

**GRAND JUNCTION PLANNING COMMISSION
NOVEMBER 27, 2007 MINUTES
7:00 p.m. to 11:50 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman 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, Reggie Wall, Tom Lowrey, William Putnam and Patrick Carlow (PC Alternate). Commissioner Bill Pitts was absent.

In attendance, representing the City's Public Works and Planning Department, Planning Division, was Greg Moberg (Planning Services Supervisor) and representing Neighborhood Services was Kathy Portner (Neighborhood Services Manager).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were approximately 116 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 October 9, 2007 and October 23, 2007.

MOTION: (Commissioner Cole) "Mr. Chairman, I move for approval of the October 9, 2007 minutes."

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 6-0. Commissioner Pavelka-Zarkesh abstained.

MOTION: (Commissioner Cole) "Mr. Chairman, I move for approval of the October 23, 2007 minutes as presented."

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

III. CONSENT AGENDA

Available for consideration were items:

1. **PP-2007-303 REZONE – Pepper Ridge Subdivision**
2. **PP-2007-317 RIGHT-OF-WAY – Alpine Bank Subdivision**
3. **ANX-2007-289 ZONE OF ANNEXATION – Cooper-Tucker Annexation**
4. **ANX-2007-294 ZONE OF ANNEXATION – Krummel Annexation**
5. **ANX-2007-300 ZONE OF ANNEXATION – DeHerrera Annexation**
6. **ANX-2007-313 ZONE OF ANNEXATION – Sipes Annexation**
7. **PP-2005-179 REQUEST FOR EXTENSION – Erica Estates Subdivision**
8. **ANX-2007-297 ZONE OF ANNEXATION – Davis Annexation**
9. **GPA-2007-264 GROWTH PLAN AMENDMENT – Belford Tri-Plex**
10. **GPA-2007-276 GROWTH PLAN AMENDMENT – Sura Growth Plan
Amendment**
11. **GPA-2007-279 GROWTH PLAN AMENDMENT – Reigan Growth Plan
Amendment**

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. No objections or revisions were received from the audience or planning commissioners on any of the Consent Agenda items.

MOTION: (Commissioner Cole) “Mr. Chairman, I move approval of Consent Agenda items 1 through 11.”

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

IV. FULL HEARING

12. **PLN-2007-322 AREA PLAN – North Avenue Plan
Request approval to adopt the North Avenue Corridor
Plan as an element of the City of Grand Junction Growth
Plan.
PETITIONER: City of Grand Junction
LOCATION: North Avenue from 12th Street East to I-70
Business Loop
STAFF: Kathy Portner, Neighborhood Services Manager**

STAFF’S PRESENTATION

Kathy Portner with the City Neighborhood Services Division presented the North Avenue Corridor Plan. She stated that the plan includes an overall strategy to revitalize the corridor primarily focusing on sustaining and increasing vitality of the North Avenue corridor. Ms. Portner stated that at present the area is primarily zoned for C-1 for

commercial uses. She advised that two public open house meetings were held over the last year as well as focus group meetings to address specific issues along the corridor. She pointed out that the plan includes specific key projects and strategies for implementing improvements and future investment opportunities to stabilize the corridor and to implement some improvements that will create services at the neighborhood level, restore the regional destination, improve mobility for pedestrians, bicyclists and transit riders, and create a significant neighborhood of residential, retail, commercial and public activity areas. Five areas for improvement were identified by Ms. Portner – the market, financial incentives, physical, regulatory climate and the political climate. Barriers and strategies for each segment were also identified in the plan. She went on to state that the plan recommends creating focal points at 12th Street, 28 Road and 29 Road. She pointed out that the following priorities are recommended to be pursued in 2008 – to assist in organizing the North Avenue property and business owners to oversee the implementation strategies; to develop a North Avenue corridor overlay zone district to address specific design issues and provide incentives for redevelopment in accordance with the plan; establish street standards based on existing constraints and desired character to be implemented as funding becomes available; and to identify at least one catalyst project to be implemented through a public/private partnership. She concluded that she finds that the North Avenue Corridor Plan is consistent with the purpose and intent of the Growth Plan and that the pertinent review criteria of the Zoning and Development Code have been met and recommended approval.

QUESTIONS

Commissioner Putnam asked if the issue of mass transit and places for buses to stop has been addressed. Kathy Portner stated that currently it is probably the most heavily traveled for the GVT system and will continue to be so. She assured that appropriate pullouts would be looked at for those bus stops.

PUBLIC COMMENT

Steve Fitzgerald, 441 Athens Way, stated that he has some concerns with the project. He stated that he would not be compensated for lost property and lost parking associated with the bus stop pullouts. He also stated that he was concerned with roundabouts. He disagreed with several statements made by Ms. Portner, such as high turnover and decline of the area, among others.

Levi Lucero stated that he has had several businesses along North Avenue. He stated that he liked the idea of creating incentives which should be publicized as well as organizing the owners who would benefit and be involved in developing the area. He also mentioned the importance of keeping them informed.

Matt Sura, 405 25 Road, thanked the Commission as he believes North Avenue is an area with a lot of potential.

STAFF'S REBUTTAL

Kathy Portner said she thinks the important element is that the property owners and business owners need to be organized so that they can help to implement this plan.

She stated that the present plan is not proposing roundabouts. She stated that the City would not be taking property for purposes of bus pullouts. As property redevelops, Ms. Portner said that if there was the possibility for a pullout that would be part of the review process. They are looking at ways of making those existing businesses stay as well as making their businesses more viable and introducing some additional uses to the corridor.

DISCUSSION

Commissioner Cole stated that he thinks this is a real opportunity to improve North Avenue and would support the plan as presented.

Commissioner Lowrey agreed with Commissioner Cole.

Commissioner Carlow said that as long as the impacts can be minimized to existing owners he agreed with the concept.

Commissioner Putnam stated that he too can support this proposal.

MOTION: (Commissioner Cole) “Mr. Chairman, on item PLN-2007-322, I move that we forward to City Council our recommendation of approval of the North Avenue Corridor Plan with the facts and conclusions listed in the staff report.”

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

- 13. PP-2007-003 PRELIMINARY SUBDIVISION PLAN – Weeminuche Subdivision
Request approval of the Preliminary Subdivision Plan to develop 362 dwelling units on 151.36 acres in a PD (Planned Development) zone district.
PETITIONER: Alan Parkerson – 26 Road, LLC
LOCATION: 26½ Road & Summer Hill Way
STAFF: Greg Moberg, Planning Services Supervisor**

PETITIONER’S PRESENTATION

Greg Hoskin of Hoskin, Farina, & Kampf, representing the applicant, addressed the Commission in support of the Weeminuche Estates Preliminary Subdivision Plan. He submitted various letters of support to the Commission. He also gave a brief background of applicant, 26 Road, LLC.

Joe Carter, with Ciavonne, Roberts and Associates, stated that applicant is seeking approval of a Preliminary Plan for Weeminuche Estates Subdivision. He said the plan is requesting a total density of 2.39 dwelling units per acre with a base density on the project of 2 dwelling units per acre. Applicant is requesting through the density bonus provisions an additional 60 units. He stated that the plan is compatible with the Growth Plan and the current Growth Plan designation of Residential Medium Low, or 2 to 4

dwelling units per acre. He further stated that the request is for a total of 362 units. Current zoning is Planned Development with an underlying density of 2 dwelling units per acre. Mr. Carter stated that the project is consistent with the applicable Growth Plan goals and policies. Next addressed were benefits to the community, some of which include a 60 foot landscape buffer along 26 Road, a 30 foot landscape buffer along 26½ Road, site amenities which include 3 neighborhood play areas, public trails and almost 30 acres of open space. He clarified that three lot sizes are being proposed with a variety of housing types distributed throughout the development in order to address topography. The larger lots would be adjacent to the larger surrounding lots on the north and the west with the smaller lots in internal development buffered by Leach Creek. Mr. Carter next addressed the density bonus which he stated is allowed by the Zoning and Development Code. He stated that for each 100 linear feet of improved hard surface trail provided throughout the proposed development a density bonus of one unit may be granted. Applicant has proposed to provide over 6,000 linear feet of neighborhood trails in exchange for 60 additional units. He stated that the site would be constructed in three phases with the first phase anticipated to begin in 2008. He next addressed access and traffic. He stated that according to the traffic studies, all intersections would operate at a level C or better in the short and long-term horizon.

QUESTIONS

Commissioner Lowrey raised a question regarding the underlying zone district and whether or not the bonus density provision would be necessary. Mr. Carter stated that the underlying zone district is Planned Development with a default zone of R-4 to allow for the smaller lot size within the proposed plan. He further confirmed that the Growth Plan designation is 2 to 4 dwelling units per acre. At the time of the annexation agreement, a zoning of Planned Development was applied with a default of 2 to 4 units per acre. Jamie Beard, assistant city attorney, confirmed that when the property was annexed into the city and then the ordinance was done it was done as a Planned Development and did not list a specific underlying zone; however, it did list a density requirement which was the equivalent of an R-2.

Commissioner Lowrey asked what the benefits to the City are pertaining to the density bonus provision. Joe Carter stated that in this particular instance, there would be over 6,000 linear square feet to achieve the additional 60 units. He stated that there are other provisions in the density bonus table which include additional open space which applicant could also apply for.

Chairman Dibble also asked Mr. Carter why applicant felt the density bonus was justified. Mr. Carter said that it was the 6,000 linear feet of trail to be constructed by the developer. He further stated that the underlying zone district is Planned Development, 2 to the acre, or the future land use classification of the parcel, 2 to 4, for a total of 724 units.

Chairman Dibble asked if deviations are the same as variances in this instance. Joe Carter said that within a Planned Development, an underlying default zone standard

must be established. Applicant used the R-4 as a standard development which allows for a variation of lot sizes. In this instance, there would be a broad range of lot sizes.

Chairman Dibble asked for more clarification regarding deviation in lot sizes. Again, Mr. Carter stated that the deviation in lot sizes would allow applicant to build the variety, down to 5,000 square feet and up to 21,000 square feet. Without the deviation in place and using a default zone of R-4, 8,000 square feet would be the minimum. It allows flexibility on both ends of the spectrum. Averaged out and taken as a whole, at 2.39 it averages out to over 11,000 square feet per lot.

Commissioner Cole raised a question regarding impacts of traffic on the 26 Road bridge among others. Mr. Carter stated that the traffic impacts are deemed acceptable at this level and within the capital improvements plan there is a budget improvement item for improving the intersections along G and 26 and G and 26½ Road as well as the corridors which would include the bridges.

PETITIONER'S PRESENTATION

Matt Delich of Delich and Associates addressed the Commission as the traffic engineer. He stated that at all intersections that were requested for analysis operated at a level of service of C or better for the various movements that occur at each intersection. Additionally, he stated that another requirement of a traffic study is a link analysis. According to Mr. Delich, all of the links in both the short range future and long range future are in the A-B category.

QUESTIONS

Chairman Dibble asked how many additional trips would be added because of the subdivision on both 26 Road and 26½ from H going south. Mr. Delich said that, for example, the current volume on 26 Road crossing the bridge at I-70 during the morning peak hour heading south is about 180 and 185 vehicles and it is anticipated that this development would add an additional 57 vehicles. He stated that the increase would be similar on other roads. Currently southbound traffic on 26½ during the morning peak hour is about 325 vehicles and an additional 75 vehicles would be added due to this development.

Commissioner Wall asked for clarification regarding the peak hour. Mr. Delich clarified that the peak hours are typically in the morning between 7:00 a.m. and 9:00 a.m. and is the highest hour and the afternoon peak hour typically occurs between 4:00 p.m. and 6:00 p.m. and is the highest hour within that two hour period.

PETITIONER'S PRESENTATION

Mr. Delich continued by stating that during the year 2025 it is anticipated that the traffic study showed 375 vehicles during the morning peak hour in the southbound direction, 75 of which would be attributed to this project; and on 26½ Road headed southbound in the morning peak hour, traffic volume is expected to be almost 600 vehicles with 75 vehicles attributed to this project.

QUESTIONS

Commissioner Cole asked Mr. Delich how he arrived at these figures. Mr. Delich stated that there is an analytic procedure spelled out by the City guidelines and the increases that occur due to the background traffic numbers are based upon general traffic growth and factors developed by the City as are actual traffic values.

STAFF'S PRESENTATION

Greg Moberg reiterated that this request is for a PD zone and is currently designated on the Future Land Use Map as Residential Medium Low. Estate zoning is located directly to the west; Residential Low to the south; URR-5 which is a County designation to the north; and Residential Medium Low directly to the east. He stated that this property is located within the North Central Valley Plan. Mr. Moberg stated that there are three tiers located in the North Central Valley Plan – 5 acre densities on poor soils and 10-acre densities on prime soils from I-70 to I Road; 10-acre densities on poor soils and 20-acre densities on prime soils from I Road to K Road; and urban densities and uses within the urban growth boundary. According to Mr. Moberg, the property is zoned PD currently. The developer has requested a default zone of R-4 more for the bulk standards than the density. Mr. Moberg gave a brief background as follows: In 1995 the annexation occurred and there was no growth plan designation on the property at that time. In 1996 the Growth Plan was adopted by the City in conjunction with Mesa County and the growth plan designation in 1996 was Residential Medium Low. In 1998 the North Central Valley Plan was adopted and in 2000 the Planned Residential zone was changed to Planned Development. The community benefit was required within the PD zone and the bonus density provision was added to the Zoning and Development Code. Applicant is proposing 362 units which would include a bonus density of 20% which equals 2.39 dwelling units per acre. Applicant has also proposed one City park located on the northwest corner of the property and three neighborhood parks which would be located internally within the development. There would be approximately 29.9 acres of open space which would include the detention ponds as well as the trail system. Multiple housing types have been proposed. Mr. Moberg pointed out that the pedestrian network would go from 26½ Road to 26 Road and then internally through the open spaces. Three ingress and egress points were set out – 26½ Road; 26 Road; and on H3/4 Road with a stub street to the south. There was also a proposal for a 60 foot landscape buffer along 26 Road and a 30 feet landscape buffer along 26½ Road. Mr. Moberg stated that there are some deviations to the R-4 default zone which are allowed by the Planned Development. He outlined the various ways a developer can request bonus density, such as community benefits which include public park dedication, open space dedication, dedication of off street trails, housing units and agricultural preservation. The applicant has proposed using the dedicated off street trail provision. Mr. Moberg stated that after a review of this development, staff has found that the preliminary development plan is in compliance with TEDS, is in compliance with Ordinance 2842, is consistent with the North Central Valley Plan and the City of Grand Junction Growth Plan and the appurtenant sections of the Zoning and Development Code and recommended the Planning Commission forward a recommendation of approval of the preliminary plan with a default zone of R4 to City Council.

QUESTIONS

Commissioner Wall asked if applicant could use something other than the trail dedication for the density bonus provision. Mr. Moberg stated that they could use the public park dedication as well. He stated that the open space is being dedicated to the homeowners' association for maintenance. However, applicant met the 20% maximum just with the hard surface trails.

Commissioner Lowrey asked if the underlying zone was 2 or 4. Greg Moberg stated that the underlying zone right now is Planned Development. However, because the annexation agreement limited that to 2 units per acre, applicant had to be able to increase that by way of the density bonus provision.

Chairman Dibble asked for a definition of the agreement referred to in the staff report wherein the minutes state that it is not a development agreement. Mr. Moberg stated that an annexation agreement was originally agreed upon which dealt specifically with annexation of the property. Since the property has been annexed, the City can now enforce its regulations which would allow applicant to apply for an increased density using the density bonus which was not in place at the time it was annexed.

Chairman Dibble asked if zoning has changed since the time the property was annexed. Greg Moberg stated that zoning has not changed since annexation.

STAFF'S PRESENTATION

Eric Hahn, engineer with the Engineering Division of Public Works and Planning, addressed the Commission regarding the proposed Weeminuche Preliminary Subdivision Plan. With regard to traffic, he explained that level of service is a way of grading congestion on an intersection or corridor. He stated that a level of service A on an hourly basis on the 26 Road and 26½ Road corridors are generally understood to be 800 vehicles per hour. Current counts during morning peak hour at G Road and 26½ Road was 220 vehicles in one hour. He stated that using the most recent numbers average daily trips on 26 Road was 3,700 cars per day and on 26½ Road it was 3,200 cars per day. There are no problems anticipated for the three corridors that would be directly impacted by this subdivision at full build out.

QUESTIONS

Chairman Dibble asked if there were any differences between the results of the traffic study conducted by applicant and that of the City. Mr. Hahn said that applicant's traffic engineer worked very closely with the City's traffic engineer and traffic planners.

STAFF'S PRESENTATION

Eric Hahn continued stating that within the next 6 to 7 years roughly \$3.7 million has been budgeted on improvements to the three G Road intersections, 26 Road, 26½ Road and 27 Road. He next addressed an issue raised by Commissioner Putnam regarding 26 Road and whether or not there would be cuts and fills. Mr. Hahn stated that that corridor would be improved from the interstate bridge down to the canal which

is just north of G Road during the upcoming year. The primary purpose for those improvements is to improve site distance.

A brief recess was taken from 9:05 p.m. to 9:16 p.m.

PUBLIC COMMENT

For:

Santo Berducci, 807 Mazatlan Drive, stated that there is a need for housing in the northern area. He vouched for the developer as he has known him for over 20 years and stated that the Commission would be satisfied with the work that they do.

Mark Gardner, 2612 H-3/4 Road, stated that he agreed that there is a need for housing there. He stated that he was against the density bonus and would like to see better transitioning.

John Davis, 1023 24 Road, stated that in order to have a successful project a good plan and a good developer are needed and stated that this has both. He stated that he believes higher density is needed on this project .

Laura Lamberty, 2023 West Liberty Court, spoke in favor of the project. She stated that the traffic issues have been adequately addressed.

Ron Tipping of 1967 Broadway said that the housing shortage is a concern of his. He stated that the density is needed and the development will be good for businesses regardless of traffic.

Mark Austin also spoke in favor of the project. He said this is a quality development from a layout perspective, from a density perspective and is exactly what the community has been asking for. He stated that the PD zone allows creativity in lot sizes and there is a public benefit due to open space and trails.

Ryan Pritchett, 992 24 Road, stated that this plan shows an indication of moving towards "green".

Greg Hoskin submitted a letter from Tom Benton.

Against:

Betty Roy Pitts, 2626 H Road, stated that she represents several neighbors. She made a PowerPoint presentation which provided a brief background regarding the subject property. She said that the annexation did not follow the general annexation policies of flagpole annexation. Furthermore, she stated that this property was included in the year 2000 as an automatic rezone adoption. In this adoption, all RSF-2 zoned property was rezoned to Planned Development. She said that this development is not appropriate for this property and should be kept rural. She further stated that this was a political decision and not a community betterment decision. Additionally, the proposed development is not compatible with the neighborhood. She said that homes could be

built on this property to take advantage of utilities in a manner that would not completely alter the lives of those persons surrounding it. She strongly requested the Commission deny the proposal and urged the developer to come forward with a plan that is consistent with the neighborhood.

Cherlyn Crawford, 2551 Mayfair Drive, said that no one is questioning the integrity of the developers. They are, however, questioning the density and do not believe it belongs there. She pointed out that there is a mistake on one of the transportation maps which shows the ability to go west on H Road. Ms. Crawford stated that horses for houses is a benefit to the area.

Wallace McArthur, 877 26 Road, said that he was told the property would be developed with the properties along 26 Road and H-3/4 Road, from 2 to 7 acres. He asked how domestic water would be provided to this subdivision.

Rick Warren, 2622 H Road, spoke on behalf of a group of citizens called Citizens for the Preservation of a Rural North Grand Junction. He said that this plan is in total contradiction to having space and a rural environment and believes it would be a good plan elsewhere. He further stated that he believes the imposition of this suburban development on this rural setting violates the Code for amendment and rezoning. The original zoning done in 1995 was a political deal and ignored the Planning and Zoning's recommendation that this property be assigned an RSF-R designation, 1 dwelling per 5 acres. He further stated that he believes the proposed rezoning would be incompatible with the surrounding community. He stated that only 5% of the perimeter is developed suburban type development and, therefore, it is not compatible with the surrounding area which is 95% rural. He urged the Commission to reconsider this proposal and believes the original zoning of RSF-R is appropriate.

Diann Admire, 826 26½ Road, quoted certain statistics from a traffic study conducted by the City Traffic Department as well as the number of accidents in the area that have been reported to law enforcement. She also voiced a concern with an incline on 26½ Road at Catalina where visibility is obscured. According to Ms. Admire, high density housing brings traffic; traffic brings noise, congestion, accidents and crime and a quality of life is lost. She urged the Planning Commission to reject the current proposal as it is not compatible with the area.

Rags Gauley, 827 26 Road, stated that he too represents a number of people. He said that it is neither prudent nor wise to approve a massive subdivision 12 months shy of a solid City comprehensive plan. He read portions of both the City of Grand Junction Mission Statement and the Grand Valley Vision 2020 statement into the record. Mr. Gauley said that the Colorado Division of Wildlife is committed to working with land use planners, developers, homeowners to assist with the development designs that offer homes for both wildlife and people. He stated that the local DOW was surprised that they were not asked to consult on this subdivision and stated that the Rice Wash and Leach Creek is a major wildlife corridor. Mr. Gauley further stated that this subdivision is not compatible with the mission of this City. He stated that it does not address loss of

the night sky, wildlife corridors, right of view, quality of life, and compatibility with the City's vision statement. He stated that he rejects the current proposal as is.

Jean Gauley, 827 26 Road, asked the Commission to consider the impact on the quality of life. She stated that certain elements need to be incorporated in any rural development project such as avoiding damage to the night sky, ensure existing citizens' right of view, avoid noise pollution, protection of wildlife, and ensure safety of residents.

Chris Cameron, 2605 Kelly Drive, stated that this project was proposed to the County and was denied before it was proposed to the City. He raised a concern with proximity to the airport and associated airport noise.

Bill Scott, 823 26 Road, said that the roads are not safe now for bicyclists, pedestrians or equestrians. He stated that he believes more than 95% of the people oppose this project and that this project is even less compatible now than it was in 1995.

Sandy Romano, 867 26 Road, said that a bad decision was made in 1995. According to Ms. Romano, the land surrounding this property almost completely has already been developed into acreage lots. There is no undeveloped farm or ranch land. Also, the roads leading into it were not made to be thoroughfares. She stated that she believes less dense projects should be at the outlying areas at the end of the road. She too stated that the density is inappropriate. She went on to state that multi-family homes and duplexes next to acreage leaves her dumbfounded.

Dave Zoln, 2545 Canaan Way, said that the north area, historically known as Appleton, is unique because it had an area land use plan before there were area land use plans. The area developed a firm land use and character without a written plan with the development of 5, 10 and 20 acre parcels. Mr. Zoln said that in the North Central Valley Plan, the County changed the area near the City limits from rural to estate densities to initiate their part in a transition of densities. Furthermore, there is no material transition of lot sizes and the density bonus requested compounds that problem. Mr. Zoln further stated that the density bonus provision would compound the lack of transition. Also there are a number of parks, open space and BLM property in close proximity to this development. He requested that the development be denied as presented and encouraged the transition of lot sizes, large to small, from the estate density towards Paradise Hill, maintaining the 2 units per acre.

Jim Kearns, 806 26 Road, also spoke in opposition to the density and asked for rejection of the proposed density. He addressed the issues of speed limits, traffic and drainage.

Diana Cadarello, 2452 I Road, stated that the only people that will benefit from the parks and open space are the people that live in the development and not the surrounding community. She asked that this land be kept rural.

Cindy Dickey, 2651 Paradise Court, said that with the increased density, there will be increased traffic and speeding.

Ron Rucker, 770 26 Road, stated that he has concerns regarding traffic on 26 Road.

Stephan Day, 2554 I Road, encouraged the Commission to listen to the arguments presented and reject the proposal. He would prefer the density to be 2 units per acre at most.

Judy Peach, 2667 Catalina Drive, said that when you have acreage, you have a responsibility to the land, animals and livelihood. Furthermore, the land should be developed with respect of the land.

Jan Warren, 2622 H Road, asked that this proposal be reconsidered because it needs to fit into the plan and the beauty of Grand Junction.

Patsy Day, 2554 I Road, asked that the value of wildlife needs to be considered.

Brian Towner, 840 26½ Road, voiced a concern with overcrowding of schools. He stated that he appreciates applicant limiting the density across the southeast border. He further stated that he is all for the project but not at the density as requested.

Harold Fenster, 2630 H-3/4 Road, said that he has a problem with the density of this project. He said that he is interested in the quality of life.

A brief recess was taken from 11:10 p.m. to 11:15 p.m.

APPLICANT'S REBUTTAL

Greg Hoskin first addressed the issue regarding City Council's decision 12 years ago. He said that the arguments being made now should have been made 12 years ago. Furthermore, many of the people who spoke in opposition to the project are residents of the County rather than the City and this is a City issue.

Joe Carter addressed some of the concerns raised. First, he said that the plan is compatible with the surrounding area. Also, he acknowledged that there was an error on the transportation map as you cannot access westbound on H Road. Applicant fully believes Ute Water can serve the development. With regard to infill development, the property is being developed as allowed by the Growth Plan designations and the densities. He stated that density should be established where the infrastructure can support it. Mr. Carter said that the traffic study was designed and done under the parameters established by the City. Also discussed by Mr. Carter were issues regarding site distance at Catalina and 26½ Road, lighting and down directional night sky issues and airport noise. He also discussed the lot sizes and flexibility provided by the various lot sizes. He summarized by stating that the plan is consistent with the Growth Plan and the Zoning and Development Code, the plan allows for a transition across the site and a variety of lot sizes, the plan provides for amenities to the

development and is compliant with the Growth Plan. Community benefits are associated with the Planned Development which include a 60-foot wide landscape buffer along 26 Road, a 30-foot wide landscape buffer along 26½ Road, three neighborhood play areas, public trails throughout the neighborhood, a total of almost 30 acres of open space and provides for a mix of housing costs throughout the development and is compatible with the surrounding zones.

DISCUSSION

Commissioner Putnam stated that he thinks overall this is a good project that needs to be supported.

Commissioner Cole said that to deny this project we would be second-guessing the decision that was made 12 years ago and believes that this meets the requirements, the zoning is in place that has been approved a number of years ago and agrees with the developer that it should have been taken care of back then. He stated that the proposal as presented meets the requirements of both zoning and of the Growth Plan. He further stated that he believes this should be approved and will support this proposal.

Commissioner Wall said that the plan itself as far as the development is a very good development but questioned whether or not it was the right development for the area. He stated that he was particularly concerned with compatibility and stated that he believes it is too much for the area. He does not believe that is the right development and would not support the development.

Commissioner Lowrey stated that he also has a concern with compatibility; however, in order to preserve a way of life, open space and wildlife, there needs to be some areas that are more dense and some areas that are going to be open space. He further said that the location of this piece of property needs to be more dense so that properties further out can be preserved as open space. As a result he said that he would find that this is compatible and the development will provide benefits such as open space and trails. Also, by having different size lots within one development is a community development itself. The traffic engineers have concluded that traffic is not a problem as even with the increased traffic it is well within the capacity of the road system. He concluded by stating that he thinks the plan is good, it is an intelligent way to deal with the growth and will support it.

Commissioner Carlow said that he would reluctantly be in favor of the development.

Commissioner Pavelka-Zarkesh stated that the infrastructure is there, the services are available. She said that she was somewhat uncomfortable with the lots near the Leach Creek area. She said that there are benefits that will be provided and thinks it will work.

Chairman Dibble said that the decision made 12 years ago has stayed on the books as a Planned Development and the underlying zone district is compatible to build out. Furthermore, it meets the requirements, a transition has merits, and it is a rural setting of build out on the west side of it to be compatible in all respects to the build out in the

County. Also he found that applicant is entitled to the density bonus provision as the requirements of the Code have been met.

MOTION: (Commissioner Putnam) “Mr. Chairman, on the Weeminuche Estates Subdivision Preliminary Development Plan, PP-2007-003, I move that the Planning Commission forward to the City Council a recommendation of approval of the Plan with the findings of fact, conclusions and conditions listed in the staff report.”

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

With no objection and no further business, the public hearing was adjourned at 11:50 p.m.