

GRAND JUNCTION PLANNING COMMISSION
Public Hearing - December 6, 1994
7:02 p.m. to 8:05 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), Thomas Volkmann, Jeff Vogel, Tom Whitaker, Bob Withers, and Ron Halsey.

In attendance, representing Planning Department staff, were: Kathy Portner, Dave Thornton, and Kristen Ashbeck.

Also present were Larry Timm (Community Development Director), 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 Halsey) "Mr. Chairman, I move that we approve the minutes of the November 1st meeting."

Commissioner Withers seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0. (Commissioner Volkmann arrived directly after the vote on the minutes.)

III. ANNOUNCEMENTS, PRESENTATIONS, AND/OR PRESCHEDULED VISITORS

Chairman Elmer reminded the audience that the agenda had been split, and those items not heard tonight would be heard on December 13, 1994 at 7:00 p.m. as noted on the December 13, 1994 agenda.

Chairman Elmer continued that item #'s 179-94 and 185-94 had been pulled from the December 6 agenda. On item #'s 201-94 and 203-94, requests for zoning would be heard, but the final plan/plat requests for approval for both proposals had been pulled.

IV. FULL HEARING/FINAL DECISION

There were no items considered for final decision.

V. FULL HEARING/ITEMS RECOMMENDED TO CITY COUNCIL

#184-94 VACATION OF DRAINAGE RIGHT-OF-WAY, SUNSHINE LANE

Request for a recommendation of approval for vacation of drainage right-of-way located near Sunshine Lane at 27 1/2 Road.

Petitioner: Jimmy Bonnell

Location: Sunshine Lane at 27 1/2 Road

STAFF PRESENTATION

Kristen Ashbeck pointed out the location of the proposed vacation on the map, indicating that the right-of-way had been dedicated in the 1940s. While the City had considered retaining the right-of-way for potential future trail construction, it was determined that trail extension to the east would be too difficult. The Drainage District requested retention of the right-of-way as an easement for their use and for existing utilities. Staff recommended approval of the vacation, subject to reservation of the entire right-of-way as a utility and drainage easement and final approval by the Utility Coordinating Committee.

PETITIONER'S PRESENTATION

Jimmy Bonnell felt that there would be better control over the activities occurring in the drainage right-of-way if the vacation were granted.

PUBLIC COMMENT

FOR:

There were no comments for the proposal.

AGAINST:

Ellen Hill (2754 Sunshine Lane, Grand Junction) wanted to know if the vacation would result in closing the ditch and, if so, how would residents receive irrigation water?

Chairman Elmer clarified that the ditch would not be closed, but ownership of the ditch would change. The utility and drainage easements would still be retained.

MOTION: (Commissioner Withers) “Mr. Chairman, on item #184-94, I recommend that we forward the item to City Council with the recommendation of approval, subject to the reservation of the entire right-of-way as a utility and drainage easement and final approval by the Utility Coordinating Committee.”

Commissioner Halsey seconded the motion.

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

#1-94 TEXT AMENDMENT - ANIMALS IN RSF-R

Request for a recommendation of approval of an amendment to Section 5-10-3 of the Zoning and Development Code to clarify the allowance of agricultural animals in the RSF-R (Residential Single Family, 1 unit per 5 acres) zone district.

Petitioner: City of Grand Junction

Representative: Kristen Ashbeck

STAFF PRESENTATION

Kristen Ashbeck outlined the proposed text amendment, saying that the RSF-R zone district was never included in the agricultural animals section of the code as was originally intended. The proposal was to rectify that omission.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item #1-94(V), an amendment to Section 5-10-3 of the Zoning and Development Code, I move that we forward the item to City Council with the recommendation of approval.”

Commissioner Withers seconded the motion.

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

#1-94(W) TEXT AMENDMENT - VARIANCE DEADLINES

Request for a recommendation of approval of an amendment to Section 10-1-1.D of the Zoning and Development Code to clarify when an application to the Board of Appeals will be heard following submittal.

Petitioner: City of Grand Junction

Representative: Kathy Portner

STAFF PRESENTATION

Kathy Portner indicated that the current wording and scheduling conflicted with other sections of the Code. The proposal would rectify this.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (Commissioner Vogel) “Mr. Chairman, on item #1-94(W), I move that we forward this on to City Council with the recommendation of approval.”

Commissioner Whitaker seconded the motion.

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

**#50-93 AMENDING ZONING ORDINANCE #2718, ZONING PARADISE HILLS #7
Request for a recommendation of approval for a clarification of Zoning Ordinance #2718 zoning Paradise Hills Filing #7 to RSF-5.**

Petitioner: City of Grand Junction

Representative: Kathy Portner

STAFF PRESENTATION

Kathy Portner indicated that the zoning ordinance called for RSF-4 zoning for filings #1-6, but contained some discrepancies in the zoning for filing #7. Since the original intent was to zone filing #7 RSF-5 and the setbacks were consistent with this zone, staff recommended approval.

PUBLIC COMMENT

FOR:

Robert Bray (225 N. 5th Street, Grand Junction), owner of 45 vacant lots within the filing, agreed with the City and spoke in favor of the proposal.

AGAINST:

There were no comments against the proposal.

MOTION: (Commissioner Whitaker) “Mr. Chairman, on item #50-93, a request to amend Ordinance #2718, zoning all of Paradise Hills Filing #7 to RSF-5, I recommend we approve it.”

Commissioner Halsey seconded the motion.

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

#183-94 ZONE OF ANNEXATION - GRISIER-RITTER

Request for a recommendation of approval, zoning a parcel of land currently being annexed to the City to Residential Single Family not to exceed 1 unit per acre (RSF-1).

Petitioner: City of Grand Junction

Representative: Kristen Ashbeck

STAFF PRESENTATION

Kristen Ashbeck provided a background of the proposal and indicated that the zoning request to RSF-1 would be consistent with setbacks for the home located on lot 1 which contained approximately one acre, but the zoning would also affect lots 2 and 3 which were 5 acres and 4.6 acres, respectively.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) “Mr. Chairman, on item #183-94, the zone of annexation for the Grisier-Ritter minor subdivision, I move that we forward the item to City Council with the recommendation of approval of the RSF-1 zone.”

Commissioner Halsey seconded the motion.

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

#201-94 ZONE OF ANNEXATION - CODY SUBDIVISION TO PLANNED RESIDENTIAL (PR) WITH A DENSITY NOT TO EXCEED 4.4 UNITS PER ACRE

Request for a recommendation of approval, zoning Cody Subdivision, which was recently annexed to the City, to Planned Residential (PR) with a density not to exceed 4.4 units per acre.

Petitioner: John Davis

STAFF PRESENTATION

Kathy Portner presented a brief overview of the proposal, saying that Cody Subdivision was annexed as part of the Darla Jean annexation. Ms. Portner said that the City’s planned zone would be the most appropriate zoning. The petitioner had requested pulling the request for consideration of the final plan/plat for filings #3 and #4 so that he may apply City standards to the filings to ensure that lot layout would not be drastically altered. Staff recommended approval.

QUESTIONS

Commissioner Halsey asked if only the filings not already recorded would have to meet City standards.

Ms. Portner replied that all the infrastructure within Cody Subdivision must meet City standards. She added that adequate drainage seemed to be the biggest question, and it was unsure whether the detention area was large enough to meet City standards.

Chairman Elmer asked if the petitioner could pay an impact fee should the detention area not be consistent with City standards.

Ms. Portner was unsure, adding that it would depend on whether there were adequate facilities currently in place to adequately handle runoff.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (Commissioner Vogel) “Mr. Chairman, I move that we forward the rezone to PR, with a density not to exceed 4.4 units per acre on to City Council with recommendation of approval.”

Commissioner Withers seconded the motion.

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

#202-94 ZONE OF ANNEXATION - NEW BEGINNINGS SUBDIVISION

Request for a recommendation of approval for zoning of the New Beginnings Subdivision which was recently annexed to the City to Planned Residential (PR) with a density not to exceed 3 units per acre for 20 lots on 6.8 acres.

Petitioner: City of Grand Junction

Representative: Kathy Portner

STAFF PRESENTATION

Kathy Portner provided a brief overview, noting that the New Beginnings subdivision was also a part of the Darla Jean annexation. Staff recommended approval.

QUESTIONS

Chairman Elmer wondered why the City was going with the 35' height requirement.

Ms. Portner indicated that City zones allow for structural heights of up to 32'. She indicated that the 35' height limitation was standard for all the PUD zones within the Darla Jean annexation, so that

the 35' requirement may be a County standard for its straight zones.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) “Mr. Chairman, on item #202-94, zoning of New Beginnings Subdivision to PR with a density not to exceed 3 units per acre and with the bulk requirements as listed in the staff review, I move that we forward this on to City Council with recommendation of approval.”

Commissioner Halsey seconded the motion.

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

#203-94 ZONE OF ANNEXATION - SCOTTS RUN SUBDIVISION TO PLANNED RESIDENTIAL (PR) WITH A DENSITY NOT TO EXCEED 3.3 UNITS PER ACRE
Request for a recommendation of approval of zoning Scotts Run Subdivision which was recently annexed to the City to Planned Residential (PR) with a density not to exceed 3.3 units per acre.

Petitioner: Ray Rickard

STAFF PRESENTATION

Kathy Portner provided an overview of the proposal and added that the Scotts Run Subdivision was also a part of the Darla Jean annexation. The planned zone would accommodate current setbacks and lot sizes. The petitioner had asked that the request for approval of the final plan/plat be pulled to allow time to redraw the plat with City standards incorporated. Staff recommended approval of the PR zoning.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Ray Rickard (3051 Wellington, Grand Junction), the petitioner, wanted to clarify that while he had no problem with the City's zoning, he did not agree with the City's standards. Since the County had approved the original plan/plat, he felt that the County's former approval and conditions should be binding.

QUESTIONS

Commissioner Volkmann asked if the bulk requirements had to be addressed within the motion.

Ms. Portner replied that the bulk requirements would be incorporated into the zoning ordinance, but they could be referred to if the Commission chose to do so.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item #203-94, a zone of annexation for Scotts Run Subdivision, I move we forward the rezoning to PR with a density not to exceed 3.3 units per acre with the bulk requirements set forth in the staff comments, on to City Council with the recommendation of approval.”

Commissioner Withers seconded the motion.

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

#204-94 ZONE OF ANNEXATION - DEL-MAR SUBDIVISION TO PLANNED RESIDENTIAL (PR) WITH A DENSITY NOT TO EXCEED 3.1 UNITS PER ACRE.

Request for a recommendation of approval zoning Del-Mar Subdivision which was recently annexed to the City to Planned Residential (PR) with a density not to exceed 3.1 units per acre.

Petitioner: Delbert & Marilyn Parmenter

STAFF PRESENTATION

Kathy Portner presented a brief overview of the proposal, adding that the Del-Mar Subdivision was also a part of the Darla Jean annexation. The County approved the Official Development Plan (ODP) for the subdivision and final approval for filing #1 had been granted in 1994. The County’s ODP was closest, in scope, to the City’s Preliminary Plan; thus, staff recommended approval of the zoning to PR and acceptance of the County’s ODP as the City’s Preliminary Plan, so that future filings would be considered for final plat approval. The County’s ODP approval conditions were as follows:

1. Follow all recommendations of the Geologic Hazard Survey.
2. Access to F Road be allowed at 29 3/8 Road.
3. Neighborhood mailboxes to be located at convenient locations throughout the subdivision. Locations to be approved by staff.
4. The following setbacks are approved:
Principal building: 20' front; 20' rear; 10' side (including corner lots or easement width)
Accessory buildings: Limited to the rear half of the lot; 5' rear; 5' side (or easement width, whichever is greater). The side yard setback for principal buildings, where the garage and associated parking are proposed to have access from the side yard, be set back 20' for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10' setback (or easement width, whichever is greater).

5. Height of buildings be limited to 35'.
6. Minimum lot size of 8,000 sq. ft.
7. Rear lot grading of the lots along the north line of the subdivision must be approved by the Grand Junction Drainage District and the Development Engineer.
8. The drainage detention area is to be constructed in open space. A neighborhood association or other provision for the maintenance of this structure must be provided. Approval of a drainage plan is required.
9. The Palisade Irrigation District recommends that a storage reservoir be used for irrigation water.
10. Provision of adequate fire flow and hydrants.
11. An executed Acknowledgment of Existing Open Drain to the Grand Junction Drainage District with the properly described easement for the F 1/4 Drain be completed and noted on the Final Plat/Plan for each filing that is effected.
12. Provision of an Improvements Agreement/Guarantee for each filing.
13. Recordation of the approved ODP.
14. All construction traffic must use the temporary access off F Road.

QUESTIONS

Chairman Elmer asked that, in 7. above, whether a grading plan is to be received for each lot, or would a single grading plan be submitted for the entire subdivision.

Ms. Portner indicated that the Community Development Department would ask for an overall grading plan for filing #3.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item #204-94, I move that we forward this on to City Council with the recommendation of approval for the zoning of Planned Residential (PR) with a density not to exceed 3.1 units per acre. I also move that we approve the ODP as Preliminary Plan, subject to staff recommendations.”

Commissioner Withers seconded the motion.

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

#13-94 ZONE OF ANNEXATION - DARLA JEAN ANNEXATION AREA

Request for a recommendation of approval zoning lands recently annexed in the Darla Jean Annexation to the following various zones: Planned Airport Development (PAD), Residential Single Family not to exceed 1 unit per 5 acres (RSF-R), Residential Single Family not to exceed 1 unit per acre (RSF-1), Residential Single Family not to exceed 4 units per acre (RSF-4), Residential Single Family not to exceed 5 units per acre (RSF-5), Planned Business (PB), and Public Zone (PZ).

Petitioner: City of Grand Junction

Representative: Dave Thornton

STAFF PRESENTATION

Dave Thornton said that the recommended zoning would affect the remaining parcels contained within the Darla Jean annexation. Mr. Thornton outlined the various zone proposals as detailed in the staff report dated November 29, 1994.

QUESTIONS

Chairman Elmer asked if the zoning changes being proposed by the City had been discussed with the various property owners.

Mr. Thornton indicated that rezone notices had been sent to all affected property owners. Only the property owner zoned PB responded and his response had been favorable.

Chairman Elmer asked if there were any known instances whether houses would be “grandfathered” in order to meet City requirements.

Mr. Thornton replied that none existed to his knowledge, unless they were already non-conforming. He provided an example where one of the larger lots currently had two homes located on it. Since it was already non-conforming in the County, it would remain non-conforming in the City.

PUBLIC COMMENT

Ralph Selch (2879 Darla Jean, Grand Junction) asked if the Matchett property was included in the Darla Jean annexation. He expressed general concerns over increased traffic in the area.

Mr. Thornton clarified that the Matchett property was not included and was still outside the City limits.

Chairman Elmer added that the Major Street Plan included future widening of 29 Road which would mitigate increased traffic along 29 Road.

MOTION: (Commissioner Withers) “Mr. Chairman, on item #13-94, the Zone of Annexation for the Darla Jean Annexation, I move that we forward this on to City Council with the recommendation of approval as proposed in the City staff report dated November 29, 1994 and attached hereto.”

Commissioner Vogel seconded the motion.

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

VI. GENERAL DISCUSSION

Planning Commissioners were reminded of the joint City/County Planning Commission hearing scheduled for 7:00 p.m. on December 8 to consider approval of the Orchard Mesa Plan. Chairman Elmer along with Commissioners Volkmann, Halsey, Withers, and Vogel all indicated that they were planning on attending the meeting. Dave Thornton added that no major problems seemed to remain.

Larry Timm said that Keith Fife, the County's Long Range Planner, was extending an invitation to the City Planning Commissions to participate on a committee designed to discuss the preservation of agricultural lands. Commissioner Halsey indicated an interest to participate on this committee. Other commissioners indicated an interest, but would not be able to participate due to their current involvement with other committees.

Chairman Elmer asked if the new rules of order were ready to be considered.

Mr. Timm said that the item would be deferred until January or February of 1995.

VII. NON-SCHEDULED CITIZENS AND/OR VISITORS

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

The meeting was adjourned at 8:05 p.m.