

MEMBERS	PRESENT	ABSENT	EXCUSED
BOB BEDA, CHAIR	X		
MAGGIE LLOYD	X		
HARVEY HARRIMAN	X		
CAROLYN RIGGS	X		
GREG LARSON	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER ANDIE RUGGERA, CHRIS EWALD, RACHEL GILMORE AND DAVE AND TERRI GRAZIER.

CALL TO ORDER AT 7:00 PM BY CHAIR BOB BEDA

PLEDGE OF ALLEGIANCE TO THE FLAG

CONSIDERATION OF THE DECEMBER 9, 2009 MEETING MINUTES

Commissioner Greg Larson moved to approve the December 9, 2009 meeting minutes with one correction. Commissioner Carolyn Riggs seconded the motion.

Roll Call Yes: Maggie, Harvey, Ellen, Carolyn, and Greg

Roll Call No:

Roll Call Abstain: Bob – was not present at the December 9th meeting.

Motion Carried

PUBLIC HEARING AND ACTION ON CU 09-7, SUBMITTED BY CHRIS EWALD TO OPERATE AN AUTOMOBILE SERVICE AND REPAIR FACILITY IN THE COMMERCIAL DISTRICT ZONE

Chair Bob Beda opened the public hearing at approximately 7:03 p.m.

Proof of publication was shown for the record.

Planner Andie Ruggera reviewed the process for a conditional use application. The applicant, Chris Ewald is requesting to operate an automobile service and repair facility at 922 West Gunnison Avenue, Unit 3. The property is located in the Commercial district zone.

Chris Ewald stated that his company would not have an adverse effect on the community. He stated his proposal is in compliance with all regulations.

Commissioner Maggie Lloyd inquired about the landscaping requirements. Director Steve Westbay replied that the circumstances for this location are unusual. He stated that when the Lyons Condominiums were constructed, the City allowed architectural features, the fence, and sculpture to be counted as landscaping. The Lyons Condominiums consist of three units with two property owners.

Public Comments:

David Grazier stated he has known the applicant, Chris Ewald, for a couple of years and said he is an incredible mechanic. Mr. Grazier affirmed he is in support of the application.

Commissioner Bob Beda stated he was on the Planning and Zoning Commission when the Lyons Condominiums were built. He stated he remembers the Commission struggling with landscaping at that time. The lack of curb and gutter on the site as well as drainage issues made landscaping difficult.

The Commission discussed the findings of fact and conditions included in the staff report.

Chair Bob Beda closed the public hearing at approximately 7:17 p.m.

Commissioner Harvey Harriman moved to approve Conditional Use Application CU 09-7, submitted by Chris Ewald to operate an automobile service and repair facility at 922 West Gunnison Avenue, Unit 3, based on the following findings of fact and conditions:

FINDINGS OF FACT:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the City of Gunnison *Land Development Code* and the City of Gunnison *Master Plan*.
2. The Planning and Zoning Commission finds that this conditional use application is for an automobile service and repair facility in the Commercial district zone.
3. The Planning and Zoning Commission finds that an automobile service and repair facility is compatible with the neighborhood as long as certain conditions are fulfilled.
4. The Planning and Zoning Commission finds that the proposed use is located in Unit 3 of the Lyons Condominiums with a welding shop in Unit 2 and a laundry mat in Unit 1.
5. The Planning and Zoning Commission finds that the character of the highway frontage and uses are important to the community appearance and therefore uses and activities must be limited to functions that are compatible with this area.
6. The Planning and Zoning Commission finds that the proposed hours of operation are Monday through Friday 7:30 am to 5:30 pm.
7. The subject site is located within the Commercial and Entrance Overlay district zones. The Planning and Zoning Commission finds that existing landscaping for the Lyons Condominiums was approved in 1999.
8. The Planning and Zoning Commission finds that automobiles waiting for service or repair will be parked on-site and behind the building.
9. The Planning and Zoning Commission finds that service and repairs of client vehicles will be made within the service bays.
10. The Planning and Zoning Commission finds that the use of air-impact wrenches and other possible noise nuisances will be used during the hours of operation.
11. The Planning and Zoning Commission finds that the proposed use will include the collection and disposal of oils, anti-freeze, etc. and proper service bay grease/oil sand-filter drain verification will be required prior to Change of Use Permit approval.
12. The Planning and Zoning Commission finds that the exhaust ventilation system must meet applicable building code requirements.

13. The Planning and Zoning Commission finds that eight off-street parking spaces are required on the site, and ten spaces are available.
14. The Planning and Zoning Commission finds that the application meets all the provisions of the City's *Municipal Code* based on the following conditions:

CONDITIONS:

1. Outside storage of materials is prohibited.
2. Outside storage of up to six vehicles is allowed if the vehicles have current license plates and the repairs are of a short time period (three days or less).
3. Service and repairs of client vehicles shall be made within the service bays.
4. The use of air-impact wrenches and other possible noise nuisances shall be used only inside the service bays during hours of operation.
5. Proper service bay grease/oil sand-filter drain and exhaust ventilation system verification shall be required prior to Change of Use Permit approval by the Building Official.
6. Oils, anti-freeze, etc. shall be disposed of according to the Colorado Department of Public Health and Environment.

Councilor Ellen Harriman seconded the motion.

Roll Call Yes: Maggie, Bob, Carolyn, Greg, Ellen and Harvey

Roll Call No:

Roll Call Abstain:

Motion Carried

UNSCHEDULED CITIZENS

There were none.

COUNCIL UPDATE

Councilor Harriman gave an overview of the January 12, 2010 regular meeting, the Council discussed:

- The Gunnison County Housing Needs Assessment presented by Heidi Aggeler, BBC Research;
- A memorandum of agreement regarding the vacation of 14th Street;
- Passed the resolution for a GOCO Legion Park Playground Grant;
- Passed a resolution commending Jim Seitz for his service on the Planning and Zoning Commission; and
- The Gunnison Rising Annexation will take effect on January 31, 2010.

COMMISSIONER COMMENTS

There were none.

PLANNING STAFF UPDATE

Director Westbay reported:

- staff is proposing to update the building codes to the 2009 International Building Codes that includes four major changes;
- staff is continuing work on the *VanTuyl Ranch Management Plan*; and,

- staff will hold an Open House regarding the possible closure of Virginia Avenue adjacent to the I.O.O.F. Park on February 4th from 5 to 7 p.m. in the Council Chambers.

ADJOURN TO WORK SESSION

Chair Beda adjourned the meeting at approximately 7:35 p.m.

Bob Beda, Chair

Attest:

Andie Ruggera, Secretary