

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
9-2-15**

**DATE: WEDNESDAY, SEPTEMBER 9, 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. THREE-MILE COUNTY REFERRAL – PILGRIM COMMUNICATIONS / TARPON TOWERS TO REQUEST RETAINAGE OF THE OLD TOWER (ORIGINAL PLAN SHOWED THE TOWER WOULD BE REMOVED)**
- IV. THREE-MILE COUNTY REFERRAL – BRIGHTON HOSPITALITY GROUP TO CONSTRUCT STORAGE UNITS ADJACENT TO THE INN AT TOMICHI VILLAGE**
- V. UNSCHEDULED CITIZENS**
- VI. CONSIDERATION OF THE AUGUST 26, 2015 MEETING MINUTES**
- VII. COUNCIL UPDATE**
- VIII. COMMISSIONER COMMENTS**
- IX. PLANNING STAFF UPDATE**
- X. ADJOURN**

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.



**GUNNISON COUNTY, COLORADO
MINOR IMPACT REVIEW PROJECT
LAND USE CHANGE PERMIT APPLICATION**

**GUNNISON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING OFFICE**

**221 N. WISCONSIN ST, STE D., GUNNISON, CO 81230
TELEPHONE: 970-641-0360 FAX: 970-641-8585**

Website: <http://www.gunnisoncounty.org/planning.html> Email: planning@gunnisoncounty.org

DATE RECEIVED BY COMMUNITY DEVELOPMENT DEPARTMENT .: ____/____/____
APPLICATION FEE \$1,265.00 - SUBMITTED AT TIME OF APPLICATION : ____/____/____

Additional fees will be assessed according to the Gunnison County Land Use Change Fee Schedule

APPLICANT: Pilgrim Communications / Tarpon Towers

MAILING ADDRESS:
1001 Third Ave West Ste 420

CITY: Bradenton	STATE: Florida	ZIP: 34205
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PHONE (day): 720-684-5395	(evening):
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FAX: 720-222-8603	E-MAIL ADDRESS: weshood77@gmail.com
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PROPERTY OWNER (If other than applicant, a copy of a contract of sale or lease between applicant and owner, or a notarized letter from the property owner consenting to this application, must be submitted.):
NAME:

MAILING ADDRESS:

CITY:	STATE:	ZIP:
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PHONE (day):	(evening):
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FAX:	E-MAIL ADDRESS:
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PRIMARY CONTACT PERSON and AUTHORIZED REPRESENTATIVE (The person the Community Development Department should contact regarding scheduling of meetings and information for this application. A **NOTARIZED LETTER** from the property owner authorizing the representative must be submitted.)

NAME: Wesley K Hood

MAILING ADDRESS: 4050 West County Road 2

CITY: Berthoud	STATE: CO	ZIP: 80513
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PHONE (day): 720-684-5393	(evening):
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FAX: 720-222-8603	E-MAIL ADDRESS: weshood77@gmail.com
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PROPERTY LOCATION and LEGAL DESCRIPTION OF PROPERTY:

1. **Legal Description.** Cite lot and block or tract numbers, mining claim or homestead references; attach copy of deed and/or metes and bounds description(s). NW/45W/4 Section 25 T50N, R1W, NMPM

2. **Property Address.** 1445 Highway 135 Gunnison Co 81230

3. **Common Description (include mileage from highway or County road, or other recognized landmarks).**
1.5 Miles North of the City of Gunnison also know as the "Gunnison Radio Site"

AFFECTED LANDOWNERS. List all landowners and land uses that are within 500 feet of the boundaries of the entire parcel on which the land use change is proposed, including all properties separated from the parcel by a road or would be adjacent if the road did not exist. The best-available, most current information of this listing of current owners is in the Gunnison County Assessor's Office:

AFFECTED LANDOWNER'S NAME	PARCEL LOCATION RELATIVE TO PROPOSED LAND USE CHANGE PARCEL	CURRENT LAND USE ON ADJACENT PARCEL
None		

PROJECT DESCRIPTION. Describe in detail what the applicant wants to do on the parcel, including new uses, division of land, adjustment of boundaries, expansion of existing uses, number of units, estimated amount of new traffic, new structures to be constructed, proposed phases and a description of off-site resources and haul routes (including those used by vehicles related to construction) necessary to accomplish the project. If the proposed land use change is a subdivision, identify the use of each lot (single family residence, duplex, commercial, etc.):

The tower from approval #13-00023 has been placed and completed. There is a second tower on the property or the "older" tower still standing. The original site plan called for removing this older tower. After changing the height of the original (older) tower from 200 ft to 100ft, the structural integrity of this shorter tower has changed. The project is a simple modification to keep this second smaller tower on site. There will be no new construction.

There will be no changes at the site other than the tower height.

The tower is now much stronger at this lower level and can be of use to various providers of cell or wireless services in the county.

Providing a new survey of the site and tower height / structural analysis this tower will meet industry requirements for safety and commercial use.

MINING AND CONSTRUCTION ACTIVITIES. As applicable, information pursuant to the individual sections of Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials.*

COMMERCIAL AND INDUSTRIAL USES. As applicable, information pursuant to the individual sections of Division 9-300: *Commercial and Industrial Uses.*

PRESENT LAND USE: identify present land uses and locations and sizes of structures that exist on the property:
Radio and Wireless communications Towers are on site. Both are currently in use. The "new" tower on site approved in December of 2013 is 200ft tall the "older" tower currently stands at 120ft tall.

IDENTIFY PREVIOUSLY-APPROVED USES. List Land Use Change Permits and/or subdivision approval have been previously approved for the property, and the year in which they were approved.

Last approval # was #13-00023

Was approved in December of 2013

CHARACTERISTICS and CURRENT CONDITION OF LAND. List physical characteristics and conditions of the land, including streams, irrigation ditches, ponds, soils, roads, vegetation, geologic hazards, any work that has been done to clear the property, etc.)

No changes will take place from current conditions.

PROJECT DESIGN. As applicable, all elements of the project design must address and comply with the individual sections of Article 13: *Project Design Standards* in the *Gunnison County Land Use Resolution*; the staff will advise the applicant which of these requirements apply to a specific application:

SECTION 13-103: *General Site Plan Standards and Lot Measurements.*

SECTION 13-104: *Setbacks from Property Lines and Road Rights-of-Way.*

SECTION 13-105: *Residential Building Sizes and Lot Coverages.*

SECTION 13-107: *Installation of Solid-Fuel-Burning Devices.*

SECTION 13-108: *Open Space and Recreation Areas.*

SECTION 13-109: *Signs.*

SECTION 13-110: *Off-Road Parking and Loading.*

SECTION 13-111: *Landscaping and Buffering.*

SECTION 13-112: *Snow Storage.*

SECTION 13-113: *Fencing.*

SECTION 13-114: *Exterior Lighting.*

SECTION 13-115: *Reclamation and Noxious Weed Control.*

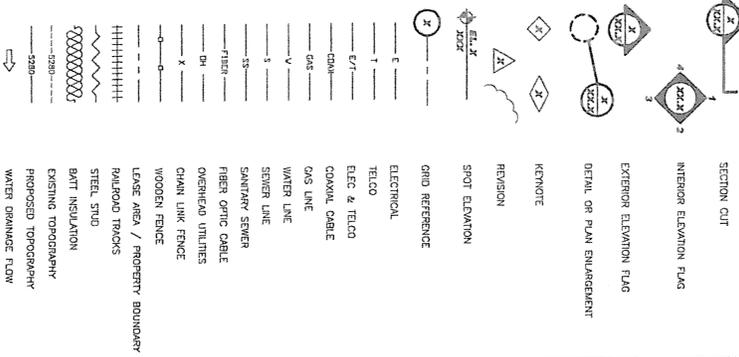
SECTION 13-116: *Grading and Erosion Control.*

SECTION 13-117: *Drainage, Construction and Post-Construction Storm Water Runoff.*

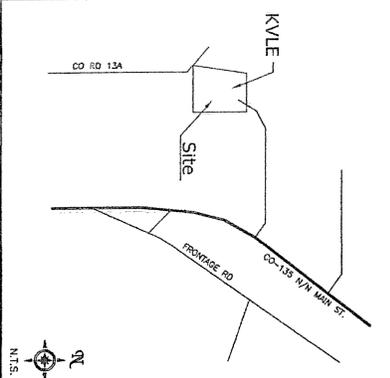
World Telecom Sites

PROJECT: GUNNISON COLORADO
 KYLE-FM COMMUNICATIONS
 TOWER
 ADDRESS: 1445 STATE HIGHWAY 135
 GUNNISON, CO 81230
 ZONING DRAWINGS

DRAWING SYMBOL LEGEND



VICINITY MAP



DIRECTIONS TO SITE
 FROM DANGER MERGE ONTO I-25 SOUTH, EXIT ONTO
 US-285/HAWPER AVE AND TURN WEST. YOU WILL STAY ON 285
 SOUTH FOR 1.61 MILES, TURN RIGHT AT US-50 WEST, TRAVEL
 SOUTH FOR 0.5 MILES, TURN LEFT INTO MAIN ST. TRAVEL 1.3
 MILES, TURN LEFT INTO KYLE PROPERTY.

PROJECT TEAM

OWNER CONTACT
 CONTRACTING
 & PURCHASING MANAGER
 CONTACT: KIMBERL HUBBELL
 PHONE: 715.592.2507

CLIENT
 WORLD COMMUNICATIONS
 WES HOOD
 720.684.5393

ARCHITECT
 DANIEL STRECKY
 CSI
 5035 S. ZANG ST.
 LITTLETON, CO 80127
 PHONE: 303.932.9874
 FAX: 303.932.6581
 720.684.5393

THE CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY LOCATES AND
 UTILITY RELOCATIONS REQUIRED FOR THIS INSTALLATION.
 CONTRACTOR WILL SCHEDULE AND COORDINATE ALL WORK WITH
 THE OWNER TO ENSURE NO DISRUPTION TO OWNERS OPERATIONS.

APPROVAL BLOCK

TITLE	SIGNATURE	DATE

DRAWING INDEX

SHEET	DESCRIPTION
T1.0	TITLE SHEET
A2.0	SITE PLAN
A2.1	ENLARGED SITE PLAN
A3.0	ELEVATIONS

PROJECT DESCRIPTION

REDUCE HEIGHT OF EXISTING TOWER FROM 120' TO 102'-1".

GENERAL CONTRACTOR NOTE

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND
 CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE
 ARCHITECT OF ANY DISCREPANCIES OR OMISSIONS BEFORE PROCEEDING
 WITH THE WORK OR BE RESPONSIBLE FOR SAME.
 THESE DRAWINGS ARE ONLY TO SCALE WHEN PLOTTED ON 24x36
 SHEET. USE GRAPHIC SCALE WHEN PLOTTED ON 11x17 SHEET.
 CALL BEFORE YOU DIG - COLORADO LAW REQUIRES 3 WORKING DAYS
 NOTICE FOR CONSTRUCTION PHASE.
 THESE DRAWINGS MAY NOT SHOW ALL UNDERGROUND PIPING AND
 UTILITIES. THE CONTRACTOR SHALL EXERCISE EXTREME CARE DURING
 ALL EXCAVATION AND OTHER CONSTRUCTION ACTIVITIES.

World Telecom Sites

2300 8TH AVENUE, SUITE 131
 VERO BEACH, FL 32960

PROJECT INFORMATION

FILE NAME: GUNNISON COLORADO KYLE-FM COMMUNICATIONS TOWER
 1445 STATE HIGHWAY 135
 GUNNISON, COLORADO 81230

REV.	DATE	DESCRIPTION	BY
A	09/25/15	20 REVIEW	SMK
B	09/25/15	CLIENT COMMENTS	SMK
C	09/25/15	CLIENT COMMENTS	TM
D	09/25/15	ZONING MARK	SMK
1	09/11/15	CLIENT COMMENTS	SMK

PLANS PROVIDED BY:

CSAI
 CHARTERED SURVEYING ARCHITECTURAL INC.
 ARCHITECTURAL PLANNING DESIGN
 3100 W. COLONIAL AVENUE SUITE 300
 DENVER, COLORADO 80202
 PHONE: 303.733.8100
 FAX: 303.733.8101
 WWW.CSAI.COM

LEGEND: NO

5

DRAWN BY: CMC, APV
 CHK: TN, CS

CONVEYED

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T1.0

PROJECT INFORMATION

FILE NAME: GUNNISON COLORADO KYLE-FM COMMUNICATIONS TOWER
 1445 STATE HIGHWAY 135
 GUNNISON, COLORADO 81230

AGENT OF RECORD LETTER

The undersigned below, a duly authorized representative of TARPON TOWERS II, LLC, a Delaware limited liability company, with address 1001 Third Avenue West, Ste. 420, Bradenton, FL, 34205, hereby designates and appoints the below listed Agent(s) of Record for any necessary zoning or permitting processes in connection with the existing wireless telecommunications tower(s) located at **1445 State Highway 135, Gunnison, Gunnison County, CO** as may occur from the date of this authorization.

My Agent of Record is vested with the authority to execute on my behalf and file any and all necessary sets of plans, applications, or other required paperwork necessary in the zoning or permitting process for any such wireless telecommunications tower(s) including for example, but not limited to, those for land use approvals, variances, Conditional Use Permits, building permits and the like. My Agent of Record has my authority to respond to any and all comments from staff whether written or oral, during formal or informal meetings or proceedings with appropriate jurisdiction representatives.

My duly authorized Agent(s) of Record is:

WESLEY KENNETH HOOD
4050 West County Road 2
Berthoud, CO 80513

APPLICANT:

TARPON TOWERS II, LLC
[Signature]
Chief Operating Officer
Brett Buggeln

SIGNATURE OF APPLICANT:

TITLE:

PRINTED NAME:

APPLICANT MAILING ADDRESS:

1001 Third Ave West
Ste. 420
Bradenton, FL 34205

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 5 day of August, 2015, by Brett Buggeln, in his/her capacity as Chief Operating Officer of Tarpon Towers II, LLC, who is personally known to me or who has produced FL DL B245-072-68-063-0 as identification.

AFFIX SEAL:

[Signature]
Notary Public
Shvonne Townsend
Printed Name of Notary

My Commission Expires June 25, 2018



September 9, 2015

Gunnison County Planning Commission
221 North Wisconsin Street, Suite D
Gunnison, CO 81230

Hand Delivered

RE: KVLE Radio – County Referral

Dear Commissioners:

Thank you for giving the City the opportunity to comment on the application for the Pilgrim Communications (KVLE Radio) Use Change request. The following comments are based on the submitted application material, and its relation to the *Gunnison Three Mile Plan and Urban Growth Boundary, City of Gunnison, Colorado* and the *City of Gunnison Master Plan*.

Based on our existing Three-Mile Map, the property is designated as Moderate Density Residential (1 to 6 units per acre) and is located in the Urban Growth Boundary. The application states the request is to keep the older tower that under LUC application 13-00023 was to be replaced by a new tower and removed. A new tower was placed and the older tower was modified from the original height of 200 feet to 100 feet.

The Planning and Zoning Commission does not have any objection to this request because it seems to be a technical issue and has no material effect upon intensity of the existing land use or other community oriented elements of interest to the City.

Sincerely,

Greg Larson
Chair, Planning and Zoning Commission

STAFF REPORT
Three-Mile County Referral
Susan Baldwin – Storage Units Land Use Change

TO: Planning and Zoning Commission
FROM: Community Development Staff
DATE: September 4, 2015

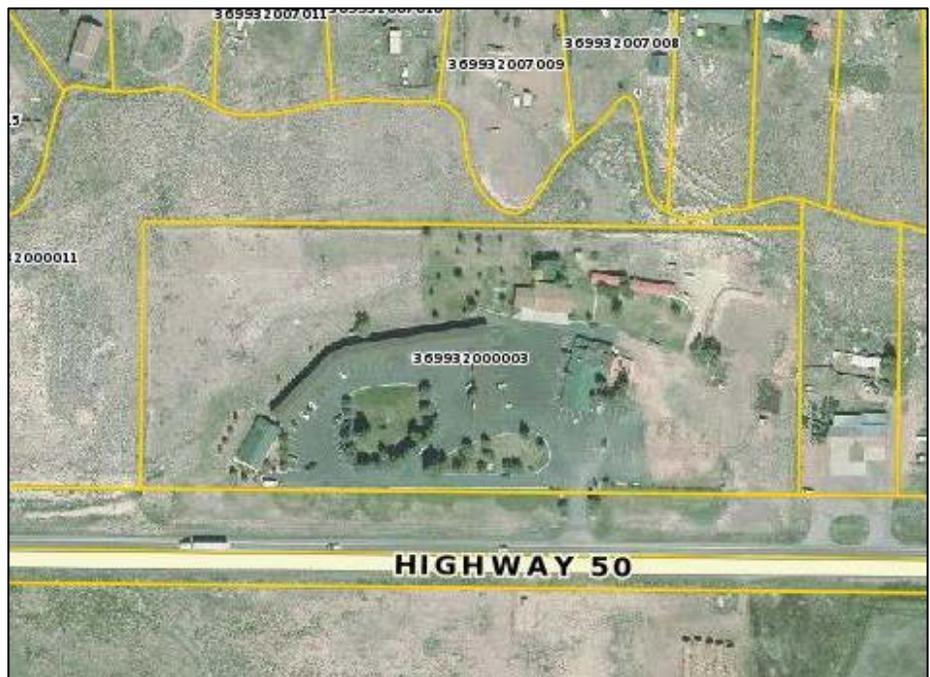
PROCESS

The *Three Mile Plan/Urban Growth Boundary Intergovernmental Agreement* (IGA) specifies the procedure for the review of projects within the Three Mile Planning Boundary and the Urban Growth Boundary. Procedures for such review are outlined in Section III, B.a. of the IGA.

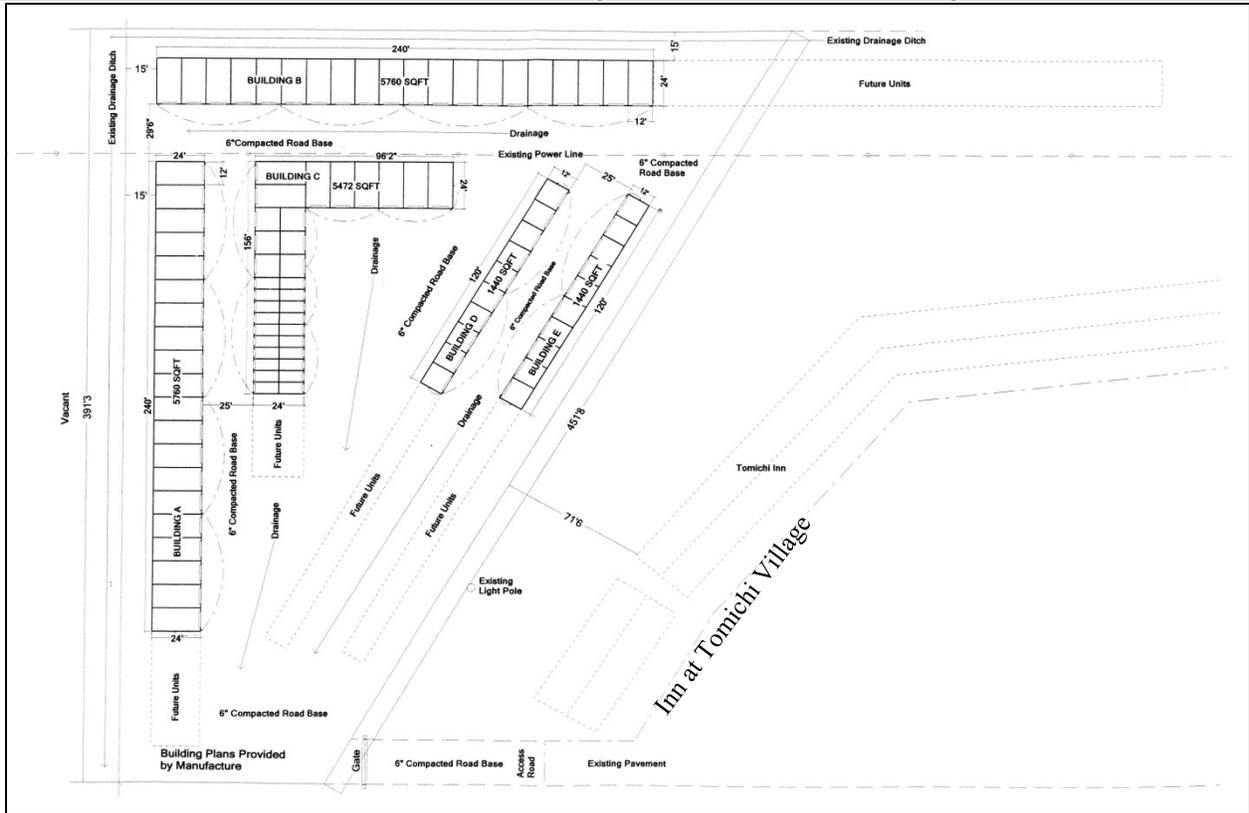
The IGA states “The County Planning Staff shall provide the City Planning Staff with a copy of the complete submittal package at least thirty (30) days prior to the initial action on the application. The City shall provide any comments ... at least 5 days prior to the first scheduled hearing...The decision as to whether to review the Proposed Development Application and whether it shall be reviewed by the City Planning Staff, the City Planning Commission, or the City Council, or some or all other groups, shall be at the discretion of the City; provided however that all Major Impact Proposed Development Applications shall be reviewed by the Technical Review Committee.”

Project Description.

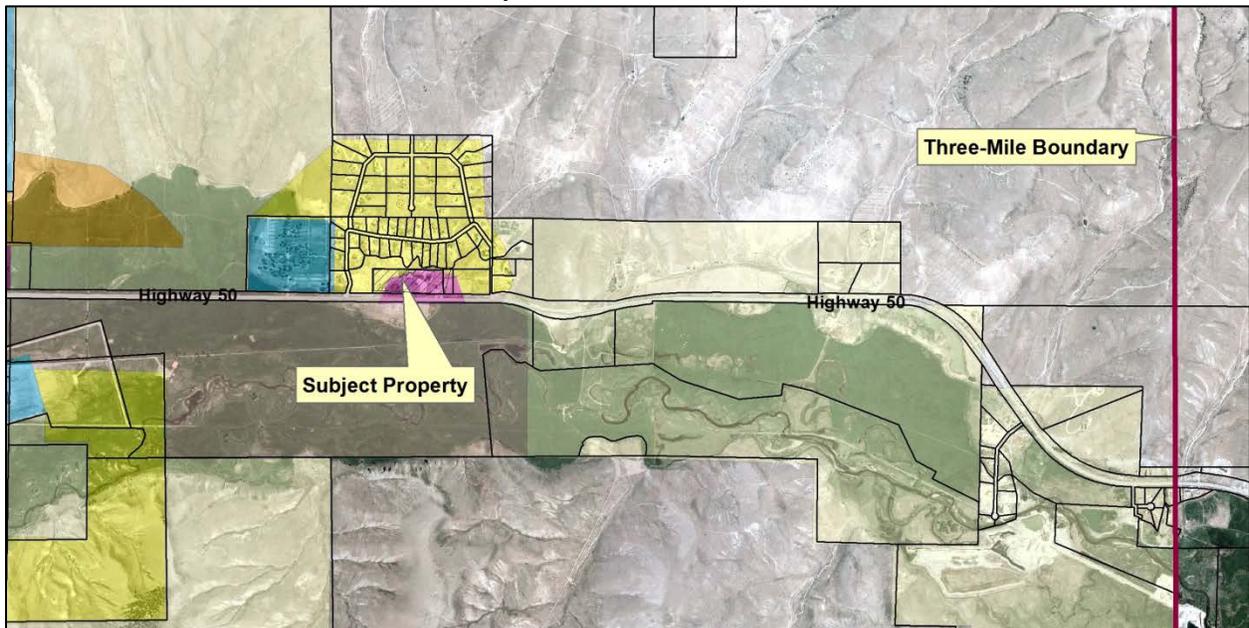
The applicant, Susan Baldwin is proposing to develop 94 storage units within a 9.3 acre parcel. The proposed site, for the units, is the northwest corner of the parcel behind the Inn at Tomichi Village. Access is proposed off Highway 50 utilizing the existing access for the Inn and along the south boundary of the property heading west to a gated entrance. The storage units proposed range in size and are a pre-manufactured steel construction.



STAFF REPORT
Three-Mile County Referral
Susan Baldwin – Storage Units Land Use Change

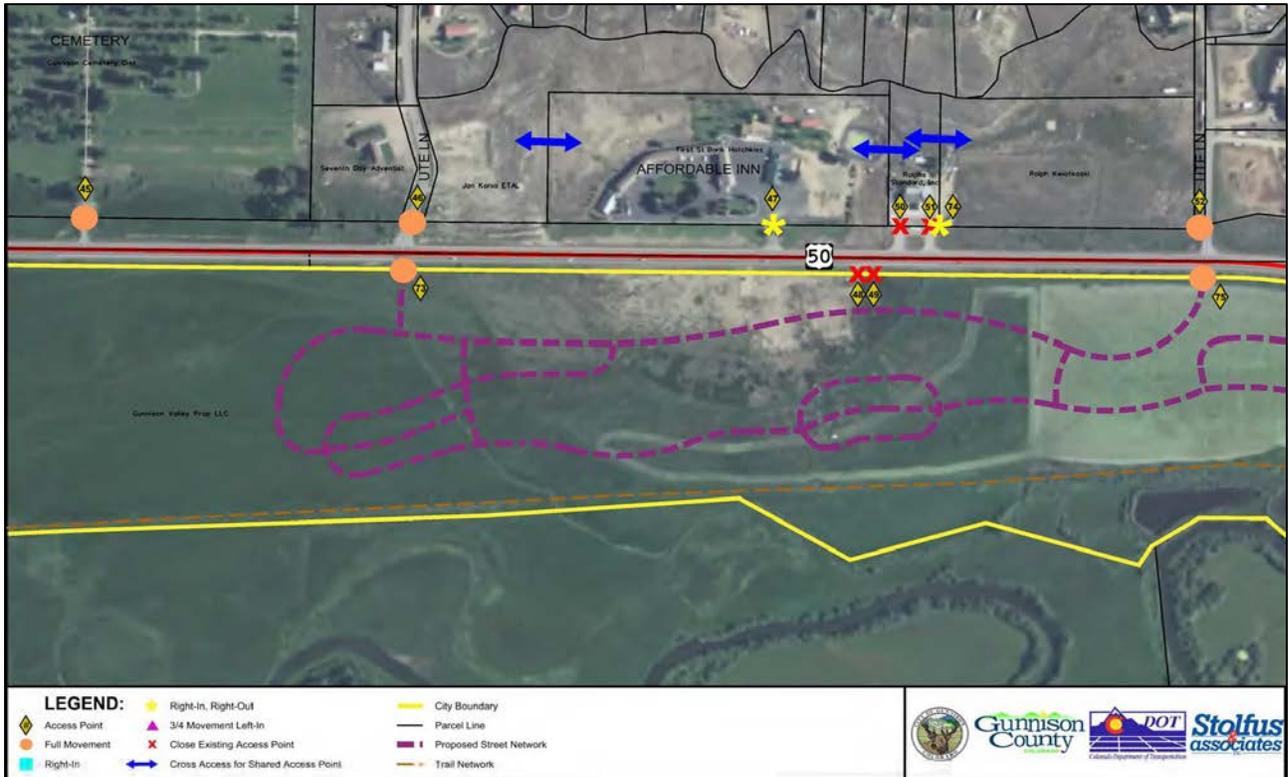


Three-Mile Plan Designation. The proposed storage units are located within the three-mile area and outside the *Urban Growth Boundary* designated in the *Three-Mile Plan (1997)*. Based on the Three-Mile map, the proposed site is located primarily in the Industrial land use area with the northwest corner in the Low Density Residential land use area.



STAFF REPORT
 Three-Mile County Referral
 Susan Baldwin – Storage Units Land Use Change

Roads and Access. The highway access to this site (the existing Inn access) is included in the Highway Access Control Plan, completed in 2013, that was initiated by the City and Colorado Department of Transportation. The Access Plan indicates this access as a right-in, right-out only with full movement intersections at Ute Lane (east and west) and shared cross access. There is no indication that the cross easement of access has been contemplated by this LUR application.



Surrounding Land Uses. The Gunnison County Land Use Resolution (LUR) incorporates locational standards to determine compatibility non-residential development. Developing storage units, adjacent to residential and commercial uses seems inconsistent with the LUR location standards premise. Additionally, the proposed use fronts the Highway 50 corridor adjacent the City’s entrance.

In fact there have been important land use policies implemented by the City to protect the highway entrance. Specifically, the Gunnison Rising annexation established specific land use and development standards along the Highway 50 corridor. These standards include a large open space area at the city’s entrance on the highway corridor, buffers standards applied to the highway edge and building and site design features that will create a vibrant and appealing urban highway entrance. Additionally, the *City of Gunnison Community Analysis* (2015) asked citizens to rate the importance of enhancing the city’s entrance appeal and the topic rated as a high priority.

STAFF REPORT
Three-Mile County Referral
Susan Baldwin – Storage Units Land Use Change

There seems to be a trend by the County to approve LUR application uses that are less than appealing for a community entrance. In fact the visual appeal of storage units on the highway corridor seems to be less than appealing and defeats any municipal efforts directed at creating an appealing community entrance.

Landscape Buffer. A landscaped buffer plan was not submitted as part of the application.



**GUNNISON COUNTY, COLORADO
MINOR IMPACT REVIEW PROJECT
LAND USE CHANGE PERMIT APPLICATION**

**GUNNISON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING OFFICE**

221 N. WISCONSIN ST, STE D., GUNNISON, CO 81230

TELEPHONE: 970-641-0360 FAX: 970-641-8585

Website: <http://www.gunnisoncounty.org/planning.html> Email: planning@gunnisoncounty.org

DATE RECEIVED BY COMMUNITY DEVELOPMENT DEPARTMENT : / /
APPLICATION FEE \$1,250.00 - SUBMITTED AT TIME OF APPLICATION : / /

Additional fees will be assessed according to the Gunnison County Land Use Change Fee Schedule

APPLICANT (If the applicant is not the owner of the land, the applicant shall submit a notarized letter signed by the owner consenting to the submittal. Consent of the owner for submittal shall imply consent by the owner for the County to complete the review process.):

MAILING ADDRESS:

41883 US Hwy 50

CITY: Gunnison	STATE: CO	ZIP: 81230
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PHONE (day): 970-301-0952	(evening): 970-301-0952
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FAX:	E-MAIL ADDRESS: svbaldwin5@comcast.net
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PROPERTY OWNER (If other than applicant, a notarized letter from the property owner consenting to this application, must be submitted. If the applicant is not the sole owner of the land, the applicant shall submit a notarized letter(s) signed by all other owners, and/or by an association or corporation representing the owners, consenting to, or joining in the application.):

NAME:

MAILING ADDRESS:

CITY:	STATE:	ZIP:
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PHONE (day):	(evening):
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FAX:	E-MAIL ADDRESS:
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PRIMARY CONTACT PERSON and AUTHORIZED REPRESENTATIVE (The person the Community Development Department should contact regarding scheduling of meetings and information for this application. A **NOTARIZED LETTER** from the property owner authorizing the representative must be submitted.)

NAME: Susan Baldwin

MAILING ADDRESS: 41883 US Hwy 50

CITY: Gunnison	STATE: CO	ZIP: 81230
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PHONE (day): 970-301-0952	(evening): 970-301-0952
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FAX:	E-MAIL ADDRESS: <u>3rbaldwin75@comcast.net</u>
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PROPERTY LOCATION and LEGAL DESCRIPTION OF PROPERTY:

- Legal Description.** Cite lot and block or tract numbers, mining claim or homestead references; attach copy of deed and/or metes and bounds description(s)
9.3 AC TRIN 525W4, Sec 32 50N1E
619806 acc # R007994
- Property Address.** 41883 US Hwy 50 Gunnison, CO 81230
- Common Description (include mileage from highway or County road, or other recognized landmarks).**
The Inn at Tomichi Village

AFFECTED LANDOWNERS. List all landowners and land uses that are within 500 feet of the boundaries of the entire parcel on which the land use change is proposed, including all properties separated from the parcel by a road or would be adjacent if the road did not exist. The best-available, most current information of this listing of current owners is in the Gunnison County Assessor's Office:

AFFECTED LANDOWNER'S NAME	PARCEL LOCATION RELATIVE TO PROPOSED LAND USE CHANGE PARCEL	CURRENT LAND USE ON ADJACENT PARCEL

PROJECT DESCRIPTION. Describe in detail what the applicant wants to do on the parcel, including new uses, division of land, adjustment of boundaries, expansion of existing uses, number of units, estimated amount of new traffic, new structures to be constructed, proposed phases and a description of off-site resources and haul routes (including those used by vehicles related to construction) necessary to accomplish the project. If the proposed land use change is a subdivision, identify the use of each lot (single family residence, duplex, commercial, etc.):

Multiple unit Storage Units

FAX:	E-MAIL ADDRESS: <u>5rbaldwin5@comcast.net</u>
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PROPERTY LOCATION and LEGAL DESCRIPTION OF PROPERTY:

1. **Legal Description.** Cite lot and block or tract numbers, mining claim or homestead references; attach copy of deed and/or metes and bounds description(s)

9.3 AC TRIN 52 SW 4, Sec. 32 50N 7E
619806 Acct # R007996

2. **Property Address.** 41883 US Hwy 50 Gunnison, CO 81230

3. **Common Description (include mileage from highway or County road, or other recognized landmarks).**

The Inn at Tomichi Village

AFFECTED LANDOWNERS. List all landowners and land uses that are within 500 feet of the boundaries of the entire parcel on which the land use change is proposed, including all properties separated from the parcel by a road or would be adjacent if the road did not exist. The best-available, most current information of this listing of current owners is in the Gunnison County Assessor's Office:

AFFECTED LANDOWNER'S NAME	PARCEL LOCATION RELATIVE TO PROPOSED LAND USE CHANGE PARCEL	CURRENT LAND USE ON ADJACENT PARCEL

PROJECT DESCRIPTION. Describe in detail what the applicant wants to do on the parcel, including new uses, division of land, adjustment of boundaries, expansion of existing uses, number of units, estimated amount of new traffic, new structures to be constructed, proposed phases and a description of off-site resources and haul routes (including those used by vehicles related to construction) necessary to accomplish the project. If the proposed land use change is a subdivision, identify the use of each lot (single family residence, duplex, commercial, etc.):

Multiple unit Storage Units

MINING AND CONSTRUCTION ACTIVITIES. As applicable, information pursuant to the individual sections of Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials.*

n/a

COMMERCIAL AND INDUSTRIAL USES. As applicable, information pursuant to the individual sections of Division 9-300: *Commercial and Industrial Uses.*

n/a

PRESENT LAND USE: identify present land uses and locations and sizes of structures that exist on the property:

Hotel/motel and restaurant see map

IDENTIFY PREVIOUSLY-APPROVED USES. List Land Use Change Permits and/or subdivision approval have been previously approved for the property, and the year in which they were approved.

NONE

CHARACTERISTICS and CURRENT CONDITION OF LAND. List physical characteristics and conditions of the land, including streams, irrigation ditches, ponds, soils, roads, vegetation, geologic hazards, any work that has been done to clear the property, etc.)

Hotel / Restaurant

PROJECT DESIGN. As applicable, all elements of the project design must address and comply with the individual sections of Article 13: *Project Design Standards in the Gunnison County Land Use Resolution*; the staff will advise the applicant which of these requirements apply to a specific application:

- SECTION 13-103:** *General Site Plan Standards and Lot Measurements.*
- SECTION 13-104:** *Setbacks from Property Lines and Road Rights-of-Way.*
- SECTION 13-105:** *Residential Building Sizes and Lot Coverages.*
- SECTION 13-107:** *Installation of Solid-Fuel-Burning Devices.*
- SECTION 13-108:** *Open Space and Recreation Areas.*
- SECTION 13-109:** *Signs.*
- SECTION 13-110:** *Off-Road Parking and Loading.*
- SECTION 13-111:** *Landscaping and Buffering.*
- SECTION 13-112:** *Snow Storage.*
- SECTION 13-113:** *Fencing.*
- SECTION 13-114:** *Exterior Lighting.*
- SECTION 13-115:** *Reclamation and Noxious Weed Control.*

management Plan -

1. The existing hotel / restaurant manager will have a cell phone for Tomichi Storage. ~~to~~ He will answer phones & meet with clients.
2. The maintenance man will remove snow and clear walkways.
3. Hotel desk clerks will be available to collect payments onsite.







September 9, 2015

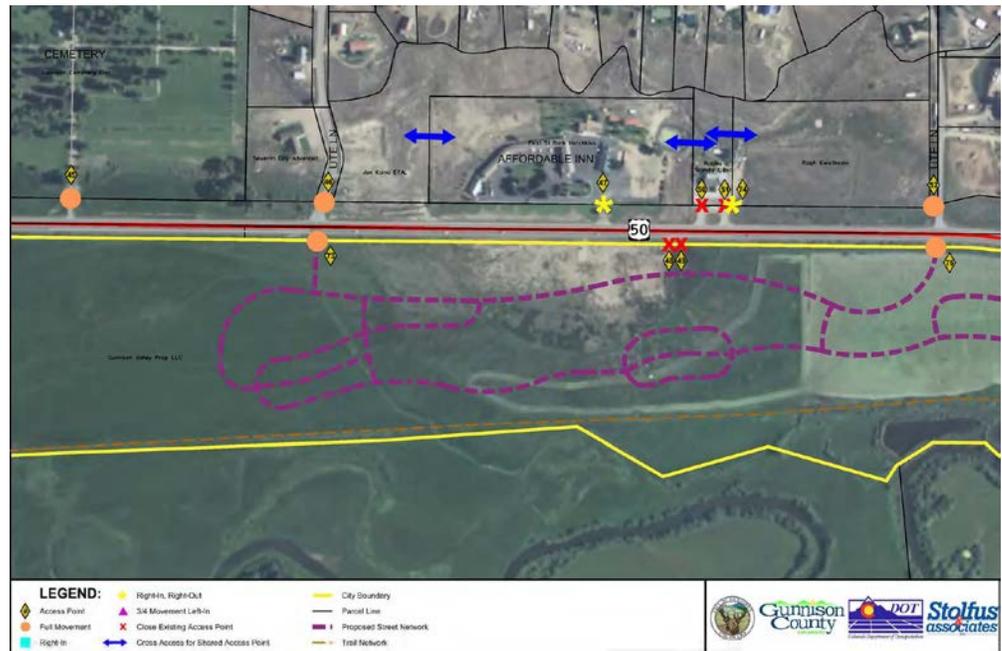
Gunnison County Planning Commission
200 W. Virginia Avenue
Gunnison, CO 81230

Dear Commissioners:

Thank you for providing the opportunity to comment on the proposed plan to construct 94 storage units adjacent to The Inn at Tomichi Village. The following comments are based on the submitted application materials and the relation of the proposed project to the *Gunnison Three Mile Plan and Urban Growth Boundary*, *City of Gunnison, Colorado* and the *City of Gunnison Master Plan*.

Based on the existing Three-Mile Map, the property is designated as Industrial and Low Density Residential (1 unit per 1-5 acres) and is located outside of the Urban Growth Boundary.

A Highway 50 Access Study was completed in 2013 in cooperation with CDOT and Gunnison County. Within the plan the access point for the Inn is indicated as a right-in, right-out only (yellow asterisk). Ute Lane (east and west) are full movement intersections and the plan states that the blue arrows are shared cross access points off Ute Lane.



This proposed access configuration is memorialized as part of the Intergovernmental Agreement that was signed by the Colorado Department of Transportation, the City of Gunnison and Gunnison County.

The Gunnison County Land Use Resolution (LUR) incorporates locational standards to determine compatibility non-residential development. Developing storage units, adjacent to residential and

commercial uses seems inconsistent with the LUR location standards premise. Additionally, the proposed use fronts the Highway 50 corridor adjacent the City's entrance.

In fact there have been important land use policies implemented by the City to protect the highway entrance. Specifically, the Gunnison Rising annexation established specific land use and development standards along the Highway 50 corridor. These standards include a large open space area at the city's entrance on the highway corridor, buffers standards applied to the highway edge and building and site design features that will create a vibrant and appealing urban highway entrance. Additionally, the *City of Gunnison Community Analysis* (2015) asked citizens to rate the importance of enhancing the city's entrance appeal and the topic rated as a high priority.

There seems to be a trend by the County to approve LUR application uses that are less than appealing for a community entrance. In fact the visual appeal of storage units on the highway corridor seems to be less than appealing and defeats any municipal efforts directed at creating an appealing community entrance.

Please note that while the Three-Mile Plan identifies this site as an industrial use, the Planning and Zoning Commission believes the use is inappropriate for the highway corridor and does not comply with LUR Section 10.4, Location Standards for Non-residential Uses. The Planning and Zoning Commission does not support this proposed use.

Please feel free to contact the City's Community Development Director if you have any questions regarding this letter.

Sincerely,

Greg Larson
Chair, Planning and Zoning Commission

CC: City Council

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, Andie Ruggera, Planner Planning Technician Michelle Spain

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- CONDITIONAL USE APPLICATION – CU 15-3, SUBMITTED BY CHRISTOPHER SANCHEZ, ACME HEALING CENTER OF GUNNISON, LLC, FOR THE OPERATION OF A RETAIL MARIJUANA STORE IN THE INDUSTRIAL ZONE DISTRICT.

Open Public Hearing. Chair Larson opened the public hearing at approximately 7:01 p.m.

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

Review of Process. Reported by Planner, Andie Ruggera. Conditional Use applications requirements were reviewed and the brief description of the current application and location of the project was given. Neighboring structures and uses were reviewed. The total square footage in relation to parking requirements, landscaping, and the buffer areas were presented. All inspections will be completed prior to the issuance of the Retail Marijuana Establishment License.

Applicant Presentation. Christopher Sanchez with Acme Healing Centers introduced himself and told the commissioners he had 4 other locations in the state. He is willing to supply any items that are requested from this review. Mr. Sanchez believed that he has a good business in all his locations and was anxious to start in this community. He will comply with all codes from the City, Building Official and Fire Marshall.

Larson asked how much of the existing space would be actual retail sales. Sanchez indicated about 2/3 will be retail sales consisting of product and T-shirt inventory.

Niemeyer asked about how the requirements in this municipality compare to other areas. Sanchez indicated this was very well presented. The only items that were different were the conditions.

Sanchez will keep up the maintenance of the building. One of their other facilities is a log building and they want to keep the Western appearance. They want to be a positive part of this community.

Public Input. None. No written or electronic comments were received.

Staff Presentation. Director Westbay commenced his review. He was encouraged to hear from the applicant that the current application process was good. He acknowledged that the applicant had submitted a well-designed site plan. The site was then inspected and stepped off. Some dimensions

and the some items did not match. So Ruggera revised the site plan to include buffer standards to comply with. Landscaping with planters were discussed. This did change the parking also. The two parking spaces bordering the 9th St West property line are outside the property and the Code does not allow this. The collector street of Rio Grande Avenue was reviewed. This street is the main route to the airport. They want this street to look well maintained. Alpine Express route was discussed. This is our first conditional use for a Marijuana establishment. Westbay went over terminology of the criteria, standards and provisions.

Planner Ruggera reviewed the findings. Site plan, inspections, parking buffer need to be established and maintained. Site inspections by the Building Official and the Fire Marshal shall be completed. HVAC Exhaust/ventilation system designed by a registered engineer. Conditional Use permit is contingent on issuance and the license kept in good standing.

This will be added to Number 5 of the Conditions. “and said licenses, City and State shall be kept in good standing.”

Commission Discussion.

Larson complimented staff for the detailed review of other municipalities in order to draft our regulatory review.

Niemeyer- none

Tocke- none

Beda – Will this location have retail sales only, medical or both? Sanchez responded retail for now but they would accept medical cards.

Cave- none

Close Public Hearing. Chair Larson closed the public hearing at 7:20 p.m.

During the regular Planning and Zoning Commission meeting held on August 26, 2015, Commissioner Niemeyer moved, and Commissioner Cave seconded, and the Commission voted to APPROVE Conditional Use Application CU 15-3, submitted by Christopher Sanchez for the operation of a retail marijuana establishment at 620 South 9th Street within the Industrial district and buffer waiver, based on the following findings of fact and conditions:

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 16 off-street parking spaces are required by the *LDC* and the Director is reducing the parking by 25% for a total of 12 off-street parking spaces.

5. The Planning and Zoning Commission finds that backing onto Rio Grande Avenue is prohibited and two access points off Rio Grande Avenue and one access point off 9th Street are indicated on the site plan.
6. The Planning and Zoning Commission finds that a 15 foot-wide buffer is required along Rio Grande Avenue and waives the tree planting requirement along with a waiver of three feet on two sections, twenty feet long, for two off-street parking spaces as indicated on the site plan.
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:

CONDITION:

1. A site plan indicating off-street parking, landscaping and street buffer shall be approved by the Community Development Director.
2. The required buffer shall be established and maintained by the applicant.
3. A site inspection of the property is required by the Building Official and the Fire Marshal.
4. A HVAC exhaust / ventilation system designed by a registered engineer shall be submitted and 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.
5. This Conditional Use approval is contingent upon the issuance of the City of Gunnison and State of Colorado license for a Retail Marijuana Establishment, and said licenses, City and State shall be kept in good standing.”

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

Roll Call No:

Roll Call Abstain:

Motion carried

IV. UNSCHEDULED CITIZENS There were none

V. CONSIDERATION OF THE AUGUST 12, 2015 MEETING MINUTES.

Commissioner Tocke moved and Commissioner Beda seconded, to approve the August 12, 2015 meeting minutes as corrected and amended.

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

Roll Call No:

Roll Call Abstain:

Motion carried

VI. Commissioner Cave moved and Commissioner Niemeyer seconded, to approve the absence of Councilor Schwartz from this meeting.

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

Roll Call No:

Roll Call Abstain:

Motion carried

VII. COUNCIL UPDATE. Councilor Schwartz excused. No update.

VIII. COMMISSIONER COMMENTS. None

IX. PLANNING STAFF UPDATE.

Director Westbay started his review.

- Gunnison River biological assessment by CPW is completed. River Habitat Restoration project. 2.3 miles of the river is being reviewed.
- Safe Streets Program. Will be holding a workshop on September 3, 2015 at the Fred Field building 6-8:30pm. The contents: Defining the problem, interactive session amongst tables showing drawings, signage etc., Coming to terms with who the stakeholders are. We want input from all areas of the community.

Tocke asked if there would be education prior to the drawing stage. Westbay indicated a tool box method would be used.

Larson asked about islands.

Beda indicated that the Safe Streets was for traffic not crime related incidents etc. Beda indicated that this is not just in Gunnison but Crested Butte is experiencing the same traffic problems.

Boulder's street problems were discussed.

Westbay indicated that funds were directed to this project. No funds for a demonstration project now.

- City Council did discuss design standards. During strategic planning process they will request direction as to which way staff should proceed.
- Staff is working with OVPP to look at their visioning step. We are jointly working with Gunnison County on this.
- Internship for the Safe Streets project will be interviewed tomorrow.
- Westbay indicated in the first month, after Marijuana was approved we had 35 inquiries.
- The City Clerk has 6 applications she is working on currently.

Larson requested an email notification on any additional meetings coming up.

X. ADJOURN. 7:44 p.m.

DRAFT MINUTES AUGUST 26, 2015
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING

7:00PM

Attest:

Greg Larson, Chair

Michelle Spain, Secretary