

GRAND JUNCTION PLANNING COMMISSION
September 9, 2014 MINUTES
6:00 p.m. to 7:39 p.m.

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Reece. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

In attendance representing the City Planning Commission were Christian Reece (Chairman), Ebe Eslami (Vice-Chairman), Jon Buschhorn, Loren Couch, Steve Tolle, and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, were Greg Moberg, (Planning Supervisor) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 10 citizens in attendance during the hearing.

Announcements, Presentations And/or Visitors

None.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes from the August 12, 2014 regular meeting.

Chairman Reece briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing. With no amendments to the Consent Agenda, Chairman Reece called for a motion.

MOTION: (Commissioner Wade) "I move that we approve the Consent Agenda as read."

Commissioner Tolle seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

*** * * END OF CONSENT CALENDAR * * ***

Public Hearing Items**2. South Dominguez Estates Rezone - Rezone**

Forward a recommendation to City Council to rezone 4.39 +/- acres from a City R-4 (Residential 4 du/ac) to a City R-8 (Residential 8 du/ac) zone district.

FILE #: RZN-2014-260

APPLICANT: Jim Cagle - South Dominguez Estates LLC

LOCATION: 2921 E 7/8 Rd.

STAFF: Scott Peterson

Staff's Presentation

Scott Peterson, Senior Planner provided a PowerPoint presentation that explained the request for a recommendation to rezone 4.39 +/- acres from a City R-4 (Residential 4 du/ac) to a City R-8 (Residential 8 du/ac) zone district located at 2921 E 7/8 Rd. Mr. Peterson stated that the applicant, South Dominguez Estates LLC, wishes to rezone an unplatted 4.39 +/- acre parcel of land from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac) in anticipation of future residential development for the purpose of eventually developing a new subdivision of up to 17 two-family dwellings (34 units total) which would equate to a residential density of 7.74 du/ac.

The existing single-family residence and accessory structures on the property will ultimately be demolished to make way for the 17 duplexes. The property owner is requesting review of the rezone application prior to formal submittal of the subdivision application in order to determine overall density and lot layout.

Neighborhood Meeting

The applicant held a Neighborhood Meeting on March 24, 2014 with eight citizens attending the meeting along with City staff, the applicant and its representative. Neighborhood concerns expressed at the meeting were additional traffic impacts and how the subdivision was going to be accessed. Most in attendance agreed that E 7/8 Rd. should not be utilized for ingress/egress for the new subdivision as presently this is only a single lane width road and is considered to have no additional capacity. The applicant and representative stated that they would meet with City staff to discuss the possibility of placement of a barrier adjacent to the new subdivision to prevent vehicular ingress/egress from E 7/8 Rd. and utilize Dawn Dr. to the south and Bookcliff Avenue to the east for connection to 29 Rd. and Patterson Rd. for access to the subdivision. Access will be addressed in detail once the subdivision application is submitted for the type of barrier to be proposed along E 7/8 Rd.

Consistency with the Comprehensive Plan

The Comprehensive Plan Future Land Use designation of Residential Medium (4 - 8 du/ac) encourages the proposed R-8 zoning. Looking at the review criteria for a rezone, Mr. Peterson suggested that the community would benefit from the rezone as it

supports the goals and objectives of the comprehensive plan, specifically goals 3 and 5, promotes infill development and will provide area residents with more housing options.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Mr. Peterson explained adequate public and community facilities and services are available to the property and are sufficient to serve residential land uses with the proposed R-8 density. Ute water, city sanitary sewer, Xcel energy (electric and gas) are presently available to the site. Nearby within walking distance, at the intersection of 29 Rd. and Patterson Rd. is Patterson Marketplace, a local neighborhood shopping center. This commercial site includes a Safeway grocery, a restaurant and other retail shops. Public transit bus stops are also located along both 29 Rd. and Patterson Rd. Fruitvale Elementary School is also located nearby on 30 Rd.

Mr. Peterson showed a slide of the existing zoning map. The proposed rezone area is currently surrounded by single family detached, two family and multifamily dwelling units on three sides. There are some County RSF-4 zoned properties to the west and east, along with a County PUD to the West.

Findings of Facts/Conclusions

Mr. Peterson stated that after reviewing the South Dominguez Estates Rezone, RZN-2014-260, a request to rezone the property from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac), the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan, specifically Goals 3 and 5.
2. The review criteria, items 3, 4 and 5 in Section 21.02.140 of the Grand Junction Municipal Code have been met.
3. The requested zone of R-8 implements the existing Comprehensive Plan Future Land Use Map designation of Residential Medium (4 - 8 du/ac).

Mr. Peterson stated that there were two written comments received and have been provided in the report. Primarily, the comments addressed concerns of increased traffic and more density being added to the area.

Questions for Staff

Commissioner Couch asked if there was a difference between the County RSF-8 and the City R-8 zoning and suggested that maybe it would be beneficial to have them the same. Mr. Peterson explained that both of the zoning districts equate to up to 8 dwelling units per acre.

Commissioner Eslami asked if the two roads that are shown as ingress/egress are currently in place and functional. Mr. Peterson stated that Dawn Dr. and Bookcliff Ave. are existing residential streets.

Commissioner Wade noted that to the west is a PUD and asked Mr. Peterson to explain that zoning. Mr. Peterson clarified that the PUD is a site specific county zoning designation. The PUD property to the west of the proposed rezone is a duplex.

Commissioner Wade asked if it is known at this time, where the barrier to block E 7/8 Rd. is proposed to be located. Mr. Peterson stated that the barrier would be located at the intersection of E 7/8 Rd. and Kokopelli Ln. to prevent an east-west connection into the future proposed subdivision.

Commissioner Tolle suggested considering having the city and county codes one and the same, to avoid confusion during the review process.

Chairman Reese asked although there is not a site plan proposed yet, how will parking be addressed, assuming that Dawn Dr. would eventually connect to Wellington. Mr. Peterson stated that the requirement for off street parking for a single family home is 2 spaces. The applicant plans to propose 17 lots with 34 dwelling units, requiring a total of 68 off street parking spaces.

Chairman Reese inquired if there were plans to put a traffic light in the area. Mr. Peterson believed that a traffic light in this area would be too close to 29 Rd. and Patterson Rd. due to spacing requirements.

Applicant's Presentation

Ted Ciavonne, with Ciavonne, Roberts & Assoc. (land planners and landscape architects) stated that he is representing the owner who is present. Mr. Ciavonne stated that he has no formal presentation and the staff presentation presented was spot on. Mr. Ciavonne remarked that at the general meeting for the project, it was noted that there would be a requirement for an access from this property to the parcel to the north and eventually would connect to Wellington Ave. to the east.

Questions for Applicant

Chairman Reese asked Mr. Peterson if the northern connection would be deferred until the vacant lot to the north is developed. Mr. Peterson stated that if the applicant's property develops first, there would need to be a stub street created at that time much like Wellington Ave. and Bookcliff Ave. has now.

Mr. Ciavonne added that it is difficult to separate design issues from zoning issues and if this application is approved, they would be coming through with a site plan where some of the comments can be addressed. Mr. Ciavonne stated that they are very aware of the traffic concerns and they would be working with staff to address them. Mr. Ciavonne commented that he would like to reserve the opportunity for discussion after they have heard from the public.

Commissioner Eslami stated that he is interested in the design discussion as well as the rezone as it helps them to understand the process.

Commissioner Couch asked Mr. Ciavonne how the City's rezone process has been for his firm. Mr. Ciavonne stated that he would put it into the context that it is the best in the valley. He further stated that it can be challenging working with other communities as well as the County. Mr. Ciavonne stated that he thinks the City's system has greatly improved over the last 5 years. The merging of the code with the zoning and comprehensive plan has given more tools for the toolbox that really help to make his work easier as well as for the Planning Commission and City Council.

Public Comment

Chairman Reese opened the meeting for the public comment portion and asked anyone in favor of the project to line up at the podium. Having no one respond, Chairman Reese asked for those against the proposal to sign in and speak.

Mr. Vernon Neiswender, 576 Kokopelli Ln., stated that Dawn Dr. is a mess. Mr. Neiswender explained that there are eight 4-plexes, two stories high and people are already crawling over his fence to get to Safeway. He stated that there are always cops sitting on Dawn Dr. and development will just increase crime rate around the neighborhood. Mr. Neiswender said people are already throwing trash over the fences now. He further expressed concerns over two story units blocking views of the Mesa.

Commissioner Wade asked if the concern was based on the amount of units in the potential development and would therefore equate to a situation like Dawn Dr. Mr. Neiswender responded yes, that was his concern.

Commissioner Couch inquired where people were jumping the fence. Mr. Neiswender said foot traffic is coming off of Dawn Ct. Commissioner Couch stated that he is aware of the area and felt it is a concern.

Robert Juarez, 2916 E 7/8 Rd., said he would be adjacent to the proposed barrier. He stated that traffic is a concern with the increase of residents as well as trash. Hopefully this site will have traffic run to the North. Mr. Juarez inquired about the goals 3 and 4.

Teresa Anderson, 2910 E 7/8 Rd. and owner of 2908 E 7/8 Rd., stated that her disabled daughter lives at 2908 E 7/8 Rd. Ms. Anderson has owned the properties for about 30 years and expressed how quiet and well-kept this section of street has been. She feels there is a lot of pride among the homeowners there and is concerned about the additional people that may walk up and down the road. She chose the place for its safety and is concerned for her daughter's safety with foot traffic that may be generated. Ms. Anderson stated that she believes the negative aspects of Dawn Dr. will spill over into the new development within 5 years. Ms. Anderson stated that she feels the owner is only interested in the money. Ms. Anderson asked if there will be an HOA with the future development.

Commissioner Tolle expressed that he is usually against barriers of any kind that may impede emergency vehicles. Commissioner Tolle asked Ms. Anderson if she would like to see an upgrade of E 7/8 Rd. to city standards, to increase safety. Ms. Anderson said she would not want that.

Zane Reeves, 2909 E 7/8 Rd., stated that he has lived there about 30 years. Mr. Reeves asked if as neighbors, do citizens actually have an impact on the decision making process. Mr. Reeves stated that often a high density development starts out as high end and then develops issues over time. Mr. Reeves stated that he and his neighbors try to maintain their properties so their property values will grow in concert with other property values in the Grand Junction area. He feels Dawn Dr. and Dawn Ct. already diminish his property values.

Mr. Reeves questioned Mr. Peterson's reference that a traffic light between Dawn Dr. and Patterson would be too close in spacing. Mr. Reeves asked if a spacing would be an issue for a traffic light between 29 Rd. and 29 ¼ Rd to accommodate the additional traffic. Mr. Reeves has noticed more accidents on 29 Rd. since the expansion into Orchard Mesa. One of Mr. Reeves concerns is that E 7/8 Rd is underdeveloped to handle the proposed foot traffic impact, as there are no sidewalks. Mr. Reeves would like clarity on the stub street proposed.

Chairman Reese stated that Dawn Dr. would stub into the subdivision to the North. There is a barrier proposed for E 7/8 Rd. to prevent automobile traffic to connect to the west. Mr. Reeves believes E 7/8 Rd. will become a shortcut for foot traffic to Safeway and the other stores to the North.

Mary Stewart, 2911 E 7/8 Rd., expressed shock that their neighborhood was the only one in attendance and wondered if the folks along 29 ¼ Rd. also received notification. She feels it affects them almost more than it does her. She believes 29 ¼ Rd. will have increased traffic especially to the east. Ms. Stewart stated that she is also concerned

about tall 4-plexes blocking her view. Ms. Stewart wondered why the people on Dawn Dr. don't have to trim their trees and do other maintenance.

Sharon Carter, 577 Kokopelli Ln., stated that she is concerned about foot traffic. She has had problems with people from Dawn Dr. pushing her fence over and stepping over it. She has stopped confronting people because she is leery of some of the people that pass through. She is concerned that the character of the area will extend to the new proposed development. Ms. Carter has lived there 25 years and feels the Dawn Dr. area is a real safety concern.

Planning Commission Discussion

Chairman Reese asked Mr. Peterson to review goals 3 and 5. After Mr. Peterson reviewed goals 3 and 5, Chairman Reese asked if there would be an HOA (Home Owners Association). Mr. Peterson stated that it is not known at this time if there would be an HOA, however, he indicated that most likely there would be a requirement for tracts of land to be used as water detention and/or an auto court that would require an HOA ownership.

Chairman Reese asked Eric Hahn, Development Engineer, to address some of the traffic concerns, noting that it is understood that traffic will be addressed at the time of the subdivision plan and not part of the rezone. Mr. Hahn stated that it was never intended to have additional traffic access E 7/8 Rd. It was initially considered a good idea to have a pedestrian connection, however that not necessarily is a requirement and can be reviewed as part of the future subdivision design if needed. Typically the spacing of traffic lights on 29 Rd and Patterson Rd. are at ½ mile intervals to allow optimal traffic flow. Mr. Hahn noted that there has been a plan on the books to have a study of Patterson Rd. done to evaluate and analyze options; however it is not funded at this time. Mr. Hahn stated that the same is true for 29 Rd where minimal ½ mile intervals will allow for future capacity options if needed and can be reviewed as part of a study of the larger corridor.

Commissioner Couch asked how doubling the density of a subdivision effects the traffic of an area. Mr. Hahn stated that this particular project and its density is not expected to create traffic issues in relation to the 29 Rd and Patterson Rd. corridors. Mr. Hahn added that the 29 ¼ Rd. intersection will need to be monitored closely as development continues.

Commissioner Couch asked if emergency vehicles could access the barrier if installed at the north end of Kokopelli Ln. and the east end of E 7/8 Rd. Mr. Hahn stated that the bollards would only be removable if designed that way and at the Fire Departments request. He also noted that the developer would be the one to install them and the City would maintain them. As of now, the Fire Department has not requested a third point of access and it is not anticipated that they would, due to E 7/8 Rd. being so narrow. Mr. Hahn noted that he bases this assumption on similar situations in the past.

Commissioner Tolle expressed concern that lack of funding to study traffic development from the 28 Rd thru 30 Rd area creates a fundamental disconnect for development. Commissioner Tolle stated that a study needs to be done soon.

Commissioner Wade inquired who was invited to the public meeting. Mr. Peterson stated that everyone within 500 feet of the property received a notification. Mr. Peterson stated that he did receive one phone call from a citizen who lives on 29 ¼ Rd. This neighbor understood the inevitable increase of traffic when buying her home and was neither for nor against the proposed rezone.

Referring to the extreme crime related conditions of the County properties to the south, Commissioner Couch asked what the City's responsibility for crime and fence climbing would be if a requested change in the City backs up to County property.

Mr. Peterson responded that this area is included in the Persigo Wastewater Treatment Boundary and will eventually be included into the City in the future. Mr. Peterson added that Dawn Dr. is a county right-of-way and it is up to Mesa County to maintain. As far as weeds, junk properties etc., Mr. Peterson stated that those would fall under the Mesa County Code Enforcement jurisdiction.

Commissioner Tolle referenced the Grand Junction Zoning Code stating that public transit stops are located at Patterson Rd. and 29 Rd. Commissioner Tolle noted that Fruitvale Elementary School is located at 30 Rd., therefore school kids in this area would have to cross 29 Rd. Mr. Peterson responded that the walking route to school would be north on 29 Rd to Patterson Rd. and down Patterson Rd. to 30 Rd. The bus stops are GVT (Grand Valley Regional Transit). Commissioner Tolle requested that schools and bus stops be added to development presentations.

Commissioner Buschhorn asked Mr. Hahn about the vehicle capacity that Dawn Dr. has and how many vehicle trips could be generated with 34 units. Mr. Hahn estimated that Dawn Dr., as a standard residential street, probably has about 1,000 ADT (Average Daily Trips) at capacity. He added that you would probably never see that unless you had over 100 units accessing that road. Mr. Hahn estimated that there are 9.5 ADTs coming from a single family residence, therefore an average of 323 trips over the course of the whole day could be anticipated.

Commissioner Wade asked if 29 ¼ Rd. had sidewalks, noting that Dawn Dr. does not. Mr. Peterson stated that 29 ¼ Rd. has sidewalks on both sides.

Applicants Rebuttal

Chairman Reese asked Mr. Ciavonne if there will be an HOA. Mr. Ciavonne stated that there would be an HOA due to dedicated land tracts for landscaping buffers, and detention areas.

Mr. Ciavonne stated that there is a lot of carry-over from Dawn Dr. issues. Mr. Ciavonne said that nobody would want to create or perpetuate the situation at Dawn Dr. Mr. Ciavonne stated that anyone who would develop the property would be looking at a higher quality of development that would likely increase property values whereas Dawn Dr. has decreased the values. Mr. Ciavonne noted that the density that occurred at Dawn Dr. (RSF-8) does not equate to the density of the City's R-8 zoning which is less.

Mr. Ciavonne noted that the comprehensive plan does call for more density as a practical measure to utilize existing infrastructure and decrease sprawl. Inter-connectivity is another objective of the Comprehensive Plan with both streets and pedestrian routes. Mr. Ciavonne stated that they do not necessarily want to connect to E 7/8 Rd. Mr. Ciavonne mentioned that he has heard varying comments about pedestrians, however, he tends to support sidewalk connections. A sidewalk to the north would make sense to allow people to walk to the commercial areas as well as to work.

Mr. Ciavonne explained that there is a life estate in the northwest corner of the site that currently accesses off of E 7/8 Rd. At the point when the life estate is gone, the house would be demolished and units could be added that would have access to the east.

Based on a citizen comment, Commissioner Wade asked if a site plan had been shown to the neighbors. Mr. Ciavonne said that since a neighborhood meeting was required, he felt it was best to show an illustration of what may be proposed as a courtesy.

Commissioner Wade asked if a sidewalk to the north was proposed, where it would be located. Mr. Ciavonne said the sidewalk would most likely extend north from the stub street created.

Chairman Reese asked if the rezone was not approved, would the project likely move forward with the lower density rate. Mr. Ciavonne said not at this point.

Commissioner Discussion

Commissioner Couch stated that some of the comments appeared to be mixed. He stated that there were comments about fence climbers, cops on Dawn Dr. personal / property safety concerns and trash issues. He noted that one resident said their property was quiet, secure and safe but if development occurred it would become unsafe. Commissioner Couch noted the proximity to 29 Rd and Patterson Rd. and was inclined to vote no for more density. Commissioner Couch felt that increasing density in this particular area would not be a benefit to the City.

Commissioner Buschhorn stated that it is clear there are long term residents on E 7/8 Rd. Commissioner Buschhorn also noted that several of the problem parcels on Dawn Ct. and Dawn Dr. have the same out of town owners. Commissioner Buschhorn was concerned with stereotyping developments and assuming that because one multifamily development has issues, the other one is bound to have issues as well. Commissioner

Buschhorn stated that his vote would be based on the density and zoning and not a site plan. He felt traffic would not be an issue and the pedestrian connections could be addressed at site plan review if the rezone is approved.

Commissioner Wade added that he is not basing the decision on what goes on with another parcel. He noted that it is possible that good development in the surrounding area could be an impetus for redevelopment of the areas of concern. He stated that the decision should be based on the rezone and the comprehensive plan at this time, and not an anticipated development.

Chairman Reese reiterated that as part of the process, the decision is based on the zoning and development code and the comprehensive plan and not on a traffic plan. Chairman Reese expressed hope that there will be a lot of community input on the site plan development stage for issues such as where sidewalks would be, etc.

Commissioner Tolle stated that he intends to vote no because he feels there is a major problem and a traffic study should be conducted.

MOTION: Commissioner Eslami - Madam Chairman, on Rezone, RZN-2014-260, I move that the Planning Commission forward a recommendation of approval for the South Dominguez Estates Rezone from R-4 to R-8, with the findings of fact and conclusions listed in the staff report.

Commissioner Wade seconded the motion. A vote was called and the motion passed by a vote of 4-2.

Mr. Peterson stated that the rezone will be heard at the City Council meeting on Wed. Oct. 1st at 7:00 pm.

General Discussion/Other Business

Mr. Moberg announced that there will not be a Planning Commission meeting on Sept. 23rd, however, there will be a workshop on Thursday, September 18th as staff moves forward with the discussion of the Code amendments.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 7:39 p.m.