

**GRAND JUNCTION PLANNING COMMISSION**  
**September 26, 2017 MINUTES**  
**6:00 p.m. 8:41 to p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Christian Reece. 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, Kathy Deppe, Keith Ehlers, Steve Tolle, Ebe Eslami and Bill Wade.

In attendance, representing the Community Development Department – Tamra Allen, (Community Development Director), Kathy Portner, (Community Services Manager), and Lori Bowers, (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 74 citizens in attendance during the hearing.

**\*\*\*CONSENT CALENDAR\*\*\***

**1. Minutes of Previous Meetings**

*Action: Approve the minutes from the August 22, 2017 meeting.*

- 2. Conditional Use Permit for Recycling Center** [File# CUP-2017-283]  
Request for a Conditional Use Permit (CUP) for recycling center/material recovery facility (MRF) on a property located at 2410 Blue Heron Road in an I-2 (General Industrial) zone district.

*Action: Approval or Denial of CUP*

Applicant: Monument Waste Services  
Location: 2410 Blue Heron Road  
Staff Presentation: Kristen Ashbeck, Senior Planner

- 3. Vacation of Rights of Way and Easement within Jarvis Subdivision** [File# VAC-2017-92, 93]

Request to vacate rights-of-way and easements within the Jarvis Subdivision plat.

*Action: Recommendation to City Council*

Applicant: City of Grand Junction  
Location: 1001 S. 3<sup>rd</sup> Street  
Staff Presentation: Kathy Portner, Community Services Manager

4. **Conditional Use Permit for GJ Pick-A-Part Yard** [File# CUP-2017-260]  
Request for a Conditional Use Permit (CUP) to establish a junk yard and impound vehicle lot on 1.32 +/- acres in an existing I-1 (Light Industrial) zone district.

*Action: Approval or Denial of CUP*

Applicant: Felipe Cisneros  
Location: 690 S. 6<sup>th</sup> Street  
Staff Presentation: Kathy Portner, Community Services Manager

5. **Conditional Use Permit for Endura Products Corp.** [File#CUP-2017-381]  
Request for a Conditional Use Permit (CUP) for hazardous materials to be stored on site. The property is located in an I-1 (Light Industrial) zone district.

*Action: Approval or Denial of CUP*

Applicant: Endura Products Corporation  
Location: 2325 Interstate Avenue  
Staff Presentation: Lori Bowers, Senior Planner

6. **Zoning of the Holder Annexation** [File#ANX-2017-325]  
Request to zone 2.83 acres from County RSF-4 (Residential Single Family – 4 Units per Acre) to a City B-1 (Neighborhood Business) zone district.

*Action: Recommendation to City Council*

Applicant: Kenneth Holder and Wayne Holder  
Location: 3040 E Road  
Staff Presentation: Kristen Ashbeck, Senior Planner

Chairman Reece briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted the item pulled for a full hearing.

With no amendments to the Consent Agenda, Chairman Reece called for a motion to approve the Consent Agenda.

**MOTION:** (Commissioner Wade) “Madam Chairman, I move approve the consent agenda.”

Commissioner Ehlers seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

**\*\*\*INDIVIDUAL CONSIDERATION\*\*\***

**7. Plan of Development Revision for the Downtown Development Authority**

[File#CPA-2017-427]

Request by the DDA to modify their existing Plan of Development to be inclusive of the improvements contemplated as part of the Las Colonias Business and Recreation Park development.

*Action: Recommendation to City Council*

Applicant: Downtown Development Authority (DDA)  
Location: N/A  
Staff Presentation: Kathy Portner, Community Services Manager

**Staff Presentation**

Kathy Portner, Community Services Manager, explained that this request is to amend the Downtown Development Authority Plan of Development to Include improvements contemplated as part of the Las Colonias Business and Recreation Park development.

Ms. Portner began her PowerPoint presentation with an aerial view of the area and stated that the purpose of the Downtown Development Authority is to plan and propose public facilities and other improvements to public and private property within its boundaries with the goal of preventing and remediating slum and blight.

Ms. Portner went on to explain that the Downtown Development Authority (DDA) is required to have a Plan of Development to establish a mechanism to implement projects and programs that aid in halting the economic and physical decline of the Plan of Development area and Commercial Renovation Districts, and assist in the revitalization of and reinvestment in the downtown generally.

The current Plan of Development was adopted in 1981 and has had minor amendments over the years.

Ms. Portner noted that the Plan outlines specific objectives and displayed a slide highlighting the following:

- Prevent decline of property values
- Prevent deterioration of existing structures
- Promote efficient and economical use of land
- Intensity of activity at pedestrian scale
- Conserve historic character
- Promote appropriate development

- Maximize return on public investment
- Prevent social problems associated with declining commercial areas

Ms. Portner added that the plan also identifies public facilities and improvements that would support and encourage private redevelopment activities, including a list of 18 specific projects.

Ms. Portner's next slide was an overlay that depicted the approved Outline Development Plan for the Las Colonias Park property that was approved by the Planning Commission and City Council this past summer. Ms. Portner added that Las Colonias Business and Recreation Park is within the boundaries of the DDA.

Ms. Portner clarified that the proposed amendment would add the development of the park to the DDA Plan of Development as a specific project.

Ms. Portner stated that the Las Colonias project will provide public improvements to the riverfront corridor and help spur private investment in the area, which aligns with the goals and objectives of the Plan of Development.

Ms. Portner explained that the proposed amendment will add the Las Colonias Business and Recreation Park to section VII of the Plan of Development as project number 19 as written below:

*19. Improvements will be made to the Las Colonias property located in the City's River District Corridor. Improvements include the development of public park amenities, including lakes and green spaces for public and private use. Additional public improvements include utilities, parking, streets passive and active recreation, and streetscape improvements. These public improvements will be utilized to attract outdoor recreation businesses and manufacturers as well as riverfront retail and restaurants in order to spur development in the currently blighted area.*

Ms. Porter added that the DDA Board has approved the proposed amendment.

**Staff recommended approval of the proposed amendment based on the following findings:**

1. The proposed modification is consistent with the approved Outline Development Plan, as well as the City's overall vision, as included in the Comprehensive Plan, for the River District.
2. The plan will afford maximum opportunity, consistent with the sound need and plans of the municipality as a whole, for the development or redevelopment of the plan of development area.

## **Applicants Presentation**

Brandon Stam, DDA Executive Director, stated that the DDA Board has recently decided to do a complete revamp of the 1981 development plan. The Board recently approved sending an RFP out and they anticipate they will begin the first of next year. Mr. Stam indicated that they anticipate the process to take 6 to 8 months to complete.

## **Public Comment**

Chairman Reece invited the public, Planning Commissioners and staff to speak regarding the amendment. With no one coming forward to speak in favor or against the amendment, Chairman Christian Reece called for a motion.

**MOTION: (Commissioner Wade)** “Madam Chairman, on the Plan of Development for the Grand Junction CPA-2017-427, I move that the Planning Commission forward a recommendation of approval of the proposed revisions to the Grand Junction Downtown Development Authority’s Plan of Development.”

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

## **8. Rezoning and Outline Development Plan of Weeminuche Subdivision**

[File#PLD-2017-221]

Request for an Outline Development Plan (ODP) for Weeminuche Subdivision as a Planned Development (PD) zone district.

*Action: Recommendation to City Council*

Applicant: 26 Road LLC, Owner  
Location: Between 26 and 26 ½ Roads, South of H ¾ Road  
Staff Presentation: Kathy Portner, Community Services Manager

Kathy Portner, Community Services Manager, presented a PowerPoint slide of the area and stated that this is a request for an Outline Development Plan and Rezone to PD, Planned Development with a default zone of R-2. Mr. Portner explained that the property is located between 26 & 26 ½ Roads, south of H ¾ Road and is currently zoned PD (Planned Development) with a default zone of R-4 (Residential – 4 du/ac). The applicant is proposing an outline development plan to develop a 303 lot, single-family detached residential subdivision on 151 acres with a default zone of R-2.

The next slide Ms. Portner displayed was an aerial photo of the site and explained that the property was annexed in 1995; however, prior to annexation, a formal agreement between the City of Grand Junction and the previous property owner, known as the Saccomanno Girls Trust specified that zoning of the property shall not be more than two (2) dwelling units to the acre.

Ms. Portner stated that the City Council in 1995 annexed and zoned the property PR (Planned Residential), with a density equivalent to RSF-2 and a requirement that higher density be located toward the eastern edge and lower density locate towards the western edge of the property.

Ms. Portner explained that a previous ODP for this property was approved in January, 2008 by the City Council for 362 units and a default zone of R-4; however, that plan lapsed.

Ms. Portner displayed a slide illustrating the Comprehensive Plan Future Land Use Map overlay of the area and noted that the proposed PD zone is consistent with the Comprehensive Plan Future Land Use designation of Residential Medium Low (2 - 4 du/ac). Ms. Portner added that the surrounding area to the south and east has the same designation and the area to the north and west have an Estate designation.

Ms. Portner stated that a Neighborhood Meeting was held on March 30, 2017, where the applicant had originally proposed a plan with 389 lots and a default zone of R-4 (Res., 4 u/a). The applicant's representative and City Planning staff were in attendance along with over 50 citizens. Comments and concerns expressed by the attendees centered on the proposed density of the development, increased traffic, road networks and capacity, sewer availability, open space, proximity to the airport, nighttime lighting and drainage concerns.

Ms. Portner noted that after feedback from the Neighborhood Meeting, the applicant has reduced the number of proposed units to 303 single-family detached lots with a default zone of R-2.

The City has received numerous inquiries regarding the proposed subdivision requesting more information along with two official emails and one letter commenting on the proposed development, which are attached to the Staff Report. In addition, three letters were received at tonight's meeting that have been distributed to the Commission and entered into the record.

Ms. Portner's next slide showed the existing zoning map of the area. The property is currently zoned PD with a lapsed plan for 389 units. Ms. Portner pointed out that the adjacent zoning to the south is City R-1, with City R-5 and R-4 to the east. To the west is County RSF-E, Estate and County AFT.

The following slide illustrated the proposed ODP with 303 Single Family detached units, for an overall density of 2 units per acre, with no deviations from the default zone of R-2 proposed. Ms. Portner referred to the arrows showing the proposed access points and noted that the proposed subdivision will take access from 26 Road in two locations and from 26 ½ Road in two locations. One access point is proposed from H ¾ Road along with a separate street connection with the existing Freedom Heights subdivision to the south (Liberty Lane).

Center left turn lanes at the two entrance locations along 26 ½ Road will be constructed as part of the subdivision development. In addition, internal streets and private shared drive-ways will be constructed per the Code.

The Applicant is proposing to utilize the cluster provisions of the Code to preserve and incorporate open space areas of the property. The 33 acres of open space proposed represents over 20% of the land area which allows for minimum lot size of 10,050 sq. ft. in accordance with the Cluster Development provisions of the Code.

Ms. Portner stated that the proposed lots range in size from 10,500 s.f. (.24 acres) to 27,544 s.f. (.63 acres). Ms. Portner explained that the cluster development provisions allow the applicant to utilize the bulk requirements, such as building setbacks, of the zoning district which has the closest lot size, which, in this case, is the R-4 (Residential – 4 du/ac) zone district.

The HOA tracts will be landscaped along with the construction and development of hard and soft surface trails within the subdivision which will provide an integrated bicycle and pedestrian system. When fully developed, the Weeminuche subdivision will provide over 14,500 linear feet or 2.74 miles of hard and soft surface trails open for public use.

The tract adjacent to Leach Creek at the southeast corner of the property will be dedicated to the City of Grand Junction and will include a 10-foot-wide concrete trail that will connect with the existing trail located within the Freedom Heights Subdivision.

Ms. Portner added that the project will also include an 8' wide detached paved trail adjacent to 26, 26 ½ and H ¾ Road, within the landscaped open space tracts. A small pocket park with an irrigation pond, play area and picnic shelter will also be located in the center of the development and will be improved with an 8-foot-wide gravel walking trail around the perimeter of the pond. The public trails being proposed, other than the Leach Creek trail, are not required by Code and serve as a community benefit for the Planned Development. All pedestrian trails will be constructed with each individual phase and appropriate public pedestrian easements will be dedicated at that time.

Ms. Portner displayed a slide illustrating the 7 proposed phases of the project. The applicant has proposed a development schedule consisting of 7 phases over a total of 17 years.

The Code states that the effective period of an ODP/phasing schedule shall be determined concurrent with ODP approval, however, the phasing schedule is limited to a period of performance between one year but not more than 10 years. The schedule as proposed exceeds this 10-year period by 7 years.

The applicant continues to request the 17-year development schedule due to the significant size of the development and the reasonable expectations for market absorption. However, if the City is unable to provide a phasing schedule consistent with

the applicant's request, the applicant proposes a schedule having Filing One commence on or before Dec. 31, 2018, with the last filing to be recorded 10 years from the date of approval.

**Staff recommends approval of the request for a Planned Zone and Outline Development Plan (ODP) for the Weeminuche Subdivision based on the following findings:**

After reviewing the application for a rezone to PD with an R-2 default zone district and an Outline Development Plan for the proposed Weeminuche Subdivision, and with the condition of the 10-year phasing schedule, the following findings of fact have been made:

1. The Planned Development meets all criteria in Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code.
2. The Planned Development meets the purpose of a PD pursuant to Section 21.02.150(a) by providing long term community benefits, including:
  - a. The provision of over 33 acres of open space, including expansive buffered landscape tracts adjacent to major roadways, and
  - b. The dedication and construction an integrated public trail system of hard and soft surface trails, picnic shelters and play areas.
3. The Planned Development is consistent with the vision, goals and policies of the Comprehensive Plan.

**Questions for Staff**

Commissioner Eslami inquired about the time line. Ms. Portner explained that staff's recommendation is 10 years, however, she anticipated that the applicant will address that during their presentation.

Commissioner Ehlers asked if the applicant should choose to go with less density in a particular filing, would they have to come back and go through a formal process. Ms. Portner responded that the ODP establishes a maximum density so staff would have to determine if it is a minor or major change. Ms. Portner added that if it did not substantially change the road network and access points, it could possibly come in as a minor change, but they could not go to a higher density without a formal process.

Commissioner Wade asked if there have been any traffic studies done to determine the proposal's impact on 26 ½, 26, and H Roads. Ms. Portner explained that the applicant was required to have a traffic analysis done and that study has been reviewed by staff.

**Applicant Presentation**

Robert Jones II, Vortex Engineering, 2394 Patterson Rd., STE 201 stated that he was representing the applicant. Mr. Jones gave an overview of the proposed project and



noted that much of the material was covered with the staff presentation. Mr. Jones noted that properties to the north and west of the proposed project area are outside the Persigo 201 Boundary and are not expected to develop to urban densities or with urban services such as sewer. Areas to the east are developed with urban standards. Mr. Jones highlighted some of the community benefits such as the trails and sidewalks, a pocket park and a 3 acres' area with a pond and walking trail.

Mr. Jones emphasized that the previous ODP had an R-4 default zone that allows for 362 units and the proposed ODP default zoning is R-2 allowing for 303 units.

The applicant will widen 26 ½ Rd. to accommodate two left turn lanes. The widened section of 26 ½ Rd will start at the bridge near Leach Creek and extend north to the intersection of H ¾ Rd, running approximately the length of the subdivision. Mr. Jones showed a slide of the cross section of the proposed widening.

### **Questions for Applicant**

Commissioner Wade asked what kind of impact the traffic study showed once all the phases are built out. Mr. Jones replied that currently, 26 Rd., north of H Rd., the Average Daily Trips (ADT) is approximately 1,230 and south of H Rd. is approximately 3,240. 26 ½ Rd., north of H, has an ADT of about 307, and south of H Rd. is about 4,000 ADT.

Mr. Jones anticipated that at complete built out the project will generate 2,912 ADTs with a split of 45% to 26 Rd., 45% to 26 ½ Rd. and 10% to the north H ¾ Rd. When you equate an average increase to 26 and 26 ½ Rd. it is anticipated to be 1,300 ADTs.

The highest ADT anticipated on 26 and 26 ½ Rd with the project is somewhere around 5,300 ADTs. Comparably, a two lane road such as 26 and 26 1/2 , as long as intersections are not a limiting factor, has a capacity of approximately 20,000 ADTs.

Commissioner Wade asked if ADTs of bicycles are considered in the study. Mr. Jones did not think the study considered bicycles.

Commissioner Ehlers asked if the applicant is asking for any deviations from the Transportation Capacity fees that will be required. Mr. Jones explained that the improvements to 26 and 26 ½ Rd. would utilize the TCP fees generated from this project, which will be over ¾ million dollars.

Commissioner Deppe asked about setbacks. Mr. Jones stated that since the cluster provision was applied, they would use the bulk standards of the R-4 zone district.

Chairman Reece asked how much wider 26 ½ Rd would be. Mr. Jones stated that it will be widened by approximately 17 feet.

Noting that the applicant originally submitted a straight rezone Chairman Reece asked if

the plan for the development changed when the applicant changed it to a Planned Development. Mr. Jones stated that the original application had a density that allowed for 389 units and the current proposal has 303 units.

Commissioner Eslami asked what percentage of open space is required. Mr. Jones believed that it is 10% however they brought it up to over 21% utilizing the cluster option. Ms. Portner added that the Planned Development doesn't have a specific percentage requirement for open space, however it is one of the potential public benefits that can be considered. The size lots they are proposing would require 20% open space to utilize the cluster provision.

Commissioner Ehlers asked if the open space, other than the HOA tracts, would be available for public use. Mr. Jones stated it would.

Chairman Reece called for a short break. After the break, the Planning Commission reconvened the meeting. Chairman Reece explained that there is a three minute limit for comments.

### **Public Comments**

Richard Warren, 2622 H Rd. cited that Ordinance 2842 was the City's compromise to conserve the neighborhood of Paradise Hills. Mr. Warren explained that in 1995, when the City annexed the 151 acres, now known as Weeminuche, the owner offered the City a 30-acre parcel across from the Catholic Church as incentive. Mr. Warren stated that the neighborhoods around this parcel are waiting for a plan that honors the compromise that was made at the time of annexation in 1995.

Gail Redin, 2596 Kayden Ct. stated that she is concerned about the traffic. Ms. Redin commented that she doesn't understand why they would ask for this type of density in the middle of a rural area. Ms. Redin stated that she remembers there were concerns about the Airport being so close to Paradise Hills when it was built and how scary it was for how low the planes flew. Ms. Redin wanted to know if the Airport Authority had reviewed this plan. Ms. Redin stated that they moved out there to get away for higher density.

Steve Carter, 727 Woodridge Ct. stated he is a member of the Mesa County Bicycle Alliance. Mr. Carter stated that 26 Rd. and 26 ½ Rd. is populated by bicycles and walkers as well as cars. Mr. Carter explained that the City has identified 1<sup>st</sup> Street as a major north-south non-motorized roadway and spent a lot of money on the bike path and it is good until it gets to G ½ Rd. Mr. Carter asked if the TCP adequately addresses the impact that development will bring to these two Roads.

William Scott, 823 26 Rd. commented that 26 Rd. is a farm to market road and it is very dangerous. Mr. Scott feels that someone will be killed on that road and would like to see 26 Rd. widened.

Jerry Corzatt, 883 Grand Vista Way, was concerned about the traffic impact of certain hours of the day when commuters are driving. Mr. Corzatt also expressed concern about emergency vehicles being able to navigate. Mr. Corzatt moved to the area to be in a rural environment.

Donnamarie, 2616 H ¾ Rd. felt that building 300-400 new homes equates to Denver Sprawl without the Denver amenities. Donnamarie wanted to know where the jobs are for approximately 900 people that will live there. Ms. Donnamarie noted the foresight of planning for Central Park in New York.

Hamilton MacGregor, 837 26 Rd. stated that he feels goal number seven of the Comprehensive Plan was not met. Goal seven addresses appropriate buffering between high and low density.

Susan Joffrion, 2658 I Rd. spoke to the Commission about her concern regarding the traffic that the project will generate. Ms. Joffrion stated that she retired and moved to Grand Junction to live in a less dense part of the country.

Jan Warren, 2622 H Rd. stated that she and her husband picked their house because it was in a semi-rural area with beautiful views. Ms. Warren noted that the applicant did not address traffic on H Road. Ms. Warren wanted to know if the road improvements will be done before the development comes in, or will they have to wait 17 years. Ms. Warren noted that only seven of the 303 parcels in the project exceed ½ acre and wanted to remind the Commission that this is a rural area. Referring to the annexation agreement made in 1995, Ms. Warren stated that the City had an agreement with Dr. Saccomanno and the neighboring residents and they have not fulfilled their obligation in 22 years and the residents will not be happy until the agreement is fulfilled.

BJ Lester, 2659 I Rd. stated that the applicant emphasized the 33 acres, however the southwest corner of the development is not developable. Ms. Lester also is concerned about the future traffic.

Toni Heiden, 2676 Catalina, spoke to the Commission regarding the current traffic issues and feels the development will only make this worse. Ms. Heiden believed that the developer should improve the Roads now, rather than wait. Ms. Heiden expressed concern about the traffic from the construction trucks that will be accessing the development as it is being built.

Tom Pederson, 856 Grand Vista Way, noted that he wanted to take a more philosophical approach to the issue and stated that he does not feel 3 minutes is enough time for each person to speak. Mr. Pederson feels the value of his home will be diminished by the project. He has read the agreement between Mr. Saccomanno and the City and would like to be able to count on the agreements of the past. Mr. Pederson spoke to the politics in California where they had moved from and felt that the majority of people do not understand rural living. He felt this was a ranching/farming community and he moved here for a lifestyle where his values are respected.

David Krogh 892 Overview Rd. stated that the Grand Vista Subdivision was started about 14 years ago. Mr. Krogh spoke about the Transportation Impact Fee money that is generated by each development. He stated that after 14 years there is still not decent drainage or sidewalks down 26 ½ Rd. Mr. Krogh speculated that the Transportation fees generated will go in the City coffers and nothing will be improved.

Denny Granum, 894 26 Rd. stated that he is not against the development but he has concerns about the traffic. Mr. Granum stated that 26 Rd. is a problem even with the proposed bike lanes. Mr. Granum observed that many people use 26 Rd and 26 ½ Rd. to bike from the City to the country. Mr. Granum stated that the potential traffic at intersections at 26 Rd and G Rd. and 26 ½ Rd. and G Rd. are a big concern

Anthony Padilla, 371 26 Rd. spoke to the Commission regarding disapproval of the proposed project. He feels this is the last signature property in Grand Junction. Mr. Padilla noted that he has observed subdivisions in Grand Junction typically look nice right after development and they start going downhill progressively in the following 10 years. Mr. Padilla would like to see a magnificent subdivision go in, one that will stay nice in the future.

John Herfurtner, 859 Grand Vista Rd. stated that when he moved to the area a couple years ago he was told that this property would be developed at one unit per 5 acres. Mr. Herfurtner noted that he sees geese stopping at this property overnight. Mr. Herfurtner commented that there are many empty lots in the City and would like to see the City slow down growth in this area and utilize the existing lots in the City to prevent sprawl.

Joseph Breman, 2611 Vista Way read a letter from 1995 addressed to Dr. Saccomanno from the then City Manager, Mark Achen, and that noted that the proper zoning for this property should be R-2 and the maximum build out would be 220 homes.

John Marshall, 903 26 Rd. stated that he and his wife live at the intersection of I and 26 Rd. Mr. Marshall stated that he has spoken with many neighbors in the area and they feel the purpose of planning is to help make good neighbors, and this is not being a good neighbor. Mr. Marshall commented that he did not feel this project is appropriate and requested that they downgrade the density.

June Colosimo, 2618 H Rd. spoke about a subdivision that has been built adjacent to her home and the homes are in disrepair. She referenced other open parcels to the east and felt they should be developed first.

Mike Stahl, 2599 Kayden Ct. stated that he moved to his home in 2008 and it overlooks the project. Mr. Stahl does not feel the infrastructure is in place to accommodate this proposal.

Jerry Conrow, 501 Kings Place, Newport Beach CA stated that he was here visiting his sister. Mr. Conrow stated that he went to High School here and comes back regularly.

Mr. Conrow spoke to the intense density in California and how it ruins the quality of life. Mr. Conrow did not feel this density will be a good thing for this particular area given the rural nature of the area.

Monica Pederson, 856 Grand Vista Way, noted that there would be 5 times as many people in the audience if everyone was notified. Ms. Pederson stated that she personally delivered 117 flyers to her neighbors regarding the meeting. Ms. Pederson asked that next time there is a meeting regarding this project, she wants everyone in Paradise Hills, Grand Vista and all the way to H Rd. to be notified.

Chris Grasso, 2674 Riverwood Ct. thought the site plan was deceiving because the open space running through the property is a ditch, and the open space in the southeast corner can't be used. Mr. Grasso stated that he moved to a rural area and the proposed density is too high.

Cynthia Kempers, 819 26 ½ Rd. stated that she lives on 13.5 acres. She was glad to see that they have decreased the density. Ms. Kempers stated there is a new nearby subdivision that has brand new houses and she feels bad for the people buying those houses not knowing the traffic will increase drastically.

Craig Robillard, 848 Summer Sage Ct. stated that he left town the previous week and had checked the City website and none of the submittal was available online. Mr. Robillard stated that he does not feel it's fair that everyone has to come down to planning to look at the submittal and that it should be available online in this day and age. Mr. Robillard referred to the letter written in 1995 and asked if it is addressed in the staff report. Referring to the neighborhood meeting, Mr. Robillard stated that it was just a broad brushed presentation and everyone should have access to the submittal and be able to ask questions about it. Mr. Robillard noted the traffic congestion during the school year that currently exists near the Catholic Church and the congestion at 26 ½ and G Rd. in the morning. Mr. Robillard stated that he is a bicyclist and the area is already dangerous. Mr. Robillard explained that he has around 15 questions about the project now that he has heard the presentation and asked the Commission for more time to ask questions before they approve this project.

Laureen Gutierrez, 923 Vista Ct., stated her concern about flooding and drainage in the area.

Julie Bursi, 852 Grand Vista Way, stated that she had gone to the presentation in March and had asked if someone buying a lot could bring in their own builder. She was told by the presenter that they believed they would just use one builder. Ms. Bursi feels only having one builder will be an atrocity.

Sandy Ramunno, 867 26 Rd., stated she was at the meetings in 1995. Ms. Romano stated that most of her neighbors know a subdivision will go in there, but they object to the density. Ms. Romano noted that the clustering of homes gives an appearance of even greater density. Ms. Romano stated that her property is their biggest asset and she is concerned about keeping the

value of it. Ms. Roman expressed concern about the percentage increase in traffic and feels the impact will be felt all the way to Patterson.

### **Questions for Applicant**

Commissioner Wade asked why the only roadwork proposed is on 26 ½ Rd. and not 26 Rd. as well. Mr. Jones replied they completed intersection operational analysis down 26 Rd. and turn lane warrant analysis for this development. Recommendations were provided in the traffic impact study and reviewed with staff. Mr. Jones explained the turn lanes on 26 ½ Rd. was the only requirement as the peak vehicle hour trips triggered this for both of the entrances on the east side. Mr. Jones deferred to Mr. Dorris as to how capital funded city projects are going to progress along these roads.

Commissioner Eslami asked if the project will be making improvements to both 26 Rd. and 26 ½ Rd. Mr. Jones clarified that it is just 26 ½ Rd. Commissioner Eslami asked if the improvements will be done by phase, or all in the first phase. Mr. Jones stated that the improvements will be made as the phases are built and there will be trigger points for the next phase of improvements.

Commissioner Ehlers observed that Paradise Hills is zoned R-4 and asked what the density was. Ms. Portner stated that she does not know offhand but would guess they are about ¼ acre lots.

### **Questions for Staff**

Commissioner Eslami asked what Ordinance 2842 was that several members of the public were referring to. Ms. Portner stated that the ordinance was the one that zoned the Pomona Park Annexation in 1995. Ms. Portner went on to say that it was a big annexation and there were separate zonings put on separate properties. The subject property had a zone of Planned Residential and established the RSF-2 zone which existed at that time for purposes of establishing density. Chairman Reece asked if RSF-2 was two units/acre at that time. Ms. Portner explained that the City calculates density differently than they did in 1995 and noted that RSF-2 would have require ½ acre lots in 1995.

Commissioner Ehlers asked if it was based on minimum lot size and not density. Ms. Portner stated that the ordinance zoned the property PR (Planned Residential) with the density equivalent to RSF-2 and with a requirement that higher density located along the eastern edge and lower density along the western edge of the property.

Commissioner Ehlers asked when the Comprehensive Plan was first done. Ms. Portner replied that the Comprehensive Plan was adopted in 2010 and identified this area for the 2-4 units/acre. Ms. Portner added that since 1995 the property was rezoned in 2008 to Planned Development with a default zone of R-4 (Residential 4 units/acre).

Commissioner Eslami asked how the Comprehensive Plan affects the letter of understanding between the City and Dr. Saccomanno. Ms. Portner explained that since the 1995 Ordinance, there has been another Ordinance that placed a different zoning on the property.

Ms. Beard (Assistant City Attorney) explained that the 1995 letter was not actually a part of the Ordinance and the Ordinance is what they have to look to because it is what was adopted by City Council. The letter refers to the Code, however, that was the Code at that time and now we

need to look at the current code. In addition, Ms. Beard stated that as mentioned, the property has since been rezoned. The rezone has lapse and that is why there are before the Planning Commission again.

Commissioner Wade stated it was obvious there are already traffic problems with 26 ½ and 26 Rd. and asked Mr. Dorris (Development Engineer) what the transportation plan is for those roads in that area and if there was a timeline. Mr. Dorris stated that as far as improving the transportation corridor, there is nothing in the budget right now for that. Mr. Dorris added that in the proposed 5-year capital improvement budget, there are intersection improvements proposed for 26 ½ Rd, at both G and H intersections. In the proposed 10-year capital budget there are improvements to 26 Rd. and G Rd. proposed.

Commissioner Wade asked if traffic studies that are done for subdivisions are only looking at motorized vehicles. Mr. Dorris said technically no, but that is what winds up being addressed more. Mr. Dorris added that when the corridors are developed, bike lanes will be a part of that. Chairman Reece added that she would include pedestrians for consideration as there are many people that walk in that area.

Commissioner Ehlers asked if bicycles can be on the sidewalk in the City. Ms. Beard stated that they are allowed on the sidewalks unless specifically not allowed, and at this time they are not allowed in the downtown area.

Commissioner Ehlers asked if the trails plan calls for a pedestrian corridor down Leach Creek. Ms. Portner stated that the Leach Creek trail is identified on the Urban Trails Master Plan and it will get constructed with this development. Mr. Ehlers asked if there will be missing pieces of the trail connectivity. Ms. Portner replied that there are still missing connections along Leach Creek. She also stated that there presently is an Urban Trails Master Plan and a Circulation Plan that is specific to the roadways. Ms. Portner added that in the coming months they will be bringing forward a document for adoption that combines both of these plans.

Chairman Reece stated that when this project was brought forward it originally had requested phasing going out to 2035. According to the Code, the City can only allow phasing for ten years. Ms. Portner agreed and stated that they are recommending ten-year phasing, however the applicant can come back and ask for extensions as long as they are making sufficient progress.

### **Commissioner Discussion**

Commissioner Ehlers explained that the Planning Commissions review is to determine if the proposed projects adhere to existing Codes and Master Plans and their intent. Commissioner Ehlers commented that it is understandable that there are concerns especially as developments extend to the edges of the City. Commissioner Ehlers noted that several people had mentioned being “good neighbors” and commented that being a good neighbor extends on to the greater community. Commissioner Ehlers gave an overview of all the plan that are considered. Commissioner Ehlers pointed out that if these were ½ lots there would be the same number of units and same number of traffic counts.

Commissioner Ehlers pointed out that all of the Comprehensive and Master Plans they look at were vetted with extensive public input. Commissioner Ehlers also noted that when the developer came forward to re-establish the zoning that had lapsed, he downsized the development by 86 lots to mitigate the impact the neighbors anticipated. Commissioner Ehlers

encouraged the citizens to stay involved as Master Plans evolve and change when they are updated over the years.

Commissioner Eslami expressed the confidence and appreciation he holds for the staff that he has worked with for 9 years and with the City where he has worked as a developer for 40 years. Commissioner Eslami stated that the public had input in the formation of the Future Land Use Map and he noted that the Commission has to use these documents to review projects.

Commissioner Deppe expressed concern about the traffic, density and setbacks of the development. Commissioner Deppe agreed with Commissioners Ehlers and Eslami that they are reviewing the project to see if it meets code.

Chairman Reece stated that the proposal is requesting a default rezone to R-2. When you look at the density using the cluster provisions, its effectively R-4 so it is not really defaulting back to R-2 with this proposal. Chairman Reece expressed concerns about the proposal using “community benefit” as one of the criteria for a planned development. Chairman Reece did not feel that the 33 acres of undevelopable land in the development is a “community benefit” and should not satisfy part of the required 20% of land for “community benefit.”

Chairman Reece also stated concerns about the traffic and stated that it is over a 200% increase in over a ten-year span. Chairman Reece stated that she has biked, walked and driven those roads and does not feel the infrastructure can handle that type of growth in that part of town. Chairman Reece added it is not in the community’s best interest to force something that dense into that place when you are risking the lives of our citizens on those roads. Chairman Reece added that the proposed density is incompatible with the surrounding zoning in this area. Chairman Reece stated that although this proposal does meet the zoning that is outlined in the Comprehensive Plan, she feels the Comprehensive Plan got it wrong in this case.

Commissioner Tolle stated that he spent 30 years as a transportation and safety planner all over the world and he has the same reservations that Chairman Reece had. Commissioner Tolle referred to an incident where there was an accident on I-70 and they diverted traffic down to G Rd. Commissioner Tolle explained that the traffic was backed up and gave him insight to the capacity of the infrastructure that is currently in place there.

Commissioner Wade stated that they are a volunteer public commission with one specific duty; to look at a development and see if it is adhering to the Code. Commissioner Wade explained that this is not the end of the process and if the motion should pass and go forward, the body that will make the final decision is the City Council. Commissioner Wade noted that the City Council is not constrained the way the Planning Commission is and they can consider public input and turn down a project even if it complies with the code. Commissioner Wade encouraged the public to stay involved and show up at the City Council meeting if this proposal moves forward.

Commissioner Ehlers and Commissioner Toole both encouraged citizens to stay involved.

**MOTION: (Commissioner Wade)** “Madam Chairman, on the Rezone to the Planned Development, with an R-2 (Residential 2 du/ac) default zone district, and an Outline Development Plan to develop 303 single family detached homes in the subdivision, file number PLD-2017-221, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”



Commissioner Ehlers seconded the motion. A vote was called and the motion failed by a vote of 2-4 (with Commissioners Ehlers and Eslami voting in the affirmative).

**9. Adjournment**

The meeting was adjourned at 8:41 pm.