

MEMBERS	PRESENT	ABSENT	EXCUSED
Carolyn Riggs, Chair	X		
Erik Niemeyer			X
Erich Ferchau	X (arrived during Public Hearing for CU 12-6)		
Andy Tocke	X		
Bob Beda	X		
Greg Larson			X
Councilor Ellen Harriman	X		

OTHERS PRESENT: Community Development Director Steve Westbay, Planner Andie Ruggera, Dan Pilon, Michele Pilon, Canon Leatherwood, Hannah McKee, Adam McKee, and Pat McKee.

I. CALL TO ORDER AT 7:04 PM BY CHAIR CAROLYN RIGGS

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS. There were none

IV. EXCUSE COMMISSIONERS LARSON AND NIEMEYER

Councilor Harriman moved to excuse Commissioners Larson and Niemeyer from the October 10 meeting. Commissioner Tocke seconded the motion.

Roll Call Yes: Riggs, Beda, Tocke and Harriman

Roll Call No:

Roll Call Abstain:

Motion carried

V. CONSIDERATION OF THE SEPTEMBER 26, 2012 MEETING MINUTES. Councilor Harriman moved and Commissioner Tocke seconded to approve the September 26, 2012 meeting minutes as presented.

Roll Call Yes: Riggs, Tocke and Harriman

Roll Call No:

Roll Call Abstain: Beda

Motion carried

VI. PUBLIC HEARING AND POSSIBLE ACTION, CONDITIONAL USE APPLICATION CU 12-6, submitted by Dan and Michele Pilon to operate a food service within a trailer as a temporary commercial activity in the Commercial (C) Zone district and in the Central Business District (CBD).

Open Public Hearing. Chair Riggs opened the public hearing.

Proof of Publication was shown for the record.

Planner Ruggera gave an overview of the Conditional Use process. The applicants, Dan and Michele Pilon, propose the operation of a food service trailer (The Big Burrito) as a temporary commercial activity at three alternative locations. The proposed locations are 1000 North Main Street (True Value), 811 North Main Street (Mountain Mutts) and 301 West Tomichi Avenue (north of Safeway) located within the Commercial Zone district and the Central Business District. The legal description of 1000 North Main Street is Lots 5 through 7, Gunnison Center Phase 1C,

City and County of Gunnison. The site at 811 North Main Street is legally described as Lot D, Block 2, Mountain View Addition 1 (reception #572902). The legal description of 301 West Tomichi Avenue is Lots 21 through 24, Block 147, West Gunnison Amended, City and County of Gunnison.

Applicant Presentation. The applicant, Dan Pilon, addressed the Commission. He stated that the purpose of the application is to operate as a mobile food service vendor. He read the application letter to the Commission and stated that the applicants look forward to serving the town.

Public Input. Chair Riggs asked for public comments. Adam McKee addressed the Commission and stated that he is in favor of the application. Canon Leatherwood, operator of the Lucky Dog hotdog stand, said that he is here in support of the applicant and local food vending that provides good healthy food and options for the community.

Staff Presentation. Planner Ruggera gave an overview of the application, the proposed locations, staff observations and the review standards.

Commission Discussion. Commissioner Ferchau stated he is surprised the applicants and the owners of Lucky Dog haven't talked to each other [previously]. The applicant stated that he would like to ultimately be located at the 811 N. Main site (Mountain Mutts). Cannon Leatherwood stated that the more options people have, the better they are served. He said that having different food options at locations with a variety of fresh ingredients is a perfect use. Commissioner Ferchau asked if The Big Burrito was required to have a letter from the property owners [at the two locations]. Director Westbay explained the Authorization of Agent [that is required from property owners to allow someone to apply to use property that is owned by someone else].

Commissioner Tocke stated that he recognizes the applicants' intention is to locate at Mountain Mutts, but he feels it is likely the Big Burrito will end up at the same location as the Lucky Dog (at Safeway). The applicant stated they would like to be at the north of Safeway site for the winter ski season.

Commissioner Beda recommended a correction to Review Standard F to strike the word "seasonal".

Close Public Hearing. Chair Riggs closed the public hearing at 7:16.

Commission Action. During the regular Planning and Zoning Commission meeting held on October 10, 2012, Councilor Harriman moved, and Commissioner Beda seconded, and the Commission voted to APPROVE Conditional Use Application CU 12-6, submitted by Dan and Michele Pilon for the operation of a seasonal food service trailer at 1000 North Main Street, 811 North Main Street and 301 West Tomichi 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 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 a temporary commercial activity of a food service trailer in the Commercial district and in the Central Business District.
3. The Planning and Zoning Commission finds that two of the three sites (1000 North Main Street and 301 West Tomichi Avenue) are locations where another food service trailer (Lucky Dog) is operating under Conditional Use approval that was granted in May 2012.
4. The Planning and Zoning Commission finds that the hours of operation are Monday through Sunday 7 a.m. to 3 p.m. but hours may change as needs of the business change through time.
5. The Planning and Zoning Commission finds that the food service trailer will alternate between locations, to determine the optimal location for the customer and business, and will participate with planned summer events.
6. The Planning and Zoning Commission finds that the food service trailer use is compatible with neighborhood uses at all three locations.
7. The Planning and Zoning Commission finds that the food service trailer will be operated under a License to Operate a Retail Food Establishment by the Colorado Department of Public Health and Environment.
8. The Planning and Zoning Commission finds that the applicant has State and City sales tax licenses.
9. The Planning and Zoning Commission finds that a food service trailer will not be a detriment to the community's health, safety and welfare.

CONDITION:

1. The applicant must provide Community Development staff written confirmation that a State food service has been issued prior to commencing operation.

Roll Call Yes: Ferchau, Tocke, Riggs, Beda and Harriman
Roll Call No:
Roll Call Abstain:
Motion carried

VII. PEDESTRIAN AND NON-MOTORIZED TRANSPORTATION PLAN

At the meeting on September 26th the *Pedestrian and Non-Motorized Transportation Plan* was introduced to the Commission and Commissioners were given an opportunity to provide input. The plan is a draft and staff will discuss ways to gather additional public input.

Commissioner Ferchau stated that the signage in the document seems to mostly be painted on the streets and temporary signage and the question was raised how signage will be dealt with in the winter. Director Westbay responded that is a good question, but the signage section is consistent with accepted sign standards. A Commissioner stated that a more important aspect of signage has to do with the trailheads such as at VanTuyl Ranch and Signal Peak. Obviously having the bike lanes covered with snow is a safety issue, but cars, bicycles and pedestrians must co-exist, which make education important.

Chair Riggs stated that her concern is in the winter and asked if there is a plan for snow removal. Director Westbay responded that snow will be plowed to the center of the streets then hauled off.

Commissioner Tocke asked about the sidewalk plan. He observed that on Iowa, Denver and half a block of Ruby the sidewalk is missing. He asked if this could be considered in the implementation plan.

The Commission and staff discussed how the sidewalk routes were chosen for the implementation plan. Commissioner Tocke observed that the plan calls for sidewalks on the east side of North Boulevard and on the west side of South Boulevard.

Commissioner Ferchau stated that the “stop for pedestrians in crosswalk” signs on Main Street and Tomichi give pedestrians a false sense of security because often one lane stops and the other lane doesn't. He stated that flashing lights would be better.

Director Westbay responded that planning is the first step, and that the document provides a good starting point for implementation.

Commissioner Ferchau asked about the status of buildout for the trails. Discussion followed. Director Westbay explained that the City will fulfill the obligation for the bond in 2013. The revenue will continue for another 20 years, but the funds will be available for other recreation amenities as well. At this time the trails are about one-third built out, but the City will continue to keep working on trails.

Commissioner Ferchau stated he would like to see wider, elevated sidewalks in the school zones. He said that the sidewalks are not adequate on 8th, 11th, and Denver.

Chair Riggs asked about the county-wide trail system. Director Westbay responded that Dan Ampietro is on the County Trails Commission and keeps the dialogue open between the City and the Trails Commission.

Director Westbay stated that the estimated costs included in the plan are provided for planning purposes.

The Commission discussed the on-street parking and bike lanes on Spencer Street. Commissioner Ferchau stated that he is amazed there aren't more situations where bikes get hit by car doors, etc. He said he likes the solid paint that is recommended in the plan. He said that the concept seems to be different now. Discussion followed. Councilor Harriman said she is much happier with the painted bike lanes and feels safer using streets with bicycle lanes.

Commissioner Tocke said he feels it is advantageous to use Taylor Street as a bike route. Commissioner Beda said that Taylor Street is a designated emergency route. He said he would like to see more enforcement of bicycles not obeying laws. Director Westbay said that the recent bike rodeo addressed education of young riders and the police are hitting the university campus more.

Director Westbay stated that staff will start doing more public outreach and may present the plan again to the City Council if they wish.

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

- was given an update for the last time from retiree Jane Cheney of the Gunnison-Crested Butte Tourism Association and in-coming Executive Director Pam Loughman will be at the next regular meeting;
- heard a staff presentation on the City budget;
- approved a Challenge Grant application for the Gunnison Getaway program;
- changed the special events permit policy so that businesses being affected by street closures will be notified;
- discussed a letter regarding Eagle Net Service and the problems with the internet fiber issues;
- discussed a letter of support for Ballot Issue 1A regarding the Gunnison Valley Land Preservation Fund Reauthorization;
- authorized the City Water Attorney to sign a cooperative agreement regarding Taylor Park Reservoir water rights; and,
- determined that the *VanTuyl Ranch Annexation Petition* is complete.

IX. COMMISSIONER COMMENTS

- Commissioner Beda:
 - saw an on-line ad for a property in the R-1 to rent the basement level;
 - saw an on-line ad to “place your ad here” on a sandwich board sign for \$5 (staff will follow up); and
 - thanked the Commission for excusing him from the last meeting.
- Commissioner Ferchau apologized for being late and discussed the R-1 property Commissioner Beda was referring to.

X. PLANNING STAFF UPDATE. Director Westbay updated the Commission on recent activity in the Community Development Department:

- City Council signed the resolution for the VanTuyl Annexation, setting the eligibility public hearing for November 27th;
- staff has been discussing a sketch plan for a commercial property in VanTuyl Village, which will be on the P&Z agenda in November; and,
- the old Bank of the West drive-thru on North Main has been purchased for an outfitter business.

XI. FURTHER DISCUSSION. The Commission discussed Initiative 64.

XII. ADJOURN. Chair Riggs adjourned the meeting at 8:28 p.m.

Carolyn Riggs, Chair

Attest:

Andie Ruggera, Secretary