

GRAND JUNCTION PLANNING COMMISSION
AUGUST 31, 2005 MINUTES
7:00 p.m. to 10:58 p.m.

The specially 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), William Putnam, Lynn Pavelka-Zarkesh, Bill Pitts, Tom Lowrey, John Redifer and Roland Cole.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director) and Kathy Portner (Planning Manager).

Also present was Jamie Kreiling (Assistant City Attorney).

Terri Troutner was present to record the minutes.

There were approximately 16 interested citizens present during the course of the hearing.

I. FULL HEARING

GPA-2005-148 GROWTH PLAN AMENDMENT--24 ROAD CORRIDOR SUBAREA PLAN

A request to amend the 24 Road Corridor Subarea Plan in the mixed use designation to reduce the minimum residential density from 12 units per acre to 4 units per acre; delete the requirement for residential development; and allow for large-scale retail development.

Petitioner: John Usher, William Merkel, Harold Woolard, and Marion Jacobson

Location: 24 Road Corridor

Chairman Dibble disclosed that he owned property within the 24 Road Corridor; however, it was not located within the specific area to be discussed. He said that since he would not gain financially or otherwise on the outcome of the evening's hearing, he didn't feel that there would be a conflict of interest. He would, however, leave the final decision of his participation up to the remaining planning commissioners and the City's legal counsel.

Jamie Kreiling concluded that no conflict of interest existed, which drew assent from the remaining planning commissioners.

INTRODUCTION

Ms. Kreiling said that the petitioners had originally requested a text amendment to the Zoning & Development Code; however, the requested changes would conflict with the language contained within the Growth Plan. As a result, the Planning Commission would first need to address the Growth Plan Amendment; then, if approved, the text amendment could be addressed. She said that the conflict pertained specifically to the Mixed Use land use classification contained in Chapter 5 of the Growth Plan, which required a certain level of residential density (12-24 du/acre) and limited retail building sizes to no more than 30,000 square feet. Larger buildings were typically considered under the City's Big Box standards and were no longer regarded as neighborhood retail. The petitioners' request conflicted with Growth Plan policies 1.1, 1.2, and 8.6.

Chapter 6 of the Growth Plan, page VI.2, set forth the specific manner in which policy amendments should be considered. It called for the formation of a citizen review committee comprised of merchants, developers, and other community interests. Ms. Kreiling said that this request was the first of its kind to

come before the Planning Commission, one that was not parcel specific. Therefore, the request was more representative of a policy review rather than a Future Land Use Map amendment. She advised that any affirmative recommendation to City Council include the recommendation that a citizen review committee be convened. She urged planning commissioners to carefully consider staff testimony, especially as it related to policies 1.1, 1.2, and 8.6. Findings could include that the criteria of the Growth Plan Amendment (GPA) had been met, or that additional information would be required.

QUESTIONS

Commissioner Lowrey asked if the request could be tabled if the Planning Commission determined that additional information was necessary before rendering a decision. What was the threshold at which planning commissioners determined whether or not sufficient information was available? Ms. Kreiling offered that the Planning Commission could decide to have the City re-review individual policies (which was recommended by the Growth Plan at 3-5 year intervals). Planning Commissioners could find that with additional information a decision on the GPA could be rendered. In that case, the policy review described in Chapter 6 of the Growth Plan could be undertaken. If the Planning Commission decided that additional information was required, the request could be tabled as allowed by the Code.

STAFF'S PRESENTATION

Kathy Portner gave a PowerPoint presentation containing the following slides: 1) overview of the 24 Road Corridor Plan; 2) map showing land uses prior to adoption of the Growth Plan in 1996; 3) Future Land Use Map adopted in conjunction with the Growth Plan in 1996; 4) 24 Road Corridor Subarea Plan vision statement 5) 24 Road Corridor Subarea Plan elements; 6) proposed zoning map for the 24 Road Corridor Subarea; 7) outline of Mixed Use zone district components; 8) requested changes to the Growth Plan's policies; 9) Growth Plan framework/goals outline; 10) overview of Growth Plan policies 1.1, 1.2, and 8.6; 11) outline of number of residential units based on 15%, 20% and 25% density requirements; and 12) Growth Plan Amendment criteria outline.

Ms. Portner overviewed the zoning in place along the 24 Road Corridor prior to adoption of the Growth Plan in 1996. Once the Growth Plan had been adopted, the City formed a steering committee to aid in the re-assessing the Future Land Use designation of the affected properties. The City had also held a design charette and community meetings. Recommendations had been forwarded to Planning Commission and then to City Council for consideration and included adoption of the 24 Road Subarea Plan; adding a Mixed Use zoning district; amending the Zoning and Development Code; and finalization of zoning, design, standards, and guidelines for the 24 Road Corridor.

The 24 Road Corridor Subarea Plan vision statement was read into the record as were the elements comprising the Plan itself. The Mixed Use zoning district required at least 20% of developed property to be residential (12-24 du/acre), a figure that had been determined by City Council. The Mixed Use district promoted neighborhood commercial by limiting retail building sizes to no more than 30,000 square feet. Ms. Portner explained that the 20% residential component was regarded as necessary to assure a minimum number of residential units at this end of the valley. It was felt that a greater balance of residential could be achieved on the west end of town, thus reducing commuting distances, lessening impacts to streets and intersections, and reducing transportation costs.

The petitioners were requesting the following changes to the Mixed Use designation: 1) that the amount of residential development be reduced from a minimum 12 units/acre to 4 units/acre; 2) that the 20% residential component be deleted entirely; and 3) that retail building sizes be allowed to exceed 30,000 square feet in size. Ms. Portner noted that during the Plan's initial review, the consensus of the Planning Commission had been to disallow buildings in excess of 30,000 square feet. Changes in the Mixed Use zoning district would open the area up to more and potentially larger scale commercial development.

Staff concluded that the proposed GPA did not meet the intent of the 24 Road Corridor Subarea Plan; that it did not meet the review criteria outlined in Code section 2.5.C; and approval of the request would fundamentally change the assumptions of the Subarea Plan. Staff recommended denial of the request; however, if the Planning Commission and City Council wanted to consider the requested changes, staff recommended that the planning process outlined previously by Ms. Kreiling be undertaken to first reevaluate the Plan in its entirety.

QUESTIONS

Commissioner Lowrey wondered how many total acres were contained within the Mixed Use zoning district. Ms. Portner was unsure; however, Chairman Dibble quickly calculated roughly 1,000 acres.

Commissioner Putnam asked about the number of changes in property ownership within the Mixed Use area, to which Ms. Portner was unsure.

Commissioner Lowrey wondered why no development of the area had occurred over the last five years, especially when it seemed that development was occurring everywhere else in the Grand Valley. Ms. Portner was unsure why development had not yet occurred in the subject area; she said, however, that it was the City's responsibility to try and plan for the future needs of the community, not just to focus on current trends.

Chairman Dibble recalled that at the time of the Plan's adoption there had been a great deal of discussion over the residential component. He asked staff about the number of units that would be created if the Mixed Use lands were developed to the required 20% residential figure. Ms. Portner replied that between 1,000 to 2,000 units could potentially be constructed. When asked if the residential component could be situated around a commercial node, Ms. Portner replied affirmatively. She said that there was a great deal of flexibility on where and how the residential component was placed on a parcel.

A brief discussion ensued over the possibility of density transfers and the transfers of rights between property owners. Ms. Porter said that the transfers were possible but were only possible when the plans of multiple properties were submitted concurrently.

Commissioner Pitts asked if the 20% requirement applied to individual parcels or to the entire 24 Road Corridor. Ms. Portner answered that the requirement was specific to the Mixed Use zone district and applicable to the individually owned properties situated within that district.

Chairman Dibble asked staff if it was known how long City Council had anticipated it would take for the community to get to a point where development of the Mixed Use property would be feasible. Ms. Portner said that discussions had not included a projected timetable.

Chairman Dibble asked if current interest in the area had been primarily commercial. Ms. Portner responded that staff had received inquiries from both commercial developers and those who were interested in developing the area with 100% residential uses.

Commissioner Cole remarked that the City had been criticized in the past for its lengthy planning processes. Was there any way to expedite the process, or would a re-review of the Plan take another year to complete? In addressing the current process, Mr. Blanchard explained that the proposed text amendment changes to the Code related to very specific sections of the Growth Plan and 24 Road Corridor Subarea Plan. Therefore, before any text amendment could be considered, the Planning Commission would have to change the premise upon which the text amendment was based, namely the Growth Plan. That's why it was necessary to first go through the GPA process. City Council had also previously requested that changes to the Growth Plan and Code be submitted separately for individual

consideration. This resulted in a very linear process. If the re-review of the 24 Road Corridor were reopened, City Council could always adjust the timelines; however, those adjustments would likely affect planning staff workloads and priorities. City Council members would just need to be made aware of the potential impacts that such an adjustment would create.

PETITIONER'S PRESENTATION

Tom Volkmann, legal counsel for the petitioners, referenced his January 21, 2005 letter submitted to staff outlining the request and referencing the list of represented owners in Exhibit A. Subject properties were the only ones in the Grand Valley to have had the designation of Mixed Use applied by the City. It was felt by those property owners that the Mixed Use zone district was not working as the City originally intended. While not asking that the overall corridor design standards be changed, area property owners were requesting the three changes to the Subarea Plan as outlined previously by staff, namely: 1) that the amount of residential development be reduced from a minimum 12 units/acre to 4 units/acre; 2) that the 20% residential component be deleted entirely; and 3) that retail building sizes be allowed to exceed 30,000 square feet in size. Given the high price of land, it would be difficult for smaller neighborhood businesses to support the required infrastructure costs associated with residential development. Larger commercial enterprises would be better able to subsidize residential development because they were typically willing to pay more for the land.

Mr. Volkmann expressed continued support for the intent behind the Mixed Use zone district, and he reiterated that area property owners were not asking to eliminate entirely the residential component, only to reduce the overall required density. Only then, he said, would the community recognize the flexibility afforded by the Mixed Use zone district. The market would dictate the types and scale of uses. Referencing several Denver-based mixed-use developments as comparisons, he said that higher density residential components worked there because the prices of residential units were high (\$250K to \$300K) and could support nearby commercial development. People there were willing to pay those prices to avoid the long commutes to and from their places of work. Grand Junction did not reflect the same variables, so a similar development would not work here.

In response to Commissioner Putnam's earlier inquiry, no transfers of ownership had occurred on any of the properties over the last five years. If a re-review of the Plan were undertaken, Mr. Volkmann wondered how the new steering committee would evaluate the merit of the requested changes. He wanted some reassurance that they would be given due consideration. To go through the same lengthy planning process without that due consideration would render the process moot. His clients were currently stuck. They would like the opportunity to do business with people who were knowledgeable in how their land should be developed, but until the current impasse was broken, they were unable to move forward.

QUESTIONS

Chairman Dibble asked if there would be any community benefits derived from approval of the request. Mr. Volkmann responded that the tax base would increase with larger scale commercial development. He reiterated that property owners were not asking to eliminate the residential component, only to reduce the required density, which would allow for greater design flexibility.

Chairman Dibble said that if the residential mandate were eliminated, what would prevent the corridor from being developed into a string of big box retail outlets? Mr. Volkmann felt that the cost of infrastructure, parking requirements, and development standards would prevent that possibility. He didn't feel that there was that level of demand for big box retail currently in the Grand Valley.

Chairman Dibble wondered what type of development property owners typically foresaw for their lands. Mr. Volkmann suggested the question be directed to individual property owners. When asked if he

thought that the 24 Road Corridor Vision Statement was in error or had changed, Mr. Volkmann responded affirmatively. He'd participated in the Plan's initial review and had commented at that time that he didn't think the Mixed Use zone district would work given the limitations on the larger scale commercial development that would typically fund the residential component. The City's 20% mandate would drive up the price of high-density residential development, and he didn't think that the market would support it.

Chairman Dibble asked Mr. Volkmann if he thought the Mixed Use zoning to be premature for the Grand Junction area. Mr. Volkmann felt that the purpose of mixed use zoning districts was to promote, not hinder, development flexibility.

Commissioner Redifer asked Mr. Volkmann if he was suggesting that the City allow any use at all in the Mixed Use district. Mr. Volkmann replied negatively, although he said that any use proposed should be supported by the market or they wouldn't be successful. Commissioner Redifer asked Mr. Volkmann if he thought the current Plan was a bad one. And if so, should it be reviewed in its entirety versus in piecemeal fashion? Mr. Volkmann said that the concept of a mixed use zone district was not the problem; rather, its application. And the application of the current Plan had effectively rendered the subject properties undevelopable.

Commissioner Pitts reiterated a previous concern that if the zoning district were opened up to any type and scale of commercial uses, the area could potentially be developed with "a string of big box shopping centers." Mr. Volkmann hesitantly replied that in theory he supposed there would be no Code prohibition to prevent such a hypothetical situation.

Chairman Dibble said that he'd participated on the Growth Plan's steering committee and acknowledged that they hadn't discussed a timeframe for when they thought the community's growth patterns would change. He agreed that it was unusual that this prime area hadn't developed over the last five years, but he wondered at what point the City should consider that perhaps the Plan wasn't working as originally intended. Was a five-year timeframe reasonable? Mr. Volkmann felt that a reasonable timeframe had already come and gone. The lack of any development in the area supported that conclusion. And if the City decided that the area should be given 20 or even 50 years to justify the zone district, the end result would be representative of the City's "taking the land," since property owners would still be effectively prevented from developing their land but continue to be responsible for paying property taxes.

Chairman Dibble commented that if the area was no longer unique, or if the variables that had gone into the first Plan were no longer applicable, it made sense to consider re-review of the document in its entirety. But the community as a whole should be in synch with whatever direction was put into place for the area.

Commissioner Lowrey remarked that perhaps due to the lack of the long commutes inherent to the Denver area, the Mixed Use zone district was not as great a priority as it was for the Eastern Slope. However, many of the same problems could be found in both areas. There were sufficient traffic problems to justify the City's moving forward with the F 1/2 Road realignment and the south downtown beltway project. He concurred with staff's assessment that residential uses were located primarily in the eastern portion of the valley while the larger scale commercial uses were primarily situated in the west end. Having lived in the Portland, Oregon area, he'd seen many very successful mixed use developments; however, the one common denominator that they'd all had in common was that the amount of property owned by a single developer was substantial. The fact that the petitioners' properties were all individually owned would continue to be a major hindrance to their being developed with mixed uses. He wondered if there might be some chance that the City could draft a master plan for the area, to give

property owners some idea of what types of uses would be appropriate and where they would best be located. If that were possible, it would provide property owners with some much needed direction.

John Usher, co-petitioner, felt that the Planning Commission needed to understand the difference between vertical and horizontal mixed uses. He believed that when the City Council approved the Plan in its current form, they had contemplated horizontal mixed uses. He personally didn't like big box retail, and he didn't want to see all of the design elements of the Corridor Plan changed, only some facets of it. He said he'd had dozens of inquiries into his property but all had been repelled by the City's mixed use requirement. He said that one inquiry had been for a driving range on his 40-acre parcel, but the developer had only wanted 10 acres. The City had told the developer that he would have to submit a development plan for the remaining 30 acres and include the 20% residential component. The loss of that development, he said, represented a \$10 million investment loss to the community and losses in tax revenue to the City. Other developers who'd made inquiries decided instead to relocate to Fruita or other communities. Mr. Usher reiterated that commercial uses would pay more for the same acreage than residential. Why should property owners be forced to sell their property for \$100K/acre when they could get \$250K/acre? Lessening the residential requirement to 4 units/acre would still bring residential development to the area but not so much as to drive away commercial developers.

Mr. Usher felt somewhat betrayed by the City in that he'd donated approximately 2 1/2 acres of his property to the City to accommodate the F 1/2 Road realignment; yet, when he needed some level of reasonable flexibility from the City, he continued to be denied.

Chairman Dibble asked for clarification on the difference between vertical and horizontal mixed uses, which was provided by Mr. Blanchard. Mr. Blanchard added that in the Mixed Use zone district, there could be any combination of vertical and horizontal uses.

Commissioner Cole asked Mr. Usher if he had the names of those developers or businesses that had inquired about his property. Mr. Usher said that he would be happy to provide planning commissioners and staff with a list. Commissioner Cole expressed concern that if the Plan were driving businesses to locate elsewhere, the City was inadvertently contributing to urban sprawl. Mr. Usher responded that there were other locations in the Grand Valley better suited for residential uses. The fact that no property within this prime corridor had been sold in the last five years should tell the City something.

When Chairman Dibble asked Mr. Usher how he felt the Plan's vision had changed with respect to his property, Mr. Usher responded that his vision had changed from what it once was. Given his current level of frustration with the City, he was no longer interested in developing his property, only in selling it.

A brief recess was called at 8:58 p.m. The public hearing reconvened at 9:05 p.m.

John Murray (724 23 1/2 Road, Grand Junction), co-petitioner, said that he too had had many people interested in his property over the last five years; however, none remained interested once they found out about the restrictions inherent to the Mixed Use zone district.

Harold Woolard (1110 24 Road, Grand Junction), co-petitioner, said that he'd been approached by representatives of Peterbuilt and Camping World, but both had been dissuaded from purchasing because of the Mixed Use residential restrictions. The loss of Camping World was significant to the community. That particular business typically maintained an \$8 million inventory, spent approximately \$1 million on advertising for each new store, and would have brought in additional revenue to the City by virtue of its construction of a Cracker Barrel restaurant and an upscale motor home park. Craig Springer from Home

Loan, representing the business, had been told by City staff that the business could not locate the business within the 24 Road Corridor since its building size would exceed 30,000 square feet.

Mr. Woolard said that the Assembly of God church had also expressed an interest in his property. They'd wanted to construct an upscale church that would be a "masterpiece" in the community. But they had been discouraged by the residential component. They were just interested in building their church, not in constructing a housing development. So they'd ended up buying another parcel located near the old stockyard further west of town. Mr. Woolard felt that the City was exercising too much control over its citizens and individual property rights. If people couldn't sell their property for a reasonable price, then their investment was basically worthless. He felt that the current Plan wasn't working as intended, and that the City should reconsider the elements outlined in their request.

Chairman Dibble asked if there were other factors involved in the relocation of those businesses, or had it been the restrictions of the Plan alone that had dissuaded them. Mr. Woolard said that with regard to Camping World, his property had represented a prime site because of its interstate frontage. They and church representatives had both pulled out because neither wanted to construct residential units.

Jeff Over (1760 10 1/2 Road, Mack), co-petitioner and owner of Western Slope Iron, said that he'd spent the better part of a year participating on the steering committee. While a residential component had been discussed in conjunction with the Mixed Use zone district, at no time had the committee made a recommendation for a fixed percentage of residential units. He had been appalled by the City Council's decision, since it hadn't been discussed previously by the citizenry nor had it been a recommendation of the steering committee. He couldn't remember how the 30,000 square-foot building size limitation had been derived but he remembered being in opposition to it. He concurred that the proposed changes should be reconsidered, even if that meant going through the planning process all over again to effect those changes.

Marion Jacobson (726 Golfmore Drive, Grand Junction), co-petitioner, said that she'd purchased her 40-acre parcel in 1963. It had been zoned commercial at the time and remained in commercial zoning up until the adoption of the 24 Road Corridor Subarea Plan. She'd expressed opposition to the Mixed Use zone district restrictions at the time and continued to oppose them. She felt that her property would be a perfect location for a hotel and restaurant. She felt that Grand Junction could be further promoted as a destination spot. Had the driving range been constructed, that would have been one more entertainment option appealing to out-of-town vacationers. The area was also ripe for development of a sports complex. She thought that at some point, consideration could be given to developing a walkway between her property and Canyon View Park. The development of a grocery store would benefit that entire area. She was disappointed to hear about the loss of the upscale motor home park since that would have been a perfect use for the area. Ms. Jacobson said that she currently had a buyer interested in her property but only if the residential component were reduced to no more than 4 units/acre. This represented only one inquiry into her property; however, all previous inquiries had been discouraged by the high-density residential component. She added that one reason why Commissioner Lowrey's proposed alternative to master plan the area wouldn't work was that, depending on the locations of individual parcels, some property was more valuable than others for commercial uses.

PUBLIC COMMENT

David Berry (530 Hall Avenue, Grand Junction) said that while the City had a vision of what the 24 Road Corridor should look like, it appeared they were unwilling to share that vision with the property owners. The property owners, themselves, also had a vision, but they were prevented by the City from executing it. He pointed out that the Colorado Highway Patrol had looked to build its new facility in the 24 Road Corridor. But because of the Mixed Use district's residential component, they'd decided to relocate their new offices to Fruita. He urged planning commissioners to let the market dictate growth. He felt that the

City should stick to regulating health, safety, and welfare issues but should refrain from regulating aesthetics.

Dale Beede (2059 Baseline Drive, Grand Junction), realtor, said that the only way this Mixed Use area would ever develop would be if a single investor came in and bought up all of the individual parcels. While such an investor might be willing to pay \$1 per square foot for the land, it was unlikely that property owners would want to sell their land at that price.

Cherlyn Crawford (2551 Mayfair Drive, Grand Junction) said that she'd just moved back to the area and took a different position. She felt that requiring a higher density residential component in the west end of town was essential to achieve the City's desired balance between residential and commercial uses. Areas of mixed uses sustain a community, and she expressed support for the planning process. She felt that the current 24 Road Corridor Plan should be left intact.

John Beilke (2450 Pheasant Trail, Grand Junction) presented a plan that he'd proposed in 1998-1999 (Northeast corner of I-70 and 24 Road). While it represented everything the City said that it wanted for the 24 Road Corridor, it had been denied by both the Planning Commission and City Council. His plan had been 100% sold out and would have provided thousands of jobs, over a million square feet of retail space, and millions of dollars in tax revenue to the City. While he no longer had an interest in pursuing his initial proposal, he felt it important that this historical reference be presented because if his plan, which had purported to deliver all of the components required by the City, could not be approved, what hope was there for any other mixed use proposal? He pointed out that if the dollars and cents didn't make a project viable, there would be no development. Property owners should have the opportunity to develop their properties as the market dictated. The City's regulations, he said, were too strict, and he agreed that the lack of property sales in the area should tell the City something about that level of regulation. If there were no changes made to the Plan, the City and property owners could expect the same level of development inactivity seven years hence.

Rocky Arnott (2336 Interstate Avenue, Grand Junction) observed that the City was missing out on some pretty substantial opportunities for tax revenue. He envisioned the 24 Road Corridor being developed into a beautiful gateway into Grand Junction and urged planning commissioners to allow property owners the chance to develop their lands.

Jana Gerow (2350 G Road, Grand Junction) said that her business was in development and construction management. While not having any current involvement with any of the property owners present, she saw value in the architectural and design standards of the current Plan. However, the three requests made by area property owners seemed reasonable. Not to change them would continue to overburden area property owners. She added that one factor for area properties not selling might be that their prices were very high, so that only commercial uses could afford to buy them.

Dusty Grandmontagne (707 1/2 Wallow Creek, Grand Junction) said that he was associated with the recently approved Regal Theatre project. He'd once worked for a planning and development department in Topeka, Kansas. There, the Mixed Use zone district gave developers design flexibility but didn't mandate specific percentages for differing uses. If the City allowed for that same flexibility, likely they would see that one developer would come in with a proposal for high-density residential while another would come in with a plan for commercial, thus achieving the overall vision of mixing residential and commercial uses.

Sid Squirrell (389 W. Morrison, Grand Junction), real estate broker, said that he'd worked with several clients to try and purchase properties within the Mixed Use area, but the Plan's requirements for so much residential and too little commercial were just too restrictive, resulting in all of his clients backing out of

potential deals. Larger commercial enterprises, he said, often served as anchors for smaller businesses and would help defray some of the costs associated with developing residential uses. He felt that a good example of how Mixed Use zoning worked well in the City could be found on Main Street, where people were allowed to live in lofts above commercial businesses. That same flexibility should be afforded to 24 Road Corridor property owners. He urged planning commissioners to consider the changes requested to help slow the steady progression of developers who, in trying to bring viable growth to Grand Junction, decide to go elsewhere because of the City's overregulation.

PETITIONER'S REBUTTAL

Mr. Volkman felt that this was an excellent opportunity for a win-win situation. Everyone was in agreement that the area should be developed in a specific way, and he reiterated his clients' support for the overall concept and design standards contained in the 24 Road Corridor Guideline. However, he hoped a package could be created that would both have a market attraction and be in keeping with the overall vision for the area.

QUESTIONS

When Chairman Dibble asked staff to clarify some of the points brought forth by the public, Ms. Portner reaffirmed that both horizontal or vertical densities could be incorporated into the Mixed Use zone district. She reiterated that the 30,000 square foot requirement was applicable to individual retail building sizes.

Chairman Dibble asked if larger retail building sizes were permitted south of F 1/2 Road. Ms. Portner said that Commercial zoning existed south of F 1/2 Road. Beginning at the 50,000 square-foot threshold, developers were also required to meet big box standards. The intent of the 24 Road Subarea Plan was to reserve the Mixed Use area for neighborhood commercial uses. She added that the residential component need not include "low-income" or "affordable" housing, although developers were often given incentives by the Code for offering that type of product.

Commissioner Pitts expressed concern over the fact that the 20% residential component and the 30,000 square-foot retail building restriction had been imposed independent of the steering committee's recommendations. Ms. Portner agreed that the specific thresholds had never been recommended by the steering committee. However, the committee had talked about disallowing the larger regional retail businesses within the Mixed Use zone district. The committee had been primarily involved in both the overall concept plan for the 24 Road Corridor and in the development of the design standards and guidelines. They had come up with the idea of creating a place where people could live and work and recreate, all in one area. Creating the actual Mixed Use zone district fell within the purviews of the Planning Commission and City Council.

Commissioner Redifer asked for confirmation that the intent behind requiring a certain level of housing had been to support the expected neighborhood commercial development, which was given. If that residential component were deleted, Commissioner Redifer asked if that would so dramatically change the overall vision of the area as to negate the effectiveness of the Mixed Use zone district. Mr. Blanchard said that the type of retail envisioned by the Plan would be secondary to employment. Neighborhood retail was typically supported not only by residents living in the area but also the other businesses located there.

DISCUSSION

Chairman Dibble referenced the October 17, 2000 City Council minutes and noted that the 20% residential figure had originally been offered as a suggestion, one that had been later adopted by City Council.

Commissioner Cole said that all the testimony he'd heard seemed to suggest that everyone supported giving the Mixed Use zone district a try before acknowledging that it either did or didn't work. The fact that no development had yet occurred in that area over the last five years seemed a testament to the zone district not working as it had been originally envisioned. He was concerned that so many businesses were choosing to go elsewhere when there were organizations trying hard to promote Grand Junction and bring viable businesses to the area. He was pleased to see that the property owners were not necessarily opposed to the Mixed Use zone district, but he agreed with their position that the requested changes were reasonable. While also concerned that the process to make the effected changes would take so long, he felt it represented a worthwhile undertaking.

Commissioner Pitts shared similar concerns over businesses electing to move to other areas because of the 20% residential requirement. He agreed that after five years, it was apparent that the Plan wasn't working as intended. He felt a re-review of the Plan would be prudent although he too was dismayed that the requested changes were likely to take a long time to accomplish.

Commissioner Putnam felt that the Planning Commission was in a position to consider the City's long-range planning efforts. He pointed out, however, that it was not within their purview to make decisions based on the potential economic gains or losses of a property owner or developer. While he felt that a re-review of the Plan was probably warranted, he didn't want the area's property owners to automatically assume that adoption of their proposed changes was guaranteed.

Commissioner Pavelka-Zarkesh concurred with Commissioner Putnam. She acknowledged that no plan was perfect, adding that some changes in growth could only be recognized over a long period of time. While not suggesting that the proposed changes were the most appropriate, she felt that approval of the Regal Theatre represented the first retail foothold in the area. Other factors that would dictate area growth patterns included oil and gas development. She didn't want to see the residential component removed entirely or to see the 24 Road Corridor become another North Avenue.

Commissioner Redifer sympathized with area property owners. They raised good questions, ones that needed to be addressed. He felt that the City should consider the losses in tax revenue resulting from current restrictions. He felt that there were ways to develop the corridor into the gateway envisioned by the City while preserving and protecting personal property rights. He felt that the current vision for the 24 Road Corridor would likely be impacted by approving the requested changes. But just because those requested changes did not meet the current Growth Plan Amendment criteria, it didn't mean that a re-review of the Plan wasn't merited. Commissioner Redifer expressed support for recommending that the City Council re-review the Plan to see if there was some way of preserving individual property rights while still maintaining the City's original vision for that gateway area.

Commissioner Lowrey felt that the overall vision for the area was correct. The problem seemed to be more with the expectation of just how individual property owners would get together to make that vision happen. The City could potentially buy the property and sell it all to a single developer. The City could also apply other zoning districts to the currently designated Mixed Use area. He felt that the goals inherent to the Mixed Use zone were good ones. With rising gas prices and continued traffic impacts to area streets, it was important that citizens try to reduce their dependence on automobiles. Commissioner Lowrey could support a re-review of the Plan but he didn't want to see the residential component of the Mixed Use zone eliminated entirely. The City needed to find some way of effectively implementing the zone district given that property ownership was so fractured. He believed that there was an error in the Plan, one that failed to address just how development of the Mixed Use designated property would actually occur. He expressed support for the Plan's re-review, and he hoped that any future steering committee would take into account the comments made during tonight's hearing.

Commissioner Putnam reiterated that concern over tax revenues were not within the Planning Commission's purview.

Chairman Dibble said that it never ceased to amaze him how long things took to accomplish. He hoped that the Plan's re-review wouldn't take as long to complete as had adoption of the original Plan. He didn't feel that the goals or vision of the original Plan had changed. Everyone seemed to agree that the residential component was perhaps a little too dense. He concurred with Ms. Jacobson's remark that a recreational facility would be a great addition to the area. It was clear to him that something needed to be done to change the Plan and make it more workable, and he supported forwarding a motion on to City Council recommending that a review committee be formed, using the same resources that had been available to the first steering committee.

MOTION: (Commissioner Cole) "Mr. Chairman, on GPA-2005-148, a request to amend the Growth Plan, I move we forward a recommendation to the City Council for a review of the 24 Road Corridor Subarea Plan and the policies of the Growth Plan regarding the 24 Road Corridor in accordance with a major review process, including a citizens review committee, pursuant to Chapter 6, Section D of the Growth Plan."

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

II. GENERAL DISCUSSION

Mr. Blanchard said that the next public hearing had only one item on the agenda. He suggested that the scheduled workshop be cancelled. This drew general assent from planning commissioners.

With no further business to discuss, the public hearing was adjourned at 10:58 p.m.