

## **MEMORANDUM**

TO: City Council  
From: Community Development Staff  
Date: July 23, 2015  
RE: Minor Subdivision SB 15-1, Gunnison County Pioneer and Historical Society

At their meeting held on July 15, 2015, the Planning and Zoning Commission (P&Z) voted to recommend approval of application SB 15-1, Final Plat. The subdivision creates one parcel that is 8.16 acres (335,449.6 square feet) for the museum. The property was gifted to the Gunnison County Pioneer and Historical Society by Gunnison Valley Properties, LLC.

Based on the review standards for a subdivision and the Planning and Zoning Commission recommendation, staff recommends approval of this subdivision with the following findings of fact:

### **Findings of Fact:**

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that this application is for a Minor Subdivision creating a parcel approximately eight acres and located in the Gunnison Rising Annexation.
3. The Planning and Zoning Commission finds that the subdivision is located in the IM (Business and Research Park) PUD zone district within the Gunnison Rising Annexation.
4. The Planning and Zoning Commission finds that the subdivision of the subject property is compatible with the surrounding neighborhood.
5. The Planning and Zoning Commission finds that a 40 foot-wide easement for utilities and pedestrian access has been established on the Final Plat.
6. The Planning and Zoning Commission finds that the applicant desires, under a future application, to vacate a ditch easement recorded in 1902 and to create a new drainage ditch easement along the existing ditch line that will be established as a separate document from the Final Plat.
7. The Planning and Zoning Commission finds that a water line may be necessary to accommodate fire flow demands of new construction within the subdivision area and will be addressed in conjunction with building permit applications.
8. The Planning and Zoning Commission finds that the Drainage Report indicates there is ample room for detention storage to enhance water quality as construction occurs.
9. The Planning and Zoning Commission finds that the Gunnison Rising PUD did not contemplate a use similar to the museum and a Major Change to the *PUD Development Standards* will be required prior to making substantial changes on the newly deeded property.
10. The Planning and Zoning Commission finds that the Gunnison Rising Annexation was approved under the context of a Master Planned Community with completed road extensions, parks, open spaces, specific land uses, and natural resource conservation measures. This proposed subdivision is consistent with the intent of the *Gunnison Rising Mater Plan* directives.

11. The Planning and Zoning Commission finds that the recorded deed will limit property use exclusively for museum purposes and will prohibit further subdivision and title conveyance to a third party.
12. The Planning and Zoning Commission finds that the eight review standards for subdivisions have been or will be met and recommends that City Council approve the Final Plat.

The Council packet contains the staff report with the P&Z recommendation and the final plat application.

City Council has three options: 1) approve the final plat as proposed or with amendments; 2) deny the final plat; or 3) remand the application back to the Planning and Zoning Commission for further review.

**STAFF REPORT**  
**Minor Subdivision – Final Plat**  
**Gunnison County Pioneer and Historical Society**

TO: Planning and Zoning Commission  
FROM: Community Development Staff  
DATE: July 10, 2015  
RE: Minor Subdivision - Final Plat

**CODE PROVISIONS**

The City's *Land Development Code (LDC)* Section 12.3 defines the types of subdivision within the City. The applicant received a reclassification as a Minor Subdivision based on the provisions in Section 10.3 of the *LDC*, which allows for such change if the five review standards can be demonstrated. A Minor Subdivision is subject to an expedited subdivision two-step review process, wherein the Sketch Plan review by the Commission has been deleted. The applicable review steps are as follows:

1. Review of the preliminary plat by Planning Commission at a public hearing;
2. Review and recommendation of the final plat by Planning Commission (with no public hearing); and action on the final plat by City Council (with no public hearing).

The Planning and Zoning Commission reviewed and approved the Preliminary Plat at a public hearing on May 27, 2015 with the condition that the Final Plat application shall comply with all provisions of the City's *Land Development Code*.

The Planning and Zoning Commission reviews the Final Plat application and may recommend to City Council to approve, approve with conditions, remand the application for additional information, or deny the application.

**APPLICANTS**

The applicant, Gunnison County Pioneer and Historical Society, represented by CJ Miller is requesting a Minor Subdivision of a portion of the Gunnison Rising Annexation. The legal description of the property is a portion of land within the NE1/4, Section 1, T49N, R1W, NMPM, Tomichi Creek Corridor Annexation, reception number 597050, City and County of Gunnison, State of Colorado. The applicants' narrative states:

“This proposed subdivision is associated with a land gift from Gunnison Valley Properties to the Gunnison County Pioneer and Historical Society. The subdivision is sought in order to establish clear title for the general warranty deed that will be executed and recorded. The property will be deed restricted to ensure that uses are limited to museum related functions and the property cannot be transferred to a third party.

The subdivision parcel is within the Gunnison Rising Annexation. Terms and conditions for the use of the property are established in the *Gunnison Rising PUD Development Standards* (as amended) and the *Gunnison Rising Annexation Agreement* (as amended).”

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**SITE ASSESSMENT**

The property is located in the IM (Business and Research Park) PUD zone district within the Gunnison Rising Annexation. The property was gifted to the Gunnison County Pioneer and Historical Society by Gunnison Valley Properties, LLC. A General Warranty Deed for the property has been given to the applicant; however, the document has not been recorded. Subdivision of the property is required before the deed can be recorded to ensure a clear title to the property.

The proposed subdivision creates one parcel that is 8.16 acres (335,449.6 square feet) for the museum. The gifted property is bordered by the Pioneer Museum to the north, a tail water ditch to the east, County Road 49 and the Gunnison-Crested Butte Regional Airport to the south and the City of Gunnison (Jorgensen Park and the future Dog Park) to the west.



No public streets or alley dedications are proposed for the subdivision. Access will be provided from the existing museum property and the proposed subdivided property fronting Adams Street. The intended use of the property is for the expansion of the Pioneer Museum that may include the display of historical structures and other large historical artifacts. Internal paths and sidewalks will be constructed as needed for safe access throughout the museum.

**UTILITIES**

The proposed subdivision will be served by private utility extensions. Future City owned utility extensions will be located only within a dedicated 40 foot-wide utility and pedestrian easement, (as part of the recorded plat) located on the southern portion of the proposed subdivision parcel.

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DRAINAGE DITCH

The subdivided parcel is encumbered by a 1902 easement benefiting the City for the purpose of a drainage ditch. The easement location does not follow the existing drainage ditch and will be considered for a vacation through a separate document following the recording of the Final Plat.

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.

STAFF OBSERVATIONS

1. The applicant is requesting a Minor Subdivision to subdivide approximately eight acres from a large tract of land within the Gunnison Rising Annexation.
2. The subdivision is located in the IM (Business and Research Park) PUD zone district within the Gunnison Rising Annexation.
3. The subdivision would allow the expansion of the Pioneer Museum.
4. A 40 foot-wide utility and pedestrian easement is proposed along the south portion of the proposed subdivision.
5. Under a future application, the property owner will propose to vacate the 1902 ditch easement and to create a new drainage ditch easement along the existing ditch line.
6. Site access is provided from the existing Pioneer Museum and the Adams Street right-of-way.
7. A water line may be necessary to accommodate fire flow demands of new construction within the subdivision area and will be addressed in conjunction with building permit applications.
8. The Drainage Report indicates there is ample room for detention storage to enhance water quality as construction occurs.
9. The Gunnison Rising PUD did not contemplate a use similar to the museum and a Major Change to the *PUD Development Standards* will be required prior to making substantial changes on the newly deeded property.
10. The Gunnison Rising Annexation was approved under the context of a Master Planned Community with completed road extensions, parks, open spaces, specific land uses, and natural resource conservation measures. This proposed subdivision is consistent with the intent of the *Gunnison Rising Mater Plan* directives.
11. The recorded deed will limit property use exclusively for museum purposes and will prohibit further subdivision and title conveyance to a third party.
12. The requested subdivision does not negatively affect the health, safety and welfare of the community.

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REVIEW STANDARDS

The *LDC* Section 12.8 contains eight specific standards that are used by the Planning and Zoning Commission and City Council to consider for all subdivision applications. Based on the *LDC* Section 6.8, **an application that fails to comply with any applicable review standard shall be denied.**

A. **Master Plan.** The proposed subdivision shall carry out the purpose and spirit of the Master Plan and conform to all of the Plan’s applicable intent statements, specific directions and recommended actions. It shall be designed to be compatible with surrounding land uses, to protect neighbors from undesirable noise, glare and shadows and shall not cause adverse effects on their privacy, solar access and views. The following excerpts from the Master Plan are applicable to this subdivision.

**No Conflict.**

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. 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.

B. **Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for the use.

**Possible Conflict.** The property is located within the IM PUD zone district and modification to the land use table will be needed prior to expansion of the museum property.

C. **Improvements.** The proposed subdivision shall be provided with improvements which comply with Section 4 and 5.

**No Conflict.**

1. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.

**No Conflict:** Public streets and alleys are not proposed within this subdivision.

2. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision. As a condition of obtaining water service, any water rights which run with the property shall be dedicated to the City.

**No Conflict.** Utilities exist to the site. A 40 foot-wide utility and pedestrian easement is located on the south portion of the subdivided property for the future extension of utilities to serve Gunnison Rising.

3. **Landscaping.** Landscaping, buffering and screening as required by Section 4.6 shall be achievable given the underlying lot widths and rights-of-way dimensions.

**No Conflict:** The site is already developed and has mature landscaping.

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4. **Phases.** If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities, and streets that are necessary for creating and sustaining a stable environment.

**Not Applicable.**

D. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the areas. Natural features and native vegetation shall be preserved whenever possible.

**Not Applicable.**

E. **Floodplains.** Tracts of land or portions thereof lying within the one hundred year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.

**No Conflict.** The property is not within a special flood hazard area.

F. **Future Streets.** When a tract is subdivided into lot(s) or parcel(s) which are intended for future re-subdivision, such lot(s) or parcel(s) shall be so arranged so as to permit the logical location and opening of future streets and appropriate re-subdivision, with provision for adequate utility easements and connectors for such re-subdivision.

**No Conflict.** The 40 foot-wide easement will include the right for non-motorized public access.

G. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be so located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.

**Not Applicable.**

**H. Lots and Blocks**

1. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than 300' nor more than 1,200' in length.

**No Conflict.** The proposed lot sizes, shapes and orientation are appropriate and consistent with the surrounding neighborhood and the *Gunnison Rising Roadway Master Plan*.

2. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot.

**Not Applicable.**

3. **Right Angles.** Side lot lines shall be approximately at right angle or radial to street lines.

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**No Conflict.** Lot lines are appropriately angled.

**4. Double Frontage Lots.** Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of the topography or orientation. A planting and screening easement of at least 10” shall be provided along the portion of the lot which abuts such a Collector or Arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.

**No Conflict.**

**5 T Intersections.** The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a “T” intersection.

**No Conflict.**

**6. Solar Energy.** For the purposes of protecting and enhancing the potential for utilizing solar energy in the proposed subdivision, detached single family lots are encouraged to be laid out in such a manner that the houses will be oriented so that their long axis will run east/west and so that the houses will not block the solar access of adjacent houses.

**Not Applicable.**

**ACTION**

During the Planning and Zoning Commission meeting of July 15, 2015, Commissioner Tocke moved, Commissioner Niemeyer seconded and the Planning and Zoning Commission voted to recommend APPROVAL to the City Council, SB 15-1 Minor Subdivision Final Plat, Pioneer Museum Subdivision with the following findings of fact:

**Findings of Fact:**

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that this application is for a Minor Subdivision creating a parcel approximately eight acres and located in the Gunnison Rising Annexation.
3. The Planning and Zoning Commission finds that the subdivision is located in the IM (Business and Research Park) PUD zone district within the Gunnison Rising Annexation.
4. The Planning and Zoning Commission finds that the subdivision of the subject property is compatible with the surrounding neighborhood.

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5. The Planning and Zoning Commission finds that a 40 foot-wide easement for utilities and pedestrian access has been established on the Final Plat.
6. The Planning and Zoning Commission finds that the applicant desires, under a future application, to vacate a ditch easement recorded in 1902 and to create a new drainage ditch easement along the existing ditch line that will be established as a separate document from the Final Plat.
7. The Planning and Zoning Commission finds that a water line may be necessary to accommodate fire flow demands of new construction within the subdivision area and will be addressed in conjunction with building permit applications.
8. The Planning and Zoning Commission finds that the Drainage Report indicates there is ample room for detention storage to enhance water quality as construction occurs.
9. The Planning and Zoning Commission finds that the Gunnison Rising PUD did not contemplate a use similar to the museum and a Major Change to the *PUD Development Standards* will be required prior to making substantial changes on the newly deeded property.
10. The Planning and Zoning Commission finds that the Gunnison Rising Annexation was approved under the context of a Master Planned Community with completed road extensions, parks, open spaces, specific land uses, and natural resource conservation measures. This proposed subdivision is consistent with the intent of the *Gunnison Rising Mater Plan* directives.
11. The Planning and Zoning Commission finds that the recorded deed will limit property use exclusively for museum purposes and will prohibit further subdivision and title conveyance to a third party.
12. The Planning and Zoning Commission finds that the eight review standards for subdivisions have been or will be met and recommends that City Council approve the Final Plat.

**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):** CJ Miller  
Gunnison County Pioneer & Historical Society

**Phone #:** 596-4173 **Fax #:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**Mailing Address:** PO Box 824

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

**Legal Description**

Site Address of Property: See plat Zoning IM  
Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Addition: Gunnison Rising

**Disclosure of Ownership- Please provide one of the following:**

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

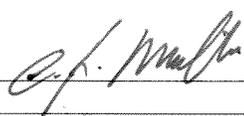
**Summary of Request:**

Minor Subdivision - Final Plat

**Attachments:**     Vicinity Map (8.5"X11")     Description of Proposal

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

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

**Signature(s)**  **Date** 7/16/15  
\_\_\_\_\_  
\_\_\_\_\_

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

I. Minimum Contents.

1. Minimum Application Content

A. Standard Application form (LDC Section 6.5.C)

- **Name, address, phone**

Gunnison County Pioneer and Historical Society  
803 E. Tomichi Avenue  
PO Box 824  
Gunnison CO, 81230

- **Legal**

Within the NE1/4, Section 1, T49N, R1W, NMPM, Tomichi Creek Corridor Annexation,  
Rec # 597050

- **Ownership Disclosure**

A copy of the Deed is attached. See Enclosure 1

- **Vicinity Map**

See Section II B, below

- **Written Description**

This proposed subdivision is associated with a land gift from Gunnison Valley Properties to the Gunnison County Pioneer and Historical Society. The subdivision is sought in order to establish clear title for the general warranty deed that will be executed and recorded. The property will be deed restricted to ensure that uses are limited to museum related functions and the property cannot be transferred to a third party.

The subdivision parcel is within the Gunnison Rising Annexation. Terms and conditions for the use of the property are established in the *Gunnison Rising PUD Development Standards* (as amended) and the *Gunnison Rising Annexation Agreement* (as amended).

- **Adjoining Property Address List**

City of Gunnison (Jorgenson Park)  
PO Box 239  
Gunnison, CO 81230

Gunnison Valley Properties, LLC  
864 W. South Boulder Road  
Louisville, CO 800272410

- Gunnison County Airport

200 E. Virginia Avenue  
Gunnison, CO 81230

II. Preliminary Application Contents (Section 12.6.B)

1. **Minimum Contents**

See Section I above

2. **Form**

All data provided in this application are clearly depicted and displayed in a clear format.

3. **Preliminary Plat**

See Enclosure 2

4. Vicinity Map.



5. **Existing Conditions Map** 11" x 17" See Enclosure 3
6. **Location of Public Facilities**

No public streets, alleys or other dedications are proposed for the subdivision. Access will be provided from the existing museum property fronting Adams Street. The existing museum property also fronts US Highway 50. The eastern and south fringes of the proposed subdivision are adjacent to a tail water ditch from the Gunnison Rising development area. Dedication of a 40 foot-wide easement, adjacent to County Road 49 (Airport perimeter road), is proposed to accommodate utilities, public trail connectivity and maintenance of the existing ditch.
7. **Sidewalks**

Public sidewalks will not be constructed as part of the site improvements.
8. **Land Dedications**

The 40 foot-wide easement adjacent to County Road 49 will be dedicated as part of the recorded plat.
9. **Lot Square footage and Gross Acreage**

The proposed subdivision is approximately 355,449.6 square feet or 8.16 acres.
10. **Limits of Disturbance**

The intended use of the property is to place and display historical structures and other large historical artifacts donated to the museum. Pad sites will be constructed as needed for the placement of structures. Paths and sidewalks will be constructed as needed to provide safe access for museum visitors to view the historical features.
11. **Drainage Report.** See Drainage Report Letter from Williams Engineering, LLC
12. **Utilities**

The proposed subdivision will be served by private utility extensions. The only City owned utility extensions will be located within a 40 foot-wide utility and pedestrian easement located on the southern fringe of the subdivision parcel. At this point in time, electrical service lines and ground transformers are being contemplated.

The major consideration will be any water line extensions necessary to accommodate fire flow demand. Fire flow demand is based on building construction type and building occupancy. Existing fire hydrants are located on the perimeter of the site, and based on size and use of existing buildings in the museum the fire flow demand will be relatively minimal. The extension of water mains to accommodate fire protection mandates will be addressed in conjunction with building permits associated with future improvements.
13. **Commitment Letters**

Natural gas, phone and other private utilities will not be extended into the subdivision site.
14. **Preliminary Drawings**

This application requirement has been waived by the Community Development Director because city owned utilities will not be extended into the site.
15. **Road Plans**

This application requirement has been waived by the Community Development Director because public rights of way and roads will not be extended into the site.

**16. Grading Plan**

This application requirement has been waived by the Community Development Director because city the nature of the future property use will not warrant extensive over-lot grading.

**17. Hazard Mitigation Plan**

The subdivision site is outside of any Special Flood Hazard Area. No identified hazard areas exist on the proposed subdivision site, based on documents provided in the Gunnison Rising Annexation.

**18. Slopes Greater than 10 Percent**

The site is on terrain with gradual slope and the average grade across the site is less than 10 percent.

**19. Anticipated Development Phasing.** The museum board anticipates that this site will build out within 40 to 60 years. Improvements will be made as donations are given to the museum. The capital improvement budget is generally between \$15,000 and \$18,000 annually. In the last five years a total of nine buildings (3,168 square feet) were constructed.

**20. Title Insurance** See attached.

**21. Site Development Tabulation.**

PUD Requirements	Proposed
Minimum lot size 10,000 SF	355,449 SF
Maximum lot coverage 80%	284,359 SF Max
Landscaping 10% + Perimeter buffers	35,545 SF Min. plus buffers
Side Setback 15'	15'
Rear Setback 15'	15'
Front Setback 25'	25' front all public roads
Maximum Bldg Ht. 35'	35'
Zoning District buffer 30'	southern and west boundary
Highway 50 buffer 50'	

**22. Development Report**

a. **Site Characteristics.** As noted on the existing conditions map (Section 5, above) the proposed subdivision is outside of the Special Flood Hazard Area. Based on a written determination by the Army Corps of Engineers (2009), jurisdictional wetlands are not present on the site. However, the ACOE determination has expired and future development may be subject to site inventory mapping and verification that wetlands are not present.

The subdivision parcel in low lying area and high ground water conditions are likely. The high ground water conditions may affect foundation designs.

- b. **Soils.** Three soils types are found on the subdivision site, based on the Natural Resource Conservation Service, Web-Soils Survey. The upland area is covered with the Bosler Sandy Loam, which forms on slopes of 1-5 percent. The Irim Loam encompasses the low-land fringes on the southern part of the subdivision site and it is a typical soil found in floodplains of the basin. The Dewville Loam is mapped in the northeast corner of the site.

Based on the *Master Drainage Study for Gunnison Rising* (2013) the site soils are classified in Hydrologic Soil Groups B, C, D. In general, these soils groups are moderate- to poorly drained. Soils found on the subdivision site have low shrink/swell potential. Soil characteristics should not present any significant constraint for foundation design.

- c. **Geology.** The proposed subdivision site is located on a river terrace formed by Tomichi Creek. Site materials consist of alluvial deposits. The meandering channel of Tomichi Creek form Oxbow features within the floodplain of the valley, and they are typically deep silt and clay deposits. An engineered foundation design is warranted if significant clay/silt materials are found during excavation.



- d. **Water Supply and Sewage Disposal.** The property is to be deed restricted to limit use to the purposes of the museum. While structures may be located on the property they will not be occupied, rather visitors will tour the facilities. Private electrical service extensions are anticipated for any new facility exhibits located on the new subdivision tract. At this point in time the museum officials do not anticipate the need for sewer and water services on the subdivision site – public restrooms are available in the existing Museum Center. Museum officials are aware of the fact that the placement of new exhibits may be subject to adopted building codes and fire codes, and the extension of water lines to meet fire demands may be necessary in the future.
- i. Availability to Serve. The only utility extensions proposed for the site are private service lines. If a water line extension is required to fulfill fire flow demand it will be a private line sized to accommodate fire flow demands as set forth in the International Fire Code.
- ii. Water Rights. There are no water rights associated with this subdivision.
- e. **Costs of Improvements, Phases & Covenants.** No public improvements are anticipated for the subdivision, but a 40 foot-wide utility and trail easement is included on the plat in order to facilitate utility extensions that will serve future development in the Gunnison Rising Annexation. This land gift will more than double the land area of the museum and will accommodate property needs well into the future – no phasing development plans have been contemplated

This proposed subdivision is associated with a land gift from Gunnison Valley Properties to the Gunnison County Pioneer and Historical Society. The subdivision is sought in order to establish clear title for the general warranty deed that will be executed and record. The property will be deed restricted to ensure that uses are limited to museum related functions and the property cannot be transferred to a third party.

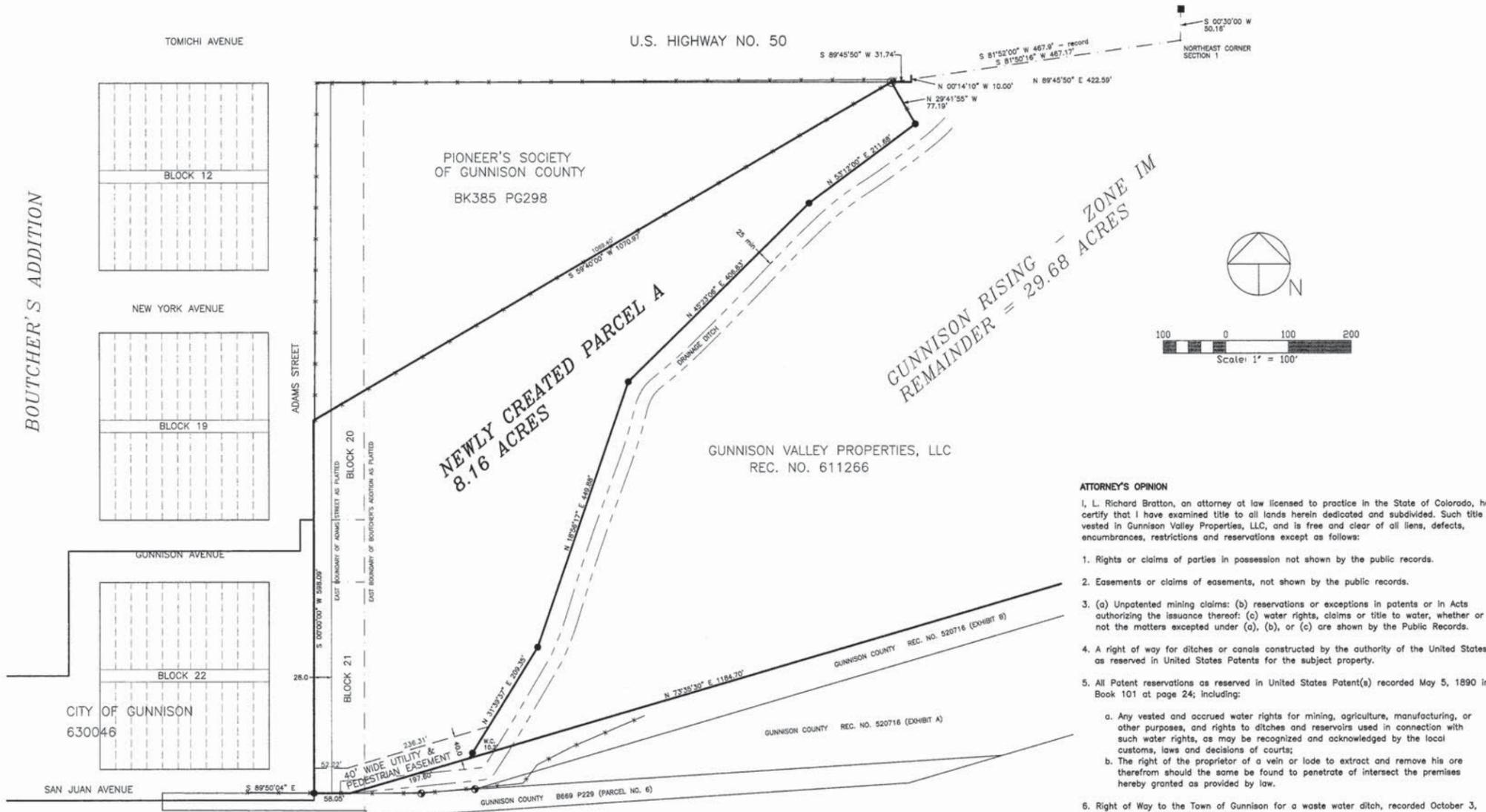
- f. **Solar Energy.** The subdivision site has an excellent southern orientated aspect and solar alternatives could easily be established for the site.
- g. **Floodplain.** No Special Flood Hazards are located on the subdivision site.
- h. **Wetlands.** A letter from the Army Corps of Engineers (ACOE) to Gunnison Valley Partners (June 13, 2008), which was associated with the annexation, verified that no jurisdictional wetlands were located on the site. However, this ACOE letter of verification was only valid for a five year period. The museum officials may be required to obtain additional determinations in the future if potential wetlands may be impacted.
- i. **Traffic Analysis.** Future traffic demands from the museum are not anticipated to be substantial. Access to the museum is from Adam Street. The Highway 50 Access Control Plan (2013) established Adams Street as a full-movement intersection. Anticipated future peak traffic movements are anticipated to be relatively minimal.

Based on the Institute of Transportation Engineers, Trip Generation (6<sup>th</sup> Edition) this type of land use will generate 5.37 vehicle trips per acre per day. Based on this published trip multiplier, approximately 43 additional trips per day for the museum use can be expected in the future.

- j. **Irrigation Ditch System.** As previously stated a large tail-water ditch is located on the south and east perimeter for the subdivision site and it encumbers only a small portion of the museum site. A small lateral ditch drains into this area in the common corner of the museum and the City's future dog park site. A culvert has been placed on an existing access point that crosses this small irrigation and no other improvements are anticipated. Improvements will be very minimal.
- k. **Landscape Plan.** The proposed 40 foot easement on the southern border of the subdivision will provide for adequate street buffering which is required by the PUD. There is no highway frontage on the proposed subdivision which precludes the need for a landscape buffer. The PUD landscape requirements will be accomplished as museum improvements expand into this area.
- l. **Final Plan Application Content Modification Request.** No modification requests are proposed by this application.

ENCLOSURE 1: Plat Map

**PIONEER SUBDIVISION**  
 within  
**THE NE1/4 OF SECTION 1, T49N, R1W, N.M.P.M.**  
 also within  
**TOMICHI CREEK CORRIDOR ANNEXATION, REC. NO. 597050**  
**CITY OF GUNNISON, GUNNISON COUNTY, COLORADO**



**DEDICATION**  
 Gunnison Valley Properties, LLC, a Colorado limited liability company, being the owner of the property described as follows:  
 A parcel of land within the NE1/4 of Section 1, Township 49 North, Range 1 West, New Mexico Principal Meridian, Gunnison County, Colorado, more particularly described as follows:  
 Commencing at the northeast corner of said Section 1, as marked by a USGLO brass cap Witness Corner which bears North 00°30'00" East 50.16 feet from the true corner, thence South 81°50'16" West to the northeast corner of that property described by deed recorded in Book 385 at page 298 in the 298 in the records of Gunnison County, Colorado, as marked by a 5/8 inch rebar with a one inch aluminum cap stamped "LS 1776" (this tie being previously recorded as South 81°52' West 467.9 feet), the POINT OF BEGINNING of the herein described parcel, thence the following courses:  
 1. South 59°40'00" West 1070.97 feet along the southerly boundary of said property, and its extension, to the west boundary of the east 28 feet of Adams Street, as platted of the Map of Boucher's Addition to Gunnison (said boundary also being 22 feet east of the platted centerline of said Adams Street);  
 2. South 00°00'00" West 598.09 feet along said boundary, (also parallel to and 22 feet east of said centerline), to the south boundary of that property described by deed recorded at Reception No. 611266 in said records;  
 3. South 89°50'04" East 58.05 feet along said boundary;  
 4. North 73°35'30" East 197.60 feet along said boundary;  
 5. North 31°39'37" East 209.35 feet;  
 6. North 18°56'17" East 449.88 feet;  
 7. North 45°23'06" East 406.83 feet;  
 8. North 53°12'00" East 211.88 feet;  
 9. North 29°41'55" West 77.19 feet to the POINT OF BEGINNING.

has laid out and platted the same as shown on this plat and does hereby grant and dedicate to the City of Gunnison, a Colorado home rule city and municipal corporation, a 40 foot wide perpetual non-exclusive easement, (the "Permanent Easement", for the City of Gunnison, a Colorado home rule city and municipal corporation ["the City"]), to enter, occupy and use said property for pedestrian use over and across the surface of the Property and to construct, reconstruct, use, operate, maintain, repair, patrol, replace, enlarge or remove one or more pipelines, conduits, poles, vaults, meters, regulator stations, switches, transformers, valves, hydrants, manholes, or any other utility structures (including, but not limited to communication facilities), and all necessary underground or aboveground cables, wires and appurtenances thereto, including, but not limited to, electric or other control systems, cables, wires, connections and surface appurtenances (the "Improvements") in, on, over, under and across the Property.

Executed this \_\_\_\_ day of July, 2015.  
 Gunnison Valley Properties, LLC  
 By: L. Richard Bratton, Manager

STATE OF COLORADO )  
 ) ss.  
 COUNTY OF GUNNISON )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of July, 2015, by L. Richard Bratton, Manager, Gunnison Valley Properties, LLC.

Witness my hand and official seal.  
 My commission expires \_\_\_\_\_  
 Notary Public

**PLANNING AND ZONING COMMISSION APPROVAL**  
 This plat is approved by the City of Gunnison Planning and Zoning Commission this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.  
 Chairman

**CITY COUNCIL APPROVAL**  
 This plat is approved for filing and the City hereby accepts the dedication of the streets and roads shown hereon subject to the provisions in "Street Maintenance" set forth above, and further accepts the dedication of the easements shown hereon.  
 Signed this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.  
 CITY OF GUNNISON  
 BY: \_\_\_\_\_  
 Mayor

**RECORDER'S CERTIFICATE**  
 This plat was filed for record in the office of the County Clerk and Recorder of Gunnison County at \_\_\_\_ M on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_, Reception No. \_\_\_\_.  
 County Clerk and Recorder  
 BY: \_\_\_\_\_  
 Deputy

PEARSON SURVEYING P.O. BOX 652 GUNNISON, CO 81230 970-641-2910 PROJECT # 15-1-1	DATE : 4/16/15 LATEST REVISION DATE : 7/8/15
SHEET 1 OF 1	

**ATTORNEY'S OPINION**  
 I, L. Richard Bratton, an attorney at law licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in Gunnison Valley Properties, LLC, and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows:  
 1. Rights or claims of parties in possession not shown by the public records.  
 2. Easements or claims of easements, not shown by the public records.  
 3. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.  
 4. A right of way for ditches or canals constructed by the authority of the United States as reserved in United States Patents for the subject property.  
 5. All Patent reservations as reserved in United States Patent(s) recorded May 5, 1890 in Book 101 at page 24; including:  
 a. Any vested and accrued water rights for mining, agriculture, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts;  
 b. The right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law.  
 6. Right of Way to the Town of Gunnison for a waste water ditch, recorded October 3, 1902 in Book 155 at page 253.  
 7. Terms, conditions, stipulations and obligations as set forth in the Gunnison Rising Annexation Agreement recorded February 24, 2010 as Reception No. 597048 and Ordinance approving said annexation recorded February 24, 2010 as Reception No. 597049, the Real Estate Transfer Assessment Declaration recorded February 24, 2010 as Reception No. 597051, Supplement to Annexation Agreement recorded October 7, 2010 as Reception No. 601235 and second Supplement to Annexation Agreement recorded August 18, 2011 as Reception No. 607478.  
 8. Those items as indicated on the Tomichi Corridor Annexation Plat recorded February 24, 2010 as Reception No. 597050.  
 9. Aviation Easement and Right of Way granted to the City of Gunnison by Gunnison Valley Partners, LLC, a Colorado limited liability company as set forth in the instrument recorded on February 24, 2010 as Reception No. 597056.  
 10. Notice of Transfer Fee filed by the City of Gunnison as set forth in the instrument recorded September 30, 2011 as Reception No. 608623.  
 11. Access and Utility Easement for the benefit of The State of Colorado, by and through the Colorado division of Wildlife as set forth in the instrument recorded on November 30, 2009 as Reception No. 595416.  
 Dated as of the 1st day of May, 2015 at 8:00 A.M.  
 L. Richard Bratton

**CERTIFICATE OF STREET AND UTILITY MAINTENANCE**  
 Public notice is hereby given that neither the dedicated roads nor the public utilities shown on this plat will be maintained by the City of Gunnison until and unless the subdivider constructs the streets and roads and utilities in accordance with the subdivision agreement, if any, and the subdivision regulations in effect at the date of the recording of this plat and approval of the City has been issued to that effect. When the City approves a street or utility for maintenance, the street or utility shall become public in all senses of the word and the subdivider has no further obligations in regards to that particular street or utility.

**SURVEYOR'S CERTIFICATE**  
 I, Timothy E. Pearson, a registered land surveyor in the State of Colorado, certify that this plat and the survey referred to herein were made under my direction and control and that both are true and correct to the best of my knowledge.  
 Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.  
 Timothy E. Pearson  
 Colorado L.S. No. 34979

- LEGEND**
- Found USGLO Brass Cap
  - ⊕ Found rebar with aluminum cap stamped "LS 1776"
  - ⊙ Found rebar with aluminum cap stamped "LS 25644"
  - Set rebar with plastic cap stamped "LS 34979"
  - Fence

**NOTES:**  
 1. Property was located by field measurements from city monument at the intersection of Main Street with Tomichi Avenue. Basis of bearings is NORTH between said monument and a similar monument at the intersection of Main Street with Denver Avenue.