

GRAND JUNCTION PLANNING COMMISSION
April 25, 2017 MINUTES
6:00 p.m. to 7:48 p.m.

The meeting of the Planning Commission was called to order at 6:00 p.m. by Vice-Chairman Bill Wade. The hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

Also in attendance representing the City Planning Commission were Jon Buschhorn, Kathy Deppe, Keith Ehlers, and Steve Tolle.

In attendance, representing the City's Administration Department – Greg Caton, City Manager, Community Development, was Kathy Portner, (Community Services Manager), Dave Thornton (Principal Planner), and Rob Schoeber, Director of Parks and Recreation.

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 21 citizens in attendance during the hearing.

*****CONSENT CALENDAR*****

1. Minutes of Previous Meetings

Action: Approve the minutes from the March 28, 2017 Meeting.

Vice-Chairman Wade briefly explained the Consent Agenda and noted that the Minutes of the March 28th meeting was missing an item, therefore, they would vote on them at the May 23, 2017 meeting.

*****INDIVIDUAL CONSIDERATION*****

Vice-Chairman Wade stated that one of the four items on the agenda for public consideration, the Civic and Institutional Master Plan and Right-of-Way Vacation Request for Colorado Mesa University, has been continued to the next meeting in May at the request of the applicant.

2. Las Colonias Park PD Zoning Ordinance and Outline Development Plan

[File# PLD-2017-158]

Request to Rezone to a PD (Planned Development) and an Outline Development Plan for the properties located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

Action: Recommendation to City Council

Applicant: City of Grand Junction
Location: North bank of the Colorado River between Highway 50 and 27
1/2 Road
Staff Presentation: Kathy Portner, Community Services Manager

Staff Presentation

Greg Caton, City Manager explained that the Las Colonias Planned Development, in the River District, is a \$30 Million Economic Development Opportunity. The project includes the development and enhancement of Las Colonias Park. Mr. Caton stated that this is a Public/Private Partnership that includes the Downtown Development Authority, the Grand Junction Economic Partnership, the City of Grand Junction and private industry. Mr. Caton noted that one goal is the retention and expansion of an existing Grand Junction business in what is considered a target industry. In addition, there will be cooperative recruitment of new businesses. Mr. Caton noted that an incentive agreement is a component of the project.

Mr. Caton showed a slide of the Business Park Concept that is on the Riverfront at the East end of Las Colonias' 147 acres. This Business Park is 10-15 acres, city owned and will be land-leased to private businesses. Should it be considered in the future to sell this property, it would take a vote of the community as it is dedicated as a park.

Mr. Caton explained the intent is to develop the business park in conjunction with a focus on the Outdoor Recreation Industry with an anchor tenant, creating a Google-Like Campus.

Mr. Caton went on to explain that the \$30 Million Economic Development Opportunity he had spoken about can be broken down into two components:

The first component is \$10 million, somewhat equally divided in public infrastructure and park amenities. Mr. Caton explained that the first phase is anticipated by year end 2017, and the infrastructure complete by year end 2018.

The second component is \$20 million in private investment that is anticipated to be recruited. There will be about 10 pads that can be developed, anticipating approximately two million each.

Rob Schoeber, Director of Parks and Recreation displayed a slide of the area and noted that the 147 acres stretches along the river from approximately the 5th street bridge on the west side, and to the pedestrian bridge on the east.

Mr. Schoeber explained that in the mid-1990s, the Botanical Gardens were started on the far west end. There was no additional development in this area during the following 15 years. About 5 years ago, a Disc Golf group asked if they could clean up the Watson Island area for use as a disc golf course. Mr. Schoeber noted that this was a great

enhancement to that area. In 2013 City Council adopted a new Master Plan with considerable public input. The goal was to keep this area along the river as a passive area as opposed to soccer fields. An outdoor amphitheater was incorporated into this plan.

In 2015 the first phase of development was completed which included improvements on Struthers Ave. These improvements included a restroom, shelter area, new playground, parking and a native arboretum to compliment the nearby Botanical Gardens.

Mr. Schoeber stated that the construction currently underway includes the Amphitheater, additional parking and a slough area. Mr. Schoeber explained that the slough area is a diversion of the Colorado River where a channel was created to bring the river closer to the Parkway and the users in that area. There is potential for additional water features as well.

Mr. Schoeber added that a boat launch, festival area, dog park, zip line, parking and restrooms are amenities that originally were thought to be 5-10 years out. Mr. Schoeber explained that development of these features will be part of the 10-million-dollar phase of the Business Park that Mr. Caton had discussed.

Findings of Fact/Conclusions

Kathy Portner, Planning Manager, explained the request before the Commission is to rezone the entire 147 acres to Planned Development (PD), integrating components of a Business Park into the Recreational Park design. The Outline Development Plan includes the following elements:

- Approximately 15 acres at the west end of the property for the business park
- Establish Community Services and Recreation (CSR), which is the current zone, as the default zone
- Establish the allowed uses to include those currently allowed in CSR with the addition of light manufacturing and production, warehousing, services and retail as allowed uses as a part of the Business park development

Ms. Portner stated that the requested Planned Development Outline Development Plan for Las Colonias Park is consistent with the goals and policies of the Comprehensive Plan and Greater Downtown Plan and meets the review criteria of the Zoning and Development Code.

Public Comment

Kristi Pollard, Executive Director of the Grand Junction Economic Partnership, 122 N 6th St., stated that they are in support of the rezoning. Ms. Pollard noted that they are working closely on this project with the City and have identified an anchor tenant that would like to relocate, with the proper zoning approved, to the Business Park area. Ms. Pollard stated that this business, based on the cost of the building and number of

projected employees, that it is estimated that there will be over 20 million dollars in direct capital expenditures. Additionally, based on their projections there could be 160 million dollars in annual sales from this business park. Ms. Pollard noted that the Grand Junction Economic Partnership Board as well as the Chamber of Commerce has voted in support of this project.

Ms. Portner explained that it was brought to her attention that lodging was not on the list of allowed uses and would like to add that to the list of allowed uses in the PD as well.

Vice-Chairman Wade asked Ms. Portner to define lodging. Ms. Portner responded that lodging would include hotels, motels, boutique type hotels on a transient basis, therefore it is not long-term housing. Vice-Chairman Wade inquired if camping is included as an allowed use under the lodging definition. Ms. Portner stated that camping is not allowed. Ms. Portner referred to the comparison chart in the staff report for a list of CSR vs PD uses and noted that uses were mainly added to the PD. Ms. Portner clarified that the ordinance will specifically list what uses are allowed in the PD.

Cheryl Gulick, 1034 Santa Clara Ave. stated that she lives across from this development and at times last summer, has had problems with excessive noise from the Brewery across the river at 10pm. Mr. Schoeber explained that during the public input process, it was requested that the music is done by 10pm and the City has used that as the policy for the amphitheater. Ms. Gulick asked if activities associated with lodging, such as wedding receptions, would have the same policy enforced. Ms. Schoeber responded that they are not to that level of planning yet, but as approval come forward for businesses, the noise curfew would be a consideration.

Vice-Chairman Wade explained that they were voting on the PD rezone and as projects come forward, the public would have an opportunity to comment at that time. Ms. Portner clarified that most of the uses would be a use by right, therefore an administrative level review, but there would be notice sent out to the neighboring properties.

Commissioner Ehlers added that the Master Plan, which had extensive public input, was approved, with this area designated for this type of development.

MOTION: (Commissioner Ehlers) “Mr. Chairman, on item PLD-2017-158, I move that the Planning Commission forward a recommendation of approval of the requested rezone to PD and Outline Development Plan, PLD-2017-158, to the City Council with findings of fact/conclusions and conditions as stated in the staff report with the addition of Ms. Portner’s request that lodging be included in the allowed uses.”

Commissioner Buschhorn seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

3. Fountain Hills Subdivision Rezone

[File #RZN-2017-104]

Request to Rezone 9.339 acres from R-8 (Residential – 8 du/ac) to R-5 (Residential – 5 du/ac) zone district.

Action: Recommendation to City Council

Applicant: Hilltop Health Services Corporation, Owner
Monument Homes 7 Development, Applicant
River City Consultants, Inc. - Representative
Location: 3495 N. 15th Street
Staff Presentation: Kathy Portner, Community Services Manager

Staff Presentation

Ms. Portner stated that the applicant requests approval of a rezone of property, located at 3495 N. 15th Street, from R-8 (Residential – 8 du/ac) to R-5 (Residential – 5 du/ac) zone district for a proposed subdivision.

Ms. Portner displayed a site location map and explained that the approximately 10-acre site is located at the southwest corner of 15th Street and F ½ Road. The surrounding development includes The Fountains Assisted living facility to the south, the Atrium assisted living facility to the west and residential subdivisions to the north and east. The applicant is proposing a development of single-family and cottage/duplex units on the property similar to what is to the south.

The next slide shown was of the Future Land Use designation for the property and Ms. Portner noted that much of the surrounding area is Residential Medium, which allows for densities of 4-8 units per acre.

The existing Planned Development zoning map was displayed and Ms. Portner noted that the site is currently zoned R-8, with surrounding zoning of R-4, R-5, R-24 and Planned Development. Ms. Portner stated that the applicant is requesting a rezone to R-5, Residential, 5 units per acre to accommodate the proposed lower density development. The R-8 zone district requires a minimum density of 5.5 units per acre and the R-5 zoning allows for minimum density of 3 units per acre. Ms. Portner added that the proposed development will be in the range of 3-5 units per acre.

Findings of Fact/Conclusions

After reviewing the Fountain Hills Subdivision Rezone, a request to zone 9.339 acres from R-8 (Residential – 8 units/acre) to R-5 (Residential – 5 units/acre) zone district, the following findings of fact and conclusions have been determined:

- The requested zone is consistent with the goals and policies of the Comprehensive Plan;
- The review criteria outlined in Section 21.02.140 of the Grand Junction Municipal Code have been met.

Public Comments

Tony Devaux, 660 East Cliff Drive, stated that he lives adjacent to the proposed property. Mr. Devaux stated that he and his neighbors were concerned that this development will open a portion of F ½ Rd. which has been closed off at a dead end. Their concern is the amount of traffic that opening F ½ Rd. would generate. Mr. Devaux stated that they are not against the development itself.

Vice-Chairman Wade replied that however the property is developed, F ½ Rd. is proposed to eventually go through and this is actually a request for a downzone. The property is being reviewed for rezone only and Vice-Chairman Wade advised Mr. Devaux that when actual development application is made, that he make his concerns known.

Mr. Devaux stated that he and some of his neighbors were not informed about the rezone. Ms. Portner stated that the applicant has had a neighborhood meeting and that neighboring properties within 500 feet are sent notifications. Ms. Portner noted that they can't guarantee everyone received a notice as they rely on the assessor's records to develop the mailing list. Mr. Devaux stated that he felt 500 feet is not enough. Vice-Chairman Wade explained that the 500-foot radius is the required notice distance in the development code. Commissioner Ehlers added that in addition to mailed notices, the general public can view proposed developments on the City website. In addition, yellow development signs are required to be posted on the property prior to public hearings.

MOTION: (Commissioner Buschhorn) "Mr. Chairman on the Rezone request RZN-2017-104, I move that the Planning Commission forward a recommendation of approval for the Rezone of property located at 3495 N. 15th Street from an R-8 (Residential 8 du/ac) to an R-5 (Residential 5 du/ac) zone district with the findings of fact and conclusions listed in the staff report."

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

4. Amend the Final Development Plan for the Ridges Planned Development, Filing Two [File# PLD-2016-580]

Request to amend Filing Two of the Ridges Planned Development.

Action: Recommendation to City Council

Applicant: Dynamic Investments, Inc. c/o Mike Stubbs
Location: Ridge Circle Drive at Ridges Boulevard
Staff Presentation: Kathy Portner, Community Services Manager

Staff Presentation

Ms. Portner explained that this a request to amend the Final Plan for the Ridges, Filing Two, on two parcels in a Planned Development (PD). Ms. Portner noted that the Planning Commission originally denied this request at the March 28th, 2017 meeting. The applicant has come back with changes to the Plan, specifically an increased rear yard setback on Parcel 2 (10 feet instead of 5 feet) to address the concerns from the last meeting.

Ms. Portner displayed a slide of an aerial photo of the area and explained that there are two parcels totaling 1.12 acres, currently designated as "commercial sites". Ridge Circle Drive runs E/W between the two parcels. Ms. Portner explained that these two sites were designated Commercial back in the 1970's when the Ridges was originally platted. The Ridges PUD, at that time, had a list of uses that would be appropriate on those Commercial sites, however, it did not designate what the bulk standards would be.

Ms. Portner noted that the parcel on the northwest corner is adjacent to an office building and residential units behind it and Parcel 1 to the south, is adjacent to commercial use and residential behind it.

Ms. Portner's next slide depicted the Future Land Use Map and noted that the entirety of the Ridges is designated Residential Medium (4-8 units per acre). The Ridges was originally developed at a density of 4 units per acre, however, it was built out at a lesser density. Residential Medium density supports a number of zone districts as default zones including the R-O (Residential Office) zone district, proposed as the default zone for these two commercial properties. The proposed amendment to the PD is to add residential uses to the list of allowed uses.

The next slide displayed was of the proposed Outline Development Plan that showed a list of uses that are being proposed as well as the proposed setbacks on each of the lots. Ms. Portner stated that the proposed setback from Ridges Blvd. is 10 ft. and 15 ft. from Ridge Circle Dr. Access shall be obtained from Ridge Circle Drive given the constraints of Ridges Blvd.

Ms. Portner stated that the applicant is proposing a 10 ft. setback on the west property lines, a 5 ft. setback on the south property line on Parcel 1.

Ms. Portner noted that staff would propose considering a 10 ft. setback on the south property line on Parcel 1 instead of 5 ft. The rationale for that is that the current building on the lot to the south of it has a building that is considerably set back, however, that may not always be the case.

Ms. Portner explained that building heights will be limited to 35 feet, or 3 stories. This is a reduction from the standard 40 feet in the RO zone district. Maximum building size will

be 10,000 square feet. This amendment further provides a maximum and a minimum number of residential units for each parcel as follows:

- Parcel 1 – 3 - 6 units (14.6 du/ac)
- Parcel 2 - 3 - 10 units (13.5 du/ac)

The list of allowed uses include the commercial uses originally approved with the Ridges development and adds residential as an option.

Findings of Fact/Conclusions

Ms. Portner stated that after reviewing The Ridges Filing Two ODP Amendment application, for a major amendment to the Planned Development, Outline Development Plan, staff makes the following findings of fact and conclusions:

1. The requested amendment to the Planned Development, Outline Development Plan is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.05.150 and Section 21.02.140 of the Grand Junction Municipal Code have been met.
3. Staff recommends increasing the rear yard setback on Parcel 1 to 10'.

Questions for Staff

Commissioner Ehlers asked what was the existing rear setback for Parcel 1. Ms. Portner replied that there are no established rear setbacks for those Commercial lots within that PD zoning. Ms. Portner explained that the PD would have required every final plan to come back through a hearing process. Since then, the City has changed the development code so that they no longer come back for a final hearing. Ms. Portner explained that they want to establish the bulk standards at this time so that if someone wanted to develop, they would know what to expect.

Applicant Presentation

Mike Stubbs, President of Dynamic Investments, 205 Little Park Road, noted that over the years he has had discussions with City Staff as to what would be an appropriate default zoning on these parcels and the conclusion was always RO (Residential Office).

Mr. Stubbs stated that concerns voiced about height, density and setbacks were expressed at the neighborhood meeting by Mr. Rolland who owns the office building adjacent to the property. Mr. Stubbs stated that the most restrictive height limit in the zoning code is 35 feet which is what he originally proposed. Mr. Stubbs noted that a zero lot line would be allowed, however there needs to be a 10 ft. separation from any building and the current building on Mr. Rolland's adjoining property. Mr. Stubbs stated that Mr. Rolland's building is setback about 13 feet from the property line, therefore he felt his original proposed setback of 5 ft. was appropriate. However, out of consideration to Mr. Rolland's concerns, Mr. Stubbs has since revised the request to a 10-foot setback along that property line.

Mr. Stubbs explained the challenges there are with the constraints of the lot due to the contours and storm drainage areas of the lot.

Mr. Stubbs noted that he disputes the numbers the staff presented regarding density. Mr. Stubbs stated that in calculating density by code, you are allowed to add half of the right-of-way of the adjacent road. He noted that he had calculated that out with staff and they came up with 8 units per acre.

Mr. Stubbs stated that there are existing multifamily complexes that are three stories already built in the Ridges. Mr. Stubbs explained that any development would need to have a site plan review where design standards would be looked at by both the City and the Ridges Architectural Control Committee.

Questions for Applicant

Commissioner Ehlers inquired what the road classification was for Ridge Circle Dr. Mr. Stubbs referred to Ms. Portner who stated that she believes it is a collector, however, the code does not refer to the right-of-way calculation for an RO zone district as there is no maximum density.

Public Comments

Thomas Rolland, 870 Gambles Rd., stated that for 25 years he has owned the property at 405 Ridges Blvd. where he has an office building that is approximately 4,800 square feet. Mr. Rolland referred to the aerial photo of the property and pointed out that the three story residential units to the east that Mr. Stubbs had referred to, are buffered by open space. Mr. Rolland also noted that the elevation of that property lessens the impact.

Mr. Rolland is concerned that if a development moves forward once the ODP is approved with the criteria, he will be told that it is too late to oppose it as the criteria has been met. Mr. Rolland stated that he would like to refine the criteria. Mr. Rolland stated that as an alternative to setting the criteria in the ODP, he would like to see an interested developer come forward and make a proposal that fits the property.

Mr. Rolland noted that he feels what is being done is a rezone of the property, and therefor is a "spot zoning". Mr. Rolland stated that he is opposed to the proposal and feels it is the same proposal as what was brought forward two weeks ago. Mr. Rolland reiterated that he is not opposed to the residential component per se, however, he is not in agreement with the density. He would like to see 4-5 units per acre and would like the height to be limited to two stories due to visual impact of the area. Mr. Rolland would like to see two sets of setbacks, one for business and a larger one for residential.

Referring to the neighborhood meeting noted in the staff report, Mr. Rolland indicated that he does not believe there was a city staff member present. Mr. Rolland stated that density was a real concern of those who attended the neighborhood meeting, however

the staff report states that density had been addressed within the ordinance. Mr. Rolland stated that he did not understand what that meant. He noted that the density proposed now was the same as what was presented at the meeting, and everyone had been opposed to it.

Vice-Chairman Wade asked Ms. Portner for clarification. Ms. Portner noted that she was not at that meeting, however she is aware that density was one of the issues brought up. Ms. Porter stated that the reference that the “density had been addressed by the ordinance”, meant that it would be proposed and established by the ordinance upon recommendation of the Planning Commission and approval by City Council.

Mr. Rolland stated that he does not agree with the argument that because the Ridges did not develop as planned, that it has a negative effect on this property. Mr. Rolland noted that the staff report implies that the negative economic impact felt by the developer was a consideration in the proposal and he feels that should not be a factor.

Mr. Rolland explained that when he bought his building he was concerned about the location; however, it has been a great location for him. Referring to the staff report, Mr. Rolland noted a few of the uses allowed are not clear as to what could actually go there.

Regarding screening and buffering, Mr. Rolland felt there is no way a project could adequately be screened from his property or others. Mr. Rolland summarized that the rear yard setback to 5 feet is the only change that was made from the last time the proposal came before the Commission.

Applicant’s Rebuttal

Mr. Stubbs stated that Brian Rusche, Senior Planner, was in attendance at the neighborhood meeting. Mr. Stubbs explained that there were higher densities proposed at that meeting and he since has reduced them. There are not maximum densities in R/O zoning, therefore Mr. Stubbs felt it was appropriate that his proposal establishes them for residential.

Mr. Stubbs disagreed with Mr. Rolland that this would be considered spot zoning. Mr. Stubbs addressed Mr. Rolland’s comment that this should remain Commercial because there is not a need for residential development, and referred to the Housing Needs Assessment that was done that concludes there is a shortage of certain housing opportunities other than single family. Mr. Stubbs reminded the Commission that any development would need to meet market requirements, City Codes, Ridges Architectural Review as well as neighborhood input.

Questions for Staff

Commissioner Deppe asked Ms. Portner what the current height and setback requirements are for this property. Ms. Portner informed the Commission that for Commercial development in the Ridges, there are no bulk standards established. Ms.

Portner noted that for residential, the height restriction is 28 feet for single family development that was already platted and there are no established bulk standards for multifamily and commercial on the bigger lots.

Commissioner Ehlers asked if the original document made reference to being subject to today's standards. Ms. Portner explained that the Ridges was developed under a Metro District and later annexed into the City. The City established the Amended Final Plan for the Ridges in 1994 that confirmed the standards set for these single family lots and listed allowed uses for Commercial lots. It did reference the need to comply with current codes, however, at that time final plans came back through a public hearing process where the standards would be established at that time.

Vice-Chairman Wade inquired if the proposal is to establish the parameters for development, and then if a development was proposed, it would go through an administrative review including the opportunity for neighborhood input. Ms. Portner stated that a proposed development would still have neighborhood notification and signs posted on the property.

Commissioner Discussion

Commissioner Ehlers noted that height restrictions in today's current code for Residential, Commercial and R/O ranges from 40 to 80 feet. What is being proposed for this ODP is more restrictive than what is currently allowed regarding height. Regarding compatibility with the neighborhood, Commissioner Ehlers sees nearby residential development and does not think R/O would be incompatible. Commissioner Ehlers stated that he did have a concern with the 5-foot setback in the previous proposal, but now feels comfortable with the revised 10-foot setback. Commissioner Ehlers pointed out that the Future Land Use Map designated Residential Medium zoning, therefore does not agree with Mr. Rolland's concern of "spot zoning". Commissioner Ehlers also stated that he is not in favor of requiring a 10-foot setback in the rear of Parcel 1 based on the fact that the property to the south may choose to be redeveloped. He felt this should remain a 5-foot setback.

Commissioner Buschhorn stated that he completely agrees with Commissioner Ehlers comments.

Vice-Chairman Wade stated that this recommendation will go to City Council based on compliance with the code, and noted that City Council can make their decisions on what they think is best for an area.

MOTION: (Commissioner Ehlers) "Mr. Chairman on item PLD-2016-580, I move that the Planning Commission forward a recommendation of approval of the requested amendment to the Outline Development Plan for The Ridges Filing Two, as proposed by the applicant."

Commissioner Tolle seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

5. Other Business

None

6. Adjournment

The Planning Commission meeting was adjourned at 7:48 p.m.