

GRAND JUNCTION PLANNING COMMISSION
Public Hearing April 7, 1992
7:30 p.m. - 10:05 p.m.

The public hearing was called to order by Chairman Ron Halsey at 7:30 p.m. in the City County Auditorium.

In attendance, representing the City Planning Commission, were Chairman Ron Halsey, Craig Roberts, Jim Anderson, Sheilah Renberger, John Elmer, Tom Volkmann and Scott Brown.

In attendance, representing the City Community Development Department, were Bennett Boeschenstein, Director; Kathy Portner, Senior Planner; and Dave Thornton, Planner.

John Shaver, Assistant City Attorney; and Don Newton, City Engineer were also present.

Judy Morehouse, of KLB Secretarial Services, was present to record the minutes.

There were 17 interested citizens present during the course of the meeting.

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I. CALL TO ORDER

II. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I MOVE THAT WE APPROVE THE MINUTES OF THE MARCH 3, 1992 MEETING."

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

III. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRE-SCHEDULED VISITORS

There were no presentations or pre-scheduled visitors.

IV. PUBLIC HEARING ITEMS FOR FINAL DECISION

1. **#12-92 CONDITIONAL USE PERMIT - PROSPECTOR MOTEL STORAGE UNITS**

A request to build 100 new storage units on vacant land south of the Prospector Motel and to replace 7 existing motel units and add 23 new motel units to the Prospector Motel, in a Highway Oriented (HO) zone.

PETITIONER: Michael Hert

LOCATION: 547 Highway 50

Consideration of a Conditional Use Permit

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #12-92 I MOVE WE TABLE THIS ITEM FOR FUTURE CONSIDERATION.

The motion was seconded by Commissioner Volkmann.

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

2. #9-92 CONDITIONAL USE - CAPTAIN D'S DRIVE-THRU RESTAURANT

A request for a Conditional Use Permit to construct a Captain D's Drive-Thru Restaurant in a Light Commercial (C-1) zone.

PETITIONER: E.J. Preston (B2S2, Inc.)

REPRESENTATIVE: Western Engineers, Inc.

LOCATION: 2812 North Avenue

Consideration of a Conditional Use Permit

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

PETITIONERS PRESENTATION

Larry Gebhart was present to represent Western Engineers, Inc. and B2S2, Inc. He requested approval of a Conditional Use Permit to construct a Captain D's Drive-Thru restaurant located at 2812 North Avenue. United Bank is located on the west side of Court Road, and Captain D's will be located on the east side. The adjoining property is Carol's Oriental Food and Gift Shop, and on the south side of North Avenue across from the proposed Captain D's site is K-Mart.

The impact of traffic on North Avenue has been reviewed. The Petitioner felt that the traffic would not increase since this is a secondary use; although, it will increase the number of turns on and off North Avenue.

STAFF PRESENTATION

Kathy Portner of the City Community Development Department gave an overview of the request for a Conditional Use Permit for a drive-thru window for a proposed fast food restaurant (Captain D's). The property is located on the northeast corner of North Avenue and Court Place. The restaurant size is 2,715 square feet with a total seating capacity of 90.

The property proposed for development is zoned C-1 (Light

Commercial) as is all the adjoining property. To the east of the property is Carol's Oriental Food and Gift Shop, to the north is Junction Bell Federal Credit Union, to the west is United Bank of Grand Junction, and across North Avenue to the south are retail businesses.

The Corridor Guideline for North Avenue identifies the existing uses and zoning along North Avenue as being appropriate. This proposed use would fit the existing character. The Guideline also encourages minimizing curb cuts onto North Avenue to facilitate better traffic flow. Captain D's is proposing one curb cut onto North Avenue and will be utilizing Court Road for an access. The Guideline also states that a development should provide adequate setbacks for structures from the public right-of-way to be used in part for landscaping. Within the setbacks, landscaping amenities such as berms, buffers, and streetscapes are encouraged.

The development plan proposes approximately a 20 foot strip of landscaping behind North Avenue, 10 feet of which is in the public right-of-way, and approximately a 10 foot strip of landscaping is being proposed along Court Place. The landscaping strips widen at the entrances and exits.

The Conditional Use criteria require certain requirements before the Commission approves a Conditional Use Permit. This criteria is listed in the Zoning and Development Code. Items A through G have all been satisfied.

Staff Recommendation: The Petitioner has responded to the review agency comments. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. A Planning Clearance will not be issued until all water and sewer fees have been processed.
2. Final construction drawings must be reviewed and approved by the City prior to issuance of a Planning Clearance. A few technical details need to be worked out on this.
3. The Parks and Open Space fee of \$3,000 must be paid prior to issuance of a Planning Clearance.
4. Berming will be required along the parking lot perimeter to soften the visual impact of the parking lot and that two rather than one landscaped islands, including shade trees, be included in the long row of parking along the east property line. All other landscaping to be as proposed on the revised site plan dated 3/31/92.
5. The eight foot strip of land north of this property will be combined with the rest of the property prior to issuance of a

Planning Clearance.

6. All concerns as noted in the City Development Engineer's revised comments, dated 4/7/92, must be resolved prior to issuance of a Planning Clearance.
7. The traffic analysis as submitted is acceptable and indicates no decrease in level of service on North Avenue. Therefore the traffic circulation as shown on the revised site plan is acceptable. State Highway Department has indicated that an access permit will be issued for the driveway onto North Avenue, shown as ingress only.
8. The landscaping plan is to be reviewed by Staff with recommendations to be made prior to issuance of a Planning Clearance.

PUBLIC COMMENT

FOR:

Rick Mason of 2373 H Road, Grand Junction, CO. was present to speak in favor of the plan because of the beneficial use of the vacant lot on North Avenue which currently is somewhat of an eyesore. It also seems to be a compatible use for North Avenue, and it is nice to see new businesses coming to Grand Junction.

Jeff Williams of Bray & Co. Realtors explained that he sold this particular piece of property to the Petitioner. They chose this piece of property because it would be a traffic user not a traffic generator. He stated that the Petitioner was willing to work out any landscaping changes necessary.

AGAINST:

Susan Dackonish with the Law Firm of Golden, Mumby, Summers & Livingston, 2808 North Avenue, Grand Junction, CO. was present to represent United Bank. Ms. Dackonish stated that the bank objects to the plan because of the impact that the traffic will have on the bank itself and its private driveway. The plat shown does not adequately cover the entire area impacted by this drive-thru restaurant. A plat of the United Bank building was shown to the Commissioners which shows the private driveway in question from 28 Road to Court Road. A high volume restaurant will generate traffic which will use this private drive as a shortcut to get to 28 Road and increase the problem which the Bank is already experiencing. If a backup of traffic occurs, the Bank customers in the drive-up window will be blocked. It is very difficult to turn left from Court Road onto North Avenue, and their customers will be using the Bank's private drive.

The Bank objects to having two curb cuts off Court Road if the access is off North Avenue. If the plan is going to be approved, the Bank requests the north curb cut on Court Road be eliminated and a restriction of the traffic flow be enforced to keep the traffic off the Bank's property.

PETITIONER'S REBUTTAL

Mr. Gebhart responded to the objections by explaining that the traffic pattern of the restaurant is counter clockwise, and the drive-thru window is on the west side. The majority of the traffic will be exiting from the south exit onto Court Road, and the north access will be for parking customers. Currently there is a shortcut through the Bank's property; at least by building Captain D's some of the shortcut traffic will be eliminated.

The Credit Union has two accesses from Court Road and United Bank has three accesses. The Petitioner feels this sets a precedent for business access here. Also, the tax assessors map shows a dedicated right-of-way existing for Bunting Avenue and from Court Road to 28 Road. In the future those roads will be improved and a loop will be created around the Bank which will eliminate some of the shortcuts.

Mr. Gebhart concluded by stating the north and south access on Court Road are necessary for fire protection; if for no other reason but safety, the north access needs to be left open.

QUESTIONS

Chairman Halsey had concerns about the curb cut on North Avenue and was not aware of the potential shortcut onto private property.

Commissioner Elmer suggested making two curb cuts on North Avenue; however, the Highway Department would probably not allow this; therefore, making Court Road a public access road is the preferred option.

Chairman Halsey asked if a deceleration lane off North Avenue would be possible?

Mr. Don Newton, City Engineer, explained that a Traffic Impact Study was done to address the affect of development on the levels of service on North Avenue and Court Road. As a result of that study, the existing levels of service for left turns onto North Avenue from Court Road is E, (with A being the highest and F the lowest). When you consider the generated traffic from the development and apply that to the intersection, it does not change the level of service from the existing conditions.

A right turn from Court Road onto North Avenue is a level A, which means there are no restrictions. For a left hand turn from North Avenue onto Court Road the level of service is a C, which is average. For a left hand turn from Court Road onto North Avenue the current level of service is E. When the generated traffic is applied (estimated at 160 vehicles per hour) the level of service would not change. A traffic signal was considered, but

the proximity to the 28 Road signal would prohibit that due to necessary timing of the signal.

Court Road will be extended to the north at Bunting Avenue which will allow another exit in the future. This will occur when the property to the north develops.

Commissioner Roberts asked if there was a stacking problem on Court Road?

Mr. Gebhart explained the stacking distance is 58 feet or three cars.

Mr. Newton commented if any curb cut were to be eliminated it should be the south one in order to eliminate any possible stacking problem. He did not anticipate any problem with having both curb cuts on Court Road.

Mr. Newton asked the Petitioner why there was no exit on the North Avenue curb cut; was this a State requirement?

Mr. Gebhart replied it was not a requirement; he was trying to eliminate an increased traffic impact on North Avenue.

Commissioner Renberger asked the City Engineer how this setback compared to the McDonalds on 12th and North?

Mr. Newton explained there is more distance from North Avenue to the drive-thru window, but there is no side street exit like this proposal.

Commissioner Renberger asked if there is anything that can be done with the objections brought up by United Bank?

Mr. Newton suggested a one-way drive-thru from 28 Road to Court Road might prevent cars from trespassing on the Bank's property. Also signs identifying the private curb cut for the bank's use only could be installed.

Commissioner Volkmann asked if any of the curb cuts were eliminated, would any difficulties be generated by limiting the ingress/egress onto Court Road, especially since the North Avenue

curb cut is only an ingress?

Mr. Newton explained that there would be a circulation problem on site.

Chairman Halsey questioned the legality of having a major access cut across private property. Has this ever occurred previously and are there legal issues which need to be considered?

Mr. Shaver commented that in Eastgate City Market the adjoining retail establishments are likely using private property. However, if the property owner objects, such as in this case, there are legal issues. It is up to the Commission to decide whether or not it is appropriate for this project to proceed.

Mr. Newton suggested elimination of right-hand turns from both curb cuts on Court Road.

Mr. Shaver commented that this seems like a reasonable solution; from an enforcement standpoint this would be more feasible than making a one-way to restrict the access to the Bank property. If you make the Bank driveway one-way, enforcement would be a very difficult. Whereas, the left turn solution would be a much better case to enforce and prosecute.

Commissioner Elmer commented that restrictions for making a right-hand turn also restrict the use of a public road and their right to get to the Bank or the Credit Union if they are a patron.

Mr. Gebhart added that there are four or five residential buildings to the north of the Credit Union which should not have restricted public access.

Commissioner Roberts felt this situation was created by United Bank when they built a drive in the middle of their property. Now they are having a problem with people using the road they built. It is similar to the situation on Rood Avenue with City Market; to expect people not to use an established roadway will not work. Also, restricting access on a public right-of-way because a property has created an access which they now do not think is being used properly does not seem right.

Ms. Portner clarified that the proposal is not for a major access through private property; the proposal is for access onto Court Road which is a public right-of-way.

Commissioner Elmer compared this proposal to the Albertson's proposal which restricted turning movements onto a public right-of-way; however, this situation is entirely different.

Mr. Shaver advised the Commissioners to balance the various impacts and make their decision on the best interpretation of the Code and appropriate land use policy decisions.

Commissioner Roberts commented that in this high traffic area, a retail store is more likely than another office building, and the bank should be aware of what kind of traffic volume they could expect on that location.

Commissioner Roberts felt the revised landscape plan is sub-Code with all the mulch areas designated; 40 percent should be shrub beds and 75 percent covered by shrubs. The present plan does not come up to that standard and it should be revised. If mulch beds are used then 75 percent of that should be covered by plant growth. He suggested appropriate landscape material should be looked into by Staff.

Mr. Gebhart explained he does have 40 percent of the required landscape area designated for shrub beds.

Ms. Portner explained that the Community Development Department has looked at the square footage and the coverage by shrubbery and the petitioner has met the minimum requirements of the Code. The Code requires 40 percent of the total required landscape area to be covered by shrubs; however, through the Conditional Use process the Commissioners can require more than that.

Commissioner Brown asked Mr. Gebhart if there was a problem with the additional tree required on the east border?

Mr. Gebhart replied there was no problem with that, because there is still an excess of parking available.

Commissioner Elmer asked the Petitioner if the timing at the drive-thru would be typical of any fast food restaurant?

Mr. Gebhart felt it will be comparable with other restaurants.

Commissioner Roberts asked the Petitioner about the excess parking.

Mr. Gebhart explained it is a nice size lot for this size of business and full size spaces will be available.

Commissioner Roberts noted that if the curb cut were eliminated more parking would become available.

Commissioner Elmer asked the City Engineer if the Traffic Study satisfied all the Highway Department and Traffic Engineer's comments? There were a lot of traffic questions raised: the need for a light, and the need for an acceleration/deceleration lane.

If this is approved as is, have all these issues been addressed properly?

Mr. Newton explained that apparently the Highway Department is issuing a permit without a deceleration lane. Through the access code the Highway Department does check each development and the volume of traffic which will be generated, and they analyze those studies.

Mr. Gebhart explained there was not enough right-of-way for a deceleration lane. The State requires a 13 foot wide lane and with five foot sidewalk. The Petitioner could only acquire a 10 1/2

foot lane. Also, the minimum length is 250 feet which would involve about three properties.

Commissioner Elmer asked Commissioner Roberts to explain his concerns about landscaping.

Commissioner Roberts replied he felt the mulch beds should be shrub beds; bark alone with no shrubbery does not meet the intent of the landscaping requirements.

Ms. Portner suggested to the Chair that Staff could review the landscaping with specific suggestions for plant materials to be used prior to issuance of the building permit.

MOTION: (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #9-92, A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A CAPTAIN D'S DRIVE-THRU RESTAURANT IN A LIGHT COMMERCIAL (C-1) ZONE, I MOVE THAT WE APPROVE THIS SUBJECT TO STAFF RECOMMENDATIONS DATED APRIL 7, 1992 AND STAFF RECOMMENDATIONS SPECIFIC TO PLANT MATERIALS."

The motion was seconded by Commissioner Renberger.

A vote was called , and the motion passed by a vote 5-1, with Chairman Halsey opposing.

Commissioner Anderson rejoined the Commission for consideration of the next item.

2. #11-92 ODP AND FINAL ON 5 LOTS; THE FALLS FILING

2

FALLS POINTE

An Outline Development Plan (ODP) for The Falls, Filing 2 to reduce the density from 19 units to 12 units, and a Final Plat for 5 lots in the Falls Pointe Subdivision.

PETITIONER: John Siegfried

**LOCATION: SE of 28 1/4 Road and Patterson Road
Consideration of an Outline Development Plan
Consideration of a Final Plan**

PETITIONERS PRESENTATION

Mr. John Siegfried explained that this is a reorientation within the Falls Subdivision which is proposed as a planned unit development. Originally it was planned for townhomes; now it will be single family homes with more traditional lots in varying sizes allowing a different overall appearance than the typical town house situation. These detached houses will be of a lesser height, and random spacing will increase the views in the area.

STAFF PRESENTATION

Ms. Portner of the City Community Development Department was present to explain the request for the Outline Development Plan (ODP) and Final Plan. The Falls development was proposed and approved in the early 1980s. The plan included a combination of single family detached units, townhomes, and multifamily complexes. Only a portion of the development has been built. One phase of townhomes was built in Filing 2 and 3. Several single family homes were built in Filing 1. The Petitioner is proposing a revised ODP on a portion of Filing 2 south of Grand Falls Drive to reduce the number of dwelling units from the original approved 19 units to 12 units for a density of 2.4 units per acre. The overall character of housing proposed is single family, detached units. Lot sizes will vary from 5,000 to 10,000 square feet. The Petitioner is also proposing a Final Plat and Plan on 5 of the 12 lots along Grand Falls Drive. The Falls subdivision is zoned Planned Residential (PR) 8 units per acre. The property on the southeast corner of 28 1/4 and Patterson Roads is zoned PZ (Public Zone) which is the site of the new fire station; the property to the east is zoned PR 9.5 units per acre and is undeveloped at this time; the property south of the Falls is zoned RMF-16 (Residential Multi-family 16 units per acre) and is developed; across 28 Road is the Bethesda Care Center which is zoned Planned Residential 8 units per acre; and across Patterson Road is vacant land which is located outside of the City limits.

The Patterson Road Corridor Guideline encourages residential development from 15th Street to 30 Road and encroachment of new business is discouraged. The Guideline also suggests new residential development with 10 units per acre is the most compatible and appropriate density. The Falls Subdivision as it exists and is proposed does meet the intent of the Guideline. The proposed reduced density will be much more compatible with the

difficult soil conditions and steep topography. The Petitioner is proposing 12 large lots for an overall density of 2.4 units per acre.

Staff Recommendations: The Petitioner has responded to the review comments. Staff recommends approval of the ODP and Revised Final Plat and Plan as dated 4/3/92 with the following conditions:

1. All concerns of the City Utility Engineer and Central Grand Valley Sanitation District be resolved and final engineered stamped drawings be submitted and accepted by both entities. The necessary sewer easement to the south must be recorded by separate deed. There has been some discussion as to where the sewer line should extend; in the existing right-of-way, or as proposed by the Petitioner. This issue will be resolved prior to recording.
2. A notation will be made on the plat and by separate document that the ODP on the balance of filing 2 supersedes all past approvals and that development of those existing lots will require review and approval through the preliminary and/or final plan process. Currently there are platted lots which could be sold as lots. However since this is a planned zone, the Petitioner's proposal of an ODP essentially wipes out the plan on those lots. This will be recorded, and any future purchaser of those lots will be required to come back through the review process prior to development. This will also require submittal of updated improvements agreements, guarantees, engineered drawings, etc.
3. All technical concerns of the City Traffic Engineer and City Development Engineer (as shown in revised comments dated 4/7/92) must be resolved prior to recording the plat.
4. All final construction drawings must be reviewed and approved by the City Engineer prior to recording the plat.
5. The final draft of the covenants must be reviewed and approved by the City.
6. All technical concerns on the plat must be resolved prior to recording the plat.
7. Review comments have not been received from the State Geological Survey. The plat cannot be recorded until comments are received from the Survey and any issues identified therein resolved. The geologist in Denver did not foresee any problems other than requiring engineered foundations.
8. For this type of large lot development, those portions of

building envelopes shown as zero feet should be at least five feet. There are two or three lot lines with a setback of zero feet. Not knowing what will develop in the future, a five foot setback will be required.

9. South Grand Falls Court as shown on the proposed replat will end at the south property lines of Lots 2 and 3 and improvements made to that point or money escrowed for those improvements as per section 5-4-1.E of the Zoning and Development Code. Staff is recommending the line correspond with the southern property lines and improvement made for the road right-of-way or funds escrowed. The Code does require that all abutting streets of any development be developed.
10. A sketch plan will be provided showing more detail than required by the ODP to show the proposed extension of South Grand Falls Court and proposed lot configuration of Phase II to the south for the purpose of determining the best location of the sewer lines to the south. The purpose is to better clarify where the sewer can best service the extension of the lots to the south.

PUBLIC COMMENT

There was no public comment either for or against the proposal.

QUESTIONS

Commissioner Volkmann asked Staff how the State Geological Survey questions would be resolved? Would the Planning Commission become involved again after their decision?

Ms. Portner replied that the Commission would not become involved again. Notations could be made on the plat, or changes could be included in the covenants about the soil conditions. The State will only be reviewing the five lots being reviewed for final and they do not include the slope area.

Mr. Siegfried further explained that the Geological Survey works in a very general area using maps to determine if buildings can or cannot occur on certain slopes. Requirements for engineered foundations already exist in the covenants.

Commissioner Roberts asked the Petitioner about the previous road layout?

Mr. Siegfried replied it is obsolete; what they plan to do is abandon the road and truncate the cul-de-sac and work the lots around it.

Chairman Halsey asked the Petitioner about the five foot setback

instead of the zero foot setback.

Mr. Siegfried replied there would never be anything built on that property line; hopefully it will be used for drainage uses and for public use.

Commissioner Elmer did not feel the ODP is adequately addressing the redevelopment of the subdivision. The five lots shown do not appear to have adequate open space and the rest of the filing is not addressed at this time.

Mr. Siegfried explained there is no requirement for open space; instead there is a \$225.00 fee.

Commissioner Elmer explained there is an open space requirement for a planned residential development especially in the unusable areas such as the hillside.

Mr. Siegfried felt the open space should be an aesthetic function, not something the homeowners are burdened with. The lot owners themselves are the best owners of the open space by having building envelopes or corridors that preserve the use; not by giving gullies and swamp to the public entities as has been done in the past. Mr. Siegfried agreed that a mini park on the 6 1/2 acres next to this property might be appropriate; however, open space will be more effective under this plan than it was in the original plan.

Commissioner Elmer clarified his statement by adding he was referring to how the design was on the other lots which were going to be maintained by the homeowners association. Commissioner Elmer also questioned the long-term plan for the entire property.

Mr. Siegfried replied it will be single family lots; however, due to financial considerations they will be done in segments and will eventually evolve by segments. The remaining 3 1/2 acres will be divided into seven lots, and the envelopes will be limited due to the slopes.

Mr. Siegfried continued by explaining that the original plan and density was artificial and forced upon him. This has now been reduced from 130 to 65 workable lots.

Commissioner Roberts agreed with Mr. Siegfried on not showing what the remaining development plans will be due to the excessive costs involved in doing so.

Commissioner Renberger asked the Petitioner about the lot line configurations.

Mr. Siegfried replied he is going to stagger the structures from the front lot lines to create a rhythm. We are not attempting to create zero lot lines here.

Commissioner Volkmann asked Staff what form the open space requirement takes in this situation; does it have to be designated or is it nebulous?

Ms. Portner explained that there is a \$225.00 per unit fee for the Parks and Open Space fund. The concept of open space is more workable when you have smaller lots rather than larger lots with single family homes. The Planned Development chapter of the Code addresses using open space, but there is no specific requirement.

Commissioner Roberts commented there is no density that requires on site open space, which there should be. The beauty of having a Planned Unit Development with 1/4, 1/3 or 1/2 acre lots is that irregular lots can be created allowing the developer more flexibility. However, when there is square footage that is not developed, "open space" has been created; it is simply not owned by a homeowners association. There does need to be a threshold defining open space, shared space etc. However, homeowners are not necessarily willing to participate.

Mr. Siegfried added that is the lender who objects to getting involved in the townhomes with open space rather than fully saleable property.

Ms. Portner expressed concerns about the zero lot lines; specifically the one on the west property line. At this point there is no guarantee what development will occur on the property to the west. This zero lot line could easily be overlooked in the future. If the lot lines were internal and the proposal next to the line was clear, it would be better.

Commissioner Elmer commented that the purpose of the ODP is to see the overall development and sketch plan proposed.

Mr. Siegfried stated the proposed design might be seven more lots on 3 1/2 acres which is a very generous proposal. If there were 40 lots proposed it could be a serious problem, but that is not the case.

Commissioner Elmer asked the Petitioner if he owned all the Falls Filing property?

Mr. Siegfried replied affirmatively. He has a partnership interest in all the surrounding non-developed land.

Commissioner Elmer asked if a master plan of the entire subdivision would be available?

Mr. Siegfried explained through the process of the ODP in limiting the numbers of units he is basically doing that. As far as specifics, no, the lot configurations have not been determined. This is a market in which you have to evolve, a locked in subdivision will not work at this time.

Commissioner Elmer felt it was a Code requirement to see the overall plan; to see only five lots at a time for approval is not good planning.

Commissioner Volkmann asked Staff's opinion on the entire outlook.

Ms. Portner felt the Petitioner has met the requirement of the ODP; it shows density, type of housing units, and traffic circulation. The next step is a preliminary plan which requires a lot of engineering detail. Perhaps something in the interim that would make more sense is necessary. One of the shortcomings of the Code is that it allows a minor subdivision (five lots or less) to go to final. Staff would also like to see an overall preliminary plan but the code does allow the Petitioner to do what he has done. If it were a larger development, the ODP would require open space designations, density and housing designations for the entire Falls project. The ODP is not geared for a smaller area.

Commissioner Roberts commented that part of the problem is the Petitioner owns all the parcels. If he only owned a single parcel this is all he would be required to do. The other developers could do whatever in the surrounding lots. One problem is the lack of a bubble diagram on portions of Lots 4 and 5, which are adjacent.

Mr. Siegfried explained there is an overall ODP which had to be done to eliminate a lot line.

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #11-92, A REQUEST FOR AN OUTLINE DEVELOPMENT PLAN FOR THE FALLS, FILING 2 TO REDUCE THE DENSITY FROM 19 UNITS TO 12 UNITS, I MOVE THAT WE APPROVE THIS SUBJECT TO STAFF RECOMMENDATIONS DATED APRIL 7, 1992."

The motion was seconded by Commissioner Brown.

A vote was called, and the motion passed by a vote of 6-1 with Commissioner Elmer objecting.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 11-92, A REQUEST FOR A FINAL PLAT & PLAN FOR 5 LOTS IN THE FALLS POINTE SUBDIVISION, I MOVE THAT WE APPROVE THIS SUBJECT TO STAFF RECOMMENDATIONS DATED APRIL 7, 1992."

The motion was seconded by Commissioner Brown.

A vote was called, and the motion passed by a vote of 6-1 with Commissioner Elmer objecting.

V. GENERAL DISCUSSION

1. UPDATES - MASTER PLANS

A. South Downtown Riverfront Master Plan

Ms. Portner of the City Community Development Department was present to explain the updates on the South Downtown Riverfront Master Plan. The meeting which occurred in February identified the issues of the citizens. From these issues the Community Development Department has developed some goals and objectives specific to the Riverside and El Poso areas. These goals will be presented at a meeting April 8, 1992. In conjunction the Public Works Staff will be present to explain a community development block grant to do storm drainage improvements in the El Poso area.

The Planning Commissioners are invited to attend this meeting which is in the Riverside Baptist Church. The format of the meeting is to present the planning process and explain the issues and goals, then allow the Public Works Department to do their presentation and ask for one-on-one input from the public. It would be extremely helpful to have as many Commissioners as possible for this public input portion.

Commissioner Roberts asked Staff if there are plans to improve the road by the jail and under the underpass? There seems to be a real need for improvement in this area.

Ms. Portner replied there has been some talk about it, but nothing definite. The next public meeting will be April 14, 1992 to discuss the area east of 5th Street. The issues and goals again will be presented and input will be asked for. Also, discussion on the next phase of the South 7th Street reconstruction will take place at this meeting which will be at 760 Winters Avenue at 7:00 p.m. on April 14, 1992.

B. Master Plan of Parks, Recreation & Open Space

Mr. Boeschstein of the City Community Development Department was present to discuss the Master Plan of Parks and Recreation. The first of many meetings is occurring this evening to get public input on where parks land should be and what kind of recreational facilities the public wants. There will be additional opportunities for input on this topic. The Planning Commission will become involved when a draft plan is released. Also, a large

questionnaire will be in the newspaper to obtain public input.

C. Northwest Plan

The Growth and Annexation Committee of City Council will meet April 13, 1992 at 3:00 p.m. Discussion will include the zoning on the Northwest area of annexation, which will be brought to the Planning Commission in May, 1992. The direction from the City Council seems to be to zone the industrial areas into straight zones and to upgrade the straight zones in the City, rather than putting them into planned zones. The Community Development Department is looking into that and developing a chart that shows different straight zones (C-1, C-2, I-1, I-2, HO) in the City that deal with commercial and industrial land. Currently the direction seems to be for straight zoning all the way out.

Another issue is in regards to a gentleman named Harry Smith, who is on the far northwest corner of the annexation at 21 1/2 & H Road. He has a mobile home and some poultry and would like to be zoned into a rural zone or not be annexed at all. The City Council will consider de-annexing him at their next meeting.

D. Grand Mesa Slopes - Cooperative Management Plan

Mr. Boeschstein commented that this Cooperative Management Plan is a joint effort of many agencies. The Planning Commission, City Council, BLM, County Commissioners, and the Forest Service are asked to sign the agreement and cooperate in jointly planning the Grand Mesa Slopes area.

Greg Trainor the City Utilities Manager was present to explain the Grand Mesa Slopes Plan. This is a section of public and private lands that encompass about 80 square miles. It is located east of Whitewater, across the desert, up the front of Grand Mesa across the top of Grand Mesa almost to the Powderhorn Ski area, south of Orchard Mesa Canal #2 and north of the Lands End Road. The map being shown designates the parcels of property which belong to the City of Grand Junction.

Large parcels of land in this area which are privately owned include the Loring Ranches, the Lombardy Ranches, the Lloyd Ranch, and the City of Palisade. The balance of the property is BLM, and Forest Service public lands.

Most of the BLM land had been designated for disposal in the early 1980s as a result of oil shale development. The City of Grand Junction had discussed selling most of the 11,000 acres which were acquired from the Somerville Ranch. The BLM has approached the City Council and the Forest Service expressing some concern about the possibilities which could occur if no joint management is

adopted for the area.

There was agreement in that none of the agencies involved want this area parceled out and developed as homesites, ranchettes or mobile home tracts. In the Fall of 1991 the City, the BLM, the Forest Service, the Museum of Western Colorado, Mesa College and the owners of the Loring Ranch and the Lombardy Ranch discussed their goals. Since then a formal Memorandum of Understanding has been developed which basically says: "We will work together in a cooperative manner to develop a plan."

When a plan can be agreed upon, it will be jointly and formally adopted. The Memorandum of Understanding is an agreement to continue to work together. This concept is very unique in that the private landowners and the public are working in a cooperative effort. In addition, the City is working with various user groups in that area such as the Colorado Off Road Vehicle Coalition, Mesa College, and the Museum of Western Colorado.

The University of Colorado Graduate School of Planning & Design has been working on a geographic system mapping program for the entire 80 square miles. They have mapped on a computer system all the resources (geology, hydrology, visual perspectives, coal, natural grass resources, legal and illegal access, and vegetation) and have developed several alternatives for the Grand Mesa Slopes management team to consider how the area can be utilized.

One alternative is a recreational alternative, another is a western heritage alternative, and the third is an integrative use type of concept. The objective of the Grand Mesa Slopes group is to develop a fourth alternative using the University data.

The City of Grand Junction's objectives are to develop the water rights and to continue the agriculture operation until those water rights are fully developed. The ranchers' objective is to eliminate illegal access to eliminate harassment and killing of livestock and to eliminate illegal dumping. Because of the proximity to Grand Junction, there is a lot of illegal dumping and trespassing.

The proximity to the Grand Valley is also an opportunity. It is a tremendous resource. With some cooperative efforts, it can be developed into something that is useful.

The Division of Wildlife is also a cooperating agent in this effort, and they have some specific interests in terms of maintaining and protecting the wildlife habitat and particularly the winter big game range which is located in this area.

The City's objective is to discuss it with the Planning Commission and ask that the Commission consider becoming a partner in this

effort by considering and reviewing the Memorandum of Understanding and at some point adopting a resolution along with the other agencies.

Presently the City of Grand Junction, the Forest Service and the BLM have signed the Memorandum of Understanding. The BLM has applied for land and water conservation funds to purchase a critical piece of property which is currently owned by the Bank of Palisade located in the Watson Creek drainage.

Mr. Boeschstein commented that in the past there have been many proposals such as mobile home ranchettes, strip mining, and others. This area seems to be endangered, and the BLM is on the right tract applying for land and water money for this area. The area is zoned AFT (five acre lots) and from the perspective of protecting the City water and aquifer, five acres lots with septic systems is a potential endangerment. Also, a pipeline was proposed for this area. This joint management does not set up any zoning, but it will create a critical effort to set up goals and objectives for the area.

Mr. Trainor stated there will be a joint meeting with the County Planning Commission and the City Planning Commission which will include some zoning guidelines.

The Town of Palisade is interested in this because they want to insure that access will be restricted to their water shed.

Commissioner Elmer asked Mr. Trainor what the long-term goals of the large ranchers are?

Mr. Trainor said the ranch objectives are to maintain the base operation and not split up the property. The ranchers are concerned about the future development in the area.

Commissioner Elmer suggested a special agricultural zoning in the area to ensure that it remains ranch lands.

Mr. Boeschstein commented that land trusts, special zoning, conservation easements are possibilities. The Mesa County land trust has over 1,000 acres of orchard land in East Orchard Mesa in a land trust. The Conover Ranch in Glade Park is another example of how they have saved land through land trusts.

Commissioner Brown asked Mr. Trainor how this cooperative effort will stop illegal dumping?

Mr. Trainor explained resources such as the BLM, Grand Valley Rural Power, and Colorado Ute Electric who already have people in

the area for enforcers are a possibility. Education of the public, having rangers policing the area, and controlling the entrance points to the area have been considered. The City is communicating with other organizations in trying to find a solution to that problem.

Commissioner Roberts commented that a cooperative effort using volunteer help such as the Kokopelli Trail generates a recreational resource with less effort on any one agency, and the policing is also generated by the interested public.

Mr. Trainor agreed with Commissioner Roberts and added the Colorado River is also policed by boaters which works very well.

Chairman Halsey asked about the time frame on a resolution by the Planning Commission?

Mr. Trainor stated a draft plan should be out by early summer; the Planning Commission is asked to adopt a resolution as soon as possible.

Commissioner Anderson requested that it be put on May's agenda for consideration rather than a decision being made this evening.

Chairman Halsey agreed.

2. UPDATES - OTHER PROJECTS

A. Major Road Needs Study

Dave Thornton of the City Community Development Department was present to discuss the Road Needs Study. The first scheduled workshop is April 13, 1992 at Two Rivers Convention Center from 4:00 p.m. to 7:00 p.m. Booths will be set up to help give the consultants some feedback on the concerns and issues involved. The Community Development Department would like the Commissioners to attend. The consultants, CRSS Civil Engineers, will be present during this workshop. Later that evening the City Council will be briefed at their workshop.

The purpose of the study is to determine road needs for the year 1995 and 2000; what roads should be prioritized.

The study goes from 18 Road to 34 Road, and A Road to I Road. The results of this and other studies will aid our elected officials in making decisions on future capital improvement projects.

B. Transportation Development Plan

Dave Thornton stated the Transportation Development Program is being conducted by Leigh, Scott & Cleary with Mesability. There

were eight random precincts selected to be surveyed for this study. The return rate was 18 percent, which is considered good.

The results of the survey showed a high majority of respondents want additional transportation; however, the majority did not want an increase in taxes to do this. One segment suggested increasing vehicle registration to pay for transit.

Commissioner Roberts felt that vehicle registration is a backwards way to fund public transportation.

Mr. Thornton explained the purpose of the survey was to see if there is public support to keep the existing public transportation or add to this existing transportation.

Mr. Boeschstein commented that in the early 1980s there was a fixed bus route system. It needs to be looked into as to why this failed. Another item is the 2 percent County Sales Tax passed in 1981 which was advertised as funding for public transportation and a Parks & Recreation Center. The question of whether or not that was a commitment on the part of the Commissioners needs to be addressed. In other words there could be a tax in place for public transportation rather than additional taxes being used.

Commissioner Roberts asked if any of the promises made in 1981 have been followed through?

Mr. Boeschstein replied the Redlands Parkway and F Road widening were done.

Commissioner Elmer asked Mr. Thornton if the Gunnison Road vacation issue was brought up on this study?

Mr. Thornton replied that they will be doing that in the next stage.

C. Street Design Criteria

Mr. Newton, City Engineer, was present to explain that new street right-of-way and street width standards would become consistent in the county and the city, so when these areas are annexed the streets would be within city standards.

Currently all standards are ready to go out for final comment. The Planning Commission will be asked to consider them for adoption. This consideration will be in May with a joint City/County Planning Commission meeting.

Chairman Halsey asked if the streets and sidewalks would be significantly different than what was passed a year ago?

Mr. Newton explained that the changes made were not significant. One change did involve decreasing street width on the residential streets so that they would fit into the county street sizes. The major streets are the same except the major arterial section is widened by five foot on each side in order to allow the 10 foot space between curb and sidewalk. All major streets will allow width for bicycles.

Commissioner Elmer asked if the Utility Coordinating Committee has signed off on the standard?

Mr. Newton explained the Utility Coordinating Committee has been heavily involved in locating of the utilities within a separate easement which will be outside the right-of-way on both sides of the streets. This is the multi-purpose easement which includes utilities, trees, fire hydrants, signs, traffic signal poles, and utilities poles. The only utilities remaining in the streets will be sewer and water mains.

Commissioner Elmer asked if the possibility of going down a back lot line will still exist?

Mr. Newton replied affirmatively.

Mr. Boeschstein commented that the City Development Department is also working on a template to fit over the map for landscaping standards.

Mr. Newton explained the location for street trees within the easement is being provided. This will be five feet from the back of the sidewalk. The trees will be on the back side and private utilities will be on the house side of the street trees. All the City utilities (water mains, fire hydrants) will be on the street side of the trees.

After these standards are adopted, then a storm drainage criteria manual and a street design criteria manual will be done as an extension of these standards.

Mr. Boeschstein added that time permitting, this will be presented in a joint hearing with the City/County Planning Commissions in May, 1992.

VI. NONSCHEDULED CITIZENS AND/OR VISITORS

There were no nonscheduled citizens and/or visitors.

The meeting was adjourned at 10:05 p.m.