

GRAND JUNCTION PLANNING COMMISSION

Public Hearing - February 6, 1996

7:08 p.m. to 9:42 p.m.

I. CALL TO ORDER

The regularly scheduled Planning Commission hearing was called to order at 7:08 p.m. in the City/County Auditorium by Chairman John Elmer.

In attendance, representing the Planning Commission, were: John Elmer (Chairman), Ron Halsey, Jeff Driscoll, Bob Withers and Paul Coleman.

In attendance, representing Planning Department staff, were Kathy Portner (Planning Supervisor), Mike Pelletier (Associate Planner), Kristen Ashbeck (Associate Planner), Michael Drollinger (Sr. Planner), Bill Nebeker (Sr. Planner) and Dave Thornton (Sr. Planner).

Also present were John Shaver (Asst. City Attorney), Larry Timm (Community Development Director) and Jody Kliska (City Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 68 citizens present.

II. CONSIDERATION OF MINUTES

MOTION: (Commissioner Halsey) "Mr. Chairman, I move that we approve the January 9 and January 16 minutes as presented."

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

III. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS

There were no announcements, presentations and/or prescheduled visitors.

IV. PUBLIC HEARING ITEMS FOR FINAL CONSIDERATION

SPR-95-113 CONCORD STATION

Appeal of an administrative decision denying a site plan review of a proposed 92 unit dorm-style multi-family development because of inadequate parking.

Petitioner: Harley Jackson

Location: Southeast corner of 12th and Bookcliff

Representative: Tom Cronk, Cronk Construction

STAFF PRESENTATION

Michael Drollinger indicated the site location on maps provided and presented an overview of the proposal.

With only 84 parking spaces available, the petitioner did not have adequate parking for the 92-unit development. The petitioner also requested designating 52 percent of those 84 spaces for compact cars (staff recommended no more than 20 percent be designated as such). The total number of spaces has continued to decline due to on-site deficiencies and no provision has been made for overflow parking. Staff requested from the Petitioner but did not receive justification for the parking space deficiency nor was a

means of measurement submitted that would substantiate the student/compact car ratio. It was felt that the lack of on-site parking would only exacerbate the existing on-street parking problems presently existing along Bookcliff Avenue.

Two adjacent medical office uses expressed concerns that their lots would be used by students for overflow parking.

Staff recommended denial because it was felt that the petitioner had failed to meet the parking requirements established in the *Zoning and Development Code*, and that there had been no attempt to explore any of the various site design alternatives presented by staff to mitigate the parking space deficiencies.

QUESTIONS

Bob Withers asked if the petitioner has considered subterranean parking, to which Mr. Drollinger replied that he understood the petitioner had not considered the option.

Commissioner Driscoll asked how many more of the 84 spaces would be lost if the petitioner adhered to the 20 percent compact car restriction imposed by staff. Mr. Drollinger was unsure.

PETITIONER'S PRESENTATION

Jerry Cooper, representing the petitioner, suggested that the petitioner may have to seek remedy by going before the Board of Appeals with a request for variance. He felt that the proximity of the building to the college would negate some of the students needing cars altogether and that many would walk to classes. He acknowledged that student/car ratio data was unavailable but felt that economics would preclude many students from owning larger vehicles. He provided a brief history of the staff's review and reiterated that if so directed, he would withdraw the item from Planning Commission consideration and submit it to the Board of Appeals for consideration.

QUESTIONS

Chairman Elmer asked Mr. Shaver why the Commission was hearing the item if it was more appropriate that it be heard by the Board of Appeals. Mr. Shaver replied that the Commission was considering the site plan review portion of the submittal to determine whether the land use was appropriate. A motion for the site plan review could be contingent upon the petitioner receiving a variance for parking, but he reminded the Commission that several site design options had been offered by staff which would not require a variance at all.

When asked if staff's denial was based solely upon the parking deficiencies, Mr. Drollinger clarified that the denial was based on project design deficiencies, of which, the lack of parking was paramount. He added that because other design alternatives were available to the petitioner, there existed no demonstrated hardship which would justify the granting of a variance.

Harley Jackson, petitioner, added that if the project was classified as an apartment complex rather than a dorm, the 84 parking spaces would be sufficient.

Chairman Elmer asked about food services to be provided. Mr. Jackson indicated that while a Mesa State caterer would provide some of the meals, a kitchen/dining room area would be provided to the students on each of the two floors, and each of which would accommodate 30 students.

PUBLIC COMMENTS

FOR: There were no comments for the proposal.

AGAINST: Jil Anderson (393 ½ Hillview, Grand Junction) indicated that she, too, had a background in planning. She objected to the density of the development being proposed and expressed concerns over increased traffic. She felt that the increased traffic would endanger the many persons crossing the street at the 12th Street intersection. She reiterated concerns by Dr. Huffaker, one of the medical office building owners, that he did not want to see his parking lot used by students even after business hours.

DISCUSSION

Commissioner Withers agreed that there was a need for the type of housing being proposed, but felt that the staff's requirement for additional parking and the limitation of no more than 20 percent compact car spaces was appropriate. He felt that most if not all the students at the dorm would own cars and suggested that the petitioner consider the options presented by staff for a revised site design.

Commissioner Halsey agreed, adding that overflow on-street parking adversely affected the neighbors. He felt that additional handicap parking spaces should also be required and that if the handicap spaces were provided along with the petitioner's compliance to the 20 percent restriction, the total number of actual spaces on-site would probably be closer to 80.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item SPR-95-113, site plan review for a 92-unit multi-family project locate on the southeast corner of 12th Street and Bookcliff Avenue, I move that we deny this plan with the 84 parking spaces as proposed by the petitioner."

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

V. PUBLIC HEARING ITEMS FOR FINAL DECISION UNLESS APPEALED

FP-94-122(2) FINAL PLAT--NORTHACRES SUBDIVISION

Request for extension of deadline to record the Final Plat for the Northacres Subdivision Replat.

Petitioner: William Merkel, WDM Corporation

Location: 26 ½ Road and Northacres Road

STAFF PRESENTATION

Kathy Portner indicated that the only thing being considered was the extension request. She provided a brief history of the request and said that the extension was needed to mitigate a property line discrepancy which had arisen through review by the Mesa County Surveyor's office. Staff recommended extending the recording deadline to October 1, 1996, with the understanding that if all documents required for recording are not submitted by that time, the Final Plat will require a resubmittal of all required materials for the full review.

QUESTIONS

Commissioner Withers asked if the survey discrepancy had been beyond the petitioners control, to which Ms. Portner replied that it had.

When asked why staff chose the October 1 date, Ms. Portner responded that should provide the petitioner with ample time for resolution of the property line discrepancy and recordation of documents.

PETITIONER'S PRESENTATION

Lyle Chamberlain, representing the petitioner, offered no additional comments.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) "Mr. Chairman, on item FP-94-122(2), I move we approve the

request for an extension to October 1, 1996 subject to staff recommendations.”

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

MS-95-196 MINOR SUBDIVISION--GALLEY

Request to subdivide an 8.918 acre parcel of land located at 2586 and 2588 Galley Lane into three lots.

Petitioner: Bill Patterson

Location: 2586 and 2588 Galley lane

Representative: Tom Moore

STAFF PRESENTATION

Bill Nebeker indicated the site location on the maps provided. He said that a variance had been received by the petitioner allowing the formation of lot 3 as a flag lot with 24 feet of frontage. Lot 1 would be retained for agricultural use. The petitioner is providing a dedication of 7 feet on Galley Lane to complete a 22-foot half-street section required by the *Code*; however, no widening or other improvements will be required at this time since no new development is being proposed. An additional 10 feet of right-of-way is being dedicated for 26 Road to complete a 40-foot half-street section. The rail fence which surrounds the property may be in the right-of-way as a result of the two dedications; thus, a revocable permit will be required for the fence to remain in its present location. An open space fee is required before platting for lot 1. Staff recommends approval subject to the following conditions:

1. A revocable permit for the existing fence will be required if it is determined that it will be in the right-of-way after dedications are made.
2. A \$225 open space fee is required prior to recording the plat.

Commissioner Withers asked if the trees located to the west were in or out of the right-of-way. Mr. Patterson, petitioner, replied that he was unsure, adding that there were no trees located on the east side of the fence.

Commissioner Withers asked if lot 1 should subdivide, would all lots be required to go to sewer rather than septic systems. Mr. Nebeker replied that only if the septic system(s) failed would the lots be required to hook up to sewer.

PETITIONER'S PRESENTATION

Mr. Patterson offered no additional comments.

PUBLIC COMMENTS

Tom Watkinson (675 26 Road), owner of the parcel to the north of lots 1 and 3, asked why a right-of-way dedication along the north property line of lot 1 for half of the F 3/4 Road extension is not being required at this time. He felt that by not requiring it now there could be problems in the future when there might be new owners of lot 1 at the time the F 3/4 Road extension is needed. He thought there should at least be something on record or a notation on the plat that a dedication could be required at some future date. Mr. Watkinson indicated he was for the proposal with this modification.

Chairman Elmer asked if there were to be any changes to the northern access. Mr. Nebeker clarified that when the parcel to the north of lots 1 and 3 is developed, an extension to F 3/4 Road may be required from owners of lot 1 as well as from the owner of the north parcel.

Mr. Watkinson noted that in the past year or two the area surrounding these properties has been in transition with many subdivisions being developed or proposed. He asked that if the parcel to the north of lot 1 is

developed first, would the installation of just the northern half of F 3/4 Road be sufficient for the future

subdivision of that north parcel. Mr. Nebeker answered that it most likely would be sufficient since there would not be a great number of lots in that north parcel.

Commissioner Withers asked if a half-street improvement would be sufficient for the development of lot 1 should it be subdivided. Mr. Nebeker said that it would depend on the number of lots being created and that access would be addressed at the time the owner of lot 1 requested further subdivision.

Mr. Watkinson pointed out that a drainage pipe and ditch ran north-south through the center of lot 1. Mr. Nebeker said that if it existed, the utility companies would acknowledge it prior to their signing off on the plat, and if necessary, the easement would be recorded.

Chairman Elmer asked if the master street plan showed an extension of F 3/4 Road into these two properties. Mr. Nebeker said that the present street plan does not show such an extension.

PETITIONER'S REBUTTAL

The petitioner offered no rebuttal.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item MS-95-196, I move that we approve the Galley Minor Subdivision at the northwest corner of 26 Road and Galley Lane with the conditions and staff recommendations."

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

MS-96-7 MINOR SUBDIVISION--A & B HALL MINOR SUBDIVISION

Request to subdivide approximately 39 acres into two lots in an RSF-R (Residential Single Family with a density not to exceed 1 unit per 5 acres) zone district.

Petitioner: Archie Hall

Location: Northeast corner of 24 ½ and F ½ Roads

Representative: Merritt Dismant

STAFF PRESENTATION

Kristen Ashbeck presented a brief overview of the request. With no outstanding issues, staff recommended approval.

PETITIONER'S PRESENTATION

The petitioner offered no further comment.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item MS-96-7, I move that we approve the A & B Minor Subdivision."

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

VE-96-8 REPLAT AND VACATION OF EASEMENTS--GARRETT SUBDIVISION

Request to vacate easements located in the Los Altos Subdivision (as replatted) and approval of a replat of the same.

Petitioner: G.H. "Lee" Garrett

Location: 375 Hillview Drive

STAFF PRESENTATION

Kathy Portner briefly outlined the request. With no outstanding issues, staff recommended approval.

PETITIONER'S PRESENTATION

The petitioner offered no further comment.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item VE-96-8, a replat and vacation of private tracts and easements in the Los Altos Subdivision, I move we approve the request.

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

VI. PUBLIC HEARING ITEMS FOR RECOMMENDATION TO CITY COUNCIL**VR-95-176 VACATION OF RIGHTS-OF-WAY--CONOCO**

Request to vacate various rights-of-way at 631 S. 9th Street.

Petitioner: Conoco, Inc.

Location: 631 S. 9th Street

Representative: Darrel Vanhooser

STAFF PRESENTATION

Kristen Ashbeck indicated the location of the three rights-of-way on an aerial map provided. Private improvements encroached into the rights-of-way and the alleys were deemed unnecessary for public access.

The Utility Coordinating Committee will verify that none of the easements are required for utilities prior to scheduling the item for City Council. Staff recommended approval of the vacation request.

PETITIONER'S PRESENTATION

The petitioner offered no further comment.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item VR-95-176, I move that we forward the request for vacation of alleyways within and adjacent to the Conoco tank terminal to City Council with recommendation of approval."

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

SUP-95-136 SPECIAL USE PERMIT--FELLOWSHIP OF EXCITEMENT CHURCH

1. Request for a Special Use permit to allow a church and outdoor/indoor family activity center to be located on approximately 25.6 acres at 765 - 24 Road in an RSF-R (Residential Single Family with a density not to exceed 1 unit per 5 acres) zone district.

2. Request to vary Section 5-4-5.B of the *Zoning and Development Code* to allow an on-site septic system.

Petitioner: Grand Junction Baptist Church

Location: Northwest corner of I-70 and 24 Road

Representative: Landesign, LLC

STAFF PRESENTATION

Kathy Portner indicated that the petitioner had provided additional information to staff for consideration as well as submitting a redesigned site plan. Site plan changes included a reduction in the seating capacity of the church to 1,550 from the original 2,200 and the elimination of the outdoor amphitheater. Since the petitioner was still requesting approval for an on-site septic system, a variance would be required allowing deviation from *Code* requirements. The petitioner would assume all responsibility of the septic system, and its design must be approved by the Mesa County Health Department and the Colorado Department of Health. Additionally, the petitioner accepts the risk that should the septic system fail, the church would then be required to hook up to sewer if it is available or find another solution. The additional traffic circulation information submitted addressed previous staff concerns; however, additional detail would be required with final design in conjunction with approval by CDOT.

Ms. Portner said that the zoning prior to annexation by the City was Agricultural/Forestry Transitional (AFT). Under this zoning, the County considers churches an allowed use with no Special Use permit required. The County would have allowed the church, providing that all technical issues had been addressed. She reminded the Commission that the Land Use Plan was currently being written but that it had not yet received approval. Ms. Portner outlined special use and variance criteria. Staff recommended approval subject to the following conditions:

1. Final approval by the Colorado Department of Transportation (CDOT).
2. Council approval of a variance to Section 5-4-5.B of the *Zoning and Development Code* to waive the public sewer requirement.
3. Approval by the Mesa County Health Department and Colorado Department of Health of an on-site septic system.
4. Final site design must meet all requirements of the *Zoning and Development Code*. Final review will determine the required contribution for a traffic signal.

QUESTIONS

Commissioner Withers asked if the petitioners would be using leach fields or an on-site water treatment facility. Ms. Portner indicated the request called for using septic with leach fields.

Chairman Elmer asked to what extent would the petitioner be responsible for the cost of a signal light. Ms. Portner indicated that it would be cost-shared, with the cost borne by the petitioner, the City and CDOT.

PETITIONER'S PRESENTATION

Dan Hooper, pastor for the Fellowship of Excitement Church, agreed to comply with staff recommendations. He understood the risks involved with implementing a septic system, and had no problem with the requirement to cost-share the traffic signal light.

Commissioner Driscoll asked how long the petitioner had owned the property prior to annexation. Pastor Hooper replied 10 to 11 months.

PUBLIC COMMENTS

FOR: Deborah Rudy (782 - 24 ½ Road, Grand Junction) felt that property values in the area would be positively influenced. She was pleased to see that a signal light would be installed and urged approval.

AGAINST: Richard Mason (2373 H Road, Grand Junction) appreciated the petitioner's willingness to mitigate former concerns. He saw not bringing sewer across I-70 to residents on the north side of the interstate as a "missed opportunity" for the City. He suggested installing a dry-line.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item SUP-95-136, I recommend that we

approve the Special Use Permit subject to the staff recommendations 1. through 4.”

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

MOTION: (Commissioner Withers) “Mr. Chairman, on item SUP-95-136, I move that we forward this request to the City Council with recommendation of approval for a variance to Section 5-4-5.B of the *Zoning and Development Code* to waive the public sewer requirement, the reasons being the 201 Sewer boundary not extending to the property, with the petitioner understanding the possible hazards of a septic system; the hardship being the running of the sewer line under the interstate.”

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

RZP-95-212 REZONE AND FINAL PLAN--BELFORD APARTMENTS

Request to rezone from PB (Planned Business) to PR (Planned Residential) and approval of a Final Plan for a two story, 8 unit apartment building.

Petitioner: Belford Associates

Location: Northeast corner of 11th Street and Belford Avenue

Representative: Carl Vostatek

STAFF PRESENTATION

Kristen Ashbeck overviewed the proposal. She indicated that the building would be placed on a pre-existing foundation but clarified that the building's height would be restricted to 32 feet and rear yard setback revised to 65 feet. Staff recommended approval of the rezone and final plan subject to these and other bulk requirements set forth in the staff review.

QUESTIONS

Commissioner Withers asked if staff could foresee any drainage problems with the property, to which Ms. Ashbeck replied negatively.

PETITIONER'S PRESENTATION

Carl Vostatek, representing the petitioner, felt that the development would target the housing need for Mesa College students.

PUBLIC COMMENTS

FOR: There were no comments for the proposal.

AGAINST: Jim Love (137 Santa Fe Drive, Grand Junction), representing David R. Evers (owner of an apartment complex at 12th and Belford), objected to the proposal due to increased foot traffic, vandalism and there being no available on-street parking.

PETITIONER'S REBUTTAL

Mr. Vostatek said that foot traffic was already present and that the apartment would create additional on-site parking spaces. He felt that all of the available apartments nearby were already at capacity.

DISCUSSION

There was general agreement that the project would be an asset to the area.

MOTION: (Commissioner Halsey) “Mr. Chairman, on item RZP-95-212, I move that we forward the request for rezone from PB to PR-28 to City Council with the recommendation of approval with the following bulk requirements adopted with the PR-28 zoning: front, 15 feet; side, 10 feet; and rear, 65 feet; with maximum height, 32 feet.”

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

MOTION: (Commissioner Coleman) “Mr. Chairman, on item RZP-95-212, I move that we approve the Final Plan for the Belford Apartments.”

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

ANX-94-174 ANNEXATION--VILLA CORONADO

Request to zone various lands recently annexed to the City of Grand Junction to PAD (Planned Airport Development) and PR-5 (Planned Residential with a density not to exceed 5 units per acre).

Petitioner: City of Grand Junction

Location: A portion of the airport lands north of I-70; I-70 Business Loop and Villa Street

STAFF PRESENTATION

Mike Pelletier indicated the locations of the affected parcels on the maps provided. The proposed zoning most closely aligned former County zoning and approval of zoning for parcels as proposed was recommended.

QUESTIONS

Chairman Elmer asked if there would be any grandfathering of setbacks, to which Mr. Pelletier replied that City and County setbacks were the same for the affected properties.

PUBLIC COMMENTS

Mary Huber (580 ½ Melrose Court, Grand Junction) just wondered how the point of beginning was derived on the PAD zoned property. This was clarified to her by planner Dave Thornton.

MOTION: (Commissioner Halsey) “Mr. Chairman, on item ANX-94-174, I recommend that we forward on to City Council the zoning of PR-5 for the Villa Street properties and PAD for the airport properties within the Villa Coronado 1, 2, and 3 zone of annexation.”

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

ANX-95-204 ANNEXATION--CASCADE ENCLAVE

Request to zone lands currently being annexed to the City consisting of approximately 43.52 acres to RSF-2 (Residential Single Family with a density not to exceed 2 units per acre) and RSF-1 (Residential Single Family with a density not to exceed 1 unit per acre).

Petitioner: City of Grand Junction

Location: Southwest corner of G and 27 Roads

STAFF PRESENTATION

Mike Pelletier overviewed the zoning, indicating that the proposed City zoning most closely aligned that of the County.

PUBLIC COMMENTS

There were no comments either for or against the request.

MOTION: (Commissioner Halsey) “Mr. Chairman, on item ANX-95-204, the zone of annexation for Cascade Enclave, I move that we forward this on to City Council with the recommendation of an RSF-1 and RSF-2 zoning as shown on the proposed zoning map.”

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

VII. GENERAL DISCUSSION

Chairman Elmer asked if it would be possible for the Commission to consider neighborhood plans separate of the overall Land Use Plan. Ms. Portner indicated that each neighborhood plan would still have to be reviewed against the direction of the Land Use Plan.

The hearing was adjourned at 9:42 p.m.