

GRAND JUNCTION PLANNING COMMISSION
Public Hearing
Minutes

April 27, 1982
7:30 p.m. - 10:30 p.m.

The meeting was called to order by Acting Chairman Dick Litle at 7:30 p.m. in the City Council Chambers.

In attendance, representing the City Planning Commission were:

Jack Ott	Susan Rinker
Miland Dunivent	Dick Litle
Bill O'Dwyer	Ross Transmeier

In attendance, representing the Planning Department Staff were:

Alex Candelaria
Bob Goldin
Don Warner

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

In addition, approximately 20-25 interested citizens attended the public hearing.

Chairman Litle noted that Items #46-80 and #26-82 had been pulled from tonight's agenda that had earlier appeared on a preliminary agenda.

Bob Goldin, Planning Staff, also noted that the last three items on tonight's agenda, #21-82, #23-82, and #22-82 have been requested by Planning Staff to be tabled as Airport Representatives were unable to attend the meeting; these items will be scheduled for the May 25, 1982 Public Hearing.

I. APPROVAL OF THE MINUTES, MARCH 30, 1982 GJPC MEETING

MOTION: Commissioner Miland Dunivent: "I MOVE THE MINUTES OF THE MARCH 30, 1982 GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING BE APPROVED AS PRESENTED."

The MOTION was seconded by Commissioner O'Dwyer; Chairman Litle called for a vote, and the motion carried unanimously.

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

III. CONSENT ITEMS.

Chairman Dick Litle explained the Consent Items Procedure (as per page 1 of the Agenda).

CONSENT ITEM #1 -- #25-82, RIGHT OF WAY VACATION

Petitioner: George P. and Cecilia G. Chronis
Location: 815 North 1st Street.

A request for a right of way vacation at 815 North 1st St.

Consideration of right of way vacation.

Commissioner Litle asked if there was anyone present who wished to have this item pulled from the Consent Agenda. There were no comments.

CONSENT ITEM #2 -- #32-82, RIGHT OF WAY VACATION

Petitioner: Jay Kuen/Ralph Braden
Location: Horizon 70 Subdivision (Northwest corner of Horizon Drive and Interstate 70)

A request to vacate a cul-de-sac in the Horizon 70 Subdivision.

Consideration of right of way vacation.

Commissioner Litle asked if there was anyone present who wished to have this item pulled from the Consent Agenda. There were no comments.

CONSENT ITEM #3 -- #35-81, UTILITY EASEMENT VACATION AND IRRIGATION EASEMENT VACATION (3 of 3)

Petitioner: Horizon Partners
Location: On Horizon Drive and approximately 600 feet East of 27 Road

A request for a vacation of utility and irrigation easements within the approved Planned Business at the Park at Horizon Dr.

- a. Consideration of utility easement vacation.
- b. Consideration of irrigation easement vacation.

Commissioner Litle asked if there was anyone present who wished to have this item pulled from the Consent Agenda. There were no comments.

CONSENT ITEM #4 --#33-82, CONDITIONAL USE-EXPANSION OF LIQUOR
LICENSE

Petitioner: Dan Conway
Location: 929 Main Street (Conway's Restaurant)

A request for a conditional use for an expansion of liquor license on .25 acre in a heavy business zone.

Consideration of conditional use.

Chairman Litle asked if there was anyone in the audience who wished to have this item pulled from the Consent Agenda. There were no comments.

CONSENT ITEM #5 -- #9-82, REZONE RMF-64 TO PB AND FINAL PLAN

Petitioner: D.H. Partnership/Ken Hunt
Location: 838 and 844 Grand Avenue

A request to change from residential multi-family uses at 64 units per acre to planned business uses at 844 Grand Avenue and a final plan for 838 and 844 Grand Avenue on .34 acre.

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

Chairman Litle asked if there was anyone in the audience who wished to have this item pulled from the Consent Agenda. There was an objection from one person in the audience.

CONSENT ITEM #6 -- REZONE RMF-32 TO PB AND FINAL PLAN

Petitioner: Dr. Ken Graves
Location: 1445 and 1447 North 7th Street.

A request to change from residential multi-family uses at 32 units per acre to planned business use and a final plan for professional office use on .37 acre.

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

Chairman Litle asked if there was anyone in the audience who wished to have this item pulled from the Consent Agenda. There were no comments.

Chairman Litle: "The first six items on the agenda with the exception of #9-82 (#5) remain on Consent Agenda."

MOTION: (Commissioner Ross Transmeier) "MR CHAIRMAN, I MAKE A MOTION ON CONSENT AGENDA ITEMS #1,2,3,4, and 6 BE PASSED ON TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL."

Commissioner Rinker seconded the motion.

Chairman Litle repeated the motion, called for a vote, and the motion carried unanimously.

Alex Candelaria, Planning Staff, requested that Consent Agenda Item #5 be considered as the first item under Full Hearing.

IV. FULL HEARING

1. #9-82, REZONE RMF-64 TO PB AND FINAL PLAN

Petitioner: D.H. Partnership/Ken Hunt
Location: 838 and 844 Grand Avenue

A request to change from residential multi-family uses at 64 units per acre to planned business uses at 32 units per acre to planned business uses and a final plan for professional office use on .37 acre.

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

PETITIONER'S PRESENTATION

Mr. Ken Hunt summarized the proposal, explaining that the last submittal included the 838 Grand property, which was approved by the Planning Commission. City Council only approved the rezone, not the final plan, objecting to alley being used as ingress/egress point. City Council requested Petitioner to pursue possibility of obtaining right-of-way easement to the east with property owners. Petitioner found out property owners were willing to sell their property, so an option contract has been put up on that. The plan for consideration tonight allows access and egress only from Grand Avenue and does not use the alley for any access or egress purposes.

Mr. Hunt noted further that the plan does include more square footage, the petitioner intends to retain the character of the neighborhood and have come to terms with Staff Comments.

QUESTIONS

Mr. Hunt was questioned regarding their plans for the alley, and Mr. Hunt indicated they have provided a 6' fence along the east-west and north property lines; and they will be using an existing shared 20' curb cut.

STAFF COMMENTS

Bob Goldin stated Staff had no comments, that all technical issues have been resolved. Bob also mentioned that there had been concerns from citizens in the area regarding proper notification for the request--agendas were mailed out to the property owners, submitted by the Petitioner; signs were posted; legal and display ads were run. Bob indicated there may have been a problem as to the total number of people notified, but the project itself is in compliance with the DDA, Planning Commission guidelines, and retains existing neighborhood character.

Commissioner O'Dwyer asked Bob Goldin about the distribution of the notices. Bob Goldin responded that for a rezone request it is 200 ft; for plan it is adjacent property owners. Petitioner is asked to supply the names of adjacent property owners.

Chairman Litle asked if there was anyone present wishing to speak in opposition to the project. There were none.

PUBLIC COMMENTS

Rob Jenkins, 859 Ouray, spoke to the ambiguities he feels exist regarding Grand Junction Planning/Zoning Codes, which he feels threatens residential areas and needs revised:

- . Chapter 4, Paragraph 443D, referring to notifying nearby residents--requirements include:
 1. Adjacent within 200 feet;
 2. Adjoining; or
 3. Be within 300 feet.

Mr. Jenkins feels there is a definite discrepancy regarding the procedures used for notification, and demonstrated the problems as he views them by use of a map prepared by the Development Department.

Mr. Jenkins further stated that the issue for property owners involves: (1) Maintenance of the character of the neighborhood (which he feels is being done by these developers); and (2) Transition between the rezone and the growing business area and the precarious existence of the residential area (the boundary of which happens to be the alley). Mr. Jenkins expressed great concern that the alley NOT BE accessed, and so endorses the revised plan.

Mr. Jenkins concluded his presentation with a recommendation to the Planning Commission that the ordinance be clarified with particular attention given to Paragraph D--in his opinion, it should include all property owners within 200 feet, deleting any reference to adjacent or adjoining. Mr. Jenkins stated they would like to see this project approved, but would like assurance from the Planning Commission that this change would be made so future developers will not be able to impact neighborhoods such as they might be able to do under the current guidelines.

Chairman Little concurred with many points made by Mr. Jenkins and indicated that a Workshop of the Planning Commission and DDA personnel regarding the establishment of the Grand Avenue Corridor Policy is scheduled in May 1982, and Mr. Jenkins' comments would be considered then.

Mr. Jenkins replied that he would appreciate more of a commitment from the Planning Commission and noted that he feels in a position to call a halt to the rezone since he was not notified. Mr. Jenkins also referred to an earlier Planning Commission meeting when there were no people present to speak to the original rezone--and he stated the reason for that is that no one was notified.

Commissioner O'Dwyer commented that the Planning Commission is not in a position to change ordinances--they can only make recommendations; that the Planning Commission can make assurances that they will study it and do what they can.

Mr. Jenkins further suggested that Petitioners be required to obtain an assessors map, diagram which property is in question (apply an overlay) which would eliminate doubt for Planning Staff.

Planning Staff representative Don Warner commented that this was a good suggestion, one that is being followed by County procedures.

There was discussion regarding notification procedures and the mailing problems therein.

Ken Hunt, Petitioner, concurred with Mr. Jenkins' concerns, and his graphic overlay suggestion.

STAFF COMMENTS

Bob Goldin stated that Staff will try to get that underway as soon as possible.

MOTION: (Commissioner Bill O'Dwyer) "IN THE MATTER OF FILE #9-82, REZONE RMF-64 TO PB AND FINAL PLAN, I MAKE A MOTION WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL OF THE REZONE, SUBJECT TO REVIEW AGENCY AND STAFF COMMENTS."

The motion was seconded by Commissioner Transmeier.

Chairman Litle read the motion, called for a vote, and the motion carried 5-0.

MOTION: (Commissioner Bill O'Dwyer) "IN THE MATTER OF FILE #9-82, REZONE RMF-64 TO PB AND FINAL PLAN, I MAKE A MOTION WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL OF THE FINAL PLAN, SUBJECT TO REVIEW AGENCY AND STAFF COMMENTS."

The motion was seconded by Commissioner Rinker.

Chairman Litle read the motion, called for a vote, and the motion carried 5-0.

Petitioner: Horizon Partnership Ltd./George Thorn.
Location: On Horizon Drive and approximately 600 feet
East of 27 Road. A request for a final plat and
plan of a planned business on 6.5 acres in a planned
business zone.

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

PETITIONER'S PRESENTATION

John Shaw, presented this proposal, providing background on the original submittal of 27-acre parcel a year ago that had a mixed use developmental concept, broken into 5 separate parcels to include some multi-family housing, retail, etc. Tonight's presentation is on the first filing (6½ acres to be developed as an office park).

STAFF COMMENTS

Bob Goldin noted that all technical issues have been met and it was put on full hearing due to neighborhood concerns. Bob indicated that Mr. Shaw has met with them on numerous occasions and it appears those concerns have been resolved.

PUBLIC COMMENTS - None

COMMISSIONERS' DISCUSSION - None

MOTION: (Commissioner Miland Dunivent): "ON ITEM #35-81, PARK ON HORIZON DRIVE-FILING #1, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THE FINAL PLAT, PER STAFF AND REVIEW COMMENTS."

Commissioner Rinker seconded the motion. Chairman Litle reiterated the motion, called for a vote, and the motion carried unanimously.

MOTION: (Commissioner Miland Dunivent): "ON ITEM #35-81, PARK ON HORIZON DRIVE-FILING #1, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL OF THE FINAL PLAN, PER STAFF AND REVIEW COMMENTS."

Commissioner Rinker seconded the motion; Chairman Litle repeated the motion, called for a vote; motion carried 5-0.

FILE #30-80, COUNTRY GLEN APARTMENTS--FINAL PLAT AND PLAN

Petitioner: Country Glen Associates/John S. Neilson
Location: Northeast corner of F.5 and 25 Road.

A request for a final plat and plan of 256 units on 13.382 acres in a planned residential zone at 21 units per acre.

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

PETITIONER'S PRESENTATION

John Shaw, representing the Petitioner, presented the project as a multi-family, three-story apartment complex to be developed in two phases, first phase comprised of 144 units, and common recreational facilities.

QUESTIONS

There were questions raised by the Commission regarding the type of unit, square footage and height. The following details were provided by Mr. Shaw:

- . 1 bedroom units, 670 sq.ft.
- . 2 bedroom units, 859-900 sq.ft.
- . 3-story walk-up
- . Median type of unit--Upper middle rental market

PUBLIC COMMENTS

In favor - No comments
Against - No comments

STAFF COMMENTS

Bob Goldin noted that all technical issues have been resolved, including Sewer concerns. All Reviewing Agencies have been satisfied. Bob also stated the reason this was on full hearing is due to the fact it was approved in April, 1980 so none of the current Commissioners have had an opportunity to review it.

Chairman Little closed the public hearing.

Commissioner Ross Transmeier commented on the density, stating that had he been on the Commission when the rezone was requested he would have voted against it.

MOTION: (Commissioner Susan Rinker): "ON FILE #30-80, FINAL PLAT COUNTRY GLEN APARTMENTS, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL, SUBJECT TO STAFF AND REVIEW AGENCY COMMENTS."

Commissioner Bill O'Dwyer seconded the motion.

Chairman Litle reiterated the Motion, called for a vote, and the motion carried unanimously.

MOTION: (Commissioner Susan Rinker): "ON FILE #30-80, FINAL PLAN COUNTRY GLEN APARTMENTS, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL, SUBJECT TO STAFF AND REVIEW AGENCY COMMENTS."

Commissioner O'Dwyer seconded the motion. Chairman Litle reiterated the motion, called for a vote, and the motion passed 5-0.

FILE #27-82, HIGH COUNTRY STORAGE-REVISED FINAL PLAN

Petitioner: John Bray
Location: Southeast corner of Cannon Street and Grand Mesa Avenue.

A request for a revised final plan on .37 acre in a planned business zone.

Consideration of revised final plan.

PETITIONER'S PRESENTATION:

Tom Logue, representing the Petitioner (John Bray, also present), summarized the request as an amended final development plan for 70 mini storage units.

QUESTIONS

Commissioner Transmeier asked for clarification on the fencing to the south across the alley and whether this belongs to the petitioner.

Tom Logue answered that the alley is not part of the property and that the Petitioner plans to improve the alley to current city standards (requires 16' paved surface within the 20' right-of-way). Petitioner plans to move the pavement north to allow room to fence and screen along south right-of-way within the city property; maintenance of which would be done by petitioner.

Don Warner, Planning Staff, pointed out that this would present a problem, as a revokable permit is required, (granted by City Council) and the owner to the south has legal right to access to that alley, and wondered if the Petitioner had an agreement with that property owner regarding his use.

Tom Logue responded that he had discussed this with the property owner briefly, that there is no problem with the screening, that an opening would have to be maintained to provide utility and trash pickups. Tom also noted they do not anticipate a great volume of traffic in and out of the site--only occasional visits.

Commissioner O'Dwyer commented that he does not look favorably upon the idea of businesses wanting to use the alley as part of their "business."

Tom Logue replied that they consider it a "tradeoff" in that in exchange for using the alley they are willing to improve it to City standards.

Don Warner, Planning Staff, concurred with Commissioner O'Dwyer's comments, adding that this idea invites planned business traffic into residential alley. There is concern about the north-south dirt alley being used as access.

Commissioner Dunivent expressed concern about creating a safety problem with vision in conjunction with the location of the building up against the alley.

Tom Logue suggested the plan could be reworked to use the alley only for service vehicles, if directed so by the Planning Commission.

Drainage was discussed and Tom Logue indicated drainage would go to Canon Avenue, south, ultimately to the "Duck Pond" park.

PUBLIC COMMENTS

In Favor -- None.

Against:

Harold Mulder, 1630 Canon, spoke against the proposal indicating they would like to keep the alley without an entry off the alley; the fence would be on his property; and he is concerned about losing his water rights.

Kathy Kerndt, 1642 Canon, voiced objection to the proposal having access to the alley and to the drainage problem that already exists--more drainage will create more "ponds" as the water already doesn't drain properly.

Jack Williams spoke up indicating he has a financial interest in this project and expressed dismay that some individuals would not want a paved alley, curb and gutter. Mr. Williams considers the project economically feasible.

STAFF COMMENTS

Alex Candelaria indicated that most of the concerns had been covered by either the Petitioner or the audience. Traffic Engineer is concerned with blind corners, if traffic ingresses this alley. Petitioner needs to provide a Quit Claim Deed on a radius of 20' as requested by the City Engineer, and drainage calculations and details need to be reviewed and approved by the City Engineer, as well as detailed construction plans for all public improvements.

Chairman Litle closed the Public Hearing.

MOTION: (Commissioner Ross Transmeier): "ON ITEM #27-82, HIGH COUNTRY STORAGE, REVISED FINAL PLAN, I MAKE THE RECOMMENDATION WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF DENIAL ON THE GROUNDS THAT ALL TECHNICAL ITEMS HAVE NOT BEEN ANSWERED, SUCH AS DRAINAGE, WHETHER OR NOT CURB AND GUTTER SHOULD BE SUPPLIED, LOCATION OF FENCE ACROSS AND ON CITY PROPERTY ON THE ALLEY, AND OTHER STAFF COMMENTS, INCLUDING ACCESS AND EGRESS ONTO THE ALLEY."

Commissioner O'Dwyer seconded the motion.

Chairman Litle repeated the motion, called for a vote, and the Motion carried unanimously.

Tom Logue questioned the Commission for clarification that since this is an amended plan, is he understanding that the previously submitted plan is the preferred one?

Discussion ensued. Don Warner indicated to the Commissioners that an approved final does exist--U shaped building with opening towards Canon St with a residential unit in front for a caretaker--the plan had been approved in 1979.

It was stated that the Petitioners are free to proceed with their original approved plan providing they acquire a building permit.

FILE #27-82 RIGHT OF WAY VACATION

Petitioner: John Bray
Location: Southeast corner of Canon Street and Grand Mesa Avenue.

A request to vacate a right of way at the southeast corner of Canon Street and Grand Mesa Avenue.

Consideration of right of way vacation.

PETITIONER'S PRESENTATION:

Tom Logue, summarized the proposal, giving a little history of the plat. Mr. Logue indicated the road standards they are operating under classifies Grand Mesa Avenue having 66' of right of way and the petitioner is prepared to dedicate the additional 3' on Grand Mesa. The request is to vacate 12½' on Canon which would bring it to a local street section. Mr. Logue also indicated their legal description would incorporate the radius in the corner that Ron Rish was concerned with.

PUBLIC COMMENTS

In Favor: None

Against:

Kathy Kerndt questioned the Commission on what would be required of the Petitioners if this road vacation is approved, as far as the amendment of the old final plat. It was established that the Petitioners would be required to go through the Review Process again if they wanted to extend the old plan into the vacated right of way.

There was discussion between the Commissioners and Staff regarding future requests for vacation of right of way from property owners along Canon Street. It was noted that this is probably just the beginning. It was also discussed among Staff and Commission members as to the feasibility of petitioning neighbors regarding their feelings on this matter in an effort to handle the entire right of way at one time.

Rose Mulder, property owner on south side, wondered if everyone south of this business will be responsible for putting in curbs and gutters if they go in for this business. She was told that would not be the case.

Jim Patterson, Public Works Director, asked for clarification on the amount that would be vacated.

Chairman Litle closed the public hearing.

MOTION: (Commissioner Susan Rinker): "MR CHAIRMAN, ON FILE #27-82, RIGHT OF WAY VACATION, SOUTHEAST CORNER OF CANON AND GRAND MESA AVENUE, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL ON CONSIDERATION OF RIGHT OF WAY VACATION."

The motion was seconded by Commissioner Dunivent.

Chairman Litle called for a vote and the motion carried 4-1 (with Commissioner O'Dwyer abstaining).

Chairman Litle announced a 5-minute break in the proceedings.

Chairman Litle called the meeting to order at 9:05 p.m.

FILE #31-82 DEVELOPMENT IN HO--THREE STORY SPECULATIVE OFFICE BUILDING

Petitioner: Horizon Park Company/Stephen Owen
Location: East of Horizon Court and West of the Highline Canal.

A request for a final plan on 2.85 acres in a highway-oriented zone.

Consideration of development in HO.

PETITIONER'S PRESENTATION:

Tom Luczo, Slack Pasqua Associates, representing the owner, Steve Owen, presented the plan, noting the Fire Department comments regarding access road for emergency vehicles along the back side had been included on the latest plan.

Discussion ensued between the Commission and Mr. Luczo regarding this access problem in that it deadends.

DISCUSSION:

Alex Candelaria, Planning Staff, noted that the revised plan had not yet been reviewed by the Reviewing Agencies.

Chairman Litle mentioned the Planning Commission requirements regarding final plans, in that reviewing agencies should have had time to review the final plan before it was presented to the Commission.

STAFF COMMENTS:

Alex Candelaria noted that a redesign on internal circulation has been requested to allow total circulation around the buildings-Staff would still like to see that on this plan as well. (Alex was referring to an earlier plan proposed in the Airport area)

Bob Goldin summarized the concerns to include: Overall access; Fire Department, City and Transportation Engineers indicated they would prefer to see overall access to any building, through redesign if necessary; Parking is tight but does meet all the requirements; Staff would prefer not to see a 300' finger going in, leaving no provision for turnaround.

Alex added that the Reviewing Agencies would like to see a more detailed Utility Plan that they have not received, as well as a Ute Water data sheet substantiating existence of adequate water supply to service this building.

Mr. Luczo said that all the utilities, except for water, are provided for on this plan, and that an 8" water line runs in front and Jim Patterson indicated there would be no problem tapping into that.

PUBLIC COMMENTS:

In Favor: None

Against: None

Chairman Litle closed the public hearing.

MOTION: (Commissioner Susan Rinker): "I MOVE THAT WE TABLE FILE #31-82 TO GIVE THE PETITIONER TIME TO SUBMIT MORE COMPLETE INFORMATION TO THE REVIEWING AGENCIES AND STAFF IN ORDER TO GET EVERYTHING RESOLVED."

Commissioner Miland Dunivent seconded the motion. Chairman Litle repeated the motion, called for a vote, and the motion carried unanimously.

FILE #29-82 RUSTY MINOR SUBDIVISION

Petitioner: Richard Watson
Location: East side of Harris Road, 660 feet South of
North Avenue.

A request for a minor subdivision of 4 lots on .53 acre in
a residential single family zone at 8 units per acre.

Consideration of minor subdivision (final).

PETITIONER'S PRESENTATION:

Tom Logue, Paragon Engineering, presented the proposal and
addressed the City Engineer's Review Comments, noting the
Petitioner plans to install improvements along Harris Road
(pavement, curb and gutter, sidewalk). Petitioner is willing
to provide a Power of Attorney covering the four lots.

QUESTIONS:

Commissioner Ross Transmeier questioned the zoning--it was
answered that the zone is RSF-8.

Bob Goldin noted they would have to meet the setbacks once
they come in with building permits. Tom Logue agreed.

It was established that the Petitioner would be willing to
give Power of Attorney or establish an Escrow Fund.

STAFF COMMENTS:

Bob Goldin stated they would have to meet the requirements
for the designated zone (RSF-8); once they come in with their
building permit, location of appropriate structures would be
established, based on 1st lot, 2nd lot, etc. Technically, Staff
has no problem with the plan as it is an existing zone and they
are requesting an allowable use.

PUBLIC COMMENTS:

Carol Roe, 483 Harris Road, expressed concern, referencing
the increased traffic problem that may result with only one
exit, the quality of the development, how curbs and gutters
can be provided on such narrow street, school kids and no
traffic light, and overall increase in density.

Carol also noted that she was speaking for other neighbors living on the south end of the road.

There were no public comments in favor of the proposal.

Chairman Litle closed the public hearing.

Commissioner Ross Transmeier proposed a question regarding a previous drainage problem with the drainage going to the south.

Bob Goldin answered that had not been mentioned as it was not established where the drainage will be funnelled, since it is not definite as to where the buildings will be placed. We could ask that the drainage be resolved.

Tom Logue replied that a Drainage plan had been submitted on the Utility Deposit--Petitioner would be glad to incorporate it or accept it as a stipulation to approval.

MOTION: (Commissioner Transmeier): "ON ITEM #29-82, RUSTY MINOR SUBDIVISION, I MAKE A RECOMMENDATION THIS BE SENT ON TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL, SUBJECT TO STAFF COMMENTS AND THE COMPLETION OF THE DRAINAGE CULVERT TO THE PROPERTY ON THE SOUTH OR TO THE CITY ENGINEER'S REQUEST AS TO DRAINAGE, AND ESCROW THE FUNDS FOR CURB AND GUTTER."

Commissioner O'Dwyer seconded the motion.
Chairman Litle re-read the motion, called for a vote, and the motion carried unanimously.

FILE #2-80 REPLAT OF LOT 1, BLOCK 5, CROSSROADS COLORADO WEST
SUBDIVISION--FILING #2

Petitioner: Planners and Developers Ltd./Jerome Fossenier
Location: Southeast corner of Crossroads Boulevard and
27 Road (12th Street).

A request for a replat of Lot 1, Block 5 of Crossroads Colorado West Filing #2 on 3.655 acres in a planned residential zone at 4 units per acre.

Consideration of replat.

PETITIONER'S PRESENTATION:

Steve Meyer, CBW Builders, representing the petitioner, provided a history of the proposal...PR-16 request received a lot of neighborhood opposition, as did another request for PR-12. At that time the Commission requested us to hold a neighborhood meeting, which was scheduled; resulting in a re-plat at PR-4 zoning (to satisfy neighborhood). Petitioner requests to re-plat this lot into 5 different ($\frac{1}{2}$ acre-1 acre lots), welcoming single-family housing and maintaining the opportunity of building duplexes on the $\frac{1}{2}$ acre lots and fourplexes on the 1 acre lots.

Mr. Meyer also informed the Commission of the Architectural Review Control Committee's (ACCO) existence and responsibilities. The ACCO will help coordinate all development; as well as would Planning and City Council process.

QUESTIONS:

Commissioner Transmeier commented that there really is no plan covering streets, access, landscaping, etc.

Mr. Meyer indicated the improvements are complete all the way around (27 Road to West, Crossroads Blvd to North and East). There is no plan--they want to market those lots and the buyers will be responsible for going before the ACCO and the Planning Commission/City Council procedures.

STAFF COMMENTS:

Alex Candelaria stated that all the Reviewing Agencies have concerns as to how the overall plan will actually be finalized; Ute Water expressed concern with placement of water system; Fire Department asking for adequate fire access; Transportation Engineer concerned about access to Lots #1 and #3.

Alex then read a letter addressed to the Grand Junction Planning Commission from Elizabeth and Walter Kirkendall that requested the entire Block to be planned out with lot sizes, access streets, and utilities shown and developed compatible with the adjoining land.

Chairman Litle also read a letter addressed to the Planning Commission from concerned citizens in the area stating their opposition to the proposed rezoning of the 3.657 acres (Lot 1, Block 5) owned by CBW Builders, and requested that the land remain zoned PR4. The letter was signed by 12 citizens who feel the completion of the proposed rental units would drastically alter their neighborhood, produce additional noise, increased traffic, and most likely lower adjacent property values.

Don Warner, Planning Staff, commented that the letter read by Chairman Litle has no effect on tonight's hearing since this is not a rezoning request.

PUBLIC COMMENTS:

Walt Kirkendahl, resident of Skyline Subdivision and original subdivider of the area, stated he would like to see this land zoned compatible with the neighbors.

Elizabeth Kirkendahl, 2712 Skyline Drive, commented that if each lot is sold then each one has to be addressed since there is not a plan established--five meetings to attend to find out about architectural plans, etc.

Uwe Fohlmeister, 2709 Skyline Drive, is opposed to the plan because of the possibility of higher density.

Commissioner Ross Transmeier commented that this is the lowest density the city allows and PR zone allows the public the opportunity to come and speak on the proposals.

PETITIONER'S RESPONSE

Steve Meyer commented on the letter read by Chairman Litle in that CBW has no "interest" in this property other than they are developing it for a fee. Regarding the Review Sheet comments, water is available--including water taps; There is a fire hydrant on each corner of the property; and the PR-4 zoning is already established--all they want to do is split the lot up a little bit more. Mr. Meyer noted that he feels they are trying to be as agreeable and as helpful as possible, while maintaining a compatible use of the property.

Chairman Litle closed the public hearing.

COMMISSIONER'S DISCUSSION

Commissioner Transmeier indicated he would really like to see a total plan of the whole thing but doesn't feel they have the right to hold up the developer since he has the zoning the way it should be. Commissioner Transmeier also stated he hopes there would be a plan in the future, even though the Planning Commission may not see it, and that the five purchasers would comply with it.

MOTION: (Commissioner Transmeier): "I RECOMMEND ON ITEM #2-80, THE REPLAT OF LOT 1, BLOCK 5, CROSSROADS COLORADO WEST SUBDIVISION-FILING #2, CONSIDERATION OF REPLAT, BE SENT ONTO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS BEING RESOLVED."

Commissioner Miland Dunivent seconded the motion.

Chairman Litle read the motion, called for a vote, and the motion was defeated, 3-2 (Commissioners O'Dwyer, Rinker, Ott declining)

Don Warner, Planning Staff, requested reasons for turning down the subdivision plat, based on rules of subdivision.

The Commissioners discussed reasons.

Steve Meyer spoke up saying they are trying to maintain some flexibility and if they come in with a plan they are going to put the maximum on there.

Commissioner Rinker asked the Planning Staff if a valid reason for turning down the subdivision plat would be that the Commission would like to see a full plan with the replat.

Alex Candelaria agreed that would be a valid reason.

Walt Kirkendahl suggested they plan it so someone could come in and buy 1, 2, 3, or 4 lots--someone might come in and buy the whole deal. Mr. Kirkendahl again stated they would like to see some layout for the whole thing.

MOTION: (Commissioner Rinker): "ON FILE #2-80, REPLAT OF LOT 1, BLOCK 5, CROSSROADS COLORADO WEST SUBDIVISION--FILING #2, I MOVE THAT WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF DENIAL WITH CONSIDERATION OF REPLAT DUE TO NEIGHBORHOOD OPPOSITION, PLANNING COMMISSION NEEDS MORE DETAIL ON THE PLAN, AND GENERAL UNCOMFORTABLE FEELING."

Commissioner Bill O'Dwyer seconded the motion.

Chairman Little called for a vote, and the motion carried 3-2 (Commissioners Transmeier, Dunivent voting against)

Steve Meyer expressed his frustrations in leaving the meeting not really knowing why the proposal was denied--that the Commission mentioned neighborhood opposition, but Mr. Meyer feels they are opposing the zone more than anything else--and that he is confused as to what his next step is.

Chairman Little stated that the Petitioner does have the right to take this to City Council.

FILE #79-80 NORTH AVENUE WEST COMMERCIAL PARK--FINAL PLAT

Petitioner: Turtle Enterprises/Mark Kareus
Location: East of 25.5 Road and Southwest of Highway 6 & 50.

A request for a final plat on 7.7 acres in a light commercial zone.

Consideration of final plat.

PETITIONER'S PRESENTATION:

Ron Fromknecht, representing the Petitioner, provided background on the plan noting the Petitioner agrees to having the remainder of 25½ Road graveled; that there is an 8" fire loop encircling the property; and commented on the drainage problem--they have proposed a 24" drainage pipe to carry the storm runoff from the subdivision to the existing drain site; drainage will not be restricted from anyone else.

COMMISSIONER'S QUESTIONS/DISCUSSION:

Commissioner O'Dwyer questioned Mr. Fromknecht on the natural flow of the land--it is to the southwest. Commissioner O'Dwyer asked how much lower the southwest corner of the property is than the northwest and was answered that the northwest corner is lower.

STAFF COMMENTS:

Alex Candelaria listed the following concerns:

- (1) Soils test/calculations were not submitted as they need to be and approved by appropriate agencies (City Engineer).
- (2) Access needs to be shown in detail
- (3) Agreement needs to be obtained from all property owners regarding the improvements to 25½ Rd.
- (4) Drainage proposal needs to be submitted and approved by City Engineer.
- (5) City can maintain the water line once its approved for the City, even though it is Ute Water.

PUBLIC COMMENTS: None in favor or against.

DISCUSSION

It was established between the Petitioner and the Commission that the frontage road would be the first part constructed as it will be used as their main access; the frontage road is within the right of way; and Mr. Fromknecht indicated the soils tests are complete and have been discussed with Ron Risch.

Chairman Litle closed the public hearing.

MOTION: (Commissioner Susan Rinker): "ON FILE #79-80, I RECOMMEND WE TABLE THIS UNTIL WE HAVE ALL COMMENTS SATISFIED, SUCH AS DRAINAGE, WATER, SOIL TESTING, AND SPECIAL IMPROVEMENT DISTRICT QUESTIONS."

Commissioner Bill O'Dwyer seconded the motion.

(Mr. Fromknecht spoke up before the vote was taken, basically objecting that the proposal be denied based on the drainage problem, mainly that the drainage shouldn't be the responsibility of the developer.)

Chairman Litle repeated the motion, called for a vote, and the motion carried unanimously.

FILE #21-82, TEXT AMENDMENT--GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

Petitioner: City/County Development Department

A request for a text amendment adding Section 7-2-5 Planned Airport Development (PAD) to the Grand Junction Zoning and Development Code. Copies are on file at the City/County Development Department, 559 White Avenue, Room 60, Grand Junction, CO 81501.

Consideration of text amendment.

MOTION: (Commissioner Rinker): "I MAKE A MOTION ON FILE #21-82 THAT WE TABLE THIS ITEM UNTIL THE PETITIONER IS PRESENT."

Commissioner Dunivent seconded the motion.

Chairman Litle called for a vote and the motion carried unanimously.

FILE #23-82 REZONE PZ TO PAD

Petitioner: Walker Field Authority

Location: Parcel B of Walker Field property.

A request to rezone from public zone to planned airport development on approximately 8 acres.

Consideration of rezone.

MOTION: (Commissioner Rinker): "I MAKE A MOTION ON FILE #23-82 THAT WE TABLE THIS ITEM UNTIL THE PETITIONER IS PRESENT."

Commissioner O'Dwyer seconded the motion.

Chairman Litle repeated the motion, called for a vote, and the motion carried unanimously.

FILE #22-82 ZONING OF WALKER FIELD ANNEXATION

Petitioner: Walker Field Airport Authority
Location: Walker Field Airport

A request to zone Walker Field Annexation to Planned Airport Development (PAD) on approximately 1344 acres.

MOTION: (Commissioner Rinker): "I MAKE A MOTION ON FILE #22-82 THAT WE TABLE THIS ITEM UNTIL THE PETITIONER IS PRESENT."

Commissioner Transmeier seconded the motion.

Chairman Litle repeated the motion, called for a vote, and the motion carried unanimously.

Chairman Litle adjourned the meeting at 10:35 p.m.