

**GRAND JUNCTION PLANNING COMMISSION
MARCH 20, 2001 MINUTES
7:05 P.M. 8:58 P.M.**

The regularly scheduled Planning Commission hearing was called to order at 7:05 P.M. by Chairman John Elmer. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Planning Commission, were John Elmer (Chairman), Dr. Paul Dibble, Terri Binder, and William Putnam. James Nall, Nick Prinster and Mike Denner were absent.

In attendance, representing the Community Development Department, were Kathy Portner (Acting Community Development Director/Planning Manager), Joe Carter (Associate Planner), Lisa Gerstenberger (Senior Planner) and Tricia Parish (Associate Planner).

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

Terri Troutner was present to record the minutes.

There were approximately 14 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 FPP-2001-027 (Final Plat/Plan - Spanish Trails Filing 1) and FP-2001-028 (Revised Preliminary Plan - Monument View Ranch). No objection or commentary was received from any citizen, staff or planning commissioner.

MOTION: (Commissioner Dibble) "Mr. Chairman, I move that we approve items FPP-2001-027 and FP-2001-028 as placed on the Consent Agenda."

Commissioner Binder seconded the motion. A vote was called and the motion passed unanimously by a vote of 4-0.

IV. FULL PUBLIC HEARING

ANX-2001-033 ANNEXATION/CONDITIONAL USE PERMIT—BERTHOD TELECOMMUNICATIONS TOWER

A request for: 1) Zone of Annexation from County I-1 to City I-1 (Light Industrial) and 2) a Conditional Use Permit to construct a 100-foot monopole telecommunications tower to allow for digital wireless phone service.

**Petitioners: James and Jill Berthod
Location: 2982 Gunnison Avenue
Representative: NTCH Colorado, Inc./Craig Hoff**

PETITIONERS' PRESENTATION

Craig Hoff, representing the petitioners, said that this site was the last of three proposed towers. Construction of a tower at this location would complete Cleartalk's network and satisfy coverage objectives. Surrounding zoning and uses were primarily industrial, with vacant lots directly adjacent to the east and west. Nine other sites had been investigated but were deemed unsuitable primarily because of preexisting non-conforming uses. An overhead of the site was presented. The proposed tower would be co-locatable for four carriers. Interest from two carriers had already been expressed.

QUESTIONS

Chairman Elmer asked about stability of the monopoles. While the petitioners' narrative stated that no pole had ever fallen, he asked for edification. Mr. Hoff explained that the tower would be placed in the center of the lot. His research had resulted in a letter from a tower manufacturer's representative who had said that in 35 years, and after construction of more than 10,000 towers nationwide, no tower had ever fallen. The letter went on to say that towers were designed to buckle in on themselves but only then in extreme circumstances. Towers were designed to withstand up to 70 mph winds. Mr. Hoff added that engineering guidelines for the towers were very strict.

Chairman Elmer asked if Mr. Hoff had spoken with any of the surrounding neighbors about the request. Mr. Hoff said that neighbors were both notified by mail and he'd met with them personally. Only one person had voiced a concern over potential impacts to his property value. No other objections or concerns had been raised.

Commissioner Binder asked for additional elaboration on how 911 service would be improved. Mr. Hoff said that by triangulating the signal from Cleartalk's network, a person in need would be more quickly found by emergency workers (specifically, to within 400 feet, 64 percent of the time).

Commissioner Putnam asked if the definition of "coverage" included both transmission and reception, to which Mr. Hoff responded affirmatively.

STAFF'S PRESENTATION

Trisha Parish said that a Zone of Annexation was required with each new annexation into the City. The proposed City I-1 zoning would be consistent with former County zoning. Staff recommended approval of the I-1 (Light Industrial) zone. She provided a brief overview of the Conditional Use Permit (CUP) proposal as contained in the March 13, 2001 staff report. She confirmed that other sites had been considered and investigated without success. Utilities and access were available, and a 6-foot chain link fenced, screened by trees and shrubs, would surround the project site. An Air Hazards Report had been submitted by the petitioner, with no tower lighting required by the FAA. While the site was situated near a residential area, the residential area was not directly adjacent to the property. Ms. Parish noted the site's setbacks and suggested planning commissioners consider them for acceptability. Having determined that the request complied with Code criteria, staff recommended approval of the CUP, subject to the following conditions:

1. The petitioner shall submit evidence of additional users (maximum of three other entities as speculated by the applicant) co-locating on the tower and annually report the names, addresses, and telephone numbers of every inquiry for co-location, as well as the status of such inquiry, as part of an agreement retained by the City.
2. Construction of the tower shall consist of a non-glare finish.
3. The petitioner shall submit evidence of satisfactory structural and engineering standards for the 100-foot tower, prepared and stamped by a registered State of Colorado professional engineer.

4. No lights shall be allowed on the tower except those required by the FAA in the Air Hazard Determination.
5. The petitioner shall adhere to all provisions of the Telecommunication Towers/Facilities Use Specific Standards from section 4.3.R of the Zoning and Development Code, the Conditional Use Permit Criteria from section 2.13 of the Zoning and Development Code, the comments submitted to the petitioner by the Community Development Department, and the response to comments and general project report submitted by the petitioner.

QUESTIONS

Commissioner Dibble asked if the request fell within CUP guidelines, to which Ms. Parish responded affirmatively.

Commissioner Binder wondered what happened to a tower if and/or when it was no longer needed. Ms. Parish said that the Code addressed that possibility; in such cases, the use would cease and tower removal would be required.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Chairman Elmer acknowledged that Light Industrial zoning for the site made the most sense. The City's application of an I-1 zone was consistent with its practice of applying the closest County equivalent zone to a newly annexed site.

Commissioner Putnam agreed.

Commissioner Dibble said that the only concern might be in the eventual build-out of adjacent properties; however, he could see no immediate reason to deny the request.

Chairman Elmer added that even if the tower did fall over, there were no buildings surrounding the site which would be affected.

MOTION: (Commissioner Binder) "Mr. Chairman,, on item ANX-2001-033, I move that we forward the Zone of Annexation to City Council with the recommendation of Light Industrial (I-1) for the reasons stated in the staff report."

Commissioner Putnam seconded the motion. A vote was called and the motion passed unanimously by a vote of 4-0.

MOTION: (Commissioner Dibble) "Mr. Chairman,, on item ANX-2001-033, I move that we approve the Conditional Use Permit for a co-locatable 100-foot telecommunications tower subject to staff's recommendation and conditions due to compliance with section 2.13 and section 4.3.R of the Zoning and Development Code."

Commissioner Binder seconded the motion. A vote was called and the motion passed unanimously by a vote of 4-0.

CUP-2001-030 CONDITIONAL USE PERMIT—FAMILY ENTERTAINMENT CENTER

A request for a Conditional Use Permit to build a family entertainment facility in an I-1 (Light Industrial) zone district.

Petitioners: Chris and Heather Burns

Location: 2465 and 2469 River Road

PETITIONERS' PRESENTATION

Chris Burns, co-petitioner, verbally listed the amenities which the new entertainment center (center) would bring to the area (e.g., miniature golf, bumper boats, batting cages, go-carts, arcade, laser tag, party rooms, snack shop). Its design was based on similarly designed centers in other cities/states. No alcohol would be served on site, and loitering would be actively discouraged. A small shop would be located on site to service go-carts. He and his wife had investigated many sites, looking for just the right location and zoning. Trail access leading to the property would be available. A video presentation of center amenities as offered in other areas was given. Noise from go-carts would be minimal (approximately 61 db at 150 feet); the center would be kept clean and secure; staff would be highly trained; and safety would be of paramount concern. A 24-hour security system would be installed. An overhead visual of centers in other areas was presented. Mr. Burns felt that this project would benefit the community by addressing a community need and generating added tax revenue. The site would be visually appealing, with landscaping and rock and water features throughout. He noted that a consultant had been retained to help with the project's design.

QUESTIONS

Commissioner Dibble wondered how high the rock structures would be. Mr. Burns estimated that formations at other sites were approximately 25-30 feet in height. He thought that the one proposed for this site could perhaps be constructed to look like the Colorado National Monument.

When asked by Commissioner Putnam if the center would be similar to Guyton's Fun Park, Mr. Burns said that the center would be much bigger, with more amenities and quieter, more fuel-efficient rides.

Chairman Elmer asked if the petitioners were in agreement with staff's conditions, to which they (Mr. and Ms. Burns) responded affirmatively.

Commissioner Binder asked how center staff would prevent parents from just dropping off their kids to hang out there for the day. Ms. Burns reiterated that loitering would be actively discouraged. Situations where children were left unattended would be dealt with appropriately. This project, she said, was designed to encourage family participation.

Commissioner Binder asked about costs associated with entrance and the rides. Ms. Burns said that the 36-hole miniature golf would run about \$4-\$5/game/person; rides would run in the neighborhood of 2 rides for \$5. Day passes may also be sold.

STAFF'S PRESENTATION

Joe Carter noted that the site's zone imposed a height restriction of 40 feet. The peak of the batting cage had been proposed at a height of 45 feet. It would be left up to planning commissioners to decide whether or not to amend the height restriction (up to 45 feet fell within Planning Commission purview). He amended his March 20, 2001 staff report to state that the miniature golf course had 36 holes, not the 72 holes originally stated. While there was no industry "standard" on parking for a facility of this type, the 158 parking spaces proposed for the project was deemed by staff to be sufficient. Trails access would be part of this project, and access points were noted on the south side of the site. Pedestrian access would be actively encouraged.

Mr. Carter said that hours of operation would be 10 a.m. to 10 p.m. Monday through Thursday and from 10:00 A.M. to midnight Friday through Sunday. Winter (off-season) patronage was expected to diminish. Signage would be per the sign package contained within planning commissioner packets. Staff preferred limiting building façade signage to no more than 200 feet. No illuminated signage would be permitted on the rear of the building. A 25-foot-wide landscape buffer is required between the river trail and the site, with an additional 10-foot-width separating the go-cart track and the river trail. The go-cart track must also be a minimum of 30 feet from east and west property lines. A 4-foot-high landscape berm would be required adjacent to the river trail along the western property line to reduce noise pollution from the go-cart track. A chain link fence would surround the perimeter of the site, with lighting installed throughout (focused and shielded), and a 24-hour security system maintained. A traffic impact study will be required as part of the Site Plan review and would be a condition of approval. Direct discharge of developed stormwater flows would be allowed. The applicants will be required to submit discharge calculations and pay associated drainage fees. Runoff would be conveyed via drainage culverts and/or easements previously installed as part of the Barmac Subdivision.

Public comments were received from Merle Bingham of Coors Tek and Robert Raff of IntraWest Machine and Fabricating. Mr. Bingham warned of potential vandalism while Mr. Raff expressed concern over potential dust, noise, and traffic impacts.

Having found that the request met CUP criteria and was consistent with Growth Plan recommendations and Section 2.13 of the Zoning and Development Code, staff recommended approval subject to the following conditions:

1. A traffic impact study will be submitted as part of the Site Plan review and approved as per the TEDS manual for the City of Grand Junction. The specific requirements of the traffic impact study are listed in the Development Engineer's review comments for CUP-2001-030 dated February 14, 2001. Additional requirements may be provided during the general meeting for the Site Plan Review.
2. The applicants are responsible to mitigate all U.S. Fish and Wildlife runoff water quality concerns within their required Site Plan review submittal.
3. Applicants are responsible to mitigate all U.S. Corps of Engineer concerns, if applicable, within their required Site Plan review submittal.
4. A 25-foot-wide buffer is required between the river trail and the project site. This buffer shall occur solely on the applicant's property. Only landscaping, landscaping berms, the perimeter enclosure, access gate and bike racks can exist in this 25-foot-wide buffer area. An additional 10-foot width, separating the go-cart track and the river trail shall be provided. The go-cart track will be separated from the river trail a minimum of 35 feet. The go-cart track will also be a minimum of 30 feet from the east and west sides of the property line.
5. Fuel storage shall conform to City of Grand Junction Fire Department standards.
6. Hours of operation shall be Monday through Thursday from 10:00 A.M. to 10:00 P.M. and from 10:00 A.M. to midnight Friday through Sunday.
7. Signage: Only one freestanding sign will be allowed on site. The freestanding sign must be adjacent to River Road. Freestanding sign allowance is 185 square feet. The freestanding sign can exist anywhere along the applicants' River Road frontage pending approval by the

Community Development Department at the time of sign permit or clearance application. The freestanding sign cannot exceed 25 feet in height.

8. No illuminated signage will be allowed adjacent to, or specifically directed to advertise along the river trail. No illuminated signage will be allowed on any east, south or west facing building façade. No signage shall be attached to any perimeter enclosure or fence. The applicants will be allowed up to 200 square feet of flushwall signage. A diagram of sign locations and a sign package is attached.
9. The applicants shall provide one bike rack per 10 vehicular parking spaces. More than 50 percent of the required bike racks shall occur adjacent to the trail.
10. A floodplain development permit is required with the Site Plan review submittal. Any building proposed in the 100-year floodplain will be required to complete an elevation certificate. Any structure and/or building constructed in the 100-year floodplain will be required to meet all FEMA standards.

QUESTIONS

Commissioner Putnam wondered why the site configuration depicted on the Site Plan was different from the aerial photo. Mr. Carter explained that the aerial photo included all three of the parcels having the same tax assessor's number. Only two of the three parcels were included in the current proposal.

Chairman Elmer wondered why there were no Fish and Game or Corps of Engineers comments in planning commissioner packets. Eric Hahn stated that neither agency had been involved in the site's subdivision process; their involvement had come later. Comments would be solicited from both agencies during Site Plan review. The Corps, he added, would address riparian impacts from the site, *i.e.*, channelized water.

Mr. Hahn said that with regard to traffic, the site would probably require both left and right turn lanes into the site, with another turn lane possible at 24 ¾ Road. He noted that a signal light would be installed at the 24 ¾ Road and Highway 6 & 50 intersection by the developer of another project. Mr. Hahn indicated that Site Plan review for the project would be administrative review.

Commissioner Binder referenced the City's bus system and wondered if any consideration had been given to installing a bus stop somewhere on site. She expressed concern that busses pulling into the parking lot could conflict with the backing/circulation movements of other vehicles. Mr. Hahn said that while not previously discussed, staff would add that to the Site Plan review. Commissioner Dibble suggested that prior to those discussions, staff should first contact Grand Valley Transit (GVT) and see whether it expected to, or would consider, extending bus service to River Road.

Commissioner Dibble asked if there were any plans to include a pedestrian byway across the railroad tracks. The railroad tracks, he added, were a real pedestrian safety hazard. Commissioner Binder concurred, noting that the Planning Commission had approved a shopping center out in that area as well, which would add to the volume of pedestrians in the area.

Chairman Elmer reminded planning commissioners that a pedestrian byway across the railroad tracks would be an off-site amenity, not generally the applicants' responsibility. He didn't feel it appropriate for the applicants to be responsible for off-site conveyance of pedestrians.

Commissioner Binder felt that an on-site bus turnout was still a worthwhile consideration. Mr. Hahn reiterated staff's willingness to discuss the matter with GVT and the petitioners.

Commissioner Dibble felt that pedestrian conveyance issues would be important if developments in the area increased traffic, resulting in increased pedestrian hazards.

John Shaver noted that improvements to River Road were contained in the City's CIP, so that by the time the area's projects were completed, many planning commissioner concerns may be addressed.

A brief discussion ensued over the term "bike rack" referenced as a requirement in staff condition 9. It was determined that the word "rack" would be replaced by the word "space."

Chairman Elmer did not see any problem with placing signage on the south side of the building provided that it was non-illuminated. Mr. Carter agreed that staff was more concerned with sign illumination impacts during evening hours.

PUBLIC COMMENTS

FOR:

Sid Squirrel (4339 Racquet Court, Grand Junction) felt that the proposed site was the best one possible for the center, offering the greatest number of advantages and amenities. He agreed that it would benefit the community and offer a "beautiful backdrop." He felt that the project would be very successful and urged approval of the request.

AGAINST:

Robert Raff (2477 River Road, Grand Junction) reiterated traffic and pedestrian concerns as outlined in his letter. He felt that there should be a signal light installed at the railroad tracks.

PETITIONERS' REBUTTAL

Ms. Burns said that traffic impacts should be minimized by the fact that their hours of operation would generally be other than those for surrounding industrial uses. Mr. Burns emphasized the need for this type of family facility. No other site, he said, was more suitable for this project.

QUESTIONS

Commissioner Dibble asked if there was any precedence to suggest that patrons would be there up to midnight on weekends. Ms. Burns was unsure. She acknowledged that operating hours could be adjusted. Chairman Elmer had no objection to the facility staying open later. Ms. Burns reiterated that she and her husband didn't want this to be just a hang-out for kids. On-site security would be provided.

DISCUSSION

Commissioner Binder thought the project to be a great idea, with many fun, family activities offered. She thought that perhaps traffic might be a problem but trusted that any concerns would be addressed during Site Plan review.

Chairman Elmer expressed concern that staff not impose too many restrictions on the petitioners. He didn't want to see so many restrictions imposed that the project became economically unfeasible. Off-site improvements should not be the petitioner's burden.

Commissioner Dibble thought that the project offered wholesome family entertainment options. The center, he said, was a far better way for kids to spend their time than "cruising North Avenue." He agreed that the site was amenable to the use, and he expressed support for the project.

Commissioner Putnam agreed, adding that it would offer very little impact to surrounding industrial uses.

Chairman Elmer remarked that while unfortunate that the center was not located closer to residential uses, if it had been, no doubt there would have been a different set of issues.

Kathy Portner reminded planning commissioners to provide staff with guidance on the height issue. She reiterated that the Planning Commission could approve the 5-foot variance (to 45 feet) in the height restriction.

A brief discussion ensued over the height question. The decision was made to allow the peak of the batting cages to extend to a height of no more than 45 feet, with any on-site rock formation heights limited to 30 feet.

MOTION: (Commissioner Binder) “Mr. Chairman, on Conditional Use Permit CUP-2000-217, I move that we find the project consistent with the Growth Plan and section 2.13 of the Zoning and Development Code and that we approve CUP-2000-217 subject to staff conditions, changing the word ‘rack’ to ‘space’ in condition 9 and adding a condition 11, limiting rock monument heights to a maximum of 30 feet and allowing the batting cage peak to extend to a height not to exceed 45 feet.”

Commissioner Putnam seconded the motion. A vote was called and the motion passed unanimously by a vote of 4-0.

V. GENERAL DISCUSSION

A brief discussion ensued over requiring petitioners to study and pay for off-site improvements. Chairman Elmer felt it didn't make sense to have a developer study off-site traffic impacts on areas not adjacent to their site that already have traffic issues. Ms. Portner agreed that this would make a good workshop discussion. She thought it a good idea to invite the City's Public Works Director to participate in the discussion.

When asked who would contact the GVT regarding the last item, Mr. Carter said that he would take care of it.

With no further business to discuss, the meeting was adjourned at 8:58 P.M.