

**Grand County Planning Commission
Minutes
- Corrected -**

July 14, 2004

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Council Chambers of the Grand County Courthouse.

Members Present: Chairman D.L. Taylor, Kevin Wright, Dave Cozzens, David Everitt, Susie Harrington, and Tom Shellenberger. Tom Rees was excused
County Council liaison; Joette Langianese.

Others Present: Planning Staff; Mary Hoffine, and other concerned citizens.

The meeting was called to order at 6:00 PM

Approval of minutes: Kevin Wright moved to approve the June minutes as corrected, Tom Shellenberger seconded and all voted in favor.

Stow Minor Subdivision – tabled from the June meeting. This application is submitted by, Mary Wright and Charlotte Stow, (Applicant). The Applicant is requesting approval of a 2-lot minor subdivision, pursuant to the *Grand County Land Use Code*, Sec. 6.9, Minor Subdivisions. The subject property includes about 2.60 acres and is located at 3271 So. Roberts Drive. The lots are proposed as follows; Lot 1 contains 1.20 acre, and Lot 2 contains 1.20 acres.

The subject property is zoned RR, Rural Residential, which has a minimum lot area of 1 acre and a minimum lot width of 130 feet – the proposed lots comply with both of those requirements. Minimum side setbacks are 15 feet. Each lot is already improved with a single family dwelling – one dwelling and accessory uses has been permitted on lot 2. Conformance with the required setbacks is illustrated on the plat.

This minor subdivision was tabled from the May meeting due to the County Engineers concern regarding the existing natural drainage on the property and the applicant's engineers concern. The property was evaluated and the County Engineer concurred with the applicant that the drainage can be mitigated.

Tom Shellenberger moved to recommend approval to the County Council, Kevin Wright seconded and all voted in favor.

PUBLIC HEARING – Zone Change request from RR to MFR – Oliver and Roberta Knutson applicants:

Since this is a public hearing staff read into the record as reference, the Grand County General Plan, the Grand County Land Use Code and the Commissions staff packet dated July 14, 2004.

This application is submitted by Randy Day, on behalf of the owners, David and Merrie Knutson (Applicants). The subject property consists of approximately 3.5 acres, located on the corner of Holyoak Lane and Arnel Lane. The property is currently zoned RR, Rural Residential and has one existing home with accessory structures the application seeks to rezone to the MFR, multi-family residential zone district.

If rezoning of the proposed lot to the MFR district were approved, the lot could be used for any of the land uses allowed in the MFR district.

The applicant has requested the zone change to accommodate a single family lot affordable housing project. In addressing the issues for consideration the applicant states that there is existing MRF, SLR-2 and HC zoning which are high density zone districts. All public facilities are adjacent to the parcel; this area is not within a scenic corridor or in an environmentally protected zone. There is a need for affordable housing, which would benefit the community. The County Engineer does have concerns with the roads and increased traffic, which will be addressed at development.

The Commission cannot make a determination based on a proposed use, once rezoned all uses and densities within the zone district will be permitted.

The Chairman opened the public hearing - David Knutson made a presentation stating that he has lived on that corner his entire life and understands the neighbors concerns for quality development and is in favor of the project. Since this is literally in his back yard he shares that concern and will do everything in his power to make sure the development follows all the county standards and will be aesthetically pleasing.

Roberta Knutson was in favor of the rezone and it will be in her backyard also.

Kent Dalton stated that he feels the proposed development will be good for the community and young families.

Neal Dalton was in favor of the rezone, he has been a property owner for his entire life.

Janet Gay is an adjacent property owner and has concerns regarding the traffic especially driveways onto Holyoak Lane.

Mike Holyoak spoke out in favor of the rezone.

Jim Nyland stated that he thinks the entire Holyoak property should be rezoned so the use will be consistent with the zone.

Corina Gohlson with the Housing Authority made a presentation in favor of the zone change and that the Housing Authority has a purchase agreement for 20 lots.

Merrie Knutson stated that she was in favor of the rezone and that the issues that seem are being voiced can be mitigated during the process of development.

Dave and Robyn Stewart and Debra ? were against the rezone they felt it would lower the property values in the neighborhood. They were also concerned that head lights from the increase in traffic would be a detrimental to there property. A rezone to an SLR-2 seemed more appropriate.

John Graham was opposed to the proposed rezone, he felt that a SLR-2 zone district would be more appropriate to the area.

Charles ? was against the proposed change, his concerns are property owners parking on the street. Holyoak Lane is too congested for any increase in traffic.

Sandra Starley felt the rezone would provide continuity to the neighborhood as Sage Valley Estates is a like neighborhood for the proposed subdivision.

Anna Marie Scow was against the proposed rezone. She felt the issue was property rights, she feels they are being eroded constantly and she has had to put up a tall fence to protect her property rights.

The Chairman closed the public hearing and opened the discussion with the Commission. Tom Shellenberger recused himself. Tom is a realtor with Anasazi Realty, Randy Day, agent for the applicant, is the broker for the agency.

Randy Day stated the rezone needed to be MFR to get the needed density for the housing authority.

Susie Harrington stated that primary concern is the need for affordable housing and the proposed rezone is the appropriate neighborhood for it. A zone change can be a fairly dramatic change, neighbors have a certain expectation of the zone they buy into and she respects that.

David Everitt stated that it is an emotional public hearing and cannot deny the validity of affordable housing and also the private property rights. This area is the most appropriate vicinity for denser zoning, the close proximity to the city limits and the amenities that are needed.

Dave Cozzens remarked that the County's standards and regulations will provide for consumer protection during the development of the property.

Kevin Wright stated that this is an appropriate area for the proposed zoning.

After a lengthy review and public comment the Chairman called for a motion.

David Everitt moved to give a favorable recommendation to the County Council. Dave Cozzens seconded and all voted in favor.

PUBLIC HEARING – Code Amendment to require that all development in the Multi-family Residential (MFR) District be processed as a Planned Unit Development. The Chairman opened the public hearing and staff read into the record the Grand County Land Use Code as amended to date and the General Plan as amended to date.

The Commission had asked staff to draft an ordinance and advertise for public hearing to mandate PUD requirements for the MFR zone district. The Commission feels this will be a valuable tool for the developer, citizens and the Commission. There is currently approximately 20 acres that are in the MFR zone district and much of that is built out. If any more property would be rezoned to MFR the mandatory PUD would alleviate many of the concerns for rezoning.

When the Chairman opened the public hearing the citizens in the audience felt the PUD is a valuable tool, but would like it left up to the developer to request the overlay.

It was explained that the PUD overlay is essentially a rezone and allows for “creative” development and mixed uses within a property, which in effect allows developments to be a one of a kind rezones.

After a very lengthy discussion Susie Harrington moved to table the public hearing David Everitt seconded; Kevin Wright, David Everitt, Susie Harrington and Tom Shellenberger voted in favor. Dave Cozzens and D.L. Taylor voted against the motion.

Public Hearing - Conditional Use - amendment to the Conditional Use application for Archview Resort. Due to the lateness of the meeting and the applicant not in attendance the Commission tabled the application to the August meeting.

Adjournment: Meeting adjourned at 10:00 p.m.