

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
8-6-15**

DATE: WEDNESDAY, AUGUST 12, 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 – VACATION APPLICATION VF 15-1, SUBMITTED BY SALMON RENTALS LLC, TO VACATE A UTILITY EASEMENT WITHIN PREVIOUSLY VACATED 9TH STREET.**
- IV. UNSCHEDULED CITIZENS – MAUREEN O’DONNELL**
- V. CONSIDERATION OF THE JULY 15, 2015 MEETING MINUTES**
- VI. COUNCIL UPDATE**
- VII. COMMISSIONER COMMENTS**
- VIII. PLANNING STAFF UPDATE**
- IX. ADJOURN TO WORK SESSION**

WORK SESSION

DISCUSSION ON COMMERCIAL DESIGN STANDARDS

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.

STAFF REPORT
VACATION OF UTILITY EASEMENT
Salmon Rentals, LLC

TO: Planning and Zoning Commission
FROM: Community Development Staff
DATE: August 12, 2015
RE: Easement Vacation Application VF 15-1, Submitted by Salmon Rentals, LLC

PROCESS

The process for a vacation application is defined in the Subdivision Standards section of the *Land Development Code (LDC)* in Section 12.11. Vacation applications are subject to two public meetings. The first is a Public Hearing with the Planning and Zoning Commission, who shall make a recommendation to City Council to approve, approve with conditions, deny the application, or remand the application back to the applicant with instructions for modifications.

The second meeting is a public meeting (not a hearing) with City Council who shall consider the recommendation of the Planning and Zoning Committee. Council shall approve, approve with conditions, deny the application, or remand the application back to the applicant.

APPLICATION

The applicant is Salmon Rentals, LLC, Joe and Lori Salmon, represented by Bill Nesbitt of Nesbitt & Company. The request is to vacate portions of a north/south utility easement located with the applicant's property. The legal description of the property is Lots 13 through 24, and the adjacent east/west alley, Block 21, and a portion of vacated 9th Street, West Gunnison Amended, City and County of Gunnison. The applicant's narrative states:

“...The Release of Easement request (see attached drawing) affects a North/South 25 foot wide power line easement, recorded at Book 437 at Page 394, that was historically dedicated for a power line that was not installed nor presently serving active utility lines. As per the attached plat as prepared by Pearson Surveying, the easement to be released is 25 feet wide (east to west) and 150 feet long (north to south) adjacent to the east boundary line between Tracts B and the west boundary line of Tract C. Also, a release is requested for the 25 foot wide (east to west) remainder tract by 76.80 feet; the longest north-south leg of the trapezoid-shaped Tract D.

This release will not detrimentally affect the City's utilities, now or in the future, in our opinion, as a new 20-foot wide (north to south) by 171.72 foot in length utility easement (east to west) has been created that will serve all Tracts A, B, C and D, which is shown on the new plat as prepared by Pearson Surveying.

Tract B will be able to utilize more of its land without the burden of a 25-foot wide utility easement, creating the opportunity to construct a larger commercial space on the site...

...It is our opinion that there will be no detrimental affect to our property and/or neighboring uses that would cause any negative impact to the life, safety, health and welfare of the community at large...”

STAFF REPORT
VACATION OF UTILITY EASEMENT
 Salmon Rentals, LLC

SITE ASSESSMENT

The property is located in the Commercial zone district and is bordered by Tomichi Avenue on the north, Highway 50 on the east and New York Avenue on the south. The site consists of four tracts: the southern tract (D) has a structure that is a retail store (Sears) and tracts A through C are vacant.

The City does not have any utilities within the north/south utility easement proposed for vacation. A city power line is located within the Tomichi Avenue right-of-way adjacent to Tracts A through C and a 25 foot east/west utility easement is located on the northern boundary of Tracts B and C. Additionally, a 20 foot access and public utility easement is located adjacent to tracts A through D. The east/west easements are serving the needs of the four tracts making the north/south easement unnecessary.

CITY STAFF REVIEW

Police Chief: No issues.

Parks & Rec. Director: No issues.

Building Official: No issues.

Fire Marshall: No issues.

Public Works Director: No issues.

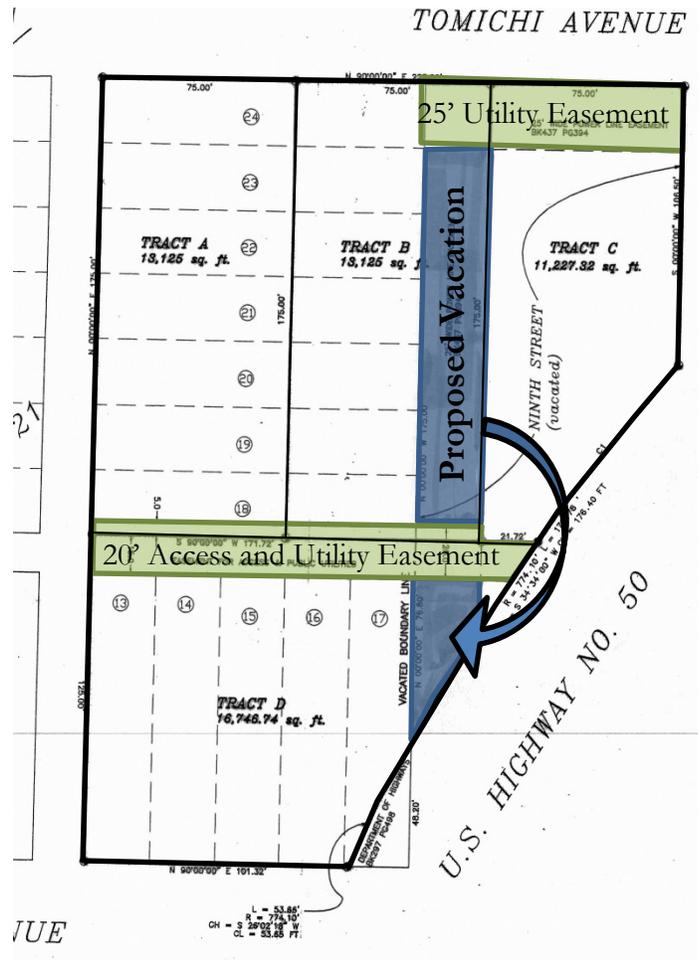
City Engineer: No issues.

Water & Sewer Superintendent: No issues.

Electric Superintendent: No issues, as long as Tract B will not be subdivided. Otherwise an easement will be needed to provide service to the Tract B lots.

STAFF OBSERVATIONS

1. The applicant is requesting 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.
2. The 25 foot power line easement was originally recorded in Gunnison County in 1962 and was amended as a utility easement in 1975 at Book 437, Page 394.
3. 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.
4. The site contains two east/west easements with the 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.



STAFF REPORT
VACATION OF UTILITY EASEMENT
Salmon Rentals, LLC

5. Vacation of portions of the north/south 25 foot power line easement will allow for reasonable utilization of Tract B.
6. Further subdivision of Tract B is not allowed as it would create a nonconforming lot.

REVIEW STANDARDS

The *Land Development Code* Section 12.11 E. contains four specific standards that must be met in order for a vacation of a recorded plat, right-of-way or easement to be approved.

1. Access to a Public Road. No roadway shall be vacated so as to leave any adjoining land without a means of access to another public road. Furthermore, there shall be an express reason for and a derived benefit to the City for a vacated roadway request.

No Conflict: This vacation is for a utility easement and does not affect the access to a public road.

2. Easements. In granting a vacation, the City may reserve easements for the installation or maintenance of utilities, ditches and similar improvements.

No Conflict: The City does not have any utilities located in the north/south utility easement. A power line is located within the Tomichi Avenue right-of-way adjacent to Tracts A through C.

3. Master Plan. A subdivision plat, public right-of-way or dedicated easement may be vacated if the vacation would be consistent with or implements the applicable intent statements, specific directions and recommended actions of the Master Plan.

Possible Conflict:

Chapter 8, Transportation, Policy 1.12: Discourage the vacation of alley or street rights-of-way in an effort to integrate them into multi-use travel corridors.

Chapter 9, Utilities and Infrastructure, Goal: The City will efficiently deliver its public utilities and continue to be fiscally responsible in the construction of high-quality public infrastructure, making forward-looking decisions that maintain low operational, maintenance and energy costs.

The vacation of this utility easement is consistent with the intent of the *City's Master Plan*.

4. Transfers or Sales of Lots. A subdivision plat may be vacated if none of its lots has been sold or transferred; or if there have been sales or transfers there has been no development on any lots in the subdivision and all of the owners agree to the vacation of the plat.

Not Applicable. A subdivision plat is not being vacated.

ACTION

During the regular Planning and Zoning Commission meeting held on August 12, 2015, Commissioner _____ moved, Commissioner _____ 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:

STAFF REPORT
VACATION OF UTILITY EASEMENT
Salmon Rentals, LLC

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.
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.

Application Fact Sheet
City of Gunnison Land Development Code
Minimum Application Contents
In accordance with §6.5 C.

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

Applicant Name(s): Salmon Rentals, LLC, a Colorado limited liability corporation

Phone #: 596-4494 **Fax #:** _____ **E-Mail:** sawtooth@gunnison.com

Mailing Address: 28 Wild Goose Lane

City: Gunnison **State:** CO **Zip:** 81230

Legal Description

Site Address of Property: TBD **Zoning:** Commercial
Block: 21 **Lot(s):** 13 24 **Addition:** Town of West Gunnison

Disclosure of Ownership- Please provide one of the following:

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

Summary of Request:

Owner requests the North/South 25-foot wide power line easement recorded in Book 437 at Page 394 to be removed by the City of Gunnison. There is no power line, aerial or underground, within this existing easement.

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)

Date _____
Date _____

For Office Use Only

- | | | |
|---------------------------------------------------|--------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Variance | <input type="checkbox"/> Zoning Amendment |
| <input type="checkbox"/> Major Subdivision | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Subdivision Exemption |
| <input type="checkbox"/> Mobile Home/RV Park | <input type="checkbox"/> PUD | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Consolidated Application | | |



NESBITT & COMPANY_{LLC}

RESIDENTIAL LAND COMMERCIAL

June 17, 2015

Andie Ruggera, Planner
City of Gunnison Planning & Zoning Commission
201 W Virginia Ave
Gunnison CO 81230

Hand delivered

Re: Boundary Line Adjustment - Salmon Property
Release of Power Line Easement

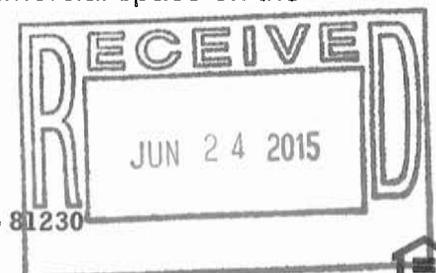
Dear Ms Ruggera and Planning and Zoning Commission Members:

Please accept this submittal request for a Release of Easement from Salmon Rentals, Inc, owners of Lot 13 through 24, Block 21, and a portion of vacated Ninth Street, Amended Plat of the Town of West Gunnison, City of Gunnison.

The Release of Easement request (see attached drawing) affects a North/South 25 foot wide power line easement, recorded at Book 437 at Page 394, that was historically dedicated for a power line that was not installed nor presently serving active utility lines. As per the attached plat as prepared by Pearson Surveying, the easement to be released is 25 feet wide (east to west) and 150 feet long (north to south) adjacent to the east boundary line between Tracts B and the west boundary line of Tract C. Also, a release is requested for the 25-foot wide (east to west) remainder tract by 76.80 feet; the longest north-south leg of the trapezoid-shaped Tract D.

This release will not detrimentally affect the City's utilities, now or in the future, in our opinion, as a new 20-foot wide (north to south) by 171.72 foot in length utility easement (east to west) has been created that will serve all Tracts A, B, C and D. which is shown on the new plat as prepared by Pearson Surveying.

Tract B will be able to utilize more of its land without the burden of a 25-foot wide utility easement, creating the opportunity to construct a larger commercial space on the site.



104 E. Tornichi Ave. · P.O. Box 1450 · Gunnison, Colorado 81230

Office: (970) 641-2235 7 Fax: (970) 641-6128

www.gunnisonhomes.com



Andie Ruggera
City of Gunnison Planning & Zoning Commission
June 17, 2015
Page 2

Thank you, Commission Members and Ms Ruggera for your time, patience and consideration of our request to release the North/South power line Easement as recorded in Book 437 at Page 394. It is our opinion that there will be no detrimental affect to our property and/or neighboring uses that would cause any negative impact to the life, safety, health and welfare of the community at large.

Please contact us at 596-4494 or 641-0215 or our Agent, Bill Nesbitt, of Nesbitt & Company, at 641-2235 for further clarification, if necessary. Please advise Bill or us regarding any questions you might have, or future meetings we should attend. Thank you.

Joe Salmon, Member
Salmon Rentals, LLC



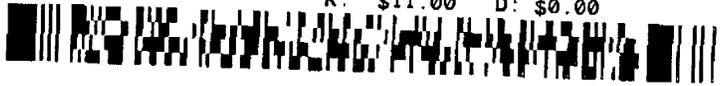
Lori Salmon, Member
Salmon Rentals, LLC



Sincerely,



Wm J Nesbitt, II, Broker
Nesbitt & Company



SPECIAL WARRANTY DEED

THIS DEED, made this 18th day of September, 2008, between **JOESPH J. SALMON**, whose address is P.O. Box 63, Gunnison, Colorado, ("**GRANTOR**") and **SALMON RENTALS, LLC**, a Colorado limited liability company, whose address is P.O. Box 63, Gunnison, Colorado ("**GRANTEE**");

WITNESSETH, that Grantor, for and in consideration of the sum of ten dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto Grantee, and Grantee's successors and assigns forever, all the real property, together with all improvements, if any, situate, lying and being in the County of Gunnison, State of Colorado, described as follows:

Lots 13 through 17, both inclusive, Block 21, City of Gunnison, according to the official AMENDED Plat of TOWN OF WEST GUNNISON, bearing Reception No. 17078,

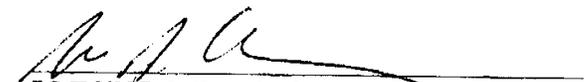
TOGETHER WITH that portion of the vacated East-West alley adjacent to Lots 13 through 17 on the North and adjacent to Lot 18 on the South,

EXCEPTING THEREFROM that property conveyed to The Department of Highways in Special Warranty Deed recorded July 12, 1956 in Book 297 at page 498.

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, and Grantee's successors and assigns forever. And Grantor, for Grantor and Grantor's heirs and personal representatives, does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee's successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, except taxes and assessments for the current year, payable in 2009, patent reservations as contained in patent recorded January 3, 1883 in Book 45 at page 15, and liens and encumbrances of record.

IN WITNESS WHEREOF, Grantor has executed this deed on the date set forth above.


JOESPH J. SALMON

Assessor Quick Links Gunnison Assessor Home Find Property Records	 <h1 style="margin: 0;">Assessor Property Record Search</h1>
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Property Record Card (PRC)

Owner and Parcel Information

Owner Name & Mailing Address SALMON RENTALS LLC 28 WILD GOOSE LN GUNNISON, CO 81230-4107 Business Name: SEARS		Today's Date: May 26, 2015 Appraisal Year: 2015	Account Number: R002231 Parcel Number: 3787-021-15-006 Account Type: Commercial Economic Area: Econ Area 1 Tax District: 100 Mill Levy: 56.217
Property Location: 151 US HIGHWAY 50 , GUNNISON Neighborhood: COMMERCIAL W HWY 50 LEA: COMMERCIAL HWY 50 SERVICE RD (12370) Subdivision: WEST GUNNISON Condo: Legal Description: LOTS 13-16 W E/W ALLEY PT LOT 17 BLK 21 WEST GUNNISON #586707 Parcel Notes TOTAL PARCEL = 15,125 SF	Parcel Map Show Parcel Map Building Photos Building Images Building Sketches Building Sketches Generate Neighboring Owner List by Distance Search Sales By Subdivision		

2015 Assessment Information

Land Actual Value	Land Assessed Value	Building Actual Value	Building Assessed Value	Total Actual Value	Total Assessed Value
\$116,150	\$33,680	\$163,150	\$47,310	\$279,300	\$80,990

Prior Year Assessment Information

Year	Actual Value	Assessed Value	Mill Levy	Ad Valorem Taxes
2014	\$274,160	\$79,510	56.217	\$4,469.81
2013	\$274,160	\$79,510	49.778	\$3,957.85
2012	\$321,590	\$93,260	44.152	\$4,117.59
2011	\$321,590	\$93,260	44.343	\$4,135.43
2010	\$418,150	\$121,260	40.939	\$4,964.26
2009	\$418,150	\$121,260	39.757	\$4,833.08
2008	\$385,690	\$111,850	41.387	\$4,640.08
2007	\$385,690	\$111,850	36.186	\$4,059.48
2006	\$273,880	\$79,420	43.784	\$3,489.12

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
MERCHANDISING-LAND	Commercial	0.347	YEAR ROUND	INSTALLED	CENTRAL INSTALLED	DOMESTIC INSTALLED	LAND TYPE PRIMARY - MEADOW

Sales Information

Sale Date	Sale Amount	Grantor	Grantee	Vacant or Improved (at time of sale)	Reception #	Deed Type
09/18/2008		SALMON JOESPH J	SALMON RENTALS LLC	N/A	586707	SPEC WARR DEED - NO FEE
10/14/1993	\$85,731	Unknown	Unknown	Improved	B000733P0002	QUIT CLAIM DEED - FEE
11/02/1992	\$92,500	Unknown	Unknown	Improved	B000714P0007	WARRANTY DEED - FEE

Building Information

Building Number 1:

Occupancy Type	RETAIL	Quality of Construction	Fair	Stories	1	Primary Heating System	
Building Description	Retail Store	Exterior Condition	Average	Roof		Domestic Hot Water	

Original Year Built	1956	Interior Condition		Exterior		Landscaping	0
Effective Year Built	1974	Bedrooms	0	Foundation			
Percent Complete	100%	Bathrooms	0	Windows			

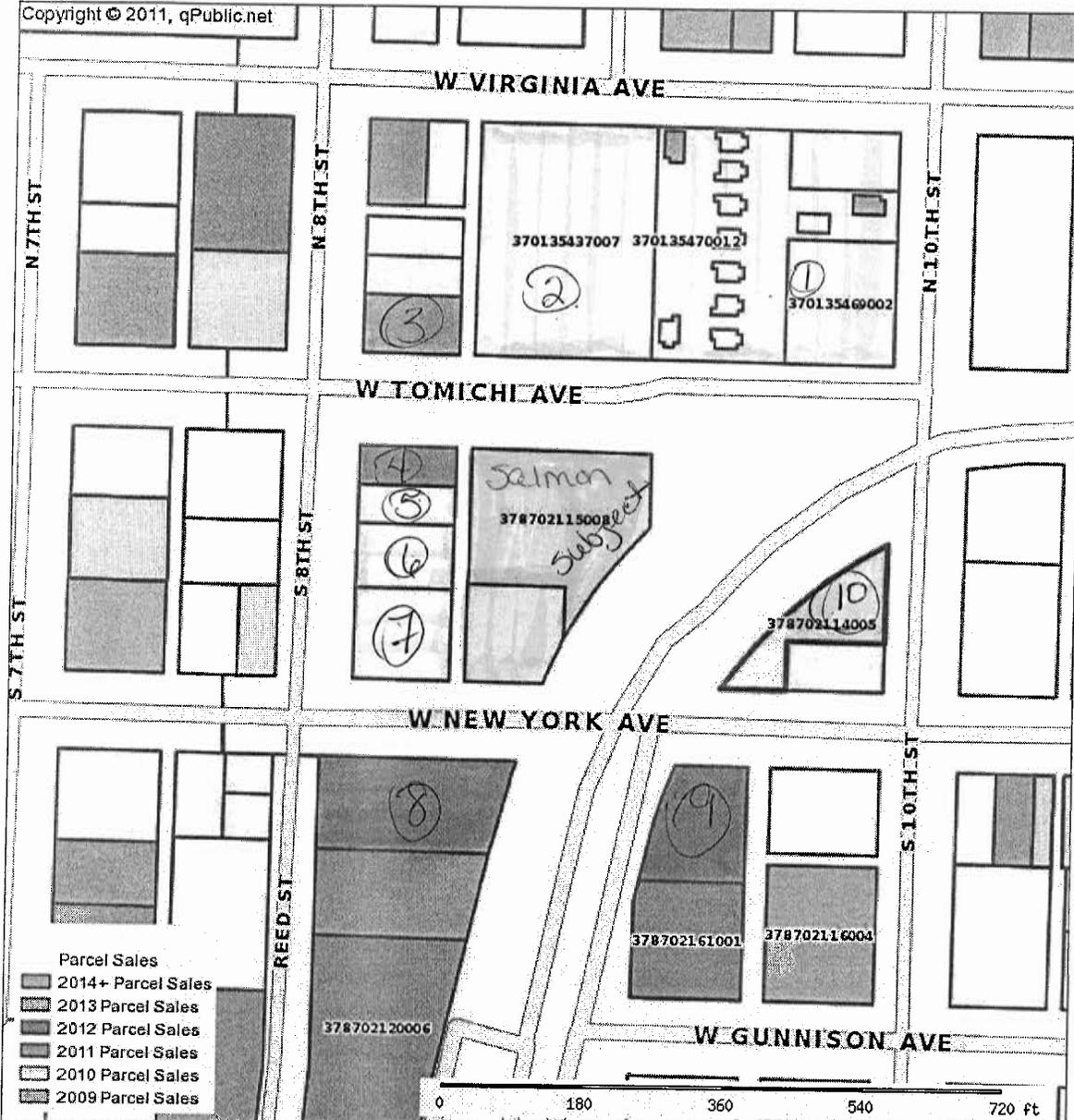
Building Square Footage or Units:	
Above-grade Living Area	4,320 sqft
Finished Basement	0 sqft
Unfinished Basement	0 sqft
Garage	0 sqft

The Gunnison County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. All assessment information is subject to change before the next certified tax roll. Website Updated: May 25, 2015

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Neighboring owners of the Salmon Rentals property

1. Thomas and Janie Pulask
Mailing address: 870 County Road 20, Gunnison CO 81230
Property address: 101 N 10th Street
2. 50 Hi Trailer Park, Inc
Mailing address: 114 N 8th St, Gunnison CO 81230
Property address: 1006 W Tomichi Ave, #12
3. Javier Mortensen and Georgina Cuautli
Mailing address: 220 N Boulevard #5, Gunnison CO 81230
Property address: unnumbered address at W Virginia Ave & S 8th Street
4. Rich, Cindy and Lee English
Mailing address: 62484 Popular Road, Montrose CO 81403
Property address: 102 S 8th St
5. Cynthia English
Mailing address: 108 S 8th St, Gunnison CO 81230
Property address: 108 S 8th St
6. Vernoica Marquez, Isabel Thibault, Ferminia White and Michael White
Mailing address: 112 S 8th St, Gunnison CO 81230
Property address: 112 S 8th St
7. Rebecca and James Miles
Mailing address: 1010 W Virginia #12, Gunnison CO 81230
Property address: 1000 W New York Ave
8. Navid and Debra Navidi
Mailing address: PO Box 81, Gunnison CO 81230
Property address: 1001 W New York Ave
9. Brad Coffey
Mailing address: 423 E Gunnison Ave, Gunnison CO 81230
Property address: 977 W New York Ave
10. Jason Mullins
Mailing address: PO Box 33, Gunnison CO 81230
Property address; 901 W Tomich Ave, #B



Gunnison County Assessor			
Parcel: 3787-021-14-005 Acres: 0			
Name:	MULLINS JASON	Land Value:	0
Site:	901 WTOMICHAIVE UNIT B, GUNNISON	Building Value:	15500
Sale:		Total Value:	15500
Mail:	PO BOX 33 GUNNISON, CO 81230	Assessed Value:	4500
		2013 Taxes	



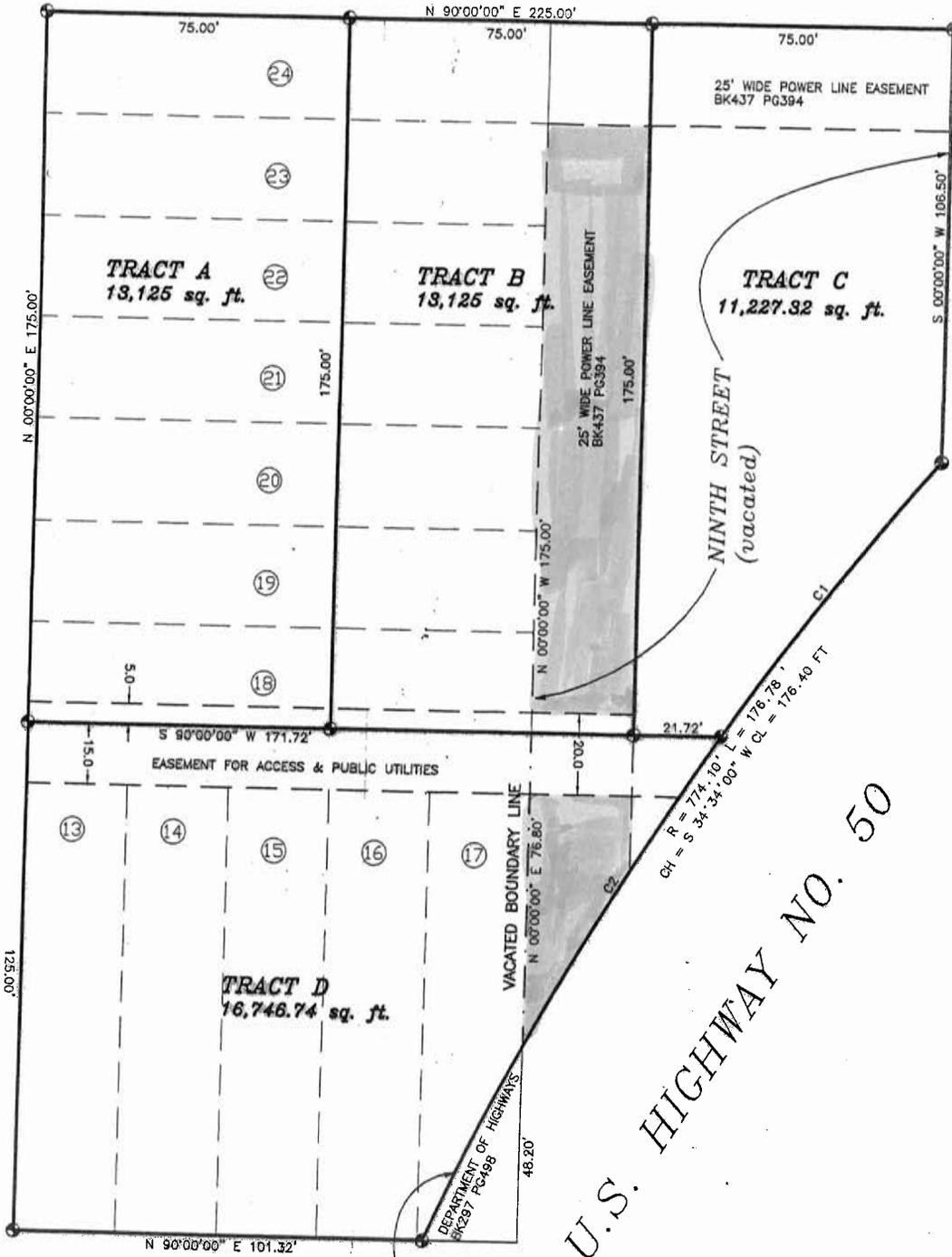
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TOMICHI AVENUE



LOCK 21

AVENUE



L = 53.66'
 R = 774.10'
 CH = S 26°02'18" W
 CL = 53.65 FT

CERTIFICATE

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Salmon Re
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By: Joseph

By: Lori A.

U.S. HIGHWAY NO. 50

bar with plastic cap stamped "LS 34979"

circle symbol

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

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

7:01pm

III. BUFFER WAIVER REQUEST - SPORTSMAN'S LIQUOR, 713 WEST TOMICHI AVENUE

Gary Hartman, Sunlit Architecture was introduced and was representing the applicant. Director Westbay then commenced his review.

ACTION

At the Planning and Zoning Commission meeting of July 15, 2015, Commissioner Beda 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 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 the application meets the review criteria as defined in the *Land Development Code* for waivers and landscaping, buffers and screening.
3. The Planning and Zoning Commission finds that the applicant is requesting a Waiver of nine feet for a total buffer width of 16 feet along the Tomichi Avenue frontage.
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.

The applicant's representative Gary Hartman indicated that he would be submitting a complete set of plans for the Building Official to review. The drive through window is still on the plans. Review of parking was discussed.

Larson asked if this Commission had any further questions. None so noted.

Staff had no further comments.

Schwartz commented that this was a very positive improvement to the area.

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

7:07pm

IV. MINOR SUBDIVISION APPLICATION, FINAL PLAT, SB 15-1, SUBMITTED BY THE GUNNISON COUNTY PIONEER AND HISTORICAL SOCIETY

Mr. Lee Spann and Mr. CJ Miller were present representing the Pioneer Historical Society.

Director Westbay started his review.

ACTION

During the Planning and Zoning Commission meeting of July 15, 2015, Commissioner Tocke moved, Commissioner Niemeyer seconded and the Planning and Zoning Commission voted to recommend APPROVAL to the City Council, SB 15-1 Minor Subdivision Final Plat, Pioneer Museum Subdivision with 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; 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 creating a parcel approximately eight acres and located in 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 on the Final Plat.
6. The Planning and Zoning Commission finds that the applicant desires, under a future application, to vacate a ditch easement recorded in 1902 and to create a new drainage ditch easement along the existing ditch line that will be established as a separate document from the 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 permit applications.
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 and recommends that City Council approve the Final Plat.

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

7:30pm

**V. REPORT ON ONE VALLEY PROSPERITY PROGRAM – RUSSELL FORREST,
GUNNISON COUNTY COMMUNITY DEVELOPMENT DIRECTOR.**

Mr. Forrest gave a Power Point presentation of the One Valley Prosperity Project. (OVPP) He reviewed the steps that have been taken by the Community to chart the various stages of this program.

Grant funds were acquired to assist in this project. Many items have been reviewed and analyzed. This program has key elements.

- 1) Identify the Values
- 2) Analyze Trends
- 3) Visioning
- 4) Action Plan

All of this can be reviewed on the One Valley Prosperity Project's website.

Commission members asked questions on housing, wages, and the rental market. Larson thanked Mr. Forrest for his updated presentation.

VI. UNSCHEDULED CITIZENS

Maureen O'Donnell was acknowledged and due to the late time of the meeting she was invited to attend the meeting on August 12, 2015. She will be scheduled at an early time. She asked for a notification by mail to be sent to her.

VII. CONSIDERATION OF THE JUNE 24, 2015 MEETING MINUTES

Commissioner Cave moved and Commissioner Beda seconded, to approve the June 24, 2015 meeting minutes as presented.

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

VIII. COUNCIL UPDATE

- Matt Schwartz commenced his update. A representative from DOLA met with staff and council for a joint meeting. Many items were discussed and follow up was assigned.
- At the July 15, 2015 meeting the Gunnison County Chamber presented a formal request for additional funds. Their request was for 1% of the Sales Tax Vending Fee to be used to help with costs of the Visitor Center. They also requested that this carry with the remainder of the lease. This will be reviewed by council.
- The Financial Audit was presented and discussed.
- Mike Lee the IT Director presented his update on broadband. It was stated that college students enter school and use 5 devices daily. Region 10 is trying to get a section in other counties. The August grant cycle is coming up for DOLA funds, but it may not be feasible to guarantee dollars for this now. Various laws and programs were discussed.
- Council passed the 1st reading of the Criminal Code for Marijuana.

IX. COMMISSIONER COMMENTS

- Larson asked about numbers of Marijuana applications that have been applied for at this time. Approximately 5 applications may be presented. Location of the areas that these facilities may operate was discussed. Schwartz indicated that the State application needs to be in place before

the City application can be processed. The State application is taking anywhere from 4-6 weeks to complete.

- Ferchau reviewed the current trend in home sales. County wide the sales are up 35% in units and 31% up in dollars over last year. Newer homes and older homes that have had maintenance are moving fast. Crested Butte and Mt. Crested Butte had seen a 15% decrease in this same time period. Beda asked if the Real Estate Agents were keeping track of who the purchasers were, locals, second home owners, new students. Ferchau indicated that this was not an item that was tracked.

X. PLANNING STAFF UPDATE

Westbay commenced his review.

- Sage Grouse review on the Van Tuyl parcel should be completed soon. The River to Ridges area will also be finalized as to any Sage Grouse issues.
- Next week there will be a meeting concerning the Master Plan on the airport. Westbay was encouraged with the support from the airport on the City's Trail Plan for this area.
- The highway corridor plan is proceeding. CDOT staff does have some changes on this.
- City Fest will be July 30th at Jorgenson Park.
- Fireworks that were held this year were excellent.

XI. ADJOURN 9:05pm

Attest:

Greg Larson, Chair

Michelle Spain, Secretary