

**GRAND JUNCTION PLANNING COMMISSION
FEBRUARY 26, 2013 MINUTES
6:00 p.m. to 6:57 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. The public hearing was held in the City Hall Auditorium. In the absence of Chairman Wall, the Commission unanimously agreed that Commissioner Eslami would act as Chairman.

In attendance, representing the City Planning Commission, were Ebe Eslami (Acting Chairman), Gregory Williams, Keith Leonard, Jon Buschhorn, Loren Couch, Christian Reece and Steve Tolle (First Alternate). Commissioner Reginald Wall (Chairman) was absent.

In attendance, representing the City's Public Works, Utilities and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Senta Costello (Senior Planner), Brian Rusche (Senior Planner), Lori Bowers (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 13 interested citizens present during the course of the hearing.

Announcements, Presentations And/or Visitors

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

None available at this time.

2. Heritage Estates Filing 8 Rezone – Rezone

Request a recommendation of approval to City Council to rezone 2.78 acres from R-8 (Residential 8 du/ac) to R-12 (Residential 12 du/ac) zone district for a portion of Lot 100 of Heritage Estates Subdivision, Filing 1.

FILE #: RZN-2012-578

APPLICANT: Kim Kerk - Blue Star Industries

LOCATION: Property located immediately west of 651, 651 1/2, 653, and 655
25 Road

STAFF: Lori Bowers

3. Workforce Annexation – Zone of Annexation - PULLED FOR A FULL HEARING

Request a recommendation of approval to City Council for 1) a Comprehensive Plan Amendment to amend the Future Land Use Map from Residential Medium (4-8 du/ac) to Village Center; and 2) to zone 10.129 acres from County RSF-R (Residential Single Family-Rural) to a City C-1 (Light Commercial) zone district.

FILE #: ANX-2013-10
APPLICANT: Dave Detwiler - Mesa County Facilities and Parks
LOCATION: 512 29 1/2 Road
STAFF: Senta Costello

4. Pioneer Meadows Subdivision - Preliminary Subdivision Plan - Extension - PULLED FOR A FULL HEARING

Request approval of a two year extension of the approved Preliminary Subdivision Plan to develop 54 residential lots, including 9 single family lots and 45 duplex lots, for a total of 99 dwelling units on 13.37 acres in an R-8 (Residential 8 du/ac) zone district.

FILE #: PP-2008-393
APPLICANT: Bucky Moser - Alpine Bank Glenwood Springs
LOCATION: 3126 E Road
STAFF: Senta Costello

Acting Chairman Eslami briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. At public request, Items 3 (Don Craft, 2955 Texas Avenue) and 4 (Steven Pittan, 496 Moonlight Court) were pulled from the Consent Agenda for a full hearing. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the remaining Consent Agenda item.

MOTION: (Commissioner Reece) “Mr. Chairman, I will move to pull Item Number 3, the Workforce Annexation, from the agenda and Item Number 4, the Pioneer Meadows Subdivision, from the Consent Agenda for a full hearing for this evening and move to approve the rest of the Consent Agenda as read.”

Commissioner Williams seconded the motion. A vote was called and the motion passed unanimously by a vote of 7- 0.

Full Hearing

3. Workforce Annexation – Zone of Annexation - PULLED FOR A FULL HEARING

Request a recommendation of approval to City Council for 1) a Comprehensive Plan Amendment to amend the Future Land Use Map from Residential Medium (4-8 du/ac) to Village Center; and 2) to zone 10.129 acres from County RSF-R (Residential Single Family-Rural) to a City C-1 (Light Commercial) zone district.

Staff’s Presentation

Senta Costello, Senior Planner, made a PowerPoint presentation regarding the Workforce Annexation which was located directly north of the existing Mesa County Human Services site, approximately an eighth of a mile north of North Avenue. The

property was currently vacant with Residential to the north and west. The current future land use designation for the property was Residential Medium. She said that the Future Land Use designation of the Human Services site to the south was Village Center, and as part of their request using the adjacency review, the County requested to amend the Comprehensive Plan from Residential Medium to Village Center and then rezone the property to a C-1 zone district. Ms. Costello said that typically they had found in their research that the development of a property such as this generally did not have negative impacts on the surrounding properties as to property values. She stated that she had contact from a couple of neighbors to the north and the west who also asked if this would affect their property values. Ms. Costello confirmed that property taxes were based on the use of properties.

Questions

Commissioner Leonard asked where Ms. Costello had gotten the information that this type of development did not affect property values. Ms. Costello said that it was based basically on experience over the years from people she had worked with. She clarified that she did not have any statistical data.

Public Comment

Don Craft asked if there were any plans for future development on the remaining three to four acres. Ms. Costello said there could potentially be, however, there were no specific plans at this time. She pointed out that the only thing for consideration this evening was the zoning request.

Applicant's Presentation

Dave Detwiler, Mesa County Regional Services, clarified that the request before the Commission for consideration was a rezone of the subject property which had been owned by the County since 1994 or 1995. It had been the County's intention to turn this property into the next phase of the county campus. Mr. Detwiler said that they had submitted a Major Site Plan for approximately the southern two-thirds of this property for development into the Workforce Center with no current firm plans for the remainder of the property to the north.

Discussion

Commissioner Williams stated that he agreed with the staff report and would vote in favor of this motion.

Chairman Eslami asked if there was anyone else from the public who wished to comment on this request. As there was no further comment, he asked for a motion.

MOTION: (Commissioner Williams) "Mr. Chairman, on Zone of Annexation, ANX-2013-10, I move that the Planning Commission forward a recommendation of the approval for the Mesa County Workforce Annexation Comprehensive Plan Future Land Use designation from Residential Medium to Village Center and Zone of Annexation from RSF-R (Residential Single Family-Rural; 5 to 25 du/ac) to C-1

(Light Commercial) with the findings of fact, conclusions and conditions listed in the staff report.”

Commissioner Buschhorn seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

4. Pioneer Meadows Subdivision - Preliminary Subdivision Plan - Extension

Request approval of a two year extension of the approved Preliminary Subdivision Plan to develop 54 residential lots, including 9 single family lots and 45 duplex lots, for a total of 99 dwelling units on 13.37 acres in an R-8 (Residential 8 du/ac) zone district.

Staff's Presentation

Senior Planner Senta Costello addressed the Commission on the request for a two year extension to the Preliminary Subdivision Plan for Pioneer Meadows. The property currently consisted of four properties, all of which contained single-family homes. The original subdivision plan consisted of a total of nine single-family lots and 45 duplex lots. She went on to say that the applicant processed a Simple Subdivision to carve off all of the single-family homes onto their own individual lots because there were some sales pending for a couple of those homes. The development would include all of those homes within the bounds of the final plan for the subdivision.

Ms. Costello said there was a mix of development around the property which consisted of larger acreage land along with single-family homes. The Future Land Use designation for the subject property was Residential Medium with a current zoning of R-8. The original approval was in January 2010 and the owner requested an extension prior to the expiration date of that approval and she confirmed that the plan still met the goals and objectives of the Comprehensive Plan as well as the standards of the R-8 zone district.

Questions

Ms. Costello confirmed for Commissioner Couch that there were homes on the property now.

Public Comment

Stephen Pitton said that he lived in a neighborhood just south of the property and asked if the notice stated that this was only for an extension and would there be future hearings on the development plan itself. Ms. Costello said that the final review for this project would be administrative; however, property owners would be notified again when that process began. There would be another opportunity to review that plan and staff could address any concerns at that time. She added that if it was approved but a citizen felt that their concerns did not meet current standards, there was an appeal process available to them.

Stephen Pitton asked if there would be a future hearing to address those. Ms. Costello said there would not be a future hearing date and it would be an administrative review but the public would have an opportunity to review the plans and then if a citizen didn't

believe the standards had been met and there were still concerns, there was an appeal process that would go to the Planning Commission.

Stephen Pitton asked if this was only for an extension to allow them more time to develop it and come up with the funds. Ms. Costello confirmed that was correct. She stated that if the extension was not approved, then their current approval expired and the applicant would need to start over.

Stephen Pitton said that he was opposed to the extension request due to the development and he had not seen any current plans and he did not feel that this proposed neighborhood fit the adjacent properties.

Lisa Pfalzgraff, president of Water Users of Lateral Ditch No. 110, which ran roughly along the western boundary, said that it was her understanding that the previous owner took possession of headgate number 109 and shortly thereafter she was contacted that they had wanted to reroute headgate number 110 into 109. She wanted to go on record that she was not here to oppose the actual extension but she did want to be present at all meetings.

Robert Beck, 3134 E Road, asked when the extension was requested. Ms. Costello said the extension request was submitted a week prior to the expiration which would have been January 26, 2013. At that point the ownership had not transferred. She added that they did have confirmation from the new owner as well that they were in support of the extension. She said the bank requested the two-year extension.

Discussion

Ms. Costello confirmed for Commissioner Couch that the original approval was in January 2010 and for three years nothing had been done.

Commissioner Couch asked what happened to headgate 109. Ms. Costello said the physical condition of the property, other than the improvements that the lateral and their board had made and approved, had not changed. At such time as a final plan would be approved they would need an easement to protect that line.

Commissioner Couch asked which bank took possession. Ms. Costello confirmed that it was Alpine Bank.

Commissioner Williams said that it was his understanding that the plan, if changed at all, would be required to come back before the Commission for an entire review process. Ms. Costello said that any significant changes would be brought before the Commission – such as dropping lots or reconfiguring street layout or lots – would trigger a new review process.

Commissioner Couch asked if the extension or lack of extension would have any bearing on what the bank might do with the property. Ms. Costello said that they had

the property up for sale for quite some time and they did have a contract for sale contingent upon approval of the extension. She went on to say that if the extension was not granted, the sale would fall through and the bank would continue to market the property.

Commissioner Leonard asked for further explanation of the administrative review process. Ms. Costello advised that notice would be sent out to the neighboring properties similar to what was sent out for the continuance request but there would be no public hearing.

Public Comment

Lisa Pfalzgraff clarified that in 1999 the water users incorporated and they have a 10 foot easement on both sides of the ditch from the middle of the ditch.

Questions

Commissioner Williams asked what the next step would be if after the two years nothing happened with the property. Ms. Costello said they would either have to come back and ask for another extension or the plan would expire which would then require resubmittal.

Commissioner Couch asked if the resubmittal would be from Alpine Bank. Ms. Costello confirmed it would be unless the sale went through and in that case the resubmittal would be from the new property owner.

Commissioner Couch wondered why the extension was recommended if there wasn't an owner. Ms. Costello stated that the purchaser would like to continue with the development of the plan. She also confirmed that the request for the continuance would not go to City Council but rather voted upon this evening by the Planning Commission.

Public Comment

Joe Parker said that he was one of the original owners and he had a written agreement with the previous owner that he would retain 1.07 acres and when the previous owner lost the property, they had agreed to a lot line adjustment. He had not received anything pertaining to the 1.07 acres and wondered what would happen on that. Chairman Eslami advised Mr. Parker that the Commission did not have any information on that. Ms. Costello said that they could research the plat that subdivided off the single-family homes to individual lots.

Stephen Pitton asked if Ms. Costello could confirm that the original property owner lost the property in foreclosure and at that time they had developed the plan that had been approved and asked if that property owner was the one who had filed for the extension. Ms. Costello responded that the bank actually filed the extension request after they took possession from the developer.

Stephen Pitton asked if that was prior to expiration of the previous application. She confirmed that the bank had requested the extension and had a buyer in place who would like to finish the development.

Stephen Pitton asked if the proposed buyer were to come across any issues with the current set of plans would they have to reapply. Ms. Costello said that if there were any significant changes such as reduction in density, reduction in number of lots, reconfiguration of the street layout and circulation, they would be required to start back at the beginning of the submittal process. If they had to go back and reapply, the extension would be null and void and that plan would be withdrawn.

Lisa Pfalzgraff asked if Ms. Costello was aware if the new buyer was interested in continuing with the plan as previously submitted. Ms. Costello said that was her understanding and informed that the proposed buyer sent in a request of support for the extension as they didn't want to lose the vesting of the preliminary approved plan.

Questions

Commissioner Reece asked if Ms. Costello knew what kind of timeline they were looking at. Ms. Costello said that they wanted to get started relatively quickly but at least one filing would need to be finalized and approved within that two year window.

Commissioner Couch asked who the proposed buyer was. Ms. Costello said that Mike Foster, a representative of the proposed buyer, was present and he may be able to answer that. Commissioner Williams interjected that he didn't believe that was relevant in this case.

Commissioner Couch asked if the City was advocating for Alpine Bank. Ms. Costello said they had recommended approval of the requested extension.

Discussion

Commissioner Williams commented that this plan had not changed and believed it still met the requirements of the Zoning and Development Code as well as the goals and policies of the Comprehensive Plan. Also as it had been previously approved, he would vote in favor of this extension.

Commissioner Couch agreed that it was a previous Planning Commission's decision and would also be voting in the affirmative with reservations.

Commissioner Reece agreed with Commissioners Williams and Couch; however, she encouraged any concerned property owners to make comment to the City so that they could continue to be involved in the process if they so desired.

Chairman Eslami reiterated that this was approved in 2010 and agreed with staff to approve this.

MOTION: (Commissioner Williams) “Mr. Chairman, on PP-2008-393, a request for a two year extension of the Preliminary Subdivision Plan approval for Pioneer Meadows Subdivision, I move we approve the extension.”

Commissioner Leonard seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

5. Rock Shop Enclave Annexation – Zone of Annexation – PULLED FROM THE 1/11/2013 PLANNING COMMISSION AGENDA

Request a recommendation of approval to City Council to zone 49.82 acres from County RSF-R (Residential Single Family Rural) and County I-2 (General Industrial) to a City I-1 (Light Industrial) zone district.

FILE #: ANX-2012-574

PETITIONER: City of Grand Junction

LOCATION: South of D Road, East of South 15th Street and South of the Riverside Parkway on both sides of 27-1/2 Road north of Las Colonias Park

STAFF: Brian Rusche

Staff’s Presentation

Senior Planner Brian Rusche made a PowerPoint presentation regarding the Rock Shop Enclave Zone of Annexation. The enclave included 68 parcels that totaled 49.82 acres, exclusive of right of way. It was considered an enclave because it was completely surrounded by the City limits of Grand Junction proper. The City is the applicant for this request.

Mr. Rusche said that there were a variety of land uses that existed within the enclave which included residential uses. There were 33 dwelling units within the enclave area, approximately two-thirds of which were owner occupied. Some of the residences date back to the early 1900s. Mr. Rusche said that the existing residences within the enclave could remain and would be permitted some limited expansion as well as the opportunity to rebuild if they were destroyed.

There was industrial development on all sides of the enclaved area, including newer developments such as Indian Road on the east and Brady Trucking on the south, as well as industrial uses within the enclave, most of which date back to the late 1970s. The existing commercial and industrial uses within the enclave were consistent with the proposed I-1 zone district; however, many of them had nonconforming sites, due to such things as insufficient landscaping and parking. Despite the nonconforming status of the sites, the uses within the zone district would all be permitted. New uses and/or building expansions may necessitate incremental site improvements. Mr. Rusche said that approximately 24 acres on either side of the Riverside Parkway was anchored by an existing business known as the Rock Shop. Mr. Rusche advised the Commission that the existing outdoor storage on the Rock Shop property could remain with the proposed zoning. He clarified that just the zoning for the area that would be annexed was being considered at this time.

With the adoption of the Comprehensive Plan in 2010, the majority of the enclaved area was designated Industrial, with the exception of property south of Ruby Avenue, which was designated as Commercial Industrial. He went on to say that the I-1 zoning was requested primarily due to the existing I-1 zoning to the east as well as the compatibility of the I-1 zoning with existing land uses within the enclave.

Mr. Rusche next discussed the properties that still have a County zoning of Residential Rural . This zoning category does not permit transition of these properties into the Industrial uses envisioned by the Comprehensive Plan. The proposed zoning of I-1 that is requested as part of the properties annexation into the City would allow the transition to industrial uses.

Mr. Rusche also pointed out that there were a couple of properties on the southern end of the enclave within the 100 year floodplain and were impacted by that only when proposing to build new structures.

Mr. Rusche addressed the criteria for a zone change in detail, specifically noting that Criteria 1, 2, and 5 have been met. In summary, Mr. Rusche explained that the annexation was intended to transition unincorporated areas of Mesa County into the City of Grand Junction and that the proposed I-1 zone district provided an opportunity for redevelopment into industrial uses, consistent with the Comprehensive Plan.

Mr. Rusche recommended the Commission make findings and recommendation for approval to City Council.

Questions

None.

Public Comment

None.

Discussion

Commissioner Williams agreed with staff and advised that he would be voting in approval for it.

Chairman Eslami agreed with Commissioner Williams.

MOTION: (Commissioner Reece) “Mr. Chairman, on the Rock Shop Enclave Zone of Annexation, ANX-2012-574, I move that the Planning Commission forward to the City Council a recommendation of approval of I-1 (Light Industrial) zone district with the findings and conclusions listed in the staff report.”

Commissioner Williams seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

General Discussion/Other Business

None.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:57 p.m.