

**GRAND JUNCTION PLANNING COMMISSION**  
**JUNE 15, 1999 MINUTES**  
**7:03 p.m. to 1 a.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:03 p.m. by Vice-Chairman Jeff Driscoll. The public hearing was held at Two Rivers Convention Center.

In attendance, representing the Planning Commission, were: Jeff Driscoll (Vice-Chairman), Joe Grout, Mark Fenn, Terri Binder, Nick Prinster and Paul Coleman. John Elmer was absent.

In attendance, representing the Community Development Department, were: Scott Harrington (Community Development Director), Kristen Ashbeck (Sr. Planner), and Bill Nebeker (Sr. Planner).

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

Terri Troutner was present to record the minutes.

There were approximately 100 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**

Pulled from the agenda was item FPP-1999-096.

**III. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL**

**RZP-1999-089 REZONE/PRELIMINARY PLAN—FOUNTAIN GREENS**

**A request to: 1) rezone the undeveloped Fountainhead Subdivision (approximately 30 acres) from PR-12 to PR-8 (Planned Residential with a density of 8 units per acre), 2) approve a Preliminary Plan for the Fountain Greens Subdivision consisting of a mixed residential development of single family homes, patio homes, and condominiums and 3) waive the public street standard for the streets in Block 2.**

**Petitioner: Fountain Greens LLC**

**Location: North of the northwest corner of 25 and G Roads**

**Representative: LanDesign, Brian Hart**

**PETITIONER'S PRESENTATION**

Tony Bottagaro, representing the petitioner, introduced other members of the project team—Brian Hart, John Withers, Phil Scott and Pete Materoli. Overhead transparencies of the Preliminary Plan and phasing schedule were presented. An overview of the project included the lowering of PR-12 zoning to PR-8. A master HOA would be created, with separate HOAs created for each block of varying housing types. CC&Rs would, however, be generally consistent for all HOAs. Of the 105 neighborhood meeting invitations sent to surrounding residents, 35 homeowners had attended. Concerns expressed included drainage, groundwater, traffic and density.

Phil Scott presented overhead transparencies of excerpts from the submitted traffic study. The project, he said, would generate 1,120 trips at build-out. Accesses into the site were noted and traffic-calming

measures would be incorporated. He anticipated a worst-case scenario of 71 ADT during peak rush hours. Left-hand turn lanes would be constructed at 25 Road and Fountain Greens Place and on G Road at Fountainhead and 24 ¾ Road.

John Withers addressed shallow groundwater concerns saying that prior to commencement of irrigation season the water table had been at a depth of between 4 and 12 feet. After irrigation water began flowing, those depths were reduced to between 1 and 9 feet, with the shallowest point located in the northeast corner of the property. Mr. Withers felt that options were available to mitigate concerns; options included installation of a sewer underdrain, installation of an interceptor sewer, bringing in additional fill material and eliminating below-grade construction. Alternatives would be investigated, with a final proposal submitted during Final.

Brian Hart pointed out a drain line traversing the property to the north. The line's capacity was a concern since it was already half full. He noted that a property located adjacent to the southwest corner of the site flooded regularly. Possible solutions included a redirection of irrigation water back into the Grand Valley Canal, upsizing the line to a 30-inch diameter, installation of a parallel drain line designed to handle only stormwater or overdetention of the site. The latter option was not preferable since it was unclear whether density could be maintained if more detention areas were planned. Mr. Hart expressed agreement with staff's recommendations and conditions.

### **QUESTIONS**

Commissioner Binder wondered how many homes had already been constructed in the Fountainhead Subdivision. Mr. Scott was unsure, but Mr. Harrington answered that there were 38 homes in the previously developed subdivision.

Commissioner Binder questioned the accuracy of Mr. Scott's projected ADTs. Mr. Scott clarified his response to state 1,120 trips in and 1,120 trips out, for a total of 2,240 total ADTs. Commissioner Binder still felt that the 2,240 ADT figure was low. Mr. Scott explained that a different calculation had been used for multi-family dwellings.

Commissioner Binder asked for further clarification on proposed traffic-calming measures. Mr. Hart pointed out the raised median to be installed near the project's entrance on Fountainhead Blvd. Final design of the median would be submitted during Final.

Commissioner Binder wondered if Fountainhead Blvd. would continue westward across 24 ¾ Road, to which Mr. Hart responded negatively.

Vice-Chairman Driscoll wondered what type of fencing materials had been proposed for double-frontaged lots. Mr. Bottagaro said that plans included 4-foot-high iron fencing with either stucco or brick pillars. He wanted to avoid creating a "walled effect" along 24 ¾ Road.

Commissioner Binder asked if any trails had been proposed with the project. Mr. Hart said that striped bike lanes were planned along Fountain Blvd. and 24 ¾ Road. A trail segment would extend through the Fountain Greens Community Park as well.

### **STAFF'S PRESENTATION**

Bill Nebeker overviewed the request as contained in the June 15 staff report. He noted that the petitioner was also asking for waiver of public street standards for Block 2. The Preliminary Plan was very similar to the previously approved ODP. The PR-8 zone request complied with rezone criteria and would fall at the low end of Growth Plan recommendations for the site.

Mr. Nebeker noted an error at the top of page 4 of the staff report. The referenced 6-foot-high screen fence should have read 4 feet. He stated that if 6-foot-high privacy fencing were selected for double-frontaged lots, a 5-foot landscaping strip would also be required. He outlined the half-street improvements required for 24 ¾ Road as well as left-hand turn lane locations. The waiver of street standards complied with Code criteria.

Staff recommended approval of the rezone, waiver of public street standards and the Preliminary Plan subject to the following conditions:

1. Construction traffic serving this development shall not use Fountainhead Blvd. through The Helm or The Cove at Fountainhead Subdivisions.
2. A 5-foot-wide landscaped area in a tract or easement shall be required between the street and the fence for any double-frontaged lots in the subdivision. The homeowners association shall maintain the landscaped area.
3. The center landscaped median on Fountainhead Blvd. shall be designed to meet Fire Department turning radii at the time of final approval.
4. A northbound left-turn lane at 25 Road and Fountain Greens Place and an eastbound left-turn lane on G Road at Fountainhead Blvd. shall be constructed with Filing 1 of the development.
5. An eastbound left-turn lane on G Road at 24 ¾ Road shall be constructed with Filing 4.
6. Half-street improvements for the entire length of 24 ¾ Road will be required when the Fountainhead Blvd. is constructed through this street.
7. Architectural control standards and a common streetscape landscaping theme, which includes street trees for Fountainhead Blvd., will be required for the entire development at the first phase.
8. An entrance feature such as cobblestone paving or, at a minimum, a sign shall be incorporated into the design of the private streets at their intersection with public streets to mark the beginning and end of public maintenance.
9. Marketing of any homes within this development shall include a complete disclosure of the proposed land uses on Blocks 7 and 8.

### **QUESTIONS**

Commissioner Prinster asked if the petitioner would be required to post a bond for half-street improvements. Mr. Nebeker said that cash would be paid for 25 Road improvements; a temporary bond would be posted for 24 ¾ Road improvements.

Commissioner Prinster asked if a 30-inch-diameter drain pipe would alleviate groundwater concerns. Mr. Dorris acknowledged that the current pipe size could not handle expected flows from the site. The petitioner would be required to demonstrate that whatever size pipe was proposed could handle a 100-year flood event. The pipe would have to be enlarged near the Leach Creek area and a possible cost-share between the petitioner and the City could be possible for that segment.

### **PUBLIC COMMENTS**

#### **FOR:**

There were no comments for the proposal.

**AGAINST:**

Mary Hollingsworth (729 – 25 Road, Grand Junction) representing various homeowners groups, said that although the Fountainhead Subdivision had been zoned PR-12, it had developed closer to a PR-4 density. Thus, the proposed PR-8 density was too high and inconsistent with the surrounding area. The clay soil and high groundwater on the subject site made for poor load-bearing capacity. All currently unlined ponds on the site should be lined. Who would be responsible for monitoring the developer to ensure that engineered foundations were constructed? She said that final plans and solutions were needed from the petitioner, and reports should be made available to the public.

As the next citizen stepped up to the microphone, Commissioner Coleman excused himself from further deliberations on this item due to the potential for conflict of interest.

Randy Taylor (712 – 24 <sup>3</sup>/<sub>4</sub> Road, Grand Junction) felt that the development would impact the area's current quality of life and could affect property values. He questioned the functionality of Fountainhead Blvd. Traffic and noise increases as a result of the development would be unbearable. He felt that infrastructure in the area was lacking and that the proposed density was too high. Mr. Taylor said that the multi-family development was inconsistent with the area's single family homes. He questioned the necessity for multiple HOAs and said that it would be impossible for them to agree on anything. He felt strongly that the developer should post a bond.

Stuart Hollingsworth (729 – 25 Road, Grand Junction), geologist, said that improper design of foundations, structures and infrastructure, along with high groundwater, could create big problems. Major structural damage could occur to homes. Referencing a letter submitted by David Cortney, he said that high groundwater, especially in the northwest portion of the property, was a year-round problem. Representatives from the Grand Junction Drainage District had told him that the two spur lines (locations noted) were installed at the property owner's request because the area was too wet to grow alfalfa. The current plan called for removal or abandonment of the spur lines. How then would the groundwater be collected and transported? Mr. Hollingsworth reiterated geotechnical and load-bearing concerns. Special drainage and foundation design would be required. Any deterioration in homes would result in a deterioration of the area as a whole.

Marty Wacker (2465 Payton Court, Grand Junction) expounded on his background in environmental restoration and business. Referencing sections of a subsurface report by Lincoln-Devore, the report recommended that no water be allowed to collect around foundations and that drainage must be maintained and improved. Colorado Geological Survey recommendations included lining of all detention ponds, prohibiting water features or unlined ponds, notifying all potential homeowners of soil conditions and potential risks, and keeping all landscaping away from dwelling units. He noted the upgradient groundwater source which could contribute to the site's surface water problems. Conditions varied widely on the site, and additional testing should be required. He concurred that the existing drainage pipe needed upsizing and should meet 100-year flood requirements. Streets and parking areas would contribute to runoff problems. Environmental guidelines should be considered to ensure that runoff from streets and parking areas would not pollute the Colorado River.

Ken Fenton (737 – 25 Road, Grand Junction) said that traffic was already a problem in the area. A PR-8 density would only exacerbate the area's already overburdened street system. He also cited concerns over increased noise and loss of quality of life.

Alan Salter (2494 E. Harbor Circle, Grand Junction), member of the Fountainhead HOA, said that the HOA had clear title to various easements within the currently proposed subdivision. The petitioner was talking with them about trading pressurized irrigation water for easement rights; however, to effect that

action would take a 2/3 majority vote from Fountainhead homeowners. Mr. Salter expressed concern for pedestrian safety along Fountainhead Blvd. since the road was fairly linear prior to the proposed median. He requested that additional traffic-calming devices, such as speed bumps, be incorporated to reduce speeds. There were sight distance concerns at the subdivision's entrance. Mr. Salter suggested that noise mitigation measures be required, and he asked that the developer be responsible for noise monitoring. He supported staff's recommendation to restrict construction traffic to the 25 Road access and wondered if construction traffic could be limited to the hours of 8 a.m. to 5 p.m., Monday through Friday, with no construction occurring on weekends. He concurred that the proposed density was too high. When he asked those in opposition of the request to stand, the majority of the audience did.

Tom Byordland (702 – 25 Road, Grand Junction) agreed that traffic was a big problem, especially on G Road. He said that 100 percent of all traffic generated from the development would be funneled onto G Road. He voiced similar concerns regarding noise and the incompatibility of the project's density with the surrounding area. A portion of the property located near the southern entrance, he said, lay within a floodplain.

Jo Holcomb (2554 S. Corral Drive, Grand Junction), board member of the Wilson Ranch HOA, said that her HOA supported the position of the Fountainhead Subdivision HOA and comments made thusfar by opposing residents. She objected to the number of development proposals being considered in the area and said that current infrastructure was not designed to handle such radical increases in density. She mirrored comments regarding the loss of quality of life and traffic impacts.

Doug Flutterjohn (710 – 25 Road, Grand Junction) voiced similar concerns regarding traffic impacts, left-hand turn lanes and density.

Carol Cortland (727 – 25 Road, Grand Junction) concurred with previous comments and said that drainage issues should be addressed prior to any approval. There was water in her crawl space most of the time, and the previous owner of her property had gone to great lengths and expense to control groundwater problems. She agreed that specific drainage plans should be submitted by the petitioner for review by area homeowners. Who would be responsible for ensuring the developer's adherence to drainage mitigation? She noted her property's location on the Preliminary Plan and said that the developer's proposed entrance to her property was not workable. She wondered if she would be forced to bear the cost of any removal or relocation of utility lines. Ms. Cortland stressed the need to preserve the character of the area.

Bob Reeder (2484 G Road, Grand Junction) expressed similar concerns over groundwater. Replacing the existing line, he said, would tear up a portion of his property. Who would be responsible for replacing his landscaping and returning his property to its former condition? Who would be responsible for damages done to surrounding homes and property in the event the project's drainage mitigation measures failed?

Jim Oakers (730 Monument View Drive, Grand Junction) concurred that the proposed density and multi-family uses were incompatible with the surrounding area. He noted that only one row of single family homes buffered the project from his property.

Colin Pierson (723 ½ - 24 ¾ Road, Grand Junction) said that there was a lot of speeding along 24 ¾ Road. He would like speed bumps installed. He noted that where half-street improvements had been made to 24 ¾ Road, large sections of raised and incongruous asphalt existed. He asked staff to look into the status of the road and expressed agreement with previous comments.

Matthew Dokoupil (729 ½ North Valley Drive, Grand Junction) said that the development would compromise the area's existing quality of life.

Betty Benton (no address given) said that the multi-family units proposed by the petitioner would face directly towards her property, taking away the privacy she now enjoyed.

A brief recess was called at 9:18 p.m. The hearing reconvened at 9:30 p.m.

### **PETITIONER'S REBUTTAL**

Mr. Bottagaro said that the majority of comments made were similar to those made at the neighborhood meeting. Prior presentations had addressed those concerns and the plan, he felt, met the City's criteria. He said that multiple HOAs were not unusual and had been proven effective in developments containing differing housing types. All those involved with the project were Grand Junction-based; only the property's owner was from out of town. Thus, area concerns were better understood. He reiterated that the project was in keeping with the Growth Plan's recommended density of between 8 and 12 units/acre.

Mr. Withers concurred with groundwater concerns but said that drainage would be addressed prior to Final. A number of options were available and under investigation. There could be a need for subgrade stabilization. If existing drain lines were abandoned, their usefulness would be made up by other means. The sanitary sewer underdrain option seemed likely.

Mr. Hart said that the site had been re-measured following the onset of irrigation water flows. Problems were known and would be mitigated. Access and traffic concerns would be mitigated to the City's satisfaction and he again noted the raised median at the site's southern entrance. The project's density was compatible with Growth Plan recommendations, and staff had asked them not to fall below the low end recommendation of 8 units/acre. With regard to the private streets in Block 2, cul-de-sacs would be constructed to the City's private street standard. He said that submitted reports and assertions had been verified by City planning and engineering staffs to be accurate and technically sound. He noted an area in the northeast portion of the property where 1 to 2 feet of extra fill material would be brought in. A final drainage report would be submitted during Final. Mr. Hart said that flooding in the area of Mr. Reeder's property would be further reviewed by the developer, the City and the Grand Junction Drainage District. Replacement of any damaged landscaping would be addressed with City staff on how best to handle such disturbances. Necessary improvements would be made to 24 ¾ Road according to City requirements. With regard to Ms. Cortney's comments, he explained his rationale for her access placement. The access could be realigned if she so chose, and utility lines would be relocated at no cost to her.

### **QUESTIONS**

Commissioner Binder wondered if the 24 ¾ Road access could be constructed sooner than the final filing. Mr. Hart said that construction of the access had been conditioned by staff. The 24 ¾ Road access should not be needed until later development. Mr. Nebeker clarified that the entire length of street and connection to 24 ¾ Road would be required with Phase 4, not the final filing.

Commissioner Binder asked if fill would be brought in only for Block 2. Mr. Bottagaro said that Blocks 2 and 3, and areas along 25 Road and the southern entrance would receive fill material. A brief discussion ensued over how fill had originally been taken from the site for use in the Fountainhead Subdivision.

When asked by Commissioner Binder who would be responsible for private street maintenance, Mr. Hart responded that the HOA would maintain them.

Vice-Chairman Driscoll asked if any consideration had been given to erecting 6-foot privacy fencing along the rear yard property lines of double-frontaged lots. Mr. Hart said that proposed 4-foot open fencing would eliminate any “tunneling” of the street. While 6-foot fencing could be considered, he thought that maintenance of the 5-foot landscape strip would be an added burden for the HOA.

Commissioner Prinster asked if gaining the easements from Fountainhead would be a problem. Mr. Bottagaro said that discussions were underway to resolve that issue and would be resolved prior to Final. When asked if the lack of those easements would prevent the current site from receiving irrigation water, Mr. Bottagaro responded negatively.

Commissioner Binder asked if the property line extended to the canal bank. Mr. Hart said that the property bounded a 20-foot canal easement.

### **DISCUSSION**

Commissioner Prinster asked staff for the City’s position on speed bumps. Mr. Nebeker explained the difference between speed “bumps” and speed “humps.” While not normally installed by the City, the need for speed humps could be further assessed.

Commissioner Prinster expressed concern for the safety of pedestrians along Fountainhead Blvd. Mr. Dorris said that the road had been left wider to accommodate a bike lane and some on-street parking. He concurred that speed humps could be constructed if warranted.

Commissioner Binder asked if speed humps could be made a condition of Preliminary Plan approval. Mr. Dorris discouraged the condition since no evidence had been submitted at this point to warrant them. Mr. Harrington agreed that planning commissioners should leave specific traffic-calming recommendations to staff; however, the Planning Commission could condition approval based upon further investigation to determine the need for traffic-calming measures. If conditioned as part of Preliminary Plan approval, the Final Plan must demonstrate conformance. Mr. Shaver added his agreement to Mr. Harrington’s recommendation.

Vice-Chairman Driscoll asked legal counsel for an opinion on the plan for multiple HOAs. Mr. Shaver said that the practice was not uncommon and could actually better serve the varying housing and lot types proposed.

Vice-Chairman Driscoll asked if there was any basis for lowering the project’s density. Could the site and infrastructure support the proposed density? Mr. Dorris said that extra mitigation measures would be required, costing more money than normal. The plan could be workable but at added expense to the petitioner.

Vice-Chairman Driscoll noted that the maximum height of proposed structures would be 36 feet, with the maximum height of single-family structures at 32 feet.

Commissioner Fenn wondered if proposed site improvements could improve the overall drainage/ground-water problem for the entire area. Mr. Dorris was unsure but said that it was possible.

Commissioner Fenn asked if the G Road intersection was in the City’s capital improvements plan. Mr. Dorris said that left-hand turn lanes were warranted at all four “legs” but that G Road intersection improvements were not currently scheduled. He added that a meeting scheduled for later in the week would revisit the issue. Mr. Dorris pointed out that several nearby developments are approved and some of the streets currently need improvements. He then stated that the commissioners are asked to make the decision.

Commissioner Binder asked for a brief history of the site with regard to density and Growth Plan recommendations, which was provided by Mr. Shaver.

Commissioner Fenn stated that approval of the ODP gave the petitioner a reasonable expectation on the Preliminary Plan. To deny the Preliminary Plan when it conformed to the ODP would not be acting in good faith. Commissioner Grout agreed, noting that the Preliminary Plan conformed to the ODP and complied with Code requirements. Commissioner Fenn wanted to see further investigation into traffic-calming measures included in the motion as a condition.

Vice-Chairman Driscoll suggested that the type of fencing selected for double-frontaged lots be left up to the petitioner. Mr. Harrington referenced condition 2 in the staff report and said that the 5-foot landscape strip would only be required with 6-foot-high privacy fencing.

Commissioner Binder expressed continued concern over the 8 proposed HOAs. Mr. Shaver said that the proposed master HOA would serve as an “umbrella” for the other HOAs. A master set of CC&Rs would ensure continuity between all HOAs. Mr. Nebeker said that due to housing type similarities, it was likely that some of the blocks and HOA’s would be combined (e.g., blocks 4 and 5, and blocks 7 and 8).

**MOTION: (Commissioner Fenn) “Mr. Chairman, on item RZP-1999-089, I move that we 1) forward a recommendation of approval to the City Council for the rezone of Fountain Greens from PR-12 to PR-8 and waiver of the public street standard in Block 2; further, 2) approve the Fountain Greens Preliminary Plan subject to staff’s recommendations and amending number 2 to reflect that, should the fence exceed 4 feet in height, the landscape strip will be required, and adding an addition number 10 requirement that requires the applicant to study the feasibility and the necessity of traffic-calming devices.”**

Mr. Harrington clarified that the recommendation for a traffic-calming investigation pertain to on-site streets only, to which Commissioner Fenn agreed.

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

Commissioner Coleman returned and was present for the remainder of the hearing.

Mr. Harrington said that item PLN-1999-131 had been pulled and would be heard at the July 13, 1999 public hearing.

**MOTION: (Commissioner Grout) “Mr. Chairman, on PLN-1999-131, I move that we continue the issue until the July 13 meeting.”**

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

**GPA-1999-093 GROWTH PLAN AMENDMENT/REZONE/PRELIMINARY PLAN—MILLER HOMESTEAD**

**A request to: 1) amend the Growth Plan to redesignate approximately 2.9 acres from the Residential High (12+ units per acre) category to Commercial, 2) rezone the property from RSF-4 (Residential Single Family not to exceed a density of 4 units per acre) to PR-18 (Planned Residential with a density of 18 units per acre) and PB (Planned Business), and 3) approve the**



**Preliminary Plan for Miller Homestead Subdivision consisting of a mixed use plan which includes residential and professional office condominiums.**

**Petitioner: Dan Roberts**

**Location: 3090/3150 North 12<sup>th</sup> Street**

**PETITIONER'S PRESENTATION**

Dan Roberts, petitioner, presented a number of overhead transparencies, slides and visual aids depicting the location of the site and surrounding uses, a scaled rendition of the project, rendition of proposed residential structures, and photos of the site from varying angles. The property has approximately 900 feet of frontage along 12<sup>th</sup> Street and both street and utility improvements along 12<sup>th</sup> Street were currently underway. Mr. Roberts said that the architectural design aspects of the Miller home had been incorporated into the project's plan. The Miller home would be used for a time as a sales office and then converted to a clubhouse for use by subdivision residents. He acknowledged that one of the biggest challenges lay in the provision of sufficient buffering to single family uses along Bonita Avenue. He noted the two buildings nearest Bonita Avenue where building heights would be reduced. He also noted the existence of a large copse of trees adjacent to the Buthorne Drain. The area adjacent to the drain would be preserved as a greenbelt, with existing vegetation preserved wherever possible although most of the vegetation had recently been removed by the drainage company. The drainageway would be piped along the property line and a 6-foot fence would be erected. The area around Dr. Bull's home would be heavily landscaped, reminiscent of an English garden.

Mr. Roberts noted the locations of the three commercial buildings and said that the Atrium would block the site's view from southbound traffic along 12<sup>th</sup> Street. He felt that the project would fit in well with the surrounding neighborhood. He noted that the commercial office use had triggered the Growth Plan amendment request; however, staff had suggested that the plan may meet consistency review criteria. He felt that the project met rezone criteria. Mr. Roberts asked that consideration be given to increasing the height limitation of residential structures to 45 feet. All three-story buildings would be sprinklered.

**QUESTIONS**

Commissioner Grout asked about the height of the Hetland house (location noted), to which Mr. Roberts replied, 28 feet. When asked how high the two buildings would be once reduced in height, Mr. Roberts said that they would be approximately 36 feet.

Commissioner Binder asked how high the Atrium building was, to which Mr. Roberts answered, 42 feet.

Commissioner Binder noted the lack of proposed parking area and wondered if underground parking was planned. Mr. Roberts said that surface parking had been provided for higher density units along with some underground parking.

Due to the lateness of the hour, a brief discussion was held to decide whether to continue the remaining three items. While the meeting location would require confirmation, the decision was made to continue items FP-1999-115, FPP-199-114, and FPA-1999-116 to June 17 at 7 p.m. The meeting was tentatively scheduled to take place at Two Rivers Convention Center.

**MOTION: (Commissioner Coleman) "Mr. Chairman, I make a motion that we take the last three items of this hearing and set a date for the 17<sup>th</sup> at 7 p.m. here at Two Rivers Plaza to finish this hearing."**

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 11:45 p.m. The hearing reconvened at 11:55 p.m.

**STAFF'S PRESENTATION**

Bill Nebeker said that the height waiver need not be considered in a separate motion because this is a Planned Zone which allowed for that flexibility. He briefly explained the two options available to the Planning Commission on the Growth Plan amendment request. While the request did not meet amendment criteria, planning commissioners could find that it met plan consistency review requirements. If the latter was determined, no amendment would be needed. Mr. Nebeker explained staff's analysis of the commercial use and said that the Code was unclear on the appropriateness of the professional office use for the subject area. The rezone request met Code criteria. He noted that the two buildings located close to Bonita Avenue could be no higher than 32 feet, and said that there may be height restrictions on other buildings adjacent to Bonita. Parking was a concern, and staff determined that at least 20 additional spaces were needed. A public pedestrian trail would be provided to The Fountains at the southeast corner of the site.

Staff recommended denial of the Growth Plan amendment but requested a recommendation on the plan consistency review. Approval was recommended for the rezone request and Preliminary Plan subject to the following conditions:

1. Residential units R-2 and R-4 shall be no higher than 32 feet and two stories high.
2. A wall, fence, or berm and a dense landscape barrier shall be provided along the south property line to buffer this use from homes to the south.
3. Parking for the office portion of the site shall be increased to 1 space per 300 square feet. This may require the reduction of the overall square footage of office space provided.
4. Handicapped parking spaces meeting ADA requirements shall be added to the commercial parking lot.
5. At least one additional parking space shall be added to the residential parking area unless condition 1 above reduces the total number of dwellings.
6. Backing areas shall be provided in the residential surface lots.
7. Easements will be required for all public sidewalks and other improvements not located in City rights-of-way.

8. The freestanding sign on 12<sup>th</sup> Street shall be monument-style and limited to 8 feet high and 64 square feet total. The freestanding sign on Brownstone Circle shall be monument-style and limited to 6 feet high and 36 square feet. Signage on the wall along 12<sup>th</sup> Street and flush wall signage on individual buildings shall be determined at Final Plan approval.

**PUBLIC COMMENTS**

**FOR:**

There were no comments for the proposal.

**AGAINST:**

Deb Atchley (1220 Bonita Avenue, Grand Junction) submitted a letter of opposition and attached petition from Bonita Avenue residents. She said that building heights of 45 feet would tower over the single family structures along Bonita Avenue, eliminating any backyard privacy of those residents. Single-story structures along the southern perimeter would be more appropriate. She contended that the medical office use was inconsistent with Growth Plan recommendations and approval would result in increased traffic, lighting concerns, and a loss of privacy. Ms. Atchley noted the large volume of traffic on 12<sup>th</sup> Street and said that the roundabout at 12<sup>th</sup> and Horizon allowed for few breaks in traffic flow. She felt that access was insufficient. She expressed concern over the loss in property values and stressed that insufficient buffering was being provided with the proposed plan.

Ann Sheets (1215 Bonita Avenue, Grand Junction) said that even reducing two of the structures to 32 feet in height was insufficient because of the site's elevation. She wondered what type of landscaping would be provided along the drainageway. If slow-growing, Bonita Avenue residents may be forced to wait years until a sufficient landscape buffer was provided. She suggested that the site be used instead for additional single family homes.

Polly Kroulond (1234 Bonita Avenue, Grand Junction) wondered if a traffic study had been conducted. How much additional traffic would be generated by the site's proposed uses? She noted that most of the traffic from the site would travel southbound, and left turns onto 12<sup>th</sup> Street would be difficult with continuous traffic flows. Were traffic lights proposed? She hoped that no extension of 13<sup>th</sup> Street was proposed.

Craig Erickson (1234 Bonita Avenue, Grand Junction) said that the greater building heights of the Atrium were more acceptable because the elevation of that site was lower than the subject property. He felt that the proposed project was out of scale with the surrounding neighborhood.

**PETITIONER'S REBUTTAL**

Mr. Roberts said that buffering the adjacent single family uses along Bonita was a very important concern. Both project entrances would be off of 12<sup>th</sup> Street, with no extension of 13<sup>th</sup> Street proposed. Traffic impacts were expected to be fairly minimal, with traffic counts estimated at 1,100 ADTs divided between the two entrances. Evergreen trees of approximately 12 feet in height would be planted along the southern perimeter. Their growth was expected to be about 2 feet per year. He wanted to assure residents that their privacy would be protected. Second stories would overlook the rooftops of their residences.

**DISCUSSION**

Commissioner Coleman cited a personal example to illustrate how the City's medical office parking ratio was woefully insufficient. He strongly urged re-review by staff and said that additional parking should be provided for that use. He stressed a need to respect surrounding neighborhoods and felt that all

structures and buffering along the site's southern perimeter needed further review. No structure along the southern property line should exceed 32 feet in height.

Commissioner Grout asked for clarification on previous Street Plan discussions regarding the extension of 13<sup>th</sup> Street, which was provided.

Vice-Chairman Driscoll asked for 12<sup>th</sup> Street's classification. Mr. Dorris said that although developed to collector standards, 12<sup>th</sup> Street was used primarily as a minor arterial.

Vice-Chairman Driscoll asked about levels of service for 12<sup>th</sup> Street. Mr. Dorris read from a report which stated that the 12<sup>th</sup> and Hermosa intersection currently operated at level of service (LOS) "A." The eastbound left turn movement currently operated at LOS "D" in the 2003 horizon and LOS "F" in the 2020 horizon. The site's entrances were expected to operate at LOS "A" in the morning and "B" in the evening with some delays expected in left-turn movements. The only logical place for a traffic light would be at Lakeside Drive; however, since site entrances were located to either side of Lakeside Drive, a traffic light at that location didn't make sense.

Commissioner Coleman asked if a site lighting plan had been submitted. Mr. Dorris said that one would be furnished by the petitioner prior to Final. Mr. Nebeker noted that commercial uses were located away from the site's southern perimeter. Commissioner Coleman said that even building lighting should be reviewed since lighting from the higher buildings would affect adjacent residents.

Commissioner Binder said that in looking at the scaled drawings of the site, the on-site Hetland and Bull houses would be dwarfed by the proposed structures. She also questioned the accuracy of the petitioner's 1,100 ADT figure. Mr. Dorris said that the 1,100 figure was only one-way. Total expected ADTs were closer to 2,200.

Commissioner Coleman suggested that the motion include the need for preservation of the neighborhood to the south, the need for additional parking, and the dwarfing of the two existing structures on the property. Other than those issues, he found that the plan met Growth Plan recommendations. Mr. Nebeker agreed that staff should review Codes from other areas to come up with a more realistic medical parking ratio.

Commissioner Prinster agreed and said that building heights along the southern perimeter should be further reviewed, with lighting addressed later. Additional buffering of adjacent single family uses was needed.

Commissioner Coleman said that if building heights were reduced significantly, the petitioner could lose density. He suggested shifting densities from the south to other on-site areas. Perhaps the plan needed to be denied to give the petitioner an opportunity for redesign.

A brief discussion ensued over which other buildings along the southern perimeter should be reduced in height. Commissioner Coleman suggested buildings R-1, R-2, R-3, R-4 and R-8. This drew general assent from other planning commissioners.

Commissioner Binder suggested that the Bull residence be replaced by a higher density structure, especially given that the residence would be out of character with other proposed structures. Mr. Harrington said that lowering structure height may not necessarily affect overall density. Various options were available to the petitioner.

Mr. Shaver suggested making a motion to reflect conditional approval.

Commissioner Grout agreed that the plan met criteria for consistency as long as office uses were limited to the type proposed. He concurred that building heights could be reduced along the southern boundary without affecting the overall density.

A brief discussion ensued over the motion's framing.

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item GPA-1999-093, I move that we forward a recommendation to City Council on the finding that the proposal is consistent with the Growth Plan."**

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

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item GPA-1999-093, I move that we forward a recommendation of approval to City Council for the rezone of the Homestead from RSF-4 to PB and to PR-18 and approve the preliminary plan with the conditions that the commercial area (PB) parking needs to be addressed to planning staff recommendations, a height restriction on the PR-18 given to a 45-foot height to the properties to the north of Brownstone Circle, and the properties to the south with a height restriction of 32 feet, and with a lighting plan to go with it, and also a buffering plan on the south side also, and also including the other staff recommendations."**

Mr. Nebeker clarified that the height restriction of 32 feet applied to units R-1, R-2, R-3, R-4 and R-8, to which Commissioner Coleman assented. The motion was amended to include that clarification.

Mr. Shaver suggested replacing the word "recommendations" with regard to staff review of the parking plan with the word "satisfaction." Commissioner Coleman amended his motion accordingly.

The revised motion is as follows:

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item GPA-1999-093, I move that we forward a recommendation of approval to City Council for the rezone of the Homestead from RSF-4 to PB and to PR-18 and approve the preliminary plan with the conditions that the commercial area (PB) parking needs to be addressed to planning staff's satisfaction, a height restriction on the PR-18 given to a 45-foot height to the properties to the north of Brownstone Circle, and the properties to the south with a height restriction of 32 feet (buildings R-1, R-2, R-3, R-4 and R-8), and with a lighting plan to go with it, a buffering plan on the south side, and also including the other staff recommendations (as amended)."**

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

With no further business, the hearing was adjourned at 1:00 a.m.