

Map #	Existing Zoning	Existing Land Use	Proposed Land Use	General Description
1	RMF-24 (Residential Multi-Family not to exceed 24 units/ac)	Residential Medium 4-8 du/ac, Residential Medium High 8-12 du/ac, Commercial	Residential High 12+ du/ac	These properties currently have zoning designations with densities higher than 12 du/ac. Many are developed with densities that exceed 12 units/acre.
2	B-1 (Neighborhood Business)	Residential Medium High 8-12 du/ac	Commercial	Property is currently zoned with a commercial type designation and is used in a commercial manner.
3	C-1 (Light Commercial)	Residential Medium High 8-12 du/ac, Residential High 12+ du/ac	Commercial	Property is currently zoned commercially and due to location is best suited to commercial development.

AGENDA TOPIC: GPA-2003-061: Amendments to the Future Land Use Map (Housekeeping Items) – Update to the Grand Junction Growth Plan.

ACTION REQUESTED: Growth Plan Amendments

BACKGROUND INFORMATION #1			
Location:		West of 12 th St. in the Bookcliff Ave to Walnut Ave area	
Applicants:		City of Grand Junction	
Existing Zoning:		RMF-24 (Residential Multi-Family 24 du/ac)	
Proposed Zoning:		RMF-24 (Residential Multi-Family 24 du/ac)	
Surrounding Zoning:	North	RMF-8 (Residential Multi-Family 8 du/ac)	
	South	C-2 (General Commercial), RMF-8 (Residential Multi-Family 8 du/ac)	
	East	RMF-8 (Residential Multi-Family 8 du/ac), RMF-5 (Residential multi-Family 5 du/ac)	
	West	C-2 (General Commercial)	
Growth Plan Designation:		See attached chart	
Zoning within density range?		<input checked="" type="checkbox"/> X	<input type="checkbox"/> Yes <input type="checkbox"/> No

BACKGROUND INFORMATION #2			
Location:		East of 7 th St, South of Bookcliff Ave	
Applicants:		City of Grand Junction	
Existing Zoning:		B-1 (Neighborhood Business)	
Proposed Zoning:		B-1 (Neighborhood Business)	
Surrounding Zoning:	North	B-1 (Neighborhood Business)	
	South	PD – (Planned Development – Hospital)	
	East	B-1 (Neighborhood Business)	
	West	RMF-8 (Residential Multi-Family 8 du/ac), RMF-16 (Residential Multi-Family 16 du/ac), RMF-24 (Residential Multi-Family 24 du/ac), B-1 (Neighborhood Business)	
Growth Plan Designation:		See attached chart	
Zoning within density range?		<input checked="" type="checkbox"/> X	<input type="checkbox"/> Yes <input type="checkbox"/> No

BACKGROUND INFORMATION #3			
Location:		Northeast corner of 28 Rd and Grand Ave	
Applicants:		City of Grand Junction	
Existing Zoning:		C-1 (Light Commercial)	
Proposed Zoning:		C-1 (Light Commercial)	
Surrounding Zoning:	North	C-2 (General Commercial), PD – (Planned Development – 5.8 du/ac)	
	South	C-2 (General Commercial), I-1 (Heavy Industrial)	
	East	I-1 (Heavy Industrial)	
	West	RMF-8 (Residential Multi-Family 8 du/ac)	
Growth Plan Designation:		See attached chart	
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: A request to adopt amendments to the Future Land Use Map.

RECOMMENDATION: Approval of the recommended amendments

ANALYSIS

1. Background

Future Land Use Map Proposed Changes – “Housekeeping”

These housekeeping items are for properties for which a zoning was applied with the City's 2000 zoning map that is inconsistent with the Future Land Use Map. For those properties, the City Council made a conscious decision with the zoning map to zone them other than what the land use map shows, with the direction to staff to amend the Future Land Use Map. This area was inadvertently left off the January 8, 2003, Growth Plan Update Housekeeping Map the City and County Planning Commissions approved in February of 2003.

2. Section 2.5.C of the Zoning and Development Code

The Growth Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria:

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for.
 - These proposed housekeeping changes area errors.
- b. Subsequent events have invalidated the original premises and findings.
 - The basic premises and principles of the Plan have not been invalidated, but these proposed changes to the Future Land Use Map are a reflection of existing development and zoning.
- c. The character and/or condition of the area have changed enough that the amendment is acceptable.
 - N/A
- d. The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans.
 - The proposed changes are consistent with the goals and policies of the plan.
- e. Public and community facilities are adequate to serve the type and scope of the land use proposed.
 - Adequate public and community facilities are adequate, or can be provided to serve the type and scope of land use proposed.

f. An inadequate supply of suitably designated land is available in the proposed land use.

– N/A

g. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

– N/A

FINDINGS OF FACT/CONCLUSIONS

After reviewing the recommendations, GPA-2003-061 for a Growth Plan Amendment, staff makes the following findings of fact and conclusions:

1. The proposed amendment is consistent with the purpose and intent of the Plan.
2. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested Growth Plan Amendment, GPA-2003-061 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, I recommend that we forward a recommendation of approval of staff recommendations for changes to the Future Land Use Map to the City Council with the findings and conclusions listed above.

Attachments:

Vicinity Map
Aerial Photo
Growth Plan Map
Zoning Map
Chart of Existing and Proposed designations

GRAND JUNCTION PLANNING COMMISSION
APRIL 22, 2003 MINUTES
7:00 P.M. to 9:30 P.M.

The regularly scheduled Planning Commission hearing was called to order at 7:00 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Planning Commission, were Paul Dibble (Chairman), John Evans, Roland Cole, John Redifer, William Putnam, Bill Pitts, and Richard Blosser.

In attendance, representing the Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor) Lori Bowers (Senior Planner) and Ronnie Edwards (Associate Planner).

Also present was John Shaver (Asst. City Attorney) and Rick Dorris (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 44 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Available for consideration were the minutes from the March 25, 2003 Planning Commission public hearing.

Chairman Dibble offered a correction to the vote reference on page 4, to take out the word "unanimously."

MOTION: (Commissioner Cole) "Mr. Chairman, I move for approval as corrected."

Commissioner Blosser seconded the motion. A vote was called and the motion passed by a vote of 6-0, with Commissioner Putnam abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. CONSENT AGENDA

Proposed for the Consent Agenda were items PP-2002-203 (Preliminary Plan--Little Creek Subdivision) and just the vacation portion of FPP-2002-159 (Final Plat/Plan--Independence Ranch Filings #10 and #11). Staff offered placement of additional item **GPA-2003-061** (Growth Plan Amendment--Update to the Growth Plan) to the Consent Agenda.

MOTION: (Commissioner Evans) "Mr. Chairman, I would like to confirm what Mr. Cecil just said and move this housekeeping item, GPA-2003-061, to the Consent Agenda."

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

Pat Cecil asked that the Final Plat/Plan consideration for item FPP-2002-159 be continued to the May 13, 2003 public hearing.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval of the Consent Agenda, [and] a recommendation of approval of the resolution to vacate various easements within the subdivision of Independence Ranch [FPP-2002-159] as being approved and deferring action to May 13 on the Final Plat/Plan."

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

IV. FULL HEARING

ANX-2002-182 PRELIMINARY PLAN--430 30 ROAD SUBDIVISION (AUTUMN GLEN SUBDIVISION)

A request for approval to develop, in two phases, a total of 60 lots on 11.18 acres currently zoned RMF-8 (Residential Multi-Family, 8 units/acre).

**Petitioner: Darren Davidson
Location: 430 30 Road**

PETITIONER'S PRESENTATION

Darren Davidson, petitioner, said that the current proposal represented the third plan revision. He recounted a brief history of the development, which included denial by the Planning Commission of the last plan submittal. He noted where, at staff's request, a 30 Road access had been relocated. The number of lots had been reduced from the last proposal to 60, with the overall project density averaging 5.3 units/acre. Noting the location of the site on an overhead map, he pointed out that there were over 247 lots near the development site that were smaller in size than those proposed; 92 lots were a little larger. He felt that the current proposal complied with staff's directives and met both Code and Growth Plan requirements. Photos of existing homes in the area were shown as were photos depicting examples of the type of duplex housing proposed for designated multi-family lots. Mr. Davidson felt that the proposed housing types were an improvement over many of the homes already existing in the area. Referencing the proposed Preliminary Plan, Mr. Davidson said that most of the lots would be sold to people who would construct their own homes. He himself intended to build on very few of the lots. He added that people could always opt to buy more than one lot and construct larger homes if they so chose.

QUESTIONS

Commissioner Blosser asked if multi-storied homes were planned for any of the lots. Mr. Davidson said that none were planned.

Chairman Dibble asked if the proposed segment of Colorow Drive would be connected with the existing Colorow cul-de-sac, to which Mr. Davidson replied affirmatively.

STAFF'S PRESENTATION

Lori Bowers offered a PowerPoint presentation which contained the following slides: 1) site location map; 2) aerial photo of the site; 3) location map; 4) existing City and County zoning map; and 5) the proposed Preliminary Plan. She noted the reconfiguration of Autumn Glen Drive, terminating in a cul-de-sac, and the reconfiguration of proposed lots. The current proposal, she said, represented a reduction in overall site density from the last submittal. The proposed 5.3 units/acre density conformed to both Code and Growth Plan requirements, with the street reconfiguration conforming to TEDS requirements. Staff recommended approval subject to the findings and conclusions listed in the April 22, 2003 staff report.

QUESTIONS

Commissioner Putnam asked for clarification of the dark "division line" which bisected a third of the property. Ms. Bowers explained that this line just denoted the project's proposed phasing.

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL							
Subject:	Amendments to the Future Land Use Map (Housekeeping items).						
Meeting Date:	May 7, 2003						
Date Prepared:	April 29, 2003			File #GPA-2003-061			
Author:	Senta Costello		Associate Planner				
Presenter Name:	Kathy Portner		Planning Manager				
Report results back to Council:	X	No		Yes	When		
Citizen Presentation:	X	No		Yes	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: A request to amend the Future Land Use Map at Bookcliff Avenue, east of 7th Street and the NE corner of Grand Avenue and 28 Road, to be consistent with existing zoning.

Budget: N/A

Action Requested/Recommendation: Approval of a resolution amending the Future Land Use Map for various properties on Bookcliff Avenue, east of 7th Street, and the NE corner of Grand Avenue and 28 Road.

Attachments:

1. Staff Report
2. Proposed Changes to the Future Land Use Map
3. Draft Resolution

Background Information: See attached report.

AGENDA TOPIC: GPA-2003-061 Amendments to the Future Land Use Map (Housekeeping items).

ACTION REQUESTED: Approval of a resolution amending the Future Land Use Map for various properties on Bookcliff Avenue, east of 7th Street, and the NE corner of Grand Avenue and 28 Road.

BACKGROUND INFORMATION #1				
Location:		West of 12 th St. in the Bookcliff Ave to Walnut Ave area		
Applicants:		City of Grand Junction		
Existing Zoning:		RMF-24 (Residential Multi-Family 24 du/ac)		
Proposed Zoning:		RMF-24 (Residential Multi-Family 24 du/ac)		
Surrounding Zoning:	North	RMF-8 (Residential Multi-Family 8 du/ac)		
	South	C-2 (General Commercial), RMF-8 (Residential Multi-Family 8 du/ac)		
	East	RMF-8 (Residential Multi-Family 8 du/ac), RMF-5 (Residential multi-Family 5 du/ac)		
	West	C-2 (General Commercial)		
Growth Plan Designation:		Proposed Residential High (12+ units/acre)		
Zoning within density range?		X	Yes	No

BACKGROUND INFORMATION #2				
Location:		East of 7 th St, South of Bookcliff Ave		
Applicants:		City of Grand Junction		
Existing Zoning:		B-1 (Neighborhood Business)		
Proposed Zoning:		B-1 (Neighborhood Business)		
Surrounding Zoning:	North	B-1 (Neighborhood Business)		
	South	PD – (Planned Development – Hospital)		
	East	B-1 (Neighborhood Business)		
	West	RMF-8 (Residential Multi-Family 8 du/ac), RMF-16 (Residential Multi-Family 16 du/ac), RMF-24 (Residential Multi-Family 24 du/ac), B-1 (Neighborhood Business)		
Growth Plan Designation:		Proposed Commercial		
Zoning within density range?		X	Yes	No

BACKGROUND INFORMATION #3				
Location:		Northeast corner of 28 Rd and Grand Ave		
Applicants:		City of Grand Junction		
Existing Zoning:		C-1 (Light Commercial)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	C-2 (General Commercial), PD – (Planned Development – 5.8 du/ac)		
	South	C-2 (General Commercial), I-1 (Heavy Industrial)		
	East	I-1 (Heavy Industrial)		
	West	RMF-8 (Residential Multi-Family 8 du/ac)		
Growth Plan Designation:		Proposed Commercial		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to amend the Future Land Use Map at Bookcliff Avenue, east of 7th Street and the NE corner of Grand Avenue and 28 Road, to be consistent with existing zoning.

RECOMMENDATION: Approval of the Resolution

ANALYSIS

1. Background

Future Land Use Map Proposed Changes – “Housekeeping”

These housekeeping items are for properties for which a zoning was applied with the City’s 2000 zoning map that is inconsistent with the Future Land Use Map. For those properties, the City Council made a conscious decision with the zoning map to zone them other than what the land use map shows, with the direction to staff to amend the Future Land Use Map. This area was inadvertently left off the January 8, 2003, Growth Plan Update Housekeeping Map the City and County approved in February and March of 2003.

The proposed changes are as follows:

Map #	Existing Zoning	Existing Land Use	Proposed Land Use	General Description
1	RMF-24 (Residential Multi-Family not to exceed 24 units/ac)	Residential Medium 4-8 du/ac, Residential Medium High 8-12 du/ac, Commercial	Residential High 12+ du/ac	These properties currently have zoning designations with densities higher than 12 du/ac. Many are developed with

				densities that exceed 12 units/acre.
2	B-1 (Neighborhood Business)	Residential Medium High 8-12 du/ac	Commercial	Property is currently zoned for and used as medical offices.
3	C-1 (Light Commercial)	Residential Medium High 8-12 du/ac, Residential High 12+ du/ac	Commercial	Property is currently zoned commercial and will likely develop as a commercial use in the future. The commercial zoning and land use designation, however, would not preclude it from being developed as high density residential.

2. Section 2.5.C of the Zoning and Development Code

The Growth Plan can be amended if the City finds that the proposed amendments are consistent with the purpose and intent of the Plan and meet the following criteria:

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for.
 - These proposed housekeeping changes are correcting errors on the Future Land Use Map.
- b. Subsequent events have invalidated the original premises and findings.
 - The basic premises and principles of the Plan have not been invalidated, but these proposed changes to the Future Land Use Map are a reflection of existing development and zoning.
- c. The character and/or condition of the area have changed enough that the amendment is acceptable.
 - N/A
- d. The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans.
 - The proposed changes are consistent with the goals and policies of the plan.
- e. Public and community facilities are adequate to serve the type and scope of the land use proposed.

- Adequate public and community facilities are adequate, or can be provided to serve the type and scope of land use proposed.
- f. An inadequate supply of suitably designated land is available in the proposed land use.
 - N/A
- g. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.
 - N/A

FINDINGS OF FACT/CONCLUSIONS

After reviewing the recommendations, GPA-2003-061 for a Growth Plan Amendment, staff makes the following findings of fact and conclusions:

1. The proposed amendment is consistent with the purpose and intent of the Plan.
2. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

Staff recommends approval of the requested changes to the Future Land Use Map, GPA-2003-061 to the City Council with the findings and conclusions listed above.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the changes on the Future Land Use Map to the City Council.

CITY OF GRAND JUNCTION, COLORADO

Resolution No.

AMENDING THE FUTURE LAND USE MAP OF THE CITY OF GRAND JUNCTION
GROWTH PLAN

Recitals:

The City of Grand Junction Commission and planning staff have diligently worked jointly and cooperatively to amend the *Growth Plan* for the urban area of the Grand Valley. These "housekeeping" items are for properties for which zoning was applied with the City's 2000 zoning map that is inconsistent with the Future Land Use Map. With that zoning decision, the Council directed staff to amend the Future Land Use Map to make the land use designation consistent with the zoning. This area was inadvertently left off the January 8, 2003 Growth Plan Update Housekeeping Map the City and County approved in February and March of 2003.

The Grand Junction Planning Commission has reviewed and approved the recommendations.

The City Council, having held public hearings and considering the recommendations made to it, finds that the proposed amendments to the *Growth Plan* are consistent with the purpose and intent of the Plan and meet the review criteria in Section 2.5.C of the Grand Junction Zoning and Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND JUNCTION GROWTH PLAN IS AMENDED AS STATED HEREIN AND AS DEPICTED AND DESCRIBED IN THE FOLLOWING MAPS WHICH ARE EXHIBITS HERETO OR AS THE SAME MAY BE MAINTAINED ELECTRONICALLY BY THE CITY CLERK:

1. Area #1, generally bounded by Walnut Avenue, College Place and Bookcliff Avenue, and more specifically depicted on the attached map, is designated as Residential High (12+ u/a).
2. Area #2, generally located on the south side of Bookcliff Avenue, east of 7th Street, and more specifically depicted on the attached map, is designated as Commercial.
3. Area #3, generally located at the northeast corner of 28 Road and Grand Avenue, and more specifically depicted on the attached map, is designated as Commercial.

The amendments to the City of Grand Junction Growth Plan provided herein are hereby adopted.

This Resolution is PASSED on this 7th day of May, 2003.

ATTEST:

City Clerk

President of Council

File copy

GPA-2003-061

5/13/03 Grand Junction Planning Commission Hearing

Vice-Chairman Cole read into the record a letter received from the petitioner of item PP-2003-023. The petitioner agreed to erect a privacy fence as a condition of approval.

MOTION: (Commissioner Pitts) "Mr. Chairman, I would move for consideration that we approve item 2, 4, 5 and 6 [PP-2003-010, PP-2003-016, FPP-2002-159 and CUP-2003-040] of the Consent Agenda."

Commissioner Blosser seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

IV. FULL HEARING

GPA-2003-018 GROWTH PLAN AMENDMENT--REHEARING OF ITEM #25, APPLETON RESIDENTIAL AREA, 2002 UPDATE TO THE GROWTH PLAN

A rehearing of discussion item #25 on the proposed changes to the Future Land Use Map of the Growth Plan Update. Discussion item #25 is a request to increase the residential density designation of the property in the Appleton area bounded by 24 Road, 23 1/2 Road, H Road and the I-70 frontage road, from Estate (2 to 5 acres per unit) to Residential Low (1/2 to 2 acres per unit).

Petitioners: Dick and Alan Pennington

Location: Area bounded by 24 Road, 23 1/2 Road, H Road and the I-70 frontage road

STAFF'S PRESENTATION

Kathy Portner reviewed the request and referenced the 1998 Joint City/County Resolution [copies distributed] regarding extension of sanitary sewer service to the Appleton Elementary School, the Fellowship Church and vicinity. Ms. Portner noted that "vicinity" pertained to the area proposed for the Residential Low land use designation. The resolution stated that the sewer system was capable of serving that portion of the Appleton service area provided that the overall residential density did not exceed 0.42 unit/acre up to a maximum of 174.5 EQUs (appx. 2-acre lots). Because there were already a number of parcels in the area less than 2 acres in size, the remaining parcels could not all develop as 2-acre lots without exceeding sewer capacity. Ms. Portner said that a great deal of community concern had been expressed over extending sewer to the school and church. Residents had felt it would serve to promote urban sprawl. To help mitigate concerns, both the Council and Board had agreed to limit the time and area served by the sewer extension. The resolution stated that "Revision of the Appleton service area boundary shall not be considered prior to 2010 and only then upon the completion of a review of the *North Central Valley Plan* and only if the findings of said review so direct." Ms. Portner said that provision was primarily to avoid concerns expressed about urban sprawl.

Ms. Portner said that she can conferred with Mr. Shaver and that the staff recommendation was that any approval by the Planning Commissions would be contingent upon the agreement of both the City Council and Board of County Commissioners to amend the original 1998 resolution. Referencing a letter to the Penningtons from City Utility Engineer Trent Prall [copies distributed], Ms. Portner said that Mr. Prall wrote that if higher densities were approved for the subject area, an engineering study would be required on downstream infrastructure and recent development within the basin to ensure that there was adequate capacity. While capacity may have adequate collection and interceptor systems for the additional development, the Railhead lift station may not have adequate capacity and may require upgrading. The letter further emphasized that capacity was based on an "overall" density of .5 unit/acre. Thus, if additional density were approved in the subject area, it would likely mean a reduction in sewer service to another part of the service area.

According to Ms. Portner the Penningtons are contending that higher densities are warranted as a result of the sewer line's presence in the area; however, that argument had been anticipated and had been one of the primary concerns expressed by those involved in the initial service area plan. A review of existing parcel sizes in the area revealed that out of 31 parcels zoned for residential use, 18 were less than 2 acres in size. All of the smaller parcels had been created prior to 1992, and all of them had existed at the time the 1998 North Central Valley Plan had been completed. The Estate land use classification provided for density transition in the

subject area, which staff felt was appropriate. Having determined that the request did not meet the criteria outlined in Code section 2.5.C., denial was recommended based on the conclusions and findings outlined in the May 13, 2003 staff report.

QUESTIONS

Commissioner Blosser asked for clarification of the fifth paragraph in Mr. Prall's letter regarding "overall" density. Ms. Portner clarified her understanding.

PETITIONER'S PRESENTATION

Mike Joyce, representing the petitioners, offered a Powerpoint presentation, which included the following slides: 1) amendment requested; 2) why amendment requested; 3) staff review; 4) reasons amendment requested; 5) findings of fact/recommendations; and 6) aerial photo of the site. Hard copies of the presentation and a copy of Utility Engineer Trent Prall's letter were distributed and made part of the record. The major points contained in the presentation included the petitioner's belief that substantial growth was occurring in the subject area and that the North Central Valley Area Plan had not been updated over the last five years to reflect current trends; that the extension of the sewer line to the subject area was consistent with the 1998 Joint City/County Resolution which stated that sewer service would be provided to not only the church and school, but also the "vicinity"; that based on his interpretation of Mr. Prall's letter, expansion of sewer service could occur subject to lift station upgrades; that there was an inadequate supply of suitably designated land available in the area for the proposed land use; and that of the 31 parcels in the area zoned for residential use, 18 (58%) were less than 2 acres in size. Thus, the request would be compatible with surrounding densities.

Dick Pennington, co-petitioner, came forward and said that a sewer line T intersection was located at the end of the flag portion of his property off 23 1/2 Road. This junction, he said, would be the perfect point from which to extend sewer to his property and other properties directly east of 23 1/2 Road. Upgrades to the lift station and extension of the sewer line would be cost-prohibitive to a single property owner, and there was no way to recoup costs with the current low densities. However, higher densities (at least one-acre lots) and cost-sharing among a number of the area's property owners was a feasible alternative. Mr. Pennington noted that most of the current area's properties were on septic; however, because they were located within the joint urban planning area, the only way they could get sewer was to develop their properties and annex into the City. If the City denied the current request, property owners would be required to comply with a mandate that they could not individually afford. Reading from an excerpt of the 1998 Persigo Agreement, Mr. Pennington said that the Agreement encouraged residents to connect to sewer instead of waiting for their septic systems to fail. He added that the Mesa County Health Department would confirm that the area was poor for leach fields, especially given the area's high water table.

Mr. Pennington noted the existence of five new churches within a one-mile radius of his property. He said that he asked Two Rivers Realty to conduct a study of properties bounded by G Road, I Road, 22 Road and 25 Road to determine how many higher density properties were available for sale (1/2 to 2 acres); Mr Pennington stated that only four properties were for sale.

Mr. Pennington referenced Mr. Prall's letter, which he felt suggested that the only concern was over the capability of the lift station, not the size of the actual sewer line. He realized that a study would be required and that improvements to the lift station would be necessary and he stated that he was willing to participate in those costs.

QUESTIONS

Commissioner Meis asked Mr. Pennington to note the location of his property, which was shown on an available aerial photo.

PUBLIC COMMENTS

FOR:

Brian Baldwin (796 24 Road, Grand Junction) expressed support for the request.

Francis Hayes (2351 H Road, Grand Junction) pointed out a drainage ditch along the south side of her property. If and when area septic systems failed, she said, it would result in a health hazard.

AGAINST:

Dave Zollner (2545 Canyon Way, Grand Junction) felt that approval of the request would result in densities not compatible with the surrounding area and not consistent with the Appleton Area Plan. Without the Estate land use classification, he said, the area would have no transition. I-70 was supposed to serve as the logical boundary for higher densities, and no significant demographic changes had occurred in the area to warrant the higher density encroachment north of I-70. Approval of the request, he said, would result in future development requests for higher densities.

Dan Miller (2363 H Road, Grand Junction) said that traffic from the Fellowship of Excitement Church had already significantly impacted the area. He'd attended the North Central Valley Plan area meetings and recalled conversations and concerns regarding the encroachment of higher densities into the area. He said the request, if approved, would be detrimental to the area.

Joe Crocker (806 24 Road, Grand Junction) agreed with the points brought up by Mr. Zollner and Mr. Miller. He too had attended the North Central Valley Plan meetings and said that there had been a lot of discussion about keeping densities in the area low. When the sewer line was extended to both the church and school, it represented a compromise to the original Plan; however, the City and County both agreed that to allay citizen concerns and give residents some sense of stability, no additional changes in the sewer service boundary would even be considered until 2010 (Joint City/County Resolution MCM98-51/22-98, page 4, paragraph 14). Mr. Crocker said that he and other neighbors had formed an improvements district and paid approximately \$7,500 each to extend sewer to their properties. Mr. Crocker said that the Penningtons and other neighbors should consider doing the same. That could potentially provide sewer service to existing properties without requiring higher densities to pay for it. The character of the area, he continued, had not changed since 1998, and density increases were not consistent with the surrounding area. He urged denial of the request.

PETITIONER'S REBUTTAL

Mike Joyce reiterated that higher densities were warranted for the area and that one-acre lots made sense.

QUESTIONS

Chairman Caldwell wondered why a Growth Plan amendment had been sought. He asked why hadn't the petitioners just submitted a development plan for review? Mr. Joyce replied that other area property owners had expressed interest in developing their properties; a Growth Plan amendment affected a larger area.

Commissioner Meis asked at what density is sewer service feasible? Mr. Joyce said that 1 to 1 1/2 acre lots would be the break-even point; sewerage 2-acre lots was more expensive due to the lengths of lot frontages.

Chairman Caldwell asked if there were any land use classifications available between the Estate and Residential Low? Mr. Joyce responded that there are not. Chairman Caldwell remarked that even if the Growth Plan Amendment were approved, it didn't guarantee approval of a rezone request.

Commissioner Pitts asked staff if they knew where the sewer line branched to serve the school and church. Ms. Portner was unsure of the exact location but surmised that the junction was located somewhere along H Road. Referencing the aerial photo, Mr. Pennington provided a more detailed explanation of where he believes existing sewer lines are located.

Commissioner Cox asked if the City would be responsible for upgrades to the lift station. Ms. Portner said that costs would fall to the developer triggering the need for such improvements.

Commissioner Cox asked if septic systems would be permitted in the City if development of 2-acre lots occurred. Ms. Portner said that any development in the joint urban planning area would trigger annexation into the City and hook-up to City sewer would be required. She said that a developer could request a waiver from that requirement but the decision would rest with the City Council.

Commissioner Pitts asked for clarification on the improvements district mentioned by Mr. Crocker. Ms. Portner thought that the majority of property owners in the area along H Road were included in the district and had paid their fees. Commissioner Pitts asked if the City would require sewer hook-up either in the event of annexation or failure of a septic system. Ms. Portner reiterated that if development triggered annexation, hook-up to the sewer line would be required for new development unless a waiver was granted by the City Council. In the event of septic system failure, a property owner would only be required to hook up to sewer if the property was within 400 feet of an existing sewer line. When asked if property owners could still band together to form an improvements district for the purpose of extending sewer service, Ms. Portner said that that was certainly an option.

Commissioner Bonella asked if the Penningtons would be subject to annexation should they develop their properties? Ms. Portner replied affirmatively.

Commissioner Bonella asked for clarification on the density reference made in Mr. Prall's letter. Ms. Portner said that sewer capacity was based on more than just line size or pumping capability. It was also based upon what the treatment plant could handle. The capacity of the City's treatment plan, she said, was based on density calculations of the entire service area. She noted that these and other comments were also included in Mr. Prall's letter to the Penningtons.

Chairman Cole asked if Planning Commission approval of the Growth Plan amendment would be subject to the City and County's agreement to amend their initial resolution. Mr. Shaver replied affirmatively. He noted the paragraphs in the resolution and in Mr. Prall's letter that supported Ms. Portner's comments and referenced the Resolution's Exhibit A, which delineated the locations of approved sewer trunk extensions.

Commissioner Redifer asked when the next North Central Valley Area Plan update would be undertaken. Ms. Portner said that area plans were usually updated every five years, with this being the fifth year. She noted that most of the area's parcels are within County jurisdiction. Kurt Larsen said that it was likely that review of the North Central Valley Plan would begin within the next four or five months. He commented that with regard to treatment plant capacity, any sewer study undertaken would show that if service were provided to increased densities in one area, it may require taking away service from somewhere else.

Commissioner Meis asked whether it would be the City or County that considered any actual development proposal brought forth by the Penningtons. Mr. Larsen said that because the property is within the urban planning boundary, the request would be forwarded to the City for its review and consideration. The County Planning Commission would not hear it at all.

DISCUSSION

Commissioner Putnam remembered the discussion that had ensued over extending the sewer line to the Appleton Elementary School. He noted that there had been a lot of opposition from surrounding residents at the time, which had prompted both the City Council and Board of County Commissioners to restrict any further expansion until at least 2010. He said their intent had been clear and residents had accepted the restriction in good faith. He felt that the resolution should be upheld, and he expressed support for staff's findings and recommendations.

Commissioner Blosser agreed, noting that I-70 did serve as a barrier against expansion. There hadn't been much change to the area north of I-70, he said, and approval of the amendment request would override and undermine the intent of the 1998 Resolution.

Commissioner Cox also agreed, although he felt that I-70 had failed to provide a barrier against expansion given that two exceptions had already been made. He felt that the area was properly classified as Estate but sympathized with the Penningtons' difficulty in bringing extensive infrastructure to the area's larger lots.

Commissioner Pitts concurred and felt that the Estate density classification was appropriate and should remain unchanged.

Chairman Cole agreed that approval of the Growth Plan amendment request would be tantamount to going against the word that City Council members and the Board of County Commissioners had given to residents of the area in 1998. The Resolution, he said, should remain intact until at least 2010.

Commissioner Bonella disagreed. He said that the County's support for higher densities is always contingent upon there being adequate services available in the area. In this case, a sewer line was located nearby and the City required hook-up anyway upon annexation. He didn't see that there was any appreciable transition in the area since typically transition zones buffered varying uses (e.g., a higher density residential zone to buffer a commercial use and a lower density residential zone). The uses in the subject area, he maintained, went directly from commercial to rural. Upon annexation, the City will not only require property owners to hook up to sewer, it will require higher-end improvements such as curb, gutter and sidewalk. To require those things in a rural area without the benefit of subdivision to help pay for those improvements was unfair to property owners. It effectively prevented them from developing their properties. He doubted that the level of growth occurring in the area had been foreseen five years prior, at the time the North Central Valley Area Plan and Joint City/County Resolution had been drafted. He expressed support for the request.

Commissioner Gardener felt his position to be somewhere in the middle. He was concerned about higher densities overburdening the sewer treatment plant and felt too that any amendment to the original 1998 Resolution would be doing a disservice to the residents who had been a part of that earlier discussion.

Commissioner Meis felt that using a Growth Plan Amendment to address the needs of one or two parcels was inappropriate. He also agreed that requiring curb, gutter and sidewalk in a rural area was also inappropriate and felt that any annexation of properties in that area would be a struggle.

Chairman Caldwell concurred with Commissioner Meis's comments.

Commissioner Bonella reiterated that denial of the current request would "hamstring" area property owners and prevent them from developing their properties.

MOTION: (Commissioner Meis) "Mr. Chairman, with regard to GPA-2003-061/2003-025-TXT1, a Growth Plan Amendment rehearing of item #25 of the Appleton residential area, 2002 update to the Growth Plan, I would make a motion that we accept staff's recommendation of denial on the grounds that it doesn't meet the provisions as specified by the staff."

Commissioner Gardener seconded the motion. A vote was called and the motion passed by a vote of 3-1, with Commissioner Bonella opposing.

MOTION: (Commissioner Blosser) "Mr. Chairman, on item GPA-2003-018/2003-025-TXT1, Growth Plan Amendment, a rehearing of item #25, Appleton residential area, 2002 update to the Growth Plan, I move that we approve the request to increase the residential density designation of the Appleton area to Residential Low (1/2 to 2 acres/unit)."

Commissioner Cox seconded the motion. A vote was called and the motion failed by a unanimous vote of 0-7.

The Joint City/County Planning Commission portion of the public hearing was adjourned at 8:45 p.m. and a brief recess was called. The City Planning Commission public hearing reconvened at 8:52 p.m.

PP-2003-043 PRELIMINARY PLAN--ILES SUBDIVISION

A request for Preliminary Plan approval to develop 23 single-family lots on 5.76 acres in an RMF-5 (Residential Multi-Family, 5 units/acre) zone district.

Petitioner: John Iles

Location: 3080 D 1/2 Road

PETITIONER'S PRESENTATION

Monte Stroup, representing the petitioner, said that those who had originally asked that the item be pulled from Consent Agenda had mistakenly believed the item to be part of the Dakota West Subdivision proposal. They were directed to the engineer of that subdivision for resolution of their issue(s).

STAFF'S PRESENTATION

There was no presentation by City staff.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Anna Elliott (no address given) said that her issue pertained to irrigation water delivery. She noted the location of an irrigation lateral north of her property. All three developing subdivisions in the area, she said, needed to get together to ensure uninterrupted irrigation water delivery to existing area residents. Already one irrigation ditch had been destroyed. She also wanted to know if privacy fencing would be installed along her property line.

Mr. Shaver explained that water and fencing issues are not generally considered in detail during the Preliminary Plan stage. He suggested Ms. Elliott talk with staff prior to Final Plan review. To planning commissioners he said that they could either choose to hear the Final Plan or let the item proceed through administrative review.

MOTION: (Commissioner Pitts) "Mr. Chairman, I would move that topic PP-2003-043 be removed from the Full Hearing [and moved] to the Consent Agenda."

Commissioner Cox seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

PP-2003-023 PRELIMINARY/FINAL PLAN--FRUITVALE ESTATES

A request for approval of the Preliminary Plan to develop 14 single-family lots on 3.95 acres in an RSF-4 (Residential Single-Family, 4 units/acre) zone district.

Petitioner: Disraeli Development, Inc., Merritt Sixby

Location: Hoover Drive and E 1/4 Road

This item was opened for public comment because only one citizen was present and it was felt that the item may be a candidate for late placement on the Consent Agenda.

City of Grand Junction

Community Development Department
Planning • Zoning • Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 256-4031



**CITY OF GRAND JUNCTION CITY COUNCIL
GRAND JUNCTION, COLORADO**

)	FINAL
FOR)	DECISION
)	
Staff Initiated)	GPA-2003-061

Re: Development File GPA-2003-061

After the Growth Plan Update hearing process was already started, staff discovered other "housekeeping" changes to the Future Land Use Map. The changes are for various properties on Bookcliff Avenue, east of 7th Street, and the NE corner of Grand Avenue and 28 Road. The proposed changes would make the land use designations consistent with existing zoning and development.

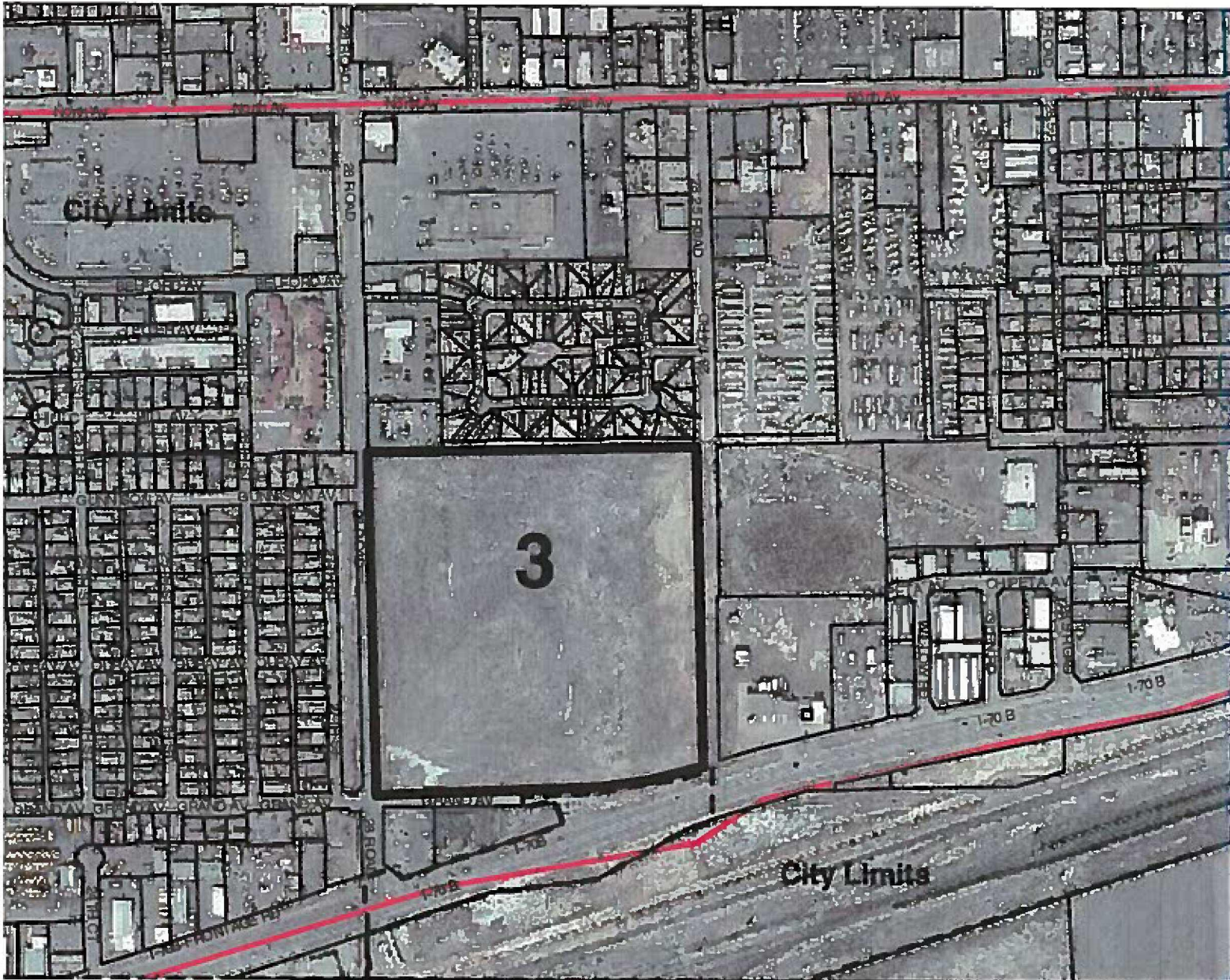
The Planning Commission heard the request on April 22, 2003 and recommended approval. The recommended changes were approved by the City Council on May 7, 2003.


Katherine M. Portner
Planning Manager

9-5-03
Date

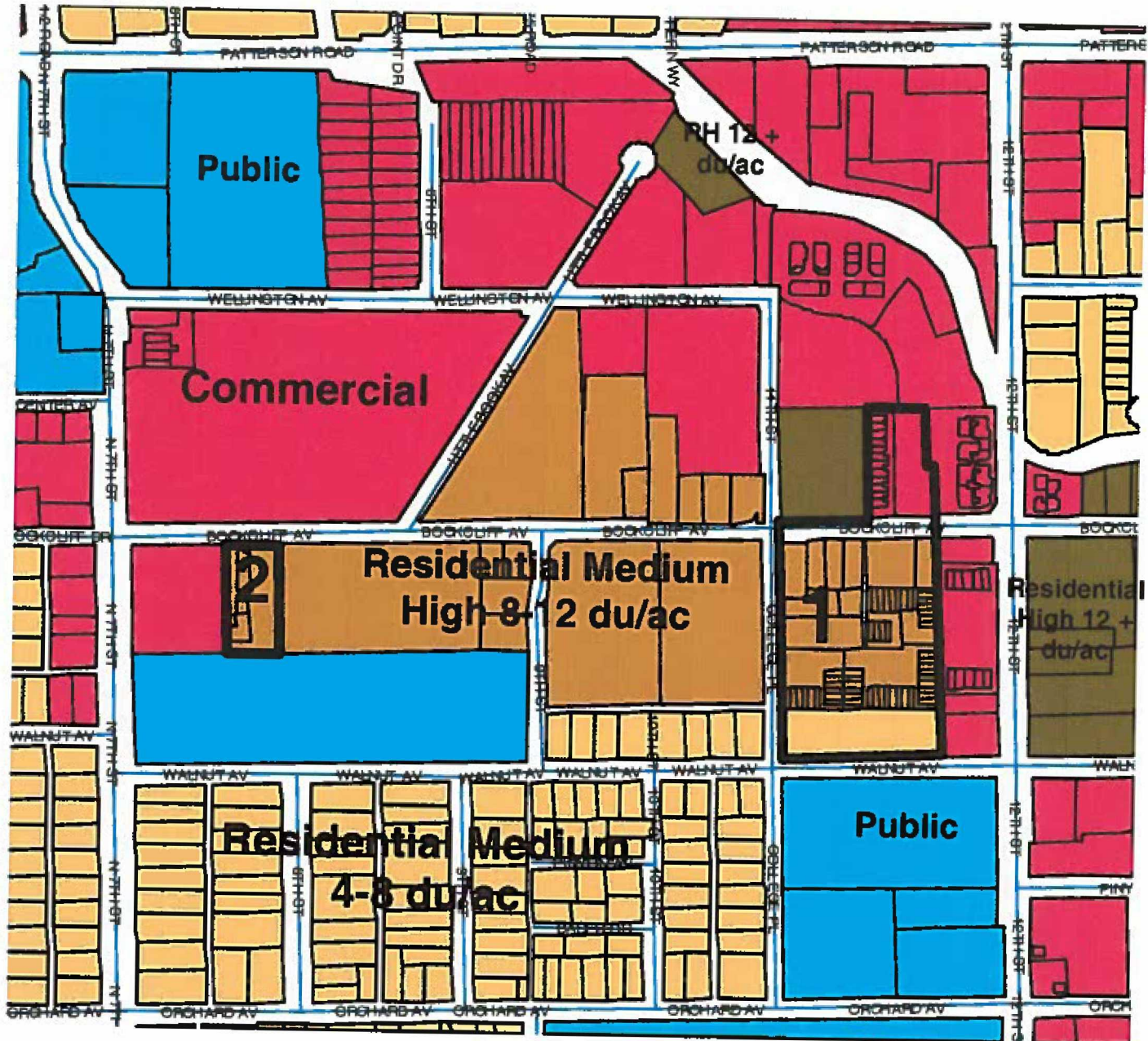
Aerial Photo Map – Area #3

Figure 2



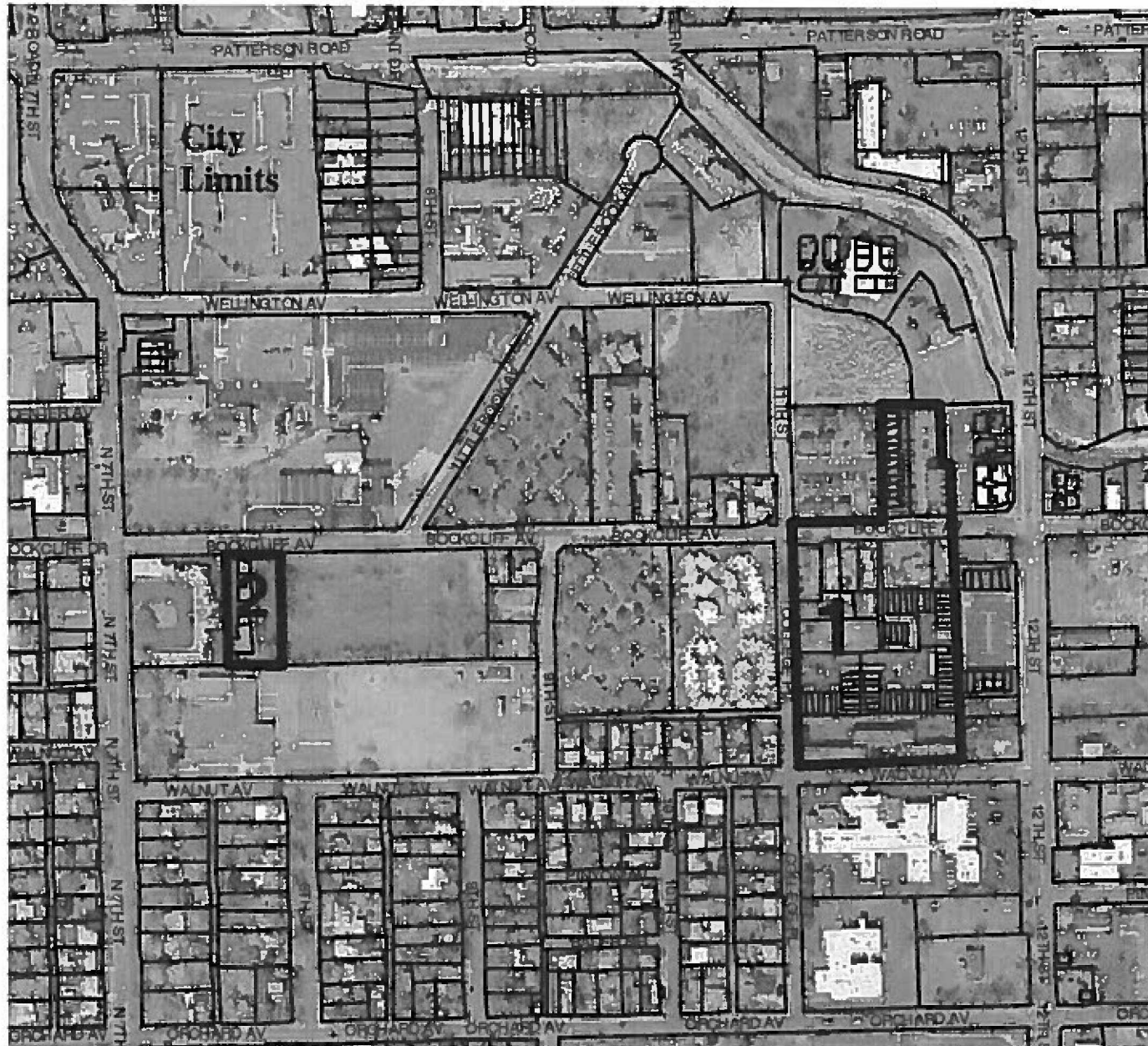
Future Land Use Map – Areas #1 & 2

Figure 3



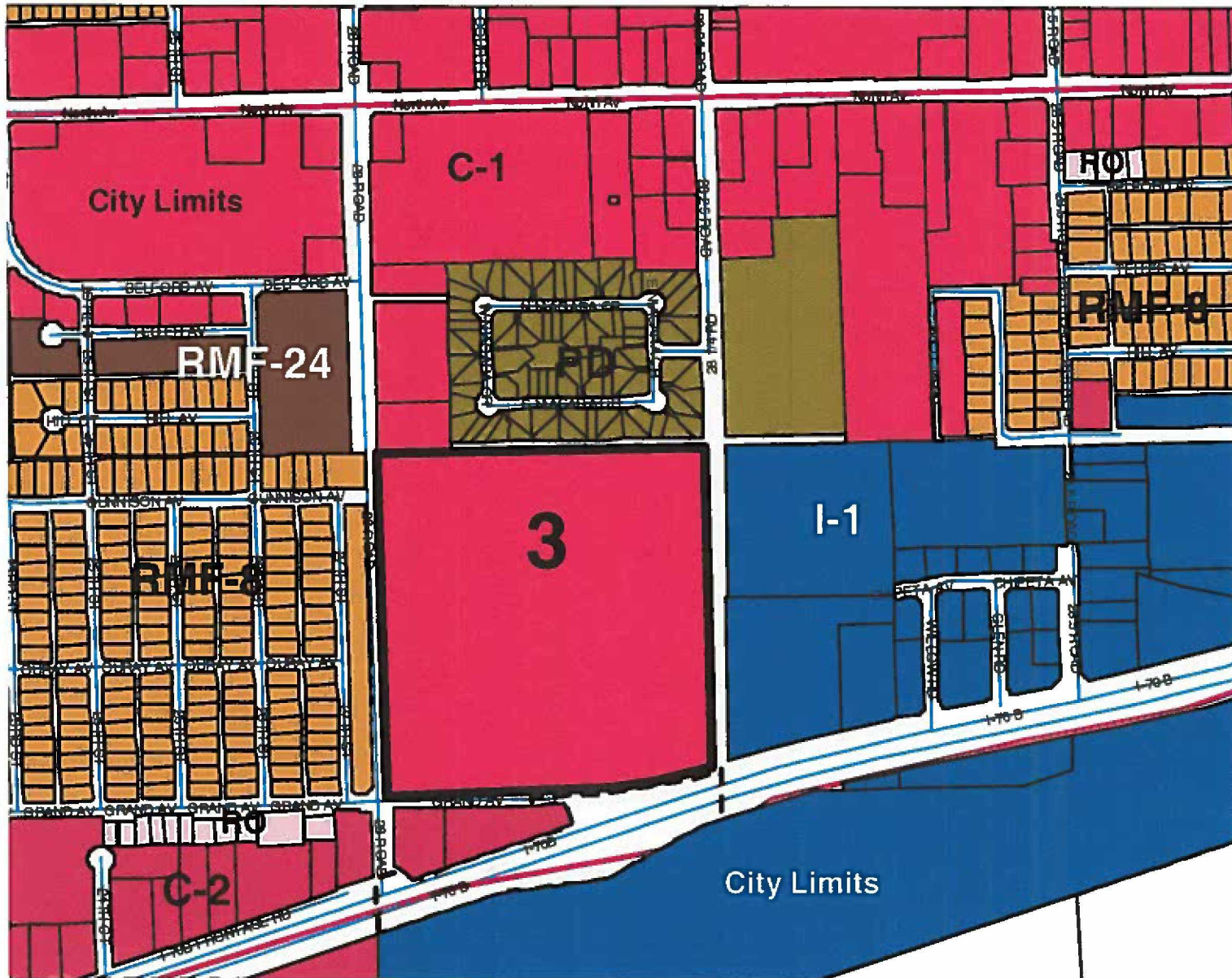
Aerial Photo Map – Areas #1 & 2

Figure 2



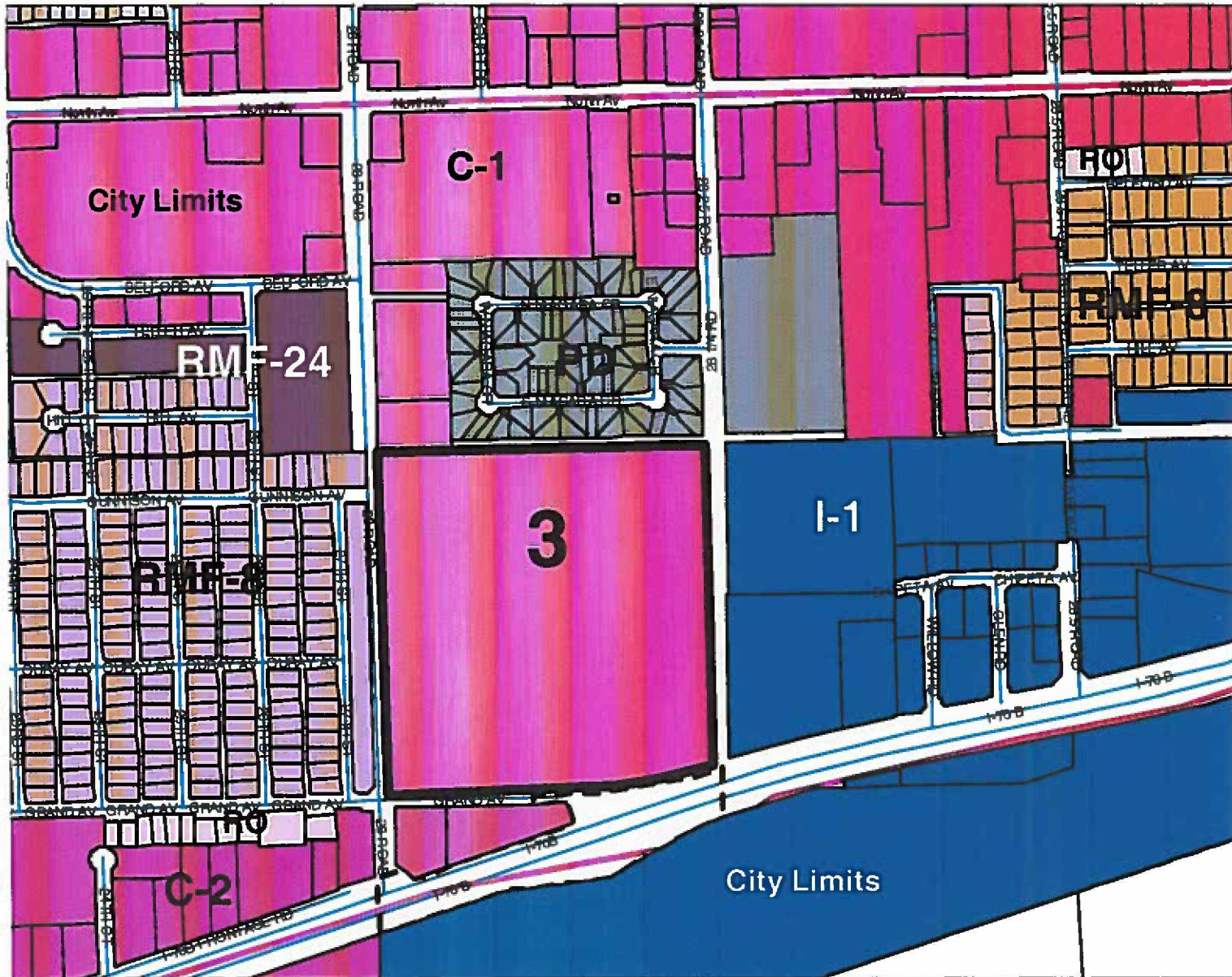
Existing City Zoning – Area #3

Figure 4



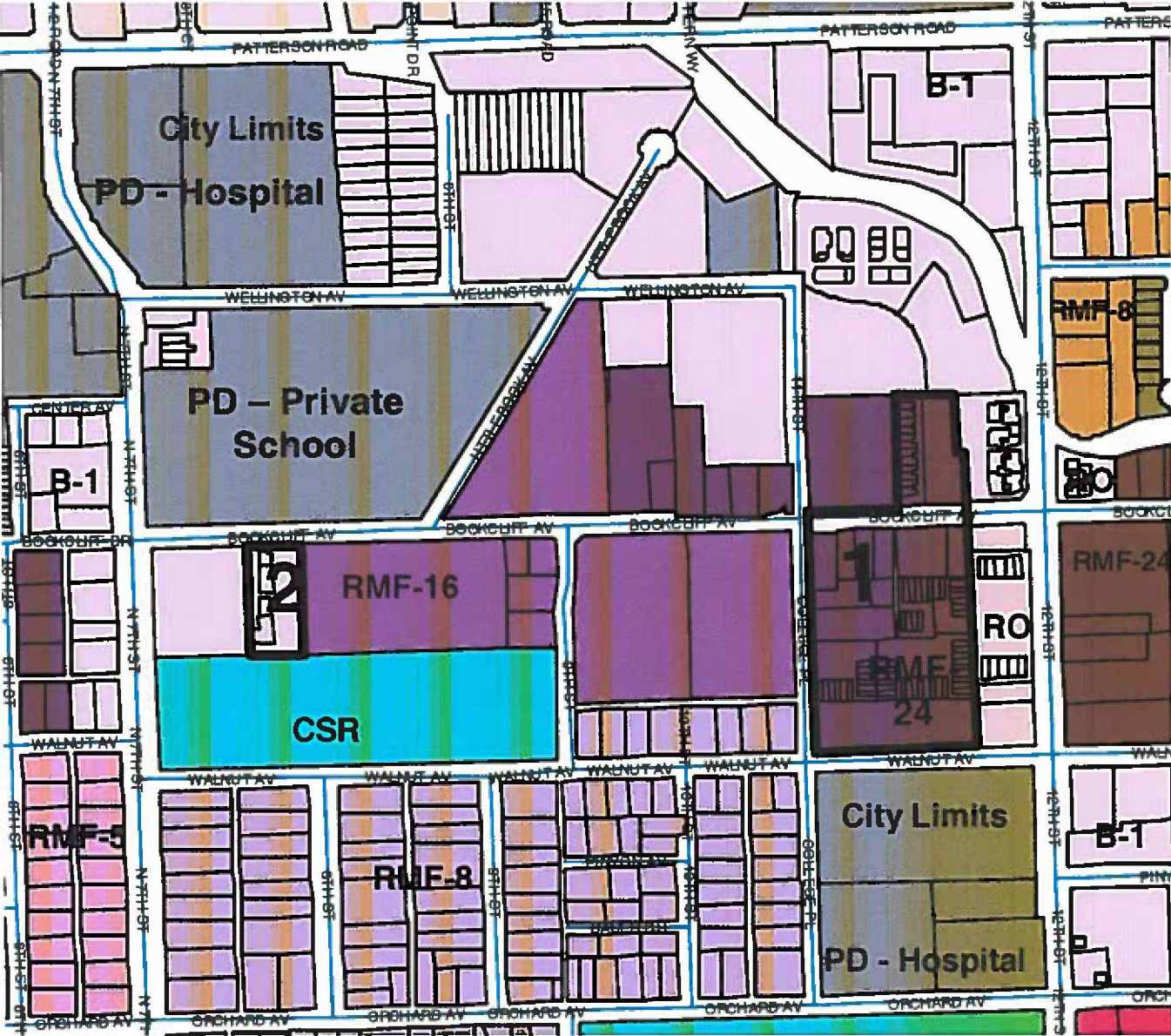
Existing City Zoning – Area #3

Figure 4



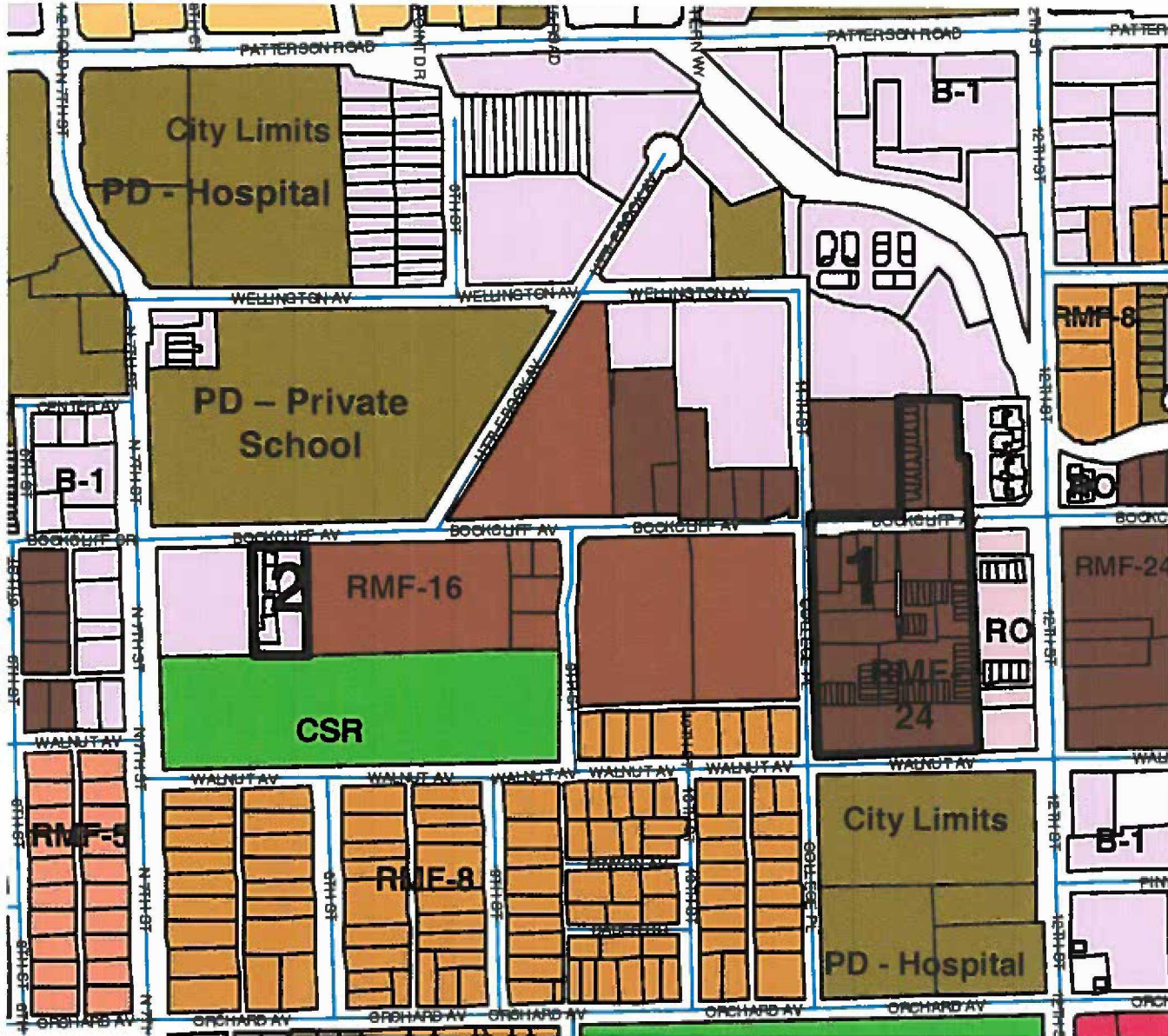
Existing City Zoning – Areas #1 & 2

Figure 4



Existing City Zoning – Areas #1 & 2

Figure 4



Site Location Map – Areas #1 & 2

Figure 1

