

GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: FRIDAY, July 19, 2019 8:45 a.m.

- **Call to order; determine quorum**
- **Approval of Minutes**
- **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

9:00 a.m. Commnet Four Corner, work session, request to replace a 14' utility pole within a 5 ft. x 5ft. lease ground approximately 50 ft. southeast of the Taylor Park Trading Post main building. The **parcel** is located at 23044 CR 742. LUC-19-00006

9:45 a.m. Gunnison Secure Storage, Cont. Public Hearing, request to remove the existing single family residence adjacent to State Highway 135 and construct a commercial, mixed use building not to exceed 9,999 sq. ft. Tenants will include an engineering office and the second office will be built to suit. Water supply will be by central well and sewer by connection to the No. Gunnison Sewer District system. The site is located on .84 acres, just no. of Gunnison at 012 Highway 135. LUC-19-00007

10:30 a.m. Hunter Ridge, work session, request to develop sixteen residential units on an approximately 10-acre parcel. Four triplex unit (12 units total) and four single-family residential lots. Lot sizes range from 0.33 to 0.75 acres. Single family homes are proposed to be no greater than 8,500 sq. ft. Triplex buildings are proposed to be not greater than 8,500 sq. ft. Two of the triplex units **are** proposed to be deed restricted as workforce housing. The parcel is located at 45 Hunter **Hill Rd.**, It is adjacent to the Town of Mt. Crested Butte. LUC-19-00008

11:30 a.m. Gallegos Corporation, work session, request to construct a new road to access the 112 Construction Materials Reclamation Permit area (112 Permit) on U.S. Forest Service land. There is an existing permitted rock harvesting operation at the site. The parcel is generally located approximately 1.5 miles west of the Town of Marble, north of County Rd. 3. LUC-18-00053

12:15 p.m. Colorado Parks and Wildlife (CPW), work session, CPW and the Planning Commission will conduct an information work session.

1:30 p.m. Roper Subdivision, Site Visit, request to subdivide four lots on an approximately 189-acre parcel. Lot 1-3.37 acres, Lot 2-3.38 acres, Lot 3-8.22 acres and Lot 4- 174 acres (remainder of the ranch.) The parcel is generally located 8 miles northeast of the City of Gunnison; approx. ½ mile east of Highway 135, on the east side of the Gunnison River. LUC-19-00012

3:00 p.m. Hunter Ridge, Site Visit , request to develop sixteen residential units on an approximately 10 acre parcel. Four triplex unit (12 units total) and four single-family residential lots. Lot sizes range from 0.33 to 0.75 acres. Single family homes are proposed to be no greater than 8,500 sq. ft. Triplex buildings are proposed to be not greater than 8,500 sq. ft. Two of the triplex units are proposed to be deed restricted as workforce housing. The parcel is located at 45 Hunter Hill Rd., It is adjacent to the Town of Mt. Crested Butte. LUC-19-00008

**COUNTY PLANNING COMMISSION
REGULAR MEETING
Friday, July 19, 2019**

The Gunnison County Planning Commission conducted a regular meeting in the Planning Commission Meeting Room in the Blackstock Government Center, 221 N. Wisconsin, Gunnison, Co. **Present:**

Chairperson- AJ Cattles Vice-Chairperson-Jack Diani Commissioner-Vince Rogalski Commissioner-Diego Plata Alternate Commissioner- Laura Puckett Daniels	Director of Community and Economic Development-Cathie Pagano Senior Planner – Rachel Sabbato Manager of Administrative Services- Beth Baker Others present as listed in text
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Recused/Absent/Seated:

Absent: Commissioners Spivey and Mugglestone

Recused: Commissioner Cattles for the Gunnison Secure Storage agenda item

Seated:

With a quorum present Chairperson Cattles opened the July 9, 2019 regular meeting of the Planning Commission.

Moved by Plata seconded by Diani to approve the Planning Commission meeting minutes of June 21, 2019, as presented, the motion passed unanimously.

Commnet LUC-19-00006): The Gunnison County Planning Commission conducted a work session. They reviewed the request to replace a 14' utility pole within a 5 ft. x 5ft. lease ground approximately 50 ft. southeast of the Taylor Park Trading Post main building. The parcel is located at 23044 CR 742.

With a quorum present Chairman Cattles opened the work session.

Present representing Planning Commission: Commissioners Cattles, Diani, Rogalski, and Plata.

Present representing staff: Director of Community and Economic Development Cathie Pagano, and Manager of Administrative Services Beth Baker.

Present representing the application: Samantha Black and Cindy Phillips.

Black described the request as a replacement of a 14' utility pole, with a 27 ft. utility pole. It will tie into a fiber installation. This improvement will increase the amount of available data. The coverage is primarily for the Taylor Park area. This will provide first responders with better communication opportunities. She also submitted a photo of the fencing.

Pagano noted the applicants had provided a narrative describing how the project adheres to the County standards.

Cattles asked if there will be significant impacts to neighbors. Pagano has not received any comments from neighbors, and there is an existing tower there now.

Moved by Rogalski seconded by Diani to reduce the impact classification of LUC-19-00006 from a minor impact to an administrative review. The motion passed unanimously.

Gunnison Secure Storage (LUC-19-00007): The Gunnison County Planning Commission conducted a continued public hearing. They discussed the request to remove the existing single family residence adjacent to State Highway 135 and construct a commercial, mixed use building not to exceed 9,999 sq. ft. Tenants will include an engineering office and the second office will be built to suit. Water supply will be by central well and sewer by connection to the No. Gunnison Sewer District system. The site is located on .84 acres, just no. of Gunnison at 1012 Highway 135.

Chairman Cattles recused himself.

Vice-Chairman Diani opened the continued public hearing.

Present representing Planning Commission: Commissioners Diani, Rogalski, and Plata.

Present representing staff: Director of Community and Economic Development Cathie Pagano, and Manager of Administrative Services Beth Baker.

Present representing the application: Owner/ developer AJ Cattles.

Cattles noted they have completed the agreement with the Upper Gunnison Water Conservancy District. They have also submitted a list of expressly accepted uses and prohibited uses. There will not be residential uses at this time.

The commissioners reviewed the draft decision.

Diani closed the public hearing.

Moved by Rogalski seconded by Plata to approve LUC-19-00007 removal of an existing residence and constructing a commercial, mixed use building not to exceed 9,999 sq. ft.

PROJECT DESCRIPTION:

Gunnison Secure Storage represented by AJ Cattles proposes to remove the existing single family residence adjacent to State Highway 135 and construct a two-story, 7,000 square foot commercial, mixed use building not to exceed 9,999 square feet. Tenants will include an engineering office and the second will be built to suit. Hours of operation will be Monday through Friday, 7am to 7pm. The existing paved 22' access for the Gunnison Secure Storage's storage facility will serve this proposed commercial building. In addition to existing landscaping four more trees will be planted on the west side of the building, adjacent to Highway 135. This parcel was subdivided in 2017 under LUC-17-00015. This parcel is adjacent to the City of Gunnison.

The subject parcel is legally described as 0.84 acres, just north of Gunnison, in the SE4SW4, Section 25 Township 50 North, Range 1 West N.M.P.M at 1012 Highway 135.

IMPACT CLASSIFICATION:

The project, by definition, is a Minor Impact pursuant to *Section 6-102: Projects Classified as Minor Impact Projects H. New Commercial, Industrial 10,000 Sq. Ft., or Five Acres Or Less.*

SUBMITTED DOCUMENTATION:

- Copy of Minor Impact application dated September 2017, LUC-17-00015
- Referral Comments
- Existing Conditions Map dated June 18, 2019 by SGM
- Drainage and Landscape Map dated June 18, 2019 by SGM
- Parking Map dated June 18, 2019 by SGM
- Water Supply Plan by SGM, dated April 4, 2019
- Upper Gunnison River Water Conservancy District Third Party Agreement for Purchase of Aspinall Unit Storage Water for Long-term Water Service, dated April 30, 2019.
- Law of the Rockies, letter from attorney Kendall Burgemeister dated March 21, 2019
- Gunnison Secure Storage Narrative letter for building envelope dated April 24, 2019
- Sage Grouse Review, dated April 12, 2019

MEETING DATES:

The Planning Commission held work sessions and public hearings to discuss the application on the following dates:

- May 18, 2019 Work session
- June 21, 2019 Site Visit, Public Hearing
- July 19, 2019 Continued Public Hearing

SITE VISIT:

The Planning Commission determined that a site visit was necessary and was conducted on June 21, 2019. Comments from commissioners included that the proposed use will be compatible with the neighborhood, will offer a complimentary aesthetic to the Highway 135 corridor and that the parking lot located behind, to the east of the building, will accommodate the amount of cars expected. The possibility that the second tenant space be used as a residential space was also discussed.

PUBLIC HEARING:

The Planning Commission conducted a public hearing on June 21, 2019, no comments were received. A continued public hearing is scheduled for July 19, 2019.

REVIEW AGENCY REFERRAL COMMENTS:

A copy of the complete application was sent via electronic mail on April 12, 2019 to the following agencies:

- Gunnison County Public Works
- City of Gunnison Fire Protection District

- City of Gunnison Community Development
- Colorado Department of Transportation
- Colorado Parks and Wildlife
- Colorado Division of Water Resources

Comments from the agencies are noted in the applicable sections below.

COMPLIANCE WITH APPLICABLE SECTIONS OF THE GUNNISON COUNTY LAND USE RESOLUTION:

Section 9-100: *Uses Secondary to a Primary Residence.*

Not applicable. No secondary uses are proposed.

Section 9-200: *Special Residential Uses.*

Not applicable. No special residential uses are proposed.

Section 9-300: *Commercial and Industrial Uses.*

Applicable, the proposed two-story, 7,000 square foot commercial building shall have a parking lot located on the east side of the building. No covenants or phasing is proposed. Tenants will include an engineering office and the second tenant will be built to suit. The proposed commercial use is required to comply with the applicable standards of this Section.

- 1. NON-RESIDENTIAL ACCESSORY USES.** Applicable, the applicant proposes an office and support areas relative to the commercial use.
- 2. FOOD SERVICE REQUIREMENTS.** Not applicable, no food service is proposed.
- 3. ELECTRICAL DISTURBANCES.** Not applicable, no electrical disturbances are proposed or expected.
- 4. FIRE AND EXPLOSIVE HAZARDS.** Not applicable, no fire and explosive hazards are proposed or expected.
- 5. GLARE AND HEAT.** Not applicable, no glare or heat from commercial operations are proposed or expected.
- 6. EXTERIOR LIGHTING.** Applicable, whenever exterior lighting is installed in commercial or industrial development, it shall be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare, and shall comply with the applicable standards of Section 13-114: *Exterior Lighting.*
- 7. ODORS.** Not applicable, no odors are proposed or expected.
- 8. RADIOACTIVITY.** Not applicable, no radioactivity is proposed or expected.
- 9. VIBRATION.** Not applicable, no vibration is expected or proposed.
- 10. NOISE.** Not applicable, no noise is proposed or expected.

E: Design Standards for Light Industrial Uses.

Prior to occupancy for a light industrial use in the second tenant space, the applicant shall submit a narrative to the Gunnison County, Community and Economic Development department demonstrating how the *Design Standards for Light Industrial Uses*, Section 9-301, E in the Gunnison County Land Use Resolution are being met.

Expressly Accepted Uses for the second tenant suite:

- Office
- Engineering
- Architectural
- Design
- Legal
- Medical

- Real estate
- Construction
- Light industrial
- Equipment rental
- Geotechnical testing
- Fabrication
- Brewing / distilling
- Tasting room for brewery or winery

Expressly Prohibited Uses:

- Gas station
- Heavy industrial
- Department stores
- Outdoor fabrication
- Drive through restaurant

Any uses not identified above may be required to obtain an additional Land Use Change permit.

Section 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials.*

Not applicable. No exploration, extraction or processing minerals or construction materials are proposed.

Section 9-500: *Miscellaneous Uses and Activities.*

Not applicable. No miscellaneous uses or activities are proposed.

Section 9-600: *Essential Housing*

Not applicable. No essential housing is proposed.

Section 10-102: *Locational Standards for Residential Development.*

Not applicable. Residential development is not proposed.

Section 10-103: *Residential Density.*

Not applicable. Residential development is not proposed.

Section 10-104: *Locational standards for commercial, industrial or other non-residential uses.*

Applicable. This proposal meets the Primary Locational Standard, Section 10-104. The subject parcel is adjacent to the City of Gunnison, is located within a municipal three-mile plan area, and is served by a central wastewater treatment system. In an email dated May 6, 2019 from Anton Sinkewich, Community Development Director for the City of Gunnison, he states, "City of Gunnison staff has no opposition to the proposal as submitted to replace a 3 bedroom single family residence with a 9,600 square foot office building with two tenant suites. We appreciate that the project will be built on an already developed footprint that will minimize area impacts. Following review of other comments submitted by CDOT, we also understand and appreciate that the project will not create any significant impacts on traffic circulation or increase in trip generation."

Section 11-103: *Development in Areas Subject to Flood Hazards.*

Not applicable. The proposed development is not subject to flood hazards according to Gunnison County mapping.

Section 11-104: *Development in Areas Subject to Geologic Hazards.*

Not applicable. The proposed development is not subject to geologic hazards according to Gunnison County mapping.

Section 11-105: *Development in Areas Subject to Wildfire Hazards.*

Not applicable. The proposed development is not subject to wildfire hazards according to Gunnison County mapping.

Section 11-106: *Protection of Wildlife Habitat Areas.*

Applicable, the proposed project is in Sage-grouse occupied habitat according to County mapping. A Sage-grouse review has been completed and the final report by Aleshia Rummel, Gunnison Conservation District Wildlife Biologist dated April 12, 2019 states, "that this proposed activity will not adversely impact Gunnison sage-grouse or their habitats."

Colorado Parks and Wildlife was also contacted and stated that they had no concerns with this proposal.

Section 11-107: *Protection of Water Quality.*

Not applicable. The proposed development is not within or near any water bodies.

Section 11-108: *Standards for Development on Ridgelines.*

Not applicable. The proposed development is not on a ridgeline.

Section 11-109: *Development That Affects Agricultural Lands.*

Not applicable. The proposed development will not affect agricultural land.

Section 11-110: *Development of Land Beyond Snowplowed Access.*

Not applicable. The proposed development is not beyond snowplowed access.

Section 11-111: *Development on Inholdings in The National Wilderness.*

Not applicable. The proposed development is not an inholding in The National Wilderness.

Section 11-112: *Development on Property Above Timberline.*

Not applicable. The proposed development is not above timberline.

Section 12-103: *Road System.*

Applicable, an existing paved access road has been constructed for the mixed light industrial/workforce housing and storage facilities obtained in LUC-17-0015. A CDOT highway access permit was obtained 8/9/2017 granting permission to have an access to State highway 135 at this location. An additional parking lot will be constructed on the east side of the proposed commercial building.

Dan Roussin from CDOT stated in an email on April 29, 2019 that, "CDOT did give a permit (#317055) for 35 Design Hourly volume. I have reviewed the Trip Generation letter sent by SGM dated March 10, 2019. The trip generation states that there will be 36 trips in the design hour volume. This isn't a significant change from the existing permit in accordance with Section 2.6 of the State Highway Access Code. Therefore, no new access permit is needed. I would recommend the County look at the right of way needs in the future for a public roadway system in this area. It would make sense, that there would be connections to the current roadways in the future. However, this will need to be discussed with the City of Gunnison."

Director of Gunnison County Public Works, Marlene Crosby, stated in an email dated May 8th, 2019 "I was interested in CDOT comments, and they find the approach adequate. The Public Works Department has no concerns or issues. It seems to be working well with the vegetation cleared and drainage issues addressed when it was constructed."

Anton Sinkewich, Director of Community Development, City of Gunnison also cited, "...Following review of other comments submitted by CDOT, we also understand and appreciate that the project will not create any significant impacts on traffic circulation or increase in trip generation."

Section 12-104: *Public Trails.*

Not applicable. The proposed development will not have public trails. The existing recreation path that is located in front of this parcel parallel to State Highway 135 will not be impacted.

Section 12-105: *Water Supply.*

Applicable, the proposed water supply for the new commercial building is from a groundwater well that will operate pursuant to a future contract with the Upper Gunnison River Water Conservancy District (UGRWCD). There is an existing well on the lot with current well permit no. 81661-F that was issued on January 12, 2018. This permit was approved to use an existing well, known as Gunnison Secure Storage 2, with the use of groundwater limited to ordinary household purposes inside one single-family dwelling and in combination with the Gunnison Secure Storage 1 well (permit no. 81660-F), the irrigation of not more than 7,850 square feet of gardens and lawns. Both wells, Gunnison Secure Storage 1 and 2, which supply the two lots of the Gunnison Secure Storage subdivision, are currently operating under UGRWCD contract number ASP17-201A.

Comments from Megan Sullivan, Colorado Division of Water Resources Water Resource Engineer, in a letter dated May 3, 2019 include, "As indicated in the March 21, 2019 letter from the applicant's attorney addressing the water supply, the applicant has filed an application for a new agreement with the UGRWCD to augment the drinking and sanitary uses of water inside the proposed commercial building, along with up to 5,000 square feet of irrigated landscaping. However, it is not clear if the current UGRWCD contract, contract number ASP17-201A, will remain in effect to augment the uses from the other well, permit no. 81660-F, in the subdivision that supplies the residential units and industrial facility on that lot."

In a letter dated May 8, 2019 from the applicants attorney, Kendall Burgemeister from Law of the Rockies responds to Megan's questions and states, "In short, the Division does 'not have an objection to the applicant's proposal,' provided that the Applicant gets a new well permit, which in turn requires either an amended UGRWCD contract, or a new UGRWCD contract to cover the new proposed uses while leaving the old contract in place to cover the uses on Lot 2. This is entirely consistent with the Applicant's expectations. As indicated in my initial letter regarding the water supply for Lot 1, the Applicant has submitted an application for a new UGRWCD contract to cover the uses of water on Lot 1. Once that contract is executed, it will be submitted to the State as part of an application for a well permit. The DWR letter noted, "it is not clear if the current UGRWCD contract, contract number ASP17-201A, will remain in effect..." That contract will remain in effect. The Applicant has not taken any action to cancel that contract, and has no intention to do so."

Response comments from Megan Sullivan, Colorado Division of Water Resources Water Resource Engineer, in an email dated May 21, 2019 include, "For the Gunnison Secure Storage the follow up email from the applicant's attorney dated May 8th, 2019 answers the question I had and will suffice."

Section 12-106: *Sewage Disposal/Wastewater Treatment.*

Applicable, this project will tie into the existing central system by connection to the North Gunnison Sewer District. The easement will run parallel to Highway 135 from the church property located to the north at 1040 Highway 135.

Section 12-107: *Fire Protection.*

Applicable, the subject parcel is within the Gunnison Fire District. Hugo Ferchau, City of Gunnison Fire Marshal commented in an email April 26, 2019, "Looks good to me. Assuming that office building means B occupancies, access is our biggest concern. With the 22' access and the paths of travel around the storage facilities, that is

taken care of.” The applicant was able to address this comment from the Fire Marshall and stated that the appropriate width access and path of travel around the storage facilities is adequate for emergency vehicles.

Section 13-102: B: Location within municipal three-mile plan area.

Applicable, the proposal is within the City of Gunnison’s three-mile plan and comments have been received regarding this proposal. Anton Sinkewich, Director of Community Development, City of Gunnison cited, “City of Gunnison staff has no opposition to the proposal as submitted to replace a 3 bedroom single family residence with a 9,600 square foot office building with two tenant suites. We appreciate that the project will be built on an already developed footprint that will minimize area impacts.”

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

Applicable, this application meets the minimum requirements of this Section. The site plan, “Parking Plan,” prepared by SGM and dated June 18, 2019, meets these criteria, including proposed and existing roads, driveways, lot lines, building sites, and natural features of the site.

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

Applicable, the proposed improvements meet the setback requirements as demonstrated in the “Parking Plan” dated June 18, 2019 by SGM.

Section 13-105: Residential Building Sizes and Lot Coverages.

Not applicable. The proposed development is not residential.

Section 13-107: Installation of Solid Fuel-Burning Devices

Not applicable. The proposed development will not have solid fuel-burning devices.

Section 13-108: Open Space and Recreation Areas

Not applicable. The proposed development shall provide open space with the existing landscaping elements.

Section 13-109: Signs.

Applicable, no signs have been proposed at this time. Proposed signs shall comply with the standards of this Section and apply for and receive a separate sign permit.

Section 13-110: Off-Road Parking and Loading.

Applicable, appropriate space is allotted on the parcel for parking which is depicted on the “Parking Plan” dated June 18, 2019 by SGM. The number of parking spaces is determined by the square footage of the two suites to be built. The applicant has secured one tenant with a 7,000 square foot work space which will require 23 parking spaces, as the parking plan confirms. Verification that adequate parking for the second tenant shall be addressed at the time of building permit application and shall comply with the parking standards per Section 13-110, *Off-Road Parking and Loading*.

Section 13-111: Landscaping and Buffering.

Applicable, a landscaping plan has been submitted on the “Drainage and Landscape Plan” dated June 18, 2019 by SGM. Two existing trees are sited between the proposed building and State Highway 135. The applicant proposes four additional trees to create landscape shielding.

Section 13-112: Snow storage.

Applicable, a snow storage plan has been submitted on the “Parking Plan” dated June 18, 2019 by SGM.

Section 13-113: Fencing

Not applicable. No fencing is proposed as part of the application.

Section 13-114: Exterior Lighting.

Applicable. Compliance with this Section and Section 9-300, D; 6. Commercial and Industrial Uses, Exterior Lighting is required.

Section 13-115: Reclamation And Noxious Weed Control.

Applicable, a reclamation permit is required for road cutting and/or construction, home site clearing and berm construction. Grading activities are required to secure a Reclamation Permit from the Public Works Department, pursuant to Section 13-115: Reclamation and Noxious Weed Control.

Section 13-116: Grading And Erosion Control.

Not applicable. The proposed build site has minimal slope and existing landscaping and drainage structures including bio swales will mitigate potential erosion.

Section 13-117: Drainage, Construction And Post-Construction Stormwater Runoff.

Applicable, a drainage plan has been submitted titled "Drainage and Landscape Plan" dated June 18, 2019 by SGM.

Section 13-118: Water Impoundments.

Not applicable. No water impoundments are proposed in this development.

Section 13-119: Standards to Ensure Compatible Uses.

The proposed development has been designed in a manner that will not adversely affect the character and tranquility of nearby residential or public use areas. Little impact is anticipated to the surrounding residential area since it is adjacent to the City of Gunnison, adjacent to a church building of similar construction and design to the proposed light industrial shops and storage units as well as the nearby Rec Center. The existing and proposed additional screening of spruce trees should adequately protect any residential developments in the community.

Article 15: Right-to-Ranch Policy.

This section is not applicable; there are no agricultural lands that will be affected by the uses on the subject parcel.

FINDINGS:

The Gunnison County Planning Commission finds that:

1. This project is classified as a Minor Impact.
2. This application is consistent with the standards and requirements of this *Resolution*.
3. The proposed water supply for the new commercial building is from a groundwater well that will operate pursuant to a future contract with the Upper Gunnison River Water Conservancy District (UGRWCD). There is an existing well on the lot with current well permit no. 81661-F that was issued on January 12, 2018. Both wells, Gunnison Secure Storage 1 and 2, which supply the two lots of the Gunnison Secure Storage subdivision, are currently operating under UGRWCD contract number ASP17-201A.
4. A contract has been implemented with Upper Gunnison River Water Conservancy District Third Party Agreement for Purchase of Aspinall Unit Storage Water for Long-term Water Service, dated April 30, 2019.

5. This project will tie into the existing central system by connection to the North Gunnison Sewer District. The easement will run parallel to Highway 135 from the property to the north of the subject parcel.
6. The proposal is within the City of Gunnison's three-mile plan and comments have been received regarding this proposal. Anton Sinkewich, Director of Community Development, City of Gunnison cited, "City of Gunnison staff has no opposition to the proposal as submitted to replace a 3 bedroom single family residence with a 9,600 square foot office building with two tenant suites. We appreciate that the project will be built on an already developed footprint that will minimize area impacts."
7. An existing paved access road has been constructed for the mixed light industrial/workforce housing and storage facilities obtained in LUC-17-0015. A CDOT highway access permit was obtained 8/9/2017, granting access to State Highway 135 at the subject parcel.
8. Appropriate space is allotted on the parcel for parking which is depicted on the "Parking Plan" dated June 18, 2019 by SGM. The applicant has secured one tenant with a 7,000 square foot work space which will require 23 parking spaces, as the parking plan confirms.
9. The parking area for the proposed commercial building will be under 10,000 sq. ft. A "Parking Plan" dated June 18, 2019 by SGM has been submitted.
10. A landscaping plan has been submitted on the "Drainage and Landscape Plan" dated June 18, 2019 by SGM. Two trees exist based on the submitted site plan between the proposed building and State Highway 135. The applicant proposes four additional trees to create landscape shielding.
11. The proposed project is in Sage-grouse occupied habitat according to County mapping. A Sage-grouse review has been completed and the final report states, "that this proposed activity will not adversely impact Gunnison sage-grouse or their habitats."
12. Residential use has been considered for the second tenant space but has not been approved with this application.
13. The applicant has proposed the following uses are allowed/prohibited.
 - Expressly Accepted Uses for the second tenant suite:
 - Office
 - Engineering
 - Architectural
 - Design
 - Legal
 - Medical
 - Real estate
 - Construction
 - Light industrial
 - Equipment rental
 - Geotechnical testing
 - Fabrication
 - Brewing / distilling
 - Tasting room for brewery or winery
 - Expressly Prohibited Uses:
 - Gas station
 - Heavy industrial
 - Department stores

- Outdoor fabrication
- Drive through restaurant

14. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

DECISION:

The Gunnison County Planning Commission, having considered the submitted plan, site observations and public testimony, has reached the above Findings and recommends that LUC-19-00007 be classified as a Minor Impact, and be approved with the following conditions:

1. This permit is limited to activities described within the “Project Description” of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
3. All Gunnison County *Land Use Resolution* standards shall be verified for future second tenants and future tenants, other than an engineering office, shall require a Land Use Change permit prior to any occupancy of the structure.
4. The occupancy of the second tenant space shall comply with adopted building code requirements. Expressly Accepted Uses for the second tenant suite:
 - Office
 - Engineering
 - Architectural
 - Design
 - Legal
 - Medical
 - Real estate
 - Construction
 - Light industrial
 - Equipment rental
 - Geotechnical testing
 - Fabrication
 - Brewing / distilling
 - Tasting room for brewery or winery

Expressly Prohibited Uses:

- Gas station
- Heavy industrial
- Department stores
- Outdoor fabrication
- Drive through restaurant

5. Prior to occupancy for a light industrial use in the second tenant space, the applicant shall submit a narrative to the Gunnison County, Community and Economic Development department demonstrating how the *Design*

Standards for Light Industrial Uses, Section 9-301, E in the Gunnison County Land Use Resolution are being met.

6. A separate Land Use Change application shall be required for any use not included on the Expressly Accepted Use list.
7. Residential use has been considered for the second tenant space but has not been approved with this application. A land use change application may be required for residential use.
8. Appropriate space is allotted on the parcel for parking which is depicted on the "Parking Plan" dated June 18, 2019 by SGM. The applicant has secured one tenant with a 7,000 square foot work space which will require 23 parking spaces, as the parking plan confirms. Verification that adequate parking for the second tenant shall be addressed at the time of building permit application and shall comply with the parking standards per Section 13-110, Off-Road Parking and Loading.
9. The project shall comply with *Section 13-114: Exterior Lighting* and *Section 9-300, D; 6 Commercial and Industrial Uses, Exterior Lighting*.
10. The applicant shall comply with the following conditions for the protection of Gunnison Sage-grouse and Sage-grouse habitat:
 - 1) A Gunnison County Reclamation Permit is not recommended for activities on this parcel unless the surface disturbance is 10,000 square feet or more. That permit will contain specific reclamation conditions.
 - 2) For activities not requiring a Reclamation Permit, disturbed areas must be reseeded with an appropriate seed mix. Colorado Parks and Wildlife (CPW) and/or the Natural Resources Conservation Service (NRCS) are available to help identify an appropriate seed mix.
 - 3) Property owners must control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: www.colorado.gov/pacific/agconservation/noxious-weed-species The Gunnison County Weed Management Program should be contacted (970- 641-4393) for additional information and technical assistance.
 - 4) Per Section 11-106 G.3.d.1. of the *Gunnison County Land Use Resolution*, dogs and cats must be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction workers' pets.
11. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
12. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
13. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

Hunter Ridge (LUC-19-00008): The Gunnison County Planning Commission conducted a work session and site visit. They reviewed the request to develop sixteen residential units on an approximately 10-acre parcel. Four triplex unit (12 units total) and four single-family residential lots. Lot sizes range from 0.33 to 0.75 acres. Single family homes are proposed to be no greater than 8,500 sq. ft. Triplex buildings are proposed to be not greater than 8,500 sq. ft. Two of the triplex units are proposed to be deed restricted as workforce housing. The parcel is located at 45 Hunter Hill Rd. It is adjacent to the Town of Mt. Crested Butte.

With a quorum present Chairman Cattles opened the work session.

Present representing Planning Commission: Commissioners Cattles, Diani, Rogalski, and Plata.

Present representing staff: Director of Community and Economic Development Cathie Pagano, and Manager of Administrative Services Beth Baker.

Present representing the application: Managing partner Jamie Watt and attorney Mike Dawson

Dawson explained the proposal, as a request for sixteen residential units on an approximately 10-acre parcel. Four triplex units (12 units total) and four single-family residential lots. The lot sizes ranging from .33 acres to .75 acres. The single family homes are proposed to be no greater than 8,500 sq. ft. He showed photos of the area, and a development site layout. The multifamily lots and single family lots were situated to make a good transition. The Public Works site line issues on Hunter Hill Rd. will be addressed at preliminary plan. The lots have been generally located above the avalanche zone. Two units will be deed restricted for affordable housing.

Dawson addressed the water and sewer service. The development would be served by the Mt. Crested Butte Water and Sanitation District. This will require Mt. Crested Butte Water and Sanitation to annex the property.

Pagano presented an overview of the sketch plan process, noting this is a request for over five units making it a major impact. The sketch plan is conceptual only and engineering is not submitted or accepted until the preliminary plan phase. The planning commission will conduct work sessions, a site visit and a joint public hearing. The public hearing requires a 30 day notice.

Dawson confirmed the access will be off of Hunter Hill Rd. He also said the Town was approached concerning annexation of this property but the Town is not interested. Mt. Crested Butte planner Carlos Velado clarified that the annexation was not denied because the subdivision plan was not submitted, it never got to the stage of denial. Dawson said Mt. Crested Butte states they have adequate inventory at this time. Carlos explained that in their opinion the Town did not need additional units. Dawson said need is not a requirement of the County LUR.

Pagano explained the Town of Mt. Crested Butte owns Hunter Hill Rd. Director of Public Works Marlene Crosby added that a portion of Hunter Hill Rd. is in the County and on Watts's property. The roads within the development would have to be up to County standards. This is difficult because the surrounding roads are out of County jurisdiction. She will seek legal consul if it moves forward.

Pagano said the Town of Mt. Crested Butte will have to approve the number of units requested by Watt; the applicant disagrees. The County attorney has said the sketch plan process can proceed.

Velado provided the Mt. Crested Butte definition of multifamily, and presented a zoning map of Mt. Crested Butte. He said the maximum house size in Mt. Crested Butte is a little less than 8,200 sq. ft. The square footage allowed is all based on lot size.

Diani noted his concerns with the annexation, the water and sewer situation, and the CGS comments on slope stability. Rogalski was bothered that Mt. Crested Butte did not annex the project. Plata noted his concern with the CGS survey.

Pagano said at the next work session, the planning commissioners would walk through each of the LUR standards, and the three mile plan area and compliance with that. She added the Crested Butte three mile plan also overlaps. So they will walk through that too.

The site visit was conducted- there were no minutes taken at the site visit.

Gallegos Corporation (LUC-18-00053): The Gunnison County Planning Commission conducted a work session. They reviewed the request to construct a new road to access the 112 Construction Materials Reclamation Permit area (112 Permit) on U.S. Forest Service land. There is an existing permitted rock harvesting operation at the site. The parcel is generally located approximately 1.5 miles west of the Town of Marble, north of County Rd. 3.

With a quorum present Chairman Cattles opened the work session.

Present representing Planning Commission: Commissioners Cattles, Diani, Rogalski, Plata and Puckett Daniels.

Present representing staff: Director of Community and Economic Development Cathie Pagano, and Manager of Administrative Services Beth Baker.

Present representing the application: Tetra Teck engineer Bill Balaz and Gallegos president Frank Gutierrez.

Balaz described the history of the site with a power point presentation. He noted there has been no evidence of slope activity. The road is located 1.5 miles west of Marble, and the harvesting area on Forest Service land. The new requested road is ½ on private land and ½ on Forest Service land. They operate from June to October depending on demand. The daily trips would be approximately 0 .62 trips per day. The site distances are not adequate at this time. They will grade the slopes at two to one.

Gutierrez said the harvesting area is not visible from the road. They will continue to harvest as they have for 20 years in this area. The existing road cut have been there since the late 1960s and they remain stable slopes.

Balaz noted the reason for the relocation is safety. Public Works Sparky Casebolt said the road does not serve residential areas, and that was consideration in the waiver of standard request. Balaz said they will limit the road grades to 12 % when possible. There will be no rock harvesting in rainy conditions because it makes the road less safe. Casebolt added the location of the road is not visible and there are no concerns with use.

The planning commission discussed the need for a site visit, they unanimously agreed a site visit was not necessary. The public hearing will be scheduled for September 6, 2019. The planning commission directed staff to prepare a decision of approval for their review following the public hearing.

Colorado Parks and Wildlife (CPW) : The Gunnison County Planning Commission conducted an informational work session with the representatives of CPW.

With a quorum present Chairman Cattles opened the work session.

No minutes were taken during this work session.

Roper Subdivision (LUC-19-00012): The Gunnison County Planning Commission conducted site visit. The applicant has requested to subdivide four lots on an approximately 189-acre parcel. Lot 1-3.37 acres, Lot 23.38 acres, Lot 3-8.22 acres and Lot 4- 174 acres (remainder of the ranch.) The parcel is generally located 8 miles northeast of the City of Gunnison; approx. ½ mile east of Highway 135, on the east side of the Gunnison River.

There were not minutes taken at the site visit.

The meeting was adjourned at 1:30 in the meeting room and continued with site visits for the remainder of the day.

/S/ Beth Baker
Manager of Administrative Services
Gunnison County Community Development Department