

GRAND JUNCTION PLANNING COMMISSION
April 23, 2019 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:00 pm by Vice Chair Wade.

Those present were Planning Commissioners; George Gatseos, Andrew Teske, Kathy Deppe, Keith Ehlers, Bill Wade and Ken Scissors.

Also present were Greg Caton, City Manager, Community Development Department – Tamra Allen, Community Development Director, Kathy Portner (Community Services Manager) and Scott Peterson (Senior Planner).

John Shaver (City Attorney), Jamie Beard (Deputy City Attorney), Trent Prall (Public Works Director), Rick Dorris (Development Engineer) and Secretary Lydia Reynolds.

There were approximately 85 citizens in attendance during the meeting.

1. Meeting of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the March 26, 2019 meeting.

Vice Chair Wade asked for a motion to approve the minutes. Commissioner Teske moved to approve the minutes. Commissioner Deppe seconded the motion.

The motion was seconded by Commissioner Deppe. The motion passed unanimously by a vote of 6-0.

2. Impact Fees Text Amendment **File# ZCA-2019-116**

Consider a request by the City of Grand Junction for a Group of Actions including 1) An Ordinance Amending Ordinance No. 3641, 2) An Ordinance Amending Section 21.06.010 of the Zoning and Development Code Concerning Infrastructure Standards, Transportation Capacity Payments Including Calculations Thereof, Credit and Approving Consumption-Based Calculation Methodologies and 3) A Resolution Amending Transportation Impact Fees and Establishing the Implementation Schedule.

Commissioner Deppe recused herself from this item and left the room.

Staff Presentation

Trent Prall began his presentation with an overview of recent roadway expansion projects and noted that there are 184 million dollars of future transportation capacity infrastructure needs. Mr. Prall displayed a graph of the history of sales and use taxes collected. Mr. Prall referred to a 2015 National Impact Fee Survey and displayed fee comparisons in other municipalities. Mr. Prall explained the proposed implementation schedule to the Transportation Capacity Payments and noted that by law, these cannot include fees for maintenance.

Commissioner Gatseos asked if any of the items will free up money for the City to use. Mr. Prall explained the different fees and how they can be used. Commissioner Wade asked what the increases would be for each increment over the next 3 years. Commissioner Scissors asked why we compare to cities such as Fruita or Palisade when they have different needs. Mr. Prall stated the study stands alone but they did look at data from other areas.

Public Comment

Rebecca Scarrow stated that several representatives of the industry that were at the last Planning Commission left with a different understanding as to when the item would come back to the Planning Commission. Ms. Scarrow gave a brief presentation that included how the City might collect the fees without an undue burden to developers. Commissioner Ehlers asked if they are more concerned with the fees going up or how they are implementing them. Ms. Scarrow stated that she is addressing the residential side and others will speak to commercial fees.

Kevin Cordova stated that he is a realtor and is concerned that with the proposed fees, many potential customers will not be able to get into a home. Commissioner Ehlers asked if they are more concerned with the fees going up or how they are implementing them. Mr. Cordova stated the proposed fees will have a negative effect on the housing market. Commissioner Gatseos noted that the fees have not been raised in 15 years.

Kelly Maves stated she is president of the Homebuilders Association and is a realtor. Ms. Maves stated that impact fees effect housing prices and asked the Commission to consider all the fees not just the TCP fees. Commissioner Wade asked if she is more concerned with the total cost or the implementation schedule.

Merritt Sixeby stated that there are not enough good paying jobs to allow people to buy the houses that are for sale. Mr. Sixeby noted that houses under \$300,000 are gone in a week. It appears there are people buying up properties for investments and not for homes.

Shauna Grieger noted that most builders agreed that fees need to go up, but they want to know what the whole amount is for all the fees. Commissioner Gatseos referred to a house bill 181 that was passed. Ms. Grieger noted that if there is an economic dip, builders will look elsewhere. Commissioner Ehlers asked if the fees were the biggest concern or the implementation. Ms. Grieger stated both are issues and developers need more input.

Ed Lenhart stated he was a builder and was concerned about both the increase and the implementation schedule. Mr. Lenhart stated he is building in Rifle and their increase in fees added to an already stagnant market.

Brian Bray stated that he was concerned about the implementation schedule. Mr. Bray wondered if the economy could be increased without raising these fees. Mr. Bray stated that Montrose was not in the comparisons and they are who we are competing with.

Steve Votilla stated that he plans to build 60 apartments and he has already invested his money in the property and engineering. Mr. Votilla pointed out that he was not aware of the increase and he may not have bought the property if he had known the fees were going to increase so much. He would like to see a more graduated schedule.

Ron Abeloe stated that he thought the ordinance was not written well. Mr. Abeloe pointed out that infill properties will not be developed because of intersection improvements and undergrounding fees. Mr. Abeloe felt that their concerns were falling on deaf ears. Mr. Abeloe felt this was being rushed and he would like the City to take 3 or 6 more months to engage with the development community. Mr. Abeloe felt that the City could find more money other than to raise TCP fees. Mr. Abeloe stated the impact fees are tied to a CDOT index that is based on the front range. Commissioner Ehlers referred to a letter Mr. Abeloe wrote and asked if he had brought the questions in the letter to the staff. Mr. Abeloe stated he has discussions with staff before.

Mike Foster felt that putting capital requirements in addition to the TCP fees was a double-whammy. Mr. Foster stated that he used to buy land for builders on the front range and he always looked at the fee structures to decide what municipalities to build in. Mr. Foster also would like to see the first time homeowners not have the same fee as a larger home.

Dave Shepard gave statistics that illustrated how difficult it already is to get into an entry level home. Mr. Shepard discussed the need for better jobs.

Ted Ciavonne would like to see more incentives for infill areas.

Mark Austin stated that sales tax revenue comes from commercial development, so he thought increasing commercial fees didn't make sense.

Commissioner Questions for Staff

Commissioner Scissors asked Mr. Prall about affordability. Mr. Prall pointed out that there is a graduated schedule that should help. Commissioner Gatseos stated he is concerned with the impact of the commercial fees and asked if they looked at other options. Greg Caton, City Manager, stated that other cities have other mechanisms that make comparisons difficult. Mr. Caton stated that when looking at studies, the rate went as high as \$12,000 and they have compromised to the current amount. Mr. Caton pointed out the schedule was also reached through compromise. Mr. Prall briefly addressed the four points that were in Mr. Abeloe's letter. Commissioner Ehlers asked what options they have to address the urgency of the safety improvements fees. John Shaver, City Attorney explained the "administrative regulation" process and noted that it would allow for some fine-tuning.

Commissioner Discussion

Commissioner Scissors recognized that the issue is important and complicated and he is concerned that the public does not seem on the same page.

Commissioner Teske agreed with Commissioner Scissors and noted that the Commission is voting to move the item forward to the City Council who will make the final decision. Commissioner Teske noted that the decision to fund the infrastructure is one of three ways; increase taxes, increase fees or don't make improvements. Commissioner Teske thought the commercial component was very different than the residential.

Commissioner Gatseos felt the city staff has done due diligence and doesn't have a good feel for the commercial component. Commissioner Gatseos stated that he would have a hard time voting in favor at this time.

Commissioner Ehlers stated that projects are being denied because of traffic. Commissioner Ehlers stated he was sensitive to the issue. Commissioner Ehlers explained that the city is in the middle of a Comprehensive Plan and it will be interesting to see what direction the community will want growth.

Vice Chair Wade added that the Commission is an advisory board to the Council. Vice Chair Wade acknowledged that the fee increase is long overdue, but was concerned about the commercial component.

Tamra Allen responded to Commissioner Ehlers question on how they could motion and bring out points they would like Council to consider. Ms. Allen explained that the Commission could approve any items and then make a motion for the other items.

Mr. Caton explained that they could move the items forward with approval to City Council and continue discussion with the industry before the next City Council meeting.

Commissioner Scissors feels that if there are so many concerns then it should not be sent to City Council. Discussion continued regarding how to move forward with a motion.

Vice Chair Wade suggested that they take a motion, vote and depending on how that comes out, they may make suggestions for council.

Motion and Vote

Commissioner Ehlers made the following motion; On the request for a group of actions related to the update of the Transportation Impact Fees and the need for street safety improvements, File ZCA-2019-116, I move to forward a recommendation of Approval with the finds of fact as listed in the staff report for the following actions:

- 1) An amendment to section 21.06.010 of the Zoning and Development Code

That removes reference to Growth and Development related streets policy and updates the reference to new study

An ordinance amending section 21.06.010 of the Grand Junction Zoning and Development Code concerning infrastructure standards, Transportation Capacity Payments including calculations thereof, credits and approving consumption-based calculation methodologies

- 2) An amendment to section 21.06.010 of the Zoning and Development Code

That includes requirements for on-site safety improvements

(Same as above) an ordinance amending Section 21.06.010 of the Grand Junction Zoning and Development Code concerning infrastructure standards, Transportation Capacity payments including calculations thereof, credits and approving consumption-based calculation methodologies

- 3) Amendment to Ordinance No. 3641

That removes the Growth and Development related streets policy from the ordinance.

An ordinance amending Ordinance No. 3641 concerning the Growth and Development related street policy

4) A resolution updating the Transportation Impact Fees Schedule & Implementation Program

That includes (a) adoption of a 3-year implementation schedule, (b) “locks-in” the fee for single family residential and fee simple homes at time of planning clearance, (c) “locks-in” other multi-family (eg. apartments) and non-residential at time of application submittal, and (d) maintains the redevelopment boundary incentive

Resolution no. _____ -19 amending and restating Transportation Impact Fees arising out of and under the city of Grand Junction’s Zoning and Development Code and Code of Ordinances

The motion was seconded by Commissioner Teske. The motion was not approved by a vote of 1-4.

3. Sixbey Investments LLC Rezone **FILE# RZN-2019-99**

Consider a request by Sixbey Investments LLC to rezone 0.31 acres from R-4 (Residential – 4 du/ac) to R-O (Residential Office) located at 2670 Patterson Road.

Applicants Presentation

Ted Ciavonne stated he would like to reserve his time for rebuttal.

Public Comment

Amy Johnson-Lambert spoke in opposition to the rezone. Ms. Johnson-Lambert stated that she is concerned about losing the residential feel to her neighborhood, the traffic and lighting from the parking lot of a future development.

Georgia Mechem spoke in opposition to the rezone as she was concerned about traffic. Laura Bishop stated she was opposed to the rezone. She felt that a one level building with a few parking spaces would be ok, but the rezone would allow for more intense impact.

Jim Hogge stated he has not seen the plans, however he is concerned about the noise and traffic.

Marilyn Hammer was concerned about traffic and the increase in traffic due to an ATM there. Ms. Hammer would like to see a light at 26 3/4.

Steven Meacham spoke in opposition to the rezone.

Joe Bush was concerned that the rezone will be a doctor's office and generate too much traffic.

Applicants Rebuttal

Ted Ciavonne explained that it makes sense to have as few curb cuts as possible. Mr. Ciavonne gave a brief history of the parcel. Mr. Ciavonne gave several examples of R-O development in residential neighborhoods where it was compatible.

Commissioner Questions for Staff

Rick Dorris (Development Engineer) explained that the owner now has two adjacent properties and will widen the road there. Mr. Dorris addressed the questions regarding traffic.

Commissioner Discussion

Commissioner Ehlers stated that he feels the criteria has been met. Commissioners Gatseos, Teske, Wade and Scissors agreed with Commissioner Ehlers.

Motion and Vote

Vice-Chairman Wade, on the Rezone request to R-O (Residential – Office) for the property located at 2670 Patterson Road, City file number RZN-2019-99, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

The motion was seconded by Commissioner Teske. The motion passed unanimously with a vote of 6-0.

4. Timberline Plaza Subdivision File# VAC-2019-123

Consider a request by Timberline Bank to vacate a portion of a 20-foot wide public Storm Sewer Easement, located at 649 Market Street.

Staff Presentation

Scott Peterson gave a brief PowerPoint presentation regarding the proposed vacation.

Commissioner Discussion

Commissioner Scissors recused himself from the vote.

Motion and Vote

Vice-Chairman Wade, on the Timberline Center Storm Sewer Easement Vacation request located at 649 Market Street, City file number VAC-2019-123, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report.

The motion was seconded by Commissioner Deppe. The motion passed by a vote of 5-0.

5. Storage City Condition Use Permit (CUP)

File# CUP-2019-15

Consider a request by Stephen and Cynthia Coop for a Conditional Use Permit (CUP) to allow development of a Mini-Warehouse complex in a B-1 (Neighborhood Business) zone district located at 3040 E Road.

Staff Presentation

Kristen Ashbeck, Senior Planner gave a brief PowerPoint presentation of the proposed CUP.

Motion and Vote

Vice-Chairman Wade, on the application for a Conditional Use Permit for the proposed Storage City mini-warehouse complex located at 3040 E Road, CUP-2019-15, I move that the Planning Commission approve the application.

The motion was seconded by Commissioner Scissors. The motion passed unanimously by a vote of 6-0.

6. Halandras Planned Development

File# PLD-2019-132

Consider a request to amend the OneWest Planned Development and Outline Development Plan, located between G Road and Highway 6 & 50 west of 23 ¾ Road, as adopted by Ordinance No. 4676 to modify the name, allowed uses, bulk standards and phasing schedule.

Staff Presentation

David Thornton stated that this is a request to amend the OneWest Planned Development and Outline Development Plan, located between G Road and Highway 6 & 50 west of 23 ¾ Road, as adopted by Ordinance No. 4676 to modify the name, allowed uses, bulk standards and phasing schedule. Mr. Thornton gave a PowerPoint presentation of the proposed amendment to the Outline Development Plan. Mr. Thornton gave a PowerPoint presentation of the proposal.

Motion and Vote

Vice-Chairman Wade, on the request to approve the request for amendments to a Planned Development ODP as presented in file PLD-2019-132, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report.

The motion was seconded by Commissioner Teske. The motion passed unanimously by a vote of 6-0.

7. Horizon Drive Business Improvement District (BID) Trail Network Plan

File# CPA-2019-110

Consider a request by the City of Grand Junction to amend the Comprehensive Plan to include the Horizon Drive Business Improvement District (BID) Trail Network Plan as a part of the Grand Junction Circulation Plan

Staff Presentation

Kathy Portner (Community Services Manager) stated that this proposal is to consider a request to amend the Comprehensive Plan to include the Horizon Drive Business Improvement District (BID) Trail Network Plan as a part of the Grand Junction Circulation Plan. Ms. Portner gave a PowerPoint presentation of the proposal.

Motion and Vote

Vice-Chairman Wade, on the Horizon Drive BID Trail Network Plan request, CPA-2019-110, I move that the Planning Commission forward to the City Council a recommendation of approval of the request to amend the Comprehensive Plan by adopting this Trail Network Plan with the findings of facts as listed in the staff report.

The motion was seconded by Commissioner Deppe. The motion passed unanimously by a vote of 6-0.

Item 8. Other Business

There was no other business.

Adjournment

The meeting was adjourned at 11:21 p.m.