

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, CJ Miller, Lee Spann, Nancy Pierce and Diona Scherzi

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

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. PUBLIC HEARING AND POSSIBLE ACTION – MINOR SUBDIVISION APPLICATION, PRELIMINARY PLAT, SB 15-1, SUBMITTED BY THE GUNNISON COUNTY PIONEER AND HISTORICAL SOCIETY

Open Public Hearing. Chair Larson opened the public hearing at approximately ___7:03 p.m.

Proof of publication. Proof of publication was entered into the record.

Review of the Process. Director Westbay stated that the applicant was granted a reclassification of a Major Subdivision to a Minor prior to application submittal. Westbay reviewed the process for a Minor Subdivision and explained that the property was gifted to the Gunnison County Pioneer and Historical Society by Gunnison Valley Properties, LLC.

Applicant Presentation. CJ Miller informed the Commission of the layout of the museum today and stated the current site was pretty full. Mr. Miller stated the land south of the museum [subdivision site] is needed for the continued growth of the museum.

Lee Spann stated the museum was very fortunate to get the land by Mr. Bratton [Gunnison Valley Properties, LLC]. Mr. Spann continued saying the museum needs to expand and can do that now by moving a fence. CJ has done such a good job of maintaining the museum and accepting donated items to display.

Commissioner Tocke inquired if the museum has any plans on how they will expand. Mr. Miller stated that no plans were solid on paper at this time.

Public Input. No comments were received.

Staff Presentation. Director Westbay stated the subject property is located in the Gunnison Rising Annexation. No public streets or alley dedications are proposed for the site and access is granted through the museum property. Westbay gave an overview of possible private utility extensions and stated a water line may be necessary to accommodate fire flow demands of new construction within the subdivision area and will be addressed in conjunction with building permits. Utility extensions on the south of the property, within an easement, are associated with future development of Gunnison Rising and are indicated in the Gunnison Rising Utility Plans.

Director Westbay stated that the Gunnison Rising PUD did not contemplate a use similar to the museum and a Major Change to the *PUD Development Standards* will be required prior to making

substantial changes on the newly deeded property. The Pioneer and Historical Society has the deed to the subject property and the deed will not be recorded until the Plat has been finalized and recorded.

Commission Discussion. Chair Larson stated the museum is very important to the community and provides a great entrance to Gunnison. Commissioner Niemeyer responded the museum is an asset to the community.

Close Public Hearing. Chair Larson closed the public hearing at 7:25 p.m.

Commissioner Beda moved, Commissioner Niemeyer seconded and the Planning and Zoning Commission voted to APPROVE the Minor Subdivision Preliminary Plat, SB 15-1, Pioneer Museum Subdivision with the following findings of fact and condition:

Findings of Fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that this application is for a Minor Subdivision to subdivide approximately eight acres from a large tract of land within the Gunnison Rising Annexation.
3. The Planning and Zoning Commission finds that the subdivision is located in the IM (Business and Research Park) PUD zone district within the Gunnison Rising Annexation.
4. The Planning and Zoning Commission finds that the subdivision of the subject property is compatible with the surrounding neighborhood.
5. The Planning and Zoning Commission finds that a 40 foot-wide easement for utilities and pedestrian access has been established and will be completed at Final Plat.
6. The Planning and Zoning Commission finds that the applicant desires to vacate a ditch easement recorded in 1902 that does not align with the existing ditch and to create a new drainage ditch easement along the existing ditch line that will be established and completed at Final Plat.
7. The Planning and Zoning Commission finds that a water line may be necessary to accommodate fire flow demands of new construction within the subdivision area and will be addressed in conjunction with building permits.
8. The Planning and Zoning Commission finds that the Drainage Report indicates there is ample room for detention storage to enhance water quality as construction occurs.
9. The Planning and Zoning Commission finds that the Gunnison Rising PUD did not contemplate a use similar to the museum and a Major Change to the *PUD*

Development Standards will be required prior to making substantial changes on the newly deeded property.

10. The Planning and Zoning Commission finds that the Gunnison Rising Annexation was approved under the context of a Master Planned Community with completed road extensions, parks, open spaces, specific land uses, and natural resource conservation measures. This proposed subdivision is consistent with the intent of the *Gunnison Rising Mater Plan* directives.
11. The Planning and Zoning Commission finds that the recorded deed will limit property use exclusively for museum purposes and will prohibit further subdivision and title conveyance to a third party.
12. The Planning and Zoning Commission finds that the eight review standards for subdivisions have been or will be met based on the following Conditions:

Condition:

1. The Final Plat application shall comply with all provisions of the City's *Land Development Code*.

Roll Call Yes: Ferchau, Tocke, Larson, Cave, Schwartz, Niemeyer and Beda

Roll Call No:

Roll Call Abstain:

Motion carried

IV. PUBLIC HEARING AND POSSIBLE ACTION – CONDITIONAL USE APPLICATION, CU 15-2, SUBMITTED BY NANCY PIERCE FOR THE OPERATION OF A DAYCARE CENTER IN THE COMMERCIAL ZONE DISTRICT

Open Public Hearing. Chair Larson opened the public hearing at approximately ___7:26 p.m.

Proof of publication. Proof of publication was entered into the record.

Review of the Process. Planner Ruggera reviewed the process for a Conditional Use and gave a brief history of the subject site.

Applicant Presentation. Nancy Pierce stated the Seasons School is very successful at the current location [617] and since she has opened there have been more choices for daycare in the community. There has been a huge growth in the community and she would like to expand the school. The current State license allows her up to 12 children and she is anticipating around 15 to 20 children with the proposed expansion.

Commissioner Ferchau asked if the two structures will be joined. Ms. Pierce stated not at this point. She stated the children really like having their own little space and different rooms to go into.

Public Input. Diona Scherzi stated she has worked for Nancy for three years and the small spaces really benefit the kids. They love the different spaces. The expansion of the daycare would work really well for their needs.

Staff Presentation. Planner Ruggera stated the 615 West Virginia site will need to be inspected by the Building Official and Fire Marshal prior to occupancy to ensure compliance with the International Building and Fire Codes.

Commission Discussion. The Commission expressed they thought the expansion of the Seasons School was a great idea.

Close Public Hearing. Chair Larson closed the public hearing at 7:38 p.m.

Commissioner Niemeyer moved, and Commissioner Cave seconded, and the Commission voted to APPROVE Conditional Use application CU 15-2, submitted by Nancy Pierce for the operation of a daycare center, based on the following Findings of Fact and Condition:

Findings of Fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that this Conditional Use application is for the operation of a daycare center (more than 12 children) in the Commercial zone district.
3. The Planning and Zoning Commission finds that the proposed use is compatible with the surrounding neighborhood.
4. The Planning and Zoning Commission finds that the site (615 and 617 West Virginia) provides four off-street parking spaces which meet the requirements of the *LDC*.
5. The Planning and Zoning Commission finds that the daycare center provides essential services to the community.
6. The Planning and Zoning Commission finds that the 615 West Virginia location will be inspected by the Building Official and Fire Marshal prior to school occupancy of the structure.
7. The Planning and Zoning Commission finds that the application meets the Conditional Use review standards stated in the *LDC*.
8. The Planning and Zoning Commission finds that the daycare center will not be a detriment to the community's health, safety and welfare as long as the following condition is fulfilled:

Condition:

1. A Change of Occupancy permit shall be obtained with final inspections from the Building Official and Fire Marshal prior to opening.

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

V. **UNSCHEDULED CITIZENS.** There were none

VI. **CONSIDERATION OF THE MAY 13, 2015 MEETING MINUTES.** Commissioner Tocke moved and Commissioner Niemeyer seconded, to approve the May 13, 2015 meeting minutes as amended.

Roll Call Yes: Ferchau, Larson, Beda, Cave, Niemeyer and Tocke
Roll Call No:
Roll Call Abstain: Schwartz – was not appointed for the May 13th meeting
Motion carried

VII. **COUNCIL UPDATE.** Councilor Schwartz reported on the following on recent Council business:

- Council approved a slurry seal bid not to exceed \$140,000;
- Approved an additional appropriation of \$10,500 for the ice rink compressor;
- Approved the May 26, 2015 City Employee Handbook; and,
- Approved Resolution Number 11, Series 2015, recognizing that the Gunnison Rising Annexation Agreement conditions for subdivision and development have been met.

VIII. **COMMISSIONER COMMENTS.** Chair Larson stated he was hoping to get back to the Comprehensive Plan Update.

IX. **PLANNING UPDATE.** Director Westbay provided an update on recent Community Development activities:

- GOCO informed staff that the City of Gunnison was awarded \$407,200 for the Rivers to Ridges Trails project;
- The Marijuana Codes public hearing with City Council is scheduled for June 2, 2015; and,
- Staff will be meeting with the City's Transportation Engineer, Bill Fox and CDOT representatives on June 10th to discuss the Highway Design Project.

X. **ADJOURN.** Chair Larson adjourned the meeting to Work Session at 8:00 p.m.

Attest:

Greg Larson, Chair

Andie Ruggera, Secretary