

GRAND JUNCTION PLANNING COMMISSION
April 10, 2018 MINUTES
6:00 p.m. to 7:47 p.m.

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

In attendance representing the City Planning Commission were; Christian Reece, Kathy Deppe, Brian Rusche, Andrew Teske, Steve Tolle, and George Gatseos.

In attendance, representing the Community Development Department–Tamra Allen, (Community Development Director) and Scott Peterson, (Senior Planner).

Also present was Jamie Beard (City Attorney).

Lydia Reynolds was present to record the minutes.

There were 39 citizens in attendance during the hearing.

*** * * CONSENT CALEDAR * * ***

1. Minutes of Previous Meetings

Action: Approve the minutes from the February 20th and February 27th, 2018 meetings.

Chairman Reece briefly explained the Consent Agenda and called for a motion to approve the Consent Agenda.

MOTION: (Commissioner Rusche) “I move to approve the Consent Agenda as presented.”

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

Chairman Reece explained there will be a written and video recording of the meeting. The order of the meeting will be as follows:

- 1) Examination of the application and a determination concerning the adequacy of notification.
- 2) Presentation, description and analysis of the application by the staff,
- 3) Opportunity for the applicant to present evidence and arguments concerning their position on the project
- 4) All other interested parties may then address the Commission, with comments limited to three minutes per speaker.

- 5) Planning Commission may ask questions from staff, applicant, or members of the Public after each presentation.
- 6) The public comment section of the hearing may be closed after all public comment has been received.
- 7) The applicant will be given the opportunity to respond or give a rebuttal.
- 8) Staff may respond to any statement made by applicant, public or Planning Commission.
- 9) The Chair will close the public hearing and no further evidence will be accepted.
- 10)The evidentiary portion may be reopened only by a majority vote of the Planning Commission.
- 11)After the closure of the public hearing the Planning Commission will begin its deliberation which will end with a passage of a motion.

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

2. Elevation 4591 FILE # PLD-2017-435

Consider a request of an Outline Development Plan (ODP) and Rezone to PD (Planned Development) zone district with a default zone of R-8 (Residential - 8 du/ac) to develop 19 single-family detached lots with one additional lot proposed for a two-family dwelling for a total of 21 dwelling units all on 2.99 +/- acres.

Action: *Recommendation to City Council*

Applicant: Chronos Builders LLC - Cody Davis
Location: 2524 F 1/2 RD
Staff Presentation: Scott Peterson

Chairman Reece briefly explained the project and asked the applicant to introduce themselves.

Lisa Cox, stated she was the Special Projects Coordinator with Vortex Engineering. Robert Jones II stated that he was with Vortex Engineering at 2394 Patterson STE 201, Grand Junction.

Chairman Reece began the public hearing by asking if the required public notice was given pursuant to the City’s noticing requirements. Mr. Peterson replied that notice had been provided as in accordance to the code.

Staff Presentation

Mr. Peterson (Senior Planner) stated that there were four exhibits entered into the record for this item.

- 1) Application dated September 8st, 2017
- 2) Staff report dated March 27 2018 and updated April 10, 2018

- 3) Correspondence received to date with the addition of 2 recent emails passed out at meeting.
- 4) Staff presentation dated April 10, 2018

Mr. Peterson began his presentation by stating that this is a request for an Outline Development Plan and Rezone to PD, Planned Development with a default zone of R-8 for the proposed Elevation 4591 residential subdivision. The applicant for these requests is the property owner, Chronos Property LLC.

Mr. Peterson displayed a PowerPoint slide of the area and stated that this is the Site Location Map of the area. The property is currently vacant, unplatted land located north of F ½ Road, between 25 and 25 ½ Roads. The property address is 2524 F ½ Road. The proposed plan will develop 19 single-family detached lots with one additional lot proposed for a two-family attached dwelling unit for a total of 21 dwelling units on 3.23 acres.

The next slide shown was an aerial photo map of the parcel and surrounding lots. A previous ODP for this property was approved in May 2008, by the City Council for a project with 12 single-family detached lots, however, that plan has since lapsed. The property owner now wishes to apply for a new Planned Development zone district with a default zone of R-8 (Residential – 8 du/ac) and provide for 21-residential units on 20 lots for a project density of 6.50 dwelling units per acre.

Mr. Peterson explained that the property was annexed into the City in 2000. The 3.23-acre parcel is a challenging property to develop due to its long narrow design of approximately 120' wide by 1,300 feet in length. The site is bounded on the west by Diamond Ridge Subdivision, Filing 2 and on the east by Westwood Ranch, Filing Two. Valley Meadows Subdivision is directly to the north with Colonial Heights Subdivision to the northwest. Mr. Peterson stated that the only access to the applicant's property is from F ½ Road. The property is also bounded on the north by an existing irrigation canal which is operated by Grand Valley Irrigation Company.

Mr. Peterson noted that this parcel is bordered on all sides by existing development that has occurred over the years. Generally, sites such as these are considered "infill" sites and often sit vacant because they were considered of insufficient size for development, property owners were unwilling to sell or work with developers, or because there were other more desirable or less costly sites for development. The subdivisions on either side of the proposed development were not required to stub streets to the property lines for access to this parcel due to the previous property owner's demands, which has left the site constrained for access.

The next slide displayed was of the Comprehensive Plan Future Land Use Map. Mr. Peterson explained that the proposed PD zone with the R-8 default is consistent with the designation of Residential Medium, 4 to 8 du/ac. Across F ½ Road is a Commercial Industrial designation with a zoning of Industrial Office Park.

Mr. Peterson displayed the existing zoning map and explained that existing zoning

identifies the property as currently zoned PD with a lapsed plan. Adjacent zoning to the east and north is PD with PD also to the west along an R-5 designation. Planned Development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved through a high quality planned development. Mr. Peterson noted that existing residential densities for the Diamond Ridge subdivision to the West are around 4.5 du/acre and the Westwood Ranch Subdivision to the east are about 4.4 du/acre.

A slide listing the long-term community benefits was displayed and Mr. Peterson stated that the intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. As defined by the Code, long-term benefits include, but are not limited to the following as identified on this slide;

1. *More effective infrastructure;*
2. *Reduced traffic demands;*
3. *A greater quality and quantity of public and/private open space;*
4. *Other recreational amenities;*
5. *Needed housing types and/or mix;*
6. *Innovative designs;*
7. *Protection and/or preservation of natural resources, habitat areas and natural features; and/or public art.*

City Staff found that three of the seven long-term community benefits, are being met with this proposed development application. For example, regarding #3, the applicant intends to provide a landscaped open space tract (proposed Tract E – 0.17 acres) with amenities such as bench and picnic shelters and school bus shelter in an area that will also function as a detention facility (with underground detention to allow the surface to be utilized as active open space) which will all be owned and maintained by a homeowner's association. The installation of the proposed shelters/benches and underground detention facility are not required by Code and will serve a community amenity for the subdivision.

The applicant notes that with these amenities they will create a more desirable residential community and will add additional value to the greater community. The Code requires only a minimum 14-foot landscaping strip along F ½ Road, however the additional 75 feet of open space identified within Tract E is in excess of Code requirements. The Code also does not require the detention basin be buried. This feature will ensure uninterrupted use of the surface area as usable open space thereby providing for a greater quality of open space within the development.

Regarding benefit #5, Needed housing types and/or mix, Mr. Peterson explained that the Applicant is proposing to build homes that range between approximately 800 to 1,300 square feet on small lots that will require little to no maintenance. Recent conversations by the applicant with local realtors indicate that there is a strong, local market demand for smaller, modern, wireless technology homes on small lots requiring little to no maintenance. There are very few homes in the local housing inventory or with

new construction that meet this demand. Consequently, it has been represented that when this type of housing becomes available on the local market, they are immediately sold.

Mr. Peterson referred to benefit #6, Innovative Designs, and stated that recent planning and housing trends nationwide indicate that as the baby-boomer generation ages, the housing market is reflecting a desire for smaller yards and homes. At the same time, the younger generation is also discovering the benefits of urban living with shorter commute times, living closer to City amenities and more moderately size homes.

Mr. Peterson displayed a slide of the proposed design of the picnic and school bus shelters along with picnic tables and benches that is proposed to installed with the HOA tract adjacent to F ½ Road.

The next slide Mr. Peterson displayed showed the dimensional standards for the R-8 zone district and the proposed ODP. The applicant is proposing to utilize the dimensional standards for the R-8 zone district with three (3) deviations as shown on the table.

Mr. Peterson explained that the Zoning and Development Code sets the purpose of a Planned Development zone and enables the PD to be used for unique single-use projects where design flexibility is desired and is not available through application of the standards established in Chapter 21.03 of the Code.

In this case, the only deviation from the required minimum standards R-8 zone district is the applicant's request to reduce the minimum lot width from 40 feet to 35 feet.

Mr. Peterson noted that the applicant proposes an increase above the minimum requirement the rear yard setback from 10 feet to 15 feet. The applicant also proposes to decrease the maximum building height from 40 feet to 30 feet and increase the lot area from 3,000 to 3,011.

A direct benefit to the adjacent neighborhood will be the increased rear yard setback from 10 feet to 15 feet and the reduction of the maximum building height from 40 feet to 30 feet. The proposed increase of the minimum setback comes as direct result of discussions with area residents during the Neighborhood Meeting at which time residents expressed concern with homes being located close to their existing fences and with the maximum height allowed by the R-8 zone district. Both the rear yard setback and lowering of building height are restrictions in excess of the required Code.

Mr. Peterson displayed the proposed Outline Development Plan and lot layout and noted that the Plan allows only single-family detached units on Lots 1-19 with one two-family attached dwelling proposed for Lot 20. The only public access available to this property is from F ½ Road. The internal street design was reviewed and approved by the City's engineering team as an alternative street standard (30 feet right-of-way including curb, gutter, sidewalk on the east side with 22.5 feet of asphalt width) with the

condition that the Applicant provide sufficient parking.

Mr. Peterson stated that to meet the required parking (21 off-lot stalls) the Applicant has provided a total of 25 off-lot parking spaces (14 spaces within proposed Tract D and 11 on-street parking spaces). As part of the alternative streets review, the City's engineering team only allowed for on-street parking on one side of the street (east side). Each lot will contain the minimum required 2 off-street parking spaces (one in garage and one in driveway) as consistent with the Zoning and Development Code.

A TEDS Exception (Transportation Engineering Design Standards) was also approved by the City to allow a dead-end street to be longer than the Code provision of 750 feet, provided that a Fire Department turn-around was installed (proposed Tract C). The Applicant proposed a dead-end street to be approximately 835 feet in length.

Mr. Peterson referred to the site plan displayed and explained that Tract E is located adjacent to F ½ Road at the subdivision entrance and provides for the installation of a park bench/shelter, picnic shelter and a separate school bus shelter for the usage of the neighborhood. Tract E will also contain an underground stormwater detention facility to optimize above ground landscaped open space (turf grass, trees and shrubs). The installation of the underground stormwater detention facility, school bus shelters are considered a community benefit for the Planned Development zone district, since these subdivision amenities are not required by Code.

Within Tract B, at the north end of the property adjacent to the GVIC canal, the Applicant will dedicate and construct a 10-foot wide concrete trail for public use within a 15-foot public trail easement as required by the Urban Trails Master Plan. This trail connection would connect with other City owned open space in the area along the canal, north of Westwood Ranch Subdivision and within the Colonial Heights Subdivision to the northwest. Mr. Peterson added that the Applicant is proposing to develop the subdivision in a single phase.

Mr. Peterson's next slide illustrated the proposed Landscaping Plan. As identified, landscaping per Code requirements with trees and shrubs will be provided within proposed Tracts B, C, D and E. Six-foot tall privacy fencing will be provided where fencing does not currently exist which is along the south side of proposed Lot 1 to help screen and buffer the property from F ½ Road and along the west property line to screen the property adjacent to 2522 F ½ Road. Six-foot tall privacy fencing will also be installed on the eastside of the property adjacent to the existing open space located within Westwood Ranch subdivision at the northern end of the property. Additional fencing will not be required adjacent to Westwood Ranch nor Diamond Ridge Subdivision's since these existing properties already contain privacy fencing along their back yards adjacent to the Applicant's property. All proposed tracts of land will be conveyed to and maintained by the proposed Homeowner's Association with exception of Tract A that will be conveyed to GVIC.

The next slide was a color rendering of the landscaping plan with trees, shrubs, turf

grass and native grass. Seed mix is being provided in all open space tracts and will meet or exceed the requirements of the Code. Section 21.06.040 (g) (5) of the Zoning and Development Code requires a minimum 14-foot wide landscape buffer outside a perimeter enclosure adjacent to arterial and collector streets (F ½ Road is classified as a Major Collector). The proposed width of Tract E is 89 feet adjacent to F ½ Road. Tract E will also include picnic and park bench/shelters and a school bus shelter. Construction of a 10-foot-wide concrete trail will also be developed adjacent to the Grand Valley Irrigation Company canal along the north side of the property per the requirements of Urban Trails Master Plan.

Mr. Peterson stated that the Applicant has commissioned an architect to design 3 model homes that seek to meet the strong, local market demand for smaller housing and displayed a slide of the floor plans and front view of homes. Mr. Peterson noted that the Applicant provides the following regarding the innovative design of their housing product:

“The exterior will be a compilation of metal, composite and stone façade for a modern look but with low maintenance requirements. The homes will be equipped with wireless technology to control thermostats, lighting, entertainment technology and garage doors. Interior finishes will be high end, modern materials such as quartz countertops, plank flooring and modern cabinets with splashes of industrial hardware to accent the modern look of the homes. Landscaping will combine a small amount of grass in the front yards with shrubs and trees and the back yards will have patios with xeric landscaping and a fire pit feature to create an active social area with low maintenance. The use of solar panels is currently being explored and will be installed with each home if it is not cost prohibitive. Provision of smaller, energy efficient, technology smart homes that are in great demand in the Grand Valley may be the most significant community benefit offered by the Elevation 4591 development.”

Mr. Peterson stated that pursuant to Section 21.02.150 (b) of the Grand Junction Zoning and Development Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following review criteria:

- a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies.*
- b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.*
- c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code.*
- d) The applicable corridor guidelines and other overlay districts.*
- e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.*
- f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.*
- g) Appropriate screening and buffering of adjacent property and uses shall be provided.*

- h) An appropriate range of density for the entire property or for each development pod/area to be developed.*
- i) An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed.*
- j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.*

Also, according to the Zoning and Development Code Mr. Peterson explained that a minimum of five acres is recommended for a Planned Development unless the Planning Commission recommends and the City Council finds that a smaller site is appropriate for the development as a Planned Development. In approving a Planned Development smaller than five acres, the Planning Commission and City Council shall find that the proposed development:

- 1. Is adequately buffered from adjacent residential property;
- 2. Mitigates adverse impacts on adjacent properties; and
- 3. Is consistent with the goals and policies of the Comprehensive Plan.

Staff recommends approval of the request for the Outline Development Plan and Rezone to PD (Planned Development) with a default zone of R-8 (Residential – 8 du/ac) finding that:

After reviewing the application for a rezone to PD with an R-8 default zone district and an Outline Development Plan for the proposed Elevation 4591, the following findings of fact have been made;

- 1. The Planned Development is in accordance with all criteria in Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code.
- 2. Pursuant to Section 21.05.010, the Planned Development has been found to have long term community benefits including:
 - a. A greater quality and quantity of public and/or private open space;
 - b. A needed housing type and/or mix; and
 - c. Innovative designs.
- 3. Pursuant to 21.05.040(e), it has been found that a smaller site (3.23 acres) is appropriate for the development as a Planned Development.
- 4. The Planned Development is consistent with the vision, goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the request for a Planned Development Zone District and Outline Development Plan (ODP) for Elevation 4591.

Commissioner Questions for Staff

Chairman Reece asked why the parcel is listed as 2.99 acres on the agenda and the staff reports states it is 3.23 acres. Mr. Peterson explained that the 2.99 acre figure comes from the Mesa County Assessor’s office and the 3.23 acres was the figure from the improvements survey. Mr. Peterson stated that it is due to the area near the canal and the discrepancy will be sorted out prior to final design.

Applicant Presentation

Lisa Cox, Vortex Engineering, stated that she is the owner's representative for the rezone request. Ms. Cox requested that her presentation be entered into the record. Ms. Cox displayed a site and zoning map and gave a brief overview of the existing zoning. Ms. Cox noted that due to the physical constraints of the property, it is a challenge to develop this property while meeting the goals and objectives of the Comprehensive Plan and the development standards of the Zoning and Development Code.

Ms. Cox gave a couple of examples of how the development meets the goals of the comprehensive plan and noted that they tried to meet or exceed those goals. Ms. Cox displayed a site plan and stated that the zoning is 4-8 units per acres and they are meeting the midpoint of that at 6.5 u/a. Ms. Cox stated that they are helping to meet the goal of the comprehensive plan in developing an infill site. This development will provide an opportunity for smaller housing types that are in demand in the community, but few builders are constructing.

Ms. Cox displayed a list of Community Benefits that included;

- 1) More effective infrastructure
More compact development makes delivery of services more effective and efficient by reducing miles driven by school busses, delivery truck, trash trucks etc. By avoiding sprawl, there is less infrastructure and maintenance costs.
- 2) A greater quality of public open space
The developer has elected to make the detention facility underground allowing for a better quality open space that can be utilized by residents and people in the area.
- 3) Needed housing types
The community has a diversity of populations that goes beyond large homes on large lots.
- 4) Innovative design
The applicant is offering a unique design with only one deviation needed from bulk standards.

Ms. Cox displayed a slide of the Planned Development features and noted that as a direct result of the neighborhood meeting, the rear yard setback was increased from 10 feet to 15 feet to increase the privacy of neighboring properties. In addition, the maximum building height was voluntarily decreased from 40 feet to 30 feet.

Ms. Cox stated that the minimum lot width set at 35 feet to accommodate smaller lots with smaller homes was the only deviation from bulk standards that was requested.

Ms. Cox added that another feature was the underground detention to allow for active open space with amenities and a school bus shelter for children.

The next slide Ms. Cox displayed was an inset of the site plan that highlighted lot #20

where there are 2 attached units, Tract A: GVID and Tract B: HOA. In addition, Ms. Cox pointed out that there are two areas for emergency and large vehicles to turnaround. One turnaround is located in the north end of the development and there is a parking pod for 14 vehicles along with a Fire Dept. turnaround located toward the middle of the development.

The next slide showed examples of shade shelters, a picnic table and a bench that will be added to the active open space. Trees, grass turf and fencing will be additional amenities. A school bus shelter will be added that faces F ½ Road.

Ms. Cox displayed an example of three model homes that were designed by a local architect for the builder. The homes will range from 800 square feet to 1,300 square feet and each home will have a one car garage and will be equipped with the smart home technology that will control thermostats, lighting, security, home audio system and garage doors.

Ms. Cox stated that at the time of closing, each lot will be landscaped with primarily xeric plant materials, an optional small amount of lawn or turf, split rail fencing in the front yard and a gas fire pit in the back patio. Ms. Cox showed floor plans of the three model of homes which all had two bedrooms and two bathrooms.

The next slide presented the alternative street design and Ms. Cox explained that originally the street was to be on the east side of the development, however staff requested it be changed to the west side to integrate with future development of a lot to the west. The access to this development is F ½ Rd. which is classified as a major collector. City staff has evaluated the capacity of F ½ Rd. and has determined it has the capacity to absorb the traffic generated from this development. Lots will be elevated to drain to the street, and then routed to the underground drainage facility and then on to a city facility.

The next slide illustrated where a car can park between two lots, in addition to the parking pod. Ms. Cox emphasized that parking will not be allowed on the west side of the street.

Ms. Cox displayed an aerial photo of the site that points to locations of amenities that are a mile to a mile and a half away that includes a shopping mall, Community Hospital, access to riverside trails, a City Market grocery, a bus transfer station, Western Colorado Community College, a movie theater, numerous schools, restaurants, and a regional park. This proximity to services can decrease the need for cross town trips.

Public Comment

Ronald Stoneburner, 653 Longhorn, stated that he has lived in the neighborhood since 2000. Mr. Stoneburner passed out a handout of the water issues his neighborhood has faced and said the applicant admits there is a water issue but only dedicated one paragraph in the report to address it. Mr. Stoneburner stated that most of the houses in his subdivision have sump pumps and some people have had 3 feet of water in their

homes.

Mr. Stoneburner stated that the real estate market claims they need small homes for retirees and people starting out. If that is the case, he asked why they don't build more of them on 25 Rd. if they are that popular. He did not want to see these homes in his neighborhood.

Mr. Stoneburner stated his neighborhood had previously fought against two story homes and they just want single story. Mr. Stoneburner stated that the new development will have a view of the Monument and the existing homes will lose theirs.

Ronald Scott Stoneburner, stated that he is in a trust for an existing property. Mr. Stoneburner stated that he served the City as a Police Sgt. for 21 years and he has seen a lot more organization than this process has gone through. Mr. Stoneburner expressed his disappointment with Chronos Builders for not showing up at the neighborhood meeting so they could see the impact the development has on the neighbors. Mr. Stoneburner suggested they should possibly have the street run down the middle and make carriage style houses. Mr. Stoneburner stated that he feels this development will bring down the property values in the two neighboring subdivisions. Mr. Stoneburner asked where the high water table study is. Mr. Stoneburner does not feel this subdivision is compatible and it is driven by greed.

Robert Ingelhart stated that he lives in nearby Colonial Heights. Mr. Ingelhart stated that he thinks it would be nice to have small trendy homes there and it would be an aesthetic improvement over the house and dirt lot that is there now.

Ross Barefoot, 2519 Onyx Dr. stated that he shares a back fence with this development. Mr. Barefoot expressed his disappointment that the presenter had 45 minutes to speak and they are given 3 minutes when they will have to live next to the project. Mr. Barefoot read a quote from the Comprehensive Plan that speaks to sustaining a quality of life and balancing the needs of the community. Mr. Barefoot stated that the density of this proposal is not in keeping with the surrounding densities. Mr. Barefoot remarked that two story homes, in close proximity, is not sustaining the quality of life.

Ray Campbell, 664 Miranda St. stated that he lives in the Diamond Ridge Subdivision and moved into the area about 1 ½ years ago and spends a lot of time in his backyard. Mr. Campbell pointed out that his entire backyard will be looking at the duplex. Mr. Campbell stated that there will be a 30-foot roofline 5 feet from his property line. Mr. Campbell stated that he had bought the home to retire in and now he will be moving again and believes he will take a loss as the property values will go down.

Jan Kimbrough Miller stated that she is a local realtor with ReMax 4000 and she has found, over the years, that people are concerned with change and don't understand the desire for smaller homes. Ms. Miller pointed to Copper Creek North and Heritage Heights and some units in Redlands Mesa where they don't look like housing they have

seen before. Ms. Miller stated that they sell like crazy, people want them and many professionals coming into town, such as those in the medical fields, are looking for this type of housing. Ms. Miller stated that most of the housing stock is stucco and stone on a .25 acre lot. Ms. Miller provided a packet of information to the Commission. Ms. Miller noted that at the Parade of Homes this year, there was a "tiny home" (680 sf) that sold for \$265,000 after being on the market for only 7 days. Mr. Miller stated that many people in the community don't understand that there is a market for smaller homes.

Pat Hawkins stated that he and his wife moved to the Westwood Ranch Subdivision in 2001. Mr. Hawkins stated that he has been on the HOA board for several years and his biggest concern is the water table. Mr. Hawkins stated the first year he lived there they had several inches of water in the crawl space. Mr. Hawkins stated a lot of work has been done since then, they have re-lined the canal, put in a French drain across his front lawn and down Longhorn. Mr. Hawkins stated that the improvements have elevated some of the problem but he still gets water in the crawl space. Mr. Hawkins stated that he, like many other neighbors have had to install sump pumps. Mr. Hawkins expressed concern that some new homeowners may choose to put in lawns and irrigated them even though the homes are going to be xeriscaped. He does not see the problem getting better, especially with 21 new homes.

Sharon Smallwood, 2520 F ½ Rd., stated that she and her husband just purchased their home in July and were not apprised of any water problems, but she did have 2 inches of standing water in her yard all summer prior to purchasing her home. Ms. Smallwood stated that she was not at the neighborhood meeting but she feels this is appalling and likened it to a trailer park going in. Ms. Smallwood stated that she understands the need for that type of housing and does not mind a little development there. Ms. Smallwood stated that she does not see the quality of people moving in there that would continue to sustain a nice neighborhood. Ms. Smallwood feels it will devalue their homes and thinks that they should do this in a bigger neighborhood with more room.

Sue Love stated that she lives on Longhorn and the development is directly behind her house. Ms. Love stated that there are a lot of water issues. Ms. Love stated that when she is in her backyard, there will be 4 houses with at least 8 dogs. Ms. Love wanted the street to be moved to the other side so they won't have this water problem.

Darren Hysey stated that he has had water in his crawl space and has had to install a sump pump. Mr. Hysey stated that his fence posts rotted and when he dug down he hit water about 3 feet down. Mr. Hysey noted that several years ago they put a pipe in the ground down the street and filled it with gravel and it had holes for the water to dissipate, however eventually it will fill with silt and become less effective. Mr. Hysey stated that years ago he had heard that the whole Western Ranch Subdivision should never have been built due to the water table.

John Webster stated that he just bought a house there but has not moved in yet. He bought the house because it is an established neighborhood and somewhat of a retirement area. He now feels it was a bad decision because of the water problem and

he will now have new neighbors. Mr. Webster feels the subdivision is driven by greed. Mr. Webster compared the subdivision to slot homes in Denver and stated they aren't selling there. Mr. Webster stated that the homes are not smart homes or high-tech. He said they can do the same with Wi-Fi, Bluetooth or plug into a 110. Mr. Webster stated that if they wanted to develop the land they could put in community gardens or a park.

John Mangold stated that he lives one house away from the development. He thinks there will be traffic problems and the density is too high.

Dick Beidelschies, Miranda Street stated that he has lived here 11 years and the Westwood Subdivision has a lot of water problems. He is not in favor of a 30-foot roof. Mr. Beidelschies stated that he knows what these houses are going to look like in 10 years and he knows what people are going to be in there.

Applicants Rebuttal

Robert Jones, Vortex Engineering, stated that he hears from the public comment that they have concerns with housing height, ground water and it's not compatible. Mr. Jones pointed out that they have single family residential proposed next to single family residential. Mr. Jones stated that the land designation in the Comprehensive Plan show the densities in this area as high as 8 du/acre. The original PD (Planned Development) had a default zone of R-8 as does this proposal.

Mr. Jones stated that the groundwater has been reviewed and discussed at length with the City Engineer. There was a geological review as well as a soils report done. There were also observation wells installed to monitor groundwater. Groundwater at the time was measured at 5.1 feet and 6.7 feet with seasonal fluctuations at higher levels. Mr. Jones stated that they are going into this project with eyes wide open with respect to groundwater. The developer fully anticipates that they will have to install rear yard French drain systems as well as the potential for French drain systems subterranean to the streets. Mr. Jones explained that they will not have crawl spaces as these homes will be slab on grade. Mr. Jones said he has personally met with several of the neighbors and has appreciated gathering information on the history of the water issue in the past. Mr. Jones pointed out that there had been issues with the canal and there has since been work done on that. Mr. Jones added that as part of the final plan stage, they will be completing an additional geotechnical report.

Mr. Jones stated that they have been working on this project since last summer just to get to this point. Mr. Jones stated there has been hundreds of hours dedicated to this project by the applicant. In addition, city staff have review and vetted the project. Mr. Jones explained they looked at street standards and worked on a design that would work with the challenging geometry of the site. Mr. Jones stated that not only would the surrounding subdivisions benefit, but the community as a whole would benefit from this development.

Questions for Applicant

Commissioner Rusche asked Mr. Jones if he was a licensed professional engineer. Mr.

Jones responded that he was. Commissioner Rusche asked if Mr. Jones if he is putting his name on these plans. Mr. Jones responded that he was.

Commissioner Deppe asked what the side yard setbacks were going to be. Mr. Jones responded that they will be 5 feet. Commissioner Deppe asked how emergency vehicles could manure in the pods if there are up to 14 cars parked there. Mr. Jones explained that they worked with the Fire Department regarding the alternative streets design process and the Fire Department requires 20-foot width for turn-arounds and the drive aisle width of the pod is 24 feet. They were required to use a program called auto-turn which does real life simulations of fire apparatus to ensure there is enough room for turnarounds. Mr. Jones pointed out that the second emergency turn-around to the north has enough room as well.

Chairman Reece asked what kind of buffering has been designed to shield the neighboring subdivisions. Mr. Jones stated that they have provided trees and greenspace where they could such as the parking pods, and they have agreed to provide fencing on the east side and west side where needed. They have increased the vegetative buffer requirements adjacent to F ½ Road. They have extended the trail and landscaping to the north as well. Mr. Jones stated that after the neighborhood meeting, they voluntarily increased the rear yard setbacks greater than the R-8 zone requires in an effort to mitigate that concern.

Chairman Reece asked if they will be involved in the process of setting up the HOA or work with the builder to potentially address the concerns such as homeowners taking out the xeriscape and putting in a lawn. Mr. Jones responded that they will be very involved with the final plan stage which is when the covenants are drafted and reviewed by city staff. Mr. Jones stated that he has completed numerous projects with this particular developer. Chairman Reece asked if they anticipate the HOA being as restrictive as preventing homeowners from putting in lawns. Mr. Jones stated that they have had discussions about limiting square footage of lawns. Mr. Jones pointed out that this builder is not only going to develop the subdivision, but build the homes and do the landscaping for every home.

Commissioner Rusche asked if the open space is open to the public. Mr. Jones explained that it was designed as a public space and it will not be limited as for example, there is a bus stop there and possibly a future stop for the Grand Valley Busses.

Questions for Staff

Chairman Reece asked what zoning designation this parcel has in the Comprehensive Plan. Mr. Peterson stated that the Future Land Use Map shows this area as Residential Medium which is 4-8 du/ac. Mr. Peterson stated that there are properties to the west are R-5 and R-8. Chairman Reece asked if an underlying zoning of R-8 is compatible with the surrounding area. Mr. Peterson responded that all the surrounding development has density ranging from R4-R8. Chairman Reece asked if the previous PD underlying zoning was R-8 with 10 homes proposed. Mr. Peterson stated that there was a proposal

for 12 homes in 2007, however that project never materialized due to the downturn of the local economy at that time. Mr. Peterson explained that the project had lapsed in 3 years as required by code, therefore a new PD can now be proposed.

Commissioner Tolle asked when the next report will be done regarding groundwater. Mr. Peterson explained that the Outline Development Plan is what has been submitted which is technically a preliminary plan or conceptual plan, therefore preliminary reports were submitted for review. Mr. Peterson explained that in the next step of the process they will get into more technical and detailed reports. If City Council approves the ODP and rezone, then a new submittal application for a final plan would be reviewed with final geotechnical and drainage reports and any other studies the staff would need in order to make a recommendation either for against the proposed development.

Commissioner Rusche asked if the architectural renderings included in the packet will be incorporated into the ODP. Mr. Peterson stated that they have proposed the three styles and if the housing types were to change, they would have to come back to the Planning Commission and City Council for review.

Commissioner Discussion

Commissioner Deppe stated that she struggles with the concept of this development marketing to baby boomers and millennials. Commissioner Deppe stated that she is part of the baby boomers and lives in a two story and can't wait to live on a single level. Commissioner Deppe stated that as a realtor, she often hears from baby boomers that they don't want stairs. She does not see the marketing of the two-story homes a good fit for baby boomers.

Commissioner Rusche pointed out that 24 units would be allowed and 21 are proposed. In addition, the required minimum rear yard setback is 10 feet and they propose 15 feet. The height limit for all residential zoning is 40 feet and they propose 30 feet. The minimum lot width is 40 feet and they are proposing 30 feet. Commissioner Rusche stated that the minimum density for R-8 would require at least 16 units for this property, the previous Planned Development proposal predated that standard and was a significantly lower development. Commissioner Rusche pointed out that they are providing amenities that have a public benefit including a shelter, bench which is consistent with parks in the neighboring subdivisions. The minimum parking requirement is 2 spaces per unit and they are proposing 22 more spaces than required. Lastly there are two fire department turnarounds being provided. Commissioner Rusche stated that it meets all the codes, policies of the ODP and he will be supporting this proposal.

Commissioner Gatseos stated that in looking at the entire proposal and the ODP, it fits in with the Land Use Code. Commissioner Gatseos stated the developer has taken steps to mitigate issues. His only concern would be the duplex on lot 20, but with the additional setbacks in two areas which is about 90 percent of the property it appears to have been mitigated. Commissioner Gatseos stated that he believes the change in housing and architecture fits the property and benefits the City and community as a

whole. Commissioner Gatseos stated that he would be supporting the project.

Commissioner Tolle stated that he agrees that it fits all the standards, but the water issue will not go away. Commissioner Tolle stated that he is not going to support the proposal because it may add to the water issues.

MOTION: (Commissioner Rusche) “Madam Chairman, on the Rezone to Planned Development (PD) with an R-8 (Residential – 8 du/ac) default zone district and an Outline Development Plan to develop 19 single-family detached homes and one two-family attached dwelling for a total of 21 dwelling units located on 20 lots, file number PLD-2017-435, I move that the Planning Commission forward a recommendation of approval to City with the findings of fact listed in the staff report.”

Commissioner Gatseos seconded the motion. A vote was called and the motion passed by a vote of 4-2 (with Commissioners Tolle and Deppe opposing).

4. Other Business

None

5. Adjournment

The meeting was adjourned at 7:52