

**GRAND JUNCTION PLANNING COMMISSION  
NOVEMBER 22, 2005 MINUTES  
7:01 p.m. to 8:20 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:01 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, Bill Pitts, Tom Lowrey, William Putnam, Pat Carlow and Roland Cole. John Redifer was absent.

In attendance, representing the City's Community Development Department, were Kathy Portner (Planning Manager), Kristin Ashbeck (Senior Planner) and Scott Peterson (Associate Planner).

Also present was Jamie Kreiling (Assistant City Attorney).

Terri Troutner was present to record the minutes.

There were 18 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 from the October 25, 2005 public hearing.

**MOTION: (Commissioner Pitts) "Mr. Chairman, I request approval of the minutes."**

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

**III. CONSENT AGENDA**

Available for consideration were items:

- CUP-2005-231 (Conditional Use Permit--Restaurant Drive Thru Window)
- VR-2005-181 (Vacation of Right-of-Way--Alley Vacation)
- ANX-2005-239 (Zone of Annexation--Hoffman Annexation)

Chairman Dibble briefly explained 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. No objections or revisions were received from the audience or planning commissioners on any of the Consent Agenda items.

**MOTION: (Commissioner Cole) "Mr. Chairman, I would move [for] approval of the Consent Agenda as presented."**

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

#### IV. FULL HEARING

##### **PP-2005-203 PRELIMINARY PLAN--SHADOW RUN AT THE RIDGES**

**A request for approval to the City Council of: 1) an amended Planned Development (PD) zoning ordinance to establish the underlying zoning and bulk requirements for this parcel within the Ridges PD; 2) the private streets depicted in the Preliminary Development Plan; and 3) a Planned Development Preliminary Development Plan for 32 multi-family units on 4.99 acres in a PD (Planned Development) zone district.**

**Petitioner: Mike Stubbs, Dynamic Investments**

**Location: East Lakeridge Drive**

##### **STAFF'S PRESENTATION**

Kristen Ashbeck 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; 5) photos of the site from various angles; 6) Preliminary Development Plan; and 7) Conceptual Landscaping Plan. The current request had originally been heard by both the Planning Commission and City Council in early 2005. While approval had been recommended by the Planning Commission, City Council had denied the request, citing reasons that the plan was incompatible with the adjacent single-family residential area and that the street was too narrow, with unsafe pedestrian circulation in the neighborhood. Council members felt that too many bulk standard deviations had been requested.

Ms. Ashbeck referenced various photos of the site and denoted where accesses had been planned. Staff felt that the project would provide a desired transition from multi-family development to the detached single-family development located above the site. It would also serve as a buffer between the adjacent single-family development and the major collector corridor of Ridges Boulevard, Lakeridge Drive and Mariposa. The Preliminary Development Plan included 20 single-family units and 12 townhome units. The project met established bulk standards with one deviation to the front yard setback of three units: unit #10 would have a setback of 9 feet; and units #27 and #28 would have an approximate 18-foot setback. Garage setbacks for all three units would still comply with the bulk standards requiring 20-foot setbacks and the TEDS requirement for private drives. The developer had proposed private internal streets with curb and gutter. While no sidewalk had been proposed, the petitioner would provide a landscaped 5-foot concrete pedestrian walk around the easterly perimeter of the site (location noted). The TEDS manual allowed developers of private streets to provide a pedestrian trail system in lieu of standard attached sidewalks. A TEDS exception had been granted to allow a 5-foot-wide path instead of an 8-foot-wide path. Open/landscaped space within the project comprised 43 percent of the site. Ms. Ashbeck referenced the proposed Conceptual Landscaping Plan and noted landscaped areas and tracts.

Vehicular accesses would be via Ridges Boulevard and Lakeside Drive. The Lakeridge Drive intersection would be full movement while the Ridges Boulevard intersection would be right-in, right-out only. The petitioner had acquired right-of-way from the City for a 40-foot pedestrian and utility easement to extend from Cliff View Drive to Plateau Drive. The petitioner had provided 19 guest parking spaces, 3 more than what the Code required. No on-street parking would be permitted on any of the private streets.

Having concluded that the request met both Code requirements and Growth Plan recommendations, staff recommended approval of all three requests, with the condition that payment for the 40-foot City right-of-way be made.

##### **QUESTIONS**

Both Chairman Dibble and Commissioner Lowrey asked for clarification on why no attached sidewalks had been provided. Ms. Ashbeck reiterated that TEDS allowed for the substitution of a pedestrian path. Also, the lack of attached sidewalks was consistent with other Ridges development filings.

Chairman Dibble asked for confirmation that the proposed private streets would be 24 feet wide, which was given.

Commissioner Putnam pointed to several areas on the Preliminary Development Plan where it seemed that double frontaged lots had been permitted. Ms. Ashbeck pointed out those areas on the Development Plan and noted where a 14-foot-wide landscape buffer had been provided for those lots. Since that buffering met TEDS separation requirements, those lots were not considered double frontaged.

Chairman Dibble asked for additional information on the proposed retaining walls. Ms. Ashbeck knew that they were being constructed in an effort to terrace the site, but she felt that the petitioner could provide additional details.

Chairman Dibble asked for confirmation that no on-street parking would be provided, which was given.

### **PETITIONER'S PRESENTATION**

Paul Shoukas, representing the petitioner, gave a PowerPoint presentation which contained the following slides: 1) location map; 2) comparison of entitled versus submitted number of units chart; 3) photos of surrounding multi-family units; 4) architectural elevation drawings; 5) photos of similar units that had been constructed elsewhere; 6) old Site Plan; 7) new Site Plan; 8) pedestrian walkway and topography; 9) standards comparison (showing where the project exceeded City standards); 10) cross-section of a double loaded road (typical); 11) cross-section of a double loaded road (proposed); 12) process--view sheds; and 13) 3-D Site Plan. Mr. Shoukas felt that the new Development Plan had been much improved and had been redesigned to address City Council's concerns. While up to 37 units would have been permitted on the site, it was felt that the proposed density of 32 units would work best for the project. To accomplish that goal, a duplex unit from the original Site Plan had been eliminated. Other major Site Plan changes included increasing setbacks, eliminating the attached sidewalk, and increasing the private drive road width.

Mr. Shoukas referenced photos of surrounding multi-family units and felt that the proposed development would be compatible with existing Ridges filings. Elevation drawings and photos of similar units constructed elsewhere were also referenced. Building heights would not exceed 26 feet from the highest point of finished grade. All front yard areas and structural exteriors would be managed and maintained by a Homeowners Association, giving homeowners an essentially maintenance free lifestyle. Guest parking areas had been conveniently located and would not be obtrusive. Counting the two car garages that would be provided with each unit, Mr. Shoukas said that a total of 150 parking spaces would be available to residents and their guests. He felt that the proposed increase in road width was important. If the rollover curb were included, the total edge-to-edge street width would be 26 feet. He explained the differences in the two cross-section slides; the method proposed would result in much less grading of the site. He pointed out the two vehicular access points and reiterated that additional right-of-way was being purchased from the City's Parks & Recreation Department for a pedestrian easement from Cliff View Drive to Mariposa. The newly proposed pedestrian walkway would vary in width in several places (locations noted) to accommodate topographic variations. The trail would provide an aesthetic buffer between the existing and proposed developments as well providing for pedestrian circulation.

Mr. Shoukas felt that the new Development Plan addressed all of City Council's concerns, exceeded City standards in a number of ways, and would provide the community with a great infill project. Presentation handouts were distributed to planning commissioners.

### **QUESTIONS**

Chairman Dibble referenced City Council comments and asked Mr. Shoukas to explain how this development would provide a public benefit. Mr. Shoukas said that during City Council's hearing, the

City's attorney had contended that the proposed development represented a PD within a PD and was therefore subject to providing an additional community benefit. The original Ridges Master Plan had included over 85 acres of open space, with the subject site being designated for multi-family development. Given the site's steep topography and limited area, public improvements associated with the current proposal had to be more subtle. Mr. Shoukas felt that that had been accomplished by increasing the sizes of buffer areas; constructing a landscaped pedestrian path; and acquiring right-of-way to Mariposa to serve as a landscaped pedestrian access.

Commissioner Lowrey wondered why the private drive had been designed to carry vehicular traffic around the perimeter of the site, since it resulted in more actual street area than if it had been routed through the interior of the property. Mr. Shoukas felt that the difference in total street area between the two alternatives was probably debatable since, in the latter reference, cul-de-sacs would have been required. Also, if the street had been taken through the interior of the project, likely it would have required a third access, to Plateau Drive. Referencing a slide showing the site's topography, Commissioner Lowrey noted that the proposed street configuration provided for some level of terracing. He asked if that terracing had been the primary motivator for designing the street in its current configuration. Mr. Shoukas said that the street's configuration required much less cut and fill, which would result in homeowners actually being able to have back yards. He provided an example where, if the street had been brought through the interior of the property, a homeowner could be looking at a 20-foot retaining wall in his backyard, an option he felt to be completely unacceptable for a residential development. The street's current configuration allowed for retaining walls to vary in size between nothing (none needed) to a maximum of 8 feet, and would set homes back further from the property line.

## **PUBLIC COMMENTS**

### **FOR:**

Mike Stubbs (205 Little Park Road, Grand Junction), petitioner, said that he'd owned the property for a little over 16 years. He reiterated that the Ridges currently existed as a PD, and fairly major dedications of open space had already been made. Conversations with the City were already being undertaken to request waiver of the City's 10 percent open space fee. It was an especially important issue since Dynamic Investments owned other properties in the Ridges, and the issue of open space fees would come up again with future developments.

The Ridges, he said, had been platted as a clustered development because of the site's topography. Residents from surrounding neighborhoods should realize that they live in a multi-family community. However, he hoped that planning commissioners would see that the developer had taken great strides in lessening any impacts with adjacent filings. That included buying back some of the right-of-way originally dedicated to the City to provide a pedestrian easement to Mariposa.

Jamie Kreiling confirmed that discussions with the petitioner regarding open space fees were ongoing; however, that issue was not a part of the current proposal nor was it within the Planning Commission's purview to consider.

Alan Westfal (1964 Keltly, Franktown, CO), the project's developer, said that he'd worked very hard on the project and had tried to be sensitive to the community's concerns and priorities. He'd focused a great deal of attention on slope mitigation, had included a trail shelter, and had increased the amount of landscaping. He was very pleased with the project and said that, while this was his first project in the Grand Junction area, he hoped that would be the first of many more to come.

### **AGAINST:**

Brian Langfitt (365 Plateau Drive, Grand Junction) commended the developer for his work and the obvious attention he'd put into the current Development Plan. Mr. Langfitt had attended a number of the neighborhood meetings, and it seemed as though the developer was genuinely sensitive to the concerns of

the existing neighborhoods. However, with regard to the pedestrian trail, it would directly abut his backyard. He wondered if a retaining wall or some other type of buffering could be installed to separate the trail from his property, thus protecting his privacy and security. Also, he and other neighbors were concerned that they would end up with double frontaged lots once Cliff View Drive was constructed. Their homes were currently adjacent to Plateau Drive. He asked that additional buffering be provided. He asked for clarification on the amount of area separating Plateau Drive resident property lines from the developer's pedestrian path and Cliff View Drive.

Ms. Ashbeck said that for new developments, lots abutting two streets were required to have a perimeter fence and a 5-foot landscaping strip. In the current instance, the 5-foot-wide sidewalk within a wider landscape area served to adequately separate the street from adjacent property lines. The Code did not typically require the developer of a residential project to install additional fences or walls when adjacent residential uses were already separated in such a way.

### **PETITIONER'S REBUTTAL**

Mr. Shoukas said that the average setback from property lines was 14 feet, increasing slightly in some areas and decreasing slightly in others. He pointed to an area where the street did a reverse turn and said that the setback was slightly less in that area to accommodate proper street alignment. Plat drawings would show specific details. With regard to the question raised about the distance between adjacent property lines and Cliff View Drive, he confirmed that most adjacent residents already had privacy fencing installed along their rear yard property lines. He also noted that because newly created lots in that area would have to be cut in to the existing slope, there would be an approximate 6- to 7-foot drop in the finished grade that would also serve as a buffer. He felt that most of the traffic coming through the pedestrian easement from Plateau Drive would be residents from that filing. He understood that a bus no longer stopped along Plateau Drive; thus, there would be little reason for Shadow Run residents to travel to Plateau Drive. Mr. Langfitt said that the bus still stopped on Plateau Drive and that the existing bus stop was still in use.

### **QUESTIONS**

Chairman Dibble asked if all the adjacent homes along Plateau Drive had privacy fencing along their rear yard property lines. Mr. Shoukas pointed out that only a couple of lots were currently without privacy fencing (locations noted).

Commissioner Lowrey pointed out that there was already a Horizon Court in the City's street system and suggested that the street's name would have to be changed. Mr. Shoukas said that he would do whatever was necessary.

Commissioner Lowrey remarked that one way the project provided a public benefit could be that the proposed development had been allowed more density to compensate for open space that had been dedicated elsewhere. Mr. Shoukas added that the proposed development was still not as dense as it could have been.

Commissioner Lowrey said that his only remaining concern was over the lack of attached sidewalks and the safety issue it posed. Ms. Ashbeck reiterated that the TEDS manual provided for the substitution of a pedestrian trail system, and that the lack of attached sidewalks was consistent with other Ridges filings. In fact, most of the other filings also used pedestrian trail systems. The level of internal traffic, she said, would be relatively low, so the lack of attached sidewalks should not pose any safety concerns. Mr. Shoukas pointed out that the original Development Plan had included sidewalks; City Council, however, had thought they created a conflict with traffic movements and had asked that they be removed. The inclusion of a pedestrian trails system had been in response to those expressed concerns.

Chairman Dibble wondered how residents west of Horizon Court would be able to navigate through the subdivision since a trail would not be constructed in that area. Ms. Kreiling pointed out the presence of adjoining open spaces areas behind their properties. Abutting residents would be able to use those open space areas to navigate through that side of the subdivision.

### **DISCUSSION**

Commissioner Roland said that while he hadn't objected to the original proposal, he could see that the developer had gone back and had made every effort to address City Council's concerns and those expressed by the neighbors. He felt that the project was a good one, one that he could support.

Commissioner Pitts agreed with the petitioner's representative that the combination of existing privacy fencing and grade differences resulting from slope cuts would provide sufficient buffering between Filing 3 and the proposed development. The project represented good infill and would make a nice addition to the community.

Commissioner Carlow felt that expressed concerns had been adequately addressed. If other concerns were raised, he felt confident that the developer would take care of them.

Commissioner Putnam noted that he lived in a neighborhood where a pedestrian path had been constructed right behind his home. The path was well used by subdivision residents but neither he nor his neighbors had experienced any problems.

Commissioner Lowrey referenced City Council's minutes and acknowledged that interior streets had been widened from 20 feet to 24 feet. Since that street system would not be widely used by anyone other than subdivision residents, he felt that it should work just fine. He felt that there was a definite public benefit to having a project such as the one proposed, and he felt he could support it. He also pointed out that it was a homeowner's, not the developer's, responsibility to either erect a fence or not.

Commissioner Pavelka-Zarkesh concurred with previous comments, adding that the protection of view sheds had also been taken into account. She didn't feel that Plateau Drive residents would even notice the pedestrian once the cuts were undertaken and landscaping installed.

Chairman Dibble felt that City Council's concerns had been adequately addressed and that the project represented good infill. The site had been designated for multi-family uses and the density had been reduced from a possible 37 to just 32 units. That density reduction had allowed for greater setbacks. He agreed that the Ridges Master Plan incorporated public benefits into it. He felt that the project was a nice one, and he too expressed support.

Ms. Kreiling reminded planning commissioners to include in any motion made for approval the condition that payment for the Mariposa right-of-way be made within a year following the date of final approval.

**MOTION: (Commissioner Lowrey) "Mr. Chairman, on item PP-2005-203, the request for approval of the Shadow Run at the Ridges Preliminary Planned Development Plan, I move that the Planning Commission recommend approval to the City Council of the amended Planned Development zoning ordinance and Preliminary Development Plan, including the private streets proposed within the subdivision, and conditioned upon obtaining the extra road access off of Mariposa Drive, with the findings of fact and conclusions listed in the staff report."**

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

With no further business to discuss, the public hearing was adjourned at 8:20 p.m.