

**GRAND JUNCTION PLANNING COMMISSION  
FEBRUARY 19, 2002 MINUTES  
7:02 P.M. to 8:45 P.M.**

The regularly scheduled Planning Commission hearing was called to order at 7:02 P.M. by Vice-Chairman Terri Binder. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Planning Commission, were Paul Dibble (Chairman), Terri Binder, Richard Blosser, John Evans, William Putnam, John Redifer, and Roland Cole. Bill Pitts and John Paulson, Alternate members were absent.

In attendance, representing the Community Development Department, were Planning Manager Kathy Portner and Bill Nebeker (Sr. Planner).

Also present were John Shaver (Asst. City Attorney) and Rick Dorris (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 22 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**

Available for placement on the Consent Agenda were items FP-2002-007 (Final Plat—Village Park, Filing #2), RZO-1998-192 (Rezone/ODP—Hall Property ODP) and CUP-2001-241 (Conditional Use Permit—Carl's Jr. Restaurant). At the petitioner's request item FP-2002-007 was withdrawn, with no future hearing date specified. Mr. Shaver said that if the item was withdrawn rather than being continued to a date certain, the item would have to be readvertised. Staff acknowledged that was acceptable to the petitioner.

**MOTION: (Commissioner Binder) "Mr. Chairman, I would move for approval of the Consent Agenda, pulling item FP-2002-007 so that outstanding issues can be resolved, and with no date certain given."**

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

**IV. FULL HEARING**

**ANX-2001-161 ANNEXATION PRELIMINARY PLAN—CIMARRON MESA SUBDIVISION**  
**A request for approval of 1) a Zone of Annexation from County AFT to City RSF-4 (Residential Single-Family with a density not to exceed 4 units/acre) and 2) Preliminary Plan for 116 single-family lots on approximately 32 acres.**

**Petitioner:** Miles Craig  
**Location:** 255 Linden Avenue  
**Representative:** Rhino Engineering LLC, John Kornfeld

**STAFF'S PRESENTATION**

Bill Nebeker offered a PowerPoint presentation, slides included a Vicinity Map (showing location of the site), the Zone of Annexation outline, Growth Plan Future Land Use Map, Preliminary Plan outline, Preliminary Plan Phase 1 Development Plan, Preliminary Plan Phase 2 Development Plan, access outline, street improvements outline, area map showing location of offsite improvements and utilities and open space outlines. Two entrances off of Linden Avenue would provide access into Phase 1. Access into Phase 2 would occur from both Phase 1 and via a future access to Aspen Street to the north and 26 ¼ Road (Canon Street) to the west. Two additional accesses would be provided to parcels with potential for redevelopment to the south of the proposed subdivision—the Stanton parcel in Phase 1 and the Mahoney parcel in Phase 2. It was expected that the majority of trips for the Phase 1 development would use Linden Avenue or B ½ Road to 27 Road and to Highway 50. A future traffic signal may be appropriate at Aspen and Highway 50. Although the signal will probably not be warranted by this development, improvements to the Aspen/Highway 50 intersection will be required with Phase 2. Half-street improvements would be required along the frontage of Linden Avenue.

The Parks Department requested a fee and park land dedication for this subdivision. Phase 1 would provide a fee equal to 10 percent of the unimproved land value; Phase 2 would provide a 10 percent land dedication to connect to the future park behind Dos Rios Elementary School; Mr. Nebeker clarified that the Final Plat must reflect that full dedication. Because only 8 percent of this dedication was presently shown on the Preliminary Plan, likely the currently indicated Phase 2 detention area would be incorporated into the park property, with the detention pond relocated. Mr. Nebeker mentioned the possibility of the school selling off a portion of its property adjacent to the park area which would likely change the configuration of the parkland area. However, whether or not that would occur with Phase 2 was still uncertain.

Mr. Nebeker outlined other points contained in the February 19, 2002 staff report. Having found that the request met both Code requirements and Growth Plan recommendations, Mr. Nebeker recommended approval of the Zone of Annexation (to RSF-4) and approval of the Preliminary Plan subject to the following conditions:

1. Phase 2 shall not be developed until road and sewer access to Aspen Street is provided.
2. The following off-site road improvements as recommended in the traffic study are required with this development:
  - a. Phase 1: Increase turning radii, lengthen eastbound deceleration lane (to meet CDOT standards) and provide roadway shoulder to provide a minimum intersection sight distance at southwest corner of Linden Avenue and Highway 50.
  - b. Phase 2: Widen Aspen Street to provide for a separate northbound right-turn lane and a combination northbound left and through lane at Highway 50.
3. Phase 2 development shall be revised to provide a 10 percent land dedication for a future park behind Dos Rios Elementary School. If the park fails to materialize, a pedestrian access shall be provided to the rear of the school.

**QUESTIONS**

Commissioner Binder asked for clarification of the school district's comments "School District request road to Phase II so west side of district property is not landlocked." [sic] Mr. Nebeker explained that the District felt it had too much land behind the school and was requiring a street stub extending to the rear of its property, so that at some future time the area could be subdivided and the lots sold. The Preliminary Plan does not contemplate that design; however, it may be incorporated into the Final for Phase 2.

Commissioner Cole suggested that improvements for any school-requested street stub be constructed by either this developer or the future developer of any lots created. Mr. Nebeker said that if the stub wasn't provided in conjunction with this development, the school would lose its chance for gaining access to this rear property. He suggested that if the Planning Commission so chose, it could add another condition to require provision of the street stub. Mr. Nebeker acknowledged that there were a number of unknown variables associated with this possibility.

Commissioner Binder asked how much total park area would be provided after the 10 percent dedication. Mr. Nebeker guessed that approximately 5 acres of open space would be created.

Commissioner Evans asked if the Carville property was key to development of Phase 2. (Street and sewer extension would be required through this property in conjunction with Phase 2 development.) Mr. Nebeker replied affirmatively, unless the Carvilles wished their property to remain vacant.

Commissioner Binder asked about proposed traffic-calming. Mr. Nebeker said that while traffic-calming was required, specifics would be proposed in greater detail during Final.

### **PETITIONER'S PRESENTATION**

Jim Bell, representing the petitioner, said that while he'd entered into initial discussions with the school district on the portion of their land in question, no decision for anything specific had been made. He agreed that this was still an unknown variable but he hoped the Planning Commission would be open to considering this option as a possible means of achieving the City's park land dedication requirement. The petitioner was in agreement with staff's conditions and would comply with requirements of the geotechnical report and traffic study. He acknowledged that development of Phase 2 was dependent on the cooperation of others, but that was a risk the petitioner was willing to take.

### **PUBLIC COMMENTS**

#### **FOR:**

There were no comments for the request.

#### **AGAINST:**

Ken Staton (2673 B ½ Road, Grand Junction) said that while he had no objection to the subdivision itself, his biggest concern was over the traffic generated by the project. There are mail receptacles along B ½ Road but with no corresponding pull-out. And while illegal to do so, many people continued to park their vehicles along this narrow roadway. Since the B ½ Road segment was so narrow, the combination of parked vehicles and people stopping to check their mailboxes created a hazardous condition for those traveling down B ½ Road, one that would only be exacerbated by this development. Further, he noted the dangerous 5-point intersection of Highway 50, B ¾ Road and Linden Avenue and said that it was very nearly impossible to make left turns onto Highway 50 from either Linden Avenue or B ¾ Road. People wanting to travel westbound often preferred to wait longer at these intersections for a break in traffic than backtrack to the signaled 27 Road intersection. Often these vehicles would be stacked 7-8 deep. There are no acceleration lanes provided on Highway 50 from Linden Avenue on either side of the highway. This, he said, is a very dangerous situation. Added trips from the proposed subdivision would increase the hazard. Mr. Staton also expected the number of people trespassing across his land to increase with the addition of more people in the area. He asked if a second Highway 50 access could be required of the developer with the first phase to divert at least some of the traffic further west. He also asked that a fence be constructed by the petitioner to separate his property from the proposed project.

Gary Cake (260 26 ¼ Road, Grand Junction) noted the existence of a stand of trees on the petitioner's property that served as a natural buffer between that and adjacent properties. He hoped that they could be preserved. If removed by the petitioner, he asked that at the very least a fence be erected along the

property line as an alternative means of buffering. If lighting for the subdivision were proposed, he asked that it be designed as “down-lighting” to reduce impacts to surrounding residents. He asked planning commissioners to help protect the area’s quality of life currently enjoyed by existing residents.

Weston Lewis (250 26 ¼ Road, Grand Junction) concurred with previous neighbor comments, especially with regard to trespassing concerns, traffic, and the protection of existing trees.

Abbi Wilthrow (103 Mesa View, Grand Junction) expressed concern over the impacts the proposed development would have on area schools. She also felt that the density was too high and asked for consideration of a lower density (2 du/acre). She mirrored the same concerns regarding traffic impacts to Linden Avenue and to the dangerous and uncontrolled 5-point intersection at Highway 50. Since signalization was provided along Highway 50 en route to the mall in less than one-mile increments, she wondered why the same exception couldn’t be made for this intersection. Likely, Fire Department access would also be impacted. Ms. Wilthrow also wondered what type of housing would be constructed.

**PETITIONER’S REBUTTAL**

Mr. Bell said that improvements required by the traffic study would be constructed. Because he is not a traffic engineer, he relied on the recommendations of experts. The traffic study, he said, indicated that the development would not adversely impact the area. Current problems with the Linden Avenue/Highway 50 intersection would exist whether or not the development existed. As was already included in staff’s report, he said that many of the existing trees on the property would be preserved; however, “trash trees” and those which were dead and dying would be removed. School District comments, he said, indicated that area schools were able to handle far more children than the numbers generated by the proposed development. Homes would be stick built and sell in the range of \$125K and \$175K.

**QUESTIONS**

Commissioner Blosser asked about street lighting. Mr. Bell responded that down-lighting was preferred; however, he would comply with City standards, whatever those might be.

Commissioner Evans asked if homes would be stucco-finished, to which Mr. Bell answered affirmatively.

Chairman Dibble asked if foundations would be engineered. Mr. Bell reiterated that he would comply with the recommendations set forth in the geotechnical report.

When asked by Commissioner Cole if there are any solutions to the mail collection problems along B ½ Road, Mr. Bell said that mail collection for the proposed development would occur internally and not along B ½ Road. He noted that no improvements had been required by the traffic study for B ½ Road.

Commissioner Binder wondered if subdivision residents would be able to use the school’s parking lot if a street stub were constructed to extend behind school property. Mr. Bell said that discussions with school officials are so preliminary that it was unclear what the final outcome might be.

Commissioner Binder wondered what type of traffic mitigation measures the petitioner would be providing at the Linden Avenue/Highway 50 intersection. Mr. Bell said that a decel lane had been requested for the south side of Highway 50 at the Linden Avenue intersection.

Rick Dorris said that the traffic study determined that the gaps in traffic movement along Highway 50 were sufficient to allow highway access from Linden Avenue and B ¾ Road. He expected the current project to result in a 9 percent increase in trips/day, a figure that would likely be realized with the completion of Filing 1. Street lighting would probably be installed at each intersection indicated on the

Preliminary Plan for Phase 1 in accordance with City standards. Modification of lighting standards would be determined at Final.

Commissioner Binder did not feel it likely that people would backtrack eastward to the 27 Road intersection if their ultimate goal was to travel west. She asked for clarification on how much of the 9 percent increase in trips/day would be generated with the first filing. Mr. Dorris reiterated that all of the nine percent increase in trips/day would likely occur with Phase 1.

### **DISCUSSION**

Commissioner Putnam agreed that there are a number of uncertainties apparent with Phase 2. If a condition requiring a street stub were added to an approval, he suggested that it be phrased in very general terms. He expressed support for the project with staff's conditions as outlined, noting that much more detail would be required with submittal of Phase 2's Final Plan or revised Preliminary Plan. Mr. Shaver encouraged planning commissioners to provide staff with more, not less, specificity if the Commission were to impose additional conditions. The petitioner, he said, could always come back with an amended preliminary plan. He added that park fee/dedication requirements are contained in the Code.

Commissioner Binder expressed continued concern over the Linden Avenue/Highway 50 intersection and the lack of improvements proposed with the current development. She suggested that an acceleration lane be provided along the north side of the Highway 50 median for westbound traffic entering the highway from the southern Linden Avenue intersection. Having tried to access onto Highway 50 from Linden Avenue on both sides of Highway 50, she agreed that this intersection was extremely dangerous and acknowledged the long wait she'd experienced before attempting to merge into traffic. When at last she did, she'd felt forced to accelerate very rapidly to avoid being run over by oncoming Highway 50 traffic. When asked by Commissioner Binder whether or not CDOT had been given a chance to review the proposal, Mr. Nebeker said that although sent a review packet, CDOT had not responded.

Commissioner Blosser echoed similar concerns. He wondered if staff condition 2 could be modified to include additional required intersection improvements at Linden Avenue/Highway 50, adding that a 9 percent increase in trips/day was substantial, given the level of concern at this highway intersection.

Mr. Shaver reminded the Commission that the right-of-way is under CDOT jurisdiction.

Mr. Dorris offered that the Planning Commission could recommend additional study of this intersection and request that additional recommendations be brought back for review and consideration.

Commissioner Cole didn't think that a decision made on the current proposal would change existing conditions at this intersection either way. Chairman Dibble concurred.

Mr. Bell said that the engineer responsible for the traffic study had spoken with a CDOT representative; CDOT's comments had been incorporated into the final traffic report.

Commissioner Binder said that her conscience wouldn't allow her to approve a proposal that would make a dangerous situation even more dangerous. She reiterated that the natural inclination of people wanting to travel westbound on Highway 50 was to take the shortest route to achieve that end, even if it was more risky or involved longer waits. She did not believe that people would be naturally inclined to "backtrack" to the 27 Road intersection. She said that approval of the current development proposal would only make a bad situation worse.

**MOTION: (Commissioner Cole) "Mr. Chairman, on item ANX-2001-161, I move that we find the Zone of Annexation for Cimarron Mesa Subdivision to be consistent with the Growth Plan and Section 2.6.A of the Zoning and Development Code and recommend approval to the City Council."**

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

**MOTION: (Commissioner Cole) “Mr. Chairman, on item ANX-2001-161 I move that we find the Preliminary Plan for the Cimarron Mesa Subdivision to be consistent with the Growth Plan and Section 2.8.B of the Zoning and Development Code and approve the plan subject to staff’s recommendations and conditions.”**

Commissioner Blosser seconded the motion. A vote was called and the motion passed by a vote of 4-3, with Commissioners Blosser, Binder and Redifer opposing.

**V. GENERAL DISCUSSION**

A brief discussion of upcoming Planning Commission meetings ensued.

With no further business to discuss, the meeting was adjourned at 8:45 P.M.