

MEMBERS	PRESENT	ABSENT	EXCUSED
BOB BEDA, CHAIR	X		
DUSTY SZYMANSKI	X		
ERICH FERCHAU	X		
MAGGIE LLOYD	X		
CAROLYN RIGGS	X		
GREG LARSON	X		
COUNCILMEMBER ELLEN HARRIMAN			X

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNING TECHNICIAN PAM CUNNINGHAM, K.T. GAZUNIS, MARY VADER.

CALL TO ORDER AT 7:02 PM BY CHAIR BOB BEDA

PLEDGE OF ALLEGIANCE TO THE FLAG

CONSIDERATION OF THE MAY 26, 2010 MEETING MINUTES

Commissioner Larson moved to approve the May 26, 2010 meeting minutes as corrected.

Commissioner Ferchau seconded the motion.

Roll Call Yes: Dusty, Maggie, Bob, Carolyn, Erich, Greg

Roll Call No:

Roll Call Abstain:

Motion Carried

PUBLIC HEARING AND ACTION – CU 10-2, SUBMITTED BY ST. PETER’S CATHOLIC CHURCH TO OPERATE A RELIGIOUS PARISH HALL AND EDUCATION FACILITY IN THE MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONE.

Open Public Hearing. Chair Bob Beda opened the public hearing at approximately 7:05 pm.

Proof of publication was shown for the record.

Review of Process. Director Westbay gave an overview of the process of a conditional use application and summarized the application. The applicant is St. Peter’s Catholic Church, represented by Father Steven Murray. The request is for the operation of a parish hall and religious educational facility at 400 West Georgia Avenue. The legal description of the property is Lots 13 through 17, with the 13 foot by 125 foot tract adjacent, Block 8, Original Gunnison, City and County of Gunnison, Colorado. The site has historically been used as a parish hall and religious educational facility. The facility is an existing non-conforming use in the R-3 zone. The conditional use request is a joint application with a variance request to the Zoning Board of Adjustments and Appeals. The applicant is requesting an addition to the existing structure that would exceed the maximum allowed lot coverage. When the applicant requested the variance, staff informed the applicant that a conditional use permit to conform to the *Land Development Code* would be required.

The applicant, represented by Father Steve Murray and Deacon Vince Rogalski, addressed the Commission. Father Murray stated that when they applied for a building permit it came to light that no conditional use has been granted for the use of the building. The building was built in 1974 and

has operated as a business since then. It has been owned and used by the church since 1990. He stated that they are not asking for a change in use. They just want the record to show that the use is proper.

Chair Beda asked for questions from the Commission. Commissioner Ferchau observed that the application seemed far more extensive than a conditional use application. Director Westbay explained that it is a dual application for a variance that was reviewed by the Zoning Board of Adjustments and Appeals. The applicants came in for a building permit and staff found no conditional use.

Commissioner Lloyd asked what the existing uses are. The applicants explained there are many community groups who utilize the facility.

Chair Beda asked for public input. K.T. Gazunis, Director of the Gunnison County Housing Authority, who manages the Mountain View Apartments, accompanied by Mary Vader, property manager of the Mountain View Apartments, addressed the Commission. Ms. Gazunis stated that the Gunnison County Housing Authority supports the use of the Parish Hall completely and unconditionally.

Director Westbay entered letters of support into the public record:

- Andy Hanks, Principal, Gunnison High School and Dawn Helman, RE 1J School Nurse
- Staff at Health Screens
- Jane Maloney, Child Find Coordinator
- Marketa Zubkova, Colorado Immigrant Rights Coalition
- Monica Makler, DHHS
- Lealyn Poponi, Nurturing Parenting Program
- Andy Hanks, Gunnison High School Principal
- Thelma Reese, President of Altar and Rosary
- Kelly Woodford, Hospice and Palliative Care of the Gunnison Valley
- Donald Wills, Executive Director of the Gunnison Area Restorative Practices
- Martha Gentry, Coordinator of Gunnison Alternative Gifts Market
- Tina Swift, Castle Mountain Irrigation, Road and Recreation Association
- Brenda Brown, Gunnison Congregational Church
- Karen Jensen, Tai Chi instructor
- Rick Folchert, Grand Knight of Council 2185 Knights of Columbus
- Beverly Wood, Daffodils Day Coordinator, Gunnison Unit, American Cancer Society
- Tom Eager, Scoutmaster Boy Scout Troop 476
- Kenneth Longpre, Secretary, Gunnison River Retirement Community HOA
- Margaret Wacker, Health Educator, Gunnison County Public Health
- Elliott Jackson, Director, Literacy Action Program, Gunnison Library District

Commissioner Ferchau asked if adjacent residents had provided any input. Director Westbay replied that they had not.

Staff Presentation. Director Westbay gave a summary of the City Attorney's comments. The Attorney made observations related to the variance and conditional use regarding designated parking. It is his opinion that the old City Market site can be used for off-street parking for the Parish Hall since St. Peter's owns both properties. He noted that obligations to memorialize those parking spaces would be required in the event that the City Market property were to sell in the future. He further reported that it is the opinion of Staff and the Attorney that parking is a moot point because the

church owns an entire city block at the City Market site, which meets the definition of adjacency. Commissioner Lloyd asked if the minimum parking requirements for the current size and use of the building are currently being met. Director Westbay replied that they are.

Director Westbay gave an overview of the surrounding land uses and stated that the type of use is appropriate in the transitional area in which it is located. He further stated that issues related to land use that often arise with religious facilities in residential neighborhoods are noise, parking, lighting, and operating hours. Staff recommended conditions addressing those issues. Regarding nuisances, staff received one call about allowed uses for Bill's Park. The deed of record for Bill's Park states that says the park will be utilized as a public park. The potential concern was events from the parish hall moving into the park. Staff recommends a condition that the applicant follow procedures for park use as a special event.

Commission Discussion. The Commission discussed park use and events permits and decided to delete Condition #2.

Commissioner Ferchau asked why Staff recommended Condition #3 regarding full cutoff lighting. Director Westbay explained that the code states "...lighting shall ...avoid unreasonable illumination or glare upon adjoining properties." He stated that because glare is difficult to define, a full cutoff fixture is more identifiable as a standard. Several Commissioners felt that the issue of lighting should be handled at the building permit level or if there is a problem in the future neighbors could call and register a complaint. Some expressed concern with the Commission imposing full cutoff lighting when it is not in the current *Code*. Director Westbay explained how difficult it is to enforce this issue without a condition on the use. He explained a similar situation with another church in a residential neighborhood where the neighbors complain about lighting. The Commission deleted Condition #3.

Discussion of Findings.

Regarding Finding #4, Commissioner Ferchau observed that the single family units east of the site are zoned R-2 and the multiple family units are in the R-3 zone. Finding #4 was changed to reflect adjacent zoning.

Discussion of Finding #5. The Commission determined that since everyone is required to have an Events Permit, Finding #5 should be rephrased to indicate that "all organized events or activities held in public parks by any organization require an Event's Permit from the City of Gunnison."

Finding #6 was deleted.

Chair Beda closed the public hearing at 7:53 p.m.

During the regular Planning and Zoning Commission meeting held on June 9, 2010, Commissioner Larson moved, and Commissioner Riggs seconded, and the Commission voted to APPROVE Conditional Use application CU 10-2, submitted by St. Peter's Catholic Church to operate a parish hall and a religious educational facility at 400 West Georgia Avenue, based on the following findings of fact and condition:

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

- The *VanTuyl Ranch Management Plan* is almost complete and he hopes to have it ready for public distribution in a few days. The Focus Group will meet in about two weeks. He asked if the Commission would be available for a joint work session on June 29th for a presentation. Commissioner Riggs stated she would like copy of the document prior to the meeting. Director Westbay replied that it will be provided on a CD and will be posted on the web site. Hard copies will be available by request in black and white.
- Staff is reviewing the budget. At end of the 1st quarter sales tax is down 3.5%. Management Staff has started the internal process of identifying cuts. As part of the cuts, the budget for P&Z will be tight, so there won't be many extra sessions held.
- Emergency Services is holding a Public Safety Expo on June 22nd.
- Staff met with designers for the hospital addition. They are proposing a 12,000 square foot, single story addition. The *Code* requires a conditional use for hospitals in all zones. The hospital owns the adjacent site in the Meadows subdivision and they are going to expand parking facilities onto that site, but it is zoned residential. So, a rezoning request will be before the Board as well as the Conditional Use.
- The Colorado Division of Wildlife will be at the next City Council meeting to do a presentation on the Discovery Center.

ACTION: Commissioner Larson moved to excuse Councilor Harriman and from the June 9, 2010 regular meeting. Commissioner Ferchau seconded the motion.

Roll Call Yes: Dusty, Maggie, Bob, Carolyn, Erich, Greg

Roll Call No:

Roll Call Abstain:

Motion Carried

ADJOURN TO WORK SESSION

Chair Beda adjourned to a work session at approximately 8:15 p.m.

Bob Beda, Chair

Attest:

Pam Cunningham, Secretary