

**GRAND JUNCTION PLANNING COMMISSION
APRIL 10, 2007 MINUTES
7:00 p.m. to 9:07 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 A. Dibble (Chairman), Roland Cole (Vice-Chairman), Lynn Pavelka-Zarkesh, Tom Lowrey, Bill Pitts, Reggie Wall and Patrick Carlow (1st alternate). Commissioner William Putnam was absent.

In attendance, representing the City's Community Development Department, was Lisa Cox (Planning Manager).

Also present were Jamie Kreiling (Assistant City Attorney), Scott Peterson, Eric Hahn, Kristen Ashbeck and Adam Olsen.

Lynn Singer was present to record the minutes.
There were 19 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

There were no minutes available for consideration.

III. CONSENT AGENDA

Available for consideration were items:

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| 1. PP-2006-185 | PRELIMINARY SUBDIVISION PLAN – Dominguez Estates South |
| 2. ANX-2007-035 | ZONE OF ANNEXATION – Brady Trucking Annexation |
| 3. ANX-2007-045 | ZONE OF ANNEXATION – River Bend Annexation |
| 4. CUP-2007-010 | CONDITIONAL USE PERMIT – Rocky Mountain Cummins |

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, items 1 and 3 were pulled for Full Hearing and item 2 was pulled at the request of Commissioner Lowrey for Full Hearing. No

objections or revisions were received from the audience or planning commissioners on the remaining Consent Agenda item.

MOTION: (Commissioner Cole) “Mr. Chairman, I move approval of Consent Agenda item 4, CUP-2007-010.”

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

IV. FULL HEARING

1. PP-2006-185 PRELIMINARY SUBDIVISION PLAN – Dominguez Estates South

Request approval of the Preliminary Subdivision Plan to develop 16 single family lots on 4.4 acres in a RSF-4 (Residential Single Family-4 units/acre) zone district.

PETITIONER: Jim Cagle
LOCATION: 2921 E-7/8 Road
STAFF: Scott Peterson

PETITIONER’S PRESENTATION

Keith Ehlers of Ciavonne, Roberts and Associates, representing petitioner, made a PowerPoint presentation in support of the Dominguez Estates South preliminary subdivision plan. Mr. Ehlers addressed concerns of the neighbors with regard to the additional traffic which will be generated by this subdivision. Petitioner is proposing a landscape buffer along with fencing that will be between the subdivision and the existing neighborhood. A stub road will also be provided.

STAFF’S PRESENTATION

Scott Peterson, Senior Planner, with the Department of Public Works and Planning, addressed the Commission with regard to the preliminary subdivision plan for Dominguez Estates South. As explained by Mr. Peterson, the subject property is south of Patterson Road and east of 29 Road. The proposal is for 16 lots on 4.4 acres. Current zoning is R-4 with adjacent county zoning of RSF-4 and RMF-8 to the south. Access will be constructed as part of phase 1 to Dawn Drive and also to Bookcliff Avenue to the east. A stub street to the north will be provided upon the development of Dominguez Estates.

Eric Hahn, Department of Public Works and Planning, explained that all of the connections will be built with the exception of E-7/8 Road.

PUBLIC COMMENT

For:

No one spoke in favor of the request.

Against:

Zane Reeves, 2909 E-7/8 Road, spoke on behalf of the neighborhood. Mr. Reeves stated that it was their understanding that E-7/8 Road was going to be part of the connection into those subdivisions. He raised the question of what would dictate future plans for development and raised a question with setback issues with an existing house in the neighborhood.

STAFF'S REBUTTAL

Scott Peterson stated that with regard to future development, development or annexation would be triggered if they were to subdivide the property into additional lots or if another structure was built on the property. At that time, the city would obtain the necessary right-of-way for E-7/8 Road. "So if these properties don't develop, or stay the same, one house/one lot, like I said, the likelihood of getting the full E-7/8 right-of-way is very small." Regarding the setbacks, again as the property is not inside city limits, it would be considered a non-conforming structure since it does not meet setback requirements for the zoning district. If the property was annexed, it would be through a development application.

DISCUSSION

Commissioner Cole stated that he believes the requirements and concerns of the public are met and would, therefore, support this request. Commissioners Lowrey, Wall and Pitts concur.

Chairman Dibble stated, "I think the City is seeking qualified and logical infill projects and this seems to meet the criteria very well and I'd be in favor of it."

MOTION: (Commissioner Cole) "Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for Dominguez Estates South, PP-2006-185, 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.

- 2. ANX-2007-035 ZONE OF ANNEXATION – Brady Trucking Annexation**
Request approval to zone 3.5 acres from a County I-2 to a City I-2 (General Industrial) zone district and to construct a combination office warehouse building.
PETITIONER: Jennifer Brady
LOCATION: 356 27½ Road
STAFF: Kristen Ashbeck

PETITIONER'S PRESENTATION

Robert Jones II of Vortex Engineering (255 Vista Valley Drive, Fruita) stated that he is applicant's representative. Mr. Jones stated that the subject property is approximately 4 acres located in the northeastern corner of C½ Road and 27½ Road. The existing site zoning is I-2 (General Industrial) under Mesa County. Applicant is requesting

annexation and zoning of this property to the I-1 (Light Industrial) zone district. He stated that there has been a change of character in the neighborhood due to the installation of public facilities, new growth trends, and the Riverside Parkway development, among others. The subject site is surrounded by industrial properties with the exception of the property to the west which is presently vacant. The Growth Plan designates this area as commercial/industrial classification. He further stated that this rezoning is consistent with the purpose and intent of the Growth Plan. "This annexation and zoning provides the opportunity for quality infill projects in a region that desperately needs industrial zoned property for development and, therefore, we are respectfully requesting approval of the annexation and proposed I-1 zoning for these properties."

STAFF'S PRESENTATION

Kristen Ashbeck of the City Planning Department addressed the Commission regarding the proposed Brady Trucking Annexation. She stated that the site is currently being annexed as there is a concurrent site plan review for expansion of the existing building. Ms. Ashbeck clarified that applicant is requesting an I-1 zone district rather than I-2. She further stated that adequate public facilities and services are available. "The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs." Accordingly, staff finds that it is consistent with the Growth Plan and meets the review criteria and is recommending approval of the I-1 zone.

QUESTIONS

- Commissioner Pitts asked what type of development is being proposed. Ms. Ashbeck stated that there is an existing trucking business and a proposed expansion of the same.
- Chairman Dibble asked how far the site is from C½ Road to the river at the shortest distance. Ms. Ashbeck stated that it was approximately an eighth of a mile.
- Chairman Dibble asked if there has recently been an increase in industrial use applications in the area. Kristen stated that she is not specifically aware of it in this area but there are currently a number of applications along the parkway.
- Commissioner Pavelka-Zarkesh asked where the 100 year flood plain falls. Ms. Ashbeck stated that it goes a little bit north of C½ Road.

Commissioner Lowrey voiced his disagreement with the proposal. He stated that he believes this area should be developed in an office park type economy rather than industrial economy.

PUBLIC COMMENTS

No one spoke either for or against this proposal.

PETITIONER'S REBUTTAL

Robert Jones II addressed some of the concerns raised. Applicant is working with staff to try to get the riverfront trail along the river. Regarding the need for industrial properties, he stated, "It's a simple supply and demand lesson. Industrial zoned property, the price of it has doubled and tripled in areas in the last two and three years."

And that says one thing – there’s not enough of it and there’s a great demand for it.” He further stated that he believes this property meets the purpose and intent of the Growth Plan as well as the Zoning and Development Code.

QUESTIONS

- Chairman Dibble inquired about what is being proposed as far as structures. Mr. Jones stated the proposal is for an approximate 14,000 square foot office/shop combination with some outdoor storage. There would be landscaping as well as some dedication of right-of-way along 27½ Road and C½ Road with some multi-purpose easements.
- Chairman Dibble asked why the I-1 zone district was chosen over the I-O zone district. Robert Jones stated that I-O zones are very restrictive with regard to light industrial uses and do not allow outdoor storage. He believes the I-O zone district does not fit the area nor does it fit the existing zoning surrounding it.

DISCUSSION

Commissioner Cole stated that he does support the application for I-1 zoning.

Commissioner Pitts stated that he anticipates the area south of C½ Road to the river as being light industrial and supports the proposal.

Commissioner Pavelka-Zarkesh believes that the industrial zoning can be worked into this area. She further stated that she thinks it will provide a resource to the community – long-term and short-term.

Commissioner Wall thinks the I-O makes more sense than the I-1.

Commissioner Lowrey agreed with Commissioner Wall. He does not believe industrial will be appropriate in the area and would like to see the least intensive use zoning. He further stated that he could support I-O because of the associated restrictions and controls to make it more compatible with future development.

Commissioner Carlow stated that he would support the proposal.

Chairman Dibble stated that as the property to the east is already identified as I-1 and with proper screening and landscaping, he believes I-1 is compatible with the I-1 to the east.

MOTION: (Commissioner Cole) “Mr. Chairman, on Zone of Annexation, #ANX-2007-035, I move that the Planning Commission forward to the City Council a recommendation of approval of the Light Industrial (I-1) zone district for Brady Trucking Annexation with the facts and conclusions listed in the staff report.”

Commissioner Pitts seconded the motion. A vote was called and the motion passed by a vote of 5-2 with Commissioners Wall and Lowrey opposed.

- 3. ANX-2007-045 ZONE OF ANNEXATION – River Bend Subdivision Annexation**
Request approval to zone 4.93 acres from a County PUD (Planned Unit Development) to a City RMF-8 (Residential 8/u/ac) zone district.
PETITIONER: Julie Gilbert
LOCATION: South of Dry Fork Way
STAFF: Adam Olsen

STAFF’S PRESENTATION

Adam Olsen, Associate Planner, made a PowerPoint presentation regarding the River Bend Subdivision Annexation. The existing PUD was platted in the County in the early 1980s but never constructed. The existing PUD consists of both single-family and townhomes. The property to the east was recently annexed into the City with a zoning of R-4 and to the west is a state wildlife area. The river trail also runs through the southernmost lots within the PUD, which lots are not included in this annexation. The Future Land Use Map designates the area as residential-medium, 4 to 8 units per acre. The existing PUD has a density of 6.4 units per acre. Mr. Olsen stated that staff recommends the Planning Commission forward a recommendation of approval of the R-8 zone to the City Council finding that the requested zone is consistent with the Growth Plan and that the review criteria of the Zoning and Development Code have been met.

QUESTIONS

- Chairman Dibble inquired if the property to the north is Planned Development. Mr. Olsen stated that the existing PUD is still within the County.
- Chairman Dibble asked if there would be access/egress going up to D Road. Mr. Olsen stated that there would be an access through there; just to the north along D Road through the existing PUD and then to the east through Heron’s Nest.
- Commissioner Pitts asked if there was a stub road going into the Heron’s Nest Subdivision. Mr. Olsen stated that Heron’s Nest has a temporary access to D Road to the north but that would be shifted once property to the east is developed.

PETITIONER’S PRESENTATION

Tom Logue, 537 Fruitwood Drive, Grand Junction, stated that they have considered three options for future development of the property – to develop it as it is platted in its current state; look at a completely new layout given some of the constraints, such as stub roads and location of sewer lines; and utilizing the R-8 underlying zone and consider a PUD application. They have done a zone comparison between existing zoning and the requested R-8, R-5 and R-4. In most developments, there is approximately 30% inefficiencies which would include dedicated road right-of-ways, setbacks from other areas, easements, etc. Mr. Logue stated that the property is compatible with the surrounding neighborhood in terms of density and lot size; R-8 conforms with the Growth Plan and the adopted Pear Park neighborhood plan. In addition to the sewer mains, there are adequately sized domestic water mains for domestic service as well as fire protection. The property is also located near existing

neighborhood schools, emergency services would be provided and finally the property is located within the city's growth area.

QUESTIONS

- Chairman Dibble asked if applicant is considering replatting the property in a different configuration rather than what has been presented. Mr. Logue stated that it has been discussed because they do not have a definitive zone to work around.

PUBLIC COMMENTS

Lillian Wheeler, secretary/treasurer for Riverbend Townhome Association, 399 Sunnyside Court, #D, stated that they have four primary concerns as follows: (1) They were told that part of the subject property is in the flood plain and could never be built on; (2) street access - They currently have 98 units with over 200 cars using one entrance and one exit; (3) the possibility of connecting out on 31 Road; and (4) irrigation water.

STAFF'S REBUTTAL

Mr. Olsen stated that with regard to the flood plain issue, none of the subject property is within the 100 year flood plain. However, a small portion of the subject property is within the 500 year flood plain but there are no special regulations that need to be followed. As far as access to the west, that is state land and there is no future access points there.

PETITIONER'S REBUTTAL

Mr. Logue stated that they anticipate extension of a street between D Road and D½ Road. Prior to submittal to planning, applicant will hold a public meeting.

DISCUSSION

Commissioner Pitts stated that he is concerned with the ingress and egress. However, he is satisfied with the interconnectivity.

Commissioner Carlow stated that without a specific zoning, applicant is unable to address all issues raised.

Commissioner Lowrey stated, "I think all the time I've been on the Planning Commission this may be the most incompatible one I've seen." He went on to say that usually the more dense developments are closer to the major arterials. He is concerned also with the proximity to the river and the pond. He thinks R-4 zoning would be more compatible than R-8 and as proposed is incompatible with the surrounding areas.

Commissioner Pavelka-Zarkesh agrees with Commissioner Lowrey. Considering the open space and the river, she believes R-5 would be more suitable.

Chairman Dibble stated that he believes R-8 would be compatible with the area.

Commissioner Wall stated that he concurs with Chairman Dibble.

MOTION: (Commissioner Wall) “Mr. Chairman, on Zone of Annexation, #ANX-2007-045, 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 River Bend Annexation with the facts and conclusions listed in the staff report.”

Commissioner Carlow seconded the motion. A vote was called and the motion passed by a vote of 5-2 with Commissioners Pavelka-Zarkesh and Lowrey opposed.

With no objection, the public hearing was adjourned at 9:07 p.m.