

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- August 1, 1989
7:35 p.m. - 12:03 a.m.

The public hearing was called to order by Chairman Steve Love at 7:35 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Jack Campbell Ron Halsey Steve Love, Chairman
Jim Tyson John Elmer

In attendance, representing the City Planning Department, were:

Kathy Portner Karl Metzner

Don Newton, City Engineer, was in attendance, and Terri Troutner was present to record the minutes.

There were approximately 62 interested citizens present during the course of the meeting.

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I'D LIKE TO MAKE A MOTION THAT WE APPROVE THE MINUTES OF THE JULY 11, 1989 MEETING AS SUBMITTED."

Commissioner Tyson seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS

Chairman Love indicated to the audience that there was a problem with the lighting in certain sections of the auditorium. He urged any that wished to move closer to the front to do so.

III. PUBLIC MEETING

- 1. #37-89 REVISED FINAL PLAN FOR VETERINARY CLINIC**
Petitioner: Harve Chappell and Suzanne Hoest
Location: 605 26 1/2 Road

PETITIONER'S PRESENTATION

Mr. Chappell addressed various aspects of his proposal and attempted to mitigate what he felt might be concerns of the neighborhood.

He presented a revised landscaping plan to the Commission, and said that additional landscaping would be added to the area which would become the parking lot. (It was not indicated on the plan, since the area would have to be leveled before either a parking lot or landscaping could be designed.)

The facility would be enclosed, with soundproofed walls added to keep the noise inside. There would be no outside runs for the animals. He maintained that most veterinary hospitals were located in residential areas, primarily for the convenience of their customers. The residential character of the proposed hospital would be retained.

Mr. Chappell added that the hospital would be cleaned daily, with the waste being placed in a dumpster. No new curb cuts would be requested, and it was felt that traffic impact to the area would be minimal (25-30 cars per day would be considered very busy). Access would be through the alleyway next to Cedar Square and Dr. Patterson's office and the east driveway into Cedar Square's parking lot.

QUESTIONS

Chairman Love said that a letter had been received from "Skip" Mottram, 609 26 1/2 Road. The petitioner had not had a chance to read it.

There was some discussion over the proposed access. Mr. Chappell indicated that the proposed parking lot for the vet. clinic would also be available for the employees of Cedar Square, thus easing the parking burden for Cedar Square businesses.

When asked whether Mr. Chappell had talked to any of the surrounding residents, he answered that he had, and there seemed to be no negative comments.

Commissioner Tyson asked if the petitioner would be willing to install a fence along the side nearest the Mottram's house. Mr. Chappell said that if the Mottram's wanted one, one would be installed.

Commissioner Campbell asked if the hospital would take care of large animals as well as small household pets.

Mr. Chappell said that the facility would be strictly for small animal care. When asked, he agreed that that restriction could be added to any motion made by the Commission.

Commissioner Elmer asked if there would be a special fitting placed on any air "exhaust" piping to eliminate odors.

Mr. Chappell responded that no other hospitals that he knew of had, or needed, such apparatus. He did not understand the concern over this point, since he felt it would not be a problem.

STAFF PRESENTATION

Kathy Portner gave a brief history of the property and its zoning. While it was currently zoned PB (Planned Business), the uses did not specifically designate a vet. clinic as an acceptable use. The petitioner was proposing to add the use to the list of acceptable uses only; it was not a rezone request. She felt the soundproofing of the walls would alleviate the concerns of the neighbors. Kathy indicated that the parking lot should be landscaped, and buffering should be added to the north of the property. If the proposal was approved, she felt the use should be limited to indoor operations.

A letter was also received from Bernie Goss, 666 Patterson Road, which expressed concerns over traffic, odor and trash disposal for the facility.

QUESTIONS

Chairman Love read the letter from Bernie Goss to the Commission and public.

PUBLIC COMMENT

Della Mottram, 609 26 1/2 Road, reiterated her concerns over traffic, and said that none of the merchants on the north side of Cedar Square (that she talked to) had been consulted by the petitioner. She wondered if the petitioner planned to expand the business at a later date. She said that there currently existed an easement agreement between Cedar Square and the property in question. She felt that proposed "Private Drive" signs would not deter traffic from accessing her property.

Other concerns expressed included: 1) trash disposal and the noise of the trucks as they emptied the clinic's dumpsters; 2) noise of the sweepers and noise generated from another parking lot; 3) how could they be sure the soundproofing measures would work, and what could be done "after the fact" if those measures didn't work; 4) would outdoor uses be added later if the business sought to expand, and what would later uses include if the vet. clinic was sold; 5) the community perception that a vet. clinic is similar to a rendering plant, i.e. what happens to the dead animals; 6) she perceived a threat to property values; and 6) she said the 7th Street Corridor Guideline said that the residential character of the area between Patterson Road and Horizon Drive should be protected. She was completely opposed to the proposal.

Commissioner Elmer asked staff for its interpretation of the Guideline for this area.

Kathy said that the area in question was one of transition; yet, the residential appearance of the facility was important to retain as well as the omission of noise, dust and traffic impact concerns. She said that the uses currently in place state that a medical facility was an acceptable use. It was up to the Commissioners to determine if a vet. clinic deviated from the term significantly.

William Puttnam, 627 Sage Court, expressed opposition and a concern against further encroachment of business uses on 7th Street.

Mr. and Mrs. West, 604 26 1/2 Road, were also opposed.

PETITIONER'S REBUTTAL

The petitioner reiterated that their parking lot would help alleviate the Cedar Square parking problem. He agreed with staff that the area in question was one of transition, and reemphasized his position as a professional and a good neighbor. While the residents kept expressing concerns over noise and odor, he assured them again that he would do all that could be done to ensure that it was not a problem.

Chairman Love shared the Mottram's and Puttnam's concerns regarding the ongoing decisions involving that area. He preferred to see the area retain its residential status, and realized that community perception was also important to an area.

Commissioner Halsey felt that a medical use was very different from a veterinary clinic use.

Commissioner Campbell expanded on the above point in that, with a "human" medical facility, there are not the concerns as with a facility caring for animals, e.g. odors, noise, waste and carcass disposal.

Commissioner Elmer said that he was inclined to favor the proposal since the area was in transition. He felt the "medical" term was merely a question of semantics, and that a veterinary office was still considered a "professional office" and should, therefore, be allowed.

MOTION: (COMMISSIONER CAMPBELL) "MR. CHAIRMAN, ON ITEM #37-89, A REQUEST FOR A REVISED FINAL PLAN FOR A VETERINARY CLINIC IN A PLANNED BUSINESS (PB) ZONE, I MOVE THAT WE DENY THIS FOR THE PREVIOUS REASONS (THOSE STATED ABOVE IN HIS COMMENTS)."

Commissioner Halsey seconded the motion.

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

The petitioner, Mr. Chappell, stated his intent to appeal.

2. #39-89 PTARMIGAN ESTATES PRELIMINARY PLAT AND PLAN

Petitioner: Ptarmigan Estates, John Siegfried

Location: Southeast corner of 27 1/2 and G Roads

Chairman Love excused himself from participating in this item due to a potential conflict of interest. Vice-Chairman Halsey directed this portion of the meeting.

PETITIONER'S PRESENTATION

Mr. Siegfried said that his proposal included a change of density to 21 total units instead of the possible 72 total units which would be allowed under the present RSF-4 zoning. He presented an overview of the proposal, saying that the plan being presented was the sixth version of the proposal. Instead of the typical setbacks, the proposal called for 40-60' setbacks in most of the areas adjacent to existing neighborhoods to provide a buffer area.

STAFF PRESENTATION

Kathy Portner suggested to the petitioner that, providing the preliminary plat was approved, at final plat stage, a request to rezone to PR should be made which would allow for enforcement of the special setbacks. At final plat stage, the petitioner would need to request vacation of certain portions of G Road (between Putter and Niblic Drives, between Niblic and Brassie Drives, and between Brassie and Bunker Drives) and the reconfigured portions of S. Piazza Lane and E. Piazza Place (shown on site plan). Niblic and Brassie Drives would become a cul-de-sac at the end; and the G Road access between 27 1/2 Road and Putter Drive and east of Bunker Drive be retained.

The consent of the Crown Heights property owners would have to be obtained in order to reconfigure the formerly platted "circle" and reconfigure the cul-de-sac as well as possibly obtaining some additional width on E. Piazza.

There was a discussion on the various access proposals.

QUESTIONS

Commissioner Elmer asked if E. Piazza would then be widened to comply with City standards.

Mr. Siegfried said that everything had been done at the suggestion of the Engineering Department. However, regarding the widening of G Road to the west of Putter Drive, a potential traffic problem might exist (with current signage and traffic as it is) for two proposed lots (shown on plan).

Commissioner Elmer asked if location of accesses could be controlled, to which Kathy replied that it would be difficult without a planned zone in place. The only other control would be through the placement of curb cuts by the Engineering Department.

Commissioner Elmer asked why no medians were proposed.

Mr. Siegfried felt that it would be owned by two homeowners groups and be undesirable, due to problems of responsibility for maintenance.

The City Attorney expressed a preference that the City be named as a third party beneficiary to the special setbacks so that enforcement could be obtained.

Commissioner Campbell asked if lot 7 would have its access off of G Road.

Mr. Siegfried suggested a joint exit for both lots 7 and 8 be designated, with a stop sign placed to control traffic. It would be a single accessway.

Commissioner Elmer asked if the Fire Department had seen the revised plan, to which Kathy Portner replied that they had not seen the latest revision, although it was similar to the original proposal. Commissioner Elmer said that the Fire Department may have some problems with the lengths and widths of driveways and turnarounds.

Mr. Siegfried said that added turnarounds would be placed at Niblic and Brassie Drives.

Commissioner Elmer said that they would still be far from any fire hydrants.

Discussion ensued over various access points.

PUBLIC COMMENTS

Bill Price, 703 Brassie Drive, acted as spokesperson for other residents in this area. He expressed concern over accesses, adding that it was the first time he or the other residents had had a chance to see any of the proposed plats/plans. He asked the petitioner several questions on this point. What would happen to G Road east of Bunker?

Mr. Siegfried said that it would remain a right-of-way.

Kathy added that as a right-of-way, it would provide an alternate access to properties to the east if later developed.

Geraldine Creighton, 702 Bunker, was concerned over the closure of G Road. She could not understand the logic behind the proposal, and added that the Fire Department has had to access this approximate area in the past by using a ditch access road.

Kathy Portner explained that the proposal was made by the petitioner. Staff had required certain compliances to make the plan workable. The determination of viability for the overall plan would have to be made by the Commission.

The petitioner said that covenants would be provided for the subdivision and that no large animals would be allowed.

When asked about irrigation, Mr. Siegfried replied that there were 16 shares of water available, which should be more than enough. In addition, there would be one or two impoundments to buffer the call for water.

Ken Logan, 701 Putter Drive, also questioned the access to lots 7 and 8; would the easements be retained.

The petitioner replied that easements would be retained.

Bill Trainor, 2297 S. Seville Circle, wanted to know how many lots would use S. Piazza as an access.

The petitioner responded that there would be 16 additional lots accessing S. Piazza.

Mr. Trainor expressed his concern over increased traffic through Crown Heights Subdivision.

Commissioner Elmer reminded Mr. Trainor that the petitioner's proposal was actually calling for less density than what normally would have been allowed.

When asked if he had spoken with the Crown Heights Homeowners Association, Mr. Seigfried said that he hadn't.

Ken Etter, 697 27 1/2 Road, felt that instead of vacating G Road, it should be extended through the development.

Mr. Seigfried said that the vacation of G Road was an issue that could be dealt with at a later time; only the plan for the development was being considered at this evening's hearing.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #39-89, A REQUEST FOR A PRELIMINARY PLAN FOR PTARMIGAN ESTATES, I MOVE THAT WE APPROVE THIS, SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS AND THE MOST RECENT PLAN THAT HAS BEEN SUBMITTED."

Commissioner Campbell seconded the motion.

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

A brief recess was called at 9:38 p.m. The meeting reconvened at 9:45 p.m.

IV. FULL HEARING

1. #38-89 REZONE FROM RSF-4 TO PR AND PRELIMINARY PLAN AND FINAL PLAT AND PLAN FOR PHASE I HORIZON HILLS

Petitioner: Horizon Hills Townhomes, Jack Branagh
Location: South of Horizon Drive and west of Horizon Towers

PETITIONER'S PRESENTATION

Jack Branagh passed around postcards of the Horizon Towers building. He presented an overview of the proposal, and outlined some of the various amenities which would be included with the new development. He felt the project was in keeping with the Lakeside Townhomes to the west (planned at 12 units/acre) and the Northwoods complex (planned at 26 units/acre). The proposed development would have a lower density than those uses surrounding it.

John Currier and Ron Choate were available for answering questions.

QUESTIONS

Commissioner Elmer wanted to know how much fill would have to be moved to the site, since it appeared the latest plan indicated that an earlier estimated amount had been changed.

Mr. Currier answered that there was 40 feet of fill on-site, and that more would probably have to be brought in. He indicated that the site would be lowered to match the level of the Lakeside RV parking area.

When asked about the amount of fill to be placed under structures, Mr. Currier responded that structures D and F would contain fill material.

Commissioner Elmer asked what assurances would be provided to see that the building of the structures would be done correctly.

Mr. Choate replied that Ed Morris of Lincoln-Devore had prepared a soils report for the area, and the petitioner would continue to use Lincoln-Devore to monitor the project's progress.

Karl Metzner added that a copy of the soils report goes to the Building Department; additional controls are then placed on the development by that Department. He said that the proposal would include the City Engineer's comments concerning detention areas, etc.

Commissioner Elmer asked if there was any screening planned for the area between the Lakeside RV parking and the closest proposed structures. He felt that future owners might object if none were provided.

Both Mr. Currier and Mr. Branagh said that prolific landscaping for the development was planned.

When asked if the wetlands off of Horizon Drive would create a problem for the development, Mr. Currier indicated that it would not.

STAFF PRESENTATION

Karl felt that the review agency comments had been adequately addressed. A late comment had been received from the Fire Department concerning emergency access off of Lakeside Drive. No objections had been received, and the proposal seemed to fit with the surrounding uses.

QUESTIONS

Chairman Love asked about the proximity of the access from Horizon Towers to Horizon Drive.

Karl replied that it was 200 feet.

Several of the Commissioners asked for historical background data on the Horizon Towers complex.

There was some discussion over the access off Lakeside Drive. It was apparently an emergency access only and would not be made a primary access for security reasons.

When asked whether a stop light would be needed for access into the development, Don Newton, City Engineer, said that the development would provide turn lanes on widened streets.

When asked how developed the emergency access off of Lakeside Drive would be, Mr. Branagh responded that, although the petitioner would do what was necessary, plans called for graveling the road for 50-75 feet and placing a barrier at the end (a knock-down type would be installed). He reemphasized the security issue as being a primary consideration for the development. Mr. Branagh continued that there would be a shared access agreement in place for Horizon Towers and the proposed townhomes

Karl pointed out on the site plan that portion which was being considered under a preliminary plan and the portion which was to be considered for final plan and plat.

PUBLIC COMMENTS

Father Steve from the Greek Orthodox Church, 515 N. 29 1/2 Road, #9, wanted to make sure that the shared access that the church uses with Horizon Towers is not too heavily impacted by the new project.

Harold Moss, 964 Lakeside Drive, president of the Lakeside Homeowners Association, spoke in favor of the proposal.

QUESTIONS

Chairman Love asked the petitioner how the church would be impacted by the increased traffic on the shared access.

Mr. Branagh replied that, while no demographics had been done, he didn't foresee a problem. He added that approximately 90% of the current traffic to the Horizon Towers building came from the Horizon Drive access and not the access off of 12th Street.

When asked about curb and gutter along with plans for trash pickup, Mr. Branagh replied that there would be a 24-foot wide mat with 2 feet of curb and gutter. Trash pickup would be provided in a common area.

Chairman Love brought up a concern that, while the project called for a reduced density, the actual zoning for the Horizon Towers area would allow for another 90 units. He questioned the petitioner on future plans to expand the Horizon Towers development to include another tower; specifically, would he be willing to downzone the Horizon Towers development to ensure a reasonable combined density of the two projects.

Mr. Branagh expressed surprised at the request. He didn't feel the downzoning of the Horizon Towers development was necessary because he had no intention of building a second tower.

Dale Beede, 694 26 1/2 Road, supported Mr. Branagh's position, saying that Mr. Branagh would be "crazy" to build a Phase II of the Horizon Towers development, considering the economic picture of the area.

MOTION: (COMMISSONER ELMER) "MR. CHAIRMAN, ON ITEM #38-89, A REQUEST FOR A REZONE FROM RESIDENTIAL SINGLE FAMILY (RSF-4) TO PLANNED RESIDENTIAL, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL FOR THE FOLLOWING REASONS: (1) THERE HAS BEEN A CHANGE IN THE CHARACTER OF THE AREA; (2) THE PROPOSED USES WOULD BE COMPATIBLE WITH SURROUNDING USES; AND (3) THE PROPOSAL IS IN CONFORMANCE WITH THE HORIZON DRIVE GUIDELINES."

Commissioner Campbell seconded the motion.

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

MOTION: (COMMISSIONER CAMPBELL) "MR. CHAIRMAN, ON ITEM #38-89, A REQUEST FOR A PRELIMINARY PLAN FOR HORIZON HILLS TOWNHOMES, I MOVE THAT WE APPROVE THIS, SUBJECT TO THE REVIEW AGENCY COMMENTS AND THE RESOLUTION OF THE ACCESS CONCERNS WITH THE FIRE DEPARTMENT."

Commissioner Halsey seconded the motion.

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

MOTION: (COMMISSIONER CAMPBELL) "MR. CHAIRMAN, ON ITEM #38-89, A REQUEST FOR A FINAL PLAN OF PHASE I FOR HORIZON HILLS TOWNHOMES, I MOVE THAT WE APPROVE THIS, SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS AND SUBJECT ALSO TO THE FIRE DEPARTMENT APPROVAL PRIOR TO RECORDING."

Commissioner Elmer seconded the motion.

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

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #38-89, A REQUEST FOR A FINAL PLAT FOR HORIZON HILLS TOWNHOMES, I MOVE THAT WE APPROVE THIS, SUBJECT TO FIRE DEPARTMENT APPROVAL PRIOR TO RECORDING AND THE REVIEW AGENCY COMMENTS."

Commissioner Campbell seconded the motion.

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

Ted Ridder, representing the petitioner, said that they've done everything they could to address the access concern.

Brian Croner, also representing the petitioner, agreed that the 5 o'clock time limitation for delivery vehicles was too restrictive. He continued that Albertson's had effectively dealt with the issue of trash removal, and that it was trying to improve its image as a "good neighbor."

There was a discussion among the Commissioners over the various alternatives presented by Albertson's. Chairman Love thought that Alternative 4 was a better choice; Commissioner Campbell selected Alternative 3 as his preference, with Alternative 4 coming in second. Chairman Love expressed his appreciation to the petitioner at the efforts being made to keep the dialog going with the neighbors. He added that an office use had been given as an acceptable use for this property/zoning, and he noted that had an office use been proposed, the same concerns over access and impact would still have been expressed.

MOTION: (COMMISSIONER CAMPBELL) "MR. CHAIRMAN, ON ITEM #40-89, A REQUEST TO REZONE FROM RESIDENTIAL SINGLE FAMILY RSF-8 AND RETAIL BUSINESS (B-3) TO PLANNED BUSINESS, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SINCE: (1) THE PLANNED BUSINESS ZONE WOULD BE MOST COMPATIBLE WITH THE SURROUNDING AREA; (2) THE ZONING IS IN CONFORMANCE WITH THE 12TH STREET CORRIDOR GUIDELINES; (3) THERE ARE ADEQUATE FACILITIES AVAILABLE TO SERVE THE PROPOSED USE; AND (4) THERE WILL BE BENEFITS TO THE COMMUNITY BY PUTTING THE VACANT LAND TO PRODUCTIVE USE AND IMPROVING THE APPEARANCE OF THE NEIGHBORHOOD."

Commissioner Halsey seconded the motion.

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

MOTION: (COMMISSIONER CAMPBELL) "MR. CHAIRMAN, ON ITEM #40-89, A REQUEST FOR A FINAL PLAN AS SHOWN IN ALTERNATIVE C (3), I MOVE THAT WE APPROVE IT, SUBJECT TO THE REVIEW AGENCY SUMMARY COMMENTS AND (A) THAT MESA AVENUE (THE ACCESS POINT TO ALBERTSON'S FROM MESA AVENUE) BE SIGNED "NO LEFT TURN"; (B) THAT THE FENCE MATERIALS BE OF BLOCK CONSTRUCTION AND 6 FEET HIGH; AND (C) TO INCLUDE ALL APPROPRIATE LANDSCAPING."

Commissioner Tyson seconded the motion.

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

V. GENERAL DISCUSSION

Chairman Love announced that the new Zoning and Development Code was available to the public for \$15, and may be picked up at the City Planning Department.

The meeting was adjourned at 12:03 a.m.