

GRAND JUNCTION PLANNING COMMISSION
MARCH 22, 2005 MINUTES
7:00 P.M. to 8:58 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 Paul Dibble (Chairman), Roland Cole, Tom Lowrey, Lynn Pavelka-Zarkesh, William Putnam, Reginald Wall and Patrick Carlow.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Kathy Portner (Planning Manager), Lori Bowers (Senior Planner), and Senta Costello (Associate Planner).

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

Terri Troutner was present to record the minutes.

There were approximately 23 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 February 22, 2005 public hearing.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval of the minutes as presented."

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

III. CONSENT AGENDA

Available for consideration were items FP-2004-258 (Final Plan—The Knolls Subdivision, Filing 7), ANX-2005-027 (Zone of Annexation—PS Substation Enclave Annexation), ANX-2005-028 (Zone of Annexation—Iris Court Enclave Annexation), ANX-2005-029 (Zone of Annexation—Web Crane Enclave), PFP-2004-280 (Preliminary Plan—Northcrest Industrial Park, Filing 2), and VR-2004-201 (Vacation of Right-of-Way/Preliminary Plat—Old Orchard Estates). Chairman Dibble briefly explained the nature of the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted one or more of the items pulled for additional discussion.

Ms. Kreiling said that the description on the agenda for item PFP-2004-280 needed to be changed to the following: "PFP-2004-280 Preliminary Plat and Vacation of Easement on Northcrest Industrial Park, Filing 2, a request for approval to vacate the temporary turnaround easement, utility easement, and an ingress/egress access easement located in block 2, lot 1 of the Northcrest Industrial Park; and to develop 7 lots on 12.146 acres in an I-O (Industrial Office Park) zone district."

At staff's request, item VR-2004-201 was pulled from Consent and placed on the Full Hearing Agenda. No objections were received from the audience, planning commissioners, or staff on any of the remaining items.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval of the Consent Agenda with the exception of item 6 [VR-2004-201], which would be a full hearing."

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

IV. FULL HEARING

VR-2004-201 VACATION OF RIGHT-OF-WAY/PRELIMINARY PLAT--OLD ORCHARD ESTATES

A request for approval to vacate a portion of Clarkdell Court, and approval of a Preliminary Plat to develop 18 single-family lots on 12.42 acres in an RSF-2 (Residential Single-Family, not to exceed 2 units/acre) zone district.

Petitioner: Steve Hejl—Northwest Plateau Development, Inc.

Location: 774 Old Orchard Road

PETITIONER'S PRESENTATION

Tom Dixon, representing the petitioner, offered a PowerPoint presentation that contained the following slides: 1) overview of the request; 2) subdivision approval criteria; 3) vacation criteria; and 4) photos of the site from various angles. Access to the site would be derived via 26 ½ Road; the property was currently accessible via a private access easement. Mr. Dixon addressed the subdivision and vacation criteria and felt that the request met all of the City's requirements. He referenced an addendum to staff's report dated March 22, 2005, copies of which had been distributed to planning commissioners. The petitioner was in agreement with approval criteria, which included the following (read from staff report addendum):

1. Street frontage for lot 9 has been increased to meet the minimum requirement of 50 feet.
2. Front setback lines on lots 8, 9, 10, 11, and 12 depict the point that each of the lots meets the required lot width of 100 feet. Section 3.2.C of the Zoning and Development Code allows the Planning Commission to vary minimum lot width at the front setback line on irregularly-shaped lots. The proposed lots clearly have adequate building area.
3. A 5-foot tract has been added along the south property lines of lots 4, 5, 6, 7, and the east property line of lot 8 abutting the right-of-way that provides access to the property to the south. A fence will also be required along the tract to be built by the developer.
4. The outbuilding that currently exists on the proposed lot 8 will be removed prior to recording the final plat.

Lot sizes would average approximately 26,789 square feet, well over the minimum square footage required. The proposed density was in response to commitments made to neighbors and planning commissioners to provide larger lots and limit their number to not more than 18.

Mr. Dixon presented an overhead of the right-of-way to be vacated. The vacation was necessary to facilitate lot layout, and it met Code criteria. Photos of the site were presented, and Mr. Dixon noted where additional street width would be obtained along the south side of the proposed right-of-way.

There was a house presently situated on the property, which would remain. As requested by staff, the existing outbuilding on the property would be removed.

STAFF'S PRESENTATION

Kathy Portner gave a PowerPoint presentation, which contained the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use Map; 4) Existing City and County Zoning Map; and 5) Preliminary Plat. Surrounding land use classifications and uses were noted. Referencing the Preliminary Plat slide, she noted that a more recent version had been included in planning commissioner packets as an addendum. The addendum also included the revised approval criteria previously read into the record by Mr. Dixon. In addition, a fence must be provided along the proposed Tract B, to be built by the developer. The landscaping and fence requirement were necessary to buffer southern lots which otherwise would have had double frontages. Tract B would be maintained by the subdivision's homeowners association.

Access to the site would be from a new right-of-way to be dedicated from 26 ½ Road that would cross the northerly portion of the Ruth parcel. The Ruths had agreed to dedicate the proposed right-of-way, and they had signed the application consenting to the project. Ms. Portner briefly recapped the history of that portion of Clarkdell Court proposed for vacation and said that no actual road or utilities existed within the area to be vacated. An adjacent property owner, Richard Stenmark, had asked that a portion of Clarkdell Court be deeded to them in conjunction with the vacation request since it was from that right-of-way their property derived access. However, that portion of the right-of-way is not being vacated at this time. A 15-foot-wide irrigation and utility easement would be retained in the northerly 245.8 feet of the vacation area to facilitate an existing electrical service line. The vacation ordinance would be recorded concurrently with the subdivision's Final Plat, thereby assuring that no lots would become landlocked.

Approval of the Preliminary Plat would be conditioned upon City Council's approval of the right-of-way vacation request. Ms. Portner added that since there appeared to be two non-conforming outbuildings present on the site, she asked that the motion include modification of condition 2 to require the removal of "any" non-conforming outbuildings on the property, or revise the verbiage the read, "Any outbuildings must be shown to meet the Code requirements."

Having concluded that the request met both Code criteria and Growth Plan recommendations, staff recommended approval with the conditions stated in the March 22, 2005 addendum to the staff report.

QUESTIONS

Commissioner Carlow asked if any utility easements were being retained along that portion of the right-of-way being vacated. Mr. Hahn said that no streets or utilities currently existed in or along the right-of-way being vacated. Utilities would be brought in to the site via the easements noted on the revised Preliminary Plat.

Ms. Kreiling clarified that the staff report had mentioned retaining a utility easement that had been part of the vacated right-of-way. However, the way the motion had been conditioned, and given the verbiage contained in the ordinance proposed for approval by City Council, the result would be the vacation of the entire right-of-way and the petitioner's recordation of the final plat, which retained a 15-foot irrigation and utility easement in the northern portion of the property. As mentioned previously, since there were no utilities currently located within the easement, it had not been essential to retain the easement as originally stated in staff's report.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Richard Stenmark (202 North Avenue, PMB 217, Grand Junction) asked for clarification on the status of the east-west leg of Clarkdell Court. Would any of the northern properties (those belonging to the petitioner as part of the current request) be permitted to use the vacated right-of-way as access? Ms. Portner said that with the vacation of the right-of-way and the requirement for a landscape tract and fencing, only the Stenmark’s property would have access from the remaining right-of-way.

PETITIONER’S REBUTTAL

Mr. Dixon said that the petitioner did not have any objection to any of staff’s comments or amendments to stated conditions. He felt that the proposed project would be a positive amenity to the community. When asked if the petitioner understood the modification made to the condition regarding existing outbuildings, Mr. Dixon assented and offered no objection.

DISCUSSION

Commissioner Cole commended the petitioner for making every effort to bring the project into compliance. He felt he could approve the project with the stated conditions.

MOTION: (Commissioner Cole) “Mr. Chairman, on the vacation of public right-of-way, VR-2004-201, a request to vacate a portion of Clarkdell Court as described in the proposed ordinance, I move that the Planning Commission find that the request is consistent with the Growth Plan, that it has met the criteria of section 2.11, and that we forward a recommendation of approval to the City Council with the following conditions: 1) the City’s approval of and recordation of a final plat within two years from the approval of this ordinance by City Council, including dedication of right-of-way such that no parcel shall be landlocked; and 2) the applicant paying all recordation fees for the Final Plat and the ordinance.”

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

MOTION: (Commissioner Cole) “Mr. Chairman, on item VR-2004-201, Preliminary Plat for the Old Orchard Estates Subdivision, I move that we approve the revised Preliminary Plat dated March 22, 2005, making the findings that it is consistent with the Growth Plan and meets the review criteria in section 2.8.B.2 of the Zoning and Development Code, and subject to the following conditions: 1) that a fence be provided along the proposed Tract B, to be built by the developer; 2) that all outbuildings be made to conform with the Code or be removed prior to the recording of the Final Plat; and 3) that the approval be conditioned on the City Council approving the proposed right-of-way vacation.”

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

PP-2004-287 PRELIMINARY PLAT--CLOVERGLEN SUBDIVISION

(continued from March 8, 2005)

A request for approval of the Preliminary Plat to develop 29 single-family lots on 7.2 acres in an RMF-5 (Residential Multi-Family, 5 units/acre) zone district.

Petitioner: Calvin Coley

Location: 2938 F ½ Road

PETITIONER'S PRESENTATION

Trevor Brown, representing the petitioner, referenced an overhead aerial photo map. The overall density proposed would be 4.1 units/acre, representing the low end of the Growth Plan's recommended density of 4-8 units/acre. The site's location was noted. The subdivision's plat was referenced along with access points, surrounding subdivisions, irrigation pond location, stormwater detention area, etc. Irrigation water would be provided to each lot via an irrigation riser from the irrigation pond. He considered the irrigation pond option to be preferable over a hard piped, pressurized system since the pond would afford homeowners a constant source of water during periods of diminished water availability. A 10-foot-wide landscape buffer would be provided along F ½ Road. The subdivision's internal street layout was noted. A TEDS exception had been received for Cloverglenn Circle to allow a 24-foot-wide asphalt mat. On the west side of the street, a vertical curb and gutter had been proposed, with a 6 ½-foot rollover curb, gutter, and sidewalk proposed for the east side of the street. Handicap ramps would also be constructed. "No Parking" signs would be installed along the west side of Cloverglenn Circle.

QUESTIONS

Chairman Dibble asked if the project's setbacks conformed to RMF-5 zone district setbacks, to which Mr. Brown responded affirmatively.

Chairman Dibble asked how the petitioner had addressed the mosquito control issues raised by residents at during the March 8 public hearing. Mr. Brown said that he'd spoken to Steve DeFeyer of Mesa County, who said that correctly built irrigation ponds (i.e., those with sufficient depth) would pose little risk of being a breeding ground for mosquitoes because their water levels fluctuated significantly. Mr. DeFeyer said that surface drain ditches, large grass areas around schools, and small privately owned decorative ponds presented a much greater risk. Mr. Brown said that the irrigation system could be hard piped; however, doing so could result in long-term problems.

STAFF'S PRESENTATION

Lori Bowers offered a condensed Powerpoint presentation, which contained the following slides: 1) aerial photo map; 2) site location map; and 3) Existing City and County Zoning Map. With nothing to add from the original presentation on March 8, she reiterated staff's conclusion that the request met Code criteria and Growth Plan recommendations. As such, approval was recommended.

QUESTIONS

Chairman Dibble asked staff for clarification on the location of landscape buffers. Ms. Bowers pointed out the landscape buffer along F ½ Road, adding that both the irrigation and detention pond areas would be landscaped with grass and shrubs.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Jim Eldridge (663 29 ½ Road, Grand Junction) said that homeowners adjacent to the petitioner's eastern property line were currently able to access the rear portions of their properties via that area adjacent to the petitioner's proposed irrigation/drainage easement. While he understood that the petitioner intended to pipe the subdivision's drainage, and that the piping would be covered with fill, he wanted some assurance that he and his neighbors located along 29 ½ Road would still be able to access the rear portions of their properties with their vehicles. He also wondered why the petitioner couldn't enclose his irrigation system when others in the area had done so successfully.

Randy Kerr (665 29 ½ Road, Grand Junction) said that the drainage ditch currently ended at his property. This often resulted in runoff water ponding on his property. He just wanted some assurance that the proposed subdivision wouldn't worsen the existing problem. He also understood that a pedestrian path had been proposed by the petitioner. If so, who would be responsible for maintaining it? He thought that there might still be a problem with mosquitoes breeding in the irrigation pond.

Louise Burns (662 Wellig Court, Grand Junction) didn't feel that the proposed density was compatible with the surrounding neighborhoods. A density of no more than 20 units would be more consistent.

PETITIONER'S REBUTTAL

Mr. Brown said that he would make sure that the access to the rear portions of the adjacent 29 ½ Road properties would remain open and available to those property owners. If Palisade Irrigation District wanted the subdivision's irrigation system piped and meters installed, the petitioner would be willing to comply. He offered to meet with Mr. Eldridge to discuss the drainage issues affecting his property. The subdivision's system had been designed to avoid problems with runoff. Mr. Brown reiterated that the proposed density of 4.1 units/acre was already at the lowest end of the Growth Plan's recommendation of 4-8 unit/acre. He clarified that no pedestrian paths had been proposed along the eastern property line. The easement there belonged to the Grand Junction Drainage District, with a portion of it being prescriptive. He recognized the need to work with property owners along the first two tiers (noted on plat) to ensure continued access.

DISCUSSION

Commissioner Cole said that his subdivision also had an irrigation pond, and the only problem they'd ever experienced was that its presence necessitated increased liability insurance, paid for by their homeowners association. He didn't think they'd had any increased problem with mosquitoes, and he agreed that correctly constructed irrigation ponds would minimize those risks. The project appeared to be a good one, and it complied with both Code and Growth Plan criteria. He felt that the petitioner had done a good job in mitigating outstanding issues.

Chairman Dibble observed that the project provided for future interconnectivity, and he agreed that the petitioner had done a good job in responding to many of the questions raised during the previous public hearing. He felt that he could support approval of the request.

MOTION: (Commissioner Cole) "Mr. Chairman, on item PP-2004-287, the request for Preliminary Plat approval for the Cloverglenn Subdivision, I move that the Planning Commission make the findings of fact and conclusions listed in the staff report and approve the Preliminary Plan."

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

PP-2004-130 PRELIMINARY PLAN—BROOKWILLOW VILLAGE

A request for approval to develop 292 dwelling units on 30.03 acres in a PD (Planned Development) zone district.

Petitioner: Terry Lawrence--Hall Partners, LLC

Location: 650 24 ½ Road

STAFF'S PRESENTATION

Lori Bowers gave a Powerpoint presentation containing the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use Map; and 4) Preliminary Plan. The previously applied PD zone district, with a density of 11.7 units/acre, had lapsed. The current request proposed a density of 9.7

units/acre under the same PD zone designation. Bulk standards for an RMF-8 zone district would apply. Instead of perimeter fencing, the subdivision would employ screening through the use of landscaped berms. Fencing for the community recreation area and the single-family detached zone would not exceed 4 feet in height and would be visually transparent (e.g., pickets, no chain link is allowed). Screening for patios, etc. could be 4 feet tall or include privacy walls designed to match the surrounding architecture. Approximately 12.6 acres in open space would be provided and disbursed throughout the 30-acre site.

Staff felt that the current project would set the tone for compatibility with the neighborhood since it was the first of its type for the area. Primary access would be via 24 ½ Road, with a secondary access proposed further south off of 24 ½ Road. The latter access point would be shared when the property to the south developed. Entrance signage with landscaping was proposed. Parking in excess of Code requirements would be provided. Pedestrian paths from parking areas to the buildings and to centralized mailbox areas would also be provided. The project proposed private streets and drives which required City Council approval.

Approval for deviation from straight zone standards would allow the petitioner to incorporate a number of amenities into the project's overall design. In addition to the substantial amount of open space being provided (approximately 42 percent of the site), the petitioner was proposing a pedestrian-oriented village concept designed to enhance residents' sense of well being; active and passive pocket parks featuring gazebos and picnic areas; tot lots; and a pet park. Affordable housing would be provided, and the project would offer a mixed variety of housing types and low-volume plumbing fixtures to allow for water conservation. A phasing schedule had been proposed.

Having concluded that the request met both Code criteria and Growth Plan recommendations, staff recommended approval of both the Preliminary Plan and a recommendation to waive street standards to allow for private streets and drives.

QUESTIONS

Chairman Dibble asked staff if there was any continuity between the currently proposed project and the property directly to the west. Ms. Bowers responded affirmatively.

PETITIONER'S PRESENTATION

Mark Maurer, representing the petitioner, gave a Powerpoint presentation that included the following slides: 1) project team overview; 2) aerial photo map; 3) design goals; 4) locations of proposed amenities; 5) elevation drawings showing housing and berm heights; 6) buffering along 24 ½ Road; 7) detailed descriptions of proposed "pods" of housing types. The project, he said, would be pedestrian oriented and offer residents a unique neighborhood character and identity. A landscaped entrance boulevard had been proposed for one entrance off of 24 ½ Road; sight distance at entrances would be protected; streetscaping along curvilinear streets would be utilized; a community recreational facility would be constructed; active and passive park areas would be provided (locations noted), to include gazebos, tot lots and a pet park. The site would be extensively landscaped, with berming used as screening along the property's perimeter. Fencing of the community recreational facility and single-family detached pods would be limited in height to no more than 4 feet and be visually transparent as staff had previously outlined.

Mr. Maurer referenced slides depicting pods of various housing types. Structures would be energy-efficient, and the use of low-volume plumbing fixtures would be employed. A network of sidewalks and pedestrian paths had been proposed. The project would be phased, with approximately 98 units constructed as part of Phase I; approximately 114 units would be constructed during Phase Two; and another approximately 80 units would be constructed in Phase Three. The project met all Code and Growth Plan requirements and represented something of which the community could be proud.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Steve Hejl (667 24 ½ Road, Grand Junction) said that he was not necessarily against the project; however, he wondered what kind of street improvements had been proposed for 24 ½ Road. Were there to be any turn lanes constructed?

QUESTIONS

Engineering staff was asked to provide clarification on the street improvements required for the project. Mr. Hahn came forward and explained that under the new TCP ordinance the petitioner was not required to construct street improvements. TCP funds would be collected, and the City would determine what improvements were necessary. If turn lanes were warranted, the petitioner would be required to construct them. In that event, TCP funds would be reimbursed to the petitioner upon construction of those improvements. No curb, gutter, or sidewalk along 24 ½ Road were planned; however, Mr. Hahn encouraged Mr. Hejl to write a letter to the City encouraging them to update its CIP program to accommodate the new development.

Commissioner Lowrey pointed to the west entrance into the project off of 24 ½ Road and felt that turn lanes were warranted. Mr. Hahn noted the various access points into the project and said that traffic issues were currently being reviewed as part of the petitioner’s traffic study.

Chairman Dibble asked why a meandering pedestrian path along 24 ½ Road would be preferable to curb, gutter and sidewalk. Mr. Hahn said that nothing was “cast in stone” and discussions with the petitioner were ongoing. At Chairman Dibble’s request, Mr. Maurer came forward to expound more fully on the petitioner’s preferences for pedestrian traffic along 24 ½ Road. Mr. Maurer said that he envisioned a serpentine concrete sidewalk to facilitate pedestrian traffic but not something so wide that it would facilitate “a bike superhighway.” He noted the various topographic issues inherent to the site and concurred that discussions with the City were ongoing.

Chairman Dibble asked if a homeowners association would be created for the subdivision, to which Mr. Maurer replied affirmatively.

DISCUSSION

Commissioner Putnam felt that if the project could be made to work, it would indeed be a good project.

Chairman Dibble felt that a lot of thought and planning had gone into the project’s overall design. He hoped there would be sufficient interconnectivity and felt that the incorporation of meandering paths would be “delightful.”

Commissioner Lowrey expressed support for the Planned Development and expressed a wish that more developers would opt for PD’s. They certainly gave the Planning Commission a better idea of what the overall development would look like.

MOTION: (Commissioner Lowrey) “Mr. Chairman, on item PP-2004-130, the request for Preliminary Plan approval for the Brookwillow Village Planned Development private streets, I move that the Planning Commission make the findings of fact and conclusions listed in the staff report and approve the Preliminary Plan.”

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

MOTION: (Commissioner Lowrey) “Mr. Chairman, on item PP-2004-046, the request to amend the PD Zoning Ordinance 3088, I move that the Planning Commission recommend approval to the City Council with the findings of fact and conclusions listed in the staff report.”

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

V. GENERAL DISCUSSION

Council remand of the Jacobson Rezone (RZ-2004-304)

While the Planning Commission had originally denied the petitioner’s request for an RMF-5 zone district, no alternate zone had been applied. Options available as allowed by the Growth Plan included RSF-4, RMF-5 and RMF-8.

Commissioner Lowrey restated his position that the density afforded by the RMF-5 zone district was too high and incompatible with the surrounding area. While he would be in favor of a density even less than the available options, he felt he could support an RSF-4 zone.

Chairman Dibble noted that the only real differences between the RSF-4 and RMF-5 zone districts were slightly larger lot sizes and greater setbacks with the RSF-4 zone. He, too, felt he could support the RSF-4 zone. In response to the petitioner’s original request for a multi-family zone district, he noted that duplex units were still allowed on corner lots in RSF-4 zone districts.

Commissioner Cole said that he’d originally voted for the RMF-5 zone district application, and he continued to feel that it was an appropriate choice.

MOTION: (Commissioner Lowrey) “Mr. Chairman, for the rezone request for the property located at 738 26 Road, the Jacobson Rezone, file RZ-2004-304, I move that the Planning Commission forward a recommendation of approval for the RSF-4 zoning district [finding that it meets] applicable criteria in section 2.6 of the Zoning and Development Code.”

Commissioner Wall seconded the motion.

Commissioner Cole said that since it appeared there was a prevailing intent among planning commissioners to go with the RSF-4 zone district, he withdrew his initial opposition and lent his support to the RSF-4 zoning option.

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 8:58 P.M.