

GRAND JUNCTION PLANNING COMMISSION
Public Hearing - January 10, 1995
7:05 p.m. to 10.40 p.m.

I. CALL TO ORDER

The regularly scheduled Planning Commission hearing was called to order at 7:05 p.m. in the City/County Auditorium by Chairman John Elmer.

In attendance, representing the Planning Commission, were: John Elmer, Chairman, Jeff Vogel, Bob Withers, Tom Volkmann, Steven Laiche, and Tom Whitaker.

In attendance, representing Planning Department staff, were: Kathy Portner, Tom Dixon, and David Thornton.

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 32 interested citizens present during the course of the hearing.

II. CONSIDERATION OF MINUTES

MOTION: (Commissioner Whitaker) "I make a motion that the minutes from the previous meetings (December 6 and 13) be approved as distributed, but with the amendment that in the motion of #163-94, the requirement for a 6-inch concrete private driveway be deleted (as amended)."

Commissioner Withers suggested including an amendment which deleted the requirement of a 6-inch concrete private driveway per staff recommendations.

Commissioner Laiche seconded the original motion and the subsequent amendment.

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

III. ANNOUNCEMENTS, PRESENTATIONS, AND/OR PRESCHEDULED VISITORS

Chairman Elmer indicated that items #121-94(2) and #217-94 had been pulled and would be considered at a later date.

IV. FULL HEARING/FINAL DECISION

#218-94 MINOR STREET PLAN

Request for approval of a Minor Street Plan for the extension of Hermosa Avenue from 15th Street to 27 1/2 Road.

Petitioner: City of Grand Junction

Representative: Jody Kliska

STAFF PRESENTATION

Jody Kliska indicated the location of the proposed extension on the aerial and localized maps. She presented an overview of the proposal, citing the following benefits which would be gained by the east-west link: 1) providing access for automobiles, bicycles, pedestrians, emergency vehicles, etc. in a public right-of-way; 2) allowing interaction between neighborhoods without forcing all trips onto Patterson Road; and 3) linking clusters of development for efficient future use of public transportation. She felt that the extension would also address safety issues. Ms. Kliska noted that three large undeveloped parcels were located in the area, the largest comprising 15 acres. She outlined the capital improvements projects which were scheduled for this area to the year 2003, including a traffic light at 15th and Patterson in 1995. Staff opposed neighbor requests for a signal at 12th and Hermosa due to the proximity of Hermosa to Patterson Road*s signal.

The Public Works Department Manager met with neighbors and developers of the 15-acre parcel in December to discuss the extension. Comments from that meeting were incorporated into the staff report.

QUESTIONS

Commissioner Withers asked if the northern extension option would be allowed to terminate at 27 1/2 Road anywhere within the “hatched” area (shown on map), to which Ms. Kliska replied affirmatively.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Judy Oviatt (609 - 27 1/2 Road, Grand Junction) opposed the project entirely but was especially opposed to the proposed southern extension. She noted that the southern extension was aligned to run right through her home. She added that traffic on 27 1/2 Road already backed up from Patterson Road to a point past her home. She said that a southern extension would only exacerbate the traffic problem on 27 1/2 Road, since it would empty right in the middle of the already backed-up traffic. She indicated that Spring Valley residents were also experiencing a problem accessing 27 1/2 Road in this area. Ms. Oviatt said that the southern parcel where her home was located had

two deeds. If the southern extension proposal were to go through, she felt it would render a third of the total property useless. She urged denial.

Jim Griffith (520 Placer Drive, Grand Junction) felt that either extension proposal would be used more for the public than for residents in the area. He suggested that the developer for the northern 15 acres could use cul-de-sacs to provide access to residents within his development and felt that existing neighbors would support such an alternative.

Mark Finn (1015 N. 7th Street, Grand Junction), a Realtor for Green Valley Estates, felt that both alternatives would devalue the property. He indicated that the extension would increase assessments and if those assessments were too high, the developer may decide that the project was no longer feasible. He opposed increased traffic on 27 1/2 Road.

Donna Griffith (520 Placer Drive, Grand Junction) felt that an 80-foot-wide street would use up all available frontage at its access point onto 27 1/2 Road. She agreed with Ms. Oviatt's comments concerning the traffic backing up on that road, adding that an extension would add to and not eliminate traffic problems. She was in favor of the cul-de-sac option along with the traffic light at 15th and Patterson.

Carol Jewart (609 - 27 1/2 Road, Grand Junction) said that if an extension went through, she expected that the City would buy her property at fair market value.

Ted Strickland (9361 Knox Court, Westminster, CO), a consultant for the developer of the proposed apartment complex, felt it unfair to require the developer of the northern property to bear the entire cost of half-street improvements for the entire extension of Hermosa. He agreed with neighbors that no tangible benefit would result from either extension proposal, but felt that two cul-de-sacs, one existing onto 15th Street and one exiting onto 27 1/2 Road would be the best alternative. An extension of Hermosa would completely alter the current plans for development of the northern property and he felt it would deplete a lot of the open space planned for the development.

Dennis Malone (5675 DTC Blvd., Greenwood Village, CO), developer of the proposed apartment complex, briefly outlined the proposed development of the northern parcel and included the two proposed cul-de-sac entrances referred to by Mr. Strickland. He indicated that half of the parcel would be developed first to minimize impacts to the area. He didn't see the purpose in the extension and felt that it would bring a lot of unwanted outside traffic into the area. He noted that the proposed cul-de-sac options met with neighbor approval.

Joe Pace (737 Horizon Drive, Grand Junction), expressed approval for more private accesses which were designed for neighborhood use.

Jim Ensley (2734 Patterson Road, Grand Junction) asked for clarification of the project and suggested extension of 27 1/2 Road toward the downtown area.

Norma Rowe (2911 N. 15th Street, Grand Junction) said that the extension will serve to increase

traffic along 15th Street as well. She expressed opposition and asked why she had not received notification of the proposal.

DISCUSSION

Commissioner Vogel asked if there was an overall master plan which would guide traffic development in this area.

Ms. Kliska said that there was no master plan currently in place for the area, but added that the Metropolitan Planning Organization was planning to undertake a streets master plan in 1995.

Commissioner Laiche asked Ms. Kliska what she was trying to accomplish with the extension.

Ms. Kliska responded that the intent was to limit the number of access points on 15th Street and 27 1/2 Roads and provide an east-west link. She added that if cul-de-sacs were used, all traffic would still be routed onto Patterson Road.

Commissioner Vogel agreed that there was already a problem with traffic on 27 1/2 Road. Commissioner Withers agreed and didn't see where the extension would alleviate any of the pre-existing problems.

Additional discussion ensued between commissioners concerning the ramifications of either extension proposal. The consensus was that sufficient need for the extension had not been demonstrated and that the extension may actually add to present traffic problems. Traffic impacts could be reviewed at a later date.

MOTION: (Commissioner Volkmann) "Mr. Chairman, on item #218-94, Minor Street Plan for Hermosa Avenue, I move that we deny the application."

Commissioner Withers seconded the motion.

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

V. FULL HEARING/FINAL DECISION UNLESS APPEALED

#213-94 PLANNED DEVELOPMENT REVIEW - QUIZNO'S SUBS

Request for approval of amendment of a Final Plan for a Planned Business (PB) Zone to allow for a Quizno's Submarine Sandwich Restaurant to be located at the Village Fair Shopping Center at 1133 Patterson Road.

Petitioner: DJS Foods, Inc.

Location: 1133 Patterson Road

Representative: Spike Howard

STAFF PRESENTATION

Kathy Portner presented an overview of the proposal. Staff recommended approval subject to the following:

- 1.Revise landscape plan to address staff comments.
- 2.Provide City Development Engineer with a parking lot grading plan for review/approval.
- 3.Provide Community Development Department with a revised sign plan indicating signage not to exceed a total of 126 square feet, with the freestanding sign to be a monument style sign not to exceed 8 feet in height.
- 4.Payment of the TCP, open space fees, and drainage fees.

QUESTIONS

Commissioner Withers questioned staff*s recommendation to plant trees in the right-of-way and wondered “Wouldn*t this hinder visibility?” Ms. Portner replied that proposed trees would be deciduous and would be located outside the sight distance triangle. The final landscaping plan would be subject to staff review and approval.

Commissioner Elmer asked if drainage detention was provided, to which Ms. Kliska said that the drainage would discharge into the Buthorn Drain, adding that the Buthorn Drain was already overloaded.

PETITIONER*S PRESENTATION

Spike Howard indicated that the Architectural Control Committee may not allow the monument sign but added that the landscape requirements were acceptable. He reiterated his request for approval of the proposal.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) “Mr. Chairman, on item #213-94, I move that we approve the amended final plan for the Village Fair shopping center subject to the applicant resolving the issues stated in the staff recommendations 1. through 4. as noted above.”

Commissioner Laiche seconded the motion.

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

A brief recess was called at 8:30 p.m. The hearing reconvened at 8:35 p.m.

Due to a potential conflict of interest, Commissioner Laiche excused himself from consideration of the following item.

#214-94 REVISED OUTLINE DEVELOPMENT PLAN/FINAL PLAN - CANYON VIEW SUBDIVISION PHASE II

Request for approval of a Revised Outline Development Plan for one additional lot consisting of 23.8 acres and a Final Plan for 20 single family lots on 9.7 acres with a zoning of PR-2 (Planned Residential, with a density not to exceed 2 units per acre) located one mile south of the intersection of South Broadway and South Camp Road.

Petitioner: John Thomas
Location: South Camp Road west of 22 Road
Representative: Ciavonne & Associates

STAFF PRESENTATION

Tom Dixon presented an overview of the proposal. He noted the County*s adopted Redlands Goals and Policies limitations on densities for development in this area and felt that the City may want to adopt and use them as well in guiding development in the Redlands area. He indicated that lot 1 in the northern portion of the proposed development would be unbuildable because it was designated as a stormwater retention area until a future date when the larger area (shown on map) was built out. He noted two proposed easement alternatives (referred to as A or B) which would provide pedestrian access from Phase III to the 4.5 acre open space area which was being deeded to the City. A third pedestrian alignment (C) would provide access to the open space area in Phase IV of the development. Staff recommended approval subject to resolution of the following issues on the final platting of Phase II and ODP:

- 1.(As amended) Twelve-foot wide pedestrian and bicycle easements shall be identified on the amended ODP for future phases. These easements shall follow either alignment A or B, as demonstrated on Exhibit 1. A 12-foot easement directly connecting to the dedicated open space shall also provide vehicular access for City of Grand Junction Parks and Recreation maintenance purposes. This may be an additional easement not shown or may be A or B as shown now at the developer*s and City staff*s mutual agreement.
- 2.The park site shall be platted as a separate and distinct lot or tract with Phase II.
- 3.The Redlands Goals and Policies restriction of densities along the Colorado National Monument limits one unit per five (5) acres. Only residential structures on such 5-acre parcels are to be allowed within 1,000 feet of the Monument boundary.
- 4.The temporary access easement through Phase I should be eliminated when Phase II is platted.
- 5.A Development Improvements Agreement for required improvements is necessary prior to platting of Phase II.

6.(As amended) eliminated.

7.(As amended) eliminated.

8.(As amended) Other issues identified by reviewing agencies must be satisfied, including the provision for street lighting (see commission motion).

Staff also recommended street lighting be provided in future phases to meet City standards.

QUESTIONS

Commissioner Withers asked for clarification of where the temporary easement would end. Mr. Dixon said that the easement would be eliminated in Phase I, to include that portion in lot 7, block 2 because once the street was put in, access would be onto a paved roadway going through to South Camp Road.

Commissioner Withers asked if the street lighting was being requested for just Phase II, or both Phases I and II. Mr. Dixon said that Phase I was already very nearly completed and retrofitting would not be required. Thus, the lighting would only be required for subsequent phasing.

Chairman Elmer asked if any other access to the open space had been provided for. Mr. Dixon indicated that easements A or B should both provide for maintenance vehicles, but added that the petitioner was currently negotiating with the school district to obtain a temporary access to the park. The City wanted an alternative to the latter.

Commissioner Withers questioned that if such an easement could be worked out with the school, would easements A or B still be needed? Mr. Dixon indicated that the Parks Department preferred not accessing through school district property; however, if the school district would grant a *permanent* easement to the open space, it may make a difference.

Chairman Elmer brought up the restrictions imposed by the County*s Redlands Goals and Policies. It appeared from other developments in the area that the County did not always adhere to its own policies. Mr. Dixon said that the policies were adopted by the County and that staff supported the merits of the policy which allowed buffering of development from the Colorado National Monument.

PETITIONER*S PRESENTATION

Craig Roberts, representing the petitioner, indicated that the pedestrian easements were not required in an ODP stage and didn*t feel they should necessarily be made a condition at this stage. He added that the open space park area was designated by both City and County Master Plans to be an extension of the school*s open space and not designation as a neighborhood park. Thus, he felt that a maintenance access from the neighborhood was not necessary and should be obtained through the school district. He requested elimination of both easements for this reason, adding that bike paths

and sidewalks were already being provided. Further, he felt that security for the residents of the development may be compromised should these accesses be permitted. Mr. Roberts asked that the Residential Collector street requirements be dropped, since the proposed densities did not warrant this type of street improvements. He also felt that the requirement for street lighting would create visual pollution and would adversely impact the view quality to and from the National Monument. He added that if required, this development would be the only one to require such lighting and requested elimination of this requirement.

QUESTIONS

Commissioner Withers asked for clarification on the location of existing bike paths and sidewalks which were already provided.

Chairman Elmer said that the easement requirement provided by A or B was part of the annexation agreement. He wasn't sure that this requirement could be overridden.

Mr. Roberts said that street lighting was also a part of the annexation agreement but that the City Attorney was now re-reviewing this condition, that it had originally been made as a verbal agreement. The written annexation agreement made no reference to street lighting.

Chairman Elmer asked Mr. Shaver for legal clarification on recommendations that the commission could make regarding the lighting issue. Mr. Shaver noted that the final decision would be made by City Council, since the zoning code requires lights. The Commission may make recommendations for consideration by Council.

Commissioner Withers clarified that the petitioner was requesting deletion of conditional items 6. and 7. currently required by staff. Mr. Roberts indicated that another 50 units plus would be required for the street requirements to be "collector" status and that that density was not feasible given the current topographical restraints.

John Thomas, petitioner, said that he would provide an easement to the open space area if it was required (A or B) but requested that the width be reduced to 6 feet to preclude vehicular traffic. He indicated that the school had agreed to provide a permanent easement to allow vehicular traffic from the school for maintenance and that a copy of this agreement should have already been received by the City's Property Agent. He strongly suggested reconsideration of the lighting requirement, reiterating that street lighting was not appropriate for this area. Additional efforts to minimize impacts include requiring single story structures along South Camp Road, requirements for natural vegetation, and strict covenants addressing other issues.

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Mrs. Bruce Issacson (429 South Camp Road, Grand Junction) expressed concerns over increased traffic in the area and especially on South Camp Road.

DISCUSSION

Mr. Dixon clarified that if the Parks Department was satisfied with the alternate access to the park site via the school off South Camp, either alternative A or B could possibly be eliminated. Staff recognized that by requiring a residential collector street, corresponding densities were also being encouraged. Therefore, in order to discourage higher density development, this requirement could be reduced to a local street, which would in effect restrict future densities along the Monument. Mr. Dixon added that the dedication of the 4.5 acres was in lieu of paying open space fees.

Commissioner Volkmann asked for clarification of the A or B easement requirement. Mr. Dixon said that one easement would still be required but that the easement could be narrowed to allow only pedestrian and not vehicular traffic. Mr. Dixon said that the standards included a 12-foot wide easement with 8 feet of paving.

Chairman Elmer and the other commissioners agreed that lighting was not desirable for this area. Discussion ensued over how best to handle this and other issues.

MOTION: (Commissioner Withers) “Mr. Chairman, on item #214-94, the final plan/plat for Phase II and amendment to the ODP of the Canyon View Subdivision, I move that we approve the request as recommended by staff comments 1. through 8. above and as modified hereafter. Item 1., on the third sentence, strike the words “the portion of the” and add “a 12-foot easement directly connecting to the dedicated open space shall provide vehicular access for City of Grand Junction Parks and Recreation maintenance purposes. This may be an additional easement not shown or may be A or B as shown now at the developer*s and City staff*s mutual agreement.” Strike the last sentence of item 1 starting with “A similar pedestrian/bicycle easement.” Delete item 6. and 7. in their entirety, and we*d like to note that we*re approving this with all the stipulations to item 8., including street lighting; however, it is the commission*s general feeling that street lighting in this area should not be required.”

Commissioner Volkmann seconded the motion.

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

Mr. Roberts, representing the petitioner, made known his intention to appeal the decision based on disagreement with the street lighting requirement.

**#215-94 PLANNED DEVELOPMENT REVIEW - DENTAL/MEDICAL OFFICE
Request for approval of amendment to a Planned Development to delete a requirement for a
looped driveway at 1035 Grand Avenue.**

Petitioner: Scott Moreland

Location: 1035 Grand Avenue

STAFF PRESENTATION

Kathy Portner presented a brief history of the rezone request associated with this property and an overview of the proposal. Staff felt that the existing driveway was too narrow for two-way traffic. The petitioner was requesting deletion of the second access onto Grand Avenue and agreed to widen the existing curb cut to meet City standards. Since the existing driveway was a shared access, there would be some difficulty in widening it. Although staff recommended deletion of 1-2 parking spaces in the rear of the property, it was felt that the 7-parking space minimum could still be achieved with reconfiguration. Paving of the parking area was encouraged but not required. Staff preferred retaining a single access and prohibiting alley access. Staff recommended approval subject to the parking layout conforming to the requirements of the Zoning and Development Code and that the driveway entrance within the City right-of-way be widened to meet City standards.

PETITIONER'S PRESENTATION

Scott Moreland reiterated his request for approval.

Chairman Elmer asked if the petitioner planned to pave a handicap space and whether this requirement would fall under ADA. Ms. Portner felt that it may fall under ADA requirements and that space and the connection may have to be paved.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) "Mr. Chairman, on item #215-94, I move we approve the request to delete the requirement for a second access to 1035 Grand Avenue subject to staff recommendations with the clarification that the driveway widening is only that part of the entrance to the driveway within the City right-of-way."

Commissioner Volkmann seconded the motion.

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

VI. FULL HEARING/RECOMMENDATIONS TO CITY COUNCIL

#216-94 REZONE I-1 TO C-2 AND VACATION OF RIGHT-OF-WAY

Request for recommendation of approval to rezone approximately 4 acres from I-1 (Light Industrial) to C-2 (Heavy Commercial) located at Colorado and Main, west of Crosby and east of Spruce, and approval for vacation of right-of-way of Rice Street and Rood Avenue from White to Main.

Petitioner: Mesa County

Location: Rice Street between W. Main and White Avenue

Representative: Andy Anderson

STAFF PRESENTATION

Kathy Portner indicated the proposal area on the map. She felt that a PZ zone may be more appropriate than a C-2 zone since the property was for governmental use. Staff recommended approval of the PZ zone which would accommodate the County while allowing time for reevaluation of the surrounding zoning. With regard to the vacation, Ms. Portner elaborated that the County was under time constraints to get the right-of-way vacated. She said that if the County did not get Rice Street vacated prior to December of 1996, a City Council resolution would require the County to make improvements to Rice Street. She cited access to the location of the building which houses the small business incubator and other traffic issues as reasons for this resolution provision. Thus, prior to vacation, City staff would like to have a more defined indication from the County as to what uses are planned for the area and traffic considerations which may include a possible land trade to make the street geometry more conducive to traffic flow between Rice and Spruce Streets.

Staff requested denial of the vacation request until the above issues could be resolved.

QUESTIONS

Chairman Elmer said that if denied, would Mesa County be forced to improve Rice Street? Ms. Portner reiterated that the County had until December of 1996 to obtain the vacation. The City wanted the additional time for review and consideration of possible alternatives.

Chairman Elmer asked for clarification on why the PZ zone was preferred over the C-2 zone and the ramifications of the vacation, which Ms. Portner provided. She added that a large retail development was being proposed in the nearby area for which staff will require a frontage road in conjunction with that development.

PETITIONER'S PRESENTATION

Andy Anderson, Mesa County's Project Manager, provided a history of the site and the County's intended uses. He presented a Master Site Plan (dated June 1991) which indicated that vacation of Rice Street had always been a part of the overall plan. He agreed with the PZ zone recommendation and felt the only issue was the vacation. He added that upon vacation of Rice

Street, the County would grant to the City any required easements.

Mike Serra, also with Mesa County, asked for clarification over leasing building or office space in a PZ zone which was provided by Mr. Shaver.

Mr. Serra continued that the courthouse was still planned for the site; however, this would be contingent upon the outcome of the County's litigation with the state. He agreed that there was significant traffic at the First Street/Highway 340 location and could understand the City's concern but added that the Rice and Rood Street vacation was critical to future County development of the site.

QUESTIONS

Commissioner Laiche asked what the County would do if it lost its case with the state. Would it still go ahead with courthouse construction on the site? Mr. Serra said that there were several options and possibilities which may occur depending upon the court ruling. No definitive plan could be given to the City until the courthouse issue was resolved; thus, the County could not explore alternatives with the City until such time as they knew where they were from a legal standpoint.

Commissioner Laiche asked if parking was a concern, to which Mr. Serra said that parking was not nearly the concern that through traffic was, especially with regards to large truck traffic. In the event of a spill near the jail facility, there would be the added risk to the community of instigating an evacuation of prisoners. Currently, there was no place to put them in the event of such an emergency situation.

Chairman Elmer asked about possible realignment of Rice Street to Spruce Street as a possible option. Mr. Serra said that realigning Rice Street, as suggested, would adversely affect the parking lot, eliminating up to four spaces, which would affect their plan. Mr. Serra added that a traffic study had been conducted and was on file with the City. He reiterated the critical nature of the timing of the vacation.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

There was general discussion of possible alternatives, suggested plans, and possible realignment of Rice Street to Spruce Street. The Master Plan was again presented for clarification of various points. Ms. Portner reiterated staff's request to review the vacation request more closely.

Chairman Elmer suggested tabling this portion of the proposal until the February meeting. Mr. Serra said that he had to let the Lessor know by February 1 (prior to the next hearing date) whether or not the County wished to extend the terms of the present contract. He added that the extension would cost approximately \$20K, so again, timing was a critical consideration.

Commissioner Laiche questioned the timetable for presentation of the proposed frontage road, to which Ms. Portner indicated a proposal could be brought before the City Planning Commission during the March hearing, but clarified that the frontage road will be on the opposite side of Hwy 340, connecting to Mulberry.

Commissioner Whitaker expressed concerns over making a decision on so much new information which had been brought forth.

Commissioner Withers felt that it should be more desirable to discourage rather than encourage traffic in the Rice Street area.

Both Mr. Anderson and Mr. Serra felt that the problems of traffic in the Hwy 340 and First Street areas would not be solved by retaining Rice Street.

Additional concerns were expressed over the critical timeline and contract provisions. Ms. Portner added that the proposal would not be heard by City Council until the first week in February.

Chairman Elmer expressed the opinion that he saw no appreciable benefit to retaining Rice Street or reconfiguring it to join with Spruce Street. He felt that the County had a sizable investment in the site and was doing its best to move forward with previous plans. Thus, he felt that the vacation should be granted.

MOTION: (Commissioner Laiche) “Mr. Chairman, on item #216-94, request to rezone the County-owned property, I move that we forward this to City Council with recommendation of approval of the PZ zone.”

Commissioner Volkmann seconded the motion.

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

MOTION: (Commissioner Laiche) “Mr. Chairman, on item #216-94, request to vacate portions of Rice Street and Rood Avenue, I move we forward this on to City Council with recommendation of approval.”

Commissioner Vogel seconded the motion.

Chairman Elmer acknowledged that the County had the next few weeks prior to City Council*s meeting to meet with staff for resolution of some of the remaining issues.

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

#1-94(Z) TEXT AMENDMENT - OPEN SPACE FEES

Request for a recommendation of approval of an amendment to Section 5-4-6.A of the Zoning and Development Code.

Petitioner: City of Grand Junction

Representative: Tom Dixon

STAFF PRESENTATION

Tom Dixon indicated that the amendment was designed to eliminate the requirement of open spaces fees in certain instances, specifically in conjunction with special use applications, although the requirement for open space fees in conjunction with conditional uses was also being reviewed. He clarified reasons behind the request and requested a recommendation of approval.

QUESTIONS

Commissioner Withers questioned the verbiage of the amendment. It suggested that fees were required at the time of *application* and not at the time the permit was *granted*. Mr. Dixon said that this verbiage could be changed if it was confusing.

Commissioner Withers suggested substituting the verbiage "...prior to issuance of the planning clearance." Mr. Dixon agreed with this suggested change.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) "Mr. Chairman, on item #1-94(Z), I move that we forward this on to City Council with recommendation of approval with the modification to item A., second sentence of the bold, strike "...at the time of applying for..." and add "...prior to issuance of ..."

Commissioner Volkmann seconded the motion.

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

Commissioner Laiche excused himself from consideration of the last item.

#206-94 ZONE OF ANNEXATION - BLUE HERON ENCLAVE

Request for a recommendation of approval zoning land currently being annexed to the City to I-1 (Light Industrial) and PZ (Public Zone).

Petitioner: City of Grand Junction

Representative: Dave Thornton

STAFF PRESENTATION

Dave Thornton presented an overview of the proposal, stating that the proposed zoning was most compatible to present uses.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item #13-94(3) (#206-94), Zone of Annexation for the Blue Heron Enclave Annexation, I move that we forward this on to City Council with the recommendation of approval.”

Commissioner Vogel seconded the motion.

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

VII. GENERAL DISCUSSION

Chairman Elmer asked staff when the Canyon View item would be considered, to which Ms. Portner said that it would also go before Council during the first week of February.

Commissioner Volkmann volunteered as commission liaison to City Council for the discussion over street lights in the Canyon View proposal.

The hearing was adjourned at 10:50 p.m.