

GRAND JUNCTION PLANNING COMMISSION
Public Hearing - March 4, 1997
7:02 p.m. to 9:15 p.m.

I. CALL TO ORDER

The regularly scheduled Planning Commission hearing was called to order at 7:02 p.m. in the City/County Auditorium by Chairman John Elmer.

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

In attendance, representing Community Development staff, were: Kathy Portner (Acting Director), Bill Nebeker (Sr. Planner), Michael Drollinger (Sr. Planner), Dave Thornton (Sr. Planner) 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 15 interested citizens present.

II. CONSIDERATION OF MINUTES

Available for consideration were the minutes of February 4, 1997. Commissioner Vogel requested that the minutes be amended to indicate the return of Commissioners Grout and Driscoll after the motions for items FP-1997-007 and RZP-1996-264.

MOTION: (Commissioner Halsey) "Mr. Chairman, I move that we approve the February 4 minutes as amended this evening."

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

III. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS

Chairman Elmer announced that items CUP-1997-035, RZP-1997-033 and RZF-1997-034 had been pulled from the evening's agenda.

IV. PUBLIC HEARING ITEMS FOR FINAL DECISION

MS-1997-027 MINOR SUBDIVISION--PINE STREET SUBDIVISION

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

Petitioner: Swany Monger

Location: 2724 Unawep Avenue

PETITIONER'S PRESENTATION

Bernadine Filener, representing the petitioner, stated that she felt the request represented a basic split and indicated that there were no outstanding issues.

QUESTIONS

Chairman Elmer asked if the shed there presently would be torn down, to which Ms. Filener responded affirmatively.

STAFF'S PRESENTATION

Mike Pelletier said that the request met the *Code*'s criteria for an RSF-8 zone as well as the intent of the *Growth Plan*. Staff recommended approval.

QUESTIONS

Chairman Elmer asked if duplexes were allowed in the RSF-8 zone, to which Mr. Pelletier replied negatively.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Dennis Thibodeau, 325 Pine Street, Grand Junction, said that most of the lots in the subject area were at least one-third of an acre in size. He expressed concern that lots created by the split would be inconsistent in size with the surrounding area and may start a trend towards smaller lots in the future.

PETITIONER'S REBUTTAL

The petitioner's representative offered no rebuttal.

DISCUSSION

Commissioner Halsey said that the request seemed to satisfy the requirements of the RSF-8 zone.

Commissioner Driscoll asked if both lots exceeded the minimum square footage required by the zone, to which Mr. Pelletier responded affirmatively.

Chairman Elmer asked staff if the zone was viewed as being correct for the area. Mr. Pelletier said that this element had not been thoroughly researched and offered no opinion.

Commissioner Coleman asked if the request was consistent with the direction in the *Orchard Mesa Plan*, to which Mr. Pelletier replied affirmatively.

Chairman Elmer commented that eight units per acre represented the high end density suggested by the *Orchard Mesa Plan*.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item MS-1997-027, I move that we approve this minor subdivision."

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

MS-1997-028 MINOR SUBDIVISION--WELCH SUBDIVISION

Request to subdivide approximately 2.23 acres of land into two commercial lots with a zoning of C-1 (Light Commercial).

Petitioner: William Maurer

Location: 2831 North Avenue

Representative: William Welch

PETITIONER'S PRESENTATION

William Maurer, petitioner, offered no testimony but availed himself for questions.

QUESTIONS

Commissioner Coleman asked the petitioner if he could accommodate City's requirements, to which Mr. Maurer replied affirmatively.

Chairman Elmer noted the lack of North Avenue frontage available for lot 2 and asked if the lot would be usable as a result. Mr. Maurer said that the owners of this property also owned property directly to the east of the subject site. The owner's intent was to provide lot 2 with access through the eastern property, adding that it was unclear what was intended for lot 2.

STAFF'S PRESENTATION

Michael Drollinger briefly described the request and emphasized that only one access point onto North Avenue would be allowed. With no outstanding issues present, staff recommended approval subject to the review comments on the revised plat dated February 26, 1997. These include:

1. Provide a current ownership and encumbrance report to show transfer from the Collins estate to Mr. Welch.
2. Title NOTES on plat and then number them 1 through 4.
3. Revise Note 1 on plat to read: "Per the City of Grand Junction, only one access will be allowed on North Avenue, to be shared by both parcels. The access shall be located on Lot 1, to align with the existing median break on North Avenue."
4. Delete the word "Proposed" from lot labels on plat.
5. Delete parcel numbers from surrounding properties on plat.
6. Fill in Book and Page of property description on plat.
7. Dedication statements need to be revised and spelling corrected, (i.e., there are no irrigation easements and the utility easement already exists; therefore, no dedications are necessary). Also, the ingress-egress easement needs to be dedicated to someone such as the property owners of both lots.

QUESTIONS

Chairman Elmer said that the lack of street frontage available to lot 2 may limit the amount of signage available for that lot. Mr. Drollinger said that the property's signage allowance would not be as constrained as others also located along North Avenue.

Commissioner Gordon asked Ms. Kliska if the plat conformed to the SSID checklist, to which she replied affirmatively.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Halsey commented that while the proposed configuration was probably not the best one for the property, as long as the petitioner could comply with staff requirements, he would offer no objection.

MOTION: (Commissioner Halsey) “Mr. Chairman, on item MS-1997-028, I move that we approve the final plat for the Welch Subdivision subject to staff*s recommendations 1 through 7.”

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

MS-1997-031 MINOR SUBDIVISION--NORTH CREST INDUSTRIAL PARK

Request to subdivide approximately 20 acres of land into two industrial lots with a zoning of PI (Planned Industrial).

Petitioner: North Crest Development LLC, Greg Cranston

Location: West of the northwest corner of H Road and Falcon Way (28 Road)

Representative: Lewis Hoffman

PETITIONER’S PRESENTATION

Lewis Hoffman, representing the petitioner, said that the subdivision would make the property more salable. He asked that the sewer line be stubbed at the southeast corner of lot 1 with an extension to the northeast corner of the lot when lot 1 developed. The line would be further extended to the west property line of lot 2 at the time lot 2 developed. Mr. Hoffman agreed to comply with staff conditions.

QUESTIONS

Commissioner Halsey asked for further clarification of sewer line extension plans, which was provided.

Chairman Elmer asked if there were any future plans to further subdivide lot 2. Mr. Hoffman said that he was unsure what the future plans for lot 2 were.

Commissioner Coleman asked if the sewer line would be extended into lot 2 sooner should development occur on the property directly to the west of that lot. Mr. Hoffman said that a sewer easement would be in place along the northern property line of lots 1 and 2. He added that lot 1 could be subject to change if a purchaser was found who wanted more than 5 acres.

Chairman Elmer wondered how the signage was going to work for lot 2. Mr. Hoffman was unsure. Since no plan was being proposed for lot 2, it was unclear whether a public or private drive would be required. This determination would affect the total signage allowance.

Chairman Elmer asked staff if a driveway would be allowed if the proposed use were to be low intensity. Mr. Nebeker explained that signage allowance in a planned zone would be based on the plan itself and not the property’s configuration. If a driveway was deemed to be more appropriate, signage could be limited.

STAFF’S PRESENTATION

Bill Nebeker further clarified the proposed sewer line extension as outlined in staff report dated March 4, 1997. The proposed flagpole extension for lot 2 would be wide enough for a public street should one be required. With no outstanding issues, staff recommended approval subject to the following conditions:

1. Change plat to show a 50-foot-wide flagpole for lot 2.
2. Delete “exclusive” from utility easements on the plat.

3. Sewer shall be extended to the southeast corner of lot 1 prior to recordation of this plat. No development shall occur on lot 1 until the sewer is extended to lot 2. No development or future subdivision shall occur on lot 2 until the sewer is extended to the west property line. Notes shall be placed on the plat requiring these extensions as development occurs.
4. An avigation easement shall be submitted prior to plat recordation.
5. Change name of subdivision to Northcrest Industrial Park to lessen confusion with North Crest Subdivision (residential).

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Coleman was satisfied with the clarifications given by the petitioner and staff and offered no objection to the proposal.

Chairman Elmer commented that he generally discouraged flagpole accesses although he acknowledged that lot 2 would need one for its street.

MOTION: (Commissioner Halsey) “Mr. Chairman, on item MS-1997-031, I move that we approve the Northcrest Industrial Park minor subdivision subject to staff*s recommendation.”

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

FPP-1997-032 FINAL PLAN/PLAT--SPRINGSIDE TOWNHOMES

Request for approval of Springside Townhomes, consisting of 23 units on approximately 3.9 acres in a PD-8 (Planned Development with a density not to exceed 8 units per acre) zone district.

Petitioner: Ray Rickard/Ron Vincent

Location: Northwest corner of 28 Road and Patterson Road

Representative: Thompson-Langford

PETITIONER’S PRESENTATION

Ray Rickard, co-petitioner, said that he and Dr. Vincent had worked with staff to satisfy all preliminary approval requirements. He believed there to be no outstanding issues and requested approval.

QUESTIONS

Chairman Elmer asked if the required easement had been obtained from the Spring Valley Townhome Homeowners Association. Mr. Rickard said that the easement was currently under negotiation; he understood that it would remain a condition of final plat approval.

Chairman Elmer reminded the petitioner that if the easement was not obtained, he would be required to put in the full street section to the north. Michael Drollinger said that if the easement could not be secured, the petitioner would have to move everything north and submit an amended plan demonstrating how the plan would work.

STAFF’S PRESENTATION

Michael Drollinger gave an overview of the proposal. No outstanding issues remained although a number of easements were required. Staff recommended approval subject to the following conditions:

1. Obtain easement(s) from the Spring Valley Townhome Homeowners Association for off-site development of pathway along the south side of Springside Court.
2. Obtain easement from property owner to the west for temporary cul-de-sac at west end of Springside Court.
3. Include amount in Development Improvements Agreement and Guarantee sufficient to cover full improvement (paving, curb, gutter and sidewalk) of the temporary cul-de-sac in the event that the DIA for the property to the west is not executed to guarantee construction of the through street.
4. Review and approval of Response to Comments from developer dated February 24, 1997, final plans and construction details by City Development Engineer.
5. Provide a profile of the sidewalk to be constructed along 28 Road.
6. Indicate on Site Plan proposed driveway design for access to each unit/lot to be approved by the City Development Engineer prior to the final plat being recorded.
7. Indicate on site plan and provide a detail for proposed privacy fencing along Patterson Road.
8. Rename Lisa court and revise all plans to reflect change. There is already a Lesa Court on Orchard Mesa. Due to similar pronunciation, 911 will have difficulties if the street is not renamed.

QUESTIONS

Commissioner Coleman referenced the subdivision to the west of the subject property. He wondered if that subdivision had just been required to include a graveled cul-de-sac. Mr. Drollinger said that only minimal improvements of the cul-de-sac had been required during the time it served as a temporary cul-de-sac. Monies being requested by the City would be used to make the cul-de-sac permanent should the property to the west fail to develop. The requirements for both subdivisions, he said, were similar.

Commissioner Driscoll asked if the final plan was consistent with the preliminary plan previously approved, to which Mr. Drollinger replied affirmatively.

PUBLIC COMMENTS

FOR:

Neil Bradford, president of the Spring Valley Townhome Homeowners Association, expressed support for the proposal. He said that the petitioners were being very cooperative and that irrigation and sidewalk issues were being worked out in a written agreement. In light of improvements being made to the proposed sidewalk, he suggested that the petitioners be given credit toward their impact fees.

Mr. Drollinger commented that sidewalk improvements had not been originally earmarked for TCP credit; however, he felt that the item could be revisited prior to final approval.

Mr. Bradford urged consideration, adding that Spring Valley would be an added beneficiary of those improvements.

AGAINST:

There were no comments against the proposal.

DISCUSSION

Commissioner Halsey observed that the request seemed to meet all the conditions for approval, providing that the required easements were obtained.

Chairman Elmer commended the petitioners for their cooperation and good will in working with the Spring Valley Townhome Homeowners Association. He agreed that some credit towards the TCP for sidewalk improvements should be given, since the lack of a sidewalk was an existing deficiency.

Commissioner Vogel wondered how long the cul-de-sac would retain its "temporary" status. Mr. Drollinger explained that a timeframe had been given on the property to the west. It was staff's intent to provide an improvements agreement overlap between the two projects. This would enable staff to determine whether development on the property to the west was going to occur.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item FPP-1997-032, the final plat and plan for Springside Townhomes, I move that we approve the item subject to staff's recommendation as outlined, with some credit towards the Transportation Capacity Payment."

Commissioner Driscoll seconded the motion. Chairman Elmer asked if it was appropriate to include the suggested TCP credit in a Planning Commission motion. John Shaver replied affirmatively, adding that it was only a recommendation. A vote was called and the motion passed unanimously by a vote of 7-0.

PDR-1997-036 PLANNED DEVELOPMENT REVIEW--EXTENSION REQUEST, COUNTRY CROSSING, FILINGS 1 AND 2

Request to approve a one year extension for the planned development of Country Crossings, Filings 1 and 2, located at the southeast corner of 25 and G Roads.

Petitioner: Monument Homes/Denny Granum
Location: Southeast corner of 25 and G Roads
Representative: LanDesign

PETITIONER'S PRESENTATION

Denny Granum, petitioner, recalled the preliminary plan approval and said that the contract in place at the time had fallen through. Another buyer had been found and the development was proceeding. An extension would allow for continuance of the project.

STAFF'S PRESENTATION

Michael Drollinger briefly summarized the history of the proposal and indicated that no changes to the original plan were being proposed. Staff recommended approval of the extension subject to the original conditions of preliminary plan approval.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Halsey said that the request was reasonable.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item PDR-1997-036, a request for a one year extension for Country Crossings, Filings 1 and 2, I recommend that we approve this application with all prior conditions remaining in effect."

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

A brief recess was called at 7:45 p.m. The hearing reconvened at 7:48 p.m.

V. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

VE-1997-025 EASEMENT VACATION--BOOKCLIFF CAB-PARTS

Request to vacate an existing 50-foot-wide roadway easement between lots 15 and 16 of Arrowest Subdivision.

**Petitioner: Bookcliff Mfg.
Location: 716 Arrowest Road
Representative: Ford Construction**

PETITIONER'S PRESENTATION

Kelly Ford, representing the petitioner, said that the vacation made sense. The present sewer easement would be retained.

STAFF'S PRESENTATION

Mike Pelletier said that the roadway easement was no longer needed due to platting of land to the north and the Code criteria were met; access to this area is being provided from the east. Staff concurred with the petitioner and recommended approval of the requested easement plus the northwesterly half of the easement located on 717 Arrowest Road. The City would then dedicate the other half of the utility easement. The 717 Arrowest Road property owner informally agreed to the remaining roadway easement vacation and utility easement dedication.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Coleman concurred that the vacation made sense for security reasons. Commissioner Halsey agreed.

MOTION: (Commissioner Coleman) "Mr. Chairman, on item VE-1997-025, I propose that we recommend to City Council approval of this vacation."

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

RZF-1997-026 REZONE/FINAL PLAT--BRODAK SUBDIVISION

Request to rezone a portion of the site from PD-8 Planned Development, 8 units per acre) to RSF-2 (Residential Single Family with a density not to exceed 2 units per acre) and to subdivide approximately 16.3 acres into four residential lots.

**Petitioner: L.A. Brodak/Julie Kelley
Location: 2741 Patterson Road
Representative: Tom Moore**

Bill Nebeker noted that staff would be giving its presentation first in this instance.

STAFF'S PRESENTATION

Mr. Nebeker gave an overview of the proposal and said that the present configuration retained flexibility in future development of lot 1. He explained the proposed accesses as outlined in staff report dated March 4, 1997 and said that no additional rights-of-way or improvements were needed with the proposal.

Staff recommended leaving lot 1 with a PD-8 zone since no change in the parcel was proposed other than eliminating the landlocked parcel to the south. An RSF-2 zone is requested for lots 2 through 4 since they are already in low density residential use and the owners have no plans for further development on them. Staff recommended approval subject to the following conditions:

1. A pedestrian easement shall be noted on the plat in the dedication language and adjacent to the Grand Valley Irrigation Canal service road. Dedicatory language shall be added to the plat for the canal service road.
2. The flagpole on lot 1 shall be modified to provide for a future potential smoother road pattern to Wellington.
3. Remove the statement, "That all expenses for street paving or improvements shall be furnished by the seller or purchaser, not by the City of Grand Junction." from the plat.

QUESTIONS

Commissioner Gordon asked if the subject property was located near the Northeast Christian Church, to which Mr. Nebeker replied affirmatively.

Commissioner Coleman recalled the direction of the *Growth Plan* for the subject area and observed that the rezone would constitute downzoning in an area which was both targeted and prime for growth. Mr. Nebeker concurred but said that the petitioner was aware of this and didn't object to losing the density allowance. He added that a change of zoning in this instance would not necessarily change the use since the use was, for the most part, already established as low density residential.

Commissioner Driscoll noted the topography of lot 1 and suggested that there might be difficulty in building out the lot to its eight units per acre allowable density. He mentioned rezone criteria A and wondered if the PD-8 zoning could be construed as having been in error, especially since the planned zone did not have a plan attached to it. Mr. Nebeker agreed and suggested that if the Planning Commission felt that an RSF-2 zone was too low, that it look at considering an RSF-4 zone.

Commissioner Coleman commented that an RSF-4 zone would be closer to the intent of the *Growth Plan* which called for densities of between 4 and 7.9 units per acre in the subject area.

Commissioner Halsey asked how lots 2 through 4 would be affected if all lots were rezoned to RSF-4. Would they require higher density development? Mr. Shaver responded that the only change would be to the bulk requirements. The zoning would only establish a *maximum* allowable density.

Mr. Nebeker explained the differences in frontage requirements for RSF-2 and RSF-4 zones which would be 50 feet and 20 feet, respectively. Lot 3 could be further split if an RSF-4 zone was in place; however, access management onto Patterson Road would still be in place.

Commissioner Driscoll wondered how the proposal would satisfy rezone criteria B, the change of character, etc. Mr. Nebeker said that this criterion was difficult to apply in this instance since rezones were generally to higher densities; it really didn't apply in a reduction in zone density. Mr. Shaver agreed with Mr. Nebeker's assessment, elaborating briefly.

A brief discussion ensued between staff and planning commissioners on the merits of an RSF-4 zone versus the proposed RSF-2 zone

PETITIONER'S PRESENTATION

Julie Kelley, petitioner, said that her grandparents had owned the property in question since the 1930s. She currently lives on Lot 4 in a single family residence which was very old and too small for her family's needs. The requested subdivision would provide an additional lot whereon her family would build a larger house for themselves. Ms. Kelley said that her grandparents were old and needed the family close by for care giving. It was her intent to keep things the way they were and the proposed configuration seemed to be the best way of achieving that end.

QUESTIONS

Chairman Elmer asked the petitioner if she would object to a higher density zone. Ms. Kelley was unsure since she didn't know the particulars of what such a change would mean. She reiterated that her only intent was to change boundary lines on an existing parcel to allow for the construction of one single family home. She presently had no desire to further subdivide the property.

Chairman Elmer said that an RSF-4 zone would allow for greater flexibility should she wish to further subdivide in the future.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Coleman suggested that an RSF-4 zone was more practical, would better conform to the intent of the City's *Growth Plan* and would not harm the homeowners. Commissioner Gordon agreed.

Commissioner Coleman asked if Lot 1 should be left zoned PD-8. Mr. Nebeker replied affirmatively, explaining that there was no request to rezone Lot 1 at this time.

Mr. Shaver said that if lot 1 were left in PD-8 zoning, it may create an expectation of density when, due to its topography, the parcel may not practically develop to that density. He agreed that it may be better to reconsider the zone. If a developer wanted to later develop to a higher density, staff could review the request for practicality and compliance at that time; Lot 1 is not being considered at this time.

MOTION: (Commissioner Halsey) "Mr. Chairman, on item RZF-1997-026, I move that we forward a recommendation of approval to City Council for rezoning of lots 2, 3 and 4 of Brodak Minor Subdivision from PD-8 to RSF-2 and approve the Brodak Minor Subdivision subject to staff's recommendations."

Commissioner Gordon seconded the motion.

Chairman Elmer asked if Commissioner Halsey intended to reference RSF-2 rather than RSF-4 zoning. Commissioner Halsey said that his intent was as stated.

Commissioner Driscoll asked if a new motion could be offered if the current one failed, to which Mr. Shaver responded affirmatively.

A vote was called and the motion failed by a vote of 3-4, with Chairman Elmer and Commissioners Driscoll, Coleman and Vogel opposed.

MOTION: (Commissioner Driscoll) "Mr. Chairman, on item RZF-1997-026, I move that we forward a recommendation of approval on to City Council for the rezoning of lots 2, 3, and 4 from PD-8 to RSF-4 and approval of the Brodak Minor Subdivision subject to staff's recommendations."

Commissioner Coleman seconded the motion. A vote was called and the motion passed by a vote of 5-2, with Commissioners Grout and Gordon opposing.

CUP-1997-029 CONDITIONAL USE PERMIT/REZONE--ORCHARD MESA VET CLINIC

Request to rezone from RMF-16 (Residential Multi-Family with a density not to exceed 16 units per acre) and H.O. (Highway Oriented) to be all H.O. (Highway Oriented) and approve a conditional use permit to allow a dog and cat boarding facility.

Petitioner: Melzer Land Co., LLC/Tom Melzer

Location: Southwest corner Highway 50 and Palisade Street

Representative: Pat Edwards

PETITIONER'S PRESENTATION

Tom Melzer, petitioner, said that his business had grown beyond its present location. The new site would provide for needed expansion. He elaborated that the kennel would not contain any outdoor runs. Sound walls would be constructed on the outside along the east and north sides of the kennel. Separation of the dogs and acoustic ceiling tiles would also help curb noise. A solid wood fence would also be constructed along the north and east sides of the facility to serve as an additional buffer.

QUESTIONS

Commissioner Vogel asked what kind of materials would be used for sound walls. Dr. Melzer said that cinder block would be used with sound board on the inside of it. He added that odor would be controlled by glazing the cinder block, with kennels being constantly cleaned.

STAFF'S PRESENTATION

Michael Drollinger gave an overview of the proposal and said that it was consistent with the *Growth Plan's* recommendation for a commercial use. The conditional use permit would apply only to the kennel; the veterinary clinic was an allowed use in the H.O. zone. Mr. Drollinger said that the petitioner would be submitting a detailed site plan, at which time, detention and specific site planning issues would be reviewed. Staff recommended approval subject to the following condition:

1. Issuance of the conditional use permit be contingent upon all applicable *Zoning and Development Code* requirements being met in the final site plan design and approval of the rezone.

QUESTIONS

Commissioner Driscoll recalled that a dog grooming business had been approved by the Commission near the same location. Mr. Drollinger said that the referenced business was presently under construction.

Chairman Elmer felt that specific plans for soundproofing should be added to the conditions of approval. Mr. Drollinger replied that this option was at the Commission's discretion.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Charlene Thibodeau (2708 Highway 50, Grand Junction) clarified that her business was the one referenced by Commissioner Driscoll. She understood the petitioner's need for expansion but wondered if the area could support two such businesses in such close proximity to each other. She believed Dr. Melzer's kennel would severely impact her business.

PETITIONER'S REBUTTAL

Dr. Melzer believed that based on the current demand, there was more than enough business to support two kennels. He said that there may be times when he would be sending clients to Ms. Thibodeau.

DISCUSSION

Commissioner Coleman said that competition among businesses was not something that the Planning Commission could regulate.

Chairman Elmer agreed, adding that if impacts were expected as a result of the rezone itself, the situation would be different.

MOTION: (Commissioner Halsey) “Mr. Chairman, on item CUP-1997-029, a request for a rezone from RMF-16 to H.O., I move that we forward this item to City Council with a recommendation of approval.”

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

MOTION: (Commissioner Halsey) “Mr. Chairman, on item CUP-1997-029, a request for a conditional use permit, I move that we approve the CUP with the condition in the staff report dated February 26, 1997 and adding a second condition to add soundproofing criteria as proposed by the petitioner.”

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

Commissioner Vogel excused himself from consideration of the following item due to a conflict of interest.

RP-1996-273 VACATION OF UTILITY EASEMENT

Request to vacate an existing 10 foot water line easement running diagonally through lot 2 of the Redstone Business Park Subdivision.

Petitioner: Randy Christensen

Location: 2584 F Road

PETITIONER’S PRESENTATION

Randy Christensen, petitioner, explained that the water line leading to the subdivision had been relocated in an easement along the eastern property boundary. Vacation of the former easement would allow greater flexibility in the development of proposed lot 2.

STAFF’S PRESENTATION

Michael Drollinger noted the easement’s location on an available map. With vacation criteria satisfied and no outstanding concerns, staff recommended approval of the vacation.

QUESTIONS

Mr. Christensen asked if the 20-foot easement to the north could also be vacated at the same time. Mr. Drollinger replied that the referenced access easement should remain until a specific development proposal was submitted.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Chairman Elmer commented that the request seemed straightforward.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item RP-96-273, a request for a water line easement vacation, I move that we forward this item to City Council with a recommendation of approval.”

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

At this time, Commissioner Vogel rejoined the Commission.

ANX-1997-022 ZONE OF ANNEXATION--RITTER/BALERIO

Request to zone lands which are currently being annexed to the City, consisting of approximately 2.33 acres, to RSF-2 (Residential Single Family with a density not to exceed 2 units per acre).

Petitioner: Don Lee and Evelyn Balerio/Tad and Becky Ritter

Location: 2248 South Broadway and 2249 Iris Court

STAFF’S PRESENTATION

Dave Thornton noted the property locations on maps provided. The RSF-2 zone, he said, complied most closely with the *Growth Plan*. Lot sizes would be maintained with this zone. Staff recommended an RSF-2 zone.

QUESTIONS

Chairman Elmer asked if both property owners had been notified of the rezone. Mr. Thornton said that both had been notified of the proposed zoning.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Chairman Elmer observed that the RSF-2 zone was in conformance with the *Growth Plan* and made sense.

MOTION: (Commissioner Coleman) “Mr. Chairman, on item ANX-1997-022, I recommend that we forward this on to City Council with the recommendation of approval for the zoning to be Residential Single Family with a maximum of 2 units per acre for the Ritter/Balerio Annexation.”

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

ANX-1997-023 ZONE OF ANNEXATION--SMITH/ASHLEY/CROWLEY/ROBINSON

Request to zone lands which are currently being annexed to the City, consisting of approximately 4.24 acres, to RSF-1 (Residential Single Family with a density not to exceed 1 unit per acre).

Petitioner: Robert L., J.M and L.L. Smith, et al.

Location: Northeast corner 25 2 Road and G Road

STAFF’S PRESENTATION

Dave Thornton outlined the request and explained that although both parcels were currently in an AFT zone, neither really met the requirements for that zone. Even though the *Growth Plan* recommended

4-7.9 units per acre for the area, the topography on the two parcels didn't lend itself to higher densities. The RSF-1, he said, seemed most practical.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Coleman) "Mr. Chairman, on item ANX-1997-023, I recommend that we forward this on to City Council with the recommendation of approval for the zoning to be Residential Single Family with a maximum of 1 unit per acre (RSF-1) for the Smith/Ashley/Crowley/Robinson Annexation."

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

VI. GENERAL DISCUSSION

Kathy Portner referenced a previous meeting's handout concerning the revised schedule for the drafting of *Code* amendments. She explained the proposed timeline which included consideration of *Growth Plan* amendments. Discussions had included limiting consideration of *Growth Plan* amendments to once per year and amendments to the *Growth Plan* map to twice per year, at least in the onset of its implementation.

Chairman Elmer thought that twice a year was too often for map amendments.

Commissioner Coleman felt that to ensure uniformity, the City and County should continue to work cooperatively during any amendment process.

Ms. Portner briefly discussed the 2/3 vote and fee structure provisions.

Chairman Elmer expressed concern that the *Growth Plan* not be used as a zoning map, to be amended anytime anyone wanted a rezone. Ms. Portner said that this issue was one that still needed to be addressed.

A brief discussion ensued over the practicality of the twice a year map review. There was a general consensus that, initially, it may be worthwhile but that eventually such review would be limited to once a year. The review should be conducted by the joint commission.

The hearing was adjourned at 9:15 p.m.