

**GRAND JUNCTION PLANNING COMMISSION**  
**Public Hearing -- October 11, 1994**  
**7:07 p.m. - 11:15 p.m.**

The meeting was called to order by Chairman John Elmer at 7:07 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were: John Elmer, Chairman; Ron Halsey, Bob Withers, Tom Whitaker, Tom Volkmann and Jeff Vogel.

In attendance, representing the Community Development Department, were: Kathy Portner, Dave Thornton, Michael Drollinger, Tom Dixon, and Kristen Ashbeck.

Also present were: John Shaver, Asst. City Attorney; and Jody Kliska, Development Engineer.

Approximately 30 interested citizens were present during the course of the hearing.

Terri Troutner was present to record the minutes.

Tonight's hearing was a continuation of the public hearing held on October 4, 1994. Thus, there was no consideration of minutes nor were any announcements made.

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**I. PUBLIC HEARING ITEMS FOR FINAL DECISION**

**#156-94 MAJOR STREET PLAN**

**Request for a recommendation of approval of a Major Street Plan for Sections 5 and 6, Township 1 South, Range 1 East, Ute Meridian. This includes the area bounded by 28 Road on the west, 30 Road on the east, Patterson Road on the south, and I-70 on the north.**

**PETITIONER: City of Grand Junction**

**REPRESENTATIVE: Jody Kliska**

**STAFF PRESENTATION**

Jody Kliska referenced the street plan map and outlined the two-mile area which would be affected by the plan's adoption. The plan would be used as a master plan to guide future street development in the affected area. Jody noted the many benefits she felt would be gained by implementing the plan. She added that street plan maps and letters had been sent out by the Public Works Department to 57 owners of large tracts of land in the affected area. Three written responses had been previously received and had been incorporated into the commissioners' packets; two additional responses were just received and were presented to the Commission for consideration.

## **STAFF PRESENTATION (con't)**

Jody said that although the map illustrated a linear street layout, the plan was conceptual and deviations from proposed road alignments could be considered at the time of actual design. The Public Works Department would make every effort to work with affected homeowners at the time of design and construction. She recommended approval, but noted that on page 5 of the Major Street Plan description, the intersection spacing of 150' as outlined for Cortland Avenue, Ridge Drive, et al. needed to be changed to reflect spacing of 300'.

## **QUESTIONS**

Chairman Elmer asked if the County needed to adopt the plan. John Shaver, Asst. City Attorney, responded that under state statute, cities were given extra territorial jurisdiction for street planning; thus, no county approval was necessary.

Jody added that the County had reviewed the plan and suggested the change in intersection spacing from 150' to 300'.

Chairman Elmer wondered how the plan would serve to prevent vehicular traffic from cutting through Spring Valley via Hawthorne. Jody replied that 28 Road was shown as a potential signal location.

## **PUBLIC COMMENTS**

### **FOR:**

There were no comments for the proposal.

### **AGAINST:**

Edward Chase (2885 F 1/2 Road, Grand Junction) referenced his letter submitted previously to the Commission. His primary concern was that if the section of F<sup>1</sup>/<sub>2</sub> Road between 28<sup>3</sup>/<sub>4</sub> and 29 Roads was built as shown on the map, it would run right through his house.

Mr. and Mrs. John Ellis (676 28 Road, Grand Junction) read into the record a letter which stated that their home was located at the end of 28 Road where a section of F<sup>3</sup>/<sub>4</sub> was being proposed (the eastern extension of Cortland Avenue). Mr. Ellis said that if the road was put in as shown on the map, they would have to dedicate a portion of their property to the south. This, they felt, would destroy a portion of the remodeling done to the property and take out a number of trees; they did not want to lose the tranquility currently existing in the neighborhood.

Brenn Luff (2944 Pheasant Run Circle, Grand Junction) She was concerned that the Major Street Plan would be used as a basis for construction.

## **PUBLIC COMMENTS (con't)**

Chairman John Elmer, Commissioner Withers and John Shaver clarified that the Major Street Plan was conceptual in nature and no actual street construction was being proposed for the immediate future; that the plan was an element of the overall Master Plan for street development; that while it proposed logical placement of future streets within this area, the building of those streets was contingent upon the area's growth and development (some proposed streets may not even be built and no street would be built through a person's home).

**PETITIONER REBUTTAL**

Jody reaffirmed comments made by Chairman Elmer et al. and added that, at such time that actual street construction would be considered, the design would have to consider alignment, topography, and other issues. The Major Street Plan for this area was a result of a computer projection process to the year 2015 which estimated growth for the area

**DISCUSSION**

Discussion issues among the commissioners included the projected traffic for the area, the city/county cooperative involvement with the street design/construction process, the extension of 29 Road to the interstate, and again reiterated that the plan was conceptual in nature. Actual street design/construction could vary.

**MOTION: (COMMISSIONER WITHERS) "MR. CHAIRMAN, ON ITEM #156-94, CONCEPTUAL PLAN FOR A MAJOR STREET PLAN, I MOVE THAT WE APPROVE THE PLAN AS PRESENTED WITH THE UNDERSTANDING THAT EVERYONE WILL HAVE A CHANCE TO LOOK AT IT BEFORE BUILD-OUT, PER THE COUNTY OR CITY PLANNING PROCESS, AND THAT ANY EXISTING RESIDENCES WILL BE LOOKED AT AND CONSIDERED AT THAT TIME."**

Commissioner Halsey seconded the motion.

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

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**II. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL**

**#153-94 REZONE FROM RSF-8 TO PZ - SCHOOL DISTRICT PROPERTY**

**Request for a recommendation of approval rezoning property located at the north end of Pine Street, west of Orchard Mesa Middle School, from RSF-8 (Residential Single Family, not to exceed 8 units per acre) to PZ (Public Zone).**

**PETITIONER: School District #51**

**LOCATION:** N. end of Pine Street, west of Orchard Mesa Middle School  
**REPRESENTATIVE:** Bernie Cox  
**CITY STAFF:** Kathy Portner

**STAFF PRESENTATION**

Kathy Portner presented the proposal, saying that it was mostly a proposal to "clean up" the zoning. The property is unbuildable and has no access, an RSF-8 zone was not considered appropriate. Since the property is owned by and is located adjacent to the Orchard Mesa Middle School, a PZ zone seemed more appropriate and is consistent with the school's zoning.

**DISCUSSION**

Commissioners discussed the size of the property and noted that it had been subjected to massive clean-up.

**PUBLIC COMMENT**

There were no comments either for or against the proposal.

**MOTION:** (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM # 153-94, A REQUEST TO REZONE FROM RSF-8 TO PZ, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Withers seconded the motion.

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

**#98-94 ZONE OF ANNEXATION - SOUTH CAMP/WINGATE SCHOOL**

**Request for a recommendation of approval for zoning lands recently annexed into the city in the South Camp Annexation to PZ (Public Zone).**

**PETITIONER:** City of Grand Junction  
**REPRESENTATIVE:** Dave Thornton

**STAFF PRESENTATION**

Dave Thornton indicated the area in question on a map and indicated the proposed zone were similar to those in #153-94.

## QUESTIONS

Commissioner Volkmann asked if there was any county zone similar to PZ, to which Dave replied that there was not.

## PUBLIC COMMENT

There were no comments either for or against the proposal.

**MOTION:** (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #98-94, REQUEST TO REZONE THE WINGATE SCHOOL PROPERTY FROM AFT TO PZ, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Withers seconded the motion.

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

## #154-94 ZONE OF ANNEXATION - SOUTH CAMP/THE SEASONS AND OUTLINE DEVELOPMENT PLAN

**Request for a recommendation of approval zoning lands recently annexed to the city in the South Camp Annexation to PR (Planned Residential) for the Seasons and approval of an ODP (Outline Development Plan) for a 66-acre parcel of land located west of South Broadway and adjacent to the Tiara Rado Golf Course.**

**PETITIONER:** City of Grand Junction  
**REPRESENTATIVE:** Michael Drollinger

(Commissioner Volkmann withdrew from participation in this item due to professional involvement with the development.)

## STAFF PRESENTATION

Michael Drollinger indicated the development area on the map, noting that only Filing #2 still remained outside the City limits. A correction in gross density for the Planned Residential zone to reflect 4.4 units/acre was made.

Michael recommended approval of the rezone and ODP contingent upon the following conditions specifically regarding the ODP:

1. ODP approval shall be effective upon the execution of a disbursement agreement for Filing #4 of the Seasons.

## **STAFF PRESENTATION (con't)**

2. The "zoning summary" table shall be revised to eliminate the present "tract" designation and to rename remaining phases "phases." The "partial" tracts shall be consolidated.
3. The project area on the ODP which remains under county jurisdiction shall be identified as such. The platted lots and open space which are not in the city shall be labeled as such (e.g., county) and listed separately on the "zoning summary" table.
4. (As amended on 10/11/94) Concerning the property designated as Lot "F" in Filing #4, the developer has the option to convey the parcel to adjoining property owners; however, if the option for conveyance of lot "F" to adjoining lots is not exercised, a landscape plan for that lot shall be submitted which is acceptable to the Community Development Department. The Homeowners Association shall be responsible for perpetual maintenance of this dedicated open space area.
5. (As amended on 10/11/94) The developer shall convey, by mutually acceptable form of deed, a non-exclusive right-of-way to the city for the benefit of the city and the public along the existing Redlands Water and Power Company ditch, which runs along the eastern edge of Filing #4 of the subdivision. The subject right-of-way shall be for walking, bicycling and similar use(s).
6. (As amended on 10/11/94) The approximate realignment of South Broadway shall be indicated on the ODP map. Developer should consult the county's Public Work's Director for more detailed information.
7. A drainage plan for the remainder of the ODP shall be submitted in conjunction with any application concerning Filing #5. Future accommodations for drainage shall be designed to minimize the number of detention/retention ponds. Where possible, open space areas may be used as locations for drainage structures.
8. In conjunction with any application concerning Filing #5, the developer shall propose a trails plan for all the land in the ODP, to the extent possible, for review by the Community Development Department. If an integrated network of trails is approved by Community Development, the City may not require sidewalks on both sides of future streets.
9. (As amended on 10/11/94) Water lines as per the City Engineer, City Utilities Engineer and Fire Department, in accordance with the Code, shall be provided.

## **STAFF PRESENTATION (con't)**

10. A preliminary traffic study for the remainder of the ODP must be submitted in

conjunction with Filing #5. The study shall include, at a minimum, the estimated traffic generation of the project at build-out and shall include a list of projected off-site roadway improvements necessitated by the development.

11. The approximate location of the commercial development in Tract 9 shall be indicated on the ODP; the preferred location is on the north side of the parcel adjacent to South Broadway.
12. The minimum setback from the golf course for all development in the southern and southwestern portion of Tract 9 shall be indicated on the ODP.
13. (As amended on 10/11/94) Staff recommends that the developer retains the right, as part of this ODP approval, to maintain a sales and property management office on Lot 1 of Filing 3 unless terminated by the developer. Formal action shall not be required to have such right terminated. The parcel shall ultimately develop as a single family residence with driveway access at the western property line only.

With regard to the zone of annexation, Michael said that the commercial development would be allowed on Tract 9. Examples of allowed uses were read from the staff report.

A further change to staff recommendations included the deletion of the setback requirements as stated in the staff report, to be replaced by verbiage that reads: "Minimum setbacks from the golf course: To be determined on a lot-by-lot basis for each future phase, with design considerations to minimize potential conflicts between residential uses and the golf course."

## **DISCUSSION**

Chairman Elmer asked if the commercial zoning (12,000 sq. ft.) had already been approved by the county, to which Michael replied that it had been approved as part of the county's ODP process. Michael added, however, that the city would limit uses to those defined in the staff report and would also require adequate buffering between the commercial/residential uses.

Chairman Elmer inquired into the status of the disbursement issue. Michael said that the disbursement agreement had been executed prior to the hearing.

Other points of discussion addressed to the petitioner, Jack Acuff, included: building materials to be used (natural materials, e.g. stucco, rock and wood which would blend with the surroundings); and an easement for golfers to retrieve errant balls (this was not felt to be needed since it hadn't been an issue).

## **DISCUSSION (con't)**

Michael pointed out that the original connection to High Tiara (approved during the county's ODP process and noted on the map) would be eliminated if the proposed ODP was approved, and a pedestrian bicycle path put in its place. He stated that neither the Fire Dept. nor the Public Works Dept. saw a need for the former connection. Eleven letters were received with regard to the pedestrian bicycle path; ten were in support of eliminating the looped road and its redesignation as a pedestrian bicycle path; one letter was in opposition.

## **PETITIONER'S PRESENTATION**

Jack Acuff (462 Tiara Drive, Grand Junction) gave a brief history of the ODP, noting that not only had the overall plan been extensively reviewed, but each separate filing was reviewed as well. He felt that staff recommendations and clarifications were generally reasonable. With regard to a trail right-of-way, it was intention to give the public (non-motorized) access to public lands via a designated point in the southeast corner of Filing #4. Because Redlands Water and Power was thought to have an easement running through the area, he felt that discussions with them were necessary regarding the appropriate easement conveyance procedure.

Mr. Acuff asked for latitude on complying with staff recommendation #6 regarding realignment of South Broadway. He indicated that the county would probably be "smoothing out some of the corners"; he therefore asked that the realignment not be shown on the present ODP until the county's alignment process had been completed. He added that the only discussions taking place with county concerning the realignment, so far, had been with regard to the entryway to the Seasons, suggesting in both Filing #3 and #4 that enlargement of the entryway be postponed due to possible conflicts with the county's realignment plan. It was later agreed to include the entryway enlargement with Filing #4 and construction on this would begin soon, as part of the improvements agreement with the city.

With regard to the elimination of the looped road, Mr. Acuff requested the city remove the Declaration of Restricted Covenant pertaining to the ODP property. He would still need to work with the county to remove the second restrictive covenant pertaining to the High Tiara property.

## **DISCUSSION**

There was additional discussion among commissioners and John Shaver, Asst. City Attorney, regarding the specific deed requirements for the pedestrian bike path. A determination was made to allow for a "mutually acceptable form of deed" and became a part of staff recommendations as previously noted.



## **PUBLIC COMMENTS**

### **FOR:**

There were no comments for the proposal.

### **AGAINST:**

Jerry Elliott (456 High Tiara Court, Grand Junction) had questions concerning the actual location of the pedestrian bicycle path; Michael responded that it would approximate the current location of the looped road. Mr. Elliott was concerned about elements of the easement vacation and was opposed to the location of either a road or the pedestrian bicycle path being located directly behind his property in Filing #2. Michael reminded Mr. Elliott that since this filing was still under county jurisdiction, his concerns should be directed to them. Mr. Elliott also expressed concerns over liability of the pedestrian bicycle path along the canal. John Shaver responded that once the property was deeded to the city, it became city property and neither the homeowners nor the Homeowners Association would be liable for its use.

Harvey Wicker (2069 Coyote Court, Grand Junction) expressed concerns over the building of multi-family units in Filing #4. He wondered if the existing sewer lift station would be able to facilitate the increased density. Michael said that pipes and facilities were sized to meet final build-out capacity. With regard to drainage, Mr. Wicker asked if a retaining wall would be built in Filing #4. Michael told the Commission that he and Mr. Wicker had discussed this, and this issue would be forwarded to the City Engineering Department for further review. Finally, he felt the entryway into the development should have been expanded long ago, citing problems with safety and traffic congestion.

Jan Whiting (478 Seasons Court, Grand Junction) felt the developer had not lived up to his promises and was opposed to: any commercial development, the property sales office and parking area, the sewer lift station location, the traffic, the building of multi-family residences, and Mr. Acuff in general.

Lester Claussen (2066 Coyote Court, Grand Junction) was also opposed to multi-family and commercial development in the area. He asserted that no previous notification had been received by him from the county.

Joan Rossman (482 Seasons Court, Grand Junction) was upset and concerned over what she perceived as the developer's lack of follow-through and broken promises. She was opposed to the current office location because of parking congestion problems and felt that lot 1 should be used for "guest" parking. She said that fire trucks could not gain access into the cul-de-sac because of the congestion. She, too, felt that the entryway and roadway should be enlarged, and was also opposed to commercial development in the area.

Robert Spencer (2066 Rim Shadow Court, Grand Junction) also expressed concern over the lack of road development into the subdivision. He suggested halting development on Filing #4 until the entryway was widened.

## **PETITIONER REBUTTAL**

Mr. Acuff said that the sewer lift station was already on the property when he bought it. When he proposed landscaping around the lift station, the Fire Department wanted wider turn-arounds. A letter was received from Bill Cheney of the city's Engineering Department that all trees were to be removed from the area (Filing #1). A stucco wall was then built to obscure the station. He verified that the lift station was sized for the entire property (corroborated by a Westwater Engineering report referred to by Mr. Acuff).

Mr. Acuff said that the current density had been downsized from the original 350 units to 280. With regard to the drainage, it was designed to run through the homeowners' side yards out to the street; however, homeowners off the golf course are able to build a wall at their option if built to design specifications. He said that the county had not required the building of a wall in Filing #3. Mr. Acuff said that the timing of the entryway widening had been tied to county requirements but that it was scheduled to be completed with Filing #4. Elam Construction was hired for the improvements to the entryway and was under a contractual obligation to complete them within a prescribed time frame or they would be forced to pay liquidated damages.

He said that the commercial zoning was done prior to Mr. Claussen purchasing his property; consequently he would not have received any notification of public hearing. The office activity, he felt, was misrepresented. He read from Ms. Whiting's purchase contract which clearly indicated a sales/property management office being located on the property. His intent was to abandon the office in the Filing #1 location when construction began in Filing #4. He noted that at the time Filing #4 was discussed in full public hearing with the county, no one spoke against the proposal; thus, he felt that the majority of homeowners were satisfied with the development's direction.

## **DISCUSSION**

Discussions revolved around the timing of entryway widening. Mr. Acuff clarified that Elam was contractually bound to complete the widening by the end of November, subject to weather considerations (made part of the disbursements agreement). John Shaver said that the agreement called for improvements to be made within a specified time frame.

Commissioner Halsey felt that the golf course's setbacks should probably be looked at more closely during the final filing process.

Chairman Elmer felt that the low impact commercial uses allowed for the commercial area were appropriate.

With regard to the release of restrictive covenants as mentioned earlier, John Shaver felt that this would require additional review, that no final determination needed to be made at this stage.

**MOTION: MR. CHAIRMAN, ON ITEM #154-94, I MOVE THAT WE APPROVE THE OUTLINE DEVELOPMENT PLAN, THE ODP, AND FORWARD THE**

**ZONE OF ANNEXATION OF PR 4.4 TO THE CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO THE CONDITIONS IN AND AS MODIFIED BY STAFF REPORT, UNDERSTANDING THAT ITEM #1 HAS ALREADY BEEN ACCOMPLISHED; ITEM #4 HAS BEEN FURTHER REVISED BY MICHAEL THIS EVENING AND THAT REVISION IS PART OF THE RECORD; ITEM #5, STRIKE THE WORDS "SPECIAL WARRANTY DEED" AND IN ITS PLACE INSERT "A MUTUALLY ACCEPTABLE FORM OF DEED"; ITEM #6, THE APPROXIMATE REALIGNMENT OF SOUTH BROADWAY ACROSS TRACT 9 SHALL BE IDENTIFIED ON THE ODP; ITEM #9, BASICALLY REVISED TO MEET APPLICABLE CODES, THE REVISION STATEMENT READ EARLIER INTO THE RECORD; ITEM #13, YOU (STAFF) ALSO REVISED AND AS PART OF MY RECOMMENDATION WE'LL STRIKE THE DATE AND ADD THE VERBIAGE THAT YOU (STAFF) READ INTO IT, BUT BRIEFLY FOR THE AUDIENCE [the added verbiage was read at this time], ...AND THEN SHALL BE DEVELOPED AS A SINGLE FAMILY RESIDENCE; GROSS DENSITY AND ALL REFERENCES TO 4.3 ARE ACTUALLY 4.4; THE MINIMUM SETBACKS SHALL BE REVIEWED ON A LOT-BY-LOT BASIS IN THE FUTURE REVIEW PROCESS; AND I RECOMMEND THAT STAFF MOVE TO RESOLVE THE DELETION OF THE RESTRICTIVE COVENANTS."**

Commissioner Whitaker seconded the motion.

Chairman Elmer reiterated that the zone of annexation was a PR 4.4 plus Tract 9 which was planned commercial.

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

A recess was called at 9:22 p.m. The meeting reconvened at 9:32 p.m.

**#155-94 ZONE OF ANNEXATION: SOUTH CAMP/CANYON VIEW SUBDIVISION AND PRELIM. PLAN**

**Request for a recommendation of approval zoning lands recently annexed to the city in the South Camp Annexation to PR-2 (Planned Residential not to exceed 2 units per acre) for the Canyon View Subdivision and approval of a Preliminary Plan for the subdivision.**

**PETITIONER: City of Grand Junction**  
**REPRESENTATIVE: Tom Dixon**

## **STAFF PRESENTATION**

Tom Dixon presented a brief history of the ODP, indicating it had originally been approved by the county. He passed out maps of a prior proposal known as La Casa Vista to illustrate a pedestrian link which had originally been planned for location between lots 9 and 10 of Phase 2 per discussions between the city and developer. It had actually been platted under Filing #1 as occurring between lots 10 and 11. He felt the latter location created an awkward alignment to Wingate School. Since lot 10 was already sold, negotiations with the current property owner to transfer the easement to the opposite side of the property would have to be conducted.

Tom also noted that a temporary access easement existed for the area located at the western terminus of the western cul-de-sac (Canyon View Court West), whereupon a gravel road led to the cul-de-sac and provided access to approximately four lots. During a recent meeting, the developer had indicated that a partial resolution of the access would occur with Phase 3 (as noted on the map displayed at the meeting).

Tom recommended approval of the zone of annexation and the ODP with the condition that present and future pedestrian easements within the subdivision be improved with 10' wide concrete surfaces.

## **DISCUSSION**

Discussion ensued over the need for a 10' width on pedestrian easements. The bicycle path currently existing is 8'. The Riverfront Trail width is 8' in most places, with 10' widths in other places. It was noted that the city standards are 10' width and concrete was specified in those standards. Staff noted that other easements in the subdivisions were 12'. While it had originally been felt that pedestrian traffic would warrant a 10' width, staff would be willing to accept a 6'-8' hard surface requirement.

Chairman Elmer felt that since the pedestrian easement would be located between two lots, narrower would be better because it would appear less as a "road" and more as a "path."

There was also some discussion over the open space being dedicated as part of the school site.

## **PETITIONER'S PRESENTATION**

John Thomas (321 Quail Drive, Grand Junction) presented a brief history of the project. With regard to the temporary access issue, the homeowners were given a right of passage but that it did not give a specific access location. He said that future phases would seek to address the current access issue as quickly as possible.

Mr. Thomas felt that the pedestrian easement requirement of 10' was excessive; he requested a 4'-6' width, since the easement was located across someone's property and a smaller width would impact the property owners less.

## **DISCUSSION**

Further discussion over the pedestrian easement occurred. Tom noted that the location of the pedestrian easement was dependent upon how future phases would occur and would be linked to the final open space configuration. Comments were made that the easement was seen more as a "short cut" than a major pedestrian accessway.

When questioned about the history of the open space requirement, Mr. Thomas reviewed the history and requested that he would like to describe the area and deed it to the city when he knows what the road configuration is for the area affecting the back 30 acres. With regard to the pedestrian easement, he reiterated that the current owner of lot 10 would have to be approached about relocating the easement.

There was additional discussion over the location of an accessway to the open space area. Mr. Thomas said that access would be available via the school's parking lot; no additional access would be required.

Commissioner Withers wanted to know if there should be a consideration of two zones: PR for the preliminary plan and PZ for the park. Tom replied that it wasn't necessary at this point.

## **PUBLIC COMMENTS**

### **FOR:**

There were no comments for the proposal.

### **AGAINST:**

Steve McCallum (379 South Camp Road, Grand Junction) voiced concerns over the neighbor's insecurity with a temporary access agreement. He wanted to see this clearly defined and did not want to see the westernmost property owners landlocked.

Mr. Shaver said that if temporary access was given to those property owners, recorded, and not undone that those property owners have access. The landlocking of properties is not permitted by the city.

Commissioner Volkmann suggested language in the motion to indicate that adoption of the plan did not intend to evidence the vacation of any rights-of-way that had been previously recorded. Mr. Shaver agreed with the inclusion of such a statement.

Tom said that the city would ensure that the temporary easement appeared on all future plats.

## **PUBLIC COMMENTS (con't)**

Ray Riley (381 South Camp Road, Grand Junction) wanted to know where Mr. Thomas intended to put the permanent access road and what road system would it tie into. Mr. Thomas responded that the temporary access was currently located entirely on lot 16, and he had a hold on lot 16 until the road issue was addressed. He continued that the ideal scenario seemed to be bringing access in through the northwest corner of his 37 acres to the west (shown on map), which would service all the properties in that area.

John Watson (2107 Wildwood Court, Grand Junction) expressed a concern over the landlocking issue on behalf of the owners of the 19 acres adjoining the development property.

## **DISCUSSION**

There was additional discussion over the pedestrian/bicycle path.

Commissioner Withers felt that city standards didn't seem appropriate for this type of path, its location, and expected traffic. He didn't see it as comparable to the Riverfront Trail, noted that it would be used primarily for intra-neighborhood use, would probably be seen as more of a road if widened to 10', and saw this as a detriment to the one property owner who would be expected to dedicate the land. He preferred to see a path no wider than 4', allowing the developer to use hard surface paving materials (not necessarily concrete).

Chairman Elmer preferred a 6' width for the path.

Kathy Portner presented the commissioners with copies of the city standards for bicycle paths. Chairman Elmer noted that the standards were established for off-road trails and did not really apply to paths used to interconnect neighborhoods.

Jody Kliska said that wider paths would better accommodate bicycle traffic.

Discussions arose over the location of the temporary easement. Tom said that the actual platting shows the easement between lots 14 and 15, but the agreement between the developer and the city would show the easement between lots 13 and 14.

**MOTION: (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #155-94, I MOVE THAT WE APPROVE THE ODP AS PRELIMINARY PLAN FOR CANYON VIEW SUBDIVISION, WITH A REVISION OF THE STAFF RECOMMENDATIONS ON THE PEDESTRIAN EASEMENTS, THAT THEY BE IMPROVED WITH A 6' WIDE CONCRETE SURFACE."**

Commissioner Vogel seconded the motion.

A vote was called and the motion passed by a vote of 4-1, with commissioner Withers opposing.

(Commissioner Halsey had excused himself earlier.)

**MOTION: (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #155-94, I MOVE THAT WE RECOMMEND TO THE CITY COUNCIL A ZONE OF ANNEXATION OF PR-2 FOR CANYON VIEW SUBDIVISION."**

Commissioner Vogel seconded the motion.

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

Chairman Elmer addressed planning staff, saying that, with regard to the last two items, it would have been helpful if current plans and additional information had been made available for review by the Commission prior to the hearing.

**#111-94 ZONE OF ANNEXATION: CLIMAX MILL ENCLAVE #1**

**Request for a recommendation of approval zoning lands recently annexed to the city to PC (Planned Commercial).**

**PETITIONER: City of Grand Junction**

**REPRESENTATIVE: Dave Thornton**

**STAFF PRESENTATION**

Dave Thornton passed out copies of the revised staff report to commissioners, explaining that the revised report (changes noted in bold) was as a result of recent meetings with representatives from Bess Investments. He presented an overview of the proposal, saying that a machine shop intended to move onto the parcel. Staff was recommending a change in the zoning to allow machine shops in the area as an allowed use. The Planned Commercial zoning was being sought due to the parcel's close proximity to the future Colorado River State Park. The city wanted to see uses for the parcel which were compatible with the state park, but realizes the surrounding area was zoned industrial. The city felt that as long as any outdoor storage was screened properly, it would be acceptable to be Planned Commercial (as noted in the revised staff report).

Other changes noted in the revised staff report included setbacks, landscaping, screening for the parking area facing the future state park, signage (to allow monument signs along the Kimball frontage) as well as a wall sign. The conditional use requirement was eliminated in the revised report for blacksmith's shops, machine shops, and bottling works. These would be allowed uses in the Planned Commercial zoning.

**QUESTIONS**

Chairman Elmer wondered what the Parks Department was planning for the state park area.

Kathy Portner said that, mainly, the plan called for a large passive recreation and picnic area.

There was general discussion on the sign allowance criteria.

Chairman Elmer asked the two representatives of Bess Investment, property owner, if they were in agreement with the proposed zoning. They acknowledged affirmatively.

#### **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**MOTION: (COMMISSIONER WITHERS) "MR. CHAIRMAN, ON ITEM #111-94, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL, TO ZONE THE CLIMAX MILL ENCLAVE #1 TO PLANNED COMMERCIAL (PC), WITH THE REVISIONS CONTAINED IN THE REVISED STAFF REPORT DATED OCTOBER 4, 1994."**

Commissioner Volkmann seconded the motion.

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

#### **#1-94 (H) TEXT AMENDMENT: LANDSCAPING IN THE RIGHT-OF-WAY**

**Request for a recommendation of approval for amendments to the Zoning and Development Code regarding landscaping requirement in the right-of-way for all uses with the exception of single family development.**

**PETITIONER: City of Grand Junction**  
**REPRESENTATIVE: Michael Drollinger**

#### **STAFF PRESENTATION**

Michael Drollinger presented an overview of the changes being proposed.

Chairman Elmer asked about the capital improvements time frame, to which Michael replied that a statement was included with the text amendment with regard to road widenings which state that the administrator has to be guided by the advice of the Public Works Director and Capital Improvements Plan, the latter indicating a 10-year time frame.

#### **PUBLIC COMMENTS**

There were no comments either for or against the proposal, since there was no "public" left to comment.



**MOTION: (COMMISSIONER VOGEL) "MR. CHAIRMAN, ON ITEM #1-94(H), TEXT AMENDMENT (SECTION 5-4-15), LANDSCAPING THE RIGHT-OF-WAY, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL."**

Commissioner Volkmann seconded the motion.

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

**#1-94 (P) TEXT AMENDMENT: HOME OCCUPATIONS**

**Request for a recommendation of approval for amendments to the Zoning and Development Code to define delivery vehicle size, delivery frequency, and prohibit retail sales from home occupations.**

**PETITIONER: City of Grand Junction**  
**REPRESENTATIVE: Michael Drollinger**

**STAFF PRESENTATION**

Michael Drollinger presented an overview of the proposal, noting one change as suggested by commissioner Volkmann regarding changing section 5-1-9.A.4. to read "...not more than six visits per day of customers/clients associated with the home occupation shall be permitted." This would exclude reference to "delivery" which was addressed later in the ordinance.

**PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**DISCUSSION**

Commissioner Withers wondered how such a limitation on visitation would be enforced. Michael replied that typical enforcement came about through receipt of complaints by neighbors. Commissioner Volkmann noted that neighborhood covenants also restrict business use out of a home. Further discussion ensued over problems involving enforcement and on-street parking.

**MOTION: (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #1-94(P), I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL, INCLUDING NOTED CHANGES."**

Commissioner Whitaker seconded the motion.

A vote was called and the motion passed by a vote of 4-1, with commissioner Withers opposing.

**#1-94(S) TEXT AMENDMENT: TEMPORARY USES & TEMPORARY SIGNS**

**Request for a recommendation of approval for amendments to sections of the Zoning and Development Code regarding temporary uses and temporary signs.**

**PETITIONER:** City of Grand Junction  
**REPRESENTATIVE:** Kristen Ashbeck

**STAFF PRESENTATION**

Kristen Ashbeck presented an overview of the proposal as explained in the staff report.

**PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**MOTION: (COMMISSIONER VOGEL) "MR. CHAIRMAN, ON ITEM #1-94(S), AMENDMENTS TO THE ZONING AND DEVELOPMENT CODE PERTAINING TO TEMPORARY USE AND TEMPORARY SIGNS, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."**

Commissioner Withers seconded the motion.

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

**III. GENERAL DISCUSSION**

Kathy Portner apprised commissioners about the upcoming Growth Plan and Steering Committee meeting which was scheduled for Thursday, October 27, at 7:00 p.m. at Two Rivers Plaza. All commissioners present indicated that they would be able to attend.

**IV. NON-SCHEDULED CITIZENS AND/OR VISITORS**

There were no non-scheduled citizens and/or visitors.

The meeting was adjourned at 11:15 p.m.