

**GRAND JUNCTION PLANNING COMMISSION
SEPTEMBER 26, 2006 MINUTES
7:00 p.m. to 11:00 p.m.**

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

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Patrick Carlow (1st alternate), Tom Lowrey, Lynn Pavelka-Zarkesh, Ken Sublett (2nd alternate), and Reggie Wall. Commissioners Roland Cole and William Putnam were absent.

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

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

Lynn Singer was present to record the minutes.

There were 68 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes of the August 22, 2006 public hearing.

MOTION: (Commissioner Pitts) "Mr. Chairman, I would move approval of the minutes for August 22, 2006 as written."

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

III. CONSENT AGENDA

Available for consideration were items:

1. CUP-2006-199 (Conditional Use Permit – Riverside Crossing)
2. PP-2005-073 (Request for Extension – River Run Subdivision)
3. RZ-2006-227 (Rezone – Beagley Rezone)
4. PDA-2006-044 (Planned Development Amendment – Beehive Estates)
5. PP-2006-212 (Preliminary Plan – Bookcliff Tech Park)
6. RZ-2006-228 (Rezone – Orr Rezone)

- 7. VE-2006-082 (Vacation of Easement – St. Mary’s Hospital)
- 8. PP-2005-072 (Preliminary Plan – Swan Meadows)

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.

With respect to item number 3, the Beagley Rezone, Commissioner Lowrey commented that he is concerned with the amount of RMF-8 in the area and believes there should be more of a mix of RSF-4 and RMF-8. Chairman Dibble agreed and requested staff to take that into consideration in the next workshop.

MOTION: (Commissioner Pitts) “Mr. Chairman, I would move approval of the Consent Agenda, items 1 through 8, as presented.”

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

IV. FULL HEARING

ODP-2005-309 REZONE AND OUTLINE DEVELOPMENT PLAN – 1st and PATTERSON PLANNED DEVELOPMENT
Request approval of: 1) an Outline Development Plan (ODP) for a Mixed Use development on 20.7 acres, and 2) Request approval to rezone from RMF-12 (Residential Multi-Family-12 units/acre) to a PD (Planned Development) zone district

PETITIONER: Constructors West, Inc.
LOCATION: SW Corner of 1st Street and Patterson Road
STAFF: Kathy Portner

PETITIONER’S PRESENTATION

Mr. Ted Ciavonne of Ciavonne Roberts and Associates made a PowerPoint presentation on behalf of the applicant, Pat Gormley, and the developer, Constructors West, Inc. Mr. Ciavonne stated that also involved with this project are Thompson Langford Corporation as civil engineers, Rare Earth as environmental consultants, and Kimley-Horn and Associates as traffic engineers.

Mr. Ciavonne stated that the site is located at the corner of 1st and Patterson, an infill property that has been developed all around. He further explained that Meander Road is on the north side; Park Street is on the east; and at present there are no roads to the south or to the west of the property.

The Growth Plan designates the north half of the property as commercial and the south half as residential medium/high (8-12 units/acre). Mr. Ciavonne went on to state that surrounding this are Growth Plan designations to the west of 8-12; to the south of 4-8; to the north, commercial; and to the east, residential medium/high, 8-12, and residential

medium/high, 4-8. Accordingly, Mr. Ciavonne believes this is consistent with the Growth Plan, the Goals and the Policies.

The site is currently zoned RMF-12 (residential multi-family 12 units/acre) which would allow up to 240 multi-family residential units under the current zoning. Adjacent zoning is as follows: To the north, B-1 and PD; to the south, RMF-5; to the west, RMF-12; and to the east, RMF-24 and some RMF-5. Applicant is requesting a rezone of the 20.7 acres from RMF-12 to Planned Development. Additionally, applicant is requesting approval of an Outline Development Plan.

Mr. Ciavonne gave a brief history of the project stating that the site has been under the ownership of the Gormley family since 1935. During the past 71 years, the property has remained a rural agricultural use while the surrounding property has been developed. In 2003 the Planning Commission and the City Council unanimously approved an amendment to the Growth Plan providing commercial designation along the north half of this property and a residential medium/high density designation on the south half of the property. In 2005 applicant met with the City to discuss a proposal of an ODP. A traffic study was conducted in the fall of 2005 which study included some access points that were recommended by the City at that time. Primary access points into this project were at Meander Drive and Patterson and at 1st Street and Park. In early 2006 applicant received an approval for a Growth Plan consistency review stating that “the proposed meandering road alignment is consistent with the Growth Plan.”

The first neighborhood meeting was held in January/February 2006. Two key issues were brought to light as a result of the meeting – concern with a proposed connection to the south on Knollwood Drive and concern with traffic. At that time, an ODP was submitted to the City for review. Multiple revisions to the traffic study were done based on comments from neighbors and staff. Applicant also recognized that the 17 acre parcel to the west had the potential for development but not the potential for access.

A TEDS exception was requested in the summer of 2006 to allow a signalized full movement intersection at approximately 25³/₄ Road and Patterson Road, the west boundary of the subject property. The TEDS committee recommended retaining a full movement intersection at the location but denied the request for a signal. They alternatively recommended adding a second left turn lane to northbound 1st Street. In September 2006 an optional second neighborhood meeting was held. Primarily discussed at that meeting were concerns with traffic and pedestrian safety on North 1st Street.

Mr. Ciavonne noted that the project shows commercial development (approximately 8.2 acres) along the north, residential development (approximately 7.5 acres) along the south, and maintaining the three existing residential homes along 1st Street; additional Open Space of approximately 1.8 acres; and a right-of-way (approximately 3.2 acres). Applicant believes this project would provide several benefits to the community, such as a dedication of a needed right-of-way along 1st Street including a right turn lane. Applicant is also attempting to facilitate with the City the burying of the overhead

powerlines along Patterson Road. Applicant will provide a 35 foot wide easement along the frontage of Patterson Road for the Independence Ranchman pipe. Additional benefits would also include landscaping and site amenities, large Open Space areas along 1st Street and Patterson Road and maintaining of the hillside and topographic feature of the site.

Mr. Ciavonne stated commercial development will be within walking distance of adjacent neighborhoods. He also pointed out that it will be advantageous by having one developer, Constructors West, develop this property as opposed to "lot sales". It is anticipated that parking will be screened from the arterial roadways by putting the architecture forward and having interior parking. An Architectural Control Committee will control the architecture of the buildings to ensure the consistency of the architecture. Detached sidewalks along the majority of the project along Patterson is proposed; sidewalks along 1st Street; sidewalks through the subdivision; and a full movement intersection which will minimize the impact to the 1st and Patterson intersection.

Joe Carter, Ciavonne Roberts and Associates, next addressed the Commission and discussed some of the details of the ODP.

Mr. Carter addressed the proposed phasing of the project. It is anticipated that the first phase of the development will be completed by December 2008 with subsequent approvals within a year of the first approval through phase 7 in 2014. This will allow some flexibility regarding phasing with the commercial portions of the commercial pods to be developed first and the development of the residential portions thereafter.

The total land area for commercial pods A, B, C, D and E are 8.2 acres, which excludes 1.8 acres of Open Space and 1.8 acres of right-of-way. The default zone of the commercial pods is B-1 which is compatible with the property across the street. Generally uses of a B-1 would include office, retail, service and restaurant oriented businesses. Applicant is proposing some deviations of use by not allowing uses such as drive up/through fast food uses; drive-up/through liquor stores; outdoor kennels and/or boarding; outdoor storage; community correction facilities; mental health uses; drug/alcohol rehabilitation uses; halfway houses; and law enforcement rehabilitation centers. Types of uses that would be allowed include a drive-up/through pharmacy; drive-up/through dry cleaners; veterinarian clinic with indoor clinic and/or indoor boarding.

There are dimensional standards associated with B-1 zoning. Applicant is proposing to deviate from those as there will be no minimum lot size nor minimum lot width associated with the commercial pods. As applicant is proposing parking under the structure, they are requesting a 9 foot increase in the height for commercial pods A, B, C and D. Subsequently a 5 foot decrease is requested in commercial pod E.

Residential pod F (RSF-4), which is adjacent to 1st Street, is being maintained to "retain the existing fabric of North 1st Street." Pods G and H are RMF-12 uses. The land area

covers 7.5 acres which excludes 1.4 acres of right-of-way. There are no deviations being requested in the RSF-4 zone standards (pod F) and the default standards in pods G and H will retain the RMF-12 default standards.

Mr. Carter stated that the primary concerns have been with respect to access and traffic. Roughly eight different traffic alternatives have been looked at, such as different access points onto Patterson Road; a connection south to Knollwood; full movement intersections at Meander Drive and Patterson Road; full movement signalized intersections at 25³/₄ Road and Patterson Road; roundabouts at 25³/₄ Road and Patterson Road; roundabouts at 1st and Patterson; and double northbound left turn bays.

Applicant's initial plan included an unsignalized access, full movement intersection at Park and 1st Street; a full movement intersection with Meander and Patterson; a potential connection south on Knollwood; and a street stub to the west. This proposal was dismissed because of unacceptable levels of service. After exploration of several alternatives and working with staff, as well as taking into consideration concerns of the neighbors, applicant has devised a final plan which would allow for a full movement, unsignalized intersection; a three-quarter movement at Meander and Patterson; a full movement at 1st and Park; a street stub to the west; and double left turn bays northbound to westbound on Patterson.

QUESTIONS

Commissioner Lowrey wanted to know why a full movement intersection on the west edge of the property would work but a full movement intersection at Meander and Patterson would not. Mr. Carter stated that it has to do with a stacking issue at the 1st and Patterson signal which precluded the ability to make a successful left turn at Meander due to either stacking issues or gap.

Commissioner Lowrey also had a question regarding the amount of Open Space that would be between pods A and B and pods C and D. Mr. Ciavonne confirmed that there would be physical space, some shared parking and/or landscaping between the buildings. Mr. Ciavonne stated that there is a relationship between parking and square footage and use with some uses requiring more parking per square foot than other uses.

Commissioner Pitts asked why roundabouts were not viable options. Mr. Carter stated that roundabouts were considered for both 1st and Patterson and at 25³/₄ Road and Patterson. According to Mr. Carter, there was a portion of the intersection at 1st and Patterson with a roundabout that did not function in an acceptable fashion. Also, per the traffic study, the quantity of vehicles exiting the site at North 1st and Park do not necessitate a signal. It is applicant's contention that all of the intersections as proposed function to staff's satisfaction.

STAFF'S PRESENTATION

Kathy Portner, Assistant Community Development Director, made a PowerPoint presentation to the Commission. A brief background with respect to this project was given. The site currently is undeveloped and has historically been used in an agricultural manner.

Ms. Portner stated that the current zoning on the property is RMF-12. In 2000, based on the 1996 Growth Plan, the entire site was shown as residential medium/high density of 8 to 12 units per acre. Surrounding the subject property is zoning of RMF-5 to the south; to the north is some B-1 as well as another Planned Development; and high density residential zoning to the east. The future land use map was amended in 2003 and gave the Patterson Road frontage of the property a commercial designation.

An Outline Development Plan is intended to be very conceptual which shows very broadly the general concepts that are proposed for the property as well as the general circulation plan that is proposed. If approved, the PD zoning would be established with the specific underlying zoning, such as B-1 zoning for the commercial development, in addition to some deviations with respect to certain types of uses that would and would not be allowed.

Also requested are some deviations in the bulk standards for the commercial area. Applicant is proposing an increase in the maximum height that might be allowed for the properties fronting Patterson as well as a restriction of the height on the portion of the property sitting on the knoll. With respect to the properties to the south that are proposed for residential, and in particular the two larger pods, a default zoning of RMF-12 is proposed. For the property that currently has the three single-family homes on it, a proposed default zone of RSF-4 is being proposed. Further, applicant is proposing to prohibit future subdivision of those lots. Ms. Portner stated that a right-of-way would be required to the property line to provide for future connections to adjacent properties.

Staff finds that the proposal for rezone to Planned Development and the request for approval of the Outline Development Plan are consistent with the Growth Plan Future Land Use designation and many of the goals and policies of the plan. Staff believes that the Planned Development zoning allows for some better controls in looking at how the uses interact with each as well as to ensure compatibility of each of the pods.

Ms. Portner pointed out some of the Policies of the Growth Plan that this request is consistent with including, but not limited to:

- Policy 1.2 which requires consistency with the Future Land Use designation.
- Policy 10.1 which encourages redevelopment of transitional areas in accordance with the Future Land Use designation.
- Policy 11.1 to promote compatibility by addressing things such as traffic, noise, lighting, height and bulk differences through the use of various design techniques.

- Policy 15.1 which encourages residential projects that integrate a mix of housing types and densities with amenities.

Staff also finds that the request meets the review criteria of Section 2.12.B.2 of the Zoning and Development Code.

Ms. Portner stated that Jody Kliska would address the traffic and transportation issues.

QUESTIONS

Commissioner Lowrey had a question regarding the height deviation requested for pods A, B, C and D. Ms. Portner stated that the standard height is 40 feet and applicant has reduced the request from 55 feet to 49 feet. She further stated that applicant is not requesting any deviations from the RMF-12 zoning as originally proposed. There was further discussion regarding the requested height adjustment and whether or not a variance would be required. Jamie Kreiling, Assistant City Attorney, confirmed that if the Commission agrees at this time to a height of 49 feet, the bulk standard then becomes up to 49 feet.

STAFF'S PRESENTATION

Ms. Jody Kliska, City Transportation Engineer, addressed the Commission in order to provide an overview to the Commission regarding City responsibility, effects, etc. Ms. Kliska stated that one way to better manage access is to keep signals at a half mile or greater. The TEDS exception committee considered signalization at 25³/₄ Road. One of the overall criteria for the design exception is whether or not a project can be accommodated under existing standards. She went on to state that current traffic volumes northbound on 1st Street during the p.m. peak hour are approaching in the mid 200 range. It is anticipated that this development would generate an additional 100 vehicles during the p.m. peak hour.

Elizabeth Good Remont, a professional engineer who prepared the traffic study on behalf of applicant, explained that when unsignalized intersections are analyzed, level of service is provided for each movement. She stated that all of the movement at the intersection of 1st and Park are anticipated to operate acceptably throughout the 2025 horizon. With respect to the 25³/₄ Road intersection, long delays are anticipated in the long term horizon during the p.m. peak hour for the northbound to westbound left turn.

QUESTIONS

Regarding the two entrances to Patterson Road, Commissioner Sublett raised the question of how many more accidents in a given year will result from the additional entrances. Jody Kliska stated that she does not believe there is an accurate prediction model. Ms. Kliska advised that with traffic signals, accidents go up dramatically.

Commissioner Carlow asked for clarification of the number of additional cars that would be generated by this project. Ms. Kliska confirmed that the total is approximately 7,000. According to Ms. Good Remont, through 2025 the worst level of service that would be experienced is a level of service D for the eastbound through left movement.

With respect to the commercial height issue, Kathy Portner clarified that what is before the Commission is a Planned Development zoning ordinance that would suggest that applicant be allowed to have 49 feet in height for the pods fronting on Patterson Road. Another option to consider would be to delete the height variation from consideration and at preliminary plan stage, applicant could then come forward with a proposal for up to a 25% increase.

PUBLIC COMMENTS

FOR:

John Gormley, 2565 I¹/₂ Road, Grand Junction, stated that he is one of the owners of the property and is in favor of the project. He stated that his family has owned the property since 1935. Mr. Gormley stated that the decision to sell the property for development was not an easy decision. As it was their desire to have the property developed “in a cohesive, thoughtful manner that we would be proud of in the future”, Constructors West was chosen as the developer because of its willingness to develop the property in its entirety. He believes that Constructors West is committed to developing “an attractive and well designed project that will be an asset to the community and to the neighborhood.” Mr. Gormley further stated that he feels the project is consistent with the surrounding uses and addresses many concerns of the City and of the neighborhood. He requests the Commission approve the rezone request.

Pat Gormley, 2433 North 1st Street, Grand Junction, stated that over the past 30 to 40 years he has had many opportunities to sell small portions of the property. However, it was their desire to have “a well planned, well designed and a cohesive development.” Mr. Gormley believes that this is the best use for this property and asked the Commission to approve the rezone request.

Max Krey (2015 Overlook Drive, Grand Junction) owns the property to the west of the subject property and believes change is inevitable. Mr. Krey further stated that as the property on the north of Patterson has been developed commercially, it should likewise be allowed on the south.

Doug Simons, 653 Round Hill Drive, Grand Junction, addressed the Commission stating that he too is a long time resident of Grand Junction. He stated that the proposed development is an “absolute model development for our community.” Mr. Simons urged the Commission to support this project.

Tom Volkmann (371 McFarland Court, Grand Junction) also spoke on behalf of the project. The City has the ability to participate much more actively and much more meaningfully in the nature, scope and design of the development. He also acknowledged the traffic concerns. Mr. Volkmann urged the Commission to consider the traffic impacts globally and further stated that he believes the traffic generated from this development will not have a significant adverse impact on the traffic and may

actually benefit the flow of traffic if generated properly. He supports the adoption and approval of the ODP.

Daniel Gartner of 104 Lilac Lane, Grand Junction stated that the two primary issues to be considered are character and safety. The character of this development as yet is not defined in the ODP; however, as the houses along 1st Street will remain shows that this is within the character of 1st Street. Regarding safety, and in particular considering the two nearby schools, Mr. Gartner recognizes that there will be increased traffic whether or not this project is developed. He stated that the proposed density is desirable and fits a need of the community. From a safety perspective there are ways to assure that intersections can be developed to assure pedestrian crossing and safety. Mr. Gartner is in support of this project. While acknowledging that there will be increased traffic along 1st Street, he requests the City to look for ways to create alternative north-south corridors.

Brad Higginbotham (664 Jubilee Court, Grand Junction) would like to encourage this particular development to go forward. "It appears to be it's almost an ideal representation of what we may have abandoned on 24 Road. That is, single-family, multi-family, commercial so that people can live, work and enterprise in one locale minimizing that traffic flow." He also stated that he thinks this is an opportunity to begin the re-urbanization process of the City and believes this project sets the proper tone.

A brief recess was called at 8:55 p.m. The public hearing reconvened at 9:05 p.m.

Steve Pearo (2502 North 1st Street, Grand Junction) owns the property immediately across the street from the Gormleys, and endorses this project. While understanding the concerns regarding traffic and safety, he believes that this project will improve the neighborhood and fully endorses the project.

AGAINST:

Peggy Lippoth, 2246 Knollwood Lane, Grand Junction, spoke against the development stating that the total incompatibility of the 111 condominium units with the surrounding long existing neighborhoods due to the density and style of buildings are out of character with the surrounding neighborhoods. She also voiced her concern for the increased traffic which will be to the detriment of those who live in the established neighborhoods. The amount of traffic generated by the multi-family development will create traffic problems and additional access difficulties. She urged a reduction in the density and further stated that the character of the condominium units is essential in order to maintain the character of the existing neighborhood.

Anne Bowman, 120 Bookcliff Avenue, Grand Junction, stated that she believes that closer attention needs to be paid to the long-term effects that this development will have on the community. Ms. Bowman also has concerns with the traffic hazards that will accompany the proposed development. She urged the Commission to deny this project. However, in the event of approval, she hopes that at a minimum a signal would

be required on 25³/₄ Road as well as the implementation of pedestrian safety measures on 1st Street.

Susan Potts (2206 Ella Court) stated that the density will put a great deal of pressure on 1st Street. Ms. Potts believes that the density is too great. Additionally, she believes the setbacks should be the same as with existing setback requirements.

Kent Baughman, 2662 Cambridge Avenue, Grand Junction, representing part of the Baughman family, stated that, "We support the development of what the Gormleys are doing on this piece of property. That doesn't mean we don't have some concerns." Mr. Baughman stated that his family has lived on the adjoining property since 1928. Traffic is a huge concern, especially during peak hours. While he supports the project overall, he believes the residential density is not compatible with the existing neighborhood. Additionally, Mr. Baughman advised the Commission that access on 25³/₄ Road has not been approved by the Baughman family. He urged the Commission to take into consideration the concerns that have been raised with respect to this project.

Sharon Sturges, 112 Hillcrest, Grand Junction, commended Mr. Milyard and Ciavonne and Associates for keeping the community apprised. Ms. Sturges is frustrated "to have an illusion of a public process and not a substantive public process." She does not believe the City is looking globally at what's happening here. She expressed a concern with respect to the expansion of St. Mary's Hospital. She also stated that one of the things drawing people to the area is lifestyle; however, "you're killing the thing that is...that is most likely causing one of the increases in our population and that is because it's a livable place." She believes that the City is not globally addressing traffic. This development will have a concentrated impact. Speaking on behalf of the Hillcrest community, Ms. Sturges requested the Commission "to look at globally the impact of what the St. Mary's project is going to have and we would request a signal."

Tom Dixon (3025 North Ridge Drive, Grand Junction) stated that he believes a great opportunity exists on the Gormley property. He is, however, very concerned with both the scaling and the intensity that could potentially occur. Mr. Dixon further stated that while he supports commercial business, it needs to be oriented towards neighborhood commercial. "The potential for substantially more office and retail on this site would create a substantial issue for this character and the quality of life that we know in this area, both from terms of traffic, visual and just the impact of living in an urban environment where you have developments out of scale with the surrounding development." He further stated that the Commission needs to consider the substantial residential development that pre-exists in this area as well as the residential zoning to the west. He requested the Commission to look at the neighborhood character and the quality of living that exists there.

Steve Olsen, who lives at 2203 Knollwood Lane, Grand Junction, voiced his concern with respect to the density associated with the proposed condominiums. He stated that currently there are 116 single-family units and one unit that has a duplex, having a total of 368 residents. The 118 residences cover an area of roughly 40 acres. Mr. Olsen

contrasted that with just over a 9-acre parcel, of potentially more than 400 residents in 111 units. While not being concerned with the commercial development, he did request the residential portion of the application be declined “to a less denser unit on that piece of property so that we that are residents up there in that area still have access to our homes and we can be safe and secure.”

Ms. Kreiling addressed the Commission regarding a comment earlier by Mr. Dixon with regard to the phasing or development schedule. Ms. Kreiling stated that is one of the approval criteria for consideration for an ODP - “An appropriate phasing or development schedule for the entire property or for each development pod area to be developed.” Mr. Dixon was then given an opportunity to re-address the Commission.

Tom Dixon stated that the gist of his questioning was that he is concerned with the development of the commercial first and secondarily residential. He stated that, “You’re more likely in my experience to get the potential for a much more inferior residential project than if you phase commercial along with residential.” He would like to see a parallel between phases of residential and phases of commercial.

Jim Baughman of 2579 F Road, Grand Junction, next addressed the Commission. Mr. Baughman supports the Gormleys’ ability and right to develop their property. At the time this property was annexed into the City in 1991, it was zoned RSFR (one unit per five acres) and now it has been rezoned to RMF-5. He stated that he was unaware of the rezoning of his property. Mr. Baughman corrected a statement made earlier by Mr. Ciavonne that all of the surrounding property has been developed, stating that, “So there is future development, definitely on the south and the west side that can happen in the future at this site.” He has concerns with the proposed development and the Outline Development Plan. He is further concerned with the proposal for a 49-foot height on the commercial development. Further concerns relate to buffering and setback requirements as well as with irrigation. Reiterating what his brother said, Jim Baughman stated that, “The access that is being proposed on the 25¾ Road alignment, that access is partially on Baughman property.” Mr. Baughman again advised the Commission that the Baughman family does not support the access as there is no agreement.

Bob Richardson, 116 West Wellington, Grand Junction, stated that he too has concerns relating to traffic, safety, and height of the commercial development.

Penny Frankhouser, 2255 Knollwood Drive, Grand Junction, stated that widening 1st Street would be necessary to allow for a double left-hand turn.

Mark Ryan, 2582 Patterson, Grand Junction, owner of Redstone Veterinarian Hospital, and speaking on behalf of the Redstone Business Plaza and Hi-Fashion Fabrics, voiced a concern of lack of access to their businesses by blocking off the median on Patterson.

Chris Clark, 615 Meander Drive, Grand Junction, posed questions regarding traffic flow and more particularly, flow of traffic on North Patterson. Mr. Clark has concerns with

access off Patterson. He next discussed the issue of ingress and egress, proposed density, height of the buildings especially as it has the potential for shadowing which could result in icing on the roadways. Mr. Clark stated that overall he is in favor of the development, however, the Commission needs to take into consideration some of the issues that have been raised.

Claudia Smith Nelson, 2301 Knollwood Lane, Grand Junction, reiterated the concerns with density and its non-compatibility, height of the buildings, traffic and the Baughman family's concerns.

Jeff Crandell, 2245 Idella Court, Grand Junction, discussed the proposed road going into Knollwood Lane, the intersection at 25³/₄ Road, and access to the Baughman property. He is in favor of the mixed use of the property as opposed to strictly RMF-12.

Shayne Schurman, 2403 North 1st Street, Grand Junction, also had concerns regarding traffic, the density and the need for a traffic light.

Steve Olsen re-addressed the Commission and raised a question with regard to the traffic study. He asked if it was generated to 1st and Patterson only or 1st and Park.

PETITIONER'S REBUTTAL

With respect to the access to the west, Mr. Ciavonne stated that, "We've been, I think, very clear throughout this process, that if the Baughmans do not want to participate in that access, we will just leave that access on this property and we can do that." In response to an issue raised by Chairman Dibble, Mr. Ciavonne stated that the access would be moved approximately 15 to 20 feet to the east. Chairman Dibble stated that by moving the access in onto applicant's property, it will present problems to the Baughman's drive access.

STAFF'S PRESENTATION

Eric Hahn, Development Engineer, stated that if the access at the west edge of the subject property is not able to be split and will need to be moved onto applicant's property, "if they can't meet basic spacing standards, we're looking at another TEDS exception."

QUESTIONS

Commissioner Lowrey asked if there isn't an agreement with the Baughmans, how far away would the access have to be from the Baughman driveway. Mr. Hahn stated that the required separation would be 300 feet to meet TEDS. "If they couldn't get that TEDS exception, that changes the entire layout and then I hate to say they're back to square one but they are set quite a ways back." According to Mr. Hahn, this is the first time that this has been mentioned.

Ms. Elizabeth Good Remont stated that assuming the Baughmans are not willing to share access, she does not see any conflict and would be able to provide an analysis accordingly. She further stated that project traffic is anticipated to create about 90 peak

hour trips along 1st Street which represents about 10% of the existing traffic volume so it will not significantly impact 1st Street. In the traffic study, the intersection of 1st Street with Park was analyzed and all movements at that intersection are anticipated to continue to operate acceptably with development of the project.

Chairman Dibble raised the possibility of having only two allowed accesses, one being a three way and the other a four way, in the event a TEDS exception was re-applied for and not granted and the effect that would have on 1st Street. Ms. Good Remont stated that it's possible that that access would also be restricted to three-quarter movement.

Ms. Good Remont went on to state that as requested by the City three different scenarios were evaluated in preparation of the traffic study. The three scenarios evaluated were the intersection of 25³/₄ Road as a three-quarter movement access; as a full movement signalized access; and as a full movement unsignalized access. Operations were acceptable in all three scenarios. The key intersections evaluated were the intersection at 1st and Patterson including the two adjacent intersections of Patterson and Meander and 1st and Park. As the Knollwood intersection was not used, the City did not require the traffic study to be done to Orchard. The anticipated impacts to the intersection are to add 90 peak hour trips south of Park along 1st Street, representing approximately 10% of the existing traffic along 1st Street.

Commissioner Lowrey expressed his concern that as presented this represents an incomplete application due to the uncertainty of the Baughman agreement. Ms. Portner requested the Commission take a brief recess in order to allow staff the opportunity to discuss a possible resolution.

A brief recess was taken at 10:38 p.m. The hearing reconvened at 10:55 p.m.

Ms. Portner made a recommendation that this matter be remanded back to staff for purposes of discussing the access issue as to whether this application can move forward as it is currently configured. After resolution, it would be re-advertised and appropriate notice to neighbors. Chairman Dibble inquired that in the event new material is given, would the public have an opportunity to speak for and against that. Ms. Kreiling confirmed that if new information is brought forward that differed from the present plan or different from the information that has been provided this date, the public would then be given an opportunity to comment with regard to the new information. A full hearing would not be opened up. Chairman Dibble stated that when this is brought back before the Commission, applicant would be given an opportunity for rebuttal and public input if new information is obtained. Ms. Portner, to clarify staff's recommendation, stated, "We're recommending that you remand it for the purpose of resolving the issue with the westernmost access."

MOTION: (Commissioner Pitts) "Mr. Chairman, on ODP-2005-309, a request for a Planned Development, Outline Development Plan, I would move we remand this back to staff for the purpose of resolving the issue regarding the westernmost access."

Commissioner Lowrey 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 11:00 p.m.