

GRAND JUNCTION PLANNING COMMISSION

**Public Hearing
Minutes**

March 30, 1982
7:30 p.m. - 10:45 p.m.

The meeting was called to order by **Chairwoman Jane Quimby** at 7:30 p.m., in the City Council Chambers.

In attendance, representing the City Planning Commission were:

Jane Quimby, Chairwoman	Miland Dunivent
Susan Rinker	Dick Litle
Jack Ott	Bill O'Dwyer

In attendance, representing the Planning Department Staff were:

Alex Candelaria
Bob Goldin
Don Warner

In attendance, to record the minutes was Rachelle Daily, Sunshine Secretarial Service.

In addition, approximately 25-30 interested citizens were in attendance during the course of the evening.

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I. APPROVAL OF THE MINUTES.

- A. JANUARY 26, 1982 MEETING MINUTES. **Chairwoman Quimby** asked Commission members whether the minutes were in need of corrections or changes. There were none.

MOTION: (Dick Litle): "I MAKE A MOTION THE MINUTES OF THE JANUARY 26, 1982 GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING BE APPROVED AS PRESENTED."

The motion was seconded by **Commissioner Miland Dunivent**; **Chairwoman Quimby** called for a vote, and the motion carried unanimously.

- B. FEBRUARY 23, 1982 MEETING MINUTES. **Chairwoman Quimby** asked Commission members whether the minutes were in need of corrections or changes. The following three items were listed:

1. Page 13. Name change from Art Ingfordson to Art Ingvertsen.
2. Page 15. Within the MOTION, change 11th Street to 12th Street.
3. Page 14. Item #6 Title, "Plaza 15" should read "Plaza 25."

MOTION: (Miland Dunivent): "I MOVE THE MINUTES OF THE FEBRUARY 23, 1982 GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING BE APPROVED WITH THE INCORPORATION OF THESE CHANGES."

The motion was seconded by **Commissioner Bill O'Dwyer**. **Chairwoman Quimby** called for a vote and the motion carried unanimously.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS. There were none.

Chairwoman Quimby noted that Items 11, 12, and 13 had been pulled from the Agenda for tonight's meeting.

III. CONSENT ITEMS

Chairwoman Quimby explained the Consent Items Procedure (as per Page 1 of the Agenda).

CONSENT ITEM #1 -- #14-82, Easement Vacation.

Petitioner: Stephen B. Johnson.
Location: 1350 North Avenue.

A request to vacate a utility easement on the South 10 feet of Lots 1, 2, 3, and the North 10 feet of Lots 20, 21, 22, except the West 10 feet of the North 10 feet of Lot 22, Exposition Arcade Subdivision.

- a. Consideration of easement vacation.

Chairwoman Quimby asked if there was anyone present who wished it removed from the agenda. There was no response.

CONSENT ITEM #2 -- #7-82, Pepper Tree Filing #3--Final Plat and Plan. (3 of 3)

Petitioner: Todd Deutsch.
Location: 530 feet South of Patterson Road & 990 feet West of 29 Road.

A request for a final plat and plan of 48 units on 3.394 acres in a planned residential zone at 20 units per acre with a design density of 14 units per acre.

- a. Consideration of final plat.
- b. Consideration of final plan.

Chairwoman Quimby asked if anyone wished to have this item removed from the agenda. There was no response.

CONSENT ITEM #3 -- #20,82, Rezone RSF-8 to PR-17 and Edgewood Townhomes--Preliminary Plan.

Petitioner: John T. Combs.
Location: Southwest corner of North 15th Street and the Grand Valley Canal.

A request to change from residential single family uses at 8 units per acre to planned residential uses at 17 units per acre on .59 acre.

- a. Consideration of rezone.
- b. Consideration of preliminary plan.

Chairwoman Quimby asked if anyone wished to have this item removed from the agenda. There was no response.

Alex Candelaria, Planning Staff, noted that Trash Pickup is in agreement and is on file.

MOTION: (Bill O'Dwyer): "I MAKE A MOTION THAT CONSENT ITEMS #1, 2, AND 3 BE FORWARDED TO CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL, PER REVIEW AGENCY COMMENTS."

The motion was seconded by **Commissioner Dick Litle**.

Chairwoman Quimby reiterated the motion, called for a vote, and the motion carried unanimously.

Bob Goldin, referenced Wayne Lizer's (W.H. Lizer & Associates) letter responding to Review Sheet Summary Comments that indicated Sanitary Sewer concerns would be satisfied for the entire Pepper Tree Project; and **Chairwoman Quimby** requested cooperation from developers in the future regarding solutions to road inequities in this area.

V. FULL HEARING

1. #3-82, CONDITIONAL USE--DUNKIN' DONUTS

Petitioner: Rodger Houston.
Location: 2816 North Avenue.

A request for a conditional use for a drive-up window on .39 acre in a light commercial zone.

Consideration of conditional use. (Tabled from 1/26/82 GJPC Public Hearing.)

PETITIONER'S PRESENTATION

Chris Gray, representing the Petitioner Rodger Houston, introduced the proposal, reviewing some of the points that had caused the proposal to be tabled at the earlier meeting.

- A) 6' paving question brought up by Joe Garcia at the 1/26 meeting--Mr. Houston has promised to pave to the edge of the easement. The easement remains 30'; we agree to pave the west portion of it.
- B) Chris met with Carol Mizushima (Wood N' Water) and discussed joint entrance/exit and it was agreed to leave it alone in an effort to avoid criss-cross use between the two businesses.
- C) Chris noted they have their two driveway permits from the state.

COMMISSIONER'S DISCUSSION

Commissioner O'Dwyer asked for clarification as to whether there was a written agreement between Mr. Garcia and Mr. Houston regarding the paving issue.

Chris Gray indicated there was no written agreement, but that Mr. Houston was paving on his own property.

Commissioner Litle questioned Chris on the 30' gate access that exists now and whether that would become 36' when completed, and whether Mr. Garcia's additional concern on adding speed bumps was planned to be incorporated.

Chris Gray answered it is a 30' easement now and the west 6' of the easement will be paved, and was unsure about the speed bumps.

Don Warner, Planning Staff, commented that speed bumps on a major entrance of this type may be too hazardous and result in more accidents.

Chris Gray indicated the Petitioner will go with the Planning Commission decision regarding speed bumps.

Don Warner, Staff, requested time for Planning Staff to review this with Traffic Department and City Staff.

Chairwoman Quimby referenced Mr. Gray's letter dated 3/23/82 directed to the Planning Department which stated that Mr. Houston was delivering to the Planning Department a copy of his easement agreement with Joe Garcia and a copy of his land lease, wondering if this had been received by Planning.

Alex Candelaria, confirmed that Planning has received those.

Chairwoman Quimby asked if there was anyone who wished to speak for this proposal. There were no comments.

Chairwoman Quimby asked if there was anyone who wished to speak against this proposal. There were no comments.

ADDITIONAL STAFF COMMENTS

Alex Candelaria noted that North Avenue only has a 40' dedicated right of way--Staff requests a Quit Claim Deed for an addition of 10' since North Avenue is considered a major street.

Chris Gray indicated that would be no problem; they do show an additional 10' on their plan although it has not been further addressed. Quit Claim Deed will be obtained.

Bob Goldin, Staff, added that this is just for the drive-up window and any concerns regarding the actual building can be picked up at the Building Permit stage based on Planning Commission recommendations.

MOTION: (Dick Litle): ON CASE #3-82, CONDITIONAL USE--DUNKIN' DONUTS, 2816 NORTH AVENUE, I MOVE THAT WE FORWARD IT TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THIS PROJECT UPON RECEIPT OF THE ADDITIONAL 10' RIGHT OF WAY, THAT THE PAVING ISSUE AND SPEED BUMPS IN QUESTION BE ADDRESSED, IN ADDITION TO OTHER REVIEW AGENCY COMMENTS, BEFORE GOING TO CITY COUNCIL."

The motion was seconded by Commissioner Bill O'Dwyer.

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

2. #106-81, REZONE RSF-4 TO PR-12 AND PRELIMINARY PLAN--GREEN VALLEY TOWNHOMES.

Petitioner: Mary Ellen Binkley.

Location: West of 27.5 Road and approximately 330' North of Patterson Road.

A request to change from residential single family uses at 4 units per acre to planned residential uses with a density of 10.2 units per acre on 4.9 acres.

- a. Consideration of rezone.
- b. Consideration of preliminary plan.

(Pulled by petitioner at the 1/5/82 GJPC Public Hearing.)

STAFF PRESENTATION

Bob Goldin outlined the proposal, indicating 50 units are being requested; noted the reason it had been pulled from the agenda previously was a result of City Engineer and Petitioner having concerns regarding the Lowell Lane roadway going through.

PETITIONER'S PRESENTATION

Katie McIntyre, representing Mrs. Binkley, first clarified that the existing zone in the area is **RSF-8** not RSF-4 as it reads on the agenda. Petitioner then gave details regarding the proposal, explaining:

- * the location of Green Valley Townhomes
- * the entrance proposed is 600' north of Patterson Rd.
- * the location of Spring Valley (immediately adjacent to East)
- * the location of Tree Haven Subdivision and the dedicated roadway Lowell Lane (SW corner of property).
- * Petitioner intends to construct 49 Townhomes while retaining an existing single-family home on the site (about 4.9 acres).
- * 8" water lines existing in Lowell Lane and 27.5 Rd.; 18" sewer line (outfall line from Spring Valley).
- * Petitioner's plan includes extending Lowell Lane from the southwest portion of the property on to 27.5 Rd.
- * Petitioner trying to provide yards as large as possible and easements as small as possible to maximize yards and minimize walking space.
- * Transportation Engineer's comments indicates Lowell Lane should line up with Spring Valley Circle. Their position is that since there is a home in the way they have proposed going 150' away. City Engineer pointed out the radiuses were awkward. We revised our plan showing trash

- locations, lighting, and revised easements as well as an increase of center line radii to 100'. This plan was still not acceptable so we had it pulled from the agenda.
- * Petitioner submitted another plan that didn't show Lowell Lane going through at all; City Engineer still unsatisfied and presented a counterproposal for Lowell Lane alignment. Petitioner is not in agreement with this counterproposal for various reasons including a traffic circulation problem (traffic being taken off a collector and channeled to 15th St; improvements nonexistent as for 27.5 Rd., 15th St access if over gravel road and across some resident's property). Petitioner feels advantages of her plan outweigh advantages of City Engineer's plan.

COMMISSIONER'S DISCUSSION

Commissioner O'Dwyer stated that the City Engineer is trying to prevent intersections being established in between other intersections, at the request of City Council, and feels the Petitioner does not have a good design.

Chairwoman Quimby summarized the Commission's concern lies with all the development proposed along 27.5 Rd. as a whole and with the total amount of traffic that will be generated as a result of the individual developments planned.

Katie agrees that the traffic along 27.5 Rd. is going to get worse but she doesn't think lining up the road in keeping with City Engineer's wishes will eliminate the problem.

Commissioner Dunivent commented the City Engineer is still unhappy with the 200' design.

Katie indicated they could come up with a design of 200' center line radiuses, but feels the issue is the design of Lowell Lane.

Chairwoman Quimby asked Planning Staff if there would be any possible legal situation because of the incorrect advertising of this proposal (rezone from RSF-4 to PR-12; rather than correct rezone request being from RSF-8 to PR-12).

Don Warner responded that would not be a problem as what is important is the advertising be correct regarding what the rezone is going TO, not what its coming FROM. Don also stated they see a problem with hooking up Spring Valley to Lowell Lane.

Chairwoman Quimby asked for comments from the public in favor of the project. There were none.

Chairwoman Quimby asked for comments from the public against the project.

Greg Longhorn, 1531 Lowell Lane, spoke against the project expressing concern that residents of Lowell Lane do not want additional traffic coming through.

Don Warner, Planning Staff, noted that 10.2 would mean 10 more units than would be allowed would be built on this parcel.

Chairwoman Quimby read a letter from Mrs. John J. Moore, property owner of 5 acres adjoining west of the plat in the petition. Mrs. Moore's letter stated her interest in keeping Lowell Lane as it is, not used as access to 27.5 Rd; that their immediate concern is the right of way and maintenance of the source of their irrigation water; and requests an enforceable commitment from the management or contractor that irrigation water will be delivered to their property boundary at the time Highline water comes into their Lateral Headgate located on 27.5 Rd. and F 1/8 Rd., indicating legal action would be taken this season if their rights are not considered.

PLANNING STAFF COMMENTS

Bob Goldin made the following summation:

- * 200' radius is minimum for City standards.
- * Redesign and re-review would be required to incorporate the 200' change.
- * City Engineer mentioned the temporary cul-de-sac would be acceptable for now.
- * Staff has concerns with redevelopment to the north in the future.
- * Mrs. Moore's concerns were acknowledged.
- * Staff would require an Avigation Easement or Individual or Blanket Easements for Townhomes, since this is within the Area of Influence.
- * Grading and Drainage concerns. The Engineer's design allows for better run off.
- * Planning Staff recommends upholding the City Engineer's request for 200' and line up.

MOTION: (Commissioner Bill O'Dwyer): "ON #106-81, PRELIMINARY PLAN, GREEN VALLEY TOWNHOMES, IN VIEW OF THE MANY CONCERNS AND PROBLEMS WITH THE OVERALL DESIGN, STORM WATER, AND OTHER REVIEW AGENCY COMMENTS, I RECOMMEND WE PASS THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION FOR DENIAL OF THE PRELIMINARY PLAN."

Commissioner Litle seconded the motion.

Bob Goldin asked for clarification of the problems.

Commissioner O'Dwyer added, "RADIUS TURNS, ADDRESSING STORM RUNOFF, ALIGNMENT OF INTERSECTION, TRAFFIC IMPACT ON LOWELL LANE."

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

MOTION: (Commissioner Dick Litle): "I MAKE A MOTION ON REZONE REQUEST FROM RSF-8 TO PR-12, ITEM 106-81, THAT WE FORWARD IT TO CITY COUNCIL RECOMMENDING APPROVAL, PER REVIEW AGENCY COMMENTS."

Commissioner Susan Rinker seconded the motion.

Chairwoman Quimby reiterated the motion, called for a vote, and the motion carried unanimously.

3. #17-82, ALLEY VACATION.

Petitioner: G & S Investments--College Square/Doss Simpson.
Location: Lots 7-15 and 20-28 Block 2, Henderson Heights Subdivision.

A request to vacate an alley on lots 7-15 and 20-28, Block 2, Henderson Heights Subdivision.

Consideration of alley vacation.

It was noted that Agenda Items #4, 88-79, College Square-Revised Final Plan could be considered at the same time.

4. #88-79, COLLEGE SQUARE--REVISED FINAL PLAN

Petitioner: Doss Simpson
Location: Southeast corner of 12th Street and Elm Ave.

A request to revise a final plan on .88 acre in a planned business zone.

Consideration of final plan. (Tabled by GJPC at 2/23/82 Public Hearing)

PLANNING STAFF ORIENTATION

Alex Candelaria outlined the proposal, noting the location of the project; that the previous plan has been redesigned showing parking area and through traffic; that the plan was for a 1900 sq.ft. building to be used for a restaurant and game room; and that Planning Staff feels it is a better plan than the previous one submitted.

PETITIONER'S PRESENTATION

Sarah Simpson, Van Deusen Associates, summarized the request and made the following comments:

- * Alley was vacated three years ago.
- * Trash collection has been worked out.
- * Fence will be erected as screening which will satisfy the neighbors and them.
- * Feels Traffic Engineer's problems have been resolved.
- * Sewer problem has been resolved.
- * Curb cut drawings will be submitted to meet specifications.

Chairwoman Quimby requested comments from the audience in favor of the proposal. There was no response.

Chairwoman Quimby requested comments from the audience to speak against the proposal. There was no response.

Alex Candelaria noted that the Hold Harmless Agreement was reached between City and Legal in April 1980 and it still stands (regarding the covering of the sewer line underneath the building).

MOTION: (Commissioner Miland Dunivent): "ON ITEM 17-82, ALLEY VACATION, I RECOMMEND WE FORWARD THIS TO CITY COUNCIL FOR APPROVAL OF ALLEY VACATION, PER REVIEW AGENCY COMMENTS BEING SATISFIED."

Commissioner Susan Rinker seconded the motion.

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

MOTION: (Commissioner Miland Dunivent): "ON ITEM 88-79, I MOVE WE SUBMIT TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL OF FINAL PLAN, SUBJECT TO REVIEW AGENCY COMMENTS BEING SATISFIED."

Commissioner Bill O'Dwyer seconded the motion.

Chairwoman Quimby repeated the motion, called for a vote by the Commissioners, and the motion carried unanimously.

Bob Goldin added for the record that in the case of denials by the Planning Commission, the Petitioner has the right to go before City Council to make an appeal. (For the benefit of Petitioner in previously denied agenda item #106-81, and any others who may have their proposals denied.)

5. #38-79, WELLINGTON TOWNHOMES--REVISED PRELIMINARY PLAN
(2 OF 2)

Petitioner: Paul Smith.
Location: 225 feet East of 12th Street, South of
Wellington Avenue and North of the Grand Valley
Canal.

A request for a revised preliminary plan of 26 units on 1.70
acre in a planned residential zone at 16 units per acre.

Consideration of revised preliminary plan.

PETITIONER'S PRESENTATION

Roger Foisy, representing the Petitioner Paul Smith, summed up the history of the proposal, indicating the first plan had been submitted in 1980; time limit expired; extension requested and approved; Re-revised preliminary plan submitted at 1/5/82 GJPC public hearing had been denied based on neighborhood objections and technical problems; tonight's re-revised preliminary plan meets all technical problems, although some neighborhood concerns still exist.

Roger further elaborated on specific items, indicating the Petitioner chose to come back and fix the problems rather than appeal and feels the technical issues have been adequately covered. In an effort to solve the existing neighborhood concerns, the Petitioner has agreed to the following changes:

- * Cutting 2 units out (change from 28 to 26 unit density)
- * Setting the building back 30' which doubles the setback from the previous plans
- * Proposing 4' landscaping berm within that 30' setback (low-growing landscape at entrance)
- * Drainage problem fixed; 2' difference between Wellington and their street.
- * Per Planning Staff request, Open Space has been reworked to include additional 49% yard area (increased from 37%).
- * Amenities to include: 30 x 60 volley ball court, 25 x 25 Children's play area (with concrete curb around, filled with sand); recreation and play area provided.
- * View concerns not changed a great deal.
- * Traffic Problem: Talked with Traffic Engineers and found they haven't received any formal complaints; traffic problem common to overall problems to City. Paul Smith conducted an independent traffic study on the following dates:

1/18,	7:30-9:00 a.m.	-----	29 vehicles In/Out
1/20,	10:00-11:00 a.m.	-----	20 vehicles
1/21,	1:00-2:00 p.m.	-----	15 vehicles
1/22,	5:00-6:00 p.m.	-----	26 vehicles
1/26,	4:00-5:00 p.m.	-----	21 vehicles

- * Roger summed up by reading parts from a letter to Planning Staff/Commissioners/City Council from the Petitioners which states extensive professional work has been done through Colorado West Engineering and Design to get the best, most efficient use of this land while meeting all legal development regulations as well as reports from all utilities and reviewing agencies and concerned neighborhood residents; and that every effort has been made to compliment and maintain the flavor of this changing neighborhood in making an effort to provide realistically priced multi-family townhomes within reach of the average homebuyer in the Grand Junction/Mesa County area.

Larry Stevenson, 2705 Del Mar Drive, (one of the Petitioners), addressed the design aspects of the project by reading a prepared statement.

Chairwoman Quimby verified the square footage of the units is planned for about 1100 sq.ft., and wondered what the "moderately priced housing for Grand Junction" actually is. **Larry Stevenson** answered the anticipated price would be in the low \$70,000 range; the price arrived at by checking with MLS and Board of Realtors and finding out the average sales price of single-family homes in the last six months has been \$72,200.

PUBLIC COMMENTS FOR THE PROPOSAL

Cheryl Nash, current owner of property, discussed the neighborhood reactions since they have been meeting with them in an effort to accommodate their wishes.

- * Adjacent property owners have expressed no opposition.
- * The J.D. Abells' propose going with the project.
- * Leona Kochevar indicates she appreciates the changes we have made (decreased building height, landscaping in front), specifically commenting she will probably sell her property in a couple years and looks forward to seeing improvements.
- * F. Shirk, 1314 Wellington, expressed no opposition.
- * Overall, Cheryl feels neighbors opposition has been satisfied and that they will end up helping these people by initiating this neighborhood property improvement.

Mike Stubbs, one of the Petitioners, commented there are 22 single family homes, 13 of which are owner occupied; the rest are rental properties.

PUBLIC COMMENTS AGAINST THE PROPOSAL

Dave McKinley 1308 Wellington, spoke up against the proposal citing concerns mainly with the density, traffic is a problem, no curb gutter or sidewalk exist on the street, and referenced a discussion earlier in the evening with Mrs. Kochevar who does like the plan but is concerned about the density and asked him to speak to that.

For the record, Mr. McKinley reviewed the criteria he feels are not being upheld with this plan, referencing Section 7-3-7 of the Zoning and Development Code, to include:

- * compatibility of proposed density with development patterns and densities in the vicinity should be maintained. (Mr. McKinley feels this is a message problem, 75' of this property is within the 12th St. Corridor Policy which will allow planned business in this area; and doesn't understand what is happening here; doesn't feel planned business is desirable.)
- * if presently hazardous vehicular congestion of street or highways exist at intersections or in the vicinity that is an important consideration. Mr. McKinley feels they definitely have that problem here; 15th and 17th Streets are unimproved dirt roads and 15th Street is the only practical access. They receive their share of Spring Valley traffic already.
- * RSF-8 properties surround this area (single-story, single-family dwellings) and Mr. McKinley wishes to see this maintained, as well as a reasonable amount of density.
- * Mr. McKinley also stated that the Planning Commission's criteria for making decisions doesn't call for economic considerations; people, property and places have to be considered.

Mr. McKinley also referred to Section 7-4-3, Landscaping Section, which states the criteria to consider the appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features....This project will call for the removal of six large trees existing there now, which does not retain the natural characteristic of the property.

Mr. McKinley additionally referred to Section 7-4-5, Site Planning Design, indicating he would like to see appropriate procedures carried out for Planned Business Development. And considers this a "spot zone" (high zone for the area), and does not feel a 28-unit reduction to 26 units even meets the Planning Commission's January concerns.

Mr. McKinley concluded by saying that he is not opposed to development on the property; he would like to see the Planning Commission follow their own guidelines on Planned Development and would like to know what is coming up as far as Planned Business decisions.

Commissioner Little pointed out that the density for this project is 16 units per acre (total of 26 units), PR-16 zone.

PETITIONER'S REBUTTAL

Chet Nash, Tree Gallery owner, clarified some of the points raised by Mr. McKinley:

- * He has constantly been called to have those trees cut down because of the problem with leaves;
- * Three of the trees are very diseased; the remainder are elms and cottonwoods which the City does not like having on their right of way.
- * Originally had agreements from all neighbors, including Mr. McKinley, 2 1/2 years ago with this proposal.

STAFF COMMENTS

Bob Goldin stated that the technical issues have been covered and the Petitioners have met with Planning Staff several times in an effort to alleviate the neighborhood concerns. There is 75' that extends into the revised 12th Street Corridor Policy which would have the potential of coming in as possible Planned Business with low-traffic generating uses; but this has not been rezoned as such, this is only a guideline for developers and the general public. The only matter to be resolved is the design and neighborhood problems.

COMMISSIONER'S DISCUSSION

Commissioner Bill O'Dwyer questioned Bob Goldin about the sidewalks on Wellington. Bob indicated a Power of Attorney has been provided for Wellington and if the development occurs we would pick up the remainder to improve Wellington.

Chairwoman Quimby asked whether the applications for street improvements for curb, gutter and sidewalks in neighborhoods had been accepted for this year. Jim Patterson answered yes. Chairwoman Quimby suggested the Wellington neighbors should consider this which would possibly alleviate some of their concerns.

Chairwoman Quimby clarified the Planned Business on 12th Street Corridor, saying that the Planning Commission did not

rezone that to Planned Business, but that if there is going to be Planned Business it cannot go deeper than 300'.

Mr. McKinley answered that he understands that, but that the Commission would not be in a position to deny any request that would come in asking for Planned Business for the property that adjoins this property.

Chairwoman Quimby denied that that would be the case, and Don Warner stated that what the Planning Commission said is if it was requested, they could not go any deeper--they didn't say they would even accept it.

Commissioner Litle further explained that the Corridor Policies were established more as a guideline in the transitional areas.

Mr. McKinley stated the confusion lies with the fact that the change has been from high density housing to Planned Business, therefore it seems like there are two uses in the same spot.

Commissioner Litle answered that it is all the same Site Specific.

MOTION: (Commissioner Dick Litle): "MADAM CHAIRMAN, IN THE CASE OF FILE #38-79, WELLINGTON TOWN HOMES--RE-REVISED PRELIMINARY PLAN, I RECOMMEND WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL, PER REVIEW AGENCY COMMENTS."

The motion was seconded by Commissioner Miland Dunivent.

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

6. #18-82, REZONE RSF-4 TO PR-10 AND SURREY HILL--OUTLINE DEVELOPMENT PLAN.

Petitioner: Natalie Stettner/Charles Reiks
Location: Northwest corner of 27.5 Rd. and F.75 Road
Section Line.

A request to change from residential single family uses at 4 units per acre to planned residential uses at 10 units per acre on 12.16 acres.

- a. Consideration of rezone.
- b. Consideration of Outline Development Plan.

STAFF PRESENTATION

Bob Goldin, summarized the proposal, noting that this does lie within the Critical Zone.

PETITIONER'S PRESENTATION

Mark Leese, Downing/Leach & Assoc., represented the Petitioner and outlined their request--rezone application for 10 units per acre and stated he realizes a denial is in order.

STAFF COMMENTS

Bob Goldin explained that when this proposal came in (mid January), the Airport Overlay Section 5-11 regarding areas of influence, Critical Zone and Clear Zone was in the process of having final reading. Petitioners proceeded under the assumption that the adjacent areas did have a planned residential at 8 units per acre and that the possibility existed they could proceed with their proposal. Confusion existed on everyone's part as to where they did lie within the Area of Influence vs. Critical Zone. Planning Staff provided them with maps; Airport allegedly also gave them wrong information. After submittal, they were informed they did lie within the Critical Zone, Airport Overlay Text has been adopted, and their request is out of line since 4 units per acre would be maximum allowed. Alternatives were discussed with them. By denying the 10 units per acre, you could grant 4 units per acre to planned residential--however, any development would have to come back to Planned Development Stage. Another alternative would be to let it remain in its existing zone--it could come back in and pick up a building permit providing they meet the RSF-4 requirements. The ODP was reviewed by a majority of the Review Agencies under the assumption they could obtain 10 units per acre, so ODP is void given it would be redesigned to accommodate 4 units per acre. Planning Staff recommends Section 5-11 be upheld.

Chairwoman Quimby asked if anyone wished to speak in regard to the proposal. There was no response.

Chairwoman Quimby then addressed the Commission saying they need to deal with the Rezone question first--explaining to the Petitioner that if the PR-10 is denied, the Petitioner has the option of going before the City Council to appeal, but the Planning Commission would submit a strict letter of concern regarding the rezone to the Council. It was also noted that if the Rezone is not granted there would no reason to deal with the Outline Development Plan.

The Commissioners complimented the Petitioner for his Outline Development Plan.

Chairwoman Quimby further commented that should this be rezoned to Planned Residential, all the fees would not need to be levied due to the misunderstanding.

Mark Leese replied that he needs to follow through tonight and prefers to ask for an official denial of their request and then get a PR-4 standing for a six-month period with application fee credited.

Don Warner suggested Planning Commission deny proposal, as petitioner wishes definite answer.

MOTION: (Commissioner Miland Dunivent): "DUE TO THE FACT THAT THIS IS IN CONFLICT WITH THE AIRPORT OVERLAY, I RECOMMEND ON ITEM #18-82, REZONE RSF-4 TO PR-10 WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF DENIAL."

Commissioner O'Dwyer seconded the motion. Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

It was decided no further action needed to be taken on the Outline Development Plan.

Alex Candelaria stated that Planning Staff needs clarification on waiving the fees and whether the Planning Commission has any objections.

The Commission answered there were no problems with that.

#13-82, CONDITIONAL USE--HOTEL/RESTAURANT LIQUOR LICENSE

Petitioner: Chris Joflas
Location: Northeast corner of 7th Street and North Avenue
(Dusty's Family Restaurant)

A request for a conditional use for a hotel/restaurant liquor license on approximately .1 acre in a light commercial zone.

Consideration of conditional use.

PLANNING STAFF ORIENTATION

Alex Candelaria reviewed the proposal indicating there are revisions in the plan the Commission has before them--they have submitted request to move the addition planned to the

existing building. We have been given an additional 10' of right of way.

PETITIONER'S PRESENTATION

Chris Gray, representing the Petitioner, reviewed the proposal indicating the purpose is not to open a lounge or bar--the liquor will be served from a service area out of the public area; the operating system will remain the same (sit-down waitress service); plan has been revised moving an addition previously planned for the south part of the property to the east side of the property; and there are no problems giving the 10' of right of way.

COMMISSIONER'S QUESTIONS

Commissioner O'Dwyer asked if there were any trash pickup problems anticipated. Chris indicated that really nothing had been planned to change the north 2/3 of the side, but does not know of any problems.

Don Warner stated they are over on their parking so sees no problem.

Chairwoman Quimby asked for any further comments in favor of the proposal. There were none.

Chairwoman Quimby asked for any further comments against the proposal. There were none.

STAFF COMMENTS

Alex Candelaria noted that the Planning Commission members were distributed copies of survey done on conditional use.

MOTION: (Commissioner Dick Litle): "ON FILE #13-82, CONDITIONAL USE--HOTEL/RESTAURANT LIQUOR LICENSE FOR DUSTY'S, LOCATION OF 7TH AND NORTH AVENUE, I MOVE WE FORWARD FILE TO CITY COUNCIL AND RECOMMEND APPROVAL PER REVIEW AGENCY COMMENTS."

Commissioner Susan Rinker seconded the motion.

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried 4-1, with Commissioner O'Dwyer opposed.

8. #15-82, DEVELOPMENT IN HO--MESA MINI-MALL--PHASE I

Petitioner: Robert Hirons/Mini-Mall Properties.
Location: North of F Road and West of 24.5 Road (Lots 3
and 4 of Fisher Subdivision).

A request for a mini-mall on 4.37 acres in a highway-oriented zone.

Consideration of development in HO.

STAFF PRESENTATION

Bob Goldin, Planning Staff, outlined the proposal to include the following points:

- * This is final, one-step process; Lots 3, Phase I and eventually Lots 4, Phase II.
- * Technically, all staff concerns have been met; traffic, ingress/egress; good impact statement was done.
- * There was conflicting reports as to whether business, retail or office situations will be proposed; access off of 24.5 Road at both ends of building; future development is planned to the north (which is outside City limits).
- * Major concern of Staff is the Design; one building with no break up off of 24.5 Road; Screening has been requested not to be allowed by the Police Department for security reasons as a screened fence would require inside patrol; the back area is a problem--fronting on 24.5 Road isn't a back-to-back area for trash pickup/service vehicles.
- * An alternative plan was submitted but no action was taken.

PETITIONER'S PRESENTATION

Steve Meyer, CBW Builders, Project Developer, was present to represent the petitioner. Mr. Meyer presented the proposal, noting:

- * The building would be 50,000 sq.ft., one-story construction, having an aggregate type exterior, front facing F Road (store front with glass front type entrances).
- * The Petitioner is also owner of Fisher Subidivision and plans to build this building to keep it for lease--it is difficult therefore to predict future leases.
- * The Petitioner is planning to provide an alternative mini-mall option to businesses who can't afford Mesa Mall space.
- * The design is taken after Cedar Square and Crossroads Square mini-malls.
- * Petitioner intends to develop all of Fisher Subdivision on a site-by-site basis.
- * Frontage off of 24.5 Road and Design problem was addressed: The unique lot size and narrowness create a

problem in getting parking on both sides; the Petitioner feels the traffic and business will be generated off of F Road.

- * Steve also indicated the Petitioner is receptive to design ideas the Commission might prefer.

COMMISSIONER DISCUSSION

Commissioner Jack Ott asked for clarification of the time frame for the development of Phase I and II.

Steve Meyer indicated the current plan is to develop Phase I first, then Phase II, then the remaining portions as demand dictates.

The Commissioners commented on the unattractiveness of the design as presented.

Steve Meyer agreed, saying part of the problem is that the building is only 60' wide, and the plan doesn't clearly show their landscaping proposal.

Chairwoman Quimby commented that the Commissioners are indirectly concerned with the practicality of developing more retail/office space based on the current vacant spaces available in the city--particularly in lieu of the one-year restriction on projects.

MOTION: (Commissioner Bill O'Dwyer): "I MOVE ON CASE #15-82, DEVELOPMENT IN HO--MESA MINI-MALL--PHASE I, THAT WE RECOMMEND APPROVAL TO CITY COUNCIL."

The motion died for lack of second.

Chairwoman Quimby asked for clarification whether or not this plan has been revised and been adequately reviewed by all Reviewing Agencies.

Bob Goldin answered that a revised Landscape Plan had been submitted that has not been reviewed by the Parks and Recreation Department, adding that the revisions only included adding a bike rack, essentially.

MOTION: (Commissioner Dick Litle): "ON FILE #15-82, DEVELOPMENT IN HO--MESA MINI-MALL--PHASE I, I RECOMMEND WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF DENIAL DUE TO QUESTIONS ON BASIC BUILDING DESIGN, POLICE CONCERNS ON THE SECURITY SITUATION, LACK OF AMENITIES; TECHNICAL ASPECTS ARE IN ORDER AND THE USES ARE CONFORMING USES WITHIN THE HO ZONE."

Commissioner Jack Ott seconded the motion.

Chairwoman Quimby repeated the motion, called for a vote and the motion carried unanimously.

Chairwoman Quimby then reminded the Petitioner of his option to appeal to City Council.

9. #19-82, REZONE C-1 TO PR-28 AND DOMINION HEIGHTS--PRELIMINARY PLAN.

Petitioner: Fore Site International, Inc./Dave Weber.
Location: Northwest corner of 28.25 Road and Gunnison Avenue, approximately 600 feet South of North Avenue.

A request to change from light commercial uses to planned residential uses at 18 units per acre on approximately 12 acres.

- a. Consideration of rezone.
- b. Consideration of preliminary plan.

Bob Goldin suggested the Commissioners consider Item 10 at the same time. Don Warner noted there was an error on the Agenda on Item #10, under Location: Instead of 28.5 Road, the Agenda should read 28.25 Road.

Chairwoman Quimby indicated that both Agenda Items #9 and #10 would be considered at the same time.

10. #19-82, REZONE C-1 TO PC AND DOMINION HEIGHTS--PRELIMINARY PLAN.

Petitioner: Fore Site International, Inc./Dave Weber
Location: Northwest corner of 28.25 Road and Gunnison Avenue, approximately 600 feet South of North Avenue.

A request to change from light commercial uses to planned commercial uses on 2.62 acres.

- a. Consideration of rezone.
- b. Consideration of preliminary plan.

STAFF PRESENTATION

Bob Goldin summarized the proposal indicating:

- * The planned commercial fronts off of 28.25 Road, the planned residential fronts off of Gunnison, although access is gained off of 28.25 Road.
- * The Petitioners had done a great job on their submittal.
- * Technical concerns included why the sewer/utilities were located internally and Staff had not heard from Fruitvale Sanitation as to whether they have accepted the proposal.

PETITIONER'S PRESENTATION

Conni McDonough, Chambliss Associates, made a correction to Agenda Item #9--Residential uses at 18 units per acre should say **28 units per acre.**

The Petitioner then introduced the Petitioner and Project Proposal Owner, the Architect for the Proposal, and the Engineer for the Project.

Blake Chambliss discussed the research involved prior to the development of this plan and the architectural concept of the project:

- * 218 1 & 2-bedroom units are planned for the first phase; 100 residential units are planned for the second phase; and 24,000 sq.ft. of commercial space, third phase.
- * They have developed a high-density design (26/units per acre), allowing for: a lot of landscaping; good access and parking; buffering from other activities; small shopping center; club house and swimming pool; large interior court; variation in roof and vertical slippage have been incorporated in the design; private patios and outdoor space.
- * Intention is to put quality, affordable, high density project together close to and convenient to service jobs.

Conni McDonough referred to the booklet the Commissioners had been provided with, noting:

- * They are requesting the residential uses be approved as submitted on the plan.
- * They are requesting the commercial uses under the Grand Junction Zoning Code categories B1, B2, B3, and C1 be approved with the exception of the deletions as listed (page 2 of booklet).
- * Development Schedule: Construction on Phase I within 4 months of final approval, weather permitting. Some buildings will be constructed simultaneously; total project to be completed in two years.

Addressing Review Comments:

- * Petitioner has no objections to them.
- * Utilities Concern: Petitioner is proposing sewer lines within the project rather than with the Gunnison right of way, as the Lift Station will be owned and maintained by the project rather than the Fruitvale Sanitation District. Petitioners have had several discussions since the plan was submitted and they plan to work with the Fruitvale Sanitation District and City Engineering Department to reach agreement on that service line and will present conclusion in final plan.

COMMISSIONER'S DISCUSSION

Fruitvale Sanitation District facilities were discussed and it was stated that they have adequate facilities to accommodate Phase I and they are preparing and studying for accommodations for 28.25 Road which will accommodate Phase II and III.

Storm Water and Sewers were discussed. The Petitioner indicated storm sewers do not exist, that they are proposing one, and that all drainage water will travel to the south westerly area of the project, enter the storm sewer under the proposed Gunnison Avenue and then be transported to Indian Wash.

The Commissioners expressed concern whether any discussion has been done regarding alternative access to the property off of 28 Road since Gunnison Avenue is not completed as of yet.

The Petitioner stated they are proposing to dedicate Gunnison Avenue as it adjoins their property and that there has been discussion with the property to the south requesting their consideration of dedicating their share on through to connect to 28 Road. Those negotiations are not complete but will continue and in the event that is not a conceivable plan, there is an existing easement of 25' that will permit emergency access.

Chairwoman Quimby asked for comments in favor of the project. There were none.

Chairwoman Quimby asked for comments in opposition to the project. There were none.

Bob Goldin, Planning Staff, mentioned staff concerns regarding the possibility of the southern part of Gunnison Avenue not being developed and whether their project would have to be redesigned to accommodate a major access off of 28 Road or 28.25 Road, until such time Gunnison is proposed. Staff is

concerned that something needs to be shown prior to final (perhaps a letter of assurance) to show an alternative.

The Petitioner responded that space has been reserved in anticipation of that possibility and it would not basically change the design.

Bob Goldin requested the Petitioner to submit something prior to final that shows those considerations.

The Petitioner then indicated the planned water line will be taken off the 24" on 28 Road, through the easement north to the National Guard property onto the loop system, if the Gunnison right of way is not obtained by the time the project is ready to go. Additionally, the storm drainage will be handled the same way--taking it back to the north in pipes across to the wash.

MOTION: (Commissioner Susan Rinker): "ON ITEM #19-82, REZONE C-1 TO PR-28 AND DOMINION HEIGHTS--PRELIMINARY PLAN, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THE REZONE, PER REVIEW AGENCY COMMENTS."

Commissioner Bill O'Dwyer seconded the motion.

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

MOTION: (Commissioner Susan Rinker): "ON ITEM #19-82, REZONE C-1 TO PR-28 AND DOMINION HEIGHTS--PRELIMINARY PLAN, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THE PRELIMINARY PLAN, PER REVIEW AGENCY COMMENTS."

Commissioner Bill O'Dwyer seconded the motion.

Chairwoman Quimby called for a vote and the motion carried unanimously.

MOTION: (Commissioner Susan Rinker): "ON ITEM #19-82, REZONE C-1 TO PC AND DOMINION HEIGHTS--PRELIMINARY PLAN, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THE REZONE, PER REVIEW AGENCY COMMENTS."

Commissioner Bill O'Dwyer seconded the motion.

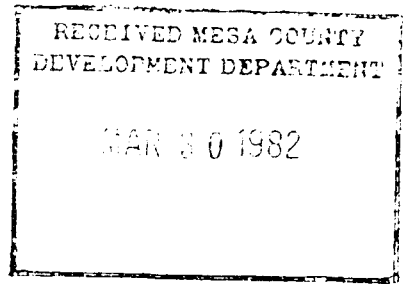
Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

MOTION: (Commissioner Susan Rinker): "ON ITEM #19-82, REZONE C-1 TO PC AND DOMINION HEIGHTS--PRELIMINARY PLAN, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THE PRELIMINARY PLAN, PER REVIEW AGENCY COMMENTS."

Commissioner Bill O'Dwyer seconded the motion.

Chairwoman Quimby repeated the motion, called for a vote, and the motion carried unanimously.

Chairwoman Quimby adjourned the meeting at 10:45 p.m.



March 30, 1982

Grand Junction Planning Commission:

I am concerned with #106-81-Rezone for the proposed Green Valley development in hearing March 30.

I am Mrs. John J. Moore. My family owns the 5 acres adjoining west of the plat in petition. We have lived here since 1945; in fact, we owned the whole 10 acres at that time. We intend to keep our land in cultivation and open space for the future. I am widowed now and do not have any of my family here at this time to represent our interest.

We are interested in keeping Lowell Lane as it is and not to be used as access to Green Valley. They should have access toward 27 1/2 Rd. Mr. Greg Longhorn will represent the owners along Lowell Lane on that matter.

My family's immediate and urgent concern is the right of way and maintenance of the source of our irrigation water. Our head ditch runs along the north side of Green Valley from 27 1/2 Rd. to our boundary. We understand the developers plan a covered pipe line, with cuts for yard water for their housing units, and carry on through to our property line. That is fine, but we had problems last year with our ditch being blocked and not opened up for our use until mid-May which is at least 1 month into the irrigation season.

Because of urgency of time now, we do not believe they can possibly get this proposed pipe line functional by the opening of irrigation season. So we want an enforceable commitment from the management or contractor that water will be delivered to our property boundary at the time the Highline, (G. V. water users) water comes into our Lateral Headgate located on 27 1/2 R. and approximately F 1/8 Rd.

(con'd)

(con'd)

We considered legal action last year when they were so inconsiderate of our rights and needs and would not hesitate this season if satisfactory arrangements are not made.

Please present this statement to the planning hearing March 30, on behalf of the Moore family.

Thank you very much.

Mrs. John J. Moore-Widow
Thelma G. Moore

Thelma G. Moore