

**GRAND JUNCTION PLANNING COMMISSION  
JUNE 23, 2009 MINUTES  
6:00 p.m. to 6:50 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), Reggie Wall, Lynn Pavelka-Zarkesh, Pat Carlow, Mark Abbott and Ebe Eslami.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Lori Bowers (Senior Planner), Senta Costello (Senior Planner) and Judith Rice (Associate Planner).

Also present was Jamie Beard (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 Prescheduled Visitors**

There were no announcements, presentations and/or visitors.

**Consent Agenda**

**1. Minutes of Previous Meetings**

Approve the minutes of the April 28, 2009 and May 12, 2009 Regular Meetings.

**2. Siena View Partial Vacation of Easement – Vacation of Easement**

Request a recommendation of approval to City Council to vacate approximately 40.39 square feet of the 14-foot wide Multipurpose Easement.

**FILE #:** VE-2009-132

**PETITIONER:** Gerry Dalton – G.D. Builders

**LOCATION:** 448 San Juan Street

**STAFF:** Lori Bowers

**3. Monument Village Commercial Center – Zone of Annexation**

Request a recommendation of approval to City Council to zone 4.23 acres from County PUD (Planned Unit Development) to a City B-1 (Neighborhood Business) zone district.

**FILE #:** ANX-2009-116

**PETITIONER:** Joe Bishop – D & B Broadway Monument, LLC

**LOCATION:** 2152 Broadway Blvd

**STAFF:** Lori Bowers

**4. Peiffer Annexation – Zone of Annexation**

Request a recommendation of approval to City Council to zone 1.76 acres from County RSF-4 (Residential Single Family 4 du/ac) to a City R-2 (Residential 2 du/ac) zone district.

**FILE #:** ANX-2009-113  
**PETITIONER:** Jenny Peiffer  
**LOCATION:** 2454 Bella Pago Drive  
**STAFF:** Judith Rice

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. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

**MOTION:** (Commissioner Wall) “Mr. Chairman, I move we approve the Consent Agenda.”

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

**Public Hearing Items**

**5. Maverik Growth Plan Amendment – Growth Plan Amendment**

Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation from RM (Residential Medium 4-8 du/ac) to C-1 (Light Commercial) for the southern 1.48 acres.

**FILE #:** GPA-2009-023  
**PETITIONER:** Tina Millon, Glenn Lorton, George Halstead  
**LOCATION:** 2948 F Road & 603 29½ Road  
**STAFF:** Senta Costello

Lisa Cox, Planning Manager, clarified that this was a Growth Plan Amendment to the Commercial land use classification and not the Commercial zone district. Chairman Cole reiterated that the property would not actually be zoned and was a request for a Growth Plan Amendment to allow applicants to apply for Commercial zoning if approved.

**APPLICANT’S PRESENTATION**

Don Lilyquist, 880 West Center Street, North Salt Lake City, Utah, said that he worked for Maverik Stores which entity was under contract to purchase the subject property. He said it was applicant’s intent to amend the Growth Plan to allow the property to be rezoned into Light Commercial. Mr. Lilyquist said their proposal was to build a Maverik Convenience Store and gas station. He stated that they had been trying to move into the Grand Junction area which would include the Fruita area, Clifton as well as the subject property. He said that they felt very strongly that the requirements of the Growth

Plan had been met to allow property to be changed from Residential to Commercial use. He addressed the increasing traffic along Patterson and said that it was harder for residents to access driveways and felt that a Commercial use with a wider driveway was a better plan for circulation and would be conducive to the use along Patterson. As applicants intended to capitalize on traffic going along either Patterson or 29½ Road, they did not believe traffic would be increased.

### **QUESTIONS**

Commissioner Abbott asked if their proposal was to have access onto Patterson. Mr. Lilyquist confirmed that was correct. He further stated that they had attempted to have a shared access driveway so that they would have a three-quarter movement; however, they were unable to secure property or an easement. Therefore, the driveway would be entirely on their property with a recommendation by the City Engineer that it be a right-in, right-out driveway only.

Commissioner Eslami asked if applicant was seeking a Commercial designation for the whole property or just a partial. Don Lilyquist said that the front portion of the property would be Commercial with a small portion to the north which would consist of 4 Residential lots.

### **APPLICANT'S (OWNER'S) PRESENTATION**

Tina Millon said that there was already access into her house which access had not been a problem.

### **STAFF'S PRESENTATION**

Senta Costello, Public Works and Planning Department, addressed the Commission regarding the requested Growth Plan Amendment. She discussed the criteria necessary for an amendment which included such things as whether or not an error was made regarding the designation that the existing facts, projects or trends that were reasonably foreseeable were not accounted for. She concluded that she did not believe an error was made as the designation placed on the property at the time was most likely appropriate at that point. She also discussed traffic volumes along F Road which had substantially increased making single-family residential uses not as desirable as the property was directly adjacent to an extremely high volume street. She opined that the traffic volumes had changed the character of many of the properties that historically existed in the area. Next, she said this particular area did not have any special corridor or neighborhood plans. Additionally, there were existing water, sanitary sewer and storm sewer lines that adequately met any type of development and which were available for its use. Ms. Costello also discussed the availability of commercially designated land as well as the commercial designation which could add an opportunity for additional type service type uses in the neighborhood.

She found that all of the criteria necessary for a Growth Plan Amendment had been met and recommended approval with the condition that should the Growth Plan Amendment be approved by City Council that it be conditioned upon the recordation, within one year of the effective date of the zoning of a Simple Subdivision to re-align the property line

along the same boundary. Ms. Costello said this would create two separate parcels keeping the Commercial designation on one parcel and Residential on another.

### **QUESTIONS**

Commissioner Putnam asked for clarification regarding the proposed condition. Senta Costello said that it was recommended that a timeframe be put on it so that it was not an open ended resolution. Furthermore, there was also an annexation tied to the property whereby City Council would apply a zone district to it. Also, in order to make sure that the zone district line and the Future Land Use line matched up with the property lines, a requirement was that the Simple Subdivision was required to be recorded within one year of the effective date of the zone district.

Commissioner Abbott asked where the access onto Patterson would be. Ms. Costello said that at this point, an application had been turned in for the Simple Subdivision and site plan review; however, it had not been approved. Also, the Growth Plan Amendment was being reviewed separately.

Commissioner Abbott asked if the Growth Plan Amendment was approved if there would be access onto Patterson. Ms. Costello said that was not necessarily true. She confirmed that this was an amendment to the Growth Plan that did not specifically address access. Lisa Cox stated that the Zoning and Development Code required that a Growth Plan Amendment be considered independent of any other application unless it was affiliated with a Planned Development.

Commissioner Carlow asked if the subject property encompassed the 1.4 acres. Ms. Costello believed that was correct. Commissioner Carlow then asked if she knew how much would be left. Ms. Costello said that the entire site consisted of two-thirds of an acre.

Commissioner Wall asked for elaboration pertaining to the criteria dealing with achievement of a balance of open space, agricultural, residential and non-residential land use opportunities. Ms. Costello said that she believed that a Commercial designation would allow for a stronger buffer between the impacts that were already happening on F Road.

### **PUBLIC COMMENT**

#### **For:**

Robert Million said that he had property on 29½ Road and raised an issue regarding a vacant house which he believed created a hazard. He said he thought the station would be the best thing that could go in there.

Tina Million also addressed the issue regarding the vacant house. She thought the proposed use was a better option than apartments and had never experienced a problem with traffic.

Duane Keim, 2952 F Road, said that he would prefer to pick up the trash from a convenience store than the tumbleweeds that he picked up monthly. He added that he was for it.

Ann Keim, 2952 F Road, added that the vacant house was a potential fire hazard.

Levi Johnson (603 29½ Road) also talked about the vacant house being a problem.

**Against:**

Richard Weaver, 2942 Grand Court, said that he had a lot of reasons why he opposed the proposal. He pointed out that this had been a residential area and would like to keep it that way. He saw no reason to have another convenience store when there was one nearby as it would create more traffic. He also stated that the existing convenience store created a lot of noise and light. Mr. Weaver also discussed the traffic problems and he thought it would be a potentially dangerous situation. He agreed that the vacant house was an eyesore and should be taken care of.

Nate Green (2954 Bonito Lane) said that all of the reasons given for developing this property were not compelling reasons to change the zoning. He believed the property with the house could be sold and replaced with a nice house. He saw no reason to turn this into Commercial development as there were plenty of places in the county for Commercial development. Mr. Green said that he was strictly against it.

Duane Keim also said that it would not create any more tax revenue for the city or state and could see not value in it except for Maverik.

**PETITIONER'S REBUTTAL**

Don Lilyquist addressed the lighting issue and pointed out that their lighting plan was dark sky compliant in that all of their lighting would be maintained on site and would not create a light hindrance for any of the surrounding neighbors.

**QUESTIONS**

Commissioner Carlow asked what percentage of an acre was required for landscaping, roads, etc. Senta Costello said that typically with a Commercial development designated as anything outside of the Industrial zones there was a requirement for one tree for every 2500 square feet of developed area and one shrub for every 300 square feet. She added that they had proposed a site plan with the Simple Subdivision and site plan review and what was left for Residential was developable for single-family.

**DISCUSSION**

Commissioner Wall said that the neighborhood had been around for awhile and he was not sure that traffic volumes along F Road would dictate that a Residential establishment could not be on the corner. He also did not see how the proposed development would achieve a balance in that neighborhood because there was a lot of character in the neighborhood which could continue in that manner. Commissioner Wall stated that he would be against the Commercial zoning on this corner.

Commissioner Putnam said that the question was if it was appropriate to change the Growth Plan. He said he thought it was appropriate to have a Commercial designation there because the traffic was significant and thought it was appropriate to make this change to amend the Growth Plan.

Commissioner Eslami agreed with Commissioner Putnam.

Commissioner Pavelka-Zarkesh added that it was a good spot for neighborhood convenience such as small grocery store or dry cleaning. She said that looking at what was appropriate for future growth of the City, she believed it was an appropriate spot.

Chairman Cole also agreed that this was an appropriate designation for this property and believed it to be in the best interests of all concerned including the City. He said that there would be other opportunities to speak on this issue. He concluded that he thought it was an appropriate thing to recommend approval to City Council.

**MOTION: (Commissioner Putnam) “Mr. Chairman, on item GPA-2009-023, Maverik Growth Plan Amendment, I move that we forward a recommendation of approval to the City Council with the findings, conclusions and condition listed in the staff report and the staff presentation tonight.”**

Commissioner Pavelka-Zarkesh seconded the motion. A vote was called and the motion passed by a vote of 6 – 1 with Commissioner Wall opposed.

**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 6:50 p.m.