

GRAND JUNCTION PLANNING COMMISSION
Public Hearing - July 11, 1995
7:05 p.m. to 11:15 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), Tom Volkmann, Jeff Vogel, Ron Halsey, Tom Whitaker, Bob Withers and Paul Coleman.

In attendance, representing Planning Department staff, were: Larry Timm (Director), Kathy Portner (Planning Supervisor), Dave Thornton (Senior Planner), and Michael Drollinger (Senior Planner).

Also present were John Shaver (Asst. City Attorney), Jody Kliska (City Development Engineer), Joe Stevens (City Parks Director) and Sean Cooper (Parks Planner).

Terri Troutner was present to record the minutes.

There were approximately 27 interested citizens present during the course of the hearing.

II. CONSIDERATION OF MINUTES

Commissioner Withers requested correction to the June 6, 1995 minutes to reflect Mr. Volkmann's status as "Commissioner" instead of "Chairman" during the seconding of the motion for item CUP-95-82.

MOTION: (Commissioner Withers) "Mr. Chairman, with that correction (above), I move that we approve the minutes of the last meeting."

Commissioner Volkmann seconded the motion.

A vote was called and the motion passed unanimously by a vote of 7-0.

III. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS

Chairman Elmer announced that item MS-95-101 would be pulled from the evening's agenda, and that item VR-95-108 would be the first item heard under Items for Recommendation to City Council. Chairman Elmer also welcomed newly appointed Paul Coleman to the Planning Commission.

IV. PUBLIC HEARING ITEMS FOR FINAL CONSIDERATION

FPP-95-104 FINAL PLAT/PLAN--WELLINGTON GARDENS, FILING #1

Request for approval of the Final Plat/Plan for Wellington Gardens, Filing #1, for 12 units on approximately 2.3 acres with zoning of PR-8 (Planned Residential with a density of 8 units per acre) and a revised Preliminary Plan for 26 townhome lots.

Petitioner: Ron Abeloe, Chaparral West, Inc.

Location: Southeast corner of 15th and Wellington

Representative: Thomas Coit

STAFF PRESENTATION

Michael Drollinger presented an overview of the proposal and indicated that the Preliminary Plan represented a decrease in density, from 34 previously approved units to a 26 lot townhome development, with both attached and detached units. While conditions imposed during the preliminary approval process would still be imposed, staff recommended approval of the Final Plat/Plan for Filing #1 with the following additional conditions:

1. All conditions of the preliminary approval shall apply.
2. The Final Plat and construction drawings shall reflect all changes as required by Fire Department staff, Development Engineer, Property Agent and Utility Engineer.
3. A Discharge Agreement with the Grand Valley Irrigation District is required.
4. A trail easement shall be dedicated to the City for access along the canal.
5. Parks and Open Space fees shall apply.
6. The proposed split rail fencing will require a fence permit.
7. The building envelopes must reflect a required 20 foot setback for all garages.
8. The common access driveways must be designated as separate tracts on the plat and appropriately dedicated.
9. Parking space requirements for the 6 units in Block 1 shall be as approved in the preliminary approval from December 1994 (as amended).
10. The landscaping plan, including the common areas, must be approved by staff and those improvements in the common areas included in the Improvements Agreement/Guarantee (as amended).
11. The drainage issues relative to the property to the north of the subject property also need to be addressed (as amended).

Staff also recommended approval of the revised Preliminary Plan dated June 29, 1995.

QUESTIONS

Commissioner Withers questioned the revised parking requirement. He commented that the original plan had been approved with 5 additional spaces whereas the new plan reflected 6 additional spaces. Mr. Drollinger clarified that 4 additional visitor spaces plus the minimum requirement were depicted for Block 1 and an additional 4 spaces for Block 2.

PETITIONER'S PRESENTATION

Ron Abeloe, petitioner, also questioned staff's parking requirements. He felt that staff should adhere to the parking requirements originally approved and that the additional spaces were not necessary.

QUESTIONS

Chairman Elmer asked if there were any remaining canal right-of-way dedication problems remaining, to which Mr. Abeloe responded that any issues remaining would need to be resolved between Grand Valley Irrigation and the City.

With regard to the parking issue, Mr. Drollinger interjected that the language concerning the parking requirement could be clarified and resolved. He added that if all street improvements were not completed in the first phase, drainage would have to be addressed and that any Improvements Agreement include provision for a cul-de-sac.

Chairman Elmer suggested amending staff condition 9. to include reference to the parking plan as originally approved.

PUBLIC COMMENTS

FOR: Dick Keeler (2208 Crestline Court, Grand Junction) felt that the proposal would appeal to retirees and would be an asset to the area.

Dave Fulton (1556 Wellington, Grand Junction) provided a brief history of the drainage flow through the property. He indicated that a culvert originally located under the east portion of 15th Street and Wellington had been removed during street construction and had not been replaced. This created drainage problems resulting in erosion of street asphalt. He felt that the culvert should be replaced and offered to share in the expense of such replacement.

Mr. Drollinger suggested Mr. Fulton discuss the issue further with staff and the City’s Development Engineer, Jody Kliska.

AGAINST: There were no comments against the proposal.

PETITIONER’S REBUTTAL

Declined by the petitioner.

DISCUSSION

Discussion ensued between the Commissioners over whether to include Mr. Fulton’s recommendation of culvert replacement into the motion. Asst. City Attorney John Shaver suggested that some reference to this issue would be a good idea.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item FPP-95-104, a request for Final Plat/Plan approval for Filing #1 and a revised Preliminary Plan, I move that the Final Plat/Plan and revised Preliminary Plan be approved subject to staff conditions with the following few changes: first, that staff condition 9. should be rewritten to provide that parking space requirements shall be as approved in the Preliminary approval from December 1994; and an additional item 11. inserted, to read ‘The drainage issues relative to the property to the north of the subject property need to be addressed also,’ and include reference to the common areas in staff requirement 10.”

Commissioner Withers seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

FPP-95-85 FINAL PLAT/PLAN--CIMARRON NORTH

Request for approval of a Final Plat/Plan for Cimarron North Subdivision for 19 lots on approximately 5.19 acres with zoning of PR-3.7 (Planned Residential with a density of 3.7 units per acre).

**Petitioner: Clinton Sparks
Location: 25 1/2 Road and F 1/2 Road
Representative: Wayne Lizer**

Commissioner Coleman excused himself from consideration of the following item due to a potential conflict of interest.

STAFF PRESENTATION

Kathy Portner noted the following setbacks for the proposal: Principal structure: front, 20 feet; rear, 20 feet and 30 feet on lots abutting F 1/2 Road; side, 10 feet (including corner lots or easement width). Accessory buildings: limited to the rear half of the lot; rear, 5 feet; side, 5 feet or easement width. The side yard setback for principal buildings where the garage and associated parking are proposed to have access from the side yard will be set back 20 feet for the garage portion of the principal structure, with the remaining portions of the

principal structure meeting a 10-foot or easement width setback. Maximum building height is 30 feet. The developer would like the side yard setback for principal structures to be changed from 10 feet to 7.5 feet. Since the side yard setback in the most similar straight zone (RSF-4) is 7 feet, staff does not have a problem with the petitioner's request.

The Colorado Geological Survey recommends that each building site have an individual, site-specific soils and foundation investigation by a qualified soils and foundation engineer because of the soils conditions and shallow water table.

The developer previously agreed to the following County conditions of approval:

1. The owner will cooperate with the City in conveying a trail easement along the canal bank. He will work with the City Attorney on how it is conveyed.
2. A Homeowners Association will be formed and appropriate conveyances placed on record at the time the plat is recorded.
3. The covenants will be amended as per the City Attorney's comments and will be recorded with the plat.
4. A 10-foot trail easement will be dedicated to the City between lots 18 and 19.

The following conditions shall also apply:

1. Proposed subdivision fencing must meet the requirements of the Zoning and Development Code and site distance requirements. Provision for landscaping and maintenance for the area between any fencing and sidewalk must be provided for in the Improvements Agreement and Covenants for the subdivision.
2. Half-street improvements, as required by City Engineering, must be provided for F 1/2 Road. The cost of required improvements to F 1/2 Road will be credited to future transportation capacity payments.
3. All technical requirements of the plat must be addressed and final site development construction drawings submitted and approved prior to recording the plat (as amended).
4. Parks and Open Space fees shall be paid prior to recording the plat.
5. A 4-foot wide sidewalk shall be provided by the developer between lots 18 and 19 as access to the future canal trail by the time the developer closes out the Improvements Agreement and with the condition that a trail easement along the canal has been conveyed in a means agreeable to the City Attorney (as amended).

Providing the petitioner meet all conditions of approval, staff recommends approval of the proposal and recommends approval of a 7.5-foot side yard setback.

QUESTIONS

Commissioner Withers asked which drawings were needed per condition 3., to which Ms. Portner replied that all were required at that time (e.g., utilities, street design, etc.)

PETITIONER'S PRESENTATION

John Williams, an attorney representing the petitioner, began his presentation by circulating photos depicting the subject property. He indicated that while there was no problem dedicating the canal bank for a trail, the petitioner did not want to engage in a conflict with the ditch company; thus, he hoped by working with the City Attorney, any potential conflict could be averted. He felt that the 10-foot easement for a walking trail between lots 18 and 19 was fine but requested that a date for completion of the trail be established so as not to cloud the title. He expressed some concern over having an easement present without the trail.

Mr. Williams indicated that the half-street improvements required by the City would drive up the price of each lot by approximately \$2,000. He didn't feel traffic flow warranted the type of improvements the City was requiring and expressed further concern over the moving of power lines located along F 1/2 Road. He wondered how quickly the power lines could be moved and thought that any delays in moving the lines would add additional cost to the project. Mr. Williams requested a waiver of the half-street improvements required by the City and retention of only the 6-foot sidewalk requirement imposed by the County during the preliminary approval process.

QUESTIONS

Chairman Elmer clarified Commission's authority concerning recommendations for waiver of improvement fees and explained the appeal process to Mr. Williams.

Ms. Portner elaborated that with the County's approval of Cimarron North Subdivision and the adjacent Kay Subdivision, the County called for half-street improvements but it was unclear as to what that meant. She added that the County Engineer had agreed to view sidewalk improvements for Kay Subdivision as meeting that requirement.

Chairman Elmer asked if 30 days would be sufficient to resolve any outstanding issues. Mr. Shaver felt that 30 days would be a minimum timeframe because no title work had been performed; however, Mr. Williams felt that pending issues could be resolved within 30 days.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

DISCUSSION

Commissioner Volkmann asked if the City's street plan addressed F 1/2 Road, to which Development Engineer Jody Kliska replied that the area had just been annexed into the City. She indicated that 25 1/2 Road was to be improved as a joint City/County effort and that improvements to F 1/2 Road in front of Kay Subdivision were to be included in that effort.

Commissioner Halsey asked if the developer had any option open for half-street improvements, to which Ms. Portner replied that the Improvements Guarantee called for \$500 per lot. Ms. Kliska added that if only the sidewalk were installed, it would most likely be torn out later when full street improvements were put in. Construction of a sidewalk, she said, would not address drainage concerns.

Chairman Elmer felt it important to stick with City policy concerning the requirement of half-street improvements.

Commissioner Withers suggested including the words "site development" between the words "final" and "construction" in staff condition 3.

Commissioner Volkmann asked if the 4-foot wide trail section versus the 8-foot wide section was acceptable, to which Ms. Portner clarified that the walkway in question was to be considered a *sidewalk* and not a trail section.

Additional discussion ensued over a timeline for street improvements. Mr. Lizer and Mr. Williams both stated that the petitioner could install the improvements at a lesser cost than the City, and that timing was a crucial element, with regard to the moving of the power poles. Chairman Elmer did not feel that 30 days was long enough.

Discussion also took place over Mr. Williams' request to omit the easement until resolution of the canal bank question between the City and ditch company. Chairman Elmer expressed concern over requiring a concrete sidewalk to a trail which didn't currently exist. Ms. Portner felt that maintenance would be less an issue if the sidewalk were hard surfaced. Discussions covered various options available, but Commissioner Withers' suggestion to require the *trail* easement be conveyed first with the sidewalk being required once that conveyance was completed was the most well-received.

MOTION: (Commissioner Withers) "Mr. Chairman, on item FPP-95-85, I move we approve the Cimarron North Subdivision as recommended by staff with the developer agreed items 1. through 4. and the conditions following those 1. through 5. with item 5. modified to read, "A 4-foot wide sidewalk shall be provided by the developer between lots 18 and 19 as access to the future canal trail by the time the developer closes out the Improvements Agreement and with the condition that a trail easement has been conveyed in a means agreeable to the City Attorney (as amended)."

Ms. Portner clarified that the intent of the motion was to state that the concrete sidewalk would be provided if and when the trail easement was successfully conveyed.

Commissioner Vogel suggested amending the motion to indicate that the costs of the concrete sidewalk should be born by the developer.

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

Chairman Elmer indicated that if the petitioner chose to appeal the decision, such appeal must be made in writing to the Community Development Department.

**PDR-94-214-2 PLANNED DEVELOPMENT REVIEW--CANYON VIEW FILING #1 AND #2
Request for approval of an amendment to the approved plan for Canyon View Subdivision establishing setbacks.**

Petitioner: John Thomas, Thomas and Son, Inc.

Location: South Camp Road

STAFF PRESENTATION

Kathy Portner presented a brief overview of the proposal, noting the various subdivision setbacks and noting specifically that the setback for lots along South Camp Road would be 80 feet from center line of the right-of-way. Houses on the lots adjacent to South Camp Road must be single story. Proposed setbacks were consistent with recorded covenants for the subdivision. The petitioner requested a variance to the setbacks on two adjacent lots: to increase the required side yard setback along the south property line of lot 1, block 3 to 25 feet and decrease the required side yard setback along the north property line of lot 2, block 3 to 5 feet. Staff had no problem with this request and requested approval of the setbacks and variance for lots 1 and 2.

QUESTIONS

Commissioner Volkmann asked if the Code determined height for a single story structure, or should that determination be made by the Commission. Ms. Portner suggested that this be established by the Commission.

PETITIONER'S PRESENTATION

John Thomas, petitioner, reiterated several of the points mentioned by Ms. Portner. He added that, with regard to height of a single story structure, many homes in the subject area had single stories with heights up to approximately 27-28 feet. Ms. Portner clarified that if in a straight zone, the Code would allow up to a 32-foot

height, so it seemed that reference to a “single story” would fall within the straight zone criterion.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) “Mr. Chairman, on item PDR-94-214-2, I move we approve the setbacks as proposed in the staff recommendation.

Commissioner Vogel seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

PDR-95-102 PLANNED DEVELOPMENT REVIEW--ST. MARY’S HOSPITAL

Request for approval of an amendment to an approved plan for St. Mary’s Hospital for 3 separate additions to St. Mary’s, consisting of 2,960 square feet in a PB (Planned Business) zone district.

**Petitioner: St. Mary’s Hospital
Location: 2635 N. 7th Street
Representative: Robert Jenkins**

STAFF PRESENTATION

Kathy Portner explained that the additions would provide for a new outpatient pharmacy and two equipment storage facilities. Staff recommended and the hospital representative agreed to provide a Hospital Master Plan which must be submitted no later than September 1, 1995. Staff recommended approval of the revised plan for three additions with the condition that no other additions to the hospital will be considered until a Master Plan for the future expansions of the hospital is submitted and approved by the Planning Commission.

PETITIONER’S PRESENTATION

Rob Jenkins, representing the hospital as its architect, reiterated several of the points mentioned by Ms. Portner.

QUESTIONS

Commissioner Whitaker asked if the pharmacy would be operational “round the clock,” to which Mr. Jenkins replied that it would only be open during normal business hours. When asked, Mr. Jenkins indicated that the Master Plan would address pedestrian traffic mitigation.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item PDR-95-102, I move we approve the revised plan for the proposed additions to St. Mary’s Hospital with the condition that no other additions will be considered until a Master Plan for the hospital is submitted and approved by the Planning Commission.”

Commissioner Vogel seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

RP-95-93 REPLAT--PARADISE HILLS, FILING #4B

Request for approval of a replat of 7 lots in Paradise Hills, Filing 4A and Tract A of Paradise Hills, Filing #7 into 7 single family residential lots and a new Tract A.

**Petitioner: Tom Flynn
Location: Del Mar Circle and Del Mar Drive, Paradise Hills
Representative: Robert Jenkins**

STAFF PRESENTATION

Michael Drollinger began his presentation by pointing out the subject property on an aerial map which had been provided. He outlined the petitioner's request to take portions of Tract A and apportion them to the 7 lots directly adjacent the Tract. Staff felt that Tract A should be left as-is in its entirety and expressed concerns over potential problems with access for maintenance of the ditch. Grand Junction Parks Department also opposed the request, saying that approval may eliminate a major trail connection. Staff recommended denial and requested keeping both the north and south banks open for a possible future trails network.

Sean Cooper, Parks Planner, presented to the Commission the Multi-Modal Trails Plan map. He said that a \$10K grant was currently pending for the study of trails in the Paradise Hills area. He felt that approval of the proposal would jeopardize the grant as well as adversely affect future trails connections in the Paradise Hills area.

Mr. Drollinger read from historical documentation pertaining to Paradise Hills Filing #4 which contemplated the formation of a trails/greenbelt area along the canal bank and encouraged its retention as a drainage easement. The Paradise Hills Filing #7 Homeowners Association was in current possession of the Tract.

Chairman Elmer wondered who maintained the drainage easement, to which Mr. Drollinger replied that currently the Homeowners Association from Filing #7 was responsible.

PETITIONER'S PRESENTATION

Tom Flynn, petitioner, said that currently the 7 adjacent homeowners to Tract A maintained the subject property. The homeowners, he continued, paid for and performed the survey of Tract A and, thus, have a financial interest in it. Mr. Flynn emphasized emphatically that the homeowners wanted the canal bank left in private ownership with NO PUBLIC ACCESS. He was also under the impression that from an agreement drafted by the City Attorney, that the City was asking the homeowners to dedicate another 20 feet of easement, which he felt was unfair. Mr. Flynn said that the homeowners would agree to leave the parcel as-is if the City would offer assurances that it would not be open to the public.

Kathy Portner clarified that the wording of the City Attorney's agreement described Tract A only to the ditch bank and did not request the dedication of additional lands.

PUBLIC COMMENTS

FOR: James Netherton (2724 Del Mar Drive, Grand Junction) expressed concerns about public safety along the canal bank and the possibility of fire hazard due to the proliferation of weeds if the canal bank were not maintained.

AGAINST: There were no comments against the proposal.

DISCUSSION

Commissioner Volkmann asked if the title to Tract A required revision of its language. Mr. Drollinger felt that this was minor, with technical issues to be resolved by a surveyor.

Commissioner Volkmann asked if the status of Filing #7 had been resolved, to which Kathy Portner replied that Filing #7 had been recorded.

During discussions over the ramifications of relinquishing ownership to the subject portions of Tract A, Mr. Drollinger stated that it would be more difficult to negotiate with 7 homeowners than the one Homeowners Association presently in control of the property.

There was a general consensus that closing off possible key trail connections would be a mistake; however, discussions ensued over the possibility of granting approval subject to the implementation of an easement which would preserve the property for such time as a trails system program was undertaken.

Mr. Flynn interjected and said that *“nothing short of the City’s barring public access to the canal bank/Tract A area would be acceptable.”* He requested a final decision from the Commission, even if that decision were denial. It was his intention to appeal any decision of denial. (Since the petitioner would not accept any conditioned approval and vehemently opposed any public access under any circumstance, the motion reflected the only option available.)

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item RP-95-93, I move that we deny the replat.”

Commissioner Withers seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

V. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

VR-95-108 VACATION OF RIGHT-OF-WAY AND SPECIAL USE PERMIT--SPORTS COMPLEX
Request for a recommendation of approval vacating a portion of 24 1/4 Road and a portion of G 1/4 Road and approval of a Special Use Permit for a Sports Complex/Park.

Petitioner: City of Grand Junction, Parks and Recreation Department

Location: Northeast corner of 24 and G Roads

Representative: Winston Associates/Western Engineers

STAFF PRESENTATION

Kathy Portner briefly outlined the proposal and the special use criteria. While the proposal complied with the majority of the Special Use requirements, staff opposed the vacation of that portion of 24 1/4 Road between G Road and G 1/4 Road since such vacation would restrict access to a private parcel. Staff recommended approval of the Special Use permit and approval for the vacation of G 1/4 Road and 24 1/4 Road between G 1/4 Road and I-70.

PETITIONER’S PRESENTATION

Paul Kuhn, representing Winston Associates, felt that the complex would be a major benefit to the community.

He indicated that utilities for future phases of the project would be installed during the first phase. Traffic studies were underway and parking was strategically placed away from the use areas.

QUESTIONS

Chairman Elmer noticed that no provision had been made for overflow parking. Mr. Kuhn responded that roads were wide enough to allow for parking along one side of the street. Chairman Elmer felt that there would be more traffic generated during the changeover of games; thus, he felt that the design should take that element into consideration.

In response to queries concerning hours of operation, Mr. Joe Stevens, City Parks Director, said that there may be increased usage at night once a lighting system is incorporated but that late night use was not the general rule. He understood neighbor concerns over traffic generation, irrigation and lighting and felt that those involved with the project were working hard to mitigate those concerns.

PUBLIC COMMENTS: (The following comments were neither for nor against the proposal.)

Mike Municelli (2426 G Road, Grand Junction), and adjacent property owner, requested that the park close at a reasonable hour and requested consideration for the neighbors in any lighting design.

Debbie Boydston (714 24 1/2 Road) expressed concern over the noise which would be generated by the complex in general and the amphitheater in particular. She did not want to see the latter play host to a variety of loud rock concerts, etc.

Mr. Stevens assured Ms. Boydston that the type of activities planned for the amphitheater included using it as a staging area for educational programs and more passive activities. No rock concerts would be held there.

Chairman Elmer suggested that the Parks Department consider shutting off all amplified sound after 10 p.m. as in the case of the Hilton's summer concert series.

MOTION: (Commissioner Vogel) "Mr. Chairman, on item VR-95-108, I move we approve the Special Use Permit and recommend approval of the right-of-way vacation for G 1/4 Road and 24 1/4 Road between G 1/4 Road and I-70.

Commissioner Whitaker seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

ANX-95-109 ZONE OF ANNEXATION--NAZARENE

- 1. Request for a recommendation of approval zoning lands currently being annexed to the City to RSF-4 (Residential Single Family with a density not to exceed 4 units per acre).**
 - 2. Approval of a Conditional Use permit for the First Church of the Nazarene of Grand Junction.**
- Petitioner: City of Grand Junction and First Church of the Nazarene**
Location: Northeast corner of 28 and Patterson Roads

STAFF PRESENTATION

Dave Thornton presented an overview of the request. He said that the City's RSF-4 zone was closest to the County's R-2 zone but that the City requires a Conditional Use permit for churches. The church, he continued, may expand in the future to include a school (K through 12th grades) and that any such plans for a school use would be included under the proposed Conditional Use permit. Staff recommended approval of the zoning to RSF-4 and Conditional Use permit to allow for the church, day care and school uses as proposed for their site with the ability to expand the facility to a total of 24,000 square feet. The church will have to submit for formal site plan review prior to requesting a building permit for the initial construction and any future expansion. The final site design and construction will be required to meet all Zoning and Development Code requirements including but not limited to the RSF-4 Zone District bulk requirements, landscaping, signage, and parking requirements.

A letter was received from Bren Luff (2944 Pheasant Run Circle, Grand Junction) who expressed concerns over traffic generated by any approved school use.

Chairman Elmer asked if there were plans to build-out 28 Road and include a traffic light. Mr. Thornton replied that extension of 28 1/4 Road to the north was preferred.

PETITIONER'S PRESENTATION

Carl Baker, pastor of the First Church of the Nazarene, presented a brief history of the parcel and felt that any

outstanding issues could be easily resolved. He indicated that any plans for construction of a school would occur much later.

Chairman Elmer asked if the baseball fields would be lighted, to which Mr. Baker replied negatively.

Chairman Elmer asked if the proposal requested waiver of the parking lot requirements, to which Mr. Thornton said that an Improvements Guarantee would be required.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item ANX-95-109, the Zone of Annexation, I move that we forward this on to City Council with the recommendation of approval that the Nazarene Annexation be zoned Residential Single Family with a maximum of four units per acre (RSF-4).”

Commissioner Vogel seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

MOTION: (Commissioner Volkmann) “Mr. Chairman, on item ANX-95-109, I move that we approve the Conditional Use permit for the First Church of the Nazarene to operate a church, day care and school uses as proposed for their site in the northeast corner of 28 Road and Patterson Road with the ability to expand up to 24,000 square feet. The church will have to submit for formal site plan review prior to requesting a building permit for the initial construction and any future expansion. All Zoning and Development Code requirements shall apply.”

Commissioner Vogel seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

REV-95-1000 REVERSION OF PLAN/ZONE--DOVE DESIGNS

Request for a recommendation of approval reverting a zoning of PB (Planned Business) to RMF-64 (Residential Multi-Family with a density not to exceed 64 units per acre) zone district.

Petitioner: City of Grand Junction

Location: 1060 Grand Avenue

STAFF PRESENTATION

Kathy Portner provided a brief history of the subject property and prior approval. Since conditions of approval were not met, staff is requesting reversion of the originally approved PB zone. The property is currently being sold and both the present owner and potential buyer are in agreement with the reversion to the original zoning of RMF-64. The buyer will convert the use of the house back to seven residential units.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

QUESTIONS

Commissioner Halsey understood the buyer would be reverting the property to an apartment rental use, to which Ms. Portner concurred.

Commissioner Halsey asked if adequate parking had been provided, to which Ms. Portner indicated that parking was being provided and that the new owners agreed to pave the parking area.

MOTION: (Commissioner Vogel) “Mr. Chairman, on item REV-95-13, a request to revoke the plan for 1060 Grand and revert the zoning from PB to RMF-64, I move we forward this on to City Council with a recommendation of approval.”

Commissioner Whitaker seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

RZ-95-103 REZONE--2584 PATTERSON ROAD

Request for a recommendation of approval rezoning a parcel of land from RSF-4 (Residential Single Family with a density not to exceed 4 units per acre) to B-1 (Limited Business).

Petitioner: Dale Bowen

Location: 2584 Patterson Road

Commissioner Vogel excused himself from consideration of this item due to a potential conflict of interest.

STAFF PRESENTATION

Kathy Portner indicated the subject area on the map provided and stated that the area was transitioning into more business-related uses; thus, the proposed mortuary was appropriate for the area. Concerns over access to the site prompted staff to require that the petitioner dedicate 24 feet of right-of-way along the west property line adjacent to the 24 feet of right-of-way (ROW) dedicated by the owners of the proposed veterinary clinic. Forty-eight feet of ROW must be dedicated along the south property line adjacent to the above-mentioned property for a future frontage road in this area. No final alignment or timetable for the construction of the frontage road is presently available. Until the frontage road is built, access to this property must be through a shared driveway with the property to the west within the dedicated ROW.

If approval is granted, staff would require as a minimum that:

1. ROW must be dedicated for a future frontage road. The ROW shall be 24 feet wide along the west property line and 48 feet along the south property line as shown on the attached drawing.
2. Access to the property shall be from the dedicated ROW or by a shared driveway in the ROW until such time that the frontage road is developed.

Packets containing an aerial photo depicting surrounding zoning and uses were distributed to the Commissioners.

QUESTIONS

Chairman Elmer asked if the ROW were required, if the value exceed the capacity payment, would the difference be credited back to the petitioner, to which Ms. Portner responded affirmatively. She added that the need for the ROW would not be generated solely by the business use.

PETITIONER’S PRESENTATION

Dale Bowen presented the site plan and stated that staff’s requirement for ROW as proposed would delete 27 percent of the buildable area on the property. The requirement would, he felt, hinder traffic flow and reduce the number of parking spaces. He presented various drawings depicting placement options of the building and parking areas but said that if the ROW was a contingency, it would eliminate entirely his use of the property. Thus, Mr. Bowen requested waiver of the ROW requirement but agreed to the shared driveway with the adjacent veterinary clinic.

QUESTIONS

Discussion ensued over various placement options. Chairman Elmer also asked if cremation facilities would be present on site, to which Mr. Bowen replied that there were no present plans for such facilities but that he would like to keep his options open.

Jody Kliska distributed additional aerial photos depicting two options for access to the site and continuation of the road on to where it would eventually connect to Dewey Place. Additional discussion ensued over the two proffered options.

PUBLIC COMMENTS

FOR: There were no comments for the proposal.

AGAINST: Arlene Vogel (705 Putter Drive, Grand Junction) pointed out that there was no provision in the proposal for overflow parking which she felt would occur during funeral services. She didn't want her parking lot at High Fashion Fabrics used as an overflow parking area. She felt that the lot was not large enough for the proposed use.

PETITIONER'S REBUTTAL

Mr. Bowen felt that if the ROW was aligned to minimize impact on his site then the planned parking would be sufficient.

DISCUSSION

Richard McCurry, manager of Martin's Mortuary, indicated that business needs for parking often exceeded the available parking area. When asked, he indicated that his facility seated 400.

Commissioner Volkmann concurred with the petitioner that a 48-foot wide ROW would pose a hardship for any business use on the property.

Chairman Elmer expressed his support for the alternative access and shared driveway option.

MOTION: (Commissioner Volkmann) "Mr. Chairman, on item RZ-95-103, a request for a rezone at 2584 Patterson Road, I move that we forward this item on to City Council with the recommendation for approval subject to staff recommendations, with the exception that the right-of-way vacation be stricken from those recommendations and, instead, the petitioner would have a joint driveway with the property to the west (the veterinary clinic) on Patterson and the additional condition that upon development of the frontage road that actually abuts their property, they be obligated to put in a driveway running to it, to the west within one year of when the frontage road is actually constructed."

Commissioner Coleman seconded the motion. A vote was called, and the motion passed by a vote of 5-1, with Commissioner Coleman opposing.

VE-95-106 VACATION OF EASEMENT-3725 CHRISTENSEN COURT

Request for a recommendation of approval to vacate 5 feet of an existing utility easement on Lot 6, Block 1, Ptarmigan Ridge North.

Petitioner: Robert Sumrall, Sumrall Corporation

Location: 3725 Christensen Court

STAFF PRESENTATION

Kathy Portner presented a brief overview of the request and indicated that the 5-foot vacation was necessary to

increase the size of the building envelope. The easement was used only for sewer service and no objection had been received from any of the utility providers. Staff recommended approval.

PETITIONER'S PRESENTATION

Bob Sumrall (Littleton, CO) availed himself for questions but made no additional presentation.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (Commissioner Withers) "Mr. Chairman, on item VE-95-106, a vacation of 5 feet of a utility easement, I move that we forward a recommendation of approval on to the City Council."

Commissioner Volkmann seconded the motion. A vote was called, and the motion passed unanimously by a vote of 7-0.

VI. GENERAL DISCUSSION

Commissioner Halsey volunteered to serve as monthly liaison to the City Council meeting.

Commissioner Volkmann expressed concern that with all the focus on trails development, no one from the private sector seemed interested or bothered to show up at any of the public hearings.

Planning Director Larry Timm observed that many of the Commissioners did not attend the pre-Commission luncheon meetings, and he wondered if Commissioners considered them beneficial and whether they should be continued. While sentiments were divided, the decision was made to continue the meetings

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