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GRAND JUNCTION PLANNING COMMISSION  
January 24, 1983  
Minutes  
7:45 pm - 9:30 pm

The public hearing was called to order by Chairman Ross Transmeier at 7:45 p.m. in the City Council Chambers.

In attendance, representing the City Planning Commission were:

Bill O'Dwyer	Jane Quimby
Susan Rinker	Dick Litle

(Commissioners Jack Ott and Miland Dunivent were absent)

In attendance, representing the Planning Department were:

Bob Goldin	Karl Metzner	Mary Ann Carlson
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Rachelle Daily, Sunshine Business Services, was present to record the minutes.

There were approximately 30 interested citizens present during the course of the meeting.

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Chairman Transmeier called the meeting to order and explained that the items heard tonight will go on to City Council whether they are approved or disapproved, unless the petitioner opposes it and requests that it be removed from the City Council Agenda. He also reminded the audience that the Planning Commission only makes recommendations on proposals and that the City Council makes the final decision.

**I. APPROVAL OF MINUTES.**

Chairman Transmeier asked the Planning Commissioners for discussion on the minutes of the January 25, 1983 public hearing.

Commissioner Quimby asked for the following corrections to be made:

- (1) Page 4: The vote of 5-0 should read "5-1."
- (2) Page 5: The first line was inadvertently repeated from the previous page and should be deleted.

Chairman Transmeier asked for further discussion on the minutes. Hearing no further comments, he then called for a motion.

**MOTION: (COMMISSIONER QUIMBY) "MR CHAIRMAN, I MOVE THE MINUTES OF THE JANUARY 25, 1983 PLANNING COMMISSION PUBLIC HEARING BE APPROVED, WITH INCORPORATION OF THESE CORRECTIONS."**

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried by a vote of 4-0.

**II. ANNOUNCEMENTS, PRESENTATIONS, AND/OR VISITORS.**

There were none at this time.

**III. FULL HEARING**

**1. #2-83 DEVELOPMENT IN HO--COLOR TILE STORE AND OIL EXPRESS**

Petitioner: Mesa Mini-Mall Properties/Robert Hirons  
Location: North of F Road, West of 24.5 Road - Lot 5,  
Fisher Subdivision.

A request for retail/service uses on approximately 1.44 acres in a highway oriented zone.

Consideration of Development in HO.

**PETITIONER'S PRESENTATION**

Jerry Fossenier, CBW Builders, (developer of the project for the owners) and John Cavness (Logo Construction), were present. Jerry stated that they have received and responded to the Review Agency comments and feel confident that everything has been adequately addressed.

**STAFF PRESENTATION**

Bob Goldin, Planning Staff, discussed the location of the project, noting that this is a one-step final plan. Staff concerns include:

- (1) Parking situation. Staff would like to see the additional five spaces provided, per petitioner's response to the review comments, as part of the Plan.
- (2) Landscaping. Staff would like to see the large tree on the site saved and the landscape plan submitted, reviewed, and approved, prior to issuance of the building permit.

Mr. Fossenier responded that the landscaping plan would be submitted as requested.

Mr. Cavness addressed the tree situation, noting that it is an old one and they didn't feel it was very healthy. Referencing the parking spaces, he indicated they didn't feel they needed additional spaces, and it could interfere with their traffic flow pattern. However, he said that, if it is determined to be a requirement, they would comply.

Bob Goldin responded that Steve Meyers of CBW Builders indicated that providing those extra spaces would eliminate a possible problem in the future with cars that are dropped off there for the day.

Mr. Cavness then asked that it be made 'subject to' to give him time to check with the franchisee for his opinion.

#### QUESTIONS

Commissioner O'Dwyer asked how long it will take to do a oil change and lube. Mr. Cavness answered "about eight minutes."

#### PUBLIC COMMENTS

There were no comments heard either in favor or against the proposal.

Chairman Transmeier closed the public hearing and asked for a motion on the item.

**MOTION: (COMMISSIONER BILL O'DWYER) "MR. CHAIRMAN, ON ITEM #2-83, DEVELOPMENT IN HO, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, CONTINGENT UPON: LANDSCAPING PLAN IS RECEIVED, REVIEWED, AND APPROVED PRIOR TO ISSUANCE OF THE BUILDING PERMIT AND THAT THE ISSUE OF EXTRA PARKING SPACES AT THE OIL EXPRESS BE RESOLVED WITH THE PLANNING DEPARTMENT."**

Commissioner Dick Little seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 4-0.

2. #3-83 REZONE RSF-8 TO PR-10 VILLA PARK TOWNHOMES--  
PRELIMINARY PLAN

Petitioner: Fred and Tommie Peaslee  
Location: South of B.75 Road, approximately 24 feet East  
of 27 Road.

A request to change from residential single family uses at 8 units per acre to planned residential uses at 10 units per acre on approximately 2.5 acres and a preliminary plan of 24 units on approximately 2.99 acres.

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

**PETITIONER'S PRESENTATION**

Roger Foisy, Colorado West Engineering, presented the project on behalf of the petitioners, who were also present. He corrected the acreage figure to 2.52 acres (after subtracting the front two parcels) and noted that the density is 10 per acre with a design density of 9.6 (slightly above the RSF-8 which is now in place there). Roger indicated the two parcels would be included in the plan and plat but they are not included in the rezone request.

Roger gave a brief presentation on the project which includes plans for 24 single-level townhouses with double car garages. He also discussed their drainage, landscaping, sidewalk, parking, and fencing proposals.

**QUESTIONS**

Commissioner O'Dwyer questioned Roger on their plans for design and whether they intended to maintain the existing low-profile look of the neighborhood. Roger agreed that was their intention.

**STAFF COMMENTS**

Bob Goldin noted that there had been a lot of response from the Review Agencies to the initially submitted plan which resulted in the petitioners presenting a revised preliminary plan. Bob Goldin summarized those revisions noting that they have accommodated most of the review agency comments, although there are some remaining technical questions that need to be resolved. Those issues include:

- (1) Location of sidewalks
- (2) Dedication of easements
- (3) Utilities composite which needs to be approved prior to City Council hearing.

Bob closed his comments by stating that Staff has no problems with the plan as shown..

#### DISCUSSION

There was discussion as to the location of the fire hydrant.

Bob Goldin pointed out that Staff is looking for direction from the Planning Commission regarding improvements to B 3/4 Road. He referenced an alternative that had been discussed with the representative that includes improving B 3/4 out to 27 Road (they would pick up the difference so that B 3/4 would be an improved right-of-way, as well as the additional right-of-way improvements to the east of the intersection (as development occurs).

Roger Foisy indicated that still was an option dependent on the arrangements that have to be made regarding Power of Attorney for the remainder of their portion.

Bob Goldin asked the Petitioner if this had been discussed with the property owner at the corner. Tommie Peaslee responded that they don't have five feet -- that would take them up to their house.

Commissioner O'Dwyer asked how wide the street would be.

Tommie Peaslee indicated it would be 20' from the center of right-of-way south.

Roger Foisy stated that they are giving a full half, and have considered other possibilities.

Donald Williamson, residing at the intersection of B 3/4 and 27 Road, addressed the right-of-way question indicating he can't give any more. He also noted there is no existing sidewalk outside of his fencing.

Commissioner O'Dwyer commented that this problem needs to be resolved.

Karl Metzner stated that there is 40 foot of right-of-way and with Mr. Williamson's fence on the property line now, they should be able to put a normal street mat in with a curb but probably not with a sidewalk on the south side. This would put the curb a foot or two outside of his fence.

Chairman Transmeier summarized that the petitioner would be willing to accept the normal width assessment on B 3/4 Road and then "slide the money" (420 feet of pavement) down an equal number of feet towards 27 Road which would leave Power of Attorney for what is left over.

Roger Foisy responded that they now have 420' of frontage and they originally intended to improve that, but after considering other problems (i.e., drainage) they see that another possibility would be to improve from the intersection north (to their entrance) which would leave the rest of their frontage unimproved. Roger feels this may take some special arrangements.

#### **PUBLIC COMMENTS**

Comments in Favor of the Proposal: There were none.

Comments Against the Proposal:

Duane Scott, 135 Vista Grande, discussed his concerns with the proposal and asked numerous questions to be sure he was up to date on the current plan. His questions covered the following subjects:

1. Street improvement options and who has them.

Commissioner Transmeier explained that the Petitioner has the right to have the street in front of his property improved with the money he spends. Planning Staff has proposed an option that would mean moving the 420 feet of pavement down to 27 Road where it really connects with existing pavement.

2. The two remaining parcels will not be rezoned but might be included later.

Bob Goldin confirmed that was true and if they later decided to include those, an additional rezone request would have to be submitted at that time.

3. Where the petitioner intends to pave the street -- to the east side of the new street or to the east side of Pinion Street.

Roger Foisy answered it would be to the east side of Pinion Street.

4. Whether the street would be a private or a public street.

Bob Goldin answered it would be a dedicated public right of way (City street).

5. No facilities for Recreational Vehicle Parking.
6. Trash Pickup, Parking, Mail box cluster arrangement, and the square footage of the proposed houses were among other questions which were satisfactorily answered by members of the Planning Commission, Planning Staff and the Petitioner for Mr. Scott.

After having these questions answered, Mr. Scott commented that he has no violent opposition to the project and if they do a good job on it, it may in fact improve the neighborhood. He also made the point that he wasn't really speaking in favor or in opposition to the proposal -- that he just intended to clear up some questions in his own mind.

Don Williamson commented on his concerns with insufficient irrigation water for an additional 24 homes.

Linda Olson, 296 Pinion, expressed her concern about the pedestrian and pre-school traffic problems that exist now, particularly with the lack of pavement and sidewalks in that area (north of Pinion).

There was discussion between the Planning Commission and Planning Staff regarding the existing irrigation ditch and the sections of the road that are paved and graveled.

Mr. Williams commented that he felt all the traffic would be coming out B 3/4 Road.

Mike Griffin, 276 O Court (corner of B 3/4 Road and the new subdivision) spoke against the proposal for the following reasons (an attitude, he indicated, that is shared by other neighbors that he had canvassed):

1. Traffic situation and the new impact that will be created by this project. Mr. Griffin fears it will become a "dragstrip."
2. General consensus of those people contacted don't want this project approved.

Mr. Griffin commented that he would obtain signatures from the neighbors who are opposed to this project if the Planning Commission wants him to.

Chairman Transmeier informed Mr. Griffin that tonight would have been the time to have presented the petition.

Mr. Griffin stated that they did not have enough time to get the signatures.

#### **PETITIONER'S REBUTTAL**

Roger Foisy stated that an effort had been made to contact the neighbors (through letters) early in the process to field possible objections, and felt they had been given sufficient notice.

Chairman Transmeier asked if they had conducted any neighborhood meetings.

Kelly Taylor, proposed subdivider for the property, responded to Mr. Transmeier's question by informing the Commission that he had attended neighborhood meetings and he felt that he had helped satisfy most of their concerns (primarily the traffic impact situation).

Roger Foisy continued his rebuttal by stating that the petitioners would like to see the front of their property improved (curb, gutter, sidewalks) and it would be a benefit to everyone if the entire street were to be improved. A solution to the total problem is still in question. The Petitioner does not feel the additional density is going to impact the neighborhood any more than other adjoining areas.

Regarding the irrigation water discussion, Roger agreed that water shortage is a concern with most projects. He explained the details of the "common" water system they plan to install, which will include one holding tank, one set of controls and one pump -- set on a timer with watering schedules established for the "off hours." Roger also noted that the only new area that will require watering will be the common area.

Other items discussed by Roger at this time included:

--Recreational Vehicle Parking -- The petitioner's chose to provide other alternative amenities (Play area, for example).

--"Moderate Housing" intentions of the petitioner -- price range of mid-50's. The petitioners feel they have obtained a little more density for the economic situation but that it won't be an "obvious sore spot" for the neighborhood.

#### **QUESTIONS**

Mike Griffin stated that he didn't feel the neighbors had been given "enough time" to prepare a petition since they

didn't receive a letter until last Wednesday, and he requested more time to obtain and submit a petition. Mr. Griffin complained again about the traffic situation and doesn't feel that issue has been satisfactorily addressed. He referenced the heavy traffic that already exists across 27 Road from the Dixon Plant and the new impact on B 3/4 Road that this project will be adding.

Mr. Griffin again raised the question on insufficient irrigation water -- that the current residents have only a fractional part of a share.

Mr. Griffin also stated that he is opposed to the type of housing (two-bedroom, cluster type), as he feels this type of housing lends itself to "transient-type people." He further stated that the developers told him the price range would be in the mid-40's, not mid-50's.

Mr. Taylor spoke to this comment saying they would be priced between \$45,000 and \$55,000.

Mr. Foisy added that they will be platted as individual townhouses (tenant will buy the building and the property). He further stated that density is a problem everywhere but they still don't feel it is a major concern with this project. He then read the Orchard Mesa Irrigation District Review Comments which indicates they are not concerned with the proposal -- making the point that the best they (the petitioner) can do is put in the kind of system they have proposed for off-hours.

Commissioner O'Dwyer asked for explanation on the water scarcity problem.

Don Williamson explained the route the water takes from the canal to this property, noting that about 4/5 of the route is underground and part of the problem is caused by clogged pipes and maintenance.

Regarding the paving problem, Commissioner O'Dwyer suggested an alternative for the property owners might be to obtain a petition for a Street Improvement District for 1983 and have it done all at once.

Mr. Griffin spoke up again and asked the Planning Commission if it makes any difference to them if the neighbors don't want this project.

Chairman Transmeier answered that it makes a difference to them, but that the petitioner has a right to develop his property too.

Mr. Griffin continued to complain about the density and the quality of the homes (2-bedroom units) lending themselves to transient-type people.

Commissioner Quimby stated that the "dictates of the economy will decide whether they sell or not," and "not everybody wants to live in a single-family detached home anymore, primarily because they can't afford to."

Mr. Griffin said that was fine but why don't they (Planning Commission) put it somewhere where it's wanted and not where it isn't.

Commissioner Quimby reasoned with Mr. Griffin by stating that there also might be someone who doesn't like the kind of house he lives in.

Mr. Griffin asked why they can't be allowed to circulate a petition to find out who is for or against it.

The Planning Commissioners reminded Mr. Griffin that that is the purpose of the Public Hearing and there is a definite procedure for the public to go through to express their opposition.

Fred Peaslee, Petitioner, commented that he feels they have proposed a nice addition to the neighborhood with the design of this project.

Commissioner Litle reminded the audience of Chairman Transmeier's opening remarks tonight, that the final decision (approval or disapproval) will be made by City Council at the scheduled meeting (February 16 at 7:30 p.m.).

Bob Goldin informed Mr. Griffin that he could submit a petition at that time or prior to the hearing.

Ray Gilbert, 313 E Highland Drive, commented that there was not an information sheet posted on the sign, and that he had to call the Planning Department twice before he could find out anything. He also stated he had not been notified by letter and asked for the footage requirements for notification.

Bob Goldin told Mr. Gilbert that there is a 200' radius requirement for notification. Bob also referred to their records that shows approximately 40 property owners were sent notification within that 200' radius.

Mr. Lauren Piley, 283 Hill Court, stated that with Dixon Manufacturing and the new Safeway Store, there is a lot of traffic coming out of 27 Road and wondered if there were any plans for different outlets.

Discussion disclosed no plans for the immediate future.

**STAFF SUMMATION**

Bob Goldin asked that the utilities composite be approved prior to City Council hearing and all technical issues (right of way dedication, B 3/4 Road improvements) be resolved prior to final submittal, should the Planning Commission recommend approval on this project.

Chairman Transmeier then closed the Public Hearing.

**MOTION: (COMMISSIONER LITLE) "ON ITEM #3-83, CONSIDERATION OF REZONE FROM RSF-8 TO PR-10, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, CONTINGENT ON THE RESOLUTION OF THE 27 ROAD STREET IMPROVEMENTS, UTILITIES COMPOSITE BEING SUBMITTED PRIOR TO CITY COUNCIL, AND THE RESOLVING OF ALL OTHER STAFF/ REVIEW AGENCY COMMENTS."**

Commissioner Rinker seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried by a vote of 4-0.

**MOTION: (COMMISSIONER LITLE) "ON ITEM #3-83, CONSIDERATION OF PRELIMINARY PLAN, VILLA PARK TOWNHOMES, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO STAFF AND REVIEW AGENCY COMMENTS."**

Commissioner Quimby seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion passed by a vote of 4-0.

3. #4-83 TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

Petitioner: City/County Development Department

A request to amend portions of Chapter 3: Goals, Objectives and Policies. (Copies available at the City/County Development Department, 559 White Avenue, Room #60, Grand Junction. 244-1628).

Chairman Transmeier announced that the final revisions had been retyped as of today and asked for any questions or changes on this copy, noting that only a couple of minor changes had been made to the policies as of a week ago.

**PETITIONER'S PRESENTATION**

Bob Goldin submitted a copy of a letter, for the record, from the Grand Junction Renaissance Committee supporting the policies of the Downtown Redevelopment Plans.

**PUBLIC COMMENTS**

John Ballagh, 554 Eastmore Drive, asked for clarification on the reason for having the goals and policies -- "Do they lead to regulations or are they a basis for recommendations?" Mr. Ballagh also is uncomfortable with some of the unquantifiable terms in all of the the policies; specifically, words like "near, little, about," etc.

Chairman Transmeier stated that basically this is the first chapter of the city-planning-area master plan for the future and they will lead to regulations. Future chapters will be more specific to specific areas and have more in-depth definitions.

John Ballagh referenced certain sections in the text to give examples of the "unquantifiable terms" he was referring to. Mr. Ballagh also discussed other "semantic" problems in different areas. He specifically discussed the definition and use of the phrase "types of water" (under Section 3-5 WATER RESOURCES, 3-5-1, GOAL). He pointed out that there are different types of water but it is the use of the water that is really the issue.

Mr. Ballagh (in discussing 3-4-3 POLICY) further suggested that more of the "two-way street" goal should be clarified to insure that information that is collected from the private sector is indeed made available for appropriate feedback. After some discussion, it was agreed that an appropriate change to the wording of this section should be to insert

the words "and exchange" after "The City will seek to obtain..."

Mr. Ballagh also has some concerns with the 3-14-3 POLICIES (Section A.4). His question was whether this was leading to a fiscal analysis requirement.

The Commissioners didn't think of it in those terms but rather as impact, although they told Mr. Ballagh that they couldn't guarantee it wouldn't be interpreted in that light.

#### **PRESENTATION BY DOWNTOWN DEVELOPMENT AUTHORITY**

Skip Grkovic and Joe Skinner were present to field questions and present the policies.

Skip responded to Mr. Ballagh's initial question on whether these policies will lead to regulations and indicated that it is their intent to carry these policies into regulation format and this would be discussed at a later date.

Skip further stated that the policies related to the Downtown represented approximately six years of work by DDA and Planning Staff, and they are based on the City's Master Plan for the Downtown area and the DDA Plan of Development.

Some specific changes were discussed, including a comment from some City Council members on SECTION 3-19-10 -- DOWNTOWN DISTRICT POLICIES, Section A) and attempted to clarify the wording of the last sentence. After discussion, it was agreed to change the sentence to read as:

"Redevelopment taller than two stories should have stories above the second floor set back from Main Street and should allow winter sun access to as much of Main Street as possible.

Skip noted another change that wasn't incorporated as previously discussed at workshops was to insert the word "Downtown" before the words "planning area" throughout the document.

Other changes and clarifications on some of the descriptions were discussed by Joe Skinner, Skip Grkovic, and members of Planning Staff and the Planning Commissioners. Copies of all changes and corrections are on file at the City/County Development Department, 559 White Avenue, Room #60, Grand Junction, CO.

Skip also asked for additional discussion time after adjournment of the Public Hearing tonight.

After discussion and changes were listed, Chairman Transmeier closed the public hearing and asked for a motion to be heard.

**MOTION: (COMMISSIONER LITLE) "ON ITEM #4-83, TEXT AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, I RECOMMEND WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL AS AMENDED."**

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 4-0.

**ADJOURNMENT** The meeting was adjourned at 9:45 p.m.

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**SPECIAL DISCUSSION**

Skip Grkovic discussed the development and adoption of the regulations to implement the policies that have just been forwarded to City Council.

Skip referenced a revised schedule of Meetings, Workshops, and Hearings that have been established for the purpose of discussing the regulations and the process to get them drafted, approved, adopted, and implemented prior to the middle of 1983. The following schedule was outlined:

- February 1, 1983: 7:30 p.m., Planning Commission Workshop scheduled for DDA office to go over another draft of more detailed final regulations (which will be distributed to the Planning Commission the end of this week for their review).
- February 2, 1983: City Council will consider these policies on first reading.
- February 15, 1983: 7:30 p.m., DDA will host public hearing to test the draft regulations on some specific development projects.
- February 22, 1983 Grand Junction Planning Commission will have a public hearing in this room to hopefully recommend adoption of the regulations to City Council.

Two Subsequent  
City Council  
Meetings

The City Council will hopefully adopt the policies (on final reading); and on the first and second readings -- the regulations.

Skip went on to explain that the approach the DDA is planning to take to amend the regulations and include the new regulations in the Development Code has been tentatively established with Planning Staff and Joe Skinner. (Skip then introduced Joe Skinner).

Joe Skinner briefly discussed the process, which will include:

- (1) Application;
- (2) Submission to Review Agencies;
- (3) Public Hearing before Planning Commission;
- (4) Referral to the governing board;
- (5) Adoption of the ordinance.

There will also be an additional public hearing by the DDA and additional work done by the task force. Joe also outlined the substance of the proposal for the text regulations and amendments in that:

- (1) The existing zoning remains as it is in the downtown area subject to strict enforcement of those existing zone;
- (2) A Planned Development area will be developed for part of the central business districts (several but not all districts will be covered at this time);
- (3) The Planned Development will be the alternative that would be flexible to buy incentives, ease the application process, and hopefully implement those goals, objectives and policies. (Joe noted there may be some tradeoffs for heights, parking, etc. in exchange for design guidelines that meet the objectives and goals.);
- (4) Subject to the Commission's approval and public input, it is anticipated that that will be an exclusive planned development available to the downtown area -- There will be an option of using existing zoning requirements or the planned development downtown process (either/or situation);
- (5) The Downtown planned development will be different from existing text now and will provide incentives with obvious tradeoffs for the developer.

Chairman Transmeier commented that these same ideas may be utilized for other parts of the city. Joe Skinner agreed that from a legal standpoint it would be quite consistent to identify and develop other areas of the city based on their goals and policies -- using a comprehensive master plan approach.

Skip Grkovic commented on the regulations for the implementation of the Downtown policies saying that the DDA has initiated this process and has tried to "fold" it into the Planning Commission process wherever possible. He posed the question: "Who should be the petitioner for these changes?"

He offered a solution to this question with the following comment: that the DDA is willing to be the petitioner for the changes that effect the Downtown exclusively, and would be willing to share the responsibility with the Planning Commission for changes that affect other areas if the Planning Commission would then, in turn, agree to be "co-petitioners" with the DDA on the downtown regulations and processes.

The Planning Commission decided to take the "co-petitioner" suggestion under consideration. There was no further discussion.

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