

**GRAND JUNCTION PLANNING COMMISSION  
SEPTEMBER 8, 1998  
MINUTES**

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, Mark Fenn, Mike Denner, Robert Gordon and Paul Coleman. (Note: Commissioner Coleman arrived right before deliberations on item PDR-1998-144.)

In attendance, representing the Community Development Department, were: Scott Harrington (Community Development Director), Michael Drollinger (Development Services Supervisor), Lori Bowers (Assoc. Planner), Dave Thornton (Sr. Planner) and Kathy Portner (Planning Manager).

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

Terri Troutner was present to record the minutes.

There were approximately 11 interested citizens present during the course of the hearing.

**I. APPROVAL OF MINUTES**

Available for consideration were the August 11, 1998 Planning Commission public hearing minutes.

**MOTION: (Commissioner Driscoll) "Mr. Chairman, I move that we approve the August 11 Planning Commission minutes as submitted."**

Commissioner Denner seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0. Commissioner Gordon abstained from voting.

**II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

Chairman Elmer announced that items RZP-1998-143 and RZP-1998-112 had been pulled and would not be heard.

A request to continue item PP-1998-111 had been received from the petitioner. The petitioner's representative, Randy Cook, spoke and said that due to the non-resolution of several issues, the item would be better heard at a later date. He anticipated readiness by the October 13 public hearing date.

**MOTION: (Commissioner Grout) "Mr. Chairman, on item PP-1998-111, I move that we continue the meeting to our regularly scheduled meeting on October 13, 1998."**

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

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

Commissioner Coleman arrived at this time and was present for the remainder of the hearing.

**PDR-1998-144 ZONING ORDINANCE AND PLANNED DEVELOPMENT REVIEW—FILES RESIDENCE**

**Petitioner:** Doyle Files  
**Location:** South side of Monument Road at 24 Road  
**Representative:** Acklam & Associates

**PETITIONER'S PRESENTATION**

Doyle Files, petitioner, reviewed the request and agreed to comply with staff's request to keep the home at least 30 feet from the ridgeline. He said that current zoning would have originally allowed up to 160 homes on the acreage. His request includes only one residence, but he asked that favorable consideration be given to the home's proximity to the ridgeline. The proposal would comply with Growth Plan guidelines. City water and sewer are not available to the site, and he asked that a variance be granted to allow construction of a well for potable water, the installation of an ISDS and the incorporation of an in-house sprinkler system for fire protection.

**STAFF'S PRESENTATION**

Kathy Portner outlined the property's history and its inclusion in the original Ridges Planned Unit Development. The site plan was also referenced. The proposal includes a request to construct a single family residence, with potable water provided by a well and sewer provided via a septic system. The petitioner would provide fire protection by installing an indoor sprinkler system. Of primary concern was the home's placement near the ridgeline, making it highly visible from Monument Road; however, as Ms. Portner pointed out, no specific ridgeline development guidelines are in place with the current Development Code. She read excerpts from specific ridgeline development criteria being proposed for inclusion in the new Code as contained in the August 31, 1998 Staff Review. She said at the very least, a 30-foot setback from the ridgeline should be maintained. Ms. Portner noted the building envelope's placement on the site plan and said that the present configuration needed to be moved southward another 30 feet.

Because it was impractical to extend sewer or water lines to the site, and development of the subject property for one homesite would not be feasible if such extension were to occur, the petitioner's request for variance to provide both a well and ISDS was found to meet variance criteria. More extensive development of the site would be in direct conflict with the adopted Growth Plan.

Staff recommended approval of the request with the building envelope being modified to reflect a minimum 30-foot setback from the ridgeline (4860 contour) and that the zoning ordinance be amended to reflect the use of this property as being one single family home and accessory buildings within the defined building envelope. Staff also recommended approval of the request for variance to sections 5-4-4.B, 5-4-4.C, and 5-4-5.B of the Zoning and Development Code to allow for an individual well for potable water, a sprinkler system for fire protection, and an individual sewage disposal system, all of which must be approved by the appropriate reviewing agency.

**QUESTIONS**

Commissioner Driscoll asked if additional development was requested in the future, would it require a new submittal, to which Ms. Portner replied affirmatively.

Commissioner Driscoll asked if the proposal's road development would conflict with pending ridgeline development criteria. Ms. Portner said that portions of the road would; however, the proposed road was only a driveway designed to serve one residence. She noted on the site plan where the road's placement would mitigate impacts from cuts and fills to the building site from Monument Road. She suggested that the developer's engineer be asked about specific grading for the driveway.

Chairman Elmer said that utility provision was of paramount concern. Given the unique nature of the proposal, was the same concern evident when considering a single homesite? John Shaver answered that the Code did address unusual circumstances through the variance process.

Chairman Elmer asked for clarification on the location of the septic system, which was provided using the site plan. He said that with the ISDS being located in a lower elevation, there should be some provision limiting the amount of scarring that would take place. Mr. Files assured that no additional hillside scarring or cuts would occur as a result of running utility lines to the site. Mr. Shaver said that with a Planned Zone, the Planning Commission could craft a provision limiting excavation for utility placement.

Commissioner Driscoll asked how electricity would be provided to the site. Mr. Files said that an underground line would run from Monument Road to the site along the driveway.

Chairman Elmer asked if underground lines were a Code criterion. Ms. Portner said that it was for subdivision development. Chairman Elmer remarked that this should probably be specified. Mr. Files said that this was his intent.

Chairman Elmer wondered if there had been any discussion on the aesthetics of the proposal. Ms. Portner said that general discussions had taken place, but staff had not deemed such requirements to be necessary. Mr. Files said that he intended to use earthtone colors on his house, in keeping with the surrounding natural environment.

#### **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

#### **DISCUSSION**

Chairman Elmer commented that the request met variance criteria. If the property were sold, he didn't think there would be any chance of misrepresentation with regard to the property and utility provision. He asked if the petitioner would be tied to the plan. Ms. Portner responded that, in general, he would be.

Commissioner Grout asked if the current roadway configuration was the most feasible, to which Ms. Portner replied affirmatively.

Mr. Shaver suggested that the Planning Commission could bind the petitioner to the current plan through its recordation. Another option would be to draft a covenant, running with the land, which would address some of the issues inherent to the request. This would then be represented in the chain of title.

An in-depth discussion ensued over how best to bind the petitioner to the plan as proposed. Plan recordation and the recordation of any conditions was thought to be the best option. Mr. Shaver said that by doing this, any proposed changes to the plan would first have to be approved by both Planning Commission and staff.

Commissioner Driscoll asked if staff had considered a landscaping plan with the proposal. Commissioner Grout wondered if anything other than natural landscaping (xeriscaping) should be prohibited. Commissioner Fenn expressed strong opposition to this suggestion.

**MOTION: (Commissioner Driscoll) "Mr. Chairman, on item PDR-1998-144, I move we recommend approval of the amended zone defining the use and building envelope for the property and the variance as recommended by staff subject to the following conditions: 1) the building height will be restricted to 25 feet; 2) the colors will blend with the surrounding terrain which**

**includes brown and earthtones; 3) the north property line setback will be 30 feet and the building envelope can be extended to the south property boundary to within 30 feet of the common boundary with the BLM; 4) the electricity will be buried underground; and 5) the petitioner record in the real property records a schematic, plan or drawings in substantial conformance to what was presented to us tonight with the notations of the conditions imposed.”**

Commissioner Denner seconded the motion.

Chairman Elmer suggested clarifying condition 3 to reflect “ridgeline” instead of property line as it pertained to the north setback.

Commissioner Denner suggested amending condition 4 to include ALL utilities, not just electricity.

Mr. Shaver clarified that the notations referenced in condition 5 may actually be a page or two, separate of the actual drawing.

Commissioner Driscoll agreed to include all suggestions for amendment. Commissioner Denner seconded all amendments.

The revised motion is as follows:

**MOTION: (Commissioner Driscoll) “Mr. Chairman, on item PDR-1998-144, I move we recommend approval of the amended zone defining the use and building envelope for the property and the variance as recommended by staff subject to the following conditions: 1) the building height will be restricted to 25 feet; 2) the colors will blend with the surrounding terrain which includes brown and earthtones; 3) the north ridgeline setback will be 30 feet and the building envelope can be extended to the south property boundary to within 30 feet of the common boundary with the BLM; 4) all utilities will be buried underground; and 5) the petitioner record in the real property records a schematic, plan or drawings in substantial conformance to what was presented to us tonight with the notations of the conditions imposed. Notations may be in the form of a separate, written recordable document (as amended).”**

A vote was called and the motion passed unanimously by a vote of 7-0.

**VR-1998-142 VACATION OF RIGHT-OF-WAY**

**A request to vacate the 20-foot east/west alley from 11<sup>th</sup> to 12<sup>th</sup> Streets between Colorado and Ute Avenues.**

**Petitioner: Hilltop Health Services  
Location: Southeast corner of 11<sup>th</sup> Street and Colorado Avenue  
Representative: Robert Jenkins**

**PETITIONER’S PRESENTATION**

Robert Jenkins, representing the petitioner, reviewed the request. The vacation would allow for a better and more efficient use of Hilltop’s property and parking area. He said that utility easement would remain to accommodate existing utility lines. An ingress-egress easement would also be proposed for the east 150 feet to allow for legal description of the ingress-egress between Hilltop and Mr. Coburn and maintenance agreements for the property.

**STAFF’S PRESENTATION**

Lori Bowers indicated staff’s concurrence with Mr. Jenkins’ comments. Having found that the request met the five vacation criteria, staff recommended approval of the request.

**QUESTIONS**

Commissioner Coleman wondered if the Sanitation Department had been contacted since no review agency comments had been included. How would they be impacted by the vacation?

Ms. Bowers said that the Sanitation Department had not been contacted. Mr. Shaver was unsure why they hadn't been included as a review agency but, as a practical issue, their omission should not be a concern.

Chairman Elmer suggested that the Sanitation Department be contacted for comment prior to the City Council hearing.

Mr. Jenkins clarified that the vacation would allow more efficient use of the available parking area. He noted the additional northern and southern accesses as well as the maintenance of an alley curb cut which would be available to the Sanitation Department.

Mr. Shaver remarked that the City Sanitation Department could also be named in the easement.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**DISCUSSION**

Commissioner Coleman asked that the Sanitation Department be included as a review agency on all future vacation requests that would affect them.

Chairman Elmer felt that it would make sense to contact them for input on the current request as well.

Commissioner Denner agreed, adding that the Department's input may also address maneuverability on site. He stated that it was nice to see the property improved as such.

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item VR-1998-142, a request for rezoning, vacation of alleyway and relocation of utility easement, I move that we recommend approval to City Council with the provision that the Sanitation Department make comment on the alley, if they feel they have a need for it, and to approve the request as stated in the staff report dated August 4, 1998."**

Commissioner Denner seconded the motion.

Commissioner Driscoll asked if the Sanitation Department needed to be included in the easement access. Commissioner Coleman did not feel that this was necessary, but that the Department be allowed the opportunity to comment. Chairman Elmer said that if comments so warranted, the Department would be included in the easement at that point.

Chairman Elmer offered the following revised verbiage, which Commissioner Coleman agreed to accept as amended. The amended verbiage was also accepted by Commissioner Denner:

**MOTION: (Commissioner Coleman) "Mr. Chairman, on item VR-1998-142, a request for the vacation of alleyway and relocation of the utility easement, I move that we recommend approval to the City Council to approve the request with the condition that if comments are solicited from the City's Sanitation Department that they require access through, that they are added as a party to the easement for ingress and egress (as amended)."**

A vote was called and the motion passed unanimously by a vote of 7-0.

**VR-1998-071(2) VACATION OF EASEMENT**

**A request to vacate a 20-foot-wide sewer easement located in the southern half of the north/south alley between 6<sup>th</sup> and 7<sup>th</sup> Streets and Pitkin and South Avenues.**

**Petitioner: City of Grand Junction**

**Location: Northwest corner of South Avenue and 7<sup>th</sup> Street**

**PETITIONER’S PRESENTATION**

Kathy Portner said that it had been discovered that there had been no sewer line located in the alley as had been originally thought. Thus, no easement was needed. Having found that the request met vacation criteria, staff recommended approval.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**DISCUSSION**

There was general agreement among planning commissioners that the request was straightforward and appropriate.

**MOTION: (Commissioner Driscoll) “Mr. Chairman, on item VR-1998-071(2), I move that we forward this item to City Council with a recommendation of approval.”**

Commissioner Fenn seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

**IV. UNSCHEDULED CITIZENS AND/OR VISITORS**

Tim Burse, dba Boulder Associates Architects (4747 Table Mesa Drive, Ste. 202, Boulder, CO) gave an informal presentation on an upcoming St. Mary’s Hospital Master Plan that would be submitted to staff for consideration. The exhibits presented included 1) a Master Site Plan, 2) a Phase I drawing, and 3) a Phase II drawing. General discussion ensued between Mr. Burse and planning commissioners on the design. Of primary concern was the lack of a pedestrian crossing plan, which Mr. Burse maintained was unnecessary. Planning Commissioners stressed that this would be an important point of consideration during formal deliberations, and urged the petitioner to address the issue in greater detail.

**V. GENERAL DISCUSSION**

Mr. Harrington said that three areas of Code review had been delegated to the Planning Commission for review. These included 1) non-conforming properties, 2) the airport zone, and 3) Planned Unit Developments. Discussion on suitable meeting times ensued and the following schedule was derived.

Non-Conforming Properties - addressed on October 8, 1998 at Two Rivers Plaza from 6:30-10 p.m.

Airport Zone - addressed on October 22, 1998 at Two Rivers Plaza from 6:30-10 p.m.

Planned Unit Developments - addressed on October 29, 1998 at Two Rivers Plaza from 6:30-10 p.m.

With no further business, the hearing was adjourned at 8:36 p.m.