

**GRAND JUNCTION PLANNING COMMISSION**  
**Public Hearing - February 7, 1995**  
**7:05 p.m. to 8:20 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), Bob Withers, Tom Volkmann, Ron Halsey and Tom Whitaker.

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

Also present were John Shaver (Asst. City Attorney), Larry Timm (Community Development Director), and Jody Kliska (City Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 14 interested citizens present during the course of the hearing.

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**II. CONSIDERATION OF MINUTES**

**MOTION: (Commissioner Volkmann) "Mr. Chairman, I move we adopt the minutes (of the January 10 hearing) as submitted."**

Commissioner Withers 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**

Chairman Elmer announced that item #185-94 would be pulled from the evening's agenda and might be heard at the March hearing.

#### **IV. PUBLIC HEARING ITEMS FOR FINAL CONSIDERATION**

##### **#121-94 (2) FINAL PLAN/PLAT -- COUNTRY CLUB TOWNHOMES**

**Request for approval of the Final Plan/Plat for Country Club Townhomes consisting of 23 units on five acres located southeast of 12th Street and G Road with a zoning of PR-6 (Planned Residential, with a density not to exceed 6 units per acre.)**

**Petitioner: Sidney Gottlieb**

**Location: Southeast of 12th Street and G Road**

**Representative: Thomas Logue, LanDesign**

Due to a conflict of interest, Commissioner Volkmann withdrew from consideration of this item.

#### **STAFF PRESENTATION**

Tom Dixon outlined the project and its location on the map. The petitioner had reduced the original number of units from 24 to 23 and had revised the plan to provide an intersection of Club Court and North Club Court offset between centerlines of approximately 120 feet. Mr. Dixon expressed continued concern over the turning radii of the garage entrances but felt that this issue could be resolved. He also noted the extra sidewalks which extended from the site to both 12th Street and to G Road. All other requirements of the preliminary plan/plat had been met and staff recommended approval of the final plan, as proposed, with the following conditions:

1. A Development Improvements Agreement is required for all public right-of-way improvements.
2. No structures, including building walls, may be built on or over perimeter easements.
3. Each proposed unit in this project will be allowed a maximum 10% increase of building floor area without the need for administrative review. Any such additions will require a planning clearance. Petitioner should work with Public Service to have the necessary easements on the property without encumbering the entire open space area. Such a blanket easement is not a requirement of the City approval.
4. There shall be a 20-foot deep parking area in front of each garage for additional off-street parking.
5. Turning radii to and from the garage entrances shall meet the American Association of State Highway and Transportation Officials (AASHTO) geometric designs, as illustrated in Exhibit A.

6. Other issues identified by reviewing agencies shall be satisfied.

## **QUESTIONS**

Chairman Elmer asked Ms. Kliska about scheduled improvements along 12th Street and G Road in this area. Ms. Kliska felt that improvements to 12th Street were scheduled for sometime during the years 1999 or 2000.

Chairman Elmer asked about the traffic impact fee, to which Mr. Dixon replied that the petitioner would pay the fee since no pedestrian improvements were planned at this time.

## **PETITIONER'S PRESENTATION**

Sidney Gottlieb (477 Elkwood Terrace, Englewood, NJ) felt that the plan was upscale and would be aesthetically pleasing. He elaborated briefly on the landscaping and creative design plan.

## **PUBLIC COMMENTS**

### **FOR:**

There were no comments for the proposal.

### **AGAINST:**

A letter was received by Ms. Anne Landman (686 Step-A-Side Drive, Grand Junction) opposing the development. Her opposition centered around the increased traffic the development would bring to the area.

**MOTION: (Commissioner Withers) "Mr. Chairman, on item #121-94 (2), I move that we approve this final plan/plat of Country Club Townhomes subdivision with the conditions as stated in the staff recommendation."**

The motion was seconded by Commissioner Halsey

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

**#191-94 PLANNED DEVELOPMENT REVIEW -- SUBWAY DRIVE-THROUGH  
Request for approval of an amendment to an approved plan to allow a drive-through window  
for a Subway Restaurant located at 2692 Highway 50.**

**Petitioner: Jim Cagle  
Location: 2692 Highway 50  
Representative: Greg Robson**

**STAFF PRESENTATION**

Michael Drollinger presented a brief overview of the proposal, pointing out the location on the map presented. A transformer located in the drive-through area would be moved to accommodate traffic. All other concerns had been addressed and staff recommended approval.

**PETITIONER'S PRESENTATION**

The petitioner, although present, felt that all issues had been addressed and declined further comment.

**MOTION: (Commissioner Volkmann) "Mr. Chairman, on item #191-94, I move that we approve the final plan amendment at 2692 Highway 50 for the addition of a drive-through operation at Subway."**

Commissioner Whitaker seconded the motion.

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

**#201-94 FINAL PLAN/PLAT -- CODY SUBDIVISION, FILING #3 AND #4 ZONED  
PLANNED RESIDENTIAL (PR) WITH A DENSITY NOT TO EXCEED 4.4 UNITS PER  
ACRE**

**Request for approval of a final plan/plat for Filings #3 and #4 of Cody Subdivision consisting  
of 55 single family lots on 12.02 acres with zoning of PR-4.4 (Planned Residential with a  
density not to exceed 4.4 units per acre).**

**Petitioner: John Davis**

**STAFF PRESENTATION**

Kathy Portner gave a brief history of the proposal, saying that Filings #3 and #4 had been approved by Mesa County but had not yet been recorded. Conditions of County approval included:

1. The recommendations of the Geologic Report must be followed.
2. No driveway access will be allowed off of F Road.
3. A landscaped berm is required for frontage along F Road.
4. A revised drainage and irrigation plan must be reviewed and approved.
5. Plans for the common detention area shall be submitted and shall include provisions for maintenance.
6. Construct sidewalk improvements along F Road.
7. Assure adequate buildable areas for all lots.
8. Pedestrian access to F Road from the end of Pioneer Road, consisting of a 4.5 foot concrete sidewalk within an easement at least 6.5 feet wide.
9. Provision of an improvements agreement/guarantee.
10. As requested by Palisade Irrigation District, construct an irrigation storage reservoir.

Staff recommends the City accept Mesa County's final approval for the subdivision and allow future filings to be reviewed and approved administratively, provided all the above listed conditions of the County approval are met and provided all City infrastructure and development standards are met, including the following:

1. The pedestrian access to F Road shall be at least 6.5 feet wide and include a 4.5 foot wide concrete sidewalk.
2. All infrastructure, including drainage facilities, must meet City standards.
3. All City fees shall apply.
4. Filing #3 shall be reviewed and recorded within 18 months of this approval, and filing #4 shall be recorded within three (3) years of this approval. Failure to meet any of these deadlines will result in the plat having to be reviewed through a hearing process again, or in accordance with the then current Zoning and Development Code.

## **PETITIONER'S PRESENTATION**

The petitioner was not present due to illness; however, Ms. Portner indicated that he was in agreement with the conditions as outlined by both the City and County.

## **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

## **DISCUSSION**

Chairman Elmer asked for the rationale behind the extended timeline for recording. Ms. Portner said that the normal timeline for recording was one year; however, the petitioner had asked for an additional six months which was not perceived as a problem for staff.

Commissioner Volkmann inquired as to whether the City and County fees overlapped in this proposal, to which Ms. Portner said that since the plat had not been recorded for Filings #3 and #4, no fees had been paid previously to the County.

**MOTION: (Commissioner Whitaker) "Mr. Chairman, on item #201-94, I move that we approve the final plat and plan for Filings #3 and #4, Cody Subdivision, subject to the staff recommendations."**

Commissioner Withers seconded the motion.

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

## **#203-94 FINAL PLAN/PLAT -- SCOTT'S RUN SUBDIVISION FUTURE FILINGS ZONED PLANNED RESIDENTIAL (PR) WITH A DENSITY NOT TO EXCEED 3.3 UNITS PER ACRE**

**Request for approval of a final plan/plat for future filings of Scott's Run Subdivision consisting of 16 lots on 4.43 acres with zoning of PR 3.3 (Planned Residential with a density not to exceed 3.3 units per acre).**

**Petitioner: Ray Rickard**

## **STAFF PRESENTATION**

Kathy Portner indicated that this proposal was similar to #201-94 and that the County had also approved the Scott's Run Subdivision prior to the City's annexing the area. Conditions of the County's approval were as follows:

1. No driveway access onto 29 1/2 Road.
2. Subsurface soils investigation required prior to design and construction of foundations.
3. Maintenance of all drainage, irrigation and common space shall be the responsibility of the homeowners association.
4. Internal streets to include curb, gutter and sidewalk and will meet curve radius requirements.
5. Provision of a pedestrian connection to North Glen.
6. Provision of a landscaping plan for property along 29.5 Road and any other common areas.
7. Provision of adequate fire flow.
8. Provision of approved common mail boxes.
9. Provision of required improvements agreements.

Staff recommended that the City accept Mesa County's final approval for the subdivision and allow future filings to be reviewed and approved administratively, provided all the relevant conditions of the County approval are met and provided all City infrastructure and development standards are met, including the following:

1. The pedestrian access to North Glen Subdivision will include a 4.5 foot wide concrete sidewalk as approved by Mesa County.
2. The sidewalk connection to North Glen Subdivision will satisfy the need for pedestrian connections and eliminate the need for sidewalk on the remaining two cul-de-sacs.
3. All other infrastructure, including drainage facilities, must meet City standards.
4. All City fees shall apply.
5. The next filing shall be recorded within one year of this approval, and any additional filings recorded within one year of the recording of the previous plat. Failure to meet

any of these deadlines will result in the plat having to be reviewed through a hearing process again, or in accordance with the then current Zoning and Development Code.

## **QUESTIONS**

Chairman Elmer asked about County fees which were paid by the petitioner. Ms. Portner said that the City had recouped some of the County fees previously paid.

## **PETITIONER'S PRESENTATION**

Ray Rickard indicated he was in agreement with City and County requirements and declined to add further comment.

## **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**MOTION: (Commissioner Volkmann) "Mr. Chairman, on item #203-94, I move that we approve the final plat and plan for future filings of Scott's Run subject to the staff recommendations."**

Commissioner Halsey seconded the motion.

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

## **#217-94 CONDITIONAL USE PERMIT -- TASTEE FREEZ**

**Request for approval of a Conditional Use Permit for a drive-through window for a Tastee Freez restaurant in a C-1 (Light Commercial) zone located at 525 North Avenue.**

**Petitioner: Johnson Foods, Inc.**

**Location: 525 North Avenue**

**Representative: Bryan Johnson**

## **STAFF PRESENTATION**

Kristen Ashbeck presented a brief history of the proposed site which had been the location of a former Hardee's Restaurant. A conditional use permit had been issued for Hardee's for its use of a drive-through; however, the site and drive-through had remained unused for more than a year which rendered the former conditional use permit invalid. Since the site did not conform to ADA standards, a second accessible parking space would be required and it and the one existing accessible space must both be striped and signed per standard. She indicated that landscaping



should be provided along with an adequate irrigation system, and indicated that the Fire Department still had some question over the grease trap located on site. Staff recommended approval subject to the following conditions being met:

1. A revised site plan is provided to show and the site is re-stripped to adequately provide accessible parking spaces.
2. A revised site plan is provided to show existing parking lot lighting.
3. A revised landscape plan is provided that addresses staff comments dated 12/15/94.
4. An Improvements Agreement and Guarantee for completion of the landscaping and irrigation system is executed.
5. All requirements of the Fire Department and Utility Engineer have been met.

## **QUESTIONS**

Commissioner Withers questioned the Fire Department approval requirement and wondered why this couldn't be addressed in an application for a building permit. Ms. Ashbeck indicated that since no structural remodeling was intended for the site, it was likely that a building permit would not be required. Staff still wanted to get the petitioner's agreement to this condition.

## **PETITIONER'S PRESENTATION**

Bryan Johnson (132 W. 6th Street, Glenwood Springs, CO) agreed with staff comments and felt that his proposal for a restaurant would serve to clean up a site which had lain vacant for more than a year. He was unsure if a Tastee Freez would be located at the site but said that it would be a restaurant.

## **QUESTIONS**

Commissioner Volkmann asked if there would be any remodeling of the building, to which Mr. Johnson said that the only changes to the existing building would be aesthetic (e.g., wallpaper) and signage. He indicated that he would comply with Fire and Engineering Department approval requirements as indicated by staff.

## **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**MOTION: (Commissioner Withers) “Mr. Chairman, on item #217-94, I move that we approve the conditional use permit for a drive-through fast food restaurant to be located at 525 North Avenue, subject to the concerns outlined in the staff recommendation being resolved prior to issuing a planning clearance or other final approvals for the project.”**

Commissioner Whitaker seconded the motion.

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

**#FPP-95-10 FINAL PLAN/PLAT -- COUNTRY CROSSING SUBDIVISION, FILING #2  
Request for approval for Country Crossing Subdivision, Filing #2, consisting of 13 single family residential lots and 12 duplex lots on approximately 4.16 acres.**

**Petitioner: Denny Granum, Monument Homes**

**Location: Southeast corner of 25 Road and G Road**

**Representative: Tom Logue**

Due to a potential conflict of interest, Commissioner Volkmann withdrew from consideration of this item.

## **STAFF PRESENTATION**

Tom Dixon indicated the development area on the map, then presented and outlined some of the issues which had arisen during the review of the proposal. These issues included the need for a parking lot plan, landscaping plan requirements, questions over potential impacts on Leach Creek and its adjoining floodway which would have to be addressed to the satisfaction of the Corps of Engineers, the need for a Development Improvements Agreement, and the dedication of a 4.91 acre parcel, containing a portion of the Grand Valley Canal, for use by the public as a trail. Mr. Dixon said that due to modifications in the plan from the original ODP, the petitioner had requested this dedication be forestalled until a future phase of the development. Since the acreage did not directly abut the open space as originally outlined in the initial ODP, staff did not object to this request. Mr. Dixon said that review agency concerns were being addressed and recommended approval of the final plan/plat subject to the following conditions (as amended):

1. A joint Development Improvements Agreement (DIA) for Phases I and II which will guarantee the necessary public improvements that are needed for this project and which will directly benefit this project shall be entered into between the petitioner and the City prior to platting of either phase.

2. Issues and/or concerns presented by the City of Grand Junction Fire Department, Parks and Recreation Department, Development Engineer, and Utility Engineer; the Grand Valley Irrigation Company, the Ute Water District, and the Grand Junction Drainage District are adequately satisfied.
3. The minimum building setbacks for Phase II will be as follows: front yards 15 feet; garages 20 feet; side yards 5 feet; and rear yards 10 feet.
4. The landscaping for the parking lot for the multi-family units and for the drainage way located between those units and 25 Road shall substantially adhere to the submitted landscaping plan.

## QUESTIONS

Commissioner Halsey asked Mr. Dixon to read the letter received by the Corps of Engineers, which he did.

Commissioner Withers asked about an easement which had been required in the ODP. Mr. Dixon and Mr. Granum both indicated that this easement was for an irrigation line, was not a part of this Phase II project, and would be addressed with future phasing.

## PETITIONER'S PRESENTATION

Denny Granum felt that all pertinent issues had been addressed and that he was in agreement with staff recommendations. He indicated the next phase would include the park but dedication of the trail acreage may have to come later, after the property lines were set.

## PUBLIC COMMENTS

Rae Deen Bessinger (679 - 25 Road, Grand Junction) requested clarification on the proximity of the development to the irrigation line which was given. The line was located outside the development area.

There were no comments either for or against the proposal.

**MOTION: (Commissioner Whitaker) "Mr. Chairman, on item #FPP-95-10, I move that we approve the final plat for County Crossing Subdivision, Phase II, subject to the staff recommendations 2 through 5 (renumbered as 1-4, as amended)."**

Commissioner Halsey seconded the motion.

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

## **V. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL**

### **#REV-95-13 LAPSE OF PLAN & REZONE TO RSF-8, VILLA PARK TOWNHOMES**

**Request for a finding of lapse of plan and request for a recommendation of approval to rezone a parcel of land from PR-10 (Planned Residential with a density not to exceed 10 units per acre) to RSF-8 (Residential Single Family with a density not to exceed 8 units per acre).**

**Petitioner: City of Grand Junction**

**Location: 2707 and 2713 B 3/4 Road**

**Representative: Michael Drollinger**

### **STAFF PRESENTATION**

Michael Drollinger indicated that the petitioners, Mr. Webb and Mr. Peasley, could not attend the hearing tonight but both were in agreement with the proposal. Mr. Drollinger gave a brief history of the parcel, stating that the original plan proposed for the property was never undertaken and the property had since changed ownership. Mr. Webb had wanted to build a single family home on a portion of the property but could not do so under the current PR-10 zoning. The RSF-8 zone would allow him to build the home while keeping the property consistent with surrounding zoning. Staff recommended allowing the plan to lapse and rezoning the parcel back to its original RSF-8.

### **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**MOTION: (Commissioner Volkmann) "Mr. Chairman, on item #REV-95-13, I move that we find the plan and approvals have lapsed and recommend to the City Council a rezone from PR-10 to RSF-8."**

Commissioner Withers seconded the motion.

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

### **#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), I-2 (Heavy Industrial) and PZ (Public Zone).**

**Petitioner: City of Grand Junction**

**Location: South side of River Road at 24 1/2 Road**

**Representative: Dave Thornton**

### **STAFF PRESENTATION**

Dave Thornton presented a brief overview of the proposal, noting changes in zoning which had occurred over the last month. He said that discussions with residents in the area had prompted the re-review of previous recommendations and felt that the zoning as now proposed would be more suited to businesses in the area. More detail was given on the breakdown of zoned areas as Mr. Thornton indicated them on the map presented. He added that property owners concurred with the presently proposed zoning and all businesses located there now would be conforming uses.

### **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

### **QUESTIONS**

Commissioner Whitaker asked for clarification of uses allowed in the C-2 zoning which was provided by Mr. Thornton.

**MOTION: (Commissioner Whitaker) "Mr. Chairman, on item #206-94, Zone of Annexation for the Blue Heron Enclave, I move that we forward this on to the City Council with the recommendation of approval as proposed by staff and shown on Exhibit A."**

Commissioner Halsey seconded the motion.

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

## **VI. GENERAL DISCUSSION**

Chairman Elmer inquired into the status of the Orchard Mesa Plan. Mr. Thornton replied that proposed changes from the last hearing had been incorporated into the Plan and a hearing had been scheduled for March 14 at 7:00 p.m. in the City/County Auditorium for final consideration. All planning commissioners were urged to attend.

Chairman Elmer also asked about the City/County plan coordination. Larry Timm said that he had been meeting with a County planning consultants to try and coordinate City and County efforts in

guiding growth and development for the Grand Junction area. It was felt that in order to come up with a single workable plan, steering committees from both the City and County should meet with each other a number of times to consider the same alternatives and select the same preferred plan. The focus was on the future City annexation area.

Chairman Elmer noted that City Council motions were being phrased "in the positive" and asked City Development staff if they wanted the commission to follow suit. John Shaver said that where possible, such a format would be appreciated for consistency.

The hearing was adjourned at 8:20 p.m.