

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

March 27, 1979

The second meeting of the month of March was called to order at 7:35 p.m. by Chairman FRANK SIMONETTI. The following members were present: JANINE RIDER, JIM PICKENS, DALE SCHOENBECK, FLORENCE GRAHAM and BILL MIKESSELL.

KARL METZNER, Planner; DON WARNER, Planner Analyst; LORI DUARTE, Planning Technician; and KAREN MAHER, Stenographer, were also present. There were approximately 15 interested citizens in the audience.

3. # 12-79 REZONE: R2 (County) to PD-12 (City) & PRELIMINARY DEVELOPMENT PLAN FOR WESTWOOD SUBDIVISION
Petitioner: Michael Benson. Location: South of Horizon Drive, West of Lakeside. Request to change from existing county single family/duplex residential uses at 3.5+ units/acre to planned residential uses with a maximum of 12 units/acre on 6.7 acres for an area to be annexed.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, pointed out specific details of the development plan, and called attention to the Review Sheet comments.

Karl Metzner: One revision has been made to this plan. Split access has been provided, eliminating the zig-zag, with a turn-around at the end to accommodate trash vehicles and emergency vehicles in the development. There is a 100-year floodplain adjacent to the site, but it does not impinge on any of the structures or facilities in the development itself. There is a letter from the petitioner addressing all the Review comments. We feel all the comments have been addressed sufficiently, except that the hydrological study of the drainage and the floodplain has not been completed at this time. The engineer is working on it, and the preliminary estimates show there will be no effect from the floodplain on the site itself. The final hydrological study will be completed by the final development plan stage.

In response to a question from Bill Mikesell, Karl Metzner outlined the boundaries of the 100-year floodplain, and commented there would be no change in the floodplain except that access to the subject parcel would have to be provided over the top of the floodplain. Any possible problems with respect to water seepage from the canals will be taken care of, Karl Metzner added. Frank Simonetti noted that the petitioner does not have enough road frontage for more than one access to the site. Karl Metzner stated that the petitioner proposes a divided access with a median to separate entering and exiting traffic, and that access is adequate. Michael Benson, the petitioner, pointed out that canal access roadways completely surround the subject parcel and could provide emergency access, but public use of those roads would not be encouraged.

In answer to Florence Graham's question about the proposed security gate, Michael Benson stated that the gate and a security guard are

provided for in the plan, but the petitioner intends to have the residents of the development vote on whether or not to have that security gate and guard. Janine Rider asked if the units will be rented or sold, and Michael Benson replied that they will be sold. Bill Mikesell asked whether Grand Junction Drainage is requesting that the ditch be tiled. Karl Metzner responded that the property adjacent to the ditch should be tiled.

T. L. Benson stated that the petitioner will dig a trench to determine the amount of water present before deciding on the size of pipe to be used. In answer to questions from Dale Schoenbeck and Janine Rider, Michael Benson indicated that 60% of the subject parcel will be devoted to open space, and individual residents can have fences, patio areas, et cetera, as they choose.

Michael Benson presented a sketch outlining the proposed parking plan. Mr. Benson indicated that a professional landscape plan will be presented with the final development plan. The internal road between the parking spaces is 30 feet wide, Michael Benson stated, and the cul-de-sac is designed with a 40-foot radius to accommodate fire and trash vehicles. Karl Metzner noted that there are more than enough parking spaces for this number of units. In response to a question from Florence Graham, Michael Benson stated that the cottonwood trees shown on the plan are existing at this time.

Frank Simonetti asked for audience comments, and there were none. Frank Simonetti closed the public hearing.

RIDER/PICKENS/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL OF THE REZONE TO THE CITY COUNCIL.

RIDER/PICKENS/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, BUT RECOMMENDING THAT A SECOND ACCESS ON HORIZON DRIVE IS NOT NECESSARY BECAUSE THE CANAL ROADS SURROUNDING THE SUBJECT PARCEL CAN BE USED FOR EMERGENCY ACCESS.

4. # 23-79 REZONE: R1B to H.O.

Petitioner: A. L. Partee. Location: Between Horizon Drive and the intersection of Nine Iron Drive and Niblic Drive. Request to change from single family residential uses at 4.8± units/acre to highway oriented uses on .4 acres.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission.

Karl Metzner: The proposal is that this parcel will be joined to the small, oddly-shaped parcels also adjoining Horizon Drive, whose zoning is already H.O. Any problems with respect to slope or protection of the bank would be addressed at an H.O. development plan hearing.

In answer to a question from Dale Schoenbeck, Karl Metzner stated that the subject parcel does not have frontage on Horizon Drive unless it is combined with the other small parcels. Janine Rider suggested that access to Niblic Drive from the parcel should not be allowed. Don Warner and Karl Metzner pointed out that that problem

also would be properly handled at an H.O. development plan hearing, but that the Planning Commission can make their feelings known to the petitioner at this time.

Karl Metzner called attention to the Review Sheet comments.

Loran Dake, representing the petitioner, presented a typical site plan to demonstrate to the Planning Commission what facilities might fit on this piece of ground. Mr. Dake pointed out that there is a grade separation of approximately 25 feet between the top of the ridge and the floor of the parcel at Horizon Drive. The typical site plan suggests a structure would be built on the lower portion of the property near Horizon Drive, Mr. Dake stated, and with no structures to be built on the ridge. Loran Dake added that a retaining wall may be used to separate and define the building site. Loran Dake pointed out that the subject parcel will have substantial frontage on Horizon Drive, and outlined various access possibilities for the Planning Commission. Mr. Dake stated that Staff had originally recommended vacation of the stub road to protect the residential area from heavy traffic, but that plan is still up in the air.

Janine Rider asked for the approximate height of the proposed building. Loran Dake responded that the petitioner proposes a single story building for the site. In answer to questions from Bill Mikesell with regard to the road vacation, Loran Dake stated that that road is presently a platted right-of-way. If the road is vacated, Loran Dake indicated that the right-of-way is split between the adjacent property owners. Florence Graham suggested that the petitioner landscape the rear of any proposed building so that adjacent residents will not have to overlook more trash barrels. Don Warner pointed out that those restrictions cannot be part of the rezone. Jim Pickens asked if the subject parcel and the parcel to the south are in common ownership, and Loran Dake replied that they are.

Joe Hambright, representing the petitioner, stated that sloughing off of the bank should not be a problem on the subject parcel, but the petitioner is willing to address that question at the time of site plan approval. Mr. Hambright indicated that access to the site would be provided from Horizon Drive, with no plans for access to Partee Heights. Joe Hambright stated that the rezoning makes sense because the lower portion of the parcel is not suited to residential use, and the parcels with frontage on Horizon are too narrow to be practical for business use. Mr. Hambright denied that the rezone and subsequent H.O. use of the site would have any more impact on the Partee Heights residents than the existing commercial development along Horizon Drive. With respect to possible restrictions and suggestions, Mr. Hambright stated that the petitioner is willing to address those at a site plan hearing in an effort to make the subject parcel part of Horizon Drive and not part of Partee Heights.

Frank Simonetti asked for comments from the audience. Nancy Dickey, 718 Niblic Drive, familiarized the Planning Commission with the ownership and topography of surrounding parcels. Nancy Dickey read a letter opposing the request, signed by herself and several other Partee Heights residents. (See letter in file.)

Florence Graham asked why the retaining wall behind the Ramada Inn had not been constructed. Nancy Dickey replied that she did not

know why, but that the retaining wall and screening had been included in the conditions of approval for the Ramada Inn. Don Warner pointed out that the Ramada Inn was constructed in a County H.S. zone, which has no restriction requirements.

Bill Marschner, 720 Niblic Drive, stated that he opposes the request because his home overlooks the subject parcel and any structures on that site would spoil his view. Lee Carie, 717 Bunker Drive, stated that there is both a business environment and a residential environment contained on the subject parcel, effectively separated by a 25-foot bluff. Rezoning of the entire parcel, Mr. Carie stated, would expand business uses into the residential environment. Lee Carie stated he supports vacation of the road stub into Partee Heights to prevent increased traffic problems. Mr. Carie added that H.O. use would increase noise pollution in the area and might encourage pedestrian traffic through the site from hitch-hikers on I-70 seeking access to Horizon Drive.

David Courtney, 719 Niblic Drive, stated that any business use on the subject parcel would depend on his willingness to sell the petitioner a portion of his land to satisfy size requirements. Mr. Courtney stated he would carefully weigh all factors before making a decision to sell any land. With respect to sloughing off of the bank, David Courtney stated that he loses six inches of that bank every year into the Ramada Inn property. As far as noise pollution, Mr. Courtney related the problems he had with noisy trash pick-up at the Ramada Inn at four o'clock in the morning, and stated that he had had great difficulty in getting them to stop that practice at that hour. David Courtney went on to say that his greatest concern with the request is that the stub road would not be vacated, and that the road would become a popular shortcut from Patterson Road to Horizon Drive. In answer to questions from Bill Mikesell, David Courtney stated that he is asking the Planning Commission to protect him against the type of situation that occurred with the Ramada Inn, especially regarding noise pollution and deterioration of the bank. Dale Schoenbeck asked if the subject parcel is suitable for residential use, and David Courtney answered that it would be unless a business is established on Horizon Drive at that point. Nancy Dickey added that the subject lot has been vacant for 20 years, and has never been up for sale, as far as she knows.

Responding to questions from Janine Rider, Karl Metzner stated that a parcel can be split with a zoning line.

Jane Carie, 717 Bunker Drive, stated that she could be satisfied if the parcel were split to allow residential on top of the ridge adjacent to Partee Heights, leaving the lower portion of the parcel for business use. Wayne Franz, 493 Meadowlark Way, pointed out that he owns three lots not far from the subject parcel. Mr. Franz stated that he had contracted to build a house on one of those lots, but that the purchasers had postponed construction until the outcome of this request. No one wants a brand new house overlooking a restaurant or gas station, Mr. Franz said. Wayne Franz also asked that the Planning Commission seriously consider the impact heavy traffic would have on that residential neighborhood if the road is not vacated.

In answer to a question from Janine Rider, Karl Metzner explained that Staff originally suggested the road vacation, but then decided a neighborhood meeting of some type should be held to determine what the

residents of the area want to do with respect to that road.

In response to questions from Bill Mikesell, Joe Hambright stated that A.L. Partee owns the lot around the corner from the subject parcel as well as the road vacation, but there is no plan to rezone those parcels in the future. Mr. Hambright noted that there are four lots along the north that are developable as residential sites, but none of those lots are ideal residential sites. All four of those lots have been for sale on and off for years, Mr. Hambright said. In rebuttal, Joe Hambright went on to say that the petitioner does not desire access from Horizon Drive into Partee Heights. With respect to spoiling the view of several residents, Mr. Hambright noted that their view already includes several commercial establishments along Horizon Drive, and if the petitioner screens the subject parcel properly, it could screen out entirely those commercial establishments. As far as noise pollution, Mr. Hambright pointed out that the entire area is noisy because of its proximity to the airport and the Interstate; and while any added commercial use would increase to some extent the amount of noise, the petitioner would propose a low noise use for the subject parcel. Joe Hambright stated that the Planning Commission would have no control over the use of the subject parcel with split zoning. If the entire parcel is zoned H.O. and properly landscaped, possibly including the use of retaining walls, the business use can be effectively separated from the residential area. Florence Graham and Bill Mikesell raised questions with respect to retaining walls, landscaping and drainage problems. Don Warner suggested that those concerns would be properly addressed with the H.O. plan, but have nothing to do with the zoning.

Frank Simonetti closed the public hearing.

Karl Metzner: The residents have some legitimate concerns, and most of the concern seems to be due to the fact we don't have a specific site plan to work from. I recommend that the developers set up a meeting with the residents of Partee Heights to work out the problems that were mentioned tonight, not the least of which is the possible vacation of that street. I recommend at this time either tabling of the request or denial based on the petitioner coming back with a set of criteria for the development of that parcel which is established at a neighborhood meeting. The point of that lot that is closest to Horizon Drive is proper for a business-type use, and in no way could it be considered residential. Split zoning might be the way to go. A trade-off of land with Mr. Courtney may be a possibility. There are a number of alternatives, and I don't think this is the proper place to work that out. I would ask the petitioner if they would prefer tabling the request pending the outcome of a neighborhood meeting or a straight denial now which would allow them to come back with a new application.

Joe Hambright: We don't have any objection to tabling this request and meeting with the residents.

Dale Schoenbeck: I think the lower half of this parcel is most definitely commercial in nature. My problem is that the people in this subdivision have been told many things in the past that haven't come true. With H.O. we have more power than in other areas to protect them to the utmost of our capability. I think tabling of this request to find out in what areas we can protect them is the best way to go at this time.

MIKESELL/RIDER/PASSED 5-0/A MOTION TO RECOMMEND THAT THE REQUEST BE TABLED TO ALLOW A MEETING BETWEEN THE PETITIONER AND RESIDENTS OF PARTEE HEIGHTS TO ESTABLISH CRITERIA FOR DEVELOPMENT OF THIS PARCEL.

5. # 25-79 SUBDIVISION-PRELIMINARY PLAN: Brawley Subdivision
Petitioner: Estate of R.F. Brawley c/o D. Vordan. Location: Northeast corner of 28.5 Road and I-70 Business Loop. Request for an 8 lot subdivision on 3.2 acres for light industrial uses.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, and called attention to the Review Sheet comments.

Tom Logue of Paragon Engineering, representing the petitioner, stated that the Review Sheet comments are valid and can be addressed in detail before final platting. The petitioner is willing to provide an additional fire hydrant as requested, Mr. Logue stated, and is willing to provide power of attorney for full half-street improvements.

Frank Simonetti asked for comments from the audience, and there were none. Frank Simonetti closed the public hearing.

GRAHAM/SCHOENBECK/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

6. # 26-79 SUBDIVISION - PRELIMINARY: Northridge Estates Filing #4
Petitioner: Thomas Folkestad. Location: Northeast of Independent Ranchman's Canal and First Street. Request for 64 lot subdivision on 28.8 acres for single family residential uses at 2.2 units/acre.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission.

Bill Mikesell: What is the status of the proposal to extend Horizon Drive to First Street?

Karl Metzner: The Environmental Impact Statement has been completed and reviewed by City Council and the State of Colorado. It is presently in the hands of the Federal government, and it should have been back months ago. The City Engineer would rather not establish any preliminary plan for the alignment of Horizon Drive until the E.I.S. is back from the Federal government. The plat shown in this request precludes any development of Horizon Drive.

Karl Metzner pointed out an indirect route through the proposed development for east-west traffic. Karl Metzner called attention to the Review Sheet comments. Karl Metzner also stated that an adjoining property owner, Warren Jones, would be completely surrounded by Northridge Estates, and is concerned about protecting his existing facilities, such as irrigation lines and access to his property.

Frank Simonetti asked about access to Northridge Estates. Karl Metzner explained that there is presently one access to the west, and

when Filing 3 is built out to 75%, the developers will be required to build a bridge over the canal and provide access into Sunny Knolls Subdivision and then into F $\frac{1}{2}$ Road. Assuming Filing 4 is approved, Karl Metzner stated that that bridge would be built immediately regardless of the Filing 3 build-out.

Tom Logue of Paragon Engineering, representing the petitioner, stated that the petitioner would have no problem providing the easements mentioned in the Review Sheet comments. With regard to City Engineer Jensen's comments, Mr. Logue pointed out that while there is an existing line along the Independent Ranchman's Ditch, there is also another sewer line located in a road in this development. Tom Logue stated that a question in the description of the boundary of the property led to the comments by Grand Valley Canal. Mr. Logue added that Mr. Henderson of Grand Valley Canal is now satisfied with the proposal as far as its relationship to the canal or the Independent Ranchman's Ditch.

With respect to the Horizon Drive extension, Tom Logue pointed out that the petitioners were told in 1977 that they would have a final answer about that extension within one year. At this point, since no one has approached the petitioners about extending Horizon Drive, they assume they can proceed with the development. Tom Logue stated that the petitioner is aware of Mr. Jones' problems, and is willing to take care of his irrigation system problems and willing to maintain his access easement with retaining walls, slope stabilization, or whatever is necessary. As far as water run-off from the Jones property to residences below, Mr. Logue said that that problem can be corrected with proper engineering and site grading.

Tom Folkestad, the petitioner, gave a brief history of the request with respect to the Horizon Drive extension, and stated that he has waited long enough for a final decision. Steve Foster, 361 Music Lane, stated that he would prefer not to have a four-lane highway running through an R1A subdivision. Janine Rider replied that the Northridge developers virtually promised that residents would be informed that the Horizon Drive extension is a good possibility. Dale Foster stated that the residents of Northridge knew there was a possibility, but still do not know the extension is a fact and may not know in the next ten years whether Horizon Drive will be extended.

Janine Rider: I think all of us are hoping Horizon Drive goes through, although I sympathize with your situation. It's pathetic the time the government takes to give us an answer.

Don Warner: The County has stated Horizon Drive will go through.

Steve Foster: We own the land and no one has talked to us personally about that decision.

Frank Simonetti: It has been well-publicized.

Florence Graham: It's been in the paper frequently. It's been on T.V., on the radio. It's nothing that has been under the table.

Dale Foster: If you don't have the money and you don't get the money, how long can you put us off?

Florence Graham: We probably will just wait until we get the money; that is one thing that is almost assured.

Tom Folkestad: All we want is for you to say yes or no on the subdivision, one way or the other.

Jim Pickens: Although I sympathize with you needing to get this going and I might be putting a financial burden on you, I don't feel for a 64 lot subdivision we can jeopardize the Horizon Drive extension, if and when it ever goes through.

Frank Simonetti asked for comments from the audience. Warren Jones, 2624 F. 1/8 Road, stated he is the owner of the two-acre parcel surrounded by the development. Mr. Jones pointed out for the Planning Commission his easement through the subject development, and noted that that easement crosses a portion of Lot 45. Tom Logue assured Mr. Jones that his easement would be maintained, and that the problem with Lot 45 would be worked out. Warren Jones went on to state that it would be nearly impossible to develop his property in the future because it presently has no sewer and only a one-and-a-half inch water line. Mr. Jones also stated that maintenance of his irrigation system is difficult now because of the development that exists, and further development would preclude maintenance of those lines forever. Warren Jones said those easements requested by the utilities would effectively block access to his road, and if the easements are located on the other side of the road the residential lots will not be big enough to build a house.

Frank Simonetti closed the public hearing.

Karl Metzner: We concur with the Comprehensive Planner that the decision should be tabled pending receipt of the preliminary plan for Horizon Drive. Prior to this project being removed from the table, the developer should prepare a detailed plan showing how Mr. Jones' property will be served with regard to irrigation water, with his access and drainage situation. I have discussed with the engineers providing public access to the Jones property through a cul-de-sac in the development, which cul-de-sac could be moved to provide that access. I understand there are some topographic restraints to putting that cul-de-sac in up there. If you go with tabling, Staff would request that the Planning Commission request that the City Council request of the City Engineer that the preliminary planning and location of Horizon Drive be expedited as much as possible.

Dale Schoenbeck: We have always asked the developer if they would rather have a vote of yes or no, or would prefer a tabling action.

Tom Folkestad: We prefer a yes or no.

Karl Metzner and the Planning Commission discussed the effects of tabling a request.

RIDER/GRAHAM/PASSED 4-1 (SCHOENBECK VOTING AGAINST)/A MOTION TO RECOMMEND TABLING OF THE REQUEST TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, SPECIFICALLY RECOMMENDING THAT NOTHING SHOULD BE DONE WITH THIS PROPERTY UNTIL THE PRELIMINARY PLAN FOR THE HORIZON DRIVE EXTENSION IS RETURNED, SUBJECT TO THE DEVELOPER PREPARING A DETAILED PLAN ADDRESSING WARREN JONES' ACCESS, IRRIGATION AND DRAINAGE PROBLEMS PRIOR TO BEING REMOVED FROM THE TABLE; AND RECOMMENDING THAT THE CITY COUNCIL RECOMMEND THAT THE CITY ENGINEER EXPEDITE THE HORIZON DRIVE PRELIMINARY PLAN AS MUCH AS POSSIBLE.

7. # 126-78 REZONE: R1D to PD-20 & PRELIMINARY DEVELOPMENT PLAN FOR THE NISLEY APARTMENTS

Petitioner: Frank Nisley. Location: Northwest corner of 28.5 Road and Elm Avenue. Request to change from single family residential uses at 7.6 units/acre to planned residential uses to a maximum of 15.7 units/acre on .7 acres consisting of 11 units.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, and called attention to the Review Sheet comments.

Tom Logue of Paragon Engineering, representing the petitioner, stated that the petitioner has no problem with the current Review Sheet comments. There will be a six-foot fence, and the petitioner is willing to provide power of attorney for Elm Avenue. Mr. Logue indicated that there is a legal problem in that the development is described as PD-20 when the decision had been reached to make it PD-B because of the various minimum square footage requirements. Tom Logue added, however, that the listing can be rectified and the request will be properly advertised for the final development plan hearing.

Janine Rider stated that the Planning Commission intends to initiate action getting rid of PD-20 zoning. Don Warner noted that that action has not yet been taken.

Karl Metzner: I recommend that you drop the zoning portion of the request, and you can take action on the preliminary plan. We will advertise the zoning in conjunction with the final plan and advertise it as PD-B at that time.

Tom Logue pointed out revisions in the development plan, noting that the common patios had been changed to reflect an individual patio or deck for each unit.

Frank Simonetti asked for comments from the audience, and there were none. Frank Simonetti closed the public hearing.

MIKESSELL/RIDER/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

9. # 127-78 PLANNED DEVELOPMENT - FINAL PLAN AND PLAT: Pheasant Run Townhomes

Petitioner: Paul Barru. Location: Northwest corner of Patterson Road and 28 Road. Final plan for residential uses at 8 units/acre on 12.5 acres, 108 units.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, pointed out specific details in the development plan, and called attention to the Review Sheet comments.

Florence Graham asked why the acreage reflected in the final plan is approximately one acre less than the acreage shown in the preliminary plan. Paul Barru, the petitioner, responded that approximately one acre was lost to additional dedications to the City. Florence Graham noted that this plan demonstrates more landscaping than the previous plan.

Paul Barru requested that he be allowed to either construct the improvements requested or to pay the City for those improvements. The petitioner cannot give a power of attorney and cannot put money in escrow, Mr. Barru stated, because the development will be financed by F.H.A. Mr. Barru also asked that the Planning Commission, in their motion, recommend specifically whether the roads in the development shall be public or private, not just a reference to Staff comments.

Del Beaver: On the Falls request, the City Council recommended that their first choice was to get away from the I.O.U.'s and put in the road. Now the question is whether the City Engineer can get that done, and not put these projects off and keep developers waiting, or whether the City would have to accept something like an escrow payment which may get eaten up with inflation.

Janine Rider: I think it is appropriate that we recommend that the petitioner pay or pave because that's what we did with the Falls and that's what we think should be done.

Frank Simonetti asked for audience comments, and there were none. Frank Simonetti closed the public hearing.

Karl Metzner: Staff recommends approval subject to Review comments, except for the recommendation with regard to power of attorney for improvements. Staff recommends that the petitioner get together with the City Engineer and work out arrangements for improving that road. With respect to 28 Road, we propose that the agreement in effect for Spring Valley and Pheasant Run Filings 5 and 6 be in effect for this development. They had a letter of commitment.

Paul Barru: The letter of commitment had a one-year termination after the completion of our development. That puts the City in the uncomfortable position of acting on 28 Road before they are ready. In terms of Pheasant Run and Spring Valley, we had a three-year termination. So you actually had four years from a year ago before that I.O.U. is callable, and it was reasonable at that time to suppose 28 Road would be developed.

Karl Metzner: Can't you tie it into the time schedule on the rest of Spring Valley or Pheasant Run, make it all one project?

Del Beaver: I can see Paul's point of view and, besides, you have different ownerships involved with this parcel than the other ones. What I strongly suggest is that you make a recommendation or act affirmatively on this request and instruct the petitioner, the Planning Staff, and the City Engineering Staff to get together with Jim Wysocki or Ron Ornoski to work out an agreement with respect to street improvements.

Don Warner: You can make the same "pay or pave" conditions you suggested for Patterson Road. City Council can change it if they want.

Paul Barru: The City hasn't made up their mind whether they want 28 Road to be an arterial, minor arterial or collector. We are responsible for 17 feet of that mat no matter what they do. I think it's easier if we give them the money and let the County go ahead and do what they want.

Frank Simonetti: What you pay now is fine now, but five or ten years from now it may not pay for the curbs.

Don Warner: I think the "pay or pave" could be determined by the City Engineer and it puts them both in a better situation.

In answer to a question from Dale Schoenbeck, Paul Barru stated the landscaping outside the fence line would be maintained by the petitioner.

RIDER/MIKESSELL/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, WITH THE EXCEPTION OF THE COMMENT REQUESTING POWER OF ATTORNEY FOR STREET IMPROVEMENTS, RECOMMENDING INSTEAD THAT THE PETITIONER WORK WITH THE PLANNING DEPARTMENT AND CITY ENGINEER AND BE ABLE TO EITHER PAY FOR THE IMPROVEMENTS NOW OR TO CONSTRUCT THE IMPROVEMENTS AS HE DEVELOPS THE SUBDIVISION; ALSO RECOMMENDING THAT THE PERIMETER ROAD BE A PRIVATE ROAD.

10. # 132-78 PLANNED DEVELOPMENT - FINAL PLAN AND PLAT: Crestview Phase I

Petitioner: Henry Faussone, Bill Norris. Location: Between 15th Street and 27.5 Road, South of F.5 Road. Final plan for residential uses on 9+ acres. Phase I consists of 20 units. Project maximum to be 8 units/acre on 18.2 acres.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, pointed out the details of the development plan, and called attention to the Review Sheet comments.

Karl Metzner: The developers are proposing a blanket easement for all walkways, wherever they might be, to be open to the public for public use. The portion of the parcel shown as undeveloped and the two portions shown as townhouse development, when those are ready to be developed they will have to come back in for review of this plan. With respect to a comment by Ron Rish, the homeowners association will maintain the channel and pond.

John Quest, representing the petitioners, stated that he had spoken with Ron Rish and had explained that the common open spaces are to be retained within the ownership of the homeowners association and, therefore, the walkways and landscaping will be maintained by that homeowners association. Therefore, Mr. Quest said, the criteria for walkways and easements would not require Ron Rish's review. Mr. Quest noted that Ron Rish would be modifying his comments. With respect to Parks and Recreation's suggestions for ground cover on the banks of the dam, John Quest indicated that the petitioner would rather landscape with rocks, boulders, and a variety of plants.

John Quest went on to explain that the manholes for the sewer would be located in ten-foot easements, being walkways, to maintain maximum flexibility for use of the lots in the event a future owner desires to put in a basement. This location of the sewer lines, Mr. Quest added, would also minimize the expense and impracticality of the developer digging deep trenches to bury the sewer. The petitioner does not feel vehicular access is necessary for the sewer in that area, particularly since it is located in an easement. Janine Rider asked if the petitioner had discussed the Review Sheet comments with the people who wrote them. John Quest replied that he has not spoken with City Engineer Jensen with regard to the sewer, nor with any representative of

Parks and Recreation with respect to ground cover on the dam.

Janine Rider: It shouldn't be our prerogative to tell you not to worry about the comments. Maybe something could be worked out before you go to Council.

Karl Metzner: I understand Mr. Jensen's request for vehicular access because at times you have to get a truck in there for maintenance. I don't believe the access needs to be paved. As long as there is good, firm, undisturbed ground he can traverse when he needs to get to the manholes with his vehicles, that will satisfy him. Perhaps there could be an added covenant to the development that prohibits disturbing of the ground, that easements must not be fenced or built upon or have gardens planted on them. With respect to Parks and Recreation, their recommendation was quickest and cheapest for the developer. If the developer wishes to do something more unique and more expensive to them but which looks better in the long run, we would support them. I would still ask that Parks and Recreation look at their plan.

Frank Simonetti asked for comments from the audience, and there were none. Frank Simonetti closed the public hearing.

Dale Schoenbeck: The sidewalks on the four- and six-foot rights-of-way, you are building those to City standards?

John Quest: Since the City is not required to maintain them, we would not necessarily build them according to City standards.

Karl Metzner: Public sidewalks will be built in the right-of-way and will be to City standards. The other sidewalks are private walkways for the development.

MIKESELL/PICKENS/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, RECOMMENDING THAT THE PETITIONER WORK WITH THE APPROPRIATE AGENCIES TO SATISFY THOSE REVIEW SHEET COMMENTS PRIOR TO THE CITY COUNCIL HEARING, AND STRESSING THAT THE APPROVAL ADDRESSES PHASE I ONLY AND DOES NOT INCLUDE ANY OF THE PROPOSED MULTI-FAMILY AREAS.

11. # 28-79 TEXT CHANGE - Chapter 32 Grand Junction Code of Ord., Section 3b.(5) & 3g.(5a) adding the following statement to paragraph F.
20% of the land not covered by structures shall be devoted to landscaped area.
And Section #b(6) changing the sentence reading:
10% of the open portion must be devoted to landscaped area.
To read:
20% of the land not covered by structures shall be devoted to landscaped area.

Petitioner: Development Department Staff.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner: As per your workshop recommendations, this text change will be inserted into the R2, R2A and R3 zones to require 20% of the land be devoted to landscaping.

Bill Mikesell: What effect does this have? What is the result?

Karl Metzner: It will add to the portion of the land that isn't available for structures and parking.

Bill Mikesell: Increase open space, decrease density.

Karl Metzner: In most cases, most of this area will be taken up in setbacks. It puts most of your setback area into landscaping instead of being used for driveways. You can't use a front setback for parking, but you can use it for other things. All these other accessory uses will be put on the main portion of the parcel, which reduces the density.

Bill Mikesell: It will provide a better development in those areas.

Frank Simonetti: We should make them look better.

Karl Metzner: You have no landscape requirements for R2 and R2A at the present time.

Frank Simonetti asked for audience comments, and there were none. Frank Simonetti closed the public hearing.

PICKENS/GRAHAM/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL.

12. Discussion.

Val Silins gave a brief presentation with regard to the Arctic Circle request for a drive-up window which will go before the City Council in the near future. Mr. Silins presented a sketch of the proposed facility, pointing out specific revisions in the plan.

Karl Metzner, Del Beaver, Don Warner and the Planning Commission discussed with Mr. Silins alternatives for ingress and egress, and possible changes in the traffic flow through the subject parcel.

Val Silins: Thank you for taking the time to listen to my presentation, and also for your suggestions and criticisms.

The second meeting of the month of March was adjourned at 11:00 p.m.