

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- April 24, 1984
7:30 p.m. - 9:52 p.m.

The public hearing was called to order by Chairman Ross Transmeier at 7:30 p.m in the City/County auditorium.

In attendance, representing the City Planning Commission were:

Miland Dunivent	Dick Little
Ross Transmeier, Chairman	Bill O'Dwyer

In attendance, representing the Planning Department were:

Bob Goldin	Ken Strohson
Don Warner	Charles Trainor

In attendance, representing the Engineering Department was:

Ken Reedy

Terri Troutner was present to record the minutes.

There were approximately 24 interested citizens present during the course of the meeting.

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Chairman Transmeier called the meeting to order.

I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, I MOVE THAT THE MINUTES OF THE MARCH 27TH HEARING BE APPROVED AS SUBMITTED."

Commissioner Dunivent seconded the motion.

Chairman Transmeier requested a vote and the motion carried unanimously by a vote of 4-0.

II. ANNOUNCEMENTS, PRESENTATIONS, AND/OR VISITORS

Chairman Transmeier stated that since there were only four Commission members present, to secure a quorum he would be voting on tonight's presentations. Also, if there were any persons interested in becoming a member of the Planning Commission, they should leave their name with Tom Lundstrom of the City Action Desk.

III. FULL HEARING

1. #38-83 CITY OF GRAND JUNCTION COMPREHENSIVE PLAN

Petitioner: Grand Junction Planning Commission
Location: Within the established boundaries of the City of Grand Junction and the boundaries of the Intergovernmental Agreement dated March 24, 1983 by the City of Grand Junction and Mesa County.

Consideration of the City of Grand Junction Comprehensive Plan.

PETITIONER'S PRESENTATION

Ken Strohson, Comprehensive Plan Project Manager, began by saying that consideration tonight was being given to the approval of Chapter 11 - Transportation. A list of minor corrections and additions was included with each of the individual packets. For the benefit of the public, Ken provided background information on the Comprehensive Plan process.

1. The plan includes adopting each chapter as an element of the Comprehensive Plan so it may be usable immediately.
2. The plan is a service/delivery oriented plan, which means that within each chapter is a development of new or existing City policy to guide Grand Junction in the future. To date, the following chapters have been presented to and adopted by the Planning Commission and City Council: 17 Chapter Table of Contents, Administrative Procedures, Environment, Population and Demographics, Educational Institutions, and Human Resources. The Public Facilities and Services Chapter is in draft form and is being reviewed at staff level.

The Transportation Chapter is the seventh chapter presented for consideration.

Charles Trainor, City-County Transportation Planner, then addressed the Commission by stating that the Transportation Chapter was policy oriented. A future street function classification map was included. Among the various topics addressed in the chapter were access, noise control, street widths, traffic impacts, bicycle policies, rail policies, and those policies which will affect staff, the Planning Commission, local businesses and Grand Junction citizens.

QUESTIONS

There were no questions at this time.

PUBLIC COMMENTS

There were no comments either for or against the plan.

Chairman Transmeier closed the public hearing and requested a motion.

MOTION: (COMMISSIONER LITTLE) "MR. CHAIRMAN, I MOVE IN CASE OF FILE #38-83, CITY OF GRAND JUNCTION COMPREHENSIVE PLAN, CHAPTER 11 - TRANSPORTATION, THAT THIS BOARD ADOPT THIS CHAPTER AND FORWARD TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier requested a vote and the motion carried unanimously by a vote of 4-0.

2. #8-84 RIGHT-OF-WAY VACATION

Petitioner: Jack Williams

Location: The north/south alley between White and Rood Avenues, east of 7th Street. A request to vacate a 20 foot alley.

Consideration of alley vacation.

PETITIONER'S PRESENTATION

Bryan Sims, architect for the project and for Jack Williams, began the presentation by reaffirming the location of the alley as being that which is located behind the former Ackerman's House of Interiors. He stated the main reason for the request was for parking. After receiving a copy of the review summary comments, Bryan felt that the only major request was for a public egress access in-lieu of the alley egress access which had been agreed to.

At this time, conceptals were shown to the Commission members. They included:

1. Site Plan-which outlined the alley in question.
2. Architectural Design.

It was pointed out that the alley dead-ended at White Avenue. The public egress access, provided in-lieu of the alley egress access was directly east. Bryan stated that they had wanted to be responsive to the downtown area as well as being realistic in providing the necessary parking on site.

QUESTIONS

Chairman Transmeier asked if the parking lot would be built according to City standards.

Bryan confirmed this and said that this was a condominiumized building, whereby most of the occupants would be professionals (attorneys) and would need this parking close in.

Commissioner Litle asked if the alley would be used as a primary access and whether Bryan planned on closing off the adjacent parking lot.

Bryan commented that the alley would only be used only as a secondary access; there were no intentions of closing off the adjacent parking lot, and pointed out that they were not only vacating the alley, but making it a utility easement.

Chairman Transmeier asked about building height.

Bryan stated that it was approximately 23-24 feet. It would be a two-story building.

Commissioner Dunivent asked if there were any problems with the public ingress/egress off of White Avenue.

Bryan thought that the only egressing traffic would be that of trash trucks, or maybe a fire truck.

Commissioner O'Dwyer asked if these would be masonry buildings.

Bryan replied that yes, including the courtyard, along with wood siding up midway and stucco on top.

Commissioner O'Dwyer asked about southern exposure.

Bryan stated that southern exposure would be near the entrance location.

Jack Williams, the Petitioner, spoke up from the audience saying that this project was to be built in phases. He said this would start out with 4,800 square feet and when that was sold, they would build another 4,800 square feet, etc. He did not know if this would take one, two, or three years.

Bryan stated that there was approximately 2,500 sq. feet per floor, or 4,800 per building.

Commissioner O'Dwyer asked, then, if all they were after at this time was a right-of-way vacation.

Bryan affirmed by saying that a close-in parking scheme was felt necessary to the project.

Commissioner O'Dwyer asked for a total number of parking spaces.

Bryan stated that all together there were approximately 42 spaces.

Commissioner Little reminded Bryan of the curbcuts in the area and wished to know if there were any plans to close those curbcuts.

Bryan stated that the curbcuts would be closed and that they would provide egress. He felt the curbcuts were not in the best of condition at this time.

STAFF PRESENTATION

Bob Goldin stated that all technical issues had been addressed, and there were no adverse comments, given the rededication of ingress/egress and utility easement at the time the vacation becomes effective. This was in a B-3 zone.

Don Warner spoke up from the audience saying that there had been an error in the agenda; that this was only a 15 foot alley, and not 20 feet.

PUBLIC COMMENTS

Jim Dyer, an adjacent property owner, began by saying that he was in favor of the project, but had several questions since he had a similar project underway. His project was located to the south and wished to know if this north/south alley vacation would affect the vacation that he might later request.

Bryan answered by saying that it would depend on those plans that Mr. Dyer had.

Jack Williams, the Petitioner, spoke up from the audience saying that this project was to be built in phases. He said this would start out with 4,800 square feet and when that was sold, they would build another 4,800 square feet, etc. He did not know if this would take one, two, or three years.

Bryan stated that there was approximately 2,500 sq. feet per floor, or 4,800 per building.

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Bryan affirmed by saying that a close-in parking scheme was felt necessary to the project.

Commissioner O'Dwyer asked for a total number of parking spaces.

Bryan stated that all together there were approximately 42 spaces.

Commissioner Litle reminded Bryan of the curbcuts in the area and wished to know if there were any plans to close those curbcuts.

Bryan stated that the curbcuts would be closed and that they would provide egress. He felt the curbcuts were not in the best of condition at this time.

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Bryan answered by saying that it would depend on those plans that Mr. Dyer had.

The motion was then amended to read as follows:

MOTION: (CHAIRMAN TRANSMEIER) "MR. DUNIVENT'S MOTION ON ITEM #8-84, THE RIGHT-OF-WAY VACATION, WAS TO SEND THIS TO CITY COUNCIL TO ALLOW VACATION OF THE ALLEYWAY FROM WHITE TO THE EAST/WEST ALLEY IN THAT BLOCK, SUBJECT TO STAFF COMMENTS AND SUBJECT TO THE PETITIONER BUILDING NO LARGER BUILDINGS THAN THOSE WHICH WERE OUTLINED IN HIS PRESENTATION."

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier requested a vote and the motion, as amended, carried unanimously by a vote of 4-0.

3. #56-83 ONION HILL FILING #1 - FINAL PLAT AND PLAN

Petitioner: Dale Williams

Location: Southeast Corner of Cortland Avenue and 27.5 Road.
A request for 28 units on approximately 12.18 acres in a planned residential zone at 7.2 units per acre and final plat and plan.

PETITIONER'S PRESENTATION

Chris Gray, representing the Petitioner, began by stating that tonight's plan was very similar to the Preliminary Plan. The right-of-way on Cortland was widened from that which had been originally proposed to match up with the rest of the Cortland right-of-way. The rest of the right-of-way had been given to 27.5 Road. From the Preliminary Plan, Phase I had been expanded to include two four-plexes south of Ridge Drive. Access from the multi-family was modified to line up with the access to the single family to the north.

All landscaping is to be low-level with no trees and boulders to block emergency access or views. Most other items as outlined in the Preliminary Plan remain the same. Chris stated that from the review comments, everything seemed to be "straight" with the utilities companies.

Since the land plan showed only front yard setbacks, those needed to be added to the plat. One other modification was to extend the floating building pads to the street.

QUESTIONS

Chairman Transmeier asked if the covenants contained the fact that those were private streets to be maintained by the homeowners.

Chris advised that the posting of private streets was done only in the single-family area. He said that this same posting needed to be made in the multi-family. Chris went on to say that the covenants did profess these to be private streets.

Chairman Transmeier questioned whether these covenants merely stated that these were private streets, or did it specify maintenance by the Homeowner's Association, above and beyond their taxes?

Chris maintained that the wording of this type would be added to the covenants, thereby making clear to the homeowner the responsibility for individual street maintenance.

Chris pointed out that the hydrology report, which was requested by Ken Reedy, was a new requirement but it had been agreed to. He felt that perhaps this project was the first to have a hydrology report as mandatory.

Commissioner O'Dwyer stated that hydrology reports are mandatory on all new subdivisions because of the streets, sidewalks, etc.

Commissioner Litle commented that some of this acreage was fairly marshy.

Commissioner O'Dwyer questioned the location of the multi-family units. Were they to be located in this marshy area, in the cattails?

Chris stated that multi-family units would be located well to the east of the cattails. There would be no basements without special precautions. Foundations would be common slab or crawl space.

Commissioner O'Dwyer questioned the purity of the water. Would possible pollutants from runoff of streets, etc. affect those people downstream.

Chris had no suggestion for maintaining the purity of the runoff water. How would someone control pollutants from runoff water in subdivisions. The question of quantity had been addressed, but not the issue of quality. The hydrology report has been completed but not yet analyzed.

STAFF COMMENTS

Bob Goldin asked that three items be addressed in the motion at the discretion of the Planning Commission:

1. Given that the hydrology and drainage report had not yet been submitted, a request was made that this report be

submitted to the City Engineer and approved prior to it being forwarded to City Council. Also, that this report include ponds and seepage in the discussion. If the hydrology and drainage report is not received and approved of by the City Engineer, that the City Council hearing be held up until such time as this item is resolved.

2. The posting of "private streets" signs on all private streets be included.
3. There is to be an escrowed amount for the frontage they are including on Phase 1, Filing #1; that portion off 27.5 Road and also that portion on the north side of their project, facing the south side of Cortland, with the stipulation that as further development occurs, it be done in a logical sense so that they don't delete those areas directly fronting the right-of-way. This way, the City can get the improvements as they are developed and make sure they don't leave the area adjacent to the right-of-way unplatted until the very last minute.

Chris indicated that there would be no problem with those stipulations.

Ken Reedy, City Engineer, then spoke from the audience saying that the City Council had requested doing away with Powers of Attorney. The reason for requesting the escrow amount is due to the fact that this is the first project being considered without the formerly requested Powers of Attorney. Ken continued by stating that the request for the hydrology report was something that had been considered for quite some time. It was his contention that all new subdivisions will be required to comply with this request in the future to detain flows not to exceed the historic two-year peak between the two- to ten-year event. The purpose of this is to avoid future drainage runoff problems which would require significant public capital investments to remedy.

Ken maintained that his intent was not to burden this particular project nor any other, only to evaluate each project in relation to possible problems which may burden downstream drainage ways.

QUESTIONS

Chairman Transmeier asked Ken if this report was designed to provide a better tool for surveying/evaluating from the City Engineer's perspective.

Ken stated that this would eliminate a lot of "leg work" involved in independent studies. If the developer's engineer brings in a

finished report for review, there was a greater chance for completing the project and verifying the existing City improvements.

Chairman Transmeier asked Ken for the definition of a hydrology report.

Ken said that a hydrology report will show the time and concentration of historic flow and compare it with the time and concentration of the developed flow on a two year basis, and detain that peak above the historic two year runoff rate up to the ten year developed runoff rate. The intent of that is a standard engineering process.

Commissioner Litle asked how much time was given to this project in order to complete this report.

Ken maintained that it was less than a week.

Bob Goldin said that in a usual circumstance, they would be given two weeks to respond, but due to the short month, they had ended up with only a week.

Commissioner O'Dwyer stated that this issue of drainage had been addressed and a report requested over eight months ago during the Preliminary.

Ken contended that there was no specific request made at that time for a hydrology report.

Commissioner O'Dwyer asked Ken how the escrow amount was arrived upon.

Ken stated that typically the Petitioner will submit a professional engineer's estimate of costs of improvements, or modifications. He asked that, based on the soils investigations on their side and their own information, that they include an amount which would meet the needs if they were going to build tomorrow; that they cover those costs.

Chris asked if this escrowed amount would be for all of Cortland and 27.5 Road.

Bob Goldin clarified that this amount would include only Filing #1.

Ken indicated that it would be only the areas adjacent to this phase of development. It would not be the entire length of Cortland. He wanted to make sure that possible loopholes were covered; that the developer picked up his share of the expense.

Commissioner Dunivent asked if this report was to be completed by a registered, certified, professional engineer.

Ken responded that yes, it was a state standard. By that statute, the registered engineer is given the responsibility of not doing the things he's not qualified to do.

PUBLIC COMMENTS

IN FAVOR:

There were no comments in favor of this proposal.

IN OPPOSITION:

Bob Engelke, representing the Crestview Homeowner's Association which was located downstream of this proposed development, pointed out the concern of this potential water problem. He reiterated that although the Association was in favor of the proposal, he maintained that there were still concerns over the water issues.

Bob then passed around various photographs showing what the Crestview developers had done with their own downstream project regarding the water that is creating all the problems. Their solution was to construct lakes immediately downstream of the development. A letter was written to this effect by the Crestview Developers and sent to the Planning Commission prior to Preliminary Plan consideration, outlining the benefits of this lake proposal, which would provide a wildlife sanctuary, as well as providing a source of irrigation for yards, etc. There was an expressed concern that polluted runoff from the Onion Hill project could create serious consequences to the existing lake's environment.

Bob then read various sections from the Grand Junction Zoning and Development Code (GJZDC) regarding these concerns. He stated that the Planning Commission did, in fact, have the power to request such a hydrology report for a project. Some points which were brought forth from the GJZDC were "...preserve the integrity of natural drainage and the inherent natural characteristics of water courses and floodplain areas through development of a comprehensive drainage plan, outlining drainage easements, floodplain management policies, etc...consider protection of significant fish and wildlife areas...development will be discouraged in or near natural hazard areas...development in floodplains or drainage areas, steep areas, geologic faults, etc. will be controlled through local regulatory land use tools...proposed developments must use whatever facilities or detention areas necessary to ensure that storm runoff will not be disruptive to existing streams, drainage systems, or other land uses...the integrity of existing drainage networks must be maintained."

Bob pointed out that if this water was recycled until it was no longer usable, then dumped into the drainage ditch, there would be a strong chance of it ending up into the downstreams lakes and ponds. The downstream residents would then have to contend with

water needed by their own irrigation, etc. but which had been considered no longer usable in this manner due to the deteriorated condition of the water.

Chairman Transmeier asked Mr. Engelke if the primary concern, then, of the Crestview Homeowner's Association was the quality of the water.

Bob stated that, during earlier conversations with Mr. Faussonne, it had been the quantity of the water with regard to flooding, etc.

Henry Faussonne, an adjacent landowner, then spoke up from the audience stating that one of the initial issues was filing on spring water as it originates within this area. He wished to maintain an understanding on the filing of a water right which is pending final approval. This was a main concern.

Bob reiterated by saying that this potential runoff would jeopardize the quality of the spring; hence, the water right. If there is building in the southwest corner of this development, which is currently marshland, there would be a real concern as to whether the spring could furnish water to the ponds down below without causing some real problems for them.

Commissioner Litle asked that, on Mr. Faussonne's project, did those ponds exist prior to the constructing of that project, or were they constructed along with the project.

Mr. Faussonne spoke again saying that the initial terrain had been very similar. Due to the desire to pond water for various reasons such as irrigation, these ponds were constructed but had met all the requirements as set forth in a multi-page document which had been presented to them prior to construction of their subdivision.

Bob again stated that what Mr. Faussonne had done was take a liability, namely marshland, and turn it into an asset. He felt that what this boiled down to was that that Onion Hill was an approved, but incomplete plan. As representative for the Crestview Homeowner's Association, he made two requests:

1. The spring, and protection thereof, and the drainage issue be resolved prior to the City Council meeting. If this plan was approved as presented this evening, a request was made for a provision such as Bob Goldin pointed out in a motion designed to ensure that this will be done before the next filing.
2. Since the area of the most concern is the southwest corner, it was asked that the approval by the Commission of that portion of this project be suspended until

these questions can be readdressed by the Crestview Homeowner's Association. In this way, the homeowners could then be notified and made a part of this re-review process.

Commissioner Dunivent commented that the Preliminary Plan had been approved with the stipulation that these questions be addressed and, as far as he could see, they had not been.

Commissioner O'Dwyer asked of Mr. Faussonne whether this spring water was of a sweet water type or salty water.

Henry stated that the water had been tested and rated very highly by a local lab. He stated that there were other springs which fed the same lakes located on his property that were of the same quality. He did not know the source.

Commissioner O'Dwyer asked how much water he got in the driest part of the season.

Henry replied that there was enough to keep the two ponds filled without any other source of water throughout the whole season, although, during sprinkling, they did use additional water. By the time the water entered the irrigation canals, however, he felt that it kept the lakes at full level year around.

Henry reemphasized the fact that there was support for this project; the issue of hydrology studies remained the major source of concern, but he felt that wording could be added to the motion to ease this concern without holding up the rest of the project.

Noel Welsh, and adjacent landowner, came up from the audience to show the location of the marshland on the map located behind the Commission members. He described the location as coming up from 27.5 Road approximately 450 feet before firming up.

At this time dialog was continued between Chairman Transmeier, Commissioner Litle, Noel Welsh, and Henry Faussonne behind the Commissioner's table over the map which was located there. Those items discussed included the location of the proposed project in relation to the adjacent property owners. Also discussed was monitoring the quality of the water and the best uses for that water. Chairman Transmeier clarified for the audience that most of the marshland was located in the area called "Future Filing" on the map presented and not in the area of Filing #1.

Richard Hollinger, 1831 Bellridge Court, spoke up from the audience stating that his property was located immediately west of the southeast corner of the cattail swamp. Richard said the drainage from the swamp and from the spring traversed his property and he had filled in that corner of his property which had been in cattails. His concern was also pertaining to the quality of water as well as the aesthetics of building in this

area. He felt that if buildings were built in this swamp area, there would be dampness absorbed into whatever foundation was laid, causing future problems with the building. Even if there was a great amount of "ballast" laid down before the foundation was set, he felt that this would not be economical.

Richard felt that these cattails were an asset, since it provided a type of wildlife refuge. He felt that ponds could be built in this area such as the one in Crestview to accommodate this asset.

Commissioner Litle said that there had been some good dialog on this subject, and had made him realize the potential for this area. He felt that what began as a hydrology issue had opened up additional areas for consideration. He thought it a good idea that the Petitioner had agreed to hold off developing in the "Future Filing" area and go back to ODP status until some of these issues could be resolved. He further stated that it would be unfair to hold up the Petitioner on the area of Filing #1, since the Petitioner had agreed, at least verbally, to take another look at it.

PETITIONER'S REBUTTAL

Noel Welsh: "We have no intent of bugging up the neighborhood or anything else. The question that I think needs to be resolved for our mutual benefit, so there is no future misunderstanding is flow and the quality of the water; I think that now that statement of quality is very arbitrary and capricious. There are no standards, which will include not only your mineral salts, but your silts, etc., etc. I think by pulling that portion back for a complete preliminary period of time, I think that whoever will be responsible for finding those qualities, it will be of our mutual benefit that we live by those standards and that they have the standards established. At the present time I see no standards for quality, flow, location of springs, or anything else, so I think it is no more than reasonable to hold that portion back; in the first place, they don't even have a Phase I and don't plan on getting there for a couple of years anyway in the current real estate market. So I think it would be reasonable on our part to pull it back, it would be reasonable on their part and help us establish standards. If there is a book on standards, or this kind of thing, then let's get the textbook out and see what we can both reasonably agree to there."

Bob Engelke: "I'm assuming what we're saying here is that it is removed from the original preliminary approval which you gave, that will enforce it."

Henry Faussone: "I would like to qualify that...as long as we're not penalized by the density on the balance enforced, is that correct? The density can't be moved nor the intial drive, then I would agree to that. Certainly as light a density as you

have on that tract, PR8's and PR20's, etc., there should be no problem with the Planning Commission or the Council approving that kind of diluting the density, if that hasn't already been established and it possibly hasn't. I've looked the plan over and, in my judgement, it would be a very simple thing to do."

Chairman Transmeier: "One question we had before on density was the airport avigation easement..."

Bob Goldin: "The Petitioners have agreed to put together an avigation easement which will be submitted with the recording of the plat."

Chairman Transmeier: "The more critical part of that area was designed as four units to the acre less."

Bob Goldin: "Unfortunately, at the time we did do this airport overlay, this zoning was already established, thus grandfathered in, so any new development would have to accommodate the four units to an acre, but this one, having a previously established density prior to the implementation of the overlay, they did get grandfathered in."

Commissioner Dunivent: "I have only one other comment in regards to the City Engineer; that trash pickup will be by B.F.I. I think this should indicate private carriers. B.F.I. may not be there forever."

Commissioner O'Dwyer: "In other words, strike B.F.I and indicate a private carrier."

Bob Goldin: "The City will not pick it up, is that it?"

Commissioner O'Dwyer: "No, a private carrier."

Chairman Transmeier closed the public hearing and requested a motion. The first motion pertained to the final plat.

MOTION: (COMMISSIONER LITTLE) "MR. CHAIRMAN, ON FILE #56-83, UNION HILL FILING #1, FINAL PLAT, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier requested a vote and the motion carried unanimously by a vote of 4-0.

MOTION: (COMMISSIONER LITTLE) "MR CHAIRMAN, IN CASE OF FILE #56-83, ONION HILL FILING #1, FINAL PLAN, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL WITH THE FOLLOWING COMMENTS OR RESTRICTIONS: 1. THE HYDROLOGY REPORT BE REVIEWED BY THE CITY ENGINEER PRIOR TO CITY COUNCIL HEARING, 2. THE PRIVATE STREETS IN PHASE I BE MARKED "NO ON-STREET PARKING" AND BE MARKED AS PRIVATE STREETS, 3. IN THE AREA OF THE PROJECT SOUTH OF RIDGE DRIVE, THAT A REVISED PRELIMINARY PLAN BE SUBMITTED FOR CONSIDERATION UNTIL SUCH TIME AS THE CONCERNS FACING THE CITY ENGINEER AND THE NEIGHBORHOOD AND ADJACENT PROPERTY OWNERS HAVE BEEN RESOLVED, THE WATER QUALITY ADDRESSED, AND ACCEPTABLE BY ALL PARTIES; AND THAT FUNDS BE ESCROWED COVERING THE PORTION OF FILING #1, THE SOUTH PORTION OF CORTLAND AVENUE AND THE WEST PORTION OF 27.5 TO RIDGE DRIVE, NOT JUST IN FILING #1, BUT THE INTERSECTION OF 27.5 ROAD AND RIDGE DRIVE. CONCERNING THE TRANSFER OF DENSITY, IT WILL BE ACCOMMODATED THROUGH A REVISED PRELIMINARY PLAN; AND SUBJECT TO STAFF COMMENTS."

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier pointed out that the only portion he would have any question about is a need to make another motion concerning reverting the Preliminary Plan.

Bob Goldin stated that if it were agreeable to the Petitioners, it could be left in the motion; if it became a problem at a later date, separate action could be taken on it. At this date, there would be no need to go through a formal hearing to revert that portion of the project. This would be subject to the Commission's consent.

Chairman Transmeier asked Bob if this meant that, instead of reverting this to ODP, they would actually be requesting a revised Preliminary Plan.

Bob agreed on this point and it was decided to amend the motion accordingly.

Commissioner O'Dwyer seconded the amended version of the motion.

Chairman Transmeier requested a vote and the motion, as amended, carried unanimously by a vote of 4-0.

A short recess was called at 9:12 p.m., and called back to order at 9:17 p.m.

4. #7-84 ZONE OF ANNEXATION TO PB AND PR 17 AND SUNSET VALLEY VILLAGE - OUTLINE DEVELOPMENT PLAN

Petitioner: Professional Investors of Grand Junction/M. Ray Painter, President
Location: North of F Road, approximately 650 feet west of 25 Road. A request to zone annexed property to Planned Business on .94 acre and Planned Residential on approximately 27.94 acres and an outline development plan on a total of 28.88 acres.

PETITIONER'S PRESENTATION

Daryl Shrum, representing the property owners, began his presentation by indicating that there were three property owners who were involved in this project; F Road Development Corporation, who owns parcels 055 and 061; Professional Investors of Grand Junction, who own parcel 065; and Paul and Francis Kern, who own parcel 056.

Daryl stated that this was a retirement community project designed for those persons over 50 years of age. He indicated that although a large portion of the residents would come from the local Mesa County area, it was expected that approximately 60-70% of those residents would come from outside the County. He felt that Grand Junction was a prime retirement area.

Requested of parcels 055 and 061 was for the City to change the current zoning from PB to PR17; on parcel 056, a change from County AFT to PR17; for the north 320' of parcel 065, a change from County AFT to City PR17; and on the southern 340' portion of that parcel, a City PB designation (this location was given on the map provided to the Planning Commission by indicating the center line of F Road and only that portion 340' over from the center line was requested as PB). A 50' right-of-way dedication will be made.

The Northwest Vicinity Task Force outlined the area both east and north of Mesa Mall as being high density residential or planned business. Daryl felt that this proposed project would blend in with zoning currently in that area. In the case of changing the zoning to PR17 from PB, he indicated that this would actually be a downzone, but considered it the highest and best use of the property.

Photographs were passed around to the Commission members showing similar projects from the Scottsdale and Phoenix, Arizona areas. Spanish architecture is to be used in the design of the project. It was hoped that construction would begin by late summer or early fall of 1984. Facilities such as a restaurant, drugstore, etc. were anticipated used for the PB zoned area.

Daryl pointed out a variation of the Preliminary Plan from the ODP to include four access points instead of three. Two access points would be located off of F 1/4 Road and two off of F Road. He felt that the only possible point of conflict would be asking to use private streets since no on-street parking was provided. The parking lot, however, provided approximately 100 more spaces than the City parking standards required. As in the Onion Hill project, Daryl stated that these streets would be maintained by a Homeowner's Association, and that signage indicating "private streets" would be posted. Speed would be controlled by posting signs at 20 m.p.h. Daryl stressed that all measures would be taken to ensure that the "car" did not dominate the project area.

Approximately 16% of the total project area was outlined in streets while over 40% was left in open space, thus incorporating the "open concept" such as that of Vintage 70.

Drainage would be directed into the Independent Ranchman's Ditch.

QUESTIONS

Commissioner O'Dwyer asked if the culvert was to be located under F Road.

Daryl answered that because the land in that area was so flat, placing the culvert under F Road would be a feat in itself.

STAFF COMMENTS

Bob Goldin said that the Petitioner's did address the issues and that Ken Reedy would be speaking further on these issues. The City's views, it was noted, were less than appreciative of private drives and current City standards did not allow for deviation in that area of private drives or private streets. Bob indicated that, at this time, there was no mechanism in place for dealing with a private drive as the developers have requested.

Ken Reedy spoke at this time saying that private streets did possibly have their merit, but he felt that it provided a loophole in the City standards which was less than appropriate. He felt that what this amounted to was allowing the developer to build public improvements in a private manner which did not meet the requirements of the neighborhood. Ken reaffirmed that a minimum width of 24-26' was still not adequate for a private drive or any other street.

Ken felt that this plan, as outlined, did not provide any cul-de-sacs or turnarounds which would meet the standards needed for an emergency vehicle.

In conclusion, Ken felt that at least the intent of the City design standards should be met.

QUESTIONS

Commissioner O'Dwyer asked that in regard to these standards, was Ken referring to the width, or thickness of the mat.

Ken replied that the current proposal did not reflect specific design standards on asphalt thickness or subgrading. It was assumed that a reasonable design would be provided. He felt that an adequate sidewalk should be provided for pedestrian travel. As well, a 22' through street was inadequate and not in compliance with current City standards.

PUBLIC COMMENTS

There were no comments either for or against this proposal.

PETITIONER'S REBUTTAL

Daryl: "I don't want to debate with Ken's comments, but I know the City regulations well enough to know that the local street cross-section, in terms of mat from front of curb to front of curb is 34' with 12' of that being for off-street parking. If you look at the cross-section of the local street, you will see that the actual driving lanes are 11' a piece."

Ken: "That doesn't reflect any other activity. A cul-de-sac is the only place where we use a 22' section. Other than that, we allow on-street bicycling and other activities. The parking area of 6' on each side is not designed for perpetual traffic flow through those 11' lanes at all times. If we have a collector standard, we go to a 41' mat, so we still amount to two 11' lanes but we widen the parking area. I think there's a happy medium between 34' and 26' and if you're not going to allow on-street parking, I think there's somewhere in between there that we could come to agreement on."

Daryl: "In every street we visited in the Scottsdale/Phoenix area, with a lot more urban-type density than we have here, there was no street that surpassed a 26' mat, that's why we say that a 26' mat works because we've seen it work. In terms of ingress/egress and the dead-ends, the turnaround (down there) itself has been eliminated. A fire truck can come in at two

locations off of F Road and two locations directly off of F 1/4 Road. The only dead-ends, per se, is up in the northeast corner. There will be a four-plex and six-plex located there, and for a distance of 80', that will be the only dead-end in the project. In showing you those pictures, that's how they've done it in the past, and in terms of our parking lots being in the corners, I think that is the best design feature, to utilize a corner. If you start saying that you guys are going to have to put in 85' cul-de-sacs, we'd chew up all of our density, we'd chew up all of our land, and we just wouldn't build a project on land under the existing guidelines that my clients have presented to you.

We're not deviating that much from City standards. On all streets we have a 4' sidewalk which is attached to a curb and gutter. That's essentially what a City street looks like. All we're asking for is to lessen the amount of asphalt because we can't use that asphalt since the design does not lend itself to on-street parking. We have sidewalks, but desire to have our sidewalks attached and not detached. When you look at these streets as they are constructed, they are a well designed, functional street. I don't think we are asking for anything that extraordinary."

Commissioner Little: "Daryl, can a fire truck make these turns?"

Daryl: "Well, there's only two locations on the whole project that a firetruck would ever have to put it in reverse and that is illustrated as being in the northeast corners. He would have to back it up a distance of 100'. If there is a fire anyplace else, there's no reason for him to pull into that parking lot in those corners, so it's a full loop system. There's no reverse turning movements in the whole thing save for that one little area in the northeast corner which will be replicated in the northwest corner. I really don't see where the Fire Department would have that much problem. You can see the circulation system as being quite extensive.

Again, we have nothing against City streets and we wish we could talk the City into deviating from their standard and accepting these streets because, in terms of a vertical cross-section, we're going to follow standard engineering practice, we're going to meet the City design code on it, and if they're going to be private streets, no one more than the developer is going to want to make sure that those streets are developed properly so that they don't break apart in two or three years. Other than the width of the right-of-way, we perceive this project as meeting every City and special district standard that there is. It's just that our particular plans cannot accommodate this particular width of the street."

Chairman Transmeier: "This is a condominium project, isn't it? You're selling these units?"

Daryl: "The one-story units will probably end up being townhomes. The three-story units which will each contain 44 units each will be condominiums. Our intent is to sell them."

Chairman Transmeier: "If you sold these homes, would you have a restriction in your covenant as to the age of the occupants?"

Daryl: "I don't think so. It's going to be obvious that it's for retired people, and I don't think, by federal law, that you can discriminate against age."

Chairman closed the public hearing and requested the first of several motions.

MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, ON ITEM #7-84, I MOVE THAT WE RECOMMEND TO CITY COUNCIL TO PLACE A ZONE OF PLANNED BUSINESS (LOCATION DESCRIBED IN THE PACKET)."

Commissioner Litle seconded the motion.

Chairman Transmeier requested a vote and the motion carried unanimously by a vote of 4-0.

MOTION: (COMMISSIONER O'DWYER) "ON ITEM #7-84B I MOVE THAT WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL OF THE OUTLINE DEVELOPMENT PLAN ON THE PLANNED BUSINESS SUBJECT TO STAFF CONSIDERATIONS."

Commissioner Litle seconded the motion.

Chairman Transmeier requested a vote and the motion carried unanimously by a vote of 4-0.

MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, I MOVE ON #7-84C THAT WE FORWARD TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL FOR THE ZONE OF PR17."

Commissioner Litle seconded the motion.

Chairman Transmeier requested a vote and the motion carried unanimously by a vote of 4-0.

MOTION: (COMMISSIONER O'DWYER) "ON ITEM #7-84, ITEM D, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL IN CONSIDERATION OF THE OUTLINE DEVELOPMENT PLAN OF THE PR17 ZONE WITH THE FOLLOWING SUGGESTION THAT MR. SHRUM AND MR. REEDY GET TOGETHER AND WORK OUT THESE CITY STREET STANDARDS AND SUBJECT TO STAFF COMMENT."

Commissioner Litle seconded the motion.

Under discussion of the motion, Chairman Transmeier commented that, regarding the streets, he was opposed to this. However, if brought to a Preliminary Plan, if he (Daryl) knew a little more about what he was doing, it might change his mind. On the density of 476 units, it would be a lot of people, especially if there was no stipulation on limiting it to older adults. If there were to be little children living there, it was felt that the width of the roads were definitely inappropriate.

Chairman Transmeier then requested a vote and the motion carried by a vote of 3-1 with Chairman Transmeier voting in opposition.

The meeting was adjourned at 9:52 p.m.