

**GRAND JUNCTION PLANNING COMMISSION
APRIL 14, 1998
MINUTES**

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

In attendance, representing the Planning Commission, were: John Elmer (Chairman), Mike Denner, Paul Coleman, Robert Gordon, Jeff Driscoll and Joe Grout. Mark Fenn was absent.

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

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

Terri Troutner was present to record the minutes.

There were approximately 56 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Commissioner Grout noted an error which appeared on page 14 of the March 10, 1998 minutes. In the vote of PP-1998-016, Commissioner Gordon, not Commissioner Grout, had opposed this item along with Chairman Elmer.

MOTION: (Commissioner Coleman) "Mr. Chairman, I make a motion that we accept the minutes of the Planning Commission minutes of March 10, 1998 as has been amended."

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Chairman Elmer said that item RZ-198-050 had been pulled from the evening's agenda and would not be heard.

III. PUBLIC HEARING ITEMS FOR FINAL DECISION UNLESS APPEALED

CUP-1998-046 CONDITIONAL USE PERMIT—MEADOWLARK GARDEN CENTER

A request for a Conditional Use Permit to allow the operation of a nursery/garden center in a RSF-4 (Residential Single Family with a density not to exceed 4 units per acre) zone district.

Petitioner: Bank of Grand Junction

Location: 2259 Broadway

Representative: Angeline Barrett

PETITIONER'S PRESENTATION

Angeline Barrett, petitioner, expressed her interest in reopening the nursery which had been in operation at this location previously. She said that the use would not impact the neighborhood adversely, adding that the site had historically been used as a nursery. The existing access off of

Hwy 340 would be available to the public and the driveway would be regraded. She asked that she be allowed to have an externally illuminated sign which would be lit only during business hours.

QUESTIONS

Chairman Elmer asked if the existing house would be converted to a use consistent with nursery operations, to which Ms. Barrett replied affirmatively. She elaborated that the structure would offer books on gardening, gift items etc., and the rear of the house may be used as nursery offices.

STAFF'S PRESENTATION

Kristen Ashbeck briefly outlined the project as contained in the April 8, 1998 project review. She indicated that more parking was being provided than was required. The Colorado Department of Transportation (CDOT) had grandfathered the use and present access and therefore did not require a new permit. There were no problems expected with an illuminated sign. Staff recommended approval subject to the following conditions:

1. Use of the residential structure on the site for office and retail sales area shall be used as such only if the use is accessory to the nursery/greenhouse operation or business.
2. All public circulation and parking areas indicated on the applicant's site plan (including the entry drive) shall be resurfaced with gravel as noted on the site plan.
3. Prior to approval of a sign permit(s) for the proposed freestanding signs, the existing freestanding sign in the public right-of-way shall be removed.
4. Two freestanding signs shall be allowed—one on each of the street frontages. Each sign shall not exceed 32 square feet in size and 6 feet in height and shall not be illuminated.

Ms. Ashbeck suggested that condition 4 be amended to allow illuminated signage.

QUESTIONS

Commissioner Coleman wondered if the City ever made a petitioner upgrade parking areas to a hard surface following the lapse of a Conditional Use Permit (CUP). Ms. Ashbeck replied that this was only required if additional parking area was needed.

PUBLIC COMMENTS

FOR:

W.C. Rump (218 Easter Hill Drive, Grand Junction) said that the previous nursery had been a welcome addition to the neighborhood and he supported its reopening. He expressed concern only that no stockpiling of manure be allowed, since its odor would likely waft over to nearby residents.

Liz Musty (2247 Iris Court, Grand Junction) wondered if any coercion from the bank had been involved in the nursery's reopening.

AGAINST:

There were no comments against the proposal.

PETITIONER'S REBUTTAL

Ms. Barrett said that while she may stockpile topsoil and compost, no bulk manure would be kept on site. She indicated that she was buying the property from the bank. While the bank had plans to resubmit a proposal for a banking facility adjacent to the property, the two properties would be completely separate of each other.

DISCUSSION

Commissioner Coleman suggested adding a condition 5 which prohibited the storage of non-packaged animal manure on site.

Commissioner Driscoll remarked that the use was compatible with the neighborhood, adding that the applicant met CUP requirements.

Chairman Elmer commented that if the bank submitted a proposal, it would be reviewed independently.

MOTION: (Commissioner Driscoll) “Mr. Chairman, on item CUP-1998-046, I move that we approve the Conditional Use Permit for the Meadowlark Garden Center to operate a nursery/greenhouse/garden center at 2259 Broadway subject to staff recommendations, with recommendation 4 being modified to indicate that the freestanding signs may be exterior up-lit illuminated signs, and adding a condition 5, that the exterior storage of non-packaged animal manure shall be prohibited on the site.”

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

CUP-1998-047 CONDITIONAL USE PERMIT—WIGOUT PRODUCTIONS, INC.

A request for a Conditional Use Permit to allow liquor sales at a proposed theater/night club in a B-3 (Retail Business) zone district.

Petitioner: David Prather

Location: 538 Main Street

Representative: Tom Volkmann

PETITIONER'S PRESENTATION

David Prather, petitioner, presented his proposal. He said that the facility would play host to live bands, children and adult theatrical productions, guest artists, charitable events, etc. Professional quality lighting and sound systems would be available and approximately 40-50 full time employees would be hired. If granted the license, alcohol would be served at those events deemed appropriate for its consumption. No alcohol would be served or displayed during children's productions. No structural changes would be made to the building itself and the existing marquee would be restored to its original condition.

Mr. Prather said that the opposition was another theater group which wanted the space for themselves. Theirs was a selfish motivation and not one of genuine concern over impacts to the community.

STAFF'S PRESENTATION

Kristen Ashbeck said that a CUP was required because the petitioner sought to obtain a liquor license. Staff supported the petitioner's intention to restore the original marquee; however, if this is not done, the petitioner would be bound by the Code's sign allowance of 100 square feet. Having found that the request met Code criteria, staff recommended approval with the condition that the only signage allowed on the Main Street side of the building would be the existing marquee, even if the size exceeded the maximum allowance for the site, or if a new sign, that the sign be limited in size to 100 square feet.

QUESTIONS

Commissioner Driscoll asked if the existing marquee didn't meet Code criteria, would a variance be required. Ms. Ashbeck said that sign allowance was typically included as part of the CUP. John Shaver agreed, noting that the marquee had been in existence for many years and has not previously been found to be illegal or otherwise a nuisance.

Commissioner Coleman wondered if the business could turn into a full-scale bar. Ms. Ashbeck said that the on-site activities could be restricted by the Planning Commission. She said that other similar uses existed nearby in the downtown area; therefore, a bar/nightclub was not viewed as an incompatible use.

Chairman Elmer said that the roof of the structure's basement extended under the sidewalk. He suggested that to ensure continued structural integrity, an inspection of the facility be undertaken. Mr. Shaver said that the burden of proving structural integrity would be placed on the petitioner. Staff could ensure that an inspection took place.

PUBLIC COMMENTS

FOR:

Bill Robinson (754 – 26 ½ Road, Grand Junction), who has been involved with Mesa College's theater program for years, noted the petitioner's experience in operating a theater program in other states. He felt that Grand Junction would benefit greatly from the business, with entertainment being provided to people of all ages. He didn't believe it would become a nightclub per se; rather, it would provide entertainment options to the community which currently did not exist. Mr. Robinson said that the building had lain vacant for years. The proposal, he felt, would be a good use of the site.

Kevin McConnell (230 North 17th Street, Grand Junction), owner of Modern World Productions (MWP) said that he'd signed a contract with Mr. Prather for periodic use of the facility (copy submitted). He would not be able to continue hosting entertainers at The Station as he'd been doing. Mr. McConnell briefly outlined the nature of MWP, adding also that the facility would provide a venue for local talent. He said that most theaters offered children's productions during the day. Dinner theater on the site would be catered.

Ron Maupin (1429 Grand Avenue, Grand Junction) said that the extended hours of the theater may also benefit downtown businesses who wished to stay open past 5 p.m. Most of the nearby businesses supported the project. He felt that this type of business would be good for the downtown area and noted that the Avalon was often completely booked. A liquor license would make the business more viable. Mr. Maupin supported the petitioner's intent to restore the original marquee.

Corina Stoker (1310 Orchard Avenue, Grand Junction) spoke highly of MWP and said that the facility would provide a creative outlet for the area's youth.

Stuart Griff (2127 North 25th Street, Grand Junction) expressed his support for restoration of the original marquee.

Camille Estrovich (510 Pear Road, Grand Junction) expressed her support for the proposal and agreed with comments made previously by Ms. Stoker.

Jim Standard (585 – 25 ½ Road, Grand Junction) felt that the proposal met a community need and expressed his support.

Mark Rodriguez (109 Anna Court, Grand Junction) spoke highly of the petitioner and his family. He said that the business would help revitalize the downtown area and be the best use for the building. Good theater, he said, added culture to a community and would encourage youth to work together.

Kelly Kellerbee (2306 Hacienda, Grand Junction) spoke highly of MWP and expressed her support for the proposal.

AGAINST:

Doralyn Evans (1140 Walnut Avenue, #25, Grand Junction) expressed concern over what she perceived to be a bar and outlet for rock concerts. She felt that no activities involving children should include alcohol and that there were already a number of bar/nightclubs in the downtown area.

Glen Fortner (221 Hall Avenue, Grand Junction), representing the Performing Arts Conservatory, admitted to being the primary opposition and said that he'd made an offer on the building. He didn't feel that the building should be renovated in the way proposed by the petitioner.

Helen Hughes (633 North Placer Court, Grand Junction) asserted that Main Street didn't need another bar. She feared that the serving of liquor would not be regulated and said that liquor involved with theater sent the wrong message to kids.

Martha Helm (2816 Hawthorne, Grand Junction) said that Grand Junction already had diverse entertainment venues. She felt that the proposal was vague and wondered about the hours of operation. She wondered how long alcohol would be served? She feared the undesirable element and noise which she associated with bars.

Louise Forney (2717 Caribbean Drive, Grand Junction) expressed her opposition to the bar/nightclub aspect of the proposal.

PETITIONER'S REBUTTAL

Mr. Prather maintained that the use would enhance the building and provide cultural opportunities for the area. He noted that other businesses in the area served alcohol and reiterated that no alcohol would be available during children's productions. The theatre would have a family-oriented atmosphere, and on-site security would be provided. He expected to be closed on Mondays/Tuesdays with hours during the week to vary according to the type of production. Most entertainment, he said, would begin at 8 p.m., which was consistent with similar facilities around the country. It was possible that a happy hour would be available on Thursdays/Fridays if the community was receptive. He said that MWP would not have exclusive rights to use the facility. Mr. McConnell had only been the first to contact him.

QUESTIONS

Commissioner Coleman asked the petitioner if he was averse to having a structural inspection of the building performed, to which Mr. Prather responded negatively.

Commissioner Coleman asked if the facility was accessible per ADA requirements, to which Mr. Prather replied affirmatively.

Commissioner Coleman noted the lack of both a men's and ladies' separate ADA approved restrooms and asked if these could be provided. Mr. Prather understood that ADA's only requirement had been to provide a single unisex bathroom, but agreed to comply with any necessary requirements.

When Commissioner Driscoll asked if any alterations would be made to the outside of the building, Mr. Prather said that the existing storefronts would be modified; otherwise, no changes would be made.

Commissioner Driscoll asked staff if the Downtown Development Authority supported the project, to which Ms. Ashbeck replied affirmatively.

Commissioner Driscoll clarified that the liquor license issue would be considered by the Liquor Licensing Authority.

Chairman Elmer said it was not the place of the Planning Commission to judge the family's integrity. He elaborated that Planning Commission's decision judged only the appropriateness of the land use. Mr. Shaver offered his confirmation.

Commissioners Driscoll and Coleman expressed support for the project.

MOTION: (Commissioner Driscoll) "Mr. Chairman, on item CUP-1998-047, I move that we approve the Conditional Use Permit for a bar/nightclub, the Mesa Theatre and Club, to be located at 538 Main Street subject to staff recommendations. I guess I would add a condition in relation to Paul's comment, that the petitioner at least look into the feasibility of male/female handicap-accessible bathrooms."

Chairman Elmer reiterated that if the existing marquee was not restored, the petitioner would be bound by the sign allowances provided for in the Code.

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

A brief recess was called at 8:20 p.m. The hearing reconvened at 8:30 p.m.

Due to a prior commitment, Commissioner Gordon excused himself from the remainder of the hearing.

MS-1998-048 MINOR SUBDIVISION—W.E.I. MINOR SUBDIVISION

A request for a two lot minor subdivision consisting of 2.26 acres in a I-1 (Light Industrial) zone district.

Petitioner: Western Engineers

Location: 2150 highway 6 & 50

Representative: Matt Lohof

PETITIONER'S PRESENTATION

Bruce Marvin, representing the petitioner, said that two buildings currently existed on the parcel. The minor subdivision would provide a separate parcel for each building. Lot 1 would be sold as commercial property. This was necessary due to a reduction in work force and consolidation of operations. A shared access from 20 ½ Road for use by both properties would be provided along the common lot line.

QUESTIONS

Commissioner Denner asked if bathrooms were available for the building on lot 2. Mr. Marvin said that at the time lot 1 is sold, separate utilities would be provided for each building.

Commissioner Denner asked if the property boundary of lot 2 went to the fenced area in the rear. Mr. Marvin clarified that the boundary was approximately 20 feet south of the fenced area.

Commissioner Coleman asked if the petitioner would have to come back through the planning process when the lot 2 building was modified. Mr. Marvin said that there would be no change in use, only the addition of bathrooms.

STAFF'S PRESENTATION

Bill Nebeker corrected the acreage represented on the agenda to reflect a total of 2.26 acres. He reiterated that the two properties would share a common access and said that the request met Code criteria. Mr. Nebeker was unsure if the addition of bathrooms would require a separate site plan review. Staff recommended approval with no conditions.

Chairman Elmer observed that offices were being moved from one location to the other, and he expected that parking would require review. Mr. Nebeker said that in that instance, a change of use review would be required.

PUBLIC COMMENTS

There were no comments either for or against the request.

PETITIONER'S REBUTTAL

No rebuttal testimony was offered.

DISCUSSION

Both Chairman Elmer and Commissioner Driscoll commented that the request seemed straightforward.

MOTION: (Commissioner Driscoll) "Mr. Chairman, on item MS-1998-048, I move that we approve the W.E.I. Minor Subdivision subject to staff's recommendation (no conditions)."

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

MS-1998-049 MINOR SUBDIVISION—MANCUSO MINOR SUBDIVISION

A request for a two lot minor subdivision consisting of .30 acre in an RSF-8 (Residential Single Family with a density not to exceed 8 units per acre) zone district.

**Petitioner: Blanche Mancuso
Location: 617 W. Ute Avenue
Representative: Mike Joyce**

PETITIONER'S PRESENTATION

Mike Joyce, representing the petitioner, said that the property currently had double frontage. With the subdivision, lot 1 would access off of W. Ute Avenue; lot 2 would access off of Riverview Avenue. The request complied with Code criteria. Curb, gutter and sidewalk was required along the Riverview Avenue frontage. Mr. Joyce said that review agency comments had requested that improvements be constructed at a one-half percent grade. Elevations of existing improvements were found to be at a .4 percent grade. He asked for consideration to construct new improvements to match the grade of existing improvements. He noted that a 40-foot gap would exist between the end of the existing curb and the beginning of the new curb. He offered to extend improvements the entire length if the City agreed to pay the difference. This would benefit the City in that setup costs would have already been paid for.

STAFF'S PRESENTATION

Mike Pelletier agreed with the petitioner's presentation and stated that it met Code criteria. He could not respond to the request for continuance of grade, since it required review by the Development Engineer. Staff recommended approval of the request.

QUESTIONS

Chairman Elmer wondered if a TCP credit could be applied if connection of the curb, gutter and sidewalk sections was deemed appropriate.

Kerrie Ashbeck said that staff could review options on how best to tie into existing improvement grades. The petitioner would be eligible for TCP credit for those improvements.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Driscoll commented that the proposal represented a good infill project. He suggested leaving the engineering details to engineering staff and the petitioner.

Commissioner Coleman remarked that it was good to see people using common sense in the design of their projects.

MOTION: (Commissioner Coleman) "Mr. Chairman, on item MS-1998-049, I move that we approve the minor subdivision."

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

IV. PUBLIC HEARING ITEMS FOR RECOMMENDATION TO CITY COUNCIL

VE-1998-051 VACATION OF EASEMENT

A request to vacate a portion of a 10-foot easement along the southern property line to eliminate the encroachment of an existing garage extending into the easement.

Petitioner: James Folsom

Location: 401 Dressel Drive

PETITIONER'S PRESENTATION

Jim Folsom, petitioner, said that the subject easement had never been used for utilities. Since the easement was so close to a hillside, it was not practical for utility placement. He conjectured that the contractor apparently had not realized the garage extended into the easement.

STAFF'S PRESENTATION

Mike Pelletier noted the site's location on maps provided. He concurred that no utilities were located in the easement, nor were there likely to be in the future. Having found that the request met vacation criteria, staff recommended approval.

QUESTIONS

Chairman Elmer asked if the request also met setback criteria, to which Mr. Pelletier responded affirmatively.

DISCUSSION

Both Chairman Elmer and Commissioner Coleman felt that the request was straightforward and met Code criteria.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item VE-1998-051, I make a motion that we send this item on to City Council with [the recommendation of] approval for the vacation.”

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

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

RZP-1998-055 REZONE/PRELIMINARY PLAN—WESTWOOD RANCH SUBDIVISION

A request to: 1) rezone from RSF-R (Residential Single Family, Rural with a density not to exceed 1 unit per 5 acres) to PR-4.3 (Planned Residential with a density not to exceed 4.3 units per acre), and 2) approve a Preliminary Plan for Westwood Ranch consisting of 29 single family lots and 60 single family attached lots on 20.77 acres.

Petitioner: Sonshine Construction

Location: Northwest corner of 25 ½ and F ½ Roads

Representative: Banner Associates

PETITIONER’S PRESENTATION

Richard Livingston, representing the petitioner, recounted the history of the project’s prior submissions to the Planning Commission. The area, he said, was in transition and the site was located adjacent to the Public Service Company’s yard. In an effort to comply with Planning Commission direction, the petitioner reduced the overall density from 4.6 units to 4.3 units/acre. He reminded planning commissioners that the Growth Plan recommended a density of between 4 and 7.9 units/acre. He felt that the current proposal also satisfactorily addresses many neighbor concerns. Mr. Livingston indicated that the attached housing lots were located along the Public Service property boundary away from adjacent single family homes.

With regard to the duplex units, Mr. Livingston said that it was necessary to find a density which would make the development viable. The units would be built to reflect single family characteristics. If significantly different and out of character with the surrounding area, the development wouldn’t be successful. A traffic study had been conducted by Banner Associates. Improvements to 25 ½ Road were currently underway, and traffic from the entire area was expected to be far less than the street’s carrying capacity. The petitioner was in agreement with staff and review agency comments.

STAFF’S PRESENTATION

Michael Drollinger reviewed the proposal as contained in the project review dated April 1, 1998. A transparency of the Preliminary Plan was shown using the overhead projector. Mr. Drollinger said that mixed use developments had been implemented successfully in other parts of the Grand Junction area. The issues and concerns expressed in preceding hearings had been summarized and made a part of the current project review. Having found that the rezone met Code criteria, staff recommended approval of the rezone. At this time, Mr. Drollinger asked Kerrie Ashbeck to provide an update on the status of 25 ½ Road construction.

Ms. Ashbeck said that the traffic study submitted by the petitioner had been reviewed by the Traffic Engineer, who concurred with its findings. She said that although impacts to F ½ Road had been brought up a number of times, the majority of that road fell within County jurisdiction. No significant accident history had been discovered on the portion of F ½ Road nearest the current development. She said that paving along 25 ½ Road was due to be completed within the next 6 to 8 weeks. The City and County had entered into discussions for improving the bridge over the canal, mainly to

ensure its structural integrity but also to widen it to a collector street standard. A final design for the bridge should be submitted sometime this fall, with construction commencing in the spring of 1999.

Chairman Elmer asked if the signalization timing along F Road would change. Ms. Ashbeck answered that the City was currently reviewing the timing of all signal lights within the city limits.

Chairman Elmer acknowledged the need for improvements to the canal bridge and expressed support for continuing efforts to mitigate this problem.

Mr. Drollinger concluded by recommending approval of the Preliminary Plan subject to the following conditions:

1. Bulk requirements for the subdivision as detailed in the staff report be adopted with the Preliminary Plan.

The phasing of infrastructure improvements be approved as detailed in the staff report.

Mr. Drollinger said that if denial of the project was recommended, he asked that specific direction be given to staff regarding deficiencies.

PUBLIC COMMENTS

FOR:

Ted Munkres (121 Chipeta Avenue, Grand Junction) contended that the project didn't exactly fit with Growth Plan recommendations because the density proposed was so low. "If every project proposed in the subject area was kept at lower densities, where would infill at higher densities occur? Why recommend 4-7.9 units/acre if nothing above 4 units/acre was acceptable?"

AGAINST:

Marvin Smith (2539 Westwood, Grand Junction) expressed opposition to the proposed density and the increase in traffic. He also felt that the infrastructure was lacking.

Stan Forrest (2559 Westwood, Grand Junction) expressed concern over the safety of children walking along F ½ Road. He was opposed to any construction of duplexes and thought that they would end up becoming run down rental properties. He asked that opposition comments from previous hearings be entered into the record in this hearing.

Robin Madison (2586 Galley Lane, Grand Junction) said that the Growth Plan didn't just address density but included many other development considerations. Other concerns included traffic along 25 ½ Road; the structural integrity of the canal bridge, which could affect school buses and the delivery of children to and from school; traffic and safety along F ½ Road; school impacts; duplex density; lack of infrastructure; and questions over the amount of open space proposed. She suggested that the project be delayed until the necessary infrastructure was in. Ms. Madison stressed the importance of maintaining the quality of life for existing residents and noted the lack of a trails network. What would become of the duplexes if the "boom/bust" cycle of the Grand Valley should occur again?

Pete Woodbury (2582 Galley Lane, Grand Junction) said that if Growth Plan recommendations were followed, there would be approximately 12,000 total residents in this one area alone. He felt that a 4-7.9 unit/acre density was too high for the area. He agreed that issues other than density should be considered and mirrored many of the same concerns expressed by Ms. Madison. He also noted that the open space area in the northwest corner of the property would only preserve about half of the existing Cottonwood trees. He asked that a final decision be delayed pending completion and adoption of the Growth Plan update and Code revision.

Maureen Kiesler (673 Atchee Lane, Grand Junction) noted the quantity and quality of custom homes in the area. She asked that private property rights be protected and that consideration be given to existing residents in the area. She was opposed to the proposed project density.

Norm Lincoln (674 Uintah Court, Grand Junction) opposed both the increase in traffic along 25 ½ Road and the project's density.

Elaine Garvey (2553 Janice Drive, Grand Junction) was also opposed to the project's density and felt that the inclusion of duplexes would negatively impact the area's property values. She concurred with previous testimony regarding the canal bridge, traffic impacts, and impacts to quality of life for current residents.

Frank Preuss (674 Ignacio, Grand Junction) also expressed concerns over increased traffic and the density of the project and the subject area.

PETITIONER'S REBUTTAL

Mr. Livingston reiterated that the majority of traffic impacts would be mitigated with the completion of 25 ½ Road, as corroborated by Ms. Ashbeck. The proposed plan met Code criteria and Growth Plan recommendations. It addressed many of the concerns expressed in previous hearings. He noted that the subdivision's proposed ingress/egress was south of the canal bridge; therefore, school bus access would not be affected.

QUESTIONS

Commissioner Coleman asked for the price range expected for duplex units, to which Mr. Livingston replied between \$80K-\$100K for each side.

DISCUSSION

Commissioner Coleman felt that there were too many duplex units proposed which made the plan seem cramped. He suggested the petitioner convert some of the duplex units to single family homes.

Chairman Elmer said that regarding traffic impacts to F ½ Road, it would be legally difficult to mandate correction of historical deficiencies. This conclusion was confirmed by Mr. Shaver.

Chairman Elmer noted that the plan met Code and Growth Plan criteria. He also felt it unlikely that someone would want to build a \$300K home next to Public Service's yard and supported the duplexes as a transitional housing type. He remarked that he lived near duplexes and they hadn't affected his property values.

Commissioner Coleman stated that the petitioner needed to recoup the density in other ways, since the Planning Commission had required so much open space.

Commissioner Denner asked for clarification on the reasons for denial in previous submissions, which was given.

Chairman Elmer reminded other planning commissioners that the City Council had actually approved the last proposal at a higher density. The Council had just been unable to reach the required majority needed to overturn Planning Commission's recommendation for denial. Even if reduced to a 4 unit/acre density, the difference of seven total units would not be significant.

Commissioner Grout stressed that the area was in transition and said that it was time to continue with growth in this area. Not to do so would encourage sprawl. He emphasized the need to utilize the Growth Plan to its potential.

Chairman Elmer suggested that general deficiencies such as the lack of improvements along F ½ Road be mitigated using general taxpayer funds.

General discussion ensued over the changes in the new plan from the previous plan. Commissioner Coleman said that the public still had time to submit comments on the new Code and Growth Plan update.

MOTION: (Commissioner Grout) “Mr. Chairman, on item RZP-1998-055, a request for Preliminary Plan approval for the Westwood Ranch Subdivision, I move that we approve the plan with the conditions contained in the staff report dated April 1, 1998.”

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

MOTION: (Commissioner Grout) “Mr. Chairman, on item RZP-1998-055, a request for rezone for Westwood Ranch Subdivision, I move that we forward this item to City Council with a recommendation of approval.”

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

V. GENERAL DISCUSSION

Scott Harrington apprised planning commissioners of an upcoming joint meeting with the City Council. The meeting will be held on April 27 at 7 p.m. at Two Rivers Plaza. At that time the most significant issues would be identified, with those issues being assigned to individuals for more in-depth review. Packets on this meeting would be forthcoming.

General discussion ensued over issues which could be addressed and how those issues would be allocated for review.

With no further business, the hearing was adjourned at 10:45 p.m.