

GRAND JUNCTION PLANNING COMMISSION
Public Hearing February 1, 1994
7:01 p.m. - 8:12 p.m.

I. CALL TO ORDER

The public hearing was called to order by Chairman John Elmer at 7:01 p.m. in the City County Auditorium.

In attendance, representing the City Planning Commission were Chairman John Elmer, Vice Chairman Tom Volkmann, James Anderson, Stephen Laiche, Bob Withers and Jeff Vogel. Ron Halsey was absent.

In attendance, representing the City Community Development Department, were Larry Timm, Director; Kathy Portner, Planning Supervisor; Dave Thornton, Senior Planner; Karl Metzner, Senior Planner; and Kristen Ashbeck, Associate Planner.

Also present were John Shaver, Assistant City Attorney, and Jody Kliska, City Development Engineer.

There were three interested citizens present during the course of the meeting as well as the petitioners and their representatives.

II. CONSIDERATION OF MINUTES

MOTION: (Commissioner Volkmann) "Mr. Chairman, I move that we approve the minutes of the January 4, 1994 meeting as presented."

The motion was seconded by Commissioner Withers.

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

III. ANNOUNCEMENTS, PRESENTATIONS, AND/OR PRE-SCHEDULED VISITORS

There were no announcements, presentations, or pre-scheduled visitors.

IV. PUBLIC HEARING ON ITEMS FOR FINAL DECISION

- 1. #4-94 FINAL PLAN/PLAT ALPINE VILLAGE, SW CORNER OF 27 & H RDS
Request for approval of the Final Plan/Plat for Alpine Village Subdivision consisting of 16 dwelling units on 3.1 acres.
PETITIONER: Alpine C.M. Inc.
REPRESENTATIVE: Thomas A. Logue
LOCATION: SW corner of 27 Road & H Road**

STAFF PRESENTATION

Dave Thornton gave an overview of the request which was for the third phase of the Alpine Meadows development and would be known as Alpine Village. He said zoning for the property is PR-4.2 as is the zoning of surrounding property, including Alpine Meadows, Alpine Meadows II, Sedona I & II, and Garrison Ranch subdivisions. He said that the overall density of the proposal was within the 4.2 dwelling units/acre limit since some of the density had been transferred from the overall development plan approved by the County before annexation. He said that all review agency comments had been adequately addressed.

Mr. Thornton said that staff recommended approval subject to the following conditions:

1. The site plan be revised adding additional information on setbacks from irrigation easements and the minimum distance between buildings.
2. The entrance signs shall not exceed a combined total of 32 square feet.
3. The Restrictive Covenants be revised and approved by staff.
4. The street name "Josilyn Place" be renamed to "Josilyn Court."
5. All technical issues regarding the plat and its dedication be addressed.
6. Comments made by Jody Kliska dated January 28, 1994 be adequately addressed.

QUESTIONS

Commissioner Anderson asked what the zoning is on the east side of 27 Road? Dave Thornton replied that the east side of 27 Road was in the County and was zoned R1B.

Commissioner Withers questioned how the no-parking restrictions would be enforced on Tracts A, B and C. Mr. Thornton replied that there would probably be signing and the restriction would be stated in the covenants.

Commissioner Withers asked if there was a problem with one of the lots having only 20 ft. of frontage. Mr. Thornton said it was acceptable since 20 ft. of frontage was typical for a lot in a residential straight zone.

Chairman Elmer asked if Tracts A, B and C would have joint ownership between the four adjacent properties? Mr. Thornton said that they would and that the covenants would address issues such as maintenance.

Commissioners Withers questioned the addition of the cul-de-sacs; Mr. Thornton replied that they were designed to help the turning radii.

PETITIONER'S PRESENTATION

Tom Logue, representative for the petitioner, said that the petitioner had received the staff report and fully understood the conditions of approval and felt they could be addressed in a timely manner.

Regarding the issue of parking, Mr. Logue said that because of the nature of the lots, a large portion of the frontage on the tracts would be taken up with garages which would discourage parking along the street front. He said that each lot would have a two car garage with space for two cars in the driveway. He said that there was sufficient space for on-street parking along Josilyn Court.

Chairman Elmer asked if the covenants for the project would be similar to those of Alpine Meadows. Mr. Logue said that setbacks were different and maintenance of some of the exterior landscaping was somewhat different; however, the architectural style and character of the homes would be similar and consistent with the area.

Chairman Elmer asked if the preliminary plat approved by the County had 16 lots. Mr. Logue said that the preliminary plat had called for 15 lots but because of the street improvements necessary on a corner lot, economics called for increasing the development by one additional lot. He said the Code allowed a ten percent flexibility and he felt the proposal still met the intent of the original approval.

Chairman Elmer questioned the location of Amber Way. Mr. Logue explained that during the development phase of Alpine Meadows it was decided to dedicate a right-of-way for future access. It was shown incorrectly on the plan as Amber Way and should have been called Alpine Way.

Commissioner Vogel questioned whether the proposal had adequate fire protection, and Mr. Logue said the petitioner was extending an eight inch water main from H Road which would provide an abundant supply of water.

Commissioner Vogel asked if the Fire Department had any concerns with getting to the homes at the end of the private drives. Dave Thornton said he spoke with Fire Department representatives and their comment was that since the drives were only 75 ft. long they could simply pull in and back out.

PUBLIC COMMENT

There was no public comment either for or against the proposal.

QUESTIONS/DISCUSSION

The Commissioners agreed that the proposal seemed straight-forward.

Chairman Elmer asked if standards would be developed for the "Auto Courts." Dave Thornton said that staff would probably wait for the planning consultant to give the department input on the matter.

MOTION: (Commissioner Anderson) "Mr. Chairman, on item #4-94, I move that we approve this subject to staff recommendations."

Commissioner Laiche seconded the motion.

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

V. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

**1. #3-94 VACATION OF RIGHT-OF-WAY, 4TH STREET, S. OF SOUTH AVENUE
Request for vacation of the 4th Street right-of-way south of South Avenue for approximately 140 feet to the RR right-of-way for the purpose of building an addition to an existing warehouse.**

PETITIONER: Central Distributing; John & James Cadez

REPRESENTATIVE: Frank A. Preuss

LOCATION: 4th Street, S of South Avenue

STAFF PRESENTATION

Kristen Ashbeck said that the petitioner's original proposal was to vacate the entire width of 4th Street south of South Avenue. Most review agency comments and surrounding property owners were opposed to that proposal so the petitioner responded by proposing to only vacate the westerly 16 ft. of the right-of-way south of South Avenue to the railroad right-of-way. Ms. Ashbeck said the petitioner's new proposal would leave the street as it was, but then the street would not meet the City's standards which require a 14 ft. multi-purpose easement on either side of the street. The petitioner would be building on top of the multi-purpose easement. She felt the proposal would also need a cul-de-sac rather than having 4th Street dead-end at the railroad right-of-way.

Ms. Ashbeck said that the greatest concern with the proposal related to the Colorado Department of Transportation (CDOT) comments. She said CDOT was in the early stages of designing the 5th Street Viaduct over the railroad tracks. Part of CDOT's preliminary design calls for closing the north bound on-ramp and permanently re-routing north bound traffic to the west. She said the portion of 4th Street in question would become the primary access for most of the parcels south of South Avenue between 4th Street and 6th Street. She said that CDOT recommended that vacation of any part of 4th Street was unacceptable until the viaduct design was finished and the impact on surrounding properties was determined.

Ms. Ashbeck said there were also safety concerns with the proposal as some of the maneuvering of trucks would occur in the 4th Street right-of-way.

Ms. Ashbeck said that in analyzing the criteria in Section 8-3 of the Zoning and Development Code

that were to be applied in reviewing a vacation, staff had the following findings:

1. The proposal appears to have adverse safety impacts;
2. The Master Plan for this area is currently being developed; thus, it is unknown if this proposal conflicts with adopted policies for land use and circulation; and
3. The proposal does not improve traffic circulation.

For those reasons, staff recommended denial of the request.

QUESTIONS

Commissioner Volkmann asked if staff knew when the viaduct design would be completed. Jody Kliska said that CDOT had just selected a consultant and that design had not started yet. She said that construction was scheduled for 1996.

Chairman Elmer pointed out that the petitioner had changed the proposal significantly by requesting a vacation of the westerly 16 ft. instead of the entire 80 ft. right-of-way. He asked if all of the review agencies had been given a chance to re-comment. Kristen Ashbeck said that the revised proposal had not been sent out for re-review because staff's recommendation was still denial and CDOT was still opposed.

PETITIONER'S PRESENTATION

Frank Preuss, representative for the petitioner, said that the petitioner had tried to address all of staff's concerns by requesting only the 16 ft. vacation which would result in an "industrial" right-of-way. He said the width of this industrial right-of-way was normal for industrial areas such as Foresight Park. He said that all of the utilities were already in the street, including sewer, and that the petitioner had previously improved the street to bring it up to the City's standards. Mr. Preuss felt that staff's suggestion of a cul-de-sac "wouldn't fit." He said he didn't feel there would be any problem with trucks backing into the area from 4th Street and that the vacation would not impact traffic on 4th Street.

Commissioner Laiche questioned what type of traffic a neighboring business, C.F. Coley, produced. Mr. Preuss said that he didn't see much activity at that site.

Commissioner Laiche then asked what activity the railroad's property produced, and Mr. Preuss said that the railroad "didn't use it for anything" and, in fact, wanted to sell the property.

Commissioner Laiche asked what the petitioner would do if the vacation was not granted. Mr. Preuss said that the petitioner would "shorten the building up" and would lose approximately 500-600 square feet.

PUBLIC COMMENT

Brian Simms, architect for the petitioner, pointed out that the original 80 ft. right-of-way was adopted as the width necessary to turn a horse and buggy around in the downtown area. He said this criteria was now "antiquated." Mr. Simms also pointed out that the area south of the proposed vacation was private property and the proposal would still allow access to that property.

There was no one in the audience in opposition to the request.

QUESTIONS/DISCUSSION

Commissioner Anderson asked about the status of the Master Plan for that area. Kathy Portner said that staff has not looked at the area north of the railroad tracks and between the tracks and Pitkin Avenue yet. She said staff hoped to have the plan completed by early summer.

Commissioner Laiche asked if CDOT had any other possible location for re-routing traffic. Kathy Portner said that CDOT had looked at other alternatives and did not feel there were other options. Jody Kliska pointed out that this re-routing of traffic was not just for construction, but was a permanent change in traffic circulation.

Chairman Elmer said that if the railroad was to develop the property to the south, they would be required to put in a cul-de-sac. Kristen Ashbeck agreed, and said that the reason the railroad was opposed to the total vacation was because they were looking at subdividing and selling the area and needed to ensure access.

Commissioner Laiche asked if the petitioner could delay his project until summer when CDOT's and staff's plans were formalized? Mr. Preuss said that the petitioner wanted to have construction completed by June.

Commissioner Withers asked what type of building the petitioner was proposing? Mr. Preuss said it would be a "tilt-up building" used mainly for the storage of dry goods.

Commissioner Anderson was concerned about the safety impact of the proposal and didn't want to interfere with staff's development of the master plan for the area.

Commissioner Laiche questioned the amount of traffic in the area and how much it would be increased. Larry Timm said that traffic impacts could not be determined until it was decided how the area would be developed.

Chairman Elmer asked if the whole road would be cut off when trucks backed into the loading dock. Mr. Preuss said it would, but that there was clear visibility and didn't feel it would be a problem. He said there would only be three to four deliveries per week.

Commissioner Laiche said that with the 16 ft. vacation, there would still be room for a 40 ft. road.

But Kristen Ashbeck pointed out that street standards require a 14 ft. multi-purpose easement outside of the right-of-way which the proposal would not provide unless the pavement mat was moved over. However, if the mat were moved, then the street would not align with 4th Street to the north. Mr. Preuss reminded the commission that all of the utilities were already in and questioned what the easement would be for. Ms. Ashbeck said pedestrian circulation and other utilities might be a concern later on.

Commissioner Laiche felt it would be appropriate to table the matter until next month in order to give CDOT and staff more time to finalize their plans. The Commission and staff members didn't feel that any more information would be available by next month.

Commissioner Withers discussed with Mr. Preuss options for constructing the building in order to expand it at a later date.

The Commission discussed the matter further with the consensus being that, although sympathetic to the petitioner's problem, the vacation could not be granted due to CDOT's objection.

MOTION: (Commissioner Anderson) "Mr. Chairman, on item #3-94, request to vacate a portion of the 4th Street right-of-way south of South Avenue, I move that this item be denied for the following reasons:

- 1. The proposal appears to have adverse safety impacts;**
- 2. The master plan to the area is being developed, thus it's unknown if the proposal conflicts with the adopted policies for land use and circulation;**
- 3. The proposal does not improve traffic circulation;**
- 4. It would be contrary to the wishes and designs of CDOT.**

Chairman Elmer clarified that the motion was specifically for vacation of the west 16 ft. of the right-of-way.

Commissioner Volkmann seconded the motion.

A vote was called, and the motion to deny passed unanimously by a vote of 6-0.

Commissioner Volkmann wished to note for the record that he didn't feel items #2 and #3 of the motion were appropriate reasons to deny the request; although, he did feel the request should be denied on the safety issue.

2. **#65-93 ZONE OF ANNEXATION - THE BLUFFS**
Request for approval of zoning of PR-Not to Exceed 3.5 (Planned Residential with a density not to exceed 3.5 units per acre) for the Bluffs, a 139 acre parcel of land currently being annexed to the City located East of 23 Road and South of the Colorado River.
PETITIONER: City of Grand Junction
REPRESENTATIVE: Karl Metzner
LOCATION: E of 23 Road; S of Colorado River

STAFF PRESENTATION

Karl Metzner said that the City did not have a zoning category that matched the previous County zoning or the existing uses. He said there were three distinct areas in the annexation; a new development called The South Rim on the Redlands, an area of duplex units with a few scattered single family dwellings, and an area of predominantly single family units. He said that the zone would create no non-conforming uses and all development would be per City standards.

Chairman Elmer asked if the area would have sewer service. Karl Metzner said that a sewer line was in Greenbelt Drive and The South Rim development would be on sewer. Commissioner Anderson asked if the City had power-of-attorneys for the area, and Mr. Metzner replied that there were POAs for some of the properties.

Chairman Elmer asked if the existing City boundary was contiguous and Mr. Metzner said it was.

Chairman Elmer asked if service agencies provided comments on the matter. Mr. Metzner explained that at the time of annexation, the City did "impact reports" which the Grand Junction Planning Commission did not see since annexations go directly to City Council. All of the City agencies prepare impact reports on the costs required to serve an area.

Commissioner Anderson commented that it would be helpful if the "contiguity to the City limits" was shown to the Commission.

PUBLIC COMMENT

Harry Knapton, 2320 Palace Verdes Drive, said that his property had mistakenly been included in the annexation. He said that Mr. Logue, developer for the property, had not intended for his property to be annexed. Mr. Knapton asked if there was any way for his property to remain unannexed.

Karl Metzner said it was too late to drop the property from the annexation process at this time, but that Mr. Knapton could request that City Council de-annex the property. Mr. Metzner agreed that there had been an error when the plat had been submitted. Mr. Metzner invited Mr. Knapton to contact him to discuss the matter.

QUESTIONS/DISCUSSION

The Commission had no questions and there was no further discussion.

MOTION: (Commissioner Withers) "Mr. Chairman, I recommend approval of the requested zone of annexation on item #65-93."

Commissioner Anderson seconded the motion.

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

- 3. **#140-93 ZONE OF ANNEXATION - PATTERSON ROAD ENCLAVE**
Request for approval of zoning of PB (Planned Business) for the Patterson Road Enclave Annexation, with uses to be the same as those allowed in the B-1 and B-3 Zone Districts, for a 4.7 acre parcel of land currently being annexed to the City located North of Patterson Road, West of 25 Road.
PETITIONER: City of Grand Junction
REPRESENTATIVE: Karl Metzner
LOCATION: W of 25 Road; N of Patterson Road

STAFF PRESENTATION

Karl Metzner presented an overview of the request and said that the property had been enclaved by Patterson Park West Annexation and that it had been enclaved in excess of three years. Mr. Metzner said that in such a case the City could unilaterally annex the property. He said the property was zoned Planned Business in the County and that the original plan had since lapsed, so "we have a planned zone with no plan." Mr. Metzner said staff is recommending a PB zoning with uses as allowed in the B-1 and B-3 Zones.

Chairman Elmer asked if the current owner of the property had any objections to the request. Mr. Metzner said that the owner had no objections as they didn't "have any particular uses in mind at this point in time." Mr. Metzner felt the B-1 and B-3 uses were "generally compatible" with the City's Patterson Road Guidelines, being mainly office/retail uses.

PUBLIC COMMENT

There was no public comment either in favor or opposition.

QUESTIONS/DISCUSSION

Commissioner Anderson asked if either one or the other of B-1 or B-3 might "better serve" the property, but Karl Metzner felt both would be appropriate. He said that storage units and commercial-type uses would be excluded. Commissioner Vogel agreed that retail uses were appropriate for the area.

MOTION: (Commissioner Volkmann) "Mr. Chairman, on item #140-93, a zone of Patterson Road Enclave to PB, I move that we send this on to City Council with a recommendation of approval with uses allowed in B-1 and B-3 zones."

Commissioner Laiche seconded the motion.

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

4. ZONE OF ANNEXATION - NICHOLS

Request for approval of zoning of RSF-4 (Residential Single Family, 4 units per acre) for the Nichols Annexation, a 1/4 acre parcel of land currently being annexed to the City located at 575 29 Road.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Karl Metzner

LOCATION: 575 29 Road

STAFF PRESENTATION

Karl Metzner said that the property in question was just south of the Graff Dairy on 29 Road and that it was currently a single family residence. He said the property owners requested annexation as City setback requirements were "more favorable in terms of an addition they want to do." He said that the property had City limits on the north and west side and that RSF-4 zoning was compatible with the area. Mr. Metzner said the Graff Dairy was zoned RSF-2 because dairies were not permitted in RSF-4, but that ultimately, when the dairy went out of operation, the area would probably be zoned RSF-4 as well.

QUESTIONS/DISCUSSION

The Commission had no questions or discussion on the matter.

MOTION: (Commissioner Laiche) "Mr. Chairman, with regard to item #142-93, rezone of Nichols annexation to RSF-4, I recommend approval of the requested zone."

Commissioner Anderson seconded the motion.

A vote was called, and the motion passed by a vote of 6-0.

VI. GENERAL DISCUSSION

1. The Commission did not feel it was necessary to send a liaison to the next City Council meeting.
2. Larry Timm said that the City and County had decided to hire separate consultants for the Land Use Plan. He announced that the work session to review and comment on the Request for Proposals for the Land Use Plan project was scheduled for February 15 from noon to 2:00 p.m. Commissioner Volkmann was the only commissioner who said he would be unable to attend.

VII. NON-SCHEDULED CITIZENS AND/OR VISITORS

There were no non-scheduled citizens or visitors.

VIII. ADJOURNMENT

The meeting was adjourned at 8:12 p.m.