

**GRAND JUNCTION PLANNING COMMISSION
JANUARY 9, 2007 MINUTES
7:00 p.m. to 8:00 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Lynn Pavelka-Zarkesh, Roland Cole, Tom Lowrey, Bill Pitts, William Putnam, and Reggie Wall.

In attendance, representing the City's Community Development Department, was Kathy Portner (Assistant Community Development Director).

Also present were Jamie Kreiling (Assistant City Attorney), Pat Cecil (Planning Services Supervisor) and Ken Kovalchik (Senior Planner).

Lynn Singer was present to record the minutes.

There were 30 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes of the November 14, 2006 and November 28, 2006.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval of the November 14, 2006 minutes."

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

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval of the November 28, 2006 minutes."

Commissioner Pitts seconded the motion. A vote was called and the motion passed by a vote of 6-0 with Commissioner Pavelka-Zarkesh abstaining.

III. CONSENT AGENDA

Available for consideration were items:

1. PFP-2006-186 PRELIMINARY PLAN - Fairway Pines Subdivision
2. VR-2006-307 VACATION OF RIGHT-OF-WAY – Buena Vista Drive Cul-De-Sac
3. SPR-2006-192 VACATION OF RIGHT-OF-WAY – Mesa County Parking Lot
4. PP-2006-208 PRELIMINARY PLAN & PD ZONING ORDINANCE– Fairway Villas Subdivision
5. FP-2006-301 VACATION OF RIGHT-OF-WAY – River Run Subdivision
6. ANX-2006-330 ZONE OF ANNEXATION – River Trail Subdivision Annexation
7. GPA-2006-248 ZONE OF ANNEXATION - Pacheco-Woodring Annexation
8. CUP-2005-197 CONDITIONAL USE PERMIT – Dollar Rent A Car
9. CUP-2006-313 REZONE & CONDITIONAL USE PERMIT - Hilltop-Bacon Center

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted any of the items pulled for additional discussion. At citizen request, Item 1, PFP-2006-186, Preliminary Plan - Fairway Pines Subdivision, was pulled and placed on the Full Hearing agenda. Kathy Portner, Assistant Community Development Director, requested a continuance at the request of applicant of Item 7, GPA-2006-248, Zone of Annexation - Pacheco-Woodring Annexation, to the January 23, 2007 public hearing. Also pulled and placed on the Full Hearing agenda at the request of Commissioner Lowrey was Item 6, ANX-2006-330, Zone of Annexation - River Trail Subdivision Annexation. No objections or revisions were received from the audience or planning commissioners on any of the remaining items.

MOTION: (Commissioner Cole) “Mr. Chairman, I would move approval of Consent Agenda items 2, 3, 4, 5, 8 and 9.”

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

MOTION: (Commissioner Cole) “Mr. Chairman, I would move for the continuance of Item 7, GPA-2006-248, Zone of Annexation - Pacheco-Woodring Annexation, to the January 23, 2007 public hearing.”

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

IV. FULL HEARING

PPF-2006-186

PRELIMINARY PLAN - Fairway Pines Subdivision

Request approval to develop 21 single family lots on 6.83 acres in a RSF-4 (Residential Single Family-4 unit/acre) zone district.

PETITIONER: Linda Catt - Furukawa Family Trust

LOCATION: 2968 B Road

STAFF: Pat Cecil

STAFF'S PRESENTATION

Pat Cecil made a PowerPoint presentation in support of the request for approval to develop property located at 2968 B Road. Mr. Cecil noted that the Chipeta Golf Course is to the north and west of the subject property; to the south is the Mesa View Elementary School; and to the east is residential. The future land use map shows this property in a residential/medium low designation of 2 to 4 units per acre. The surrounding property is also zoned residential/medium low with the exception of the school which is designated as public. Mr. Cecil stated that applicant is requesting approval of a 21 lot subdivision with lots ranging in size of approximately 8,000 square feet to 12,500 square feet. Mr. Cecil further stated that the size of the lots is consistent with the RSF-4 zone district. He further stated that the overall density of the project is 3 units per acre which is consistent with both the zoning and the Growth Plan. Applicant is also requesting that the Planning Commission waive the requirement for a 50 foot lot width which is required by the RSF-4 zone district based on the odd configuration of the overall site. Such waiver would affect Lots 7, 8, 9, 10, 13, 14, 15, 18, 19 and 20. Staff recommends approval of this project making the findings of fact and conclusions as contained in the staff report.

QUESTIONS

- Chairman Dibble asked what types of mitigation besides shrubbery and trees would be taken with regard to the golf course. Mr. Cecil stated that applicant has entered into an indemnification agreement with the golf course. Pat further stated that applicant is gearing this subdivision towards an adult community type situation wherein at least one member of each household has to be 50 years of age or older.
- Chairman Dibble next inquired about the type of fencing that will be utilized. Mr. Cecil stated that applicant is intending to utilize a split rail type fence.
- Chairman Dibble also asked if there would be screening around the perimeter of the subdivision. Mr. Cecil stated that there would not be any screening around the perimeter; however, individual homeowners will have the ability to put up screen fencing, if desired. Applicant has proposed landscaping adjacent to B½ Road and across the frontage of the detention pond.

PETITIONER'S PRESENTATION

Jim Langford of Thompson-Langford Corp. addressed the Commission on behalf of applicant. Mr. Langford stated that applicant is proposing fencing the entirety of the project. The golf course had requested the use of a three-rail split rail fence. Also, the

type of fencing that is being proposed by applicant on the side adjacent to Chipeta Subdivision and along B Road is a 6-foot vinyl fence with masonry pillars.

QUESTIONS

- Chairman Dibble asked Mr. Langford about the build out of the buildings and whether or not all lots are buildable. Mr. Langford stated that the minimum setback lines will be met as the lots are fairly large. Mr. Langford further stated that all lots are buildable.

PUBLIC COMMENTS

FOR: There were no comments from the public for this project.

AGAINST:

Joseph Patrick, 205½ Dream Street, Grand Junction, spoke on behalf of himself and several of his neighbors and requested that the fencing to be utilized by applicant be consistent with the existing fencing. Mr. Patrick also voiced a concern with two story homes which could potentially detract from their views. Mr. Patrick also raised a question regarding the grade of the subject property.

Dave Deppe of 2981 B Road, Grand Junction stated that he and his neighbors have an irrigation easement that enters the southeast corner of the subject property and ultimately enters into a drainage ditch at the golf course. He asked that applicant address the issue of the irrigation tail water.

Jim Wall had a concern regarding the existing drainage and whether or not it would remain underground.

PETITIONER'S REBUTTAL

With respect to the fencing, Jim Langford stated that he believed that matter could be handled administratively with staff. Mr. Langford stated that applicant would be placing the lots on the market and, therefore, applicant would not be placing any restrictions on the lots. The grading will be comparable to the elevation of the Chipeta Subdivision. The drainage at the southeast corner has been considered by applicant. The drainage water would be taken across the site from east to west to the open drain owned by Orchard Mesa Irrigation District. An easement has been prepared with respect to the school drainage which now gives the school a recorded easement.

QUESTIONS

- Commissioner Cole inquired whether applicant would be willing to consider placing a one-story restriction on the sale of the property. Mr. Langford stated that applicant would have to address that issue directly.

PETITIONER'S REBUTTAL

Mr. Loren Funk addressed the Commission and stated that his family has owned the property for a long time. He stated that it would make sense to build one-story homes

along the golf course and two-story homes along the south side; however, they would prefer not to restrict the lots.

QUESTIONS

- Chairman Dibble asked whether there were any restrictions as to the type of dwelling other than the height restrictions. Kathy Portner, Assistant Community Development Director, confirmed that a restriction as to the type of dwelling cannot be imposed.
- Additionally, Ms. Portner stated that the code actually only requires fencing along B Road in conjunction with their landscape strip.

DISCUSSION

Chairman Dibble initiated a further discussion regarding the height and type of fencing and its compatibility with the existing fencing. Commissioner Cole suggested applicant proceed with the six foot fence as proposed.

MOTION: (Commissioner Cole) “Mr. Chairman, I move that the Planning Commission approve the Preliminary Subdivision Plan for the Fairway Pines Subdivision, PFP-2006-186, with the findings 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.

ANX-2006-330 ZONE OF ANNEXATION – River Trail Subdivision Annexation
 Request approval to zone 17.6 acres from a County RSF-R (Residential Single Family Rural) to a City RMF-8 (Residential Multi-Family 8 u/ac) zone district.
PETITIONER: Kevin Reimer - Reimer Development
LOCATION: 3141 D Road
STAFF: Ken Kovalchik

STAFF’S PRESENTATION

Senior Planner Ken Kovalchik made a PowerPoint presentation in support of the request to annex the River Trail Subdivision. Mr. Kovalchik noted that to the immediate east and west of the subject property is currently zoned residential/agricultural. To the west is the River Bend PUD; to the immediate north of D Road is the Grove Creek Subdivision which is zoned RMF-5; and to the northeast is the Midlands Village PUD. The future land use for this area is residential/medium which allows three different zone districts of RSF-4, RMF-5 and RMF-8. The applicant is requesting to zone this as a RMF-8 designation. It is currently zoned RSF-R.

A preliminary plan has been submitted along with the annexation and applicant is proposing 80 single-family lots with lot sizes ranging from 6,000 to 6,500 square feet. The proposed density is 4.6 dwelling units per acre. Staff recommends approval of the RMF-8 zone district, with the findings of fact and conclusions.

QUESTIONS

- Chairman Dibble asked for clarification regarding proposed density.
- Commissioner Lowrey asked if a zone district of RMF-5 would work considering the proposed density of 4.6 dwellings per acre. Mr. Kovalchik stated that the RMF-8 is necessary as some of the lot sizes are below 6,500 square feet.
- Commissioner Cole raised a concern regarding the possibility of change in density if the zoning to RMF-8 is approved. Commissioner Lowrey stated that he will approve this request if applicant assures the Commission that the density will remain as proposed at 4.6.

PETITIONER'S PRESENTATION

Kevin Reimer, applicant, spoke on behalf of the project. Applicant stated, "...we have submitted our preliminary plan and have engineered for those 80 lots which gives us that density of 4.6 lots per acre on this 17.6 acres and we have no plans of changing that so I'd be very happy to being held up to that number without a problem."

QUESTIONS

- Commissioner Pavelka-Zarkesh asked applicant how many lots were under the 6,500 square feet. Mr. Reimer stated that the majority of the lots are 6,000. He also stated that there is some unbuildable acreage included in the 17.6 acres and more particularly a large drainage channel on the east side of the property.
- Commissioner Pavelka-Zarkesh also asked where the flood plain falls in conjunction with the subject property. Mr. Kovalchik stated that it was mainly in the southwestern portion of the property.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Cole expressed concern with proceeding with an RMF-8; however, "...given the testimony that we have had tonight, I'm going to have to concur with Mr. Lowrey that I would go along with it primarily for the reasons that have been stated by the applicant here but will hold to what's been told us here in the hearing tonight."

Commissioner Lowrey reiterated that if applicant comes in with more, he will vote against it.

Commissioner Putnam stated that he can support this request.

MOTION: (Commissioner Lowrey): "Mr. Chairman, on Zone of Annexation, #ANX-2006-330 I move that the Planning Commission forward to the City Council a recommendation of approval of the RMF-8 zone district for the River Trail 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.

With no further business to discuss, the public hearing was adjourned at 8:00 p.m.