Chairman Justman called to order a scheduled hearing of the Mesa County Planning Commission at 6:02 p.m. Chairman Justman led the Pledge of Allegiance. The hearing was held in the Public Hearing Room, Mesa County Administration Building, and 544 Rood Avenue, Grand Junction, Colorado.

In attendance representing the Mesa County Planning Commission, were: John Justman, Thomas Kenyon, Christi Flynn, Phillip Jones, Mark Bonella, Gregory Robson and Joseph H. Moreng.

In attendance, representing the Mesa County Department of Planning and Economic Development, were: Kurt Larsen, Jo Carole Haxel, Randall Thompson and Keith Leonard, Chy Arnett was present to record the minutes.

There were 12 citizens present throughout the hearing.

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**APPROVAL OF MINUTES**
August 14, 2008
Motion: Motion by Commissioner Jones
Second: Secretary Flynn
Motion Approved 7-0

**CONTINUED ITEMS**
NONE

**Discussion**
Kurt Larsen stated that a hand out was passed out before the meeting started from a Mr. Tony Bonnell, indicating a concern with item 2008-259 RZ1. Mr. Larsen wanted it made clear that while he understands that they may have concerns for this property in the future having a subdivision put on the property, this hearing tonight is only for the rezone of the property not to approve or disapprove possible future subdivisions.

**CONSENT ITEMS**
Chairman Justman explained the consent agenda and then polled the board and the audience to see if anyone wanted an item from the consent agenda put on the hearing agenda.

**Public Comments**
Vena Haller 915 21½ Grand Junction, Co. Had some questions about item 2008-258RZ1 Studt 2135 1½ Road. She is concerned about any new subdivisions coming in that with sewage and water would cause some major problems for their area.
The Commission felt that because of the concerns about the Studt projects they decided to move both Item 2008-258 RZ1 and Item 2008-259 RZ1 to the hearing agenda.

Chairman Justman asked if anyone had any concerns about item 2007-105 CP1 ROSEBUD ESTATES CONCEPT PLAN. Vice Chairman Bonella had some questions about this item but just wanted the questions answered, he didn’t feel that it needed to be pulled from the consent agenda.

**Question**

Vice Chairman Bonella had some questions about the calculation that was done to come up with the density. He wanted clarification about the project wanting to know if this was the same project that was already approved about two or three years earlier, and if so why wasn’t it platted. Ms. Jo Carole Haxel (presenting for Christie Barton) stated that this was indeed part of the Country Lake Estates Project but that only part of it has been incorporated into this new project the remaining two lots are still Country Lakes Estates. Vice Chairman Bonella wanted clarification of how they came up with that density because his understanding of the density by design tool box would not allow that many lots. Ms. Haxel stated that Ms. Barton’s project review states that the proposed density for this project is calculated by using the parent parcels and in this case Country Lake Subdivision is one of the parent parcels and therefore the lots in Country Lakes subdivision have been calculated as part of the allowable density.

**Discussion**

Vice Chairman Bonella wanted to know the size of the two lots that were not part of the project but attached at the bottom right hand side of the proposed concept plan. They continued to discuss the sizes of the lots to try to determine if the density was calculated correctly. Ms. Jana Gerow with Development Construction, the representative for Farm Development Services, Inc. of 2350 G Road stated that it was 66 acres in the proposed project area and that they never looked to see what the other two lots were as they were not part of the project. She stated that she would check with Ms. Barton to see that the calculations were correct, but that if Vice Chairman Bonella was concerned he could motion that this be approved if the calculations are correct, and if they are incorrect then they would need to re-visit it. Vice Chairman Bonella stated that he had no problem with that, but if it is incorrect then the recalculations need to be redone before it goes to the Board of County Commissioners. More discussion about the density took place. Mr. Larsen stated that in glancing over this project review he believes that Ms. Barton’s calculations are correct however he will have her check.

**2007-105 CP1 ROSEBUD ESTATES CONCEPT PLAN**

- **Property Owner(s):** Farm Development Services, Inc.
- **Representative(s):** Jana Gerow, Development Construction
- **Location:** 1065 21 1/2 Rd, Fruita, 81521 (K & 21 1/2 Rd)
- **Zoning:** AFT
- **Planner:** Christie Barton, 255-7191, Christie.Barton@mesacounty.us
- **Request:** Re-subdivide lot 1 of Country Lakes Subdivision and an adjacent parcel on approximately 66.2 acres into 13 lots.
Staff Recommendation: Approval with Conditions

Chairman Justman continued to poll the public and the commission to see if the rest of the items on the Consent Agenda needed to stay on consent or be moved to the Hearing Agenda.

**2007-381 CP1 TRUJILLO SUBDIVISION CONCEPT PLAN**
Property Owner(s): Marcellino Trujillo
Representative(s): Hiram Reyez, TurnKey Consulting
Location: 2247 Signal Rock Ct, Grand Junction 81505 (22 & L Rds)
Zoning: AFT
Planner: Christie Barton, 255-7191, Christie.Barton@mesacounty.us
Request: 5 lots on approximately 26.1 acres
Staff Recommendation: Approval with Conditions

**2005-192 CP1 PROMINENCE POINTE SUBDIVISION CONCEPT PLAN**
Property Owner(s): Ronald A. Abeloe
Representative(s): Vista Engineering Corp. - Fredrick Larsen, P.E.
Location: 633 & 641 33 RD, Clifton, 81520 (33 RD & F ½ RD)
Zoning: RMF-5
Planner: Keith Leonard, 970-244-1814, Keith.Leonard@mesacounty.us
Request: A major subdivision consisting of 70 single family lots on 2 parcels totaling approximately 15 acres.
Staff Recommendation: Approval with Conditions

**2008-346 RZ1 WHITEWATER 480 REZONE**
Property Owner(s): Whitewater Development LLC
Representative(s): Joe Carter (Ciavonne Roberts & Assoc.)
Location: 2366 H Rd, Whitewater 81527 (Hwy 50 & Coffman Rd)
Zoning: AFT
Planner: Randall Thompson, 244-1744, Randall.Thompson@mesacounty.us
Request: Rezone 478 acres from AFT to I-1 (191 acres) on the northern portion and RSF-4 (287 acres) on the southern portion.
Staff Recommendation: Approval

**Motion**
Commissioner Kenyon moved that the commission approve 4 items on the consent agenda first item 2007-105 CP1 Rosebud Estates Concept Plan with instructions to the staff to go back and make sure that the calculations are correct for the appropriate amount of lots, second being the 2007-381 CP1 Trujillo Subdivision Concept Plan, Prominence Pointe Subdivision 2005-192 CP1 and 2008-346 RZ1 Whitewater 480 Rezone, all of these to be sent on to the Board of County Commissioner with a favorable recommendation subject to Agency Review comments and staff review comments and recommendation and approvals with conditions.
Second
Vice Chairman Bonella seconded the motion but he wanted a note in all of those that the Lower Valley Fire Department’s notes by Mr. Richard Pippenger with regards to the acceptable size of houses not be counted in the review agency comments and recommendations. He stated that this has been discussed in the past and now it has come to light that Mr. Richard Pippenger has taken it on his own to decide that for the people in Lower Valley he can dictate what size house you live in and what size house you can build, where anywhere else in Mesa County you can build what ever size house you want. He wanted to remind the commission that the Board of County Commissioners signed an intergovernmental agreement between Mesa County and Fruita Fire Department which is far stricter than most in Mesa County. He stated that Mr. Pippenger comment for Lower Valley Fire only allow for up to 4500 square foot. Vice Chairman Bonella stated that he does not feel that is right. He stated that based on fire flows you can go a mile to the east of all of these ones that are out there on 21 and 21½ or even 20 Road and they can build whatever they want because they are in the Grand Junction fire district with the same fire flow as Lower Valley same Ute Water, and they can even go up on Redlands Mesa and build a 10,000 square foot home and have half the fire flow. In the end he would like to amend the motion to read (All Staff and Review Agency comments excluding Lower Valley Fire Protection district)
Commissioner Kenyon accepted that as a friendly amendment.

Motion Approved 7-0

HEARING ITEMS

2008-258 RZ1 STUDT 2135 I 1/2 RD REZONE
Property Owner(s): Ward & Priscilla Studt
Representative(s): Robert Jones (Vortex Engineering Inc.)
Location: 2135 I ½ Rd, Grand Junction 81505 (I ½ & 21 ½ Rds.)
Zoning: AFT
Planner: Christie Barton, 255-7191, Christie.Barton@mesacounty.us
Request: Rezone approximately 37 acres from AFT to URR.
Staff Recommendation: Approval

Staff Presentation
Jo Carole Haxel of Mesa County Planning and Economic Department entered into record the Project File 2008-258 RZ1 Studt 2135 I½ Road Rezone, the Project Report Dated July 23, 2008, the Mesa County Land Development Code, the Mesa County Land Use Plan, the Mesa County Standards Specification for Road and Bridge construction and a PowerPoint presentation labeled Exhibit A. Ms. Haxel presented Exhibit A to the public and the Commission. She went through the approval criteria stating which criteria for this project is met or not met. Ms. Haxel stated that the Mesa County Planning and Economic Development Department that the Commission approve this rezone from AFT to URR, stating that this recommendation is on the basis that the rezone complies with the majority of the approval criteria for the rezones in Section 3.4.7.A-C and E-J of the Mesa County Land Development Code (2000, amended) and
the proposed rezone complies with the general approval criteria in Sections 3.1.17 A-C and of the Mesa County Land Development Code (2000, as amended) it is consistent with several goals, policies and implementation items identified in the Rural Master Plan Update, adopted in February of 2006, and the rezone is consistent with the Future Land Use Map and in fact it would bring the zoning into compliance with the Land Use Map.

**Representative(s) Comments**

Robert Jones II of Vortex Engineering, 255 Vista Valley Drive, stated that the applicant is requesting a rezone of the 37 acre parcel from the existing AFT to the new URR Urban Residential Reserve zone. The proposed application is consistent with the proposed and intent of the Mesa County Land Development Code and furthers the goals and policies of the Mesa County Master Plan.

**Public Comments**

Bob Erbisch 928 19 ½ Road, Fruita, wanted to express a safety concern for the area of this proposed project. He stated that there are several projects all going on in that area and he feels that with traffic like it is the problem will only become more of a safety hazard. Mr. Erbisch stated that people are taking there lives into their hands every time they attempt to get out into traffic from that area. He stated that over 5 years ago he tried to get them to look at this future problem, but as of yet the only thing accomplished is that the edges are paved, it is still a two lane road and not many turn outs, one stop light at 19 but is still a holy terror. If Mesa County continues to approve more building out there then they need to at least address this issue to see if a traffic solution can be found for safety reasons more than anything. Mr. Erbisch then went on to talk about his concerns for this area going from Rural to an urban setting. He doesn’t want conflict between cultures. He stated that by saying that he is talking about those who have very large homes with covenants he knows there are groups of people that are comfortable living that way but he is not one of them. He feels that the County is setting them up for conflicts between those who choose to live Rural Lifestyle and those who want big homes with lots of covenants. Those are his concerns.

Al Murry 889 21½ Road, Grand Junction, he had some questions about the PowerPoint presentation; on 3.4.7B He does not feel that this type of neighborhood is significant to their area. Maybe a distance away but the reason that he bought his place was because it was in a rural area and he thinks that most of his neighbors were the same way. He stated that Mr. Erbisch’s comments about the traffic problems in that area were very correct. He stated that there are a lot of speeders and racing going on in that area. He stated that they had spent a lot of money in order to bring in underground water in order to keep it a farming community. He is totally against this project.

Jan Murry 889 21½ Road, Grand Junction, wanted to add to her husband comments that they have just had a busy two weeks because the property right behind them wants to go 4 homes per acre and that is 65 acres. She is very concerned about safety.

Vena Haller 915 21½ Grand Junction, Co. stated that the thought of all these homes coming in is very frightening to her not just for the traffic but also for the irrigation
system. She stated that they barely have enough water now, what is going to happen when these subdivisions start coming in, she wants to know how in the world they going to have enough water for their farms. Chairman Justman stated that the farms will use a lot more water than the subdivision will. Ms. Haller wanted to know if they are setting up higher then them where is all the sewage going to go. Chairman Justman stated that if this project goes to the next step to subdivide then they would have to meet all the requirements for that, but this is just a rezone, he stated that even if it did then they would have to pass all the Health Departments standards. Ms. Haller stated that this was a big family out there, if a cow gets out everyone helps to bring it back etc… how would these outsiders fit into the community?

**Discussion**

There was a lot of discussion as to what the possibilities are if it did become a subdivision what are some of the steps that would be taken, and the fact that anyone with concerns about subdivisions would have time to come before the board and make their concerns of opposing a subdivision being built on that land.

**Mary K. Richardson of Montrose, Co.** Stated that she received a letter that was about the Rosebud Subdivision and in the letter it stated that the meeting started at 7:00pm not at 6:00pm and that was why she was late but she wanted it known that her father owned the mineral rights for that property and he is deceased. Vice Chairman stated that Rosebud Estates Subdivision has already been sent on to the Board of County Commissioners and that any questions she may have about the Rosebud Subdivision will have to be brought before the Board of County Commissioners. Mr. Kurt Larsen stated that she should contact him at Mesa County Planning and Economic Development Department and he will do what he can to help her with what needs to be done to make sure that it is heard by the Board of County Commissioners.

**Motion**

Vice Chairman Bonella moved that on Project 2008-258 RZ1 Studt 2135 1½ Road Rezone, be passed on to the Board of County Commissioners with approval with staff and Review Agency comments excluding the comments and restrictions made by Lower Valley Fire Department.

**Second**

Commissioner Jones

**Motion Approved 7-0**

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<thead>
<tr>
<th>2008-259 RZ1</th>
<th>STUDT 981 20 RD REZONE</th>
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<tr>
<td>Property Owner(s):</td>
<td>Ward &amp; Priscilla Studt</td>
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<tr>
<td>Representative(s):</td>
<td>Robert Jones (Vortex Engineering)</td>
</tr>
<tr>
<td>Location:</td>
<td>981 20 Rd, Fruita 81521 (J &amp; 20 Rds)</td>
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<tr>
<td>Zoning:</td>
<td>AFT</td>
</tr>
<tr>
<td>Planner:</td>
<td>Keith Leonard, 244-1814, <a href="mailto:Keith.Leonard@mesacounty.us">Keith.Leonard@mesacounty.us</a></td>
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</tbody>
</table>
Request: To rezone a 40-acre parcel from AFT to URR  

**Staff Recommendation: Approval**

**Staff Presentation**
Keith Leonard Senior Planner with the Mesa County Planning and Economic Development Department entered into record the Mesa County Development Code, the Mesa County Master Plan, the Mesa County Project file number 2008-259 RZ1 981 20 Road Rezone, the Project Report, and the PowerPoint presentation labeled as Exhibit A. Mr. Leonard presented Exhibit A to the Public and the Commission. He stated in his presentation of Exhibit A that a traffic study was done for this parcel of land and the traffic study stated that 20 Road was adequate to handle the traffic that would be generated by a 19 lot subdivision. He then stated the criteria that have been met or not met and in conclusion he stated that the Planning and Economic Development Department recommends approval of the rezone from AFT to URR on the basis that it complies with the majority of the approval criteria for the rezones in Section 3.2.7A-C and E-J of the Mesa County Land Development Code (2000, as amended). The proposed rezone complies with the general approval criteria in Section 3.1.17A-C of the Mesa County Land Development Code (2000, as amended). The proposed rezone is consistent with several goals, policies and implementation items identified in the Rural Master Plan URR 5 Future Land Use category, and it is consistent with the recently adopted URR zoning district.

Chairman Justman polled the public to see if they had any questions about this proposal, seeing none Vice Chairman Bonella stated that the first rezone must have answered any questions about this one.

**Motion**
Vice Chairman Bonella moved that on item 2008-259 RZ1 981 20 Road Rezone that it passed on with approval with all Staff and Review Agency comments excluding Lower Valley Fire Departments comments.

**Second**
Commissioner Flynn

**Motion Approved 7-0**

**Comment**
Kurt Larsen wanted to let the commission know that Mesa County Planning have been working with the residents of Loma about the potential to extend sewer into the area from Mack and are going to be engaging with a consultant in the Loma Community Plan and he wanted the Commission to know they would be hearing more about this soon.

**Discussion**
Chairman Justman asked if Mack had upgraded their sewer treatment plant. Mr. Larsen stated that they have not, but that it is expected to start in the spring time, it is going to cost several million dollars and in fact it is part of what would allow the extension into
the Loma area because it will have a much greater capacity then it has in the past.
Chairman Justman wanted to know about Whitewater sewage. Mr. Larsen stated that
the lines will be going in this fall, and will tie into Clifton sanitation district.

**Motion to adjourn**
Commissioner Kenyon moved to adjourn the meeting.
**Second** Secretary Flynn  
**Motion Approved 7-0**

Hearing adjourned at 7:01 p.m.

Respectfully Submitted,

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Christi Flynn, Secretary