

GRAND JUNCTION PLANNING COMMISSION
APRIL 22, 2008 MINUTES
6:00 p.m. to 6:45 p.m.

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

In attendance, representing the City Planning Commission, were Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, William Putnam, Bill Pitts, Reggie Wall, Patrick Carlow (1st alternate) and Ken Sublett (2nd alternate). Roland Cole (Chairman) and Lynn Pavelka-Zarkesh were absent,

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Greg Moberg (Planning Services Supervisor), Lisa Cox (Planning Manager), Lori Bowers (Senior Planner), Brian Rusche (Senior Planner), Eric Hahn and/or Rick Dorris (Development Engineers).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 28 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

Action: Approve the minutes of the March 25, 2008 Regular Meeting.

Lisa Cox, Planning Manager, stated that a clarification needed to be made to the March 25, 2008 minutes, more specifically that the name of the irrigation district referred to on pages 7 and 8, Grand Valley Irrigation Company, should be specifically named.

2. Ridges Mesa Subdivision – Preliminary Development Plan

Request approval of the Phase I Preliminary Development Plan to develop 17 single-family lots on 14.77 acres in a PD (Planned Development) zone district.

FILE #: PP-2006-358
PETITIONER: Ted Munkres - Freestyle Design & Building
LOCATION: East of Hidden Valley Drive & High Ridge Drive
STAFF: Lori Bowers, Senior Planner

MOTION: (Commissioner Putnam) “Mr. Chairman, I move approval of Consent Agenda items 1 and 2.”

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

PUBLIC HEARING ITEMS

3. Thorson Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone .59 acres from a County RSF-R (Residential Single Family Rural) to a City R-8 (Residential 8 du/ac) zone district.

FILE #: ANX-2008-071
PETITIONER: Ben Hill - 2972 D Road, LLC
LOCATION: 2972 D Road
STAFF: Brian Rusche, Senior Planner

STAFF’S PRESENTATION

Brian Rusche made a PowerPoint presentation regarding the Thorson Annexation. He said that the request was for a recommendation to City Council for the annexation of the property as well as modifying the zoning from its current County RSF-R, 1 unit per 5 acres, to a City R-8, 8 dwelling units per acre. He said that one single-family dwelling is currently on the property. The Future Land Use for the entire area is Residential Medium (4 to 8 dwelling units per acre). Mr. Rusche further stated that the requested zoning is consistent with that. He said that the property is anticipated to be brought in with other properties to the north and to the west, currently zoned R-8, for a future subdivision. He further said that the property to the south across D Road is also zoned R-8. He concluded that the requested zoning is consistent with the goals and policies of the Growth Plan and meets the applicable review criteria in the Zoning and Development Code.

PETITIONER’S PRESENTATION

Petitioner chose not to add any comment to the presentation.

PUBLIC COMMENT

No one spoke either on behalf of or in opposition to this request.

MOTION: (Commissioner Sublett) “Mr. Chairman, on the Thorson Zone of Annexation, ANX-2008-071, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-8 (Residential 8 du/ac) zone district for the Thorson Annexation with the facts and conclusions listed in the staff report.”

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

4. Cobble Creek – Preliminary Development Plan

Request a recommendation of approval to City Council to rezone from R-R (Residential Rural) to PD (Planned Development) with a default zone of R-8 and a request for a recommendation of approval to City Council of a Preliminary Development Plan (PDP) to develop 12 single-family lots on 3.002 acres in a PD (Planned Development) zone district.

FILE #: PP-2007-169

PETITIONER: Jana Gerow - Divine Guidance, LLC

LOCATION: 2524 F 1/2 Road

STAFF: Lori Bowers, Senior Planner

APPLICANT'S PRESENTATION

Jana Gerow with Development Construction Services addressed the Commission regarding the requested rezone and request for a Preliminary Development Plan. She stated that this matter was deferred back to staff for revisions from the March 25th Planning Commission. She provided a brief background regarding the project. She said that the site currently has a mobile home on the front of the site with pasture behind which is used for horses. She stated that the main changes were to look at the closeness of the buildings to those of existing neighbors, the setbacks and the height of the homes. According to Ms. Gerow, they are now proposing the rear yard setback from a 10 foot setback to a 15 foot rear yard setback; a 15 foot front yard setback, lot area standard of a minimum of 4,000 square feet; and side yard setbacks of 5 feet. She further said that they have some homes with a recessed garage to allow for a longer driveway and some others that may be flush. Additionally, she said that applicant is willing to restrict the homes to all single-family homes. She also said that the art component has been taken out of the project. She confirmed that the green space on the west side is 6 feet.

QUESTIONS

Commissioner Dibble raised a question regarding single-family residences as mentioned by Ms. Gerow. He said that he believed the object in question was two-story homes versus single-story homes. Jana Gerow confirmed that applicant is willing to restrict the homes to single-story homes.

Commissioner Dibble next asked Ms. Gerow what prompted the removal of the art on the block from the project. Ms. Gerow stated that there was input that it was a waste of time.

PUBLIC COMMENT

For:

Bob Ingelhart stated that he lives in the Colonial Heights Subdivision. He said that this type of project would be in keeping with what is already there and would fit in very well and was in favor of it.

Judy Duncan read an e-mail from someone who owns two units next door, just to the east of the detention area at 2527A & B Shetland, which e-mail stated that they would

have no problem with two-story design. Ms. Duncan stated that she was in favor of the project.

Amanda Potter, a resident of Colonial Heights, said that she thinks it is a good idea to have single-family homes and was in favor of the project.

Against:

Ron Stoneburner, 653 Longhorn Street, stated that he made a lengthy presentation at the last hearing regarding this project. He said that they were appreciative that the Commission listened to their concerns. He said that it was his understanding that the density was going to change. He further stated that it is not compatible and does not conform to the existing neighborhoods. He asked that this be taken into consideration and does not believe it appropriate to put that many houses on the acreage.

Richard Bell stated that he lives in Diamond Ridge Subdivision. He pointed out that the Colonial Heights Subdivision is not really impacted by this development. He said that they do appreciate the applicant's willingness to restrict the development to one-story units as well as the setbacks which are improvements but he thinks the awkwardness of the site seems to be an overuse of the property. He also said that he believed the open space issue has not yet been resolved for this particular development.

Sue Love, 661 Longhorn, said that she agrees with the changes that have been made and asked that there be less houses allowed on the acreage.

Pete Tuckness, 2534 Shetland Drive in the Westwood Subdivision, said that he is in 100 percent agreement with the statements made by Mr. Stoneburner.

PETITIONER'S REBUTTAL

Jana Gerow said that open space has been provided. Also, she would defer the issue of the area in dispute between the City and the irrigation company. It is her belief that that property would be usable open space unless something changes. Furthermore, conditions could be put on it which could be dealt with as the project goes forward if the open space becomes non-usable and applicant could then look at some alterations to give them additional open space. She said that compatibility doesn't always mean exactly the same. Ms. Gerow said that applicant chose this type of housing because there are elderly members who would like to have a small lot with not a lot of yard maintenance. Therefore, she said that she thinks applicant has provided an acceptable project. She said that she hopes that the Commission will approve this plan based upon the changes that have been made.

QUESTIONS

Commissioner Dibble asked if 13 houses were originally proposed. Ms. Gerow said that at one point there was an additional lot for a total of 14. However, one lot was given up with the widening of the cul-de-sac and the proposal now is for 12 lots.

Commissioner Pitts asked if 12 lots were proposed in the previous presentation. Jana Gerow said that they have not reduced any lots from the previous presentation and the only thing that has changed on the site plan is the setbacks.

Commissioner Dibble said that the PD zone appears to be the default zone rather than the R-8 as the modifications have been made away from R-8 zone requirements. Lori Bowers said that the zoning will be a PD zoning with a default zoning of R-8. Ms. Bowers confirmed that the changes would be specific in the ordinance that would go to City Council.

Commissioner Dibble asked legal staff if the area in dispute is that which goes out into the canal and not the area being considered as open space. Jamie Beard, Assistant City Attorney, said that it is her understanding that the question was whether or not the description for this particular property went to the centerline of the canal or if it went only to the right-of-way. Ms. Beard said that it was determined, based on the information provided, that it went to the centerline of the canal and if the canal company wanted to claim otherwise, then they would have to take further action to be able to do that. She further said that there would still be some open space but some of the property that may be taken into consideration for the overall acreage for the property is part of that portion to the centerline of the canal.

Commissioner Dibble asked if there was enough open space for a PD requirement without the inclusion of the area in dispute. Jamie Beard said that there was enough open space for the project. She said that based on the information available, the project includes the full property to the centerline of the canal which would be taken into consideration for the open space.

Commissioner Dibble asked if it could be remanded back for adjustment. Ms. Beard confirmed that if later it was determined that there was a question as to the ownership of that portion and it would affect the approval, then it would be possible that it could come back to the Commission.

Commissioner Sublett asked if the service road for the canal was on the south side or the north side and if access could be prohibited via no trespassing signs. Jamie Beard said that at this point in time, in regards to the Urban Trails Map and the position and policy of the City Council, the trails have not been opened up and so no trespassing signs would be allowed in regards to the canal property but that doesn't reflect on whether it was open space for purpose of public benefit.

Commissioner Putnam said that it was his understanding that any new development in the City that has a canal on it requires that the owner dedicate for public use the access to the service roads. Jamie Beard said that was correct as it is the policy of the City that where there are canal roads included on the Urban Trails Map that there is a requirement that there be a dedication for a trails easement.

DISCUSSION

Commissioner Pitts said that when this project was looked at he recalled that the Commission had concerns with the open space, density and height of the structures. He further said that he was hopeful the density would have been decreased to make it more compatible with the properties on the east and west. He further stated that he does not think the change is what he was looking for.

Jamie Beard said that she was informed that not only is the area that would be normal for the trail included in the open space but if it were determined later that the disputed property is not included as a part of this property, applicant had dedicated additional space so that there would be a continuation of the trail from the two subdivisions on either side.

Commissioner Putnam said that according to the definition of compatible - capable of living together harmoniously - it was his opinion that compatibility was in the eye of the beholder and one should not rely on just that word.

Commissioner Dibble said that he would like to see quality rather than quantity. He said that he does not see any problem with an R-8, or 12 homes.

Commissioner Carlow asked if it was an oversight by the City that stub streets were not required for the subdivisions on either side of the proposed development. Lori Bowers said that she doesn't believe it was an oversight. She said that she thinks at that time, they never thought this property would develop.

Vice Chairman Lowrey said that he does not find the density incompatible and thought the changes made regarding the setbacks and the single-story limitation meet the legitimate objections that the nearby property owners had and would approve the project.

Commissioner Wall said that he likes the project because it is a Planned Development and felt that the applicants have made some good concessions. He further stated that he likes the fact that it is a Planned Development, knowing what we're getting ahead of time and thinks it is a good project.

Commissioner Sublett stated that he thinks it is a good project as well.

MOTION: (Chairman Wall) "Mr. Chairman, I move that the Planning Commission forward a recommendation of approval to the City Council, for the requested rezone from R-R to PD and approval of the Preliminary Development Plan for Cobble Creek Subdivision, file number PP-2007-469, with the findings, conclusions and condition as listed in the Staff Report."

Commissioner Sublett seconded the motion. A vote was called and the motion passed by a vote of 6 – 1 with Commissioner Pitts 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 6:45 p.m.