

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, Planning Technician Michelle Spain

7:01p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC HEARING AND POSSIBLE ACTION – VACATION APPLICATION VF 15-1, SUBMITTED BY SALMON RENTALS LLC, TO VACATE A UTILITY EASEMENT WITHIN PREVIOUSLY VACATED 9TH STREET.

Public hearing tabled for unscheduled citizen.

UNSCHEDULED CITIZEN

Maureen O'Donnell introduced herself and stated when she came to Gunnison in 1972. She gave a brief history of her relocation to this City. She discussed her current situation renting at Pulaski's Rentals. She indicated that she wanted to rent additional space for her clothing salvation project. She discussed the rent increases that have been executed on her and other occupants in this facility. Utilities being charged to one unit for many unit users and rent increases were discussed.

Niemeyer asked if this was in the lease agreement.

O'Donnell responded no. She continued to discuss the available rentals for low income citizens in Gunnison. She would like to see additional low income housing made available. Discussion of the upkeep on her unit, and HUD regulations on rent was reviewed.

Larson opened up for questions from commission members.

Ferchau asked what she was paying for rent.

O'Donnell responded \$875.00 per month for approximately 810 sq. ft. of living space.

Tocke responded that O'Donnell brought up good issues concerning the current housing. She has contacted legal aid and they reviewed with her what the landlord was able to legally do with his/her property.

Beda -No questions.

Cave -No questions.

Schwartz asked what she thinks the City could do concerning this type of situation.

Larson responded that we as the P & Z Commission were unable to modify anything approved in the past. But this commission will take this into consideration for other items that may be presented to this commission.

Tim Mobley, an additional unscheduled citizen, discussed his landlord issues.

Westbay responded. This property was subdivided with an approved application that was presented to the Planning and Zoning Commission in the past. He discussed the utility situation. The affordable housing issue in this valley is being reviewed by many entities. A Nexus study needs to be done concerning this. What this board can do was discussed. Senior housing needs to be discussed with the County.

Beda asked if O' Donnell was here at this meeting because of the affordable housing issues for this project. Discussion commenced on how the approval of the Pulaski request was written.

O'Donnell asked if there was any way this commission could make provisions for renters.

Westbay responded that it is certainly a legal issue and this commission is unable to act in that capacity.

Larson thanked the citizens for their participation.

Ended: 7:45p.m.

PUBLIC HEARING AND POSSIBLE ACTION – VACATION APPLICATION VF 15-1, SUBMITTED BY SALMON RENTALS LLC, TO VACATE A UTILITY EASEMENT WITHIN PREVIOUSLY VACATED 9TH STREET.

Open Public Hearing. Chair Greg Larsen opened the public hearing at 8:05pm.

Proof of Publication. Proof of publication was shown for the record.

Review of Process. Director Westbay reviewed the process. P&Z will review and make recommendations to Council. The legal description of the parcel was discussed. The Boundary Line adjustment in 2014 is the legal. Vacations are reviewed to determine any future potential utility problems. None so noted.

Ferchau asked about a deed restriction on Tract B. Westbay indicated that this Parcel could not be subdivided. It will not make the dimension standards of subdividing.

Applicant Presentation. Joe Salmon and Bill Nesbitt introduced themselves. Nesbitt thanked all commission members for their service. He then reviewed the request to vacate a portion of a north/south power line easement within previously vacated 9th Street that is adjacent to Block 21, West Gunnison Amended. Due to the alley entrance to the property the owner then changed access to Tomichi. The owner gave an additional 5 feet per Tract to meet the 20' easement off the alley. Tract C is sold at this time and the new owner will be applying for building permit.

Beda asked about the easements and the location of the Sears building and what Tract it was located on. Nesbitt responded Tract D.

Westbay reviewed vacation of rights-of-way as defined by State Statute. Discussion on the locations of the easements. Westbay would like to have the City Attorney review this.

Tocke asked about item number two of the Staff Report, vacation of easements. Westbay responded that we are not asking for any future utility needs to this parcel.

Nesbitt reviewed the access from the alley and from the City Park. No one is being cut off by access. This is why the owner added the 5 feet to each Tract. The Sears renters have a small building in place that will be relocated.

Tocke asked about Tract D easement location.

Niemeyer responded to the small area at the bottom of the tract. Nesbitt responded that this vacation is included to this area also.

Public Input. None

Staff Presentation. No further discussion.

Commission Discussion. None

Close Public Hearing. 8:10 p.m.

Commission Action.

Commissioner Niemeyer moved, Commissioner Cave seconded, and the Commission voted to recommend APPROVAL to City Council of Vacation Application, VF 15-1 submitted by Salmon Rentals, LLC, to vacate portions of a north/south utility easement within previously vacated 9th Street, adjacent to Block 21, West Gunnison Amended with the following findings of fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents, staff reports, applicable provisions of the *City of Gunnison Master Plan and Land Development Code*, and written and verbal testimony submitted during the public hearing held for this application.
2. The Planning and Zoning Commission finds that the applicant is requesting to vacate a portion of a north/south utility easement within previously vacated 9th Street that is adjacent to Block 21, West Gunnison Amended.
3. The Planning and Zoning Commission finds that the 25 foot utility easement was originally recorded in Gunnison County in 1962 (as a power line easement) and was amended as a utility easement in 1975 at Book 437, Page 394.
4. The Planning and Zoning Commission finds that the City does not have any utilities located within the north/south utility easement nor are any utilities planned at this location in the future.

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REGULAR MEETING

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5. The Planning and Zoning Commission finds that the site contains two east/west easements with a centralized 20 foot easement providing access and utility extensions for tracts A through D and the northern 25 foot utility easement adjacent to Tracts B and C.
6. The Planning and Zoning Commission finds that vacation of portions of the north/south 25 foot power line easement will allow for reasonable utilization of Tract B.
7. The Planning and Zoning Commission finds that the vacation of this easement will not be a detriment to the health, safety and welfare of the community.

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

Roll Call No:

Roll Call Abstain:

Motion carried

CONSIDERATION OF THE JULY 15, 2015 MEETING MINUTES

Commissioner Cave moved and Commissioner Tocke seconded, to approve the July 15, 2015 meeting minutes as presented.

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

Roll Call No:

Roll Call Abstain:

Motion carried

COUNCIL UPDATE

Schwartz commenced his review.

- River Festival cancellation and rescheduling worked well.
- Update on senior transportation program. The City has contributed approximately \$20,000.00 this year. This program is currently a 5 day a week service. This program is tied to the senior center and the hospital. Funding was discussed.
- Tax liens placed on properties discussed on unpaid utilities. This was recommended by Ben Cowan, Finance Director. Niemeyer asked if this was a large number of delinquent payments. This tax lien process was discussed. The City attorney indicated that we should not do this on delinquent electric portion. Cowan suggested that payments go to electric portion first. This new policy was discussed and should this be made public of all land owners.

Ferchau discussed the charging of owners for delinquent utilities by former renters. He was not in agreement with this policy. Schwartz will discuss this with Council.

Niemeyer asked about the impact on security deposits and speculated that this would increase the amount that low income people would have to provide to get into housing. Ferchau asked if a loss rate is calculated in the initial rates.

Beda asked if the City collected a security deposit. Westbay indicated yes.

This will be passed on to other staff in the City for further discussion.

- July 28th the Pioneer Museum subdivision passed.
- Accepted the financial audit report.

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REGULAR MEETING

7:00PM

- Signed with another company to invest funds at a better rate.
- Passed Marijuana violations on 2nd Reading.
- Time of Use Metering was passed on the 1st Reading. Available to commercial owners now.
- August 5th meeting devoted to strategic planning. One more meeting on this.
- Last night OVPP presentation from the County. Three wish list priorities for the Valley.

- 1) Build a business development center at WSCU
- 2) Downtown Renaissance
- 3) Medical Tourism

The City will give \$50,000.00 to this project. Council will need to decide what the City's role is in this development. Westbay indicated that this is a good analysis on who is bringing in the dollars and where the services are. Ferchau asked what constituted Main Street. Westbay responded that the Highway 50 sector is where the traffic counts are. The downtown area is not the only area that should be looked at for these funds.

- The City officially closed on the Diamond K property aka Lazy K Resort. Items reviewed were storm water location, park space, road alignment improvements.
- Gunnison County Commissioners have approved staff to pursue a special coordinated ballot for this fall concerning Senate Bill 152 Broad Band. The County Commissioners have agreed to pay the bill for the costs of this election. This is the first step to getting funds for this project.

COMMISSIONER COMMENTS

Niemeyer - None

Ferchau brought up the concerns on the suicides by our young people in the last few months. Tocke indicated that he does not feel this is unique to this community.

Tocke stated the time of use electric idea is being put in many home designs. Peak & off peak rates were discussed. The City will shift their peak rates as need be.

Beda - None

Cave - None

Larson - None

Commission Ferchau requested to be excused from the August 26, 2015 Planning & Zoning meeting since he will be out of town.

Commissioner Cave moved and Councilman Schwartz seconded, to excuse Commissioner Ferchau from the August 26, 2015 meeting.

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

Roll Call No:

Roll Call Abstain:

Motion carried

PLANNING STAFF UPDATE

OFFICIAL MINUTES AUGUST 12, 2015
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING

7:00PM

Steve Westbay commenced his review.

- September the 3rd 6:00 – 8:00 p.m.at Fred Field Center the City will have a workshop for the Complete Streets Project. Bill Fox with Fox, Tuttle, Hernandez will attend this meeting. Various designs will be discussed.

Attest:

Greg Larson, Chair

Michelle Spain, Secretary