

GRAND JUNCTION PLANNING COMMISSION
JUNE 17, 1999 MINUTES
7:02 p.m. to 8:35 p.m.

Commissioner Paul Coleman called the regularly scheduled Planning Commission hearing to order at 7:02 p.m. The public hearing was held at Two Rivers Convention Center.

In attendance, representing the Planning Commission, were Paul Coleman, Joe Grout, Terri Binder, and Nick Prinster. John Elmer, Mark Fenn and Jeff Driscoll were absent.

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

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

Laura Avila was present to record the minutes.

There were approximately 12 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

No minutes were available for consideration.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

FP-1999-115 FINAL PLAT/REVISED PRELIMINARY PLAN/VACATION OF RIGHT-OF-WAY FOR ARROWHEAD ACRES II FILING #1

Request for approval 1) to revise the Preliminary Plan for Arrowhead Acres II to revise the Phasing Plan; 2) of the Final Plat for Arrowhead Acres II Filing #1 consisting of 25 single family lots on approximately 6.5 acres in a RSF-5 (Residential Single Family with a density not to exceed 5 units/acre) zone district, and 3) of a vacation of a portion of B.4 Rd right-of-way.

PETITIONER: A.C. Rinderele Trust

LOCATION: West of the Southwest corner of B.5 & 28.5 Rds

REPRESENTATIVE: Doug Fassbinder

CITY STAFF: Kristen Ashbeck

PETITIONER'S PRESENTATION

Douglas Fassbinder, representing the AC Rinderle Trust, petitioner, presented an overview of the project with an overhead transparency of the Final Plat. The petitioner requested a revised Preliminary Plan to postpone development along B-1/2 Road to give time for the ditch company, the County and the City to determine design requirements for piping the ditch. The proposed first filing includes 25 single-family lots. Arlington Avenue will be improved from B-1/2 Road to just south of Pitchblend Court in Filing 1.

The petitioner expressed general agreement with the staff's recommended conditions of approval with the exception of item 6 in the staff report regarding payment of the cost for B-1/2 Road. Mr. Fassbinder requested that the Commission consider allowing payment of the improvement costs over a period of time rather than in a lump sum, up front, with filing 1.

STAFF'S PRESENTATION

Kristen Ashbeck gave an over view of the three requests before the Commission. The proposed Final Plat for Filing 1 is consistent with the approved Preliminary Plan regarding infrastructure and lot design. The applicant is requesting approval of a revised Preliminary Plan in order to defer development along B-1/2 Road. Originally what is shown on the revised Preliminary Plan as Phase IV was to be Phase III. The conditions of approval of the Preliminary Plan were as stated in the staff report. All of the conditions pertinent to Filing 1 have been met. Some of the issues, such as conditions 2, 3 and 5 are to be addressed with future filings.

As stated at Preliminary, in lieu of construction the City will collect cash from the developer for the B-1/2 road improvements with Filing 1. The exact amount and form of payment have yet to be determined.

At the Preliminary Plan phase, several lots within Filing 1 appeared marginal for development given their odd configuration (Lot 1, Block 1 and Lot 15, Block 2). The applicant has made an attempt to provide more acceptable building envelopes on these lots and staff is satisfied with the final design.

The third request at this time is vacation of a portion of the B.4 Road right-of-way that encroaches on Lot 14. The plat will replace the vacated portion of the B.4 Road right-of-way with dedication of additional temporary turnaround easement. The easement will need to be improved with road base and the cost included in the Development Improvements Agreement and Guarantee. Staff found the vacation request to meet the criteria in Section 8-3 of the Zoning and Development Code and recommends approval.

Staff recommends approval of the revised Preliminary Plan, Filing 1 Final Plat and vacation of a portion of the B.4 Road right-of-way for the Arrowhead for the Arrowhead Acres II subdivision subject to remaining staff comments dated June 2, 1999 being addressed prior to recording the Final Plat and/or approval of the Final Plans.

QUESTIONS

Commissioner Binder requested an explanation of the Transportation Capacity Payment (TCP) versus ½ street improvements. Mr. Dorris briefly responded, explaining the Zoning and Development Code requirements and ability to credit the TCP for any street improvements paid for and/or constructed by the developer. Mr. Shaver elaborated and added that the form of financing was not to be reviewed by the Planning Commission. Mr. Shaver cited the applicable Code sections and mentioned to the Commission that TCP and financing would have to be worked out with staff.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Ron S.?, 2819 Arlington Villa Drive stated that no one in his subdivision had been notified of this proposal.

PETITIONER'S REBUTTAL

Mr. Fassbinder again requested that the Commission consider phasing payment of the B-1/2 Road improvement costs.

DISCUSSION

The commission briefly discussed deferment of the B-1/2 Road costs. There was discussion of the problems with building permit holds and the Code requirements. The commission also noted that the filing that is presently being developed is interior to the site rather than along B-1/2 Road.

MOTION: (Commissioner Binder) Mr. Chairman, on item FP-1999-115, I move that we approve the Revised Preliminary Plan and Filing 1 Final Plat for the Arrowhead Acres II subdivision subject to staff recommendations.

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

**FPP-1999-114 FINAL PLAT/PLAN - PEPPER TREE SUBDIVISION FILING 4
Request for approval of the Final Plat/Plan of Pepper Tree Filing #4 consisting of 5 townhome lots on approximately 3.56 acres in a PR-20 (Planned Residential with a density not to exceed 20 units/acre) zone district.**

**PETITIONER: Pepper Tree Development LLC
LOCATION: Send of West Indian Creek Dr on the South side of F Road
REPRESENTATIVE: Rolland Engineering – Trevor Brown
CITY STAFF: Bill Nebeker**

PETITIONER’S PRESENTATION

Trevor Brown, petitioner’s representative, provided a brief overview of the proposal. He said that the new preliminary plan had been approved a few months ago, after having expired a few years ago. Five new townhomes on 0.24 acres are proposed. A sixth lot is reserved for future development on 3.56 acres. The townhomes are attached into a 5-plex and share a common parking lot that has previously been constructed and serves other dwellings. Seven additional spaces are being added to provide code required parking for the new dwellings. A temporary cul-de-sac is existing. Additional landscaping will be added around the new dwellings. A drainage easement across Filing 5 to the Indian Wash outfall has been dedicated on the final plat for conveyance of stormwater runoff from Filings 1, 2, 3, and 4. The detention pond shall be completed with the last filing.

QUESTIONS

The Planning Commission reaffirmed that the conditions of the preliminary mostly applied to Filing 5 and that a drainage easement across Filing 5 had been shown on the final plat.

STAFF PRESENTATION

Bill Nebeker stated that the applicant had given a good description of proposal. Staff had reviewed the final plat/plan and found it to be in conformance with applicable codes and ordinances. Staff recommended approval with no conditions.

PUBLIC COMMENTS

There were no public comments for or against the proposal.

PETITIONER’S REBUTTAL

The petitioner had no rebuttal comments.

DISCUSSION

The Commissioners agreed that all conditions from the preliminary had been incorporated into the final plan for Filing 4 or would be in Filing 5.

MOTION: (Commissioner Grout) Mr. Chairman I move to approve the Final Plat and Plan for Pepper Tree, Filing #4.

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

FPA-1999-116 FINAL PLAN AMENDMENT – AMETEK/DIXSON

Request for approval to amend the final plan for Ametek/Dixson to add a 384 square foot testing facility to the existing building in a PB (Planned Business) zone district.

PETITIONER: Ametek/Dixson

LOCATION: 287 27 Rd

REPRESENTATIVE: Ron Chvilicek

CITY STAFF: Lori Bowers

PETITIONER’S PRESENTATION

The building is located at 287 27 Road. The addition is to accommodate a testing facility and add a liquid nitrogen storage tank to the area outside the addition. This addition is approximately 384 square feet. The existing building is 62,440 square feet.

Jim Boden, representing the applicants presented testimony. He explained what their business does and the need for the addition. He stated that it was a very safe operation and this addition to their business would further their technology by providing a quicker turn around time in testing the longevity of their products.

STAFF PRESENTATION

Lori Bowers provided the Staff presentation using overhead transparencies, to show the overall site plan. She pointed out the area of the proposed addition, noting the small size of the addition in relationship to the overall site. Ms. Bowers stated that safety concerns had been a concern of Staff, but the applicants had provided sufficient information regarding the hazards of liquid nitrogen and the safe guards and precautions that their proposal provided.

PUBLIC COMMENT

Entered into the record was a faxed letter from Kale and Nikki Cernusak, Orchard Mesa residents, stating their opposition to the project.

Karl Antunes (288 Pine Street) spoke in opposition of the project. Mr. Antunes opposition was not so much the nature of the project, but the fact that Staff was requiring no additional landscaping, paving or curb and gutter.

PETITIONER’S REBUTTAL

Jim Boden, representing Ametek/Dixson explained about the delivery of the liquid nitrogen and the precautions the company is required to keep in using liquid nitrogen. He stated that a similar liquid nitrogen operation in California had been shot at with a high powered rifle and nothing resulted except a hole in the outer covering of the tank. He further explained the use and the need for the testing of the electronic equipment they manufacture.

MOTION: (Commissioner Grout) Mr. Chairman I move to approve the request to amend the final plan for Ametek/Dixson to add a 384 square foot testing facility to the existing building in a Planned Business zone district.

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

With no further business, the hearing was adjourned at 8:35 p.m.