

**GRAND JUNCTION PLANNING COMMISSION  
DECEMBER 13, 2005 MINUTES  
7:04 p.m. to 11:15 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:04 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Lynn Pavelka-Zarkesh, John Redifer, Patrick Carlow, Roland Cole, and Reggie Wall. William Putnam, Bill Pitts and Thomas Lowrey were absent.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor), Kathy Portner (Planning Manager), Dave Thornton (Principle Planner), Kristen Ashbeck (Senior Planner), Lisa Cox (Senior Planner, and Senta Costello (Associate Planner).

Also present were Jamie Kreiling (Assistant City Attorney) and Laura Lamberty (Development Engineer).

Terri Troutner was present to record the minutes.

There were 28 interested citizens present during the course of the hearing.

**I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

Chairman Dibble indicated that a request had been received to continue item CUP-2003-024 (Conditional Use Permit--Canyon View Carwash) to the January 10, 2006 public hearing.

**MOTION: (Commissioner Cole) "Mr. Chairman, I would move that item 8, CUP-2003-024, be continued to the January 10 meeting."**

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

**II. APPROVAL OF MINUTES**

Available for consideration were the minutes from the November 8, 2005 public hearing.

**MOTION: (Commissioner Redifer) "I move we adopt the minutes [of November 8, 2005 as presented]."**

Commissioner Carlow seconded the motion. A vote was called and the motion passed by a vote of 4-0, with Commissioners Wall and Cole abstaining.

**III. CONSENT AGENDA**

Available for consideration were items:

- ANX-2005-107 (Zone of Annexation--Hammer-Whitt Annexation)
- ANX-2005-256 (Zone of Annexation--Ward/Mudge Annexation)
- PP-2005-129 (Preliminary Plat--Carriage Hill Subdivision)
- VR-2005-243 (Rezone/Vacation of Right-of-Way, Midwest Commercial Park)

- CUP-2005-197 (Conditional Use Permit--Dollar Rent-A-Car)
- PP-2005-262EX (Request for Extension--Summer Hill Subdivision)
- PFP-2005-032 (Amended Zoning Ordinance and Preliminary/Final Plan--Redlands Mesa, Filing #6)

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted any of the items pulled for additional discussion. At citizen request, item PP-2005-129 was pulled and placed on the Full Hearing Agenda. Jamie Kreiling clarified a verbiage change to the agenda on item VR-2005-243. No objections or revisions were received from the audience or planning commissioners on any of the remaining items.

**MOTION: (Commissioner Cole) "Mr. Chairman, I would move [for] approval of the Consent Agenda without item 3 on it [PP-2005-129] as printed."**

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

#### **IV. FULL HEARING**

##### **PP-2005-129 PRELIMINARY PLAT--CARRIAGE HILL SUBDIVISION**

**A request for approval of the Preliminary Plat to develop 28 single-family lots on 4.77 acres in an RMF-8 (Residential Multi-Family, 8 units/acre) zone district.**

**Petitioner: Lawrence Balerio, 2786 UnawEEP, LLC**

**Location: 2786 UnawEEP Avenue**

**City Staff: Lisa Cox, Senior Planner**

##### **PETITIONER'S PRESENTATION**

Fred Larson, representing the petitioner, felt that the project was straightforward and represented infill development. An existing home located on lot 21 would remain. Offering no additional testimony, he availed himself for questions.

##### **STAFF'S PRESENTATION**

Lisa Cox gave a PowerPoint presentation containing the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use Map; 4) Existing City and County Zoning Map; and 5) Preliminary Plat. Access to the site would be provided off Acoma Drive via Helena Street to the west of the property. Tract A, comprised of a detention pond area and a landscaped/fenced strip along UnawEEP Avenue would be dedicated to and maintained by the Carriage Hills Homeowners Association. Tract B (location noted) would serve as a private driveway for four of the proposed lots, including lot 21, and connect with Carriage Hills Way. The current access for lot 21 off UnawEEP Drive would be closed upon completion of the new private driveway.

Staff determined that the request met Code criteria, the goals and policies of the Growth Plan, and the goals and policies of the Orchard Mesa Neighborhood Plan. Approval was recommended.

Laura Lamberty came forward to address concerns that staff had received from some of the neighbors regarding the Helena Street access. Neighbors had expressed a preference that access be derived via UnawEEP Avenue. However, the Orchard Mesa Irrigation District noted the presence of one of their canals along UnawEEP Avenue to the south and had asked that it not be siphoned or covered up. Since City goals and those of the Orchard Mesa Neighborhood Plan were to limit the number of accesses onto UnawEEP Drive, a western access point had been selected. The Helena Street access met both TEDS and SWMM requirements and would provide a safer access alternative, one that also satisfied the concerns of the Orchard Mesa Irrigation District.

**PUBLIC COMMENT**

**FOR:**

There were no comments for the request.

**AGAINST:**

Ken Tigert (304 Acoma Drive, Grand Junction) said that he and his neighbors feared for the safety of their children since vehicles routinely exceeded the speed limit when traveling down Acoma Drive. Funneling so much more traffic from the Carriage Hills Subdivision onto Acoma Drive would only exacerbate the problem. A better alternative would be to move the proposed subdivision's access point to the south, connecting with Unawep Avenue in the vicinity of lot 21. Mr. Tigert also expressed concern over increased noise, and he wondered if the developer would install security fencing along the site's western perimeter to separate the new subdivision from existing lots.

Kelly Campion (303 Acoma Drive, Grand Junction) said that she shared the same concerns expressed by Mr. Tigert. She also wondered where the new subdivision's mailboxes would be located.

Robin O'Connor (317 Acoma Drive, Grand Junction) mirrored the same concerns previously expressed, emphasizing the safety concerns that existing residents had over the Helena Street connection. She noted that other lots in the area were much larger. The smaller lot sizes of the proposed subdivision seemed to be incompatible with surrounding lots. Ms. O'Connor also noted the lack of any common area or park in the new development. Where would the children from the new subdivision go to play?

Debbie Vogel (308 Acoma Drive, Grand Junction) shared the same concerns previously expressed and felt that the subdivision's access should be derived via Unawep Avenue.

Candy Fitzgerald (309 1/2 Acoma Drive, Grand Junction) concurred with previously stated concerns regarding access and safety.

Sarah Altland (321 Acoma Drive, Grand Junction) said that Acoma Drive already received so much traffic from Cheyenne and other local streets. She supported rerouting the Helena Street access to Unawep Avenue.

**PETITIONER'S REBUTTAL**

Mr. Larson said that the Helena Street access complied with engineering staff's preferences and met all applicable standards and requirements. He said that the zone district did not require developers to provide security fencing; however, he noted that fences had already been erected by adjacent property owners. The zone district also did not require developers to provide a neighborhood park. Mailboxes, he said, would be situated in accordance with Post Office requirements.

**QUESTIONS**

Commissioner Redifer asked for additional clarification on why the subdivision's access could not be moved to Unawep Avenue. Mr. Larson said that the Orchard Mesa Irrigation District had expressed a concern that installing siphons would increase their maintenance costs.

Commissioner Cole asked if an existing street stub existed at the end of Helena Street, to which Mr. Larson responded affirmatively.

Commissioner Carlow remarked that since a street stub was present, there had obviously been the expectation that Helena Street would be extended at some future point. When asked about the subdivision's build-out density, Mr. Larson said that it would be built out to a density of 5.9 units/acre.

Ms. Cox said that even with the increased traffic from the Carriage Hills Subdivision, traffic counts for Acoma Drive would still be under its designated maximum carrying capacity. Traffic counts were part of the development review process, and it had been concluded that traffic from the new subdivision could be safely added to Acoma Drive.

Commissioner Carlow asked for clarification of Tract A, which was provided.

Commissioner Redifer asked how far it was to the nearest park or open space. Ms. Cox said that the nearest park or open space was situated about 1/4 to 1/2 mile away.

Commissioner Carlow noted that the area immediately surrounding the subject property was all designated Residential Medium (4-8 units/acre). If that were the case, why were surrounding lots so much larger? Ms. Cox said that surrounding densities still fell within the 4-8 unit/acre range, just at the lower end. Those densities had been at the discretion of other developers. At 5.9 units/acre, the current subdivision still represented a mid-range density within the RMF-8 zone district.

Commissioner Redifer wondered how much the cost of installing siphons would be. Had the UnawEEP access option been discarded solely on the Irrigation District's concern over maintenance costs? Ms. Lamberty said that several factors had been considered in determining the viability of the UnawEEP access option. Comments of the Irrigation District had been taken into account; however, the goals of both the City and the Orchard Mesa Neighborhood Plan included limiting the number of access points along UnawEEP Avenue. There were also access spacing issues. For all these reasons, Public Works did not favor the UnawEEP connection option, especially given current traffic volumes along that street and the number of access points already there.

### **DISCUSSION**

Commissioner Cole understood with the concerns of the neighbors and empathized with them. There was no question in his mind that kids currently played in Helena Street. However, a street stub had been provided to the east in anticipation of the street's future extension. Since the developer met all established criteria, he could see no reason not to support the request.

Commissioner Carlow concurred. Lot size discrepancies were as a result of decisions made by previous developers. He too felt he could support the request.

Commissioner Redifer agreed with previous planning commissioner comments although he acknowledged that increased traffic meant additional safety concerns. He expressed appreciation to Public Works staff on the rationale behind the UnawEEP Avenue connection.

Ms. Pavelka-Zarkesh also expressed support for the request and was satisfied that factors other than costs had gone into the UnawEEP connection decision. She also noted that the developer appeared to have met all requirements.

Chairman Dibble noted that the request also met the goals and policies of the Orchard Mesa Neighborhood Plan. While the Planning Commission was not in a position to help the neighbors with motorists speeding along Acoma Drive, he urged them to contact law enforcement when such instances did occur. And it was true that the zone district did not require developers to construct perimeter fencing. Since all Code requirements and applicable goals and policies had been met, he supported the request.

**MOTION: (Commissioner Cole) "Mr. Chairman, on item PP-2005-129, Carriage Hills Subdivision, a request for Preliminary Plat approval, I move that we approve with the findings and conclusions as outlined by staff."**

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

**PFP-2005-242 EASEMENT VACATION/CONDITIONAL USE PERMIT/VARIANCES--MESA VILLAGE MARKETPLACE**

**A request for approval of: 1) a Conditional Use Permit for a 136,269 square foot retail center in a C-1 (Light Commercial) zone district; 2) vacation of easements; and 3) variances to provisions of the 24 Road Corridor Design Standards and Guidelines dealing with signage requirements, and a variance to section 4.2.G.8, to permit an offsite sign in a C-1 zone district.**

**Petitioner: Jeff Ungerer, WTN COEX I, LLC**  
**Location: 2414 F Road**  
**City Staff: Pat Cecil, Development Services Supervisor**

Because this item contained multiple requests, and because each request contained the potential for multiple motions, each facet of the overall request was considered individually.

**VACATION OF EASEMENTS**

**PETITIONER'S PRESENTATION**

James Walker, representing the petitioner, understood that the current easements had been carried over from prior platting. In conjunction with the new site plan, new easements would be dedicated. Offering no additional testimony on the vacation request, he availed himself for questions.

**STAFF'S PRESENTATION**

Pat Cecil gave a PowerPoint presentation to help overview the request. Slides presented included 1) a site location map; 2) aerial photo map; 3) Future Land Use Map; 4) Existing City and County Zoning Map; 5) Site Plan; and 6) Easement Vacation, Exhibit A. The site had originally been subdivided in 1981 and subsequently replatted in 1996. Several of the easements shown on the 1981 plat had been left off the 1996 replat; however they'd never been officially vacated. Vacating them now simply represented a housekeeping measure, and staff recommended approval of the request.

**QUESTIONS**

Commissioner Wall referenced Exhibit A and asked if a new easement would be dedicated along the northern property line. Mr. Cecil said that a 20-foot-wide sewer easement had been dedicated in the same general area, one that would not be affected by the current vacation request.

Jamie Kreiling clarified that the original plat included the easements currently under discussion, easements that were located on lot 1 of that plat. During the replatting in 1996, several of those easements had been eliminated from the replat but no formal vacation of those easements had occurred. She expected no issues to arise from vacating the erroneous easements, adding that the remaining easements should sufficiently provide for future utilities placement to service lot 1A as it currently existed.

Commissioner Cole asked if the legal description for the vacations would originate from City Council. Ms. Kreiling said that the suggested motion contained the necessary legal descriptions.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**MOTION: (Commissioner Carlow) "Mr. Chairman, on PFP-2005-242, the request for easement vacations, I move that the Planning Commission recommend approval to City Council of the vacation of the easements created by or appearing on the recorded plat of Mesa Village, within lot 1, as same is recorded in Plat Book 12, Page 430, Reception No. 1269320, Official Records of the Clerk and Recorder of Mesa County, Colorado, except for and not including the easements lying within the boundary of lot 5A of the Replat of Mesa Village Subdivision, as same is recorded in Plat Book 15, Pages 37 through 39, inclusive, Reception No. 1746811 of the Official Records of the Clerk and Recorder of Mesa County, Colorado."**

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

Chairman Dibble noted that the Site Plan referenced previously was not before the Planning Commission for consideration; it merely represented a footprint of what might be placed there. Lots depicted on the Site Plan had been referenced as lot 1 and lot 2; however, neither existed at the present time. The Conditional Use Permit was applicable to lot 1A only. Chairman Dibble expressed disappointment in the applicant's narrative. Referencing page 6 of that narrative, he said that responses to several of the criteria clearly pertained to another project. The poor quality of those responses failed to give planning commissioners the information they needed to be able to make informed decisions. He asked that future development submittals from the applicant be of better quality.

For the following variance requests, Chairman Dibble explained that two motions would be made for each request, one addressing compliance with the 24 Road Corridor Design Standards and Guidelines and the other addressing compliance with the Code section 2.16.C.5.

**VARIANCE: OFF-PREMISE SIGN (24 ROAD AND C1 ZONE)**

**STAFF'S PRESENTATION**

Pat Cecil referenced a point on a lot located near the corner of Market Street and Patterson Road where a freestanding sign had been proposed in conjunction with the original Mesa Village Marketplace project. A variance had been received allowing the freestanding sign in that location. A view easement had been established at the time the lot was sold, limiting what could be placed within that easement to just the sign itself. Mr. Cecil didn't think that the wording of the easement would even permit construction of a parking lot. The proposed sign's location would meet setback requirements; however, since variances expired one year from the date of approval, and since no sign had ever been erected, another variance was required.

While staff felt that there was sufficient justification to support an off-premise sign at the proposed location, the Code allowed such signs only in C-2, I-1 and I-2 zones. Without a variance, such signage would not be allowed in C-1 zones nor were they permitted by the 24 Road Corridor Design Standards and Guidelines (Design Standards). While not opposed to approval of the request, staff felt that any approved off-premise sign be designed to conform to the Design Standards. It was felt that the appropriate findings required by the Design Standards could be made.

**PETITIONER'S PRESENTATION**

James Walker began by apologizing for the errors contained in his narrative. The original sign variance had been approved in 2001; he hadn't realized that the original variance had expired. The current variance request did not deviate from the original; the same sign height and square footage was still being sought.

**QUESTIONS**

Chairman Dibble asked Mr. Walker why he felt an off-premise sign was necessary. Mr. Walker said that it was important for Kohl's to have signage on Patterson Road since that's where most of Kohl's traffic would likely originate. The site did not have any frontage along Patterson Road or 24 Road. The only frontage available to the site was along Market Street; however, Market Street was an interior street designed solely to serve the retail development once traffic was already there.

Chairman Dibble asked about the ramifications of not approving an off-premise sign. Mr. Walker said that the lack of signage along Patterson Road would be detrimental to the development as it was currently proposed. Patterson Road signage was required by Kohl's. If that requirement could not be assured, Kohl's might opt not to build their store on the subject property.

Ms. Kreiling suggested that the applicant's representative elaborate on the site sign area and the proposed Site Sign Program. Mr. Walker said that the Site Sign program included one freestanding sign, three signs for the Kohl's building (variance requests for additional lettering height and square footage forthcoming), and individual signage for each of the three retail tenants (variance requests for additional square footage and lettering forthcoming).

Chairman Dibble asked if space on the off-premise sign would be provided for each of the development's tenants, to which Mr. Walker replied affirmatively. Kohl's would have the predominant position, with additional sign sizes varying according to the size of the retailer.

Commissioner Carlow asked for brief explanations of the view easement and the Design Standards variance criteria, which were provided.

**PUBLIC COMMENTS**

There were no comments either for or against the request.

**PETITIONER'S REBUTTAL**

Mr. Walker said that approval was dependent upon only one of the four Design Standards variance criteria being satisfied. He felt that the argument could reasonably be made that unique site factors existed to make the applicable Design Standards impractical, especially given the lack of frontage along either 24 Road or Patterson Road. Mr. Walker said that compliance with Code criteria had been addressed in the project's narrative.

**DISCUSSION**

Ms. Kreiling referenced the revised motions pertaining to the variance requests that she'd provided to planning commissioners.

Commissioner Wall felt that variance criterion d. had been satisfied, that "Unique site factors made the Design Standards impractical."

Commissioners Cole and Carlow agreed.

Chairman Dibble remarked that the lack of any directional signage at all for the development along Patterson Road would be a disservice to the public. He agreed with the applicant's representative that the proposed location for the sign made the most sense.

**MOTION: (Commissioner Cole) "Mr. Chairman, on PFP-2005-242, for the Site Sign Program described by the applicant on lot 1A of the Replat of Mesa Village Subdivision, I move that the Planning Commission find that compliance not be required with the 24 Road Corridor Design Standard #5 for General Sign Criteria not allowing off-premise signs as it has been demonstrated that the unique site factors make the Standard impractical."**

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

**MOTION: (Commissioner Cole) "Mr. Chairman, on PFP-2005-242, based on the evidence presented regarding the Site Sign Program presented by the applicant, I move that we approve the variance from the 24 Road Corridor Design Standard #5 for General Sign Criteria and from the requirement of the Code that an off-premise sign not be allowed in a C-1 zone as the criteria in section 2.16.C.5 of the Code have been met."**

Commissioner Redifer seconded the motion. Chairman Dibble asked if reference instead needed to be made to Code section 4.2.G.8. Ms. Kreiling said that in this case that particular Code section was not applicable. A vote was called and the motion passed unanimously by a vote of 6-0.

## **SIGN HEIGHT**

### **STAFF'S PRESENTATION**

Pat Cecil referred to the petitioner's Exhibit B, an illustration of the proposed freestanding sign, complete with measurements and description. The 24 Road Corridor Design Standards and Guidelines (Design Standards) limited sign heights to no more than 12 feet within the 24 Road Corridor. Staff felt there was insufficient justification for the sign's 30-foot height and denial was recommended.

### **QUESTIONS**

Chairman Dibble wondered how a 12-foot-high sign would fare along Patterson Road when compared to other existing freestanding signs along that corridor. Mr. Cecil said that the Design Standards had been developed to raise the standards for new and redeveloped businesses since the 24 Road Corridor represented a gateway into the community.

Chairman Dibble asked if the Home Depot and Boston's Pizza freestanding signs had been approved prior to adoption of the Design Standards, to which Mr. Cecil replied affirmatively. He added that the Boston's sign had been approved in conjunction with the original Mesa Village Marketplace plat at a time that preceded both the adoption of the Design Standards and the new Development Code.

Chairman Dibble remarked that the Home Depot and Boston's freestanding signs seemed to be in scale with their surroundings. While he didn't believe either sign to be much taller than about 15 feet, he was striving for a solution that would give all of the Mesa Village Marketplace retailers a reasonable amount of freestanding signage. If the overall sign height were too short, the retailer(s) whose signage was located at the bottom might find that their signage to be too close to the ground to be seen. Mr. Cecil said that the average eye level of passing motorists was about 4 1/2 feet. That left 8 vertical feet for signage. Individual sign areas would be dependent upon how the developer wanted to split them up between uses. Based on his knowledge and professional experience with other retail projects, a 12-foot sign high should be sufficient to accommodate Kohl's signage and that of its tenants.

Chairman Dibble noted that the original sign approval allowed for a sign height greater than 12 feet. Mr. Cecil agreed but added that since the sign was never constructed, and the variance for it had been allowed to lapse, the sign was now subject to new criteria.

Ms. Kreiling interjected that Home Depot had been allowed to have the sign it has now because that sign had been constructed prior to adoption of the Design Standards. Had they sought approval after adoption of the Design Standards, they too would be subject to the 12-foot height limitation unless they could meet the Design Standards' variance criteria. Chairman Dibble felt that because the subject sign was an off-premise sign, it served a more diversified function than a standard onsite freestanding sign. Bob Blanchard clarified that the referenced Home Depot sign was actually situated off 24 1/2 Road, not on Patterson Road; however, there was a taller Home Depot freestanding sign along Patterson Road as well. Reference was made to photographic exhibits of these signs contained in the petitioner's submittal.

### **PETITIONER'S PRESENTATION**

James Walker held up a copy of the original Site Sign Program that had been approved and recorded in 2001. That document had included the 30-foot-high freestanding sign. He said that it would be difficult to separate the sign's height from its square footage. Referencing photos of other freestanding signs in the area, he said that Home Depot's sign along Patterson Road should be close to 30 feet high as was Fisher Liquor Barn's sign. Limiting the sign height to no more than 12 feet put the Mesa View Marketplace retailers at a competitive disadvantage. Mr. Walker noted that because of the uniqueness of Regal Theatre's sign, five sign variances had been issued for that business.

Chairman Dibble noted that none of the theatre's variance requests involved sign height.

Mr. Walker stated that the Patterson Road off-premise sign wasn't meant to just advertise the development's retailers, it was intended to be directional as well.

### **QUESTIONS**

Commissioner Cole asked Mr. Walker if he knew how high Conoco's freestanding sign was at the corner of 24 Road /Patterson Road. Mr. Walker was unsure.

David Devos (N56 W 17000 Ridgewood Drive, Menomononee Falls, WI), also representing the petitioner, reiterated that the Patterson Road off-premise sign was also intended to be directional and would give motorists sufficient time for lane changes. That level of advance notification would be impeded if motorists couldn't see the sign in time. He noted that with the smaller tenants, their signage could end up being so close to the ground as to get "lost" in the landscaping.

Commissioner Wall wondered if the Patterson Road Corridor was so congested with signage that it would preclude motorists from seeing the Kohl's sign or prevent them from seeing it in time to safely execute lane changes. Mr. Devos felt that the eyes of most motorists were drawn to the bigger, taller signs when driving along the Patterson Road Corridor. He anticipated that people would have a hard time finding a small 12-foot-high sign amidst the other larger signage.

Commissioner Wall commented that along the east coast where signage was typically very tall, a shorter sign might be more easily seen. Some consideration had to be given to localities.

Commissioner Pavelka-Zarkesh noted that traffic along Patterson Road moved more slowly than did traffic traveling along an interstate, so the comparison wasn't really accurate.

### **PUBLIC COMMENTS**

#### **FOR:**

Sid Squirrel (289 W. Morrison, Grand Junction), 24 Road property owner and real estate broker, emphasized the number of much taller signs already located along Patterson Road. Allowing another sign of similar height proportional to and consistent with what's already there would be more easily seen and just made more sense. This sign would be located on Patterson Road, not 24 Road, and it should be considered within the context of other existing signage along Patterson Road. He added that if the City

were seeking to curb visual pollution along that section of the Patterson Road Corridor, "the battle had already been lost."

Kathy Hall (2305 Pheasant Run, Grand Junction) felt that planning commissioners needed to consider consistency. Kohl's was a very large building. A small sign would look out of scale when compared to the size of the building. Although the sign might fall under the Design Standards for the 24 Road Corridor, the sign would be located off Patterson Road. She agreed that Patterson Road signage should be considered differently than signage located along 24 Road.

**AGAINST:**

There were no comments against the request.

**PETITIONER'S REBUTTAL**

Mr. Walker pointed out that the C-2 zone permitted freestanding signage up to 40 feet in height. If held to the 12-foot height limitation, the resulting sign would be inconsistent with other similar signage in the area.

**QUESTIONS**

Commissioner Wall wondered why signage along Patterson Road was subject to the 24 Road Corridor Design Standards and Guidelines. Mr. Cecil said that the 24 Road Corridor included a planning area comprised of more than just the 24 Road frontages. Mr. Blanchard said that Patterson Road represented the southern boundary of that planning area.

Chairman Dibble asked if the height variance was necessary to allow a greater than 12-foot freestanding sign within the C-1 zone district. Mr. Cecil said that the height question was specific to the restrictions imposed by the Design Standards. When asked if all the signage portrayed in the photographic exhibits had been approved prior to adoption of the Design Standards, Mr. Cecil responded affirmatively, adding that existing signage complied with Code criteria in place at the time of approval. He elaborated that the Boston's Pizza sign had been part of a sign program that had been approved with the original variance for the off-premise sign. That approval predated adoption of the 24 Road Corridor Design Standards and Guidelines.

Commissioner Wall wondered if, prior to adoption of the Design Standards, there had been any discussion regarding compatibility of future signage with existing signage. Mr. Blanchard said that the idea had been that as the area developed, or as area businesses redeveloped, existing signage would be brought into compliance with new Code and Design Standard criteria. That intent had been a representation of the community's values as well as those of the decision-makers.

**DISCUSSION**

Commissioner Cole said that while initially leaning towards denial, he now believed that limiting the height of this particular sign would put the affected businesses at a disadvantage. Although within the 24 Road Corridor, it was still Patterson Road, and he agreed with previous comments that the sign should be considered within that context. He was inclined to grant the variance as requested.

Commissioner Carlow expressed concern with what he considered to be excessive sign height and column width.

Ms. Kreiling reminded planning commissioners that they needed to address whether the Design Standard criteria had been met. A brief discussion ensued over the definition of "stated Purpose." Ms. Kreiling clarified said that the stated Purpose was "the purpose as set forth in the section of the 24 Road Corridor that's making the requirements." The sign should communicate information but not add to the visual

pollution of the area. Commissioner Redifer thought that it would be hard to think of this sign as creating visual pollution when so much visual pollution was already there.

Commissioner Cole felt that criterion d. could easily be used to make the argument for approval of the variance request, that "Unique site factors make the Standard impractical."

Commissioner Pavelka-Zarkesh disagreed. While the need for an offsite sign was not disputed, she felt that a height of 30 feet was excessive and unnecessary. Code criteria were in place and should be adhered to. Since the intent as stated was to bring future signage into compliance with higher standards, that goal should be preserved. As pointed out, all of the existing signage along Patterson Road in that particular area had been approved prior to adoption of the Design Standards.

Commissioner Wall agreed that 30 feet seemed excessive. While something more along the lines of 20 feet would be more appropriate in his opinion, he acknowledged that redesigning the sign was not within the Planning Commission's purview.

When Commissioner Pavelka-Zarkesh asked if the petitioner would have to return with a new design if the variance were denied, Chairman Dibble responded affirmatively.

Commissioner Redifer said that Mr. Squirrel had made some valid points, and he agreed that the sign battle along Patterson Road had already been lost. However, if the area was ever going to be brought into compliance with the new criteria, a line had to be drawn somewhere. He acknowledged that that goal could be a long time in coming. So the question became whether the City should continue to allow sign heights greater than 12 feet in the subject area. He personally didn't feel that a 30-foot sign would likely bring in more customers to Kohl's.

Commissioner Wall felt that Kohl's would do just fine regardless of whether the sign was 12 feet or 30 feet. He was more concerned for the smaller tenants who would have their signage located at the bottom of the sign. Would their signage be visible by motorists?

Chairman Dibble commented that this was actually an entrance sign for a road located 600-700 feet from the actual building. Given that it was also directional in nature, he wondered what would guide motorists to turn onto Market Street and into Kohl's. Also, would limiting the sign's overall height be an injustice to those tenants who would have their signage located at the bottom of the sign, since their signage would be no more than 4-5 feet above the ground? And how would that signage fare if there were shrubs planted at the base of the sign? He thought that Design Standard criterion c., "The effect of other Standards or Guidelines will be improved by not applying this Standard" would be applicable.

Commissioner Cole agreed that it was important to ensure visibility for the smaller tenants' signs, especially since those businesses weren't likely to be as recognizable to the public as Kohl's. A 30-foot-high sign would give them a better opportunity for directional advertisement.

**MOTION: (Commissioner Cole) "Mr. Chairman, on PFP-242 for the off-premise sign described in the Site Sign Program, I move that the Planning Commission find that compliance not be required with the 24 Road Corridor Design Standard #1, General Sign Criteria, restricting the height of a sign and support to not exceed twelve feet (12') from the finished site grade as it has been demonstrated that the effect of other Standards and Guidelines will be improved by not applying this Standard and that the unique site factors make the Standard impractical."**

Commissioner Pavelka-Zarkesh seconded the motion. A vote was called and the motion failed by a vote of 2-4, with all but Chairman Dibble and Commissioner Cole opposing.

Ms. Kreiling advised planning commissioners that another motion could be made using different criteria, if they so chose. No additional motion was made.

A brief recess was called at 9:28 p.m. The public hearing reconvened at 9:35 p.m.

Due to the lateness of the hour and the expected length of remaining discussions, Chairman Dibble felt that item 10 on the agenda, TAC-2004-231, would not likely be started prior to 11 o'clock. He asked planning commissioners and staff whether a continuance should be considered. Neither staff nor planning commissioners offered any objection.

A brief discussion ensued over whether to assign a date certain to the item and what level of advertising, if any, would be required.

**MOTION: (Commissioner Cole) "I would move item 10 [TAC-2004-231] be continued to January 10."**

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

### **SIZE OF SIGN FACE**

#### **STAFF'S PRESENTATION**

Pat Cecil said that the petitioner was requesting 270 square feet of sign area on the freestanding off-premise sign. Since the 24 Road Corridor Design Standards and Guidelines (Design Standards) limited the square footage of sign areas to no more than 100 square feet, the petitioner would need to redesign the sign to comply with Design Standards. Denial of the request was recommended.

#### **PETITIONER'S PRESENTATION**

James Walker felt that because the site was unique, the request could be justified by using Design Standards criterion d. Those unique factors lent themselves to increased sign area square footage. He noted that the only Patterson Road frontage available consisted of a driveway that at the present time they had no access to. Mr. Walker referenced the Regal Theatre project and said that a total of five freestanding signs had been approved for that development, one that consisted of a building smaller in size than Kohl's. He was only asking for two freestanding signs for the Kohl's project. He reiterated that a larger sign area would be more visible to motorists at a greater distance, allowing them more time for lane changes in either direction along Patterson Road. Referencing again his photographic exhibits, Mr. Walker said that the areas of existing freestanding signs were between 200-300 square feet.

#### **QUESTIONS**

Commissioner Redifer questioned whether the 270 square feet of sign area had been based on the sign's height of 30 feet. Mr. Walker said that the property had been purchased with the understanding that Kohl's could have 270 square feet of sign area on the site designated for the freestanding sign. He agreed that since the Site Sign Plan didn't call for a 12-foot sign, the sign itself would have to be redesigned. He noted that his intent was to come back before the Planning Commission with a subsequent variance request proposing another sign height alternative. It was unclear at this point whether he would continue to request a sign area of 270 square feet, but he asked that there be some flexibility in that variable should he come back with a 20- or 24-foot sign height request.

#### **PUBLIC COMMENTS**

##### **FOR:**

David Devos (N56 W 17000 Ridgewood Drive, Menomononee Falls, WI) said that given the competitive disadvantage of a reduced sign height, the sign area certainly had to be large enough for motorists to see

when driving along Patterson Road. He noted that while the Site Sign Plan didn't reference any vegetation at the base of the sign, that was no guarantee there wouldn't be any, given the corridor's landscaping requirements. Would the sign area be visible over the long term?

**AGAINST:**

There were no comments against the request.

**PETITIONER'S REBUTTAL**

In response to Commissioner Carlow's concerns regarding the size of the sign's columns, Mr. Walker pointed out that to comply with the Design Standards, brick veneer would be added to the exterior surface of the structural support columns. That veneer added visual appeal but also contributed to the additional column width.

**DISCUSSION**

Commissioner Cole felt that it would be difficult to consider the current request given the denial of the previous sign height request. It would also be difficult for the petitioner to place 270 square feet of sign area on a 12-foot-high sign.

Commissioner Redifer agreed. The Planning Commission, he said, was being asked to consider sign area that had been based on a specific sign height. He asked if the current request could be tabled pending a redesign of the entire sign by the petitioner.

Chairman Dibble felt the point to be valid and questioned if a decision could be rendered on the current request or if the entire request should be tabled. Ms. Kreiling said that the Planning Commission could proceed with either option. A brief discussion ensued over the two available options. Planning commissioners elected to table the current request pending a redesign of the sign and a new variance submittal addressing the sign height. Ms. Kreiling noted that if the petitioner later decided not to submit a new variance request for the sign height, but still wanted the 270 square feet of sign area, the current request would still require a decision by the Planning Commission. Additional discussion ensued over whether to affix a date certain to the tabled item. Ms. Kreiling said that if tabled to a date uncertain, the item would have to be readvertised, which would require additional time. Planning commissioners chose to table the item to the January 10 public hearing, pending a new variance application.

**MOTION: (Commissioner Cole) "Mr. Chairman, I would move to continue this part of the application until January 10, pending a new application for a variance."**

Commissioner Redifer seconded the motion.

Mr. Cecil said that the petitioner should be aware of staff's timetable for completing a new staff report. Tabling the request to January 10 would leave very little time for resubmission, review, and administrative follow-up, especially given the upcoming holidays. Discussion ensued over whether to table the item to the second meeting in January instead. Mr. Walker said that to meet Kohl's construction start and store opening schedules, it was imperative that the current issues be expedited. He would do whatever was necessary to ensure compliance with staff's submission deadlines. Mr. Blanchard said that he would not expect his staff to work over the holidays; therefore, if the petitioner submitted after the deadline for inclusion on the January 10 public hearing agenda, the item would be continued regardless.

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

For expediency, Chairman Dibble opted to consider the following variance requests simultaneously.

**BUILDING SIGN -- 195 SQUARE FEET  
BUILDING SIGN -- LETTER SIZE**

**STAFF'S PRESENTATION**

Pat Cecil said that the 24 Road Corridor Design Standards and Guidelines (Design Standards) limited building mounted signage to no more than 100 square feet. The petitioner was requesting 195 square feet of sign area and 5-foot-high channel lettering. The Design Standards limited the height of channel lettering to no more than 12 inches. Since the requests did not comply with Code criteria or the Design Standards, denial was recommended.

**QUESTIONS**

Chairman Dibble wondered if 5-foot-high lettering could be contained within a 100 square foot sign can. He said he considered this a Kohl's-specific project. What was the difference in criteria between 5-foot-high channel letters and having those same 5-foot-high letters contained within a sign can? Mr. Blanchard said that the criteria differentiated between channel lettering and lettering contained within a sign can. Planning commissioners needed to consider the criteria as it was written since they had been adopted by ordinance.

**PETITIONER'S PRESENTATION**

James Walker gave a PowerPoint presentation containing the following slides: 1) proposed Site Sign Plan (read into the record); 2) elevation drawings of the Kohl's building with 5-foot-high lettering (scaled); 3) vesting agreement; 4) presentation overview; 5) sign allowance comparison (2001 vs. current); 6) elevation drawings of the Kohl's building with 12-inch-high lettering (scaled); 7) photo of a Kohl's building constructed in another area with the 5-foot-high channel lettering; 8) photos of other building mounted signage in the area. He asked planning commissioners to consider that this was a big box retail center located approximately 600 feet away from the nearest arterial frontage. It was important that the Kohl's signage be visible from Patterson Road, 24 Road and Mesa Mall. Referencing available elevation slides depicting both 5-foot-high and 12-inch-high channel lettering, he pointed out that 12-inch channel letters inside a 100 square-foot area would be too small to be seen from a distance and would look out of scale with the building's size. Larger lettering and a larger sign area just made more sense, and represented the Kohl's standard. And since channel lettering was more attractive and more expensive than a sign can, he asked that the 5-foot-high letters allowed within a sign can also be permitted for the proposed channel lettering. He maintained that the unique factors of the site justified the variance request. If approved, Mr. Walker felt that the goals and objectives of the Design Standards would still be met.

Mr. Walker referenced the sign allowance comparison slide and noted that the 2001 Site Sign Plan permitted a total of 1,092 total square feet of signage versus 935 square feet currently proposed. The current requested total of 935 square feet represented less square footage than what the Code would allow. The proposed building mounted signage was attractive as designed. He noted that as the height of the lettering changed, so too did the width.

**PUBLIC COMMENTS**

**FOR:**

David Devos (N56 W 17000 Ridgewood Drive, Menomononee Falls, WI) said that the Kohl's sign had been designed to a 5-foot height. The store's entrances had just been placed further apart to balance out the building. He pointed out that only 2 percent of the building's facade would be taken up by signage.

Sid Squirrel (289 W. Morrison, Grand Junction) didn't think that anyone would argue that 12-inch letters on a building of Kohl's size would look ridiculous. He agreed that channel lettering was much more

attractive, yet a much more expensive option. He suggested planning commissioners propose changing the signage portion of the Design Standards as a means to avoid future discussions of this type.

Kathy Hall (2305 Pheasant Run, Grand Junction) said that she'd visited other Kohl's stores in the Denver area and the 5-foot-high channel lettering looked both attractive and in scale with the buildings. Referencing the Holiday Inn Express's building mounted sign, a hotel located some distance off 24 Road, she said that their signage was too small to really be seen from the road. She urged planning commissioners to approve the variance request.

**AGAINST:**

There were no comments against the request.

**PETITIONER'S REBUTTAL**

Mr. Walker stated that the Site Sign Plan had been intended to be flexible. He reiterated his belief that the unique site factors of the property made application of the Standard impractical, and so variance of the Standard could easily be justified.

**DISCUSSION**

Commissioner Redifer felt that the applicant's representative made a good argument for approval of both variance requests, which could be justified using criteria a. and b. He did not feel that approval of the variances would add to visual sign pollution in the area.

Commissioner Cole concurred. He too had seen other Kohl's stores with the 5-foot-high channel lettering, and the signage had looked both attractive and in scale with the rest of the building. He felt he could support both requests as well.

Commissioner Wall agreed. When the Design Standards were originally considered, he felt that big box stores had been overlooked. It was important to consider signage that was in scale with the buildings on which they were placed.

Commissioner Pavelka-Zarkesh disagreed. Kohl's could still fit a very large sign within a 100-foot area; a 195 square-foot area really didn't seem all that necessary. She felt it important to keep in mind the long-term goals for the area in terms of signage.

Chairman Dibble noted that if the letters were left at 5 feet, he thought Kohl's would be hard pressed to fit them even within a 195 square foot area. Mr. Walker referenced elevation drawings and said that those drawings were to scale and could be considered an actual visual representation of how the signage would look from Patterson Road, both with 12-inch letters and with 5-foot letters. Chairman Dibble felt that for the current variance requests, all four criteria in the Design Standards would be satisfied.

Commissioner Carlow pointed out that if the sign area request were approved, planning commissioners should also approve the lettering height variance request.

[For clarification, the applicable criteria referenced in the following motions includes:

**Building Sign Area**

- a. The alternative of the maximum sign face area of 195 square feet better achieves the stated Purpose.
- b. The Purpose will not be achieved by application of the Standard in this circumstance.
- c. The effect of other Standards or Guidelines will be improved by not applying this Standard.
- d. Unique site factors make the Standard impractical.

Building Sign Letter Size

- a. The alternative of the maximum size of the lettering height for building signs being five feet (5') better achieves the stated Purpose.
- b. The Purpose will not be achieved by application of the Standard in this circumstance.
- c. The effect of other Standards or Guidelines will be improved by not applying this Standard.
- d. Unique site factors make the Standard impractical.]

**MOTION: (Commissioner Cole) "Mr. Chairman, on PFP-2005-242, for what is to be the unit described as approximately 89,000 square feet located nearest to Market Street on the west end of the building and the Site Sign Program described for this site, I move that the Planning Commission find that compliance not be required with the 24 Road Corridor Design Standard #2 for General Sign Criteria restricting the size of the sign face area to not exceed 100 square feet as it has been demonstrated that all four criteria apply."**

Commissioner Redifer seconded the motion. A vote was called and the motion passed by a vote of 5-1, with Commissioner Pavelka-Zarkesh opposing.

**MOTION: (Commissioner Cole) "Mr. Chairman, on PFP-2005-242, based on the evidence presented regarding the building described by the applicant and the Site Sign Program for this site, I move that we approve the variance from the 24 Road Corridor Design Standard #2 for General Sign Criteria for the maximum signs face area for three proposed signs on the unit that is located on the west end of the building near Market Street not to exceed 195 square feet as the criteria in Section 2.16.C.5 of the Code have been met."**

Commissioner Redifer seconded the motion. A vote was called and the motion passed by a vote of 5-1, with Commissioner Pavelka-Zarkesh opposing.

**MOTION: (Commissioner Wall) "Mr. Chairman, on PFP-2005-242, for what is to be the unit described as approximately 89,000 square feet located nearest to Market Street on the west end of the building and the Site Sign Program described for this site, I move that the Planning Commission find that compliance not be required with the 24 Road Corridor Design Standard #5 for the Site Sign Program restricting the maximum size of the lettering height for building mounted signs to 12 inches as it has been demonstrated that all four criteria apply."**

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

**MOTION: (Commissioner Wall) "Mr. Chairman, on PFP-2005-242, based on the evidence presented regarding the building and Site Sign Program described by the applicant, I move that we approve the variance from the 24 Road Corridor Design Standard #5 for the Site Sign Program for the maximum size of the lettering height for each of the three proposed signs on the unit that is located on the west end of the building near Market Street not to exceed five feet (5') as the criteria in Section 2.16.C.5 of the Code have been met."**

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

For expediency, Chairman Dibble opted to consider the following variance requests simultaneously.

**BUILDING SIGN -- 150 SQUARE FEET  
BUILDING SIGN -- LETTER SIZE**

**STAFF'S PRESENTATION**

Pat Cecil said that the current requests were similar to the two previous requests; however, this particular signage would be applicable to the east end of the building. Two of the three tenant units would comply with the 24 Road Corridor Design Standards and Guidelines (Design Standards) with regard to sign area. On the third unit, the petitioner was asking that the sign area be extended to 150 square feet. Five-foot-high channel lettering had been requested for all three units. Mr. Cecil noted that since the third unit was not as large as the Kohl's building (appx. 20,000 to 30,000 square feet), the applicant's proportionality argument might not apply. As well, 5-foot-high lettering seemed excessive. Staff recommended adherence to the Design Standards and denial of the variance requests.

**PETITIONER'S PRESENTATION**

James Walker referenced a slide suggesting that the Code would have permitted 608 square feet of sign area for the larger tenant space. The 2001 Site Sign Program had requested 532 square feet, while the current request proposed only 350 square feet.

**QUESTIONS**

Chairman Dibble wondered how the increased sign area could be justified when Kohl's did not yet have a tenant earmarked for that particular space. Mr. Walker felt that the additional sign area would afford greater flexibility for possible tenants. He reiterated that channel lettering was a much more attractive signage option than using a sign can. If 5-foot-high lettering was acceptable within a sign can, he didn't feel that the petitioner should be "punished" for wanting that same 5-foot-high lettering outside of the can, especially since the result would be much more aesthetically appealing. He pointed out that the subject tenant space was twice as large as the other two tenant spaces and should be permitted additional signage. The requested 150 square feet of sign area would be directly proportional to that tenant's space. Mr. Walker referenced an elevation drawing that depicted how the tenant spaces would look with 12-inch letters within a 100-square-foot area versus 5-foot letters within the proposed 100- and 150-square foot sign areas. He reminded planning commissioners that the drawings were to scale and accurately represented how each sign would appear.

Chairman Dibble said that the petitioner seemed to be "hitchhiking" off the Patterson Road frontage; however, the Patterson Road entrance was actually 600-700 feet from the store's entrance. Mr. Walker said that mention had been made in the staff report that the petitioner's hardship was self-inflicted. He disagreed, contending that there were only two ways to orient buildings on the site to derive any usable frontage from either 24 Road or Patterson Road. The second option would have resulted in the nearest 24 Road frontage being 1,000 feet away with zero available Patterson Road frontage.

Chairman Dibble wondered why the same proportionality argument had not been used for the third unit. Mr. Walker said that the proposed sign area would not be as large as Kohl's; however, since the third unit was larger than the other two, it would be reasonable to allow some increase in sign area. He understood that if the name of the tenant turned out to be a long one, the lettering size would have to be reduced.

Chairman Dibble remarked that some of the responses contained in the applicant's narrative were very general, e.g., the response concerning impacts to surrounding property values. How specifically had this criterion been satisfied? Mr. Walker said that he was the landowner to the north and there was another neighbor near the center (location noted). Neither property would be negatively impacted and, in fact, both would likely benefit from the commercial draws of the current and surrounding developments. He'd also spoken with Greg Motz about the current variance requests, and Mr. Motz had been supportive.

Chairman Dibble asked if the footprint for the third unit would likely change. Mr. Walker said that the basic footprint would remain the same. The total square footage may be reduced from the 31,075 square feet shown on the Site Plan, but that reduction would occur towards the rear of the building, if it occurred at all.

**PUBLIC COMMENTS**

**FOR:**

Sid Squirrel (289 W. Morrison, Grand Junction) felt that since the additional sign area had been approved for Kohl's, it would be silly not to approve the same request for Kohl's tenants.

Kathy Hall (2305 Pheasant Run, Grand Junction) agreed with Mr. Squirrel's comments.

**AGAINST:**

There were no comments against the request.

**DISCUSSION**

Commissioner Cole remarked that the Site Sign Program did allow for flexibility and that was appropriate with the current requests. He felt that both requests could be justified, and he supported approval.

Commissioner Redifer agreed. He felt that visual pollution would actually be reduced by ensuring that signage was kept in proportion to building size. Criteria a. and d. seemed applicable in this case.

**MOTION: (Commissioner Redifer) "Mr. Chairman, on PFP-2005-242, for the one unit described as exceeding 20,000 square feet as presented by the applicant as part of the building for this site located on the east section of the building and the described Site Sign Program, I move that the Planning Commission find that compliance not be required with the 24 Road Corridor Design Standard #2 for General Sign Criteria restricting the size of the sign face area to not exceed 100 square feet as it has been demonstrated that a., the alternative of the maximum sign face area of 150 square feet better achieves the stated Purpose, and d., unique site factors make the Standard impractical."**

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

**MOTION: (Commissioner Redifer) "Mr. Chairman, on PFP-2005-242, based on the evidence presented regarding the building described by the applicant and the Site Sign Program for the site, I move that we approve the variance from the 24 Road Corridor Design Standard #2 for General Sign Criteria for the maximum sign face area for one sign on the one unit that may exceed 20,000 square feet to be located on the east section of the building to not exceed 150 square feet as the criteria in Section 2.16.C.5 of the Code have been met."**

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

**MOTION: (Commissioner Pavelka-Zarkesh) "Mr. Chairman, on PFP-2005-242, for what is to be the three units on the east section of the building presented by the applicant for this site and the Site Sign Program, I move that the Planning Commission find that compliance not be required with the 24 Road Corridor Design Standard #5 for Site Sign Program restricting the maximum size of the lettering height for building mounted signs to twelve inches (12") and allow five feet (5') as the maximum for the lettering size height for signs mounted on each unit as it has been demonstrated that unique site factors make the Standard impractical."**

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

**MOTION: (Commissioner Pavelka-Zarkesh) "Mr. Chairman, on PFP-2005-242, based on the evidence presented regarding the building described by the applicant and the Site Sign Program, I move that we approve the variance from the 24 Road Corridor Design Standard #5 for Site Sign program for the maximum size of the lettering for each of the three proposed signs on the units that are located on the east end of the building near Market Street to not exceed five feet (5') as the criteria in Section 2.16.C.5 of the Code have been met."**

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

#### **CONDITIONAL USE PERMIT**

Chairman Dibble said that if all the variance requests had been approved, the Conditional Use Permit request could have been granted unconditionally. However, since the height variance request for the freestanding sign had been denied, and the sign area variance for that same sign tabled, he said that the Planning Commission could grant the CUP conditionally based upon a sign package coming back with the unapproved portions being included; the CUP could be denied; or the CUP request could be continued until such time as a new sign package could be submitted, one that included both the approved and unapproved variances as discussed previously.

Commissioner Redifer felt that it would be more appropriate to just continue the CUP request until the next meeting. This suggestion drew general assent from other planning commissioners.

**MOTION: (Commissioner Redifer) "Mr. Chairman, on PFP-2005-242, Conditional Use Permit, I move that we continue that to the January 10 meeting."**

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

#### **V. GENERAL DISCUSSION**

Commissioner Redifer wondered if it might be a good idea to ask City Council to readdress the 24 Road Corridor Design Standards and Guidelines.

Chairman Dibble said that the proper protocol included drafting a letter from the Planning Commission to both the City Council and City Manager formalizing that request.

Commissioner Cole asked for additional discussion amongst themselves before drafting such a letter. It was decided that additional discussion would take place at the next Planning Commission workshop.

With no further business to discuss, the public hearing was adjourned at 11:15 p.m.