

**GRAND JUNCTION PLANNING COMMISSION  
MAY 22, 2007 MINUTES  
7:00 p.m. to 11:03 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), Tom Lowrey, Bill Pitts, Reggie Wall, William Putnam and Ken Sublett (2<sup>nd</sup> alternate). Commissioner Lynn Pavelka-Zarkesh was absent.

In attendance, representing the City Public Works & Planning Department, were Dave Thornton (Principal Planner), Scott Peterson (Senior Planner), Ronnie Edwards (Associate Planner), Ken Kovalchik (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 approximately 82 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 March 27, 2007, April 10, 2007 and April 24, 2007.

**MOTION: (Commissioner Cole) "Mr. Chairman, I move approval of the March 27, 2007 minutes."**

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 6-0, with Commissioner Sublett abstaining.

**MOTION: (Commissioner Pitts) "Mr. Chairman, I move approval of the April 10, 2007 minutes as presented."**

Commissioner Cole seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioners Putnam and Sublett abstaining.

**MOTION: (Commissioner Pitts) “Mr. Chairman, I move approval of the April 24, 2007 minutes as presented.”**

Commissioner Sublett seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioners Cole and Wall abstaining.

**III. CONSENT AGENDA**

Available for consideration were items:

1. PP-2006-218 PRELIMINARY SUBDIVISION PLAN – The Brickyard at Wellington
2. GPA-2007-054 ZONE OF ANNEXATION – Younger Annexation
3. ANX-2007-087 ZONE OF ANNEXATION – Jones Annexation
4. PFP-2006-026 PRELIMINARY SUBDIVISION PLAN – Garfield Estates Subdivision
5. VE-2006-336 VACATION OF EASEMENT – Hoffman Easement Vacation
6. PP-2006-330 PRELIMINARY SUBDIVISION PLAN – River Trail Subdivision
7. CUP-2007-014 CONDITIONAL USE PERMIT – Lone Wolf Wireline
8. ANX-2007-101 ZONE OF ANNEXATION – Newton Annexation
9. RZ-2007-049 REZONE - Niagara Village Subdivision
10. VE-2007-120 VACATION OF EASEMENT – CSECU Easement Vacation
11. RZ-2007-089 REZONE – Young Court Rezone
12. VR-2007-022 VACATION OF RIGHT-OF-WAY – Lupinski Simple Subdivision
13. VR-2007-052 VACATION OF RIGHT-OF-WAY – Mesa State College

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 2 and 6 were pulled for Full Hearing. No objections or revisions were received from the audience or planning commissioners on the remaining Consent Agenda items

**MOTION: (Commissioner Cole) “Mr. Chairman, I move approval of Consent Agenda with the exception of items numbered 2 and 6.”**

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

**IV. FULL HEARING**

**14. GPA-2007-061**

**GROWTH PLAN AMENDMENT – Country Squire II**

Request approval for a Growth Plan Amendment to change the Future Land Use Designation of Estate (2 – 5 ac/du) to Residential Medium Low (2 – 4 du/ac).

**PETITIONER:** Kenton Page

**LOCATION:** 2076 Ferree Drive

**STAFF:** Scott Peterson, Senior Planner

**STAFF’S PRESENTATION**

Scott Peterson, Senior Planner, made a PowerPoint presentation with regard to the request for Growth Plan Amendment regarding property located at 2076 Ferree Drive from Estate to Residential Medium Low. Mr. Peterson pointed out that the subject property is located north of Highway 340 and east of 20½ Road. The property is currently in the process of being annexed into the City limits and totals 13.4 acres. Applicant is requesting a Growth Plan Amendment in anticipation of future residential development and is currently surrounded by single-family residential properties of varying sizes. Mr. Peterson stated that sewer service is available to this property. He further stated that the increased density would correspond with the adjoining residential development and densities. The proposal is consistent with the goals and policies of the Growth Plan and also with the Redlands Area Plan which promotes an increase in densities and development on land not suitable for agricultural purposes. He further stated that the subject property is in the Urban Growth Area boundary which promotes areas of development that have adequate public facilities. Staff recommends a recommendation of approval to be forwarded to the City Council.

**QUESTIONS**

Commissioner Cole asked if this proposal would support the additional traffic. Mr. Peterson stated that the traffic issue would be further addressed at the preliminary plan stage; however, he stated that both Ferree Drive and Broadway are dedicated rights-of-way. Mr. Peterson stated that there is adequate right-of-way to support the proposed development if the Growth Plan was changed.

**PETITIONER’S PRESENTATION**

Robert Jones II of Vortex Engineering, 255 Vista Valley Drive, Fruita, addressed the Commission as applicant’s representative. Mr. Jones stated that this application meets the criteria as specified in section 2.5.C of the Zoning and Development Code. He stated that it is their belief that a mistake was made when the Estate designation was placed on this property. The proposed development will utilize existing facilities that are in place and is compatible with the surrounding existing development. Therefore, the proposed Growth Plan Amendment is consistent with the purpose and intent of the applicable neighborhood and growth plan sections and the review criteria and request approval of the Growth Plan Amendment as presented.

## **PUBLIC COMMENT**

### **For:**

No one spoke in favor of the request.

### **Against:**

Ralph Ploeger, 2062 Ferree Drive, stated that his main concern is with the intersection of Ferree Drive and Highway 340. Mr. Ploeger stated that there are currently 17 residences on Ferree Drive. By way of several photographs, Mr. Ploeger pointed out the limited site distances at the above-stated intersection.

Steve Woytella, 2099 Desert Hill Drive, stated that if the Growth Plan is changed for this development, "I believe you're setting a dangerous precedent in the Redlands. Mesa County spent \$80 million building schools in Grand Junction over the last several years...the bond they had. There wasn't a single school built in the Redlands."

Sue Hanson, 2060 Ferree Drive, stated that she is also concerned with general growth in the Redlands as well as the school systems. "Quality of life is my point. It's going to dramatically change our quality of life if we change this zoning...."

Cynthia Krikevah (2063 Ferree Drive) stated that she shares the concern with regard to the increased traffic and overall safety. She also voiced a concern regarding irrigation water systems and infrastructure that will be disruptive to the existing neighborhoods.

Bob Watters of 2054 Ferree Drive stated that he would like to keep the same density as there is now and would like the traffic issue looked at carefully.

Frank Lorris, 2066 Ferree Drive, raised a question regarding access onto an easement which is on his property.

Scott Thompson, 630 Peony Drive, stated that, "I'm definitely opposed to this just for the density of houses it's going to put in there and the extra strain it's going to put on Highway 340."

Mike Corley (2058 Ferree Drive) stated that he is opposed to the zoning increase.

Keith Sheppard, 2080 Broadway, stated that there is no sewer available for this development.

Nicole Corley, 2058 Ferree Drive, believes that the additional homes will create a huge problem. She also voiced a concern with regard to the intersection of Highway 340 and Ferree Drive as well as previous improvements made to this property.

## **PETITIONER'S REBUTTAL**

Robert Jones II addressed the Commission concerning some of the issues raised by the public such as traffic. Mr. Jones stated that this proposed subdivision would require some interconnectivity to the north and possibly some additional stub streets. He further stated that sewer service is available for this project. "To my knowledge, we

have received no negative comments from Mesa County School District about increased density in this area.”

### **QUESTIONS**

Commissioner Lowrey asked if applicant believes that future development of the parcels to the northwest and to the east would alleviate some of the traffic concerns. Mr. Jones said that it is something that will be studied at the preliminary plan stage.

### **STAFF’S REBUTTAL**

Rick Dorris, Development Engineer, stated that interconnectivity will be looked at during the preliminary plan stage. Additionally, public utilities are available in the area and will be adequately studied at the preliminary plan stage.

### **DISCUSSION**

Commissioner Pitts stated, “I think the proposal does not conform with the neighborhood. I think a lot of people out there because of the Growth Plan spent a lot of money in buying property and building houses because of what was there and it’s unfair to those people to change the Growth Plan.”

Commissioner Sublett believes the Redlands Area Plan is the newest plan and accordingly needs more consideration than the Growth Plan. “I think if we were to increase or to allow this amendment that it would in fact go against the broad view of the Redlands Growth Plan, therefore, I cannot support this.”

Commissioner Cole stated that he supports this proposal because “I think it would be unfair to restrict him here and still leave the others open that they can go ahead and develop their lots as well.”

Commissioner Putnam stated that he supports this because he believes it conforms with everything around it.

Commissioner Lowrey stated that he agrees with the Growth Plan Amendment. The lower density “...forces the City to artificially expand its City limits and forces people to live farther out because they can’t live closer in because we have such low density closer in. If we accommodate more people living in the City of Grand Junction, we don’t have to sprawl out so much.”

Commissioner Wall stated that he believes there was an error made with the Estate designation and supports the amendment.

Chairman Dibble stated that he feels “...this area is within the parameters of what the City Council has given us and that is to optimally purport the development within our City.” He believes the Growth Plan Amendment is in order.

**MOTION: (Commissioner Wall) “Mr. Chairman, on item GPA-2007-061, Country Squire II Growth Plan Amendment, I move that we forward a recommendation of approval of the amendment from Estate (2 – 5 Ac./DU to Residential Medium Low (2 – 4 DU/Ac.).”**

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

A brief recess was taken from 8:25 p.m. to 8:30 p.m.

- 15. SPR-2006-305 APPEAL OF DIRECTOR’S FINAL ACTION – New Wave Car Wash**  
 Request approval for a hearing to appeal the Director’s Final Action on an Administrative Development Permit to approve the construction of the New Wave Car Wash located at 691 Horizon Drive  
**PETITIONER:** Christopher G. McAnany  
**LOCATION:** 691 Horizon Drive  
**STAFF:** Ronnie Edwards, Associate Planner

**STAFF’S PRESENTATION**

Ronnie Edwards of the Public Works and Planning Department gave a brief overview with regard to the request for a hearing to conduct an appeal of an administrative decision. On March 7, 2007 the Public Works Department approved the construction of a self-service car wash and pet wash facility. An appeal letter was timely received on March 16, 2007. Ms. Edwards stated that the subject property is located within the Safeway shopping center on Horizon Drive. The property is zoned C-1 and is 3.6 acres. She further identified the four areas for consideration in the appeal process.

**PETITIONER’S (APPELLANT) PRESENTATION**

Chris McAnany stated that he represents Inge Fleming, Ruth Barefoot and Clark Barefoot and the Horizon Park Homeowners’ Association in this appeal. Mr. McAnany pointed out that many of his clients’ properties are directly adjacent to the proposed facility with several homes within 20 feet of the back of the proposed dog wash facility. He further stated that his clients’ lots are zoned Planned Development and the applicant’s property is zoned C-1, geared towards indoor, retail services and office uses according to the Code. According to the matrix, animal care, boarding, sales, outdoor facilities are listed as a conditional use and which are not allowed except pursuant to a very stringent conditional use process. According to Mr. McAnany, applicant proposes a pet wash facility of approximately 300 square feet with a possible 300 additional square feet of expansion building and an enclosed outdoor pet waiting area. He went on to state that this is a conditional use in the C-1 zone and can only be approved pursuant to that process. Appellant contends that staff erred when it approved this without going through the steps that are incumbent on the conditional use process. “Those neighbors have immediate concerns about loss of privacy, noise and the general impacts – visual impacts – of this particular facility on their homes. And they

really didn't have a substantive opportunity to voice those concerns and that's our basic objection to this." He stated that this matter should be remanded because it is not appropriate for site plan review approval.

Additionally, he stated that the neighbors also have concerns with noise and visual impacts of the car wash. "In summary, the director acted in a manner that's contrary to Code provisions which is one of your bases for reversal here today. We request that the approval be reversed, that the application be remanded for consideration which is one of the possibilities under section 2.18.C.2 of your Code and we'd like the chance to improve upon it as I said."

### **QUESTIONS**

Commissioner Wall asked how close the pet wash facility is to the nearest residence. Mr. McAnany stated that the back wall of the pet wash facility is 10 feet from the back wall of the subdivision.

Commissioner Sublett asked how high the wall is on the other side of the buffer. Mr. McAnany clarified that there is a zoning boundary separation wall that separates the Horizon Park Subdivision from the project. He further stated that applicant proposes a landscape strip of approximately 10 feet in width along the north boundary.

Commissioner Putnam asked if appellant believes applicant acted in a manner inconsistent with the provisions of the Code. Mr. McAnany stated that it is their position that they consider washing a dog as grooming. He further stated that this is a facility where grooming is taking place and approximately 5,000 square feet constitutes the outdoor waiting area.

Chairman Dibble asked Mr. McAnany whether a conditional use permit would be applicable. Mr. McAnany stated that it would be applicable. He stated that it is an outdoor dog care grooming facility which is listed as a conditional use under the use matrix.

### **STAFF'S REBUTTAL**

In response to some of the issues addressed by Mr. McAnany, Ronnie Edwards stated that the project was reviewed as a major site plan review. The pet wash facility is a 300 square foot building and, accordingly, found that it is a relatively minor part of the project and would be used as an accessory use. "The pet wash does not fall into the category of animal care, boarding and sales. Pets will be washed there and not left for extended periods of time. No animal lodging, care or feeding will be provided in connection with the pet wash use. Therefore, no conditional use permit was required for the project."

Jamie Kreiling, Assistant City Attorney, clarified that included within the same use zone matrix are animal care, boarding, sales – indoor, which is an allowed use within that zone and animal care, boarding, sales – outdoor, which would require a conditional use within that zone. She then read the definitions from Webster's Third New International Dictionary of "housing", "grooming" and "boarding". Ms. Kreiling explained that any

additional testimony should be limited to that information that was included within the record which is in the Community Development file.

Ronnie Edwards stated that applicant is proposing more than the minimum landscape buffer and screening in an attempt to alleviate some of the concerns of the neighbors. Some of the things considered by staff were buffering and screening, vegetation, year-round screening, among others.

### **QUESTIONS**

Chairman Dibble asked if a neighborhood meeting was held. Ronnie Edwards stated that a neighborhood meeting was not held; however, applicant twice wrote letters to the neighbors in lieu of a neighborhood meeting.

The Commission decided not to hear testimony from the public at large.

### **APPLICANT'S REBUTTAL**

T. J. Stevens spoke on behalf of herself and her husband in support of the car/pet wash facility. She stated that they will build, own and personally operate New Wave Car Wash. She stated that their goal is to create the most attractive and functional self-serve car wash and pet wash on a C-1 lot along a commercial corridor. They have attempted to minimize the impact on the subdivision to the north. "We strongly believe that the director applied the correct review process for a use by right on a C-1 lot and the accessory use of the pet wash. We believe that the director's decision to approve New Wave was based on the plan meeting or exceeding its requirements for buffering, landscaping and 360° design as well as the applicable code." Ms. Stevens confirmed that at all times the patrons retain custody of their pets. She stated that the pet wash facility qualifies as an accessory use because of its size.

### **QUESTIONS**

Commissioner Wall asked what was the anticipated use for the outdoor pet area. Ms. Stevens stated that they wanted to offset the amount of concrete with as much green, open space as possible. "We believe that preserving some open space along with development is important."

### **APPELLANT'S REBUTTAL**

Chris McAnany stated, "When we look at the Code, when we look at uses, and this Planning Commission does it all the time, we look at what are the impacts on neighboring properties and facilities that have outside attributes. Outside facilities have impacts on their neighbors that exceed those that are entirely contained within buildings." He further said that the outside activity will have a significant impact on the neighboring properties. He stated because it is a grooming facility with outside attributes it is a conditional use – not a use by right and not an accessory use.

### **DISCUSSION**

Commissioner Cole stated that he believes the director acted in a manner consistent with the provisions of the Code, made findings of fact based on evidence and testimony,



did not fail to consider mitigating measures and did not act arbitrarily. He, therefore, would support the decision of the director and would deny the appeal.

Commissioner Wall believes that the director acted arbitrarily. He has concerns with the grooming aspect of the facility and believes the waiting area is part of the grooming facility. "I believe the director erred in the findings of fact based on the evidence that we heard tonight and I would agree with the appeal."

According to Commissioner Sublett, "I think there is sufficient uncertainty here that we can say that this is inconsistent – wasn't intentionally inconsistent – but I think it is inconsistent. I believe that if we have any doubt in the situation that we should always give the public their voice and I certainly have doubts in this case. Therefore I would support this appeal."

Commissioner Lowrey stated that he agrees with Commissioner Wall in that he would consider the waiting area as part of the grooming area.

Commissioner Pitts stated that he would support the appeal.

Chairman Dibble stated that he would be in favor of the appeal.

**MOTION: (Commissioner Sublett) "Mr. Chairman, on item SPR-2006-305, I move we remand the item to the staff for further action and that we grant the appeal from the appellant."**

Commissioner Pitts seconded the motion. A vote was called and the motion passed by a vote of 6-1 with Commissioner Cole opposed.

A brief recess was taken from 9:40 p.m. to 9:50 p.m.

- 16. VE-2007-056 VACATION OF EASEMENT – Hennig Vacation of Easement**  
Request approval to vacate a 15 foot Ingress/Egress Easement in an R-4 (Residential 4 du/ac) zone district.  
**PETITIONER:** Manfred Hennig  
**LOCATION:** 603 Meander Drive  
**STAFF:** Ronnie Edwards, Associate Planner

Chairman Dibble announced that he would be recusing himself from this matter.

**STAFF'S PRESENTATION**

Ronnie Edwards of the Public Works and Planning Department made a PowerPoint presentation with respect to the proposed Hennig vacation of easement. Ms. Edwards stated that the property was platted as Lot 2 of Tompkins Subdivision in 1995. Three lots are contained within the subdivision. The intent of the subdivision was to create a second residential lot (603 Meander Drive) and a future commercial lot on Patterson

Road. With plat approval, two conditions affected the area – a 20 foot access easement was required from Lot 3 to Meander Drive across Lot 1 to prevent the lot from being landlocked and the other condition which prohibited access to Lot 3. In October of 1997 a request to vacate the easement across Lot 1 between Meander Drive and Lot 3 was approved as it was never intended to be a permanent access. The 15 foot easement on Lot 2 was dedicated to the City on the plat which easement serves Lot 2. She went on to state that the area is going to be retained as a multi-purpose easement due to utilities in the area. Ms. Edwards stated that the adjacent property owner has expressed concerns about the request as he would like to keep the access to also serve his lot. The vacation request does not landlock any parcel nor does it create an adverse impact to the neighborhood. The request also does not conflict with any applicable sections of the Growth Plan or plans and policies of the City. She further pointed out that this 15 foot easement is the only legal access that 603 Meander Drive has on their property.

### **QUESTIONS**

Commissioner Putnam stated that one of the photographs of the subject area shows a canal. Ms. Edwards stated that that is an easement for the irrigation company which she believes is underground for drainage or irrigation.

### **PETITIONER'S PRESENTATION**

Joan Raser spoke on behalf of applicant. Ms. Raser confirmed that the 20 foot easement was vacated in 1993 and believes it was an oversight that the 15-foot easement was not vacated at the same time.

### **PUBLIC COMMENT**

#### **For:**

Angelica Hennig, applicant, requested the vacation of this easement as it is their only access to their property. She also stated that although 605 Meander Drive has its own access, they too use this easement for access onto the 605 property.

#### **Against:**

Beverly Bennett with Bray and Company stated that she is the agent that sold the property at 605 Meander Drive. She stated that the Mitchells had requested a continuance of this hearing as they were unable to attend this hearing. According to Ms. Bennett, one of the Mitchells' primary concerns is safety.

Randy Christensen, a real estate broker, said that he is very familiar with the access issues along Meander Drive. "Safety was a very important consideration in our decision to dedicate the 15-foot easement to serve Lots 1 and 2 of this subdivision. It is clearly the safest access to both of those lots." He also said that it is the historically used driveway to 605 Meander Drive. With regard to the 15-foot easement, Mr. Christensen said, "The only reason it was instituted and came to the property line of lot number 1 was to provide a shared access to be utilized to and for the benefit of both of those lots." He further stated that this easement was always meant to be a permanent, shared access. "And I might add that the intent was always for the property owners of Lot 1 and Lot 2 to also share in maintenance and agreed upon improvements."

**PETITIONER’S REBUTTAL**

Joan Raser asked the Commission to take notice of the fence permit that the owners of 605 Meander Drive applied for in December 2005 which would have provided for a 6-foot fence bordering their entire property up to the Grand Valley Canal easement. Ms. Raser reiterated that the 15-foot easement is the only access that applicants have to their property.

**QUESTIONS**

Commissioner Pitts asked who the trees belong to which potentially create a safety concern by obstructing vision. Ms. Raser stated that the trees belong to Grand Valley Canal. She further stated that the view from the driveway at 605 Meander Drive is not obstructed at all.

**STAFF’S REBUTTAL**

Ronnie Edwards further addressed Commissioner Pitts’ concern regarding site obstruction. She said that if vegetation is an issue, it would be a code enforcement issue and the owner would be requested to trim the trees.

**DISCUSSION**

Commissioner Wall stated that he is in favor of vacating the easement.

Commissioner Lowrey agrees with Commissioner Wall.

Commissioner Putnam stated that he agrees that vacation of the easement should be approved.

Commissioner Cole said that it seems to be very logical to recommend as proposed.

**MOTION: (Commissioner Lowrey) “Mr. Chairman, I move that the Planning Commission forward a recommendation of approval of the requested easement vacation regarding VE-2007-056 to the City Council 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 6-0.

**2. GPA-2007-054**

**ZONE OF ANNEXATION – Younger Annexation**

Request approval to zone 43.70 acres from a County AFT (Agriculture, Forestry, Transitional) to a City I-1 (Light Industrial) zone district.

**PETITIONER:** Glen Younger

**LOCATION:** 2176 & 2172 H Road

**STAFF:** Dave Thornton, Principal Planner

### **STAFF'S PRESENTATION**

Dave Thornton, principal planner of the Public Works and Planning Department, addressed the Commission with regard to the requested zone of annexation. Mr. Thornton stated that the subject property is located within the H Road/Northwest Area Plan boundary that was approved by the Planning Commission jointly with the Mesa County Planning Commission in March and approved by City Council in April. The land use designation was changed for the entire area that is now within the 201 sewer boundary to a commercial/industrial land use category. Applicant is requesting an I-1 zone. Staff believes that it meets the criteria of the Zoning and Development Code and recommends that the Planning Commission forward a recommendation to City Council of the I-1 zone district.

### **PETITIONER'S PRESENTATION**

Glen Younger of 2176 H Road said that "Everything around this piece of property currently is industrial." Mr. Younger went on to state that this is the best use for the property at this time.

### **PUBLIC COMMENT**

#### **For:**

No one spoke in favor of this request.

#### **Against:**

Dennis Lucas stated that he owns the property at 848 21½ Road. He further stated that he is not against the development of this property. He would, however, like to be more involved because there are certain concerns that need to be addressed prior to development. "So I really feel that the property owners out there were kind of looked over."

Jane Denton (802 21½ Road) stated that she owns an adjoining parcel which is residential and not commercial/industrial.

### **PETITIONER'S REBUTTAL**

Glen Younger stated that his neighbors are concerned with the valuation of their properties. He stated that he believes the property values will continue to increase because of the proximity to the interstate and the need for commercial/industrial properties.

**MOTION: (Commissioner Lowrey) "Mr. Chairman, on the Younger Zone of Annexation, #GPA-2007-054, I move that the Planning Commission forward to the City Council a recommendation of approval of the I-1 (Light Industrial) zone district for the Younger Annexation with the facts and conclusions listed in the staff report."**

Commissioner Wall seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

**6. PP-2006-330**

**PRELIMINARY SUBDIVISION PLAN – River Trail  
Subdivision**

Request approval of the Preliminary Subdivision Plan for River Trail Subdivision for an 80 lot subdivision on 17.405 acres in an R-8 (Residential 8 du/ac) zone district.

**PETITIONER:** Kevin Reimer – Reimer Development

**LOCATION:** 3141 D Road

**STAFF:** Ken Kovalchik, Senior Planner

**STAFF'S PRESENTATION**

Ken Kovalchik with the Public Works and Planning Department made a PowerPoint presentation for the River Trail Subdivision. He stated that applicant is requesting to develop 80 single-family lots on the site. The property was annexed into the City in February 2007 and is currently zoned R-8 in the City. Applicant is proposing 4.5 dwelling units per acre with this development. Mr. Kovalchik stated that access to D Road was not identified on the Pear Park Plan or circulation plan. However, a temporary access off of D Road into the parcel has been agreed to by staff and the developer.

**PETITIONER'S PRESENTATION**

Kevin Reimer, 225 Main Street, and Mike Qualley, 1994 Bison Court, appeared on behalf of applicant.

**PUBLIC COMMENT**

**For:**

No one spoke in favor of this application.

**Against:**

Chuck Eddy, 3131 D Road, stated that he is not really opposed to the subdivision. He does, however, have concerns with regard to the irrigation line. He asked for clarification that a 10" irrigation line will be used. He also wanted assurance that this development will be completely fenced. Mr. Eddy stated that there is no sewer service to this property and a lift station will be required.

**STAFF'S REBUTTAL**

Ken Kovalchik stated that a fence is indicated on the plans and the developer has agreed to put a 6-foot privacy fence along the west property line.

Rick Dorris stated this property is in the Central Grand Valley Sanitation District. Mr. Dorris stated that it is his understanding that once the City approves the preliminary plan for this subdivision, an easement would be procured from the Eddys for the new lift station. Prior to final plan approval and plat recordation, the lift station issue, including easements, financial agreements, will need to be resolved. With regard to the irrigation pipe, that too will be worked out at final design.

**PETITIONER'S REBUTTAL**

Jim Langford, engineer for the project, addressed the concern regarding the irrigation line. He stated that applicant, after meeting with Mr. Eddy, has agreed to put a second line down the west side of the project strictly for Mr. Eddy's irrigation water.

**MOTION: (Commissioner Lowrey) "Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for River Trail Subdivision, PP-2006-330, 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 6-0.

With no objection, the public hearing was adjourned at 11:03 p.m.