

PLANNING AND ZONING COMMISSION
JANUARY 22, 2014 MEETING PACKET
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**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
REGULAR MEETING
Rev 1/15/2014**

DATE: WEDNESDAY, JANUARY 22, 2014
TIME: 7:00 P.M.
PLACE: CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.

7:00pm

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE TO THE FLAG**
- III. UNSCHEDULED CITIZENS**
- IV. PUBLIC HEARING AND POSSIBLE ACTION. MAJOR CHANGE APPLICATION - ZA 13-6, SUBMITTED BY GUNNISON COUNTY REQUESTING A MAJOR CHANGE TO A PUD TO AMEND THE PARKING REQUIREMENTS IN THE PUD COMMERCIAL ZONE DISTRICT.**
- V. CONSIDERATION OF THE JANUARY 8, 2014 MEETING MINUTES**
- VI. COUNCIL UPDATE**
- VII. COMMISSIONER COMMENTS**
- VIII. PLANNING STAFF UPDATE**

To comply with ADA regulations, people with special needs are requested to contact the City of Gunnison Community Development Department at 641.8090.

This agenda is subject to change, including the addition or deletion of items at any time. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are on the City website at www.cityofgunnison-co.gov. Work sessions are not recorded and formal action cannot be taken. For further information, contact the Community Development Department at 641-8090.

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STAFF REPORT
MAJOR CHANGE TO A PUD
Gunnison County

TO: Planning and Zoning Commission
FROM: Community Development Staff
DATE: January 22, 2014
RE: *Major Change to a PUD (Application # ZA13-6) – Gunnison County Courthouse*

CODE PROVISIONS

The *Land Development Code (LDC)*, Section 15.150.070 F.1. (Major Changes) states “changes which alter the concept or intent of the planned unit development including increases in density, changes in the height of buildings, reductions in proposed open space, changes in the development sequencing, changes in road standards, or changes in the final governing agreements, provisions, or covenants may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.” A public hearing is required and all major changes to the PUD must be recorded with the Gunnison County Clerk and Recorder.

The Planned Unit Development *LDC* Section 15.150.030 D. through F., specifies that a Major Change to a PUD application be reviewed by the City of Gunnison Planning and Zoning Commission (Commission) at a public hearing after 15 days public notice. The Commission recommends to City Council, to approve, approve with conditions, deny or remand the application back to the applicant with instructions for modification. City Council shall consider the recommendation of the Commission at a public hearing and shall, by ordinance, approve, deny or remand the application back to the applicant with instructions for modification or additional information.

Documents relevant to this review include, but are not limited to:

- City of Gunnison Ordinance 11, Series 2006 and all document contents of the related PUD application (ZA 06-6) that comprise the record of those proceedings;
- *City of Gunnison Land Development Code*; and
- *City of Gunnison Master Plan*.

APPLICATION

The applicant is Gunnison County, represented by Russell Forrest, Gunnison County Community Development Director. The application proposes to amend the off-street parking component to the approved PUD Commercial zoning district for the property located at 200 East Virginia Avenue. The legal description of the property is all of Block 14, Original Gunnison, City and County of Gunnison. The applicant’s narrative states:

“Gunnison County is requesting that the City of Gunnison approve an amendment to the parking requirement in Ordinance No. 11 Series of 2006 from 43 off-street parking spaces to 35 spaces. The basis for this request is that the total floor area of the building will be reduced by 46% from what was approved in the 2006 PUD and the number of employees will be reduced by 48%. The County also desires to retain as much landscaping and mature trees on the site as possible. The current site plan has 125% more landscaped area compared to what was approved in the 2006 PUD. Given the significant reduction in the size of the building, the County believes the proposed County Courthouse is not only consistent with the P.U.D. approved in Ordinance No. 11, Series of 2006 but is significantly less impactful than what was approved.

...In 2006 there was a significant public process that resulted in the approval of the Courthouse/Jail PUD. This included a maximum floor area of 80,350 sq.ft. and a minimum landscape area of 21,060 sq. ft. Since that approval, the County has moved the Sheriff’s Office and jail to a different location reducing both traffic and parking demand in the Central Business

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District of the City. The County is now proposing to move forward with the redevelopment of the Courthouse, which has also received a significant public process, while maintaining the historical location of the building. This is consistent with the City's *Master Plan* and is being accomplished with a 36,850 square foot smaller building, 48 fewer employees, and 26,430 more square feet of landscaped area than what is required. More off street parking could be created but only if landscaped area/civic space is removed. In addition, there has been the mutual interest of the City and the County to maximize civic space around the court house for public events. Given these factors, a deviation of 8 off-street parking spaces is de-minimis in the context of the 2006 approval. We respectfully request that the City of Gunnison support an amendment to Ordinance No. 11 Series of 2006, Section 4.F to change 43 off street parking spaces to 35 spaces off street parking spaces.

It should be noted that Gunnison County does not waive – by making this application or by participating in any City process – any legal or other challenge or objection Gunnison County may have, including but not limited to the lack of City authority to determine any matter except limited courtesy review of location, character and extent. The Board of County Commissioners reserves its express statutory and case law authority to override a City disapproval. ”

The **specific application request** of this PUD Major Change is to reduce the PUD parking requirement, established by Ordinance 11, Series 2006, from the required minimum of 43 off-street parking spaces to 35 off-street parking spaces.

PROJECT HISTORY

Gunnison County submitted an application in 2006 to amend the zoning of the Courthouse property from the Commercial zone district to PUD Commercial zone district. At the time the County was preparing for a possible jailhouse expansion, and a driving factor for the PUD application was due to the fact that parking demand standards related to the underlying Commercial zone district were not achievable without building a major parking facility. The PUD Zoning Amendment was passed by the City Council (Ordinance 11, Series 2006) with specific standards for future uses, dimensional standards and minimum parking on the site. Since the zoning change, Gunnison County has built the Public Safety Center that houses the County Sheriff's Office and the detention facility.

The applicant's narrative states: "The Gunnison County Courthouse has received numerous alterations over time and is comprised of at least 7 distinct building additions constructed between 1881 and the present. The existing building is antiquated for today's uses and the building systems (structural systems, mechanical, electrical, and plumbing systems) are at the end of their useful life."

PROJECT OVERVIEW AND SITE ASSESSMENT

The Gunnison County Courthouse is located at 200 East Virginia and is surrounded by residential uses to the north and east and commercial retail and service to the south and west. The existing structure is approximately 43,651 square feet with a footprint of 18,738 square feet.

The number of employees at this location has significantly changed over the past few years. Approximately 48 employees have moved out of the Courthouse to either newly constructed facilities or existing buildings. The applicant's narrative summarizes employees as follows:

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The County plans to preserve the original historic building (center portion) and build new space to allow for:

- County Manager offices;
- County Attorney’s offices;
- BOCC meeting space;
- Juvenile Services;
- Finance Department; and
- District Courts and Probation Office.

The proposed floor area measure of the Courthouse will be significantly less than the floor area permitted by the 2006 PUD. The existing PUD allows up to 81,400 square feet (SF) of floor area, which will continue to be permitted under the limits of this proposed Major Change application. That is to say, the proposed floor area for the proposed Courthouse facility is 43,500 SF, but the PUD will still allow for the development of 81,400 SF in the future. Dimensional values of the existing Courthouse, the 2006 PUD allowances and the Major Change proposal are summarized in the table below:

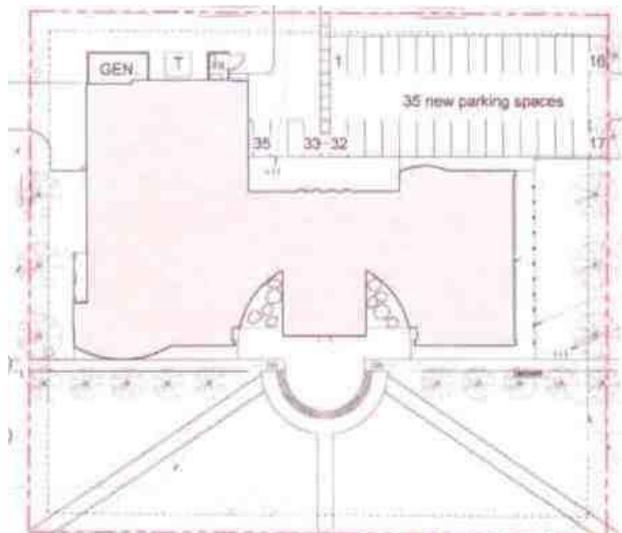
Approximate Employee Summary	
Personnel Moved out of Courthouse since 2006	
Sheriff’s office	30
Com Center	10
State Police	5
GIS	2
Wildlife	1
Total reduced from Courthouse	48
Existing Employees in Courthouse	44
Total in 2006	92
% Reduction in personnel	48%

Development Statistics								
	Lot Area (sq.ft.)	Square Footage	Building Footprint (sq.ft.)	Minimum Landscape (sq.ft.)	Off-Street Parking Spaces	Max Site Coverage for Parking	Height	Minimum Setbacks
Existing	81,400	43,651	18,738	45,614	36	17,084	40’10”	10’
2006 PUD	81,400	80,350	33,250	21,060	43	14,570	45’	10’
Proposed	81,400	43,500	22,080	47,490	35	11,560	43’	10’
Difference PUD/Proposed		-36,850	-11,170	26,430	-8	-3,010	0	0
% Difference		-46%	-34%	125%	-19%	-21%	0	0

PARKING

An extensive review of parking needs for the Courthouse and the CBD was performed in the initial 2006 PUD application. It was determined that the greatest parking demand occurs when large jury pools are summoned. During that review it was determined that the jail expansion would generate the need for approximately five additional spaces (36 spaces are existing) and the County’s 2006 site plan indicated a total number of 43 off-street parking spaces; therefore the PUD standard was set at a minimum of 43 off-street parking spaces.

The proposed remodel/addition square footage is slightly smaller than the existing Courthouse and the proposed site plan indicates 35 off-street parking



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spaces (one less than existing). In addition, the number of employees has decreased at the Courthouse. It is anticipated that the reduction of one off-street parking space at this location is off-set by the reduced building floor area and the reduction of administrative government services accommodated by the new courthouse facility.

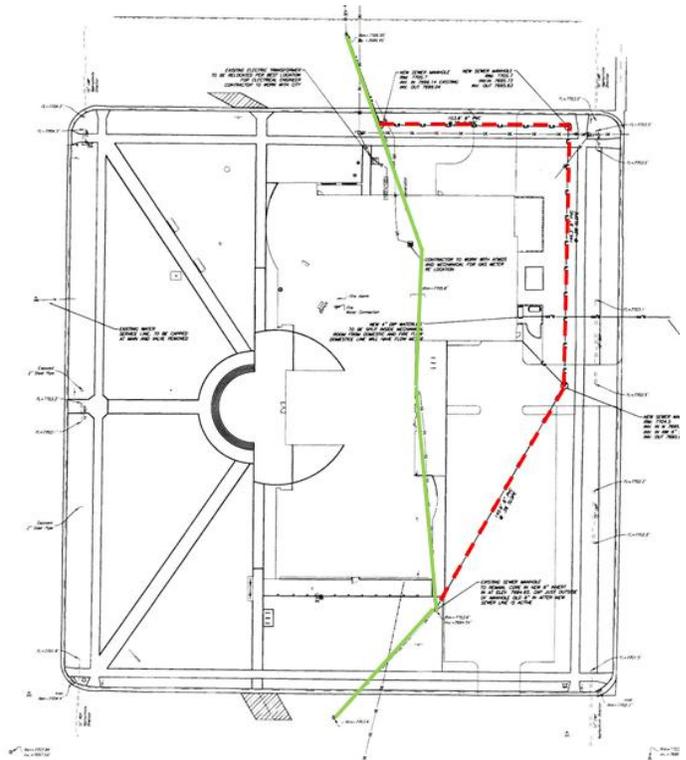
Purpose Statements and Standards for a PUD zone district strive to ensure that creative design and land uses are accomplished by PUD applications. Under the context of innovation, contemporary planning thoughts promote urban designs and uses that deemphasize automobile needs and promote a pedestrian oriented urban structure. Furthermore, preserving the existing courtyard as a public asset is in keeping with traditional design practices for civic and institutional buildings.

UTILITIES

A letter provided by engineer Gerald Burgess from SGM states that water and sewer demands will be slightly reduced from historic use due to the reduction in employees at the Courthouse site.

The 2006 initial PUD application noted a wastewater main was located under the existing courthouse, and Finding M of Ordinance 11, Series 2006 state that “...*The applicant needs to address the future relocation of such sewer main in the event it becomes necessary.*”

The County’s PUD Major Change application (ZA13-6) includes a Utilities plan (Sheet C4.00), depicting a new wastewater main alignment to be located both within existing public rights-of-way and on the County’s real property. The County must provide civil engineer drawings depicting the plan view and profile of the proposed wastewater main alignment. Furthermore, the County must dedicate, by recordation of an easement instrument acceptable to the City, an appropriately sized easement (generally 20 feet wide), in conjunction with the processing of the City development plan application for this project.



DEPARTMENTAL COMMENTS:

Building Official: No issue.

Fire Marshal: No issue.

Parks and Recreation Department: No issue.

Police Department: No issue.

Public Works Director: Parking is an issue currently in the area. Reduced parking on site could increase overflow parking to street parking that is already stressed.

City Engineer:

Water and Sewer Superintendent:

Electric Superintendent:

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STAFF OBSERVATIONS

1. It is the intention of the City Council in regulating land uses under the confines of the *Land Development Code*, to fully exercise all relevant powers conferred on it by the laws of the State of Colorado, including but not limited to the following:
 - A. **Home Rule Municipality.** All of the powers reserved to the City as a home rule municipality under Article XX of the *Colorado Constitution*.
 - B. **State Enabling Legislation.** All powers granted to the City by:
 - 1) Article 20 of title 29, C.R.S. the provision of the Local Government Land Use Control Enabling Act of 1974 (article 20 of title 29, C.R.S).
 - 2) Article, 67, of title 24, C.R.S., which authorize the planned unit development approach to land development.
 - 3) Article 23 of title 31, C.R.S., which enables municipalities to adopt zoning regulations and subdivision requirements.
 - 4) **All Other Powers Authorized.** All other powers authorized by *Statute* or by common law for the regulation of land uses, land development and subdivision, including but not limited to, the power to abate nuisances.
2. A driving factor for the submittal of the County's 2006 PUD application is due to the fact that parking demand standards related to the underlying Commercial zoning district in effect at that time were not achievable without building a major parking facility. The PUD zoning amendment was passed by City Council (Ordinance 11, Series 2006) with specific standards for future uses, dimensional standards, and on-site parking.
3. A Major Change to a PUD may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.
4. The specific application request of this PUD Major Change is to reduce the PUD parking requirement, established by Ordinance 11, Series 2006, from the required minimum of 43 off-street parking spaces to 35 off-street parking spaces.
5. Except for amendments to the minimum on-site parking standard, all other conditions and development standards established by Ordinance 11, Series 2006 will remain in effect.
6. The County PUD Major Change application establishes that the Courthouse redevelopment will result in 43,651 SF building floor area, which is a 46 percent reduction in permitted maximum floor area established by Ordinance 11, Series 2006.
7. The County Major Change to a PUD application establishes that the Courthouse redevelopment will provide 47,490 SF of landscaped area which is a 125 percent increase when compared to the required minimum landscaped area (21,060 SF) established by Ordinance 11, Series 2006.
8. The administrative staffing numbers have changed at the Courthouse site since 2006 including a reduction of employees by 48 percent.
9. The inherent activities of the existing and future Courthouse generate parking demand that exceeds the existing and future parking capacity of the site and periodically Courthouse activity affects neighbors because available street parking is exceeded.

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10. While the proposed Courthouse redevelopment does not provide parking spaces to fulfill the generated on-site parking demand, the approved 2006 PUD determined that reducing parking standards below the threshold set forth by the City's *Land Development Code* for such a facility was appropriate. The County Major Change application reasons that the parking reduction request considered herein is commensurate to the reduced building area, and this reduction allows for the protection of the civic courtyard.
11. The Courthouse provides valuable services to the Community and is an integral component of the downtown area.
12. Finding M of Ordinance 11, Series 2006 noted that the County needed to address the future relocation of the existing wastewater main line located under the Courthouse, and this PUD Major Change application includes a Utilities drawing depicting the proposed realignment of the main. Engineered plan and profile drawings are required to assess the proposed alignment and ensure that the wastewater has adequate fall. It is in the best interest of the City for maintaining this critical utility service, to obtain a surveyed easement with adequate dimension to meet City service needs across those portions of County owned real property affected by the wastewater main realignment.
13. The approval of this Major Change does not negatively impact the community's health, safety and welfare as long as the following conditions have been met.

PUD ZONING REVIEW – PURPOSES, STANDARDS, AND CRITERIA

Reader note: Direct quotes from the LDC are highlighted.

Purposes of a Planned Unit Development (PUD)

Based on the *City of Gunnison Land Development Code*, Section 15.60.060, an approval of a PUD constitutes a zone district amendment and is established by rezoning an area in an existing zone district to PUD zoning or by initial zoning of newly annexed territory to PUD zoning. A PUD proposal must meet the majority, but not all, of the following specific purposes:

15.60.060 A.1 To encourage innovation in residential, commercial and industrial development so that the needs of the population may be met by greater variety in type, design and layout of buildings and land uses and by the conservation and more efficient use of open space.

No Conflict. The remodel/addition will conserve the existing landscaped courtyard as a civic feature of the site, and the functions of the building are an attribute to the core downtown area.

15.60.060 A. 2. To encourage land development that, to the greatest extent possible, preserves natural vegetation; respects natural topographic and geologic conditions; incorporates the unique, natural and scenic features of the landscape; and refrains from adversely affecting flood corridors, soil, drainage, and other natural ecological conditions.

No Conflict. The large courtyard on the western fringe of the site will remain as a landscaped area.

15.60.060 A.3. To combine and coordinate architectural styles, building forms and structural/visual relationships within an environment that allows mixing of different land uses in an innovative and functionally efficient manner.

Not Applicable.

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15.60.060.A.4. To allow efficient design and use of solar access.

No Conflict. The proposed Courthouse has historical significance and the remodel/addition allows the County to address functional and structural deficiencies while preserving the original historic structure.

15.60.060 A. 5. To provide for adequate, accessible, and properly located open and recreation space, schools or other facilities.

No Conflict. As required by City adopted building and land development standards, parking facilities must comply with the Americans with Disabilities Act standards. The Courthouse is located in an appropriate area of the city. The key is to ensure that existing and future development is accomplished in a judicious manner that complies with the zoning and development standards established for this unique site.

15.60.060 A.7. To promote the efficient use of land resulting in a network of utilities, streets and other infrastructure features that maximize the allocation of fiscal and natural resources.

Not Applicable.

15.60.060 A.8. To enable new land developments to be compatible with adjacent and nearby land developments.

No Conflict. Government facility uses will remain on this site and compatibility with the neighborhood is maintained.

15.60.060 A.9. To ensure that development takes account of environmentally sensitive areas, and occurs on land physically suited to construction.

Not Applicable.

15.60.060 A.10. To allow unique and unusual land uses to be planned for and located in a manner that ensures harmony with the surrounding community and achieves beneficial relationships with the surrounding area.

No Conflict. The Courthouse provides critical public services for the city and county of Gunnison. The 2006 PUD required 43 on-site spaces and the new development will provide 35 off-street parking spaces. The reduction of eight parking spaces will not negatively impact the surrounding neighborhoods to any substantial degree.

15.60.060 A.11. To create a method for the permanent preservation of historic buildings, landmarks and/or sites.

No Conflict. The proposed remodel/addition allows the County to preserve the original historic building.

STANDARDS FOR A PUD ZONE DISTRICT

Based on the LDC, Section 15.60.060. C (Standards). Every PUD must be in conformance with the *Gunnison Municipal Code*, the *City Master Plan* and other adopted plans. Design and layout requirements otherwise applicable to the development and zone district regulations may be varied within a PUD where the variation will produce a benefit to the community over traditional zone district standards. The following standards and requirements shall apply to all PUD zone districts:

15.60.060 C.1. Land Use District Designations. Every PUD shall be divided into one or more land use districts as established in the LDC, Section 15.50.010 C. Zone Districts.

Not Applicable. This Major Change to a PUD does not affect the existing PUD Commercial designation.

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15.60.060 C.2 Open Space Land Use District. For the purpose of a PUD zone district only, an Open Space land use district may be used for the purpose of defining areas within a PUD zone district to be used for either public or private open space and recreational uses. Within a PUD zone district Open Space land use districts shall be limited to indoor and outdoor recreation and community facilities characterized by potentially light or moderate impact on traffic, the natural environment, and surrounding neighborhood. Such facilities include, but are not limited to country clubs; golf courses; athletic fields; skateboard parks; swimming, bathing, wading, and other therapeutic facilities; tennis, handball, and basketball courts and ice skating rinks. Open Space land use districts may also include natural areas such as public parks, trails, greenbelts or natural land preservation areas. Open Space land area may not be used for high intensity commercial recreation such as aerial tramway; alpine or water slides; amusement rides; auto, cycle and go-cart race tracks; campgrounds; stadiums; drive-in theaters; horse or dog racing tracks; shooting ranges; stables; zoos or other similar commercial recreation uses.

No Conflict. Based on the application contents, the 47,490 SF courtyard will be landscaped and maintained as civic open space.

15.60.060 C.3. Land Use District Uses. Specific uses permitted within a PUD zone land use district must be of a type and so located as to be compatible with surrounding neighborhoods, community character, the *City of Gunnison Master Plan* and other adopted plans.

No Conflict.

Chapter 2, Community Character, Policy 1: The City encourages the preservation of buildings with historic character and design of new buildings that are compatible with this historic significance.

Chapter 5, Land Use and Growth, Goal: Growth and development will preserve and enhance the quality of life which makes Gunnison unique and attractive. New developments will demonstrate high-quality urban design while protecting the rural landscapes surrounding the City.

Chapter 8, Transportation, Policy 4: Downtown is the vital core for Gunnison's civic life, and related transportation facilities are to be both inviting and safe.

15.60.060 C. 4. Land Use District Density. The net density of a PUD land use district zone is not necessarily required to precisely correspond with the net density of zoning on adjacent properties, but instead should reflect the existing character of the area or the character of the area proposed in the *City Master Plan* and other adopted plans. The density should result from the proper design of the PUD including provisions for adequate infrastructure, open space, amenities, complementary building types and design. Maximum net density, either expressed as maximum residential units or maximum square footage of nonresidential uses, shall be specified in the PUD zone districts.

Not Applicable.

15.60.060 C.5. Open Space. At least 20 percent of the total gross area of every PUD shall consist of common open space. At least half of this common open space shall be developed for recreation which may include playing fields, tennis courts, picnic sites, trails, fishing access and similar recreation sites for use by all PUD residents. Provisions shall be made for permanent care and maintenance of open spaces according to the provisions in *GMC 15.160.100(F)*.

No Conflict. Based on the application contents, the 47,490 SF courtyard will be landscaped and maintained as civic open space; the proposed landscaped area exceeds the 20 percent minimum standard.

15.60.060 C.6. Community Benefits. In return for flexibility in land use mix and design standards, the goal of a PUD is to provide a higher quality development than found in traditional zone districts. Every PUD must consider and offer community benefits in the form of park land dedication, public recreation facilities including community centers, trails, greenbelts, natural and/or historic preservation areas, and

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other amenities which may be identified in the *City of Gunnison Master Plan* and other adopted plans, or which may be goals of the City Council.

No Conflict. The County Courthouse is a civic building providing important and necessary functions. While the proposed redevelopment does not provide parking spaces to fulfill the generated parking demand, the approved 2006 PUD determined that reducing parking standards below the threshold set forth by the City's *Land Development Code* for such a facility was appropriate. County application materials reason that the parking reduction request considered herein is commensurate to the reduced building area, and this reduction allows for the protection of the civic courtyard.

15.60.060 C.7. PUD Perimeter. The boundary between a PUD and adjacent land uses shall provide an adequate transition between land uses.

Not Applicable.

15.60.060 C. 8. Phasing of Development. Where a PUD is developed in phases, a proportional amount of any required open space, recreation areas and other community benefits shall be included in each phase such that the project, as it is built, will comply with the overall density and open space requirements of this code at the completion of each phase of development.

Not Applicable.

REVIEW STANDARDS FOR MAP AMENDMENTS

LDC Section 15.120.060.C, states that "...an application that fails to comply with any applicable review standard shall be denied." The *LDC* Section 15.150.060 states that "...an application for an amendment to the official zoning map shall comply with the following four standards:"

15.150.060 A. Consistent with *Master Plan*. The proposed amendment shall be consistent with the *City of Gunnison Master Plan*.

No Conflict. See the *Master Plan* narrative review found in Section 15.60.060 C.3., above.

15.150,060 B. Consistent with Purpose of Zone District. The proposed amendment shall be consistent with the purpose of the zone district to which the property is designated.

No Conflict. The proposed Major Change is consistent with the intent of the original PUD approved by the City in 2006.

15.150.060 C. Compatibility with Surrounding Zone Districts and Uses. The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses, and neighborhood character.

Possible Conflict. The inherent activities of the courthouse generate parking demand that exceeds the existing and future parking capacity of the site. These periodically intense activities affect neighbors when parking spreads into the adjacent retail and residential neighborhoods. Store owners are impacted when easy access parking is diminished and residential neighbors are impacted by unfamiliar automobiles parked in front of their homes.

The proposed development plan associated with this Major Change application proposes a reduced floor area, which corresponds to generally lower facility parking demand than what was contemplated in the original 2006 PUD approval. This factor is considered reasonable and helps to protect the long term interest of the adjacent neighborhoods.

15.150.060 D. Changed Conditions or Error. The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or

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conclusions about the property, one or more errors in the boundaries shown on the official zoning map have occurred.

No Conflict. Many changes have occurred at the site since the 2006 PUD that affects how the County intends to use the property. The 2006 County PUD application assumed that the jail facilities would be located on the site, and the Sheriff's department administrative staff was also to be housed at the Courthouse; this is no longer the case since the new County Public Safety facility was built.

RECOMMENDATION

During the Planning and Zoning Commission meeting held on January 22, 2014, Commissioner _____ moved, Commissioner _____ seconded and the Planning and Zoning Commission voted to recommend APPROVAL, to City Council of Zoning Amendment application ZA 13-6, for a Major Change to the PUD Commercial zoning for the Courthouse property, based on the following Findings of Fact and Conditions:

FINDINGS:

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 (1997)*, the *City of Gunnison Master Plan*, and the proceeding records associated with the initial PUD application (ZA06-6), which resulted in the passage of the City of Gunnison Ordinance 11, Series 2006.
2. It is the intention of the City Council in regulating land uses under the confines of the *Land Development Code*, to fully exercise all relevant powers conferred on it by the laws of the State of Colorado, including but not limited to the following:
 - A. Home Rule Municipality. All of the powers reserved to the city as a home rule municipality under Article XX of the *Colorado Constitution*.
 - B. State Enabling Legislation. All powers granted to the City by:
 - 1) Article 20 of title 29, C.R.S. the provision of the Local Government Land Use Control Enabling Act of 1974 (article 20 of title 29, C.R.S).
 - 2) Article, 67, of title 24, C.R.S., which authorize the planned unit development approach to land development.
 - 3) Article 23 of title 31, C.R.S., which enables municipalities to adopt zoning regulations and subdivision requirements.
 - 4) All Other Powers Authorized. All other powers authorized by *Statute* or by common law for the regulation of land uses, land development and subdivision, including but not limited to, the power to abate nuisances.
3. A driving factor for the submittal of the County's 2006 PUD application is due to the fact that parking demand standards related to the underlying Commercial district zoning in effect at that time were not achievable without building a major parking facility. The Planning and Zoning Commission finds that the PUD zoning amendment was passed by the City Council (Ordinance 11, Series 2006) with specific standards for future uses, dimensional standards, and on-site parking.
4. The Planning and Zoning Commission finds that a major change to a PUD may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.

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5. The Planning and Zoning Commission finds that the specific application request of this PUD Major Change is to reduce the PUD parking requirement, established by Ordinance 11, Series 2006, from the required minimum of 43 off-street parking spaces to 35 off-street parking spaces.
6. The Planning and Zoning Commission finds that, except for amendments to the minimum on-site parking standard, all other conditions and development standards established by Ordinance 11, Series 2006 will remain in effect.
7. The Planning and Zoning Commission finds that the County PUD Major Change application (ZA13-6) establishes that the Courthouse redevelopment will result in 43,651 SF building floor area which is a 46 percent reduction in permitted maximum floor area established by Ordinance 11, Series 2006.
8. The Planning and Zoning Commission finds that the County PUD Major Change application (ZA13-6) establishes that the Courthouse redevelopment will provide 47,490 SF of landscaped area, an increase of 125 percent when compared to the required minimum landscaped area (21,060 SF) established by Ordinance 11, Series 2006.
9. The Planning and Zoning Commission finds that administrative staffing numbers have changed at the Courthouse site since 2006 including a reduction of employees by 48 percent.
10. The inherent activities of the existing and future Courthouse generate parking demand that exceeds the existing and future parking capacity of the site. The Planning and Zoning Commission finds that periodically intense Courthouse activities affect neighbors.
11. While the proposed Courthouse redevelopment does not provide parking spaces to fulfill the generated on-site parking demand, the approved 2006 PUD determined that reducing parking standards below the threshold set forth by the City's *Land Development Code* for such a facility was appropriate. The Planning and Zoning Commission finds that the County Major Change application (ZA13-6) reasons that the parking reduction request considered herein is commensurate to the reduced building area, and this reduction allows for the protection of the civic courtyard.
12. The Planning and Zoning Commission finds that the Courthouse provides valuable services to the Community and is an integral component of the downtown area.
13. Finding M of Ordinance 11, Series 2006 noted that the County needed to address the future relocation of the existing wastewater main line located under the Courthouse, and this PUD Major Change application (ZA13-6) includes a Utilities drawing depicting the proposed realignment of the main. The Planning and Zoning Commission finds that engineered plan and profile drawings are required to assess the proposed alignment and ensure that the wastewater has adequate fall. The Planning and Zoning Commission further finds that it is in the best interest of the City for maintaining this critical utility service, to obtain a surveyed easement with adequate dimension to meet City service needs across those portions of County-owned real property affected by the waste water main realignment.

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MAJOR CHANGE TO A PUD
Gunnison County**

14. The Planning and Zoning Commission finds that, based on the Findings cited above, the approval of this Major Change does not negatively impact the community's health, safety and welfare as long as the following conditions have been met.

CONDITIONS:

1. Prior to issuance of a building permit the County shall provide plans and profiles of the proposed wastewater main relocation established by a Colorado licensed professional engineer, and those engineered plans are subject to review, modification and approval by the City Engineer.
2. Prior to issuance of any Certificate of Occupancy by the City's Building Official, the County shall record an exclusive easement document developed under the supervision of a surveyor licensed by the State of Colorado, establishing a utility easement (20 foot width) along the wastewater main plan view alignment, and the said easement shall be dedicated to the City of Gunnison. The easement instrument shall be subject to review, modification and approval by the City Manager, prior to recording.
3. The PUD Commercial zone district is specifically conditioned upon the following limitations and conditions:

<i>Courthouse PUD Development & Use Regulations</i>	
<i>Criteria</i>	PUD
Maximum Floor Area (sf)	80,350 Square Feet
Maximum Lot Coverage of Structures (Footprint)	41% or 33,250 Square Feet
Maximum Lot Coverage of Parking and Access	18% or 14,570 Square Feet
Minimum Lot Coverage of Landscaping	26 % or 21,060 Square Feet
Minimum Off-Street Parking Spaces	35 Off-Street Parking Spaces, based on the complete record of PUD Major Change application (ZA13-6).
Maximum Building Height	No greater than 43 feet; architectural projections such as cupolas, cornices, etc. may be a maximum of 45 feet.
Setbacks	All buildings shall maintain a 10 setback from property lines. Parking facilities may be placed up to the property line.
Allowed Uses	Government administrative facilities, services and buildings; Professional Offices; Jail; Jail accessory uses; Commercial parking (surface or structure). All other uses not cited herein shall be prohibited.
Site Plan	An illustrative site plan has been provided with the application and that site plan will serve as an administrative document in the assessment of future development of the site. Any significant alterations of the site plan dated November 7, 2013 may be subject to City staff and City Council review.
Other Standards	All other development standards not noted herein shall comply with those standards of the Gunnison Municipal Code.



To: Steve Westbay, Community Development Director

From: Russell Forrest, Gunnison County Community Development Director

Date: December 23, 2013

Subject: Gunnison County Courthouse-Proposed Amendment to Off Street Parking in Ordinance No. 11 Series of 2006

1. PROPOSED REQUEST

Gunnison County is requesting that the City of Gunnison approve an amendment to the parking requirement in Ordinance No. 11 Series of 2006 from 43 off-street parking spaces to 35 spaces. The basis for this request is that the total floor area of the building will be reduced by 46% from what was approved in the 2006 PUD and the number of employees will be reduced by 48%. The County also desires to retain as much landscaping and mature trees on the site as possible. The current site plan has 125% more landscaped area compared to what was approved in the 2006 PUD. Given the significant reduction in the size of the building, the County believes the proposed County Courthouse is not only consistent with the P.U.D. approved in Ordinance No. 11, Series of 2006 (Attachment 1) but is significantly less impactful than what was approved.

2. LOCATION OF PROPERTY AND SITE PLANS

The subject property is located at 200 E Virginia, Block 14, Original Gunnison. See Attachment 5 for more specific vicinity maps, site plans, floor plans, and elevations of the proposed Courthouse. The Site is zoned PUD-C in the City and the zoning surrounding the site is depicted in Attachment 5. The use has existed at this site since 1881 and is surrounded by residential and offices uses.

Vicinity Map of Area around Courthouse



3. BACKGROUND ON REQUEST

In 2006, Ordinance 11, Series of 2006 was approved on second reading on the 14th day of November (See attachment 1). This Ordinance approved a rezoning of 200 East Virginia Avenue, Block 14, and Gunnison Original Addition from C (Commercial District) to PUD-C (Planned Unit Development - Commercial). The purpose behind the 2006 PUD application was to facilitate redevelopment and improvement of the County courthouse, Sheriff's office and jail. With this approved PUD came specific development parameters outlined in Section 4 of the Ordinance which conditioned the approval. Also with this action the official zoning map of the City of Gunnison was amended for this property to PUD-C. This rezoning was recommended for approval by the City of Gunnison Planning and Zoning Commission and the City made a number of findings in approving this rezoning including "That the proposed PUD plan submitted by the applicant proposes no changes in the use of the real property comprising the Gunnison County Courthouse, but rather proposed to expand the existing Gunnison County detention facility and to add a public meeting room."

Since 2006, Gunnison County built the Public Safety Center housing both the Sheriff's office and a new detention facility. This has resulted in a reduction in the intensity of use of the existing Courthouse. All the uses proposed in the new courthouse are allowed uses in the 2006 PUD.

The Gunnison County Courthouse has received numerous alterations over time and is comprised of a least 7 distinct building additions constructed between 1881 and present. The existing building is antiquated for today's uses and the building systems (structural systems, mechanical, electrical, and plumbing systems) are at the end of their useful life.

4. SUMMARY OF PROJECT AND DEVELOPMENT STATISTICS

The County plans to preserve the original historic building and build a new office space around the historical structure to include space for:

- County Manager offices,
- County Attorney’s offices,
- BOCC meeting space,
- Juvenile Services
- Finance Department, and
- District Courts and Probation Office

The number of employees is roughly 48 individuals less than what was proposed in 2006 with the elimination of the Sherriff’s Department (30 employees), communications center (10 employees), State Police (5 employees), GIS department (2 employees), and Wildlife Biologist (1 employee) from the courthouse program. The following is a table summarizing office/personnel changes in the new courthouse (it is acknowledged that some employees work different shifts and are not all at work at one time typically).

Approximate Employee Summary	
Personnel Moved out of Courthouse since 2006	
Sheriff’s office	30
Com Center	10
State Police	5
GIS	2
Wildlife	1
Total reduced from Courthouse	48
Existing Employees in Courthouse	44
Total in 2006	92
% Reduction in personnel	48%

Given the above mentioned changes in the program of the building, the proposed size of the building has been reduced significantly. The following table summarizes the approved development parameters approved in Section 4 of Ordinance No. 11 Series of 2006 compared to existing conditions, and the proposed new courthouse. The total lot area is 81,400 square feet for reference.

Development Statistics								
	Lot Area (sq. ft.)	Square Footage	Bldg Footprint (sq. ft)	Min Landscape (sq. ft.)	Off- Street Parking Spaces	Max Site Coverage for Parking	Height	Min Setbacks
Existing	81,400	43,651	18,738	45,614 current	36	17,048 current	40 ft. 10 inch	10 ft
Approved in PUD in 2006	81,400	80,350	33,250	21,060	43	14,570	43ft / 45ft for projections	10 ft
Proposed	81,400	43,500	22,080	47,490	35	11,560	43 ft	10 ft
Difference PUD/Proposed		36,850	11,170	26,430	-8	3,010	0	0
% Difference		46%	34%	125%	-19%	21%	0	0

As can be seen, the proposed structure is significantly smaller than what was proposed in 2006. Given the reduction in total square footage by 36,850 sq. ft. (46% lower) and a reduction of personnel by 48 people (48% lower); a reduction of parking of 8 (19% reduction) is (in our opinion) a reasonable request.

5. CONSISTENCY WITH CITY OF GUNNISON LAND USE REGULATIONS AND MASTER PLANS

This section responds to various application requirements the City has related to a PUD amendment. It should be acknowledged that the County is only proposing a narrow amendment to the minimum number of off street parking spaces from 43 to 35 spaces. The appropriateness of the uses and the overall PUD was determined in 2006.

A. Ordinance 11, Series of 2006

Gunnison County believes that this application is consistent with the City of Gunnison land use regulations and master plans. The proposed courthouse provides critical public services to both the citizens of the City of Gunnison and Gunnison County. The site has historical significance and the County is attempting to address both the functional and structural deficiencies of the building while also preserving the original historical structure.

In referencing Ordinance No. 11 Series of 2006 the City found that the proposed courthouse uses were consistent with its land use regulations and master plans. In fact, the findings made by the City of Gunnison in Ordinance 11, Series of 2006 are still applicable (with the caveat that the proposed use today is smaller with fewer employees). Several specific findings of note from the 2006 approval include:

“That there is no change in the use proposed for the property hereinafter described, the proposed change in zoning district classification will be compatible with surrounding zoned districts, land uses, and neighborhood character.”

“That the proposed change of zoning district classification is consistent with the City of Gunnison Master Plan in that it preserves the central business area as the site for government services serving the City of Gunnison and Gunnison County.”

“That the requested change of zoning district classification is consistent with the purposes of the underlying zone district, C (Commercial), in that the uses proposed are allowed in said district.”

“That the granting of the requested change of zoning district classification will allow the Gunnison County Courthouse to remain in its historic location as permitted by the underlying zone district classification, C (Commercial). ”

B. Land Development Code 15.150.040

A. *Minimum Contents:* Application is completed and attached in Attachment 2.

B. *Precise Wording of Text Amendment to existing PUD:*

We respectfully request that the City of Gunnison support an amendment to Ordinance No. 11 Series of 2006, Section 4.F to change “43 off street parking spaces shall be provided” to “35 spaces off street parking spaces shall be provided.”

C. Land Development Code 15.150.050

A. *Consistent with Purpose:*

All uses proposed for the Courthouse are consistent with the 2006 approval of the PUD-C District.

B. *Not Conflict with Other Provisions:*

There are no other conflicts with other provisions of the land development code based on the 2006 approval of the PUD.

C. *Consistent with Master Plan*

The following statements are references to the 2007 Master Plan and how the courthouse project is consistent with that Master Plan.

Pg. 8 Sense of Place: The courthouse dates back to 1880s and is part of the historical fabric of the community and contributes to the sense of place. Maintaining the original historical structure of the courthouse will help maintain both the history and sense of place within the heart of the City of Gunnison.

Pg. 10 Architectural Diversity & Downtown: The Master Plan recognizes that commercial buildings have a diversity of architectural styles. The Courthouse both attempts to preserve the historical architectural character of the site while

also providing a structure and style to serve the citizens of Gunnison County for the foreseeable future.

Pg. 11. Landscaping: The Master Plan talks about the value of the city's tree program. The courthouse attempts to preserve and enhance the landscaping of the site by attempting to protect the large historic trees on the site and exceeding the landscape standards by 125%.

Pg. 13 Encourage Historic Character: "The City encourages the preservation of buildings with historic character and design of new building that are compatible with this historic significance." The Courthouse Design does this.

Pg. 31 Policy 7: Support the US Mayors Climate Protection Agreement: The existing building is not energy efficient and its heating and ventilation systems are functionally obsolete. The new building will meet the current standards in the International Building Code and will be significantly more energy efficient and have a smaller carbon footprint. The project will also include a geothermal system to reduce carbon emissions for heating and cooling the building.

Pg. 35 Land Uses and Zoning: The Master Plan acknowledges that keeping local and federal offices along with other CBD business in the "core of the City" is important.

Pg. 55 Economic Factors, Trends, and Drivers: Keeping the Courthouse near the CBD generally supports the goals of this section of the Master Plan by providing a major employee base close to shops and restaurants.

Pg. 70 Parking: By reducing floor area by 46% and employees located in the building by 48%, the County believes it is reducing parking demand in the CBD and that more than offsets the proposed change in parking from 43 to 35 spaces (19%). Furthermore, the employees at the Courthouse walk to the shops and restaurants on Main Street to support those shops without displacing parking for other customers. Also the Courthouse during the weekend, can support event parking for the CBD.

D. Public Health, Safety, and Welfare

The Courthouse supports the functions of the District Courts and probation services, County Attorney, Finance Department, County Attorney, and County Manager. All of these functions support the public health, safety, and welfare of both the City and the County.

D. Findings to applicable Criteria in the 2006 PUD Approval & Section 15.150.060

In reviewing the staff memorandum regarding review standards from the City of Gunnison dated August 16, 2006 it was also useful to note the references to the review standards (City of Gunnison comments noted in italics). The references to the Master Plan related to the version applicable in 2006.

Consistency with Master Plan

“Although parking demands generated by jail expansion will increase the shortage, the number is fairly insubstantial.”

Subsequently, to help further minimize any negative impacts the County moved the jail and sheriff’s office to another location in the City.

“The City of Gunnison Master Plan Volume II contains the following statement “Promote the central business district as a cultural, government, services and retail center of Gunnison and Gunnison County. Historically, civic and government institutions have been located in the community center.” This PUD application anticipates future facility needs and the result will set forth a coherent means to administer development of this specific site. ”

Consistent with Purposes of Zone District

“No Conflict”

Compatibility with Surrounding Zone Districts and Uses

“The City strives to maintain governmental facilities in the central part of the community, but at the same time the city is making efforts to address the needs for a functional and aesthetically pleasing urban core. Parking and architectural design that address the impacts by proposed jail mass and form should be addressed.”

Again today’s proposal compared to the approved PUD in 2006 is significantly smaller and preserves more vegetation and mature trees than what was approved. It also does not exceed the 43 foot height limit that was a concern at that time.

Changed Conditions or Error

“No Conflict”

E. Land Development Code 15.150.070 B.2.b.i (A-J)

City of Gunnison staff requested that the County respond to “J” in this section which states: “Written and graphic material demonstrating to the planning commission and city council how modifications will produce a living environment, landscape quality and lifestyle better than that produced by the existing standards.”

Without the approved PUD in 2006, the parking requirement for the 81,400 (1 space per 300 sq. feet of office space) square foot building at the time would consume over 100% of the site. The approved PUD in 2006 was critical in creating a practical buildable site which preserved the historical landscaping of the site while providing a sufficient amount of parking. Compared to the approved 2006 PUD with 43 parking spaces, the proposed courthouse has 43,500 sq. ft. of landscaped area which will preserve many of the mature trees of the site. This is 26,430 sq. ft more in landscaped area than what is required from the 2006 PUD approval. This allows for significantly more civic space and landscaped area. If the standard parking requirement was imposed on the project, there would be inadequate space for both parking and the building without a significant underground parking structure.

F. Land Development Code 15.150.070 B.2.b.iii

- (A) Explanation of Objectives: This was addressed in the 2006 PUD Amendment. The basic purpose of this application is to preserve landscaped area and civic space to the extent possible while reducing parking demand.
- (B) Development Schedule: See Attachment 3
- (C) Copies of Special Covenants: Not applicable.
- (D) Statement by a Licensed Engineer: See Attachment 4
- (E) Easement for roads: Not applicable
- (F) Evidence the PUD was designed with consideration of the Sites Natural Environment...

As already mentioned the site design is very similar to the existing site design to maximize landscaped area and civic space. The site is surrounded by residential and commercial uses. This request of flexibility of parking from 43 to 35 spaces directly addresses this criteria by maximizing landscaping and buffering of the physical structure.

- (G) The applicant believes that the submitted information explains both the narrow request being proposed and responds to the submittal requirements of the City.

6. SUMMARY

In 2006 there was a significant public process that resulted in the approval of the Courthouse/Jail PUD. This included a maximum floor area of 80,350 sq. ft. and a minimum landscape area of 21,060 sq. ft. Since that approval, the County has moved the Sheriff's office and jail to a different location reducing both traffic and parking demand in the central business district of the City. The County is now proposing to move forward with the redevelopment of the courthouse, which has also received a significant public process, while maintaining the historical location of the building. This is consistent with the City's Master Plan and is being accomplished with a 36,850 square foot smaller building, 48 fewer employees, and 26,430 more square feet of landscaped area than what is required. More off street parking could be created but only if landscaped area/civic space is removed. In addition, there has been the mutual interest of the City and the County to maximize civic space around the court house for public events. Given these factors, a deviation of 8 off-street parking spaces is de-minimis in the context of the 2006 approval. We respectfully request that the City of Gunnison support an

amendment to Ordinance No. 11 Series of 2006, Section 4.F to change 43 off street parking spaces to 35 spaces off street parking spaces.

It should be noted that Gunnison County does not waive – by making this application or by participating in any City process – any legal or other challenge or objection Gunnison County may have, including but not limited to the lack of City authority to determine any matter except limited courtesy review of location, character and extent. The Board of County Commissioners reserves its express statutory and case law authority to override a City disapproval.”

Attachment 1: Ordinance No. 11, Series of 2006

Attachment 2: Application, Adjacent List, Assessors description of ownership

Attachment 3: Development Schedule

Attachment 4: Letter from Engineer

Attachment 5: Current Courthouse Plans

**ORDINANCE NO. 11
SERIES 2006**

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF BLOCK 14, ORIGINAL GUNNISON, ACCORDING TO THE RECORDED PLAT THEREOF, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, FROM C (COMMERCIAL DISTRICT) TO PUD-C (PLANNED UNIT DEVELOPMENT - COMMERCIAL), AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, COLORADO.

WHEREAS, the Board of County Commissioners of the County of Gunnison, as owner of the property hereinafter described, has filed an application with the City of Gunnison, Colorado, seeking a change of zoning of said real property; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the City Code of the City of Gunnison, Colorado, on August 16, 2006; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, recommended to the City Council the approval of the requested change of zoning by recommendation adopted August 16, 2006; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public hearing on the requested change of zoning on September 12, 2006;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:

Section 1. Based upon the application seeking a change of zoning of the property hereinafter described, the evidence presented to the City Council during the public hearing on the application seeking a change of zoning of the property hereinafter described, and further, based on the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

- A. That the property hereinafter described for which a change of zoning classification is sought is the site of the existing Gunnison County Courthouse, which houses government administration facilities and offices, district and county courtroom facilities, public meeting rooms, and the Gunnison County detention facility.
- B. That the proposed PUD plan submitted by the applicant proposes no changes in the use of the real property comprising the Gunnison County Courthouse, but rather, proposes to expand the existing Gunnison County detention facility and to add a public meeting room.
- C. That as there is no change in use proposed for the property hereinafter described, the proposed change in zoning district classification will be compatible with surrounding zone districts, land uses, and neighborhood character.
- D. That the existing Gunnison County detention facility does not have the space to meet the physical and legal needs of the community, including the City of Gunnison.
- E. That the Board of County Commissioners of Gunnison County formed a review committee, with substantial citizen involvement, to consider the possible alternatives to expansion of the Gunnison County detention facility at the existing Gunnison County Courthouse, which committee determined that the expansion of the Gunnison County detention facility at the existing Gunnison County Courthouse was the most efficient use of public funds.

- F. That the expansion of the Gunnison County detention facility at the existing Gunnison County Courthouse confers a significant public benefit upon the citizens of Gunnison County, including the citizens of the City of Gunnison, by efficiently using public funds and reducing the tax burden borne by those citizens.
- G. That the proposed change of zoning district classification is consistent with the City of Gunnison Master Plan in that it preserves the central business area as the site for government services serving the City of Gunnison and Gunnison County.
- H. That the requested change of zoning district classification is consistent with the purposes of the underlying zone district, C (Commercial), in that the uses proposed are allowed in said district.
- I. That the granting of the requested change of zoning district classification will allow the Gunnison County Courthouse to remain in its historic location as permitted by the underlying zone district classification, C (Commercial).
- J. The existing Gunnison County Courthouse has 38 off-street parking spaces, which number does not satisfy the off-street parking requirements of the existing Gunnison County Courthouse as required by the Gunnison Municipal Code in the C (Commercial) district, which would require approximately 142 parking spaces.
- K. The proposed expansion of the Gunnison County detention facility will not significantly add to the parking requirements of the existing courthouse in that the proposed development will provide 43 off-street parking spaces, and the proposed expansion of the Gunnison County detention facility will not significantly increase the demand for on-street parking in the area, and will retain the mature landscaping and historic appearance of the Gunnison County Courthouse to the extent possible.
- L. The existing Gunnison County Courthouse is 42 feet in height. The requested maximum height of the main structure of the expanded facility is 43 feet, with an additional 2 feet for architectural projections, such as cupolas or cornices which is consistent with the height of the existing facility.
- M. That an existing sewer main traverses the real property. The proposed expansion will be located over the sewer main. The applicant needs to address the future relocation of such sewer main in the event it becomes necessary.

Section 2. That based on the foregoing findings of the City Council of the City of Gunnison, Colorado, the City Council hereby determines that the change of zoning of the property hereinafter described, upon the conditions set forth herein, is in the best interests of the City of Gunnison, Colorado, and its citizens.

Section 3. That the zoning classification of the real property described as Block 14, Original Gunnison, according to the recorded plat thereof, City of Gunnison, County of Gunnison, State of Colorado, is hereby changed from C (Commercial District) to PUD-C (Planned Unit Development - Commercial).

Section 4. That the change in zoning classification as requested by the applicant is specifically conditioned upon the following limitations and conditions:

- A. Uses Allowed: Government administrative facilities and offices; detention facilities; and off-street parking.
- B. Maximum Square Footage of Floor Area: A total of 80,350 square feet.
- C. Maximum Size of Building Footprint: 33,250 square feet.
- D. Maximum Building Height: The height of the detention facility expansion shall be limited to 43 feet for the main structure, and with architectural projections no greater than 45 feet in height.
- E. Minimum Setback: The minimum setback between any building on the site and the property line shall be 10 feet.
- F. Parking Spaces: 43 off-street parking spaces shall be provided.
- G. Maximum Percentage of Lot Coverage for Parking: 18 per cent, which is 14,570 square feet.
- H. Minimum Landscape Percentage Coverage: 26 per cent, which is 21,060 square feet.
- I. Other Development Standards: All other development standards not modified by the foregoing conditions shall be as set forth in the underlying zoning of C (Commercial) District.
- J. Intergovernmental Agreement. The applicant shall enter into an intergovernmental agreement addressing the following: The architectural design of the expansion of the courthouse facilities to enhance the architectural design of the courthouse, the possible relocation of the existing sewer line which traverses the property, and participation of the applicant in the assessment and improvement of future parking facilities for the Central Business area of the City of Gunnison.

Section 5. That the official zoning map of the City of Gunnison, Colorado, shall be amended to reflect the change in zoning district classification of the property.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 12th day of September, 2006, on first reading, and introduced, read, and adopted on second and final reading this 14th day of November, 2006.

Mayor

(SEAL)
ATTEST:

City Clerk

Attachment Two

Application Fact Sheet

City of Gunnison Land Development Code
Minimum Application Contents
In Accordance With 15.120.030 C.

City of Gunnison
P.O. Box 239
Gunnison, CO 81230
(970)641-8090

Applicant Name(s): Gunnison County

Phone #: 641-7929 **Fax #:** 641-8585 **E-Mail:** rforrest@gunnisoncounty.org

Mailing Address: 221 N. Wisconsin Street

City: Gunnison **State:** Co **Zip:** 81230

Summary of Request: Gunnison County is requesting to change the parking requirement for the PUD-C District including Block 14, Original Gunnison, According to the Recorded Plat as approved in Section 4 (F) Ordinance No. 11, Series of 2006

Disclosure of Ownership- Please provide one of the following:

- Assessor Parcel Info Mortgage Deed Judgments
 Liens Contract Easement Agreement Other Agreements

Legal Description

Site Address of Property: 200 E. Virginai Ave Zoning PUD-C
Block: 14 Lot(s): Addition: Gunnison Original Addition

- Attachments:** Vicinity Map (8.5"X11") Written Narrative/Description of Proposal
 Names, Addresses and Map of Adjoining Property Owners (From Assessor's Office)
 Vested Property Rights Letter/Authorization of Agent (from Owner if not applicant)
 Site Plan (11"x17") **to scale**, includes dimensions and location of all structures, parking spaces and access, snow storage, landscaping, live cover, utility lines, road/street names, land uses of adjacent properties, setbacks. Includes a table for all dimensional requirements based on 15-7-4. (See attached sample)

YOU ARE REQUIRED TO SUBMIT FOUR (4) COMPLETE COPIES OF YOUR APPLICATION

Signature(s)



Submit via e-mail

Date Nov. 11, 2013

Date

For Office Use Only

- Conditional Use Variance Zoning Amendment
 Major Subdivision Minor Subdivision Subdivision Exemption
 Mobile Home/RV Park PUD Vacation
 Consolidated Application

6/2011

Assessor Quick Links

[Gunnison Assessor Home](#)

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Assessor Property Record Search

Owner and Parcel Information

<p>Owner Name & Mailing Address</p> <p>BOARD OF COUNTY COMMISSIONERS OF THE COU 200 E VIRGINIA AVE GUNNISON, CO 81230-2248</p> <p>Business Name: GUNNISON COUNTY COURTHOUSE</p>	<p>Today's Date: December 19, 2013</p> <p>Appraisal Year: 2013</p>	<p>Account Number: R017750</p> <p>Parcel Number: 3701-363-11-001</p> <p>Account Type: Exempt</p> <p>Economic Area: Econ Area 1</p> <p>Tax District: 100</p> <p>Mill Levy: 44.152</p>	
<p>Property Location: 200 E VIRGINIA AVE, GUNNISON</p> <p>Neighborhood: COMMERCIAL OFF HWY</p> <p>LEA: COMMERCIAL OFF HWY 50-135 (12330)</p> <p>Subdivision:</p> <p>Condo:</p> <p>Legal Description: ALL BLOCK 14 ORIGINAL GUNNISON #618731</p> <p>Parcel Notes</p>	<p>Parcel Map Show Parcel Map</p> <p>Building Photos Building Images</p> <p>Building Sketches Building Sketches</p> <p>Generate Neighboring Owner List by Distance</p> <p>Search Sales By Subdivision</p>		

2013 Assessment Information

Land Actual Value	Land Assessed Value	Building Actual Value	Building Assessed Value	Total Actual Value	Total Assessed Value
\$486,000	\$140,940	\$3,170,530	\$919,450	\$3,656,530	\$1,060,390

Prior Year Assessment Information

Year	Actual Value	Assessed Value	Mill Levy	Ad Valorem Taxes
2011	\$2,467,370	\$715,540	44.343	\$0.00
2010	\$2,871,140	\$832,640	40.939	\$0.00
2009	\$2,871,140	\$832,640	39.757	-\$1.00
2008	\$3,090,860	\$896,350	41.387	-\$1.00
2007	\$3,090,860	\$896,350	36.186	-\$1.00
2006	\$2,220,940	\$644,070	43.784	-\$1.00

Contact the Treasurer's Office for current property tax amount due. Do not use the figures above to pay outstanding property taxes.

Land Information

Land Description	Land Type	Acres	Site Access	Electricity	Sewer	Water	Other Attributes
EXEMPT-COUNTY-LAND	Exempt	1.860	YEAR ROUND	YES	CENTRAL	CENTRAL	LAND TYPE - MEADOW

Sales Information

Sale Date	Sale Amount	Grantor	Grantee	Vacant or Improved (at time of sale)	Reception #	Deed Type
02/25/2013		AMERICAN ECONOMY INSURANCE CO	BOARD OF COUNTY COMMISSIONERS, OF THE COUNTY OF GUNNISON COL	N/A	618731	QUIT CLAIM DEED - NO FEE
03/28/2011		WELLS FARGO SECURITIES LLC	BOARD OF COUNTY COMMISSIONERS	N/A	604511	CORRECTION DEED - NO FEE

Building Information

Building Number 1:

Occupancy Type	OFFICE	Quality of Construction	Average	Stories	1	Primary Heating System	
Building Description	Office Building	Exterior Condition	Average	Roof		Domestic Hot Water	
Original Year Built	1879	Interior Condition		Exterior		Landscaping	0
Effective Year Built	1960	Bedrooms	0	Foundation	Concrete		

BOARD OF COUNTY COMMISSIONERS
200 E VIRGINIA AVE
GUNNISON, CO 812302248

BOARD OF COUNTY COMMISSIONERS
200 E VIRGINIA AVE STE 104
GUNNISON, CO 812302248

COMMUNITY CHURCH OF GUNNISON
PO BOX 803
GUNNISON, CO 812300803

GUNNISON VALLEY MASONIC TEMPLE
ASSOC
118 FLORESTA ST
GUNNISON, CO 812302506

HANNY KIMBALL RYAN ETAL
1500 NW 144TH ST
EDMOND, OK 730131573

LAW BUILDING PARTNERSHIP
PO BOX 179
GUNNISON, CO 812300179

T&C MURPHY PROPERTIES LLC
211 S TELLER ST
GUNNISON, CO 812302028

SUNNY LLC
PO BOX 1419
GUNNISON, CO 812301419

KLINOWSKI ARTHUR M ETAL
5475 E ATLANTIC PL
DENVER, CO 802224713

GVFP OFFICE LLC
PO BOX 1849
GUNNISON, CO 812301849

WENMAN JOAN
PO BOX 11
GUNNISON, CO 812300011

MARSHALL YVONNE ETAL
314 N SPRUCE ST
GUNNISON, CO 812303031

WILLIAMS TIM L ETAL
270 MCCLURE AVE
FREDERICK, CO 805308057

CHASE LISA P
204 N TAYLOR ST
GUNNISON, CO 812302134

CESARIO CHRISTINA A
210 N TAYLOR ST
GUNNISON, CO 812302134

ITALIANATE PROPERTIES REVOCABLE
TRUST
125 W VIRGINIA AVE APT 232
GUNNISON, CO 812302429

WOJDAKOWSKI WALTER ETAL
77 ROLLING FARM CT
MIDLAND, GA 318205063

DORZWEILER VIVIAN
306 E GEORGIA AVE
GUNNISON, CO 812302118

Attachment Four



Russell W. Forrest
Asst. County Manager for Economic & Community Development
221 N. Wisconsin Street Suite D
Gunnison, Co 81230

December 23, 2013

Re: Gunnison County Court House

Based on the City of Gunnison Development Assistance Packet "Zoning Amendments" specifically section 15.150.070 B2b iii part D (1 through 4) SGM would like to offer the following response. Part D is copied below in *italics* for reference:

1. *Based on anticipated demand the water source is adequate to serve the PUD.*
 - The proposed new Court House structure is replacing an existing structure. As SGM understands it the staffing of the new structure will be reduced by 40%. Additionally, the Sherriff's office, Jail Facility and State Patrol will no longer be housed within this structure. Water demand at this structure will be reduced from historic use by reduction in staffing. The functions that were within the existing structure will be relocated to other areas within the City. As a result, a change in demand at the source, is not anticipated.
2. *Based on anticipated demand, the proposed method of sewage treatment and existing sewage treatment facilities are adequate to serve the PUD.*
 - Similar to the answer to #1 above, impacts to the method of sewage treatment and to existing sewage treatment facilities will not change. Relocation of the various uses within the existing Court House to other locations within Gunnison simply change the point of collection. Impacts at the treatment facility are not expected.
3. *The general manner in which storm drainage will be handled.*
 - The proposed structure is slightly smaller than the existing structure. We expect that the final area of impervious surface to be the same as with the existing structure. Storm drainage will be handled by a combination of on-site infiltration/retention and piping to the existing storm drainage piping found within Virginia Street.
4. *The general manner in which provisions will be made for any potential natural hazards in the area such as steep slopes, erosive soils, avalanche areas, landslide areas, floodplain areas and unstable soils.*
 - Not applicable to this site.

The existing sewer line that serves both the Court House and area north of the Court House will be replaced and slightly relocated. The existing line is antiquated and at minimum slope. Replacing this section will be an enhancement to the overall City infrastructure.

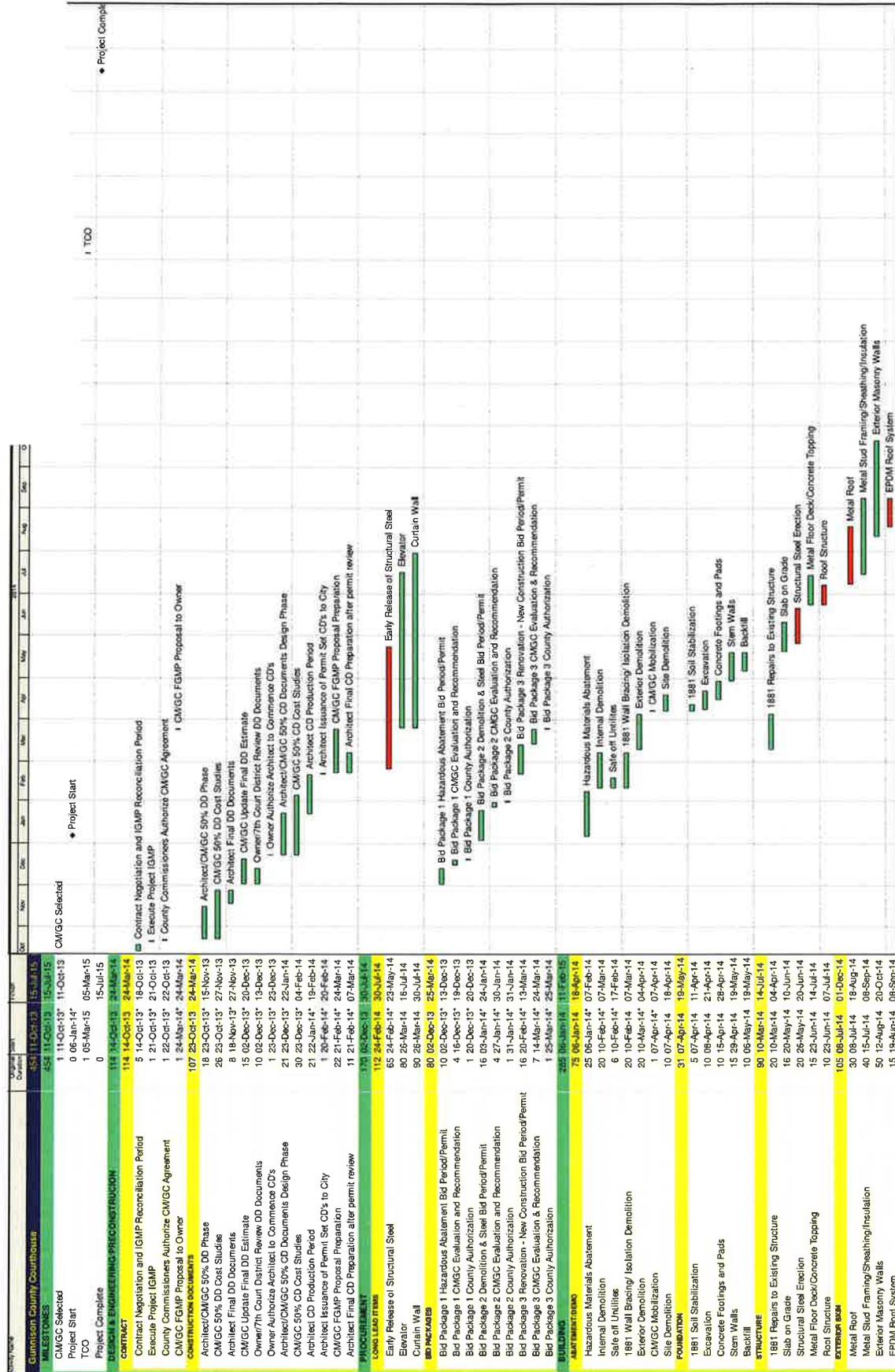
If you have any questions or need additional information please feel free to contact me.

Sincerely,

Gerald E. Burgess P.E.



ATTACHMENT H - CM/GC PROJECT SCHEDULE



Page 1 of 2

Gunnison County Courthouse

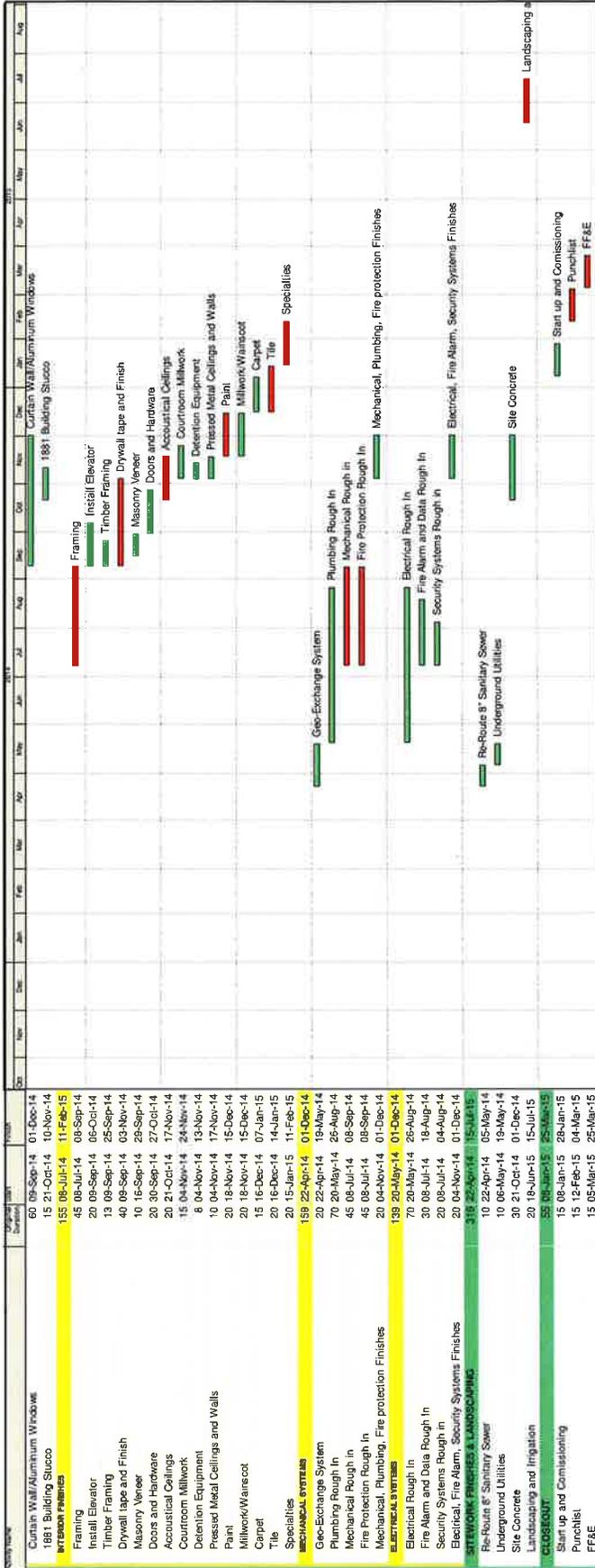
Actual Work

Remaining Work

Critical Remaining Work

◆ Milestone

ATTACHMENT H - CM/GC PROJECT SCHEDULE



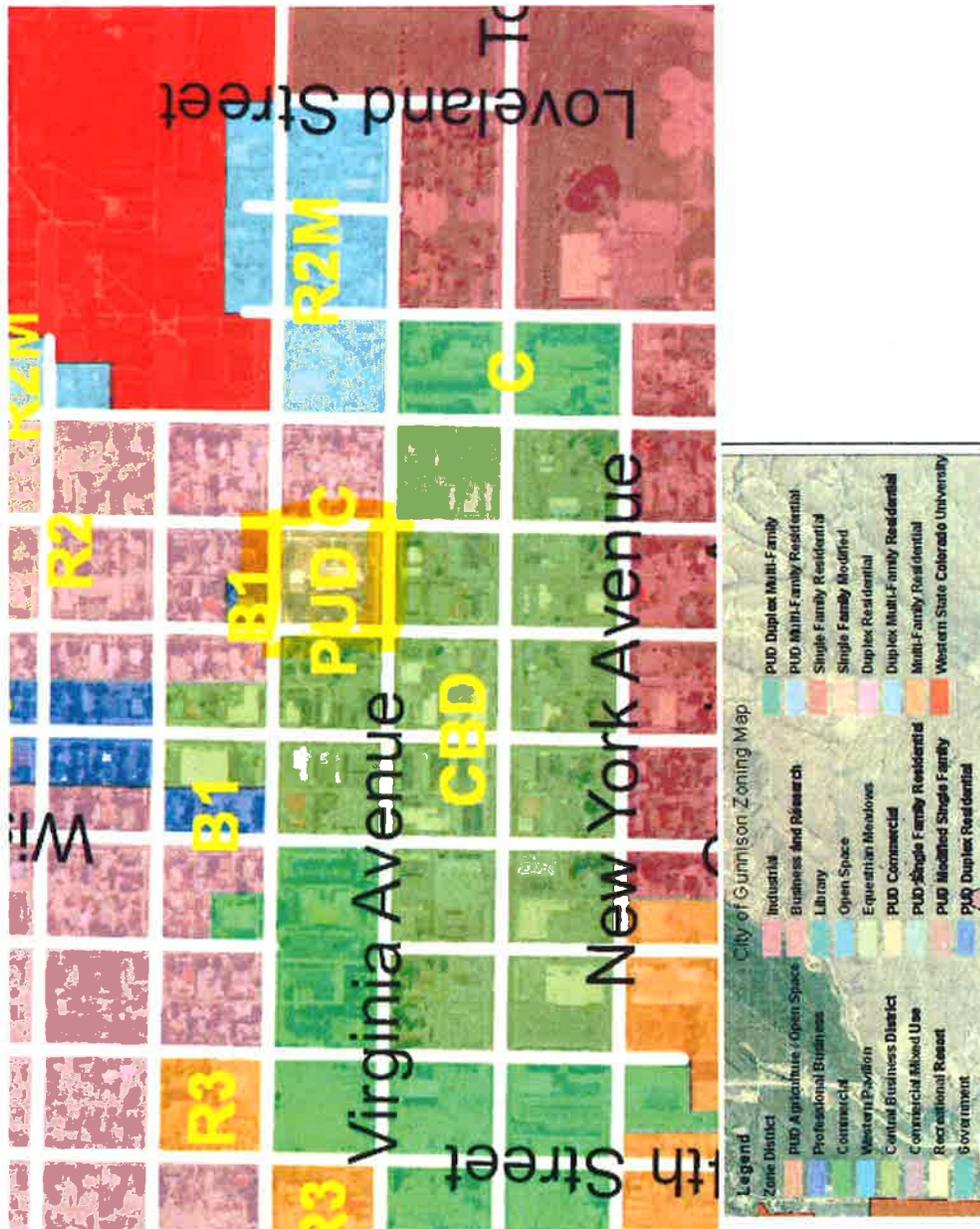
Gunnison County Courthouse

- Actual Work
- Remaining Work
- Critical Remaining Work
- Milestone

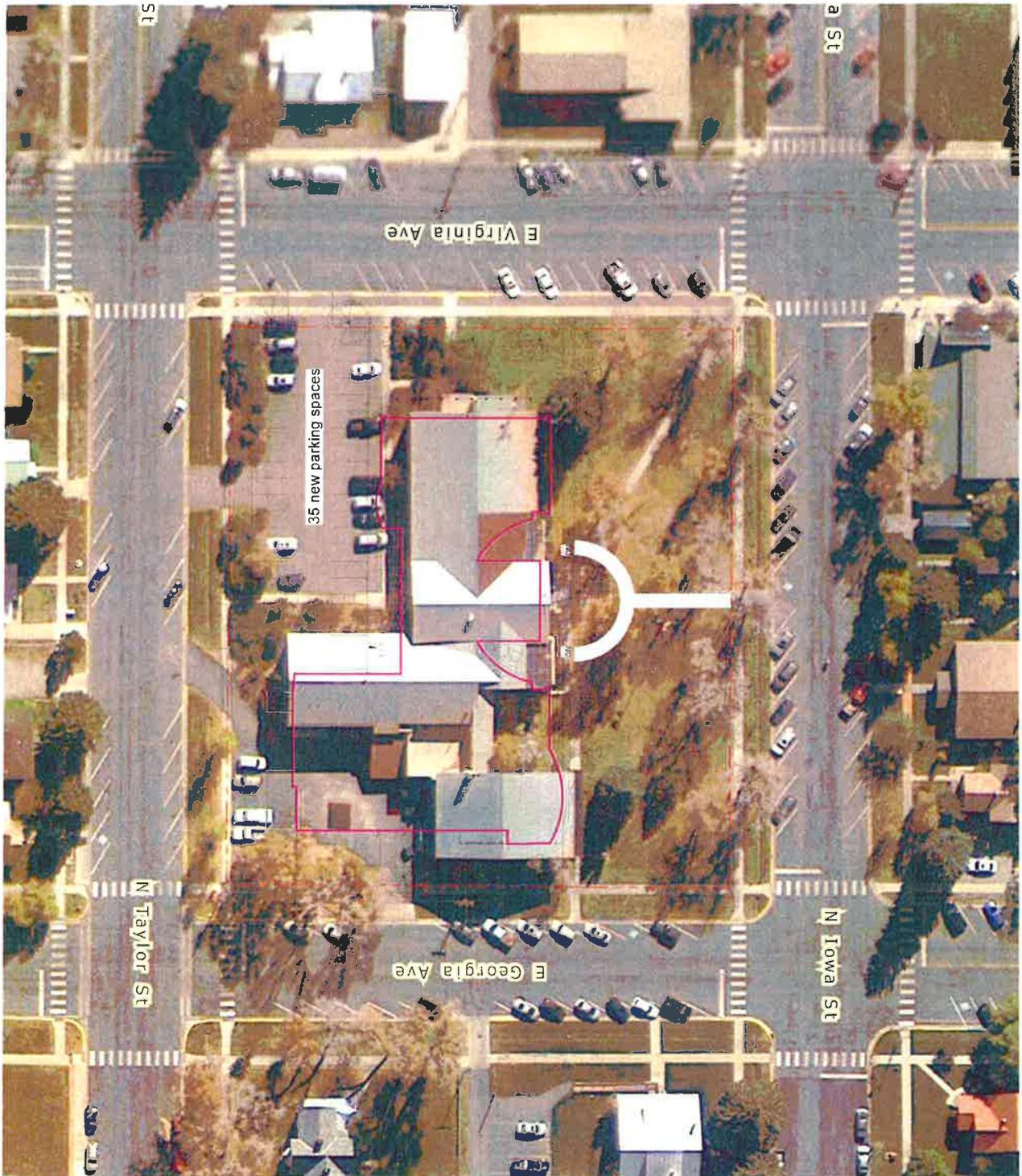


Attachment Five

Surrounding Land Uses & Zoning
(Courthouse highlighted)



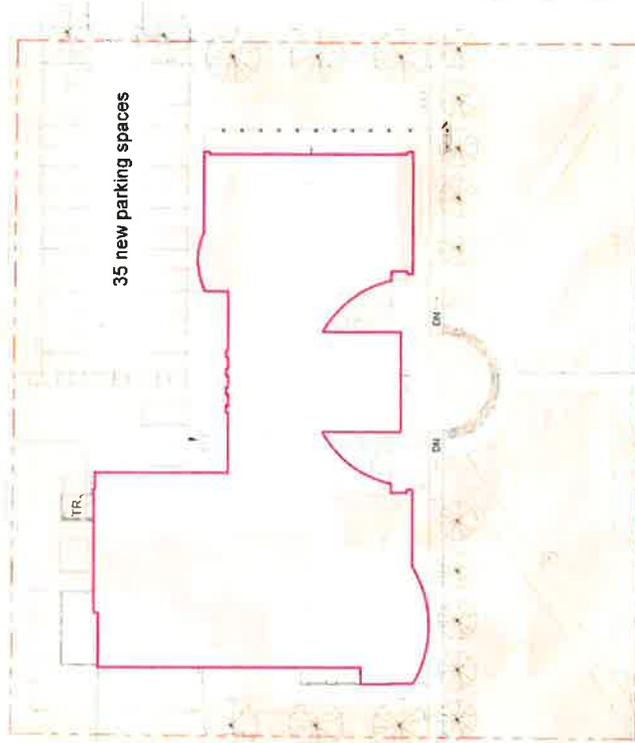
Proposed Site Plan with Existing Conditions



Property Line
Build-To Line

0 32 64 128

Proposed Site Plan



Property Line

Build-To Line

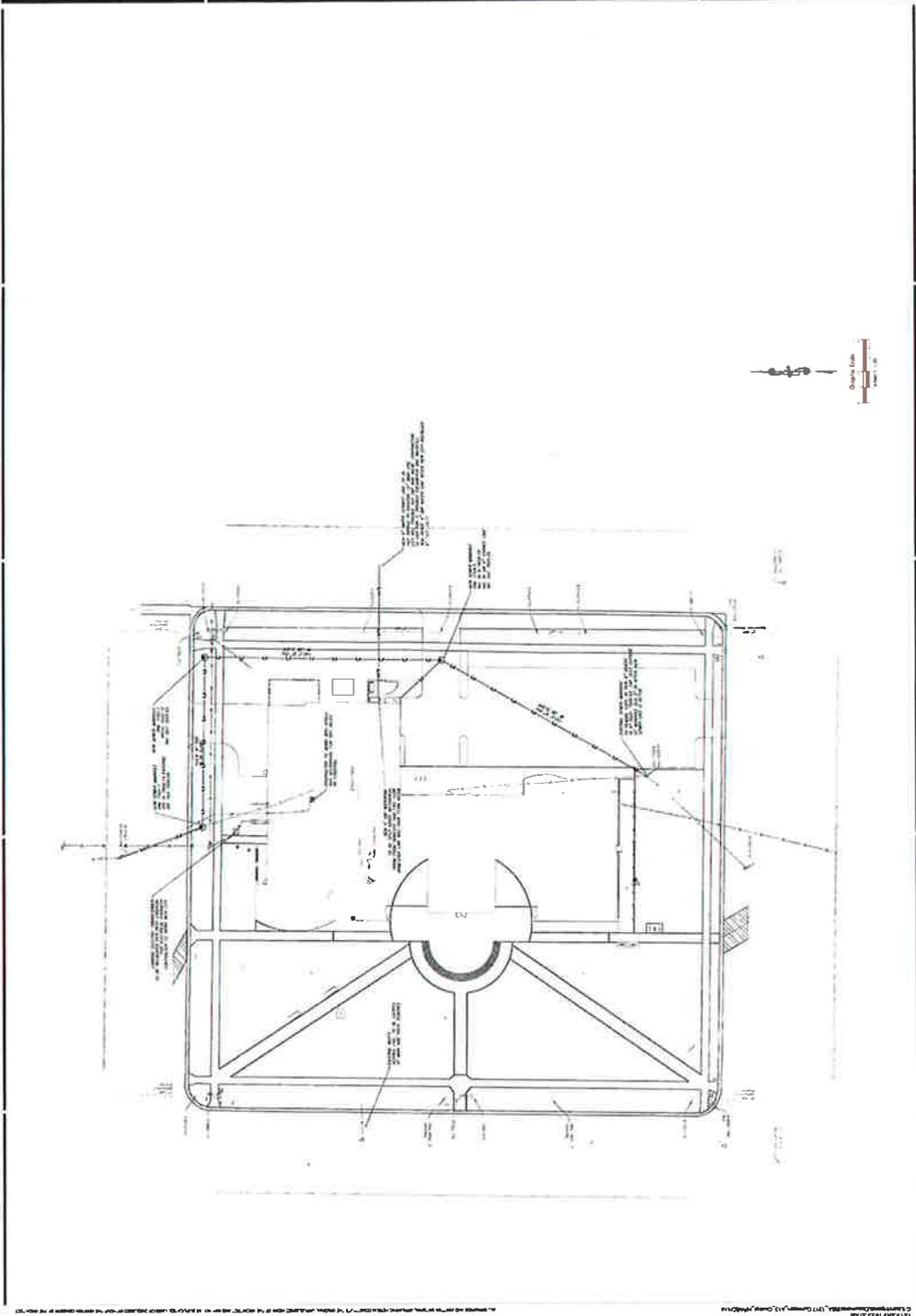
0 32 64 128

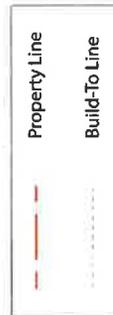
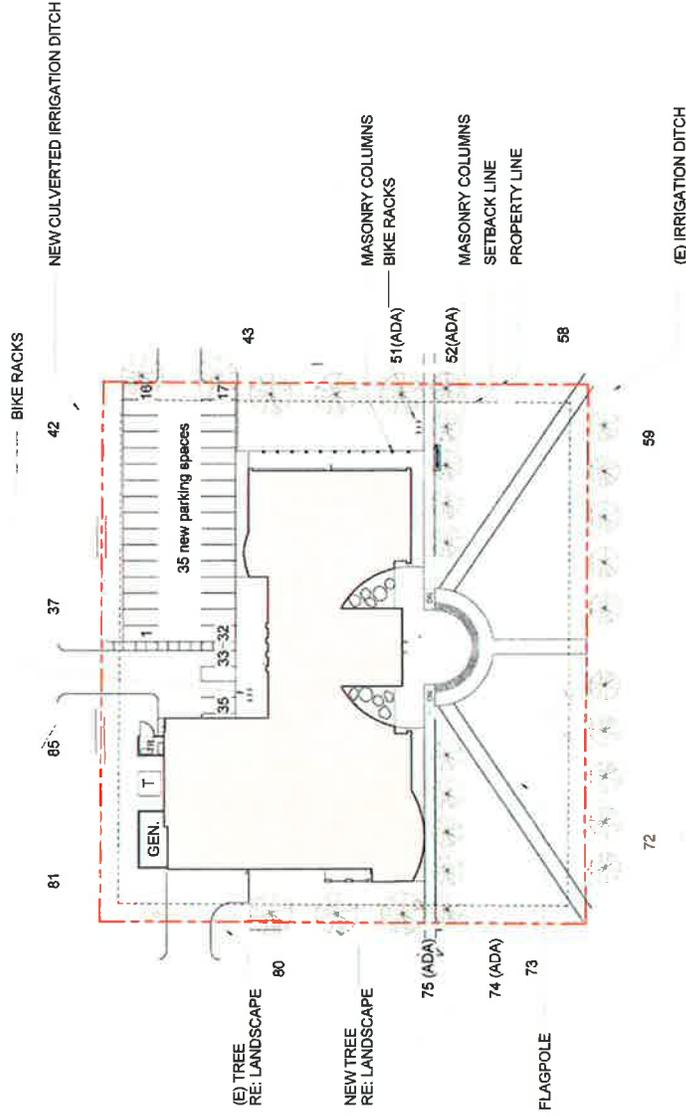
100% DESIGN DEVELOPMENT



100% DESIGN DEVELOPMENT
20 DECEMBER 2013
500 EAST WYOMING AVENUE, DENVER, COLORADO 80202
GUNNISON COUNTY COURTHOUSE
DENVER, COLORADO

UTILITY
SHEET NUMBER
C4.00

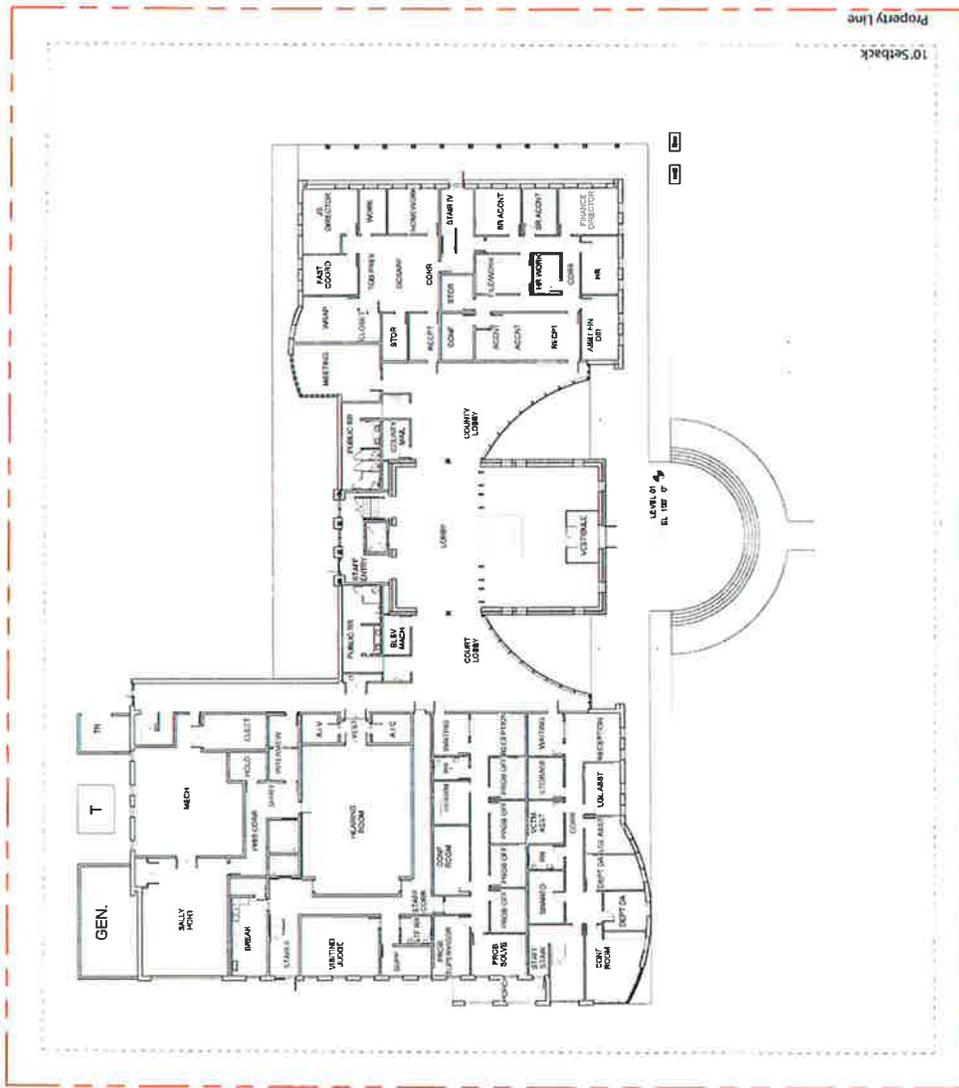




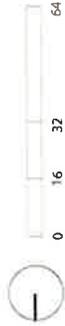
SITE PLAN

CM/GC PRICING PACKAGE





LEVEL 1
CM/GC PRICING PACKAGE





Aerial View



SHEPPARD

PERSPECTIVES
CM/GC PRICING PACKAGE

GUNNISON COUNTY COURTHOUSE FACILITY

07 NOV. 2013



View from SW



SHEPPARD

PERSPECTIVES
CM/GC PRICING PACKAGE

GUNNISON COUNTY COURTHOUSE FACILITY

07 NOV 2013



View from NW



SHEPARD

PERSPECTIVES
CM/GC PRICING PACKAGE

GUNNISON COUNTY COURTHOUSE FACILITY

07 NOV. 2013



View from NE



SHEPPARD

PERSPECTIVES
CM/GC PRICING PACKAGE

GUNNISON COUNTY COURTHOUSE FACILITY

07 NOV 2013



View from SE



SHEPPARD

PERSPECTIVES
CM/GC PRICING PACKAGE

GUNNISON COUNTY COURTHOUSE FACILITY

07 NOV. 2013

**DRAFT MINUTES JANUARY 8, 2014
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING**

7:00PM

Page 1 of 2

MEMBERS	PRESENT	ABSENT	EXCUSED
Erik Niemeyer	X		
Erich Ferchau	X		
Andy Tocke	X		
Bob Beda	X		
Sharon Cave	X		
Greg Larson	X		
Councilor Stu Ferguson	X		

OTHERS PRESENT: Community Development Director Steve Westbay and City Planner Andie Ruggera.

I. CALL TO ORDER AT 7:00 PM BY CHAIR GREG LARSON

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS. There were none

IV. CONSIDERATION OF THE DECEMBER 11, 2013 MEETING MINUTES. Councilor Ferguson moved and Commissioner Niemeyer seconded, to approve the December 11, 2013 meeting minutes as edited.

Roll Call Yes: Ferchau, Tocke, Larson, Cave, Beda, Niemeyer and Ferguson
 Roll Call No:
 Roll Call Abstain:
 Motion carried

- V. COUNCIL UPDATE.** Councilor Ferguson updated the Commission on recent Council business.
- The new dispatch and police department is up and running and the flexibility of the building is amazing in regard to the electronics. The LEED system has been a headache and the City has hired individuals to work through the issues.
 - An Economic Development Conference is at the end of the week and quite a few Council members and representatives in the Gunnison Valley are attending. There are some pretty interesting things happening and it is a coordinated effort with the entire County. Commissioner Ferchau asked Ferguson what he thinks the City and County's role in economic development is. Councilor Ferguson responded that his personal opinion is the focus of economic development ought to be outside government and with a private entity, such as the Chamber of Commerce. Government should address what the barriers are and how to get around them. Ferguson stated City Council should have some interesting meetings on economic development over the next few months.

VI. COMMISSIONER COMMENTS

- Commissioner Beda thanked the Commission for excusing him at the last meeting.
- Commissioner Tocke inquired on the condition of the City's water system and stated he has lived at two different places, both of which have had a water line break. Councilor Ferguson responded that water leaks are common and said the soils have high corrosive elements that cause the occasional water breaks. Director Westbay stated there is an

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average of four water breaks during the winter. Ferguson added that Joe Doherty and the water crew do a good job on being proactive and try to repair water lines before a scheduled road repair. Discussion ensued on well water additives and potential wastewater leaks.

- Councilor Ferguson commented that Dusty Szymanski's Community Build project is a great model to have in the community and Dusty did a tremendous job of pushing the boundaries on non-traditional building that is energy efficient and attractive.

VII. PLANNING UPDATE. Director Westbay stated he would update the Commission during the work session.

VIII. ADJOURN. Chair Larson adjourned to a Work Session at 7:25 p.m.

Greg Larson, Chair

Attest:

Andie Ruggera, Secretary