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**GRAND JUNCTION PLANNING COMMISSION**  
Special Hearing - February 8, 1983  
7:30 p.m. - 9:15 p.m.

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

In attendance, representing the Grand Junction Planning Commission were:

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| Miland Dunivent | Susan Rinker |
| Bill O'Dwyer    | Jack Ott     |

(Commissioners Quimby and Litle were absent)

In attendance, representing the Planning Department were:

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

There were approximately 30 citizens in attendance at the beginning of the meeting.

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Chairman Transmeier called the Special Meeting of the Grand Junction Planning Commission to order and addressed the developers in the audience, focusing their attention to the City's Sign Code regulations. Mr. Transmeier noted that the Sign Code will be in full effect by May, 1984, which means that all existing signs that do not conform will have to be changed to comply with the Code. He then explained that the reason for the special meeting tonight was to discuss the status of outstanding projects. He noted that, collectively, the outstanding projects total: 1015 residential units on almost 97 acres and 250,000 sq. ft. of commercial office space on 60 acres and approximately 400 hotel rooms. He stated that the City needs to be informed as to where the developers stand in terms of their development schedules.

Chairman Transmeier also noted that the Planning Commission would like to keep each developer's presentation tonight as brief as possible.

**CONSENT AGENDA**

(These are items where the petitioners have requested reversion.)

1. **#77-80 ENERGY PLAZA I** - Development in HO. Location: Lot 9, Blk 2, Replat of Crossroads Colo West - 2759 Crossroads Blvd.
2. **#67-81 BOARD OF TRADE** - Conditional Use. Location: 336 Main Street.
3. **#86-81 THE YEAGER BUILDING** - Development in HO. Location: Northeast of Highway 50 & B.5 Road.
4. **#93-81 OXY OIL OFFICE BUILDING** - Development in HO. Location: North Corner of Horizon Drive and the Highline Canal.

Chairman Transmeier asked for comments from the Public. There were no comments heard.

Chairman Transmeier asked for questions from the Commission. There were no questions.

Chairman Transmeier then asked for a motion to be heard.

**MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, FOR THE ITEMS ON THE CONSENT AGENDA (ITEMS #1-4), I MOVE WE FORWARD THESE TO CITY COUNCIL WITH THE RECOMMENDATION THAT THE ITEMS (NOT THE ZONINGS) BE REVERTED."**

Commissioner Rinker seconded the motion.

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

Chairman Transmeier commented that the reversions will be recommended to City Council while extension requests will be handled by the Planning Commission (no further hearing will be scheduled).

**FULL HEARING**

**1. #18-80 HERITAGE SQUARE**

The petitioner was not present for this item.

Chairman Transmeier asked for a motion on the item.

**MOTION: (COMMISSIONER RINKER) "ON ITEM #18-80, I MOVE THAT WE RECOMMEND REVERSION OF THE ODP AS WELL AS THE ZONE FROM PR 12.4 TO THE ORIGINAL ZONE OF RSF-8."**

Commissioner O'Dwyer seconded the motion.

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

**2. #27-80 ONION HILL SUBDIVISION**

**STAFF PRESENTATION**

Bob Goldin commented that this plan was originally approved in April, 1980 under the old zoning regulations. The developer is in violation of their development plan since they have not filed for their preliminary plan within the one-year time period. Last action on this item was 5/21/80. Bob further noted that the ODP only was denied but the PR zone was approved. The petitioners were required to submit a preliminary plan at the time of preliminary submittal. Bob also noted the zone now is PR 7.2.

**PETITIONER PRESENTATION**

Noel Welch explained that they have had a lot going on with the project and the extension agreement was simply an oversight on their part. He noted they have had on-going conversations with Don Warner and that they do plan to submit a preliminary plan.

Commissioner O'Dwyer questioned Mr. Welch on their zoning request.

Mr. Welch answered that it is now PR 7.2 and they have reduced it to a density of 6.4. He also mentioned that they have a major problem with the parcels of ground in that a large swamp area exists. He indicated that they are meeting with St. Matthews Episcopal Church (who owns 10 acres to the south of them) to see if there is some way to co-develop that into a lake area or holding pond area. St. Matthews Church has not made a decision on this at this time, but are

considering several alternatives (such as, developing the east five acres and selling the west five acres, etc.)

Mr. Welch presented a brief chronology of the things that have been done over the last year and a half:

1. Soils testing has been completed.
2. A drainage problem has been inherited from Apple Crest Subdivision. The drainage came onto their land; they have worked with Don Warner, Mr. Unfred, and Mr. Ashby in an effort to divert the drainage through the current Apple Crest, to the west and down to 27.5 Road.
3. They have spent about \$26,000 to bury the irrigation ditch (pressurized pipe).
4. There has been ongoing engineering and somewhat preliminary development (to the tune of about \$58,000), as well as a re-outline of their desires for the development.
5. Mr. Welch also referenced the PR 7.2 map and pointed out the area that has caused concern in relationship to the water holding tank, noting that the engineering has not been completed as of yet.

#### QUESTIONS

Commissioner O'Dwyer questioned Mr. Welch on the drainage problem from Apple Crest, wondering if there hadn't been a problem prior to the development of Apple Crest.

Mr. Welch answered that it drained into the irrigation ditch from Apple Crest; the drainage from Apple Crest flowed into the catch basin which then overflowed into the irrigation ditch. The drainage now comes from the original Apple Crest and through the new Apple Crest into the drainage ditch on the west side of 27.5 Road (as a result of a total investment of \$8000 by Mr. Welch and Mr. Unfred).

Chairman Transmeier commented that one of the criteria the Planning Commission is basing their decision on tonight is the changes that have occurred in the neighborhood and reasons that this might have been approved three or four years ago but not approved now. (One of those reasons might be the Airport Overlay) Chairman Transmeier asked Mr. Welch if they are in the Critical Zone.

Mr. Welch indicated part of it is in the Critical Zone.

Bob Goldin commented that the Onion Hill Zone was approved prior to the incorporation of the Airport Overlay; thus, Onion Hill was "grandfathered" in.

Commissioner O'Dwyer noted that the petitioners haven't been totally "idle" and have been progressing.

Mr. Welch agreed they have been progressing with some speed although when the interest rate escalated to 22 1/2%, they did lose "a little bit of their zeal." He also referenced meetings with the representatives who did the Outline Development and engineers, and their desire to continue with the development of the land.

Commissioner O'Dwyer then asked Mr. Welch about the irrigation pressure--whether it exists just for their development or if the other lots will also have irrigation water.

Mr. Welch indicated they plan to tap into it for their project and irrigation water will be available for each lot.

Commissioner Dunivent asked Mr. Welch if their request included an extension for submittal of their preliminary plan on 7/1/83. Mr. Welch agreed, adding that the schedule might be accelerated if they get a tentative preliminary approved north of Ridge Drive and solve the water problem along the southern lots.

**PUBLIC COMMENTS.** There were none.

Chairman Transmeier then closed the public hearing and asked for a motion to be heard.

**MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #27-80, ONION HILL SUBDIVISION, I MOVE WE GRANT A ONE-YEAR EXTENSION FOR SUBMITTAL OF THE PRELIMINARY PLAN."**

Commissioner Rinker seconded the motion.

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

### 3. #40-81 HORIZON PLANNED COMMUNITY

#### STAFF PRESENTATION

Bob Goldin introduced the project, noting it had come in under the new regulations, giving them one year to submit a preliminary plan once the ODP had been approved. The submittal application has not yet been received so they are in violation of their development schedule.

Chairman Transmeier interjected an explanation to the developers present that the Planning Commission wishes to speed things up tonight by finding out if they are seriously planning to proceed. He requested all developers to refrain from providing technical information or duplicating "economic reasons."

#### PETITIONER'S PRESENTATION

Kirk Culbertson, Design Workshop, stated that:

1. They intend to build the project.
2. New topography has been prepared, flood plain has been recalculated, and soils/radiation reports have been obtained.
3. They have prepared 20 scale base maps and proceeded with additional detailed design and layout of the patio home and single-family home lot areas.
4. Lack of confidence in the market led them to stop proceedings -- until the market changes.
5. They still believe in the project (particularly its compatibility) and have tried to coordinate curb cuts to line up intersections. They do not foresee any engineering problems.
6. They are asking for a one-year extension to allow them to submit their preliminary plan.

Chairman Transmeier asked Mr. Culbertson if they thought they could do that in one year. Mr. Culbertson answered yes.

Commissioner Ott asked if they would be at final within one year.

Mr. Culbertson answered that he suspected they would submit a preliminary submission for the entire property and final plat for first phase, which would likely include some of the single-family lots and patio homes.

Commissioner O'Dwyer summarized that what he is saying is that one year would allow them to do this. Mr. Culbertson agreed.

**PUBLIC COMMENTS.** There were none.

Chairman Transmeier closed the public hearing and requested a motion.

**MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, ON ITEM #40-81, HORIZON PLANNED COMMUNITY, I MOVE WE GRANT A ONE-YEAR EXTENSION FOR SUBMITTAL OF THE PRELIMINARY PLAN."**

Commissioner O'Dwyer seconded the motion.

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

==Chairman Transmeier indicated the next two agenda items would be considered simultaneously.==

- 4. #61-81 RLC - PR-27 CONDOS
- 5. #61-81 RLC - PB OFFICE BUILDINGS

#### **STAFF PRESENTATION**

Bob Goldin stated that they are in violation of the time frame from the approval of the ODP to preliminary stage.

#### **PETITIONER'S PRESENTATION**

Levi Lucero made the following comments:

1. They have removed the dwelling from the site, as well as other out buildings.
2. They have been pursuing financing but the recession has not allowed them to continue.
3. They hope to have the preliminary plans submitted within six to nine months.

## QUESTIONS

Commissioner Rinker commented that she still is not comfortable with the PR-27 density there, particularly after seeing what was done across the street.

Mr. Lucero commented that that is his (meaning the other developer's) project.

Commissioner Dunivent noted that Mr. Lucero hadn't indicated the length of time for the extension.

Mr. Lucero responded that they would like to apply for a one-year extension, at least.

**PUBLIC COMMENTS.** There were none.

Chairman Transmeier closed the public hearing and called for a motion.

**MOTION: (COMMISSIONER DUNIVENT) "ON ITEMS #61-81 R1C-PR-27 AND #61-81 R1C-PB, I MOVE WE GRANT A ONE-YEAR EXTENSION FOR SUBMITTAL OF THE PRELIMINARY PLAN."**

Commissioner O'Dwyer seconded the motion.

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

**6. #70-81 RSF-8 - PB ORCHARD GROVE & ORCHARD CENTER,  
ROBERT REESE**

## STAFF PRESENTATION

Bob Goldin introduced this project and indicated they had requested and received a Rezone and ODP approval. They also were granted a temporary use of the existing structure and have modified their plans to accommodate neighborhood concerns. They are looking at submitting their preliminary plan in December, 1983.

## PETITIONER'S PRESENTATION

Richard Livingston, one of the Partners of the Orchard Ltd Partnership, had the following comments to make:



1. They prepared a rendering which depicts the improvements on the existing structures which was a result of extensive neighborhood meetings.
2. Over \$15,000 has been spent on architectural work completed in anticipation of finishing final construction.  
  
(At that point they had problems with financing which caused some delays.)
3. A loan closing is scheduled for this coming Friday which will cover a large portion of their financial responsibility with the project. The lenders also plan to look at the new construction on the south side (Mesa Avenue side).
4. There is no intention to list the property for sale and they intend to move forward.
5. They are uncertain as to how soon everything will be completed and don't expect to be provided with an extension in excess of one year.

Commissioner O'Dwyer asked for clarification on the lender agreeing to look at the property.

Mr. Livingston stated that the closing set for Friday will fund the existing improvements (a permanent loan); and the additional development (hundreds of thousands of dollars worth) is still to be considered by the lenders.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER RINKER) "ON ITEM #70-81, I MOVE WE GRANT A ONE-YEAR EXTENSION FOR SUBMITTAL OF THE PRELIMINARY PLAN."**

Commissioner O'Dwyer seconded the motion.

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

**7. #79-80 C1 TURTLE ENTERPRISES**

**STAFF PRESENTATION**

Bob Goldin indicated this is a straight zone and at the time they received approval for a preliminary plat, there were drainage and 25 Road right-of-way problems. Those concerns can now be resolved. They are in violation of the development schedule from the time of preliminary plat approval to submittal of final plat.

## PETITIONER'S PRESENTATION

Mark Kareus, partner in Turtle Enterprises, spoke to their intentions:

1. They plan to develop the property. They have been through a great amount of engineering and communication with the Development Department. The drainage problem was "not developed from their development -- it was from 6&50 West subdivision."
2. They have not submitted a final plat for approval because "they have not been able to cope with the situation that's been put upon us by the City of Grand Junction because of a drainage problem from another subdivision that we were unaware of when we acquired this particular piece of ground."

Commissioner Rinker asked if that was straightened out now.

Mr. Kareus replied, "No, it's not straightened out; the problem we're having is cost and utility of our property. According to the City Engineer, they are wanting us to construct a drainage channel across the west portion of our property -- a five-foot concrete ditch to provide drainage water from an adjoining subdivision which they were approved and agreed to construct prior to our buying the property we now own."

Chairman Transmeier asked who "they" was.

Mr. Kareus replied: "6&50 West." Mr. Kareus went on to explain that it is partially an economic problem and partially a problem that they give up a great portion of their land in order to facilitate their drainage.

Commissioner Rinker commented on that being a technical problem which they are not to be dealing with tonight.

Mr. Kareus agreed it is a technical problem and added that they are now in the process of forming a development district there (or trying to) in order to handle the problem and share it equally among all the property owners.

Commissioner O'Dwyer asked if Mr. Kareus meant the existing subdivisions. Mr. Kareus stated there is only one subdivision -- 6&50 West, with about ten property owners there.

Commissioner O'Dwyer asked if that could be resolved in a year. Mr. Kareus stated he felt it could be and that "they have verbal agreement with all the property owners that they

would agree to an improvement district in there for putting a road in and furnishing drainage for this problem subdivision."

Mr. Del Jones, adjacent property owner--2571 6&50--, stated: "as far as I know this piece of property has been on the market for sale ever since these people have acquired it, and that I was approached three years ago on the aspect of putting a frontage road down through, but they've (the developer) have done nothing other than have it for sale -- on the market." Mr. Jones further stated that it has been consistently on the market and it has changed hands at least twice over the last three years.

Mr. Jones pointed out the location of his property and discussed the drainage ditch situation.

Mr. Kareus commented: "Mr. Jones' property doesn't even border 25.5 Road. We're trying to alleviate his problem and not compound it."

Commissioner O'Dwyer asked Mr. Kareus if the property is up for sale.

Mr. Kareus: "Yeah, it's for sale, but I'll tell you...he has stated we have done nothing over the last three years, but we've spent about \$15,000 on engineering to solve the situation. It isn't that we've constructed any improvements but we are working on a solution to make our property suitable."

Commissioner O'Dwyer commented that he understands that he can't do anything until they get some engineering.

Mr. Jones said the reason he spoke up is that Mr. Kareus said he had contacted the property owners but he (himself) has not been contacted. He also mentioned Dick Weber's name and there being an exclusive on the property for six months and how they didn't do anything.

Mr. Kareus and the Planning Commission noted that that has nothing to do with this.

Chairman Transmeier then closed the public hearing.

**MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, ON FILE #79-80, TURTLE ENTERPRISES, I RECOMMEND WE GIVE THEM A ONE-YEAR EXTENSION TO GET THEIR FINAL PLAT SUBMITTED AND ALL THESE OTHER PROBLEMS STRAIGHTENED OUT."**

Commissioner O'Dwyer seconded the motion.

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

**8. #3-81 PR-11 TAMMERLANE**

**STAFF PRESENTATION**

Bob Goldin noted that this one came under the old regulations which stated they had one year to get their approvals, and at the time of submittal, discussion involved a five-phase development of 103-units, and a total of three years for total completion.

**PETITIONER'S PRESENTATION**

Nick Goluba, spoke to their intentions:

1. They do intend to build the project but they've been caught in the economic pinch. "They got preliminary approval about the time interest rates went through the ceiling."
2. All engineering has been completed except for the actual construction drawings (architectural drawings) and have held back on that due to advice from their engineers and builder.
3. They intend to put together architectural plans at the time they know they can build the project so they can coordinate it with the builder.
4. This property has water, sewer, power and telephone available and they are now waiting for the market to change so they can obtain financing. Last summer when Exxon pulled out, the financing was revoked immediately.
5. The property is not for sale and they do intend to build.

Chairman Transmeier commented that the utility problem is on both ends of the line in terms of how much water will be needed, the capacity of the sewer plant, and the five-year period required to construct and complete another sewer plant.

Bob Goldin noted that they had requested a six-month extension which has now expired and they are at preliminary now.

## QUESTIONS

Commissioner O'Dwyer summarized that the first extension was given March 17, 1982 for six months.

Mr. Goluba confirmed Commissioner O'Dwyer's statement.

Chairman Transmeier then closed the public hearing.

**MOTION:** (COMMISSIONER O'DWYER) "MR. CHAIRMAN, ON ITEM #3-81, TAMMERLANE, I MOVE WE EXTEND FOR ONE YEAR TO GIVE THEM THE OPPORTUNITY TO GET THEIR PLANS ALL IN ORDER." *for submitted of a final plan.*

Commissioner Rinker seconded the motion.

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

## 9. #23-80 PR-34.9 HORIZON TOWERS

### STAFF PRESENTATION

Bob Goldin introduced the project: The plans call for five-year phasing; there was some discussion on the revised final plan regarding the density; they are requesting an extension to July 15, 1983; they did submit an extension request on which no action has been taken.

### PETITIONER'S PRESENTATION

Paul Penner, Penner, Franz & Co., outlined their progress and intentions:

1. They just this week received a commitment on construction funds for the project.
2. They plan to begin construction as early as possible. The construction commitment has to be turned into a construction loan (which takes about 30 days), but they intend to start excavation fairly quickly.
3. Plan to be in for building permits by the latter part of March.

**QUESTIONS**

Chairman Transmeier asked if they are actually ready to start building. Mr. Penner answered yes.

Commissioner O'Dwyer asked if this would be a phased project. Mr. Penner answered: "This project is divided into two phases; the first phase is for 89 units to be built and we also have committment to carry on to the second phase which is expected to start within two years of the construction (15 months construction with 6 months required for final sell-out, then second phase will start)."

Commissioner Rinker asked how many pre-sales they have. Mr. Penner answered they have about 20% pre-sales.

Chairman Transmeier closed the public hearing and called for a motion.

**MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #23-80, I MOVE WE GRANT THE EXTENSION TO 7-15-83 AS REQUESTED PER THEIR LETTER."** *for recording of the final plat.*

Commissioner O'Dwyer seconded the motion.

**QUESTIONS**

Commissioner Rinker asked whether the plat has been recorded.

Mr. Penner stated it is being finalized right now.

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

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Commissioner O'Dwyer asked to be excused from the Commission for consideration of the next agenda item. Chairman Transmeier granted his request and noted that in order to have a quorum, he will be voting on the next item.  
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**10. #44-80 PB ENERGY BELT PLAZA**

**STAFF PRESENTATION**

Bob Goldin introduced this project by noting that it had received final approval in 1980 and at that time there was some discussion regarding expansion of F Road and the

development schedule. There was no decision made as a result of discussions in April, 1982 as to the future of the development schedule of the project. An impact statement has been submitted; they are through final plan.

#### PETITIONER'S PRESENTATION

Frank Lamm discussed their intentions as follows:

1. In 1981, despite the high rate of interest, they decided to go ahead and find some lower interest rate money. They found what they thought was lower interest rate money but they became victims of a local financing (money) scam, and so became the "financier" rather than the "borrower," and lost some money on that episode.
2. Later in 1981, they thought they had again lined up some long-term financing and it turned out to be a second "money scam."
3. In 1982, they had problems with Exxon and the recession.
4. In January, 1983, they thought they had found a business to put in there (on lease arrangement which would have assured financier of income-producing property). However, when the leasee inspected the property and saw some "orange flags" along F Road he became reluctant to take the lease for fear of construction on F Road creating initial slow-down of starting his new business.
5. They are asking for a maximum extension.

Chairman Transmeier asked Mr. Lamm for his future intentions.

Mr. Lamm commented: "To get financing, and in order to get financing, we need to lease a part of the building, and on the first couple days of March, I'm going to Dallas to a National Lender's Forum to see if we can find some money there."

Commissioner Dunivent questioned Mr. Lamm on his comment that a lot of this depends on the development of F Road. The development of F Road could be a long way down the road and he doesn't understand how Mr. Lamm can expect to get much of an extension depending on the development of F Road.

Mr. Lamm stated: "That was just one thing that was brought to their attention; in other words, in order for us to get our building pre-leased, we have to have somebody agreed to lease part of the space, and when the one retail business individual (whom he thought had an excellent franchise to go in there) saw the stakes, he

felt they were going to do something right away, and decided not to touch it."

**PUBLIC COMMENTS -- None**

Chairman Transmeier closed the public hearing.

Commissioner Dunivent asked Bob Goldin where they stood now. Bob stated that they have final plan approval.

**MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, ON FILE #44-80, I RECOMMEND WE GIVE THEM A ONE-YEAR EXTENSION FOR DEVELOPMENT OF THE FINAL PLAN."**

Commissioner Dunivent seconded the motion.

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

**#21-81 PR-9.5 CASCADE CONDOS AND HEALTH CLUB**

**STAFF PRESENTATION**

Bob Goldin stated that the project has violated their development schedule and that they have received a rezone and final plan approval at which time they stated they would develop the project. A letter has been submitted originally requesting for the plan to be reverted (through discussions with the representative) -- regarding the intent of Cascade Condos in relation to the Falls. It was suggested then that it would require further discussion; so, at this time, they've violated their development schedule and much discussion regarding the amenities package of the Falls in relation to Cascade Condos itself.

**PETITIONER'S PRESENTATION**

Tom Logue, Paragon Engineering, spoke to their intentions:

1. The project has had some level of work completed. Site grading began immediately upon receiving approval of their final development plan (approximately 30,000 cubic yards of dirt was excavated from the site in preparation of the development of the condominium complex in conjunction with the health club).
2. The final working drawings have been completed for the condominium rezone site.



3. With the passage of time and the evaluation of market demands, it was felt that the demand for a condominium of this nature was rapidly diminishing in the Grand Junction area. The petitioner is presently in the process of constructing a "cluster home" housing project (one of the few housing projects actively being built at this time) and they have devoted their attention in that direction.
4. The health club specific needs have been re-evaluated. An investor involved in the project indicated he would be willing to work with them as soon as the plan was approved. However, once the plan was approved, "he left the country."
5. The petitioner does fully intend to develop the health club and have re-evaluated the needs of the people in the area and have concluded that:
  - (a) They will be looking at a facility greater than the 10% allowable change in the floor area (12% reduction in the floor area), and;
  - (b) Development of the health club may be premature in light of the slower-than-anticipated progress of the overall development in the immediate vicinity.
6. The petitioners met recently and are prepared to apply for building permits for the condominium portion within a nine to twelve month period and begin actual construction. (Mr. Logue noted that it is difficult to say when the health club portion would actually begin construction but feels that within that time frame an amended plan with a revised health club 'footprint' would be resubmitted and a new development schedule negotiated for it)
7. In summary, Mr. Logue is asking for permission for the ability to begin construction on the buildings within a one-year period and at the same time submit an amended development plan asking for approval prior to one year from today so their amendment would be heard before February, 1984.

#### QUESTIONS

Chairman Transmeier questioned the relationship now between the Cascade Condominiums and the Falls project (referring to financial or ownership relationship).

Mr. Logue answered: "The relationship is strictly through the builder. Valley Federal Savings and Loan owns most of

the Falls Property; Robert Rewinkle (Rewinkle Construction) is currently building on that property. In the case of Cascade Condos, that particular parcel of land is owned by the builder and developer (Rewinkle Construction) -- the land itself has no legal connection with the balance of the Falls project; the only connection is that the builder in the Falls is also the builder and owner of the Cascade village and health club.

Chairman Transmeier added that they have heard discussion on how the amenities at the Falls were going to be cut out because the Cascade Condos health club was going to be there.

Mr. Logue responded: "It is my understanding that there were amenities added to the Falls development plan in addition to what is existing at the health club; the original plan was submitted without any amenities in Filing 3 and preliminary for Filing 4; this board and City Council told us it would not and to incorporate additional amenities (tennis courts, picnic and recreational field areas for Filing 3 and 4). The health club is still a go, it's just that to make the thing operate properly, we feel that we're going to have to draw from the immediate neighborhood, and that extends further than the Falls (Grand Manor, down the hill and Spring Valley, etc)."

Chairman Transmeier commented that that was part of the reason we were presented the Falls -- they had cut back amenities because the health club was there.

Commissioner O'Dwyer expressed concern that it seems like the amenities have been "moved and moved, shoved and deleted all the way through."

Mr. Logue agreed that it is hard to believe and encouraged the Commission to visit with the people living out there. The people were disappointed that they had to "cough up" an extra \$20-25/month to eventually support the amenity package that was there and had they known that was going to be the case, they probably would have looked elsewhere. Mr. Logue added that they are not demanding those, but they are going to get them, and the general consensus is not to have any at all -- just have an open area. However, there are only twenty people living out there now with a potential for 225.

Commissioner O'Dwyer commented that they are probably scared they have to support the whole thing and the Commission is also scared to think the whole project may be built and the amenities will continue to be shifted.

Mr. Logue sided with Commissioner's O'Dwyer's comment and added that "it is a buyer's market now and we have to compete with every one we get out there, and one of the

'carrots' we can put out there is a sound recreational amenity package within the development and we will continue to offer that as a marketing tool."

**PUBLIC COMMENTS** There were none.

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

**MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, ON ITEM #21-81, I MOVE WE EXTEND THIS DEVELOPMENT SCHEDULE FOR THE PROJECT FOR ONE YEAR TO START CONSTRUCTION OR SUBMIT A REVISED FINAL PLAN.."**

Commissioner Rinker seconded the motion.

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

## **12. #33-81 PR-10 COLONY PARK**

### **STAFF PRESENTATION**

Bob Goldin stressed that the original development schedule was violated, that the plat was recorded approximately July, 1982, but because of the scope of the project, we felt it would be appropriate to obtain a status. Phase 1 filing was recorded in July, 1982; there were some concerns regarding flood plain permits and F Road improvements in relation to those permits; and in September of 1981, the City Engineer made stipulations upon the petitioner which eventually (one year later) resulted in the plat being recorded. The primary emphasis tonight is on the remaining 180+ units in the preliminary plans (not necessarily Phase 1 which has as recorded plat on it).

### **PETITIONER'S PRESENTATION**

Ted Straughan updated the Commission with the following comments:

1. They have held a neighborhood meeting to communicate their plans and have received no opposing comments.
2. Trails for Pomona school kids has been completed in advance of their doing their development.
3. They would like to apply for an extension. They submitted a letter on January 14, 1983, which indicates they have been working with the City Engineer for quite a while and as of today, the City signed a three-way

agreement (between partnership, irrigation company, and the City) which puts them in a position to let a contract if they decide to do so.

4. The economy is a problem for them also; they "can't say their intent is to go out tomorrow to borrow money to put it on the front burner."
5. They are dealing with subsequent filings (per Bob Goldin's statement). The petitioners originally gave a projected 5-7 year build-out schedule. Mr. Straughan adjusted that "to the current economy to something like a 10-12 year build-out" for those subsequent filings. They may have to make adjustments in their plans to meet the changing economy. They have spent approximately \$60,000 in public process and engineering and would hate to lose that investment.

Chairman Transmeier asked Mr. Straughan if their current intentions are to wait with your development.

Mr. Straughan responded: "We have to wait to see what the economy is going to do."

Chairman Transmeier asked for more information on the phases.

Mr. Straughan responded that there are 75 units in the first phase (out of the 210 they were approved for).

Commissioner O'Dwyer asked when they thought they could get started if the economy started turning around.

Mr. Straughan answered they could start reasonably soon if the economy changes; and if they can get all the paperwork done prior to the water coming into the ditch, they could begin building the bridge (80' culvert, which is part of the agreement they had signed today).

Mr. Straughan added that they were scheduled to put in their flood plain application about a year and a half ago, but due to changes "upstream and downstream," Ron Risch asked for a new one in June and it was finally approved in October of last year which put them at the end of our first year of our approval.

**PUBLIC COMMENTS.** There were no comments.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, ON ITEM #33-81, I MOVE WE GRANT A ONE-YEAR EXTENSION FOR THE DEVELOPMENT SCHEDULE FOR COLONY PARK."**

Commissioner O'Dwyer seconded the motion.

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

**13. #53-81 PB FRENCH QUARTERS (OFFICE BLDG)**

**STAFF PRESENTATION**

Bob Goldin stated that this was one that received final approval with the rezone request to Planned Business; the petitioners came back asking for change to Office Building and a one year extension. There was discussion on the design of the project and the multi-family use vs. business use (at time of revised final plan).

**PETITIONER'S PRESENTATION**

Victor Daniel, one of the project's owners, stated that the project is known as "The Walden Office Plaza," rather than "French Quarter" which was an earlier plan for a housing development. Mr. Daniel stated their intentions as follows:

1. They are committed to the plan as finally approved. He also noted they are in the "same crunch" as everyone else that has been here tonight.
2. They are in contact every month with potential joint venture investors and/or lending institutions and it's just a matter of when the project will become viable. They think the particular project in that particular location will certainly add to the First Street Corridor.
3. They hope (as stated in their impact statement) this project can "get off the ground within the next 10-12 months."
4. The project has been totally designed and engineered and they are only waiting on "when."
5. The project is not a three-story building, it is primarily a one-story building with a two-story end comprised of an additional two units.

**QUESTIONS**

Commissioner Dunivent commented that he believes he noticed that this has been for sale since the day this was approved.

Mr. Daniel confirmed that was true and that they listed the property for sale when they became aware of the decline in the economic situation both locally and nationally, but they are committed to go with the project themselves. They have listed it for sale to "attract additional investors to give them a little more leverage," as it is a considerable project for three individuals.

**PUBLIC COMMENTS.** There were no comments.

Chairman Transmeier closed the public hearing and asked for a motion to be heard.

**MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #53-81, I MOVE WE GRANT A ONE-YEAR EXTENSION OF THEIR DEVELOPMENT SCHEDULE."**

Commissioner O'Dwyer seconded the motion.

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

#### **14. #87-81 RSF-5 FRUITRIDGE MINOR SUBDIVISION**

Chairman Transmeier asked if the petitioner was present. Hearing no response, Chairman Transmeier noted there had not been a response to the write outs.

#### **STAFF PRESENTATION**

Bob Goldin stated that at the time this project came in, there was a lot of neighborhood discussion regarding the exact intent of the subdivision. There have been discussions with Mr. Waymeyer regarding the Open Space Fee (as recently as January, 1983), but we haven't heard back from him in relation to how to handle the Open Space Fee.

Chairman Transmeier referenced and read part of the Certified letter sent by the Commissioners that stated:

"... that the criteria #2 -- No Shows at the Special Public Hearing tonight will receive an automatic reversion recommendation by the Grand Junction Planning Commission."

Chairman Transmeier then closed the public hearing.

**MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, ON ITEM #87-81, I RECOMMEND TO CITY COUNCIL THE REVERSION OF THE APPROVED FINAL PLAT."**

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier asked Bob Goldin if the zone was changed under discussion. Bob Goldin answered that it was not changed.

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

## 15. #27-81 HO OFFICE BUILDING

### STAFF PRESENTATION

Bob Goldin noted that approval had been obtained in a highway-oriented zone for two building, one-year each for construction for approximately 54,000 sq.ft. of office total on a little under two acres. Approval was received in April of 1981 for the project and they have not fulfilled their development schedule.

### PETITIONER'S PRESENTATION

Frank Meeks, spoke to the project's status, and informed the Commission that the name of the project is "COMPASS POINT."

1. They are requesting an 18-month extension in time to start construction of Compass Point.
2. They support their committment to this project by the following evidence: Working drawings have been completed; They have submitted for the building permit but withdrew it based on vacancy ratios that were prevalent in the area; They own the ground; They have preliminary financing that is subject to pre-leasing requirements; They have spent approximately \$100,000 in cost for engineering and other matters; They are still actively seeking tenants; They were the developers and are the owners of Rodeway Inn which they proceeded with in lieu of the economic conditions.

### QUESTIONS

Commissioner O'Dwyer asked when they applied for the building permit. Mr. Meeks answered that was in July, 1981.

Chairman Transmeier asked Mr. Meeks if they anticipate construction within 18 months. Mr. Meeks replied that is a "very very difficult thing for them to project" and would prefer "not to cut themselves short on the time requirement," and feel a 12-month

schedule is very optimistic. They would prefer the additional leeway provided by an 18-month extension.

**PUBLIC COMMENTS.** There were none.

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

**MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, ON FILE #27-81, COMPASS POINT OFFICE BUILDING, I MOVE WE RECOMMEND AN EXTENSION IN TIME OF A YEAR AND A HALF TO BEGIN BUILDING THIS PROJECT."**

Commissioner O'Dwyer seconded the motion.

#### **DISCUSSION**

Commissioner Rinker commented that she felt that was the most realistic time extension request they've heard all night (referring to 18 months vs. 12 months).

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

#### **16. #49-81 HO CROSSROADS MOTOR INN**

##### **STAFF PRESENTATION**

Bob Goldin noted that this is one where the existing zone was previous to the plan and they received approval in April of 1981, but have not fulfilled their development schedule obligation.

##### **PETITIONER'S PRESENTATION**

Ward Scott, limited partner in the project, represented John Woodward in his presentation of the status and their intentions for the project:

1. The ground was purchased for the intention of building the motel. In seeking approval for the site plan, the working drawings were completed (in the neighborhood of \$100,000).
2. Approval for building permits has been received.
3. Economic situation created a 'hold still' attitude on the project.



4. They want to preserve the site plan approval as they feel it is a very viable use of the site; therefore, they are requesting a two-year extension.

Chairman Transmeier noted that one of the items the Planning Commission is basing their criteria on is changes in the neighborhood and what's been happening. Mr. Transmeier noted that there has been a lot of hotel-building business out there and sees no problem with that project now, but wonders what future pressures might bring.

Mr. Scott responded that it may be that in the future they might have to return to ask for a different plan for the site, but the point is that they have spent a lot of time, effort, and money and feel that this use is the best in the right economy. He added that all projects are subject to the "whims of supply and demand, and if there was plenty of demand, none of us would be here tonight."

**PUBLIC COMMENTS.** There were none.

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

**MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, REALISTICALLY, I BELIEVE MR. SCOTT IS RIGHT, BUT ONE YEAR REALLY WOULDN'T DO THAT MUCH GOOD, BUT ON THE OTHER HAND I DON'T THINK WE SHOULD THROW IT OUT THERE FOREVER AND SINCE THE PREVIOUS ONE WAS FOR 18 MONTHS, I WOULD MOVE ON ITEM #49-81, CROSSROADS MOTOR INN, THAT WE EXTEND THEIR DEVELOPMENT SCHEDULE 18 MONTHS FOR START OF CONSTRUCTION."**

Commissioner Rinker seconded the motion.

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

**17. #50-81 HO GRAND HOTEL OFFICE COMPLEX (Expiration of schedule for office complex)**

No one was present to discuss the status of the project.

**STAFF PRESENTATION**

Bob Goldin provided background on this project stating that the development schedule was originally anticipated to be done in conjunction with the hotel project. They have failed to accommodate their development schedule and were notified by certified mail of this meeting.

Chairman Transmeier concluded that the hotel has been built and we're discussing a separate office building.

There was further discussion on the consequences of the reversion to the office complex project.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON FILE #50-81, I MOVE THAT, SINCE WE DID NOT HEAR ANYTHING, WE RECOMMEND TO CITY COUNCIL THAT THE OFFICE COMPLEX PLAN BE REVERTED."**

Commissioner Rinker seconded the motion.

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

**18. #54-81 HO MERIDAN PARK (FORMERLY URANIUM DOWNS BUSINESS PARK)**

**STAFF PRESENTATION**

Bob Goldin discussed the status of the project, noting that there was some discussion at the time the plat was submitted regarding right-of-way improvements and access points. Those concerns have been resolved and this is just the plat itself -- the individual lots will come before the Commission prior to development in HO process. The development schedule is in violation (for the recording of the plat).

## PETITIONER'S PRESENTATION

Ray Phipps outlined the status of the project:

1. He just met with their attorney yesterday and feels that everything is taken care of; he does now have a 30-day dissolution before he can proceed.
2. He is requesting a 12-month extension to allow enough time to get it done.
3. He doesn't feel the character of the area has changed and thinks it will still work.

**PUBLIC COMMENTS.** There were none.

Chairman Transmeier closed the public hearing and asked for a motion to be heard.

**MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, ON FILE #54-81, MERIDAN PARK, I MOVE WE GRANT AN EXTENSION OF ONE YEAR FOR THE FILING OF THE FINAL PLAT."**

Commissioner Dunivent seconded the motion.

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

Chairman Transmeier asked if there were any additional items for discussion. There were no comments. He then adjourned the meeting. Time: 9:15 p.m.