

**GRAND JUNCTION PLANNING COMMISSION  
DECEMBER 12, 2006 MINUTES  
7:00 p.m. to 8:20 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), Lynn Pavelka-Zarkesh, Tom Lowrey, Bill Pitts, William Putnam, Reggie Wall and Patrick Carlow (1<sup>st</sup> alternate). Also present was Ken Sublett (2<sup>nd</sup> Alternate). Commissioner Roland Cole was absent.

In attendance, representing the City's Community Development Department, was Kathy Portner (Assistant Community Development Director), Adam Olsen (Associate Planner) and Scott Peterson (Senior Planner). Also present were Jamie Kreiling (Assistant City Attorney)

Lynn Singer was present to record the minutes.

There were 10 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 October 19, 2006, October 24, 2006 and November 14, 2006 public hearings. However, as not all Commissioners had the minutes of the November 14<sup>th</sup> public hearing, they will be considered at a future hearing. Although not being considered at this evening's hearing, Commissioner Putnam noted an error with respect to the November 14<sup>th</sup> minutes. That being on page 7, fifth full paragraph where it states in relevant part: "Commissioner Putnam said he prefers the RMF-8 zone." Commissioner Putnam confirmed that he was absent during those proceedings and, therefore, did not make that statement.

Commissioner Putnam also identified a necessary correction to the minutes of October 24, 2006. More particularly, page 3, second to the last paragraph from the bottom, should read "Patterson Road" rather than "Patterson Avenue".

**MOTION: (Commissioner Putnam) "Mr. Chairman, I would move the minutes of October 24, 2006 be approved as corrected.**

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

**MOTION: (Commissioner Pitts) “Mr. Chairman, I would move the minutes of October 19, 2006 be approved as written.**

Commissioner Putnam seconded the motion. A vote was called and the motion passed by a vote of 6-0 with Commissioner Pavelka-Zarkesh abstaining.

**III. CONSENT AGENDA**

Available for consideration were items:

1. GPA-2006-240 (Growth Plan Amendment – Hall Property Annexation)
2. GPA-2006-249 (Growth Plan Amendment – Kelley Annexation)
3. CUP-2006-308 (Conditional Use Permit – Bub’s Field Sports Bar)
4. ANX-2006-302 (Zone of Annexation – Apple Acres Annexation)
5. CUP-2006-298 (Conditional Use Permit – Colorado Bureau of Investigation)

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted any of the items pulled for additional discussion. At citizen request, Item 4, ANX-2006-302, Zone of Annexation – Apple Acres Annexation, was pulled and placed on the Full Hearing agenda. No objections or revisions were received from the audience or planning commissioners on any of the remaining items.

**MOTION: (Commissioner Pitts) “Mr. Chairman, I would move approval of Consent Agenda items 1, 2, 3 and 5.”**

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

**IV. FULL HEARING**

**ANX-2006-302 ZONE OF ANNEXATION – APPLE ACRES ANNEXATION**  
Request approval to zone 6.82 acres from a County RSF-4 (Residential Single Family-4 units/acre) to a City RMF-5 (Residential Multi-Family-5 units/acre) zone district.

**PETITIONER: Jay Kee Jacobson – Apple Acres, LLC**  
**LOCATION: 3025 E Road**  
**STAFF: Adam Olsen**

**STAFF’S PRESENTATION**

Adam Olsen, Associate Planner, made a PowerPoint presentation in support of the request to zone the Apple Acres annexation located along the south side of E Road. He further explained that the majority of the surrounding development is residential and within the county. To the north is the I-70 Business Loop with its associated commercial development. This area is designated as residential/medium according to the Future Land Use Map which corresponds to 4 to 8 dwelling units per acre. The request zone of

RMF-5 zone district corresponds to this designation. Mr. Olsen further explained that to the north and northwest the land use designation is commercial. The site is currently zoned RSF-4 in the county. The area to the north and northwest is located within the City and is zoned B-1 which corresponds to a neighborhood business. Property located just west and to the southwest is also property which is located in the City and is zoned C-1. County zoning is present to the south and east of the subject property. A subdivision, zoned County RSF-4, is located south of the subject property and contains a density of 3 dwelling units per acre. The subdivision to the east is zoned County RMF-5 with a density of 4.4 units per acre.

The proposed RMF-5 zone is compatible with the neighborhood and surrounding area. Accordingly, staff recommends approval by the Planning Commission of the RMF-5 zone to the City Council with the Findings and Conclusions listed in the Staff Report.

**QUESTIONS**

Chairman Dibble asked whether both RSF-4 and RMF-8 are available for consideration and also inquired about applicant's specific request for RMF-5. Mr. Olsen stated that applicant specifically requested RMF-5.

Chairman Dibble next inquired about the configuration of lots in the RMF-5 that would be more conducive to applicant's request. Mr. Olsen stated that he has not yet seen a proposal for a subdivision.

Chairman Dibble next inquired why applicant chose not to go across from a County designation to the same designation within the City. Mr. Olsen was unsure. He did, however, state that the lot size in the RMF-5 can be smaller as well as the difference in the side setbacks.

Commissioner Putnam asked if the property immediately to the east is a separate parcel. Mr. Olsen stated that it is a separate parcel and that it is not included.

**PETITIONER'S PRESENTATION**

Keith Ehlers of Ciavonne, Roberts & Associates, addressed the Commission on behalf of applicant. Mr. Ehlers stated that they had attempted to contact the owner of the property immediately to the east in an effort to include that property within the application. Mr. Ehlers stated that applicant is requesting the RMF-5 zoning due in part to the desire for a little more density than can be provided by the RSF-4. He further pointed out the neighboring densities as, to the east is 4.4; to the south is 3.16; with an average density of 3.72 use to the acre. Applicant's proposed density is 3.96 units per acre. The zoning of RMF-5 is necessary due to the unique shape of the site and the required detention for roads, etc. The average square footage of the lots is 8,200 square feet.

**QUESTIONS**

Chairman Dibble asked whether duplexes would be placed on this property. Mr. Ehlers stated that at this point a final determination has not been made. However, at present, applicant's plan does not include the use of any duplexes or attached houses.

Commissioner Lowrey inquired whether there would be stem streets for future connection with the property to the east. Mr. Ehlers stated that two are proposed which removes the need for further access off of E Road.

**PUBLIC COMMENTS**

**FOR:**

There were no comments from the public for this project.

**AGAINST:**

Mr. Dennis R. Jenkins, 493 McMullin Drive, Grand Junction, provided the Commission with a letter and also addressed the Commission and identified some concerns with respect to this project. He stated that his main concern is a change from the single family to multi-family and the potential for more units and increased traffic. He stated that he is also concerned about access onto E Road as well as the "S" curve. "I just would prefer not to see a change from what it is right now, the RSF-4."

**STAFF'S REBUTTAL**

Adam Olsen addressed an issue raised concerning lot sizes and setbacks. He stated that the minimum lot size for a RMF-5 zone district is 6,500 square feet and the minimum lot size for a RSF-4 zone district is 8,000 square feet. The front and rear setbacks are the same in both zones. However, the side setbacks differ with the minimum side setback for the RSF-4 is 7 feet and the RMF-5 has a minimum side setback of 5 feet.

**QUESTIONS**

Chairman Dibble asked how many units can be put on a lot. Mr. Olsen stated that the density cannot be greater than 5 units per acre. He further stated that the minimum density in the RMF-5 is 2 units per acre.

**PETITIONER'S REBUTTAL**

Keith Ehlers noted that the Growth Plan calls for a density of 4 to 8 units per acre. Applicant is seeking a designation of RMF-5 due in large part to the unique shape of the subject property. He next addressed the concern regarding the S-curve by stating that there is approximately 500 to 600 square feet of tangent with the entry being proposed in the middle for safety concerns.

**DISCUSSION**

Commissioner Lowrey stated that the subject proposal "is entirely appropriate and fits the Growth Plan."

**MOTION: (Commissioner Lowrey) "Mr. Chairman, on Zone of Annexation, #ANX-2006-302, I move that the Planning Commission forward to the City Council a**

**recommendation of approval of the RMF-5 (Residential Multi-Family 5 du/ac) zone district for the Apple Acres Annexation with the facts and conclusions listed in the staff report.”**

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

**CUP-2006-131      CONDITIONAL USE PERMIT – KNOWLES ENTERPRISES**  
**Request approval of a Conditional Use Permit for a heavy truck repair business on 7.9 acres in an I-1 (Light Industrial) zone district.**

**PETITIONER:      Mike Knowles - Knowles Enterprises, LLC**

**LOCATION:          2381½ River Road**

**STAFF:             Scott Peterson**

**STAFF’S PRESENTATION**

Senior Planner Scott Peterson made a PowerPoint presentation in support of the request for a Conditional Use Permit to expand an existing large truck repair business in an I-1, light industrial zone district. The property is located at 2381½ River Road. Redlands Parkway is located directly south of the subject property; River Road is directly north of the subject property. At present there are two existing buildings located on the site. It is applicant’s desire to construct two additional buildings of 6,000 square feet on the property in order to expand the existing large truck repair business. The future land use map indicates this area as industrial in character with a current zoning of I-1, light industrial. A conditional use permit has never been issued with respect to this property since the development of this property was prior to the year 2000.

A 25 foot landscaping strip and interior landscaping islands for the required parking spaces are required as it is adjacent to the Redlands Parkway. Direct access onto the site will not be allowed onto the Redlands Parkway access. The Zoning Code requires a 25 foot landscaping strip with trees and shrubs as well as a 6 foot wall between the I-1 zone and the CSR zoning district. However, a right of way separates the two zoning districts which is Redlands Parkway. Therefore, additional landscaping and more particularly, 23 trees, are being proposed by applicant rather than the minimum requirement of 15 in lieu of not constructing a wall. Staff suggests that applicant also construct a 3 to 4 foot tall berm within this 25 foot landscaping strip to help visually screen the property. Staff feels that the additional trees and the berm meet with the intent of the screening and buffering requirements as identified in the Zoning Code.

Mr. Peterson stated that staff feels that the additional trees and berm provides compatibility and integration with the riverfront trail property to the south and also visually enhances the major traffic corridor of Redlands Parkway. Also, as proposed, outside lighting will need to meet the requirements of the Zoning Code. Staff recommends that the Planning Commission approve the requested Conditional Use Permit with the findings of fact and conclusions as listed in the Staff Report.

**QUESTIONS**

Chairman Dibble inquired whether this property was within the flood plain. Scott Peterson stated that it was within the flood plain so the foundation of any new construction will need to be raised above the 100 year flood plain.

Both Chairman Dibble and Commissioner Lowrey expressed a concern regarding free standing water in the area. Mr. Peterson stated that as this is such a large site there will not be any standing water. Additionally each site is responsible for its own drainage.

**PETITIONER'S PRESENTATION**

Keith Ehlers, Ciavonne, Roberts & Associates, representing applicant, Mike Knowles, next addressed the Commission. Mr. Ehlers stated that this plan will enable applicant to expand his business. The conditional use permit is as a result of the use matrix in the code. With respect to the issue of the flood plain, Mr. Ehlers stated that the properties to the east and west will not have the ability to stack dirt up which could ultimately result in free standing water.

Mr. Ehlers confirmed that applicant has worked closely with staff in order to meet all of the goals and regulations of bringing this property up to Code. He identified two outstanding issues - lighting and the berm. He stated that the lighting issue is a temporary issue and has been taken care of. By way of illustration, Mr. Ehlers showed how the screening, through the use of additional landscaping, could be accomplished.

**QUESTIONS**

Chairman Dibble asked whether it was applicant's request that the Commission waive the requirement for a wall. Keith Ehlers stated that it was applicant's desire that it be allowed to use additional landscaping in lieu of the requirement for the wall.

Commissioner Putnam inquired if the type of tree applicant is proposing to use is deciduous which would result in screening for only half of the year. Mr. Ehlers stated that a large portion of the trees would be deciduous.

Chairman Dibble asked what type of ground cover would be used in the buffering zone. Mr. Ehlers stated that some native grasses would be used. He further stated that the landscaping will be irrigated and would be maintained according to Code.

**STAFF'S REBUTTAL**

Scott Peterson advised the Commission that staff believes the construction of the berm is necessary in order to raise the level of the trees.

**DISCUSSION**

Commissioner Lowrey found applicant's argument persuasive and further stated that so long as an adequate number of trees are used does not believe the berm would be necessary.

Commissioner Pitts stated that he has no problem with the project. Commissioner Wall concurred.

**MOTION: (Commissioner Lowrey): “Mr. Chairman, on the request for a Conditional Use Permit for Knowles Enterprises, LLC, for a large truck repair business located at 2381½ River Road, File number CUP-2006-131, I move that the Planning Commission approve the Conditional Use Permit, with the Findings of Fact, Conclusions and conditions of approval as listed in the staff report with the change in condition number 3 to delete the three foot (3’) to four foot (4’) berm requirement so that that would read “In lieu of a wall within the 25-foot wide landscaping buffer, with 23 trees, or more, adjacent to the Redlands Parkway.””**

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

#### **IV. GENERAL DISCUSSION/OTHER BUSINESS**

##### **Election of Chairman and Vice Chairman for 2007**

**MOTION: (Commissioner Lowrey) “I nominate Dr. Paul Dibble to be Chairman of the Planning Commission for the year 2007.”**

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

**MOTION: (Commissioner Lowrey) “I nominate Roland Cole as Vice Chairman of the Planning Commission for the year 2007.”**

Commissioner Putnam seconded the nomination. 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 8:20 p.m.