

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
Rev March 4, 2016**

**DATE: WEDNESDAY, MARCH 9, 2016
TIME: 7:00 P.M.
PLACE: CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.**

REGULAR MEETING

7:00 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. PUBLIC HEARING AND POSSIBLE ACTION – MAJOR CHANGE TO A PUD APPLICATION, ZA 16-2, SUBMITTED BY GUNNISON VALLEY PROPERTIES LLC, TO MODIFY THE GROSS FLOOR AREA AND PHASING OF THE COMMERCIAL/MIXED USE DISTRICT WITHIN TABLE 2.1 (PUD ZONING, LAND USE, DWELLING UNITS AND NON-RESIDENTIAL ALLOCATIONS); SECTION 2.6 (HIGHWAY ACCESS CONTROL PLAN); AND, APPENDIX A (DEVELOPMENT PHASING) WITHIN THE *GUNNISON RISING PUD DEVELOPMENT STANDARDS*.

7:20 P.M.

IV. PUBLIC HEARING AND POSSIBLE ACTION- TEXT AMENDMENT APPLICATION, ZA 16-1, SUBMITTED BY STEVEN WESTBAY, DIRECTOR OF COMMUNITY DEVELOPMENT, PROPOSING TO AMEND TREE AND BUFFER PLANTING REQUIREMENTS (TABLE 4-11 MINIMUM TREE AND SHRUB PLANTINGS) AND SECTION 4.6 F.3 (ZONE DISTRICT BOUNDARY BUFFER). THE TEXT AMENDMENT ALSO CORRECTS MINOR TYPOGRAPHICAL ERRORS WITHIN THE *CITY OF GUNNISON LAND DEVELOPMENT CODE*.

V. UNSCHEDULED CITIZENS

VI. CONSIDERATION OF THE FEBRUARY 24, 2016 MEETING MINUTES

VII. COUNCIL UPDATE

VIII. COMMISSIONER COMMENTS

IX. PLANNING STAFF UPDATE

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

STAFF REPORT
MAJOR CHANGE TO A PUD
Gunnison Valley Properties, LLC

TO: Planning and Zoning Commission
FROM: Community Development Staff
DATE: March 9, 2016
RE: *Gunnison Rising PUD Development Standards – Major Change*

CODE PROVISIONS

The *Land Development Code (LDC)*, Section 10.7.H.1. (Major Changes) states “changes which alter the concept or intent of the planned unit development including increases in density, changes in the height of buildings, reductions in proposed open space, changes in the development sequencing, changes in road standards, or changes in the final governing agreements, provisions, or covenants may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.” A public hearing is required and all major changes to the PUD must be recorded with the Gunnison County Clerk and Recorder.

The Planned Unit Development *LDC* Section 10.3 D through F. specifies that a Major Change to a PUD application be reviewed by the City of Gunnison Planning and Zoning Commission (Commission) at a public hearing after 15 days public notice. The Commission recommends to City Council, to approve, approve with conditions, deny or remand the application back to the applicant with instructions for modification. City Council shall consider the recommendation of the Commission at a public hearing and shall, by ordinance, approve, deny or remand the application back to the applicant with instructions for modification or additional information.

Documents relevant to this review include, but are not limited to:

- *Gunnison Rising PUD Development Standards;*
- *Gunnison Rising Annexation Agreement;*
- *Gunnison Rising Supplement to Annexation Agreement;*
- *City of Gunnison U.S. Highway 50 Access Study;*
- *City of Gunnison Land Development Code;* and
- *City of Gunnison Master Plan.*

APPLICATION

The applicant is Gunnison Valley Properties, LLC. The application proposes three amendment components to the approved *Gunnison Rising PUD Development Standards*:

1. Table 2.1: PUD Zoning and Land Use Allocations
2. Section 2.6: Highway Access Control Plan; and
3. Appendix A: Development Phasing.

Application contents include the minimum submittal requirements listed in *LDC* section 10.4. The application contents also include specific editorial/narrative for the three proposed amendment components.

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Component 1 – Table 2.1

The application proposes to change the allowed square footage of non-residential gross floor area in the Commercial/Mixed Use (CM) Zone district to 380,000 square feet. The existing approved PUD zoning (Table 2.1, PUD Zoning, Land Use, Dwelling Units and Non-Residential Allocations) allows up to 174,000 square feet of gross floor area for non-residential uses in the CM district.

The Commercial/Mixed Use Zone district site is located directly north of Highway 50, east of the Holiday Inn (Wilson Subdivision) and the Aspinnall-Wilson Center. The zone district is comprised of 48 acres for commercial and residential uses with the concept of encouraging vertically-mixed facilities on the same site. The *Gunnison Rising PUD Development Standards* limit the 48-acre zone district to a maximum residential unit cap of 120 units and a maximum gross floor area for non-residential uses to 174,000 square feet. The application also proposes to clarify use and floor area allocations for Gunnison Valley Partners LLC, and the WSCU Foundation who acquired a deed for real property located within the PUD Commercial Mix Use District.

The following changes are proposed regarding the maximum gross floor area for non-residential uses in the Commercial/Mixed Use Zone district:

TABLE 2.1: PUD ZONING, LAND USE, DWELLING UNITS AND NON-RESIDENTIAL ALLOCATIONS

Land Use	PUD Zoning District Designation	Acres	Residential Unit Minimum	Residential Unit Cap	Gross Floor Area Non-Residential	Recreational Units
Single-Family Residential	R-1	16	1	4	Per Conditional Use*	N/A
Residential	R-2	234	235	340	Per Conditional Use*	N/A
School District Site	R-2 M	10	N/A	N/A	N/A	N/A
Residential Village	R-2 M	63	100	270	Per Conditional Use*	N/A
Commercial / Mixed Use	CM	48	0	120***	174,000 380,000**	N/A
Parks/Open Space	O	62	N/A	N/A	N/A	N/A
Highway 50 ROW Dedication	N/A	13	N/A	N/A	N/A	N/A
Recreational	CRV	64	N/A	N/A	10,000	350
Commercial	C	5	N/A	N/A	20,000	N/A
Business & Research Park	IM	37	N/A	N/A	250,000	N/A
Western Pavilion	C/WP	12	N/A	N/A	Existing structures to remain	N/A

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Government	GOV	17	N/A	N/A	30,000 70,000	N/A
Equestrian Meadows	O/E	52	N/A	N/A	N/A	N/A
TOTAL		633		734	484,000 730,000	350

*(Note: Non-residential uses which may be allowed through conditional use approval are not reflected in this table.
 ** Gross Floor Area Non- Residential Allocations: A maximum floor area of 120,000 square feet is allocated to real property deeded to the Western State Colorado University Foundation. The remaining 260,000 square feet of floor area is allocated to real property controlled by Gunnison Valley Partners and/or their heirs, successors, assigns and designees.
 ***Residential Unit Cap Allocations: 20 residential dwelling units are allocated to real property deeded to the Western State Colorado University Foundation. The remaining 100 dwelling unit count is allocated to real property controlled by Gunnison Valley Partners and/or their heirs, successors, assigns and designees.

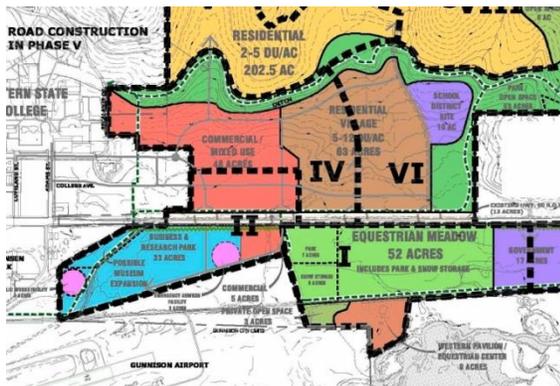
Component 2 – Section 2.6

The application also requests an amendment of Section 2.6 of the *Gunnison Rising PUD Development Standards* regarding the completed Highway Access Control Plan:

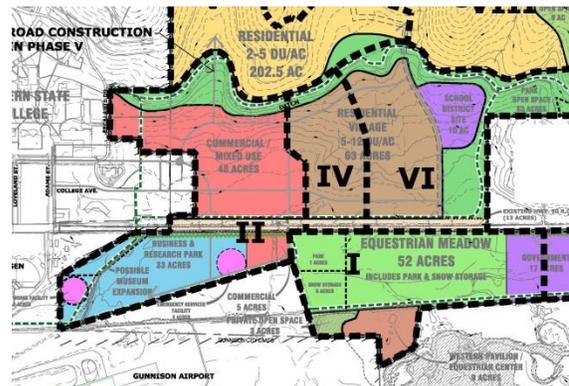
2.6 Highway Access Control Plan. Prior to, or concurrent with, accepting either any subdivision or site specific development plan application for any PUD District, excluding Government District (GOV District), the City of Gunnison and the Colorado Department of Transportation must approve the Gunnison Rising Highway Access Control Plan. All design and construction of Highway 50 improvements will be directed by the *Intergovernmental Agreement among the City of Gunnison, the County of Gunnison and the State of Colorado Department of Transportation (November 5, 2013)* and by the *City of Gunnison U.S. Highway 50 Access Study* approved by CDOT and the City.

Component 3 – PUD Development Phasing Plan

The PUD Development Phasing amendment proposes to increase the developed land area in the CM District during Phase II from 16 acres (presently allowed) to 48 acres (proposed). In essence, this phasing amendment accelerates the development of real property within the CM District. Therefore, all the Commercial/Mixed Use development area is now proposed in Phase II along with 15 acres of the adjacent open space.



EXISTING Phasing Map



PROPOSED Phasing Map

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Changes to the specific proposed amendments to the *Gunnison Rising PUD Development Standards*, Appendix A, are requested as follows:

APPENDIX A: DEVELOPMENT PHASING

A.4.2 Phase II

- A. Land Uses: This phase includes approximately 24 ~~48~~ acres of the Commercial/Mixed Use area (CM District) located north of Highway 50; 15 acres of Open Space (O District); 37 acres of Industrial Modified Business and Research Park (IM District) which will include the Public Works facility site; and the five acre Travel Plaza (C District) located south of Highway 50.
- B. Traffic Improvements: ~~Prior to initiating submittal of any subdivision or development plan in Phase II, development of the *Highway Access Control Plan* with CDOT shall be fulfilled and adopted pursuant to the annexation agreement.~~ CDOT Highway Access Permits will be required. All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study as defined in Section 2.7 of these PUD Development Standards are required to be addressed.
1. Highway 50 will be widened in Phase II, with a three lane configuration to the eastern boundary of the phase. Installation of turn lanes and modifications to the lane geometry, as needed, to facilitate these anticipated highway improvements will also be completed in this Phase. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
 2. Lengthen the existing drainage structures and box culvert for future trail crossing to match the proposed roadway section will be completed by the applicant. Required signage and striping will be provided in compliance with CDOT and/or the *Manual of Uniform Traffic Control Devices* (MUTCD) requirements. Stop signs will be used at these improved intersections until signalized controls are required by the City or as stipulated by the approved Highway Access Control Plan.
 3. The right-of-way serving the extension of College Avenue will be platted and dedicated to the City, and this street will be improved and connected into the development within the Commercial Mixed Use District.
 4. Internal public streets, sidewalks and trails will be developed as required by subdivision development agreements.
 5. A traffic signal will be installed at the intersection of Highway 50 and the entrance into the CM Zone when the CDOT determines that Average Daily Trips (ADT) on Highway 50, and intersecting collector roads warrant the installation in

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accordance with the study requirements described in Section 2.7 of these *PUD Development Standards*.

6. Installation of internal public streets, sidewalks, and trails as required by subdivision development agreements.
7. Georgia Avenue will be extended into the development.
8. Improvements will be completed at the Georgia / Escalante intersection.
9. Installation of the required Escalante and Georgia improvements as required by Western State College and the City pursuant to agreement and easement dedication terms
10. Implementation of the necessary site, landscaping, and parking improvements at the Aspinall-Wilson Center as required by the Western State College Foundation will also occur in this phase.

A.4.4 Phase IV

- A. Land Uses: This phase includes the western portion of the Residential Village area (R-2M district), which is approximately 27 acres in size; ~~the remaining 24 acres of the Commercial/Mixed Use area (CM District);~~ and approximately 17 2 acres of Parks/Open Space (O District).
- B. Traffic Improvements: All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study are required to be addressed.
 1. Highway 50 will be improved to a three lane configuration between the eastern and western boundaries of this Phase IV adjacent to Highway 50. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
 2. Installation of turn lanes and modifications to the lane geometry as needed to facilitate these anticipated highway improvements will be completed in this Phase IV.
 3. Signage and striping will be provided in compliance with CDOT standards and/or the *Manual of Uniform Traffic Control Devices* (MUTCD) requirements.
 4. Stop signs will be used at these improved intersections until signalized controls are required by the City or as stipulated by the approved Highway Access Control Plan.

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5. Installation of internal public streets, sidewalks and trails as required by subdivision development agreements.
- ~~6. Georgia Avenue will be extended into the development.~~
- ~~7. Improvements will be completed at the Georgia / Escalante intersection.~~
- ~~8. Installation of the required Escalante and Georgia improvements as required by Western State College and the City pursuant to agreement and easement dedication terms~~
- ~~9. Implementation of the necessary site, landscaping, and parking improvements at the Aspinall-Wilson Center as required by the Western State College Foundation will also occur in this phase.~~
106. Installation of the Escalante Drive Buffer when development activity other than the City Loop trail commences within 500 feet of Escalante Drive

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TABLE A.1: Development Phases

Phase	Land Use	PUD Zoning District Designation	Acreage	Residential Unit Minimum	Residential Unit Cap	Non-Residential Square Feet
I	Commercial/Western Pavilion	C/WP	9	n/a	n/a	**
	Open Space/Equestrian Meadow	O/E	52	n/a	n/a	n/a
	Government	GOV	9	n/a	n/a	18,200 37,058
	Single-Family Residential	R-1	4	1	1	n/a
	Open Space	O	3	n/a	n/a	n/a
	SUBTOTAL			77	1	1
II	Commercial/Mixed Use	CM	16 <u>48</u>	n/a	<u>120</u>	61,000 <u>380,000</u>
	Open Space	<u>O</u>	<u>15</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
	Business & Research Park	IM	37	n/a	n/a	250,000
	Commercial (Travel Plaza)	C	5	n/a	n/a	20,000
	Existing Highway 50 ROW	n/a	5.7	n/a	n/a	n/a
	SUBTOTAL			71.7 <u>110.7</u>		60 <u>120</u>
III	Commercial R V	CRV	64	n/a	n/a	10,000
	Government	GOV	8	n/a	n/a	11,800 32,942
	SUBTOTAL			72		21,800 <u>42,942</u>
IV	Residential Village	R-2M	27	43	116	n/a
	Commercial/Mixed Use	CM	32	n/a	100	113,000
	Open Space	O	172	n/a	n/a	n/a
	Existing Highway 50 ROW	n/a	2.4	n/a	n/a	n/a
	SUBTOTAL			70.4 <u>31.4</u>	43	176 <u>116</u>
V	Open Space	O	3	n/a	n/a	n/a
	Residential	R-2	73	73	106	n/a
	SUBTOTAL			76	73	106
VI	School Site (in Residential Village)	R-2M	10	n/a	n/a	n/a
	Residential Village	R-2M	36	54	155	n/a
	Open Space	O	38	n/a	n/a	n/a
	Single-Family Residential	R-1	12	1	3	n/a
	Existing Highway 50 ROW	n/a	4.9	n/a	n/a	n/a
	SUBTOTAL			79.9 <u>100.9</u>	55	158
VII	Residential	R-2	82	82	119	n/a
	SUBTOTAL			82	82	119
VIII	Residential	R-2	79	79	115	n/a
	Open Space	O	4	n/a	n/a	n/a
	SUBTOTAL			104 <u>83</u>	79	115
TOTAL			633		734	484,000 <u>730,000</u>

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Traffic Impacts

The Major Change application includes an assessment from LSC Transportation Consultants Inc. (February 25, 2016) of the change in vehicle trip generation based on the proposed increase to commercial floor area. Based on this revised assessment, the weekday traffic will increase slightly but peak-hour demands in the morning will reduce slightly with afternoon peak-hour about the same. The updated report also notes that the Saturday peak-hour demand will increase slightly.

Water and Wastewater Flow Projections

The Major Change application includes an assessment from Del-Mont Consultants Inc. (June 11, 2012) of utility services impacts based on the proposed increase to commercial floor area. The Del-Mont report states that domestic average daily water and corresponding wastewater demands for the entire development will increase about eight percent for the entire project.

DEPARTMENTAL COMMENTS:

Building Official: No issue.

Fire Marshal: No issue.

Parks and Recreation Department: No issue.

Police Department: No issue.

Public Works Director: No issue.

City Engineer: Confirm there is no change in waste water flows that could affect the City's waste water treatment plant.

Water and Sewer Superintendent: No issue.

Electric Superintendent: No issue.

STAFF OBSERVATIONS

Potential Impact to Existing Commercial Activity

During the Gunnison Rising annexation review, the City contracted with BBC Research and Consulting Inc. to conduct a fiscal impact analysis of the annexation on the local economy. The BBC report states that "...*retail development at Gunnison Rising will produce additional sales and sales tax revenue for the city only to the degree new retail opportunity reduces leakage from the existing market or provides additional options for tourists. Cannibalization, when new retail development "steals" sale from existing retail, does not produce new sales tax revenue.*"

The existing permitted retail floor area (176,000 SF) is a significant under-utilization

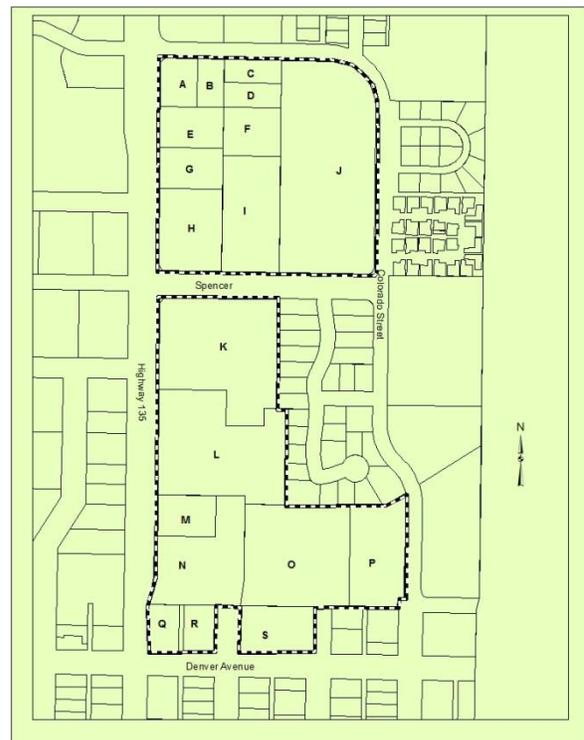


Figure 1 Meadows Village Commercial Development

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of the land area. It is safe to assume that at least 25 percent of the land area in the Commercial/Mixed Use District will be required for streets, trails and other dedications. Therefore the net development area (subdivided parcel excluding rights-of-way dedications) will be approximately 37 acres. The net ratio of land area to building floor area under the existing *PUD Development Standards* is about 9:1; a very limiting land area use. Increasing the non-commercial floor area to 380,000 square feet will change the net land area/floor area ratio to about 4.2:1.

For comparison purposes, staff assessed the Meadows Village commercial development area as depicted in Figure 1. The area of all **developed** parcels in Meadows Village is 1,515,648 square feet (35.3 acres). The total existing non-residential floor area of the existing developed lots in this study area is 291,434 square feet; a 5.2:1 (net land area/floor area) ratio.

TABLE 1 MEADOWS VILLAGE COMMERCIAL DENSITY

Map Reference	Developed Area	Vacant Parcels Area	Building Square Footage	Description of Use
A	31,000		2,050	Auto Corral
B		21,284		Vacant commercial
C		23,125		Vacant commercial
D		23,125		Vacant commercial
E		43,543		Vacant commercial
F	45,476		9257	Six Points
G	43,542		5908	Grease Monkey/Alexander Ortho
H	87,120		5,500	Community Banks of Colorado
I	110,039		25,888	True Value
J	153,767		47,655	Community Center
	170,755			
K	209,480		43,938	Wal-Mart
L	199,611		48,839	City Market
M	40,946		4,200	Palisades Saloon
N	120,343		30,467	Meadows Mall
O	174,240		58,865	Hospital
P	94,525			
S	33,105			
Q	23,217		4,092	Hi Country Service
R	23,958		4,775	Gunnison Family Medical Center
Total	1,515,648	111,041	291,434	

Relationship to Western State Colorado University

Approximately 11.8 acres of the Commercial/Mixed Use Zone district was deeded to Mr. Stephen Trippe who in 2012, donated this real property to the Western State College Foundation. These subdivisions of property were conveyed without City approval and a subdivision application approval will be required prior to development of these parcels.

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PUD ZONING REVIEW – PURPOSES, STANDARDS, AND CRITERIA

Reader note: Direct quotes from the LDC are highlighted.

Purposes of a Planned Unit Development (PUD)

The *City of Gunnison Land Development Code*, Section 10.7, states purposes as: In that the public health, safety and general welfare may be furthered in an era of increasing urbanization, commercial and industrial development, and growing demand for housing of all types and design, these procedures are intended to encourage Planned Unit Developments (PUDs) in the City for the following purposes:

1. To allow and encourage compatible uses to be developed in a manner sensitive to natural features and processes, and that are compatible with surrounding land uses;
No Conflict. The increase of aggregate floor area in the Commercial/Mixed Use Zone district does not change the design standards of the PUD as outlined in the *Gunnison Rising PUD Development Standards*.
2. To promote greater flexibility in the placement of structures so as to preserve and take advantage of the site's unique, natural resource or scenic features and to avoid or mitigate any hazardous area;
No Conflict. Increased floor area in the Commercial/Mixed Use Zone district will not diminish the preservation of natural ecological conditions on this site, which are protected through the *Gunnison Rising PUD Development Standards*.
3. To encourage more efficient use of land, public streets, utilities, and governmental services;
No Conflict. See comment A.1 above.
4. To provide quality open space and recreational amenities, and create interesting public spaces and neighborhoods through exceptional and innovative design;
No Conflict. The increase of floor area in the Commercial/Mixed Use district and the changes to the phasing plan do not affect the open space within Gunnison Rising.
5. To achieve a compatible land use relationship with surrounding areas;
No Conflict. This Major Change addresses the entitlement allocations between the real property under the control of the WSCU and Gunnison Valley Properties, LLC. The allowed land uses in this future development are integrated and compatible.
6. To promote architectural variety and design, focusing on enhancing the character and quality of the development; and,
No Conflict. The existing permitted non-residential floor area in the Commercial/Mixed Use Zone district is not considered to be an efficient use of real property and this is a substantial argument for increasing the non-residential floor area with this future development area.

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The highway capacity and service area will not be significantly affected by the proposed additional aggregate floor area. Assessing utility demands is somewhat limited because utility extension designs to Gunnison Rising are conceptual; however, the estimated buildout demands are derived and the service demands are capable of being served. The increased non-residential floor area will not significantly affect utility service demands at full buildout.

7. To incorporate streetscape designs, landscaping, public spaces, and multi-modal transportation facilities, and building facades that enhance the community's built environment.

No Conflict. The increase of non-residential floor area in the CM district and changes to the phasing plan do not change the design standards of the PUD as outlined in the *Gunnison Rising PUD Development Standards*.

STANDARDS FOR A PUD ZONE DISTRICT

Based on the *LDC*, Section 10.7 E. (PUD Requirements and Standards): All requirements and standards identified herein shall be applied to PUD applications, regardless of the type of PUD and are subject to approval by the decision-making body:

1. **Permitted/Conditional Uses.** Uses in a PUD Zone District Overlay shall only include permitted and Conditional Uses contemplated by the underlying zone district. Uses within a PUD-M zone district shall be limited to residential uses contemplated in the RMU and Commercial zone districts.

Not Applicable: The Major Change request does not include alteration to approve uses in this district and as specified in the *Gunnison Rising PUD Development Standards*.

2. **Dimensional Standards.** Dimensional standards may be amended but must comply with the following provisions:
 - a. the maximum height of any building, structure or facility shall be 35 feet;
 - b. setbacks may be amended but provisions providing solar access to all lots and/or occupied buildings must be made in the PUD zone district development standards;
 - c. the maximum residential density shall only be that of the RMU zone district in the PUD-M.

No Conflict. This PUD Major Change is to modify the allowed non-residential floor area entitled for development. No other dimensional standard amendments are proposed.

3. **Landscaping Standards.** Amendment to the City's landscaping standards must comply with the following provisions:
 - a. Percent Coverage. The minimum landscape area percent coverage (§2.6, Base Zone District Dimensional Standards) may not be reduced.
 - b. Landscaping. Excepting the minimum percent coverage, buffering and landscaping standards may be amended only if they are determined by the decision making body to be a higher standard than those established by §4.6 of this *LDC*.

No Conflict. This Major Change does not change the landscaping standards of the PUD as outlined in the *Gunnison Rising PUD Development Standards*.

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4. Special Use Regulations. Specific Use Regulations (Section 3) shall be maintained.
Not Applicable.

5. Road Standards. Street section dimensions may be modified. The designated width of rights-of-way and other geometric designs established in §4.2 may be amended for dedicated public rights-of-way, but only if the amendments provide safe and efficient accommodation for pedestrians and vehicles; adequate emergency access; functional utility services; and integrated streetscape design.

Not Applicable. The major change request does not alter the road standards set forth in the *Gunnison Rising PUD Roadway Master Plan* or related standards established in the *LDC*.

6. Off-Street Parking. The standards for minimum off-street parking may be amended, but only if they are justified by a parking study prepared by the applicant as contemplated in §4.4 D.2 of this *LDC*. Disabled access parking ratios may not be reduced.

No Conflict.

7. Pedestrian Circulation. Pedestrian circulation standards may be amended only if they are determined by the decision making body to be a higher standard than those established by §4.5 of this *LDC*.

Not Applicable. The major change request does not alter the pedestrian circulation standards set forth in the *Gunnison Rising PUD Development Standards*.

8. Subdivision Regulations. The requirements of Section 12, Subdivision, shall apply to all PUDs unless otherwise specifically exempted by this Section of the *LDC*.

No Conflict.

9. Open Space Areas. Open space in a PUD zone district shall be limited to indoor and outdoor recreation and community facilities characterized by potentially light or moderate impact on traffic, the natural environment, and surrounding neighborhoods. Such facilities include, but are not limited to: country clubs; golf courses; athletic fields; skateboard parks; swimming, bathing, wading, and other therapeutic facilities; tennis, handball, and basketball courts; and ice skating rinks. Open space land area may also include natural areas such as public parks, trails, greenbelts or natural land preservation areas. Open space land area may not be used for high intensity commercial recreation such as aerial tramway; alpine or water slides; amusement rides; auto, cycle and go-cart race tracks; campgrounds; stadiums; drive-in theaters; horse or dog racing tracks; shooting ranges; stables; zoos or other similar commercial recreation uses.

Not Applicable. The major change request does not alter open space areas set forth in the *Gunnison Rising PUD Development Standards*.

10. Required Open Space Area. At a minimum, a PUD development shall set aside 15 percent of the site's total gross area for open areas, plazas, courtyards, sitting areas and other similar public-accessible spaces. At its discretion, the decision-making authority

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may require additional private open areas or public trail dedications based on a review of the following factors:

- c. the *City of Gunnison Master Plan* and adopted sub-area master plans;
- d. unique drainage, topographic, vegetation or other such physical conditions;
- e. type and density of development; or
- f. overall need for open space and recreational facilities.

Not Applicable. The major change request does not alter open space areas set forth in the *Gunnison Rising PUD Development Standards*.

11. Open Space Ownership and Maintenance. All open areas or trails provided in a PUD shall be owned and maintained as common (private) open areas by the developer, owner of the property or an organization established for the ownership and maintenance of common open areas, unless the City Council accepts public dedication of the open areas.

No Conflict. The major change request does not alter the open space ownership or maintenance set forth in the *Gunnison Rising PUD Development Standards*.

12. Phased Development and Open Space. When a PUD is developed in phases, a proportional amount of any required open space, recreation areas and other community benefits shall be included in each phase such that the project, as it is built, will comply with the overall density and open space requirements of this *LDC* at the completion of each phase of development.

No Conflict. The major change request does not alter open space areas set forth in the *Gunnison Rising PUD Development Standards*; however, alters the phasing of open space.

PUD REVIEW CRITERIA

The *Land Development Code*, Section 10.7 F. states: In addition to meeting the Review Standards for a zoning amendment (§10.6), PUD zoning applications must meet the following review criteria:

1. The proposed PUD encourages innovation in residential, commercial and industrial development so that the needs of the population may be met by greater variety in type, design and layout of buildings and land uses and by the conservation and more efficient use of open space.

No Conflict. The increase of aggregate floor area in the Commercial/Mixed Use Zone district does not change the design standards of the PUD as outlined in the *Gunnison Rising PUD Development Standards*. Furthermore mixed use with commercial and residential development is allowed in the Gunnison Rising PUD.

2. The proposed PUD encourages land development that, to the greatest extent possible, preserves natural vegetation; respects natural topographic and geologic conditions; incorporates the unique, natural and scenic features of the landscape; and refrains from adversely affecting flood corridors, soil, drainage, and other natural ecological conditions.

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No Conflict. The increase of aggregate floor area in the Commercial/Mixed Use Zone district does not diminish the preservation of natural ecological conditions on this site, which are protected through the *Gunnison Rising PUD Development Standards*.

3. The proposed PUD design standards combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different land uses in an innovative and functionally efficient manner.

No Conflict. The increase of aggregate floor area in the Commercial/Mixed Use Zone district does not change the design standards of the PUD as outlined in the *Gunnison Rising PUD Development Standards*.

4. The proposed PUD allows efficient design and use of solar access.

Not Applicable.

5. The PUD provides for adequate, accessible, and properly located open and recreation space, schools or other facilities.

Not Applicable.

6. The PUD promotes the efficient use of land resulting in a network of utilities, streets and other infrastructure features that maximize the allocation of fiscal and natural resources.

No Conflict. The existing permitted non-residential floor area in the Commercial/Mixed Use Zone district is not considered to be an efficient use of real property and this is a substantial argument for increasing the non-residential floor area.

The service function of the highway will not be significantly affected by the proposed additional aggregate floor area. Assessing utility demands is somewhat simplified because utility extension designs to Gunnison Rising are conceptual at this point in time. The increased non-residential floor area will not significantly affect utility service demands at full buildout.

7. The PUD proposes specific uses permitted within a PUD zone district and must be of a type and so located as to be compatible with surrounding neighborhoods, community character, the City of Gunnison Master Plan and other adopted plans.

No Conflict. City of Gunnison Master Plan, Chapter 2, Community Character, Goal: Community character and its sense of place will be the backbone for development in the City. Gunnison's historic character, downtown, and Western State Colorado University continue to enhance the unique identity of the town.

City of Gunnison Master Plan, Chapter 7, Economics, Policy 4: Assure attractive and financially strong commercial zone districts.

8. The PUD plan protects environmentally sensitive areas, and occurs on land physically suited to construction.

No Conflict.

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9. The PUD proposes residential density and maximum non-residential floor area that will be compatible with the internal neighborhood design and will not have an adverse effect on the adjacent community area.

Possible Conflict. The existing permitted floor area in the PUD Commercial/Mixed Use Zone district is very minimal and does not allow for the efficient use of real property or utilities. The proposed 380,000 square feet of non-residential floor area may have a significant effect on the ability to capture a greater market share in the regional economic service area.

10. The PUD plan proposes at least 15 percent of the total gross area for common open space, and at least one half of this common open space shall be developed for recreation which may include playing fields, tennis courts, picnic sites, trails, fishing access and similar recreation sites.

Not Applicable. The major change request does not alter the common open space area set forth in the *Gunnison Rising PUD Development Standards*.

11. The PUD plan provides a higher quality development than found in traditional zone districts.

Not Applicable.

12. The boundary between a PUD and adjacent land uses shall provide an adequate transition between land uses.

Possible Conflict. See the previous review narrative addressing the University campus and the Commercial Mixed Use District.

REVIEW STANDARDS FOR MAP AMENDMENTS

LDC Section 10.6 states that: An application for an Amendment to the Official Zoning Map shall comply with the following standards:

- A. Consistent with *Master Plan*. The proposed amendment shall be consistent with the *City of Gunnison Master Plan*.

No Conflict.

City of Gunnison Master Plan, Chapter 2, Community Character, Policy 3: New developments along the City's edges will improve the entrances and complement the City's community character and sense of place.

City of Gunnison Master Plan, Chapter 4, Environment, Policy 1.4: Maintain surface and ground water quality to ensure healthy drinking water, recreation opportunities and viable habitat conditions for aquatic and terrestrial wildlife.

City of Gunnison Master Plan, Chapter 5, Land Use and Growth, Goal: Growth and development will preserve and enhance the quality of life which makes Gunnison unique and attractive. Edges of the community remain clearly defined. New developments will demonstrate high-quality urban design while protecting the rural landscapes surrounding the city. Sprawl will be avoided through effective infill and compact growth.

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Residential, commercial and industrial land uses are appropriately located and interspersed with parks and open space, providing a balanced environment in which to live, work and play.

City of Gunnison Master Plan, Chapter 9, Utilities and Infrastructure, Policy 1: The City will remain fiscally responsible as both the utility provider and the advocate for the consumers. In financing public infrastructure, the City will ensure that new development pays its fair share.

City of Gunnison Master Plan, Chapter 10, Parks and Recreation, Policy 3: City of Gunnison will support the County and other entities in their efforts to conserve view sheds, open space and agricultural uses of City interest through conservation easements, land acquisitions and other implementation methods.

B. Consistent with Purpose of Zone District. The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

No Conflict: The major change request is consistent with the purpose of the zone district.

C. Compatibility with Surrounding Zone Districts and Uses. The development permitted by the proposed Amendment shall be compatible with surrounding zone districts, land uses, and neighborhood character.

No Conflict: The major change request does not alter zone districts or uses set forth in the *Gunnison Rising PUD Development Standards*.

D. Changed Conditions or Error. The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one or more errors in the boundaries shown on the Official Zoning Map have occurred.

Possible Conflict: There are no conditions that have changed since the approval of the Gunnison Rising Annexation. However, the existing allowed non-residential floor area (176,000 SF) is very limiting and does not represent an efficient use of land.

RECOMMENDATION

During the Planning & Zoning Commission meeting held on March 9, 2016, Commissioner _____ moved, Commissioner _____ seconded and the Planning & Zoning Commission voted to recommend APPROVAL, to City Council of zoning amendment application ZA 16-2, for a Major Change to the *Gunnison Rising PUD Development Standards*, based on the following findings of facts:

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, Gunnison Rising Annexation Agreement* (December 3, 2009), the

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Supplement to Annexation Agreement, and the Gunnison Rising PUD Development Standards.

2. The Planning and Zoning Commission finds that the *Gunnison Rising PUD Development Standards* (November 2009) were approved by City Council and recorded with the Gunnison County Clerk and Recorder in association with the Gunnison Rising Annexation.
3. The Planning and Zoning Commission finds that a major change to a PUD may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.
4. The Planning and Zoning Commission finds that the request is to amend the following components of the *Gunnison Rising PUD Development Standards*.
 - Table 2.1: PUD Zoning and Land Use Allocations
 - Section 2.6: Highway Access Control Plan; and
 - Appendix A: Development Phasing.
5. The Planning and Zoning Commission finds that this proposed change may have a significant effect on the ability of existing retail space to compete when there are few contributing factors to expand the total market. This situation could lead to the cannibalization of existing retail businesses in the city. (Note: See language on page 15, Policy #9).
6. The Planning and Zoning Commission finds that the applicant should confer with the WSCU Foundation to determine if the existing development rights established for the Commercial/Mixed Use Zone district fulfills their potential needs.
7. The Planning and Zoning Commission finds that, based on the Findings cited above, the approval of this Major Change is not a detriment to the community's health, safety and welfare.

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

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

Applicant Name(s): Gunnison Valley Properties, LLC

Phone #: (303) 938-8200 **Fax #:** (303) 938-8201 **E-Mail:** DAM@theschuckcorporation.com

Mailing Address: 864 W. South Boulder Road, Suite 200
City: Louisville **State:** Colorado **Zip:** 80027

Legal Description
Site Address of Property: Gunnison Rising Subdivision No. 1 **Zoning:** PUD CM
Block: n/a **Lot(s):** n/a **Addition:** n/a

Disclosure of Ownership- Please provide one of the following:
 Assessor Parcel Info Mortgage Deed Judgments
 Liens Contract Easement Agreement Other Agreements

Summary of Request:
A proposed Major Amendment to the Gunnison Rising PUD Development Standards to increase the permitted commercial floor area from 174,000 square feet to 380, 000 square feet within the 48-acre Commercial/Mixed Use (CM) District.

Attachments: Vicinity Map (8.5"x11") Description of Proposal
 Names, Addresses and Map of Adjoining Property Owners (From Assessor's Office)
 Vested Property Rights Authorization of Agent (Power of Attorney from Owner, if not the applicant)
 Site Plan (11"x17") to scale, includes dimensions and location of all structures, parking spaces and access, snow storage, landscaping, live cover, utility lines, road/street names, land uses of adjacent properties, setbacks. Include a table for all dimensional requirements based on §2.6. (See attached sample)

YOU ARE REQUIRED TO SUBMIT FOUR (4) COMPLETE COPIES OF YOUR APPLICATION

Signature(s) Richard Bratton CO-Manager **Date** 2/10/14

For Office Use Only
 Conditional Use Variance Zoning Amendment
 Major Subdivision Minor Subdivision Subdivision Exemption
 Mobile Home/RV Park PUD Vacation
 Consolidated Application

Gunnison Rising PUD Development Standards Major Change Application

February 10, 2016

PUD Written Statement

INTRODUCTION

The intent of the proposed Major Change to the *Gunnison Rising PUD Development Standards* is to amend the permitted commercial floor area within the PUD Commercial/Mixed Use District. The amendment proposes to increase the permitted floor area from 174,000 square feet to 380,000 square feet within the 48-acre Commercial/Mixed Use (CM) District area. The revision provides further clarification of the allocation of uses and square footages between the areas owned by Gunnison Valley Partners, LLC (GVP) and Western State Colorado University (WSCU) within the CM District. The total number of residential units permitted within the CM District is 120 with 100 units allocated to GVP and 20 allocated to WSCU. The revised non-residential square footage is proposed at 380,000 square feet with 260,000 square feet allocated to GVP and 120,000 square feet allocated to WSCU. All of the CM District and 15 acres of the Park/Open Space area are also proposed within the Phase II.

This amendment also requests that the Access Control Plan be allowed to reviewed concurrent with a subdivision or site specific development plan application. The vast majority of the approved Gunnison Rising PUD Development Standards will not be affected by this change. In order to ensure a complete application for City review, this written statement will reference sections of the *Gunnison Rising PUD Development Standards* that are not being modified to satisfy the submittal requirements as identified in the City of Gunnison Land Development Code (LDC).

LAND DEVELOPMENT CODE REQUIREMENTS

Pursuit to LDC Section 10.7.D.1, PUD Zoning Amendment Plan Submittal, there are several specific items that must be included with the Major Change Application. Since the focus of the change to the Gunnison Rising PUD Development Standards is an increase in the square footage permitted within Commercial/Mixed Use District, some of the application contents are satisfied by the existing PUD standards in effect.

Therefore, the following items are included by reference but are not being modified with this Major Change:

1. Zoning Districts – Figure 2.17, Zoning Map
2. Survey Map – Appendix N: Legal Description
3. Existing Uses – Figure 1.1 Site Context and Zoning Map

Pursuit to LDC Section 10.7.D.1.b.i, the following items are referenced as part of this submittal. Any items that have been modified are specifically listed.

- a) Land Use Types: *Gunnison Rising PUD Development Standards* Chapters 1,2, and 7
- b) Proposed Districts: *Gunnison Rising PUD Development Standards* Figure 2.17
- c) Residential Uses: *Gunnison Rising PUD Development Standards* Table 2.1 and Figure 2.17
- d) Open Space: *Gunnison Rising PUD Development Standards* Table 2.1 and Figure 2.17

- e) Circulation System: *Gunnison Rising PUD Development Standards* Appendix B and Section 16
- f) School and Public Sites: *Gunnison Rising PUD Development Standards* Table 2.1 and Figure 2.17
- g) Zoning Districts: *Gunnison Rising PUD Development Standards* Table 2.1 and Figure 2.17
- h) Utilities Description: *Gunnison Rising PUD Development Standards* Appendices E and F along with supplemental requirements required by the PUD Written Statement (see LDC Section 15.150.070.B.2.b.iii.D. 1-3)
- i) Development Standards: *Gunnison Rising PUD Development Standards* and *Gunnison Rising Annexation Agreement*
- j) PUD Improvement Concept: *Gunnison Rising PUD Development Standards* Chapter 16 - Architectural Character, Appendix G – Illustrative Master Plan

LDC Section 10.7.D.1.b.ii requires that a site topographic map be provided along with some additional analysis of slopes, vegetation, streams, rivers ditches and areas subject to 100-year flooding. A topographic map was provided with the original Gunnison Rising PUD application and there have been no identified changes within the property. Tomichi Creek is most significant natural feature is along the south boundary and the accompanying 100-year flood plain is mapped. Cemetery Ditch traverses the property north of Highway 50. Both corridors have open space amenities along the frontage of the property.

LDC Section 10.7.D.1.b.iii list items (a) - (i) to be addressed within the PUD Written Statement. The items below discuss each requirement.

- a) The objectives of the Gunnison Rising PUD are contained within Chapter 1 of the *Gunnison Rising PUD Development Standards*. Section 1.3 specifically addresses the purpose of each zone district within the project.
- b) Phasing of the project is contained within Section 2.7 and Appendix A of the *Gunnison Rising PUD Development Standards* along with requirements associated with each development effort. The Phasing Map (Exhibit E) is proposed to be adjusted with this Major Change request. Area II and IV phase lines are being adjusted modifying the acreages within these two areas. The proposed map revision and Appendix A text are included for review.
- c) No changes to any special covenants, conditions, or restrictions are proposed with this application. Section 2.11 of the *Gunnison Rising PUD Development Standards* addresses how and when protective covenants will be enacted.
- d) The *Gunnison Rising PUD Development Standards* addresses all the relevant technical code requirements listed under this item.
- e) Included with this application is a utility memorandum prepared by Del-Mont Consultants, Inc. addressing items (i) and (ii). Item (iv) circulation and roadway improvements are specifically discussed in Appendix B and Section 16 of the Gunnison Rising Annexation Agreement.
- f) Item (i) Storm drainage is addressed in the *Gunnison Rising Annexation Agreement*. Items (ii)–(iv) Natural hazards are addressed in several locations within the *Gunnison Rising PUD Development Standards*. Within Chapter 2 General Provisions, Sections 2.2.11, 2.2.12, and 2.7.6

all discuss issues relative to the natural hazards. Chapter 14 of the *Gunnison Rising PUD Development Standards* provides detailed provisions relating to floodplains, wetlands, and wildlife habitat.

- g) Easements are not required for access as the property has direct frontage on to Highway 50
- h) The project's natural and historic character have been addressed within the Section 2.7.7 and Chapter 14 of the *Gunnison Rising PUD Development Standards* provides detailed provisions relating to floodplains, wetlands, and wildlife habitat
- i) LSC Transportation Consultants has provided a technical memo to address traffic generation relative to the proposed increase as requested by the Community Development Director.

SPECIFIC TEXT MODIFICATIONS

The proposed text amendments are focused on two sections within the *Gunnison Rising PUD Development Standards*. The two sections to be modified include:

- Table 2.1 – PUD Zoning and Land Use Allocations
- Section 2.6 – Highway Access Control Plan
- Appendix A – Development Phasing

These two sections are included with this application with the precise wording proposed for your consideration.

TABLE 2.1: PUD ZONING, LAND USE, DWELLING UNITS AND NON-RESIDENTIAL ALLOCATIONS

Land Use	PUD Zoning District Designation	Acres	Residential Unit Minimum	Residential Unit Cap	Gross Floor Area Non-Residential	Recreational Units
Single-Family Residential	R-1	16	1	4	Per Conditional Use*	N/A
Residential	R-2	234	235	340	Per Conditional Use*	N/A
School District Site	R-2 M	10	N/A	N/A	N/A	N/A
Residential Village	R-2 M	63	100	270	Per Conditional Use*	N/A
Commercial / Mixed Use	C M	48	0	120	174,000 380,000	N/A
Parks/Open Space	O	62	N/A	N/A	N/A	N/A
Highway 50 ROW Dedication	N/A	13	N/A	N/A	N/A	N/A
Recreational	CRV	64	N/A	N/A	10,000	350
Commercial	C	5	N/A	N/A	20,000	N/A
Business & Research Park	I M	37	N/A	N/A	250,000	N/A
Western Pavilion	C/WP	12	N/A	N/A	Existing structures to remain	N/A
Government	GOV	17	N/A	N/A	30,000 70,000 ¹	N/A
Equestrian Meadows	O/E	52	N/A	N/A	N/A	N/A
TOTAL		633		734	484,000 730,000	350

**(Note: Non-residential uses which may be allowed through conditional use approval are not reflected in this table.)*

¹ Amended by City Council, December 28, 2010, Ordinance #12, Series 2010

2.6 Highway Access Control Plan. All design and construction of Highway 50 improvements will be directed by the Highway Access Control Plan approved by CDOT and the City.

APPENDIX A: DEVELOPMENT PHASING

- A.1 Purpose.** The purpose of this Appendix A is to provide timelines for, and descriptions of, the physical development anticipated for the Gunnison Rising PUD, and the improvements necessary to facilitate that development. The timelines and descriptions are organized into phases as described within this section.
- A.2 General Requirements. The following statements describe the intent of this Appendix A. Specific standards are addressed in the paragraphs below.**
- A.2.1 Conform to Phasing Plan.** All development in the PUD will conform to the approved Phasing Plan unless an amendment is approved through the PUD Major Change provisions of the *Gunnison Municipal Code*. Phases III and IV may be interchanged without an amendment.
- A.2.2 Traffic and Utility Requirements.** Traffic and utility requirements are discussed in a broad summary context within this Appendix A.
- A.2.3 Additional Improvements.** Additional improvements may be required for each phase, subject to provisions of subdivision review and approval.
- A.2.4 Commencing of Next Phase.** Development activity may occur in the next sequential phase only if the activity is within a zone district type that has not already been started. A new Phase with the same zone district can commence once 50 percent of that zone district is complete.
- A.3 Description of Phases.** Eight development phases are anticipated for the Gunnison Rising PUD. These phasing elements are listed in Table A.1, and are illustrated in the Phasing Plan attached at the end of this Section.
- A.4 Requirements of Phases.** Development in the phases shown in Table A.1 shall incorporate the following land uses, traffic and utility improvements.
- A.4.1 Phase I**
- A. Land Uses: This phase includes the Commercial Western Pavilion (C/WP) district; the Open Space/Equestrian (O/E) district; four acres of Single-Family Residential (R-1) occupied by an existing residence; and nine acres of land in the Government (GOV) district.
- B. Traffic Improvements: Highway 50 – Colorado Department of Transportation (CDOT) Highway Access Permit required for the proposed development in the GOV District.
1. Install highway improvements as required by CDOT and the City of Gunnison.
 2. Off-site impacts from the transportation study are required to be addressed.

3. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
- C. The Colorado Division of Wildlife (CDOW) facilities will be served on an interim basis with a well permitted by the Colorado Division of Water Resources and engineered Individual Sewage Disposal System (ISDS) meeting City standards. City electric services will be extended to the CDOW facility at the cost to the developer or owner. Associated utility development for the nine acre DOW site will be subject to subdivision review and approval.
 - D. The existing residence in the R-1 district will remain on existing well and Individual Sewage Disposal System (ISDS) as long as the ISDS is functioning in conformance with City ISDS standards and those provisions of Section 7.1 of the Annexation Agreement. Electric service may continue to be served by the Gunnison County Electric Association on an interim basis.
 - E. Installation of the irrigation utility system will be accomplished pursuant to engineered plans submitted and approved through the subdivision review process.
 - F. Implement cultural resource inventory studies that may be needed.

A.4.2 Phase II

- A. Land Uses: This phase includes approximately 48 acres of the Commercial/Mixed Use area (CM District) located north of Highway 50; 15 acres of Open Space area (O District); 37 acres of Industrial Modified Business and Research Park (IM District) which will include the Public Works facility site; and the five acre Travel Plaza (C District) located south of Highway 50.
- B. Traffic Improvements: CDOT Highway Access Permits will be required. All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study as defined in Section 2.7 of these PUD Development Standards are required to be addressed.
 1. Highway 50 will be widened in Phase II, with a three lane configuration to the eastern boundary of the phase. Installation of turn lanes and modifications to the lane geometry, as needed, to facilitate these anticipated highway improvements will also be completed in this Phase. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
 2. Lengthen the existing drainage structures and box culvert for future trail crossing to match the proposed roadway section will be completed by the applicant. Required signage and striping will be provided in compliance with CDOT and/or the *Manual of Uniform Traffic Control Devices* (MUTCD) requirements. Stop signs will be used at these improved intersections until signalized controls are required by the City or as stipulated by the approved Highway Access Control Plan.

3. The right-of-way serving the extension of College Avenue will be platted and dedicated to the City, and this street will be improved and connected into the development within the Commercial Mixed Use District.
 4. Internal public streets, sidewalks and trails will be developed as required by subdivision development agreements.
 5. A traffic signal will be installed at the intersection of Highway 50 and the entrance into the CM Zone when the CDOT determines that Average Daily Trips (ADT) on Highway 50, and intersecting collector roads warrant the installation in accordance with the study requirements described in Section 2.7 of these PUD Development Standards.
 6. Installation of internal public streets, sidewalks, and trails as required by subdivision development agreements.
 7. Georgia Avenue will be extended into the development.
 8. Improvements will be completed at the Georgia / Escalante intersection.
 9. Installation of the required Escalante and Georgia improvements as required by Western State College and the City pursuant to agreement and easement dedication terms
 10. Implementation of the necessary site, landscaping, and parking improvements at the Aspinall-Wilson Center as required by the Western State College Foundation will also occur in this phase.
- C. Utility Improvements: This phase will be accompanied by a Development Phase Submittal as defined in Section 2.7 of these PUD Development Standards. The Development Phase Submittal will define necessary domestic water, wastewater, storm water, irrigation and electric system utility requirements needed to serve Phase II, as well as the systems' sizing needs to extend services to adjacent future development phases.
1. Installation of the lift station and the force main sewer line to accommodate 30 percent of the ultimate required capacity for the entire Gunnison Rising PUD. Connect into the existing gravity sewer line at E. San Juan Avenue and Teller Street.
 2. Installation of all sewer trunk main lines needed to serve the Phase II development will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 3. Installation of water mains from the City's water tanks as needed to serve the development and to maintain adequate fire flow and pressures pursuant to engineered plans submitted to the City and approved as part of the phase review subdivision review processes. Water supply and quality will be in accordance with Section 15.2 of the Annexation Agreement.

4. Installation of electric lines, transformers, switch gear and other related facilities to accommodate the initial 25 percent of the project.
5. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
6. Installation of the irrigation utility system will be accomplished pursuant to engineered plans submitted and approved through the subdivision review process.

D. Implement cultural resource inventory studies that may be needed.

A.4.3 Phase III

- A. Land Uses: This phase includes the Commercial Recreational Vehicle (CRV) District, a 64-acre Recreational Vehicle Resort with 350 recreational units; and the remaining 8 acres of land in the Government (GOV) district.
- B. Traffic Improvements CDOT Highway Access Permits will be required. All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study are required to be addressed.
 1. Phase III utilizes the existing three lane section of Highway 50 through this phase. Setbacks from the Highway 50 right-of-way must match the width of Highway 50 at the final Phase.
 2. Acceleration and deceleration lanes will be added at the CRV Resort, if required by the Highway 50 Access Control.
 3. Required signage and striping per CDOT and MUTCD requirements will be installed. Stop signs will be installed at the intersections of Highway 50 that will be used to access the CRV Resort.
 4. Private streets serving the CRV Resort will be developed.
 5. The Tomichi Creek Trail from the City Loop Trail through the RV Resort will also be developed pursuant to the Subdivision Improvement Agreement requiring the developer to make necessary trail improvements.
 6. Installation of internal public streets, sidewalks, and trails as required by subdivision development agreements.
- C. Utility Improvements: This phase will be accompanied by a Development Phase Submittal as defined in Section 2.7 of these *PUD Development Standards*. The Development Phase Submittal will define necessary domestic water, wastewater, storm water, and irrigation and electric system utility requirements needed to serve Phase III, as well as the existing CDOW development and systems' sizing needs to extend services to adjacent future development phases.

1. Installation of all Sewer main lines needed to serve the Phase III development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
2. Installation of all Domestic Water main lines needed to serve the Phase III development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
3. City water and sewer services to the Commercial Western Pavilion and Government district CDOW facilities will be provided immediately in conjunction with the installation of water and sewer mains.
4. Installation of electric lines, transformers, switch gear and other related facilities to serve the development will be completed.
5. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
6. Installation of the irrigation utility system will be accomplished pursuant to engineered plans submitted and approved through the phase review and subdivision review processes.

D. Implement cultural resource inventory studies that may be needed.

A.4.4 Phase IV

- A. Land Uses: This phase includes the western portion of the Residential Village area (R-2M district), which is approximately 27 acres in size;; and approximately 2 acres of Parks/Open Space (O District).
- B. Traffic Improvements: All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study are required to be addressed.
 1. Highway 50 will be improved to a three lane configuration between the eastern and western boundaries of this Phase IV adjacent to Highway 50. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
 2. Installation of turn lanes and modifications to the lane geometry as needed to facilitate these anticipated highway improvements will be completed in this Phase IV.
 3. Signage and striping will be provided in compliance with CDOT standards and/or the *Manual of Uniform Traffic Control Devices* (MUTCD) requirements.

4. Stop signs will be used at these improved intersections until signalized controls are required by the City or as stipulated by the approved Highway Access Control Plan.
 5. Installation of internal public streets, sidewalks and trails as required by subdivision development agreements.
 10. Installation of the Escalante Drive Buffer when development activity other than the City Loop trail commences within 500 feet of Escalante Drive
- C. Utility Improvements: This phase will be accompanied by a Development Phase Submittal as defined in Section 2.7 of these *PUD Development Standards*. The Development Phase Submittal will define necessary domestic water, wastewater, storm water, irrigation and electric system utility requirements needed to serve Phase IV, as well as the systems' sizing needs to extend services to adjacent future development phases.
1. The lift station capacity will be increased to accommodate a total of 70 percent of the projected development needs.
 2. Installation of all sewer main lines needed to serve the Phase IV development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 3. Installation of all water main lines needed to serve the Phase IV development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review subdivision review processes.
 4. Installation of electric lines, transformers, switch gear and other related facilities to serve the development will be completed.
 5. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
 6. Installation of the irrigation utility system will be accomplished pursuant to engineered plans submitted and approved through the subdivision review process.
- D. Implement cultural resource inventory studies that may be needed.

A.4.5 Phase V

- A. Land Uses: This phase includes 3 acres of Open Space land (O district) and 73 acres of Residential (R-2 district).
- B. Traffic Improvements. Off-site impacts from the transportation study are required to be addressed.

1. Installation of internal public streets, sidewalks and trails as required by subdivision development agreements.
- C. Utility Improvements: This phase will be accompanied by a Development Phase Submittal as defined in Section 2.6 of these *PUD Development Standards*. The Development Phase Submittal will define necessary domestic water, wastewater, storm water, irrigation and electric system utility requirements needed to serve Phase V, as well as the systems' sizing needs to extend services to adjacent future development phases.
1. Installation of all sewer main lines needed to serve the Phase V development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 2. Installation of all Domestic Water main lines needed to serve the Phase V development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes. A water pressure pumping system may be required with this phase.
 3. Installation of electric lines, transformers, switch gear and other related facilities to serve the phase will be completed.
 4. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
- D. Implement cultural resource inventory studies that may be needed.

A.4.6 Phase VI

- A. Land Uses: This phase includes a ten-acre School District site (within the R-2M District); the remaining 36 acres of the Residential Village and 17 acres of Open Space land.
- B. Traffic Improvements: All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study are required to be addressed.
1. Highway 50 will be expanded to a five lane configuration from Adams Street to the nearest intersection that bisects the central portion of the Residential Village (R2-M District). Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
 2. A three-lane geometric design will also be developed from the Residential Village to the Cemetery driveway intersection. Improvements will also include modifications of highway geometry to accommodate turn lanes, and facilitate these anticipated highway improvements.

3. A traffic signal will be installed at the intersection of Highway 50 and Adams when the CDOT determines that Average Daily Trips (ADT) on Highway 50 and intersecting collector roads warrant the installation. Off-site impacts from the transportation study as defined in Section 2.7 of these PUD Development Standards are required to be addressed. The City may exercise any authority granted by CDOT for the installation of traffic signals prior to meeting “warranted thresholds.”
 4. The existing drainage structures will be lengthened as required to match the proposed roadway section.
 5. Signage and striping will be provided in compliance with CDOT standards and/or the *Manual of Uniform Traffic Control Devices* (MUTCD) requirements.
 6. Installation of internal public streets, sidewalks and trails as required by subdivision development agreements.
- C. Utility Improvements: This phase will be accompanied by a Development Phase Submittal as defined in Section 2.6 of these *PUD Development Standards*. The Development Phase Submittal will define necessary domestic water, wastewater, storm water, irrigation and electric system utility requirements needed to serve Phase VI, as well as the systems’ sizing needs to extend services to adjacent future development phases.
1. Installation of all sewer main lines needed to serve the Phase VI development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 2. Installation of all Domestic Water main lines needed to serve the Phase VI development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 3. Installation of electric lines, transformers, switch gear and other related facilities to serve the development will be completed.
 4. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
- D. Implement cultural resource inventory studies that may be needed.

A.4.7 Phase VII

- A. Land Uses: 82 acres of Residential (R-2 District).
- B. Traffic Improvements: Installation of internal public streets and trails as required by subdivision development agreements.
 1. Off-site impacts from the transportation study are required to be addressed.

2. Installation of internal public streets, sidewalks, and trails as required by subdivision development agreements.
- C. Utility Improvements: This phase will be accompanied by a complete study defining necessary domestic water, wastewater, storm water, and electric system utility requirements needed to serve Phase VII, as well as the systems' sizing needs to extend services to adjacent future development phases.
1. Installation of all sewer main lines needed to serve the Phase VII development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 2. Installation of all Domestic Water main lines needed to serve the Phase VII development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes. A water pressure pumping system may be required with this phase.
 3. Installation of electric lines, transformers, switch gear and other related facilities to serve the development will be completed.
 4. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
- D. Implement cultural resource inventory studies that may be needed.

A.4.8 Phase VIII

- A. Land Uses: This phase includes development of 79 acres in the central part of the Residential (R-2 District), and 25 acres of Open Space land (O district) along the Cemetery Ditch.
- B. Traffic Improvements: Installation of internal public streets and trails as required by subdivision development agreements.
1. Off-site impacts from the transportation study are required to be addressed.
 2. Installation of internal public streets, sidewalks, and trails as required by subdivision development agreements.
- C. Utility Improvements: This phase will be accompanied by a Development Phase Submittal as defined in Section 2.6 of these *PUD Development Standards*. The Development Phase Submittal will define necessary domestic water, wastewater, storm water, and electric system utility requirements needed to serve Phase VIII, as well as the systems' sizing needs to extend services to adjacent future development phases.

1. Installation of all sewer main lines needed to serve the Phase VIII development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes.
 2. Installation of all Domestic Water main lines needed to serve the Phase VIII development, and also sized with the residual capacity to serve adjacent future phases will be accomplished pursuant to engineered plans submitted to the City and approved as part of the phase review and subdivision review processes. A water pressure pumping system may be required with this phase.
 3. Installation of electric lines, transformers, switch gear and other related facilities to serve the development will be completed.
 4. Storm water facilities will be developed and maintained in accordance with the Master Drainage Report, municipal standards regulating storm water utilities, and related municipal standards for water quality control.
- D. Implement cultural resource inventory studies that may be needed.

TABLE A.1: Development Phases

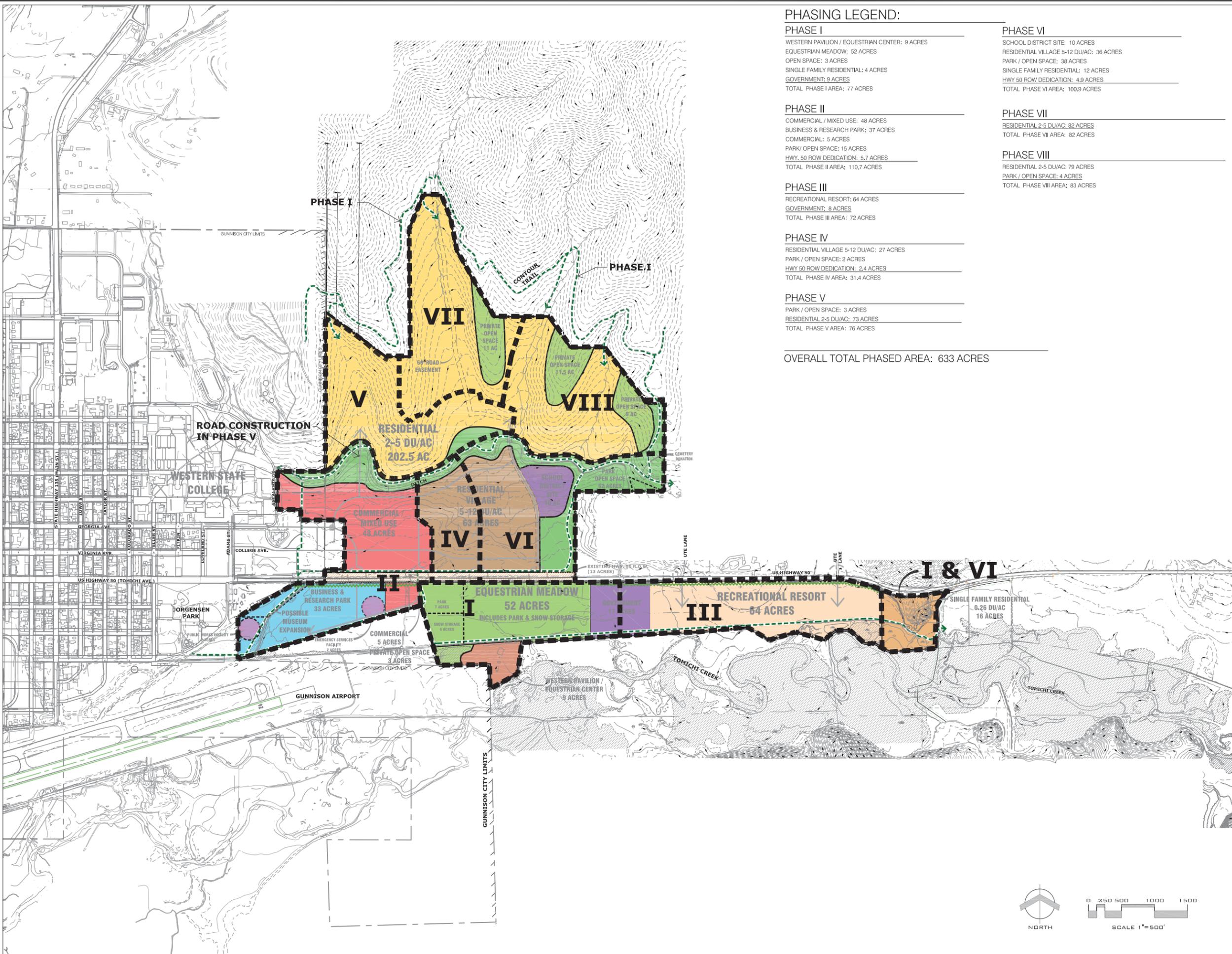
Phase	Land Use	PUD Zoning District Designation	Acreage	Residential Unit Minimum	Residential Unit Cap	Non-Residential Square Feet
I	Commercial/Western Pavilion	C/WP	9	n/a	n/a	**
	Open Space/Equestrian Meadow	O/E	52	n/a	n/a	n/a
	Government	GOV	9	n/a	n/a	18,200 ¹ 37,058
	Single-Family Residential	R-1	4	1	1	n/a
	Open Space	O	3	n/a	n/a	n/a
SUBTOTAL			77	1	1	37,058
II	Commercial/Mixed Use	CM	16 48	n/a	120	61,000 380,000
	Open Space	O	15	n/a	n/a	n/a
	Business & Research Park	IM	37	n/a	n/a	250,000
	Commercial (Travel Plaza)	C	5	n/a	n/a	20,000
	Existing Highway 50 ROW	n/a	5.7	n/a	n/a	n/a
SUBTOTAL			110.7		120	650,000
III	Commercial R V	CRV	64	n/a	n/a	10,000
	Government	GOV	8	n/a	n/a	11,800 32,942
SUBTOTAL			72			42,942
IV	Residential Village	R-2M	27	43	116	n/a
	Open Space	O	2	n/a	n/a	n/a
	Existing Highway 50 ROW	n/a	2.4	n/a	n/a	n/a
SUBTOTAL			31.4	43	116	n/a
V	Open Space	O	3	n/a	n/a	n/a
	Residential	R-2	73	73	106	n/a
SUBTOTAL			76	73	106	n/a
VI	School Site (in Residential Village)	R-2M	10	n/a	n/a	n/a
	Residential Village	R-2M	36	54	155	n/a
	Open Space	O	38	n/a	n/a	n/a
	Single-Family Residential	R-1	12	1	3	n/a
	Existing Highway 50 ROW	n/a	4.9	n/a	n/a	n/a
SUBTOTAL			100.9	55	158	n/a
VII	Residential	R-2	82	82	119	n/a
	SUBTOTAL			82	82	119
VIII	Residential	R-2	79	79	115	n/a
	Open Space	O	4	n/a	n/a	n/a
SUBTOTAL			83	79	115	
TOTAL			633		734	484,000 730,000

* Does not include 350 recreational units in CRV zone

**Existing facilities allowed to remain

¹ Amended by City Council, December 28, 2010, Ordinance #12, Series 2010

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PHASING LEGEND:

PHASE I
 WESTERN PAVILION / EQUESTRIAN CENTER: 9 ACRES
 EQUESTRIAN MEADOW: 52 ACRES
 OPEN SPACE: 3 ACRES
 SINGLE FAMILY RESIDENTIAL: 4 ACRES
 GOVERNMENT: 9 ACRES
 TOTAL PHASE I AREA: 77 ACRES

PHASE II
 COMMERCIAL / MIXED USE: 48 ACRES
 BUSINESS & RESEARCH PARK: 37 ACRES
 COMMERCIAL: 5 ACRES
 PARK / OPEN SPACE: 15 ACRES
 HWY. 50 ROW DEDICATION: 5.7 ACRES
 TOTAL PHASE II AREA: 110.7 ACRES

PHASE III
 RECREATIONAL RESORT: 64 ACRES
 GOVERNMENT: 8 ACRES
 TOTAL PHASE III AREA: 72 ACRES

PHASE IV
 RESIDENTIAL VILLAGE 5-12 DU/AC: 27 ACRES
 PARK / OPEN SPACE: 2 ACRES
 HWY 50 ROW DEDICATION: 2.4 ACRES
 TOTAL PHASE IV AREA: 31.4 ACRES

PHASE V
 PARK / OPEN SPACE: 3 ACRES
 RESIDENTIAL 2-5 DU/AC: 73 ACRES
 TOTAL PHASE V AREA: 76 ACRES

PHASE VI
 SCHOOL DISTRICT SITE: 10 ACRES
 RESIDENTIAL VILLAGE 5-12 DU/AC: 36 ACRES
 PARK / OPEN SPACE: 38 ACRES
 SINGLE FAMILY RESIDENTIAL: 12 ACRES
 HWY 50 ROW DEDICATION: 4.9 ACRES
 TOTAL PHASE VI AREA: 100.9 ACRES

PHASE VII
 RESIDENTIAL 2-5 DU/AC: 82 ACRES
 TOTAL PHASE VII AREA: 82 ACRES

PHASE VIII
 RESIDENTIAL 2-5 DU/AC: 79 ACRES
 PARK / OPEN SPACE: 4 ACRES
 TOTAL PHASE VIII AREA: 83 ACRES

OVERALL TOTAL PHASED AREA: 633 ACRES



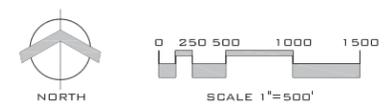
DEVELOPMENT PHASING PLAN
 GUNNISON, COLORADO

GUNNISON RISING
 Authentically Colorado

DATE: 10/18/2009	DRWN: DGD
BY: TYS	APPROVED: TYS

NO.	DATE	BY	COMMENTS

APPENDIX A
 SHEET NO.
 OF SHEETS



MAJOR AMENDMENT TO GUNNISON RISING PUD DEVELOPMENT STANDARDS

ADJOINING PROPERTY OWNERS LIST

Parcel Nos. 3699-000-00-133, 3789-000-00-070

Gunnison Valley Properties, LLC

864 W. South Boulder Road, Suite 200

Louisville, Colorado 80027

Parcel Nos. 3701-360-00-051, 3701-360-00-050, 3701-360-03-003

Western State College Foundation

PO Box 1264

Gunnison CO 81230

3701-360-03-004

VARRA PASQUALE ETAL VARRA JACQUELINE
4320 AUGUSTA DR BROOMFIELD, CO 80023-4003



June 11, 2012

Gunnison Valley Properties, LLC, c/o Dennis Minchow, The Schuck Corporation
2 N. Cascade Avenue, Suite 1280
Colorado Springs, CO 80903

Re: Updated Water & Wastewater Flow Projections, Gunnison Rising Project
DMC Project No. 9946, 0643, & 12070

Dear Dennis:

We have been asked in response to the pending amendment to the approved Gunnison Rising Project PUD, to update the water and wastewater flow estimates we prepared in February 2009. In particular we are addressing the impact of changing the Commercial/Mixed Use area building coverage from 174,000 to 400,000 square feet (sf). The Commercial/Mixed Use area is located north of Highway 50. No changes are contemplated south of Highway 50 and the flow estimates in this area did not change.

The following tabulation summarized our finding:

Area	Flows In MGD Reported 2-23-09		Flows In MGD Revised 6-11-12			
	Average	Peak	Average	Change	Peak	Change
North	0.397	1.19	0.453	+14%	1.36	+14%
South	<u>0.271</u>	<u>0.81</u>	<u>0.271</u>	0%	<u>0.81</u>	0%
Total	0.668	2.00	0.724	+8%	2.17	+8%

The proposed building coverage change increases the projected wastewater flows a relatively small amount of 8%.

The attached *Estimate of Wastewater Flows* spreadsheets dated 6-11-12 indicate the basis for the *Flows In MGD Revised 6-11-12* shown in the tabulation. Additionally, we have included a revised spreadsheet for the flows estimated for individual project phases. For reference, we have included the original 2-23-09 spreadsheets.

As stated in our earlier reports, the project is expected to utilize existing irrigation water rights for landscape irrigation. As a result, we estimate that the water demand for the project will be approximately the same as the wastewater flows estimated on these spreadsheets.

Please let me know if we can assist in any other way.

Sincerely,

Richard (Rick) Weaver, P.E.

Vice President, Del-Mont Consultants, Inc.

ESTIMATE OF WASTEWATER FLOWS

Based on NES Land Use Allocations, dated Jan 16, 2009, With Commercial/Mixed Use Building Coverage Amended to 400,000 sf

PREPARED BY: DEL-MONT CONSULTANTS

GUNNISON RISING PUD

NORTH OF HWY 50

DATE: Rev. 6-11-12

LAND USE DESCRIPTION	NO. UNITS	WASTEWATER PER UNIT (GPD)	WASTEWATER TOTAL (GPD)	Average			Peak						
				10% (Flow at Indicated Percentage of Total)	30%	60%	100%	10% (Flow at Indicated Percentage of Total)	30%	60%	100%		
COMMERCIAL/MIXED USE (44 AC)													
Residential	120 Units	400	48,000	4,800	14,400	28,800	14,400	43,200	86,400	144,000			
Commercial	400 1000 SF	250	100,000	10,000	30,000	60,000	30,000	90,000	180,000	300,000			
RESIDENTIAL VILLAGE (65 AC)	270 Units	400	108,000	10,800	32,400	64,800	108,000	97,200	194,400	324,000			
RESIDENTIAL (235 AC)	340 Units	400	136,000	13,600	40,800	81,600	136,000	122,400	244,800	408,000			
SCHOOL DISTRICT SITE (10 AC)													
School (Students)	418 Students	25	10,450	1,045	3,135	6,270	10,450	9,405	18,810	31,350			
School (Support)	68 Support	15	1,020	102	306	612	1,020	306	918	1,836			
EXISTING RESIDENTIAL NORTH OF PUD	100 AC	500	50,000	5,000	15,000	30,000	50,000	45,000	90,000	150,000			
		TOTAL FLOW (GPD)	453,470	45,347	136,041	272,082	453,470	408,123	816,246	1,360,410			
		PEAKING FACTOR	3										
		DESIGN PEAK FLOW (MGD)	1.36										

GUNNISON RISING PUD

ESTIMATE OF WASTEWATER FLOWS PER PHASE

Based on NES Land Use Allocations, Jan 16, 2009, With Commercial/Mixed Use Building Coverage Amended to 400k sf

PREPARED BY: DEL-MONT CONSULTANTS

DATE: Rev. 6-11-12

Phase	Land Use Description	No. Units	Units	Flow per Unit (GPD)	Flow Total per Land Use (GPD)	Cummulative ADF Flow (GPD)	Cummulative Peak Flow (GPD) - 3 Peak Factor	Percent of Buildout Flow
1	Western Pavillion (7 AC)			Bathroom Allocation	1,000			
	State & Federal Gov't (9 AC)	9	AC	2,000	18,000			
	Single Family Residential (4 AC)	1	Units	400	400			
				Total Phase Flow	19,400	19,400	58,200	3
2	Commercial/Mixed Use (22.5 AC)							
	Residential	60	Units	400	24,000			
	Commercial	200	1000 SF	250	50,000			
	Business/Research Park (15.5 AC)	16	AC	2,000	31,000			
	Commercial (5 AC)	5	AC	2,000	10,000			
				Total Phase Flow	115,000	134,400	403,200	19
3	Recreational Resort (68 AC)							
	Recreational Units	350	Units	400	140,000			
	Non-Residential	10	1000 SF	250	2,500			
	State & Federal Gov't (9 AC)	9	AC	2,000	18,000			
				Total Phase Flow	160,500	294,900	884,700	41
4	Residential Village (30 AC)	135	Units	400	54,000			
				Total Phase Flow	54,000	348,900	1,046,700	48
5	Residential (47.5 AC)	69	Units	400	27,600			
	Commercial/Mixed Use (21.5 AC)							
	Residential	60	Units	400	24,000			
	Commercial	200	1000 SF	250	50,000			
				Total Phase Flow	101,600	450,500	1,351,500	62
6	School District Site (10 AC)							
	Students	418	Students	25	10,450			
	Support	68	Support	15	1,020			
	Residential Village (33 AC)	135	Units	400	54,000			
	Single Family Residential (12 AC)	3	Units	400	1,200			
				Total Phase Flow	66,670	517,170	1,551,510	71
7	Residential (68.5 AC)	99	Units	400	39,600			
				Total Phase Flow	39,600	556,770	1,670,310	77
8	Residential (54 AC)	78	Units	400	31,200			
				Total Phase Flow	31,200	587,970	1,763,910	81
9	Residential (65 AC)	94	Units	400	37,600			
				Total Phase Flow	37,600	625,570	1,876,710	86
10	Business/Research Park (24.5 AC)	25	AC	2,000	49,000			
	Existing Residential North of Pud	100	AC	500	50,000			
				Total Phase Flow	99,000	724,570	2,173,710	100
				Total Flow All Phases	724,570			

ESTIMATE OF WASTEWATER FLOWS

Based on NES Land Use Allocations, dated Jan 16, 2009

PREPARED BY: DEL-MONT CONSULTANTS

DATE: 2-23-09

**GUNNISON RISING PUD
NORTH OF HWY 50**

LAND USE DESCRIPTION	NO. UNITS	WASTEWATER PER UNIT (GPD)	WASTEWATER TOTAL (GPD)	Average			Peak					
				10%	30%	60%	10%	30%	60%	100%		
COMMERCIAL/MIXED USE (44 AC)												
Residential	120 Units	400	48,000	4,800	14,400	28,800	14,400	43,200	86,400	144,000		
Commercial	174 1000 SF	250	43,500	4,350	13,050	26,100	13,050	39,150	78,300	130,500		
RESIDENTIAL VILLAGE (65 AC)	270 Units	400	108,000	10,800	32,400	64,800	32,400	97,200	194,400	324,000		
RESIDENTIAL (235 AC)	340 Units	400	136,000	13,600	40,800	81,600	40,800	122,400	244,800	408,000		
SCHOOL DISTRICT SITE (10 AC)												
School (Students)	418 Students	25	10,450	1,045	3,135	6,270	3,135	9,405	18,810	31,350		
School (Support)	68 Support	15	1,020	102	306	612	306	918	1,836	3,060		
EXISTING RESIDENTIAL NORTH OF PUD	100 AC	500	50,000	5,000	15,000	30,000	15,000	45,000	90,000	150,000		
		TOTAL FLOW (GPD)	396,970	39,697	119,091	238,182	119,091	357,273	714,546	1,190,910		
		PEAKING FACTOR	3									
		DESIGN PEAK FLOW (MGD)	1.19									

ESTIMATE OF WASTEWATER FLOWS

Based on NES Land Use Allocations, dated Jan 16, 2009

PREPARED BY: DEL-MONT CONSULTANTS

DATE: 2-23-09

GUNNISON RISING PUD

SOUTH OF HWY 50

NOTE: NO REVISION TO THIS SHEET WAS NEEDED 6-11-12

LAND USE DESCRIPTION	NO. UNITS	WASTEWATER PER UNIT (GPD)	WASTEWATER TOTAL (GPD)	Average			Peak				
				10%	30%	60%	10%	30%	60%	100%	
BUSINESS/RESEARCH PARK (40 AC)	40 AC	2,000	80,000	8,000	24,000	48,000	80,000	24,000	72,000	144,000	240,000
WESTERN PAVILLION (7 AC)	ALLOCATE FOR BATHROOMS		1,000	100	300	600	1,000	300	900	1,800	3,000
RECREATIONAL RESORT (68 AC)											
Recreation Units	350 Units	400	140,000	14,000	42,000	84,000	140,000	42,000	126,000	252,000	420,000
Non-Residential	10 1000 SF	250	2,500	250	750	1,500	2,500	750	2,250	4,500	7,500
SINGLE FAMILY RESIDENTIAL (16 AC)	4 Units	400	1,600	160	480	960	1,600	480	1,440	2,880	4,800
COMMERCIAL (5 AC)	5 AC	2,000	10,000	1,000	3,000	6,000	10,000	3,000	9,000	18,000	30,000
STATE & FEDERAL GOV'T	18 AC	2,000	36,000	3,600	10,800	21,600	36,000	10,800	32,400	64,800	108,000
		TOTAL FLOW (GPD)	271,100	27,110	81,330	162,660	271,100	81,330	243,990	487,980	813,300

PEAKING FACTOR 3

DESIGN PEAK FLOW (MGD) 0.81

1889 York Street
Denver, CO 80206
(303) 333-1105
FAX (303) 333-1107
E-mail: lsc@lscdenver.com



February 25, 2016

Mr. Byron R. Chrisman
Gunnison Valley Properties, LLC
864 W. So. Boulder Road, Suite 200
Louisville, CO 80027

Re: Gunnison Rising
Gunnison, CO
(LSC #160200)

Dear Mr. Chrisman:

Per your request, we have evaluated the change in trip generation potential for the proposed Gunnison Rising development in Gunnison, Colorado based on the proposed change in land use density.

The May, 2008 Traffic Impact Analysis by LSC assumed a variety of land uses. The currently proposed plan assumes a few changes in land use as follows: The commercial density in TAZ E was increased from 174,000 square feet to 380,000 square feet, the land uses in TAZs F and G were removed, and the 59,000 square feet of commercial density in TAZ H was revised to 20,000 square feet of commercial use and 30,000 square feet of Government Office Building.

Table 1a shows the weekday estimated trip generation potential for the land uses assumed in the May, 2008 TIA as well as for the currently proposed land use. Table 1a shows the proposed land use change is expected to reduce the average number of weekday trips by about 888, reduce the morning peak-hour trips by about 539, and increase the afternoon peak-hour trips by about 19.

Table 1b shows the Saturday estimated trip generation potential for the land uses assumed in the May, 2008 TIA as well as for the currently proposed land use. Table 1b shows the proposed land use change is expected to increase the average number of weekday trips by about 3,220 and increase the peak-hour trips by about 195.

A typical weekday will likely have slightly better morning peak-hour operations than projected in the May, 2008 TIA because of a reduction in morning peak-hour trip generation. The afternoon peak-hour remains about the same.

A typical Saturday will likely have slightly worse peak-hour operations than projected in the May, 2008 TIA because of an increase in peak-hour trip generation.

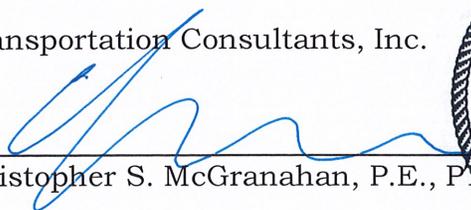
It is expected that the timing and extent of actual transportation improvements will be determined by site plan specific traffic studies and state highway access permit applications.

* * * * *

We trust this information will assist you in planning for the Gunnison Rising development.

Respectfully submitted,

LSC Transportation Consultants, Inc.

By: 
Christopher S. McGranahan, P.E., P



2-25-16

CSM/wc

Enclosure: Tables 1a and 1b

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**Table 1a
Gunnison Rising - "Authentically Colorado"
Weekday Buildout Trip Generation Estimates (February, 2016)**

TAZ ⁽¹⁾	Land Use Code	Land Use Description	Trip Generation Units	Trip Generation Rates ⁽²⁾						Total Trips Generated				
				Average Weekday Traffic	Morning Peak Hour		Afternoon Peak Hour		Average Weekday Traffic	Morning Peak Hour		Afternoon Peak Hour		
					In	Out	In	Out		In	Out	In	Out	
A	210	Single-Family Detached Housing	340	DU ⁽³⁾	9.52	0.188	0.563	0.630	0.370	3,237	64	191	214	126
B	230	Residential Condominium/Townhouse	270	DU	5.81	0.075	0.365	0.348	0.172	1,569	20	99	94	46
	520	Elementary School ⁽⁴⁾	300	Students	0.65	0.124	0.101	0.037	0.038	195	37	30	11	11
C	416	Campground/Recreational Vehicle Park	350	Occupied Spaces	4.00	0.076	0.134	0.176	0.095	1,400	27	47	62	33
D	210	Single-Family Detached Housing	4	DU	9.52	0.188	0.563	0.630	0.370	38	1	2	3	1
E	230	Residential Condominium/Townhouse	120	DU	5.81	0.075	0.365	0.350	0.170	697	9	44	42	20
	820	Shopping Center	380	KSF ⁽⁵⁾	41.80	0.563	0.345	1.820	1.972	15,884	214	131	692	749
F	—	Land Use Removed from Plan	—	—	—	—	—	—	—	—	—	—	—	—
G	—	Land Use Removed from Plan	—	—	—	—	—	—	—	—	—	—	—	—
H	770	Business Park	250	KSF	13.48	1.176	0.207	0.350	0.997	3,370	294	52	88	249
	710	Government Office Building	30	KSF	17.53	2.142	0.292	0.635	3.100	526	64	9	19	93
	820	Shopping Center	20	KSF	41.80	0.563	0.345	1.820	1.972	836	11	7	36	39
I	—	Equestrian Center ⁽⁶⁾	60	Acres	0.42	0.030	0.030	0.030	0.030	25	2	2	2	2
Weekday Buildout Total (February 2016) =										27,777	743	614	1,263	1,369
Weekday Buildout Total (May 2008 Report by LSC) =										28,665	1,122	774	1,270	1,343
Difference =										-888	-379	-160	-7	26
Notes:														
(1) TAZ = Traffic Analysis Zone														
(2) Source: <i>Trip Generation</i> , 9th Edition, 2012, by the Institute of Transportation Engineers (ITE) unless stated otherwise														
(3) DU = Dwelling Unit														
(4) These rates are 50 percent of the actual Elementary School rates, because this table estimates external trips. It is estimated that 50 percent of the school traffic will be internal to the site.														
(5) KSF = 1,000 square feet														
(6) These rates were estimated by LSC.														
Source: LSC Transportation Consultants, Inc.														

**Table 1b
Gunnison Rising - "Authentically Colorado"
Saturday Buildout Trip Generation Estimates (February, 2016)**

TAZ ⁽¹⁾	Land Use Code	Land Use Description	Trip Generation Units	Trip Generation Rates ⁽²⁾			Total Trips Generated			
				Average Saturday Traffic	Saturday Peak Hour In	Saturday Peak Hour Out	Average Saturday Traffic	Saturday Peak Hour In	Saturday Peak Hour Out	
A	210	Single-Family Detached Housing	340	DU ⁽³⁾	9.91	0.502	0.428	3,369	171	146
B	230	Residential Condominium/Townhouse	270	DU	5.67	0.254	0.216	1,531	69	58
	520	Elementary School	300	Students	—	—	—	—	—	—
C	416	Campground/Recreational Vehicle Park ⁽⁴⁾	350	Occupied Spaces	6.00	0.176	0.095	2,100	62	33
D	210	Single-Family Detached Housing	4	DU	9.91	0.502	0.428	40	2	2
E	230	Residential Condominium/Townhouse	120	DU	5.67	0.254	0.216	680	30	26
	820	Shopping Center	380	KSF ⁽⁵⁾	55.32	2.798	2.583	21,022	1,063	982
F	—	Land Use Removed from Plan	—	—	—	—	—	—	—	—
G	—	Land Use Removed from Plan	—	—	—	—	—	—	—	—
H	770	Business Park ⁽⁶⁾	250	KSF	2.72	0.136	0.136	680	34	34
	710	Government Office Building ⁽⁷⁾	30	KSF	3.09	0.232	0.198	93	7	6
	820	Shopping Center	20	KSF	55.32	2.798	2.583	1,106	56	52
I	—	Equestrian Center ⁽⁸⁾	60	Acres	3.42	0.300	0.300	205	18	18
Saturday Buildout Total (February 2016) =								30,826	1,512	1,357
Saturday Buildout Total (May 2008 Report by LSC) =								27,606	1,444	1,230
Difference =								3,220	68	127

Notes:

- (1) TAZ = Traffic Analysis Zone
- (2) Source: *Trip Generation*, 9th Edition, 2012, by the Institute of Transportation Engineers (ITE) unless stated otherwise
- (3) DU = Dwelling Unit
- (4) The average Saturday traffic rate was estimated by LSC. The Saturday peak-hour traffic rate was assumed to be the same as the weekday afternoon peak-hour rates.
- (5) KSF = 1,000 square feet
- (6) The peak-hour rates were calculated as the ratio of the average Saturday traffic rate to the average weekday and peak-hour rates.
- (7) Saturday rate was assumed to be 1/4 the weekday rate.
- (8) These rates were estimated by LSC.

Source: LSC Transportation Consultants, Inc.

STAFF REPORT
Text Amendment to the *Land Development Code*

TO: Planning and Zoning Commission
 FROM: Community Development Staff
 DATE: March 9, 2016
 RE: ZA 16-1, Text Amendment to the *Land Development Code*

CODE PROVISIONS

The *Land Development Code (LDC)*, Section 10.3 specifies that a text amendment to the *LDC* be reviewed by the City of Gunnison Planning and Zoning Commission (Commission) at a public hearing after 15 days public notice. The Commission establishes a recommendation to City Council to approve, approve with conditions, deny or remand the application back to the applicant with instructions for modification. City Council shall consider the recommendation of the Commission at a public hearing and shall, by ordinance, approve, deny or remand the application back to the applicant with instructions for modification or additional information.

A Text Amendment may be initiated by City Council, the Planning and Zoning Commission, the Community Development Director, a resident of the city, an owner of a business within the city, or any person who holds a recognized interest in real property within the city.

APPLICATION

The applicant for this Text Amendment is Steven Westbay, the City of Gunnison Community Development Director. The application proposes to amend tree and buffer planting requirements within Table 4-11 (Minimum Tree and Shrub Plantings) and Section 4.6 F.3 (Zone District Boundary Buffer) and some minor typographical errors within the *LDC*.

PROPOSED AMENDMENT

Proposed amendments include the following:

TABLE 4-11 MINIMUM TREE AND SHRUB PLANTINGS	
Zone District	Number of Trees and Shrubs per Required Landscape Area
Central Business District (CBD)	N/A
Commercial (C)	1 tree and 2 shrubs per 200 400 sq. ft.
Business Professional (B-1)	1 tree and 2 shrubs per 850 1500 sq. ft.
Industrial (I)	N/A
Single-Family Residential (R-1)	1 tree and 2 shrubs per 2000 sq. ft.
Single-Family Residential Modified (R-1M)	1 tree and 2 shrubs per 2000 sq. ft.
Duplex Residential (R-2)	1 tree and 2 shrubs per 1200 1500 sq. ft.
Residential Mixed Use (RMU)	1 tree and 2 shrubs per 600 1200 sq. ft.
Multi-Family Residential (R-3)	1 tree and 2 shrubs per 500 sq. ft.
Note: The above required trees may be counted toward street tree buffer requirements of §4.6.F.4-- See Figure 15A	

Section 4.6 F. Buffering and Screening

2. **Waivers.** A waiver from these buffer and screening standards may be granted by the Commission (Section 9.4 G). A waiver application shall include a site plan showing the

STAFF REPORT
Text Amendment to the *Land Development Code*

building footprint, driveways, parking, landscaping and utility lines. The waiver application will be considered at a ~~regular meeting and does not warrant a public hearing notice~~ **public hearing and shall require public notice as specified in Section 6.7.** Waivers shall only be granted if the applicant demonstrates that there are not adequate rights-of-way from the curb edge to the building front. The Commission may consider other site-specific circumstances not contemplated herein, and are not the result of previous development constraints initiated by the applicant.

3. Zone District Boundaries

- a. A landscaped buffer shall be planted on the boundary between the zoning districts set forth below, unless the abutting property is determined by staff to be unbuildable or visually separated by topographic features. Zone district buffers shall not be required for areas where street frontage buffer requirements are met.
- b. The buffer shall be 20 feet wide and planted directly adjacent to the zone district boundary.
- c. A minimum buffer consisting of ~~eight~~ **four** evergreen trees and ~~10~~ **five** shrubs per one hundred linear feet of zone district boundary shall be installed between the following zoning districts:
 - i. an Industrial zone district and any other zoning district;
 - ii. a Commercial zone district and any Residential zone district; or
 - iii. all Multi-family Residential zone districts (RMU/R-3) and any other Residential zone district.

FIGURE 15A MINIMUM TREE AND SHRUB PLANTING AND BUFFER REQUIREMENTS



STAFF REPORT
Text Amendment to the *Land Development Code*

Table 4-7 Off-Street Parking Requirements			
USE CLASSIFICATION	SPECIFIC USE	MINIMUM NUMBER OF SPACES REQUIRED	
Residential Use Categories (§3.2)			
Household Living	Single-Family Dwellings, Townhouses, Two-family Dwellings, Manufactured Home and Mobile Home	2.0 per dwelling unit	
	Multi-Family Dwellings; and Upper Floor Residential	1 st Unit	2.0 per dwelling unit
		Each additional unit	1.75 per dwelling unit
	Accessory Dwelling Unit, and Upper Floor Residential	1.0 per Accessory Dwelling Unit	
Congregate Living	Rooming and boarding houses, dormitories, fraternities or sororities	1.0 per bed	
	Nursing Homes	1.0 per employee, plus 1 visitor space per 2 beds	
	Assisted Living	1.0 per employee, plus 1 visitor space per 4 beds	
Accommodations	Hotels and Motels	1.0 per guest room +1 space per 3 employees and 75% of parking required for other associated or accessory uses (restaurants, offices, meeting spaces)	
	Hostels	1.0 per 2 beds	
	Bed and Breakfasts	1.0 space per guest room, plus 2 spaces for the owner/manager's unit	

Section 4.4 Off-Street Parking and Loading

F. Off-Street Parking with ~~Eight or More Stalls~~. Off-street parking areas **are** ~~with eight or more stalls~~ subject to these driveway access standards; such parking facilities shall not be designed to back onto any street or alley right-of-way.

Section 9. Development Standard Waivers, 9.1 C.

2. Planning and Zoning Commission Waivers. Waivers that are determined ~~by the Commission and/or~~ administratively by staff are related to Site Development Applications. Waivers **determined by the Commission and/or** recommended to City Council by the Commission are acted upon as a public hearing agenda item at a **scheduled** ~~regular~~ meeting. The administrative review **by staff** follows all of the procedures set forth in Section 9.3 with the exception of item D, Public Notice. Waivers may be approved in conjunction with processing site development applications, land use development applications, including subdivision applications, as defined in §6.2.A of this LDC. (Ordinance 3, 2015)

STAFF REPORT
Text Amendment to the *Land Development Code*

TABLE 9-1 DECISION-MAKING FOR WAIVERS					
CODE SECTION	NO WAIVER ALLOWED	CD DIRECTOR	P&Z	CC	OTHER / COMMENTS
§4.6 E. Landscaping Requirements for all Zone Districts					Variance
§4.6 E.1. Minimum Tree and Shrub Plantings		√			Variance
§4.6 E.2 Living Plant Material requirement		√			
§4.6 E.3 10% landscape area in Industrial zone district		√			

Section 12. Subdivision Standards 12.1 Purpose

G. Development Improvement Costs Paid by Developers. ~~Provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners/developers of the tract.~~ **Provide provisions and documentation ensuring that defined improvement funding borne by the developer for public utilities and facilities are secure and protect the fiscal well-being of the City.**

DEPARTMENTAL COMMENTS

- Building Official: No issue.
- Fire Marshal: No issue.
- Parks and Recreation Department: No issue.
- Police Department: No issue.
- Public Works Director: No issue.
- City Engineer: No issue.
- Water and Sewer Superintendent: No issue.
- Electric Superintendent: No issue.
- City Attorney, Kathy Fogo: No issue.

STAFF OBSERVATIONS

1. The proposed Text Amendment requests amendments to Section 4.6 Landscaping Standards and other typographical corrections within the *Land Development Code*.
2. The amendment proposes changes to the minimum tree and shrub planting requirements within each zone district to provide consistency and flexibility.
3. A decrease in tree and shrub requirements is proposed for a zone district boundary. Staff believes the existing requirement is too onerous.
4. A figure is proposed that shows the relationship of the minimum tree and shrub plantings to the buffer planting requirements to provide a more user friendly document.
5. A correction to Table 4-7 Off-street Parking Requirements regarding upper floor residential is proposed.

STAFF REPORT
Text Amendment to the *Land Development Code*

6. An amendment to the Waivers section (Section 9 and Section 4 regarding buffer waivers) is proposed to clarify the regular meeting versus a public hearing process by the Planning and Zoning Commission.
7. An amendment to the waiver section regarding the minimum tree and shrub plantings is proposed as a Community Development Director decision and not a Variance process.
8. A wording amendment is proposed regarding development improvement costs.
9. The proposed amendments protect the health, safety and welfare of the community.

REVIEW STANDARDS FOR TEXT AMENDMENTS

LDC Section 6.8 C., states that “...an application that fails to comply with any applicable review standard shall be denied.” The *LDC* Section 10.5 states that “...an application for an amendment to the text of this *Land Development Code* shall comply with the following four standards:”

A. Consistent with Purposes. The proposed amendment shall be consistent with the purposes of this *Land Development Code*.

No Conflict. Purposes of the *LDC* are cited in Section 15.10.030 and include the following headings:

- 1) *Establish Development Standards* for the review of all proposed development in the City.
- 2) *Protect Quality of Life* by promoting the community’s general health, safety and welfare.
- 3) *Establish Review Process* that is clear, consistent, predictable and efficient.
- 4) *Provide for Orderly Development* of the City that is well-ordered and safe.
- 5) *Conserve Property Values* and respect interests of property owners and citizens.

The proposed amendment fulfills the purpose of the *LDC*. The amendment addresses needed corrections and typographical errors within the *LDC*.

B. No Conflict with Other Provisions. The proposed amendment shall not conflict with any other applicable provisions of this *Land Development Code*, or shall repeal or amend provisions of this *Land Development Code* which are inconsistent, unreasonable or out-of-date.

No Conflict: The proposed text amendment does not conflict with any sections of the *LDC*.

C. Consistent with Master Plan. The proposed amendment shall be consistent with the *Master Plan*, or shall implement a new portion of the *Master Plan*, or shall implement portions of the *Master Plan* which have proven difficult to achieve under the existing provisions of this *Land Development Code*.

No Conflict: The proposed text amendment is consistent with the *City of Gunnison Master Plan*.

D. Public Health, Safety and Welfare. The proposed amendment shall preserve the public health, safety, general welfare and environment and contribute to the orderly development of the City.

No Conflict: The proposed amendment is intended to preserve the public health, safety and general welfare of the community.

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RECOMMENDATION

During the Planning and Zoning Commission meeting held on March 9, 2016, Commissioner _____ moved, Commissioner _____ seconded, and the Planning and Zoning Commission voted to recommend APPROVAL, to City Council of Zoning Amendment application ZA 15-1, for a Text Amendment to modify the tree and buffer planting requirements within Table 4-11 (Minimum Tree and Shrub Plantings) and Section 4.6 F.3 (Zone District Boundary Buffer) and typographical errors throughout the *LDC*, based on the following findings of fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that the amendment provides consistency and flexibility within the *LDC*.
3. The Planning and Zoning Commission finds that proposed amendments clarifies the administrative direction or correct errors within the *LDC*.
4. The Planning and Zoning Commission finds that this Text Amendment application complies with the review standards for Text Amendments (*LDC*, Section 10.5).
5. The Planning and Zoning Commission finds that based on the record of the application proceedings, approval of this Text Amendment protects the community's health, safety and welfare.

DRAFT MINUTES FEBRUARY 24, 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 VICE CHAIR BOB BEDA

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS. There were none.

IV. CONSIDERATION OF THE JANUARY 27, 2016 MEETING MINUTES.

Commissioner Ferchau moved, and Commissioner Tocke seconded, to approve the January 27, 2016 meeting minutes as presented with one correction.

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

Roll Call No:

Roll Call Abstain:

Absent: Larson and Cave

Motion carried

V. THREE-MILE COUNTY REFERRAL – REQUEST BY O.A. PESNELL TO OPERATE A JEEP RENTAL BUSINESS WITHIN THE FLYING E RANCH SUBDIVISION

Director Westbay commenced his review. Mr. Pesnell is out of the state until May 2016. This does allow us time to discuss this request. So this review will allow Director Westbay some direction for a formal letter to be drafted and submitted to the County. The Inter-Governmental Agreement between the City and the County concerning the 3-mile Plan was reviewed. The first issue for this commission will be comments on the commercial business in the 3-Mile plan for sales tax collection. The second is non-residential occupations in the 3-Mile corridor. We should try to avoid urban sprawl in this 3-Mile area. Mr. Pesnell is showing \$100,000.00 worth of taxable sales. This application originally came in October 2015. So the dollar amount of total sales is an estimate. Commissioner Ferchau asked about some type of agreement to charge a fee for the loss of the future sales tax. Director Westbay responded that the City Attorney would

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have to approve any fee or sales tax collection in this area. Commissioner Ferchau asked if approvals in the past had fee stipulations involved in the approvals. Planner Ruggera indicated that some fees were collected for the Tomichi Village Inn project, but sewer connection was part of that approval. Commissioner Niemeyer asked if any City sewer or water would be used for this project. Director Westbay responded no. The 3-Mile area was discussed as was the prior approvals by the County on commercial applications in this 3-Mile area. Commissioner Niemeyer indicated that this parcel is visible from the highway. Commissioner Beda asked if it was before or after the storage units. The location was verified. Director Westbay asked the Commission to respond to the sales tax issue.

Commissioner Ferchau responded that if we collect sales tax we should provide some type of service. He was not opposed to not collecting sales tax.

Commissioner Tocke responded that the offer of submitting some type of sales tax from the applicant is very generous. If you are not receiving City services you should not be charged sales tax.

Councilman Schwartz asked if we do supply water and sewer can we charge the sales tax? Director Westbay responded not at this time. What kind of precedence will this set for the future? We need to indicate to the County that this is not a good idea for these businesses to relocate to the County in order to not pay sales tax. Councilman Schwartz would like to work with the County to arrive at a working solution for all involved.

Commissioner Beda questioned the City services being used. Is there an incentive to stay in the City and not move to the County? Will residential growth really happen in these areas? Montrose was used as an example of residential growth.

Commissioner Ferchau indicated that most of the commercial uses will stay in the City Limits. More of the commercial areas will stay on Highway 50 since there is far more traffic on that corridor. Commissioner Ferchau discussed the other locations of land available for development in the City limits.

The County's Land Use Resolution (LUR) procedures were discussed. The adjoining property owners and uses were reviewed.

Commissioner Niemeyer indicated that since they are using a City service, electricity, and there are sales tax being collected we should be requiring the tax.

Councilman Schwartz asked this commission if a formal letter to the County should be drafted indicating that this commission is disappointed that the County is allowing these businesses to move into these areas. Commissioner Ferchau indicated he was not in favor of a letter going to the County stating that this practice was wrong. Discussion ensued on larger outlets moving in this 3-Mile area.

Commissioner Beda asked about what would happen if there was a change of use. Director Westbay responded it would call for a new application.

Director Westbay indicated that since these sales are not great we should not pursue this.

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2nd question: Director Westbay asked since the LUR is a performance base document the ex-urban development pattern needs to be looked at. Director Westbay reviewed other locations in the state and their 3-Mile areas. Do we want to encourage this type of sprawl?

Comments from Commissioners:

Councilman Schwartz indicated he did not want to see this type of sprawl. Our current 3-Mile plan does not allow us to execute this. Councilman Schwartz indicated that we should work with the County to revise this plan. As it currently stands we can only request that retail, commercial, or industrial not be encouraged in this area.

Commissioner Beda responded that many residential people do not want to live directly on the highway. There does not seem to be a demand for residential expansion in this area at this time.

Commissioner Ferchau indicated that there is nothing in the near future for demand. Most businesses prefer the Highway 50 corridor for the traffic it creates. Various areas were discussed.

Councilman Schwartz asked if this was a low density area to begin with. Wasn't this scheduled for residential originally? Director Westbay described their intent. Commissioner Ferchau responded that it is not zoned residential. There are two uses allowed, one being a residential unit the other for agricultural use. So when the County does its review it will look at all the neighboring uses. The current consistent use would dictate this request was compatible.

Director Westbay also brought up the CDOT highway standard issues. The access issues were discussed. The long term plan of the County does not seem to cover many of these items. The existing 3-Mile plan has been in effect since 1997 and needs updating in the future. Rural and urban standards are different. Access points were discussed. Highway access control is a critical component of land use. Highway design standards of Colorado were discussed.

Commissioner Niemeyer responded that this will be a challenge to stop this type of growth. The City and the County need to work together, in a cooperative manner. This is also a common problem for other counties in Colorado.

Director Westbay indicated that at least we do not have the growth that areas like I-70 have. He also commended the County for its policies that are in place.

Commissioner Tocke stated that he was not in favor of the sprawl outside of these areas in many communities. He indicated that he does not think the County is encouraging this. It is the availability of the land for the business. He personally does not want to see it. He was not in favor of the piece meal development of this highway corridor.

VI. COUNCIL UPDATE. Councilman Schwartz commenced his review.

- Feb 2nd council meeting, electric vehicle charging system was discussed. Grant funds will be applied for. Per the grant this service would be free for the first 3 years. It should be located in the Central Business District (CBD). Gunnison is in an identified hole at this

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time. So a charging system would allow vehicles to proceed to Grand Junction or Pueblo.

- Parker Pastures lease is up for renewal on the Van Tuyl Ranch.
- Fourth quarter financials for 2015 were reviewed with Finance Director Ben Cowan. All indications are they are right in line with the projections.
- Councilman Schwartz attended the Colorado Municipal League policy meeting. There was an update on all the bills submitted in the current session.
- Feb 9th update from the library district. The director reported increase utilization in the adult programming. There was also an increase in items circulated.
- Discussion on the firms for the recruitment of the new City Manager. They were able to go from 11 to 5 companies. Each councilman will check references and they were able to get it down to 2. Commissioner Niemeyer asked why staff did not do this initial search of the manager. Councilman Schwartz indicated that it was a twofold issue. Timing for staff. The second is the networking these companies can bring to this search. These firms specialize in finding the perfect candidates.
- Feb 16th public hearing on liquor license for Yard Bird LLC. This was approved.
- The search for the recruiting company for the City Manager has been narrowed to Prothman and Company and Strategic Government Resources. So telephone interviews were then set up with each of these companies.
- Request for Contract for Services for \$500.00 for Sage Grouse Summit Event.
- Review of unfinished projects. The funds for these projects will be carried over to the 2016 budget.
- Discussion of Strategic Plan. This will be moved to a later work session to allow Council more time to review items in the budget.
- Chamber came and asked to change their contact to the Events Manager Andy Eflin. Council wanted a council member to represent this. The Chamber has agreed.
- Feb 23 White Porch LLC dba Hashish Hut was approved. All inspection and plans will be approved by the Community Development department.
- Update on the Municipal Court from Judge Jim McDonald.
- Funded the request for \$500.00 for the Sage Grouse Summit. Council also approved a letter of support for the Art Center Grant.
- Rails Event, sponsored by Red Bull has been moved from WSCU. Insurance policies for this were discussed. A gap policy was discussed. Director Westbay indicated they may have a solution on this now. The location will be over by the Gunnison Ice Rink. Councilman Schwartz indicated that we need to embrace this event.
- Update from Chief Robinson on anticipated expenses on the Monarch Pass incident. There will be more on this at a later time.

VII. COMMISSIONER COMMENTS.

- Commissioner Niemeyer had a constituent comment. This person was concerned with state of the rental market involving safety. Sometime in the near future this group will approach P & Z for a presentation.
- Commissioner Ferchau indicated that the board of trustees for WSCU had a meeting in Denver and enrollment trends are very positive. The selection process has been changed. There is also a regional wrestling tournament this weekend.

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Commissioner Niemeyer moved, and Councilman Schwartz seconded to excuse Commissioners Larson and Cave from this meeting.

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

Roll Call No:

Roll Call Abstain:

Motioned Carried

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

- Director Westbay presented the semiannual report to Council last night. We have re-written the Phase 2 scope for Safe Streets. We may need an additional \$100,000.00 to finish this project.
- Director Westbay has been working with Jim Collins, Special Council, assisting with the Gunnison Rising, Metro District.
- A Public Hearing for landscaping changes and text amendment to the LDC. This has been scheduled for March 9th.
- A Public Hearing PUD Major change for Gunnison Rising. Proposing a shift and an increase to the non-residential square footage. This has been scheduled for March 9th.

Mark Achen, Interim City Manager was introduced. He indicated that he is enjoying his time here. He stated that he was familiar with the discussion of sprawl that was reviewed earlier. The best approach to this dilemma is a joint commission with the two jurisdictions. You need to develop an intergovernmental agreement to work out strategies for each entity. He thanked this commission for their work.

Adjourn 8:25 pm

**IX. ADJORN TO WORK SESSION AT 8:25 PM– COMPREHENSIVE PLAN UPDATE –
FUTURE PLANNING SCENARIO AND VISIONING**

Attest:

Greg Larson, Chair

Michelle Spain, Secretary