

GRAND JUNCTION PLANNING COMMISSION
JUNE 13, 2006 MINUTES
7:00 p.m. to 8:15 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), Roland Cole, Lynn Pavelka-Zarkesh, Tom Lowrey, Bill Pitts, Patrick Carlow (1st Alternate), and Ken Sublett (2nd Alternate). Reggie Wall and William Putnam were absent.

In attendance, representing the City's Community Development Department, were Sheryl Trent (Assistant to the City Manager), Kathy Portner (Assistant Community Development Director), Scott Peterson (Senior Planner), Dave Thornton (Principal Planner), Lori Bowers (Senior Planner), Ronnie Edwards (Associate Planner) and Kristen Ashbeck (Senior Planner).

Also present were Jamie Kreiling (Assistant City Attorney), and Eric Hahn (Development Engineer).

Bobbie Paulson was present to record the minutes and transcribed by S.O.S. temporary staff (Conswello Atencio).

There were 37 interested citizens present.

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 May 9, 2006 public hearing.

MOTION: (Commissioner Pitts) "Mr. Chairman, I move to approve the May 9th minutes."

Commissioner Carlow seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioner Lowrey and Commissioner Pavelka-Zarkesh abstaining.

III. CONSENT AGENDA

Available for consideration were items:

1. PFP-2005-280 (Preliminary Plat—Forrest Estates, Filing 2)

2. ANX-2006-143 (Zone of Annexation-Bekon Annexation)
3. GPA-2006-062 (Zone of Annexation –Charlesworth Annexation)
4. PFP-2005-200 (Preliminary Plat – Interstate Commercial Park III)
5. CUP-2006-057 (Conditional Use Permit – Swchwan’s Distribution Center)
6. GPA-2006-060 (Rezone – Graff Dairy)
7. GPA-2006-061 (Rezone – Horizon / Niblic Drive)
8. GPA-2006-059 (Rezone – Walcher River Road)
9. GPA-2006-065 (Zone of Annexation – GPD Global Annexation)
10. PFP-2005-286 (Preliminary Plat – Siena View Subdivision)
11. VR-2006-114 (Vacation of Right-of-Way WDD Simple Subdivision)

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.

A citizen requested that item number 7, GPA-2006-061, be pulled from the consent agenda.

MOTION: (Commissioner Cole) "Mr. Chairman, I move we approve the Consent Agenda as presented with the exception of item number 7, GPA-2006-061 Rezone Horizon Drive / Niblic Drive."

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

IV. FULL HEARING

GPA-2006-061 REZONE – HORIZON / NIBLIC DRIVE

Request approval to rezone 0.53 acres from a C-1 (Light Commercial) to a RMF-5 (Residential Multi-family 5 unites/acre) zone district
Petitioner: Stanley Lupinski – Country Inns
Location: 718 Horizon Drive
Staff: Kathy Portner

STAFF PRESENTATION

Kathy Portner gave a PowerPoint presentation of the request. The Niblic Drive rezone is a part of a larger parcel at 718 Horizon Drive that is developed as the Country Inn of America. The 0.53 acre piece is topographically higher than the portion along Horizon Drive and is adjacent to Niblic Drive, a part of the Partee Heights Subdivision, consisting of residential development. The petitioner is seeking a rezone for the 0.53 acres from C-1 to RMF-5, consistent with the adjacent neighborhood. The City Council recently approved a Growth Plan Amendment for this piece, changing the Future Land Use Designation from C (Commercial) to RML (Residential Medium Low, 2-4 units per acre). If the rezone is approved, the petitioner will proceed with a Simple Subdivision to create two parcels, one containing the motel development, and the other for future residential development.

The Partee Heights Subdivision as a whole has a Future Land Use Designation of Residential Medium Low (2-4 units per acre), but a zoning of RMF-5. The RMF-5 zoning was put into place in 2000 to be more compatible with the setbacks already established in the neighborhood. While an RSF-4 zoning would specifically fit into the Future Land Use category of Residential Medium Low, it would not be consistent with the rest of the neighborhood.

In order to maintain internal consistency between the Zoning and Development Code and the Zoning Maps, map amendments must only occur if the existing zoning was in error at the time of adoption.

The existing zoning of C-1 recognized that there was one parcel with a commercial use on it. The potential for subdivision was not considered at that time.

There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth/growth trend, deterioration, redevelopment, etc. The owners of the motel property have determined that the portion of the property along Niblic Drive is not appropriate for commercial development. Given the topographic differences and the nature of Niblic Drive, it is more appropriate that the 0.53 acres develop consistent with the adjacent residential property.

The proposed rezone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

The proposed rezone to RMF-5 is compatible with the surrounding Partee Heights neighborhood. While the Future Land Use Designation of the area is Residential Medium Low (2-4 units per acre), the request for RMF-5 zoning, to be consistent with the surrounding zoning, conforms to the Growth Plan in the following ways:

- Exhibit V.3, Future Land Use Map, of the Growth Plan notes that “this map does not stand alone; it must be used in concert with the goals and policies in the Urban Area Plan; and this map does not necessarily reflect current zoning”.
- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
- Goal 10: To retain valued characteristics of different neighborhoods within the community.
- Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.
- Policy 11.2: The city will limit commercial encroachment into stable residential neighborhoods.
- The rest of the Partee Heights neighborhood is already developed and unlikely to redevelop. The underlying Growth Plan designation of the Residential Medium Low would only allow for densities of up to four units per acre, even with the RMF-5 zone district.

Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning. All services are available to the site for residential use. The supply of comparable zoned land in the surrounding area is inadequate to accommodate the community's needs and changing the 0.53 acres to residential will allow for infill development in the neighborhood. The community will benefit from the proposed zone. Changing the zoning from C-1 to RMF-5 is more compatible with the neighborhood.

After reviewing the Horizon/Niblic Drive application, GPA-2006-061, for a rezone, staff makes the following findings of fact and conclusions: The proposed rezone is consistent with the purposed and intent of the Plan. The review criteria in Section 2.6.A of the Zoning and Development code have all been met Staff recommends that the Planning Commission approve the requested rezone, GPA-2006-061, to the City Council with the findings and conclusions as listed in the staff report.

QUESTIONS

Chairman Dibble asked if there were two parcels; one for the motel and one for future development?

Ms. Portner the parcel is not a legal parcel. A portion of the larger piece will have a different zoning and then they will do a simple subdivision to separate the smaller piece.

Commissioner Lowrey asked if the owner could subdivide the parcel?

Ms. Portner replied that it is a possibility but not very easy because of the irregular lot shape.

Jamie Kreiling questioned Mr. Pitts again about his dealings with the petitioner to see if there was in fact a conflict of interest.

Commissioner Pitts excused himself because he felt there may be a potential conflict.

PETITIONER'S PRESENTATION

Stanley Lupinski gave a brief presentation explaining that he would be agreeable if this were made a duplex or one single-family house which is what they are wanting.

PUBLIC COMMENT

FOR: None.

AGAINST:

Tim Halten (719 Niblic Drive, Grand Junction CO 81506, 248-9290) stated that his concern was that it might be a multifamily units, apartments, multi story, etc. Concerned regarding integrity of neighborhood. Has no problem with a single-family unit.

Adrian Stewart (716 Niblic Drive, Grand Junction, CO 81506, 245-3267) who lives

across the street said that he has no problem with development as long as it is not multifamily and multistory.

DISCUSSION

Kathy Portner in all residential zone district the maximum height is 35 feet and there is nothing to restrict a two-story home to be built. Single-family detached, single family attached and a duplex would be allowed. Multifamily above that would not be allowed in the RMF-5 zone district. Ms. Portner added that this lot is not subject to the covenants in the next subdivision.

Commissioner Cole RMF-5 stated that he felt the request is consistent with surrounding zoning and that the concerns expressed could be addressed.

Commissioner Carlow thought that there was more confusion over terminology and saw no reason to deny it.

Motion: (Commissioner Cole) “Mr. Chairman, on item GPA-2006-061, a request for a Rezone to RMF-5, I move we forward a recommendation of approval to the City Council with the findings and conclusions listed in the staff report.”

The motion was second by Commissioner Lynn Pavelka-Zarkesh. A vote was called and the motion passed unanimously by a vote of 6 – 0.

Commissioner Pitts rejoined the Planning Commission.

GPA-2006-066 GROWTH PLAN AMENDMENT – DOWNTOWN RESIDENTIAL DENSITY

Request approval to amend the Growth Plan adding a policy under the Downtown Commercial Core Area to allow for residential densities greater than 24 units per acre.

Petitioner: Harold Stalf, Downtown Development Authority

Location: Downtown Development Authority boundaries

Staff: Kristen Ashbeck, Senior Planner

STAFF'S PRESENTATION

Kristen Ashbeck gave a PowerPoint presentation and an overview of the request. The Grand Junction Downtown Development Authority is requesting a revision to the text of the Growth Plan to eliminate the maximum residential density requirement for downtown developments/properties. The DDA is proposing to participate in and/or encourage developers to create residential and mixed-used commercial-residential projects in the downtown area. In order to facilitate this goal, it is recognized that the current valley-wide residential density cap of 24 units per acre is an impediment to such projects. Therefore, the DDA is proposing that there be no maximum residential density applicable to the downtown area. Downtown projects would not be restricted to a maximum density provided they are in compliance with all other applicable plans and regulations in effect at the time of development.

If the Growth Plan Amendment is approved the staff will work with the DDA on bringing forward to you zoning and development changes fairly soon to the various zone districts where this might apply to implement the proposed Growth Plan Amendment.

For purposes of this change to the Growth Plan the “Downtown area” could be defined as the area currently zoned Downtown Business B-2 or zoned Neighborhood Business B-1 and B-2 within the DDA boundaries. The specifics of that will come forward with the text amendments to the Zoning and Development Code. This change requires an amendment to the City-County Growth Plan and subsequent amendment to the City Zoning and Development Code.

The Growth Plan amendment criteria is contained in Section 2.5.C of the Zoning and Development Code.

1. There are facts, projects and trends that were not initially accounted for, when the Growth Plan was first adopted in 1996 it only contemplated residential densities of up to 24 units per acre but did not specifically analyze how this might relate to development of downtown residential projects.
2. Subsequent events have invalidated the original premises of the Growth Plan, as housing cost in the community have continued to escalate since initial adoption of the Growth Plan 10 years ago, it has become apparent that there is an overwhelming need for centrally located, affordable housing. There are housing types that could be developed in the downtown area that could meet this need if developed at a higher density than currently allowed by the Growth Plan.
3. The character and/or condition of the area have changed enough that the amendment is acceptable. Since adoption of the Growth Plan in 1996, there has been a more coordinated effort between the DDA and various agencies such as the Grand Junction Housing Authority and private developers to try to meet some of the need of affordable housing and they see Downtown as a good location where people can use transportation as well as Downtown being a central area for jobs.
4. The change is consistent with and would not impact the plans and policies adopted for other areas in the urbanized area; again this is just an amendment that would impact Downtown.

The change is consistent with general principles of the Growth Plan listed in Section 5.E:

- Concentrate Urban Growth – higher densities in the downtown area would maximize use of existing infrastructure.
- Reinforce Existing Community Centers – adding residential uses downtown will make the vibrancy of downtown increase.
- Disperse Higher Density Housing – most of the areas that are zoned for higher density housing are in out-lying areas and this would bring some of that back downtown.

In addition, Goal 8 of the Growth Plan specifically addresses and supports this

- change: To support the long-term vitality of existing centers of community.
5. Public facilities and infrastructure in the downtown area are adequate to serve high density residential uses.
 6. There is a limited amount of land available in the urbanized area for high-density residential use and, of that much of it is not as centrally located to existing infrastructure and needs of future residents.
 7. The benefit derived from this proposal would be helping to meet the need for affordable, centrally located housing and it will support the community's desire for a vital downtown.

Staff's findings of facts and conclusions are:

- a) The proposed amendment is consistent with the purpose and intent of the Growth Plan.
- b) The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

Staff recommends approval of the requested Growth Plan Amendment and would add policy 8.4 under Goal 8 and stated in the proposed resolution. And then renumber accordingly the policies under Goal 8 that would follow 8.4.

Commissioner Sublett was concerned about downtown housing costs and size and asked how it will be managed. Ms. Ashbeck replied ultimately it will be balanced with all the other elements of the Code, including landscaping and parking. These will certainly dictate density to a certain extent.

Commissioner Sublett stated that he assumed that if each project would be looked at individually in conjunction with the Code requirements. Ms. Ashbeck said that each project would be subject to the Code requirements such as landscaping, parking, etc.

Commissioner Lowrey stated that he felt that each project needed to be looked at to make sure there are adequate facilities i.e. roadways, etc. Ms. Ashbeck said that she agreed.

Chairman Dibble was concerned about not putting a cap on the density. What is size of units within Ratekin Towers? Kristen Ashbeck stated that the DDA could answer that question. At 7th and Main, office below and housing above not submitted yet. There will be restrictions, height, setback, parking, landscaping.

Harold Stalf, Downtown Development Authority, want an urban neighborhood downtown with pedestrian traffic, not increased automobile traffic the idea is to create an urban neighborhood. The density of Ratekin Towers is about 40 to 50 units per acre. Each unit is 475 square feet. The Reed Building on Main Street has units from 2300 to 3400 square feet, which have been very hard to market but also add a very important mix to the neighborhood. He would like to see 800 square foot units, 1400-1600 square feet for loft units. The Code allows hotels with 200 square foot units under the current code with 100 units in it. But right now you couldn't but 18 residential units in the same size building. There are approximately 3000 people who work in the downtown area and at

5:00 they all go home. Residences in downtown would make it a safer downtown. Our goal is to have 1000 units available in the downtown area in the next 10 years. A lot of people want to live downtown. One project is with the GJHA that is waiting on outcome of tonight's hearing.

Chairman Dibble asked about parking. Mr. Stalf said that they are hoping to add more parking garages. One of the proposals will provide its own parking. \$3 million is budgeted over the next few years for Colorado Avenue for improvements.

Chairman Dibble wanted to know if the proposed units be more high end units? Mr. Stalf said that we will see a mix of all of it over the next 10 years, some high-end and some lower also.

PUBLIC COMMENT

FOR:

G. Moon, 855 Hall Avenue, on GJHA board gave a clarification on Ratekin Towers. The units are 580 square feet each and there are a 107 of them on more than 1 acre. This request isn't to create towers of units. We are more likely to do more projects with the DDA if the density was greater than 24 units. Ms. Moon asked the planning commission that if they put cap on density, to please be generous with it.

Jodi Kole, Executive Director of the GJHA brought up the fact that the GJHA and the DDA looked at a number of ideas and concepts that will be mixed income and mixed use. We are looking for the ability to provide affordable housing and the ability to walk to work for those people who work downtown who aren't making more than \$8 to \$10 an hour, it would make it easier and cheaper for them to live, work and shop in the same area. There are proposals for projects in the works that would be 40 to 60 units per acre. It would be more financially viable to be able to build more units to even out the cost of building verses the cost of rent. A number of things can make a development a viable quality development, not necessarily the density. She let everyone know that she would be available for questions.

Closed public hearing.

COMMENTS

Commissioner Pitts felt it was a good thing and commended the DDA for progressive thinking. He felt that the density issue could be resolved with DDA and planning staff. The parking, setbacks will control the density.

Commissioner Cole concurred with Commissioner Pitts.

Chairman Dibble agreed that the density will be controlled by other factors and DDA and city staff will manage the quality.

Commissioner Carlow stated that the unique aspects of the DDA make it possibly the

only zone that would lend it self to this sort of mix without a lot of controversy. So he is in favor.

Commissioner Sublett based on reassurances from planning staff, stated that he agreed that this is a good idea. Increasing housing density is good but needs to be carefully managed. There are plenty of examples of high density/poor housing.

Commissioner Pavelka-Zarkesh said that she concurs with Commissioner Pitts it is a great opportunity for the Downtown to grow, create jobs and create efficiencies.

MOTION: (Commissioner Pitts) “Mr. Chairman, on item GPA-2006-066, a request to amend the text of the Growth Plan to add the following policy under Goal 8: Policy 8.4 : The City will support residential and mixed residential-commercial projects in the business areas of downtown, recognizing the need for a variety of housing types including affordable units for workforce housing. The City will allow residential densities in the downtown area to exceed those specified in Exhibit V.2, Future Land Use Categories, for residential and mixed commercial-residential developments. And renumber the remaining policies under Goal 8 accordingly, I move we forward a recommendation of approval to the City Council.”

Commissioner Pavelka-Zarkesh 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 8:15 p.m.