

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- November 1, 1988
7:30 p.m. - 10:15 p.m.

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

In attendance, representing the City Planning Commission, were:

Ron Halsey	Jean Sewell
Karen Madsen	Dutch Afman
Steve Love, Chairman	Jim Tyson

In attendance, representing the City Planning Department, were:

Kathy Portner	Mike Sutherland
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Terri Troutner was present to record the minutes.

There were approximately 75 interested citizens present during the course of the meeting.

I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER SEWELL) "MR. CHAIRMAN, ON THE MINUTES OF OCTOBER 4, 1988, I MOVE THAT WE ACCEPT THESE AS SUBMITTED."

Commissioner Afman seconded the motion.

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

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

Chairman Love welcomed the newest member, Jim Tyson, to the Planning Commission.

III. PUBLIC MEETING

- #41-88 ELY MINOR SUBDIVISION - MINOR SUBDIVISION**
Petitioner: Dale Ely
Location: 1639 F 1/16 Road (Lowell Lane)
Consideration of Minor Subdivision.

PRESENTATION

Kathy Portner presented a brief overview of the proposal. The minor subdivision would create four lots out of the three pre-

sently existing. All technical concerns had either been addressed or would be satisfactorily addressed prior to the final recording of the plat.

Mr. Ely gave a brief elaboration of the points Kathy mentioned.

QUESTIONS/COMMENTS

There were no questions or comments at this time.

MOTION: (COMMISSIONER HALSEY) "MR. CHAIRMAN, ON ITEM #41-88, REQUEST FOR A MINOR SUBDIVISION LOCATED AT 1639 F 1/16 ROAD (LOWELL LANE), I MOVE THAT WE APPROVE THIS SUBJECT TO ALL STAFF COMMENTS."

Commissioner Sewell seconded the motion.

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

IV. FULL HEARING

1. #43-88 REZONE PZ TO PR43-88 (NELLIE BECHTEL)
Petitioner: Mesa County
Location: 3032 North 15th Street
Consideration of Rezone.

Commissioner Afman abstained from participation in the following item due to possible conflict of interest.

PETITIONER'S PRESENTATION

Alan Hassler, Asst. County Attorney representing the petitioner, stated that originally the County had requested an RMF-32 zone change, but the City advised a Planned Residential (PR) zoning. The County's intent was to sell the property to a private buyer; it, therefore, would no longer require the Public Zone (PZ) designation.

QUESTIONS

There were no questions at this time.

STAFF PRESENTATION

Kathy Portner gave a brief summary of the proposal. The currently existing Nellie Bechtel Gardens would be redesigned to fit a density of 12.3 units per acre, and the number of dwelling units would change from 96 to 56. This would comply with existing parking spaces and meet city parking requirements. A

final plat would be submitted for review during the next Planning Commission hearing. She reminded Commissioners that two motions were necessary: one for the rezone and another for consideration of the final plan.

QUESTIONS

Chairman Love asked if a change in zoning had ever occurred prior to a sale before.

Kathy said that this was unknown, but she cited an instance involving the Teacher's Credit Union and Mesa County, adding that, to date, the swap and subsequent rezone had not yet occurred.

Karl Metzner, Director of Planning, recommended that, if approved, the motion stipulate that the contract of sale be accepted prior to the reading of the final ordinance granting the rezone. In that way, should the contract of sale fall through, the zone change would not have to be reversed.

A discussion ensued between staff and the Commissioners on that point.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, ON ITEM #43-88, A CONSIDERATION OF A REZONE FROM PZ TO PR43-88 FOR A DENSITY OF 12.3 UNITS PER ACRE, I RECOMMEND THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Sewell seconded the motion.

A vote was called and the motion passed by a vote of 5-0, with Commissioner Afman abstaining.

MOTION: (COMMISSIONER SEWELL) "MR. CHAIRMAN, ON ITEM #43-88, CONSIDERATION OF THE FINAL PLAN FOR THE EXISTING HOUSING DEVELOPMENT LOCATED AT 3032 NORTH 15TH STREET, I RECOMMEND THAT WE APPROVE IT SUBJECT TO THE CONDITION THAT THE NUMBER OF DWELLING UNITS BE REDUCED FROM 96 UNITS TO 56 UNITS IN ORDER TO CONFORM WITH THE CITY'S PARKING REQUIREMENTS."

Commissioner Halsey seconded the motion.

A vote was called and the motion passed by a vote of 5-0, with Commissioner Afman abstaining.

2. #42-88 TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE - MANUFACTURED HOUSING

Petitioner: Ross Transmeier
Consideration of Text Amendment.

Chairman Love noted that the text amendment also included consideration of manufactured housing in all commercial zones as well as those zones listed on the agenda.

PETITIONER'S PRESENTATION

Ross Transmeier stated the reason for the text amendment proposal was to help alleviate what he considered to be increasing blight by dilapidated residential structures in multi-family, commercial and industrial zones. Many of the houses, he maintained, were in a severe state of disrepair. The allowance of manufactured housing in these zones would allow an upgrading of current conditions. In addition, it would provide low-income housing for many residents who could not afford standard single family homes.

Mr. Transmeier said that the housing would be transitional in nature until economic conditions improved. He passed around several pictures showing various parcels which, he felt, could benefit by placing manufactured housing/mobile homes on them.

He suggested that standard setbacks be observed for the mobile homes, and that a special use be required for them by the Planning Department.

QUESTIONS

Chairman Love asked that, if this were a transitional form of housing, how long could these homes be expected to remain before being relocated? He also asked if other communities allowed this kind of integration.

Mr. Transmeier said that he did not know of other communities having a similar policy. He re-emphasized what he considered to be a need in certain areas for that kind of solution.

Commissioner Afman asked whether financing conditions required the mobile homes to be placed on permanent foundations.

Mr. Transmeier said that he was also a mobile home dealer. He knew that financing was available without a permanent foundation.

STAFF REBUTTAL

Kathy said that staff had no further comments, but would answer any questions posed.

QUESTIONS

Commissioner Halsey asked the petitioner if he had seen the memo from staff to Dan Wilson outlining various legal concerns.

Kathy read the memo aloud; a copy would be retained in the file.

Chairman Love asked if mobile homes were allowed in other areas outside of mobile home parks. What about temporary structures?

Kathy replied that temporary structures were allowed for construction sites only within the city limits, and only on a temporary basis. No mobile homes are presently allowed outside a mobile home park.

Mr. Transmeier addressed the various points outlined in the memo. He felt that if a change was necessary in the Uniform Building Code or Zoning Code, it should be done. He felt that the proposed text amendment served a need for the community.

PUBLIC COMMENTS

Kathy Jordan, 440 North 7th Street, opposed the text amendment proposal. She felt that this type of housing threatened the present integrity of these areas and would also discourage restoration of existing single family structures. Ms. Jordan said that the intrusion of mobile homes, even on a temporary basis, would promote a transient ambiance.

Others expressing opposition included:

Linda Rattan, 1059 Rood Avenue
Stefan Kllanxhja, 1010 White Avenue
Betty Fulton, 634 North 5th Street

PETITIONER'S REBUTTAL

Mr. Transmeier pointed out that the Uniform Fire Code differed from the manufactured home fire code. The proposal was intended to address what he perceived to be a problem primarily in commercial and industrial zones.

Chairman Love said that the amendment, as written, included residential multi-family zones as well.

Mr. Transmeier replied that this point was negotiable.

Chairman Love said that he could see the potential for problems.

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON ITEM #42-88, REQUEST TO AMEND SECTION 4-5-4 TO ALLOW MANUFACTURED HOUSING IN RMF-64, RMF-32, INDUSTRIAL AND COMMERCIAL ZONES, I RECOMMEND THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF DENIAL."

Commissioner Sewell seconded the motion.

Commissioner Halsey commended Mr. Transmeier for his effort on the text amendment and suggested he meet with Planning to discuss possible alternatives which would address commercial and industrial zones only.

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

Mr. Transmeier voiced his intent to appeal the Planning Commission's decision to City Council.

The hearing was recessed at 8:25 p.m. and reconvened at 8:30 p.m.

- 3. #38-88 REZONE FILING FOUR NORTHRIDGE ESTATES PR-4 TO PR-14 AND PRELIMINARY PLAN AND PLAT ON FILINGS FOUR AND FIVE.**
Petitioner: Colson and Colson Construction
Location: East of North 1st Street, west of Horizon Court, north of Independent Ranchman's Ditch

This item was tabled during the October 4, 1988 hearing. Chairman Love advised the audience that this was not an official hearing; therefore, public comment would be limited.

STAFF PRESENTATION

Mike Sutherland said that a revised plan and letter outlining the various changes had been received from Pat Edwards, representative for the petitioner. Mike pointed out the various changes on the revised plan.

QUESTIONS

Chairman Love asked if the "neck" was not included in the density calculation for Filing Four because the density for that section would not change.

Mike said that this was correct, and he outlined the area considered for rezone on the site plan.

PETITIONER'S PRESENTATION

Clifford Curry of Colson and Colson Construction began his presentation, saying that four years ago, when Mesa View Retirement Center petitioned to be built in their present location, the

main concern at that time had been roads. With the latest submittal, roads seemed to again be a major concern. It was his belief that, with the revised plan, that issue as well as the other concerns expressed by surrounding residents had been satisfactorily addressed. He elaborated on several of Mike's comments regarding the revised plan, and re-emphasized that the main structure had been moved to the south on the plan so that it would not be obtrusive from anyone's back door.

QUESTIONS

Questions posed by the Commissioners included traffic, the possibility of building a fence as a buffer, and possible plans the petitioner might have to locate sheds and/or garages closer to the adjacent residential neighborhood. The petitioner was also asked to elaborate on why expansion plans had not been originally mentioned when the present Mesa View was built. Had the petitioner tried to find other property suitable to their needs? Could the petitioner provide greenspace area or walkways for the general public and for use by the adjacent residents?

Responses by the petitioner involved a more in-depth accounting of traffic generation. They could build a fence as a buffer, but it was felt that the openness of the area would be more aesthetically pleasing, both for residents of the project and surrounding property owners. Carports were planned, but they would not intrude into the buffer zone provided for adjacent residents and that landscaping for that area would be maintained. Mr. Curry provided a brief history of the earlier Mesa View Retirement Residence proposal and said that, at that time, he had no idea the current facility would be so successful; therefore, future expansion possibilities had not been discussed or planned. The present location, he maintained, had all the elements necessary to make the current and proposed facility successful ones. No other properties considered had all the qualities that this location had. In other areas, there had been many more problems.

PUBLIC COMMENT

Fred Aldrich, 340 Music Lane, said that he and others had seen the revised plan, but there was still underlying opposition to the plan itself. He said he'd sent a letter to Mr. Edwards opposing development.

Mr. Aldrich outlined what he felt were the remaining concerns of the Northridge neighborhood, and maintained that there was no acceptable reason for the city to change the zone.

PETITIONER'S REBUTTAL

Mr. Curry suggested that this facility was no different than if single family homes were put into the location and then rented out. All other issues, he felt, had been addressed more than adequately.

Chairman Love asked if the petitioner thought this use would enhance the present neighborhood.

Mr. Curry said that it would because of increased access, internal bus stop provisions for school children, increased water flow for fire protection, landscaping provisions, and neighbors who would not create a lot of noise. As well, the problems associated with build-out of the neck area had also been satisfactorily addressed.

QUESTIONS

Commissioner Halsey asked if plans for sidewalks, street lights, etc. had been made.

Mike said that these things would be addressed during the final plan stage of review.

Mr. Curry added that the final plan for both Filings Four and Five would be submitted at the same time. All concerns would be addressed then, and a deed restriction would be put into place prior to the final plan stage. The bus turn-around and Vandover access would be completed during the Filing Four build-out.

When Chairman Love asked if these changes were acceptable to Mr. Aldrich, Mr. Aldrich replied that they were not. He wanted to see tighter controls put into place. The only use acceptable to adjacent residents would be expansion of single family homes.

PUBLIC COMMENT

FOR:

Four (unidentified) individuals raised their hands from the audience.

Warren Jones, 2624 F 1/8 Road, felt the revised plan was the most acceptable option presented.

AGAINST:

Others still opposed to the revised plan and who expressed verbal opposition included:

John Gormley, 361 Music Lane
Milton Henry, 3009 Cloverdale Court
Terry Larson, 357 Music Lane (no negotiation would be possible)

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON ITEM #38-88 CONSIDERATION OF A REZONE FROM PR-4 TO PR38-88 FOR A DENSITY OF 14 UNITS PER ACRE ON FILING FOUR OF NORTH-RIDGE ESTATES, I RECOMMEND THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Madsen seconded the motion.

Commissioner Halsey asked if the motion would be subject to stipulations, i.e. staff comments.

No comments were received amending the motion.

A vote was called and the motion was defeated by a tie vote (Commissioners Love, Tyson, and Halsey opposed.)

There was discussion between staff and Commissioners regarding the need for some kind of approved motion, even if it was a denial. A brief recess was called to clarify voting procedure.

MOTION: (COMMISSIONER HALSEY) "MR. CHAIRMAN, ON ITEM #38-88, CONSIDERATION OF REZONE FROM PR-4 TO PR38-88, FOR A DENSITY OF 14 UNITS PER ACRE ON FILING FOUR OF NORTH-RIDGE ESTATES, I MOVE THAT WE FORWARD THIS ON TO THE CITY COUNCIL WITH RECOMMENDATION OF DENIAL."

There was no second, and the motion failed.

MOTION: (COMMISSIONER HALSEY), ON ITEM #38-88, CONSIDERATION OF A REZONE OF THE NORTHRIDGE AREA, I RECOMMEND TABLING THIS ITEM UNTIL NEXT MEETING."

Commissioner Afman seconded the motion.

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

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, ON ITEM #38-88, CONSIDERATION OF FINAL PLAN AND PLAT FOR FILINGS FOUR AND FIVE OF NORTHRIDGE ESTATES, I RECOMMEND THAT WE TABLE IT."

Commissioner Tyson seconded the motion.

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

V. UNSCHEDULED CITIZENS AND/OR VISITORS

During this time, two additional residents from the Northridge Subdivision asked questions about the revised plan.

The meeting was adjourned at 10:15 p.m.