

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, Planner Andie Ruggera, Dennis Minchow, L. Richard Bratton.

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

PLEDGE OF ALLEGIANCE TO THE FLAG

CONSIDERATION OF THE AUGUST 25, 2010 MEETING MINUTES

Councilor Ellen Harriman moved to approve the August 25, 2010 meeting minutes as presented. Commissioner Greg Larson seconded the motion.

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

Roll Call No:

Roll Call Abstain: Erich – was not present at the August 25, 2010 meeting.

Motion Carried

PUBLIC HEARING AND ACTION – MAJOR SUBDIVISION, SKETCH PLAN, SB 10-3, CREATING 40.19 ACRES WITHIN THE GUNNISON RISING ANNEXATION, SUBMITTED BY GUNNISON VALLEY PARTNERS, LLC, IN THE PUD COMMERCIAL/MIXED USE (CM) DISTRICT

Commissioner Ferchau recused himself from the application discussion and Commission action.

Chair Beda continued the public hearing at approximately 7:03 pm.

Director Westbay informed the Commission that a revised staff report was included in the meeting packet and introduced Dennis Minchow from The Schuck Corporation, as the representative for Gunnison Valley Partners, LLC. Director Westbay stated he had an internal discussion with Mr. Minchow regarding the open space and a dedication of the property to the City will not occur at this time.

Mr. Minchow stated that he had previously met with City Council and the Planning and Zoning Commission to fast-track this parcel for sale only and not for development. The developer will do all documentation as required by the *Code*. The plat notes will be created to comply with sketch plan conditions and all components of the preliminary plat will be met. The applicants would like to discuss the conditions.

Commissioner Szymanski inquired on the zoning of Gunnison Rising. Director Westbay gave an overview of the zone districts and phasing plan.

Commissioner Lloyd commended the applicant stating they did extremely well in thinking of the community.

No public comment was received.

Chair Beda gave an overview of the staff observations, departmental comments, findings of fact and conditions.

Commissioner Carolyn Riggs observed that according to the *PUD Development Standards* the parcel in question is part of two different phases. Director Westbay replied that the *Development Standards* are very descriptive and each section of the phasing standards describes the process the developer must complete prior to developing the next phase. The *PUD Development Standards* are also recorded with the County Clerk and Recorder.

Dennis Minchow stated he would like to discuss the requirements of the Development Report. He asked that the requirements of paragraphs 15.160.060 B.6.b (Soils) and 15.160.060 B.6.c (Geology) be exempted at this time. The applicants don't want to drill the site now without knowing where development will be. Commissioner Larson observed that it would make sense to do these tests at the time of development.

Commissioner Szymanski asked if there is any advantage to doing the soil and geology tests now. Director Westbay stated that the *LDC* does not ask for more than a report. He stated that a geology report for the whole annexation was completed during the annexation application and soil information can be obtained through the USDA Natural Resource Conservation Service.

Mr. Minchow stated he accepts the findings of fact and conditions as amended.

Director Westbay inquired on possible easements on the proposed tract. Mr. Minchow responded that there are no existing easements.

Chair Beda closed the public hearing at approximately 7:35 p.m.

Commissioner Larson moved to approve Major Subdivision Sketch Plan, SB 10-3, for a 40.19 acre tract within Gunnison Rising, submitted by Gunnison Valley Partners, 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, Gunnison Rising Annexation Agreement* (December 3, 2009), the *Supplement to Annexation Agreement*, and the *Gunnison Rising PUD Development Standards*.
2. The Planning and Zoning Commission finds that this application is for a major subdivision sketch plan creating a 40.191 acre parcel of property.
3. The Planning and Zoning Commission finds that the property is located in the PUD CM district zone.
4. The Planning and Zoning Commission finds that the creation of Tract A is for the transfer of ownership only.
5. The Planning and Zoning Commission finds that conceptual circulation and utility plans were submitted and are in accordance with the *Gunnison Rising PUD Development Standards*.
6. The Planning and Zoning Commission finds the future subdivision and submittal of Site Specific Developments are prohibited until all applicable provisions of the *Gunnison Rising PUD Development Standards, City of Gunnison Land Development Code* (as it may be amended), the *Annexation Agreement* and *Supplement to Annexation Agreement* have been met.
7. The Planning and Zoning Commission finds that the provision of Section 2.7 of the *Gunnison Rising PUD Development Standards* are being met as a result of the plat note restrictions that will be applied to the subdivision.
8. The Planning and Zoning Commission finds that the proposed plat notes will ensure a comprehensive review of future utility and road extensions for all future subdivision and development applications and the plat notes negate the need to provide the following Application Contents (*LDC 15.160.060.B*) for preliminary plan review, but this finding is subject to final approval by the City Council:
 - Section 15.160.060 B.1.i (Improvements and Easements). The location of proposed streets, alleys, easements, ditches and utilities within or adjacent to the proposed subdivision are not required for the preliminary subdivision application. However, all existing easements that encumber Tract A must be depicted on the Plat.
 - Section 15.160.060 B.4 (Improvements Plan). This *LDC* section requires the submittal of preliminary utility and road drawings, which are not required because of the plat note restrictions.

- Section 15.160.060 B.6 (Development Report). The submittal of a development report is required, but the following sub-sections are not required for the preliminary subdivision application.
 - Section 15.160.060 B.6.d (Water Supply and Sewage Disposal)
 - Section 15.160.060 B.6.e (Storm Drainage)
 - Section 15.160.060 B.6.f (Cost of Improvements)
 - Section 15.160.060 B.6.g (Solar Energy)
 - Section 15.160.060 B.6.h (Floodplain)
 - Section 15.160.060 B.6.i (Wetlands)
 - Section 15.160.060 B.6.j (Traffic Analysis)
 - Section 15.160.060 B.6.k (Irrigation Ditch)
 - Section 15.160.060 B.6.l (Landscape Plan)
 - Section 15.160.060 B.6.m (Parking)
 - Section 15.160.060 B.6.n (Overlay Zones)
- Section 15.160.060 B.7 (Schematic Plan). This *LDC* code section requires the submittal of a general plan lay of utility and roads, which are not required because of the plat note restrictions.

CONDITIONS:

1. The following specific plat notation, that was deemed acceptable by the City Attorney and Community Development Director, shall be provided on the preliminary plat and final plat and the plat notes will be subject to approval by the City Council at final plan review:
 - 1) No development of this created *Tract A*, shall occur until the Planning and Zoning Commission review an application for Major Subdivision of the tract and the City Council reviews and approves the Major Subdivision in accordance with the *City of Gunnison Land Development Code*, Section 15.160 (SUBDIVISION – PUD Subdivision), as it may be amended.
 - 2) The provision of the *Supplement to Annexation Agreement* date _____, 2010 and recorded in the County Clerk and Recorder of Gunnison County, State of Colorado on _____, 2010, Reception No. _____ shall be met prior to the City acceptance of a Major Subdivision application.
 - 3) The approval of the *Tract A*, in no way alters the intent of the *Gunnison Rising PUD Development Standards* in its entirety and specifically Section 2.7 (Development Phase Review Standard for Land Use, Utilities, Transportation and Traffic Analysis). The provisions of Section 2.7 along with Appendix A (Development Phasing) shall be in full effect and any request to further subdivide, construct improvements, or apply for a building permit shall be consistent therewith.
 - 4) Development shall not occur in Development Phase IV until the Georgia Avenue Study, as stated in the *Gunnison Rising Annexation Agreement*, Section 16.8 (Connections with Western State College) is complete. Any subdivision

or development of Phase IV will be subject to an Improvements Agreement that ensures the funding of off-site capital improvements required by Section 16.8 of the *Annexation Agreement*, Reception No. 597048.

2. The Preliminary Plat will denote any existing easements that may encumber the proposed Tract A.

Councilor Ellen Harriman seconded the motion.

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

Roll Call No:

Roll Call Abstain:

Motion Carried

UNSCHEDULED CITIZENS

There were none.

COUNCIL UPDATE

Commissioner Erich Ferchau rejoined the Commission at this time.

Councilor Harriman updated the Commission on recent Council business. The Council:

- Heard a request from the Gunnison Arts Center for \$500 for an Arts Impact Study. Council gave the GAC \$500 five years ago and they are asking for \$500 next year;
- Discussed the Gunnison Rising Annexation Agreement Supplement and Escrow Agreement. The discussion centered on the additional costs of \$48,000 that the City spent. Council passed the agreement as written;
- Received an update on the 2010 Capital Projects including street improvements for Bidwell and Boulevard and the Municipal Building roof;
- Heard an update on the used refuse truck from Ken Bradford;
- Heard an update from Ken Coleman and Keith Robinson about relocation of the Communications Center. The relocation would cost \$30,000 instead of the \$10,000 originally planned for. The difficulty is finding an appropriate location for the center; and
- The City received a \$75,000 grant from DOLA to be used next spring for the irrigation ditches.

Other Council news:

- October may be too late to do the slurry seal project.
- The BOPA recycling day is September 25th.

COMMISSIONER COMMENTS

- Commissioner Larson reminded the Commission of the September 27th Candidate's Forum;
- Councilor Harriman stated that the League of Women Voters will hold an issues forum on October 12th;
- Commissioner Szymanski reminded the Commission of the Strawbale Conference on September 17th – 19th.

PLANNING STAFF UPDATE

Director Westbay reviewed his semi-annual report, which was distributed with the packets.

ADJOURN

Chair Bob Beda adjourned the meeting at approximately 8:07p.m.

Bob Beda, Chair

Attest:

Andie Ruggera, Secretary