

GRAND JUNCTION PLANNING COMMISSION
JULY 13, 1999 MINUTES
7:02 p.m. to 11:00 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:02 p.m. by Chairman John Elmer. The public hearing was held at Two Rivers Convention Center.

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

In attendance, representing the Community Development Department, were: Scott Harrington (Community Development Director), Kathy Portner (Planning Manager), Lori Bowers (Associate Planner), and Bill Nebeker (Sr. Planner).

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

Terri Troutner was present to record the minutes.

There were approximately 18 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Available for consideration were the minutes from the May 25, May 27, June 1, June 3, June 8 and June 15, 1999 public hearings. Due to the absences of various members from one or more of those meetings, separate motions were made.

MOTION: (Commissioner Grout) “Mr. Chairman, on the minutes for May 25, 1999, I make a motion that we approve them as written.”

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

MOTION: (Commissioner Grout) “Mr. Chairman, on the minutes for May 27, 1999, I make a motion that we approve them as submitted.”

Commissioner binder seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioner Prinster abstaining.

MOTION: (Commissioner Grout) “Mr. Chairman, on the minutes for June 1, 1999 I move that we approve them as submitted.”

Commissioner Coleman seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioner Prinster abstaining.

MOTION: (Commissioner Grout) “Mr. Chairman, I move that we approve the minutes for June 3 as submitted.”

Commissioner Coleman seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioner Prinster abstaining.

MOTION: (Commissioner Grout) “Mr. Chairman, I move that we approve the minutes for June 8 as submitted.”

Commissioner Coleman seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Chairman Elmer abstaining.

MOTION: (Commissioner Grout) “Mr. Chairman, I move that we approve the minutes for June 15 as submitted.”

Commissioner Binder seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Chairman Elmer abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. PUBLIC HEARING ON ITEMS FOR FINAL DECISION UNLESS APPEALED

Due to the potential for conflict of interest, Commissioner Prinster recused himself from deliberations on the following item.

MS-1999-143 PRELIMINARY SUBDIVISION—REDLANDS MARKETPLACE SUBDIVISION
A request for approval of a 5-lot preliminary subdivision on 9.96 acres in a C-1 (Light Commercial) zone district.

Petitioner: Regency Realty Corp., Will Damrath
Location: Northwest corner of Hwy 340 and Power Road
Representative: LanDesign, Phil Hart

PETITIONER’S PRESENTATION

Will Damrath, petitioner, presented an overhead transparency of the Preliminary Plan. He said that Site Plan information had not yet been submitted but soon would be. Preliminary Plan information, he said, was consistent with what would be submitted with the Site Plan and was also consistent with neighborhood shopping center criteria. He noted the location of the existing store and proposed uses. Lots 4 and 5 would remain “pad lots” and could be later sold. The two primary accesses into the site were noted, with two additional accesses located off Power Road. Those accesses were slated for use primarily by employees and delivery vehicles. Both primary accesses had been reviewed and approved by City staff, and a CDOT permit had been received for three-quarter movement into the site. Mr. Damrath said that additional right-of-way had been dedicated to the City along Power Road, and the existing Riverfront Trail would be improved near the store (location noted) to a 10-foot-wide concrete path.

A transparency of the intersection into the site was presented and engineering details were outlined. A traffic analysis, which had undergone three revisions, had been submitted to staff. Street and bike path alignments had been discussed with CDOT and it was felt that current bike path movements through the intersection would be made safe. Sufficient stacking distance was available at all entrances.

The Fire Department had asked for a looped water system at two points to satisfy fire flow concerns. Fire hydrants would be installed as required. Additional grading would be undertaken to address any drainage concerns and catch basins along Power Road were proposed.

STAFF'S PRESENTATION

Bill Nebeker said it was unusual not to have the Site Plan submitted with the Preliminary Plan; however, the petitioner assured staff that forthcoming information would be consistent with the Preliminary Plan submittal. He said that while Power Road would contain additional right-of-way, it would continue to function as a two-lane road until such time as the entire roadway was widened. Should that occur, Pepsi's fence closest to the street would need relocation. Staff recommended approval of the request subject to the following three conditions:

1. A drainage easement in favor of Redlands Marketplace to the City or a legally binding agreement to obtain the easement shall be acquired by the applicant prior to the submittal of plans for the Site Plan review or the Final Plat.
2. Cross-easements for the Lots on the plat shall be shown on the plat as well as any recorded covenants.
3. The City reserves the right to add additional conditions on the Final Plat pending review of the Site Plan.

QUESTIONS

Commissioner Coleman asked if oil separators would be required of the petitioner. Rick Dorris said that oil separators were not a mandatory requirement at the present time; however that could change in the next 2-3 years. John Shaver said that regulations would require them by the year 2002 for cities under 100,000 population.

Chairman Elmer asked for clarification on the capacity rating for the intersection, which was given and deemed acceptable. Mr. Dorris added that sufficient stacking distance had also been provided by the petitioner.

PUBLIC COMMENTS

There were no comments either for or against the request.

PETITIONER'S REBUTTAL

Mr. Damrath said that the three minor issues existing with the intersection presently would remain even after further development of the site (outlined in the traffic study). He assured planning commissioners that stormwater runoff would be adequately mitigated. Mr. Shaver referenced Table 4 in the petitioner's submittal and said that it was both available for review and made a part of the public record.

DISCUSSION

Commissioner Coleman remarked that the Preliminary Plan was consistent with what the Planning Commission had seen before. It appeared that most of the issues had been resolved.

Chairman Elmer acknowledged that the Riverfront Trail would be left open and trailhead parking would be provided by the petitioner. When asked by Commissioner Binder if a lot of people used the trailhead, Chairman Elmer responded affirmatively.

Commissioner Fenn noted that while he supported the request, the plan proposed over 80,000 square feet of retail area on 8 acres. In past decisions, it had been suggested that 60,000 square feet was unacceptable on 8 acres in another location.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item MS-1999-143, I move that we approve the Preliminary Plan for the Redlands Marketplace Subdivision subject to staff recommendations.”

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

Commissioner Prinster returned and was present for deliberations on the next item.

IV. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

RZP-1999-138 REZONE/PRELIMINARY PLAN—CAMELOT GARDENS

A request for: 1) approval to rezone approximately 2.43 acres from RSF-8 (Residential Single Family with a density not to exceed 8 units/acre) to PR-8 (Planned Residential with a density not to exceed 8 units/acre) and 2) approval of the Preliminary Plan for Camelot Gardens consisting of 4 duplex lots and 1 triplex lot, for a total of 11 units.

**Petitioner: Tierra Ventures
Location: 2844 Kennedy Avenue
Representative: LanDesign, Robert Katzenson**

PETITIONER’S PRESENTATION

Rob Katzenson, representing the petitioner, presented an overhead transparency of the Preliminary Plan. The location of the site, surrounding uses and zoning were noted. He corrected the agenda to reflect that the request only included a replat of Lot 2; Lot 1 was not included. Therefore, only 1.611 acres was included in the rezone request. He felt that the request met Growth Plan recommendations and Code requirements. He said that Kennedy Avenue would be dedicated and constructed through the property, with a stub-out at the property’s eastern boundary. He pointed out that the street began with a 50-foot right-of-way at the western boundary and tapered to 44 feet at the eastern boundary. Garden Court and the proposed detention pond location were noted. Also clarified were proposed setbacks for lots along Kennedy Avenue as follows: front yard setback, 15 feet; rear yard setback, 15 feet. Along the private road: front yard setback, 15 feet; side yard setbacks, 5 feet. For attached dwelling units: side yard setbacks, 0 feet between units and 5 feet from the units to the property line. Staff’s requirement that garages be placed at least 20 feet from the edge of pavement, sidewalk, or right-of-way was acceptable. Fire hydrants would be installed as required, a garbage receptacle would be located in the 14-foot multi-purpose easement, and a 5-foot sidewalk with handicap ramps along the west side of the private drive along Lots 1 and 2 of Block 2 would also be constructed.

Mr. Katzenson said that three existing easements would be vacated, to be replaced by newly platted easements. A letter dated July 13, 1999 had been received from the Grand Junction Drainage District. The District confirmed allowance of stormwater discharge as identified on available exhibits. Shared driveway locations were noted and off-street parking requirements had been met.

QUESTIONS

Commissioner Binder wondered who would be responsible for maintenance of the private street. Mr. Katzenson replied that Tract A would be dedicated to, and maintained by, the Homeowners Association .

Commissioner Binder asked what the zoning was for the parcel directly east of the site, to which Mr. Katzenson replied that it too was zoned RSF-8. When asked if Kennedy would eventually continue through that parcel, Mr. Katzenson replied affirmatively, provided that the parcel was developed.

STAFF'S PRESENTATION

Kathy Portner said that actual build-out of the site would be to 6.86 units per acre, which was consistent with Growth Plan recommendations. The petitioner's proposed setbacks would allow for a density consistent with density recommendations. The development would be compatible with the surrounding area. She noted the lack of open space but said that a parks and open space fee would be required. The letter received from the Grand Junction Drainage District indicated that the District was amenable to reducing their 30-foot easement to 20 feet (letter read into record). If the request was approved, that agreement must be filed prior to recordation of the Final Plat. The petitioner's proposed corrected setbacks would be supported provided that any garages be setback a minimum of 20 feet from the right-of-way line. The minimum side yard setback of 0 feet would apply only to attached units, with a 5-foot setback applicable to all other units. A notation to that effect must be included on the Final Site Plan and recorded with the Final Plat. The request for waiver of public street standards for Garden Court met the City's draft criteria for private streets. Staff recommended approval of the rezone to PR-8, waiver of public street standards for Garden Court, and approval of the Preliminary Plan subject to the following conditions:

1. All easement vacations shall require approval by City Council, be done by resolution, and be submitted by the applicant at Final Plat. Under the current proposal, these would include:
 - a. The northern 10 feet of the 20-foot easement located along the southern boundary of the subdivision.
 - b. The vacation of 5 feet of the 20-foot utility, irrigation, and drainage easement along the east property line.
 - c. The 10-foot irrigation drainage easement dedicated to Fruitvale Lateral and Ditch Company.
2. Requirement of sidewalk on one side of the private street with the sidewalk terminating at the "T," with an ADA handicap-accessible ramp. The curb and gutter shall meet the City's standard of 2 feet, not 1 ½ feet as proposed.
3. The dumpster pad multi-purpose easement shall be redesigned to a 3-foot by 25-foot pad area to accommodate four garbage dispensers and be located along Kennedy Avenue within the 14-foot multi-purpose easement.

QUESTIONS

Commissioner Prinster asked for clarification on the difference between the RSF-8 and PR-8 zones. Ms. Portner explained that special standards are associated with planned zones as was the case with the current proposal. Variation of street standards could only occur within planned zones.

Commissioner Binder wondered why Kennedy Avenue had been tapered from 50 feet to 44 feet. Ms. Portner said that the street standard only required 44 feet of right-of-way. The rest of Kennedy Avenue had an excess of right-of-way.

Chairman Elmer suggested tying the build-out density figure to the zone district. Ms. Portner concurred and offered a density reference of PR6.9.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Donna Vogel (2837 Elm Avenue, Grand Junction) wondered if any development proposal had been submitted for the vacant lot directly to the east of the subject property. She stated that she had a half-acre of garden area adjoining the development site to the west and wondered if the petitioner would agree to erect fencing along the subdivision's west side to screen it from her property.

John Heitt (2843 Elm Avenue, Grand Junction) expressed a similar desire to see the subdivision fenced along its western and eastern border.

PETITIONER'S REBUTTAL

Mr. Katzenson said that fencing had not been contemplated. He asked Dave Woodward, also representing the petitioner, if a fencing requirement would pose any problems. Mr. Woodward replied negatively, adding that fencing had already been planned for the northern property line and along the rear yard property lines of subdivision lots. While the type of fencing had not been discussed, he said that privacy fencing of some type would be erected. When Mr. Katzenson asked for Planning Commission direction on height requirements of fencing, Chairman Elmer said that privacy fencing was typically 5-6 feet in height.

DISCUSSION

Chairman Elmer said that the requirement of privacy fencing was reasonable. After a brief discussion over motion verbiage, Commissioner Grout suggested that reference be made to "perimeter" fencing. The petitioner's representatives agreed to comply with the requirement.

Commissioner Grout felt that the proposal was a good one. Commissioner Prinster added that it met the City's requirements and Growth Plan recommendations.

Scott Harrington clarified that Mr. Heitt would be responsible for fencing off that portion of his property along the street barricade if he so chose. The petitioner would not be responsible for that. He also noted that the fence would extend into "front yards" on Kennedy Avenue; however, he understood that the orientation of homes would be towards Garden Court. Thus, it would be acceptable to extend the fence all the way to the right-of-way line for all four lots abutting Kennedy Avenue. Chairman Elmer noted that specific details could be submitted during Final.

Mr. Katzenson confirmed that all four units would face toward the private drive. With regard to the fencing along the south property line, he noted the existence of a drain in that area. He thought that there may be a conflict with the Grand Junction Drainage District over placement of a fence next to its drain. He asked that fencing be limited to just the residential portions of the development, with no fencing along the southern border due to drain concerns.

Chairman Elmer said that people living along the southern border would probably want the privacy that fencing would afford. He suggested that the issue could be further reviewed between now and Final. Chairman Elmer proposed suggested motion verbiage regarding the fencing issue.

Commissioner Prinster suggested that verbiage include the requirement for southern fencing but that it be subject to review by the Grand Junction Drainage District.

MOTION: (Commissioner Fenn) “Mr. Chairman, on item RZP-1999-138, I move that we approve Camelot Gardens Subdivision and forward a recommendation of approval to the City Council for the rezoning of this parcel from RSF-8 to PR6.9 subject to staff’s recommendation, and including an additional recommendation, that of approval of the setbacks as noted on the Preliminary Plat, and a requirement for perimeter fencing around the subdivision with the exception of the southern perimeter, which is subject to review by the Grand Junction Drainage District.”

Commissioner Grout suggested including “...6-foot...” between the words “for” and “perimeter.” Commissioner Fenn agreed to include the amendment in his motion.

Mr. Shaver asked if the intent of the fencing requirement/review condition was to require the perimeter fencing with the understanding that if the Grand Junction Drainage District objected to it being placed along the southern border, it would then not be required along that portion of the property. Commissioner Fenn offered to amend his motion for clarity. He deleted that portion of the motion following the word “subdivision” in the last sentence and replaced it with the sentence, “...subject to review by the Grand Junction Drainage District.” He noted that if the District objected, the requirement could be removed by Planning Commission at Final.

The revised motion is as follows:

MOTION: (Commissioner Fenn) “Mr. Chairman, on item RZP-1999-138, I move that we approve Camelot Gardens Subdivision and forward a recommendation of approval to the City Council for the rezoning of this parcel from RSF-8 to PR6.9 subject to staff’s recommendation, and including an additional recommendation, that of approval of the setbacks as noted on the Preliminary Plat, and a requirement for 6-foot perimeter fencing around the subdivision subject to review by the Grand Junction Drainage District (as amended).”

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

ANX-1999-134 ZONE OF ANNEXATION/MINOR SUBDIVISION—SHARP MINOR SUBDIVISION

A request for: 1) approval of the Zone of Annexation for approximately 1.45 acres from County R-2 to City RSF-4 (Residential Single Family not to exceed a density of 4 units per acre) and 2) approval of Sharp Minor Subdivision consisting of two single family lots.

Petitioner: Herbert & Jeffery Sharp

Location: 410/412 – 30 Road

Representative: Development Concepts, Inc., Mike Joyce

PETITIONERS’ PRESENTATION

Mike Joyce, presented an overhead transparency of the Site Plan and noted surrounding zoning and uses. In accordance with the zone, there were already two units on the Lot. Splitting the property would put each unit on its own lot. The RSF-4 zone designation would be more consistent with Growth Plan recommendations of 2-3.9 units/acre. He’d been in contact with Central Grand Valley to determine the locations of both the existing sewer service hookup and the best location for a second hookup. That issue would be addressed prior to recordation of the Final Plat. No drainage report had been required and no geologic hazards existed on the property.

QUESTIONS

Commissioner Prinster asked if each unit had its own hookups for water and electricity. Mr. Joyce said that all utility hookups were currently under review. Utility district requirements would be satisfied prior to Final Plat recordation.

STAFF’S PRESENTATION

Lori Bowers said that the County had recently assigned a zoning of 4 to 8 units/acre to the subject area (pending formal review); the City’s RSF-4 zone was consistent with the County’s designation. She noted the two individual accesses into the property from 30 Road and said that no additional street improvements were required. The request met rezone criteria and staff recommended approval of both the rezone and Minor Subdivision with no conditions.

Mr. Dorris suggested that one condition be added to read, “The utility services be resolved prior to recordation of the plat.”

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Chairman Elmer felt that the request was appropriate, with the City’s zone closely approximating the County’s zone.

MOTION: (Commissioner Grout) “Mr. Chairman, on item ANX-1999-134, I move that we forward this on to City Council with a motion of approval of the ordinance zoning the Sharp Annexation to RSF-4. I also recommend approval of the request for a Minor Subdivision for the property located at 410 and 412 – 30 Road subject to the condition that the utility services be resolved prior to the recordation of the plat.”

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

ANX-1999-147 ZONE OF ANNEXATION—WORLD HARVEST CHURCH

A request for approval of the Zone of Annexation for approximately 17.26 acres from County R-2 to City RSF-8.

Petitioner: World Harvest Church

Location: 2826 F Road

Representative: Rick Maxwell

PETITIONER’S PRESENTATION

Rick Maxwell, representing the petitioner, said that the property was located in an enclave area and was subject to the City’s annexation. Offering no further testimony, he availed himself for questions.

QUESTIONS

Chairman Elmer asked Mr. Maxwell if he had any problem with the RSF-8 designation, to which he replied negatively.

STAFF’S PRESENTATION

Kathy Portner said that the property was located in an area shown as “Institutional” on the Future Land Use Map. After reviewing densities in the surrounding area and given that the church may sell a portion of the property for later development, the RSF-8 zone designation seemed to be the most appropriate. The request complied with Code criteria and staff recommended approval of the RSF-8 zone.

QUESTIONS

Chairman Elmer asked if it made sense to also change the Growth Plan Map at the same time. Ms. Portner said that the Planning Commission could choose to do so at this time or wait until the Growth Plan’s annual review.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Chairman Elmer asked if the petitioner had any objection to Planning Commission changing the Growth Plan Map, to which Mr. Maxwell responded negatively. Chairman Elmer felt that changing the map now would reflect a consistency of approach.

Commissioner Grout agreed.

MOTION: (Commissioner Grout) “Mr. Chairman, on item ANX-1999-147, Zone of Annexation for the World Harvest Church, I move we forward this on to City Council with a recommendation of approval of the RSF-8 zoning. Also I’d like to recommend to City Council that the Growth Plan be amended on this parcel to reflect the change to Residential, Medium-High density.”

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

A brief recess was called at 8:40 p.m. The hearing reconvened at 8:48 p.m.

ANX-1999-139 ZONE OF ANNEXATION/PRELIMINARY PLAN—MOUNTAIN VISTA SUBDIVISION

A request for: 1) approval of the Zone of Annexation for approximately 20.79 acres from County AFT/R-2 to City RSF-4 (Residential Single Family with a density not to exceed 4 units/acre) and 2) approval of the Preliminary Plan for Mountain Vista Subdivision consisting of 65 single family detached lots.

**Petitioner: Best Buy Homes, LLC
Location: 30 ¼ and F ¼ Coordinates
Representative: Thompson-Langford, Doug Thies**

PETITIONER’S PRESENTATION

Doug Thies, representing the petitioner, presented an overhead transparency of the Preliminary Plan. He said that the name of the subdivision had changed to Mountain Vista rather than Mesa Vista as noted on the agenda. Also, the number of lots being proposed was amended to reflect 65 rather than the 63 also noted on the agenda. He noted that the elimination of two small cul-de-sacs allowed for two additional lots. Surrounding zoning and uses were noted along with the site’s location. In compliance with the Major Street Plan, collector streets had been proposed for both east-west and north-south connections through the subdivision. Utilities were present, stormwater drainage would pose no problems, and a detention pond location was noted. He was presently engaged in discussions with the Palisade Irrigation District regarding the sharing of its drainage easement located to the south of the parcel. He understood that a written agreement from the District and a recorded easement from the property owner would be required prior to Final. He said that if negotiations failed, other options were available.

Mr. Thies noted that primary access would be via Round Table Road, with a secondary access available through Vin-Rose Way. He expressed agreement with all of staff’s conditions with the exception of

condition 2. He asked for relief from the two options suggested by staff. Since the cul-de-sac would be temporary pending its future extension across the Price Drain, he proposed paving, grading and draining the road to the end of the cul-de-sac and terminating the sidewalk at the cul-de-sac's beginning. He expressed a willingness to provide funds for later completion of the sidewalk if/when the street was extended. He felt that for the City to require the additional right-of-way, curb, gutter and sidewalk now would not serve any purpose, would encumber the adjacent lots and would lead those lot buyers to believe that the cul-de-sac was permanent.

QUESTIONS

Chairman Elmer wondered why Flamecrest Court had not been extended to the east to connect with Round Table Road. Mr. Thies said that the City had required the cul-de-sac to avoid the occurrence of double-frontaged lots. He said that a number of alternatives had been explored; the current configuration reflected the one preferred by City staff.

STAFF'S PRESENTATION

Bill Nebeker said that the proposal was consistent with Growth Plan recommendations and the Zone of Annexation complied with Code criteria. He confirmed that several double-frontaged lots had been eliminated through redesign of the plat originally submitted. The extension of Flamecrest Court to Round Table Road had not been needed for circulation. Staff recommended approval of the Zone of Annexation and approval of the Preliminary Plan subject to the following conditions:

1. A copy of an executable deed for stormwater outfall across the parcel to the south shall be submitted with Final Plat materials. The easement shall be recorded prior to plat approval, with the recording information shown on the plat.
2. The applicant shall construct Round Table Road across the Price Drain ditch and acquire and improve a temporary turnaround easement off site, or build a permanent cul-de-sac with an extension for a future street at the north property line.
3. The fire hydrant shall be removed from within the turning radius of the temporary turnaround easement.
4. At the time of Final Plat approval, the applicant shall design the Price Drain ditch crossing and provide funds for one-half of the cost of the improvement to the northern parcel.
5. The owner will be required to dedicate any portion of the Price Drain ditch to the City for a future bicycle/pedestrian path.
6. An 8-foot-wide concrete path in a 10-foot-wide tract, with a public pedestrian easement shall be required for the areas designated for pedestrian paths.
7. Designation of yards on the Final Plat shall be required and shown on unusually-shaped lots.
8. Structures on flag lots shall comply with addressing requirements of the Clifton Fire Protection District, to be legible from the street.

Mr. Dorris added that, with regard to condition 2, a permanent turnaround would be required for Roundtable Road. The City required full cul-de-sac improvements and a street stub for future extension of the Road across the drain ditch, while Mr. Thies proposed paving of the area but no sidewalk. The cul-de-sac and short street stub with barricades would alert buyers of these lots that the cul-de-sac was not the permanent end of the road. The other option was to construct a bridge over the drain ditch,

acquire an easement, and construct a temporary gravel turnaround until such time that the road was extended.

QUESTIONS

Chairman Elmer said that if built to City standards and if the road were extended, who would pay for the modification of the cul-de-sac back to street standards? Mr. Dorris conjectured that the expense would fall to the homeowners involved. The City would not agree to participate because the road would still be functional.

Commissioner Fenn asked for clarification on what the petitioner was proposing for the cul-de-sac. Mr. Thies reiterated his earlier testimony and said that the presence of curb, gutter and sidewalk would give lot owners the impression that the cul-de-sac was permanent. Nonuse of the cul-de-sac would cause degeneration of the asphalt. That option, he said, didn't seem to be the best alternative.

Mr. Nebeker did not expect degradation of the asphalt and pointed out that on-street parking would occur on the cul-de-sac.

Mr. Harrington asked for further clarification on the petitioner's proposed alternative. Mr. Thies explained that a temporary easement would be secured for the road so that if/when it did extend to the north, no additional right-of-way would be necessary. Funds would be escrowed to complete the sidewalk at the time of road extension. Mr. Harrington said that there was no way to know when the property to the north would develop or when the ditch crossing would be made.

Chairman Elmer wondered if the City's solution took into account the grading necessary to cross the ditch. Mr. Dorris did not expect grading conflicts.

Mr. Harrington said that the crossing would essentially be designed, so that the necessary elevation for the crossing would be known.

Commissioner Grout wondered if a barricade would be constructed in the event a stub street was constructed, to which Mr. Dorris responded affirmatively.

Commissioner Binder asked on which side of the ditch the street stub would be located, to which Mr. Dorris responded that it would be located on the petitioner's property to the south.

Chairman Elmer asked if there were any standards for temporary cul-de-sacs. Mr. Dorris reiterated previous testimony and said that it would be constructed to the City's standard cul-de-sac width.

Commissioner Fenn said that in the petitioner's proposed alternative, two lots would not have sidewalk, to which Mr. Thies replied affirmatively. Commissioner Fenn suggested that those two lots might be less marketable as a result. He added that with a stub street and a barricade, people would be aware that at some point the street would be extended.

On another issue, Commissioner Binder felt that it made more sense to extend Flamecrest Court to Round Table Road. Mr. Dorris explained the difficulty in alignment due to the presence of the three adjacent cul-de-sacs off Round Table Road. Traffic conflicts could arise from left-turn movements as a result.

Commissioner Grout wondered how fencing for the two flag lots (Lots 26 and 51) would be handled. Mr. Nebeker did not think fencing on those lots would be a big problem. Fencing along the rear or side yards of those lots would abut rear or side yards of other lots.

Chairman Elmer wondered why no park or open space had been proposed. Mr. Nebeker said that none was required in straight zones.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Bill Rogers (2232 Vin-Rose Way, Grand Junction) expressed concern over the amount of traffic that would exit via Vin-Rose Way. He supported extension of Flamecrest Court as a means to divert traffic away from Vin-Rose Way.

PETITIONER'S REBUTTAL

Mr. Thies reiterated his request for leniency on staff condition 2.

QUESTIONS

Chairman Elmer asked Mr. Thies if he foresaw any problems with extending Flamecrest Court through to Round Table Road, to which he responded negatively.

DISCUSSION

Commissioner Grout concurred with staff's rationale on requiring curb, gutter and sidewalk for the temporary cul-de-sac. He also supported the extension of Flamecrest Court to Round Table Road and agreed that it would help divert traffic away from the adjacent subdivision.

Commissioner Binder also expressed support for both the extension of Flamecrest Court and for the curb, gutter and sidewalk along the temporary cul-de-sac. She wondered if sidewalks were planned along Round Table Road. She asked where the nearest school was located? Mr. Nebeker said that sidewalk existed adjacent to Round Table Road on the east side. The west side, he noted, had not yet been developed. Chairman Elmer said that Thunder Mountain Elementary was the nearest school, and he thought that access had been provided to it through Stonegate Subdivision. Mr. Nebeker confirmed that access from Lancelot Place through Stonegate was available.

Chairman Elmer suggested that any recommendation for the extension of Flamecrest Court be "subject to staff's review and be in compliance with residential collector requirements regarding limiting access points and meeting the TEDS manual as far as distance from other streets."

Mr. Shaver suggested that the extension be subject to staff review. He clarified that if the applicant could make it work and it met requirements, the Planning Commission would expect it to appear on the Final Plan/Plat.

Chairman Elmer stressed that if it could meet the City's requirements, the extension would be made a mandatory requirement of approval. With regard to the cul-de-sac, he wondered if the City could explore putting a sign up to notify the public that it was a through street.

MOTION: (Commissioner Grout) "Mr. Chairman, on item ANX-1999-139, I move that we approve the Preliminary Plat for Mountain Vista Subdivision subject to staff's recommendations with the addition that Flamecrest be continued to Round Table Road subject to staff review, and forward a recommendation of approval to the City Council for the Zone of Annexation for the Hall Annexation and Mountain Vista Subdivision County AFT and R-2 to City RSF-4."

Chairman Elmer asked that motion verbiage on the extension of Flamecrest Court include that it conform to the City’s technical requirements. Mr. Grout agreed to amend his motion accordingly. The revised motion is as follows:

MOTION: (Commissioner Grout) “Mr. Chairman, on item ANX-1999-139, I move that we approve the Preliminary Plat for Mountain Vista Subdivision subject to staff’s recommendations with the addition that Flamecrest be continued to Round Table Road subject to staff review and that it conform to the City’s technical requirements, and forward a recommendation of approval to the City Council for the Zone of Annexation for the Hall Annexation and Mountain Vista Subdivision County AFT and R-2 to City RSF-4 (as amended).”

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

GPA-1999-141 GROWTH PLAN AMENDMENT/ZONE OF ANNEXATION/REZONE/PRELIMINARY PLAN—TEXACO

A request for: 1) approval of the Zone of Annexation for approximately 1.84 acres from County AFT/PD to City PB (Planned Business) and 2) an amendment to the Growth Plan to redesignate approximately 1.84 acres from the Residential Low (.5 to 2 acre) category to the Commercial category.

**Petitioner: Fruitvale Texaco
Location: 2996 D Road and 401 – 30 Road
Representative: Ford Construction**

PETITIONER’S PRESENTATION

Kelly Ford, representing the petitioner, presented an overhead of the Preliminary Plan and gave a brief history of the existing business use. The current request represented an expansion of the Texaco station to include a laundromat and car wash on an adjacent property. The existing access to D Road would be moved further west to gain additional separation from the 30 and D Road intersection. He overviewed the circulation plan as depicted on the Preliminary Plan and said that a former traffic study had been updated to include impacts from the proposed uses. Mr. Ford felt that the uses proposed would fit in well with the existing service station and satisfy a community need. A large buffer area, to include landscaping, would be provided up to the adjacent north property line. The buffer area would help alleviate any potential noise concerns. Hours for the Texaco service station would remain at 5 a.m. to 11 p.m. Hours for the car wash would be limited to 7 a.m. to 10 p.m. Mr. Ford expressed agreement with staff’s conditions of approval.

QUESTIONS

Commissioner Binder asked if the petitioner had any problem with erecting a masonry fence as recommended by staff. Mr. Ford said that a masonry fence would be more costly than a wooden one, but he would comply with the condition. Fencing had been proposed for both the north and west sides of the property.

STAFF’S PRESENTATION

Kathy Portner said that in the current proposal, both lots would function as one, with the annexation affecting both parcels. She said that the property was located in an area shown on the Growth Plan/Land Use Plan for a higher density classification. Ms. Portner summarized the staff report findings that the request was found to be consistent with the Growth Plan. Issues included hours of operation for the uses, landscaping/buffering, fencing, and circulation. Landscaping should include both shrubs and trees. Hours of operation for the car wash, she said, should be limited to the 7 a.m. to 10 p.m. mentioned

previously by the petitioner, with the hours of 5 a.m. to 11 p.m. acceptable for the service station and laundromat. Staff recommended approval of the Growth Plan Amendment based on a consistency review, approval of the Rezone to PB with the proposed uses, and approval of the Preliminary Plan subject to the following conditions:

1. The hours of operation for the site shall be 5 a.m. to 11 p.m., with the car wash hours being limited to a 10 p.m. closing time.
2. The proposed screening along the north and west property lines of the car wash and laundromat site shall be a 6-foot masonry-finished wall.
3. The Final Plan shall include landscaping of grass and/or shrubs within the 20-foot buffer area as well as shade trees around the perimeter to form a canopy over the wall. Street frontage landscaping shall meet all Code requirements.
4. Signage shall be limited to that which was previously approved for the Fruitvale Texaco and wall signage only for the proposed car wash and laundromat. A sign package shall be proposed with the Final Plan.
5. Details of the internal circulation on the site shall be reviewed with the Final Plan.

QUESTIONS

Chairman Elmer asked for clarification on the hours of operation. Would the 5 a.m. to 11 p.m. hours include the laundromat? Ms. Portner responded affirmatively.

Commissioner Binder wondered if a lighting plan had been submitted. She expressed concern that the adjacent residential properties could be affected by lighting "spillage." Ms. Portner said that no specific plan had yet been submitted. She said that lighting could be reviewed further during Final.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Chairman Elmer commented that the rezoning made sense and that good buffering/screening of the uses had been provided. In the current proposal, the car wash made sense, given the previous approval of the convenience store access.

Commissioner Prinster felt that the proposal represented a logical extension of the existing use. He agreed that good buffering of the site had been provided.

Commissioner Fenn agreed with prior planning commissioner comments.

Chairman Elmer elicited a discussion over whether or not to base the Growth Plan Amendment on a consistency review. Would such a finding set a legal precedent? Mr. Shaver replied negatively. Mr. Harrington said that if a motion for approval was made, the Planning Commission could base its reasons on the findings contained within the staff report.

MOTION: (Commissioner Fenn) "Mr. Chairman, on item GPA-1999-141, I move we forward this on to City Council with the finding that the proposal is consistent with the Growth Plan and a recommendation of approval of the Rezone to PB with an annotation to that concerning this being a Final based on our discussions here and the staff's review, the staff's report and the unique

circumstances surrounding this property. This is a site specific decision relative to the criteria that has been articulated in the staff report.”

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

MOTION: (Commissioner Fenn) “Mr. Chairman, on item GPA-1999-141, I move we approve the Preliminary Plan subject to staff conditions as stated in the report dated July 7, 1999 including #1 as amended, that would be the 7 a.m. to 10 p.m. hours for the car wash.”

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

Due to the potential for conflict of interest, Commissioner Prinster recused himself from consideration of the following item.

PLN-1999-131 DISTRICT MAP OF MAJOR STREET PLAN—24 ROAD (F ROAD TO F ½ ROAD)

A request for approval of a District Map of the Major Street Plan for properties located on 24 Road between F and F ½ Roads.

Petitioner: City of Grand Junction

Location: 24 Road between F and F ½ Roads

PETITIONER’S PRESENTATION

Rick Dorris, representing the petitioner, presented an overhead transparency of an aerial photo depicting the subject area. The proposed street extension alignment was noted. Mr. Dorris said that some type of extension was needed in the area from F Road to the north, and while the ideal location would have been at the Home Depot site, no right-of-way had been obtained at the time of development. He briefly outlined the current traffic and circulation problems in the area along F Road. The street extension location would help keep 24 Road from incurring the same problems as along Patterson Road.

QUESTIONS

Chairman Elmer asked if there had been any opposition to the proposed alignment from any of the surrounding property owners. Mr. Dorris said that only Mr. Usher had expressed opposition to the extension.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

J.D. Snodgrass (200 N. 6th Street, Grand Junction), legal counsel for John Usher, asked that the request be either rejected as proposed or tabled until such time as the Growth Plan Amendment proposed by Mr. Usher and Dr. Jacobson could be considered.

Mr. Snodgrass said that the road starting from the south near Mesa Mall was in current use by the Trammel Crow and City Market properties. Mr. Usher had not been contacted at all regarding use of the proposed road in conjunction with development of his property. Mr. Usher's Growth Plan Amendment outlined higher density uses of the property including higher density residential to the east along with neighborhood retail and high-tech offices along the outer edge. The alignment proposed by the City would substantially impact Mr. Usher's ability to design and develop his property. Thus, he concluded that the proposed alignment had been designed primarily to benefit the property owners to the south of Mr. Usher.

In June of 1999, Mr. Harrington wrote a letter to Mr. Williams (legal counsel) regarding the current Growth Plan Amendment. The letter outlined a request for qualifications in an attempt to secure consultants for the land use/marketing analysis of the 24 Road corridor. In that context, he wondered why the "first step" for planning that area had to be the extension of an arterial that would dead-end at what would be F ½ Road, especially given that no easement had yet been secured for F ½ Road. Also, no easement had been given by Mr. Usher for the proposed extension. Mr. Snodgrass felt that the entire area should be reviewed for development as a whole before any street extension was proposed.

Jeff Williams (200 N. 6th Street, Grand Junction), also representing John Usher, passed out duplicate copies of materials contained in planning commissioner packets. He confirmed that no one had contacted him or Mr. Usher about the extension, nor did Mr. Usher intend to dedicate right-of-way through his property for the benefit of another property. The Growth Plan Amendment proposed by Mr. Usher was scheduled for hearing in August. If approved, it would be followed by an ODP submittal, which would include traffic studies. If the Amendment failed, the 18 acres of commercial property would need buffering from the high density residential. The roadway extension currently proposed by the City would impact the marketability of Mr. Usher's property for commercial uses. He believed that other alternatives were available and reiterated the need for further review of the entire area before effecting any major street plan.

PETITIONER'S REBUTTAL

Mr. Dorris said that while the proposed alignment followed the majority of lot lines, it was by no means etched in stone. The proposal was designed to specify that some type of extension was needed at that approximate location. That same rationale also applied to the proposed F ½ Road alignment. He clarified that the extension would be a benefit to Mr. Usher's property by making it easier to develop (aerial map used for further explanation). He clarified that the extension would be a commercial street, not an arterial as suggested by Mr. Snodgrass.

QUESTIONS

Mr. Harrington explained that the Trammell Crow property owners had already submitted a development proposal. The 24 Road Corridor Study was also a factor; however, no uses were expected to change as a result of the study. If the extension did not go through, the only access the Trammell Crow property would have would be via an easement through the City Market property and a flag access (shown). He said that a signaled intersection would probably be required at the 24 Road/F ½ Road alignment.

Mr. Dorris said that traffic along 24 Road had increased almost 50 percent over the last few years, which was another reason to limit access points along 24 Road.

DISCUSSION

Chairman Elmer noted that the proposal was consistent with the Major Street Plan already approved.

Commissioner Coleman agreed and concurred that a traffic problem did exist along that section of the F Road corridor. If an extension is not planned for now, he said, it wouldn't get done.

Commissioner Binder said that the extension was a good idea, and she agreed that access points along 24 Road needed to be limited. She reiterated that the exact alignment had not been specified, and asked if the extension would be required to go beyond the F ½ Road intersection. Mr. Harrington said that continuance of the road beyond that point was unnecessary.

When asked by Commissioner Fenn if flexibility in the extension's alignment could be retained, Mr. Shaver said that the street plan legally served to put the property owners/developers on notice that something would be needed at that approximate location. Commissioner Fenn said that there was a need for the extension and suggested that it be integrated into whatever plan Mr. Usher had for his property. Mr. Harrington said that Mr. Usher would have a number of options available to him with such an integration. Mr. Shaver confirmed that there were a number of examples where road extensions had not been "straight lines."

MOTION: (Commissioner Coleman) "Mr. Chairman, on item PLN-1999-131, I move that we approve the District Map of the Adopted Major Street Plan for 24 Road between F Road and F ½ Road."

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

V. GENERAL DISCUSSION

Mr. Harrington reminded planning commissioners of a joint meeting between the City and County Planning Commissions scheduled for July 29. The meeting would begin at 7 p.m. and be held at Two Rivers Convention Center, with the topic covering Growth Plan amendments.

He said that a final draft of the Development Code was expected to come before the Planning Commission in October, with final adoption expected in November.

A meeting was scheduled in two weeks (no details given) to discuss the Redlands and Orchard Mesa area zoning maps.

August would be a busy month, with the draft Code released for review on August 13. Three meetings were scheduled for its review, with approximately three chapters covered in each meeting. Each meeting would be limited to no more than three hours in length.

Ms. Portner said that the upcoming APA conference was scheduled for September 23-24, 1999, and money was available to send any planning commissioner wanting to go.

Mr. Harrington concluded by asking planning commissioners to consider participating in the 24 Road Study.

With no further business, the hearing was adjourned at 11:00 p.m.