

**GRAND JUNCTION PLANNING COMMISSION  
NOVEMBER 21, 2000 MINUTES  
7:05 P.M. to 11:35 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, William Putnam, James Nall, and Vickie Boutilier. Nick Prinster was absent.

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

Also present were John Shaver (Asst. City Attorney), Stephanie Rubinstein (Staff City Attorney), and Development Engineers Kent Marsh and Rick Dorris.

Terri Troutner was present to record the minutes.

There were approximately 26 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**

Items continued to the November 28, 2000 public hearing included RZ-2000-209, CUP-2000-120, and FP-2000-198.

**MOTION: (Commissioner Binder) "Mr. Chairman, I move that we continue the items just mentioned until next Tuesday, the 28<sup>th</sup> of November."**

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

**III. CONSENT AGENDA**

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

**IV. FULL PUBLIC HEARING**

**MS-2000-054 MINOR SUBDIVISION—BARMAC MINOR SUBDIVISION**

**A request for approval to subdivide approximately 10.32 acres into four lots in an I-1 (Light Industrial) zone district.**

**Petitioner: Steve McCallum  
Location: 2465 River Road  
Representative: David Smuin**

**PETITIONER’S PRESENTATION**

Sam Starritt, representing the petitioner, said that all issues had been resolved, including the one over right-of-way dedication along River Road. No further testimony was offered.

**QUESTIONS**

John Shaver confirmed that the right-of-way issue had to his understanding been resolved.

**STAFF’S PRESENTATION**

Lori Bowers noted the site’s location and lot layout on an aerial photo and subdivision plat. She said that three additional lots would be created. Tract A would be preserved for the Blue Heron Trail; however, two drainage easements would cross this tract en route to the Colorado River. Staff recommended approval of the request subject to the conditions stated in the Development Engineer’s comments #3 attached to the November 21 staff report.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**DISCUSSION**

Commissioner Boutilier felt the request to be straightforward, with the petitioner agreeing to meet staff’s conditions.

Chairman Elmer asked if the City was still requesting 20 feet of right-of-way, to which Mr. Shaver responded affirmatively.

**MOTION: (Commissioner Binder) “Mr. Chairman, on the Barmac Minor Subdivision, located at 2465 River Road, I move that we find the project consistent with the Growth Plan, Chapter 6 of the Zoning and Development Code and adjacent property usage, and approve the Minor Subdivision subject to the recommended conditions attached to the staff report.”**

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

**ANX-2000-144 CONDITIONAL USE PERMIT—ELAM’S GRAVEL PIT**

**A request for approval of a Conditional Use Permit for a gravel mining operation on approximately 110.86 acres.**

**Petitioner: Ephemeral Resources, LLC**

**Location: 29 ½ and D Roads**

**Representative: Tom Logue**

**PETITIONER’S PRESENTATION**

Tom Logue, representing the petitioner, explained that Ephemeral Resources represented a partnership formed between Elam Construction and Whitewater Building Materials. Using an aerial photo, he noted surrounding land uses and nearby ponds, evidencing past gravel extraction operations. Co-representative Mark Gardener was introduced and continued with the petitioner’s presentation.

Mr. Gardener, Vice-President of Whitewater Building Materials, estimated the pit’s life expectancy to be 20 years. He went over the project’s phasing, with the first phase to be undertaken near the permanent berming area (Area A). The project would then move to the end of the property and continue in Area B. Phasing would progress northward to end in Area F. He noted the existence of private sewer easements, one of which would be vacated. Once extraction reached an existing water line (north of Area D), the

water line would be rerouted around the property to the west. Mr. Gardener said that reclamation would be in three stages. The northern and central areas would remain in agriculture cultivation while extraction proceeded in the south. This would help keep dust and weeds under control. A temporary berm would be extended along the perimeter of the property as extraction progressed northward. As extraction was completed in a given area, the berm would then be folded into the pit's slope and reclaimed. Copies of the petitioner's landscaping and reclamation plans were presented. Crushing equipment would be placed in the lowest levels of each pit.

Mr. Logue said that Areas A, E and F would later be platted as a residential subdivision, with the lake created by the extraction process to serve as a private amenity for the subdivision. Maintenance would be provided by the Homeowners Association.

### **QUESTIONS**

Commissioner Dibble asked about traffic impacts along projected haul routes. Mr. Logue said that a traffic study had been undertaken. To lessen impacts, the petitioner committed to the haul route specified in the partnership's narrative.

When asked by Chairman Elmer about street improvements along 29 ½ and D Roads, Mr. Logue said that an eastbound right-hand decel lane and a westbound left-hand turn lane would be constructed at 29 ½ and D Roads. A right-hand accel lane would be constructed at the project's entrance coming out onto D Road. Mr. Logue said that improvements had been constructed to comply with 55 mph speeds.

Chairman Elmer asked if D Road had sufficient strength in its pavement design. Mr. Logue said that preliminary analysis involving 10-12 test borings in the right-of-way's center confirmed sufficient pavement/gravel depths. The thin County-installed paved shoulder would be removed to the thicker pavement section.

Commissioner Nall asked for further elaboration on the haul route. Mr. Logue stated that trucks would travel west on D Road, south on 12<sup>th</sup> Street, west on Winters Avenue, north on 10<sup>th</sup> Street, west on 4<sup>th</sup> Street, and then north on 9<sup>th</sup> Street. Since a portion of this route was included in the Riverside bypass study, the route may be changed to accommodate the study's recommendations.

Commissioner Nall asked about the level of service for 9<sup>th</sup> Street/D Road as determined by the traffic study. Mr. Logue said that presently they were at A and B levels; however, by the year 2020, projections placed them at C and F. Commissioner Nall commented that because impacts were based on projected routes, both the routes and actual impacts could change. Mr. Logue concurred, especially given the unknown variable of the 29 Road extension to D Road. He added that the proposed pit would serve a large area of the community by virtue of its location.

Commissioner Binder asked if haul trucks would be covered, to which Mr. Logue replied affirmatively.

Chairman Elmer asked if there had been any study conducted to ascertain noise impacts of the crusher and the effectiveness of proposed berming in mitigating noise. Mr. Logue said that at 250 feet, noise from the crusher was essentially drowned out by vehicular and other noises. Inversions could affect that somewhat during winter months. The crusher would essentially be operating during the months of November through March, but some crushing could be undertaken in the summer months as the need warranted.

Chairman Elmer remarked that requested hours of operation seemed excessive. Mr. Logue said that a one-hour lead time was required before the operation could be up and running. Hauling and the "real

activity” would not commence until 7:00 A.M. Deliveries could, however, occur during this one-hour start-up period. While not taking issue with the new Code hours of 6:00 A.M. to 6:00 P.M., Mr. Logue said that the partnership may return with a request for a one-time permit to operate at night.

**STAFF’S PRESENTATION**

Patricia Parish noted the property’s recent annexation. She concurred that future plans for the property included residential uses along the D Road frontage. The use would require rezoning to a possible Estate zone district. She said that while the proposed haul route did not reflect travel to the west, the petitioners would like to keep that option open. The old Code permitted hours of operation between 6:00 A.M. and 7:00 P.M.; however, staff was requesting adherence to new Code recommendations of between 6:00 A.M. and 6:00 P.M. The 125-foot buffer area requirement represented the primary issue. Staff’s interpretation of “residence” was to an adjacent parcel’s property line. The petitioner contended that this definition should be interpreted as an actual dwelling unit. Dust control along the haul route would be required, with roads kept free of dirt clods originating from the site and deposited by departing trucks. Overburden would be retained onsite and used to fill extraction areas.

Staff recommended approval of the request subject to the following conditions:

1. Provide proof of receiving a 112 Construction Materials Reclamation Permit from the State Division of Minerals and Geology prior to the start of the gravel mining operation.
2. The truck haul route provided by the petitioner shall be adhered to.
3. All other applicable State and other jurisdictional permits shall be obtained prior to the start of the gravel mining operation.
4. All landscaping shall be planted as per the approved landscaping plan and shall be in place prior to the start of operation and maintained in a living condition by the owner of the property. The petitioner shall submit a landscape plan showing berms along the residential uses to the north and west of the property.
5. As long as the petitioner or current owner of the gravel operation follows the conditions of approval for this Conditional Use Permit, the mining and related uses may continue until December 2021.
6. Provide proof that an Air Pollution Emission Notice (APEN) from the Colorado Department of Public Health and Environment—Air Pollution Control Division, an application for a construction permit (Air Emission Permit) and all required permits for processing equipment, such as gravel crushers and screeners, have been issued by the appropriate agencies.
7. Petitioner shall, on a daily basis, remove any gravel/dirt tracked onto D Road.
8. Haul roads within the site shall be kept reasonably dust-free by regular watering, as proposed by the petitioner (refer to #7).
9. The owner shall obtain a well permit for the proposed pond for sufficient acre-feet through the State Division of Water Resources prior to operation.
10. The petitioner shall provide a poured concrete slab surrounding by a berm for any fuel storage and pumping/disbursement area.

11. The petitioner shall provide port-a-johns for workers onsite, located out of the right-of-way.
12. Provide proof that all other permits and licenses applicable to this gravel mine operation and accessory uses (asphalt plant, crushing, etc.) have been issued by the appropriate agencies.
13. All operations shall comply with the noise, vibration, and other applicable standards required in Section 4.3.K of the Zoning and Development Code and by the City of Grand Junction Municipal Code and with the proposed project report submitted by the petitioner.
14. All excavation or deposit of overburden shall not be permitted within the 125-foot buffer required when next to an existing residential property. The petitioner shall adjust the mining plan accordingly.
15. All requirements and conditions required by Central Grand Valley Sanitation shall be adhered to during the proposed gravel pit operation.

### **QUESTIONS**

Commissioner Dibble asked if the Skyler and White Willow Subdivisions had been factored into the traffic study, to which Ms. Parish responded affirmatively.

Dialog ensued over differences between the two interpretations of “residence.” Ms. Parish said that the Code did not specify residential lot line; however, staff had used this to define buffer areas for past projects. Commissioner Dibble recalled a past gravel pit request where the buffer had been adjusted to 200 feet. Ms. Parish said that in that instance, there were a significant number of adjacent residences which would have been impacted by the operation.

Mr. Shaver said that as part of the CUP process, the Planning Commission could impose its own buffer zone, independent of Code recommendations. It was also within the Planning Commission’s purview to define “residence” and base its buffering recommendation on that definition.

### **PUBLIC COMMENTS**

#### **FOR:**

Robert Otto (364 – 29 Road, Grand Junction) supported both the project and the petitioner’s measurement of the buffer zone. He wondered how the 30-50 feet between his property and the relocated water line would be handled once the extraction was completed. He asked would that area be deeded to the City or to him? He and other residents preferred that the area intended for future residential be used instead for commercial/industrial uses.

Merle Weaver (374 – 29 Road, Grand Junction) noted the location of a large cottonwood tree in the lower western corner of Area E. He said that migratory birds used the tree as a marker and could be seen turning at it during their seasonal migrations. He asked that the tree be retained and protected. He also intended to build a house on his property, adjacent to the gravel pit site. He wondered whether the buffer zone affected those plans? He asked if so, how? Noting the locations of non-lined irrigation ditches, he expressed concern over irrigation water leaching into gravel pits.

### **PETITIONER’S REBUTTAL**

Mr. Gardener said that they were required by law to protect conveyance of irrigation water; thus, measures would be taken to ensure its continued delivery, up to and including piping affected ditches. He reiterated that the lake created by gravel extraction would be deeded via an easement to the new

residential subdivision's HOA. Intentions were to asphalt and concrete a large portion of the scale shack area, scale area, gravel pit operation, and 29 ½ Road to D Road to reduce the amount of debris deposited by trucks onto roadways. While unaware that the large tree referenced by Mr. Weaver was on their property, if so he said that it would be retained. He was unsure how extensive the tree's root system might be, but said that every effort would be made to ensure that excavation/extraction did not damage it.

Mr. Logue said that the only real issue was over staff condition #14. Citing the definition of "residence" from "The New Illustrated Book of Development Definitions," referencing a letter dated October 30, 2000 received from and signed by representatives of four separate local companies, quoting from Section 1 of the old City Code, and noting that the only difference in setback verbiage between the City and County Codes was in the County's reference to "an existing dwelling" instead of "residence," Mr. Logue contended that in all instances, "residence" referred to an actual dwelling unit. He asked planning commissioners to give further consideration to this point and find that staff's definition would be too restrictive. The loss of so great amount of resource, he said, would affect the entire community.

### **QUESTIONS**

Commissioner Dibble asked about slope angles. Mr. Logue said that slopes would typically be at a 3:1 ratio. He projected that there would be a 30-foot flat area with another 30 feet of slope down to the edge of the water. Water levels, he predicted, would fluctuate.

Chairman Elmer said that with regard to the setback definition, he wondered how Mr. Weaver's home construction plans would be affected. Mr. Logue answered that if the CUP permit were granted, all the terms and conditions should apply throughout the life of the permit. Thus, the project should be perceived as "being there first" and that any subsequent construction should be viewed as "coming to the nuisance."

Commissioner Dibble asked for clarification on where the crusher would be located on Area A, which was given.

Chairman Elmer asked if the petitioner was willing to comply with the 6 a.m. to 6 p.m. hours of operation, to which Mr. Logue responded affirmatively.

### **DISCUSSION**

Extensive discussion ensued over the setback question. Commissioner Dibble observed that a gravel extraction precedent had already been established in the area. Since the petitioner's representatives seemed to have already dealt with the traffic usage/patterns issue, he had no remaining concerns over that issue. Commissioner Dibble felt that the setback should be based on the operation's proximity to adjacent dwelling units, not to the adjacent property line, which drew assent from Commissioners Putnam and Boutilier.

Chairman Elmer noted that the subject area was very rural, with very few residences nearby and very few potential homes expected in the future. He suggested modifying condition 14 to delete the words "residential property" and substituting in its place the word "residence." The second sentence would be deleted altogether. The same word would then be referenced similarly, he said, in both the Code and in the motion. Chairman Elmer felt that Mr. Logue had defined the word "residence" correctly.

Additional discussion ensued over how the 125-foot buffer would be regarded if/when residences were constructed close to gravel pit site property lines. A number of options and ramifications were discussed; however, planning commissioners decided that the 125-foot buffer should apply to existing structures and towards any future construction as well. Thus, if Mr. Weaver constructed his residence near the site's

property line prior to commencement of gravel extraction, pit operators must still ensure a setback of 125 feet from his residence. Chairman Elmer remarked to the petitioner’s representatives that the proposed setback should provide some incentive to extract around the perimeter of the property as quickly as possible to protect their interests. Commissioner Dibble noted that the only area possibly affected would be properties to the west of the petitioner’s property line.

Chairman Elmer suggested adding a condition 16 limiting the hours of operation to between 6 a.m. and 6 p.m.

**MOTION: (Commissioner Dibble) “Mr. Chairman, on item ANX-2000-144, I move that we approve the Conditional Use Permit for a gravel mining operation subject to staff recommendations and conditions, including the additional item 16, which sets the hours of operation between 6 a.m. and 6 p.m. and modification of 14 to end with ‘...existing residence.’”**

Commissioner Binder seconded the motion. A vote was called and the motion passed by a vote of 5-1, with Commissioner Nall opposing.

A brief recess was called at 8:58 P.M. The public hearing reconvened at 9:12 P.M.

Due to the lateness of the hour and the expected length of the next item, item TAC-2000-001.2 was continued to the November 28 public hearing. When asked if petitioners for item FPP-2000-157 wanted to continue the item, they opted to move forward.

**MOTION: (Commissioner Binder) “Mr. Chairman, I move that we continue until next Tuesday [November 28, 2000] the Text Amendment—Code for Group Homes [TAX-2000-001.2].”**

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

**PP-2000-083 PRELIMINARY PLAN—WINDEMERE HEIGHTS**

**A request for approval of a Preliminary Plan for Windemere Estates Subdivision consisting of 20 single-family lots on 10.09 acres in an RSF-2 (Residential Single Family with a density not to exceed two units per acre) zone district.**

**Petitioner: Tierra Ventures LLC, Craig Ginters  
Location: East of Flower Street and south and east of Central Street  
Representative: LANDesign, Brian Hart**

**PETITIONER’S PRESENTATION**

Richard Livingston, attorney representing the petitioner, asked that the previous record of the August 15 public hearing be entered into the record. The project’s location was noted along with surrounding land uses. The majority of concerns expressed at the August hearing had been over the routing of traffic through an existing neighborhood. During that hearing, the issue of “interconnectivity” had been hotly debated and its definition was still not completely clear. Reading from Chapter 6 of the Code, he said that while connecting neighborhoods via through streets was preferable, it acknowledged that this option didn’t “always make sense.”

Mr. Livingston said that Centauri and Galaxy Drives were the two primary streets traversing this neighborhood. Safety for both drivers and pedestrians is of paramount concern. Following the August public hearing, petitioners had met on several occasions with nearby residents to solicit input. The currently submitted Preliminary Plan was representative of that input and while having received

unanimous support of the neighbors, staff contended that the current design did not successfully achieve “interconnectivity.” Mr. Livingston referenced petitions containing 40 signatures of those supporting the current proposal. Also submitted into the record was a letter of support received from J.D. Snodgrass (704 Galaxy Drive, Grand Junction) dated November 17, 2000. The current plan, Mr. Livingston said, preserved the “sense of neighborhood” felt by so many of its residents.

### **QUESTIONS**

Chairman Elmer asked if the petitioners were in agreement with staff’s conditions 1-10. Mr. Livingston replied affirmatively but offered clarification on condition 8. He said that while the irrigation line would not be laid within the multi-use easement, there would be points where the line would cross the easement. Staff acknowledged that this would be acceptable.

### **STAFF’S PRESENTATION**

Pat Cecil acknowledged the project’s conformance with Growth Plan recommendations. He presented a slide showing area-wide streets leading up to and into the proposed subdivision. Staff had attended neighborhood meetings and acknowledged resident concerns over safety along Centauri Drive. The proposed plan included two cul-de-sacs, one each off of Galaxy and Centauri Drives. The through connection to the north, requested by staff, had been eliminated in the new plan. A western connection was noted. Mr. Cecil said that the issues heard previously were the same. He reviewed the request as contained in the November 14, 2000 staff report. He maintained that a through connection would be the most efficient method of moving traffic from one neighborhood to another. Elimination of a through connection would result in forcing traffic onto an arterial street, which directly conflicted with Code requirements. Staff did not feel that the proposal as submitted was consistent with Code requirements and, as such, denial was recommended. If approved, staff asked that the following conditions, as outlined in the staff report, be imposed.

1. The petitioners shall provide an indemnification agreement with the City regarding stormwater.
2. The petitioner shall pay the half-street improvement cost for Flower Street. Construction of an 8-foot-wide bicycle path is required at this time within the Flower Street right-of-way. A design plan for construction of the bicycle path shall be submitted at the time of review of the Final Plat. The design plan shall demonstrate how a road could be attached to the path if desired at a future date.
3. If detention of stormwater is proposed, the petitioner shall submit a fully executed drainage release agreement with the Grand Valley Water Users Association at the time of submittal of the Final Plat for processing.
4. All open irrigation and drainage facilities shall be piped and relocated within easements created for the benefit of the facility’s users. The easements shall be physically accessible for maintenance of the facilities and a note to this effect shall be placed on the Final Plat and CC&R’s.
5. At the time of submittal of the Final Plat for processing, a geotechnical report shall be supplied, which must be reviewed and approved by the Colorado Geological Survey.
6. A tract shall be designated on the Final Plat adjacent to the Flower Street rights-of-way, a minimum of 5 feet in width, containing landscaping, irrigation, and a right-of-way fence. This tract shall be owned and maintained by the Homeowners Association.



7. Prior to the recording of the Final Plat, the applicant shall supply evidence that an application for incorporation of the Homeowners Association has been filed with the Secretary of State.
8. Irrigation facilities shall not be placed within the required 14-foot multi-purpose easement area.
9. At the time of the submittal of the Final Plat for the project, the applicant shall submit a current appraisal of the gross acreage of the project site, which will be used to determine the required park improvement fees.
10. The applicant shall designate the front and rear yard areas for all corner lots and all lots fronting on the cul-de-sacs.

### **QUESTIONS**

Commissioner Binder said that Mr. Snodgrass's letter predicted that if made a through street, Galaxy Drive would become a collector. Mr. Cecil disagreed with this assertion. Galaxy Drive would remain a local street, even if traffic from the north were routed onto it.

Commissioner Binder asked if Centauri Drive's status would change as a result of increased traffic, to which Mr. Cecil responded negatively.

Chairman Elmer asked Mr. Cecil to summarize for the record the reasons why the Planning Commission had turned down the original Preliminary Plan request. Mr. Cecil recalled that planning commissioners had directed both the petitioners and area residents to come together and formulate a plan which better accommodated traffic and promoted safety.

### **STAFF'S PRESENTATION (con't)**

Rick Dorris's powerpoint presentation, a copy of which was submitted for the record, included an aerial photo of the area's street layout, the previous Preliminary Plan, the current Preliminary Plan, a possible plan showing north-south connection, the City's interconnectivity standards as outlined in the Code, advantages/disadvantages of interconnectivity and conclusions. He said that other options for street design layout were available but had not been considered by the petitioner. He said that staff felt that neighbor preferences should not negate good planning; staff had come away from neighborhood meetings agreeing to disagree. Mr. Dorris said that the petitioner had opted to submit the plan most supported by the neighborhood. He said that planning and engineering staffs are seeking direction from the Planning Commission.

### **QUESTIONS**

Chairman Elmer asked if there are any plans for the City to improve Centauri and Galaxy Drives. Mr. Dorris elaborated on the current conditions of both streets, the existing landscaping which hindered sight distances and safety issues. Unfortunately, he said, neither street had been included in the City's 15-year CIP budget. Improvements to both streets could be possible, he said, if neighbors collectively formed an improvement district to share costs.

Commissioner Nall asked if there were any documented hazards in the area, to which Mr. Dorris responded negatively.

**PUBLIC COMMENTS**

**FOR:**

Mike Sutherland (703 Centauri Drive, Grand Junction) said that he'd been unable to attend the August public hearing but had submitted a detailed letter and alternative plan. His wife, Patti, had presented both of these items before planning commissioners and staff for consideration. He reiterated that the majority of concerns still revolved around safety. Noting the location of his home at the Centauri Drive offset, he recalled past instances of drivers failing to navigate the jog and running into his brick planter. In one instance, he conjectured that a woman's life had probably been spared by her car having hit the planter instead of veering off into a large open barrow ditch. Mr. Sutherland commended the efforts and consideration of the petitioners and felt that they had demonstrated a great deal of courage to risk going against the recommendations of staff.

Having served as a planner for the City and having participated on the City's Growth Plan committee, Mr. Sutherland said that he had a good understanding of interconnectivity and supported the concept, overall; however, in the current instance, other roads are available in the area which better directed traffic flows. He agreed that if Centauri were extended to the north, it would eventually be used as a collector street. Interconnectivity, he said, may improve traffic flow, but it should not be achieved at the expense of safety. If so important to the City, he suggested that staff allocate the funds necessary to improve Centauri and Galaxy Drives. He noted the increased traffic along G Road when Horizon Drive had been temporarily closed and predicted similar traffic patterns through his neighborhood if Centauri was extended as a through street.

Mr. Sutherland submitted another petition containing an additional 9 signatures and said that other petitions were forthcoming. He noted the rarity of having an entire neighborhood behind a developer's proposal. Residents, he said, are not opposed to accepting their fair share of traffic from infill development; however, they should not be made to bear all of it. He noted the current plan's provision of an emergency access.

Peter Black (710 Centauri Drive, Grand Junction) said that he had counted the total number of homes which could potentially use Centauri Drive as an access and had come up with a figure of 198. There were no standards, he said, to define "interconnectivity." As the Planning Commission itself directed, neighbors had banded together to meet with the petitioner's representatives and had come up with an acceptable plan that all could live with. He found it incomprehensible that the neighborhood and the petitioner's representatives were in a position of fighting against the City. Whatever happened to the City's consideration of existing neighborhoods and its residents, he wondered? Mr. Black noted Mr. Sutherland's previous planning experience and said that the submitted plan was based on good, sound planning techniques. Fixing the problems inherent to Centauri Drive would take a lot of work and money.

Dennis Wagner (740 Centauri Drive, Grand Junction) said that he had hosted the neighborhood's annexation meeting. At that time, staff had assured residents that Centauri Drive would never be extended. Mr. Wagner recounted the chronology of neighborhood involvement to show unity and solidarity from the project's onset.

Irwin Stewart (715 Galaxy Drive, Grand Junction) expected that people from Continental Heights Subdivision would also use Centauri to gain access to G Road. He expressed his support for the current plan and opposition to any north-south extension of Centauri Drive.

Joe Donafrio (2655 Central Drive, Grand Junction) said that the current proposal represented the best plan for both the petitioner and the neighborhood.

John Halvorson (711 Galaxy Drive, Grand Junction) said that interconnectivity was originally intended to promote neighborliness. What better evidence of this concept than the testimony and involvement offered by the neighbors of this area? He believed it important to remember that a neighborhood's spirit, and not just a street system, provided interconnectivity. Mr. Halvorson expressed dismay at the City's continued resistance against the best interests of the area's residents.

Holger Albrethsen (2661 Central Drive, Grand Junction) added his support to the current proposal.

Dick Boltinell (714 Galaxy Drive, Grand Junction) also expressed support for the current proposal. His only objection was over the substantial increases in traffic that could be expected if Centauri were extended to the north. Existing residents should not be forced to bear such a substantial burden.

Don Pacini (743 Centauri Drive, Grand Junction) attended the same annexation meeting referenced by Mr. Wagner. He recalled the same promises made by City staff at that time that Centauri would not be extended.

Karla Eden (2660 Central Drive, Grand Junction) expressed concern over Mr. Dorris' referenced alternatives. Those alternatives would direct additional traffic to Central Drive, which would impact safety along that street as well. A through street as supported by City staff was not needed because the area had no parks, shopping centers, or local schools which usually attracted higher volumes of traffic. She asked that planning commissioners support the current plan.

**AGAINST:**

There were no comments against the request.

**PETITIONER'S REBUTTAL**

Mr. Livingston said that there were a large number of concerned neighbors and good reasons for supporting the submitted Preliminary Plan. Reading from Code Section 6.E.4, the Code acknowledged "other forms and types of streets are allowed if TEDS standards are met."

**QUESTIONS**

Commissioner Boutilier asked for additional clarification on staff condition 8. Mr. Livingston reiterated that while no irrigation lines would be installed within the easement, there would be occasional instances where the lines would bisect the easement. Mr. Cecil again confirmed that this line crossing would not pose a problem.

Commissioner Dibble wondered who would be responsible for maintenance of the emergency access. Mr. Livingston said that the HOA would take care of maintenance. He added that the emergency access, as designed, was allowed by the Code.

Commissioner Dibble asked if any and all emergency vehicles would be able to use the emergency access, to which Mr. Livingston replied affirmatively.

**DISCUSSION**

Commissioner Boutilier said that she'd reviewed both the Growth Plan and the Code and they seemed to contradict each other. The Growth Plan often used the word "encouraged" and "should" while the Code used the term "shall." Both Chairman Elmer and Mr. Shaver explained the differences.

Commissioner Nall asked if the Fire Department would accept the emergency access as proposed. Mr. Cecil understood that the Fire Department had no emergency access standards. Since their biggest concern seemed over a possible lack of maintenance, Mr. Cecil suggested that this element, along with emergency access signage, be addressed as part of the motion.

Commissioner Binder wondered if the Homeowners Association would be responsible for fixing the barrier if it should be damaged or vandalized. Mr. Cecil said that the HOA would be responsible for all forms of maintenance.

Commissioner Binder asked if barriers would be fitted with opticoms, to which Mr. Cecil responded negatively.

Commissioner Dibble said that while the Code specifically used the word “shall” when outlining street connections, very significant safety issues would remain if the extension of Centauri were constructed. He felt that the peace of mind and quality of life that the residents currently enjoyed would be jeopardized. He expressed support for the current plan as submitted.

Chairman Elmer said that while interconnectivity was the goal outlined in the Code, in this case there would be little or no community benefit to mandating the extension. It would only serve to funnel traffic to G Road, which would then still be routed to either 7<sup>th</sup> or 12<sup>th</sup> Streets. The Code, he said, very strongly promoted other forms of transportation (e.g., pedestrian), which the current plan incorporated. Thus, the intent of the Code was largely met. Chairman Elmer opposed routing more traffic onto substandard streets, especially when there were no plans for improving those streets. He acknowledged and commended the efforts of the neighbors who had worked with the petitioner’s representatives to come up with a equitable solution. He too expressed support for the current plan.

Commissioner Binder disagreed with earlier projections that vehicles from 198 homes would all use the Centauri extension if constructed. Nor did she believe that it would become a thoroughfare to G Road. Even as a local street, there would be sufficient carrying capacity for Centauri to handle expected traffic volumes. She expressed concern that an emergency vehicle may not be able to find a quick access into the area when responding to a call for service. For those reasons, she did not support the plan.

Commissioner Putnam expressed empathy with the neighbors and their concerns. He too believed that not as many people would use the connection as were feared but, as stated previously, there would be little community benefit derived by requiring it. He also supported the plan as presented.

Commissioner Boutilier said that it was hard for her to knowingly approve something in direct conflict with both the Code and the Growth Plan. Mr. Shaver answered that the Code did provide latitude in approving varying types of streets. If approval was eminent, he asked that planning commission include their findings in any motion made and he offered advice on how the Commission could structure its findings.

Commissioner Nall said that he’d originally voted for the first plan, which had included the Centauri connection; however, after listening to additional testimony from the neighbors, he agreed that they made a very strong case against the connection. Inter-neighborhood transportation, he said, seemed to be working fine as it was. He wondered what appreciable benefit would the Centauri connection really bring? He felt that the details of erecting and maintaining the emergency access could be worked out later. He supported the plan as proposed.

Chairman Elmer elaborated that with current GIS technology, emergency vehicle operators likely know the quickest routes into and out of an area.

Commissioner Dibble asked if Beta Place would be finished, to which Mr. Dorris replied affirmatively. Beta Place would be constructed as a two-lane street with curb, gutter and sidewalk on one side.

Commissioner Binder asked if maintenance of the emergency vehicle access should be addressed in the motion. Mr. Shaver said that typically that responsibility fell to the HOA. He indicated that there would be detailed review of the CC&R's to ensure that this element was addressed sufficiently. If preferred, planning commissioners could include direction in the motion for staff and the petitioner to resolve the question.

With regard to findings, Chairman Elmer felt that previous testimony of record should be sufficient; however, if preferred, general reasons for supporting the plan could also be given. Mr. Shaver said that he would be happy to assist with specific verbiage if so desired.

**MOTION: (Commissioner Dibble) "Mr. Chairman, on the Preliminary Plan for the Windemere Heights Subdivision, I move that we approve the project with the recommendations 1-10 as submitted, allowing staff the opportunity to negotiate with the applicant for purposes of determining the walkway and the emergency barrier and resolve those issues either in the form of covenants or, if not, that it come back as a hearing item [added as a condition 11], and finding that the three street connections and pedestrian paths provide enough interconnectivity to meet the intent of the Code and Growth Plan."**

Commissioner Boutilier seconded the motion. A vote was called and the motion passed by a vote of 5-1, with Commissioner Binder opposing.

## **DISCUSSION ITEM**

### **FPP-2000-157 FINAL PLAT/PLAN—VILLAGE PARK FILING #1**

**A request to review design standards proposed by applicant that clarify condition #4 of final approval.**

**Petitioner: Peak Properties and Development, Bob Walker**  
**Location: 605 – 28 ¼ Road**  
**Representative: LANDesign, Brian Hart**

Planning commissioners expressed no objection to the clarification provided to them in their packets. Bill Nebeker said that additional clarification of condition #2 included the requirement that 50 percent of the opaque exterior walls of the commercial building would be lap siding to match the multi-family walls and materials. The remainder of the walls would primarily be masonry. This drew no objection from planning commissioners, staff or the petitioner.

## **ELECTION OF OFFICERS**

Nominated for Chairman and Vice-Chairman were John Elmer and Dr. Paul Dibble, respectively. Mr. Elmer was reelected as Chairman by a vote of 6-0; Dr. Dibble was elected as Vice-Chairman by a vote of 5-0 (he abstained from voting).

With no further business to discuss, the meeting was adjourned at 11:35 P.M.