

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
Rev 02-19-16**

DATE: WEDNESDAY, FEBRUARY 24, 2016
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. UNSCHEDULED CITIZENS**
- IV. CONSIDERATION OF THE JANUARY 27, 2016 MEETING MINUTES**
- V. THREE-MILE COUNTY REFERRAL – REQUEST BY O.A. PESNELL TO OPERATE A JEEP RENTAL BUSINESS WITHIN THE FLYING E RANCH SUBDIVISION**
- VI. COUNCIL UPDATE**
- VII. COMMISSIONER COMMENTS**
- VIII. PLANNING STAFF UPDATE**
- IX. ADJOURN TO WORK SESSION**

WORK SESSION –

COMPREHENSIVE PLAN UPDATE – FUTURE PLANNING SCENARIO AND VISIONING

To comply with ADA regulations, people with special needs are requested to contact the City of Gunnison Community Development Department at 641-8090.

This agenda is subject to change, including the addition or deletion of items at any time. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are on the City website at www.cityofgunnison-co.gov. Work sessions are not recorded and formal action cannot be taken. For further information, contact the Community Development Department at 641-8090.

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DRAFT MINUTES JANUARY 27, 2016 7:00PM
 CITY OF GUNNISON PLANNING AND ZONING COMMISSION
 REGULAR MEETING

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

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

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

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS. There were none.

IV. CONSIDERATION OF THE JANUARY 13, 2016 MEETING MINUTES.

Commissioner Tocke moved, and Commissioner Cave seconded, to approve the January 13, 2016 meeting minutes as presented.

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

Roll Call No:

Roll Call Abstain:

Motion carried

V. COUNCIL UPDATE. Councilman Schwartz commenced his review.

Review of the meeting held on January 19th.

- Reviewed the contract for services contract.
- Continuing Challenge grant update: council reviewed where the funds were being spent on each request.
- Chief Robinson gave an update on the nuisance ordinance and what progress is being made on this.
- Mr. Bratton’s Metro District review will be coming up soon.

Review of meeting held January 26th.

- Economic development discussion. At the suggestion of Mr. Achen, interim City Manager, he requested Council to decide as a whole what issues should be reviewed.
- Public Hearing was set on White House LLC dba Hashish Hut for a retail Marijuana business.

DRAFT MINUTES JANUARY 27, 2016 7:00PM
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
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- Complete streets call with CDOT was reviewed. Various members of Council, and staff were in attendance. Tomichi corridor was reviewed with CDOT. Next Friday will be another call with CDOT. They will then respond with their comments. We will then be able to proceed with the next step. There is some hesitation on their part since this would be the first request of this kind on a state highway. The governor's fund for bicycle and pedestrian paths is not available to our community. So future funding will need to be looked at.
- Director Westbay indicated that it was a productive meeting with CDOT. They at least did not say no. They want to look at the engineering details of the proposal before making any recommendations.

VI. COMMISSIONER COMMENTS.

- Commissioner Beda asked why we are encouraging bicycle traffic on the U. S. Highway that is the busy thorough fair in the City limits. Director Westbay responded that it is the geometric design to narrow this street section. By doing so the cross pedestrian movement will be safer. Councilman Schwartz responded that he did not feel this street would be a heavily used bike lane. The intent is to slow the traffic for safety reasons. Commissioner Beda asked about the location of the bike lanes. Director Westbay reviewed the protected bike areas.
- Commissioner Tocke discussed is bike use. Commissioner Larson indicated the striping costs and the medians will be the largest expenses. Director Westbay responded that the maintenance costs would be increased. Councilman Schwartz indicated that a long term commitment will be needed for this project. This will be put in place for at least 3 years.

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

- Gunnison Rising Metro District is being reviewed at this time. The attorneys are reviewing all of this and this Friday we will be meeting with the applicants. The applicants are looking a PIF, Public Improvement Fee, which is a sales tax provision that would be collected from the businesses to repay the bonds for the utility improvements.
- We also visited with a citizen on a mobile home park in the city.
- OVPP housing plans were discussed. This meeting reviewed financing tools for affordable housing that were being used in other communities. Ben Cowan, Finance Director and Director Westbay will be giving council additional information on this.
- Lazy K review was today on a conference call. UCC Denver has submitted its review on the various stages. They will be submitting three alternatives for this site. An update to City Council will be in March sometime. This is on a DOLA grant so this has been very interesting, fun project.
- River restoration project is in preliminary design stage. We will be submitting a Wetland Delineation to the Army Corps of Engineers. We will also need to get together with the U.S. Fish and Wildlife on the Sage Grouse.

Adjourn 07:20 pm

DRAFT MINUTES JANUARY 27, 2016 7:00PM
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING

**VIII. ADJORN TO WORK SESSION AT 7:20 PM– COMPREHENSIVE PLAN UPDATE –
FUTURE PLANNING SCENARIO AND VISIONING**

Attest:

Greg Larson, Chair

Michelle Spain, Secretary

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: O. A. Pesnell JR

MAILING ADDRESS: 601 P.O. Box Gunnison Co.

CITY: GUNNISON STATE: CO. ZIP: 81230

PHONE (day): 251-455-2723 (evening): 641-2420

FAX: E-MAIL ADDRESS:

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: same

MAILING ADDRESS: CITY: STATE: ZIP:

PHONE (day): (evening): FAX: E-MAIL ADDRESS:

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: O. A. Pesnell JR

MAILING ADDRESS: P.O. Box 601

CITY: GUNNISON STATE: CO ZIP: 81230

PHONE (day): 251-455-2723 (evening): 641-2420

FAX: 251-634-0825 E-MAIL ADDRESS: pampesnell@hotmail.com

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).
see attached deed

2. **Property Address.** Highway 135 JUST NORTH of the Radio Towers

3. **Common Description** (include mileage from highway or County road, or other recognized landmarks).
3/4 mile North of County Rd. 13

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
lot 4 lot 2 lot 3 lot 1 MARTIN KLINOWSKI	North another side of easement	Construction shop
MR + MRS. PIKE	North " " " " "	single family home
Advanced Adbag Packaging	Vacant land Lot 3	Vacant
Gene Louis Dirm, Illinois	North of Lot 4 Easement Facing Highway	VACANT

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.):

We would desire to build a new pole barn type structure to house and cover vehicles we rent. The same building would have a small office of about 295 sq. feet, as well as a small apartment of about 605 sq. ft. There will be some storage within the structure and we would desire approval of (2) two 8' x 40' storage containers. The total area to be used for this change of land use would be a little over (1) one acre.

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.

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.

Ag.

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.)

Relatively flat sloping to the west. There is the whip ditch that crosses behind the proposed land use change.

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.*

SECTION 13-118: Water Impoundments.

SECTION 13-119: Standards to Ensure Compatible Uses.

ADDITIONAL SUBMITTALS BASED UPON INFORMATION AVAILABLE ON MAPS USED BY THE COUNTY. If a land use change is proposed on a parcel located within any of the following areas additional submittals may be required to be submitted (Section numbers refer to sections in the *Gunnison County Land Use Resolution*). The Community Development Department will provide assistance to the applicant to determine the specific information that must be submitted:

1. **LOCATION OF SITE WITHIN FLOODPLAIN HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a floodplain hazard area, pursuant to Section 11-103: *Development in Areas Subject to Flood Hazards*.
2. **LOCATION OF SITE WITHIN GEOLOGIC HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located in a geologic hazard area may be required to submit a geotechnical report that evaluates and predicts the impact of specific geologic conditions on the proposed land use change and measures to mitigate these hazards, pursuant to Section 11-104: *Development in Areas Subject to Geologic Hazards*.
3. **LOCATION OF SITE WITHIN WILDFIRE HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a wildfire hazard area, pursuant to Section 11-105: *Development in Areas Subject to Wildfire Hazards*.
4. **LOCATION OF SITE WITHIN AREA POTENTIALLY AFFECTED BY WETLANDS AND WETLANDS PERMITTING.** As applicable, an application proposing a land use change on a parcel located in an area in which there are wetlands, pursuant to Section 11-107: *Protection of Water Quality*.
5. **LOCATION OF SITE VISIBLE FROM RIDGELINE VANTAGE.** As applicable, an application proposing a land use change that is visible from a ridgeline vantage, pursuant to Section 11-108: *Standards for Development on Ridgetops*.
6. **DEVELOPMENTS IMPACTING AGRICULTURAL LANDS.** If a proposed project adjoins agricultural lands, involves land through which irrigation ditches flow, or over which there are general or exclusive easements for stock drives, the application shall address the requirements of Section 11-109: *Development That Affects Agricultural Lands*, and Section 15-103: *Right-to-Ranch Policy* which shall identify, in written and/or graphic form, the following:
 - a. **AGRICULTURAL DITCHES.** The location(s), name(s), name(s) of owner(s), size(s), and decreed capacity(ies) of any agricultural ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
 - b. **EASEMENTS.** The location of historical easements used to gain access to headgates, ditches, and fences for maintenance or operations.
 - c. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
7. **AGRICULTURAL LAND OWNER.** The location(s) and name(s) of owner(s) of any agricultural land(s) adjoining or possibly impacted by the proposed land use change.
 - a. **AGRICULTURAL DITCHES.** The location(s), name(s), name(s) of owner(s), size(s), and decreed capacity(ies) of any agricultural ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
 - b. **EASEMENTS.** The location of historical easements used to gain access to headgates, ditches, and fences for maintenance or operations.
 - c. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
8. **DEVELOPMENT ON LAND BEYOND SNOWPLOWED ACCESS.** As applicable, an application that proposes development at a location that currently receives no snowplowing services for access, pursuant to Section 11-110: *Development of Land Beyond Snowplowed Access*.
9. **DEVELOPMENT ON LAND ON AN INHOLDING WITHIN NATIONAL WILDERNESS.** As applicable, an application that proposes development on an inholding within a National Wilderness Area, pursuant to Section 11-111: *Development on Inholdings in the National Wilderness*.
10. **DEVELOPMENT ON PROPERTY ABOVE TIMBERLINE.** As applicable, an application that proposes development on a parcel located above timberline, pursuant to Section 11-112: *Development on Property Above Timberline*.

VICINITY MAP: (Submit 12 copies). The attached sample vicinity map can be used as a guide. Minimum scale of 1"=100' is preferred. Sheet size cannot exceed 34" x 36". The following are required to be included on a vicinity map:

1. **PROPERTY LOCATION AND NEARBY PARCEL SIZES AND LAND USES.** Location of the property on a United States Geological Survey quadrangle map or on a recorded plat if the proposed development is within an approved subdivision, with the location highlighted so that it is easy to see, and that clearly shows sizes of parcels and land uses within a half-mile of the proposed project.
2. **ROADS.** All U.S. and state highways and nearest County or Forest Service, Bureau of Land Management, and/or subdivision/private roads that provide access to the proposed project.
3. **EASEMENTS.** Easements recorded or historically used that provide access to or across, or other use of, the

property.

- 4. **BOUNDARIES OF DISTRICTS, MUNICIPALITIES OR SUBDIVISIONS.** Locations of special district boundaries, municipalities or residential subdivisions within a half mile of the property.
- 5. **PROXIMITY OF MINING OR PROCESSING ACTIVITY.** Any parcel located within 1,000 feet of the property proposed for land use change on which there exists an operation involving mineral exploration or extraction or construction materials processing.

SITE PLAN/LAYOUT. (Submit 12 copies.) This is a drawing; the attached sample site plan can be used as a guide. Minimum scale of 1"=100' is preferred. Sheet size cannot exceed 34" x 36". When multiple sheets are used, provide an index sheet stating the contents of each sheet. All the listed information **MUST** be shown on the drawing before you can be scheduled to meet with Planning Commission.

- 1. **ALL PROPERTY PROPOSED FOR DEVELOPMENT.** Include all land proposed for immediate and anticipated for future development. This can be a simple, hand-drawn layout, but it must be legible, clearly marked, drawn to scale, and signed and dated by the person who drew it.
- 2. **PHASING.** Any proposed phases of the development, and their timing.
- 3. **TOTAL ACREAGE OF CONTIGUOUS PROPERTY OWNED BY THE APPLICANT.** Total acreage and location of all contiguous property owned by the applicant.
- 4. **TOTAL ACREAGE IN PROPOSED LAND USE CHANGE PERMIT AREA.** Total acreage of the site on which the applicant wants to obtain approval for the Land Use Change Permit.
- 5. **ADJACENT LOT SIZES.** Lot size(s) of properties adjacent to and in the impact area of the site proposed for the land use change.
- 6. **ADJACENT LAND OWNERS.** Names and actual land uses of adjacent landowners (including federal, State of Colorado and other publicly owned lands), to the site (in addition to the separate narrative listing). This includes properties that may be across a road, stream or river from the applicant's property.
- 7. **UTILITY LOCATIONS IN AREA.** Location of all existing utilities on the property (septic tanks, wells, electric, gas, telephone or cable lines) that will serve the property.
- 8. **TOPOGRAPHIC FEATURES.** Streams, lakes, ponds, wetlands, contour lines and elevations, any prominent ridgelines, and any other significant visual resource areas on the property.
- 9. **LIVESTOCK DRIVES AND FENCE LINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
- 10. **IRRIGATION DITCHES.** The location(s), and name(s), of any irrigation ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
 There are no irrigation ditches on or adjacent to the subject parcel.
- 11. **DRAINAGE.** Drainage patterns, on and adjacent to the project property.
- 12. **DRIVEWAYS AND PARKING.** Driveways/parking areas, both existing and proposed.
- 13. **EXISTING STRUCTURES.** Locations and sizes of existing structures.
- 14. **PROPOSED STRUCTURES.** Locations and sizes of proposed structures.
- 15. **BOUNDARIES.** Boundaries and related measurements.

ACCESS: Indicate the name of the road or highway (name and number) that is the primary access for the proposed land use change. If either a County Access Permit or a Colorado Department of Transportation Highway Access Permit exists for existing access, submit a copy of the permit. Submit copies of deeded easements over the area of private or public lands that will provide access to the parcel proposed for land use change.

- 1. County Access Permit attached: *APPLIED FOR*
- 2. Colorado Department of Transportation Highway Access Permit attached:
- 3. Easement documents attached:

TRAFFIC: Estimate traffic to be generated by the proposed project, including whether it will be residential, commercial or industrial, or a mix of all uses, and the estimated numbers of vehicle trips per day.

- 1. Residential trips (estimate ten trips per day per dwelling unit): _____
- 2. Commercial or industrial uses (describe type and/or weight of vehicles, estimated trips per day and time of day trips occur):
Auto's + SUV's MAX trips per day as per last
- 3. Easement documents attached: *years contracts = 7 customers per day*

ROAD SYSTEM. If the development is to include a road or roads, location and design, must be submitted with this application, in compliance with Section-103: *Road System* and the *Gunnison County Specifications for Road and Bridge Construction Standards*.

 TRAILS. If the parcel on which the development is proposed is land over which there is a public trail, the application must comply with Section 12-104: *Trails*. Applicants also are encouraged to include public trails and other amenities for non-motorized travel in an application to link existing adjacent public trails or trails easements, and should provide information pursuant to that section if they are interested in providing such trails.

WATER SUPPLY. Indicate which of the following will be used to supply water for the proposed use (s):

WILL TIE ONTO AN EXISTING CENTRAL SYSTEM. Indicate the name of the municipality, district or other existing system which will provide the service. Attach a copy of a notarized letter of intent to provide, signed agreement or contract between the applicant and the supplier indicating the amount of water and conditions of tie-on.

WILL PROVIDE NEW CENTRAL SYSTEM. Attach copies of approved well permits, court decrees, augmentation plan, or other deeded water rights. Indicate what operational system is proposed, including treatment options and proposed plans for operation and maintenance, and including information about water available for fire suppression.

WILL HAVE AN INDIVIDUAL WELL OR SPRING SYSTEM. List, and attach copies of approved well permits, court decrees, augmentation plans, or other deeded water rights. If the source of the supply is not located on your property, indicate on the vicinity map where it is located. *see water right deed*

WATER AUGMENTATION PLAN. If the Colorado Division of Water Resources requires that a plan of water augmentation be approved for the project, a copy of the application for the augmentation, as submitted to the Division.

SUBDIVISION WATER SUPPLY INFORMATION SUMMARY SHEET. If the application is for a subdivision, complete the attached Colorado Division of Water Resources State Engineer's Office Memorandum and *Water Supply Plan Information* for subdivisions. The County is required to submit this information to the Division for review.

FIRE PROTECTION. An applicant for a land use change classified as a Minor Impact project that is located in a specific fire protection district must contact the district before submitting the application, for the purpose of being informed of the District's design and construction standards that will apply to the application. Section 12-107: *Fire Protection*.

- Parcel located in Crested Butte Fire Protection District
- Parcel located in Gunnison County Fire Protection District
- Parcel located in Carbondale and Rural Fire Protection District

WASTEWATER TREATMENT:

WILL TIE ONTO AN EXISTING CENTRAL SYSTEM. Indicate which system (municipal, special district, subdivision, as applicable), and attach a copy of a notarized letter of the service provider's intent to provide, or contract between applicant and the provider that the provider has capacity and is willing to provide.

WILL PROVIDE NEW CENTRAL SYSTEM. Indicate what operational system is proposed, including treatment options and proposed plans for operation and maintenance, as required by the Colorado Department of Public Health and Environment.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM(S). Contact the Gunnison County Environmental Health Office (641-5105) to determine if your existing system is adequate for the proposed use, and/or requirements for any new system. You will be required to pay the standard site-visit costs that may be necessary for that office to review your proposed site. An individual sewage disposal system permit will be issued only after a land use change permit has been approved, unless the Community Development Department approves the issuance of a system repair permit for an existing system.

MINERAL RESOURCES:

Is this property known to contain, or reasonably believed to contain mineral resources?
 Yes No

Has this area been the site of underground or surface mining activity in the past?
 Yes No

Has an original patent been issued to this property under the mining laws of the United States or Colorado?
 Yes No

On a separate sheet, list the owners or lessees of underlying mineral estates, if applicable.

PROTECTIVE COVENANTS, CONDOMINIUM OR TOWNHOME DECLARATIONS, OR DEED RESTRICTIONS. Any existing, or a draft of proposed, protective covenants, a condominium declaration or deed restrictions that will be imposed on the development.

Covenants and/or deed restriction document attached.

Homeowners'/ property owners' association letter attached

Not applicable.

COPY OF PROPERTY TAX CERTIFICATE. Copy of certification from the Gunnison County Treasurer's Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration. Copy of certification from the Gunnison County Treasurer's Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration.

attached

LOCATION OF SITE WITHIN SPECIAL GEOGRAPHIC AREA OR DISTRICT. As applicable, an application proposing a land use change on a parcel located within a designated Special Area or special district may be required to comply with regulations of that Area or district. The Community Development Department will assist the applicant in determining if the property lies within a district or special geographic area, and if so, what regulations apply.

Pesnell Real Estate Investments

6925 Cottage Hill Rd. Suite "E"

Mobile, AL 36695

Phone 251-634-0825

Fax 251-634-1133

Sept. 30, 2015

Mr. Neil Starkebaum

Gunnison County Community Development

221 N. Wisconsin Suite "D"

Gunnison, CO 81230

SCANNER

The following is a description in narrative form concerning my proposal to move my jeep shop currently located at 827 N. Main Street within the city limits to the proposed site approximately 1 ¼ mile north of the present location. The new site is located on Hwy. 135 on the west side of the highway and will be served by an existing easement to Flying E Ranch Subdivision. The proposed site is approximately one and one-third acre of the fourteen (14) acre lot that I currently own known as Lot. 5 Flying E Ranch Subdivision. The proposed site would contain a 3,600 sq. ft. pole barn in which to park the rental jeeps. This 3,600 sq. ft. would be inclusive of approximately 300 sq. ft. storage area and approximately 900 sq. ft. of heated area, which would house the jeep rental office to include a small apartment for the worker/operator of the jeep shop to provide security and convenience relative to operating the jeep rental shop. The parking area would consist of approximately twelve (12) parking spaces for the employee and possible customers to park. It only takes one (1) employee to operate the jeep shop; however, because we operate seven (7) days per week during the summer months of June, July and August, it does require a second employee to man those hours during our busy season. Even though it is considered a seasonal business, we do and will continue to provide jeeps for visitors to our area by way of commercial airline or private aircraft during the winter season. The winter season consists of less than 5% of the business we do annually with 85% of the business being done during July and August. The remaining 10% would be achieved in May, June, September and October. This year we will do approximately \$100,000.00 in volume and expect to grow approximately 20% per year. We have outgrown our current location to park and/or house the jeeps that are needed to continue to grow our business.

I have spoken to all the neighbors that abut the property and find no objection from any of them. I have also spoken to Steve with the City and he indicates that with our business being basically a seasonal business, does not anticipate the City having any objection for this move. I am presently involved with Dan Roussin with the CDOT and his indication is that the existing easement servicing

received
10-1-15 NS

that lot and others should not pose any delay or obstruction. I have also spoken to Marlene Crosby and it appears that some minor upgrades need to be accomplished to widen the existing gravel access from Hwy. 135 to meet the County standards, of which I have no objections. The building is planned to be greater than 40' from the highway right of way, which will put the building approximately 100' from the paved surface. The property slopes gently to the west to which the whipped ditch serves to effectively carry any surface drainage during rain storms or snow melt run offs. There are a few small Aspen trees near the right of way on the front north corner. There are no other trees within the one and one-third acres that is being used; however, there are multiple Cottonwood trees along the whipped ditch, which serves as a nice backdrop and are within the fourteen (14) acre parcel I own. Of the one and one-third acres that is being used for the drive, parking, and building, approximately 2/3 of the one and one-third acres would be left with green grass and would be manicured to perfection regularly.

I trust this proposal meets with the County regulations of acceptance to allow my business to grow.

O. A. Pesnell, Jr.

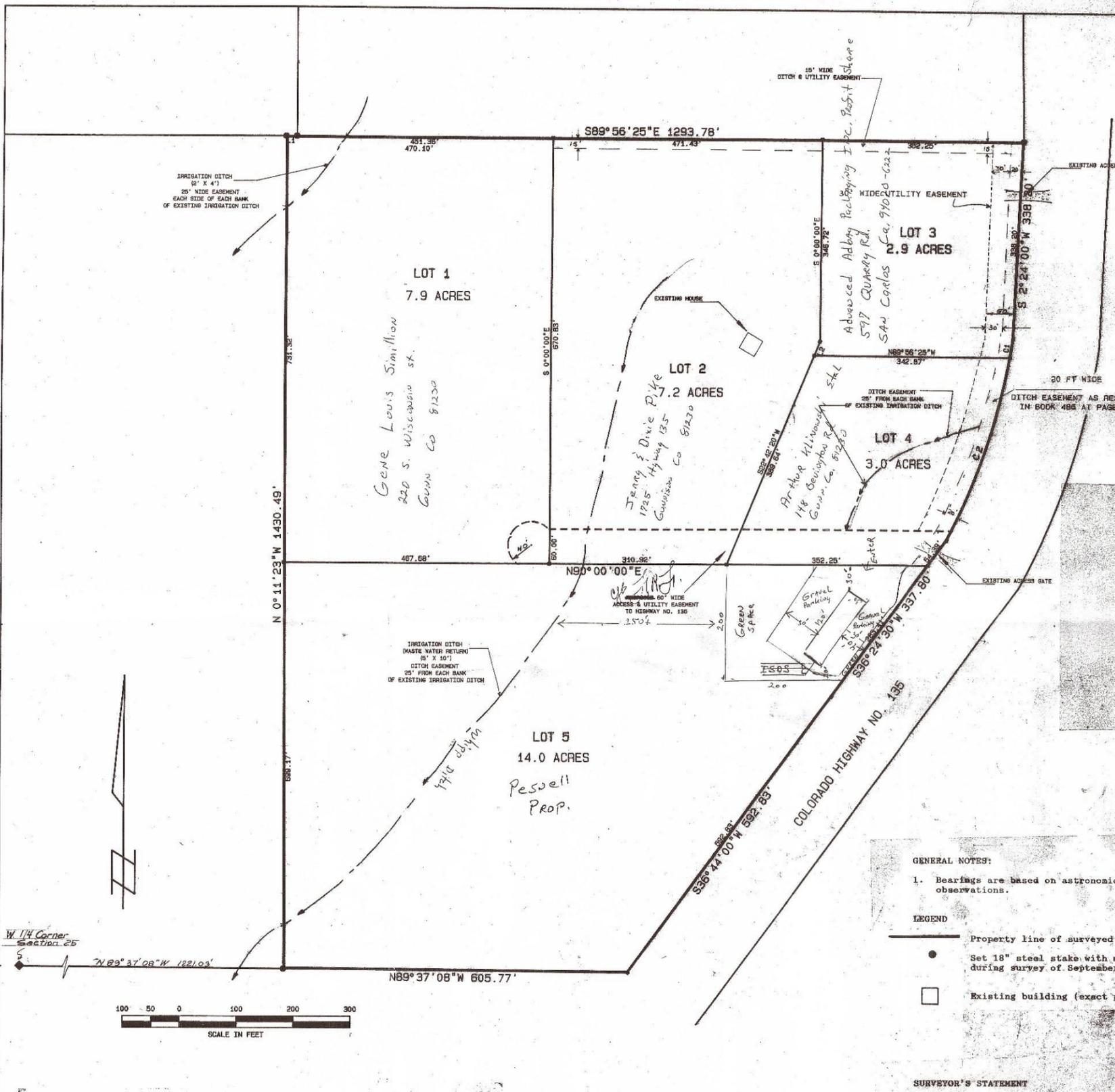


TABLE OF SHORT LINE AND CURVE SEGMENTS

LINE	BEARING	DISTANCE
1	S89°56'25"E	18.74'
2	N22°42'20"E	28.20'

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
1	1°47'14"	1070.90	16.70	33.41	S 9°10'28" W	33.41
2	17°55'03"	1070.90	168.82	334.89	S 19°01'37" W	333.53

NOTE: Lot 5 is 'Agricultural Land' as defined by Section 9-600 of the Gunnison County Land Use Resolution, and said Lot may only be used for the purposes permitted within Agricultural Land, until a change in use is approved by Gunnison County.

DEDICATION

Bissell Land Partnership, a Colorado general partnership, being the owner of the land described as follows:

A tract of land located in the NW1/4 of Section 25, Township 60 North, Range 1 West, New Mexico Principal Meridian, Gunnison County, Colorado; said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 25, as marked by a steel stake (said stake set according to Colorado Land Survey Monument Record in June 1984 by LS No. 11250); thence South 89° 37' 08" East 1221.03 feet along the south boundary of said NW1/4 to the POINT OF BEGINNING of the herein described tract; thence the following courses around said tract:

1. North 00° 11' 23" West 1430.49 feet;
2. South 89° 56' 25" East 1293.78 feet to a point on the west boundary Colorado State Highway Right of Way as described in Book 488 at page 243 in the records of Gunnison County;
3. South 02° 24' 00" West 338.20 feet along said west boundary;
4. 368.30 feet along the arc of a 1070.90 foot radius curve to the right, said curve having a chord of South 18° 08' 00" West 368.49, said curve being on said boundary;
5. South 38° 24' 30" West 337.80 feet along said boundary;
6. South 38° 44' 00" West 592.83 feet along said boundary to a point on the south boundary of the NW1/4 of said Section 25;
7. North 89° 37' 08" West 605.77 feet along said boundary to the POINT OF BEGINNING.

This tract contains 35.00 acres more or less.

Bearings used herein are relative to astronomic north as determined by solar observations.

I, **Cletus Bissell**, a general partner of Bissell Land Partnership, do hereby dedicate and convey to the owners of lots, tracts or parcels within this subdivision and their guests, but not to the public at large, the common right to use streets, alleys, roads and other areas as shown hereon and hereby dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

I, witness, whereof BISSSELL LAND PARTNERSHIP have subscribed their names this 19th day of November, A.D. 1993.

BISSSELL LAND PARTNERSHIP
By *Cletus Bissell*
General Partners

STATE OF COLORADO)
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 19th day of November, 1993, by Cletus Bissell, a general partner, of Bissell Land Partnership.

Witness my hand and official seal.
My commission expires November 6, 1994
My address is: *148 Devonshire Rd. Gunnison, CO 81230*

James P. Furey
Notary Public

GENERAL NOTES:

1. Bearings are based on astronomic north as determined by solar observations.

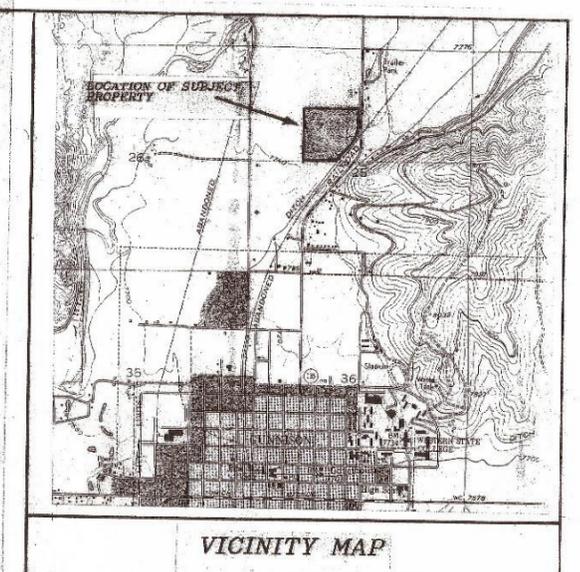
LEGEND

- Property line of surveyed property
- Set 18" steel stake with metal cap inscribed "LS11250" during survey of September of 1989.
- Existing building (exact position unverified)

SURVEYOR'S STATEMENT

This plat was made for Cletus Bissell in order to show a proposed subdivision of the property described hereon. No field measurements have been made to verify the exact position of the improvements shown hereon.

James P. Furey Jan 6, 1992
James P. Furey
Colorado L.S. No. 11250
Box 1307
Gunnison, Colorado



ATTORNEY'S OPINION

I, Karl Ransous, an Attorney-at-Law duly licensed to practice in the State of Colorado, do hereby certify that I have examined the title to all lands herein dedicated and subdivided. Such title is held in the name Bissell Land Partnership, a Colorado General Partnership, and in free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows:

- a) All minerals reserved to Denver & Rio Grande Western Railroad Company; under deed recorded 2-28-1956 in Book 283 at Page 130.
- b) Rights reserved under Agreement recorded 11-19-38 in Book 258 at Page 83.
- c) Easement reserved in Rule and Order recorded in Book 488 at Page 243 and as reserved in deed recorded 11-13-1989 in Book 872 at Page 132.

Dated this 19th day of November, 1993.

Karl Ransous
Karl Ransous, Attorney
Reg. No. 4411

GUNNISON COUNTY PLANNING COMMISSION APPROVAL

The Planning Commission of Gunnison County, Colorado, hereby recommends approval of this plat of the above subdivision, such recommendation being made at a meeting of said Commission held on this 12th day of November, A.D. 1993.

Don R. Cheney
Chairman

BOARD OF COUNTY COMMISSIONERS APPROVAL

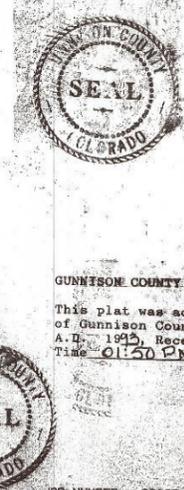
The within plat of FLYING E RANCH SUBDIVISION is approved this day of November, A.D. 1993, and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Gunnison County or any other public agency.

Attest:
Joanne M. Reitzel
County Clerk

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado on this 13th day of December, A.D. 1993, Reception Number 447702
Time 01:50 P.M., Date 12/13/93

Joanne M. Reitzel
County Clerk



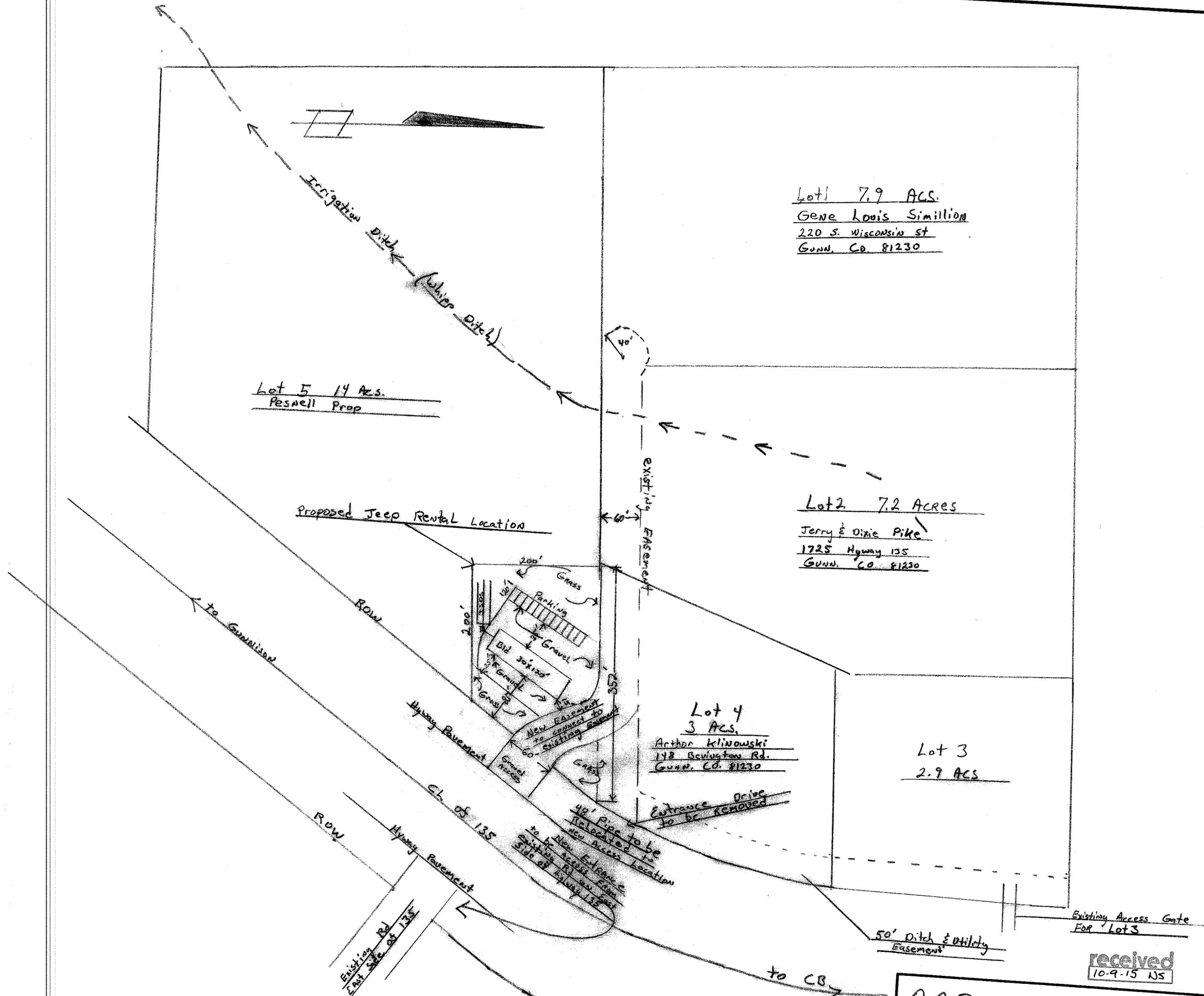
JOB NUMBER = 92025 PLOT FILE = 92025 CLIENT = CLETUS BISSELL

**PLAT OF
FLYING E RANCH SUBDIVISION
WITHIN
NW1/4 SEC. 25, T50N, R1W, NMPM
GUNNISON COUNTY, COLORADO**

PREPARATION DATE: *Jan 6, 1993* LATEST REV. DATE: *NOV 16/93 #4*

JAMES P. FUREY
ENGINEERING AND LAND SURVEYING
P. O. BOX 1307 GUNNISON, CO 81230

SHEET 1 OF 1



Lot 1 7.9 ACS.
 Gene Louis Simillion
 220 S. Wisconsin St
 Gunn, Co. 81230

Lot 5 14 ACS.
 Pesnell Prop

Lot 2 7.2 ACRES
 Jerry & Dixie Pike
 1725 Hwy 135
 Gunn, Co. 81230

Lot 4
 3 ACS.
 Arthur KLINOWSKI
 178 Burlington Rd.
 Gunn, Co. 81230

Lot 3
 2.9 ACS

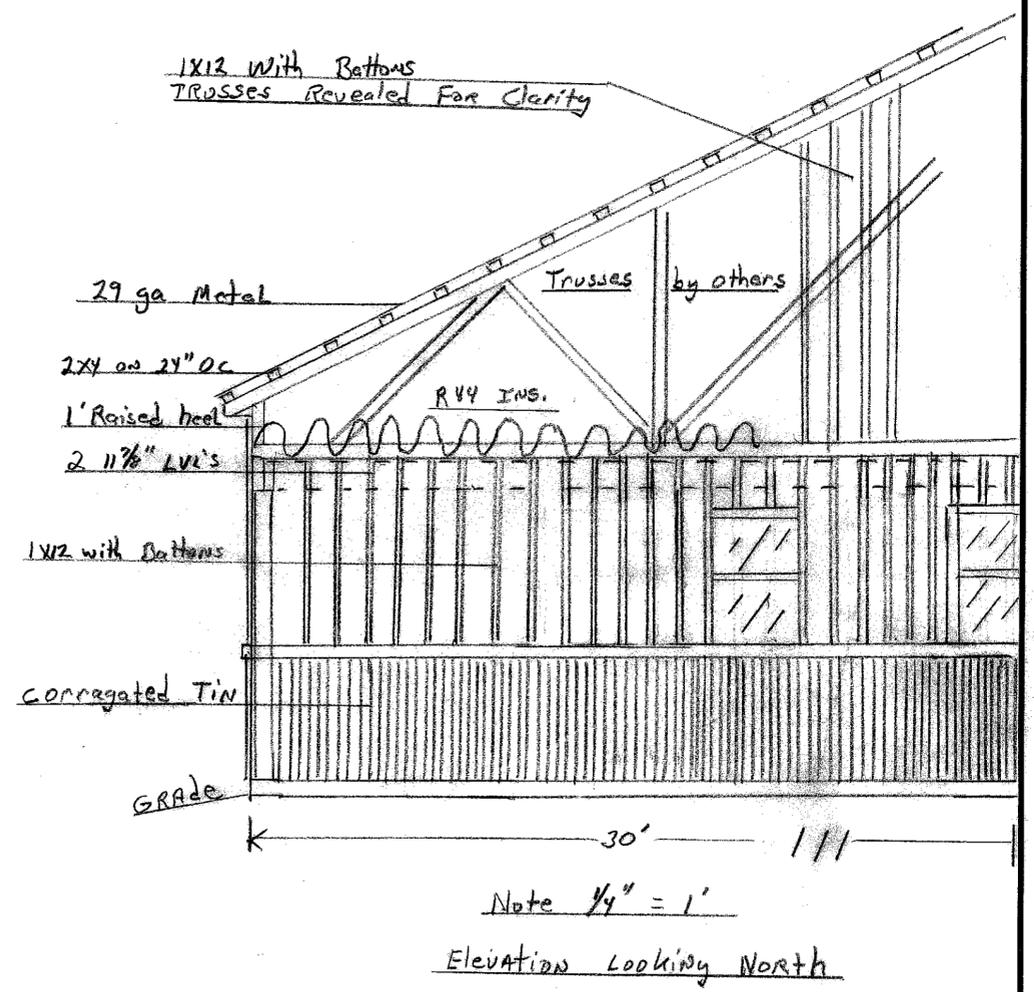
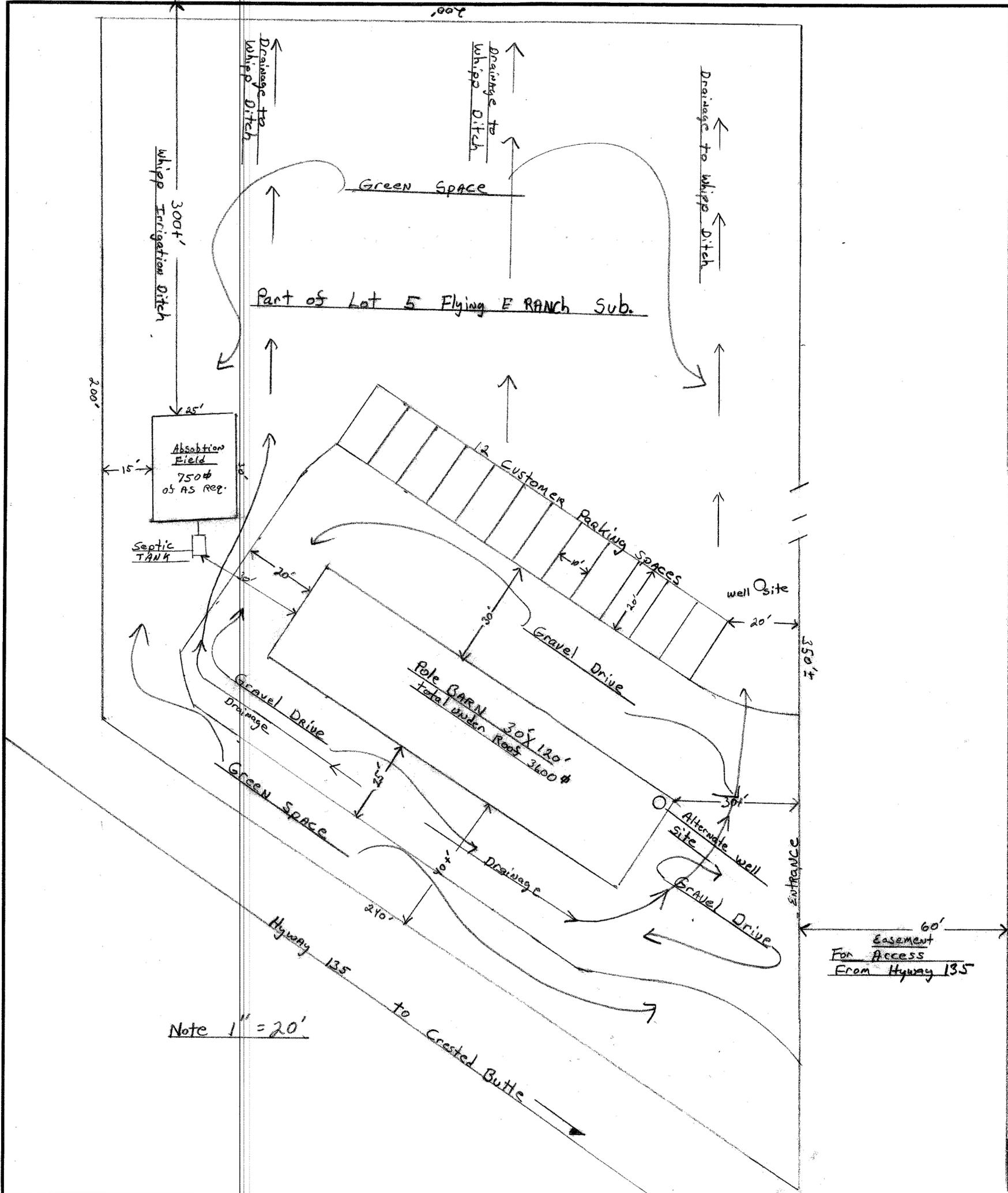
Existing Access Gate
 For Lot 3

received
 10-9-15 JS

O. A. Pesnell

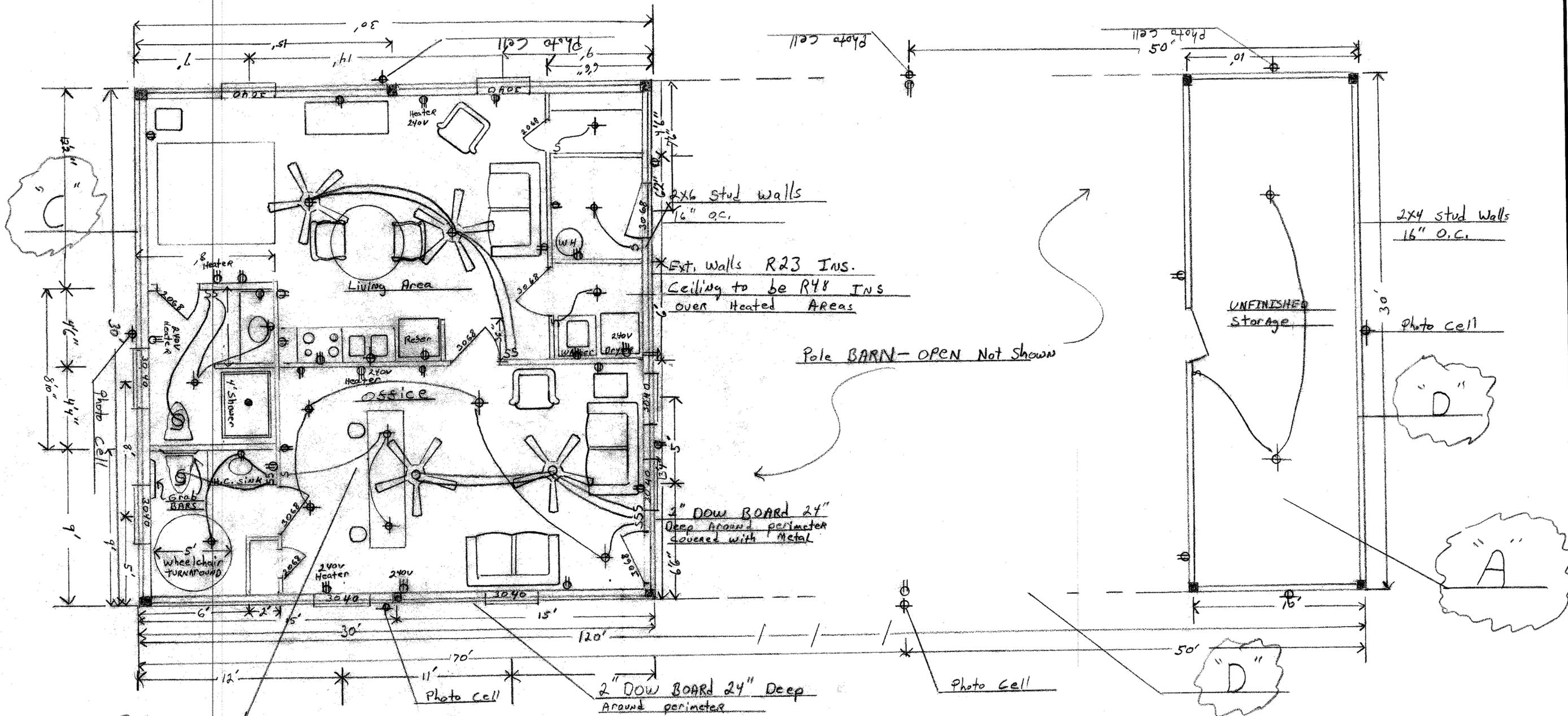
SCALE: 1" = 100'	APPROVED BY:	DRAWN BY:
DATE:		REVISED:

Proposed Re-Alignment of Access



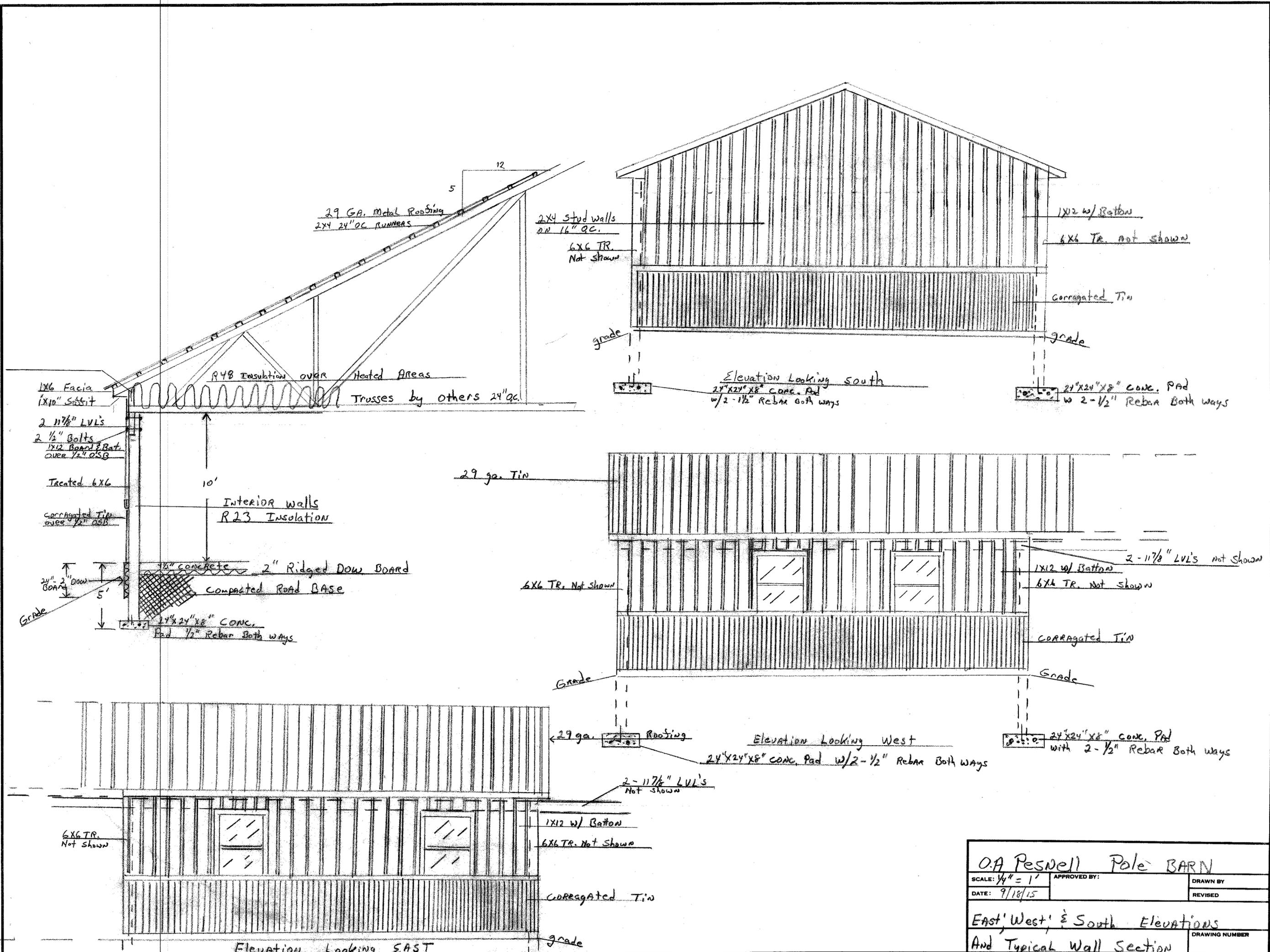
received
10-9-15 AS

O.A. Pesnell JR		
SCALE:	APPROVED BY:	DRAWN BY:
DATE: 7/18/15		REVISED:
Site Plan For Proposed Pole Barn		DRAWING NUMBER:
And "N" Facing Elevation For Finished Heated Area		



"B"

Total Area Covered yet Not Enclosed 2400 [#]		
Total Finished Area 900 Sq. FT		
Total Unfinished yet Enclosed Area 300 Sq. FT		
Total Area under Roof 3600 Sq. FT.		
O.A. Peswell Jr		
SCALE: 1/4" = 1'	APPROVED BY:	DRAWN BY:
DATE: 9/12/15		REVISED:
Pole BARN; Detailing Areas to be closed in and Finished out		DRAWING NUMBER:



29 GA. Metal Roofing
2x4 24" OC RUNNERS

2x4 Stud Walls
ON 16" OC.
6x6 TR.
Not shown

1x12 w/ Batten
6x6 TR. Not shown

Corrugated Tin

grade

grade

Elevation Looking South
24"x24"x8" CONC. PAD
w/ 2-1/2" Rebar Both ways

24"x24"x8" CONC. PAD
w 2-1/2" Rebar Both ways

1x6 Facia
1x10" Soffit

2 11/8" LVL'S
2 1/2" Bolts
1x12 Board & Bat
OVER 1/2" OSB

Treated 6x6

Corrugated Tin
over 1/2" OSB

R48 Insulation OVER Heated Areas
Trusses by others 24" OC.

10'

Interior walls
R23 Insulation

29 ga. Tin

6x6 TR. Not shown

2-11/8" LVL'S Not shown

1x12 w/ Batten
6x6 TR. Not shown

Corrugated Tin

Grade

Grade

29 ga. Roofing

Elevation Looking West
24"x24"x8" CONC. PAD w/ 2-1/2" Rebar Both ways

24"x24"x8" CONC. PAD
with 2-1/2" Rebar Both ways

2-11/8" LVL'S
Not shown

1x12 w/ Batten
6x6 TR. Not shown

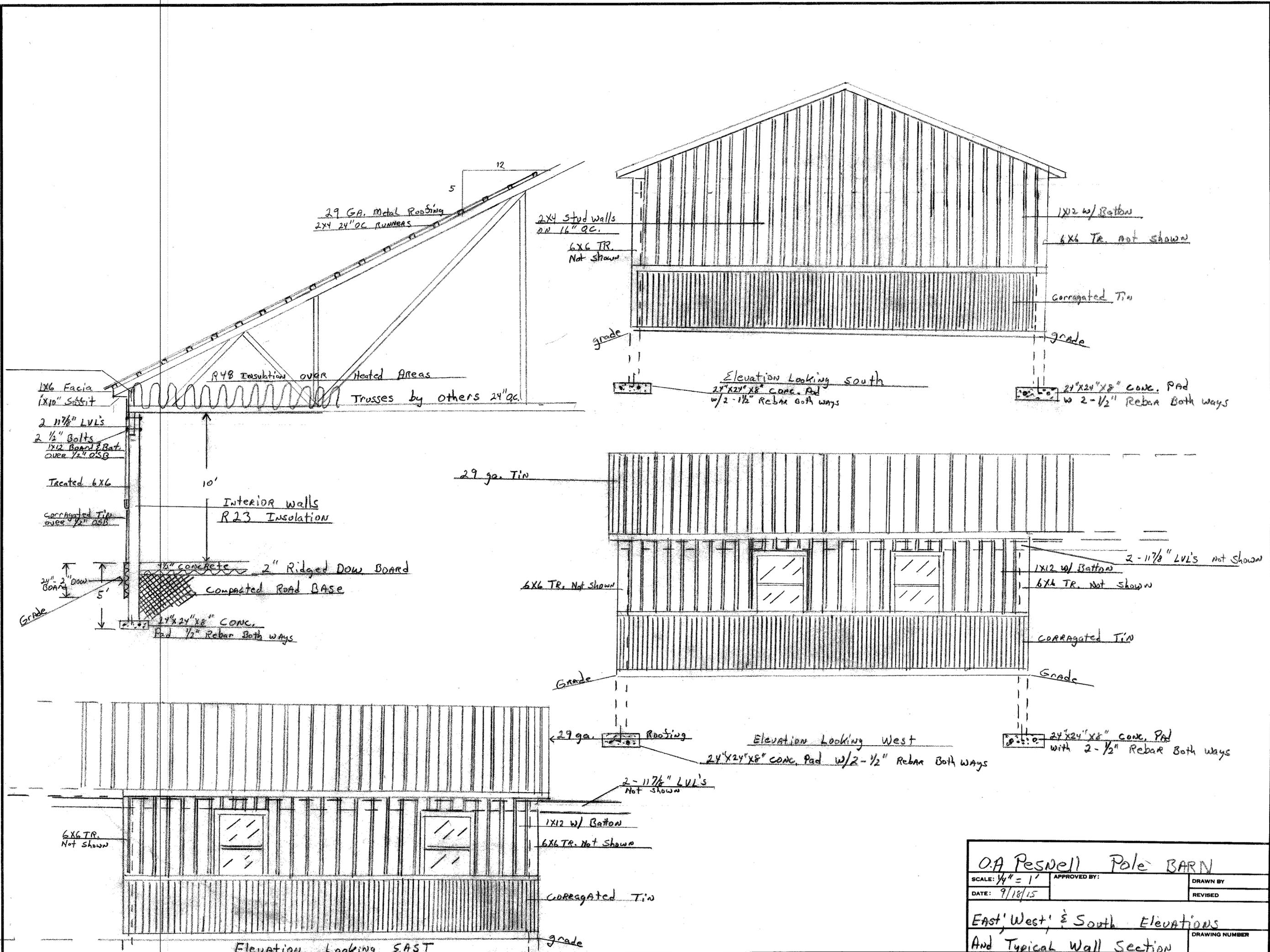
Corrugated Tin

grade

6x6 TR.
Not shown

Elevation Looking EAST

OA Pesnell Pole BARN		
SCALE: 1/4" = 1'	APPROVED BY:	DRAWN BY:
DATE: 9/18/15		REVISED:
East, West, & South Elevations And Typical Wall Section IN Heated Areas		DRAWING NUMBER:



O.A. Pesnell Pole BARN		
SCALE: 1/4" = 1'	APPROVED BY:	DRAWN BY:
DATE: 9/18/15		REVISED:
East, West, & South Elevations And Typical Wall Section IN Heated Areas		DRAWING NUMBER:

THE FOUR QUESTIONS FOR THIS VISIONING PROCESS

Where is the community now?

Where is the community going?

Where does the community want to go?

How does the community fulfill the desired conditions?

WHERE IS THE COMMUNITY NOW? and WHERE IS THE COMMUNITY GOING?

Population Growth and Demographics

- Population growth over the past 25 years has been approximately 1% annually. The State Demographer estimates the population growth rate for Gunnison County through 2040 will be between 1.0 and 1.5 percent annually. In comparison to other mountain resort communities, especially on the I-70 corridor this growth rate has been fairly slow and will remain in a fairly constant projection in the future.
- There is a transition of educational and professional individuals choosing to move to Gunnison for a small town experience either for themselves or their families.
- The Hispanic population increased by about 80 percent between 2000 and 2010 from 374 individuals to 792 (13 percent of the Gunnison population).
- Gunnison citizens have a significant life expectancy. Gunnison is the youngest population of any municipality in the state of Colorado. Our resource rich and harsh climate attracts younger adults with families.
- Family composition is changing nationally. Single parent households will continue to be more prevalent in the future.
- Gunnison has a seasonal transient population consisting of young adults in the winter (college age) and older individuals in the summer (seniors).
- The community is well educated with approximately 37 percent of citizens having a college degree.
- How will we address the growing segment of our population that are in the poverty sector? Who are they and what age do they comprise?
- How should we reach our community at large?
- Gunnison is a remote community and very dependent on fossil fuels of all types.

Land Use and Housing

- In 2007 approximately 75 percent of the municipal land area (pre-Gunnison Rising) was developed.
- Assuming a housing occupancy rate of 2.8 persons and a 1.5 percent annual growth factor, approximately 670 dwelling units may be constructed during the next 20 years.
- Infill development could accommodate approximately 1,440 additional dwelling units (2007 Master Plan).
- With annexation of Gunnison Rising, there is ample space to accommodate future development but fringe development in the 3-Mile area should also be considered as an important topic of discussion.
- Approximately 327 residential dwelling units were constructed since 1995. It is estimated that 87 new non-residential building permits were issued since 1990.
- Presently, 90 percent of the housing stock is occupied and rental housing stock accounts for about 58 percent of the market. NOTE: Get comparison from other communities and statewide.
- Between 1990 and 2010 the median contract rent has increased 68 percent and was reported to be approximately \$800 per month.
- The median County-wide housing value between 2000 and 2010 rose 42 percent.
- The cost of living in the Crested Butte area is causing a trickle-down effect of workers into the City of Gunnison which affects our economy and the rental market.
- Mobile home parks have been and could remain to be affordable housing options.
- Density bonuses set forth in the Land Development Code are only attractive to large developments.
- Gunnison has an influx of second homeowners that consist of [redacted] percent of the housing market.

Transportation Systems

- The existing city street system, configured in a grid network, is efficient and provides the ability to serve all transportation related needs for non-motorized travel and vehicle circulation.
- Existing peak daily traffic volumes at Tomichi/Main are estimated to be approximately 12,000 trips per day (TPD).
- At full buildout, traffic volumes will be approximately 32,000 to 35,000 TPD (Main/Tomichi).
- Developing non-motorized transportation facilities has been, and will continue to be, a City priority.
- Continued development of the city trail system is linked to non-motorized transportation but it is also tied to community recreational and open space functions.

- The Safe Streets design project, an accompanying outgrowth of early work associated with the Comprehensive Plan process, will be an integral focus of future community character.
- The Gunnison-Crested Butte Regional Airport is a critical transportation facility serving as an element for economic development and affecting a significant land area of the municipal territory.

Economic Functions

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

Environmental Conditions

- While the urbanized area of Gunnison is not within the mapped Gunnison Sage-grouse critical habitat, the community's fringe areas are designated. City projects related to the trail construction and the Gunnison River restoration project are in critical habitat and the listing has affected costs and scheduling of these projects. Gunnison Rising is designated as critical habitat and any development in the annexation will be subject to review under the Endangered Species Act.
- Flooding is a major potential natural hazard for the city to consider. Adopted City regulations require development in the floodplain to be constructed one foot above the 100-year event elevation. Development in Gunnison Rising is prohibited within the designated floodplain. Future development on the western fringe of the community will increase the potential risks associated with flooding.
- The dangers associated with potential wildfire are fairly limited in the city. However, undeveloped urban interface areas are at considerable risk, especially if the events occur during designated red-flag periods.
- Noxious Weed control activity in the city is funded by city revenues directed to the Gunnison County

Weed Control district. Several noxious weeds are very prominent and cheat-grass may be the most significant species of concern.

- Water Quality issues are directly related to urbanization and increased stormwater discharge associated with development. A draft *Stormwater Management Plan*, addressing new stormwater control technologies has been drafted but, has not been reviewed by City leaders for potential adoption. Presently, the City is not subject to MS4 stormwater mandates established under the Clean Water Act. However, at some point in the future the city will be subject to these regulations.

City Services and Functions

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

Technology (or Broadband)

- Gunnison has and will continue to have more telecommuters.

Cultural Institutions / Arts

WHERE DOES THE COMMUNITY WANT TO GO?

City Council Strategic Plan Directives (Goals)

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

Land Use and Housing

- City investments in private development are appropriate when they derive a positive cost-benefit.
- Promote infill development in the corporate limits.
- Strategically direct water and sewer service areas outside the city limits that are appropriate for orderly growth.
- Continue the design focus on an inviting and attractive community emphasis on the downtown business and streetscape along the highway corridor.
- Ensure that housing is attainable for all citizens.
- Proactively secure the right to develop within the City limits with USFWS, avoiding individual parcel assessments for current Sage Grouse listing.
- Achieve integration of land use as private enterprise pursues development and build out within the City limits.
- We are an attractive location for housing. We need to maintain a diverse housing stock that accommodates all economic sectors of the community. We should strive to locate housing where the jobs are.

Transportation Systems

- Maintain and enhance a walkable, bikeable, drivable, community that is safe and accessible to all types of users (Strategic Plan).
- Ensure that transportation planning actions maintain and enhance connectivity between residential neighborhoods, commercial areas, public schools, the Western State Colorado University campus and open space.
- Recreate highway corridors with design emphasis on non-motorized mobility, safe and efficient vehicle circulation and streetscape appeal (Strategic Plan).

- Ensure future extensions of the transportation system provide safe, efficient and appropriate roadways that are developed in a manner that provide appropriate connectivity and adjacency.
- Work with the various stakeholders to develop multi-modal transportation facilities that create adjacency and connectivity within the City, 3-Mile areas, and to and from the Upper East River Valley.
- Maintain airport functions and operations and designate an aesthetic corridor from the airport to downtown.
- Support the Rural Transportation Authority in its goals on ensuring air service and providing ground transportation to both the public at large as well as seniors.

Economic Functions

- Ensure that City revenues directed at Economic Development programs support the directives of the Strategic Plan and the City Economic Development Policies. ~~Support ongoing economic development efforts within the community~~ (Strategic Plan).
- Support and maintain community engagement efforts and strengthen local and regional partnerships (Strategic Plan).
- Diversify local job sectors that derive revenue outside the region or provide goods and services from locally owned businesses. ~~We need to acquire more baskets in the economic engine.~~ (OVPP economic resiliency work)
- Focus on protecting the good jobs that are currently located here. (OVPP economic resiliency work)
- Focus on efforts that enhance and expand local business.
- Support and expand the city's anchor institutions (ie: Western, Hospital, etc.).
- Encourage and support local growth of export industry.

Environmental Conditions

- Take steps to eliminate the impacts of the Gunnison Sage-grouse by changing the endangered listing boundary that affects future development within the city boundary and restrictive conditions that may be assigned by the Federal Government.
- Avoid development in flood prone area.
- Enhance riparian habitats that surround the community.
- Actively work on programs that reduce the proliferation of noxious weeds.
- Ensure that excellent water quality is maintained in our river and lake systems.

- Maintain and protect air quality of the community.
- Maintain reasonable noise levels.

City Services

- Invest in Capital Projects (Strategic Plan)
- Improve delivery and efficiency of City Services (Strategic Plan)
- Apply new technologies to improve the efficiency of City Services.
- Work with the County on improving the Recycling Center.

Technology

- Achieve true broadband redundancy and best in class service throughout the City.
- Increase technology to improve the efficiency and effectiveness of City Services.
- Enhanced education via new technology.

HOW DOES THE COMMUNITY FULFIL FUTURE CONDITIONS (OBJECTIVES)?

Land Use and Housing

Transportation Systems

Economic Functions

Environmental Conditions

City Services

Technology (or Broadband)

Cultural Institutions / Arts