

GRAND JUNCTION PLANNING COMMISSION
Public Hearing February 10, 1993
7:00 p.m. - 10:48 p.m.

The public hearing was called to order by Chairman Ron Halsey at 7:00 p.m. in the City County Auditorium.

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

In attendance, representing the City Community Development Department, were Larry Timm, Director; Kathy Portner, Planner; Dave Thornton, Planner; and Kristen Ashbeck, Planning Technician.

Also in attendance, representing the Mesa County Planning Commission, were Chairman Charlie Nystrom, Neil Bradford, Bill Baird, Mary Fuller, Mark Maurer, and Dale Doty.

John Shaver, Assistant City Attorney and Gerald Williams, City Development Engineer were also present.

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

There were 37 interested citizens present during the course of the meeting.

I. CALL TO ORDER

II. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I MOVE THAT WE APPROVE THE MINUTES OF THE JANUARY 5, 1993 MEETING."

The motion was seconded by Commissioner Anderson.

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

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

There were no announcements, presentations and/or pre-scheduled visitors.

IV. SPECIAL PUBLIC HEARING ITEM

1.#9-93 PARKS, RECREATION AND OPEN SPACE MASTER PLAN

A request to adopt the Grand Junction Parks, Recreation and Open Space Master Plan to be used as an advisory document for the City in making future decisions regarding Parks, Recreation and Open Space acquisition and development. This will be a joint hearing of the Grand Junction and Mesa County Planning Commissions. The Grand Junction Planning Commission will take official action on

the plan at this hearing. The Mesa County Planning Commission will take official action on the plan at a future date.

PETITIONER: Grand Junction Parks and Recreation Advisory Board

REPRESENTATIVE: Keith Mumby

PETITIONER'S PRESENTATION

Mr. Keith Mumby, Chairman of the Steering Committee, was present to explain the Parks, Recreation and Open Space acquisition and development plan. The Steering Committee's four major recommendations include: regional parks (200 to 500 acres); community parks with a trail system connecting all parks (25 to 40 acres); neighborhood parks (5 to 15 acres); and a recreation center which will have facilities for teens and the elderly including an indoor swimming pool, four basketball courts, volleyball courts, fourteen tennis courts, soccer fields, and four softball diamonds.

The Mesa County Planning Commission excused themselves following the presentation.

PUBLIC COMMENT

There were no public comments either for or against this proposal.

QUESTIONS

Commissioner Elmer asked how the plan addressed Orchard Mesa?

Mr. Mumby explained that the plan proposes a community park and two neighborhood parks as well as bike trails for the Orchard Mesa area and a basketball facility for the Orchard Mesa Middle School.

MOTION: (Commissioner Elmer) "Mr. Chairman, on item #9-93 a request to adopt the Grand Junction Parks, Recreation and Open Space Master Plan, I move that we adopt this plan."

The motion was seconded by Commissioner Volkmann.

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

V. GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING ITEMS FOR FINAL DECISION

1.#2-93 PRELIMINARY PLAN - HORIZON PARK SUBDIVISION

A presentation of a Preliminary Development Plan for the Horizon Park Subdivision, zoned Planned Residential (PR) with a density of 6 units per acre. Twenty-five single level units are proposed for the 5.3 acre site.

PETITIONER: Bob Bray, Wayne Beede

REPRESENTATIVE: Bryan Sims

LOCATION: South of G Road, West of Horizon Drive

PETITIONER'S PRESENTATION

Mr. Sims was present to answer questions on the Preliminary Development Plan for the Horizon Park Subdivision.

STAFF PRESENTATION

Kathy Portner of the City Community Development Department explained the request for a preliminary development plan for the Horizon Park Subdivision. Twenty-five attached and detached single-level units are proposed for the 5.3 acre site for a total density of 4.7 units per acre.

Currently the property is zoned Planned Residential with a maximum density of six units per acre. The Corps of Engineers has reviewed the proposal and noted that based on the information they received, a permit is not required to proceed with the project provided the proposal is not changed drastically at the final plan phase.

The property to the south and east is zoned Planned Business. Staff agrees that the extension of 15th Street to Horizon Drive, as currently dedicated, is not desirable. The right-of-way should be retained to the end of the proposed cul-de-sac with the remainder to the south being vacated. The existing 80 foot wide right-of-way can be reduced to 52 feet as per City standard for a commercial street section. Ms. Portner stated that the Petitioner has requested that the portion of right-of-way near Horizon Drive be vacated and that it be narrowed to a commercial section.

Improvements or funds for half-street improvements to G Road and Parks and Open Space fees of \$225 per unit will be required prior to recording a final plat.

Sewer line extension to the south may be a problem because of grades and the drainage crossing. The final plan/plat submittal will require the detailed design for that extension.

Staff recommends approval subject to the following conditions:

- 1) the roadway be redesigned for the final plan/plat to meet minimum standards for turning radii and design, including curb, gutter and sidewalk on both sides;
- 2) retain 15th Street as a cul-de-sac and reduce the width to 52 feet as per City standards; and
- 3) all other technical requirements as noted on the Review Sheet Summary and Staff Review must be adequately addressed in the final submittal.

PUBLIC COMMENT

FOR: There were no public comments in favor of this proposal.

AGAINST:

Mike Saelens, representative of the adjoining property owner John Moss, asked for some clarification on the 15th Street dedication.

Ms. Portner explained that currently from G Road to Horizon Drive it is a dedicated right-of-way which is not built. Staff agrees it is not desirable for the extension to come onto Horizon Drive. The proposal at the final plan phase would be to vacate 15th Street south of the Petitioner's property where it intersects Horizon Drive. There will be no formal action on this tonight; this information is merely to give the Petitioner guidance.

QUESTIONS

Commissioner Elmer asked about the fence on the south side; is this part of the proposal?

Ms. Portner explained that the request for a buffer will be made at the final plan and plat phase.

Commissioner Anderson asked if this will be a requirement?

Ms. Portner replied that in this case it will be required at the final plan phase.

Commissioner Elmer asked the Petitioner what is going to be done with the drainage on the property?

Mr. Sims explained that it will be used as an asset for the property and will be included as part of the greenbelt. He added that since North 15th is a dead-end street, he would like to eliminate some of sidewalk since it will not be needed.

Chairman Halsey explained that the Commissioners are required to endorse standards which have been accepted.

Commissioner Brown asked Mr. Shaver if sidewalks are required under the Fair Housing laws?

Mr. Shaver replied he is not aware if Fair Housing Laws mandate sidewalks. Usually what is mandated is sufficient access for the walks that are provided.

Commissioner Brown asked if it could be considered discrimination to provide sidewalks for only one side of the street?

Mr. Shaver stated that he was not aware of any discrimination problem.

Commissioner Elmer explained that the unified City/County street standard had been agreed upon; the only time this standard might be waived would be in a planned residential environment where other options are available. Therefore, he felt the standard should be endorsed in this case.

MOTION: (Commissioner Anderson) "Mr. Chairman, on item #2-93 a request for a final decision on the preliminary development plan for the Horizon Park Subdivision, I move that we approve this request subject to staff recommendations."

The motion was seconded by Commissioner Volkmann.

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

2. #4-93 REVISED PRELIMINARY PLAN AND FINAL PLAT FOR WILSON RANCH SUBDIVISION

A request for approval of a revised preliminary plan for Wilson Ranch Subdivision Filing 2 (11 acres) zoned Planned Residential (PR) with a density not to exceed 4.4 units per acre. Also a request for approval of a final plat for Filing 2 (2.98 acres), also zoned Planned Residential (PR) with a density not to exceed 4.4 units per acre.

PETITIONER: Dan Garrison

REPRESENTATIVE: QED Surveying Systems, Inc.

LOCATION: 25 1/2 Road & G 1/2 Road

PETITIONER'S PRESENTATION

Mr. Garrison requested approval of a revised preliminary plan and a final plat for Wilson Ranch Subdivision Filing 2. This was originally approved in 1980 for a total density of 181 families. The density has been decreased by approximately 20 residences. The lots range from 1/2 acre to 1.4 acre lots.

The entire Wilson Ranch Subdivision has now been annexed into the City. The annexation agreement was that the original terms of the County approval would be accepted by the City.

STAFF PRESENTATION

Mr. Thornton of the City Community Development Department reviewed the proposal for Wilson Ranch Subdivision and noted the following:

The drainage plan has been revised and is being reviewed by the City Development Engineer.

The Fire Department has requested an eight inch water line which will have to be looped into an existing water line at 25 and G Roads, or 26 and G Roads.

Staff recommends approval subject to Review Agency Summary Sheet Comments, final acceptance of the drainage plans, and looping of the water line.

PUBLIC COMMENT

FOR: There were no public comments in favor of this proposal.

AGAINST:

Mr. Frank Lamb of 2587 G 1/2 Road had four major concerns about this proposal:

- 1) the water needs to be stubbed to adjoining property lines;
- 2) the gas mains need to be stubbed to adjoining property lines;
- 3) access to an adjoining lot in the northeast corner is needed so that it is not landlocked; and
- 4) Leach Creek should have controls due to problems with erosion in the area.

PETITIONER'S REBUTTAL

Mr. Garrison explained that the right-of-way for G 3/8 Road was vacated in 1982; however, the developers of Wilson Ranch will be happy to make water and gas available to the neighbors on any side. Mr. Garrison stated that he was unaware of the access agreement which Mr. Lamb referred to.

The erosion problems with Leach Creek is a concern. The development is not close to this area so it will be protected and hopefully further erosion will not occur.

Mr. Garrison stated that when Wilson Ranch was purchased there were contingency requirements concerning the development which included an eight inch water line from G Road to provide adequate water supply and to comply with the fire requirements. Also, a 2 1/2 inch line was brought from G 1/2 Road and a 2 inch line from G 3/8. This was the total requirement requested and Wilson Ranch has met all the requirements. Although the subdivision came into the City with some reluctance, they agreed to be annexed because the City agreed to accept the development as approved by the County. They are not unconcerned about looped water lines, but are not prepared to bring eight inch water lines from 25 and G Roads which is at least a mile. The tremendous expense in adding this eight inch water line will make the property undevelopable. Had these proposals been presented to them originally, the subdivision would not be developed.

QUESTIONS

Chairman Halsey asked if the present water lines were adequate to meet the fire protection needs?

Mr. Thornton answered that the current ordinance requires at least a six inch looped water line for residential.

Mr. Shaver explained it is simply a law enforcement issue. Currently such requirements are by an ordinance of the City of Grand Junction. The City and Mr. Garrison may disagree as to whether or not he has complied with the Mesa County's requirements and also with the annexation agreement. The expectation of the annexation agreement is that Mr. Garrison would comply with all the applicable City requirements. The ordinance that applies requires a looping of the water line.

Commissioner Volkmann asked Mr. Shaver what action would be necessary by the City Council in order to waive the enforcement of an ordinance in connection with an annexation agreement?

Mr. Shaver explained that the developer could perfect an appeal if the decision by the Planning Commission is adverse to Mr. Garrison's interest; however, the City Council can not waive the law but they could certainly make an agreement or enter into other understandings. The other question raised is whether he has complied with the annexation agreement, which is perhaps a factual determination which may have to be made in a court of law.

Commissioner Volkmann asked if the existing ordinance for the six inch loop has to be addressed specifically in the annexation agreement in order to support a claim that it was a waiver of that ordinance by the City?

Mr. Shaver replied that would be the City's contention. The two facts that makes this issue difficult are the City Ordinance and the annexation agreement; the agreement states that the developer must comply with applicable City standards.

Commissioner Elmer asked if these waivers are specifically spelled out in the agreement?

Mr. Shaver explained that there are a number of things that are or have been accepted; the problem is looking at the level of detail of approval from the County. It appears from the County's file there was not this level of detail in the preliminary plan approval.

Chairman Halsey commented that the County approval is based on the requirement of the looped system. If this is unacceptable to the Petitioner, it would have to be appealed to the City Council.

Mr. Garrison felt that the Planning Commission has the authority to waive this requirement.

Commissioner Elmer explained that the Commission does not have that authority; the Commissioners can only make recommendations.

Mr. Garrison pointed out that the City Ordinance was in effect in 1991; the development was approved in 1991 with the requirement that an eight inch water line to Wilson Ranch be provided. Wilson Ranch was accepted into the City under good faith negotiations. The

agreement was OK then, but it's not OK now. In 1991 when this was approved, Wilson Ranch was within the City Fire District and was approved by the Fire Department.

Commissioner Elmer felt that if this were approved, a recommendation should be given to City Council to waive the looped water line requirement.

Commissioner Anderson felt this requirement added a heavy financial burden to the development and hoped that the Council would take this into consideration.

Commissioner Volkmann asked if the existing water system would impact the adjacent property development?

Mr. Garrison has looked into all aspects including the neighboring properties. If a twelve inch line were available to hook up to that would be a solution; but there is none.

Mr. Lamb felt that an extension for the eight inch water main to the property boundaries would benefit all properties. He requested a right-of-way into the property which is landlocked by this subdivision.

Mr. Garrison was agreeable to a right-of-way.

Commissioner Elmer asked if the right-of-way was required to provide access to Mr. Lamb's property?

Mr. Thornton thought the landlocked parcel must have been overlooked in the preliminary plan.

When asked if the City was addressing the erosion problem, Gerald Williams, City Development Engineer, explained that it is being addressed; there is an easement southwest to an existing drainage and a channel will be installed.

When asked why there is a requirement for a looped water line, Mr. Williams explained that there are two reasons for redundancy in lines; first for domestic use, in case of repairs, only a few would be out of service and secondly, with the fire flow concern and whether there will be a backup line.

Mr. Williams commented that he is aware that these particular lines are small, but they do have high pressure. An engineering analysis could show there is adequate fire flow. If City Council decides there is no need for the eight inch loop, the Engineering Department has no problem with not providing it in this case, if it can be shown that there is adequate fire flow.

MOTION: (Commissioner Elmer) "Mr. Chairman, on item #4-93 a request for approval of a revised preliminary plan for Wilson Ranch Subdivision Filing 2, also called future Filing 3 (11 acres) zoned Planned Residential (PR) with a density not to exceed 4.4 units per acre, I move that we approve this subject to the Review Agency Summary Sheet comments and the granting of right-of-way for a street meeting City standards out to the property line to the east, for an easement for water and gas lines and also require the Petitioner to address the erosional problems of Leach Creek in the final plan."

The motion was seconded by Commissioner Anderson.

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

MOTION: (Commissioner Elmer) "Mr. Chairman, on item #4-93 request for approval of a final plat for Wilson Ranch Subdivision Filing 2 (2.98 acres) zoned Planned Residential (PR) with a density not to exceed 4.4 units per acre, I move that we approve this subject to Review Agency Summary Sheet Comments."

The motion was seconded by Commissioner Volkmann.

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

The Commissioners strongly recommend that the City Council waive the requirement for the eight inch looped water line, if the Petitioner can show there is sufficient fire flow to meet fire demand and also based on the reasonableness of this request due to prior agreements. This also appears to be an undue hardship because of the expense.

3.#5-93 PRELIMINARY PLAN - PTARMIGAN RIDGE NORTH SUBDIVISION

A request for approval of a preliminary plan for Ptarmigan Ridge North Subdivision (23 acres), zoned Planned Residential (PR) with a density not to exceed 4 units per acre.

PETITIONER: John Siegfried

LOCATION: North of Ridge Drive and West of 27 1/2 Road

PETITIONER'S PRESENTATION

Mr. Lewis Hoffman was present to answer questions for the Petitioner regarding the preliminary plan for Ptarmigan Ridge North Subdivision. He noted that this proposal is for 23 acres not 18.88 acres.

STAFF PRESENTATION

Ms. Portner of the City Community Development Department was present to explain the request for the preliminary plan on the previously approved outline development plan (ODP) for Ptarmigan Ridge North Subdivision. The proposal is for 91 units on 23 acres of which 60 are single family lots with the remainder being townhomes.

Staff concerns include the proposal by the Petitioner for a 14 foot front yard setback; normally the residential setback is at least 20 feet from property lines. The developer agrees that all the garages will be set back at least 20 feet from front property lines. Also, staff is concerned with the two proposed single family lots, Lots 1 & 2, Block 3 and believes these are more appropriate as a continuation of the townhouse lots.

As required in the Outline Development Plan, a pedestrian access must be provided between North 15th Court and Cortland Court. The developer is also proposing a pedestrian access between Christensen Court and Ptarmigan Ridge Circle.

Staff recommends approval subject to the following conditions:

- 1) a pedestrian access be provided between North 15th Court and Cortland Court in addition to the one provided between Christensen Court and Ptarmigan Ridge Circle;

- 2) the drainage facilities be located in designated common open space to be maintained by the homeowners rather than in easements;
- 3) garages be required to have a 20 foot front yard setback to allow vehicles to park in the driveways; and
- 4) all technical requirements as indicated on the Review Agency Summary Sheets and the staff report be addressed with the submittal of final plans/plats.

PUBLIC COMMENT

FOR:

There were no public comments in favor of this proposal.

AGAINST:

Mr. Ralph Knapp was present to represent the majority of the residents of Ptarmigan Estates who disagree with any expansion of this development because the prior development was not completed and the obligations were not fulfilled.

Mr. Ed Olson also of Ptarmigan Estates was present to object to further development by a developer who did not fulfill his previous obligations.

Chairman Halsey explained that this meeting is dealing with the preliminary plan for Ptarmigan Ridge North Subdivision. Recourse for the residents who feel the developer has not fulfilled his previous obligations should be taken up with Mr. Timm of the City

Community Development Department and perhaps legal action should be taken by the residents of Ptarmigan Estates.

Mr. Shaver explained that the City can proceed against the letter of credit and the improvements guarantee if the developer has not been released by the City. The process should, as Chairman Halsey explained, be initiated by Mr. Timm of the City Community Development Department.

QUESTIONS

Commissioner Volkmann asked what other purposes, besides the garages, there are for the 20 foot front yard setbacks?

Ms. Portner explained that it would look better.

Commissioner Elmer felt the 14 foot setback would create problems with the easements since all the gas, electric, irrigation lines will be in those easements.

Commissioner Volkmann asked the Petitioner if this 14 foot area would be lawns?

Mr. Hoffman explained the 14 foot easement is outside the 44 foot right-of-way. All utilities are in front of the 14 foot easement.

Commissioner Volkmann asked Staff if a shorter setback had been previously approved?

Ms. Portner replied that three years ago, shorter setbacks for the Indian Wash Subdivision were approved; however, this was prior to the new road standards and at that time, the easements could be in the back of the lot.

Commissioner Elmer asked Staff how the townhouse is configured into the plan?

Ms. Portner explained that the overall density comes out to less than 4.0 units per acre.

Chairman Halsey asked if a problem could arise in monitoring the overhangs if the 14 foot setback were approved?

Ms. Portner replied that a special notation on the plat would be required; however, it still would be difficult to monitor.

Mr. Hoffman explained that on the single family lots the 20 foot setback could work; however, in the townhome area the 14 foot front setback is necessary.

Ms. Portner felt this could be done and the development would still have continuity.

Ms. Terry Roth-Miller, 3643 Bellridge Court, asked if the covenants for the original Ptarmigan Ridge filing would have to be adhered to? Also, she asked who enforces the size of the homes? If the townhouses are different, the continuity which was started with the first filing will be lost.

Commissioner Elmer explained the covenants for this filing could be different than the original filing. Commissioner Elmer questioned the street layout, and asked the Petitioner why additional traffic was not being sent to a main arterial rather than through the subdivision.

Mr. Hoffman explained that the traffic loop was eliminated because of the average daily count.

Commissioner Elmer asked if the covenants will be the same as they are for the existing filings?

Mr. Hoffman replied that the northern ten acres will be completely different than the previous developments.

Mr. Dan Miller, 3643 North Bellridge Court, stated that he was confused about the previous plans submitted which originally did not include townhomes. When purchasing property in the original Ptarmigan subdivision, the plan that was presented had continuity. He asked how can the developer continue to change these preliminary plans?

Mr. Hoffman explained that the outline development plan showed the area as SFA (Single Family Attached) or SFD (Single Family Detached) on the plan since the direction was not complete at that time. These may be duplexes or triplexes.

Ms. Roth-Miller felt that this changed the density from the original plan.

Mr. Hoffman disagreed.

Commissioner Elmer explained that the overall density has some flexibility since it is a planned residential zone.

Ms. Roth-Miller asked if the plan for the ten acres which is not owned by this developer is purely speculation at this time?

Mr. Hoffman replied affirmatively.

Ms. Portner explained that the original preliminary plan had a through road from 15th Street up to 27 1/2 Road and Filings 1 and 2 were platted at that time based on the preliminary plan. The developer requested more isolation for the neighborhoods and did not want this through road. The Planning Commission at that time liked having two distinct neighborhoods with dead-end roads. The approved outline development plan showed no linkage between 15th Street and 27 1/2 Road. Staff requested the Petitioner to show how the design would work with the central ten acres developed. The Zoning and Development Code requires preliminary plans in the ODP to include everything in the ODP if under 40 acres; therefore, the Petitioner was required to plan the entire property, including the 10 acres they do not own.

Commissioner Brown asked if the pedestrian right-of-way was in this plan?

Ms. Portner replied that it was included in the staff recommendation.

Ms. Roth-Miller asked if the cul-de-sac on 15th Court will be continued on to Cortland making it a thoroughfare?

Mr. Hoffman replied it would not become a thoroughfare.

MOTION: (Commissioner Brown) "Mr. Chairman, on item #5-93 a request for approval of a preliminary plan for Ptarmigan Ridge North Subdivision Zoned Planned Residential (PR) with a density not to exceed 4 units per acre, I move that we approve this request subject to staff recommendations, with the requirement of 20 foot front yard setbacks on all properties."

The motion was seconded by Commissioner Anderson.

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

Commissioner Elmer noted that depending on how the ten acres are developed, the City should consider access from Christensen to Ptarmigan Ridge Court.

4.#6-93 FINAL PLAT - PTARMIGAN RIDGE, FILING 5

A request for approval of a final plat for Ptarmigan Ridge Subdivision, Filing 5 (1.53 acres), zoned Planned Residential (PR) with a density of 3.7 units per acre.

PETITIONER: John Siegfried

LOCATION: North of Ridge Drive and East of 15th Street

PETITIONER'S PRESENTATION

Mr. Lewis Hoffman was present to answer questions regarding the final plat for Ptarmigan Ridge Subdivision.

STAFF PRESENTATION

Ms. Portner of the City Community Development Department explained the request for the final plat for Ptarmigan Ridge Subdivision. A rezone and outline development plan was approved for Ptarmigan Ridge North in November of 1992. The property to the west is zoned RSF-4. The front yard setback proposed was 14 feet; however, Staff recommends due to the character of the streets developing to the west that a 20 foot setback should be required for Lots 1, 2, 3, and 4 of Block 1 to continue the visual character in Filing 3. The developer has agreed. However, because of the small buildable area of Lot 1, Block 2 the 14 foot setback is requested. Staff agrees with this exception. Staff has some concerns about the five foot side yard setback along the west property lines of Lot 1, Block 1 and Lot 1, Block 2. Those lots are directly adjacent to lots zoned RSF-4 which require a seven foot setback. Also the rear yard setback of Lot 2, Block 1 is proposed as 15 feet instead of 25 feet as is proposed for the adjacent lots.

Staff recommends approval subject to the issues being resolved as outlined in the Staff Review dated February 10, 1993 and all other technical requirements of the plat and reports being satisfactorily addressed prior to recording the plat.

Staff requests that the Planning Commission take under consideration and make specific recommendations on the issue of side yard setbacks for Lot 1, Block 1 and Lot 1, Block 2 and the rear yard setback for Lot 2, Block 1.

PUBLIC COMMENT

There were no public comments for or against this proposal.

QUESTIONS

Commissioner Volkmann asked the Petitioner how he felt about having 20 foot setbacks on all lots?

Mr. Hoffman stated that the 25 foot backyard setback will work. Lot 1, Block 2 definitely needs the 14 foot setback because of the smaller buildable area. With the lot on a curve it doesn't seem necessary for appearance or consistency. The side yard setbacks will be difficult, but he felt that he could work it out.

Commissioner Anderson agreed with Mr. Hoffman, stating that if Lot 1, Block 2 has the 20 foot setback, it will create a burden and perhaps make the lot unusable.

Commissioner Volkmann asked Mr. Williams if he was satisfied with the proposal as it now stands?

Mr. Williams stated that they have a retention area that is larger than what is actually needed. A portion of the retention is being used for irrigation storage which will help with the current problems in Filing 1 and 2.

When asked if there is an easement for the cul-de-sac, Ms. Portner replied that there will be an easement for the cul-de-sac prior to recording the final plat.

MOTION: (Commissioner Anderson) "Mr. Chairman, on item #6-93 the final plat for Ptarmigan Ridge Filing 5, a request for single family detached units, I move that we approve this subject to staff recommendations with the revision of the exterior (west side) side yard setbacks for Lot 1 Block 1 and Lot 1 Block 2 to be 7 feet; the rear yard setback for Lot 2 Block 1 to be 25 feet; the front yard setback for Lot 1 Block 2 to 14 Feet.

The motion was seconded by Commissioner Volkmann.

AMENDED MOTION: (Commissioner Elmer) "Mr. Chairman, on item #6-93 the final plat for Ptarmigan Ridge Filing 5, a request for single family detached units, I move that we approve this subject to staff recommendations, with the revision of the exterior (west side) side yard setbacks for Lot 1 Block 1 and Lot 1 Block 2 to be seven feet; the rear yard setback for Lot 2 Block 1 to be 25 feet; the front yard setback for Lot 1 Block 2 to 17 feet; the front yard setback for Block 1 be 20 feet for all four lots.

The motion was seconded by Commissioner Volkmann.

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

VI. PUBLIC HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

1.#6-92(B) 4-3-4 WHOLESALE BUSINESS (STORAGE UNITS) AS CONDITIONAL

USE IN HO ZONE

Consideration of a revision to the Grand Junction Zoning and Development Code, Section 4-3-4, Use/Zone Matrix, to designate Wholesale Business (Storage Buildings) as a Conditional Use in the Highway Oriented (HO) Zone.

PETITIONER: City Of Grand Junction

REPRESENTATIVE: David Thornton

PETITIONER'S PRESENTATION

Mr. Thornton of the City Community Development Department explained the proposed text amendment. Storage buildings were inadvertently omitted in the ordinance of the previously approved text amendment for the Highway Oriented (HO) Zone in 1992. This request is to allow wholesale warehouses in the HO Zone with a Conditional Use Permit. Currently wholesale warehouses are not allowed.

PUBLIC COMMENT

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

QUESTIONS

There were no questions by the Commissioners.

MOTION: (Commissioner Elmer) "Mr. Chairman, on item #6-92(B) consideration of a revision to the Grand Junction Zoning and Development Code, Section 4-3-4, Use/Zone Matrix, to designate Wholesale Business (storage buildings) as a Conditional Use in the Highway Oriented (HO) Zone, I move that we approve this as presented."

The motion was seconded by Commissioner Anderson.

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

2.#6-92(L) 5-5-1.I. OFF-STREET PARKING - MINIMUM PARKING STANDARDS
Consideration of a revision to the Grand Junction Zoning and Development Code, Section 5-5-1.I. regarding off-street parking requirements. An addition to this section will include special provisions for Downtown Parking. Revision of Chapter 12, Definitions and Limitations, to include "Building Envelope" and "Downtown Area" will also be considered. Section 5-5-1.N. will be deleted.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Kristen Ashbeck

PETITIONER'S PRESENTATION

Ms. Ashbeck of the City Community Development Department explained the text amendment

regarding off-street parking requirements. The current section of the Code regarding downtown parking was approved temporarily. City Council extended the expiration date of text amendment for six months because of time needed to analyze the survey which had just recently been completed.

The survey includes both private and public parking with the availability of both in the downtown area being assessed. The areas vary from 15 to nearly 100 percent availability on average during peak use. This shows a 55 percent availability in the downtown area on any given day. The inventory consists of approximately 1,711 spaces. The current usage is approximately one parking space for every 610 square feet of business in the downtown area.

Staff feels that the current text amendment (Section 5-7-2N of the Zoning & Development Code) being used is working; the only major change recommended would be in the area of new construction or additions to existing buildings. Staff is proposing that a developer provide the amount of parking required per the Code, but that development would be allowed a credit for any private or public parking available within 500 feet of their development.

PUBLIC COMMENT

There were no public comments either for or against the revision.

QUESTIONS

Commissioner Elmer asked if there would be any overlap on this parking credit?

Ms. Ashbeck explained that as developers use up certain spaces, they will no longer be available for future developers.

When asked who will be keeping track of which developers use which spaces, Ms. Ashbeck replied that the Downtown Development Authority will be responsible.

Commissioner Elmer asked if a large developer such as City Market could use available spaces without building a new lot?

Ms. Ashbeck stated this could happen if they could prove the spaces were indeed available.

Chairman Halsey asked Barbara Creasman, Downtown Development Authority (DDA) Director, for comments.

Ms. Creasman felt it would be highly unlikely that a large developer would come in and use all the available public parking. A large developer generally wants to guarantee parking by providing their own for their customers. The DDA has agreed to keep track of the parking credits.

Commissioner Anderson asked about the problem of running out of spaces for credits and future developers having no chance of utilizing the downtown parking?

Mr. Joe Skinner, of the DDA Board, explained that the studies show there is currently not a parking problem in the downtown area. The ordinance as proposed with the amendment offers the option of looking at each use. If new developments strain the resources, the DDA hopes it will be incremental. The DDA will continue to monitor this amendment. This amendment does have flexibility; it allows the bigger projects to bear their own burden, and allows the smaller developments the flexibility and the parking credits in order to financially afford to come into the area.

Commissioner Elmer felt that the larger projects should be required to supply parking whether or not other parking is available so that the smaller projects do not have the burden.

When asked how the requirement for parking spaces was defined, Ms. Ashbeck explained that if there is new construction, standard parking requirements would be considered;

however, it would be optional to use available spaces within 500 feet of the new development.

Commissioner Elmer commented on the review comments which questioned the street boundaries versus the DDA boundaries.

Commissioner Volkmann asked if it is identified within the DDA boundaries?

Ms. Ashbeck replied that it is within the DDA's boundary, but does not encompass the entire DDA area.

Commissioner Volkmann felt the wording could be changed to state the parking requirements are within the city which is bounded by the DDA.

Ms. Creasman felt it was connected with the DDA because of past parking management. The DDA has expanded to areas which do not necessarily have a public parking issue. It is necessary to not presuppose areas such as the new jail because they had not been involved in the original system. Therefore, the reference to the DDA is important.

Commissioner Volkmann felt the definition of parking should not be related to the DDA's geographic scope. For instance, if a portion of Main Street is dropped from the DDA, the definition would not be valid. Therefore, the inclusion of the DDA in the reference is not necessary and could potentially become a problem.

When asked if monies collected by the DDA will be used to provide this parking, Ms. Creasman replied affirmatively; the DDA money along with the parking meter fund supply the money for parking. This is why there is reference to the DDA in the revision.

Mr. Skinner explained that the DDA does have powers within the boundaries, which include parking. This reference then helps the City define the needs and gives the DDA some specific responsibilities.

Commissioner Brown felt the data should be maintained and revised every couple of years so that the Commissioners can re-assess the progress.

Chairman Halsey asked Ms. Creasman if the DDA is going to monitor the parking over a certain number of years.

Ms. Creasman stated there will be observations every two or three years even if no perceptible impact has occurred. When obvious impact occurs the DDA will reevaluate the parking.

MOTION: (Commissioner Volkmann) "Mr. Chairman, on item #6-92(L), a consideration of a revision to the Grand Junction Zoning and Development Code Section 5-5-1.I, regarding off-street parking requirements, I move that we forward this request to the City Council with a recommendation for approval subject to the deletion from Subsection 2, the reference to the DDA as a definition of the geographic boundary of the area to be governed by the ordinance."

The motion was seconded by Commissioner Brown.

A vote was called, and the motion defeated by a vote of 1-4.

MOTION: (Commissioner Elmer) "Mr. Chairman on item #6-92(L), a consideration of a revision to the Grand Junction Zoning and Development Code Section 5-5-1.I, regarding off-street parking requirements. An addition to this Section will include Special Provisions for Downtown Parking, Revision of Chapter 12, Definitions and Limitations, to include "Building Envelope" and "Downtown Area" will also be considered and Section 5-5-1.N. will be deleted, I move that we forward this request to the City Council with a recommendation for approval subject to the Review Agency Summary Sheet comments which include the reference to the DDA in the language.

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed by a vote of 4-1.

3.#1-93(A) CHAPTER 12, DEFINITIONS & LIMITATIONS, "PUBLIC NOTICE"

Consideration of a revision to the Grand Junction Zoning and Development Code, Chapter 12, Definitions to modify and clarify the requirement for public notice of a public hearing or meeting.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Kathy Portner

PETITIONER'S PRESENTATION

Ms. Portner explained the request for consideration of a revision to the Grand Junction Zoning and Development Code, Chapter 12, Definitions to modify and clarify the requirement for public notice of a public hearing or meeting.

PUBLIC COMMENT

There were no public comments either for or against the revision.

QUESTIONS

Commissioner Elmer wondered why there was a need for the revision?

Ms. Portner explained that the current language is specific as to what is printed on the public notice sign. The proposed signs would be more functional, but would not contain all the language currently required. This definition will also clarify that public notice must be printed in the newspaper seven days prior to the hearing.

Commissioner Elmer asked if the 200 foot radius for informational mailing is required?

Ms. Portner replied that the informational mailing was not required.

MOTION: (Commissioner Elmer) "Mr. Chairman, on item #1-93(A) consideration of a revision to the Grand Junction Zoning and Development Code, Chapter 12, Definitions to Modify and Clarify the Requirement for Public Notice of a Public Hearing or Meeting I move that we recommend approval to City Council."

The motion was seconded by Commissioner Anderson.

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

VII. GENERAL DISCUSSION

Commissioner Brown announced that his letter of resignation dated February 1, 1993 has been submitted to Chairman Halsey and Mayor Theobald. Commissioner Brown requested that his resignation become effective upon adjournment of this meeting (February 10, 1993).

Commissioner Elmer suggested making a list of the Commission's procedures available to the public so that the hearing could flow more smoothly.

Commissioner Brown suggested that information about the functions of the Planning Commission could be included in the City Newsletter to better inform the public.

VIII. NONSCHEDULED CITIZENS AND/OR VISITORS

There were no nonscheduled citizens and/or visitors.

The meeting was adjourned at 10:48 p.m.