

**GRAND JUNCTION PLANNING COMMISSION**  
**Public Hearing - October 8, 1996**  
**7:08 p.m. to 8:15 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), Jeff Vogel, Jeff Driscoll and Paul Coleman. Ron Halsey was absent. (Two positions are vacant.)

In attendance, representing Community Development staff, were: Kathy Portner (Acting Director) and Mike Pelletier (Associate Planner).

Also present were John Shaver (Asst. City Attorney) and Jody Kliska (City Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 36 interested citizens present.

**II. CONSIDERATION OF MINUTES**

There were no minutes available for consideration.

**III. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS**

Chairman Elmer indicated that items CUP-96-180 and FPP-96-199 had been pulled from the evening\*s agenda.

**IV. PUBLIC HEARING ITEMS FOR FINAL DECISION UNLESS APPEALED**

**PDR-96-203 PLANNED DEVELOPMENT REVIEW--BOOKCLIFF GARDENS EXPANSION**  
**Request for an amendment to an approved PB (Planned Business) zone to allow the expansion of Bookcliff Gardens.**

**Petitioner: Bookcliff Gardens**

**Location: 755 - 26 Road**

**Representative: Paul Beigh, The Larson Group Architects**

**PETITIONER\*S PRESENTATION**

Paul Beigh, representing the petitioner, briefly outlined plans for the expansion. These included taking out the center section of the existing building, removing the quonset hut and replacing this with a two-story building. Two handicap-accessible restrooms would be constructed along with two staircases leading to the upper floor where offices, a lunchroom and a storeroom would be located. The front latticed entryway would be replaced with a greenhouse, to be architecturally compatible with the garden center room currently existing behind the sales counter. The unheated greenhouse would have a glass storefront to provide for security and be filled with plants only during specific seasons.

Mr. Beigh said that the Fire Department\*s requirement for an 8-inch water line, to be located from 26 Road to the site with an on-site hydrant, was not feasible. After discussions with Fire Department officials, he proposed to extend a line from Wilson Ranch to the southwestern corner of the property. From that point the line would extend to two on-site hydrants. The Fire Department, he said, had

expressed its approval for the alternate proposal. Mr. Beigh, on behalf of the petitioner, had no objection to any other staff or review agency requirements.

### **STAFF PRESENTATION**

Mike Pelletier said that the appearance of the project would probably be more aesthetically pleasing than the existing structure. Staff recommended approval conditioned upon the petitioner securing Fire Department requirements with a Development Improvements Agreement.

The petitioner expressed no opposition to this requirement.

### **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

### **DISCUSSION**

Commissioner Coleman commented that the petitioner was willing to meet requirements; thus, he had no problem with approving the project.

Commissioner Vogel asked if the water line would dead-end at the subject property, to which Mr. Pelletier replied affirmatively. Commissioner Vogel asked if a non-looped line would create any flow problems.

Chairman Elmer recalled the Wilson Ranch decision which also required a non-looped line due to the extension length.

Mr. Pelletier said that the Fire Department was satisfied with the alternate proposal and staff concurred.

**MOTION: (Commissioner Coleman) ∅Mr. Chairman, on item PDR-96-203, I move that we approve this item with the condition that the Fire Department requirements be met and secured by a Development Improvements Agreement.∅**

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

## **V. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL**

### **RZP-96-197 REZONE AND PRELIMINARY PLAN--HORIZON GLEN, LOT 18**

**Request to rezone from PR-1.8 (Planned Residential, 1.8 units per acre) to PB (Planned Business) and approval of a Preliminary Plan for a 10,000 square foot commercial building on approximately 1.91 acres of land.**

**Petitioner: Tim Foster, S.L. Ventures, Inc.**

**Location: Northwest corner of 12th Street and Horizon Drive**

**Representative: Robert Gregg**

### **PETITIONER'S PRESENTATION**

Tim Foster, petitioner, said he'd only just received staff's report and hadn't had a chance to review comments and requirements. He presented a 3-D model and map showing the placement of the project in relation to Horizon Drive and the platted road leading into the site. Mr. Foster represented that the project would be located on the very busy corner of Horizon Drive and 12th Street. He passed out copies of the Horizon Drive Corridor Policy and read excerpts which recommended that projects on this corner be considered on a site-specific basis. He didn't expect much residential development to occur at this

intersection and elaborated briefly on the design of the proposed structure. Mr. Foster stated that staff had allowed a density shift from the previous zoning to allow a modified project density of 20 units per acre.

### QUESTIONS

Commissioner Driscoll asked the petitioner if he knew when the property had been zoned Planned Residential, to which Mr. Foster responded that it had been zoned thus in 1992, with the density shift occurring at the same time. Mr. Foster requested tabling further consideration of the item to allow for more in-depth review of staff's comments, requirements and references. He said that he still wasn't in receipt of the Corps of Engineers' comments.

The audience asked for clarification on the allowed density. Ms. Portner replied that a maximum total of 20 units could be placed on the combination of lots 17 and 18.

### DISCUSSION

Chairman Elmer asked if commissioners were in possession of the latest report. Kathy Portner replied affirmatively, adding that the staff report had been ready a week prior to the hearing but neither petitioner nor representative had come by to pick it up.

Extensive discussion ensued over tabling the item entirely or modifying the format to solicit public comment, allow the petitioner time to complete his presentation and rebuttal and reschedule that portion of the item for a future hearing date. After deliberation and input from legal counsel, commissioners decided that it was more equitable to the petitioner and citizens to table the item entirely and hear all testimony at once.

**MOTION: (Commissioner Coleman) Mr. Chairman, on item RZP-96-197, I move that we table this to the November 5 hearing.**

Commissioner Driscoll seconded the motion. A vote was called and the motion passed by a vote of 3-1, with Commissioner Vogel opposing.

## **VI. GENERAL DISCUSSION**

Ms. Portner provided a brief status report on City Council actions on Planning Commission items, including final approval of the *Growth Plan*. She also asked if commissioners had any comments or suggestions on the latest proposed *Code* revisions.

Commissioner Driscoll referred to page 3, paragraph 17, which suggested development of a pattern book. He was concerned that if petitioners saw that they matched the example, they may expect automatic approval. Ms. Portner said that she would discuss the concern with the City's consultant, Michael Lauer.

Chairman Elmer commented that on item 61, density transfers, he wondered if there was any way to encourage smaller parcels to develop together. He used the Spring Valley Homeowners Associations as an example. Ms. Portner acknowledged the request for some type of incentive. There was a brief discussion over the Spring Valley situation which included legal counsel from Mr. Shaver.

Chairman Elmer said that previous discussions had included the revision of definitions and the formation of a better index to simplify use of the *Code*. Ms. Portner acknowledged the need for a good index and better cross-referencing.

Chairman Elmer referred to the section on decision-making and wondered if this could be made more specific (e.g., rezones, preliminary plans). Ms. Portner assented and added that the planned zone chapter would be completely revised as well.

Mr. Shaver said that his input would also make the *Code* more procedurally sound.

Chairman Elmer stated that the burden of proof should be the responsibility of the petitioners and should also apply to variance requests.

Ms. Portner, using Rimrock Marketplace as an example, noted that staff should also review criteria to determine what items were appropriate for the Board of Appeals (BOA) versus those that should go before the Planning Commission/City Council. A brief discussion ensued over the ramifications of a BOA decision on future planning stages of the Rimrock Marketplace and the necessity of avoiding setting a precedent.

Commissioner Vogel suggested adding a requirement to have the final staff reports sent to the petitioners and their representatives no later than the Thursday prior to the meeting. A brief discussion ensued over this suggestion.

Chairman Elmer referred to item 26 regarding building materials. The general consensus of the Steering Committee was that building materials should not be regulated. Ms. Portner concurred, adding that it would be difficult to implement.

Chairman Elmer wondered if a legal history should be included with the *Growth Plan*. Mr. Shaver agreed that it could be helpful but warned that including such a history could be misused. Ms. Portner said that a complete history was available in the *Growth Plan* file and would not be reproduced in the plan document.

Commissioner Coleman asked if selections had been made for replacement commissioners. Ms. Portner replied that interviews were scheduled for October 10.

The hearing was adjourned at 8:15 p.m.