

**GRAND JUNCTION PLANNING COMMISSION
JUNE 26, 2001 MINUTES
7:05 P.M. to 11:10 P.M.**

Vice-Chairman Paul Dibble called the regularly scheduled Planning Commission hearing to order at 7:05 P.M. The public hearing was held in the City Hall Auditorium.

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

In attendance, representing the Community Development Department, were Kathy Portner (Planning Manager/Acting Community Development Director), Pat Cecil (Development Services Supervisor) and Lisa Gerstenberger (Senior Planner).

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

Bobbie Paulson was present to record the minutes.

There were approximately 25 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 consent agenda items

IV. FULL PUBLIC HEARING

ANX-2001-061 ANNEXATION/REZONE/PRELIMINARY PLAN - FLINT RIDGE SUBDIVISION

A request for approval of 1) zone of annexation from County AFT to City RMF-8 (Residential Multi-Family 8 units/ac) zoning district, and 2) a Preliminary Plan consisting of 63 multi-family lots on 13 acres Parham Annexation.

Petitioner: Royal Construction, Inc - Bryan Parham

Location: 2960 D Road

Representative: Atkins & Associates, Inc. - Richard Atkins

City Staff: Lisa Gerstenberger

PETITIONER'S PRESENTATION

Richard Atkins, Atkins and Associates, 518 28 Road Grand Junction, asked the Planning Commission to consider two items; a rezone from AFT to RMF-8 and a preliminary plan for Flint Ridge Subdivision. The site consists of 13 acres and the proposal is for 62 units and a 3 acre park which results in a density of 6.3 dwelling units per acre. Mr. Atkins stated that the density and zoning are in compliance with the Growth Plan designation for this property. He said that the preliminary plan is scheduled for three phases; Phase I will consist of 20 Lots, Phase II will include 20 Lots and Phase III 22 Lots. Mr. Atkins

said that according to a traffic study, prepared by Washington Infrastructure Service of Glenwood Springs, a left turn lane off of D Road will be necessary and Broken Arrow Drive from D Road to Red Cloud Lane should be classified as a Residential Collector which means it will be a wider ROW (right of way) than the normal urban street. Mr. Atkins stated that these recommendations have been incorporated into the design of Flint Ridge and they are currently working with City staff for the improvements on D Road for the turn lane. Mr. Atkins stated that preliminary approval has been received from the Grand Junction Drainage District for proposed site improvements. Irrigation within the project will be addressed at final; he assured the Commission that irrigation to adjacent properties would not be disrupted. Mr. Atkins added that all utilities on the property are adequate for this project. The 4" water line in D Road will be upgraded to an 8" line for fire protection. Mr. Atkins stated that a proposed park is located on the north end of Red Cloud Lane. He said that Red Cloud Lane would stub to serve future development to the north. Mr. Atkins stated that the developer is in agreement with all of staff's recommendations and conditions.

QUESTIONS

Commissioner Bricker questioned why the north half of the street is one width and the southern half another? Mr. Atkins replied that it is wider to accommodate projected traffic volume. When Broken Arrow Drive was designed, future development of the property to the east and west was taken in to consideration. Mr. Atkins estimated that Broken Arrow Drive will have more than 1,000 trips per day which is why a Residential Collector is required.

Commissioner Binder asked if Broken Arrow Drive would eventually extend north to 30 Road? Mr. Atkins replied that he did not think that it would. He surmised that it would eventually go north and then curve back to the east and tie into Westland Subdivision. Commissioner Binder asked how many cars trips are estimated to come down Red Cloud Lane? Mr. Atkins replied that the traffic study indicates that it will be around 900 trips per day and that is why that street is proposed to be narrower than Broken Arrow Drive.

STAFF PRESENTATION

Lisa Gerstenberger reviewed the proposal for Flint Ridge Subdivision. Ms. Gerstenberger submitted letters to the Planning Commission from individuals who were not able to attend the meeting. Ms. Gerstenberger stated that there are two proposals for the Planning Commission to consider, the first is a proposal to zone Flint Ridge Subdivision, which has recently been annexed into the City. The second request is for a preliminary plan approval. Ms. Gerstenberger stated that the first part of the staff report considers the rezone criteria and how the property and the proposal meet those criteria. Staff has reviewed the criteria and the recommended Growth Plan densities, the proposed subdivision design is in compliance with the Growth Plan policies and goals and staff recommends approval of the request for the RMF-8 zone. The second part of report concerns the preliminary plan, which the applicant has indicated is to be developed in three phases and will include a park site. Ms. Gerstenberger stated that this project falls under the new Code and subdivisions with 10 dwelling units or more must comply with the open space provision which requires either 10% of the land or 10% of the land value be granted for purposes of acquiring neighborhood park sites. A triangular piece of property located north of the Mesa Ditch Canal that is somewhat separated from the primary acreage and is ideally located between Westland Subdivision and this development is designated to be a park. The Parks and Recreation Department felt this piece of property would make a good park site.

The City has entered into an agreement with the developer to purchase the balance (over and above that required by the Code) of the property so that there will be a fairly large piece of property located between two fairly large subdivisions that can be used as a neighborhood park when it is developed.

Ms. Gerstenberger noted that access to this development would be from D Road. Staff is not sure where Broken Arrow Drive will extend as it goes north but it will provide interconnectivity between other new

subdivisions. The lot configurations and bulk requirements have been designed to meet the RMF-8 zone district standards. A zero lot line and a modified lot-width has been utilized in designing the lots for the attached dwelling units and have been designed in accordance with Section 6.7.d.3, attached single family development and townhomes of the Code. As far as recommendation of the zone, staff finds that the design is appropriate and the density meets the Growth Plan density range of 4 to 8 units per acre and recommend that Planning Commission forward this to City Council with a recommendation of approval. Ms. Gerstenberger added that staff also recommends approval of the preliminary plan subject to the five conditions listed in the staff report.

QUESTIONS

Commissioner Dibble asked for clarification; in the preliminary summary the density proposed for this project is 4.7 units per acre and the petitioner stated it would be 6.3. Ms. Gerstenberger replied that the density calculates to 6.3 units per acre when the open space is removed from the calculation.

Commissioner Binder asked for clarification regarding a review comment concerning an urban trail along the ditch bank. Ms. Gerstenberger stated that the irrigation company comment was not unusual. She added that the irrigation company was not eager to allow the canal banks to be used for pedestrian access and that it is a standard comment from the City to require a pedestrian path along those canals and to provide access. In this particular development the canal is located along the northern boundary of the triangular piece of property that the City will own so it shouldn't be an issue.

Commissioner Binder asked if a bridge over the canal on the north end of this development has been authorized? Ms. Gerstenberger replied that in the earlier design stages of this development there was question whether there would be one or more canal crossings permitted but this particular one has been negotiated with the canal company and will be allowed.

Commissioner Binder stated her concern that because Broken Arrow Drive is a long straight street it will become a speedway. She asked if there had been any discussion of traffic calming?

Eric Hahn, City Development Engineer, replied that engineering staff has had very little discussion with the applicant regarding traffic calming for this development. He added that the existing reverse curves both at the entrance and the north edge should have some traffic calming effect. Mr. Hahn said that traffic calming could be an issue staff can look at a little closer during the final design stages if the Planning Commission desires.

Commissioner Binder stated that the traffic report refers to future development and recommends Broken Arrow Drive to be a Collector Street. Mr. Hahn replied that is what the recommended classification is from the intersection south to D Road; he continued saying that there are two parcels to the east, between this subdivision and the one that the Commission reviewed a week ago that will not be allowed to have access directly onto D Road because of insufficient spacing. Future adjacent development, he said, would access D Road through this subdivision. The traffic volume that may be coming from the north across the canal will have relief through other subdivisions to the north as well. Since the parcels directly to the east and west will come through this development, the traffic studies showed the volume to exceed the 1,000 ADT which is why a Residential Collector standard is required. Commissioner Binder asked if Red Cloud Lane would also be classified as a Residential Collector? Mr. Hahn replied "No" and added that the traffic study indicated that the number of trips would be distributed throughout other areas and would be under the 1,000 ADT. He suggested that the development to the north would have relief to the north as well as to the east and west through adjacent subdivisions. The parcels immediately to the east and west of this subdivision will not have that relief and that traffic will go through this development. Mr. Hahn added that 1,000 ADT (average daily trips) requires a Residential Collector street.

Commissioner Nall asked if the parcels to the west have adequate spacing to access directly onto D Road? Mr. Hahn replied that the parcel immediately to the west would not have enough room for an access but the next parcel probably will however engineering staff will need to review the information/design when that parcel is developed.

Commissioner Dibble asked Mr. Hahn what effect this development would have on D Road traffic? Mr. Hahn replied that this development would have very little effect on the service level. Mr. Hahn said that D Road is currently at a level D service during its peak hour; however, the intersection at 9th Street and D Road, which is staff's primary concern, is beginning to fail. Future projects, *i.e.*, the Riverside bypass, should alleviate some of the congestion but until a large scale project(s) are in place there isn't anything that can be done to alleviate the congestion at 9th and D Road.

Commissioner Dibble asked if there would be a left turn lane into this proposed development? Mr. Hahn replied that one is required.

Commissioner Binder asked if a deceleration lane would be required entering the property from the east? Mr. Hahn responded that according to the traffic study, the traffic volume does not warrant a deceleration lane. He added that the primary vehicular movement in the morning is out of the site and to the west and entry in the PM is just opposite from that. In other words, Mr. Hahn explained, the peak times for traffic coming and going will be at different times of the day.

Commissioner Binder asked if traffic studies take in account all the surrounding future development? Mr. Hahn replied that studies are required to project 20-year volumes for the surrounding area.

Commissioner Bricker asked even though the traffic study doesn't indicate that a deceleration lane is needed, what if future development warrants it? Mr. Hahn responded that the traffic study is projected out to 20 years and that is the most that can be required of the applicant. Mr. Hahn continued stating that obviously the study estimates traffic volume; the volume could be considerably higher than what is anticipated, but the City can't require a design for other than what is reasonably anticipated. He added that the traffic volumes are reviewed closely by the City traffic engineering staff and this study meets what they believe are reasonable projected volumes.

PUBLIC COMMENT

Favor:

No comment.

Against:

Becky Wareham, 2973 D Road, Grand Junction, stated she represents several surrounding property owners. She submitted over 50 signatures to the Planning Commission from area residents who are against this project. She asked what the homes will look like and where the garages would be attached? She stated that D Road is already very congested and additional traffic from this development will amplify the problem. She added that there currently are no sidewalks along D Road and that it isn't safe for children to stand along D Road while they are waiting for school buses. Ms. Wareham also stated that several of the surrounding property owners are opposed to the proposed density and requested that the density be lowered to no more than three homes per acre. She added that she is concerned with what impact this development will have on her livestock.

Marianne Travor, 2967 D ½ Road, Grand Junction, stated that her property is located north of this proposal. She asked if the homes would have two-car garages? She asked how the developer proposed to keep park visitors off of the surrounding farmland? She also stated that she felt the density was too high and that three homes per acre would be more compatible with the surrounding homes. She asked if there would be additional parking provided for visitors?

Commissioner Bricker asked Ms. Travor if the developer met with the surrounding homeowners to discuss this proposal? Ms. Travor replied that she believed he had but that she did not attend.

Shaw Anderson, 474 Dodge Court, Grand Junction, said she was concerned that the proposed park and playground is next to the canal. She asked if any steps would be made to keep children safely away from the canal?

Francis Hoten, 2964 D Road, Grand Junction, stated that she lives directly east of this proposed subdivision. She stated her opposition to the density. Ms. Hoten said her property, which is approximately 150 feet wide and almost $\frac{1}{4}$ mile long, is adjacent to the rear half of this entire development. She asked who would be responsible for the trees along the boundary of her property and this proposed development and how her livestock would be protected? She was concerned that people would feed her animals through the fence and that dogs would bark at her goats and horses. She stated that she felt the proposed duplexes would not be compatible with the surrounding farmlands. She also wondered if she would lose her access off of D Road?

Commissioner Bricker asked Ms. Hoten if her property was fenced? Ms. Hoten replied yes and that she uses an electric wire along top of the fence to keep her livestock in. Commissioner Bricker asked her what density she would prefer for this development? Ms. Hoten suggested that half acre or third acre lots would be more compatible.

Modesto Galvan, 2644 F $\frac{3}{4}$, Road Grand Junction, stated that he was not opposed to this development but had a few questions. He asked who would do the improvements to D Road and what kind of improvements are going to be done? He asked how far the 8-inch water line would extend up D Road? He added that he did not have a problem with the proposed density and felt that affordable housing was needed in the valley.

Jack Castle, 2966 D Road, Grand Junction, stated that he lives next to Ms. Hoten and wondered what would happen to their accesses onto D Road?

Tom Logue, representing Ephemeral Resources LLC, stated that Ephemeral Resources obtained approval for a sand and gravel operation on 106 acres located near this proposal. He said that he was concerned with the coordination of the D Road improvements between his development and this one. Mr. Logue stated that he spoke with the developer for Flint Ridge and they discussed D Road improvements adding that the Flint Ridge D Road improvement requirements are totally different than the requirements for Ephemeral Resources D Road project. Mr. Logue asked the Planning Commission to encourage staff to look at the overall area and facilitate coordination between projects.

Ed Gardner, also representing Ephemeral Resources LLC, said their operation, located west of this proposed project, is a production of construction aggregates. This production includes mining activities with heavy machinery, stockpiles of processed and unprocessed material, including processing equipment such as crushers, screeners and washers. He added that associated with all of that is the trucking to and from the site. He said he wants the petitioner to be well aware of what this business is and its activities. Mr. Gardner asked that the petitioner provide new owners with this information so they know what they are moving next to.

Commissioner Denner asked how long the plant would be in operation? Mr. Gardner replied once it begins operation, probably 20 to 25 years.

Commissioner Nall asked Mr. Gardner to explain the roadway improvements that were required for Ephemeral Resources? Mr. Gardner stated that they would be making improvements to 29 $\frac{1}{2}$ Road and

29 5/8 Road, which will be the main entry into their site. The improvements would start at 29 ½ going south to approximately C ½ Road and improvements to D Road will be made include widening and adding acceleration and deceleration lanes.

Commissioner Bricker asked Mr. Logue if he had communicated his concerns to City staff? Mr. Logue replied no that he has only dealt with the developer of this property.

PETITIONER'S REBUTTAL

Mr. Atkins displayed an overhead of a project similar to the proposed Flint Ridge. He said each unit would be approximately 1100 square feet in size with an attached two-car garage.

Commissioner Binder asked will there be parking for visitors? Mr. Atkins replied that the right-of-way would be 52 feet wide allowing for adequate parking. Commissioner Bricker asked if there would be any fencing around the development? Mr. Atkins stated that a 6-foot perimeter fence would be installed on the east, west and the north sides. Mr. Atkins stated that the extension of the 8-inch water line will begin at the ditch and will be extended east to the west side property line. The other utilities except the sewer line will be on the north side. Mr. Atkins stated that he held a community meeting. At that meeting he discussed with Francis Hoten moving the entrance so that it is approximately 220 feet from Francis's driveway.

Commissioner Nall asked would the accesses for the properties to the east be eliminated?

Mr. Atkins said that he thought all the accesses would be maintained as they currently are adding that as those parcels are developed the accesses will probably be eliminated. Mr. Atkins added that as far as keeping children away from the canal, he felt it was a behavioral thing and that he would not be able to control that. Commissioner Dibble asked if the park would be fenced? Mr. Atkins replied that the plan was not to fence it. Commissioner Dibble asked if the park property would be deeded to the City? Mr. Atkins replied affirmatively.

Mr. Atkins continued stating that when Phases 1, 2 and 3 are developed, a turn around in Phase 1 and a hammerhead in Phase 2 will be provided for emergency service. He added that he would be meeting with City staff tomorrow about coordinating the road improvements on D Road for the turn lanes, deceleration lanes, *etc.* The existing sewer is located on the south side of D Road. A road cut will be made across D Road in order to bring the sewer line to this property. He added that he was not sure what improvements would be made to D Road; he did say that there might be a detached sidewalk depending on the width of the right-of-way.

Commissioner Nall stated his concern with the gravel pit regarding noise, dust, etc. He asked Mr. Atkins what his plans are to make future buyers aware of it?

Mr. Atkins stated that they are well aware of this operation and that the matter would be addressed in the covenants.

Commissioner Binder reiterated her concern that people would speed along Broken Arrow Drive since it was a very long straight stretch of street. She asked the applicant if he would consider any mitigation? Mr. Atkins replied that he would consider any suggestions made by staff that met the design criteria.

Mr. Hahn assured the neighbors that their current access to their homes along D Road would not be altered as a result of this development. He added that when future development is proposed, any intersections coming on to D Road would have to meet the spacing criteria. Mr. Hahn said that as far as the road improvements that are required by the owners of the gravel operation, staff has been aware that there would be overlap on this and other developments. The traffic engineering staff began looking at D

Road within a week or two after this submittal was received by the City. Staff feels that a majority of these issues can be ironed out during the final plan and are not pertinent enough to hold up the preliminary plan. The acceleration/deceleration lanes that are required for the gravel pit are more restrictive than for residential subdivision for the obvious reasons that traffic from a gravel pit includes many large trucks coming and going from the operation. Mr. Hahn continued; in regards to traffic calming along Broken Arrow Drive, the City does not have standards for this but engineering staff has made recommendations in the past. The Commission can request that staff analyze this more closely at final but from an engineering standpoint it is a very subjective review because there are no numbers to indicate that the speeds and volumes combined are going to be a problem. He added that it is more of a feel and in looking at it he agreed that it is a valid concern.

Commissioner Dibble asked if the City could post speed limit signs? Mr. Hahn replied that signs could be put up but frequently they are ignored. If traffic calming is necessary, he said, it needs to be built into the street as some kind of restrictions *i.e.*, speed humps, speed dips, etc.

Commissioner Dibble asked if school bus pick up locations were being considered? Mr. Hahn replied that is typically something staff does not review but could make recommendations to the developer on. He added that he assumed that the School District would comment on that.

Commissioner Binder asked what improvements are planned for D Road and how long before they would be complete? Mr. Hahn replied that the major street plan designates D Road as a Minor Arterial, which has an 80-foot right-of-way, which specifies four through lanes, two on each side and a center turn lane. The models that have been done by the MPO indicate that D Road will not warrant that kind of improvement for 40-50 years or more. In order to maintain the right-of-way as a Minor Arterial, the actual street section will basically be designed as a Collector which is two through lanes and a center turn lane with detached sidewalks to preserve the additional right-of-way. An Administrative Regulation for this cross section of street was adopted last spring. Mr. Hahn stated that the Flint Ridge development is being required to build half-street improvements based on the same cross section of street.

Commissioner Dibble asked if these improvements would be consistent all along D Road? Mr. Hahn said he didn't think this administrative regulation had been adopted when the gravel pit was approved. He explained that in the past 12 months there has been a lot of turnover in city engineering and management that have changed some of the policies. He stated that because of the changed policies, staff is faced with these kinds of issues where properties that are back to back have different requirements. D Road specifically, said Mr. Hahn, has a number of properties that have different requirements as far as street frontage is concerned.

Commissioner Binder asked for clarification; is D Road being improved "piece-meal" or are there plans to improve it all some day? Mr. Hahn replied that it would be "piece-meal." He said that as development occurs each development will be required to put in their half street improvements.

Commissioner Denner stated that he was not comfortable with subdivisions being next to agriculture. He added that the plan was good but felt it was in the wrong place.

Kathy Portner, Planning Manager, when asked by Mr. Shaver, gave an overview of the Growth Plan and clarified some of the issues. She stated that the Growth Plans for the City and the County were adopted five years ago. She said that the Fruitvale/Pear Park area in the original plan had lower densities than 4 to 8 units per acre. The 1996 Growth Plan document shows this area with proposed densities of 2 to 4 units per acre and one unit per two acres. Ms. Portner said that the County had approved several subdivisions in this area in the medium density range of 4-8 units per acre and continued to approve other subdivisions after the adoption of the Growth Plan. The County felt that the Growth Plan designation was too low given the type of development and the zoning that already existed; therefore, Mesa County

proposed an amendment to the land use map. Although Mesa County initiated the change, it required action by both the City and County Planning Commissions to make the change in the Plan for the Fruitvale/Pear Park area. Because of the existing zoning that is in place and because of the development in that area the area was re-designated to 4 to 8 units per acre. The City and County Planning Commissions in 1999 reviewed proposed amendments to the Growth Plan. That is what was adopted in 1999 and is what is in place today.

Because of the Persigo Agreement this development is now going through the City process and staff is using the Growth Plan to determine what density is appropriate; Ms. Portner added that the Growth Plan designates this area in a range of 4 to 8 units per acre. She said that it is within the Planning Commission's discretion as to what end of the range the development ends up with. The Growth Plan is more than just a land use map itself, Ms. Portner added there are goals and policies to take into consideration when deciding what should be proposed/approved. She reminded the Commission that prior to adoption of the Persigo Agreement, the City annexed property by sewer service and only when the City was ready to annex. The Persigo Agreement that was put together by both the City and County did away with that method of annexation. The City no longer annexes by way of sewer service but annexes as properties develop. That agreement also defined the area that presumably will eventually be within the City limits; that area is known as the Urban Growth boundary which coincides with the 201 Sewer Service boundary. The whole premise of the growth plan boundary is that there is sewer service and within that boundary the areas are designated for urban densities and outside of that boundary they are designated as rural area. Ms. Portner continued saying that it is a fairly large area and within that area there is significant diversity in density. Ms. Portner added that the area being considered tonight is a major transition area. Because of the size and configuration of properties in this area, the transition is going to be very "piece-meal." It is an agricultural area in transition and it may be that way for many years.

Commissioner Dibble asked if the prior county zoning was AFT and whether the City gave consideration to the prior zoning when bringing property into the City? Ms. Portner replied that under the Persigo Agreement the City has two options at the time of annexation. The two options are the City can either zone it in accordance with the county zoning or in accordance with the land use plan. She stated that given this area's transitional nature, she did not feel it would be wise to zone it RSF-R. She added that over the long term the land uses would not remain rural in character.

Commissioner Binder questioned the staff's analysis of rezoning criteria #3 (which states "the proposed rezone is compatible with the neighborhood and will not create adverse impacts such as capacity or safety of the street network.") She asked how could the Commission approve developments that will impact a street network that is already at a Level Service D?

Ms. Gerstenberger answered that City Engineers look at the internal street network and also coordinate with the County to consider the regional impact. She said that City Staff are keenly aware of the deficits in the existing street network in this area. She also said that when new development is proposed consideration is given to how it will impact existing streets.

Mr. Hahn added that a level service D is the minimum acceptable level and by the book this proposal is not impacting D Road to the point that a denial should be made based on the impact. Mr. Hahn added that the level of service at 9th and D Road without any kind of study involved is not difficult to see that it is a failing level of service at certain times of the day. Many of the improvements that are proposed on 29 Road, the Riverside bypass and a number of others should be enough to relieve the congestion issues. Until these improvements are in, the situation will continue to get worse as development occurs.

Commissioner Denner asked what provisions are being made by the School District for school bus stops? Ms. Gerstenberger replied that staff does not specifically ask for that information. Ms. Gerstenberger

explained that School District 51 and Laidlaw typically designate stops based on the number of children riding the bus at different locations.

Ms. Gerstenberger added that there were three things brought up during the discussion tonight with the applicant that were not part of staff's review but certainly staff is willing to support these if the applicant is willing to do them as conditions of approval. The first item was the applicant's willingness to install perimeter fencing. Clarification needs to be made in the CC&Rs of who will be responsible for the maintenance of that fence. The second item is the notification of future properties owners of the proximity of the gravel pit in the CC&Rs and the third item is the suggested traffic calming measures.

DISCUSSION

Commissioner Putnam said that there could be many difficulties with subdivisions being built in rural areas. He explained that he knew someone who had owned a commercial orchard on Patterson Road and a subdivision went in next to it. People from the subdivision complained about his use of pesticides on the orchard and began to vandalize his machinery. The owner of the orchard sold the property as a result.

Commissioner Denner stated that he supported the Growth Plan but did not feel comfortable with the transition. He added that this entire area would eventually be urban.

Commissioner Binder stated that the applicant has met all of the criteria that the Code/Commission has to work with. She added that she would like to see a perimeter fence installed and traffic calming devices considered.

Commissioner Bricker asked when a new buyer would see the plat note referring to the gravel pit?

Mr. Shaver replied that it is customary for a photocopy of the plat to be attached to the title policy. A plat note can be added concerning the gravel operation. Mr. Shaver also suggested that the Commission require notice be included in the CC&Rs.

Commissioner Bricker asked if the Commission could recommend that the buyer verbally be given this information. Mr. Shaver replied that the difficulty with that is the enforceability because this developer may not ultimately be the homebuilder, there likely will be third parties involved. The City's standard approach is the plat note and the CC&Rs disclaimer.

Commissioner Nall stated that he felt level service "D" wasn't too bad.

Commissioner Putnam stated that Criteria 2 & 3 discuss a change in the character of the neighborhood and compatibility of the proposed rezone with the surrounding neighborhood. Because this is a transition zone, the argument can go either way adding that the first development starts that change.

MOTION: (Commissioner Denner) Mr. Chairman on item ANX-2001-061, a request for zoning the Parham Annexation/Flint Ridge Subdivision to Residential Multi-Family, 8 du/ac (RMF-8), I move that we forward this request to City Council with a recommendation to approve, with the findings as outlined by staff in their report.

Commissioner Binder seconded the motion. A vote was called and the motion passed by a vote of 6-0.

MOTION: (Commissioner Binder) Mr. Chairman, on item ANX-2001-061, a request for a Preliminary Plan Approval for the Flint Ridge Subdivision, I move that we approve this subject to staff conditions, with the findings as outlined in the staff report with and addition of three conditions beyond the first five that staff have recommended. 6) perimeter fencing with clarification in the CC&Rs as to who will be maintaining this fence; 7) a plat note will be placed

concerning the gravel pit existence and also included in the CC&Rs for future buyers; and 8) that staff will work with the applicant concerning applicability of traffic calming devices along Broken Arrow Drive.

Mr. Shaver asked Commissioner Binder to clarify the reference to the fence as the fence proposed by the applicant. He added that the applicant gave specific reference that it would be a 6-foot high privacy fence on the east, west and north perimeters.

Commissioner Binder concurred.

Commissioner Denner seconded the motion. A vote was called and the motion passed by a vote of 6-0.

A recess was called at 8:25 P.M. The public hearing was reconvened at 8:38 P.M.

ANX-2001-080 ANNEXATION/REZONE/PRELIMINARY PLAN—GRAND MEADOWS

A request for approval of 1) zone of annexation from County AFT to City RMF-5 (Residential Multi-Family 5 units/ac) zoning district, and 2) a Preliminary Plan consisting of 41 single-family lots on 9 acres.

Petitioner: 30 Road LLC - Jerry Slaugh
Location: East side of 30 Road between D.625 Road and Gunnison Way
City Staff: Lisa Gerstenberger

PETITIONER’S PRESENTATION

Jerry Slaugh, manager and principal of 30 Road LLC, requested that the Commission consider the zoning of approximately nine acres on the East Side of 30 Road and a preliminary plan approval. Mr. Slaugh stated that the original staff report indicates the proposal is for 41 lots; however, the density has been reduced by one lot to accommodate the detention areas and some other engineering issues. The final proposed density is 4.4 units per acre, which is at the low end of the Growth Plan designation for this area. Mr. Slaugh stated that he has met with staff several times and a majority of the issues in staff’s comments have been resolved. The only remaining issue is fencing restrictions on some of the lots that have double and triple street frontages. Mr. Slaugh stated that the CC&Rs will be amended and a plat note will be made to further restrict fencing on those lots so that there is no sight problems with traffic on the intersections. The Colorado Geological Survey recommends that having open hole inspections prior to construction of the individual houses. Mr. Slaugh said that they would comply with this and added that all their houses will have engineered foundations.

Mr. Slaugh stated that he spoke with Mr. Louie Doorlack of the Mesa County Engineering Department approximately a week ago concerning the 30 Road project, the underpass under the railroad tracks and the intersection at I-70 Business Loop. He said it is his understanding that these road improvements will be done this fall. He added that hopefully the improvements would help mitigate the traffic congestion on 30 Road. Mr. Slaugh continued; an access to the subdivision is proposed through existing stubbed out streets in the Fruitwood Subdivision called Gunnison Way and Dodge Street. These two access points are just north of the project. According to engineering staff comments this development will be adding approximately 600 average daily trips on to Gunnison Way for Phase I (16 lots). Phase II includes 24 lots. When the project is complete there will be access to Dodge Street going to 30 Road. The original plan showed Gunnison Way continuing on to the south to a stubout. Staff recommended that this be moved and aligned with Teco Court.

Mr. Slaugh stated that on the West Side of the project, adjacent to 30 Road, a common area will be developed and will be the site for onsite detention and drainage. Part of 30 Road is currently being improved on the south 60 feet of this property and, Mr. Slaugh said, they would cost-share for half street improvements to continue 30 Road. A 10-foot wide sidewalk access will be built from the cul-de-sac at

the end of Grand Meadows Court to 30 Road for pedestrian traffic. A utility easement will be provided for sewer, water, *etc.* Mr. Slaugh stated on the east end of the property there is an existing open drainage ditch that will be tiled.

QUESTIONS

Commissioner Nall asked the applicant if there was direct access to 30 Road? Mr. Slaugh replied that the only direct access is a pedestrian access. Because of the configuration of the property and because 30 Road has limited access, there isn't adequate intersection spacing to allow an additional access to 30 Road. He added that is why this subdivision is using the existing stubouts. Commissioner Nall asked where the stub accessed 30 Road? Mr. Slaugh indicated the route on the overhead.

STAFF PRESENTATION

Lisa Gerstenberger stated that this subdivision is similar to the one the Commission just reviewed in that it is a two-part request. The first request is consideration of a rezone from County RSF-R to City RMF-5 and the second request is for approval of a preliminary plan. Ms. Gerstenberger said that this subdivision has gone through the annexation process and is now in the City. The rezoning criteria have been reviewed and analyzed by staff and given the proposed preliminary plan, staff recommends approval of the RMF-5 zone district. This zone and the proposed density of 4.4 are within the density range of the Growth Plan. The preliminary plan is proposed to be developed in two phases. The first phase will have access from Gunnison Way that leads directly to 30 Road to the northwest. The second phase will have access provided through an extension of Dodge Street to the northeast. Phase One will contain approximately 18 lots, a detention pond and a 20 foot pedestrian easement that includes a 10 foot concrete sidewalk which will connect Grand Meadows Court to 30 Road. The detention facility will be constructed in Phase One and will be owned and maintained by the homeowners association. Irrigation water will be provided with this development as well. Staff feels that the RMF-5 zone is consistent with the Growth Plan land use designation and with Section 2.6 of the Zoning and Development Code and recommends approval. Staff also recommends approval of the Preliminary Plan subject to two conditions 1) the developer advising through plat notations and CC&Rs the potential property owners of Lots 1 and 2, Block 4 in Phase I that there will be some fencing requirements and restrictions because of the double frontage lots; and 2) compliance with the recommendation that the Colorado Geologic Survey with appropriate plat notation and CC&Rs concerning geotechnical concerns within the area.

QUESTIONS

Commissioner Bricker asked why the School District 51 commented on Flint Ridge Subdivision but not on this one?

Ms. Gerstenberger replied that staff sends the School District a request to review every subdivision; she said that sometimes the District responds and sometimes it doesn't. Commissioner Bricker asked if in the future the District be included on the review comment sheet with an indication that it has not responded. Ms. Gerstenberger replied that staff would do that.

Commissioner Bricker asked for clarification of why an exit would not be allowed onto 30 Road? Mr. Hahn answered that it is primarily because there is insufficient spacing between intersections on 30 Road. He said that the applicant needs at least 300 feet of spacing between intersections or to be able to align directly with the Gunnison Avenue intersection across from it and the applicant is unable to do either. Obviously the give and take is if an access is restricted in one place, it creates more volume into the existing accesses. The typical county residential streets approximately meet the City's current residential street requirements and the capacity is about the same, which is approximately 1,000 ADTs, which is roughly equivalent to about 100 lots. A typical residential street can handle 1,000 trips a day.

Commissioner Bricker asked if all the vehicles from Filings 1 and 2 exited onto Gunnison Way would it overload that street? Mr. Hahn replied that according to the standards it would still be under the 1,000

ADTs. Mr. Hahn continued that the next logical question is how it impacts the intersection at 30 Road. Improvements, including a center turn lane, to 30 Road are forthcoming which should alleviate a lot of the congestion.

Commissioner Denner asked for clarification; can Gunnison Way handle that number of trips per day? Mr. Hahn replied that it meets the standard reiterating that a typical residential street can handle 1,000 trips per day, which is roughly equivalent to 10 trips per lot or 100 lots. Commissioner Nall asked if that included the existing traffic too? Mr. Hahn replied affirmatively; that is the total impact on the street.

Commissioner Nall asked with future developments are there going to be more through streets? Mr. Hahn replied that the Grand Meadows Subdivision would stub to the south in two locations.

Commissioner Nall asked what the zoning is south of this parcel and what impacts it will that have on the future capacity analysis of the streets. Mr. Hahn replied that the parcel to the south is currently under county jurisdiction and he was not sure what the zoning would be if it were annexed. Mr. Hahn stated that staff is not as concerned about the capacity of the residential streets as they are about the intersections on 30 Road. He added that the improvements to 30 Road in a large measure should alleviate some of the traffic concerns.

Commissioner Bricker asked if the streets in the development to the north met the city standard width? Mr. Hahn replied that they do not meet the standard width but are very close, within probably 4 feet. Mr. Hahn added that by design most residential streets are narrow and are built that way intentionally as a traffic calming measure.

PUBLIC COMMENTS

In Favor:

No comment.

Against:

Verna McDougall, 479 Gunnison Court, Grand Junction, read and submitted a letter to the Planning Commission. In summary, the letter identified the following issues: Gunnison Way is county road and doesn't have a turn lane from 30 Road into the cul-de-sac making it a safety issue; there are two day care homes, and children are present daily; there is a special needs home which is at the cul-de-sac where the applicant is proposing a turn in from Gunnison Way; a deaf child lives on the blind corner of the cul-de-sac; and an existing drainage ditch needs to be repaired. The letter was received for the record.

Ms. McDougall asked who is responsible for street maintenance, the County or the City? She stated that this subdivision should have direct access to 30 Road.

Shaw Anderson, 474 Dodge Court, Grand Junction, stated that she was not against the proposed subdivision but has concerns with traffic impacts because there is no access to 30 Road. She asked who would be responsible to mitigate the Russian Knap Weed on this parcel? Ms. Anderson stated that the developer had not contacted area residents regarding this proposal. She asked if the pond could be relocated and access allowed directly to 30 Road?

Charles Drake, 3059 Gunnison Avenue, Grand Junction, agreed with Ms. Anderson. Mr. Drake stated his main concern is the traffic.

Sharon Hollenbeck, 3015 Gunnison Avenue, Grand Junction, asked if there was a 6-foot fence proposed between her property and this one? She asked if the irrigation ditch behind her property would be pressurized and if the other property owners were going to be allowed to use the irrigation water? She added that she was also concerned about traffic impacts on 30 Road.

Betty Drake, 3015 ½ Gunnison Avenue, Grand Junction, said she was concerned about traffic on Hill Court in front of her house adding that there are three bus stops with several kids living along that street. She suggested that with a new subdivision there would be more children, buses and bus stops. She said that people speed down that street; there are two dips and a speed limit sign but neither seems to slow traffic. Ms. Drake also voiced concerns regarding drainage. She stated that when it rains, water backs up her driveway and floods several back yards in the neighborhood.

PETITIONER REBUTTAL

Jerry Slaugh observed that most of the concerns with the project are traffic/traffic related. He said he was not aware of anywhere in this valley that didn't have a traffic problem. He said that the City is making great strides in solving this problem. Mr. Slaugh stated that as far as maintenance on the interior roads of Fruitwood Subdivision, he said he assumed they were dedicated to the County and therefore the County would be responsible for maintenance issues. Mr. Slaugh referred to the drainage issue on Hill Court. He said that drainage was reviewed for the Fruitwood Subdivision to make sure that this proposal could adequately handle any street surface runoff. He felt that the drainage improvements being proposed for the Grand Meadows Subdivision would help alleviate some of these problems that are occurring in the Fruitwood Subdivision. Mr. Slaugh stated that they would remove the weeds. He said that irrigation water would be provided for this subdivision at head gate 135 adding that if there were existing users of that headgate, he would not interfere with their irrigation water. Mr. Slaugh said the system for Grand Meadows will be underground and pressurized.

Mr. Slaugh continued by addressing the comment that one of the neighbors did not receive notice concerning this development. Mr. Slaugh added that notices were sent to all adjacent property owners and a neighborhood meeting was held in December. He said that three people attended that meeting including himself, Eric (Mr. Slaugh's business associate) and Eric's wife. Mr. Slaugh continued by saying he received two phone calls from property owners in the last six months. One neighbor expressed concern regarding increased traffic and another neighbor questioned whether the proposal was for multifamily or single family homes. Mr. Slaugh said he assured the caller that the homes would be single family detached. Mr. Slaugh stated that his business associate, Eric, contacted some of the neighbors in order to have a meeting regarding the street improvements and the tiling of the drainage ditch but the neighbors chose not to respond so there wasn't a meeting. One of the neighbors asked about a perimeter fence. Mr. Slaugh responded that he does not like the "stockade" look that results from several 6-foot privacy fences. He said that if homeowners want a 6-foot privacy fence then that should be their prerogative. He stated that he did not think that should be a requirement of this subdivision and that he felt it would be much more neighborly without "stockade" fences.

Commissioner Nall asked, "with the improvements that are proposed on 30 Road, is there any opportunity to realign an access onto 30 Road?" Mr. Hahn replied that realignment was a possibility; however, he stated he didn't believe there were any plans to realign the street across on the West Side of 30 Road. To get access onto 30 Road, this particular subdivision would have to negotiate some kind of right-of-way with the property to the south. Commissioner Nall asked if the access on the other side of 30 Road could be realigned? Mr. Hahn replied that there are commercial uses on that side of 30 Road so it would be very difficult to realign the access there, adding that he didn't think the County had plans to realign any of the intersections.

Commissioner Nall commented that if the applicant could align with Gunnison across 30 Road it would be a win-win situation. Mr. Hahn added that if they could align with Gunnison on the other side of 30 Road it would also meet the requirements of TEDS as far as the spacing. Mr. Hahn said that the difficulty is there are two separate properties, while possible it would require a considerably different plan than what the Commission is reviewing tonight.

Discussion ensued regarding direct access on to 30 Road.

Mr. Hahn stated that the maintenance on the existing streets will still be within the County's jurisdiction adding that any failures in culverts or drainage will be the responsibility of the County to maintain just as it is now.

Mr. Hahn stated that the County, specifically Ken Simms with RTPO, prefers the street layout as proposed without any access onto 30 Road. Future plans for the viaduct underneath the railroad in conjunction with some modified lighting sequence timing on the Business Loop should alleviate a lot of the stacking. Mr. Hahn sympathized saying he understood why residents are concerned, but added that a little different light timing of the lights in conjunction with the railroad tracks no longer being an issue should make a large difference. In addition to these changes, the 29 Road extension proposed within the next 5 to 10 years would drastically reduce the volumes on 30 Road.

Commissioner Binder asked for clarification; will the maintenance of streets up to this subdivision be the County's responsibility and within this subdivision be the City's? Mr. Hahn replied affirmatively. Mr. Hahn added that as part of the final design, staff would coordinate with County to consider a stop sign configuration at the intersection of Dodge Street and Gunnison Way.

Commissioner Binder asked the petitioner where the pond would be located and if any landscaping was proposed?

Mr. Slaugh replied that he intended to landscape the detention area and make it into a little park. He said they have discussed the possibility of fencing along the 30 Road right-of-way or suggested maybe some vegetative screening would be more appropriate. Commissioner Binder asked if the homeowners association would be responsible for maintaining the park? Mr. Slaugh replied affirmatively.

DISCUSSION

Commissioner Bricker didn't like the idea of directing traffic from one development into another.

Commissioner Putnam agreed with Commissioner Bricker. Commissioner Putnam recollected that the Commission approved a plan for St. Mary's Hospital, which allowed an intersection at the bottom of the hill south of Patterson Road that none of the traffic manuals would approve of. The Commission determined that it was a workable solution to a bad problem adding that the Commission should seriously consider allowing an access directly on to 30 Road.

Commissioner Dibble pointed out that City engineering staff has explained the difficulties and the circumstances with allowing that access. He added that it didn't appear feasible at this time to reengineer the access. He suggested that the City discuss with the County the possibility of some road improvements that might lessen the problems.

Commissioner Nall stated that he felt it makes logical sense to consolidate accesses, but on the other hand he wondered what the consequences of having an access onto 30 Road are? He said in his opinion it would not be a bad option and could not envision any severe consequences of having an offset access. He added that offset accesses are prevalent throughout the City and Mesa County. Unless a manual or directive from the City specifically prohibits an access, he felt the subdivision should have an access directly onto 30 Road. He asked if the Planning Commission had the authority to violate this policy if one does exist?

Mr. Shaver replied that the plan being considered does not show if or how access would work on 30 Road; therefore, staff cannot answer whether it would be a violation or not. Mr. Shaver suggested that the Commission make a decision based on the plan before them tonight. He outlined options for the

Commission; he said if the Commission feels this plan should have an access onto 30 Road, then it should be voted down and the Commission should request the applicant to take another run at the access. In that regard the Commission would not violating a standard or directing a standard to be violated because the applicant would be required to develop and present additional information. Mr. Shaver continued saying; "as you heard Mr. Hahn say there may be other possibilities for realignment. There may be other solutions with the property owner adjacent to the South."

Commissioner Putnam pointed out that in recent workshop staff suggested that it was poor planning to have a three frontage lot. Commissioner Putnam stated that this subdivision has at least one three frontage lot in it.

Commissioner Binder said she did not like to route traffic from a new subdivision through an existing subdivision, but added that it is also important to limit access on to arterial streets because arterial streets are what move traffic.

Commissioner Putnam agreed that the applicant should reconsider an access to 30 Road.

Commissioner Binder asked staff if the access came out on to 30 Road north of the detention pond would it be too close to the other intersection off of Gunnison Way?

Mr. Hahn responded that according to TEDS, it is too close. Mr. Hahn added that the TEDS manual offers an exemption process that the applicant could use in this case. He explained that the applicant would have to show, through a traffic consultant's analysis, that staggered intersections would not cause problems. In this particular situation that is possible because the left turns would not have any kind of conflicts; the turns are staggered in the right direction. Mr. Hahn continued; he could not say whether or not the exemption would get approved.

Mr. Shaver stated that the "design exception" is what Mr. Putnam described on 7th and Wellington for St. Mary's Hospital. Mr. Shaver stated that the exception would ultimately be up to the Public Works Director to decide; the Planning Commission has no authority. The decision would be based upon his best engineering judgment relying on the development engineer's and traffic consultant's input. Mr. Shaver explained that the exemption is a process that is established in the TEDS manual that gives a little bit of flexibility for issues such as this. Mr. Shaver said the Public Works Director might require that all the options, *i.e.* realignment or the possibility of a joint access to the property to the south, be exhausted before he will entertain the exception process.

Commissioner Binder asked if the property to south with the County road would still have an access onto 30 Road?

Mr. Hahn replied that this proposal does not entertain any changes to that County road.

Commissioner Binder asked if the accesses to the south would have similar problems when development occurs on those parcels? Mr. Hahn replied that to an extent "yes" but as spacing allows there can be more accesses onto 30 Road. Mr. Hahn added that it would make sense to have an access on to 30 Road for this development but to align it with the access on the other side would impact two properties.

Commissioner Nall and Binder commented that it was clearly the County's intention that these existing stubs were made for future growth. Mr. Hahn stated that those assumptions were accurate.

MOTION: (Commissioner Denner) "Mr. Chairman, on item ANX-2001-080, a request for zoning the Grand Meadows Annexation to Residential Multifamily, 5 du/ac (RMF-5), I move that we

forward this request to the City Council with a recommendation to approve, with the findings as outlined by staff in the staff report.”

Commissioner Nall seconded the motion. A vote was called and the motion passed by a vote of 6-0.

Discussion continued regarding access directly to 30 Road. Mr. Hahn pointed out that even if the applicant went through the exception process and an access was allowed onto 30 Road, staff would still want those interconnecting streets within the subdivision.

MOTION: (Commissioner Denner) “Mr. Chairman, on item ANX-2001-080, request for a Preliminary Plan Approval for the Grand Meadows Subdivision, I move that we approve subject to staff conditions, with the findings as outlined by staff in the staff report.”

Commissioner Nall seconded the motion. A vote was called and the motion failed by a tie vote of 3-3 with Commissioners Bricker, Putnam and Denner opposing.

With no further business to discuss, the meeting was adjourned at 11:10 P.M.