

MEMBERS	PRESENT	ABSENT	EXCUSED
Bob Beda, Chair	X		
Dusty Szymanski	X	(Arrived at 7:20)	
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, Dennis Minchow.

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

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

**III. CONSIDERATION OF THE SEPTEMBER 8, 2010 MEETING MINUTES**

Commissioner Riggs moved to approve the September 8, 2010 meeting minutes as presented. Commissioner Larson seconded the motion.

Roll Call Yes: Erich, Maggie, Bob, Ellen, Greg, Carolyn  
Roll Call No:  
Roll Call Abstain:  
Motion Carried

**IV. PUBLIC HEARING AND ACTION – MAJOR SUBDIVISION, PRELIMINARY 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.

Chair Beda opened the public hearing at approximately 7:05 pm.

**Proof of publication was shown for the record.**

**Review of Process.** Director Westbay reviewed the subdivision process.

**Applicant Presentation.** Dennis Minchow of Gunnison Valley Partners, the applicants, addressed the Commission. The applicants are asking for a subdivision of 40 acres in the Commercial/Mixed Use District, for sale of the property only. They are not requesting approval of any development plans or drawings. The application is simply for the platting process to make the sale of the property go forward.

**Public Input.** There was none.

**Staff Presentation.** Director Westbay gave a summary of the findings of fact. The findings address the *PUD Development Standards*, Section 2; the *Land Development Code*; and the *Annexation*

*Agreement.* They also summarize elements of the process that are usually required but that have been waived due to the nature of the application.

Director Westbay summarized the Staff Observations which summarize the findings of the sketch plan and preliminary plan. Development restriction plat notes will negate the need for reviewing future utility and road extensions at the final plan.

### **Commission Discussion.**

Chair Beda noted that none of the City departmental officials had comments at this time and that the soils and geotechnical study have been received.

Commissioner Lloyd asked how much commercial square footage is allowed in the CM District. Director Westbay responded that a total of 174,000 square feet allowed for the district. Mr. Minchow explained that roughly 8 acres of the CM District is owned by Gunnison Gateway, so the square footage would be apportioned between the two. Commissioner Lloyd asked if the applicants will want to do something else with the 40 acres. Mr. Minchow responded that the applicants will ask for a text amendment to increase the square footage because the prospective buyer wants to add square footage to the site. He said that about 3,000 square feet per acre will be used for commercial. Gunnison Gateway will probably use the residential square footage on their piece with possibly some commercial development. He said that the applicants aren't contemplating residential on the 40 acres but it appears it might not work with just 3,000 square feet of commercial per acre. The applicants will talk with staff to see how to bring that proposal to the P&Z in the future.

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

### **ACTION**

During the regular Planning and Zoning Commission meeting held on October 13, 2010, Commissioner Larson moved, and Commissioner Riggs seconded, and the Commission voted to APPROVE Major Subdivision Preliminary Plat, SB 10-3, for the creation of a 40.19 acre tract, submitted by Gunnison Valley Partners, LLC, based on the following findings of fact:

### **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, preliminary plat 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 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.

6. The Planning and Zoning Commission finds that the provisions of Section 2.7 of the *Gunnison Rising PUD Development Standards* are being met as a result of the plat note restrictions applied to the preliminary plat.
7. The Planning and Zoning Commission finds that the development restriction plat notes ensure a comprehensive review of future utility and road extensions for all future subdivision and development applications. The Commission further finds that the plat notes negate the need to provide the following Application Contents (*LDC 15.160.070.B*) for final plan review, but this finding is subject to final approval by the City Council:
  - Section 15.160.070 B.10. (Engineering Plans)
  - Section 15.160.060 B.11. (Landscaping Plan)
  - Section 15.160.060 B.12. (Subdivision Improvements Agreement)
8. The Planning and Zoning Commission finds that a soils report from NRCS dated September 13, 2010 and a Geologic Hazards Evaluation from CTL Thompson (June 10, 2008) was submitted with the preliminary plat application.
9. The Planning and Zoning Commission finds that the preliminary plat depicts all easements within Tract A.
10. The Planning and Zoning Commission finds that the development restrictions do not infringe on the vested property granted in Section 23 of the *Annexation Agreement*.
11. The Planning and Zoning Commission finds that based on the findings cited above, the approval of this major subdivision will not be a detriment to the community's health, safety and welfare.

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

Roll Call No:

Roll Call Abstain:

Motion Carried

**V. Memorandum from Director Westbay to P&Z regarding Major Change to the *Gunnison Rising PUD Development Standards*.** Director Westbay provided background on the topic. On September 16<sup>th</sup> staff met with the DOW to hear their ideas about the Discovery Center. They are planning a series of facilities that will have an aggregate of 30,000 square feet. They feel it would be prudent to increase the square footage to allow the remaining 8 acres can be developed fully. Staff will initiate major change. He explained that there are vested rights created by the pud, but increasing the floor area does not infringe on the vested rights. It appears that the request will be to increase the square footage to 60-70,000 square feet. It will be an amendment following map and code amendment procedures and there will be a public hearing.

Councilor Harriman asked if the plan is to include other federal agencies at the site. Director Westbay replied that all of the agencies see the value in co-locating and that increasing the square footage would provide ample space.

Mr. Minchow stated that increasing the allowable square footage in the overall zone district does not alleviate the applicants or agencies from the other requirements of the code.

Director Westbay stated that the square footage will be the floor area ratio rather than the footprint of the building(s). Commissioner Szymanski asked if there are any footprint standards. Director

Westbay replied that there are no standards for widths, but there are design standards, so it will be a professional office park.

Dusty arrived at 7:20.

**VI. UNSCHEDULED CITIZENS.** There were none

**VII. COUNCIL UPDATE**

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

- appointed the Youth City Council;
- heard a presentation of on the budget;
- approved spending necessary for asbestos abatement in the old City Shop;
- funding for the slurry seal will be rolled forward to next year.

Other Council news:

- The Chamber banquet is the 22<sup>nd</sup> and the City will be getting some “Best of” awards.
- The Gunnison Valley Housing Foundation has been formed to handle the proceeds of a land exchange of 920 acres that Butch Clark owns in the Gunnison National Forest. There will be a signing ceremony at which the land will be transferred to the Trust for Public Lands, who will investigate land exchanges for affordable housing. If the land can’t be exchanged, it will be sold and the proceeds held for future housing.
- CCHE will be at the college tomorrow presenting their thoughts on how higher ed should be funded. Council Harriman encouraged people to attend because the CCHE proposal involves local subsidies with a mil levy, which would be a huge impact.
- Sales tax is down 1.92 % and use tax is down 4.9%, but sales tax is better than predicted, so the budget is down 5% from 2009, but flat for 2010 projections.
- RTA has given Alpine express the contract for this year.
- Flu shots are available at Public Health tomorrow.
- Candidate forums are tomorrow.

**COMMISSIONER COMMENTS**

- Commissioner Larson stated that the Candidates Forum on September 27<sup>th</sup> went well and there were over 100 in attendance and the forum was broadcast on the radio and streamed by the Gunnison Country Times.
- Councilor Harriman asked for an update on the highway access plan for Gunnison Rising. Director Westbay said that it will not be initiated until sale of the property is final.
- Commissioner Szymanski stated that the Strawbale Conference was successful, with 100 in attendance.
- Councilor Harriman stated that South Boulevard is being paved.
- Commissioner Larson stated that Reclametals in Montrose will pay for old electronic equipment.

**PLANNING STAFF UPDATE**

Director Westbay provided an update on activity in the Community Development department:

- He was invited to do a presentation at the Colorado Association of Stormwater Managers conference.
- The Building Department has been busy with the hospital and detention center projects.

- The Bridge to Bridge project is progressing. The bridge on the west side of town has been delivered and will be set on the 27<sup>th</sup>; the underpass is completed, but not operable yet; the bridge and underpass on 135 are operable.
- The roof on City Hall is being worked on.
- The Fire Marshall attended three-day training at the Hazardous Response Training Center in Pueblo. The household waste collection was held and 2,600 gallons were brought in; and presentations for Fire Prevention Week have been held at the local schools and daycare centers.
- The Planning Staff has been working on the Gunnison Rising Subdivision application, revisions to the *Land Development Code* and a *Stormwater Management Manual*.
- Director Westbay suggested that the P&Z have a work session on October 27<sup>th</sup> to discuss details of the site review of duplexes and lot square footages.

ADJOURN

Chair Bob Beda adjourned the meeting at approximately 7:45 p.m.

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Bob Beda, Chair

Attest:

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Pam Cunningham, Secretary