

GRAND JUNCTION PLANNING COMMISSION
Public Hearing - November 1, 1994
7:00 p.m. to 8:25 p.m.

I. CALL TO ORDER

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. in the City/County Auditorium by Acting Chairman Thomas Volkmann.

In attendance, representing the Planning Commission, were: Thomas Volkmann (Acting Chairman), Jeff Vogel, Tom Whitaker, Bob Withers, and Stephen Laiche.

In attendance, representing Community Development Department staff, were: Kathy Portner, Tom Dixon, and Kristen Ashbeck.

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 11 interested citizens present during the course of the hearing.

II. CONSIDERATION OF MINUTES

MOTION: (Commissioner Laiche) "Mr. Chairman, I make a motion that we dispense with the reading and approve the minutes of the last two meetings."

Commissioner Vogel seconded the motion.

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

III. ANNOUNCEMENTS, PRESENTATIONS, AND/OR PRESCHEDULED VISITORS

Acting Chairman Volkmann announced that item #121-94(2), Preliminary Plan - Country Club Townhomes, and #163-94, Preliminary Plan - Wellington at 15th were pulled from the agenda.

IV. FULL HEARING/FINAL DECISION ITEMS

#20-94(3) FINAL PLAN/PLAT - EAGLE CREST

Request for approval of a Final Plan/Plat for Eagle Crest Subdivision consisting of 8 single family homes on 2.8 acres with a zoning of PR-4 (Planned Residential, 4 units per acre).

Petitioner: Sidney Gottlieb

Location: Lot 17, Block 9, The Ridges Filing #6

Representative: Tom Logue

Acting Chairman Volkmann withdrew from consideration of this item due to a conflict of interest.

STAFF PRESENTATION

Kathy Portner presented an overview of the plan, noting the conditions imposed by Planning Commission and City Council during the preliminary approval stage. While the original approval required the developer to pave an 8' wide pedestrian/bicycle path in conjunction with the storm drainage easement, slopes along the path were reassessed by engineering staff as being too steep for bicycle traffic to safely utilize the path; thus, the petitioner was asking for, and staff recommended, waiver of this condition. Final approval on this waiver will have to come from City Council.

Kathy added that the petitioner had successfully negotiated with the adjoining property owner to acquire the additional property needed to widen the access to 34'. This had been required in order to gain approval for development of 8 single family lots.

Staff recommended approval, subject to the following conditions:

1. All building envelopes must maintain a 20' setback from the bluff line and the ROW. The side yard setbacks of 5' on one side and 10' on the other will apply. The building envelopes must be shown on a contour map to be recorded with the plat.
2. Utility easements must be provided to Prospector Point Drive in an alignment acceptable to all utility providers.
3. A pedestrian/bicycle path access must be provided in conjunction with the storm drainage easement to provide access to the open space and existing unimproved and improved trail system. The access must be a minimum of 12' wide and be dedicated as open space "to the City of Grand Junction forever, that real property which is labeled as Open Space for the common use, enjoyment and benefit by the General Public." Because of the steep slopes, staff recommended the trail not be paved.
4. An easement for the storm drainage pipe is required. The easement must be recorded with the book and page of the recorded easement shown on the plat.
5. The excess ROW for Eagle Crest Court, adjacent to the open space, will be retained in its natural state.
6. All final construction drawings and plans, including design and erosion control for the storm sewer, must be submitted for review and approval by the City Development Engineer prior to recording the plat or commencing construction, whichever is first.
7. It appears this property falls under the covenants of the Ridges Filing #6 and the existing

Ridges Architectural Control Committee (ACC). It is the developer's responsibility to show why this property is not governed by those existing covenants and the ACC.

PETITIONER'S PRESENTATION

Tom Logue, representing the petitioner, felt that all staff requirements were reasonable and could be complied with. With regard to erosion mitigation, he commented that the hillside which would accommodate the storm sewer drain was barren and establishing vegetation would be difficult. Possible solutions to this problem being investigated included grading around the excavation area and imposing a 12-18 month monitoring period. Mr. Logue suggested that funds be escrowed as part of the Improvements Agreement for a period of 12-18 months as a financial guarantee that if additional mitigation is required at the end of that period, funds would be available.

QUESTIONS

Commissioner Withers asked for clarification on the rock composition of the hillside.

Mr. Logue replied that it consisted of large cobble stones and Dakota Sandstone. The intent was to install the storm drain along pre-existing "trails" to minimize additional scarring along the hillside.

Commissioner Vogel asked if the trails were visible now, to which Mr. Logue replied affirmatively.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) "Mr. Chairman, on item #20-94(3), I move that we approve the final plat and plat, subject to staff recommendations, and recommend to City Council that the paving requirements for the pedestrian path be deleted."

Commissioner Vogel seconded the motion.

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

#85-93(2) PLANNED DEVELOPMENT REVIEW - THE ATRIUM, PHASE II

Request for approval of Phase II of the Atrium of the Grand Valley for 15 retirement cottages "casita" consisting of 6 duplexes and 1 triplex on 2.54 acres.

Petitioner: Hilltop Health Services

Location: 12th Street and F 1/2 Road

Representative: Pat Edwards

STAFF PRESENTATION

Tom Dixon indicated the development site on the map and outlined the petitioner's proposal. Tom noted that the soils study indicated that development should stay away from the sloped area near the retention pond (also shown on map). Staff recommended approval, subject to the following conditions:

1. A direct paved sidewalk connection between Phases I and II shall be installed prior to occupancy of Phase II. There shall also be a tie-in connection from the duplex on the northwest corner of the site (nearest the 12th Street/ F 1/2 Road intersection) to the walkway around the pond.
2. Improvements to F 1/2 Road are required with this project. A Development Improvements Agreement shall be submitted to the City for review and approval for improvements to F 1/2 Road prior to planning clearance for Phase II.
3. Payment for required improvements to 12th Street must be made to the City prior to planning clearance for any of the units in Phase II.
4. Minimum building setbacks are 10' along F 1/2 Road and 15' along 12th Street.
5. Parks and Open Space fees (\$225 per unit) are payable for all 15 units prior to the first planning clearance for any building permit in Phase II.
6. All common open area be dedicated as utility easement, as required by the Public Service Company.
7. The street plans, grading, and drainage plans, utility plans, and a final drainage report are to be prepared and stamped by a registered engineer for final review and approval as requested by the City Development Engineer.
8. The petitioner shall resolve water and sewer system issues to the satisfaction of the City Utility Engineer.

QUESTIONS

Acting Chairman Volkmann asked for clarification on the location of Public Service easements. Tom understood that Public Service wanted all open areas not slated for building to be dedicated as easement (further clarification to be rendered by petitioner).

Commissioner Withers asked how much road width along 12th Street would still be available, based on the 15' front yard setback requirement. Tom replied that all dedications for future widening of 12th Street had been received, which would accommodate two lanes each direction, the median, and sidewalk, curb and gutter.

PETITIONER'S PRESENTATION

Pat Edwards commented that as a result of his meeting with Public Service Company representatives, he agreed to grant as-built easements to Public Service as utilities were installed. This would be done similarly with sewer installation. Mr. Edwards added that a substantial improvements agreement was currently in place.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Discussion ensued between commissioners and staff over the number of parking spaces provided; staff had recommended the deletion of ten spaces, from 23 to 13.

MOTION: (Commissioner Vogel) “Mr. Chairman, on item #85-93(2) Phase II of the Atrium Complex consisting of 15 attached cottage units, I move we approve this, subject to staff recommendations and conditions.”

Chairman Withers seconded the motion.

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

#165-94 FINAL PLAT - GRISIER-RITTER MINOR SUBDIVISION

Request for approval of a Minor Subdivision for a parcel of land consisting of approximately 12 acres into three lots of two acres (existing residence) and two five-acre parcels currently zoned AFT in Mesa County.

Petitioner: Raymond Hiatt

Location: SE corner of 15 1/2 and G Roads

Representative: Tom Foster/Lyle Chamberlain

Commissioner Laiche withdrew from consideration of this item and item #167-94 due to potential conflict of interest.

STAFF PRESENTATION

Kristen Ashbeck pointed out the subject area on the map, indicating that the northwestern corner triangle would include 25' of dedicated right-of-way for the future straightening of 25 1/2 Road. Access to lots 2 and 3 should be limited to one access each and be noted on the plat. A fire hydrant and related improvements agreement would need to be provided. Staff recommended approval subject to:

1. Dedication of the entire northwest triangle to the City of Grand Junction as right-of-way.
2. Notation on the plat that access to Lots 2 and 3 is limited to one access each.
3. An Improvements Agreement and Guarantee for the fire hydrant as required by the Fire

Department.

4. Final approval by the Utility Coordinating Committee.
5. Approval of the plat is contingent upon the City exercising land use control of this parcel proposed to be annexed into the City of Grand Junction. The earliest date the City can exercise land use jurisdiction is after City Council accepts the annexation petition currently scheduled for December 21, 1994. Following the acceptance of the annexation petition, the City will exercise land use jurisdiction for all land use decisions within the annexed area, which time is the earliest the plat may be recorded and building permits issued by the City.

PETITIONER'S PRESENTATION

Lyle Chamberlain, representing the petitioner, felt that all staff requirements had been addressed and would be complied with.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Discussion included clarification of the annexation stipulation, the dedication of the northwest corner triangle as ROW, and access. No additional concerns were noted.

MOTION: (Commissioner Withers) "Mr. Chairman, on item #165-94, the Grisier-Ritter Minor Subdivision, I move that we approve the request with the conditions as outlined in staff recommendations in the staff report, (with the exception) that the water lines requirement be dropped (as amended)."

Commissioner Whitaker seconded the motion.

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

#167-94 FINAL PLAN/PLAT - RIDGE POINT SUBDIVISION

Request for approval of a Final Plan/Plat for Ridge Point Subdivision consisting of six single family lots on approximately 1.997 acres, resulting in a density of three units per acre, and an out-lot consisting of 50.99 acres.

Petitioner: Ted Munkres/Freestyle, Inc.

Location: Northeast of High Ridge Drive and Hidden Valley Drive

Representative: Rolland Engineering

STAFF PRESENTATION

Kathy outlined the proposal and approval history. Because the plat approved by Mesa County was not recorded within the one year timeframe given subsequent to the Ridges annexation, re-review was necessary. Kathy expressed continued concern over the steepness of the six lots, but especially

with regard to lot 4, which did not meet the City's *General Development Standards* for the Ridges, which does not allow building on lots having a grade over 30%. She added that a current boundary line dispute with the southeast property owner was in the process of being resolved and a boundary line adjustment would be forthcoming. Kathy felt that the property posed some very unusual concerns and staff recommended denial of the proposal for the six lots as outlined, since they were not in compliance with City standards. Staff would be in favor of approval, if lot 4 were excluded, and if approved, staff recommended the following additional conditions:

1. An improvement agreement/guarantee is required for all infrastructure improvements needed, including the completion of High Ridge Drive.
2. A 14' multi-purpose easement is required on all front lot lines.
3. Building envelopes must be shown on a contour map to be recorded with the final plat. Minimum setbacks will be 20' front, 5' side and 20' rear, and building envelopes shall not contain slopes in excess of 30%.
4. Dedication language must follow the City's standards. Open space must be dedicated as follows: "to the City of Grand Junction forever, that real property which is labeled as Open Space for the common use, enjoyment and benefit by the General Public."
5. Engineered foundations are required following the State Geologist's and Lincoln DeVore, Inc.'s recommendations.
6. The plat cannot be recorded until the boundary line adjustment between this property and the Hill Property is approved and recorded.
7. A \$225 per lot parks and open space fee will be due prior to recording the plat. A transportation capacity payment of \$500 per lot will be collected at the time of issuance of planning clearances for each lot.

PETITIONER'S PRESENTATION

Ted Munkres presented photos showing the subject property and related grades. He said that the actual grade from lot 3 to lot 4 differed by less than 2' from the road grade. He presented a concept drawing for a typical residence proposed for the lot 4, noting the ground level behind the house, the use of a retaining wall and backfill on the inside of the retaining wall for basement slabs. The front of the house would have a small amount of underpinning which would be skirted.

QUESTIONS

Commissioner Withers commented that it seemed to be a typical design for homes along Prospector Point.

Mr. Munkres said that it was a similar but better design, saying that many of the problems which occurred in building the first homes had been addressed and would not recur with the design as currently proposed. The Greek Mediterranean design allowed for building of rooftop terraces and

bringing the house down to the ground, eliminating the need for fill. Mr. Munkres felt that eliminating development of lot 4 would detract from the overall appearance of the subdivision.

The commissioners and the petitioner discussed possible options for remedying the situation on lot 4, including: 1) developing five lots instead of six; or 2) reconfiguring the location of the building envelope on lot 4 to accommodate the slope standard, building the house directly over that portion of lot 4 not in compliance (10'-15' swale).

Kathy pointed out that adherence to the City standards for the Ridges area was important to avoid setting an undesirable precedent for future development in the area. She reiterated that development of lot 4 was the only one that would be in direct conflict with the Development Standards.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Withers felt that if a house were built over the swale using an engineered foundation, this should be acceptable, providing the rest of the lot was in compliance to the City's standards for the Ridges.

Acting Chairman Volkmann asked Mr. Shaver if approval of this option would be perceived as a waiver of the City's requirements, to which Mr. Shaver replied that it would not and further elaborated on this assertion. He added that if approved as such, it should be noted in the motion as an additional consideration for approval.

MOTION: (Commissioner Withers) "Mr. Chairman, on item #167-94, a Final Plan for Ridge Point Subdivision, I move we approve the request subject to staff's recommendations #1-#7 and add an 8th requirement that no portion of any of the lots 1-6 shall have a slope in excess of 30% within 10' of the perimeter of the building pad, and deleting that portion of item #3 which states '...and building envelopes shall not contain slopes in excess of 30%' (as amended)."

Commissioner Vogel seconded the motion.

Chairman Volkmann inquired of the petitioner whether the boundary adjustment (item #4 of Staff Report) was actually going to occur, to which Mr. Munkres said that it would.

Kathy added that in item #3, the last portion of the second sentence needed to be deleted.

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

V. DISCUSSION ITEMS

Kathy Portner passed out copies of existing meeting presentation rules. She elaborated that suggested amendments to the rules which had been made during recent meetings would be incorporated into the existing format, if approved, and passed out with Planning Commission packets.

Acting Chairman Volkmann said that comments should be directed to Larry Timm, Community Development Director.

Planning Commissioners were reminded of the joint City/County Planning Commission hearing scheduled for 7:00 p.m. on December 8 to consider the Orchard Mesa Plan.

VI. NON-SCHEDULED CITIZENS AND/OR VISITORS

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

The meeting was adjourned at 8:25 p.m.