

**GRAND JUNCTION PLANNING COMMISSION  
MARCH 11, 2003 MINUTES  
7:00 P.M. to 9:05 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 Planning Commission, were Paul Dibble (Chairman), John Evans, Richard Blosser, Roland Cole, John Redifer, Travis Cox and John Paulson. William Putnam and Bill Pitts were absent.

In attendance, representing the Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor), Kathy Portner (Planning Manager), Lori Bowers (Senior Planner) and Lisa Cox (Senior Planner).

Also present was John Shaver (Assistant City Attorney), and Rick Dorris and Eric Hahn (Development Engineers).

Terri Troutner was present to record the minutes.

There were approximately 30 interested citizens present during the course of the hearing.

**I. APPROVAL OF MINUTES**

Available for consideration were the minutes of the February 11, 2003 public hearing.

**MOTION: (Commissioner Cole) "Mr. Chairman, I request that we approve the minutes as written."**

Commissioner Blosser seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0, with Commissioner Cox abstaining.

**II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

There were no announcements, presentations and/or visitors.

**III. CONSENT AGENDA**

Proposed for placement on the Consent Agenda were items ANX-2003-010 (Zone of Annexation--Grand Meadows South Subdivision), ANX-2003-016 (Zone of Annexation--Summit Meadows West), ANX-2003-021 (Zone of Annexation--Fairway Pines Subdivision), and FPP-2002-204 (Final Plan/Plat--Spanish Trails Filing #3). At citizen request, items ANX-2003-021 and ANX-2003-010 were pulled from Consent and placed on the Full Hearing agenda. Commissioner Cole asked that items RZ-2002-211 (Rezone and Preliminary Plan--Redlands Mesa, Phase III) and ANX-2002-182 (Preliminary Plan--Autumn Glenn Subdivision) be removed from the Full Hearing agenda and placed on Consent. At citizen request, item ANX-2002-182 remained on the Full Hearing agenda.

**MOTION: (Commissioner Cole) "Mr. Chairman, can we add item 6 [RZ-2002-211--Rezone and Preliminary Plan, Redlands Mesa Phase III] to the Consent agenda?"**

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

**MOTION: (Commissioner Blosser) "Mr. Chairman, I move that we approve the Consent Agenda as modified [included were items ANX-2003-016, FPP-2002-204, and RZ-2002-211]."**

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

#### **IV. FULL HEARING**

##### **ANX-2003-010 ZONE OF ANNEXATION--GRAND MEADOWS SOUTH SUBDIVISION**

**A request for approval to zone 4.9 acres to Residential Multi-Family, 5 units/acre (RMF-5).**

**Petitioner: Darter LLC, Terry Lawrence**

**Location: 466 30 Road**

##### **PETITIONER'S PRESENTATION**

The petitioner was absent and did not present.

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

Lisa Cox offered a PowerPoint presentation which included the following slides: 1) site location map; 2) aerial photo of the site; 3) Future Land Use map; 4) Existing City and County Zoning Map; and an 5) Annexation Map. She said that the Growth Plan reflected a Residential Medium (4-8 units/acre) density classification for the property. The proposed zone would permit densities of 2-5 units/acre. A development submittal with a density of 3.8 units was currently under review and would soon come before the Planning Commission. Staff determined that both Code and Growth Plan requirements had been met; approval of the RMF-5 zone was recommended.

##### **QUESTIONS**

Chairman Dibble noted recent public input concerning access for the property located directly to the north. He asked if part of the current development, would access be extended from the northern parcel through this one to 30 Road? Ms. Cox responded affirmatively.

##### **PUBLIC COMMENTS**

###### **FOR:**

There were no comments for the request.

###### **AGAINST:**

Several citizens came forward but failed to identify themselves for the record. Opposition against the City's annexation policy and ongoing development of the subject area was expressed. Concerns were also expressed over the loss of rural lifestyle, potential loss of access to an existing irrigation water delivery system and negative impacts to property values. One adjacent property owner asked if solid fencing would be erected to buffer the subdivision's residents and pets from her horses.

##### **STAFF REBUTTAL**

With regard to irrigation water delivery, Eric Hahn City Development Engineer, said that while no specific details were yet available, provisions would be made to ensure that access to any existing irrigation water delivery system would be maintained. Ms. Cox added that fencing had not been proposed, nor was it required by the Code as part of the development.

##### **DISCUSSION**

At planning commissioner request, attorney John Shaver explained the Persigo Agreement and the Growth Plan adoption/update process.

Commissioner Paulson noted the similarities in densities between the subject parcel and the property to the north. He asked staff if they'd received any density-related complaints from the public on the northern development. Ms. Cox said that the few complaints received were related to construction activities; none had been received on the density.

Commissioner Blosser said that the zoning classification was based on the Growth Plan; he urged residents to participate in the Preliminary Plan review process for answers to irrigation water delivery and other more specific development-related questions.

Chairman Dibble said that the extension of access from the north was a definite plus, one that would benefit both developments.

**MOTION: (Commissioner Cole) "Mr. Chairman, on item ANX-2003-010, Grand Meadows South, I move that we forward a recommendation of approval to City Council with the finding that the request is consistent with the goals and policies of the Growth Plan and all applicable sections of the Zoning and Development Code."**

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

**ANX-2003-021 ZONE OF ANNEXATION--FAIRWAY PINES SUBDIVISION**

**A request for approval to zone 6.83 acres currently zoned Residential Single-Family Rural (RSF-R) to Residential Single-Family, 4 units per acre (RSF-4).**

**Petitioner: Furukawa Family Trust, Metso Furukawa**

**Location: 2970 B Road**

**PETITIONER'S PRESENTATION**

Jim Langford, representing the petitioner, said that because the property is within the Persigo 201 boundary, annexation into the City had been required. While a forthcoming Preliminary Plan was not part of the current request, he presented an overhead slide of the conceptual site plan to give planning commissioners and the public an idea of lot placement and density. A neighborhood meeting had been held, with concerns voiced primarily over drainage impacts to surrounding properties and the golf course. Mr. Langford said that all drainage issues would be resolved and he was currently engaged in discussions with Orchard Mesa Drainage District staff. He said that there may also be an issue with errant golf balls in one area nearest the golf course. Mr. Langford said that density for the adjacent Chipeta Pines subdivision was very similar and he felt that the proposed zone designation was reasonable.

**QUESTIONS**

Chairman Dibble wondered if Mr. Langford knew the density of the Chipeta Pines subdivision. Pat Cecil said that the Planned Development had built out to approximately 3.9 units/acre.

**STAFF'S PRESENTATION**

Pat Cecil referenced the existing City and County Zoning Map and the Future Land Use Map overheads. Mr. Cecil said that the Preliminary Plan was undergoing staff review but was not a part of the current request. The RSF-4 zone designation is consistent with Growth Plan recommendations and Code rezone criteria and staff recommended approval.

**QUESTIONS**

Commissioner Cole asked if drainage concerns would be addressed during Preliminary Plan review; Mr. Cecil replied affirmatively.

**PUBLIC COMMENTS**

**FOR:**

There were no comments for the request.

**AGAINST:**

John Blazen (no address given) wondered why the details of the developer's plan were not part of the current request. Chairman Dibble explained the difference between the current request and Preliminary Plan review. Public notification, he said, would be given when the Preliminary Plan was ready to come before the Planning Commission.

Doug Dominguez (314 Gunnison Avenue, Grand Junction), manager of the Chipeta Golf Course, referenced a letter he'd submitted to staff expressing concern over public safety. Mr. Dominguez said that homes and residents alike run the risk of being pelted by errant golf balls.

**PETITIONER'S PRESENTATION**

Mr. Langford said that he was presently engaged in conversations with golf course designers to mitigate safety concerns. He reiterated that drainage issues would be addressed during Preliminary Plan review.

**DISCUSSION**

Commissioner Cole acknowledged that the request met both Code and Growth Plan requirements.

**MOTION: (Commissioner Cole) "Mr. Chairman, I move that on the Zone of Annexation ANX-2003-021 for the Fairway Pines annexation, that we recommend approval of the zoning of RSF-4 to the City Council with the findings of fact and conclusions listed above."**

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

**ANX-2002-182 PRELIMINARY PLAN--AUTUMN GLENN SUBDIVISION**

**A request for approval of a Preliminary Pan for 69 lots [corrected from the agenda] on 11.18 acres in a Residential Multi-Family, 8 units per acre zone district.**

**Petitioner: Darren Davidson**

**Location: 430 30 Road**

**PETITIONER'S PRESENTATION**

Darren Davidson, petitioner, said that his first development submittal had proposed 54 lots, with an overall density of 4.5 units/acre; however, during discussions with the City staff, he had been encouraged to resubmit a revised plan with an increased density. The current plan proposal was submitted at approximately 6.1 units/acre.

Mr. Davidson said that homes would be approximately 1,100 to 1,500 square feet in size, with some units constructed as single-family attached dwellings (location of those units noted on the Preliminary Plan). An open irrigation ditch located along the northern boundary would be piped. Staff, he said, had offered suggestions to better accommodate the increased number of units with the realignment of the 30 Road entrance.

**STAFF'S PRESENTATION**

Lori Bowers offered a PowerPoint presentation containing the following slides: 1) site location map; 2) aerial photo of the site; 3) Future Land Use Map; 4) Existing City and County Zoning Map; and 5) Preliminary Plan. During December of 2002 the property had received RMF-8 zoning upon its annexation into the City; the owners having specifically requested the designation. She concurred that the submitted plan reflected an overall density of 6.1 units/acre. The original plan's proposed access (shown on a previous Preliminary Plan overhead) had not conformed to TEDS manual. She'd offered some suggestions to the petitioner on where he

might incorporate multi-family units into the subdivision's design (all near the entrance to the west) while still conforming to RMF-8 zone criteria. She noted the location of proposed Tract B and said that the narrow tract may be better used in future development of adjacent lots. The Final Plat, she said, must contain a note stating that each foundation would be engineered to address subsurface moisture, a recommendation of the geotechnical report. Staff recommended approval of the request.

### **QUESTIONS**

Commissioner Paulson asked for clarification on the densities surrounding the subject parcel. Ms. Bowers said that the Growth Plan had recommended a density of 4-8 units for the property; AFT zoning was situated to the south, with County PUD zones located to both the north and south. Because the PUD's were developed in the County, she wasn't sure what their developed densities were, but she thought they may be somewhere in the 4-5 units/acre density range. When Commissioner Paulson asked if she'd actually encouraged the petitioner to come back with a higher density proposal, Ms. Bowers clarified that as a result of the entrance's realignment and the recently approved RMF-8 zoning, she'd suggested a higher density. The former Preliminary Plan was presented in an overhead slide for comparison.

Rick Dorris explained what the TEDS manual was and how it was used; he noted the alignment problems which had been inherent to the first development proposal. He said that D 1/4 Road (noted on the Preliminary Plan to the south) would be only partially improved, with curb, gutter and sidewalk on the north side of the street and only 20 feet of asphalt mat. The road would be wide enough for two-way traffic but it wouldn't accommodate on-street parking. Eventually, it would be constructed to a full-width City street.

Commissioner Cox asked where the sewer stub was located. Mr. Dorris said it was not shown on the Preliminary Plan. When Commissioner Cox expressed concern that fencing could be erected over sewer lines, Mr. Dorris said that sewer lines would be at least 3 feet below the surface. Their exact locations would be determined at Final. Ms. Bowers added that the 8-foot landscape strip and sidewalk should provide sufficient area for location of the sewer line without fencing conflicts.

### **PUBLIC COMMENTS**

#### **FOR:**

There were no comments for the request.

#### **AGAINST:**

Lana Smith (3019 D 5/8 Road, Grand Junction) felt that the influx of increased density would impact the area's rural lifestyle and her ability to keep horses on her property. She was "appalled" that staff had encouraged a density increase when it was clear that such an increase was inconsistent with the surrounding area. Ms. Smith said that the lots on the proposed plan are extremely small and inconsistent with other lot sizes in the area.

Ms. Smith said that while not opposed to growth, she hoped that planning commissioners would give due consideration to surrounding densities and residents of the area. She was concerned that dogs from the new development would harass her horses.

David Banks (no address given) said that the proposed single-family lots were so small (55 feet x 80 feet) that the only structures that could be placed on them were mobile homes. Either that, he said, or the homes would be so small and so tightly squeezed together that there would be little or no setback to separate them. "How many people would want to live on such small lots?" he asked. Mr. Banks also said "this will become a slum." Mr. Banks felt that the first plan was better although not ideal.

Connie Banks (no address given) expressed concern over traffic increases from the proposed subdivision that would be directed to Colorow Drive through her neighborhood. She asked "how is that a better plan?" Colorow is, she said, currently a two-lane street with no room for on-street parking.

Jim Nieman (3013 Rood Avenue, Grand Junction) said that he obtained irrigation water through a ditch located along his southern property line. He asked “did the petitioner intend to pipe that ditch?” What would the delivery system look like? He agreed with comments made by Ms. Banks and added that given the current and proposed configurations of the Colorow Road intersection, he predicted a big increase in the number of accidents at that point.

Linda Nieman (3013 Rood Avenue, Grand Junction) said that she and her husband had bought their property within the last couple of years because of the view it afforded them. She said that the proposed development would destroy that amenity.

Robert Humphrey (412 30 1/4 Road, Grand Junction) referenced the existing City and County Zoning Map and said that his main concern was over stormwater drainage. He said that all the current runoff from 30 Road to D 1/2 Road ended up in a ditch in front of his home, which often flooded. There wasn't sufficient storm sewer pipe capacity to handle runoff from the proposed development, and he expected to be even more adversely impacted by flooding.

Dave Austin (532 E. Valley Drive, Grand Junction), representing the Clifton Fire District, said that this is a perfect example of what he and Dick Lewis had been trying to tell the Planning Commissions during the Growth Plan Update process. He said “if you assigned a higher density land use classification to a parcel, it established an expectation, and developers would build to those allowable densities.” The current development proposal, he said, wasn't only inconsistent with the area, it was also a fire hazard given the small setbacks between homes. The Fire District was unable to handle these increased densities given its limited resources.

Lane Smith (no address given) said that he couldn't understand why such high densities would be proposed in an area of lower-density developments. He expected that residents would be likely to complain about the noise and smells of horses and other livestock in the area.

#### **PETITIONER'S REBUTTAL**

The petitioner offered no additional testimony but availed himself for questions.

#### **QUESTIONS**

Commissioner Cole asked how drainage would be addressed. Mr. Davidson said that stormwater would be directed to 30 Road, with none going to 30 1/4 Road. The ditch along 30 1/4 Road would be piped.

Commissioner Cox asked how the irrigation water delivery system would be configured along the northern boundary. Mr. Davidson said that the ditch would be piped along the northern property line, with gate valves installed for each adjacent lot. Continued availability of irrigation water, he said, would be maintained.

Chairman Dibble asked the petitioner if he knew whether actual densities in the area were in the 4-8 units/acre density range. Mr. Davidson thought so, citing one 15-20 acre parcel (noted on the map) which had recently been rezoned from 4 units/acre to an RMF-8 zone.

Commissioner Evans asked how many attached units were planned for the development; Mr. Davidson responded that 5 were planned (proposed locations noted on the map).

#### **DISCUSSION**

Commissioner Blosser said that the Pear Park area had come under intense scrutiny and discussion during the recent Growth Plan update process. The public facilities and services necessary to support the proposed development's density were not there. Until such time as infrastructure could be addressed, he felt that the property should be developed at a lower density. He said that he is unable to support the proposal as submitted.

Commissioner Cox asked staff to recount the history of the property's zoning/rezoning and the petitioner's prior development submittal, which was provided.

Chairman Dibble noted that the surrounding area is less dense; the proposed development he said is inconsistent with surrounding densities and therefore did not meet the rezone criteria regarding compatibility. He agreed that increased densities in the Pear Park area had been a key issue in Growth Plan update discussions.

Ms. Bowers said that this area had been identified by the Growth Plan as an area of increasing growth. Mr. Cecil added that existing subdivisions had been developed prior to adoption of the Growth Plan.

Commissioner Cole asked if the multi-family units were located exclusively on the west end of the development. Ms. Bowers replied affirmatively.

Commissioner Blosser said that if the development request were approved as submitted, it would set an "undesirable" expectation for how the surrounding area should develop.

While recognizing that growth was occurring in the Pear Park area, Chairman Dibble said that the Growth Plan was out of sync with established densities in this area. Had the petitioner's request come before the Planning Commission during the recent Growth Plan update process, he would have felt the same way. He asked legal counsel for an opinion on available options. Mr. Shaver cited Code section 2.8.B.2 and said that approval criteria included the "availability of required public facilities and services" and "compatibility with existing and proposed developments on adjacent properties." Mr. Shaver advised the Commission that the Code requires that all criteria must be met. If planning commissioners felt that these or any other criteria were not met, they could opt to deny the request.

Commissioner Cole expressed concern over the lack of compatibility between the proposed development and other properties in the area. He too said that he could not support the proposal as submitted.

Commissioner Cox said that the RMF-8 zone provided the petitioner with guidance and that the current Preliminary Plan was the product of that guidance. He felt that there is a need in the valley for the type of housing being proposed and he expressed support for the request.

Commissioner Paulson said that because Pear Park was identified as an area for future growth, higher densities should be reasonably expected. Both the Growth Plan and zoning supported the petitioner's submittal, and staff had supported the higher density given the road alignment situation. He expressed support for the proposal.

Commissioner Evans stated that an RSF-4 zone and density classification would have been far more appropriate for the subject parcel and he also said that he could not support the request.

Commissioner Redifer stated that when the RMF-8 zone had been approved in December, it had been a mistake. Rather than further support a bad decision, this was an opportunity to correct it. He could not support the request as submitted, citing incompatibility with the surrounding properties.

**MOTION: (Commissioner Blosser) "Mr. Chairman, on the Preliminary Plan for the Autumn Glenn Subdivision, I move that we adopt the findings and conclusions listed above and approve the Preliminary Plan."**

Commissioner Cox seconded the motion. A vote was called and the motion failed by a vote of 2-5, with all but Commissioners Cox and Paulson opposing.

A brief recess was called at 8:55 P.M. The public hearing reconvened at 9:02 P.M.

**TAC-2003-01.01 TEXT AMENDMENT--CODE**

**A request for approval of Code text changes that are grammatical in nature, spelling errors, formatting, and clarifications to the Zoning and Development Code approved January 20, 2002.**

**Petitioner: Community Development Staff**

**STAFF'S PRESENTATION**

Lori Bowers said that the request is "straightforward" with no substantive changes. Ms. Bowers said that this text amendment represented the first of several housekeeping text amendments that would be brought before the Planning Commission for consideration.

**QUESTIONS**

Chairman Dibble noted another spelling error on the last page of the presentation materials.

**MOTION: (Commissioner Cole) "Mr. Chairman, unless there are further corrections, I would move for approval of the revised text as modified."**

Commissioner Redifer 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 9:05 P.M.