

**NOVEMBER 18, 2009**

**CITY OF GUNNISON COUNCIL**

**7:00 P.M.**

**SPECIAL SESSION MEETING MINUTES**

This Special Session was set via a motion, second and affirmative vote of City Council at the Regular Session on October 27, 2009.

Mayor Ferguson called the Special Session Meeting to order at 7:00 P.M.

**NOVEMBER 18, 2009**

**PUBLIC HEARING #1**

**7:00 P.M.**

**Open Public Hearing:** Mayor Ferguson opened the Public Hearing at 7:00 P.M.

**Mayor's Statements Including Process and Purpose: Receive Public Input on the Merits of the Annexation to the City of Gunnison of the Property Described in the Gunnison Rising Annexation Petition Submitted by Gunnison Valley Partners, LLC and others, and the Proposed Gunnison Rising Annexation Agreement.** Mayor Ferguson stated the purpose of the Public Hearing is to receive public input on the Merits of the Annexation to the City of Gunnison of the Property Described in the Gunnison Rising Annexation Petition submitted by the Gunnison Valley Partners, LLC, and others, and the proposed Gunnison Rising Annexation Agreement. Mayor Ferguson stated there are two public hearings this evening and they will essentially run concurrently. This is a meeting of a lot of people with a variety of opinions. He asks that everyone respect everyone else's opinion and be civil. We are here to hear opinions and not engage in a debate. Staff and the applicant's will answer questions but again, it is not a debate. After the initial presentations, comments will be taken and he asks that people come forward to the microphones to give their opinions. He asks they limit their comments to five minutes or so. A bell will ring at the end of five minutes so please don't go over your allotted time. If you agree with another person then use a minute or so to agree. We want to make sure everyone has an opportunity to speak.

**Proof of Publication:** Mayor Ferguson stated they have proof of publication in their packets. He then called for City comments on the Annexation and Annexation Agreement.

**City Staff Comments on Annexation and Annexation Agreement.** City Manager Ken Coleman stated the turnout is awesome for input and comments. The process has been going on for about three years and there have been several opportunities for public input. This has been a lengthy process. There was a town hall meeting in this very room about two years ago. There was a Public Hearing on the petition eligibility to determine if it met State Statute eligibility requirements, which it did. There were many nights of Public Hearings with the Planning & Zoning Commission. There have been many written comments received and those will be entered into the Public Hearing record. Additional written comments will be accepted through the end of this Public Hearing and will also be entered into the record. The project was discussed at endless Council Work Sessions over the past three years that were open to the public. A few meetings were held in Executive Session and were not open to the public in order to discuss negotiation strategies, but most of the discussions were held in the light of day. All of the information we have on the record has been on the City website throughout the process and anyone can look at the volumes of information on the City website at [cityofgunnison-co.gov](http://cityofgunnison-co.gov). I'd like to talk about several of the Agreements we have worked through. In regard to the Annexation Agreement, many of the terms incorporate and respond to items that are based on public comments that were received. These include the phasing plan, dedications, utility issues, environment resources, transportation, water rights and water quality, economic agreements, and third party agreements, like the Memorandum of Agreement between Western State College, the Applicants, the WSC Foundation and the City in regards to the extension of Georgia Avenue into the Annexation property and the relocation of the Aspinall-Wilson Center parking lot. There is also an Agreement regarding Sage Grouse mitigation concerning the large 160 acre tract north of the Contour Trail and relinquishment of grazing allotment on certain grounds. Other matters addressed include discussions with Gunnison County Electric on utilities, work on Metropolitan Districts and the passage of an Ordinance that allows the formation of those districts, CDOT discussions for access control and how the property will be served from an access perspective. Lengthy discussions have occurred with the Applicants and at this point we are prepared to move forward with reading of the Ordinances on December 8<sup>th</sup> on first reading, with the first reading being on the Annexation and the second Ordinance being the zoning piece. That has to be approved on two readings, with the second reading taking place on December 22<sup>nd</sup>. City Manager Coleman asked that everyone allow everyone else an opportunity to give their comments. He understands the wishes of people to applaud for someone they agree with, however, that will slow down the process. Please refrain from applause and thank you for coming and participating.

City Manager Coleman restated that written public comments will be taken through the end of the Public Hearing process but they must be received by that time to be entered into the official record of the Public Hearings. If anyone wishes to submit comments after that time, they can still get them to City Clerk Davidson who will get them to Council, but they will not be entered into the record of the Public Hearing if they are received after the meeting is closed. Mayor Ferguson then called for the Applicant presentation.

**Applicant Presentation on Gunnison Rising Annexation and Annexation Agreement.** James Kurtz-Phelan, of Berenbaum Weinshienk PC, representing the applicants Gunnison Valley Partners, LLC, Donna R. Bratton and Gunnison Gateway, LLC, and thanked Council for allowing him to speak on the Annexation Agreement and related agreements that have been worked out by the City and his clients. The process has been long and it has been thorough. It has been an extensive and thorough review by Council and Staff. The first draft of the Agreement was submitted to City Staff on July 16, 2008. So here we are nearly eighteen months later with a document that embodies a level of protection for the City and its residents that is unsurpassed in Colorado. The Applicants had over a dozen meetings with Staff, six Council Work Sessions and numerous conference calls on the Agreement. Staff and Council, especially have gone to great lengths to protect the City's interests in the three Agreements that have been negotiated. These are the Annexation Agreement, and the Memorandum of Agreement that Ken mention and the RETA Declaration. The Annexation Agreement will help guide the development of the property over the next 25 to 30 years. The Agreement requires the developer to pay all of the costs of both on-site and off-site public facilities required to serve Gunnison Rising as it develops. It provides for phasing of the development to insure that adequate City services are provided for each phase of the development. The Agreement requires the developer to dedicate property for a school site, to the City for public functions like parks, trails and open space, provide land for emergency services and public works facilities, and donate a 160-acre conservation easement for sage grouse habitat protection. The Agreement further requires the developer to donate water rights to the City in an adequate amount to provide water for the businesses and residents of Gunnison Rising and ensure the water quality meets the requirements of the City. The Agreement contains a number of environmental protections, as do the PUD Standards, as to sage grouse protection, floodplain management, wetlands protection and stormwater control and mitigation. The Agreement requires the developer to work with the Colorado Department of Transportation to develop a highway corridor access plan for Highway 50 so that access from and into the property is developed in a coordinated fashion. It also sets forth requirements for the extension of Georgia Avenue into the property with improvements within and outside the campus. The Agreement requires the developer to record a Real Estate Transfer Assessment Declaration that will provide an on-going revenue stream to address the tax shortfall above collected sales, use and property taxes collected throughout the City. This imposes a 1.5% value assessment to the City on all property sales in perpetuity. The Agreement requires the developer to dedicate public access to the Contour Trail as well as other trails throughout the development. The Contour Trail is not even on land being annexed into the City. The Agreement requires the Applicant to record an Avigation Easement for the benefit of the Gunnison-Crested Butte Regional Airport and finally establishes vest rights to the developer to allow them to proceed with the development of the property. The Memorandum of Agreement between the Applicants, the City, Western State College, and the Western State College Foundation sets up an elaborate process for design and implementation of the extension of Georgia Avenue from Western State College into the development on the north side of the highway. The Agreement requires the College and the Foundation approve all the improvements. The Agreement provides for a Georgia Avenue Master Plan that will provide for the improvements from Main Street, through the College, into the Annexed property. It ensures the improvements will harmonize with the College's architecture and requires the developer to put in new entrance features, relocate the parking lot of the Aspinall-Wilson Center, and requires the developer to install a pedestrian center on campus and install a buffer along the side of campus adjoining the Annexation. The Agreement requires the construction of multi-modal transportation improvements such as bike lanes, pedestrian paths, and such, and the construction of traffic calming features to ensure that traffic passing through the campus proceeds at a reasonable level. The (MOA) Agreement has been signed by all parties and will only take place if and when the Annexation is approved. Finally, the Real Estate Transfer Assessment Declaration addresses a perceived shortfall between City tax revenues generated and future cost

of services provided to the property. It provides for a 1.5% assessment of future property sales being paid to the City in perpetuity. The affect of the RETA and the revenues projected for the project will be addressed in the discussion in the next Hearing. In conclusion, this has been one of the most rigorous annexation process that he and his clients have ever gone through. The thoroughness of the City's approach, while exasperating at times, has resulted in protections for the City for its present and future residents. The Agreement will ensure the future expansion of the City will take place in a coordinated, planned way that we will all be proud of. Mr. Kurtz-Phelan thanked Council.

**Public Comments.** Mayor Ferguson called for public comments. He asked that people come to the microphones, state their names and make sure they have signed the speakers sign-in sheet either at the podium or at the door. There are two microphones so people can line up at either one to speak. He reminded the audience that at 7:30P.M. he will interrupt and will officially open the second Public Hearing and Staff and the Applicants will give input for the record on the Zoning portion and then public input will continue.

Rikki Santarelli, Almont resident. He has several comments. He wants to point out the historical City of Gunnison historical population in 1980 when there was a total population of 5,785 people. This was 54%, just over half, of the total Gunnison County population. According to the State Demographer, in 2008, the total population was approximately 5,600 people, less than in 1980 and this accounts for approximately one-third of the total Gunnison County population. It seems to be a situation of people encouraging you to slide into irrelevance. He urges the City not to do that. He thinks the County seat should be the most powerful part of the County and you are not. This opportunity is the only opportunity you are going to have. The City is surrounded by County utility districts, public lands and other districts. There is no reason for people to the west, north or south of Gunnison to come into the City. The BLM is not going to petition to be annexed. The east is the only way to grow. This is one of the most innovative and attractive opportunities he's seen to grow in a long time. The last comment, the City takes the position it will not provide sewer service to any property outside the City limits. In 1984, the majority of the cost of the Sewer Plant was from the EPA, was built on land given by the County and the City made the assurance that the plant would be a regional facility. The capacity now is the same capacity as what the County sewer district had then. At the time the plant was built, the County had reassurances the City would be a regional center and accept flows from the region. The City is saying that they will not accept flows from property unless they are annexed into the City. How can the City go back on the Agreement with the EPA? Obviously, he takes the position the City should grow and he supports the annexation. Mayor Ferguson informed Mr. Santarelli someone would get with him and give him updated accurate information about the sewer plant and the City's position on regional treatment so he can have the correct information.

Rebecca Rose, Gunnison citizen. She is a long-time citizen of Gunnison and has been here since she was six years old. She remembers when the north side of town was the Wilson bullpen. Now she has seen what has grown up on the north side of town. City Market is congested and it is difficult to park with vehicles turning haphazardly in the area simply because there was no vision on what it would become. What she sees here is the opportunity for vision for the property east of town which seems like the most reasonably thing to do, where we can have some growth, have some vision and have some positive impact. This is not the first time this has been brought up to the City and she supports the annexation from what she has seen and experienced.

Galen Houston, County resident and representing the Gunnison Chamber of Commerce. At the beginning of the process there was concern about the additional commercial and retail space and how that might affect the business community so in April of 2008, they conducted a survey of their members and at that time, 52% of the respondents were for the annexation, 19% were against and 28% were undecided. In a follow-up survey this past week, another survey was conducted and 67% of the respondents were in favor of the annexation, 14% were against and 17% were undecided. In the eighteen month time period, there was a 15% increase in the businesses that are now in favor of the annexation or a five to one ratio in favor. They did not get enough responses for the Chamber to give a formal vote on the proposal.

Pat Riley, County Resident. He owns a home in Gunnison. First and foremost, he supports the annexation proposal as submitted. The one area that hasn't received a great deal of comment is



It establishes a basic and logical sequence of development. They allow for the extension of utilities is not put before the development and allow for a leapfrog or sprawl to follow pace of the development. This doesn't allow them to be installed for a development that is leapfrog or a sprawl. It addressed protection of wetlands, floodplain protection, habitat protection, as well as archaeological site protection. All of these will be reviewed with the phase review process. The review standards identify a special process for each phase to move forward so they have to come to the City for a public hearing process to identify how utilities are to be extended, not only for that phase, but for future adjoining phases, so that sizing and land uses are appropriate. The zoning and land use allocations is shown on this table which is difficult to see. The R-1 zone has 4 residential units, the R-2 District, up in the sage area, at the northern end of the property, the R-2M District is north of the highway and is centrally located and incorporates the residential village and has easy access to the existing City, the C District is the mixed use District, is approximately adjacent to WSC and will be a mix of commercial and residential use, parks and open space is 62 acres, the recreational resort is on the eastern end of the property on the south side of the highway with 350 units proposed, the Commercial area is a travel plaza or truck stop located south of the highway approximately adjacent to the Jorgensen Park area, the Business Research Park is located on the south side of the highway and it has a light industrial-type use and is approximately adjacent to the park area, the Western Pavilion is the I-Bar Ranch location, on the south side of the highway and the existing uses will be maintained, the Government Zone is a district that is established on the south side of the highway and will be utilized for the DOW office and potentially other government agencies, and the Equestrian Center is an open space area that is under the flight path of the runway and is basically an open space to protect the runway operations. There are sixteen chapters to the Development Standards, about 180 pages of primary text and a dozen or so appendices. It is a complicated document that a lot of time has been spent on and is development that the provisions, if approved, will protect the best interests of the City in the long run.

**Applicant Presentation on PUD Zoning Application ZA-09-1.** Mayor Ferguson then asked for the Applicants input on the PUD Zoning Application.

Dick Bratton addressed the Council. He is one of the partners in Gunnison Valley Partners. He came to Gunnison and Western State College in 1950 and graduated in 1954. After CU Law School and a stint in the Army, he returned to Gunnison in October of 1958, and he has been here ever since. He assembled this package of approximately 1,750 acres at the east entrance to Gunnison over 34 years, between 1971 and 2005. It includes 4-1/2 miles of Tomichi Creek. He embarked on the concept of a planned community after acquiring the Wilson Ranch property which is located north of the highway. He realized there is the possibility that we can control our future. He feels the plan will provide many future, long-term benefits to Gunnison and Western State College. We are all aware of examples of land all over Colorado that is developed in a hodgepodge manner and this project is unique for small towns. He believes it is new and better and will create something that is really special. He thinks this project will compete with anybody in Colorado to attract businesses to Gunnison, students to Western State College and residents to second homes in Gunnison. He believes in it or he wouldn't be doing it. He is not a developer or a planner and most people know that until recently he was a water lawyer. So he teamed up with the Schucks, who are long-time Colorado developers, to participate in this project. He pointed out that almost one-half of the property, 888 acres, will be in government ownership, approximately half north of the highway and half south of the highway. This includes the 4-1/2 mile river corridor that will be forever open to the public. Only 633 acres, about one-third of the total land package, will be annexed into the City. He clarified some representations that have been made. At the DOW regional (Colorado Division of Wildlife) office, the 30 to 40 jobs that may be created will materialize over a 10 year period rather than a 2 to 4 year period as previously stated. He thanked everyone for coming and supporting them and for the opponents for coming so that they can tell them what the project is really all about. He believes the project that has developed through the City process, has been arduous at times, but has produced a great project that we can be proud of it. He gave City Clerk Davidson a petition that has been signed in support of the project by every land owner, except the Church that he didn't feel it was appropriate to ask them, that is adjacent to the property. He thanked Council for the opportunity to speak on the project.

Tim Seibert, who works for the land planning and landscape planning firm NES, addressed Council. Mr. Seibert showed a power point presentation to the assembly on the project. The first application was in December 2006 and was submitted to the City of Gunnison. He gave a general overview of the project and will give highlights that were mentioned by Mr. Westbay. He echoed the comments that the process that they have gone through has created a better project, a project that they believe the citizens and future residents of Gunnison can be proud of and they can call the area home, not only for their families, but for their businesses and industry. He gave a brief history of the project. The assemblage is 1,700 acres and is divided by Highway 50. Tomichi Creek runs on the southern boundary of the property and was in the original application. Through many public meetings, lengthy discussions with Staff and meetings with the Planning Commission, the current application is for 633 acres. The Open Space areas that will be protected by this project and provided by this project are depicted (on the slide being displayed). There is 4-1/2 miles of Tomichi Creek corridor that will be owned and protected by the Division of Wildlife and the Bureau of Reclamation. There is 160 acres on the north part of the property that is for a sage grouse protection conservation easement. Internal to the application itself, there is the Equestrian Meadow, 62 acres of park and open space, and open space along the Cemetery Ditch Trail and adjacent to the Highway. There is private open space along the ridgelines on the north part of the property. There are other areas of open space that are preservation of wetlands areas, and provisions in the RV Standards, the CRV Zone, that protects everything south of the old railroad grade that will become a trail from the development and leave that land open. So, as you can see there is extensive preservation of land for the public's benefit. Mr. Coleman also mentioned the north parcel that is everything north of the orange boundary (on the slide) to the original Annexation north boundary. These areas have been identified in the Annexation Agreement, or in other Agreements such as with other governmental agencies, for conservation areas and will be protected for years to come. The Land Use Plan, as illustrated on various boards around the room, indicates the land use pattern that is proposed for the project. Highway 50 divides the property. On the south, the business/light industrial zone contains two, two-acre parcels, that will be dedicated to the City for an emergency services facility and a public works facility. The C-Zone District includes the proposed Travel Plaza and this is located approximately 4 City blocks lengths from the closest edge of the Pioneer Museum. There will be a signalized access into the Travel Plaza off Highway 50. The Equestrian Center Meadow remains open and there is a hold-over provision that allows for a park site if so desired and potential snow storage site for the City. There will be general grazing and horse activity on that site. It is very restrictive to protect the flight path of the airport. South of that is the existing I-Bar Pavilion and that is allowed within the Zone District and south of that is the protection of the existing wetlands. Immediately south of the entrance into the Cemetery is the Government Zone District, the proposed site of the DOW Headquarters, and will include public trailhead access to the 4-1/2 miles of Tomichi Creek corridor. The Recreational Resort, the CRV Zone, is east of the Government Site and is south of the existing Tomichi Village facility. There is an area surrounding Mr. Bratton's existing residence that will allow for four dwelling residences, clustered in an environmentally sensitive protection site along that corridor. North of Highway 50 is a Commercial Mixed Use District that is adjacent to existing commercial use property and Western State College. Adjacent to that is a Residential Village property that has a higher density area and is one of the primary residential zone districts of the property. Adjacent to that, off of another main entry into the project, is a 10 acre school site that will be dedicated to the school district. 62 acres have been dedicated to parks and open space, including the corridor along the Cemetery Ditch corridor. To the north is the R-2 residential, for multi-family, attached units and single family residential area and the protected ridgeline areas. All development will be south of the Contour Ditch which will have an easement dedicated to the City for public use. The Parks and Trails Master Plan contains the Contour Trail, Cemetery Ditch Trail, the new Village Loop Trail that will connect through various open spaces with the City Loop Trail. Pedestrian use is promoted in the development and a trail is proposed under Highway 50 at the existing livestock crossing to continue the City Loop with the old railroad grade or Tomichi Creek Trail with provisions for multiple trailhead accesses. This will ultimately contain approximately 8 miles of trails within the Project. The Transportation System includes the discussion on connectivity issues. Highway 50 is the main East-West spine of the project and the entire region. They have met with CDOT and discussed the improvements that are included in the PUD Standards and will be made to Highway 50 over time as the project develops. There are collector roads to connections to Georgia Avenue within the project and traffic calming devices such as roundabouts and

pedestrian tables are included in the Plan. There is also a provision for a local collector road to the north of the project area. The Utility Master Plan covers the proposed trunk lines for water, sewer, and electric services. The Plan includes distribution from the existing water tanks and potential well sites to serve the development. There is a proposed trunk sewer line that would be connected to the existing City sewer system and there is a proposed site of a potential lift station that is located four blocks from the nearest residence adjacent to Jorgensen Park. There is conceptual electrical distribution lines that are paid for by the developer in the provisions of the Annexation Agreement. The Zoning document itself has very specific standards for each zone. The PUD Standards is a 230 page document and outlines how the property can be developed. Extensive discussion took place on design quality and standards, such as building heights and setbacks, architectural standards, extensive buffer standards along Highway 50 and between different use zones. There is a 50 foot buffer requirement in most areas and a 75 foot wide buffer between the Highway and the Recreational Resort. There are signage limits along Highway 50 to ensure an organized approach to the signage to avoid a hodgepodge of signs. Energy Conservation has been addressed in the Standards to ensure solar easements to give adequate light for both passive and active solar applications. There is also low-impact design standards for stormwater quality that are contemplated and would be anticipated for next stages of development.

Phasing of the Project has undergone extensive discussion. There are eight phases in the project. The maps presented are in the PUD Standards and reflect the discussions with Council a couple weeks ago. Phase I is the DOW government facility utilizing an access point even with the Cemetery. Phase II is adjacent to the airport and includes the two sites to the City of Gunnison for the Emergency Services and Public Works sites, and development both north and south of the Highway for commercial and light industrial development area. Both of those areas have large buffer requirements both north and south of the Highway and have extensive internal landscaping requirements between various uses. Phase III of the project allows for development to occur in the prior phase areas and the start of development in the Outdoor Resort area south of the Tomichi Village area. Phase IV includes bringing additional areas in the Commercial areas along the Highway and some residential development in the Residential Village area. It may also include additional governmental facilities as well. Phase V expands the residential uses to the east in the Residential Village area and north into the R-2 area. Phase VI is continued expansion of the Phase V districts. Phase VII is additional areas to the north and includes installing access to the school site. Phase VIII is full build-out of the property with development of the residential areas to the far north of the property. Full build-out is projected to be on a thirty year timeline or longer. (Mr. Seibert showed an aerial photo of the property.) The 76 initial points of concern from the public and the City were placed in a matrix and have been addressed through the Annexation Agreement and the PUD Standards. The only outstanding issues is a response back from FEMA on a change to the floodplain delineation map. They have provisions within their PUD Standards that do not allow them to develop within the floodplain areas. They also have buffer setbacks from those areas. They believe that through the exhaustive process, both with the Planning & Zoning Commission and with City Council, that they have tried to address concerns, developed design standards that truly we all can be proud of and allow for development and growth to continue in the future.

Bill Schuck with the Schuck Corporation, who is a partner in the Annexation with Dick Bratton, thanked City Council for the opportunity to speak and for their dedication and willingness to work with them on the project to make it what it is today. He has a long history in Colorado and they have respect and appreciation for Gunnison and its unique character. This is truly a once in a lifetime opportunity to work on a project that will have a lasting and lifetime impact. Some of the benefits that the Gunnison Rising Project will provide for the future include being an economic opportunity catalyst well into the future. It will allow Western State College and the Division of Wildlife to forge a unique partnership that will bring new jobs and new students to the College. The elements of Gunnison Rising will support the tourism industry and generate significant revenue to the City and to local businesses. That is why so many businesses support the project because they know the benefits it will bring to their businesses and their employees. Another benefit of the project is that it will enhance Gunnison's reputation for recreation, open space and quality of life. As has been stated, there will be hundreds of acres of open spaces,

many new miles of hiking trails, access to over four miles of river corridor, permanent access to the Contour Trail and the Cemetery Ditch Trail, and lastly, the other benefit that Gunnison Rising will bring is the sense of security and the ability for the City to control its future and ensure that growth is done wisely. Gunnison Rising pays for itself as you have heard. Roughly 600 acres will be developed out of the 1750 acres they own. The project will be developed in phases as the need arises and it is a comprehensively planned project that so many other communities have failed to do. He is proud of what Gunnison Rising has become. By working hard and honestly for two years with City Council, Western State College, local businesses and the community we have a great project. The project has so many of the positive elements important to the unique character of Gunnison and that is why we have been able to earn the support of not only the majority of the businesses community but the support of many Gunnison natives and families who have moved to Gunnison and call it home. It is my hope Council will approve the Annexation next month and look forward to working together in the future for the success of everyone involved.

Paul Holden, Gunnison Economist. Mr. Seibert stated Mr. Holden is the Director of the Enterprise Research Institute. Mr. Seibert stated there have been dueling economic analyses of benefits or impact done on the Gunnison Rising Project. They have asked Mr. Holden to speak on the studies he has done and the relationship of this project to work he has done on the Valley. Mr. Holden stated his business essentially has its virtual headquarters in Gunnison. Gunnison Valley Partners asked him to do two things, the first was to put their project in the context of work he did earlier in the year for the Gunnison Valley Futures Foundation project to examine the characteristics of the Gunnison Valley economy. The second thing they asked him to do was to make comments on the dueling economic studies that have been done. Of course, when you get three economists together you get six opinions. The key findings of the work he did earlier in the year showed that the population of the Gunnison Valley economy is growing but very slowly, much slower than in some thriving rural Colorado counties. The population of the City of Gunnison has actually declined over the last 20 or so years. During that time, the population of the Valley itself has increased to where it stands now at approximately 15,000. That implies that the City of Gunnison has gone from about half the total to something a little more than a third. One of the sad facts of life is that smallness has a big cost to it. It's nice to say you live in a small town but there are certain fixed expenses. The more the population the more the overheads can be spread. One of the other things is that school attendance, until this year, has been rising. This year it has gone down. The expansion is going on in the lower grades. This relates to another issue in that the population of the County is hollowing out. That is, there are a lot of young people and a lot of older people. This is the fastest aging County in Colorado. Not long ago, it was the youngest. It is an astonishingly rapid change. Small businesses employ most of the workers. But small business income has halved in the past 20 years. A substantial amount of the County's income is spent outside of the County. It is not surprising that social statistics are troubling. People here are very highly educated but their income is way below Colorado's average. What this means in the context of the Gunnison Rising Project is that the County is far too dependent upon two industries – construction and tourism. The Gunnison Rising Project will bring lots of construction and lots of tourists. Unfortunately, these two industries do not typically pay well but potential links with higher income people moving into the County will have all sorts of benefits. One of the studies shows that at build-out, the project will cost the City one million dollars per year. The study showed that if everyone in the City moved out into the County then the City would be much better off because this is how the calculations were based. Secondly, when he looked at the calculations he saw that the analysis ignored the \$230 million investment in the project through build-out. If you take into account the multiplier effects on spending by people involved and employed in the project and the spending that higher profit businesses will do, we are looking at an impact that is roughly equivalent to one year's entire County's income. This is a significant multiple of the Gunnison's City income. The economic impact is going to be very substantial and extremely positive. Finally, he has heard many people state that they are happy with the way things are and don't want anything to change. Maybe this is Nirvana but it is something that is unattainable. Things have to change and if we do not manage our future, our future will manage us. From what he sees, the way this is planned in a manner that insures we will not get urban sprawl, and the type of higher income people we are going to attract to the County and to the City, this has to have a strong positive impact. In conclusion, his opinion on the impact from the project on the City is unambiguously positive and he strongly supports the project.

**Public Comment on Gunnison Rising Annexation, Annexation Agreement, and PUD Zoning Application ZA-09-1.** Mayor Ferguson stated that public comments would now continue and reminded everyone that the comments can be on any portion of the Annexation.

Alvin Coblentz, 40 year City resident, and taxpayer, of Gunnison County and Gunnison, Colorado, stated he is in favor of Gunnison Rising.

Jerry Burgess, 8 year Gunnison resident, brings a different perspective to this. As an engineer, he has worked with various cities and towns on one side of the table and with developers on the other side of the table. This project, in cutting to the chase, he thinks it is time the project is approved because it brings too much value to the community and he thinks it is in the best interest of the overall community to do this for a number of reasons. With this proposed development we know what we're going to get. It's like a poker player with his cards on the table, we know what we're going to get and we know what the benefits are. Another reason is the potential of the DOW Regional Headquarters coming, that is huge. There are a number of communities not very far from us that would love to have this opportunity. It's a benefit we can't pass up. The open space trails and rivers are pretty phenomenal. A lot of places you go you see a lot of open space but not necessarily space that is open. This is open space that we can reach out and touch. You don't have to be a resident of the Gunnison Rising property to access the open space, you can be an average citizen. The Phasing Master Plan has been well done and the architectural guidelines prevent hodgepodge development. The Standards takes a lot of plans, floodplain, stormwater management, traffic plan, drainage, water, and wastewater plans and puts it all up front for each development so we will know what will happen in each phase. The economic development shows potential job opportunities for local citizens, high school kids, college kids and other community members, is certainly there for this project. So this is as much about economic development as it is about bricks and mortar. Lastly, this Staff has put a lot of work into this collaborative effort and he thinks they have brokered a good deal for the community and it is time to annex the property and move onto the next phase.

Greg Waggoner, County resident, lived in the Gunnison Valley steadily for 26 years and off and on for nearly 35 years and now lives on property adjacent to this Annexation Proposal. He has followed this pretty closely, not as close as some, but he feels relatively comfortable with the knowledge of what is going on. The City Council is to be applauded for spending countless hours for doing the due diligence for the citizens of Gunnison and for at least three years now. So are the proposal. So many questions continue to arise. There are what-if's. Recently he heard about what if the Division of Wildlife doesn't come here. These keep coming up. He doesn't know if all of the economic stimulators that will come out of this will happen. There are no guarantees. If the annexation doesn't happen then they definitely won't happen. He hopes Council will keep that in mind as they move forward. He isn't a city planner and it's not his business but he grew up in a community on the Western Slope of Colorado, Steamboat Springs, and it boomed and did a lot of things like that. So he has watched this kind of thing his entire life. He is confident that most communities would envy the kind of development that is going to take place here should this annexation take place. Dick Bratton has been in the community, his wife is a life-long resident and their intent is in the right place. This has been their home for many years and certainly that needs to be a big part of this. He has proven that he is a visionary on some things that sometimes people early on have scoffed at. But they came to fruition with good results. These include the Western Water Workshop, the Ruland Property, the involvement in the beginnings of the Western State Foundation and even the introduction of Canadian Geese into the Valley. These things are countless. Look at the donations of the property and the benefits the public will get out of these. It is just impressive. We are fortunate to have a man like Dick Bratton in our community. Someday, if this should not happen, the property will be parceled up into small parcels and a whole lot of people who don't have the same kind of vision will be planning the property. We have an incredible and wonderful opportunity here to do something historical for the community of Gunnison. Gunnison needs the growth, the economic stimulus and diversity and he urges Council to approve the Annexation for the community.

Councilor Miller called for a show of hands from the audience of those people in support, against, or undecided on the Annexation. (No count was officially taken. The majority of the people present were in favor of Annexation, and the opponents and undecided were close in number by visual observation.)

Rufus Wilderson, who has a business in Gunnison, stated he has been here 15 years. He is present in a personal capacity but also as an Attorney he is representing the Wilson Family, who own Gunnison Gateway. Personally, he recalls driving into Gunnison some 15 years ago and coming in on this wonderful meadow on the east edge of town. He thought it was magnificent and this is the reason he wanted to live in here. As an Attorney, by nature, he is jaded and suspicious and he thought this meadow would be schlocked up with development in no time. He started working with the Wilson Family and Mr. Bratton and learned the reason that it had not already been developed was that the Wilson's and the Brattons didn't want it to look like the west approach to Salida. They have had numerous opportunities to fully develop the property of the past many years but haven't until the Brattons came up with a good project. They didn't want to carve it up until a development project came up that would do it properly. Then the opportunity came forward to sell it and develop it properly along with the Brattons, it was the perfect time to do it. We have now gone through a very arduous process with Council and the Planning Commission who have come up with this and he thinks that works very well. It is time to pull the trigger on this and make the choice to annex this, with the terms and conditions that are proposed and prove to the jaded and suspicious attorney that came to town 15 years ago that you can have good development.

Joe Puchek, County resident with a business at 125 N. Main Street, echoed some of what Paul Holden said. He came to WSC as a student and stayed, got a Masters Degree, and he chose at some point to make a living. He was part of that hollow part of the population and is now becoming part of the aging part of the population. He chose to be an employer and be a part of the community. He thinks we need to support this annexation so that we can allow this middle portion or hollow portion of the population, whether it is the students here that want to make this home later on down the line, that they are just not here for four years, and they will see some value here. People just coming through will see some value here. We need a higher level of economy in this valley and this goes to support that. The jobs that this will support will fill that hollow part and he urges Council to support the annexation.

Jacob Anderson, a WSC Senior, stated he has done his homework on this project. He talked to those that are opposed to it and sat down with Dick Bratton and in the end he cannot say one way or the other if he is for or against the project. All that has been talked about is simple development such as stormwater management plans, building codes and things of that nature. He has not heard anything about what the community is going to do once the buildings are made. The development is a small part of what is going to happen here. If the community is willing to make the best out of this project, if they are willing to create the local jobs, fill those businesses and to fill those buildings that are created. In the commercial and mixed building use, instead of allowing multi-national corporations to come in and if they are willing to step up when the residential housing comes in and say we need good housing that is energy efficient and it is not going to be an energy suck here. If they are willing to bring in outside businesses from that will work with the College to create that intellectual renaissance that Mr. Bratton has talked about then he wishes the best of luck with the project. But if the community is not willing to make that commitment or take that initiative or risk inherent in creating these businesses and stepping up for proper housing then he thinks the land should be untouched.

Virginia Harris, City resident, stated she is not a supporter and has a lot of concerns. The size of the development is overwhelming and seems too much. She is very nervous about the truck stop as she lives close to the site. She is concerned about noise, pollution, it is too close to the ballfields, the BMX track, and the skating rink. The kids are there every day. She has fear for the parks and the neighborhoods close to the truck plaza. She thinks the housing is all up-scale and yes, we need the income from that but wonders what the middle class will do. She is upset with the concept of the RV Park and how it will look coming into Gunnison from the east. She doesn't want to see one, even a high-end park. She doesn't think an RV Park can be disguised, even a high-end one. She has concerns that some businesses in town will move to the new business area creating empty buildings in town or we will bring in duplicate types of businesses. Competition is good but not always. The DOW seems to imply that it is a done deal. When she was teaching at WSC, many students already worked with the DOW in the Recreation Department, as they do now. The DOW Office may add growth to some at WSC but it is already being done there. As for the Commercial space, she would prefer to leave open space and she

particularly likes the meadow that is already there that will be protected and thanks the airport for that. She wants to protect property values and not have a sewer lift station installed in the vicinity. (The timing bell was rung and Ms. Harris thanked Council.)

Reta Calkins, County resident, came to Gunnison in 1962 and lived in the City for years. 25 years ago she got involved in City issues. She has been a business owner. She went through the time that businesses in Gunnison were failing due to many factors including no growth. Two years ago she noticed Main Street started to look like it did in the 1980's. She served on the Planning Commission, on City Council for 4 years and was the Mayor for 2 years and has Main Street concerns. She spoke with Dick Bratton and told him this project needed to do something for downtown and asked Dick if she could go to Main Street and ask the business owners about the Annexation. There is a petition with close to 100 signatures of business owners in Gunnison that are supporting Gunnison Rising. There are more yes and undecided responses than outright no responses. She was undecided at first. She got the facts by talking with City Council, Staff, and the business owners. She applauds Dick and his group for sticking with this all of these years and investing in Gunnison to get to this point. This will translate into success for us.

Mark Warren, City resident, thinks this is a rare opportunity for the Gunnison County to have a hold on its future. Dick's status in the community speaks for itself. His selection of partners has been carefully done. Each part of the plan orchestrates well with the others. The 4-1/2 miles of Tomichi Creek Corridor for public use is great for everyone. He strongly encourages Council to approve the Annexation. It is an excellent project.

Anne Steinbeck, Gunnison resident, stated she has traveled a great deal but there has never been a time when she wasn't eager to return to Gunnison. She is in favor of the Annexation. It will benefit WSC greatly. There will be more live dollars. It will be good for the business community and will create jobs. The project is culturally and socially sound, is well planned and developed and the benefits that we will derive as a City far outweigh the negatives. She says go for it.

Gary Hostetter, Owner of Gunnison County Abstract, stated we live in a day when communities are giving tax credits and paying businesses to come to attract this kind of project. We live in a day when people expect the government to bail them out with handouts. This isn't so here with this project. We are getting the gift and he encourages Council to accept it for the community.

Valarie Schmalz, County resident and City business owner, stated she is a long-time resident. Her husband Fred was born here and she and her husband are property owners, business owners and for many years have they worked alongside Councilor Nesbitt and Councilor Miller on the promotion of small businesses and economic development. Tourism and WSC are economic drivers in the community and are experiencing difficulties in this economic downturn. We need to keep WSC a viable institution and to keep Gunnison a place for people to come to spend discretionary income. As Mr. Holden said, we have a highly undiversified economy that makes us very vulnerable. We need revenue to pay for the amenities that have been created. East past the stoplight, she sees trucks parked by the parks, the Chamber, by the College, by the Pioneer Museum, by McDonalds, just everywhere. She would prefer a travel center. Also, there is a big difference between a Regional CDOW headquarters and a local office like we have now. So, to diversify, we want a clean, organized development within the corridor that enhances the community. The City has made the rules, the Applicants have jumped through all of the hoops and she urges Council to get on with it and approve Gunnison Rising.

Amanda Lee, WSC senior biology student, opposes the annexation. She asked if we associate progress with physical growth. In our current society there is increased rates of sadness, obesity, and depression. How do you cure this? You need to provide fresh area and open space for people to recreate. She encourages open space for physical activity to help these problems. As a student, she is disappointed with WSC for endorsing the expansion of Georgia Avenue into the Annexation property.

Richard Karas, County resident, stated the City Master Plan and another recent study has demonstrated, the City already has enough space within its existing boundaries for residential, commercial and industrial growth. So Annexation is not a matter of need. He agrees that there

are many benefits that this Annexation could bring to Gunnison. The real question is, the Annexation, as currently proposed, in the best interest of the City's residents and businesses. The Annexation Agreement and the PUD Document don't yet meet up to this standard. Two main points, supported with examples: If the Annexation documents are accepted as currently presented, the Council's credibility will be at risk because the documents don't meet the standards adopted by Council in the City Master Plan and the Energy and Climate Action Plan. Council has unanimously adopted both. If the Annexation Agreement and the PUD Standards are adopted they will renege on certain parts of the adopted plan, notably the energy plans commitment to decrease the energy and carbon footprint and the Master Plan's injunction against sprawl and leapfrog development and to nurture the vitality of businesses in the central business district. The Master Plan and the Energy Action Plan do not carry the weight of law. Disregarding them will call into question the credibility of these and other City Council actions. Secondly, a big argument in favor of Annexation is the ability of the City to control the future of land use. This would be a powerful argument if the Annexation Agreement and the PUD Agreement didn't cede so much control to future developers. Remember, no matter how good the intentions of the Applicants, and the beautiful conceptual drawings they have provided, most of the actual development will be done by companies that purchase the land from the Applicants. Financial exigency will heavily shape what happens so it is critical that Council makes sure that what is promised is what happens. It is true that each phase of development and compliance with the requirements, such as solar access and traffic calming, will come up for review at each stage of development. However, the Annexation Agreement gives the developers a twenty year, that is an extraordinary length, a vested right that says if the City delays development it will be liable for the extra costs and or losses incurred by the developers. There are no requirements that the concepts we have seen will actually get built. In his view, if the City holds the projects that they do get built, it may find itself in a legal and or financial bind. The energy conservation and solar requirements, while laudable in their intent and much of their language now contain so many outs that they constitute nothing more than voluntary guidelines. Finally, it is worth asking if the City will have the ability to initiate amendments to the PUD without the developer's permission should there turn out to be unanticipated issues on things such as public, health and safety. We have told that all of the items on the matrix have been addressed. That is not the real issue. The real issue is whether they have been fully and satisfactorily resolved. Council is now charged with a difficult task. Council must implement the laws, regulations and policies of the City of Gunnison, even if they disagree with them. Council is the ones the citizens look to see what is promised is delivered and the rest of the citizens don't end up bearing the burden for someone else's benefit as has happened so much on the national level. In light of this, he hopes Council will consider the actual, detailed language in the Annexation documents and Council will do whatever additional work is needed to ensure that they have looked out for the citizen's best interests. He endorsed possibility of a very good and healthy annexation but making sure it turns out that way is Council's responsibility.

Steve Schecter, County resident and City land owner, stated he has been in Gunnison for 30 years. He has seen the County grow and we now have a lot of empty lots. He questions if empty lots bring vitality. We have enough empty residential lots for 30 years of growth. The project is too big and too long. There will be institutional memory loss of the project over the years. Bad things will happen because the project is too far out there. Council needs to take into consideration peak oil. As oil prices go up, and they will go up, the RV Park will not be viable. To center the whole Annexation on the RV Park is crazy. As for the Truck Plaza, Warren Buffet just bought up the BNSF Railroad and he knows the freight will be hauled by rail not by truck. We don't need a Truck Plaza for short haul trucks. With increased transportation costs, we won't need a Truck Plaza. The Mayor signed the Mayor's Climate Protection Agreement which mandates we start lessening the amount of carbon we put into the air. With the annexation and the 50% increased population and no guarantees of energy efficient homes, Council will be renegeing on that Agreement. The Annexation will hurt downtown businesses. We should be looking at the end of the use of oil. Council needs to look at the issue of the sewer lift station. It will cost the City a lot of money over time. The City should look at changing the sewer system to a gravity feed system. There is no contingency in the Agreement to get money from the Applicants should the lift station fail. The Annexation will cause more traffic, more pollution, and more people in the City. It will cause more congestion and traffic. We need to look at how we heat homes. He urges Council to vote no on the Annexation.

Julianne Woods, County resident, is with a Crested Butte Planning Group. They specialize in resort and mountain town planning. She has been in land use planning for 30 years. She was asked by Dick Bratton to look at the plan. She has worked in Aspen and Aspen Highlands. Aspen is very good at getting developers to pay for expansions in those areas. She conceded it is hard to see benefits from large projects. The Gunnison Rising Project will be an advantage to Gunnison. It is an opportunity to build on the outdoor links in the community with the DOW center with an education center, access to the creek, 458 acres in conservation easement, and 8 miles of new trails. There are affordable housing opportunities for WSC students and faculty. She sees the Gunnison Rising Project as a catalyst to create a once in a lifetime learning environment that will kindle an intellectual and cultural renaissance in Gunnison. This is similar to what happened in Aspen and this project would nurture the mind, body and spirit. She believes Gunnison Rising could accomplish the same thing. As a planner she peels back the layers of the project and looks at the essence of the project and what is good for the community. This is an opportunity for the community to have a creative class. This will assist in the refocus of Western State College as a center of arts, culture and intellectual pursuits. Growth and development east of town is the cost of this pursuit. With good master planning this is an opportunity to shape the future. The project will bring a sound and expanded tax base. This is the right plan, the right place and the right time for Gunnison Rising. Council should secure the opportunities that this Annexation brings.

Zoe Fryer, WSC student and City resident, gave a disclaimer that the numbers she is using she obtained from the City and the Gunnison Rising websites and there are some conflicting numbers. So she is using a range. She is a senior in environmental studies and politics major at Western and is the mother of a 12 year old who attends Gunnison Middle School and a resident of Gunnison. First she expressed her frustration with both the City of Gunnison and Gunnison Rising websites. As someone who has been involved with the annexation discussions for almost 3 years now, she still finds it difficult to obtain information online. Further, the information on the Gunnison Rising website is outmoded, and the City's main links about the annexation directs you to their outdated information. How is the public supposed to know exactly what Gunnison Rising actually may be? A follow up question to that is what exactly is the City voting on to annex? The land? The development as it is conceptualized? Does Council know how many houses there would be or what businesses may go in? The General public is not privy to that exact information. We are, however, aware of the 10 acre, 24 hour truck stop; the up to 500 unit RV park, and the recently discovered plans of a Supercenter Wal-Mart. This causes major issues for the public good of the residents. First, if a 140,000 square foot Super Wal-Mart is constructed in Gunnison Rising, we will have a 44,000 square foot building to fill when the other Wal-Mart closes. Beyond that, the impact report on the Super Wal-Mart states that jobs in Gunnison would be adversely affected by the new Wal-Mart. Specifically, the grocery sector would be hit the hardest. Then we will have the Safeway as another empty building to fill. Gunnison Rising proposed to add around 900 new homes and condos into Gunnison. If we add that many new homes into the housing market of Gunnison, it will flood that market, depreciate home values, and the foreclosures listed in the back of the Round-Up section will multiply exponentially. Furthermore, potential for nearly 1100 new dwellings exists with the already approved and started developments of the West Gunnison Neighborhood, Van Tuyl Village, Thornton Meadows, and Riverwalk Estates. However, of that 1100 dwellings, only 20 are actually built. Not to mention the surplus of empty lots in the City limits where the infrastructure already exists. By the way, is everyone aware that the 20 year average of new home permits in Gunnison, for one year, is 13 new homes? At that rate, it would take nearly 85 years to fill the homes already approved. The extension of Georgia Avenue and the possible improvement of Escalante Drive greatly endanger the safety of our many pedestrian and bicycling students. Sometimes it is dangerous enough to ride to campus when it is between classes with the shifting traffic. To add 3,500 to 15,000 more vehicle trips per day on these smaller city streets is a safety issue for students and residents, and a nuisance for people who live on Virginia, Georgia, Colorado, and Denver especially. She moved here from Tampa Bay, Florida to attend Western. We wanted to live in a small community where people were friendly toward each other and you always see someone you know, wherever you go. As a student she chose Western because it was a small, liberal arts college, that was surrounded by open space, wildlife and the quaintness that Gunnison offers. There are no other higher education institutions out there that have trails and vast amounts of open space right off campus as well as the abundance of BLM and Forest Service access that we do. Western is a destination college that is totally unique. In fact, she

enjoys Western so much as a student that her plan is to return after obtaining her PhD to teach. If the overall character of Gunnison and Western is altered by Gunnison Rising, that plan definitely could change. She is also concerned with the extreme amount of details that claim they will be at the expense of the developer. Everything from the widening of Highway 50 and the addition of traffic lights, to the infrastructure installation of electricity, water, sewage, ditch water, and now the Aspinall Wilson Center parking lot. Has the City considered the possibility that the build it and they will come attitude, may just be a field of dreams? If that is the case and bankruptcy is declared on behalf of the petitioners, who then would pay for the fields of dust that would remain? The taxpayers? Your generation should be stewards to my and my daughter's generations rather than the possible creator of a future ghost town. Overall, she would like to ask the City Council and the people of Gunnison to look into the Schuck Corporation, who is a member of the applicants, the Gunnison Valley Partners. They are experts at dealing with opposition for their previous and currently proposed projects. In closing, I would like to ask the City Council to please abide by their mission statement that was adopted in 1992. "The people of Gunnison have a special responsibility to the uniqueness of the Gunnison Valley. We the City, as representatives of the people, will strive to conduct our affairs and plan our growth in a manner that respects our environment and preserves our community as our home". The reason you have reviewed and discussed this application for so long is to make an educated decision on if it is good for Gunnison. Please do not approve the annexation just because you have dealt with it for so long. She still firmly believes that this large of decision should be democratically placed into the hands of the community. Therefore, if the Gunnison Rising proposal is passed on December 22nd, she will be in on December 23<sup>rd</sup> to get a petition packet, so this annexation can be on the ballot for a democratic vote the following November.

Drew Nelson, County resident, stated he works a full time job, works a part time job in order to live here, is one of the few under 30 business professionals in Gunnison. There are not many in this town. He serves on many boards and community committees. His job keeps him on the street everyday and he sees Gunnison is hurting. We need to take a look at the opportunity in front of us. He sees the need to attract young professionals and Council needs to show commitment to responsible growth. If the town is not growing it's going the opposite way. It's great the college crowd is here and giving their opinions on Gunnison while they are here but Gunnison is not a college town but a town with a college in it. We need to look to ourselves and support ourselves first. We need to attract new opportunities to town and new residents. He supports Gunnison and Gunnison Rising.

Jonathan Coop, WSC Professor, stated he is in the middle or hollow part of the generation that has been described here tonight. We need to look further at the plan, but he thanked Council and Staff for all of the work they have done on the plan. He is opposed to it as it stands. We need to talk about 700 new houses and what are those people supposed to do once they get here. We also need to talk about the RV Park. This is too much for a small town. We have talked about economic diversification; there is nothing here but construction and tourism. There is nothing more in the plan but tourism and construction. There are some new DOW jobs. There aren't a lot of opportunities for younger people in his age group who have just started families. He sees more retirees and second home owners. We need more jobs but what are people going to do if they move here for the new homes. He asked if the plan is good for Western. The people that are attracted here won't go to the college. Growth for growth's sake is not sustainable. He doesn't see economic opportunities in this proposal.

Ann Hausler, County resident, stated she is a neighbor on the east side of the proposed annexation. She is very protective of the east side. She likes the congruence of Western State to agriculture and recreation. The east side of Gunnison embodies that. She has a different view of the corridor since she lives there. As you come into Gunnison from the east, you come through many miles of open land dedicated to agriculture or open space. As you approach town you see Tomichi Heights, the industrial park, the cemetery, the College and then the commercial area. This project will be amidst of that and can be part of the community and it seems like it will fit into the energy of that area and the community from a neighbors view point. Any problems can be mitigated by these two groups working together.

Jeff Walker, County resident and local bank President, has been in the area for 15 years. He presented letters from the local financial institutions, all in favor of the project. As a resident, he sees a size issue. However, he sees it as a positive. You can plan 40 years out in one project. The one thing you don't get to do is stay the same. When it comes to change, you can go positive or negative. We can't stay the same. This is a long-term project. He talked about the definition of sprawl as being unplanned growth. This is planned growth. He congratulated Council for holding the applicants feet to the fire. There has been talk about the affect of the project on downtown businesses. If you look at Salida, they have a vibrant, thriving downtown, in spite of the haphazard growth along the Highway 50 corridor. Growth will happen whether it is within the City limits or in the County, it is going to happen. There is no such thing as a perfect plan, we just have to look at the greater good. It should be in the City limits. People are concerned about the meadows. People, we have 20 miles of meadows to the east stretching to Sargents. There will still be meadows. It is not a huge problem. The cons can be addressed. He encourages Council to approve the Annexation.

Erich Ferchau, City resident and business owner, agrees with Mark Warren on the preservation of open space. He supports the annexation. It is a comprehensive plan. There are things that are included that go above and beyond in the plan. The City has brokered a good deal. It is time to approve the annexation. It will create opportunities for the community. There is a great need for jobs in the community. It is not a big development but a big annexation. Having the capacity to allow more people around town is important. The RV Park is needed. We need more people in town especially in the early spring and later in the fall. It provides a volume of customer base. He doesn't agree with the transfer tax. It will increase the price of housing and will be passed onto the consumer. He suggests that money collected from the transfer tax be reinvested into the project.

Steve Williams, private citizen, City resident and local bank President, has been here for 60 years. He is a 4<sup>th</sup> generation native in this Valley. He has raised the 5<sup>th</sup> generation but his kids are gone, gone, gone because there are no ways for them to make a living here. There is not affordable housing. This is not a perfect plan. Having his family here for so long, he really would not like growth. He would like to bring the railroad back. But, should we go back to 1954? We would have to get rid of everything north of town and east of town. None of that was here. None of Jorgenson Park and the amenities were here. We were in great shape in 1954. But no, we've come a long way. This is not a perfect plan, no plan is perfect. He encourages the City to embrace this opportunity. This might be the last great chance to get this right for future generations. He is speaking for generations past but also for generations future. Opportunity needs to be created. It is tough to make a living, let's not make it tougher.

Narcissa Channell, City resident, stated she has three main concerns. The plan doesn't follow the City's Master Plan guidelines for growth. She is not anti-growth. It conflicts with the guideline not to encourage sprawl growth. Second, her grave concern is that the proposed DOW Regional Office is being used as a bargaining chip to sway public opinion and that there is so much misinterpretation of the facts. She has spoken to both J Wenum, Director of the local office and Tom Speeze, Director of the Regional Office in Durango. She fully understands the positive effects that a Regional Office here would have. She doesn't think there's a person in this room that wouldn't welcome that happening. However, she reminds you that this is only a plan in the beginning stages. There are many, many political and bureaucratic steps to be taken to make this dream a reality. As Tom Speeze said to her, "This is not a done deal". She also wants to publicly remind Dick Bratton that it is within his power to make the land donation even if the annexation is voted down. Dick has said many times that he wants this development to be his legacy to Gunnison. A donation of land to the DOW for a government center would be the ultimate legacy. She wants to remind Council that the City owns the Van Tuyl property from CharMar north. This land happens to be adjacent to DOW land. Citizens and staff are in the process of developing plans for the future of the parcel. Locating a DOW regional center there would be the ultimate economic development opportunity. Saying no to the annexation does not mean closing the door on the vision of having the Regional Office in Gunnison. Her third concern is she has read a lot of reports and has attended a lot of meetings. The developers are reluctant to give specifics and their website is lacking. What are the actual plans? She opposes the Gunnison Rising Annexation. It will be an overwhelming commitment and economic burden to future Councils and City staff.

Edward Morrison, WSC student, agrees with Zoe Fryer especially on the Super Wal-Mart. He also calls for a citizen vote. He has heard how many people have said that growing and getting bigger is good. However, the growth economy model is flawed and it can't go on forever. Eventually growth has to stop. In populations of animals, where there gets to be too many of them, there is a die-off period. We need to avoid that. We have talked about how we want to control development. And we don't want a hodgepodge development. After its developed in 30 years, we will still have a hodgepodge development. It is not avoidable. With an aging population and the need for more young people, how many young people are for the Annexation? Western State is building but there is declining enrollment.

Phil Klingsmith, Gunnison resident and business owner, told Council the doubling of the number of stop lights will get him. If the Annexation is approved, the probabilities are that change will happen. We are touched by all developments that have changed the Valley, everything from Riverbend, the ski area, Dos Rios, Upper and Lower Castle Mountain to the Thornton Ranch to the McDonalds. Everything changes. Yes, the project will change the character of the community. If the developers follow the rules, have done what they have been asked, then these are the reasons to approve for annexation. We need economic stimulus. We need preservation of the natural resources of the Tomichi Creek corridor. Western State has declining enrollment, even with the current building changes that are in fact changing the character of the College. The Annexation will change the character of the College but the character has changed all along. We have a vested interest in the future of the College and a commitment to the College. We are not retaining our Western students or our High School students. Is there an adult child of any of the Council members who have returned to Gunnison to work? We have not retained our children. We have a commitment to the betterment of the community. Given the integrity of the proponents, it is the right thing to do. We can be shocked by the changes or we can be proactive. We all have concerns about the environmental issues of the project. He encourages City Council, when they vote on this twice in December, to vote yes, unanimously yes.

Gary Hausler, County resident, concedes if development goes through the east entrance to town will change. East of that area though, from the Varra property to Doyleville, the corridor is in conservation easements. There can be no development. So the hay meadow entrance to town will not be changed, just moved to the east. As for the RV Park, can it be filled? If there is no financial liability to the City, it's the developers financial liability to fill it, not the City's. There are a lot of RVs on the front range and if oil prices go up, they will stick closer to home and come to Gunnison for a good recreational opportunity for three seasons of the year. As for the Truck Plaza, there are no gas stations in town that are good for easy access for big RVs or trucks to turn around in. Another advantage is that it moves the trucks out of the park area along Highway 50. It will be good to get them out of the park area. Additional stoplights will aid in controlling traffic. He strongly recommends this once in a lifetime opportunity to control growth and have planned growth we can live with. He strongly recommends Council to vote yes on the Annexation.

Jeff Wilkinson, Gunnison County resident, has collected 82 signatures, all in favor of the Annexation. In talking with approximately 100 people, only 2 were opposed. These are working and middle class people. This project has been kicked around more than a rented mule. This is a once in a lifetime opportunity. It is a quality Annexation package with vision. This will control the east corridor for perpetuity. When and if another developer would look at the time and dollars invested and they would say it is too hard to do it. He strongly urges Council to approve the Annexation. It is not going to be built-out in our lifetimes. This is a gift to generations to come. There will be review of every phase as it is built. As a contractor over 40 years, he has seen building changed. The industry has changed. There are more energy-efficient building techniques now. He wants to see the project go ahead for future generations of Gunnison.

Jeff Schlabach, Gunnison resident stated he came to Gunnison 16 years ago and went to Western State. His first job was for \$6 or \$7 per hour and he now owns a business. It's hard to make it. We need to keep growing. The younger generation is who this project is for. There are a lot of younger people out there that are for this. He is for it.

Cory Vanderveen, WSC Student Government President, and hopefully a future resident of this town, stated as a younger person he loves this town and he has heard good things tonight. This is a wonderful opportunity. People have shown their support and he agrees with that. He is hopeful for what it will become. He looks forward to being a part of it.

Gary Shondeck, County resident and Gunnison business owner, has been involved in three projects in Gunnison, the development of the historic Smith Opera House preservation, the original Shades for Blade project and the Gunnison Hockey Association. The approval of the Gunnison Rising Annexation is needed and he supports the project.

Hal Yale, County resident, has been in Gunnison since 1948. He has been a business owner and is now retired. He thinks it is essential that Gunnison Rising be approved. It will give the town an opportunity to control the growth on the east side of town. He would hate to see it turned into 35 acre plots where we wouldn't have any say in the development. We won't stay constant. We are in a bad downward spiral right now. There are empty storefronts. Will the Annexation be the savior? He doesn't know but we need to give it a chance to do something positive.

Kim Antonnuci, Salida resident, is a planner with Chaffee County. She was the facilitator for the City Master Plan. She agrees with the prior comments about the conflicts with some of the Policy statements in the Master Plan. She commended the developers and stated there is information lacking from the website. Thirty-five acre County exemption parcels that could develop on the site are very bad. The huge planning vision is commendable in the project. It brings forth economic opportunities. However, the devil is in the details. There are a lot of details that need to be worked out. She urges Council to look carefully at the conflicting Policy Statements. This is a substantial piece of property and we should not burden future generations.

Steve Ogden, Gunnison business owner, is new to the community. He is a financial advisor. He asked what happens if the Annexation doesn't go through. What would be the character of 35 acre developments if we don't have control of the future growth. We have a responsibility to take control of this future growth. If it is let go, the City won't have the responsibility. If we don't take control, the very thing that the opponents of this proposal are stating, will take place. We need to make sure it happens right.

Jay Miller, County resident, is in favor of the Project. His family has been here since the 1880's. His family has seen a lot of growth in the Valley. He has had several businesses through the years and it is a tough place to live and a tough place to make a living. We all have a responsibility to move forward when we have an opportunity. And he sees this as an opportunity.

Joanne Wenman, County resident, is a ranch owner and real estate business owner. She is irritated to watch the community trying to manage someone else's property and business. When a good effort is put in on a project, why is it a concern of the people in the room as to what happens on this property? They are not going to go out and build 700 houses if the market is not there and just let them rot into the ground. It is going to grow with time. People need to grasp the concept. As property owners, they should be able to exercise certain rights and do what they want without the oversight of a community of people making the decisions for them. This has been beat to death. Let them do what they want at their own expense. Move on and congratulate them for trying to do this in a community that is so devoted to no growth.

Jaclyn Stapert-Evenson, Gunnison resident, stated the only reason she moved to Gunnison is because her daughter and family are here. She is part of the aging population and being here she has embraced the community as home. Families are typically scattered. Having your children stay in the same community isn't unusual. This will happen whether it is built or not. She is not anti-growth but will this provide jobs with the growth? We need to look at the underlying culture that my business is my business. Do we need to bring something in? We already have opportunities. Are we encouraging entrepreneurs with smaller projects? Every bit of the garlic powder used in the Valley comes from China? We can grow it here. This type production could provide jobs for young and old and provide sustainability. We need to encourage that kind of idea. People shop elsewhere. The very people who complain about it, do it. We are either committed to the community or not. Don't look at it in isolation. (The timing bell rang.)

Ferron Wilson, Gunnison resident, has been here since 1998. It was easier to live here then He has a wife and 3 kids. Reality has hit. He has never been threatened for work until now. He is not against it. It was easy to make a living before. But with a family it is more difficult. The Annexation could bring construction jobs that would help him out. But he is not saying he is for it or against it. When he looks at the commercial areas in the Annexation, do we need 3 more coffee shops, another W-Café? We can't support family on low paying jobs. What are we going to do about jobs? What are we going to do besides swinging a hammer? This looks like a great project. The initiative to build jobs could be good if they build energy efficient homes. Look at what people are living in now. There could be better housing with lower heating bills. Maybe some of the kids from Western could stay if there were more opportunities here. We need other avenues for jobs other than swinging a hammer. We need something other than real estate agents and contractors. We need jobs that pay \$30 an hour. What are the jobs? I'm rambling and it is late.

Vicki Roach Archuleta, County resident and Gunnison business owner, stated the proposal ignores many items. The proposal ignores many items that were included in the Master Plan that was developed by Gunnison community members to outline a vision we have for our future. Some items lack thorough and considerate planning. She is not so concerned about those things, however, but there are critical issues especially with our money. She has concerns about the RETA and the MOA with the College. The 1.5% assessment that is placed on all property sales will be reinvested in the project because it will be used to reimburse the developers for their cost of the pedestrian plaza and the Georgia roundabout and that area in there. The City will incur costs to get it done all the way to Main Street. It is not going to be free, the City will incur costs. The money that was supposed to come from the RETA was supposed to be used to reimburse the City for the cost of maintenance of the infrastructure throughout the Annexation. If it is used to reimburse the developers, what will be left to pay for those costs? If the land does not sell, we will have to pick up the tab. If there is no money in the RETA, it will cost us, the people who already live here, who have our families and homes here and who have our businesses here. It sounds scary to her in this time of depression/recession. The economy is not going to get better for about five years. Then, we will be in the middle of a development that we cannot sustain. It is not going to go away anytime soon. We have to pay for the hockey rink and the pool and all of the other parks that our City doesn't have the money to maintain. We ran short because of the snowfall two years ago. We don't have that kind of cushion to sustain unbridled growth. We need to control it and this doesn't do it.

Matt Robbins, County resident and Gunnison business owner, stated it is a great project. It addresses future growth and it is a pay as you go, review as you go, project. He will bet on Dick Bratton any day. As for the Truck Plaza, the truckers can use the place and it is good for tourists and RVs and whatever. A truck plaza doesn't bother him at all. It is needed and has been needed. It also addresses some past needs. When Blue Mesa went in, 26 miles of the Gunnison River was inundated and a lot of fishing access was lost. The Bureau of Reclamation promised to replace those miles of fishing access. Tomichi Creek access will help with that that loss. If Wal-Mart or some other stores go in out there, don't be afraid of competition, it makes us all better. Pass it please.

Ralph "Butch" Clark, City resident, stated he has submitted a letter. He endorses what others, Richard, Zoe, Steve, Ken, Jaclyn and Narcissa, have said. There are a couple of other things he would like to bring up. This is a major project and there are still a lot of unknowns remaining in these plans. There is still a lot of uncertainty, a lot of conceptual, preliminary, illustrative, possible terms used. It is going to be a real test to bring this together. There is the desire of 20 year vesting. In State Statutes it is usually 3 years. He thinks that if you want to go more there has to be its own specific legislative act subject to referendum. So we need to address that issue. We need to try and take small steps. Others need to respond as well. We need to look at the impact on others that will have to respond like the hospital, social services and others. They need time to get their act together. There could be other problems. There could be thousands of people. There could be an enormous amount of jobs. Most of these jobs will be low paying jobs. Where will these people work? There is a need for low-income housing. This should be incorporated in the residential village, maybe in the mixed residential development. With the densities allowed in the residential village, and the acreages proposed, there could be low cost housing. They will be much more economically viable. The City needs to consider that. Who

pays for providing energy that may be needed for this project? How will the energy be provided? We all do. All utility bills will be increased to pay for the cost to provide energy. Gunnison Rising is an exceptional opportunity for the development to have off-grid energy. All of their electric requirements and heating could be off the grid. That makes it more saleable, more attractive. There needs to be a plan for the RV lot if they are not sold. Larger lots, maybe 50 feet wide, could be resold. This would be similar and more in competition with other projects. Gunnison Rising will create a tremendous amount of traffic and congestion. The traffic reports state this. There is a need for an east-west bypass to help relieve congestion. This is the Master Plan. This could go southwest by the Truck Plaza, and maybe through an extension of Rio Grande Avenue to the intersection with Highway 50. There could be a stoplight at that intersection with the Highway. It will make it safer for little children to cross to Jorgensen Park and help relieve the congestion on Tomichi and direct trucks to the Truck Plaza (the timing bell rang).

Roxie Rule, City resident and City business owner, stated she is a native of Gunnison and her family started a lumber yard and log building company in 1950. She doesn't want the railroad to come back because Home Depot will follow and that is not good for her business. All our materials and supplies, except for some small stuff, in Gunnison comes in by trucks. Groceries come in by truck. We do need trucks. She wants to see the Annexation approved. A change from agricultural land to residential and commercial land it will lower the tax burden for existing commercial businesses. She urges Council to vote yes.

Karen Immerso, City resident and home owner, is a proponent of a thriving Gunnison but is in opposition to Gunnison Rising. She would like Council to consider the opportunities and energy available in West Gunnison. She has huge concerns around the energy and environmental issues, especially the RV Resort. The large RVs that an affluent person would bring into this town would increase the noise, traffic and ultimately the large amount of fuel burned to travel affects the State and even the planet. She does not support the RV Resort at all. There needs to be a study of the number of houses for sale or for rent that are empty. Building more houses at Gunnison Rising will not support community members who are trying to fill their rentals with tenants or sell their houses. She is not in favor of Gunnison Rising.

**Enter Written Comments for Both Hearings Into Record.** Mayor Ferguson called for any further written comments. He asked City Clerk Davidson to enter all of the received written comments into the record of the Public Hearings.

Mayor Ferguson stated it has been quite a marathon this evening and on behalf of Council thanked everyone for their comments. Gunnison's diversity is one of its greatest strengths and we had a good civil exchange of diverse opinions. He is proud of the community.

**Close Both Public Hearings.** Mayor Ferguson called for any further comments and hearing none, closed both Public Hearings at 10:20 P.M.

**Adjourn Special Session Meeting.** Mayor Ferguson adjourned the Special Session meeting at 10:21 P.M.

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Mayor Stu Ferguson

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City Clerk Gail A. Davidson