

**GRAND JUNCTION PLANNING COMMISSION
JUNE 9, 1998
MINUTES**

I. CALL TO ORDER

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. in the City/County auditorium by Chairman John Elmer.

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

In attendance, representing the Community Development Department, were: Scott Harrington (Community Development Director), Kathy Portner (Planning Manager), Dave Thornton (Sr. Planner), Bill Nebeker (Sr. Planner), and Mike Pelletier (Assoc. Planner).

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

Terri Troutner was present to record the minutes.

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

II. CONSIDERATION OF MINUTES

Available for consideration were the minutes of the May 12, 1998 Planning Commission public hearing.

MOTION: (Commissioner Driscoll) "Mr. Chairman, I move that we approve the May 12th minutes as presented."

Commissioner Denner seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0-1, with Commissioner Gordon abstaining.

III. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Chairman Elmer said that items FPP-1998-087, FPP-1998-090, VR-1998-092, and VE-1998-094 had been pulled from this evening's agenda and would not be heard.

IV. PUBLIC HEARING ITEMS FOR FINAL DECISION UNLESS APPEALED

RZ-1998-082 REZONE - CITY MARKET #144

Request to rezone the entire 8.26 acres from RSF-8 (Residential Single Family with a density not to exceed 8 units per acre) to B-3 (Retail Business) Zone District.

Petitioner: City Market

Location: Southeast corner of 12th Street and Patterson Road

Representative: Mike Shunk

The petitioner requested that item RZ-1998-082 be continued to the August 11, 1998 public hearing. Kathy Portner stated the continuance was being requested so a site specific development plan could be submitted for review concurrently with the rezone request.

MOTION: (Commissioner Coleman) “Mr. Chairman, I make a motion that RZ-1998-082 be continued to the August 11 Planning Commission hearing.”

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

MS-1998-083 MINOR SUBDIVISION—GJB MINOR SUBDIVISION

A request to approve a two lot minor subdivision in a C-2 (Heavy Commercial) zone district to separate two existing buildings.

**Petitioner: Bank of Grand Junction
Location: 2491 Industrial Blvd.
Representative: David Smuin/HydroTerra**

PETITIONER’S PRESENTATION

David Smuin, representing the petitioner, said that the site had frontage on both Industrial Blvd. and W. Mesa Court. The split was being sought because an adjacent owner of a welding shop had expressed interest in purchasing a portion of the property. No use changes were proposed.

STAFF’S PRESENTATION

Mike Pelletier said that the proposal met Code criteria. Approval was recommended with no conditions.

QUESTIONS

Chairman Elmer asked if the reason staff did not require any additional improvements was because the site was already developed, to which Mr. Pelletier responded affirmatively.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Coleman remarked that the proposal seemed straightforward and met Code criteria.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item MS-1998-083, I move that we approve the minor subdivision.”

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

FP-1998-084 FINAL PLAT—DAUGHTER’S COVE II

A request to approve the Final Plat for Daughter’s Cove II Subdivision consisting of 7 single family lots on 1.42 acres in an RSF-8 (Residential Single Family with a density not to exceed 8 units per acre) zone district.

**Petitioner: Casas Del Tierra, Inc.
Location: 2711 B ¾ Road
Representative: Mike Joyce, AIC**

PETITIONER’S PRESENTATION

Mike Joyce, representing the petitioner, noted the site’s location on an overhead transparency. The sight triangles on the Pinyon Court corners had been successfully achieved, improving sight distances. A 44-foot multi-purpose easement located in the bottom portion of the cul-de-sac would be left as-is, since no

building could occur there anyway. The Final Plat complied with Code requirements, and Mr. Joyce represented that conditions of the Preliminary Plan approval had been or would be met.

QUESTIONS

Commissioner Coleman asked who would be responsible for the shared driveway between lots 5 and 6. Mr. Joyce replied that the two homeowners would co-own and be jointly responsible for maintenance of the shared driveway. This would be written into the covenants.

STAFF'S PRESENTATION

Bill Nebeker agreed that the proposal complied with both Code criteria and conformed with previously approved Preliminary Plan conditions of approval. He noted that executed deeds for both B ¾ Road and Pinyon Court rights-of-way needed to be warranty deeds; these would have to be recorded prior to or concurrent with plat recordation. With no additional issues, staff recommended approval subject to the following conditions:

1. A note shall be placed on the plat indicating that “S” and “R” designate the applicable yards (side and rear) for the lots.
2. Warranty deeds for the dedication of the corner radii shall be recorded prior to or concurrent with plat recordation.

QUESTIONS

Commissioner Coleman asked where the front yard setbacks began for lots 5 and 6. Mr. Nebeker replied that setbacks were located 23 feet back off of Pinyon Court. As designed, a fence could be erected to divide the shared driveway; however, it would not be a common practice for property owners to do so.

Commissioner Driscoll asked Kerrie Ashbeck if her concerns as Development Engineer had been addressed, to which she responded affirmatively. Only minor issues remained.

Commissioner Coleman asked if the “R” and “S” designations would be seen on the plat, to which Mr. Nebeker replied affirmatively.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Driscoll noted that outstanding issues appeared to be addressed and that the Final Plat seemed to be consistent with the Preliminary Plan.

Chairman Elmer noted that the design appeared to be improved over the original submittal.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item FP-1998-084, I move that we approve Daughter’s Cove II Subdivision subject to staff recommendations.”

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

FP-1998-093 FINAL PLAN—BISHOP’S FURNITURE EXPANSION

A request to construct a 15,000-square-foot warehouse addition to the existing furniture retail sales store in a PB (Planned Business) zone district.

Petitioner: Bishop's Furniture Gallery
Location: 2460 F Road
Representative: LanDesign

PETITIONER'S PRESENTATION

Brian Hart, representing the petitioner, presented a brief history of the existing use. The expansion would provide additional space for inventory. An additional nine parking spaces are being added to the rear of the facility, although no additional parking was required. Access would be from the southeast corner of the property, and Mr. Hart added that the access could be shared with an adjacent property to the east should it develop.

STAFF'S PRESENTATION

Mike Pelletier concurred with the petitioner's presentation and said that it met Code criteria. Additional landscaping was planned for the site, and both stormwater drainage plans and parking provisions met requirements. He indicated that the only issue at some point may be the shared southeastern access should the property to the east develop. Staff recommended approval with no conditions.

QUESTIONS

Chairman Elmer asked if the property abutted residential multi-family uses on the north, to which Mr. Pelletier replied affirmatively. When asked about buffering between the two uses, Mr. Pelletier noted a row of trees located along the north side of the property which served to buffer the properties. The trees were located on both properties.

Commissioner Coleman thought that the adjacent Hacienda development had already included buffering along its property boundary. Why was more needed? Mr. Pelletier thought that an RV storage area had been planned for the area in question on the Hacienda site.

Chairman Elmer wondered if keeping the trees intact should be included in the motion. Mr. Pelletier said that this was at the Commission's discretion. Including the condition could prevent future removal of the existing trees. Chairman Elmer remarked that something needed to buffer the metal warehouse from adjacent residential structures.

PUBLIC COMMENTS

FOR:

John O'Connor (no address given), contractor for the project, wondered why Bishop's should have to provide buffering when the use and structure was already there. Commissioner Coleman answered that an expansion request typically triggered a review of buffering. Mr. O'Connor noted that the Hacienda project wasn't even developed. He wondered why buffering would be required for a project that wasn't even there.

Mr. Hart interjected that the retention of existing trees as a buffer was a reasonable request if the Commission so chose to include it in the motion.

DISCUSSION

Commissioner Coleman commented that the petitioner should not have to be bound to providing additional buffering if buffering would be provided by the Hacienda development.

Scott Harrington said that the petitioner for the Hacienda project was currently in the process of revising the plan. Staff expected to see the proposal resubmitted.

Commissioner Coleman said that if buffering was to be a requirement for the current petitioner, shouldn't a depth be specified? Mr. Harrington answered that if a depth were specified, the petitioner could still come back at some future point and ask for modification of the requirement should he want to further change or expand the facility.

Chairman Elmer proposed a 10-foot-width designation. This met with general agreement among planning commissioners and the petitioner's representative.

MOTION: (Commissioner Coleman) "Mr. Chairman, on item FP-1998-093, I move that we approve the Final Plan for Bishop's Furniture with the condition that there is a 10-foot landscaped buffer between the north property lines."

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

V. PUBLIC HEARING ITEMS FOR RECOMMENDATION TO CITY COUNCIL

VR-1998-071 VACATION OF RIGHT-OF-WAY/SPECIAL USE PERMIT—MESA COUNTY WORK RELEASE

A request to: 1) vacate the alley right-of-way adjacent to South Avenue and 7th Street, and 2) obtain a Special Use Permit to allow expansion of a community corrections facility in a PZ (Public Zone) zone district.

Petitioner: Mesa County
Location: Northwest corner of 7th Street and South Avenue
Representative: Roy Blythe

PETITIONER'S PRESENTATION

Roy Blythe, representing the petitioner, said that Mesa County had outgrown its existing facility and needed to expand. He said that the subject property was somewhat contiguous with the existing work release facility. The alley requested for vacation used to be a lumberyard. The building on the property had been demolished and the alley had never been used as such. Only occasionally had it been used only as a railroad spur. An existing clay combination sewer line, presently located within the easement, would be moved by Mesa County. An easement will then be placed over the line's new location. Mr. Blythe said that Mesa County would comply with all City engineering requirements.

QUESTIONS

Chairman Elmer asked if any elevation drawings had been submitted along with the Special Use Permit application. Mr. Blythe presented elevation drawings to planning commissioners and noted that the new facility would be two stories, contain approximately 13,000 square feet of space to house 72 inmates, and be of masonry construction. Landscaping was planned, and the site was conducive to future expansion if deemed necessary.

Commissioner Driscoll asked if the main entrance would be to the south, to which Mr. Blythe responded affirmatively.

Commissioner Coleman felt that the use would enhance the area.

Commissioner Denner asked if there were any plans for the corner of Pitkin Avenue and 7th Street. Mr. Blythe said that it would remain vacant.

STAFF’S PRESENTATION

Mike Pelletier said that the proposed use would be compatible with surrounding commercial and other public uses. The request was supported by the DDA, the Downtown Development Strategy, and the Growth Plan. Design criteria would be further scrutinized by staff. Moving the existing sewer line was acceptable to City staff. Staff recommended approval subject to the applicant relocating the sewer line in a manner acceptable to staff.

QUESTIONS

Commissioner Coleman asked if the site plan would deal with detention and other issues, to which Mr. Pelletier responded affirmatively.

Chairman Elmer asked staff if they had received copies of the elevation drawings presented by the petitioner. Mr. Pelletier said that staff would request them during the site plan review.

John Shaver said that the Planning Commission had the right to request and/or review elevations if it felt that such was necessary in order to make a final decision.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Coleman reiterated that the use as proposed would enhance the area. Chairman Elmer agreed and asked that the initial design specifying a masonry building be retained.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item VR-1998-071, I move that we approve the Special Use Permit for the work release program and recommend approval to City Council that the alley in question be vacated with the condition that the petitioner relocate the sewer line in the alley to the west as required by the Public Works Department.”

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

RZP-1998-072 REZONE/PRELIMINARY PLAN—SEQUOIA SUBDIVISION

A request to: 1) rezone approximately 2.6 acres from RSF-8 (Residential Single Family with a density not to exceed 8 units per acre) to PR-6.2 (Planned Residential with a density not to exceed 6.2 units per acre), 2) approve the Preliminary Plan for Sequoia Subdivision consisting of 4 existing duplexes (as amended), and 3) waive the public street standard to allow private streets.

**Petitioner: Ben & Faith Hill
Location: Southeast corner of 27 ½ road and Redwood Court
Representative: Monument Surveying**

Prior to the petitioner’s presentation, staff said that the request had been amended to reflect that the Preliminary Plan included only the four existing duplexes. The proposal for three additional duplexes had been withdrawn by the petitioner.

PETITIONER’S PRESENTATION

Ben Hill, co-petitioner, said that no physical changes were being proposed other than paving of the existing gravel driveway.

STAFF’S PRESENTATION

Bill Nebeker said that the property was currently non-conforming. The petitioner originally had plans to develop the west half of the property, which had been deleted from the proposal. The additional lot located in the western portion of the property would retain its RSF-8 zone. As such, only one single family home could be constructed on the lot unless the petitioner resubdivided or rezoned the property. The request would also provide separate lots for each duplex, which would facilitate refinancing and eliminate the property's non-conforming status. Staff recommended rezoning the east half of the property to 5.0, with the actual developed density being 4.6 units/acre. The proposed private drive would meet private street requirements; however, land dedication would be required for access onto Redwood Court. Staff recommended approval of the rezone request to PR-5.0, Preliminary Plan, and request to waive the public street standard subject to the following conditions:

1. Through design of the Final Plan, the development shall show compliance with the City's guidelines for private streets.
2. Evidence shall be submitted which shows that the private street has access onto a dedicated street. Dedications from two properties to the north may be required.

QUESTIONS

Chairman Elmer asked who owned lots 1 and 2 at the intersection of Redwood Court. Mr. Hill said that he was the owner and had turned the required dedication over to the City's property agent.

Chairman Elmer asked the petitioner if he was the owner of all four of the duplexes, to which he replied affirmatively.

PUBLIC COMMENTS

FOR: There were no comments for the proposal.

AGAINST:

Constance Cass (266 – 27 ½ Road, Grand Junction) said that while not necessarily opposed to the request, she had concerns about increased traffic along 27 ½ Road. She said that there are no sidewalks along that section of road and significant accidents had occurred at the intersection of 27 ½ and B ½ Roads. In addition, she said that its jurisdiction was unclear to emergency services since it appeared that the north lane of the intersection fell within City boundaries while the south lane fell within the County's jurisdiction. She felt that this needed to be addressed by both the City and County. She also wondered why the street (Redwood Court) wouldn't be held to City standards.

Mr. Nebeker explained that the "street" in question was actually an existing driveway, which would require extensive modification and expense to bring to City standards. He explained that a Homeowners Association (HOA) would be formed, which would be responsible for future maintenance of the street.

PETITIONER'S REBUTTAL

Mr. Hill said that there was no point putting in sidewalk that didn't go anywhere. He noted that no other sidewalk existed in the immediate area.

DISCUSSION

Commissioner Driscoll felt the proposal to be straightforward.

Chairman Elmer commented that the request for private streets in this instance was appropriate. Commissioner Coleman agreed, since the streets served no one other than the existing residents.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item RZ-1998-072, I move that we approve the Preliminary Plan for Sequoia Subdivision subject to staff recommendations and forward the recommendation of approval to City Council for the rezone of the east half of Sequoia Subdivision from RSF-8 to PR-5. And also forward a recommendation (of approval) to the City Council for the waiver of the public street standards.”

Commissioner Denner 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 Driscoll withdrew from consideration of the next item.

RZ-1998-085 REZONE—RESIDENTIAL TO OFFICE USE

A request to rezone two lots from RMF-64 (Residential Multi-Family with a density not to exceed 64 units per acre) to B-1 (Limited Business) to allow office use.

Petitioner: Doris & Ernest Greenwood
Location: 109 and 119 Independent Avenue
Representative: Sonshine Construction

PETITIONERS’ PRESENTATION

Jana Bingham, representing the petitioner, noted the site’s location on an overhead transparency. She provided a brief history of the site and said that multi-family options were impractical for the site given its limited size. There would not be enough parking area available, she said, for a multi-family use. Also, she commented, there is a lot of traffic along Independent Avenue making access from the street difficult. The petitioners, she said, had placed modular homes on the property which resulted in a number of neighbor complaints. After much thought, the petitioners felt that the best use of the property would be for offices. Ms. Bingham said that other office uses, churches and commercial businesses were located nearby, so the request would be compatible with nearby uses. The lots themselves were uniquely situated, so that any development was “tricky.”

QUESTIONS

Commissioner Coleman asked if the modular homes would be removed if the rezone were granted, to which Ms. Bingham replied affirmatively.

Commissioner Coleman remembered that the neighborhood’s covenants required a large buffer area. Wouldn’t construction of the proposed access encroach upon designated buffer areas? Ms. Bingham said that she was unaware of any covenant prohibiting access through a buffer area; however, she stated that she would review the covenants again to be sure.

Chairman Elmer asked if the covenants would allow a limited business use on the property. Ms. Bingham said that they specified only single family use; however, other office uses (e.g., Remax) had been allowed to locate in the neighborhood. She felt that the neighbors would also allow this exception if they were included in the design process. She added that the covenants were in conflict with even the current multi-family zone.

STAFF’S PRESENTATION

Dave Thornton entered the staff report dated June 3, 1998 into the record. He said that the Growth Plan restricting B-1 uses in the subject area was designed to protect residential areas. A straight B-1 zone would allow too many unrestricted uses to enter the area (a list of uses allowed in a B-1 zone was noted).

While the First Street Corridor Guidelines allowed office uses on the west side of First Street between Walnut and Franklin Avenue, retail was forbidden. The Remax building, he said, had been rezoned to PB. Planned zones could be restricted to a single use or specific uses. Staff therefore felt that a B-1 zone was inappropriate for the site and recommended denial of the request.

QUESTIONS

Commissioner Coleman asked how wide the lots are, to which Mr. Thornton replied 75 and 70 feet, respectively.

Chairman Elmer asked if staff would support a planned zone restricting the use if an application was resubmitted by the petitioner. Mr. Thornton stated that any request for a planned zone had to be accompanied by a plan. The plan would then be evaluated based on the use(s) proposed.

Chairman Elmer remarked that the request is unusual given that both the current and proposed zone conflicted with the subdivision's covenants. He asked counsel for a legal opinion.

Mr. Shaver said that since the City did not enforce subdivision covenants, the application needed to be evaluated based on its own merits as it related to section 4-4 of the Code. The obstacle of covenants were subject to resolution by the property owner and the HOA. While the covenants may affect the developability of the lots, the petitioner needs to address those issues not the Commission since what is being considered is a rezone request.

PUBLIC COMMENTS

FOR: Kathy Joyce (129 Independent Avenue, Grand Junction) expressed her support for the office use along with strong opposition to the currently placed modular homes. She said as long as the use remained offices only with no retail, she would continue to support the request. She asked that any business planned for the site should be both clean and quiet and suggested that the height be limited to a single story structure.

AGAINST: There were no comments against the request.

PETITIONERS' REBUTTAL

Ms. Bingham said that the maximum allowed building height in a B-1 zone was only 4 feet higher than that of the existing multifamily zone. She said that the only use desired by the petitioners is for offices. The types of low-impact businesses for which this type of property would appeal, she said, included dentistry, medical, real estate, etc. She said that both the subdivision and covenants have been around for a long time. She reiterated that other uses which didn't conform to existing covenants were present in the neighborhood.

DISCUSSION

Commissioner Coleman asked Ms. Ashbeck for her input on plans for another turn lane onto Independent Avenue. Would there be a conflict resulting from another access located within 130 feet of the Independent Avenue/First Street intersection? Ms. Ashbeck said that cursory discussions over the access had taken place. Engineering would place any access as far from the intersection as possible to eliminate left turn conflicts; however, even placing the access to a point furthest away from the intersection would not, in this case, meet minimum spacing requirements at a signalized intersection.

Chairman Elmer expressed support for a planned zone. He asked for a legal opinion on whether a plan was needed prior to any Planning Commission recommendation for a planned zone. Could restrictions

be placed on a straight zone? Mr. Shaver said no restrictions could be placed on allowable uses in a straight zone and any such attempt would be a hybrid not recognized or contemplated by the Code. Restrictions could be placed on a planned zone, but he confirmed that a plan would be required with any such request.

Mr. Harrington suggested that the Planning Commission give the petitioner specific direction if it was inclined to recommend a planned zone.

Commissioner Coleman reiterated that even if a planned zone were recommended, there wasn't enough spacing distance to meet the Engineering Department's minimum requirements. Ms. Ashbeck said that Independent Avenue was slated for capital improvements, to include a center left-turn lane. It was unclear, however, when improvements would be undertaken.

Chairman Elmer noted that traffic impacts would depend largely on the proposed use. An RMF-64 zoned multi-family use would have significant traffic impacts whereas a small medical office may have very little impact.

Commissioner Gordon concurred with access concerns and wondered if improvements would be completed within the next five years. Ms. Ashbeck responded that peak hour stacking impacts were dependent upon the land use proposed, and without an actual plan, it was difficult to know what those impacts would be. Commissioner Gordon also offered his support for a planned zone.

Commissioner Denner felt that offices would be a good use for the property but agreed with comments opposing the B-1 zone.

Chairman Elmer suggested providing the petitioner with the direction to limit the proposed use to offices with a low traffic impact, appropriate buffering adjacent to residential uses, limit the structure to a single story, and to submit a design acceptable to the City's Engineering Department.

Commissioner Grout agreed that it made more sense to recommend denial of the currently requested B-1 zone but suggest resubmittal for a planned zone.

MOTION: (Commissioner Coleman) "Mr. Chairman, on item RZ-1998-085, I move that we forward it on to City Council with the recommendation of denial for the rezone to B-1, with the recommendation that the petitioner comes back with a Planned Business request (to limit the proposed use to offices with a low traffic impact, appropriate buffering adjacent to residential uses, limit the structure to a single story, and to submit a design acceptable to the City's Engineering Department)."

Chairman Elmer suggested changing verbiage to reflect that a more appropriate zone is a planned business zone.

The revised motion is as follows:

MOTION: (Commissioner Coleman) "Mr. Chairman, on item RZ-1998-085, I move that we forward it on to City Council with the recommendation of denial for the rezone to B-1, with the recommendation that the petitioner comes back with a Planned Business request, since Planned Business is the more appropriate zone (to limit the proposed use to offices with a low traffic impact, appropriate buffering adjacent to residential uses, limit the structure to a single story, and to submit a design acceptable to the City's Engineering Department). (as amended)"

As a point of clarification, Mr. Shaver said that the item would not be forwarded on to City Council, if denied, unless the petitioners sought to appeal.

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

A brief recess was called at 8:45 p.m. The hearing reconvened at 8:50 p.m.

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

RZ-1998-086 REZONE—RESIDENTIAL TO BUSINESS USE

A request to rezone a parcel of land from RSF-4 (Residential single Family with a density not to exceed 4 units per acre) to B-1 (Retail Business) to allow future medical/professional offices.

Petitioner: Steve Bethka

Location: 2584 F Road

PETITIONER'S PRESENTATION

Steve Bethka, petitioner, briefly outlined his request for a B-1 zone to allow for medical offices. No further elaboration was given.

STAFF'S PRESENTATION

Dave Thornton noted the site's location and surrounding uses on an overhead transparency. He said that the original request had been for B-3 zoning, but the petitioner agreed to change his request to a B-1 for greater compatibility. The proposal was found to meet the Patterson Road Corridor Guidelines, Growth Plan recommendations, and Code criteria. As such, staff recommended approval of the rezone to B-1. Mr. Thornton added that regarding future planning issues, upon development of lots 1 and 2 of Redstone Business Park, a shared access would be required onto F Road.

QUESTIONS

Commissioner Driscoll asked if there were any uses contained within the B-1 zone designation not deemed appropriate for the site. Mr. Thornton said that given the size of the parcel and the fact that F Road was a major arterial, no problems with any allowable uses were expected.

Chairman Elmer noted the following differences between the current item and the one previously heard: 1) Growth Plan compliance, 2) F Road Corridor Guidelines not as restrictive, and 3) the uses were not situated as close to a signalized intersection.

PUBLIC COMMENTS

FOR: Jeff Vogel (725 Hemlock Drive, Grand Junction) agreed that the B-1 fit the petitioner’s needs. Impacts from allowable B-1 uses would be acceptable, with the uses themselves being compatible with existing area uses.

AGAINST: There were no comments against the request.

PETITIONER’S REBUTTAL

The petitioner offered no rebuttal testimony.

DISCUSSION

Commissioner Coleman noted that the request met all the City’s requirements, and allowed uses would fit well in the area.

Chairman Elmer said that the B-1 zone would be more compatible and have less impact on adjacent neighbors than the item previously discussed.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item RZ-1998-086, I move that we forward it on to City Council with the recommendation of rezoning to B-1 (Light Business) for the following reasons: 1) rezoning to B-1 complies with the Growth Plan’s future land use designation and the Plan’s goals and policies; 2) rezoning to B-1 complies with the Patterson Road Corridor Guidelines; and 3) rezoning to B-1 complies with the rezone criteria found in section 4-4-4 of the Grand Junction Zoning and Development Code.”

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

VE-1998-089 VACATION OF EASEMENT—DEL MONTE PARK MINOR SUBDIVISION

A request to vacate an existing 10-foot water line easement within the subdivision.

Petitioner: Thomas Kupcho/Richard Riddoch/Mary Lou Sharpe

Location: 2303 E ½ Road/ 2304 Terry Court/ 546 – 23 Road

Representative: LanDesign

PETITIONERS’ PRESENTATION

Thomas Kupcho, co-petitioner, said that he had not known the easement existed until recently. The home, which had been in the same place for over 20 years, had been built over the easement. Vacating the easement would clean up affected properties and property lines/fence lines would be adjusted accordingly.

STAFF’S PRESENTATION

Mike Pelletier said that the subject easement did not contain any utilities, and the request met Code requirements. Staff recommended approval.

QUESTIONS

Chairman Elmer asked if both fence lines and property lines would be adjusted, to which Mr. Pelletier responded affirmatively. The subdivision would be replatted, he said, but added that the replat had no bearing on the vacation request.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Denner said that if the easement was not needed, the vacation made sense.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item VE-1998-089, I move that we forward this item on to City Council with the recommendation of approval.”

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

VE-1998-091 VACATION OF EASEMENT—CANYON VIEW SUBDIVISION

A request to vacate the ingress/egress access easement located within Canyon View Subdivision between South Camp Road and Granite Falls Way.

**Petitioner: John Thomas
Location; South Camp Road and Granite Falls Way
Representative: Larry Beckner**

PETITIONER’S PRESENTATION

Larry Beckner, representing the petitioner, noted the easement’s location on an overhead transparency. The easement, he said, was originally intended to be temporary and would exist only until the Canyon View Subdivision parcels were developed. The owner of lot 6 had a small portion of the easement on his property and joined in the request to vacate.

QUESTIONS

Commissioner Denner asked for clarification on the easement’s purpose, which was provided. Mr. Shaver said that it had originally been provided as a private benefit but was no longer necessary.

Chairman Elmer asked if the owner of lot 6 would still be able to use the portion of roadway on his property. Mr. Shaver said that the vacation would only extinguish the public’s right to use the easement. No personal property rights would be affected by the vacation process.

STAFF’S PRESENTATION

Bill Nebeker said that the easement in its entirety ran further west beyond the boundary of lot 6; however, the current vacation request extended only to the lot 6 boundary. He briefly outlined the request as contained in the June 9, 1998 project review. Since the request met Code criteria for easement vacations, staff recommended approval with no conditions.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Commissioner Coleman agreed that the vacation represented a “cleaning up” of the plat by eliminating an unnecessary easement.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item VE-1998-091, I move that we forward a recommendation of approval to the City Council for the vacation of the private ingress/egress easement in the Canyon View subdivision as described in the agreement recorded in Book 1300, page 131, between South Camp Road and the west boundary of lot 6, block 3, Canyon View Subdivision, Filing II.”

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

VI. GENERAL DISCUSSION

Mr. Harrington asked planning commissioners to pick a workshop meeting time. After a brief discussion, a June 25 date was selected, with the meeting to begin at 6:30 p.m.

Mr. Harrington stated that an APA training workshop for planning commissioners was scheduled in Denver, CO on Saturday, June 27 from 8:30 a.m. to 4:30 p.m. Monies are available to send any planning commissioner who wanted to attend. Travel would probably be via the department’s van. Registration for the workshop was required by June 19, and those interested must notify Mr. Harrington by that time.

With no further business, the hearing was adjourned at 9:20 p.m.