

**OFFICIAL MINUTES FEBRUARY 13, 2013
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING**

7:00PM

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MEMBERS	PRESENT	ABSENT	EXCUSED
Carolyn Riggs, Chair	X		
Erik Niemeyer	X		
Erich Ferchau			X
Andy Tocke	X		
Bob Beda	X		
Greg Larson	X		
Councilor Ellen Harriman	X		

OTHERS PRESENT: Community Development Director Steve Westbay and Planner Andie Ruggera, and Cole Haberer.

I. CALL TO ORDER AT 7:00 PM BY CHAIR CAROLYN RIGGS

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS. There were none.

IV. SB 12-5, FINAL PLAT, AN APPLICATION BY DRAKE GUNNISON PARTNERS, LLC, TO SUBDIVIDE ONE LOT (4.8 ACRES) INTO FOUR LOTS, LOCATED IN THE COMMERCIAL ZONE DISTRICT

Planner Andie Ruggera summarized the application stating the request is classified as a major subdivision and is subject to a four step process. The application request is at step three, Final Plat review and recommendation by the Planning and Zoning Commission. The last step is action by City Council at a regular meeting.

The Commission approved the Preliminary Plat on January 9th with findings of fact and conditions. At that time, outstanding items consisted of the alignment of the irrigation ditch, the alignment and use of Bowman Street, and two additional fire hydrants.

The final plan submittal includes the final engineer plans, commitment for title insurance, tax verification, subdivision improvements agreement and the Final plat to be recorded. The engineer plans have been modified showing the fire hydrants and alignment of the irrigation ditch and Bowman Street as requested.

There was discussion on the Subdivision Improvement Agreement. Staff is recommending that the City construct the CDOT improvements, out of 2013 Street Improvement Budget, as it serves a broader City interest and provides connectivity to a larger neighborhood than the proposed development. The applicant would be responsible for improving Bowman Street. The use of Bowman Street and the CDOT improvements will be considered for approval during the final plat submittal review by City Council.

Director Steve Westbay expanded on the intersection discussion stating that the developer usually pays his own way. The situation is unique with this intersection and the applicant has been a co-applicant with the City on the Highway Access Permit. The applicant also designed the plans for the removal of the pork chop at the intersection. Councilor Ellen Harriman stated it would be helpful to have more information regarding the cost and implications to other City projects if Council approves to make the improvements. Director Westbay stated Council would have more information regarding the CDOT intersection for the Final Plat review by City Council.

The applicant, Cole Haberer stated he did not have anything further to add. He thanked the Commission and stated he was very happy with the overall project.

Commissioner Greg Larson moved, Commissioner Erik Niemeyer seconded and the Planning and Zoning Commission voted to recommend to City Council APPROVAL of the Major Subdivision Final Plat, SB 12-5, Blue Mesa Shopping Center with 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 application is for a Major Subdivision of a 4.8 acre parcel into four lots and the proposed lot configurations comply with minimal lot size and frontage standards established by the *LDC*.
3. The Planning and Zoning Commission finds that the property is located in the Commercial zone district and that the applicant intends to follow the City development standards for this district.
4. The Planning and Zoning Commission finds that the Final Plat submittal includes detailed civil engineering plans that have been reviewed by the City Engineer and personnel from the Public Works Department and no issues were found.
5. The Planning and Zoning Commission finds that the irrigation ditch alignment is shown within the easement adjacent to Highway 135.
6. The Planning and Zoning Commission finds that alignment of the irrigation ditch within Bowman Street has been adjusted on documents submitted for Final Plat.
7. The Planning and Zoning Commission finds that Final Plat documents will include two additional fire hydrants for internal service to the development.
8. The Planning and Zoning Commission finds that appropriate easements for utilities and access have been established and the Declaration of Covenants will be recorded with the Final Plat.
9. The Planning and Zoning Commission finds that a Traffic Impact Study was prepared and the report estimates approximately 1,429 vehicle trips per day will occur at build-out.
10. The Planning and Zoning Commission finds that CDOT has issued a Highway Access Permit that allows a full movement intersection at VanTuyl Circle and Highway 135.
11. The Planning and Zoning Commission finds that Bowman Street, located on the south boundary of the proposed subdivision, is a deed restricted parcel with the restriction mandating the real property will be used as public right-of-way functions. The Planning and Zoning Commission further finds that the access as illustrated in the Final Plat submittal has appropriate alignment with VanTuyl Circle.
12. The Planning and Zoning Commission finds that the 15 foot easement and the Highway 135 right-of-way improvements allow for an eight foot-wide sidewalk, utilities and landscape buffer.
13. The Planning and Zoning Commission finds that a Subdivision Improvements Agreement has been drafted with a recommendation to City Council that the City be responsible for completing the CDOT improvements at VanTuyl Circle and Highway 135. Funding for these improvements is proposed from the 2013 budget for Street Improvements.
14. The Planning and Zoning Commission finds that the nine review standards for subdivisions have been met and that the Final Plat application complies with all provisions of the City's *Land Development Code*.

Conditions:

1. Use of Bowman Street shall comply with restrictions set forth by the deed and approved by the City Council.
2. The Subdivision Improvements Agreement, including the recommendation for the City to construct CDOT improvements, shall be considered for approval during Final Plat submittal review by City Council.

Roll Call Yes: Andy, Bob, Carolyn, Erik and Greg

Roll Call No:

Roll Call Recuse: Ellen – will vote on Final Plat during City Council review

Motion carried

Mr. Claire Veech joined the meeting after the Commission took action on the Blue Mesa Shopping Center application. Mr. Veech wanted to state concerns of increased traffic on Sydney Street if the subdivision is approved. Director Westbay informed Mr. Veech he would have one last chance to voice concerns during the City Council review of the application scheduled for March 12, 2013.

- V. CONSIDERATION OF THE JANUARY 9, 2013 MEETING MINUTES.** Councilor Ellen Harriman moved and Commissioner Greg Larson seconded to approve the January 9, 2013 meeting minutes as presented.

Roll Call Yes: Erik, Andy, Carolyn, Greg and Ellen

Roll Call No:

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

Motion carried

- VI. COUNCIL UPDATE.** Councilor Harriman updated the Commission on recent Council business. The Council:

- held a public hearing regarding an amendment to Title 14 of the LDC regarding the building code;
- was given an update by Tammy Scott from the Gunnison Country Chamber of Commerce;
- approved a request by Tammy Scott for funds to supplement the “Flavors of Gunnison” event;
- was given an update by Karl Fulmer on the Gunnison Valley Regional Housing Authority;
- approved a multi-day special event permit for the Gunnison Farmers Market;
- approved 2nd reading of Ordinance 3, Series 2013 to annex the VanTuyl Ranch;
- approved 2nd reading of Ordinance 4, Series 2013 to accept the VanTuyl Ranch PUD Zoning;
- approved 1st reading of Ordinance 5, Series 2013 to approve changes to Title 14 of the LDC;
- approved 1st reading of Ordinance 6, Series 2013 regarding commercial/retail marijuana facilities prohibition; and
- approved a resolution setting the May 14, 2013 regular municipal election to be conducted as a mail ballot election.

- VII. COMMISSIONER COMMENTS.** The Commission discussed updating the Council Chambers and looking at digital improvements. Staff will do some research on upgrade possibilities.

- VIII. PLANNING UPDATE.** Director Westbay stated he has been working hard on the Sage-grouse Endangered Species Act and that the deadline for comments is March 12, 2013. He has been working with the County to provide comments. Staff has also been working on the Highway 50

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Access Control Plan and invited the Planning and Zoning Commission to attend the scheduled work session between City Council and the County Commissioners on March 12th.

- IX. ADJOURN TO WORK SESSION.** Chair Riggs adjourned the meeting to a work session at 8:12 p.m.

Carolyn Riggs, Chair

Attest:

Andie Ruggera, Secretary