the winter, and dust events are more common because of climate change. The snow pack will melt faster. If ranchers want water in the spring, we have to stop some of these problems that are going on. If you want hell on earth, ignore energy efficiency. Don’t add more dirt in the skies and more desertification. We need to change new developments. The PUD needs to look at things like in the article. We need to think about how we develop, with the environment in mind.

Pete Rinaldi, a resident of Gunnison and Crested Butte since 1985. I have a question on access. I live in Tomichi Heights and own property that access Contour Trail and Cemetery Trail. What will happen to that when the upper areas get developed? Will the trail become cars, will it disappear? Tim Seibert responded: The proposal is that there will be no access from that location. [Vehicles won't be allowed on the trails.] Mr. Rinaldi continued by saying that "Growth for the idea of growth drives me crazy. If we are going to make driving through Gunnison look like driving through Montrose then I am going to have to leave Gunnison."

Narcissa Channel, 30+ year resident: I have lots of comments but I want to center on the thing that bothers me the most. That is the overall frustration of a citizen trying to keep up with this. It has been revised so much that my hat is off to the Commission for attempting to keep up. When Tim says that they pulled acreage it makes it sound like it was for the benefit of the City. The acres pulled and changes made are because the morphing is in response to outcry. On the web site I had to almost laugh at "Authentic Colorado."

The Truck Plaza is never mentioned in the Commercial development. It has crept closer and closer and is now almost adjacent to one of the biggest tourist attractions. The City Council was sincere when they said they wanted to consider the annexation to keep control of the outskirts of the city limits. I cannot believe we want a truck plaza at the entrance of the town.

Rob Rouse, lives on 12th Street: Tim [Seibert, of Gunnison Valley Partners], you said there are three types of houses, is there low income housing? Tim Seibert responded: The housing types are land uses, not housing types: We anticipate apartments, townhomes, single family, and duplexes. There are three areas for residential development, but the actual house style and type will be in future applications. There will be multi-family, townhomes, single family, duplexes, and housing above retail space. As far as affordable housing, we are waiting for a needs assessment. We have agreed to adhere to affordable housing policies adopted by the City based on the needs assessment. Rouse: where would low income be? Seibert: There is no set location. Rouse: Will there be a certain price range? Under \$100,000? Seibert: It depends on the approach. There can be deed restrictions, price caps. There are many mechanisms that can provide affordable housing in many different ranges. The question is really the needs assessment and the type of housing that is most needed. Whether it is rental housing, it can also be affordable rental housing, there will be houses for sale. We have heard housing for teachers, professors, first-time folks coming into Western State College. So the price point will differ based on the population.

Robert Hicks: a resident of Gunnison on West New York: I commend the Gunnison Valley Partners in recognition of the Sage Grouse as a unique and valuable species of the community of Gunnison. As a student of Environmental Studies, I investigated the proposed annexation of Gunnison Rising and their mitigation strategy for the Gunnison Sage Grouse and, in overviewing that and the recommendations made by the Division of Wildlife, found that the parcels north of the development (200 or 160 acres, I read in each document) would offer a good habitat, (for the marginal habitat that it does offer, it isn't prime concerning habitat). The Sage Grouse is potentially going back up for relisting as an endangered species under the Endangered Species Act from the 2006 ruling that was tainted by the Bush Administration and Geraldine McDonald. A development would have to take consideration of future acts that would limit the development what they would do to address those issues. It wouldn't mitigation because it would be critical habitat for the endangered species.

I was looking further into the mitigation, which is a term that I really think that, the Gunnison Sage Grouse is unique to its location, and it wouldn't really work as well [sic]. The mitigation strategy that the partners put together seems to neglect the fact that the Sage Grouse uses three specific areas for all stages of its life cycle. To mitigate an area, possibly the Cabin Creek area, or possible selling those permits and reducing ranching in the San Luis Valley wouldn't have an impact on the Gunnison Sage Grouse that it would be affecting here, near WSC, and on marginal areas that would be around the Gunnison Rising Development. I am not a biologist, and the biologists that I have talked to say that cluster rather than expansion is better for species that are so delicate, such as the Sage Grouse. I

personally feel that there should be a better strategy, not necessarily just mitigation, but adaptation for this Gunnison Sage Grouse issue with the Gunnison Rising development in ecologically sensitive areas, especially one with an animal that is so delicate and could be relisted and halt this whole project.

Mandy Leigh, WSC student living on Gothic: In light of last two comments, I hear “low density” and that screams to me, especially as close as we are to CB, second home owners who aren’t going to live here and won’t be involved in the community. That makes me nervous because we are such a close community. I love going to the grocery store and seeing ten people that I know. That is why I came here, that is why I stayed. Originally, I came here because I could walk down Main Street and wouldn’t see a Starbucks, I wouldn’t see an Applebee’s, a Chili’s, an REI, whatever it is, there is none of that here, it is beautiful. It breaks my heart there is a Starbucks here now. In addition to the Sage Grouse, we have Prairie Dogs right next to the school. They are also a unique and valuable species. They have covered all that area by the recreation center and the new housing development [VanTuyl Village] and if you go up on the hill you can see their last stronghold in the corner. There used to be thirty, fifty, a hundred individuals, there are maybe only ten there now. That is not very good for a species of any kind, be it bacteria, or people, or whatever. I want to say that I imagine it took a lot of time, money, and effort to develop those plans. There are so many other ways to spend time and money and our thought to keep the Valley the way it is and change things that are already here. There is so much abundance of resources already in the Valley, I don’t understand how this is going to improve what is already here. There is a saying, “If it isn’t broke...” and that’s all I’ll say.

Melissa Fryer, resident of Gunnison: Read from prepared statement:

My name is Melissa “Zoe” Fryer. I am a resident of Gunnison, my daughter attends Gunnison Middle School, I am a vendor at the farmer's market, and I am a student at Western; double majoring in Environmental Studies and the pre-law emphasis of Politics and Government. My family and I moved here from Florida so that I can continue my education in a rural mountain setting.

I understand this is a Zoning and Planning Commission hearing, so I will focus on the various zones of the PUD. The zones entitled R-1, the 16 acre single family residential area; R-2, the 235 acre residential zone north of HWY 50; and the R-2M, the 63 acre residential village: would add an additional 734 residential units to the city.¹ I see a problem with the addition of this many homes into the Gunnison area. The West Gunnison neighborhood that was approved last year; is 206 acres with the capacity for “over 960 residential dwelling units.”² The Van Tuyl neighborhood has the capacity of 80 lots, yet there are only 17 homes and 2 townhomes built. Outside of the City limits, we have Riverwalk Estates that has 42 lots, 17 under contract, 0 sold, and 1 built. Also north of town is the Thornton Meadows development which has the capacity of 19 lots, there are 7 lots sold, and 0 built. I understand the fact that this city needs affordable housing, however, the Gunnison Rising proposal does not seem to meet the requirements for affordable housing. According to the Gunnison Rising Annexation Impact Report, the single-family dwellings will be around \$250,000, while the multi-family dwellings in the Residential Village will be around \$176,000.³ The only way that this will provide affordable housing to the residents of Gunnison is by flooding the already near stagnant market with more homes, thereby depreciating home values throughout Gunnison and causing more foreclosures.

¹ Gunnison Rising Annexation Agreement Draft March 17, 2009 Update, http://www.cityofgunnison-co.gov/community_development_planning/gunnison_rising_annex/gunnison_rising_annexation_draft_agreement_03.17.09.pdf.25

² City of Gunnison. *West Gunnison Neighborhood Plan: Phase 3 – Neighborhood Plan Development*. http://www.cityofgunnison-co.gov/community_development_planning/west.gunn.plan/wgnp_phase3_final_08.24.07.pdf

³ City of Gunnison. *Gunnison Rising Annexation Impact Report*. http://www.cityofgunnison-co.gov/community_development_planning/gunnison_rising_annex/annex_9mpact_rep_final_02.27.09.pdf.

The next zone that I will address is the CM, the 44-acre commercial/mixed use area that is directly next to the Western campus. The plans for this area include 174,000 non-residential square feet. According to gunnisonrising.com “The commercial area has both ‘main street’ style retail as well as larger retail stores.”⁴ We already have a very historical Main Street, and it is currently afflicted with empty storefronts. This is not just a problem in Gunnison, or with small local businesses. This is a nation-wide epidemic. According to an article released today by Bloomberg.com, the amount of vacancies in retail centers across the US has hit a 10-year high.⁵ It affects the corporate retailers as well. We have recently seen corporate businesses close their doors here in town. Instead of focusing on large chains and retail, why don’t we find ways to offer incentives to new *local* businesses that would like to be located on Main Street.

The zone entitled IM, the 40-acre business and research park, proposed to be located on the south side of HWY 50, is planned to contain 460,000 square feet of non-residential space. According to gunnisonrising.com, “This area would serve economic development uses such as light industrial, office showroom, general office, and other non-residential development.” The plans that I have heard regarding this area is that there are hopes to attract technological industries that want to relocate to Gunnison. However, we are far from any metro areas that would provide for easy and cost efficient shipping as well as a trained workforce to accommodate these firms. Additionally, the April 3rd Wall Street Journal contained an article that reported on the nationwide office vacancies afflicting the US. In the past quarter, the nationwide office vacancy rate rose from 14.5% to 15.2%, and is expected to surpass 19.3% over the next year.⁶

The zone entitled C is the 5 acre commercial area next to the business and research park. This area, according to gunnisonrising.com, is slated to be “a full service truck stop and gas station focused primarily on serving the commercial vehicles traveling the HWY 50 corridor.”⁷ Including Gunnison Tire, Amoco, and Berfield’s, we have 9 gas stations within a 3 square mile area.

The zone CRV is the 68-acre recreational resort. This RV resort will add to the already 13 existing RV parks that are around the Gunnison area. The proposed recreational resort will have 350 RV sites starting around \$54,000 per site.⁸ This will mean that when people travel through Gunnison from the east, a 19-acre residential area and then a 68-acre RV park will greet them. I do not believe that another RV park is what the area needs. There is only a limited amount of oil in the earth. It is estimated that only 850 billion barrels (BBs) of oil remain in the world’s reserves. At the current rate of use, the supplies of oil can only last another 40 years until they are completely depleted.⁹ Therefore, the idea of a recreational resort is not sustainable.

Where is the economic justification for such a large annexation proposal? We are in the worst recession since the Great Depression. Gunnison has homes on the market that are not selling and there have not been any significant building permits issued in the City since last October. We have approved and annexed developments that are sitting inactive. The mentality of “build it and they will come” has taken over in this proposal. According to a Fiscal Impact Analysis that was done by the RE-IJ School District, “It was determined the proposed annexation will not generate additional growth above the existing growth rates.” With this in mind, according to city-data.com, Gunnison’s growth rate from 2000-2007 was negative 1.2%. Furthermore, a fiscal impact study done by BBC Consulting, for the City of Gunnison, found that a demand shock would be created in the first 3 years due to construction, although,

⁴ <http://www.gunnisonrising.com/index.php?page=area-one>

⁵ http://www.bloomberg.com/apps/news?pid=20670001&sid=agnw7_BpdCI

⁶ http://online.wsj.com/article_email/SB123871502874584537-1MyOjAxMDI5MzA4NjcwMTY1Wj.html

⁷ <http://www.gunnisonrising.com/index.php?page=area-four>

⁸ http://www.cityofgunnison-co.gov/community_development_planning/gunnison_rising_annex/annex_impact_rep_final_02.27.09.pdf

⁹ Richard T. Wright. *Environmental Science*. Chapter 12, “Energy from Fossil Fuels.” (Pearson/Prentice Hall, 9th ed).

after that time the annexation would create a \$750,000 deficit for the city, per year.¹⁰

As a Western Student who transferred here from Florida, I appreciate Gunnison for what it is. I was glad to escape the urban sprawl and high crime rates, and happy to live in a small rural town. Western is a destination college. It has the ability to attract students who appreciate the mountains, open space, and the small town life. I truly believe that the annexation proposal, if it were approved, would decrease the amount of incoming students to Western. The students enjoy the fact there are trails and open space accessible from campus. However, with build out of the residential areas and the commercial areas next to campus, the contour trail will not be as appealing when looking into people's backyards. Furthermore, if the parcel of land north of the proposed annexation were to be developed, that would be another 414 acres that students would lose of trail and open space usage.¹¹ Another issue that involves the locations adjacent to Western is Escalante Dr. As Butch Clark pointed out last week at the City Council meeting, the commercial and mixed use zoning overlaps Escalante Dr and the edge of the parking lot above Kelley Hall. If Escalante Dr is to remain open, this will increase the amount of traffic on campus, thereby endangering the safety of students. I could not find exact numbers in the plans for Escalante Dr; however, I did find information for the streets surrounding campus. It is expected that Virginia Ave will see an increase of 3500-5000 automobile trips per day.¹² It then said that Colorado will be a good alternate route to 135, and Virginia, Spencer, and Denver Streets will be good connector streets. The residents and students in these areas will be impacted greatly by the increase in noise, pollution, and traffic.

Finally, I would like to point out that in the Gunnison City Council's Mission Statement that was adopted on March 10, 1992, the city council "will strive to conduct our affairs and plan our growth in a manner that respects our environment and preserves our community as our home." I am asking you to please follow this phrase. Also, in the Draft agreement between Gunnison Valley Partners and the Gunnison City Council dated March 17th, 2009; states, "The City hereby finds and determines that execution of this agreement is in the best interests of the public health, safety, and general welfare." If the city feels that it is in the public's best interest, then the public should get to vote on it. This is a very large proposal that will affect many people, in many ways. The first line of the City Council's Mission Statement is, "The people of Gunnison have a special responsibility to the uniqueness of the Gunnison Valley." That is why there is currently an initiative petition circulating for registered voters in the City of Gunnison that would allow the city residents to vote on the annexation. This would truly let the best interests of the public be known in the most democratic way.

¹⁰ http://www.cityofgunnison-co.gov/community_development_planning/gunnison_rising_annex/annes_impact_rep_final_02.27.09.pdf

¹¹ http://www.cityofgunnison-co.gov/community_development_planning/gunnison_rising_annex/gunnison_rising_annexation_draft_agreement_03.17.09.pdf

Mike Sanderlin, 221 N. Loveland, student: I have quite a few concerns about the project. I would like to read a poem. It is something that I have seen, felt and experienced somewhere else and I really don't want it to happen here:

The Sad Sad Sun

Selfishness roars underneath me in twelve lanes,
A bridge built not to cross a river but to keep away from the insane.

And in front of me a plow for the dirt,
Another symbol for man versus the world,
People versus the ecological environment,
Humankind versus mother earth.

And behind me sets the red sun,
Crying itself to sleep,
Looking down,
Running aground.

Jacob Anderson, 612 12th. I grew up in Colorado Springs and have seen what suburbs do to a town. This looks an awful lot like a suburb to me and I get the feeling that it will suck the life out of Gunnison. I want you to consider the sense of community over your profits.

Peter Gallant, resident of the city. In the time that the project has been under discussion there was a proposal in Mt. Crested Butte to build affordable housing in Antelope Creek. The water supply there is contaminated. No one objecting to this project has put forth a proposal to run water to areas already developed. There is currently a dilemma in the North Valley for sewer. I haven't heard anyone suggest a stimulus to run sewer and water there. In listening to comments it seems everyone says "no," but no one has an alternative for housing for people who have a right to live here (where there are no jobs). Some of you have no background in the sciences but have opinions on the environment. I would like to hear positive alternatives. The Planning and Zoning Commission hasn't come up with any, but I'm not sure it is their job. Since no one has bothered to find an alternative, it should go forward.

Dusty Szymanski, city resident. I have been a resident since 1995. As I listen to comments, I think of "think globally act locally." Global warming, carbon offsets; it makes me realize the world is changing. It is a difficult time to make decisions and I applaud both sides on this process. My wife and I are business owners. I am a carpenter; building is how I make a living. Part of me says that [the annexation] is future work to raise my family. Is there a sustainable future to do this? We need to think global at a local level, sustainability. We are trying to create a sustainable place economically, environmentally, energy efficient. I have managed to stay here because of the citizens. People understand what it takes to live here. I am afraid this growth will dilute that. I want to see growth and a supported community with smart growth. If we are going to grow, what does that mean? Eco villages, green villages. If sustainability is half way, *all the way* is restorative. We would need five planets to sustain what we have now. There are possibilities for growth. It may have to come from the inside where we aren't seeing growth. Regarding the Energy Action Commission, how can we meet those goals? It is possible, but there is a lot of planning and issues to do that. Slow is good for me, in terms of making changes in this environment.

Ralph E (Butch) Clark III, Gunnison resident since 1970. I would like to support most of what has been said and want to make a few points:

- 1) This is a big project. It is likely to involve the Interstate Land Sales Act, a 30 page document required by HUD. What is important [in that document] is the details. This is information that has to be submitted. It also goes to the buyer. There are size requirements and ways of finessing to HUD. The scale and involvement means it should be addressed. The information in that set of requirements should be reviewed by the Commission and should be in the PUD.
- 2) The audit report by the Colorado State Auditor on municipal districts, suggests problems that should be reviewed to make sure that all of what is being talked about is addressed in a manner that the auditor recommends. He found problems with districts around Denver, particularly the approval of debt. Several [people who have spoken] have talked about plans about energy. I have offered some alternative plans for this project, one is to do it small and incrementally until you reach 60 to 80 percent build out and do it a manner that preserves character.
- 3) If the truck plaza carries hazardous materials, being close to Holiday Inn, and the campus, if you look at evacuation areas, we need to be prepared. It [evacuation area] could more than a half mile. We need better preparation.
- 4) The economic impact report has some questions. One thing is the assumption of 735 units being developed. The potential in the number per acre is over 1800. There is no commitment to be less. Perhaps there should specificity in terms of a limit. The other problem is the proposal for a real estate transfer fee and it is three percent, half to the City and half to the municipal districts. Phil Burgess of the Center on the American West in 1996, was quoted in the NY Times to say a house of \$150, 000 needs infrastructure of \$100,000. So it should cost \$250,000. If you assume each house is going to cost \$400,000 and it will sell seven times in 50 years, you will just about make the \$100,000. This fee does not keep the shoe box filled. It is far too little.
- 5) One other thing is some kind of provision with funding to prevent dust blowing. Too often big projects start, things change, and the scraped earth blows dust for a long ways around a community. There needs to be a way to stabilize it and it needs funding.
- 6) Being able to produce energy locally. This was brought up today in the news with problems of the smart grid and others transmitting electricity of the capability of others sabotaging electric power lines. We need to be more robust. One way is decentralized power generation and combined heating and power facilities. I have previously given that information to you from the Oakridge National Lab are available for doing this kind of planning.

I appreciate the thoughts of others.

TL Livermore, 15 Irwin: I have lived in the Palisades a long time. There has been a lot of dirt between me and the rest of the city, and actually there is still a lot of dirt. VanTuyl Village has some very attractive houses, but it also has a lot of piles of dirt, which is a concern to me and it is a concern. It has taken 40 years to fill in that. In fact, I have been thinking, I wrote a letter a year ago, the City only copied the first page, so I should probably resurrect it because I think my comments are still the same.

I did want to start with what seems like a non-sequitur, and it does not address land use, but I was here a couple of years ago when the Planning Commission had two different applications. The first one, a woman wanted to add a house to her property and the Commission worked for about an hour or hour and a half with her and in the end had to remand it back because there was not enough information. The application following that rezoned an entire block B1 and it took ten minutes because all of the work was done. I object to the City spending a lot of time doing the applicant's work. And not just time, but tax dollars. Everybody in here pays sales tax. I know this has gone back and back to the applicants and it never comes up with adequate answers. So, I guess the City has decided to take it

upon itself. I am worried about the precedent that gets set. Maybe I shouldn't be, if I come in and want to add a second house and I don't have the paperwork maybe I just say to the City, "Well, I'd like you to do my work for me." I would like you to remand it to the applicant. It is difficult to comment because it keeps changing. It does get smaller, which is good, but it is still too big.

I keep getting told need is not a factor or concern; it is not an issue for the City. But to me, it should be the Number One concern. I have been told at other meetings this will all be phased. I see the phases, but my idea of phasing is to start at edge of city and work your way out. That seems like responsible, smart growth. I see #1 is at the far edge and I see #10 next to the city. I realize it is financial and that if someone wanted to put something at #2 we would go ahead.

I sat through the *Master Plan* process. We talked about walkability. The RV Park; maybe they can walk along the river access but it looks like lots of driving.

Those were my concerns a year ago. I would like to make sure we are all commenting on the final plan. Every time we think it is the final plan something else changes. If the plan changes again, I hope that both the Planning Commission and City Council will convene another formal public hearing so that comments can be made on the actual plan and not on supposition or "what ifs." The argument for annexing everything all at once is so that we can control growth. As I keep mentioning, I don't have any faith in any city's ability to control growth and we have numerous examples of that in this city. Including the really nice one over there. Contour came in with a very fine PUD and nothing looks a thing like that PUD.

Edward Morrison, I live on Tomichi and 7th Street: I just have a few things that I have heard. One is the Sage Grouse. It seems at the very least, because of the results of endangerment were tainted, that study should be revised before a really major development goes through. Another thing is that I fear for Main Street. While there are a few empty stores, if this went through I wouldn't think it would have much chance of regaining those stores. Everything would go out there [east of town] and everything would be big box stores and Super Wal-Mart would come in as well. Main streets don't usually fare well after that. The benefit toward tourism; I'm not sure how beneficial it would be. A heard recently about a concept about star tourism where you could cap street lights where people could see the stars. It would be hard to implement that after development. According to Dr. Mark Stiger, there is archaeology in the area around the low density populations. He found a fluted point out there, which could be Clovis, which is the oldest human habitation in North America. My last comment is, I do think based on our concept of democracy, even the people who are for this development, should be for it going to a public vote. That is the basic concept of democracy. If we think this is a good idea, we should think the people should be behind it.

Jaelyn Stapert-Evansen, resident of the city: I submitted comments outlining my concerns. The only one not mentioned is that I don't see any real definition of what we keep calling the RV Park. The impression around town is that this is a fancy place for cans of money. Homes are not the only things being defaulted on. The default rate on high end RV homes has been steadily rising. I know this because of the experience of my brother and some of his friends in Colorado Springs. His vehicle is only a year and a half old. He tried to sell it and can't get 25 percent of his money back. The bottom line is that it is the applicant's problem, except that it is a big chunk of the land in this proposal. Some infrastructure would have to go in before developing that area. Without definition the concern is that it would be mobile homes or RV storage. The picture that comes to mind is in Creede, where you drive through the south end and to the west is a sea of parked vehicles. They probably are being used, and when people are there they spend money, but that doesn't fit with what has been presented as a beautiful entry to the city. I want to thank everyone who has been involved.

I think it is remarkable that when I am here at these meetings I see faces that I have been seeing for two years. The staying power of people willing to work is incredible and I appreciate time and effort of working on this moving target. It is a delicate balance between individual property rights and public welfare. I'm glad I am not making these decisions between that. I have lived in several places, and in three states. I am here because my daughter and son-in-law decided to raise their children here. I think this is the single place that I have lived where there seems to

be a tip of the balance toward individual rights. That is not to say we violate regulations, or don't think about the common good, whether it is appropriate or not, that is the feeling that I have. Too often, we (and I'll include myself in that) think a lot of ourselves and our own rights instead of talking to each other and working together to make it so that our rights truly don't infringe on the common good.

Melissa Neuhaus, I live on 12th street, I moved here in 2005, I am a non-traditional student: I keep hearing about sustainability, about the economy, a lot of legitimate concerns. One of the things, don't have a scientific education, there is a lot of things I don't have. What I do have is experience. I grew up in New Jersey. Where I grew up I saw housing develop after housing development being built. I grew up in a time when there was a very strong community and after these housing developments came about there was a loss of community. This project will do the same thing. This project is supposed to help Gunnison but I see it as destroying Gunnison. There are a lot of concerns for the citizen and for citizens to come and live in Gunnison. But what about the people who have lived here for a long time, generation after generation. Some of the experiences that I have is meeting people who that have lived here for a year; that have lived here for 20 years, that have had generation after generation of people living in this area. My experiences with them has been priceless. I have learned so many things that I never thought I would have learned. This project may look good on paper, but the new area creates economic and social problems. By doubling the size of the city it destroys the infrastructure of Gunnison and everything it stands for.

Erich Ferchau, I live in the City; I own real estate on Main Street, and am involved in the VanTuyl Village development: I want to give a different perspective. There are a number of conflicts. The one most recently about the potential loss of community. The fact is, we are losing our sense of community, because generation after generation people are leaving and we are getting more and more second home owners and we don't have a good strong middle class, working class that is growing in this community.

I have heard conflicts about Sage Grouse. We all want to help the endangered species. Probably the best place to focus growth is where there is infrastructure and where density is in place.

Housing. I have heard a number of people talk about the dropping prices in housing. That is a function of the economy. The more new houses we build in VanTuyl, in this economy, there are a lot of other homes that maybe aren't worthy of a higher price point and those houses will go down. If the Meldrums build 42 condo units by the college I guarantee you local rents are going to go down and it's the crappy stuff that we don't like people living in that is either going to need to get fixed up or it won't be rented. That is progress.

I have heard conflicts about the carbon footprint and adding growth adjacent to town. I don't hear these people talking about all the people that drive to Montrose and how much gas they are burning because they are going there to buy groceries. It is happening. I have heard comments from students, and local residents, I love the college, my dad taught there for 30 years. I respect everyone of you and I would like to see the college grow. But we have people speaking up that don't rely on the local economy to make their living and raise their families. I don't think we will ever accommodate all the interests, there are too many conflicts. I moved here in 1962 and it was beautiful then, I believe it is beautiful now. We had a vibrant downtown; it sucks right now. There were drug stores, there were clothing stores, and there were grocery stores. People out of necessity, (because we didn't leave the community to do those things like we do now), shopped downtown. That dynamic has changed. If you go to Target in Montrose, I see people I know there. I see them in Wal-Mart, I see them coming out of the orthodontist, the dentist, the hospitals, you name it. We need to grow the economy locally. We can't do that without the capacity to grow.

There is a huge misconception that I hear over and over. The comment was made earlier, "if it is built it will be filled". The fact is, this is the capability for us to plan, not evolve. We watched CBMR evolve from a warming house and a gondola shed to a mishmash of buildings with no continuity or flow. Now they are trying to do a master plan with integration and appeal. That is what this offers you. We don't walk downtown and see Starbucks, but we are at risk of walking downtown and seeing nothing. I had conversation with the City Manager recently, and I started talking about the number of tenants on Main Street that are one, two, three months behind on their rent. The kind of income those people make is nominal, probably half of what a teacher makes. I'm thinking they may make

\$35,000 and these guys downtown are making \$17,000, if they make anything at all, and those are the established businesses. The new ones are the ones struggling to even pay their rent. What we need to focus on is this won't be build out until there is demand for it, and it may be 100 years before it is even near being built out. But it represents a capacity to add jobs and diversify our economy. We need to grow the college, we need to find something to replace the ranching industry that has dwindled, the mining industry that has dwindled. Yea there are some pie in the sky ideas and there may be some tangible ideas, but we need the capacity for those businesses to establish themselves in this community and we need the capacity for the college to grow. This is an annexation. The asphalt and concrete comes when it is needed. This allows you to plan and plan accordingly. When we did our development north of town, 29 acres, we went through the details, we got it right, it is a nice development. It is traditional Gunnison. If there is one argument, TL pointed it out; there are piles of dirt and things not built on yet. But, we were forced and we complied to put infrastructure in. Maybe we don't need all the infrastructure all at once. Maybe it needs to be at the pace of demand. I think there is a lot to think about, it is a slightly different point of view than what has dominated the discussion tonight. But I appreciate given a little time to explain myself.

Jay Miller, I have been here longer than dirt, I guess. My grandfather came here in the 1880's and we have been around here ever since. I have had a number of businesses in Gunnison and I have struggled with them. I would like to take a moment to reiterate what Erich said. It is a tough place to make a living because things have changed. I remember my father talking about the ranchers coming in in the fall to pay the bill after they sold their beef while we carried them all through the year. Those things have changed. People go out of town for a lot of things they used to rely on the local merchants for. We need an opportunity to grow and to become the community that we can. We can't rely on being what we were. We have to become something new and I think the dynamics of this community will allow it to be something really good.

Ryan Leonard, I have noticed there hasn't been a lot of talk on alternatives and this isn't probably a great alternative, but as an addition to the economy, as I'm a 5th generation Gunnisonite, ranching family. That is gone as far as I can tell, there is no more ranching, it is not sustainable here. But what I have noticed in the sports pages lately is that we have a number of world class athletes in the adventure racing group. We have guys like Brian Smith winning triathlons, the Dussaults, Rebecca Quinn and Carol Quinn, winning national and world championships. I wonder if we couldn't do something like that here in Gunnison. Like Dave Weins, like the Leadville 100. Maybe his whole trails project. Promote that sort of industry in Gunnison. We have the resources, we have the elevation, we have a world-class HAP lab at Western. The potential is there to invest in something of that magnitude to bring in athletes. Promote something like that to bring in outside people. I know the Leadville 100 brings in \$100,000 in one weekend to the community. We could have year round races with all of the trails. Another idea Edward mentioned is the international dark sky community. We have the observatory. I know Flagstaff is doing it, to promote dark sky. You could bring in international astronomers. We have the college to bolster that. The idea of putting hoods on top of lights to keep the sky dark. I lived in New York City and I know people who have never seen a star in their life. Little things like that could bring in more tourism. I have never been a fan of tourism, I saw what it did in the Roaring Fork Valley, but for a small mountain town in Colorado, I that is our only industry. The Hansen Weather Port was our only other one, and they left. I don't know what we have besides the college and tourism. If we focus on that. I don't know what that means with the annexation, it's just another idea.

Don Simillion, I am a business owner on Main Street, I have been for years. I am here to tell you it is not very good. I have lived here since 1931. I strongly support this annexation. I have seen housing developments here that people were against, like the Palisades addition. People said we were crazy, it will never fill. Guess what, in just a few years, it's full. Dos Rios is full, Tomichi Heights is full. They are all full. This will eventually fill. It will be good for the city economy, the county, tax base, sales tax and most importantly, business. There will be a lot of Main Street that won't be there next year. Hopefully I will be. It is not good. I have been on City Council for 10 years, off and on. I know pretty much what is going on. I think there has been give and take between the developers and the City. I think it is an excellent project.

Marti Peterson, I live on Crocus Road by Hartman Rocks. I haven't been a resident that long, we moved here four years ago. Having lived for 15 years in Connecticut, I can tell you, you probably don't appreciate how many stars you have here, it is just amazing and see the stars of my youth. I grew up in a suburb of Denver and you don't see the stars so much there anymore either. I really applaud the idea of keeping the sky dark. That is one of the neat features of this area. I am not against growth. I do see that some growth would benefit our businesses. But I am concerned about the businesses on Main Street if there is going to be other businesses moving in east of town. They are going to have lots of competition that they aren't banking on. It is hard enough to make it go right now. I am concerned about how many people might move in and how many schools would be needed to support that. And I am concerned about where the water will come from. I am concerned that we are already drawing a lot water out of out of the ground. There is a lot of demand for water downstream. Water rights are a really big topic in Colorado. And water doesn't grow on trees. So I am concerned about that. Where are all these people going to get the water for their showers, their washing machines and toilets. How are we going to handle the extra load? I am really concerned about how that is going to impact us as well as nearly doubling the size of the town. I am not sure that we are strong enough to go that far that fast. I do hope it takes some time.

Jeff Wilkinson, I have lots of property in the city of Gunnison. One of the things that has been bounced back and forth here is that there is concern that the City is spending tax payer money helping the developers to put this together. The developers pay a fee for that. Also, this is a natural part of the process. This is what they do. The City Planning Department, the Community Development work in concert with applicants. It doesn't matter what your project is. That is why we pay them. It is not a rip off to anybody here. It is the same thing at the County. Trust me, your dollars are at work in your favor.

On the issue of making it a public vote. There are a lot of things I wish we could, like GM bailouts and things like that, I wish I had a say in those things. But the truth is that nothing would ever get done in our country if every issue came to a public vote. That is not how our process works. The process works that we vote people into office and they are supposed to vote the will of the people. That is not going to happen.

There has been a lot of talk about energy and carbon footprint. You know, we wouldn't allow an asphalt plant to go in here just a few miles out of town because they were too afraid of the carbon footprint that it would produce. As though making our asphalt in Salida and trucking it over Monarch Pass would have no carbon footprint. That was part of my argument.

In my lifetime, energy has changed a great deal. I heard today of a new battery. It works on enzymes and bacteria and charges itself. The prototypes charge themselves over a hundred times. It takes no electricity to charge these batteries. So what is the technology going to be in 20, 30 or 50 years. We want to make decisions today as though this is the last say on humanity. There will be no more progress, there will be no more scientific discoveries that give us sources of energy that we have never even dreamed of.

So, we have this annexation application in front of us. From what I hear us say it is as though it were a development application. We want to see roads, water, and sewer. That is not what this application is about. You would think sometimes that you want to see the floor plans of the houses or the buildings that will go in, or want to know what the inventory of the commercial retail stores is going to be. That is not what this process is about. People don't come here for their mortgage application. That is how far this thing could go if we let the public to ride it and ride it and ride it. Nothing would ever get done.

I also know, as a businessman in Gunnison County, we are hurting. People outside looking to invest don't think this is a good deal. They don't want you to succeed. If you don't do well, I'm not going to do well. If these people don't do well, you are not going to do well. We are all in this together. There has been a lot of talk about community. A community is not just buildings; a community is made of people respecting one another and allowing each other to do whatever their dreams lead them to do.

I love athletes. We have some world-class athletes here in Gunnison. But, we can't base our economy on that. I love the flowers, I love the mountains. That is the reason I live here. I love the dark skies. If we did put in a light

pollution restriction, when you drive in at night from Monarch Pass, the biggest source of light pollution is the college. You can see it from Highway 114.

We need to be reasonable and bring this application back to what it is. This is an opportunity for the City to have control over the eastern portal to the city for eternity. It will take at least five decades for that to build out. In this market, maybe 50 decades. But the point is that, driving to Delta, driving to Salida, driving to Montrose, driving to almost any community in our 200 miles radius and you will see entrances to communities that were not planned other than 5-20 acres at a time. They don't match, there's no theme, and it looks butt ugly. This is an opportunity for this City to look at every phase of this development, clear to the point of approving a structure. Without the City's approval no one can ever live in or occupy those structures. It is as though if this happens, starting tomorrow morning, there will be bulldozers ripping it up and you will never see it the way it is. I'll bet you will see it the way it is 30 years from now. The difference is, the City has control over the way this thing turns out.

Anyway, we have got a big school bond issue we just voted in, we have a hockey rink, we have a recreation center, and we have a pool. We have all those things. We voted those bills upon ourselves. The number of people that we have to pay those bills is shrinking. We are heading for train wreck if we keep going backwards in the City of Gunnison.

Bob Geydesen, I have property in the City of Gunnison, I live in the city and in the county. The annexation is to have control, it gives the opportunity, if a business is looking to come, they can move forward with a plan. Otherwise, no one will come with any kind of business or any kind of an activity with no adequate location for it. This gives them the potential to come before the Zoning Commission and do it.

I hear a lot of talk about the carbon footprint and I agree with Jeff, and it wasn't brought up at the meeting on the asphalt plant, maybe these people should have been there. I am one of the guys who will be trucking probably 150 loads another 140 miles. The carbon footprint will be in someone else's backyard, but it is taking just as much oil to go there.

On the issue of HazMat and trucks parking in town. In nineteen years on the Fire Department, when we are rolling our trucks I don't see you guys from Community Development..well, there is one. Anyway, when we are going to HazMat calls we are containing them. Boy, it would be nice for those trucks, when they come through, if they are in the truck stop, it would be nice if those trucks were able to control the flow and put it in a tank and contain it. Instead of going into the storm drain, like up here on Main Street when we have had them and we are running to get gravel at 2:00 in the morning because we are trying to stop the storm drains from running to the river. That would be a great asset. I know you think that truck stops are just horrible, but the trucks will come no matter what; if we can contain them in area that would be good too.

I have run a business here for years. I was one of the main funders of the ice skating rink. When the entrance to the college was done I donated bulldozers and time to tear down the old Ruland Junior High. Boy, people were there, they were gung ho. On New Year's Eve, I was there by myself for two days cleaning up the mess because the glory went away and it was no more fun. But work still needed to be done to clean up themes. I listen to people say, "The community, we're going to be there." We did a habitat building in this town years ago; it set the world's record for a house built. It was the local contractors that did it. The town wasn't there. When I see that in Crested Butte it burns me up because they come to me to solicit money from me. You solicit for the college; you solicit it for the parks.

I don't want to see this go wild, but it gives the City control. It's just the zoning on it. It is a hard thing to say, but one benefit of the economy being bad—a year ago it made me work late. I was broken into and I arrested five college students, not local kids, for breaking into my business. That really made me feel good too, after putting on the crab fry and stuff like that. But that is your community. I am hearing from people that I don't see doing anything. They say they want the local community, but they aren't out there doing anything about it. They do this study, and that study, instead of getting their hands dirty and physically doing something.

It is really a tough community. I was born here, stayed here all my life, have seen everybody come in. They shake their heads. Yeah, they're from New Jersey and they say "We don't want that." But there is going to be New

Jersey's, there will be New York's . And there is going to be Gunnison has got to grow [sic]. If it is not annexed into the City they can go with the County approach and do 35 acre lots, they are uncontrolled to a point. On those 35 acre lots there can be pig farms or anything else right there on the entry way. I would rather see the City have control of it than the 35 acres.

Rachel Morrison, Tomichi and 7th, I have lived here for about five years. The gentleman who spoke about not voting is right, to an extent. We can't vote on every issue that comes around. But, we do vote on some issues, we have resolutions and we vote on them on periodical [sic] bases [sic]. But you look around the room and there are people standing because there aren't enough chairs. We have been talking about this for two hours and we are not even tired. Because it is an important issue to so many people. This is one of the issues that it would be worth our time to take a vote on because it is obviously important to so many people.

**WRITTEN COMMENTS RECEIVED FROM THE PUBLIC
RE: GUNNISON RISING ANNEXATION PROPOSAL**

This gives reason for the gleam in the eye of real estate wizards. I believe the proposed urban sprawl can be looked upon as a gamble with large consequence and poor odds in a stressed economic condition. I suggest a bit of patient consideration before attempting to turn our area into another California.

Thanks **Timothy A. Benson**

Mr. Westbay-

I am writing to share my concerns over the Gunnison Rising plan. I've had family in Gunnison for well over 20 years. They moved there to escape the suburban sprawl they saw developing here, in my hometown of Cranberry Township, PA.

We used to be an area of bucolic farmland and rolling hills. Now we have a convenience store and half-occupied housing plan on every corner. (As a matter of fact, when I visited Gunnison last, there were half-empty developments there, as well.)

I know many farmers that had to sell the family farm in order to survive.

Progress has come at a hefty cost here. It now takes 10 minutes and just as many stop lights to drive 3 miles.

My heart would break to see such a beautiful town experience what I have watched develop here. Gunnison will lose its charm and its personality. It will become just like all the other cookie-cutter towns with a WalMart every few miles.

Please think long and hard about this. Once the development starts, it is hard to stop it. Trust me, I witness it daily.

Thank you for your time.

Rae L. McStay
Manheim Pittsburgh
Phone: (724) 452-5555 ext. 387
Fax: (724) 452-5076
rae.mcstay@manheim.com

I admit it; I am a transplant who moved to Gunnison 8 years ago to attend WSC. I fell in love with the town, its people and just plain fell in love. My family and I have struggled to become the educated, self-sufficient, community minded citizens we are today—and that is no easy task here. Like everyone who lives here we want what is best for our community and its future. I can honestly say that the Gunnison Rising plan does not seem to benefit the community at large and in fact seems bent on destroying what we hold dear...our pristine waterways, clean mountain air and unique downtown businesses.

According to the Gunnison Fact Sheet (2008), Gunnison and its surrounding county depends on three major factors for economic stability:

1. Tourism
2. Education
3. Ranching

It seems to me that Gunnison Rising will not provide any of these. Rather the plan will be detrimental to tourism by by-passing downtown shopping, possibly reduce grazing and could negatively impact student recruitment to Western by building so closely to the college. WSC and the Gunnison area is an outdoor enthusiast Mecca. What will happen to those pilgrims when our water is less than pristine and our air filled with diesel fumes all winter? Can anyone explain to me how a box store, a noisy and polluting truck stop and multiple homes that most Gunnisonites can only dream of affording will help with Gunnison's future? We have empty storefronts both downtown and in Meadows plaza, not to mention an abandoned gas station on the north end of town. Why not renovate that to accommodate trucks if that has been determined to be a need.

In 2004, Colorado State University did an economic development study on the impacts of developing ranch open lands and winter tourism. The report states the following:

- Tourism directly accounts for 1/3 of the Gunnison County economy and 40% of the job base
- Gunnison's public open space and private working landscapes contribute to the quality of winter tourism experience
- Wholesale conversion of local ranch lands to tourism infrastructure and second homes may reduce winter tourism by as much as 40%
- The impact of such a change could reach \$14 million
- and 350 jobs per year

While this study targeted the development of ranch lands, I believe it aptly illustrates how important tourism is for Gunnison and how key our environment is to tourists.

First impressions count for a lot. Do we really want visitors' first impression of Gunnison to be of empty show homes, a generic box store and a noisy truck stop? Rather than building more, less efficiently, we need to use and improve what we already have. Our priority should be to our future, which means preserving our environment (air, water and land) and revitalizing what makes Gunnison unique—its local businesses, markets and attractions.

Sincerely,
Tiffanie Wick

Notes:

Gunnison County Chamber of Commerce. 2008. Gunnison Fact Sheet. Retrieved April 6, 2009 from http://www.gunnison-co.com/userfiles/fact_sheet_2008.pdf

Orens, A. and A. Seidl. (2004). Economic Development Report. Colorado State University, Department of Agricultural and Resource Economics. Retrieved April 6, 2009 from <http://dare.colostate.edu/pubs/edr04-11.pdf>

TO: Gunnison Planning and Zoning and the City Council
FROM: **Jaclyn Stapert-Evenson**, 103 Diamond Lane, Gunnison, CO

I have the following concerns about this annexation proposal:

- 1) Whatever happened to the sixty-some questions/action items presented months, if not at least a year ago, to the applicant which were to be answered before annexation could be adopted? It seems to me several of them have never been directly addressed.
- 2) Locating a truck plaza next to Pioneer Museum makes no sense to me. It is inappropriate to locate it so close to one of our most unique cultural heritage sites. Further, it is dangerous to place such a facility so near to an environmentally vulnerable wetlands and creek. The probability of contamination from gasoline spills and underground petroleum tanks is also too great.
- 3) Looking at the road map, I see no connecting roads other than Highway 50 between the area south of the highway and the rest of the city.
- 4) I notice in what I think is the latest iteration of the plan that the only R1 area is three miles out of town. That seems inappropriate to me.
- 5) No definition has been given for the proposed RV park. It seems essential to me that this be clearly defined, lest it end up being a sea of mobile homes or a storage place for RV's and travel trailers.
- 6) Why are we even considering pumping water uphill for the entire project, which is project? [sic] To say nothing of pumping sewage out for years because of low flows from an almost empty project. Not only is there the consideration of cost to build such a system, it is also a very inefficient use of energy. That's even assuming the FAA allows it across or next to the airport. (Actually, I think this was one of the issues raised in the items addressed in item 1, above.)
- 7) I see no evidence in the annexation proposal of any commitment to sustainability, to green building, or to alternative energy use.
- 8) Finally, it seems to me our Planning and Zoning Board, the City Council, and city staff, especially Steve Westbay and Ken Coleman have been spending a great deal of time doing tasks that should be the responsibility of the applicants. Why is this? It looks very much like they are working for the applicants, implying that it's a done deal. The applicants have been allowed to make enough significant changes to their proposal to make it, in fact, a new ball game several times. Are Planning and Zoning and the Council afraid to just say no and put it all back into the applicants' laps? It seems to me we've been treated like a bunch of yokels; perhaps we're proving that's what we are.

From: **Edward Morrison** [edward.morrison@western.edu]
Sent: Friday, April 03, 2009 1:47 PM
To: Steve Westbay
Cc: Stu Ferguson; Gail Davidson; Ellen Harriman; Jonathan Houck; Gail Davidson
Subject: Gunnison Rising

I think that the "Gunnison Rising" is a truly bad idea and will, in the end, cause Gunnison to fall instead. And fall very, very far. There are some who would say that it is a great idea economically, but this I highly doubt. It will turn over our population like a corporate merger: everyone living here now will leave. Meaning that established middle to upper-middle class people will be replaced by middle to lower-middle class people. There is the possibility to become like Vail, but what would be good about that? Other than it would put money in a few people's pockets at the expense of other people.

But not our local business owners. Currently, Gunnison is rightfully proud of its "Main Street", one of the few left in the country. We are known for local restaurants, not a string of chains. But "salvage ethnology" will have to be done in Gunnison if this annexation passes for the Gunnison we know will be no more. There will be one less Main Street in our nation and within 10 years, there will be a Super Wal-Mart to run out anything that is left. Perhaps even Rick Miller's furniture store will be run out by a big-box version. You can be sure they won't play music on the sidewalk

for pedestrians. Gunnison will be more like Montrose or Alamosa. The beautiful east entrance we have now will be replaced by the same generic thing you can see anywhere else in the country.

I am sure every environmental concern has been mentioned, but they should not be ignored: runoff into Tomichi Creek from construction, excessive air pollution (w'll be like Mexico City), the clearing of good land, et cetera. But also, there is the Sage Grouse. When this project was proposed and the environmental impact study done, Sage Grouse was unfairly off of the endangered species act. According to their own admission, the development will cover 52% of Sage Grouses habitat during their breeding season and the winter and 35% during the summer and fall. Therefore, at the bare minimum, this should be re-evaluated.

Their web-site says: "This 1600 acre development will offer unique residential housing and commercial opportunities for Coloradoans who already enjoy and participate in a variety of Authentically Colorado experiences in the Gunnison Valley." However, this project would effectively be destroying an authentic piece of Colorado: Gunnison.

On top of this, the geology is not very good building ground. It'd be a little like building in an avalanche shoot.

It has also come to my attention that there is a small paragraph near the end of the proposal which says that electricity will not be cut to Bratton's house during construction.... I'm not sure exactly what this means, but it seems he just wants to be part of the city. If he's lonely, he can move into one of the unoccupied (but beautiful!) old houses already in Gunnison. That's the only confrontational thing I'll say...

The last thing I have to say may sound extremist, but it is true: Anything set up for continual and un-ending growth will end in oblivion. There is no other alternative. Infinite growth is intrinsically impossible for you cannot reach infinity. If we try to follow that path, it will not be healthy for our community. Bigger is not always better; "growth for the sake of growth is the ideology of the cancer cell".

However, I don't think anyone would argue with putting this issue to a vote. If we do indeed believe that this is best for Gunnison and the community, then we should not be afraid of letting the people of Gunnison decide on it. If they truly want it, then perhaps there is more merit than I see myself. However, if we do not want it, then obviously it is not best for our community. This is, at least, the concept behind democracy.

Therefore, I urge the city to put this issue to the people. Please.

April 3, 2009

Gunnison City Council
201 W. Virginia Avenue
Gunnison, CO 81230

Dear City Council:

As a long time business owner and past City Council member and a resident of the city of Gunnison I strongly support the Gunnison Rising Annexation project. I feel that this project will benefit both the City and County in the long term smart growth. With the Colorado Division of Wildlife moving there [sic] regional office to Gunnison I feel that this will have positive impact to the city with family's moving in and sales tax revenues being spent. IN these hard economics [sic] this project will bring in jobs.

I urge and support the City Council to pass this annexation project.

Sincerely,

Don Simillion

**WRITTEN COMMENTS RECEIVED AFTER THE APRIL 8TH PLANNING AND ZONING
COMMISSION MEETING**

April 7, 2009

To: Mr. Steve Westbay, Director of Community Development
From: **Michelle and John Campbell**
Subj: Comments re: Land Annex Proposal

Please accept these comments for inclusion in the public record of the April 8, 2009 community hearing on the proposed annexation of the Gunnison Rising project by the City of Gunnison. Please also thank the City Counsel [sic] and staff for the diligence with which they are evaluating the proposal and the opportunity to provide comment.

Background:

My husband and I have been property owners in Gunnison for five and a half years. We own a single family home on North Pine Street. Since purchasing the original property we have made a significant investment in renovating the home, preserving the original foot print of the dwelling in order to maintain integrity with the neighborhood. The vast majority of our investments were made with local subcontractors and retail establishments in an effort to spend locally. While the home is currently used as getaway place we spend at least a week a month there and we plan to retire in Gunnison.

Summary of Comments:

We support planned growth for the City of Gunnison and the County. However we have been alarmed by the scope and potential negative impact of the Gunnison Rising development. We are strongly opposed to the annexation and the development for four primary reason: 1) upon full completion we understand that the project would nearly double the amount of developed land in the City, changing the character of the town and creating negative and potentially irreversible environmental impacts, 2) zoning and land use and home covenant details are unclear and can be changed post annexation, 3) the project does not make economic sense for the City, creating a net negative impact to the city budget of a \$1 million deficit per year upon completion, and 4) the project could reduce attractiveness of the area for tourists, creating further economic loss through decreased sales tax revenue.

Our conclusions are based on several hours research of related information on the City website, over five years of participation in the local economy, hundreds of hours enjoying the many recreational and community gifts Gunnison has to offer and 35 years experience as owners of a residential and commercial construction firm. Please allow us to highlight our specific concerns:

Environment and Aesthetics:

The project appears out of character with the beauty of Gunnison and current land use plans show a disproportionate amount of developed versus open space.

- The project appears at the entrance to the City, one which today creates excitement for the traveler and an extremely positive impression as one enters town through hay and horse fields, undeveloped hills and the beautiful Tomichi Creek.
- The plans to reduce irrigated land in favor of high density housing are contradictory to the principles of “greening our land” and do not represent wise land usage
- The plans for development in such an environmentally sensitive and beautiful area show less than 5 percent for the planned equestrian trails, open space and buffer area – including the acreage allotted for a park (which requires that the City fund and construct). This percentage is much less than the required amount for new developments in metropolitan cities.
- The large RV park (500 sites) represents the complete antithesis of the current view and is highly visible.
- The means to ensure the Tomichi Creek corridor remains open space and that public trailheads developed in conjunction with resource management plans have not been outlined.

- A plan for limiting the impact from doubling the amount of developed land in the night time environment does not appear – Gunnison already has significant night time light pollution – how will this be treated?
- The proposed build out of the total acreage will ,according to the traffic impact statement, create significant traffic and air quality impacts; “This will significantly change the character of Gunnison where there is little traffic congestion today. The Tomichi (US 50) corridor through town will become effectively full with the build out of this project, with associated traffic congestion that this community has never experienced.”
- Water quality and quantity issues appear unusually vague in the documentation we reviewed
- Since lot sales are assumed to commence one year after annexation (Year 2) and the first residential units are scheduled for completion and occupancy in Year 3 the community will experience considerable disruption through site preparation and infrastructure installation in the short term and the length of time for the total development build out would mean this disruption would continue for over a decade. How will this be managed?

It is concerning that when one reviews the issues / status list between the developer and City staff that many of the items remaining “in negotiation” relate to environmental issues including, sage and grouse habitat preservation, public trail head management, preservation of agricultural land use during construction, water quality and capacity assurances, funding for public transportation and more. These are all critical areas for resolution prior to voting on the annexation.

Zoning and land use:

- The time for complete build out is 15 years or more, is there a plan for site preparation to parallel the selling of sites instead of preparing the land all at once?
- Since final zoning will be determined with the Zoning request, after acceptance by the City of the Annexation Petition, will the required 90 days be of sufficient time to resolve the unresolved issues within the issues status report? Will this be adequate time to involve public comment?
- Will there be home owner and development covenants to assure design elements are compatible with the character of the area and create an aesthetically pleasing community?
- The planned density of the development indicates that a majority of the acreage dedicated to a “unit per acre ratio” that is much more dense than many subdivisions in metropolitan cities. Is there market demand for this density?

Economic Impacts: (Note: quotations are taken from the BBC January 2008 Fiscal impact report)

- “There is no indication of sufficient market demand to support the rate of growth” this project envisions. Indeed the lack of market demand for doubling the size of built out space, increasing retail and commercial space could only be exacerbated by the current economic recession.
- While there may be some positive financial impact from the commercial developments in the project, the large RV park has a negative financial impact and is of a scale out of balance to single family homes. Depending on site covenants (which we have not located) this area could create negative social impacts from transient residents.
- “The net impact of the overall Gunnison Rising project will be negative” and associated economic assessment that costs the citizens of Gunnison which would only be offset by increasing the level of current taxes.
- “Aside from a few positive years as construction related use taxes supplement other revenues sources and the total net value exceeds associated service costs.”
- “Overall the projects creates a \$1 million deficit per year upon completion ... over the full 20 years of development, the project will produce a net deficit of approximately \$3.2 million on a net present value.”
- “Gunnison derives 30 – 40 percent of revenue from county residents or tourists any new development will dilute the city’s “subsidy,” and present a financial burden to existing residents. Gunnison’s low property tax levy and heavy reliance on sales tax contributes to this problem. Gunnison residents enjoy a high level of municipal services without bearing the full cost. New residents, whether within the current city limits or at Gunnison

Rising, can not replicate those additional incremental revenues and therefore virtually any new development will dilute the city's "subsidy," and present a financial burden to existing residents." Therefore it appears the City budget losses cannot be offset unless the city raises taxes overall. Do the current citizens of Gunnison wish for this situation?

We ask that the City receive the following answers and agreements prior to voting on the Annexation :

- Proof of market demand for the project in the short term and long term
- Satisfactory agreements on all environmental issues currently pending
- Significant increase the amount of open space and requirement that the developer pay for city parks
- Decrease in the density of multi family areas and placement of open space within this acreage
- Traffic implications must be addressed – require the developer to add frontage roads to Highway 50 at their expense and fund mass transportation

Conclusion:

Colorado annexation law requires that "the City, during the Eligibility Review, determine if a "community interest" exists. This means that social, economic, environmental, and land use issues must be addressed to the satisfaction of the City." Clearly these issues have not yet been adequately addressed.

Further, how does approval of an annexation of a project that requires increases in taxes to break even, has questionable market justification for success and creates irreversible and negative environmental and economic impacts serve the public good?

We ask that you do not approve the annexation proposal at this time and that you make an increased effort to inform the community about the magnitude of change and irreversible impacts this project will create for Gunnison. We ask you to consider a public referendum on the annexation decision.

Sincerely,
Michelle and John Campbell

Michelle Campbell
mcampbellcpi@gmail.com
(505) 269-1156

Dear City Council members,

I am writing this in regards to the proposed "Gunnison Rising" annexation project. I have attended a couple of the public hearing meetings in the last year, and feel that public opinion is a valuable tool in affairs that affect the entire community, such as "Gunnison Rising". Generally, I support growth and development in urban areas, but this proposition is not smart growth. In times of economic downturn, we should be aiming more at revitalization and developing lands that are already annexed in the city. The downtown area as well as the City Market/Wal-Mart mall have been experiencing an increasing number of vacancies recently--we should focus on maintaining occupancy in the buildings we have, rather than expanding the city with the likelihood of more empty buildings, only further from the town center. The model of "new urbanism" represents smart growth. By renovating and updating centralized buildings, such as in the downtown area, we, as a city, can attract a population to live centrally downtown, reduce commuting, promote the small businesses we have downtown, encourage foot and bicycle traffic, etc. This will achieve some of the energy goals currently being addressed by the "Energy Action Plan" committee. Elongating the city up to three miles to the east (Gunnison Rising) will only intensify the dependence on fossil fuels for transportation and discourage alternative transportation, i.e. walking and cycling. As far as increasing the residential capacity of the city, recently annexed plots should be built up before another annexation should even be considered. Van Tuyl Village is the most prominent example of annexation with high hopes that are yet to be realized.

Annexations such as this need to be built up before we allow more customers on the city's utilities. Additionally, the city has plenty of vacant lots that are yet to be utilized--these should also be developed before more land is added to our city. From an ecological standpoint, the endangered Gunnison Sage Grouse represents a species whose habitat will be directly and negatively impacted by the infringement of development on its habitat. Please take into mind that the Endangered Species Act clearly protects those species which are endangered and extremely sensitive. In conclusion, I hope you take in to consideration the outcries of a concerned community who is not sold on Gunnison Rising. Last night's public meeting represented only a small portion of the population that is very worried about Gunnison Rising being passed. Please listen to the concerned citizens who have elected you to represent them: just say no to the "Gunnison Rising" proposal.

Thank you for your time,

Sincerely,

Kathryn Bernier

**PUBLIC COMMENTS RECEIVED SINCE APRIL 8TH
TO BE ENTERED INTO THE PUBLIC RECORD**

April 9, 2009

Dear Mr. Westbay,

I am writing this in regards to the proposed "Gunnison Rising" annexation project. I have attended a couple of the public hearing meetings in the last year, and feel that public opinion is a valuable tool in affairs that affect the entire community, such as "Gunnison Rising". Generally, I support growth and development in urban areas, but this proposition is not smart growth. In times of economic downturn, we should be aiming more at revitalization and developing lands that are already annexed in the city. The downtown area as well as the City Market/Wal-mart mall have been experiencing an increasing number of vacancies recently--we should focus on maintaining occupancy in the buildings we have, rather than expanding the city with the likelihood of more empty buildings, only further from the town center. The model of "new urbanism" represents smart growth. By renovating and updating centralized buildings, such as in the downtown area, we, as a city, can attract a population to live centrally downtown, reduce commuting, promote the small businesses we have downtown, encourage foot and bicycle traffic, etc. This will achieve some of the energy goals currently being addressed by the "Energy Action Plan" committee. Elongating the city up to three miles to the east (Gunnison Rising) will only intensify the dependence on fossil fuels for transportation and discourage alternative transportation, i.e. walking and cycling. As far as increasing the residential capacity of the city, recently annexed plots should be built up before another annexation should even be considered. Van Tuyl Village is the most prominent example of annexation with high hopes that are yet to be realized. Annexations such as this need to be built up before we allow more customers on the city's utilities. Additionally, the city has plenty of vacant lots that are yet to be utilized--these should also be developed before more land is added to our city. From an ecological standpoint, the endangered Gunnison Sage Grouse represents a species whose habitat will be directly and negatively impacted by the infringement of development on its habitat. Please take into mind that the Endangered Species Act clearly protects those species which are endangered and extremely sensitive. In conclusion, I hope you take in to consideration the outcries of a concerned community who is not sold on Gunnison Rising. Last night's public meeting represented only a small portion of the population that is very worried about Gunnison Rising being passed. Please listen to the concerned citizens about Gunnison Rising: just say no to the proposal.

Thank you for your time,
Sincerely,
Kathryn Bernier

April 7, 2009

To: Mr. Steve Westbay, Director of Community Development
From: Michelle and John Campbell
Subj: Comments re: Land Annex Proposal

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Sincerely,
Michelle and John Campbell

Michelle Campbell
mcampbellcpi@gmail.com
(505) 269-1156

Received April 17, 2009

RE: Gunnison Rising

We live in Tomichi Heights and strongly object to the proposed truck stop to be located across the highway from Tomichi Heights. Truck stops do not belong near residential areas or waterways. The noise, air pollution and ground water pollution from runoff are unacceptable. The residents of Tomichi Heights are for the most part very active. We walk, run, bicycle, and ride and train horses on our properties and in our neighborhood. The college athletic programs train by running the cemetery ditch through Tomichi Heights and on to the contour trail. With no air conditioning, we keep our windows open all summer. The noise of trucks entering and leaving, the diesel exhaust from the continuously running trucks, and the pollution of Tomichi Creek by the run off of gas, oil and exhaust, make a truck stop incompatible with the current use of this area. In addition we question the advisability of placing a trailer park at the entrance of town. We have been to two of the meetings on the Gunnison Rising proposal. We agree with the comments and issues brought forward by its opponents who far out number its proponents. No one is in favor of putting a truck stop or for that matter, an RV park here. The reasons are sound and thoughtful. It seems reasonable to carry out the wishes of the current residents of Gunnison rather than the developers. To a person, we want a sustainable, environmentally friendly community that compliments rather than harms our life style. Though Tomichi Heights residents are not part of the City of Gunnison, Gunnison is our community. We go to schools, churches, doctors, dentists, stores, and activities in Gunnison. It is our hope that the council and planning commission will commit to maintaining the quality of life in Gunnison by rejecting the truck stop and trailer park. Thank you.

Susan & Pete Rinaldi
287 Ute Lane
Gunnison, CO