

**GRAND JUNCTION PLANNING COMMISSION
JUNE 10, 2008 MINUTES
6:00 p.m. to 6:42 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), Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, William Putnam, Reggie Wall, Patrick Carlow (1st alternate) and Ken Sublett (2nd alternate). Lynn Pavelka-Zarkesh and Bill Pitts were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were David Thornton, Brian Rusche (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 18 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 May 13, 2008 Regular Meeting.

2. Phillips/Ford Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 0.53 acres from County RMF-8 (Residential Multiple Family-8 du/ac) to a City R-8 (Residential 8 du/ac) zone district.

FILE #: ANX-2008-117

PETITIONER: Garland O. Phillips, Douglas Ford

LOCATION: 2894 Orchard Avenue

STAFF: Brian Rusche

3. Houghton Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 4.018 acres from County RSF-R (Residential Single Family Rural) to a City R-8 (Residential 8 du/ac) zone district.

FILE #: ANX-2008-120

PETITIONER: Francis Houghton

LOCATION: 2964 D Road

STAFF: Brian Rusche

4. **Homeless Shelter Wall – Conditional Use Permit**
 Request approval of a Conditional Use Permit for an 8' high masonry wall on property line in a C-1 (Light Commercial) zone district.
FILE #: SPR-2008-008
PETITIONER: Teresa Black – Homeward Bound of the Grand Valley
LOCATION: 2853 North Avenue
STAFF: Senta Costello

5. **Sunshine-Moir Annexation – Zone of Annexation**
 Request a recommendation of approval to City Council to zone 5.54 acres from County RSF-R (Residential Single Family Rural) to a City C-1 (Light Commercial) zone district.
FILE #: ANX-2008-080
PETITIONER: John T. Moir – Sunshine of Delta
LOCATION: 2899 D Road
STAFF: Greg Moberg

6. **Sunshine of Delta – Growth Plan Amendment**
 Request a recommendation of approval to City Council of the Growth Plan Amendment to change the Future Land Use Designation from RML (Residential Medium Low) to RMH (Residential Medium High) on 4.3 acres.
FILE #: GPA-2008-074
PETITIONER: John T. Moir – Sunshine of Delta
LOCATION: 2899 D Road
STAFF: Greg Moberg

7. **High Side Brewery – Conditional Use Permit**
 Request approval of a Conditional Use Permit for a bar/night club in a C-2 (General Commercial) zone district.
FILE #: CUP-2001-119
PETITIONER: James P. Jeffries
LOCATION: 905 Struthers Avenue
STAFF: Lori Bowers

8. **Eddy's Used Car Lot – Conditional Use Permit**
 Request approval of a Conditional Use Permit for car sales with outdoor display on .305 acre in a C-1 (Light Commercial) zone district.
FILE #: CUP-2007-340
PETITIONER: David Eddy – Eddy Development LLC
LOCATION: 2682 Hwy 50
STAFF: Ronnie Edwards

9. **Liberty Plaza – Conditional Use Permit**
 Request approval of a Conditional Use Permit to construct a 30,000 sq ft medical facility and office complex on 2.39 acres in an R-O (Residential Office) zone district.
FILE #: CUP-2007-374
PETITIONER: Jim West – Jim West Builder, Inc.

LOCATION: 682 26-1/2 Road
STAFF: Ronnie Edwards

10. Eagle Pointe Subdivision – Preliminary Subdivision Plan

Request a recommendation of approval to City Council to zone 10.13 acres to PD (Planned Development) with a default zone of M-U (Mixed Use) and a request for a recommendation of approval to City Council of a Preliminary Development Plan (PDP) to develop 76 multi-family dwelling units on one 4.23 acre lot and 4 commercial/industrial lots on 4.26 acres in a PD (Planned Development) zone district.

FILE #: PP-2007-225
PETITIONER: Summer Glen West, LLC
LOCATION: 2814 C-3/4 Road
STAFF: Greg Moberg

MOTION: (Commissioner Wall) “Mr. Chairman, I move to make a motion that we approve the Consent Agenda.”

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

PUBLIC HEARING ITEMS

11. Palmer Park Subdivision – Preliminary Subdivision Plan

Request: 1) a recommendation of approval to City Council to rezone portions of the property from C-1 (Light Commercial) to R-4 (Residential 4 du/ac) and from R-4 (Residential 4 du/ac) to C-1 (Light Commercial), resulting in 6.14 acres of C-1 (Light Commercial) and 8.96 acres of R-4 (Residential 4 du/ac); and 2) approval of the Preliminary Subdivision Plan to develop 15.1 acres, including 6.14 acres of C-1 (Light Commercial) into 5 lots and 8.96 acres of R-4 (Residential 4 du/ac) into 29 lots.

FILE #: PP-2007-317
PETITIONER: Norm Franke – Alpine Bank
LOCATION: 2675 Hwy 50
STAFF: Brian Rusche

STAFF’S PRESENTATION

Brian Rusche, Senior Planner with the Public Works and Planning Department, made a PowerPoint presentation regarding the Palmer Park Subdivision. He stated that this was a two-part request – first, to rezone property from C-1 to R-4 and from R-4 to C-1, and second, for approval of a Preliminary Subdivision Plan. Mr. Rusche noted that the property currently consisted of Agricultural land. The Future Land Use Map designated that portion of the property along Highway 50 as Commercial, with the remainder of the property designated as Residential Medium Low. The property was currently zoned for 6.06 acres of C-1, Commercial, and 9.04 acres of R4, Residential. He said that the design of the subdivision created access from Highway 50 through the subdivision by way of an extension of Palmer Street, constructed from Highway 50 to Linden Avenue. The design of Palmer Street to accommodate the subdivision would create portions of

the property that are intended for Commercial or Residential use that are not exclusively in that zone, given the current zoning line. The requested zone line, if approved, would be the centerline of the Palmer Street extension resulting in 6.14 acres of C-1 and 8.96 acres of R-4.

The layout of the subdivision was intended to create 5 Commercial lots along Palmer Street and 29 single-family Residential lots with a density of approximately 3.2 dwelling units per acre. On the Commercial properties, staff has requested the establishment of cross access easements. Additionally, an earth ditch on the south side of the property, Orchard Mesa South Drain, would be piped onto Dos Rios Elementary School property requiring an easement.

Mr. Rusche said that he found that the zoning request was consistent with the Growth Plan. He discussed the criteria necessary for rezoning requests, including, but not limited to, that it was compatible with the neighborhood, public facilities either are available or would be made available, and by modifying the zoning to use the centerline of the future street extension, it would allow the addition of the residential lots to the south and west and would provide highly visible Commercial lots. He pointed out that the second part of the request was a review of the Preliminary Subdivision Plan and stated that he found it met the applicable criteria of the Zoning and Development Code and Growth Plan.

Mr. Rusche summarized that the rezoning request to modify the existing zoning from C-1 to R-4 and R-4 to C-1 was consistent with the criteria of the Zoning and Development Code as well as with the Growth Plan. He also found that the Preliminary Subdivision Plan met the criteria of the Zoning and Development Code. He said that there were three conditions of approval attached to the request: 1) the approval of the preliminary plan was contingent upon City Council approval of the rezone; 2) the request for cross access easements from Palmer Street into and through the Commercial properties; and 3) the need to obtain an easement by separate document for the drain across school district and other property to the south.

QUESTIONS

Chairman Cole asked for clarification regarding whether the rezone was to follow the centerline of the street. Mr. Rusche said that there was no right-of-way dedicated yet for the street. He said that using the proposed centerline as the zoning boundary would ensure that all of the lots that were intended for Commercial purposes would be in the proper C-1 zone and that all of the Residential lots would be in the R-4 zone.

Commissioner Carlow asked if the developer was agreeable to CDOT's list of permits and improvements. Mr. Rusche said that the developer, City and CDOT were in discussion regarding those improvements. He also stated that there would be significant improvements to the highway as part of this project. He said that Palmer Street would be designated as a collector through the subdivision and would also service the development to the south.

Commissioner Dibble asked what type of buffering would be between the backyards of the Residential properties and Dos Rios Elementary School. Mr. Rusche said that they did not have any specific buffering but would adhere to the applicable setback

requirements. He said that the easement that would need to be established for the pipe would provide some buffer.

Commissioner Dibble asked if the proposed trees or shrubbery would be sufficient regarding the school, since all of the vegetation would be taken out as a result of the earthen ditch and the property would be leveled out. Mr. Rusche said he was unsure if the developer had any particular plans at this point for landscaping.

Commissioner Putnam asked if something needed to be changed as the Future Land Use Map in the staff report showed the line between Commercial and Residential terminating at the southeast corner of Palmer Street and the Palmer Park Subdivision Map showed the line terminating a few feet to the west of that point. Mr. Rusche said that the line shown on the subdivision map was an official zoning line with a legal description. He said that he was unsure why the GIS maps were different. Furthermore, he said that the land use was adopted as part of the Orchard Mesa Neighborhood Plan which designated a portion along Highway 50 for Commercial purposes and that when the property was annexed the line was specifically described.

PETITIONER'S PRESENTATION

John Potter with The Blythe Group appeared on behalf of Alpine Bank and stated that he had nothing to add to staff's presentation.

QUESTIONS

Commissioner Dibble asked if the applicant would be agreeable to put up a fence to demark the school ground playground from the backyards of the homeowners. Mr. Potter said that they would address that as they got further into the plan.

PUBLIC COMMENT

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

DISCUSSION

Commissioner Wall said that he thought it looked like a good plan and was one that he could support.

Commissioner Lowrey agreed, as did Commissioner Putnam.

Commissioner Sublett said that he liked the plan and in particular the Commercial arrangement with the access via Palmer.

Commissioner Putnam pointed out that there had been discussion with CDOT regarding a traffic signal at Palmer and Highway 6 & 50.

There was discussion as to whether or not the motions needed to be separated. Jamie Beard, Assistant City Attorney, said that with the possibility of someone not approving the rezone, it would normally be preferred that there would be two separate motions. However, it could technically be done as one motion. Commissioner Dibble asked if it would create any problems if City Council declined the rezone and the Commission approved both. Ms. Beard said that the Preliminary Plan Subdivision would only be

approved if the rezone was approved by City Council. If City Council denied it, the Preliminary Plan would not be able to meet condition #1 of approval.

MOTION: (Commissioner Lowrey) “Mr. Chairman, I move that we recommend approval to City Council of the rezone to C-1 (Light Commercial) and R-4 (Residential 4 du/ac) as shown on the provided exhibit, which is Lot 2 Carville Simple Subdivision in Mesa County and pursuant to Section 2.6.A of the Zoning and Development Code; and that we approve the Preliminary Subdivision Plan for the Palmer Park Subdivision, PP-2007-317, with the findings, conclusions and conditions listed in the staff report.”

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

12. Proposed Text Amendments – Text Amendments - Code

Request a recommendation of approval to City Council on a proposed ordinance amending Table 3.5, Table 3.6 and Sections 2.2.B.3.a and 2.3.B.6.c.1 of the Zoning and Development Code to update and clarify various provisions.

FILE #: TAC-2008-151

STAFF: Lisa Cox/David Thornton

STAFF’S PRESENTATION

Dave Thornton with the Public Works and Planning Department addressed the Commission regarding a proposed text amendment. He said that there are three parts to this proposal: 1) amendment to Table 3.5; and amendment to Sections 2.2.B. According to Mr. Thornton, the request is for amendment to Sections 2.2.B.3.a and 2.3.B.6.c.(1) and (2) to allow the bulk mailing option. He then discussed the request to amend Table 3.5, the Use/Zone Matrix. He recommended that the Code be amended to establish multi-family residential as an allowed use in the C-1 zone district so that the matrix would remove the Conditional Use Permit requirement for multi-family in the C-1 zone district. He said that both text amendments were found to be consistent with the Growth Plan and recommended they be sent to City Council for approval.

PUBLIC COMMENT

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

Chairman Cole asked legal counsel if the motion as presented would be sufficient given the removal of Table 3.6 from consideration. Jamie Beard said that for clarification it would be best to include the clarification regarding Table 3.6.

MOTION: (Commissioner Putnam) “Mr. Chairman, on TAC-2008-151, Various Amendments to the Zoning and Development Code, I move that the Planning Commission forward a recommendation of approval except the part addressed as Table 3.6, Density Bonus Provisions, to the City Council with the findings and conclusions listed in this staff report.”

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

13. Riverside Parkway Billboard Moratorium – Text Amendments - Code

Request a recommendation of approval to City Council on a proposed ordinance amending the Zoning and Development Code regarding off-premise signs on or near the centerline of the Riverside Parkway.

FILE #: TAC-2008-153

STAFF: Lisa Cox/David Thornton

STAFF'S PRESENTATION

Dave Thornton, Public Works and Planning Department, addressed the Commission regarding the Riverside Parkway Billboard Ordinance. He said that in December 2004, the Grand Junction City Council authorized a temporary hiatus in acceptance of applications for off-premise billboard signs along the Riverside Parkway. Mr. Thornton stated that nearing the completion of the Parkway, the proposal was to make this permanent. He said that he found the request consistent with the Growth Plan. He pointed out that there was a typographical error in the proposed Ordinance wherein it referred to Section 4.3 and it should be corrected to Section 4.2.

PUBLIC COMMENT

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

DISCUSSION

Commissioner Dibble said that he thought this was a very wise move in the interests of view sights and safety.

MOTION: (Commissioner Wall) "Mr. Chairman, on TAC-2008-153, Amendments to the Zoning and Development Code, I move that the Planning Commission forward a recommendation of approval to the City Council with the findings and conclusions listed in this staff report."

Commissioner Dibble 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 6:42 p.m.