

**GRAND JUNCTION PLANNING COMMISSION  
FEBRUARY 9, 1999  
MINUTES**

The regularly scheduled Planning Commission hearing was called to order at 7:03 p.m. in the City/County auditorium by Chairman John Elmer.

In attendance, representing the Planning Commission, were: John Elmer (Chairman), Jeff Driscoll, Joe Grout, Mark Fenn and Tom Foster.

In attendance, representing the Community Development Department, were: Scott Harrington (Community Development Director), Michael Drollinger (Development Services Supervisor), Bill Nebeker (Sr. Planner), Lori Bowers (Assoc. Planner) and Kristen Ashbeck (Sr. Planner).

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

Terri Troutner was present to record the minutes.

There were approximately 22 interested citizens present during the course of the hearing.

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**0 APPROVAL OF MINUTES**

Available for consideration were the January 12, 1999 Planning Commission public hearing minutes.

**MOTION: (Commissioner Driscoll) "Mr. Chairman, I move that we approve the January 12 minutes as submitted."**

Commissioner Fenn seconded the motion.

A vote was called and the motion passed unanimously by a vote of 4-0, with Commissioner Coleman abstaining.

**1 ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

Scott Harrington said that the petitioner for item ANX-1999-008 had requested a continuance to the February 16 public hearing. Voting for the continuance was deferred until later in the hearing.

Pulled from the agenda was item PP-1998-173. This item would not be heard.

**2 PUBLIC HEARING ON ITEMS FOR FINAL DECISION UNLESS APPEALED**

Due to the potential for conflict of interest, Commissioner Driscoll withdrew from consideration of the following item.

**FPP-1999-012 EASEMENT VACATION/FINAL PLAT/PLAN—WESTWOOD RANCH FILING #2**

**A request for: 1) approval of the Final Plat/Plan of Westwood Ranch Filing #2, consisting of 8 single family lots and 42 single family attached lots on approximately 9.17 acres in a PR-4.3 (Planned Residential with a density not to exceed 4.3 units per acre) zone district), and 2) vacation of temporary drainage, utility and turnaround easements dedicated in Filing #1.**

**Petitioner: Sonshine Construction  
Location: Northwest corner of 25 ½ and F ½ Roads  
Representative: Banner Associates**

**PETITIONER’S PRESENTATION**

David Chase, representing the petitioner, presented an overhead transparency of the subdivision’s plan. He indicated that the Final Plan adhered to the conditions of approval for the Preliminary Plan. The petitioner, he said, expressed only the following two concerns: 1) staff condition 1 which required a reconfiguration of lots 5A and 5B in Block 1, and 2) staff condition 3 which required a temporary irrigation system be installed for watering vegetation on Tract E for a mandated two year period.

With regard to staff condition 1, Mr. Chase presented an overhead transparency denoting a footprint of how two single family units could be placed on the lots using zero lot lines. The petitioner desired to retain the use of single family structures on both lots with separate deeds for each unit.

Mr. Chase said that he was working with Greenfield Seed and Feed (letter submitted to the Planning Commission) to come up with a quick-growing mixture of native grasses for Tract E reseeding. He felt that there was a chance grasses could be established within a single season, which would negate the need for a temporary irrigation system. He asked for flexibility on condition 3 to allow for nursery recommendations.

No objection was expressed for the fencing requirement nor over any of staff’s other conditions.

**QUESTIONS**

Commissioner Coleman asked for clarification on the delineation of lots 5A and 5B, which was given.

Commissioner Grout asked Mr. Chase to point out on lot 5A where the main entryway would be located. When noted, Commissioner Grout expressed some concern over possible driveway parking conflicts. Mr. Chase suggested an internal reconfiguration of the unit, which would move the entryway to another location. A 7-foot setback was also pointed out along the west side of the building envelope for lot 5A.

**STAFF’S PRESENTATION**

Bill Nebeker said that the proposed layout for units on lots 5A and 5B was undesirable and poorly configured. Reconfiguration of lots along the Laredo Court cul-de-sac could produce more appealing site layouts. In the February 9 Project Review, staff recommended that both lots be combined into one lot for use by one single family detached home. If the proposed configuration was acceptable to planning commissioners, staff recommended that, at a minimum, a cross easement be dedicated to allow for

vehicle backing. He agreed that parking conflicts could be expected with the proposed layout and that the configuration would be inconsistent with the rest of the subdivision.

With regard to the temporary irrigation system, Mr. Nebeker stated that if insufficient water was available for establishment of grasses, they would die and weeds would proliferate instead. While two years was not necessarily a mandatory timeframe, staff felt that it would take this long to sufficiently establish vegetation. He noted that while “two years” was mentioned in the Project Review, it had not been included in the staff condition.

Staff recommended approval subject to the following conditions:

1. Lots 5A and 5B, Block 1, shall be reconfigured to provide a more buildable lot or combined as one lot for a single family detached dwelling.
2. A cross access easement shall be dedicated for lots 3A and 3B where driveways and maneuvering areas are shared.
3. Tract E shall be revegetated with a native grass seed. The applicant shall provide a financial guarantee using a Development Improvements Agreement (DIA) separate from the DIA for public improvements to include the costs for vegetation and temporary irrigation of this area.
4. A temporary construction fence to protect existing vegetation and prevent further disturbance shall be constructed around the natural park area prior to the approval of construction plans, and shall remain in place until the subdivision is completed.
5. Tract F shall be dedicated as a multi-purpose easement and irrigation easement.
6. Prior to plat recordation, updated title work showing the correct current owner, proof of formation of a Homeowners Association, and CC&Rs that reflect the annexation of this phase into the existing Homeowners Association shall be submitted, reviewed and approved to the satisfaction of the City Attorney.

Mr. Nebeker reminded planning commissioners that if the footprint for lots 5A and 5B was deemed acceptable, a cross easement should be added as another condition of approval.

### **QUESTIONS**

Commissioner Coleman asked if a Development Improvements Agreement (DIA) would secure revegetation, to which Mr. Nebeker responded affirmatively. If grasses could be established prior to filing the Final Plat, a DIA may not be needed.

Chairman Elmer asked if by reference to Tract A, staff was meaning just those disturbed areas, to which Mr. Nebeker replied affirmatively. When asked to point out where the rear yards for lots 5A and 5B would be, Mr. Nebeker noted the areas closest to the irrigation easement.

### **PUBLIC COMMENTS**

There were no comments either for or against the request.

### **PETITIONER’S REBUTTAL**

Mr. Chase said that providing a cross easement between lots 5A and 5B would be acceptable. He also expressed agreement with staff’s flexibility on the establishment of native grasses on Tract E. He remarked that it didn’t seem cost-effective to install an irrigation system for just two years.

**DISCUSSION**

Commissioner Coleman said that moving things around on lots 5A and 5B cast planning commissioners in the role of architects. If it was shown to work, he would have no problem with the footprint as submitted by Mr. Chase. With regard to condition 3, the availability of a water source via the irrigation system would better ensure the establishment of vegetation.

Commissioner Grout concurred with staff's recommendation for a cross easement between lots 5A and 5B and also had no problem with the footprint if deemed to be workable.

Chairman Elmer suggested the following verbiage change to condition 1: "Lots 5A and 5B, Block 1, shall *either* be reconfigured to provide a more buildable lot, combined as one lot for a single family detached dwelling, *or a cross ingress/egress easement shall be added across both lots.*"

To clarify condition 3, Chairman Elmer commented that it didn't matter how the establishment of grasses occurred as long as the condition was met. There was general assent from other planning commissioners. Mr. Nebeker said that if grasses weren't established by summer, chances were that an irrigation system would be necessary.

Commissioner Coleman wondered how the condition would be enforced. Mr. Nebeker said that it was likely Parks Department personnel would monitor the site.

When asked if condition 3 should be modified to include a reference to Parks Department monitoring, John Shaver detailed how performance standards would be addressed in the DIA. Parks Department staff would be consulted to determine those standards. He suggested that the planning commissioners might better address the timeframe; a standard public improvements timeframe was one year, with some extending to 18 months.

After a brief discussion, Chairman Elmer proposed the following additional verbiage for condition 3: (end of first sentence) "...grass seed *and established within two years to a standard established by City staff.*" There was general assent from other planning commissioners. Chairman Elmer added that the Final Plat conformed to the Preliminary Plan and that prior conditions of approval had been met.

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item FPP-1999-012, I move that we approve Westwood Ranch Filing 2 and forward a recommendation of approval to the City Council of the vacation of temporary, utility and turnaround easements dedicated in Filing, subject to staff's recommendations and changes to the recommendations as noted for conditions 1 and 3."**

Mr. Nebeker said that there were temporary turnaround, drainage and utility easements dedicated with the first filing that were to be vacated in conjunction with the current process (referenced in motion).

Commissioner Grout seconded the motion.

A vote was called and the motion passed unanimously by 4-0.

Commissioner Driscoll returned and was present for deliberation on the remaining items.

**MS-1999-009 MINOR SUBDIVISION—PEACH PARK MINOR SUBDIVISION**

**A request for approval to subdivide 2.07 acres into four single family detached lots in an RSF-5 (Residential Single Family, not to exceed 5 units per acre) zone district.**

**Petitioner: Melden Peach**  
**Location: 2928 – 27 ½ Road**  
**Representative: Banner Associates**

**PETITIONER’S PRESENTATION**

David Chase, representing the petitioner, presented an overhead transparency of the site plan and noted the existence of an existing home and mother-in-law residence. Only three new lots would be created by the subdivision and lots would be consistent with the surrounding neighborhood. Mr. Chase said that he’d received a letter from Dick Proctor of the Grand Valley Irrigation District (GVID), who said he had not been contacted as a review agency. Mr. Chase said that he would work with the GVID to ensure that the proper easements were dedicated.

**QUESTIONS**

Commissioner Driscoll wondered what the anticipated build-out of the adjacent Spring Valley Subdivision had been. Mr. Chase said that since Spring Valley was located in an RSF-5 zone, it could have built out to a density of 5 units per acre. However, he conjectured that actual build-out had been closer to 3-3.5 units per acre.

Chairman Elmer asked if there would be any Homeowners Association (HOA) or covenants for the proposed subdivision, to which Mr. Chase responded negatively. He was currently working with the Spring Valley HOA to investigate cooperative irrigation options, adding that the subdivision would, of its own accord, follow covenants drafted by Spring Valley. Chairman Elmer commented that it would be extremely difficult to enforce conformity to Spring Valley standards without the benefit of recorded covenants.

**STAFF’S PRESENTATION**

Bill Nebeker said that the newly created lots would be large enough for structures to meet bulk standards of an RSF-5 zone, and staff agreed that this was probably the best use of the property. Mr. Nebeker clarified that covenants were required only with the establishment of an HOA; an HOA was required only when there was designation of open space. Since there was no open space required with the current request, neither an HOA nor covenants were required. Staff recommended approval of the request with no conditions.

**QUESTIONS**

Chairman Elmer asked for clarification on the non-conforming status of the mother-in-law house, which was given.

Chairman Elmer expressed concern over the possibility that compatibility with Spring Valley would not be ensured. Mr. Nebeker said that since the subject property was not a part of the Spring Valley Subdivision, it was not subject to Spring Valley’s standards. When asked if it had ever been a part of Spring Valley, Mr. Nebeker replied negatively.

Mr. Nebeker added that staff had no problem with incorporating GVID comments and easement requirements into the Project Review.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**DISCUSSION**

Commissioner Coleman expressed no concern with the project. The Planning Commission had no right in this instance, he said, to require conformance with Spring Valley standards, but he was glad to see that there were ongoing discussions between Spring Valley’s HOA and the petitioner on irrigation.

Commissioner Driscoll noted the density of the subdivision and said that while lower than that recommended by the Growth Plan, it more closely approximated the build-out density of Spring Valley. As such, it seemed appropriate to deviate from Growth Plan recommendations in this instance.

**MOTION: (Commissioner Coleman) “Mr. Chairman, on item MS-1999-009, I move that we approve the Minor Subdivision.”**

Commissioner Driscoll seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

**RZP-1999-013 REZONE/PRELIMINARY PLAN—CANYON VIEW FILINGS 7-9**

**A request for: 1) approval to rezone approximately 28.65 acres from RSF-2 (Residential Single Family with a density not to exceed 2 units per acre) to PR-2 (Planned Residential with a density not to exceed 2 units per acre, and 2) approval of the Preliminary Plan for Canyon View Subdivision Filings 7-9, consisting of 57 single family lots.**

**Petitioner: South Camp Properties, LLC  
Location: North of Canyon View Subdivision on South Camp Road  
Representative: Ciavonne & Associates**

**PETITIONER’S PRESENTATION**

Craig Roberts, representing the petitioner, said that the subject parcel had been purchased after completion of the first six filings of Canyon View. Noting lot sizes, he felt that the proposed filing was consistent with both Canyon View and surrounding area densities. The open space located in the center of the filing would be sodded and used also as a retention pond. He agreed that the stormwater runoff situation was not the best, and additional on-site retention basins had been provided. Mr. Roberts said that the property was separated from Lime Kiln Gulch to the north by the Redlands Second Lift Canal. The petitioner, although hesitant, would agree to extend access into the Sutton property via Granite Falls Way or Lime Kiln Way. A pedestrian access would be provided between lots 5 and 6 adjacent to Standing Rock Court.

**QUESTIONS**

Commissioner Driscoll asked if the petitioner was then in agreement with staff conditions, to which Mr. Roberts replied affirmatively.

Commissioner Driscoll asked if there was a preference on the extension point to the north. Mr. Roberts expounded briefly on conversations held with the Koskis, owners of Vista del Canon, and it seemed that extending the street from Granite Falls Way represented the best option. It was hoped also that irrigation systems could be shared, drainage points could be consolidated, open spaces could be interconnected, and street extensions could be coordinated.

Commissioner Driscoll wondered what plans had been formulated on the reconfiguration of lot 7 bounding Standing Rock Court. Mr. Roberts said that he’d run out of ideas and would look to staff for

suggestions. He pointed out the difficulty in realigning the lots along the cul-de-sac and said that building envelopes could be affected as a result.

Chairman Elmer wondered if consideration had been given to installing a culvert underneath the canal to handle drainage. Mr. Roberts said that there was no historic flow pattern. It might be possible, he said, to negotiate an easement near the canal juncture (location noted) with the Suttons.

**STAFF'S PRESENTATION**

Bill Nebeker said that having found that the rezone request met Code criteria, staff recommended approval. With regard to the Preliminary Plan request, staff again recommended approval subject to the following conditions:

1. The Final Plat shall show an improved street connection to the Sutton property at the Lime Kiln Way *or Granite Falls Way* alignment. Final plans shall show a design to cross the canal and a cost estimate. Funds shall be placed in escrow for the future construction of the crossing when the Sutton property develops (as amended by staff during presentation).
2. A pedestrian/bicycle trail connection shall be provided to the west property line for future access to Granite Falls Way in the Vista del Canon Subdivision, if a connection can be secured from that developer.
3. The stormwater retention pond in the active open space area shall be designed so that all minor flows are subsurface and at a depression on the west or east end. The slope on the retention pond should be steepened along the perimeter to provide more usable play area in the bottom. The design of this and other retention ponds in the subdivision will require a higher level of design than required previously with other developments. Subsurface dissipation pits, etc. must be constructed to ensure that the ponds will not have water standing longer than 48 hours.
4. At Final, lot 7 shall be reconfigured to be more in character with lots in the remaining subdivision. The lot shall be enlarged to provide more siting options, and front, side, and rear yards shall be designated on the Final Plat.
5. Fences no higher than 4 feet will be allowed along the active open space area.
6. The irrigation pond shall be fenced and landscaped, and the retention ponds other than the active recreational area, shall be landscaped to the satisfaction of the Canyon View Homeowners Association.
7. If the existing retention basin in Canyon View Subdivision remains, it shall be landscaped and deeded to the Canyon View Homeowners Association.
8. Lime Kiln Way shall be completed through to the existing pavement in Canyon View 1-6 in conjunction with Phase II.
9. Fencing along South Camp Road shall be determined at Final Plat approval.
10. Maximum lot coverage of 30 percent and accessory structure setbacks comparable to RSF-2 setbacks shall apply to this subdivision unless the applicant at Final proposes a more restrictive setback.

11. The Homeowners Association will be required to maintain the open drainage ditch along South Camp Road.
  
12. The open space designation on the plat shall only apply to active or passive recreational areas.

Mr. Nebeker explained that with condition 2, joint cooperation between the petitioner and the Koskis was being sought to provide a second pedestrian/bicycle easement along the southern boundary of Canyon View Filings 7-9 into Vista del Canon. Discussions with the County Planning Department on this issue were ongoing.

With regard to condition 4 pertaining to lot 7, staff felt that the neck of the parcel may be widened somewhat to provide for better building siting. In the third filing, staff would require some evidence of frontage widening for lot 7 and the submission of home placement options. Placing homes so that they face the side yards of adjacent lots would be deemed undesirable by staff.

Mr. Nebeker acknowledged Mr. Riley's wish to secure access from the Canyon View Property. However, since there was a great deal more of the Vista del Canon and Sutton properties abutting Mr. Riley's property, staff felt that it would be more appropriate for Mr. Riley to secure his access through one of those two abutting parcels.

### **QUESTIONS**

Chairman Elmer noted that in a worst-case scenario of condemnation in securing an access easement from the canal company, he wondered if the same process could be used to secure a drainage easement to run a drain line from Lime Kiln Way or Granite Falls Way. Mr. Shaver said that this would be possible if there was a "discreet public purpose." Chairman Elmer added that it made sense to run a line under the canal and make the "retention" basin, located adjacent to Granite Falls Way, into a "detention" basin. Mr. Shaver said that there had been no prior discussion of this option; the current position of engineering staff was that the retention area would remain as such for the life of the subdivision.

Chairman Elmer remarked that the subject property had no legal right to direct drainage onto the Sutton property, that the canal was a man-made improvement which blocked historic drainage flows. Mr. Shaver noted the existence of the intervening parcel owned via fee title by Redlands Water & Power Company. It was this parcel that created the problem, and he briefly explained the City's position with regard to potential condemnation.

Chairman Elmer asked if the subdivision's drainage plan conformed to the Stormwater Management Manual, to which Rick Dorris replied affirmatively.

Chairman Elmer asked if the City would be requiring active recreational equipment for any of the planned open space areas. Mr. Nebeker responded negatively, saying that due to the site's proximity to Wingate School and the willingness of the school to make its equipment available to the general public, such a requirement was not necessary.

Chairman Elmer wondered why the Canyon View Homeowners Association (HOA) would be required to maintain the drainage ditch located in the South Camp Road right-of-way. Mr. Nebeker answered that the HOA would keep the weeds under control.

### **PUBLIC COMMENTS**

#### **FOR:**

There were no comments for the request.



**AGAINST:**

Joe Crocker, representing Mr. Riley, asked that consideration be given to extending access into the Riley property via lot 7. The lot, he said, was problematic and its loss should make little difference to the petitioner. He briefly outlined Mr. Riley's intention to subdivide his property into seven lots and said that his client had tried unsuccessfully to secure access during Canyon View's first six filings and the Vista del Canon Preliminary Plan review. This, he felt, was his last chance, and development of his property would be impossible without another access point. Mr. Crocker stressed the importance of integrating the Riley property into the area's overall circulation plan. He felt that this extension request made more sense than stubbing out a street to the Sutton's agricultural property and recommended that the northern connection be eliminated altogether. Mr. Crocker submitted a drainage map to the Planning Commission.

A brief discussion ensued over what Mr. Riley's plans were for development of his property. Current, available access into the Riley property and adjacent frontage locations were noted.

**PETITIONER'S REBUTTAL**

Tom Volkmann, legal counsel for the petitioner, said that while discussions with Mr. Riley concerning his access were ongoing, the petitioner's position was that extending access into the Riley property via lot 7 was inappropriate and unacceptable. Lot 7, he said, was not unusable as suggested by Mr. Crocker, and lot lines had not yet been firmly established. The loss of so much of the petitioner's property for another property owner's access, would be unfair. Access into the Riley property, he said, would be better addressed at another time, and he agreed with staff that Vista del Canon represented a more suitable alternative.

Jim Langford, representing both Canyon View and Vista del Canon petitioners, referenced a meeting held last fall with Mr. Riley and various representatives. At that time, discussions centered around the formation of a regional facility. The Koskis had, at that time, offered Mr. Riley access into his property through Vista del Canon in exchange for a portion of Mr. Riley's property to be used as a regional detention area.

**DISCUSSION**

Commissioner Driscoll asked if access into the Riley property from lot 7 would also involve a canal crossing, to which Mr. Nebeker answered affirmatively. No canal crossing would be required if access was given through Vista del Canon. Mr. Nebeker explained that cutting a road through lot 7 would not only destroy lot 7 but the right-of-way would take out portions of abutting lots as well.

Commissioner Fenn wondered why an access extension was being sought for the Sutton property when the Suttons had no current development plans. Mr. Nebeker stated that it was logical to assume that the Sutton property would develop sometime in the future. As such, access at a central point made for better area circulation.

Chairman Elmer said that the northern stub would also facilitate access to the Wingate School.

Commissioner Fenn expressed concern that since the Vista del Canon Subdivision was not located within the City limits, there was no guarantee that access would be provided to Mr. Riley by the Koskis. Wouldn't this landlock the Riley parcel? Mr. Nebeker pointed out the current access location into the Riley property from Canyon View's Outlot A.

Commissioner Coleman felt that the access question would be better addressed by Mesa County. He concurred that it made more sense to secure access through a property possessing a greater amount of mutual frontage.

Scott Harrington indicated that with his present single access, Mr. Riley would most likely be prevented from further development of his property. However, since Vista del Canon had not yet gone through its final development stage, it should be possible to address the access question via Mesa County's Planning Department.

Chairman Elmer observed that if an agreement could be reached between property owners, benefits of increased circulation and drainage mitigation could be derived for all affected subdivisions. Mr. Nebeker added that if access were given to Mr. Riley via Canyon View's lot 7, there would be no incentive for Mr. Riley to participate in such an agreement.

Commissioner Coleman wondered if denying access through lot 7 would hold up approval of the current request. Mr. Harrington said that granting Preliminary Plan approval would still allow plenty of time for continued discussions and amendment of the Preliminary Plan. It would not prevent a portion of the development from moving forward.

Chairman Elmer noted the drainage flows directed along South Camp Road to the undeveloped Crittenden property. He felt there should be some means of carrying flows further south to Trails West.

Mr. Dorris explained that even without the current and surrounding developments, natural topography would still direct drainage flows towards the Crittenden property. However, with the retention and detention of water so close to the property, discussions have commenced on how best to direct flows across it. He expected a survey crew to be present on site within the next week to analyze the situation, with the City ultimately bearing a portion of drainage delivery costs. A number of options were available. Mr. Shaver added that no trespass or other legal issue would occur provided that flows were kept at historic rates.

Chairman Elmer emphasized that the major concern lay in addressing flows from the National Monument, not from individual properties.

Mr. Dorris said that there was an in-sized ditch located across the Crittenden property; one delivery option might be to have the petitioner redirect Canyon View's ditch so that the low flows were directed into that ditch. The Crittenden property ditch would then be available to handle nuisance flows up to a two-year event.

Commissioner Driscoll concurred that the best option for access into the Riley property would be through Vista del Canon. He had no problem with the present configuration of lot 7.

Commissioner Coleman asked if an HOA would be responsible for maintaining retention pond areas, to which Mr. Dorris responded affirmatively. When concern was expressed over possible silt build-up in those areas if not maintained, Mr. Dorris said that such concerns would be minimal given the amount of landscaping, paved streets and sidewalk present and the lack of an outlet orifice normally associated with detention ponds.

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item RZP-1999-013, I move that we approve Canyon View Subdivision Filings 7-9 and forward a recommendation of approval to the**

**City Council for the rezoning of this parcel from RSF-2 to PR-2, subject to staff's recommendations."**

Commissioner Grout seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

A brief recess was called at 9:08 p.m. The hearing reconvened at 9:16 p.m.

**ANX-1999-008 ZONE OF ANNEXATION/PRELIMINARY PLAN—DIAMOND RIDGE SUBDIVISION**

This item was recommended for continuance to the February 16 public hearing.

**MOTION: (Commissioner Driscoll) "Mr. Chairman, I move that we continue item ANX-1999-008 to the February 16 meeting."**

Commissioner Coleman seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

**RZ-1999-011 REZONE/MINOR SUBDIVISION—OTT MINOR SUBDIVISION**

**A request for approval of: 1) rezoning the property from RSF-8 (Residential Single Family not to exceed a density of 8 units per acre) to RMF-16 (Residential Multi-Family not to exceed a density of 16 units per acre), and 2) subdividing the property into two lots.**

**Petitioner: Nancy Ott  
Location: 2200/2202 North 17<sup>th</sup> Street  
Representative: Applied Earth Sciences**

**PETITIONER'S PRESENTATION**

Tara Talbert, representing the petitioner, said that a single family residence would be situated on lot 1; a four-plex currently existed on lot 2. The petitioner was in agreement with staff's request for an additional ingress/egress easement.

**QUESTIONS**

Chairman Elmer asked if the petitioner understood that the RMF-16 zone designation would be converted to RMF-8 upon adoption of the new Zoning Map, to which Ms. Talbert responded affirmatively.

**STAFF'S PRESENTATION**

Lori Bowers said that the current proposal represented a simple subdivision request. The rezone would accommodate the subdivision and bring the property into compliance until adoption of the new Zoning Map. Finding that the request met rezone and subdivision criteria, staff recommended approval of both the Rezone to RMF-16 and Minor Subdivision, subject to the following condition:

1. That an additional ingress/egress easement, a minimum of 12 feet in width and the length of the driveway, be added to lot 1 in favor of lot 2.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**DISCUSSION**

Commissioner Coleman could see no problem with the request.

Chairman Elmer reiterated that the RMF-16 zone was more of a “holding” zone pending adoption of the new Zoning Map.

**MOTION: (Commissioner Coleman) “Mr. Chairman, on item RZ-1999-011, a request for a Minor Subdivision, I move that we recommend approval of the request subject to the condition as stated in the staff report dated February 2, 1999.”**

**MOTION: (Commissioner Coleman) “Mr. Chairman, on item RZ-1999-011, a request for rezoning, I move that we recommend approval to the City Council to approve the rezoning request.”**

Commissioner Grout seconded both motions.

A vote was called and the motion passed unanimously by a vote of 5-0.

**ANX-1998-207 ZONE OF ANNEXATION—STEEL, INC.**

**A request to zone land which is currently being annexed into the City, consisting of approximately 2.66 acres, from County zoning PI to City zoning of I-2 (Heavy Industrial).**

**Petitioner: 515 Animas, Inc.  
Location: 2189 River Road**

**STAFF’S PRESENTATION**

Kristen Ashbeck said that a building permit had already been issued for construction of the addition on the subject property. The proposed zone best fit the actual use of the facility and uses of the industrial park in general. The I-2 zone was also consistent with Growth Plan recommendations and uses found along the River Road corridor. Staff recommended approval.

**QUESTIONS**

Chairman Elmer asked if the property owner was in agreement, to which Ms. Ashbeck replied affirmatively.

Chairman Elmer asked if there was a Property Owners Association for the industrial park. Ms. Ashbeck said that at one time there may have been, but no evidence of an active Association was there now.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**DISCUSSION**

Commissioner Driscoll acknowledged and agreed with staff’s analysis.

Chairman Elmer noted that the request also met zone criteria.

**MOTION: (Commissioner Driscoll) “Mr. Chairman, on item ANX-1998-207, I move that we forward the Zone of Annexation to City Council with the recommendation of approving a Heavy Industrial (I-2) zone district for the Steel, Inc. property located at 2189 River Road.”**

Commissioner Grout seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

### **3 GENERAL DISCUSSION**

Mr. Harrington said that a Zoning Map meeting hosted by the City Council would be held February 10 from 6 p.m. to 9 p.m. at the Orchard Mesa Middle School. Discussion would include Orchard Mesa zoning.

Northeast area zoning would be discussed in a meeting scheduled for February 24 at the Adams Mark Hotel beginning at 6 p.m.

He noted the excellent attendance by the public at each of the Zoning Map district meetings. A revised draft of the Development Code would soon be available for public review, and more area meetings would be held afterwards. He acknowledged the excellent cooperation between City and County staffs and emphasized the importance of the City’s alignment to County scheduling.

Commissioner Coleman asked if a replacement had been found for Commissioner Denner. Mr. Harrington said that City Council planned to advertise. The station broadcasting Planning Commission hearings was also advertising for the position.

With no further business, the hearing was adjourned at 9:43 p.m.