

**GRAND JUNCTION PLANNING COMMISSION  
JANUARY 22, 2002 MINUTES  
7:04 P.M. to 10:14 P.M.**

The regularly scheduled Planning Commission hearing was called to order at 7:04 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Planning Commission, were Dr. Paul Dibble (Chairman), Richard Blosser, John Evans, William Putnam, Terri Binder, John Redifer and Roland Cole. Bill Pitts (1<sup>st</sup> Alternate) was absent.

In attendance, representing the Community Development Department, were Planning Director Bob Blanchard, Kathy Portner (Planning Manager), Pat Cecil (Development Services Supervisor), Bill Nebeker (Sr. Planner), and Lori Bowers (Assoc. Planner).

Also present were John Shaver (Asst. City Attorney) and Eric Hahn (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 32 interested citizens present during the course of the hearing.

**I. APPROVAL OF MINUTES**

No minutes were available for consideration.

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

There were no announcements, presentations and/or visitors.

**III. CONSENT AGENDA**

There were no items available for placement on the Consent Agenda.

**IV. FULL HEARING**

**PLN-2001-243 PLAN—MESA COUNTY LIBRARY MASTER PLAN**

**A request for approval of the Master Plan for Mesa County's Public Library Campus, proposing a replacement and expansion of approximately 70,000 square feet, with an additional 30,000 square feet to be allotted for expansion by the years 2025 and 2030.**

**Petitioner: Mesa County Public Library—Terry Pickens**

**Location: 530 Grand Avenue**

**Representative: Chamberlin Architects, PC—Daniel Gartner**

Commissioner Putnam disclosed that he and his wife had contributed to the library's expansion fund. He was concerned that his participation in this item could be viewed by some as a potential conflict of interest. After questioning by Mr. Shaver and discussion among remaining planning commissioners, it was determined that no conflict existed that required Commissioner Putnam to recuse himself.

**STAFF'S PRESENTATION**

Lori Bowers offered a PowerPoint presentation, which consisted of an aerial photo of the site, area zoning map (predominately B-1), existing site plan, photo of the existing library building, photos of the Senior Recreation Center and the Grey Gourmet, Master Plan and a site analysis. Also shown were

photos of the existing credit union building, title company building and residences slated for demolition. Accesses on the Master Plan were noted, with primary library access originating from 5<sup>th</sup> Street. Ms. Bowers said that once Ouray Avenue was vacated, the site would be enhanced to include pedestrian paths (locations noted), additional landscaping and creation of a separation between patron parking and the staff/service parking (access for the latter from 6<sup>th</sup> Street). A semi-circular drive would be placed in front of the library's entrance for ease in patron drop-off. The facility would provide more than the required number of parking spaces. With regard to drainage, the redeveloped site would have less impervious surface associated with it than what was currently in existence. Landscaping/open space features were noted. Ms. Bowers noted that the only concern raised by some of the neighborhood's residents was over the vacation of Ouray Avenue. Due to its limited use by traffic and the greater community benefit gained by the library's Master Plan, staff did not take issue with the anticipation request to vacate the street. Staff recommended approval of the Master Plan and indicated it would support the vacation request.

### **QUESTIONS**

Commissioner Cole wondered what would happen with the utilities located in Ouray's right-of-way. Ms. Bowers said that if utilities are present within the vacated right-of-way, an easement would be required.

Commissioner Blosser observed that the Master Plan proposed only one primary entrance into the site, while the existing library facility offered three. He asked "would one access point be sufficient?" Ms. Bowers said that the single access point was supported by the City's Engineering Department and would also serve to reduce the number of curb cuts along Grand Avenue, an overall goal of the Major Street Plan.

When asked by Commissioner Blosser if any thought had been given to providing a curbside drop-off for library books, Ms. Bowers said that it had been discussed but then discarded because library representatives had felt that book retrieval outside the facility would be a hardship on its staff.

Commissioner Binder asked "why are the rear ancillary accesses from 5<sup>th</sup> and 6<sup>th</sup> Streets being left open?" Ms. Bowers said that these accesses preserved what was currently an alley right-of-way; however, it was felt that this route through the property meandered sufficiently around proposed landscaping to discourage through-traffic.

Commissioner Binder asked "are there were any plans to preserve existing and established trees on the site?" Ms. Bowers explained that the current request represented what could be considered a "concept plan." Further landscaping considerations could be discussed during the Preliminary Plan stage.

### **PETITIONER'S PRESENTATION**

Daniel Gartner, architect representing the petitioner, reminded the Planning Commissioners that the Master Plan covered a 20-30 year period. He said that it is important for the library to accommodate the needs of a growing community. Mr. Gartner felt that the Master Plan provided for present and future community needs, addressed pedestrian safety and would create a visually-appealing and user-friendly site that the community could be proud of. The library's building area was noted on the Master Plan. Mr. Gartner said that a two-story structure was contemplated, with low-maintenance landscaping. He expected that only a small amount of traffic would leave the site via the alley right-of-way. This plan, he said, would allow the Grey Gourmet to continue functioning and would provide additional parking for that facility and the Senior Center. Funding for the expansion would come from the community's support, likely through a bond referendum.

### **QUESTIONS**

Commissioner Cole wondered what the library would do if a bond referendum failed. Mr. Gartner said that the library would keep trying. He felt that it was a matter of convincing the voters that this was a good way to spend tax dollars.

Commissioner Binder asked if there were any plans to provide sidewalks for pedestrians accessing the library from the parking lot. Mr. Gartner said that while this hadn't really been addressed yet in detail, it was possible that sidewalks could be provided between aisles. Pedestrian safety, he said, was of paramount concern for the library.

Chairman Dibble asked what the 6<sup>th</sup> Street entrance (closest to Grand Avenue) would be used for. Mr. Gartner said that this access led to a parking area designated for staff and service deliveries only. Public parking would be prohibited.

### **PUBLIC COMMENTS**

#### **FOR:**

Gudrun Rice (888 Quail Run, Grand Junction), chairman of the library's building advisory committee, said that the library had thus far received great community support. A lot of thought had gone into the Master Plan's design. She asked those in support to stand; approximately 20 citizens did.

Robert Bray (2660 G Road, Grand Junction), foundation member of the library and member of the library's site acquisition committee, said that committee members felt it important to keep the library located in the City's core area downtown. He felt that both the siting and Master Plan represented the best possible efforts. Vacation of Ouray Avenue would help preserve neighborhoods located to the north and east.

Anita Cox (667 Round Hill Drive, Grand Junction), chair of the library's foundation board, said that she was involved in helping to raise money to fund the library's initial expansion. The library currently serves approximately 1,300 patrons/day. She felt that substantial gain would be derived through the vacation of Ouray Avenue, including improved pedestrian safety. The vacation would also give the library the option of hosting a number of its activities outside. The library, she said, has a very strong commitment to being a good neighbor. Expanding library services would also extend to its many branches in the outlying areas of the City.

Shirley Otero (631 Karen Lee Drive, Grand Junction) spoke on behalf of the interests of Hispanic youth in the community. The library she said was currently the closest thing Grand Junction had to a "community center." She felt it should be considered a "treasure" within the community and supported.

Teresa Manthei (936 Grand Avenue, Grand Junction) said that she went to the library weekly. It was frustrating for her to do so because of the library's limited supply of reading materials, its limited size and poor layout. She expressed support for the Master Plan because the expansion would better serve the needs of the community, both now and for future generations.

Daniel Wilkinson (1240 Grand Avenue, Grand Junction) agreed that the library was a tremendous asset to the community. He expressed support for both the Master Plan and for the vacation request.

Tillman Bishop (2697 G Road, Grand Junction), who serves on the library's steering committee, expressed support for both the Master Plan and the vacation request. He agreed that the expansion would serve the needs of current and future generations.

#### **AGAINST:**

Ron Kelley (401 Dressell Drive, Grand Junction) opposed the expansion because of the cost to area taxpayers. He felt that there were less expensive ways of achieving the same result without closing off City streets. He questioned whether a bond referendum was really the best way to pay for such a project. He also questioned whether the community really needed a facility where so much money was spent just

to make it look nice. He questioned the buffer areas in the parking lot. Parking areas wouldn't be all that close to the building. He supported the idea of providing an outside book drop.

Bill Thompson (634 Ouray Avenue, Grand Junction) said that while not opposed to the expansion itself, he did not think that vacating Ouray Avenue was a good idea. He was concerned over how in-street utilities would be handled. It also seemed like parking was limited in front of the Senior Center.

### **PETITIONER'S REBUTTAL**

Mr. Gartner said that he and others had struggled with the concept of closing Ouray Avenue, not because traffic would be impacted; rather, because closing any city street was significant and deserved careful consideration. It is necessary, however, to be able to better ensure public safety, provide a connection to the Senior Center and to ensure a more coherent site plan with better parking and access. He realized that he and other library representatives had to work hard if they were to convince voters that this was a good use of their tax dollars.

### **DISCUSSION**

Commissioner Blosser said that a good library was an essential foundation for any community. He agreed that the library's placement downtown was essential. He hoped that the opposition would take the time to meet with library representatives to work out differences in the coming planning/development stages. Because the request met both Code criteria and Growth Plan recommendations and met Major Street Plan goals, he expressed support for both the Master Plan and the future vacation of Ouray Avenue.

Commissioner Evans concurred, saying that the overall plan would benefit the community and it tied in well with the Senior Center. This was a good start to a good plan, he said and he expressed his support.

Commissioner Putnam agreed that a library big enough to serve a growing population was essential.

Commissioner Binder said that none could predict what would happen when the item was presented before voters. She agreed that the Master Plan was well designed, provided good access and she liked that it incorporated a bus pullout. An expanded library would better serve the needs of seniors and others in the community and she felt it would be a good investment. She agreed that closing any street should not be taken lightly but felt that this would help address many pedestrian safety concerns.

Commissioner Cole was pleased to see such overwhelming support for the project. He noted that while more specific details would be forthcoming in later development stages, the currently submitted Master Plan represented a good start. He, too, expressed his support.

Commissioner Redifer said that the Planning Commission was primarily charged with determining whether the request met Code requirements and Growth Plan recommendations. While there were always alternatives available to building things cheaper, if the community is to have a sense of pride in its public buildings, it was necessary to take a little more time and effort—and expense—and do it right.

Chairman Dibble also expressed his support for keeping the library downtown. He said that expansion of the library is necessary to keep up with the growing needs of a growing community. He agreed that safety should be a primary consideration. He agreed that it met both Code criteria and Growth Plan recommendations.

**MOTION: (Commissioner Cole) "Mr. Chairman, on item PLN-2001-243, final approval of the Master Plan for the Mesa County Public Library District, Central Library, I move that we recommend approval to the City Council of the Master Plan, making the findings complete, as recommended by staff."**

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

A brief recess was called at 8:12 P.M. The public hearing was reconvened at 8:20 P.M.

**PP-2000-189 PRELIMINARY PLAN—RIDGE POINT FILING #2**

**A request for approval of a Preliminary Plan for nine single-family lots on 8.3 acres and one lot on 42.7 acres for future development in an RSF-2 zone district.**

**Petitioner: Ridge Heights, LLC**  
**Location: East end of Hidden Valley Drive, east of High Ridge Drive in the Ridges**  
**Representative: FreeStyle, Inc.—Ted Munkres**

**STAFF'S PRESENTATION**

Bill Nebeker offered a powerpoint presentation which included a project description, vicinity map showing the site's location, Growth Plan map showing future land use designations, Preliminary Plan, close-up of Preliminary Plan showing Tract A open space more clearly, photos of the site from various angles, photos of the remaining 42.7-acre tract from various angles, hillside development regulations, average slope information, No-Build Zone outline, photos of ridges and hillsides, maximum density outline, minimum lot size and width outlines, reduced lot widths drawing affecting lots 4 and 5, photos of access, traffic study findings, pedestrian access to open space in Tract A, outline of drainage, irrigation (none provided), utilities and landscaping (xeriscaping promoted) and findings and conclusions.

A history of the property and its prior development proposal was given. Unlike the previous submittal, Mr. Nebeker noted, the current request is subject to the hillside regulations adopted with the new Code. The Preliminary Plan concerns only the 9 lots contained on the 8.3-acres. No detailed plan had yet been submitted for the remaining 42.7-acre tract. Access to the 9 single-family lots would be via a stub street off of Hidden Valley Drive (location noted). Average slopes on the site are 12.5%. Staff determined that the request conformed to Code requirements and Growth Plan recommendations. Approval was recommended subject to the following conditions:

1. Site-specific lot grading plans, prepared and sealed by a Colorado-licensed professional engineer, will be required for each lot. The final grading plan shall be recorded with the Final Plat.
2. All foundations and retaining structures shall require engineered foundations by a Colorado-licensed professional engineer. A note to this effect shall be shown on the plat and in the subdivision's covenants.

**QUESTIONS**

Commissioner Binder asked if Tract A was where the steeper slopes could be found (30% or more). Mr. Nebeker said that the steeper slopes were located throughout the project site, on lots and on Tract A, but development would occur on the top out of the steep slope area. This was consistent with clustered development techniques.

Commissioner Binder asked for clarification of the comment contained in the staff report that "the open space in Tract A doesn't meet City requirements." Mr. Nebeker clarified that because the open space offered did not meet the requirements for park land, the 10 % land value fee would be required of the developer.

Chairman Dibble asked if any patio encroachment would be allowed in rear yard setback. Mr. Nebeker said that the Code provided a process whereby property owners could ask for, and potentially be

permitted, some incursion into No-Build Zones. At the present time no accommodation had been made for any patio incursion.

Commissioner Blosser asked why a retention pond had not been deemed necessary. Comments in the staff report suggested that with development would have less surface runoff. He asked "how is that possible?" Mr. Nebeker said that City engineering staff had made this determination. Mr. Hahn came forward and said that while he had not been the project engineer there were a couple of possibilities why that may be true. He noted that installation of xeriscaping on individual lots would be factored into drainage calculations. Mr. Nebeker said that the rooftops and asphalt would have about the same runoff factor as the rocky ground. Mr. Hahn added that it would be difficult to construct a retention pond in the area to be of any benefit to the development.

Commissioner Binder asked if Energy Subdivision had yet been developed, to which Mr. Nebeker responded negatively. He added that access for that subdivision would most likely originate via Mariposa drive in The Ridges.

Commissioner Blosser wondered whether enforcement of the No-Build Zone would be left up to the City or the developer. Mr. Nebeker said that the City would assume responsibility. Property owners wanting an incursion into this zone must apply for a planning clearance, which would be subject to staff review. Any violations would be monitored by complaint.

When asked by Chairman Dibble if the development would have a Homeowners Association, Mr. Nebeker responded affirmatively.

Commissioner Binder asked for elaboration on landscaping provisions. Mr. Nebeker suggested that the question be posed to the petitioner. When asked what filing this represented for the developer, Mr. Nebeker replied that this was Filing #2. Filing #1 had been constructed under the old Code.

### **PETITIONER'S PRESENTATION**

Ted Munkres, petitioner, acknowledged that there were still a number of unanswered questions regarding hillside standards. He understood that the City had provisions for allowing incursion requests to be considered through the planning clearance process. He, as the developer, was not providing for nor encouraging "planned incursions" as a part of the current request. The installation of turf landscaping, he said, seemed to slow natural runoff but geologic conditions didn't lend itself to the installation of too much of this type of landscaping. Thus, an allowance of 40% of the available front yard setback would be permitted for turf landscaping. No rear yard installation of turf landscaping would be permitted. Landscaping restrictions would be included as part of the covenants. While irrigation water was available to the site, using it would only encourage more irrigation, which could compromise hillside/foundation integrity. Thus, he was asking that the site not be charged for irrigation water because its delivery and use would be unavailable to home sites.

He clarified that the development would add to the time, not the volume, it would take for runoff to soak into the ground.

Mr. Munkres questioned the fairness of the City's parks/open space requirements. The City, he said, was asking for a fee on top of what he calculated to be at least a 30% land dedication. Citing S.B. #1S2-15, paragraph 3, he asked for the right to contest the City's open space fee. (This paragraph read into the record.) He expressed support for site-specific grading plans, stamped by a Colorado-licensed professional engineer and provided to each homeowner. He said that this idea had garnered support from both City engineering and planning staffs. It had also been determined that no defined wildlife corridors existed on the property although wildlife was bound to be seen on the property occasionally.

**QUESTIONS**

Chairman Dibble asked how the dedication of 34.3% of the overall site to open space applied to the senate bill just read. Mr. Munkres said that the 34.3% figure factored in a portion of the slope area. Additional open space had been provided outside the No-Build Zone, which met the clustering provision. By his calculations, at least 20% of the total site area outside of the No-Build Zone was being required from him by the City to meet bulk standard requirements. Thus, because he'd already exceeded the 10% requirement by providing at least 10% more area than required, he felt it unreasonable to assess an additional parks/recreation fee.

Commissioner Binder asked for clarification on how runoff would be slowed with the addition of more asphalt, watering of yards, structures, etc. Mr. Munkres acknowledged that the land did not perk well. Vince Poppish (2810 Monroe Court, Grand Junction), representing the petitioner, came forward and said that streets would serve to convey water a longer distance over a longer period of time, which would ultimately empty out into a gully. In engineering terms, this was known as "time of concentration."

Commissioner Binder asked if homeowners would be allowed to plant turf grass in their backyards, to which Mr. Munkres responded negatively. He reiterated that turf landscaping could only comprise 40% of available front yard setbacks. A brief explanation was given of the term "perched water table."

Chairman Dibble asked if specific restrictions (i.e., no-build restrictions, etc.) would be noted on the Final Plat. Mr. Munkres replied affirmatively, adding that the No-Build Zone designation was noted clearly even on the Preliminary Plan. He said that in his mind "no build" meant just that, that nothing at all could be constructed within such a zone. Mr. Munkres added that in Filing #1 he was aware of at least one instance where a property owner had opted to construct a retaining wall in her backyard and had sought a planning clearance to do so. While no areas within Filing #1 exceeded a 30% slope, people had different ideas about how they wanted to develop their properties.

Mr. Nebeker read into the record a section of the Code dealing with incursions. He reiterated that while some deviation was possible, none was possible on slopes exceeding a 30% grade; requests are handled on a case-by-case basis.

**PUBLIC COMMENTS**

**FOR:**

There were no comments in favor of the request.

**AGAINST:**

Ron Kelley (401 Dressell Drive, Grand Junction) disagreed with Mr. Munkres' statement that no wildlife corridor existed on the property; he expressed concern over wildlife impacts (the area pointed out by him on a photo of Tract A lay outside the property line). He also felt that other development options were available, which had gone unexplored. He noted the location of a road serving as access to his property as well as to the petitioner's open space tract. He said that people trespassed onto his property regularly and expressed concern that more people settling in the area would only exacerbate the situation. He felt that better marking of trails would help alleviate this problem.

Mr. Kelley was also worried that oils and toxic substances would be carried as runoff from roadways into local duck ponds, posing an additional threat to wildlife. He asked for clarification on who controlled enforcement of the No-Build Zones.

John Sampson (393 North Dale Court, Grand Junction) said that this development would be situated behind his home and he thought that a particularly bad idea. His concerns included hillside steepness, traffic impacts, foundation integrity of homes, lack of law enforcement coverage for the area, trespass,

etc. He said that he could just look at the hillsides and determine that they were steeper than a 30% grade.

**PETITIONER'S REBUTTAL**

Mr. Poppish confirmed that the area referenced by Mr. Kelley as a wildlife corridor was not located on the subject property. Various laws and agencies had been consulted before determining that no recognized wildlife corridor existed on the site. He reiterated that more open space than necessary had been so designated. With regard to drainage, he said that water would be discharged within the confines of the site's buildable area and would not empty onto neighboring properties. He said that slope grades were determined by very technical and reliable equipment. No one could merely look at a hillside and accurately determine slope grade.

Mr. Munkres said that he'd climbed the trail referenced by Mr. Kelley and it is very steep. It was unlikely that people would choose this route for general walking. Most of the established trails are located in the west and southwest portions of his property, away from Mr. Kelley's property. These are well-defined trails requiring no additional designation. He commented that even fencing of open spaces seldom kept people out. He added that engineered foundations would be required for each home.

**DISCUSSION**

Mr. Shaver took exception to the petitioner's reference to S.B. #1S2-15. He said that it is unclear if it applied to the current proposal or if it applied to home-rule cities. The issue of open space dedication fees would be best left up to the Final Plat stage and a City Council determination.

Commissioner Binder asked if monitoring the No-Build Zones could only be undertaken through complaints. Mr. Nebeker reiterated that this could be monitored via complaints, planning clearances and Code enforcement staff.

When asked by Chairman Dibble if the Board of Appeals process could address incursion violations, Mr. Shaver said that the Board of Appeals may not have jurisdiction and would likely not approve any incursion that was self-generated because such wouldn't meet variance criteria.

Commissioner Binder said that Redlands Mesa Subdivision had been seen by planning commissioners in its entirety. She wondered why didn't the Preliminary Plan for the project cover the petitioner's entire acreage? Mr. Nebeker said that the Redlands Mesa Subdivision had been developed under the old Code prior to adoption of new hillside development regulations. He noted that access to the balance of the Petitioner's property is very limited. Also the area for development is a discrete parcel and after four years of ongoing discussion with the petitioner that this is the most manageable approach to developing at least a portion of the property.

Chairman Dibble felt that the current proposal was far better than the one originally submitted and that it mitigated a number of issues.

Commissioner Blosser wondered what elements had been considered in the traffic study. Mr. Nebeker said that Hidden Valley Drive had been deemed sufficiently wide to be classified as a residential collector, accommodating up to 3,000 ADTs; the road presently experienced 2,500 ADTs. Mr. Munkres said that consideration had been given to impacts at the intersection of Ridges Way and Ridges Boulevard. The study also considered potential and future impacts of traffic from Redlands Mesa Subdivision.

Commissioner Blosser commented that the request met the intent of the Growth Plan. He conjectured that there would be significant traffic considerations associated with development of the remaining 42.7-acre parcel.



Commissioner Binder agreed that the proposal met Code requirements and Growth Plan recommendations. She liked the way the petitioner had designed the cul-de-sac frontages of Lots 4 and 5. She also agreed with comments regarding development limitations of the remaining 42.7-acre tract and projected traffic impacts.

Commissioner Cole said that he'd walked the entire site and felt it appropriate that the petitioner was considering development of only a portion of it at present. He, too, agreed that there would be a number of problems with development of the remaining tract, but felt the current proposal to be a good one.

Commissioner Redifer complimented both the developer and staff in their tenacity and expertise in seeing the current project's design through to completion. He expressed his thought that no doubt all possibilities had been explored. Because the project complied with Code and Growth Plan requirements, he found no reason not to support the request.

Commissioner Evans also felt the plan to be a good one. He acknowledged the lack of roads available in the Ridges to handle all current and future traffic. This would be an ongoing issue for that area.

Chairman Dibble asked the petitioner to make sure that potential buyers were made well aware of development limitations and that those limitations were included as plat notes on the Final Plat.

**MOTION: (Commissioner Binder) "Mr. Chairman, on item PP-2000-189, I move that we find the Ridge Point Filing #2 Preliminary Plat consistent with the Growth Plan and the requirements of the Zoning and Development Code and approve the Preliminary Plat with the conditions listed in staff's recommendation."**

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

For additional information for the Commissioners, Mr. Shaver referred them to Code section 7.2.E regarding wildlife. He noted that the Code referenced the 1999 Wildlife Composite Map, copies of which were available to any planning commissioner wanting one. Mr. Nebeker noted that on the Ridge Point project that the map showed an area of "low impact."

With no further business to discuss, the meeting was adjourned at 10:14 P.M.