

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
Rev 10/30/2015**

DATE: WEDNESDAY, NOVEMBER 4, 2015
TIME: 7:00 P.M.
PLACE: CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.

REGULAR MEETING

7:00pm

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE TO THE FLAG**
- III. PUBLIC HEARING AND POSSIBLE ACTION – CONDITIONAL USE APPLICATION- CU 15-4, SUBMITTED BY LOU COSTELLO, THE COLORADO CANNABIS CABIN, LLC, FOR THE OPERATION OF A RETAIL MARIJUANA STORE IN THE INDUSTRIAL ZONE DISTRICT.**
- IV. UNSCHEDULED CITIZENS**
- V. CONSIDERATION OF THE OCTOBER 28, 2015 MEETING MINUTES**
- VI. COUNCIL UPDATE**
- VII. COMMISSIONER COMMENTS**
- VIII. PLANNING STAFF UPDATE**
- IX. ADJOURN TO WORK SESSION**

WORK SESSION – COMPREHENSIVE PLAN UPDATE – FUTURE PLANNING SCENARIO AND VISIONING

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.

TO: Planning Commission
FROM: Community Development Staff
DATE: October 27, 2015
RE: Conditional Use Application CU 15-4,

CODE PROVISIONS

The City's *Land Development Code (LDC)*, Section 2.4 Principal Use Table, classifies a retail marijuana establishment as Conditional Use and requires a permit to operate in the Industrial (I) district zone. Conditional Uses are those land uses which are generally compatible with the permitted uses in a district zone, but require site-specific review of their location, intensity, density, configuration and operating characteristics. Conditions may be imposed in order to ensure compatibility of the uses at a particular location and mitigate potentially adverse impacts.

The *LDC* Section 7.2 specifies that Conditional Use applications be reviewed by the City of Gunnison Planning and Zoning Commission (Commission) at a Public Hearing after 15 days public notice. The Commission may approve, approve with conditions, deny or remand the application back to the Applicant with instructions for modification.

APPLICATION

The applicant, The Colorado Cannabis Cabin, LLC, represented by Lou Costello, is requesting the operation of a retail marijuana establishment within the Industrial district zone. The property is located at 650 South 11th Street (Unit B) and the legal description is Lots 5 through 13, Block 5, Rio Grande Addition, City and County of Gunnison. The applicant's narrative states:

“Description of Proposal.

1. To operate a retail marijuana sales store in the zone permitted by the City. An established retail hydroponics store currently operates at 650 S. 11th Street, Unit A, we will occupy Unit B. Retail marijuana sales at this location is appropriate and will be compatible and complementary.
2. Hours of operation will be 10:00 am to 7:00 pm Monday through Saturday and 1:00 pm to 6:00 pm on Sunday.
3. Traffic. This use will not cause undue traffic congestion or parking issues. The store has a huge parking lot that is accessed from 11th Street.
4. Nuisance. This use will be very compatible with the surrounding properties and odor will be mitigated with an approved source capture system capable of removing particulate and odors as required to achieve levels that do not constitute a nuisance to adjacent occupants.
5. Environment. This retail use will have no adverse impacts on the environment.”

SITE ASSESSMENT

Surrounding uses include pet services (Waggin' Tails) and outdoor storage to the west, industrial shops and outdoor storage to the north and east and the Gunnison-Crested Butte Regional Airport is to the south of the subject site.

The total square footage of the site is 33,750 and the existing structure is approximately 3,750 square feet. The *LDC* requires 15 off-street parking spaces for a retail store use (one off-street space per 250 square feet of retail area) for both the Hydroponic Supply and the proposed retail marijuana store. The proposed retail marijuana facility requires five spaces and Hydroponic Supply requires 10 spaces. The site plan indicates 24 off-street parking spaces with the access off 11th Street.

The *LDC* requires 3,375 square feet of landscaped area for this site. Landscaping in the Industrial District requires a combination of xeriscape plants, mulch, permeable surface for drainage, planters, or other coverage approved by the Director. The site provides landscaping to the south of the property and greenspace in front of the existing structure.

The *LDC* requires a 15 foot-wide street buffer along the Rio Grande Avenue street frontage. Within the buffer one tree for each 50 lineal feet and one shrub per each 20 lineal feet of street frontage is required. The site provides an approximate 44 foot-wide buffer along Rio Grande Avenue that is bermed and contains many trees and shrubs.

The applicant has submitted an application to the City Clerk and the State of Colorado for a Retail Marijuana Establishment License. Requirements of the license include, but are not limited to, inspection of the premises to ensure compliance with the Building and Fire Codes, submittal of a mechanical exhaust / ventilation design plan by a licensed professional, submittal of a site plan and floor plan and compliance with all sections of the *LDC*. This Conditional Use is contingent upon approval and issuance of the Marijuana License by the City.

DEPARTMENTAL COMMENTS:

Building Official: No issue as long as the typical conditions are met as outlined in the Community Development Application for approval of a Retail Marijuana Establishment.

Fire Marshal: No issue.

Parks and Recreation Department: No issue.

Police Department: No issue.

Public Works Director: No issue.

City Engineer: No issue.

Water and Sewer Superintendent: No issue.

Electric Superintendent: No issue.

STAFF OBSERVATIONS

1. The applicant is requesting the operation of a retail marijuana establishment in the Industrial zone district which requires conditional use approval based on the City's *Land Development Code*.
2. Surrounding uses include outdoor storage, light industrial and pet services.
3. The proposed retail marijuana establishment is compatible with the surrounding neighborhood as long as certain conditions are fulfilled.
4. The *LDC* requires 15 off-street parking spaces for the retail sales use (retail marijuana and Hydroponic Supply), based off the existing structure square footage. The site plan indicates 24 parking spaces.
5. The *LDC* requires a minimum of 3,375 square feet of landscaping that is a combination of xeriscape plants, mulch, permeable surface for drainage, planters, or other coverage approved by the Director. The site contains a buffer area on the south end of the property that is 4,500 square feet of landscaped area.
6. A 15 foot-wide buffer is required along Rio Grande Avenue with three trees and eight shrubs. An approximate 44 foot-wide buffer is located along the Rio Grande Avenue frontage with trees and shrubs.
7. The applicant has submitted an application for a Marijuana License to the City and the State for a Retail Marijuana Establishment and is under review.
8. Inspection of the facility will be required prior to issuance of a Retail Marijuana Establishment License.
9. A mechanical exhaust / ventilation design plan by a registered engineer is required prior to issuance of a Retail Marijuana Establishment License.
10. The approval of this Conditional Use is contingent upon the issuance of a City license for a marijuana facility.

REVIEW STANDARDS

A. General Compliance Criteria and Standards. All city licensed marijuana establishments shall meet the following minimum criteria and standards.

1. Marijuana establishments shall not be located within 1000 feet of a public school; private or charter school; daycare school, center, or home; and mental health facilities. The measure is established as a straight line drawn between any points of

the respective property boundaries and is designated by the *Marijuana Establishment Buffer Map* adopted by the City Council. If any portion of deeded real property is intersected in any manner by a designated buffer boundary the entire deeded property is prohibited from being licensed as a marijuana establishment.

No Conflict. The site is located outside of the buffer and within the Industrial District.

2. Licensed marijuana establishments shall not be located on real property that fronts, abuts or is adjoining to any Residential District zone (R-1,R-1M, R-2, RMU, R-3, PUD-Residential).

No Conflict. The site is located outside of the buffer and within the Industrial District.

3. Licensed Marijuana establishments are subject the district zone location standards as set forth in Table 2-3 (Principal Use Table) of this *LDC*.

No Conflict.

4. Marijuana establishment signage shall include only the registered business or trade name, address, and telephone number of the marijuana establishment. Display of graphic/images of any portion of a marijuana plant on signage associated with marijuana establishments shall be prohibited. Sign standards for marijuana establishments shall comply with all provisions of this *LDC* or other applicable city laws and regulations.

5. **No Conflict.** Sign permits shall be administered and approved by the Building Official.

6. Except for permanent signage as permitted in Section 4.8, Signs of this *LDC*, it shall be unlawful for any person licensed by the City of Gunnison, or any other person to advertise any marijuana or retail marijuana product anywhere in the city where the advertisement is visible to members of the public from any street, sidewalk, park or other public place, including advertising utilizing any of the following media: billboard, Off-Premise Sign, or other outdoor general advertising device as defined in this *LDC*; any sign mounted on a vehicle, any hand-held or other portable sign; or any handbill, leaflet or flier directly handed to a person in a public place, left upon a motor vehicle or posted upon any public or private property.

No Conflict. Sign permits shall be administered and approved by the Building Official.

7. Licensed marijuana establishments shall comply with all provisions, standards and regulations of this *LDC*.

No Conflict. The site complies with the standards and regulations of the *LDC* including landscaping, buffers and off-street parking.

8. Licensed marijuana establishments shall be served by city water, wastewater, and electrical utility services and shall comply with all provisions, standards and regulations specified in the Utilities (Title 12), *City of Gunnison Municipal Code*.

No Conflict. The site is served by city water, wastewater and electric.

9. All licensed marijuana establishments shall comply with all applicable requirements of Colorado State Law.

Possible Conflict. The applicant has not received license approval from the City or the State. This Conditional Use will be contingent upon license approvals.

10. Licensed marijuana establishments shall comply with Code of Colorado Regulations, Medical Use of Marijuana and the Code of Colorado Regulations, Retail Marijuana Code.

Possible Conflict. The marijuana facility is pending License approval with the City and the State.

11. Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment. Licensed marijuana establishments involved in the sale, transfer, packaging, processing, cultivation, production, extraction or destruction of plants and their parts, devices, designed for the use of marijuana and marijuana products, or other marijuana related operations and activities, shall provide an approved source capture system capable of removing particulate and odors as required to achieve levels that do not constitute a nuisance to adjacent occupants, structures and properties.

Possible Conflict. A mechanical exhaust / ventilation design plan by a registered engineer has been submitted; however, will not be reviewed until a complete application from the State has been received. A plan that is approved by the Community Development Department is required prior to approval of the City marijuana license.

12. Building Standards. Licensed marijuana establishments shall be located in buildings that comply with the International Code Council codes adopted by the City and in effect at the time of the license application submittal.

Possible Conflict. An inspection of the facility and approval of a floor plan and mechanical exhaust / ventilation plan will be required prior to approval of the City marijuana license.

13. Hours of Operation. Licensed marijuana establishments shall not sell, distribute, or initiate the transport of Marijuana or Marijuana Products at any time other than between the hours of 8:00 am and 10:00 pm, Mountain Standard Time, Monday through Sunday, except that Retail Marijuana Establishment hours are limited on Sunday to the hours of 1:00 pm to 6 pm, Mountain Standard Time.

No Conflict. Proposed hours of operation comply with hours of operation standards.

14. Director or designee shall perform inspections of all licensed marijuana establishments at their discretion. Inspections shall include review of operations and maintenance records.

Not Applicable. Inspections of operations and maintenance records will occur once a marijuana license has been issued and the facility is in operation.

B. Retail Marijuana and Medical Marijuana Center Standards (retail marijuana establishments). A licensed retail marijuana establishment shall comply with the general criteria and standards (Section 3.15 B.) in addition to the following standards:

1. Building Standards. Licensed retail establishments shall be located in buildings that comply with occupancy standards established in the International Code Council codes adopted by the City and in effect at the time of the license application submittal.

Possible Conflict. An inspection of the facility and approval of a floor plan and mechanical exhaust / ventilation plan will be required prior to approval of the City marijuana license.

2. Licensed retail establishments shall be located on lots in buildings that comply with the regulations in the *LDC* including, but not limited to, landscape standards, buffer standards, lighting standards, screening standards and parking standards.

No Conflict. The site complies with the standards and regulations of the *LDC* including landscaping, buffers and off-street parking.

3. Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.

Not Applicable. Compliance with window glazing standards will be required and approved prior to issuance of a Certificate of Occupancy.

4. Off-premises retail marijuana establishment storage facilities are prohibited.

No Conflict.

The *LDC* Section 7.5 contains seven specific standards that must be met for a Conditional Use Application to be approved:

A. Consistency with Master Plan. The use shall be consistent with the City of Gunnison Master Plan.

No Conflict:

Chapter 7, Economics, Goal: A diversified local economy will support the economic and employment needs of residents and account for social character, land use patterns and global economic and global energy concerns.

B. Conformance to Codes. The use shall conform to all other applicable provisions of this *LDC* and the *City of Gunnison Municipal Code*, including but not limited to:

a. **Zone District Standards.** The purpose of the zone district in which it is located, the dimensional standards of that zone district, Section 2.4 (Principal Use Table) and Section 2.6 (Base Zone district Dimensional Standards).

No Conflict: The purpose of the Industrial zone district is to provide areas for a broad-range of manufacturing, production, product transport, and other industrial uses. These industries should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or business districts, warehousing and wholesaling activities.

b. **Specific Use Regulations.** All Conditional Use applications shall comply with all applicable Special Use Regulations set forth in Section 3 of this *LDC*.

Possible Conflict: See marijuana establishment regulations above.

c. **General Development Standards.** All Conditional Use applications shall comply with all applicable regulations, criteria and standards set forth in Section 4 of this *LDC*.

No Conflict. The site complies with the standards and regulations of the *LDC* including landscaping, buffers and off-street parking.

d. **Natural Resource Protection Standards.** All Conditional Use applications shall comply with all applicable regulations, criteria and standards set forth in Section 5, Natural Resource Protection Standards, of this *LDC*.

No Conflict.

C. Use Appropriate and Compatible. The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

Possible Conflict: A marijuana establishment is compatible with the surrounding neighborhood. A site visit by the Building Official and Fire Marshal will ensure compliance of Building and Fire Codes and Mechanical codes in regard to the exhaust / ventilation system.

D. Traffic. The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measures shall be proposed by the applicant.

No Conflict: Traffic should not be impacted by this use and parking is accessed off 11th Street.

E. Nuisance. The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and similar conditions.

Possible Conflict: A mechanical exhaust / ventilation system by a licensed professional is required prior to a Certificate of Occupancy to mitigate possible odor nuisances.

F. Facilities. There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

No Conflict:

G. Environment. The use shall not cause significant deterioration to water resources, stormwater volume and quality, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

No Conflict.

ACTION

During the regular Planning and Zoning Commission meeting held on November 4, 2015, Commissioner _____ moved, and Commissioner _____ seconded, and the Commission voted to APPROVE Conditional Use Application CU 15-4, submitted by The Colorado Cannabis Cabin, LLC for the operation of a retail marijuana establishment at 650 South 11th Street, Unit B within the Industrial district, based on the following findings of fact and conditions:

FINDINGS OF FACT:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that this Conditional Use application is for the operation of a retail marijuana establishment in the Industrial zone district.
3. The Planning and Zoning Commission finds that the retail marijuana establishment is compatible with the surrounding neighborhood as long as certain conditions are fulfilled.
4. The Planning and Zoning Commission finds that 15 off-street parking spaces are required on the site by the *LDC* for the two retail uses.
5. The Planning and Zoning Commission finds that 24 off-street parking spaces with one access point off 11th Street are indicated on the site plan.
6. A 15 foot-wide buffer is required along Rio Grande Avenue. The Planning and Zoning Commission finds that the site meets the requirements of the *LDC* for landscaping and buffering and provides a 44 foot-wide buffer along Rio Grande Avenue.
7. The Planning and Zoning Commission finds that an inspection by the Building Official and Fire Marshall is required to ensure compliance with Building, Fire and Mechanical Codes.
8. The Planning and Zoning Commission finds that the applicant has submitted a license to the City and the State of Colorado for a Retail Marijuana Establishment and this Conditional Use is contingent upon license approval.

9. The Planning and Zoning Commission finds that the retail marijuana establishment will not be a detriment to the community's health, safety and welfare as long as the following conditions are fulfilled:

CONDITIONS:

1. A site inspection of the property is required by the Building Official and the Fire Marshal.
2. A HVAC exhaust / ventilation system designed by a registered engineer shall be approved by the Building Official and a Mechanical Permit is required for installation of the system. Final inspection and approval of the system is required prior to Certificate of Occupancy.
3. This Conditional Use approval is contingent upon the issuance of the City of Gunnison and State of Colorado license for a Retail Marijuana Establishment.

Applicant Name(s): THE COLORADO CANNABIS CABIN LLC

Phone #: 970-209-9865 Fax #: NONE E-Mail: lou3ct@gmail.com

Mailing Address: 103 BASIN PARK DRIVE

City: GUNNISON State: CO Zip: 81230

Legal Description

Site Address of Property: 650" B" S. 11TH STREET Zoning _____
Block: 6 Lot(s): 5-13 Addition: RIO GRANDE ADDITION # 565096

Disclosure of Ownership- Please provide one of the following:

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

Summary of Request:

To operate a retail marijuana store at 650 S. 11TH "B"

Attachments: Vicinity Map (8.5"x11") Description of Proposal

Names, Addresses and Map of Adjoining Property Owners (From Assessor's Office)

Vested Property Rights Authorization of Agent (Power of Attorney from Owner, if not the 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. Include a table for all dimensional requirements based on §2.6. (See attached sample)

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

Signature(s)

Louis F. Costello

Date 10-06-2015

Date _____

For Office Use Only

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

CONDITIONAL USE

1. Description of Proposal.

To operate a retail marijuana sales store in the zone permitted by the City. An established retail hydroponics store currently operates at 650 S. 11th, Unit A, we will occupy Unit B.

Retail marijuana sales at this location is appropriate and will be compatible and complementary to Gunnison Hydroponic Supply since many of their customers ask if they sell marijuana products.

2. Hours of operation will be 10:00am to 7:00pm Monday through Saturday and 1:00pm to 6:00pm on Sunday.

3. Traffic. This use will not cause undue traffic congestion or parking issues. The store has a huge parking lot that is accessed from 11th Street.

4. Nuisance. This use will be very compatible with the surrounding properties and odor will be mitigated with an approved source capture system capable of removing particulate and odors as required to achieve levels that do not constitute a nuisance to adjacent occupants.

5. Environment. This retail use will have no adverse impacts on the environment.

Assessor
Quick
Links
[Gunnison Assessor Home](#)
[Find Property Records](#)



Assessor Property Record Search

Property Record Card (PRC)

Owner and Parcel Information

Owner Name & Mailing Address HEAD SANDRA L TRUST 58784 SPRING CREEK RD MONTROSE, CO 81403-7909	Today's Date: September 8, 2015 Appraisal Year: 2015	Account Number: R033816 Parcel Number: 3787-021-45-005 Account Type: Mixed Use Economic Area: Econ Area 1 Tax District: 100 Mill Levy: 56.217
Business Name: NA		Parcel Map Show Parcel Map Building Photos Building Images Building Sketches Building Sketches Generate Neighboring Owner List by Distance Search Sales By Subdivision
Property Location: 650 S 11TH ST, GUNNISON Neighborhood: GUNNISON INDUSTRIAL LEA: INDUSTRIAL (12410) Subdivision: RIO GRANDE ADDITION (GUNNISON) Condo:		
Legal Description: LOT 5-13 BLK 6 RIO GRANDE ADDN #565096 Parcel Notes: TOTAL PARCEL = 33,750 SF STMT OF AUTH #565095 SANDRA L HEAD TRUST MAY 12 2006		

2015 Assessment Information

Land Actual Value	Land Assessed Value	Building Actual Value	Building Assessed Value	Total Actual Value	Total Assessed Value
\$171,210	\$41,730	\$302,520	\$56,750	\$473,730	\$98,480

Prior Year Assessment Information

Year	Actual Value	Assessed Value	Mill Levy	Ad Valorem Taxes
2014	\$383,050	\$88,940	56.217	\$4,999.95
2013	\$383,050	\$88,940	49.778	\$4,427.26
2012	\$593,210	\$143,970	44.152	\$6,356.56
2011	\$593,210	\$143,970	44.343	\$6,384.06
2010	\$679,480	\$172,160	40.939	\$7,048.06
2009	\$679,480	\$172,160	39.757	\$6,844.56
2008	\$822,510	\$220,630	41.387	\$9,131.20
2007	\$822,510	\$220,630	36.186	\$7,983.72
2006	\$363,160	\$90,750	43.784	\$3,973.40

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
OFFICES-LAND	Commercial	0.466	YEAR ROUND	INSTALLED	CENTRAL INSTALLED	DOMESTIC INSTALLED	LAND TYPE PRIMARY - MEADOW SITE IMPROVEMENTS - IMPROVED DIRT OR GRAVEL DRIVEWAY SITE IMPROVEMENTS - AVERAGE FENCING SITE IMPROVEMENTS - CURBS AND OR GUTTER
SINGLE FAM.RES.-LAND	Residential	0.131	YEAR ROUND	INSTALLED	CENTRAL INSTALLED	DOMESTIC INSTALLED	LAND TYPE PRIMARY - MEADOW SITE IMPROVEMENTS - IMPROVED DIRT OR GRAVEL DRIVEWAY SITE IMPROVEMENTS - AVERAGE FENCING SITE IMPROVEMENTS - CURBS AND OR GUTTER

Sales Information

Sale Date	Sale Amount	Grantor	Grantee	Vacant or Improved (at time of sale)	Reception #	Deed Type
04/21/2006		HEAD SANDRA L	HEAD SANDRA L TRUST	N/A	565096	QUIT CLAIM DEED - NO FEE

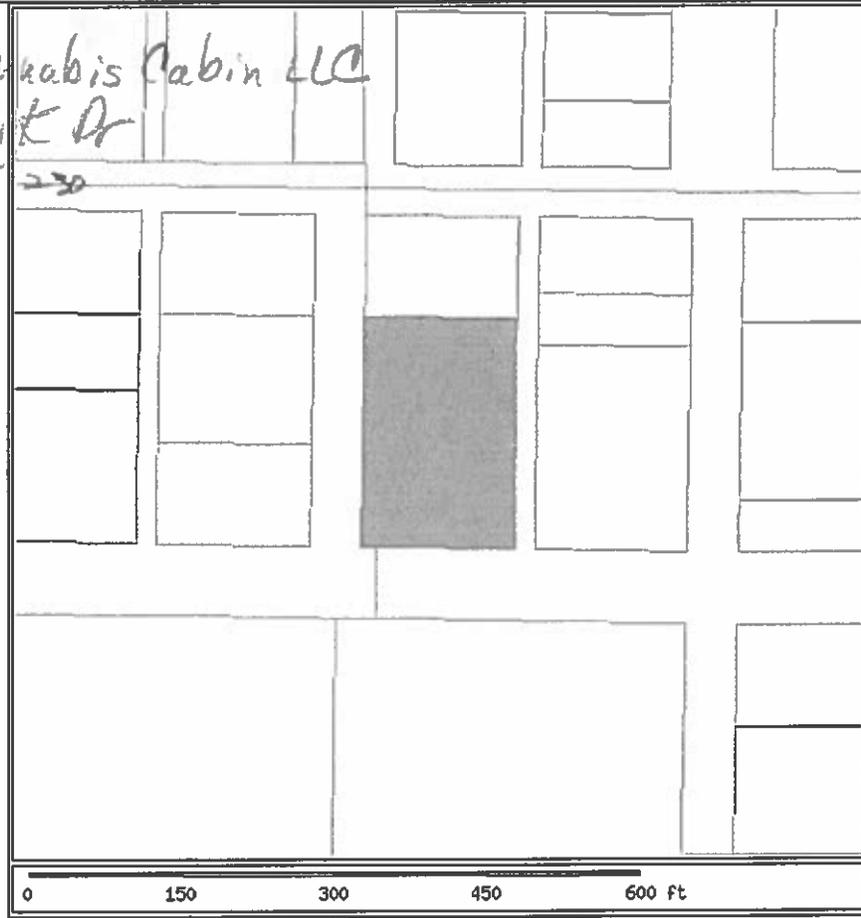


100 Feet Refresh With New Distance

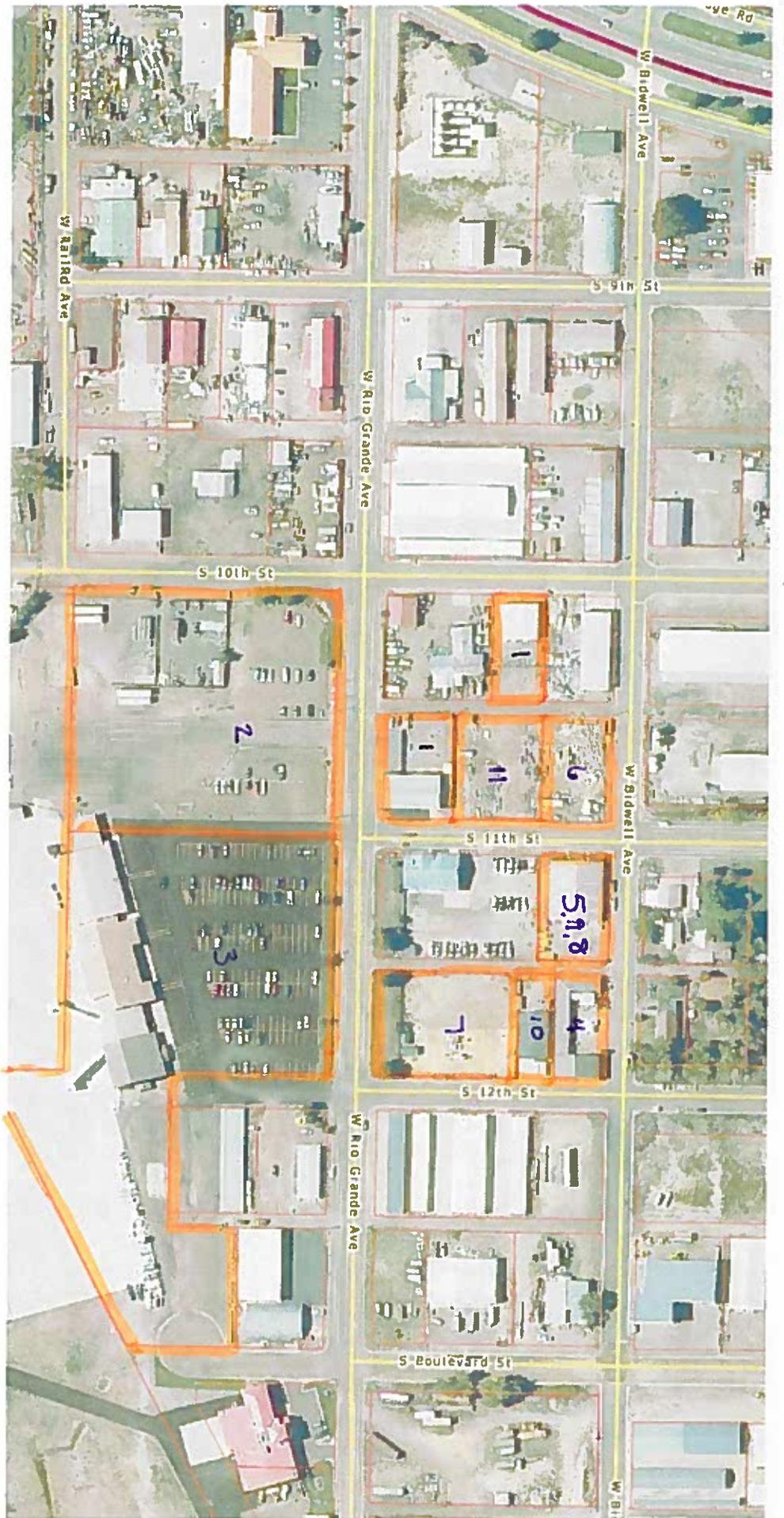
Print Mailing Labels at 100 Feet

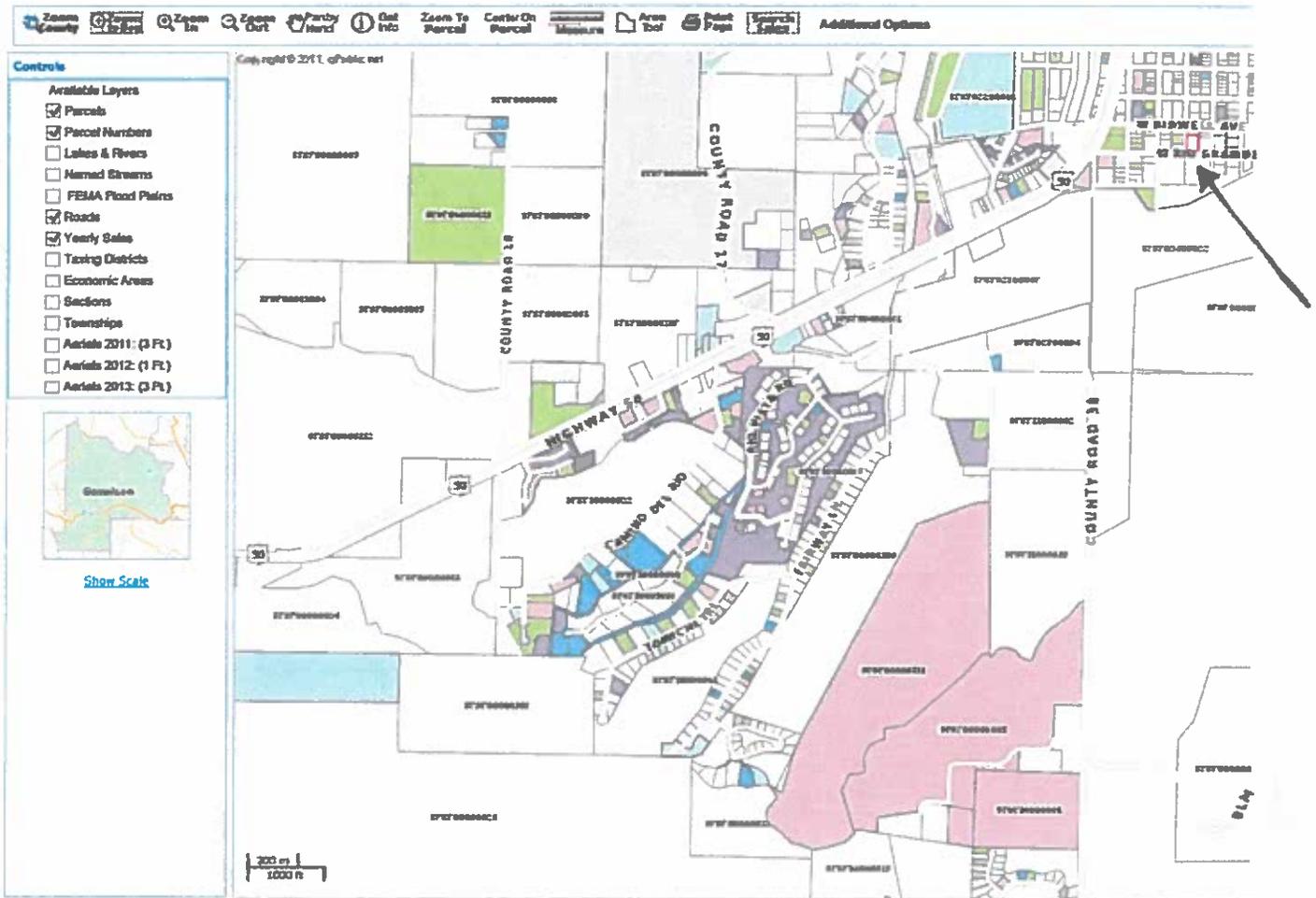
Count	Parcel #	Owner	Address	City	State	Zip
+ 1	3787-021-60-003	MARKS KENNETH S	691 SIERRA VISTA WAY	GUNNISON	CO	81230
+ 2	3787-021-45-003	LUCAS MARK	601 S 12TH ST	GUNNISON	CO	81230
+ 3	3787-021-28-011	W MOUNTAIN CONSTRUCTION LLC	767 RIO VISTA RD	GUNNISON	CO	81230
+ 4	3787-021-45-008	MILSKI KENT SHEFFER MILSKI JAMES G ETAL	PO BOX 1557	GUNNISON	CO	81230
5	---					
+ 6	3787-021-28-012	B & L HOLDINGS LLC C/O KENNETH R BERGAN	320 PARK DR	GUNNISON	CO	81230
+ 7	3787-021-60-002	SPORCICH DEBRA S	PO BOX 606	CRESTEDBUTTE	CO	81224
+ 8	3787-021-60-001	SPALLONE CONSTRUCTION INC	PO BOX 1145	GUNNISON	CO	81230
+ 9	3787-021-45-009	TUTOR ROBYN L TUTOR KEVIN R ETAL	PO BOX 575	GUNNISON	CO	81230
+ 10	3787-021-45-005	HEAD SANDRA L TRUST	58784 SPRING CREEK RD	MONTROSE	CO	81403
+ 11	3787-021-28-003	MCELROY DANIEL T ETAL SMITH A JAMES JR	PO BOX 1938	CRESTEDBUTTE	CO	81224
+ 12	3787-021-46-006	GUNNISON COUNTY AIRPORT	200 E VIRGINIA AVE	GUNNISON	CO	81230
+ 13	3787-021-33-002	GUNNISON COUNTY AIRPORT	200 E VIRGINIA AVE	GUNNISON	CO	81230

+ The Colorado Parklands Cabin LLC
103 Basin Park Dr
Gunnison Co 81230



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

OTHERS PRESENT: Community Development Director Steve Westbay, Planner Andie Ruggera, Planning Technician Michelle Spain

I. CALL TO ORDER AT 7:02 PM BY CHAIR GREG LARSON

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. ACTION ON BUFFER WAIVER- REQUEST STAFF REPORT - SPORTSMAN'S LIQUOR, 713 WEST TOMICHI AVENUE

Commissioner Larson reviewed the request presented at the last meeting. Director Westbay asked that the two members that were not present at the prior meeting to recuse themselves from the vote. Commissioner Niemeyer requested to be able to make comments.

Director Westbay explained the reason for the document criteria statements. He wanted this to match the approval.

Commissioner Larson opened for questions from the Commission.

Commissioner Niemeyer asked for a brief review of plans A & B. Director Westbay explained both plans. Commissioner Niemeyer echoed concerns with this request concerning the future complete streets project. Commissioner Niemeyer indicated that the P & Z Commission should be upholding the LDC for all requests.

Commissioner Ferchau asked if these changes had been forwarded to the applicant. Planner Ruggera verified that the Architect had been sent the changes.

Commissioner Tocke commented on non-motorized transportation. The second queuing position sits in the middle of the sidewalk. Commissioner Larson did indicate that is also the current configuration. Commissioner Tocke did not like the hindrance to bike and pedestrian traffic.

Commissioner Beda no comment.

Commissioner Cave no comment.

Councilman Schwartz indicated that the position he had at the last meeting still stood. He agreed with Commissioner Niemeyer that this Commission should follow the LDC.

Discussion ensued on the entry areas to the property.

Director Westbay reviewed the public right of way area on this parcel and what could happen in the future with CDOT. These public right of way issues are on other properties on the Highway 50 corridor and also on Tomichi.

ACTION

At the Planning and Zoning Commission meeting of October 28, 2015, Commissioner Ferchau moved, and Commissioner Cave seconded to APPROVE the request by Sportsman's Liquor, for a waiver of nine feet from the 25 foot Main Street buffer requirement with an open access of over 86 feet at 713 West Tomichi Avenue based on the following findings of fact:

Findings of fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; provisions of the *City of Gunnison Land Development Code*; and the *City of Gunnison Master Plan (2007)*.
2. The Planning and Zoning Commission finds that a waiver design was approved on July 15, 2015 granting a buffer width of 16 feet and an access off Tomichi Avenue of 24 feet.
3. The Planning and Zoning Commission finds that the applicant modified their original request and are now requesting a Waiver of nine feet for a total buffer width of 16 feet along the Tomichi Avenue frontage on the northwest and northeast corners leaving an open access of over 86 feet.
4. The Planning and Zoning Commission finds that the site is restricted in regard to the size of the lot, two street frontages, existing placement of the structure and drive-through access and parking requirements and pedestrian facility needs.
5. The Planning and Zoning Commission finds that the application does not diminish the long term health, safety, and welfare of the community.

Roll Call Yes: Cave, Larson, Beda, Ferchau

Roll Call No: Schwartz

Roll Call Abstain: Niemeyer and Tocke

Motion Passed by Majority

The applicant's manager requested a copy of the approval be emailed to him.

IV. UNSCHEDULED CITIZENS There were none

V. CONSIDERATION OF THE OCTOBER 14, 2015 MEETING MINUTES.

Commissioner Cave moved and Commissioner Beda seconded, to approve the October 14, 2015 meeting minutes as presented.

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

VI. COUNCIL UPDATE. Councilman Schwartz started his review.

- The budget was reviewed and is in balance with reserves at 41%. Revenues were listed in a conservative manner.
- Last night's meeting Public Hearing on the Ordinance No. 16, to include a museum as permitted use within the Gunnison Rising PUD standards, passed 1st reading.
- Challenge grant requests were reviewed. Finance Director, Ben Cowan will assign a councilman to each grant and this will be reviewed by them. The guidelines will be updated and used to review each application. Planner, Ruggera explained the differences between the Challenge Grant/Continuing Challenge Grant. The guidelines will be updated for a more accurate review. Director Westbay stated that in 2002 the reviews were initiated to help start new programs.
- 2 public hearings for Marijuana Licenses have been set in December. Director Westbay indicated that there will be more. Commissioner Larson asked if any grow operations were applied for. Director Westbay indicated none had been submitted at this time.

VII. COMMISSIONER COMMENTS.

Councilman Schwartz will be absent for the next meeting.

Commissioner Tocke asked about the ex-parte communication issues. The applicant had withdrawn their request. Director Westbay reviewed the items and indicated that this was a good exercise for this Commission.

VIII. PLANNING STAFF UPDATE. Director Westbay started his review.

- Director Westbay had visited with the Gunnison County Community Development staff for a 3-Mile Area review. The current application is from O.A. Pesnell, Monson Creek Jeep Rentals. County staff indicated that their Planning Committee will not participate in the review. The technical advisory committee will be reviewing applications. Next Tuesday at 3:00pm will be the review for Mr. Pesnell. Site visits were discussed and the dates. Councilman Schwartz, will attend this meeting. Planner Ruggera will send an email reminder to all. Commissioner Larson disclosed a request for a possible land swap between Mr. Pesnell and the Lutheran Church.
- December 11, 2015 will be the City Christmas party hosted Community Development at Blue Mesa Grill.

IX. ADJOURN TO WORKSESSION. 7:40 pm

Attest:

Greg Larson, Chair

Michelle Spain, Secretary

The Four Questions for this Visioning Process

1. Where are we now?
2. Where are we going?
3. Where do we want to go in the future?
4. How do we get there?

Where is the Community now? Where is the Community Going?

POPULATION GROWTH AND DEMOGRAPHICS

- Population growth over the past 25 years has been approximately 1% annually. The State Demographer estimates the population growth rate for Gunnison County through 2040 will be between 1.0 and 1.5 percent annually. In comparison to other mountain resort communities, especially on the I-70 corridor this growth rate has been fairly slow and will remain in a fairly constant projection in the future.
- The Hispanic population has increased by about 80 percent in the past two decades.
- Gunnison citizens have a significant life expectancy. Gunnison is the youngest population of any municipality in the state of Colorado.
- Family composition is changing nationally. Single parent households will continue to be more prevalent in the future.
- The community is well educated with approximately 37 percent of citizens having a college degree.

Where is the Community now? Where is the Community Going?

LAND USE, DEVELOPMENT, AND HOUSING

- In 2007 approximately 75 percent of the municipal land area (pre-Gunnison Rising) was developed.
- Assuming a housing occupancy rate of 2.8 persons and a 1.5 percent annual growth factor, approximately 670 dwelling units may be constructed during the next 20 years.
- Infill development could accommodate approximately 1,440 additional dwelling units (2007 Master Plan).
- With annexation of Gunnison Rising, there is ample space to accommodate future development but fringe development in the 3-Mile area should also be considered as an important topic of discussion.

Where is the Community now? Where is the Community Going?

LAND USE, DEVELOPMENT, AND HOUSING (Continued)

- Approximately 327 residential dwelling units were constructed since 1995. It is estimated that 87 new non-residential building permits were issued since 1990.
- Presently, 90 percent of the housing stock is occupied and rental housing stock accounts for about 58 percent of the market.
- Between 1990 and 2010 the median contract rent has increased 68 percent and was reported to be approximately \$800 per month.
- The median County-wide housing value between 2000 and 2010 rose 42 percent.

Where is the Community now? Where is the Community Going?

TRANSPORTATION SYSTEMS

- The existing city street system, configured in a grid network, is efficient and provides the ability to serve all transportation related needs for non-motorized travel and vehicle circulation.
- Existing peak daily traffic volumes at Tomichi/Main are estimated to be approximately 12,000 trips per day (TPD).
- At full buildout, traffic volumes will be approximately 32,000 to 35,000 TPD (Main/Tomichi).
- Developing non-motorized transportation facilities has been, and will continue to be, a City priority.
- Continued development of the city trail system is linked to non-motorized transportation but it is also tied to community recreational and open space functions.
- The Safe Streets design project, an accompanying outgrowth of early work associated with the Comprehensive Plan process, will be an integral focus of future community character.
- The Gunnison-Crested Butte Regional Airport is a critical transportation facility serving as an element for economic development and affecting a significant land area of the municipal territory.

Where is the Community now? Where is the Community Going?

ECONOMIC FUNCTIONS

- Between 2000 and 2010 the median County-wide household income rose 34 percent, from \$25,768 to \$39,181. In 2000 the per capita income was \$15,196 and in 2012 it increased 14.5 percent to \$17,776.
- One Valley Prosperity Project, spearheaded by a consortium of valley-wide entities, was initiated approximately two years ago. The mission of OVPP is to form a strategic path for directing the valley's economic focuses.
- The County's Better Cities project is a study focusing on economic development throughout Gunnison County. The Better Cities project has defined four specific target programs to increase economic vitality and they include: 1. develop a innovation center focused on advanced technology; 2. establish a feasibility study for a downtown Gunnison renaissance project; 3. assess a high altitude training facility; and, 4. explore medical tourism as an economic catalyst.
- City sales tax revenues have increased steadily over the past two decades. Use tax derived from construction material purchases and automobile sales have fluctuated with national economic downturns.

Where is the Community now? Where is the Community Going?

ENVIRONMENTAL CONDITIONS

- While the urbanized area of Gunnison is not within the mapped Gunnison Sage-grouse critical habitat, the community's fringe areas are designated. City projects related to the trail construction and the Gunnison River restoration project are in critical habitat and the listing has affected costs and scheduling of these projects. Gunnison Rising is designated as critical habitat and any development in the annexation will be subject to review under the Endangered Species Act.
- Flooding is a major potential natural hazard for the city to consider. Adopted City regulations require development in the floodplain to be constructed one foot above the 100-year event elevation. Development in Gunnison Rising is prohibited within the designated floodplain. Future development on the western fringe of the community will increase the potential risks associated with flooding.

Where is the Community now? Where is the Community Going?

ENVIRONMENTAL CONDITIONS (Continued)

- The dangers associated with potential wildfire are fairly limited in the city. However, undeveloped urban interface areas are at considerable risk, especially if the events occur during designated red-flag periods.
- Noxious Weed control activity in the city is funded by city revenues directed to the Gunnison County Weed Control district. Several noxious weeds are very prominent and cheat-grass may be the most significant species of concern.
- Water Quality issues are directly related to urbanization and increased stormwater discharge associated with development. A draft *Stormwater Management Plan*, addressing new stormwater control technologies has been drafted but, has not been reviewed by City leaders for potential adoption. Presently, the City is not subject to MS4 stormwater mandates established under the Clean Water Act. However, at some point in the future the city will be subject to these regulations.

Where is the Community now? Where is the Community Going?

CITY SERVICES AND FUNCTIONS

- The General Fund is dedicated to administration, police, street operations and partial funding for the maintenance and operations of park and recreation facilities. The public input from the Community Analysis indicated significant support for maintaining existing service levels provided by the various departments of the City.
- Water, sewer and electrical utility services are enterprise funds, meaning the revenues from these operations are generated from utility rate fees and use tax collected with new building permits. Enterprise funds also pay a promotional share to administration operations that support these utility operations.

Where does the Community want to go? (Goals)

CITY COUNCIL STRATEGIC PLAN DIRECTIVES

Goals

1. Plan for the City's future: Safe Streets; Comp Plan; 3-Mile Plan; Lazy K, Broadband; Rebranding
2. Develop a vibrant and attractive community that is inviting to visitors and residents.
3. Create a walkable, bikeable, and driveable community that is safe and accessible to all types of users.
4. Invest in capital projects: downtown renaissance; Lazy K; Trails; I.OOF Park; Safe Streets.
5. Make employment with the City attractive to current and future employees.
6. Improve delivery and efficiency of City Services.
7. Increase community engagement efforts and strengthen local and regional partnerships.
8. Support ongoing economic development efforts within the community.

Where does the Community want to go? (Goals)

LAND USE AND HOUSING

- New development should pay its own way but City investments in private development may be appropriate only if they derive a positive cost-benefit.
- Avoid sprawl development in the three-mile area by promoting infill development in the corporate limits.
- Strategically direct water and sewer service areas outside the city limits that are appropriate for orderly growth.
- Create an inviting and attractive community with design focus on the downtown business and streetscape along the highway corridor.
- Ensure that housing is attainable for all citizens.

Where does the Community want to go? (Goals)

TRANSPORTATION SYSTEMS

- Create a walkable, bikeable, driveable, community that is safe and accessible to all types of users (Strategic Plan).
- Ensure that transportation planning maintains and enhances connectivity between residential neighborhoods, business and commerce areas, public schools and the Western State Colorado University campus.
- Recreate highway corridors with design emphasis on non-motorized mobility, safe and efficient vehicle circulation and streetscape appeal (Strategic Plan).
- Ensure future extensions of the transportation system provide safe, efficient and appropriate roadways that are developed in a manner that provide appropriate connectivity and contiguity.

Where does the Community want to go? (Goals)

ECONOMIC FUNCTIONS

- Support ongoing economic development efforts within the community (Strategic Plan).
- Increase community engagement efforts and strengthen local and regional partnerships (Strategic Plan).

ENVIRONMENTAL CONDITIONS

- Work on efforts to delist the Gunnison Sage-grouse as an Endangered Species.
- Avoid development in flood prone area.
- Enhance riparian habitats that surround the community.
- Minimize risk and dangers associated with potential wildfire.
- Actively work on programs that reduce the proliferation of noxious weeds.
- Ensure that excellent water quality is maintained in our river and lake systems.

CITY SERVICES

- Invest in Capital Projects (Strategic Plan)
- Improve delivery and efficiency of City Services (Strategic Plan)

How do we get there? (objectives)

LAND USE AND HOUSING

TRANSPORTATION SYSTEMS

ECONOMIC FUNCTIONS

ENVIRONMENTAL CONDITIONS

CITY SERVICES