

**GRAND JUNCTION PLANNING COMMISSION
MAY 12, 2009 MINUTES
6:00 p.m. to 6:17 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Cole. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), William Putnam (Vice-Chairman), Lynn Pavelka-Zarkesh, Ebe Eslami, Mark Abbott, Rob Burnett and Richard Schoenrad (Alternate). Commissioners Reggie Wall and Patrick Carlow were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Scott Peterson (Senior Planner), Ronnie Edwards (Associate Planner), and Michelle Hoshide (Associate Planner).

Also present was Jamie Beard (Assistant City Attorney).

Wendy Spurr was present to record the minutes.

There were 6 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

Approve the minutes of the March 10, 2009, March 24, 2009 and April 14, 2009 Regular Meetings.

2. Hampton Inn Easement Vacation – Vacation of Easement

Request a recommendation of approval to City Council to vacate a 20' wide drainage easement in order to construct a 71,333 sq ft hotel in a C-1 (Light Commercial) zone district.

FILE #: SPR-2008-210
PETITIONERS: Michael Terry – National Lodging & Leisure, LLC
LOCATION: 2770 Crossroads Blvd
STAFF: Ronnie Edwards

3. Bella Dimora Subdivision – Preliminary Development Plan

Request a recommendation of approval to City Council to zone 13.87 acres to PD (Planned Development) with a default zone of R-8 (Residential 8 du/ac) and a

recommendation of approval to City Council of a PDP (Preliminary Development Plan).

FILE #: PP-2007-304
PETITIONER: Ron Abeloe – Legend Partners LLC
LOCATION: Patterson Road & Legends Way
STAFF: Scott Peterson

4. Lang Industrial Park Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 4.9 acres from County R-R (Residential Rural) to a City I-2 (General Industrial) zone district.

FILE #: ANX-2009-072
PETITIONER: Darren Davidson – Precision Construction
LOCATION: 2764 C-3/4 Road, 2765 & 2767 Riverside Parkway
STAFF: Michelle Hoshide

Chairman Cole briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. Lisa Cox, Planning Manager, clarified item number 4, Lang Industrial Park Annexation, should read City I-1 (Light Industrial) zone district rather than I-2 (General Industrial). After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

MOTION: (Commissioner Putnam) “Mr. Chairman, I move that the Planning Commission approve the Consent Agenda as presented and amended by Ms. Cox.”

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

Public Hearing Items

5. R & L Subdivision – Simple Subdivision

An appeal of the Director’s Final Action on an administrative Development Permit to approve the combination of two (2) residential lots located at 2670 and 2672 Lookout Lane.

FILE #: SS-2009-015
PETITIONER: Alan N. Hassler – Spyglass Ridge HOA
LOCATION: 2670 Lookout Lane
STAFF: Ronnie Edwards

Chairman Cole announced that a request for a continuation had been received from the appellant and asked the Commission to consider the continuation. Ronnie Edwards, Associate Planner, advised that she had been notified by the Planning Manager that the

applicant had requested a continuance to June 23, 2009. Commissioner Abbott asked for the reason for the requested continuance.

MOTION: (Commissioner Putnam): “Mr. Chairman, I move that we continue this item to the hearing on the 23rd of June.”

Jamie Beard, Assistant City Attorney, stated that an evidentiary hearing was necessary for this type of an appeal before the Planning Commission; however, that evidentiary hearing may be limited for testimony and evidence to be presented to include only that information that was on the record. It was the position of the appellant that even if it was limited, they wanted the opportunity to point out that information that was included within the record as to why they believed that the decision made by the Director was the incorrect decision or that the appeal should be granted.

Chairman Cole pointed out that the Commission had also received a letter requesting that this item not be continued. Commissioner Pavelka-Zarkesh seconded the motion for a continuance to June 23, 2009.

After discussion regarding hearing dates, Commissioner Putnam withdrew the motion and Commissioner Pavelka-Zarkesh withdrew the second for a continuance to the June 23, 2009 meeting. Commissioner Putnam asked for more specific legal advice as to whether or not it was at the Commission’s discretion to hear more testimony. Assistant City Attorney Beard stated that an evidentiary hearing was required so testimony and evidence was necessary but that could be limited to just the information that was included within the record and as this was an administrative approval process, the record was basically the information that the planner had within the file. Chairman Cole stated that in order to be fair to both sides a continuance would give both sides sufficient time to prepare and make their appeal.

MOTION: (Commissioner Pavelka-Zarkesh): “Mr. Chairman, I move we continue the item to June 9th.”

Commissioner Eslami seconded the motion. Commissioner Schoenradt asked if this was moved to June 9th and the parties failed to appear, would this item then be continued again. Chairman Cole stated that would be up to the Commission.

Commissioner Richard Schoenradt would like to have the motion modified to include that the hearing would occur on June 9, 2009. Ms. Beard stated that provision could be included in the motion; however, the difficulty would be that if something happened on the 9th and the Commission chose to change that, there could be a new motion at that time. She suggested that the motion to continue this item to June 9th be voted on. She said that she believed that it was clear that the Commission would prefer not to continue it past June 9th. A vote was called and the motion passed by a vote of 6 – 1 with Commissioner Abbott opposed.

General Discussion/Other Business

Lisa Cox, Planning Manager, mentioned that there would be no Board of Appeals meeting next week.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:17 p.m.