

GRAND JUNCTION PLANNING COMMISSION
Public Hearing May 5, 1992
7:30 p.m. - 11:10 p.m.

The public hearing was called to order by Chairman Ron Halsey at 7:30 p.m. in the City County Auditorium.

In attendance, representing the City Planning Commission, were Chairman Ron Halsey, Craig Robert, Sheilah Renberger, John Elmer, Tom Volkmann and Scott Brown.

Commissioner Jim Anderson was absent.

In attendance, representing the City Community Development Department, were Bennett Boeschstein, Director; and Karl Metzner, Planner; and Dave Thornton, Planner.

John Shaver, Assistant City Attorney, and Don Newton, City Engineer were also present.

Judy Morehouse, of KLB Secretarial Services, was present to record the minutes.

There were 31 interested citizens present during the course of the meeting.

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I. CALL TO ORDER

II. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I MOVE THAT WE APPROVE THE MINUTES OF THE APRIL 7, 1992 MEETING."

The motion was seconded by Commissioner Roberts.

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

III. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRE-SCHEDULED VISITORS

There were no presentations or non-scheduled visitors.

**IV. GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING ITEMS
PUBLIC HEARING ITEMS FOR FINAL DECISION**

1. **#12-92 CONSIDERATION OF CONDITIONAL USE PERMIT -
PROSPECTOR MOTEL STORAGE UNIT**

A request for a Conditional Use Permit to build 100 new storage units on vacant land south of the Prospector Motel, to replace 7 existing motel units and to add 23 new motel units to the Prospector Motel, in an HO zone. Tabled at the April 7th meeting.

PETITIONER: Michael Hert

LOCATION: 547 Highway 50

Staff requested consideration of a Conditional Use Permit for the Prospector Motel be tabled due to unresolved Review Agency comments.

Chairman Halsey tabled Item #12-92 until the June 2, 1992 Planning Commission Hearing.

2. **#18-92 CONSIDERATION OF REVISED FINAL PLAN IN PR-8
FOR DAY CARE CENTER AND SCHOOL**

A revised final plan for a new building at 2815 F Road to house the Mesa Montessori Children's House, a day care center and school, in a Planned Residential Zone.

PETITIONER: Leo Warren

REPRESENTATIVE: Wayne H. Lizer & Associated

LOCATION: 2815 F Road

PETITIONERS PRESENTATION

Mr. Wayne Lizer representative for Mr. Warren was present to explain the revised final plan for the Mesa Montessori Children's House. The west approach will be deleted, leaving the east entrance as a common entrance with Bethesda Care Center. The east entrance will be the drop off for the children with only two or three cars in that location at any one time. This latest submittal shows a turnaround further south with more turning space available.

STAFF PRESENTATION

Dave Thornton of the City Community Development Department explained the proposal for a Revised Final Plan for a day care center and school. The site is close to the intersection of 28 1/4 Road and F Road. Currently it is zoned PR-8 (Planned Residential), and the last approval on this site was for senior housing. The request for a Revised Final Plan is to seek approval of the residential type use for the day care center. In the straight single family zoning, a day care is required to have a conditional use permit. The Review Agency Summary Sheet Comments

are currently being worked out. There are concerns about conflicts with ground elevations for water and sewer and traffic patterns generated with the drop off of students.

The school currently has an enrollment of 51, with projections of 65 students in the future. Currently the single access off Patterson Road complies with the Patterson Road Guidelines which encourages shared access.

Mr. Thornton requested that if this project is approved, it is contingent upon Staff's approval of drainage and landscaping plans. Also, the landscaping must comply with the Code and additional landscaping will not block vision on Patterson Road.

PUBLIC COMMENT

FOR:

Glenda Gibson owner of the Mesa Montessori Children's House was present to explain the history, purpose and the current request for the new building. Ms. Gibson explained the school has been in Grand Junction since 1978; currently they are not prepared to expand enrollment, but to offer a better building and program for the current students. The students range in age from one year to kindergarten and summer programs include students up to eight years old. The building meets all the requirements of Social Services in Denver, which the School has to apply through. The landscaping requirements also have been approved through Social Services with three surfaces and a separate yard for toddlers.

Tracy Means, 486 Anjou Drive, spoke in favor of the school and commented that there were at least 17 individuals present in support of the effort.

Patrick Johnson, 624 Peace Drive, commented that the present building is very old and cold and the school is trying to grow; this potential on F Road looks very promising for the school.

Debra Sheldon, 2930 North 14th Street, mother of one of the students was present to explain how impressed as a parent she is with the programs and teachers at the school and is hopeful they will be able to move and expand to a better building.

Gennell Simpson, 215 Mesa Grande Drive, is a teacher at the school, and has children enrolled. Ms. Simpson explained they have a letter of recommendation from the Woman's Resource Center and explained they use a lot of interagency groups for children needing different types of programs, working with the school district, Emerson Pupil Services and Social Services. It is a broad spectrum of children that use the services. Ms. Simpson felt it would be a real hardship if the school were not permitted

to move fairly soon, as the current location is on a month to month lease.

Susan Weisman, 1078 22 Road, also supports a new building for the program, her daughter has been enrolled for three years and is very pleased with their methods of teaching.

AGAINST:

There was no comment against this proposal.

QUESTIONS

Commissioner Volkmann asked Staff about the comments on the fire alarm systems. Will these be left to the building department or will they be addressed by Staff?

Mr. Thornton explained the Petitioner has discussed these issues with the fire department and will abide by any of the Code requirements.

Commissioner Volkmann also questioned the Police Department comment regarding a deceleration lane for the access point. Is Staff concerned with a deceleration lane on this?

Mr. Thornton explained the traffic would not warrant a deceleration lane and forwarded this question on to the City Engineer for a further explanation.

Mr. Newton, City Engineer, agreed with Mr. Thornton. The traffic generated by the school would not warrant a deceleration lane due to peak hour volume not being high enough. It would be an expensive area to install a deceleration lane due to the need for a retaining wall and relocation of irrigation structures.

Commissioner Roberts asked Mr. Newton about the left turn conflicts on Patterson?

Mr. Newton explained there is a center turn lane on Patterson Road; however, for left turns out of the site there will be peak traffic times when it will be difficult or impossible to execute a left turn onto Patterson Road.

Mr. Newton commented the utilities and drainage requirements have been addressed. The parking area is already paved, and the drainage from that area will be directed to the curbing along the perimeter and parking lot and will drain into the driveway cut onto Patterson Road. A lot of the landscaping will collect much of the runoff.

Chairman Halsey asked Mr. Newton if the ingress/egress was

adequate for both facilities?

Mr. Newton explained Bethesda Care Center has an easement on the property in question for turnaround purposes. There is concern if the turn-a-round area is used for parking a bottleneck could occur and back up to Patterson Road. This could be remedied with correct signage so long as the school only uses it for dropping off children and doesn't park in that area.

Commissioner Elmer expressed his concern on this point, noting it is typical for parents to drop children off and talk to the teachers for 5-10 minutes; it could potentially be a problem during peak times.

Mr. Newton agreed with this potential problem and did not know if enough on-site parking was available to cover peak traffic problems.

Mr. Thornton explained the Code requires 1 1/2 times the number of employees for parking; which in this case creates nine spaces; they are in compliance with the nine spaces. Obviously the stacking problem could exist. If the turn-a-round were moved to the south that might help alleviate some of this problem.

Mr. Newton commented the revised plan updated 5-5-92 shows the turn-a-round ten feet further south which also provides more space in the parking area.

Commissioner Elmer asked how many cars would the turn-a-round hold?

Mr. Lizer explained from past history there would be no more than four or five cars dropping children off at any one time.

Mr. Newton stated he would like to see a sidewalk on the south side of the turn-a-round area. Also, another concern is the area between the parking lot and curb on Patterson Road which has a 4 foot elevation difference. The City is requiring a 6 foot wide sidewalk along the curb on F Road. Also, landscaping on that slope should be maintained adequately.

Commissioner Elmer asked Staff if the PR (Planned Residential) zoning, includes the entire lot?

Mr. Thornton explained the PR (Planned Residential) zone also encompasses Bethesda Car Center and a single family home. It is under one ownership, but it is actually two lots.

Commissioner Elmer asked if the zoning for the day care is a special use permit for planned residential?

Mr. Thornton explained the Planned Residential zone would be approved through a final plan process, which would be similar to the conditional use process.

Commissioner Elmer asked the Petitioner about special events which would require additional parking.

Mrs. Gibson explained they do not hold special events at the school; the two large events of the year are held off school premises. Also, the school has applied for a Colorado Department of Education Grant which would integrate low income children to the program.

Commissioner Elmer felt expansion at this site would not be possible. What are the future plans for expansion?

Mrs. Gibson explained they have plans to only go to 65 children. On the parking issue, the school opens at 6:30 a.m., the cars are staggered according to the parents schedules with only two cars at the most coming at any one time, most arrive by 8:30 a.m. and they begin leaving by 1:00 p.m. and the school closes at 6:00 p.m.

Commissioner Brown asked about the drop-off requirements for the toddlers?

Mrs. Gibson explained there is a separate entrance for toddlers.

Commissioner Brown asked the Petitioner what time the staff arrives?

Mrs. Gibson explained staff is also staggered arriving and leaving at different times during the day. During the peak time there will be four cars in the parking lot.

Commissioner Roberts indicated that he had concerns about the submittal of this proposal; there is no landscape plan, the basic site plan is no longer relevant and the drawings are useless. A complete submittal should be available and ready before the Commission is asked to approve it. Staff is asking the Commissioners to approve this latest submittal so they can approve the final plan. Also, as a Planning Commission potential growth is a concern. If this is approved for this use, there could potentially be an increase to 65 students with regular school hours and activities with 50 cars impacting the area twice a day. There is no concern with this particular use on this particular site; the problem is the potential future use if its not restricted to this particular use.

Commissioner Renberger agreed with Commissioner Roberts on the necessity of receiving a complete submittal prior to the scheduled

meeting.

Commissioner Volkmann questioned the comment by Commissioner Roberts about the drawings being useless?

Commissioner Roberts explained it is no longer a drive-through situation, it now is a single entrance/exit.

Mr. Thornton added that the submittal showing the turn-a-round being moved 10 feet was received by Staff at 5:00 p.m. May 5, 1992.

Chairman Halsey asked Mr. Shaver if the Commission has a option to table the item, or should it be either approved or denied at this point?

Mr. Shaver replied if the Commissioners deem the project to be incomplete as submitted, it is completely appropriate to require the Petitioners to submit what the Commissioners advise as appropriate. The Commission is the ultimate arbiter of what is appropriate and can decide to approve, approve with conditions, deny or continue.

Commissioner Elmer had concerns about the parking, and the peak traffic which realistically can occur in such a situation especially when the traffic impacts a busy street such as Patterson Road. The potential possibilities of other situations existing on this property in the future need to be considered now.

There seems to be enough room on site not to cram the parking which could cause potential problems. If this could be tabled until such time as a workable site plan is finalized then Commissioners could work with the Petitioner.

Chairman Halsey agreed with Commissioner Roberts and Commissioner Elmer on the problems with the submittal of this plan and also stated his concerns with any submittal not finalized prior to the scheduled meetings so that the Commissioners have time to review.

Commissioner Brown asked Mr. Shaver if a daycare for profit was considered a commercial use?

Mr. Shaver explained that uses are defined by the zoning matrix. The Zoning and Development Code specifically defines what uses are by type and the Planning Commission is bound by those definitions.

It is not per se commercial as it is not specifically included in the commercial phase of the Zoning and Development Code.

Mr. Thornton explained that it falls under daycare which is conditional use in a single family zone and a special use in a multi-family zone; therefore, if it is compatible under a special

permit in a single family zone with the hearing process, then with a revised final plan it can work within a Planned Residential eight units per acre zone. The impact on the neighborhood is negligible.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #18-92, A REQUEST FOR A REVISED FINAL PLAN FOR A DAY CARE CENTER AND A SCHOOL AT 2815 F ROAD, I MOVE THAT WE TABLE THIS ITEM UNTIL THE JUNE 2, 1992 PLANNING COMMISSION MEETING DUE TO SEVERAL UNRESOLVED ISSUES CONCERNING STACKING AND PARKING AND A REVIEW OF A LANDSCAPE PLAN."

The motion was seconded by Commissioner Renberger.

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

3. **#19-92 CONSIDERATION OF CONDITIONAL USE PERMIT - SILVER HOUSE RESTAURANT LIQUOR LICENSE**
A request for a Conditional Use Permit for a liquor license for the Silver House Restaurant to serve wine and beer with dinners at 2886 North Avenue.
PETITIONER: Minh Voong
REPRESENTATIVE: John Williams
LOCATION: 2886 North Avenue

PETITIONER'S PRESENTATION

Mr. John Williams, Attorney for the Petitioner, was present to explain the request for the Conditional Use Permit. The application for the beer and wine license has been applied for through the City Clerks office; hearings are set with the liquor officer on May 20, 1992. The building at 2886 North Avenue has been a restaurant for some time. The zoning is C-1 (light commercial), and the Petitioner has been operating it as a restaurant since December 1, 1991. The request for the beer and wine license is to compliment the meals. The Petitioner does not intend to have a bar on the premises, and it should not cause any greater or lesser congestion than what there is presently.

Mr. Williams addressed the Review Agency Summary Sheets which indicate no problems what-so-ever. There was a comment from the Utilities department regarding the need to submit an industrial pre-treatment permit application. The application is in process with Emily Whitum at the Persigo Waste Water Plant; however, Ms. Whitum is out of town this week; therefore, it cannot be finalized, but all requirements will be met by the Petitioner.

Regarding the Parks and Recreation comment on an appraisal, Mr. Metzner has confirmed that the open space fees are not applicable

to this Conditional Use Permit.

The landscape plan was submitted as part of the building permit in December 1991. This plan is lacking in trees, shrubs, and a sprinkling system. There is no problem with this landscaping plan. The Petitioner requests this be phased in throughout the summer as it was somewhat of a surprise and a financial burden.

STAFF PRESENTATION

Mr. Metzner of the City Community Development Department was present to explain the request for a Conditional Use Permit for the Silver House Restaurant liquor license. The items shown on the map are all existing at this time; the building, paved parking, curb cuts and concrete patio. The use as a restaurant is an allowed and continuing use. The only reason they are presenting this to the Commissioners tonight is for the conditional use for the liquor license. This is the reason the open space fee is not applicable; it is not a change of use.

The pretreatment permit should be a factor for the restaurant not the liquor license. It could be that the restaurant was in existence before that type of permit was required or the permit was actually issued; staff is researching this issue.

Mr. Williams added that the he understood there would not be a permit issued. Persigo Waste Water Plant wants an application on file for their records.

Mr. Metzner continued explaining the landscaping requirements which are one tree for every 500 feet of landscaping and 40 percent of the area being shrub beds. The total square footage as proposed meets the standard for landscaping.

PUBLIC COMMENT

Mr. Don Newton, City Engineer, brought to the attention of the Commissioner's the lack of sidewalk in front of this property on their North Avenue frontage. For this type of use it would be appropriate to have a sidewalk installed.

QUESTIONS

Commissioner Volkmann asked Mr. Newton if there were sidewalks on either side of this property at this time, or would there be an island of sidewalk on North Avenue?

Mr. Newton replied there is sidewalk on Melody Lane fronting the property, there is sidewalk on the other side of North Avenue, and on to the west down North Avenue there is sidewalk, it is intermittent on North Avenue.

Chairman Halsey asked Mr. Newton if the City is trying to get sidewalk all along North Avenue?

Mr. Newton replied affirmatively. Whenever a new development, or use change occurs, the City tries to enforce the installation of sidewalks on all City streets.

Commissioner Volkmann asked how much sidewalk was involved?

Mr. Newton replied it would be approximately 95 feet of sidewalk 6 foot wide.

Mr. Volkmann asked the City Engineer what kind of time line would be involved for getting the sidewalk installed? Is this a condition to an approval of the liquor license or can the Planning Commission give them some kind of time frame considering the fact that it has been operating as a restaurant for a considerable length of time without such a sidewalk?

Mr. Newton stated if it were a new development it would be required in the process of developing the site. In this case it would be up to the Commissioners.

Commissioner Elmer commented on the hardship being imposed on a Petitioner who comes in for a liquor license and has to remedy the site problems. It is the intent of Code, but it also is a hardship. If this was a condition of approval, does the Petitioner have any time line he would like to request?

Mr. Williams stressed the expense involved in putting in 95 foot sidewalk, especially someone just starting out in business. The fees are almost \$2,000.00, this doesn't include landscaping costs. If the sidewalk is required, the Petitioner would like a long time to finish it.

Mr. Williams also mentioned the ditch in front of the property which the Petitioner covered with concrete; consequently, there were law suit threats from the owner of the ditch and the concrete had to be removed. The site plan as drawn seems to show enough room between the street and the ditch for sidewalk; however, he did not feel this to be true.

Mr. Williams also had a problem with the subject of the sidewalk not being addressed earlier in the review comments. The meeting tonight is the first the Petitioner had heard of this. He requested that it not be a requirement in order to obtain a liquor license, the use of the property is not changing.

Commissioner Volkmann asked Mr. Shaver how long the Commissioners could leave this open; until such time as there is a sidewalk to

connect to?

Mr. Shaver explained it could be required by the Commission.

Commissioner Volkmann asked Mr. Shaver if making reference that the sidewalk be put in someday would be adequate?

Mr. Shaver suggested a general type contingency stating it is the Commissioners decision to approve this application subject to certain requirements including the installation of the sidewalk, if it is physically appropriate to the site and subject to the City Engineers approval.

Mr. Shaver explained to the Petitioner specific issues in the Code Sec. 4 through 8, subparagraph G, the Criteria for an Evaluation, Special and Conditional Uses. The Petitioner shall conform to adopted plans, policies, and requirements for parking and loading, signs, and all other applicable regulations in this Code. Mr. Newton did mention it was inadvertent that the comment on the sidewalk was not included in the review comments. The Commission's approval, even if it has certain contingencies, is sufficient for the purposes of granting a liquor license.

Commissioner Roberts felt the landscape plan was not to Code showing plant materials.

Commissioner Elmer agreed; however, it is a hardship to the Petitioner to come in for a liquor license and end up having to landscape and build sidewalks.

Commissioner Brown commented that with 44 parking spaces there should be more than one handicap space. If the use is going to change, they need to comply with the ADA.

Commissioner Elmer explained they are not changing the use, only if they remodel would they be required to comply with the ADA.

MOTION: COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM # 19-92 A REQUEST FOR A CONDITIONAL USE PERMIT FOR A LIQUOR LICENSE FOR THE SILVER HOUSE RESTAURANT LOCATED AT 2886 NORTH AVENUE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS IN PARTICULAR MR. NEWTON'S COMMENT RELATIVE TO THE INSTALLATION OF A SIDEWALK IN FRONT ONLY AT SUCH TIME AS THAT SIDEWALK HOOKS UP TO OTHER SIDEWALKS ON NORTH AVENUE, THE TIMING OF THAT SIDEWALK WOULD BE LEFT UP TO THE CITY ENGINEER WITH THE REQUEST HE REVIEW THE EXPENSE OF SUCH AN EVENT IN LIGHT OF THE APPLICATION MADE TONIGHT."

The motion was seconded by Commissioner Roberts.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, I WOULD LIKE TO AMEND THE MOTION TO INCLUDE A LANDSCAPE PLAN WITHIN A YEAR."

Commissioner Volkmann asked if the landscape plan could be approved by Staff and would not have to be approved by the Commission?

Chairman Halsey replied affirmatively; staff would approve the plan.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I WOULD LIKE TO AMEND THE MOTION TO REMOVE THE BURDEN OF MAKING AN ECONOMIC EVALUATION NOT BE GIVEN TO MR. NEWTON; RATHER THE PETITIONER BE REQUIRED TO INSTALL THE SIDEWALK IN A TWO YEAR PERIOD IF IT IS PHYSICALLY POSSIBLE."

Mr. Metzner questioned the conflicts between the different motions, one stating if the sidewalk hooks, the other stating the sidewalk will be required in two years.

Commissioner Volkmann repeated the meaning of his motion stating he meant hooking up on the west side where there is no sidewalk and suggested that his motion could be dropped.

Chairman Halsey formally dropped the first motion.

MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 19-92 A REQUEST FOR A CONDITIONAL USE PERMIT FOR A LIQUOR LICENSE FOR THE SILVER HOUSE RESTAURANT LOCATED AT 2886 NORTH AVENUE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS AS WELL AS THE ADDITION OF THE SIDEWALK TO BE CONSTRUCTED WITHIN A THREE YEAR TIME PERIOD AND A SUBMITTAL OF A LANDSCAPE PLAN TO BE SUBMITTED IN YEAR."

The motion was seconded by Commissioner Elmer.

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

4. #20-92 CONSIDERATION OF CONDITIONAL USE PERMIT
MINIATURE GOLF COURSE AND ICE CREAM STAND
PETITIONER: Bruce Currier, c/o Western States

Motels

REPRESENTATIVE: Kurt A. Steidley
LOCATION: 750 1/2 Horizon Drive

PETITIONERS PRESENTATION

Mr. Kurt Steidley explained the request for the Conditional Use

Permit for a miniature golf course and ice cream stand on 750 1/2 Horizon Drive. The tract of land is 6.61 acres of land owned by Bruce Currier. Most improvements are easily installed and modular structures will be affixed to permanent foundations. The approach is to use an educational recreational approach based on the dinosaur theme. The zoning is Highway Oriented (HO). This use does comply with the existing zoning providing a Conditional Use is granted.

The miniature golf course and ice cream stand will be located next to the Wendy's Restaurant which does 70 percent of its business mid day. This establishment will cater to the evening customers predominately from the motel and restaurants along Horizon Drive open only in the summer months (180 days) from 11:00 a.m. to 10:00 p.m., with 80 percent of the business in the evening. The Petitioner feels there is adequate parking and walkways and no hazards or unnecessary traffic flow will occur due to the different peak hours for each business.

The access is provided through a main road which is gravel on the southeast side of Wendy's Restaurant which will be paved; existing sidewalks will remain on both sides of the proposed roadway, a sidewalk will be connected to Horizon Drive which will go back to the miniature golf course. The Petitioner felt they had addressed the pedestrian concerns and the roadway has been incorporated as a one way road servicing Wendy's, the parking for the miniature golf & ice cream stand and continuing on back to Horizon Drive. A traffic impact study found there was no negative reduction of traffic on this proposed development; it would not require additional concerns with ingress/egress on this particular site.

The drainage plan has been designed by Western Engineers. This study incorporated all of the drainage from the original Wendy's Restaurant along with the drainage for the miniature golf course all concerns have now been addressed. Landscaping and parking concerns have been met. There are two handicap parking spaces and 30 standard spaces provided.

The signage does not have frontage. The Petitioner has incorporated what was allowed for frontage by Wendy's Restaurant which was one free standing sign. He stated that they were not asking for any additional signage since there was adequate footage available. Proposed signs include two on building signs of 25 square feet; the Petitioner is not requesting any deviation from that. The actual footage is 315 square feet with a total use of 212 square feet.

Because of the minimal use, only one restroom for the employees has been installed. Two restrooms have been installed on the golf course and because of the seasonal aspect of the business the existing utilities, both water and sewer, will be utilized. This

has been reviewed and does meet the necessary criteria for this development. He stated that the Petitioner has responded to the Review Agency Comments and is in compliance.

STAFF PRESENTATION

Mr. Metzner of the City Community Development Department gave staff presentation. The Wendy's site has landscaping which was approved with that Conditional Use Permit; the landscaping for this proposal is actually in the golf course itself which includes trees, evergreens and flower beds. The drainage issues on transition details have been given to the City Engineer. The traffic impact statement did show negligible impact on Horizon Drive because its an off peak hour business.

PUBLIC COMMENT

There was no public comment either for or against this item.

QUESTIONS

Commissioner Elmer asked why there was a need for a dual access to Wendy's? Without this access there could be more picnic areas and landscaping which would make it more inviting to customers.

Mr. Steidley explained the property toward Howard Johnson's is currently undeveloped and if it were muddy there would be problems. This proposal gives them a direct one way route to encourage traffic flowing. The landscaping around the golf building has been increased to make it more appealing and attractive.

Commissioner Brown felt Horizon Drive is unsafe at this time until the State puts in signaling at the intersection and upgrades that intersection.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 20-92, A REQUEST FOR A CONDITIONAL USE PERMIT TO BUILD A MINIATURE GOLF COURSE AND ICE CREAM STAND IN A HIGHWAY ORIENTED ZONE AT A SITE IN THE BACK PORTION OF THE PARCEL BEHIND WENDY'S RESTAURANT AT 750 1/2 HORIZON DRIVE, I MOVE THAT WE APPROVE THIS SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS DATED APRIL 15, 1992."

The motion was seconded by Commissioner Elmer.

A vote was called, and the motion passed by a vote of 5-1 with Commissioner Brown opposing.

V. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

1. #6-92 TEXT AMENDMENTS

A. 7-5-7 ENFORCEMENT OF DEVELOPMENT SCHEDULES

A request to amend Section 7-5-7 of the Grand Junction Zoning and Development Code. (Copies available at the Grand Junction Community Development Department, 250 N. Fifth)

**PETITIONER: City of Grand Junction
Consideration of Text Amendment**

Mr. Boeschstein of the City Community Development Department explained the text amendment proposal upgraded this section of the Code by changing some of the language. The language according to the City Attorney is quite loose and does not allow planned zones to be automatically reverted.

If the project is not going ahead, it can be reverted and future development will have to come back through the planning process. This was the intent of the old regulation but its language was unclear.

Mr. Shaver added this is necessary to avoid having a developer come back into an area that had passed Code during the boom days and trying to develop the project when it is no longer appropriate. The upgrade of this amendment is to expect the development community to act promptly in following through with their development.

Commissioner Roberts had concerns that if this was only in planned developments it will promote the use of straight zoning. If it's a straight zone, there is no plan. It doesn't go through a reversion process if nothing is developed. If the use of planned zones is being promoted, it appears to be a loss.

Mr. Boeschstein explained when they have a new plan it first comes to the Planning Commission, and recommendations can be made regarding the planned zone at that time. Zone changes have to go to both the Planning Commission and City Council, Staff cannot do that. Some of the zones from the early 1980's are not appropriate today.

Commissioner Roberts felt the developer has the possibility of loosing the zoning; whereas, if its straight zoning there is no opening in the code to allow us to revert the straight zoning back to AFT.

Mr. Boeschstein commented that the Planned Zone is a unique hybrid under the statute, being a combination of zoning and subdivision all together. A straight zone does not allow a person to subdivide; it only allows certain land uses. The planned zones set out the land uses, roads and the subdivision and it can be all done in one development. Many options will be open each time.

Mr. Shaver explained the theory behind this amendment is that the development community can realize the advantages of being in a planned zone and will not want their plans to be reverted.

Commissioner Volkmann asked Commissioner Roberts if the problem was that it fails to adequately address this problem relative to planned zones it just doesn't address straight zones at all and it should, is that the question?

Commissioner Roberts explained if a property were to be down-zoned, it could entitle the developer to be compensated. According to this amendment, if the developer chooses to use a planned zone and the zone is reverted because the development takes a year longer than anticipated it could potentially increase the development costs.

Mr. Boeschstein further explained if the project does not commence within the approved time the administrator shall schedule the planned development item to the Planning Commission to consider if approval should be revoked or if not revoked what conditions or changes should apply to any additional extension. The Planning Commission may after hearing, either revoke the plan and recommend revocation of the zones to City Council, extend the project schedule, extend the project and/or the schedule with conditions or changes. This gives wide latitude, the planned zone will be a choice on each project.

Commissioner Roberts stated if the Planning Commission can revoke a plan, this amendment doesn't say what the developer has a right to do; i.e. from the developers standpoint it is not consistent.

Mr. Boeschstein said the basic question is should there be any kind of timing on planned zones?

Commissioner Roberts felt there was a problem of eliminating the zoning along with the plan. Real estate people feel planned zones have too much control by Commissioners and City Council.

Mr. Boeschstein agreed with this point and suggested the language could be changed to say things such as "in no case shall the zone be changed". Mr. Boeschstein further explained additions to the amendment by quoting the changes. "If a Planned Development has not been completed in accordance with an approved development schedule, the Administrator shall schedule the project before the Planning Commission at which time a revocation of all prior approvals shall be considered. Upon Planning Commission determination that a lapse has occurred, the Administrator shall record an appropriate legal notice. The Administrator may, if he/she deems it appropriate, initiate, without owner consent, a zoning change to the previous or another appropriate zone.

Criteria for appropriate zones shall be the adopted master plan for the area, corridor guidelines, and other adopted land use policies of the City."

This is a case where the developer and the landowner cannot be contacted for a year or two, the development schedule is way overdue, and the costs don't make sense anymore. In an instance such as this, staff would come to the Planning Commission and explain the owners and developers are not available and would suggest the approval be revoked and a decision by the Commission for an appropriate zone be initiated. An example is The Falls project which originated in 1982 on 28 1/2 Road where there are no improvements agreements and they are building new houses on a dirt road. The City has no recourse because there are no rules for reviews for lapsed plans. The purpose of this amendment is not to take away planned zones, and if the Commission requires the language can be changed to reflect this. The Community Development Department has been advised by the City Attorney that there is presently no enforcement under 7-5-7 Section.

Mr. Shaver commented further on the propriety of a planned zone without a plan. The question Staff has discussed is if there is not a viable plan then is the planned zone used appropriately? The general consensus is that a planned zone without a plan is probably not appropriate.

Mr. Thornton commented that for instance a PR-20 (Planned Residential Zone) in which the plan has lapsed, a single family home could not be built without a revised plan. In the case of the Wood Smoke development, in order to put a house on a property even though it was zoned PR-19.4 previously, a reversion had to occur to build a single family home. This amendment allows the property owner to come in and have his old property reviewed and the Planning Commission can make some decisions on the zoning.

Commissioner Roberts felt the wording of section 7-5-7 does not necessarily mean only the landowner can initiate a change. The Development Department can also revert a zone.

Mr. Boeschstein explained that it will be initiated by the Development Department only if it has lapsed for more than a year and an extension can be requested.

Chairman Halsey felt the changes in section 7-5-7 are very necessary to be included this year as there are some pertinent projects which need to be looked into.

Commissioner Renberger felt the community should be able to dictate the appropriate land use.

Mr. Shaver explained the Commissioners will review the project and

make appropriate land use decisions and recommendations. The only distinction is the fact that this is initiated by Community Development Department because the developer has not been diligent in pursuing his project, and that is a key distinction. The projects the Commissioners will see are those in which nothing is occurring and a decision needs to be made as to whether or not changes should be made.

Commissioner Brown asked since there is provision for the extension, should it have the maximum length of term?

Mr. Shaver replied that could be a discretionary issue with the Director and Staff of the Community Development Department. Staff will be monitoring the progress of the developments. Staff will not be reverting developments on the 366th day; it's just a mechanism to control those developments which are not diligent and are appropriately to be considered.

Commissioner Elmer asked about the portion of the section mentioning the approved development schedule; does this mean it has to be finishing or can the developer be working on it?

Mr. Boeschstein explained extensions can be requested each year; generally improvements agreements are for one year. The problem with long improvements agreements (2-3 years) are the inflationary factors. The banks aren't financing projects for more than a year most of the time.

Commissioner Roberts commented that Wilson Ranch expected to build a dozen houses last year and ended up doing half their projections. The five percent margins and financial problems a developer has are not minor. Just to get through this process it takes about nine months and the finances change drastically. The stipulation of one year is a problem for the developer considering the process they have to go through to just get started.

Mr. Boeschstein asked what kind of time frame would be acceptable to the Commissioner? The longer you give them the more their improvements agreements and guarantees go up.

Commissioner Roberts did not have a problem with the time line; it is the prospect of losing the zoning. The potential that this could occur could make a developer or a banker question starting a project in this City.

Mr. Boeschstein explained hypothetically a plan for 58 units per acre which has been on the books for 10 years and the developer has left town, and it is owned by a holding company, the Planning Commission can decide that it makes more sense to develop to eight units per acre. Without the change to this section there would be no way the Planning Commission could ever revert it to the eight

units per acre.

Commissioner Roberts explained all of downtown is zoned 64 units per acre. Without taking it to the property owners, it's going to remain 64 units per acre forever.

Mr. Boeschstein commented that is another issue and is a good issue.

Commissioner Roberts felt this was the same issue. If a developer wants to come in and build 64 unit per acre they wouldn't change it to planned zone; they would go with straight zone and do within the stipulation what they please. It's a way to be sure everyone has to go straight zone.

Mr. Boeschstein felt if this type of amendment existed in the 1980's there would not have been the over speculation all over the country which resulted in the Savings & Loan crisis. Without over speculation there would not be a Valley Federal failure, this is the kind of thing that puts a cap on the developers who are not progressing and continue to stay realistic.

Commissioner Volkmann asked if there were any concerns that this amendment would apply to existing planned developments?

Mr. Shaver replied that perspective of application has not been decided. It would be prospective not retroactive; there could be significant problems if staff initiated reversions of development all outstanding schedules. If the amendment is included in the Code, staff could prevent it from occurring in the future and possibly get developers back into the process.

Commissioner Elmer felt changing from two years to one year was a severe change, two years would give them more latitude. Also, he suggested a more definite criteria.

Mr. Shaver explained that this would be nice, but there would be volumes of requirements to look at if the criteria were quantified. Too many things could be factored into it and it could become a very unwieldy process to review any of them. He stated that he felt confident with what has been proposed as being appropriate. It is not an isolated item; the full intent of the code also applies.

Commissioner Volkmann asked for clarification; in the event the developer has not commenced the project, the Planning Commission decides whether or not to revoke the plan. But in the event the developer has commenced the project but has not completed the project in accordance with the schedule then the administrator decides whether the zoning will remain intact. Is this statement correct?

Mr. Shaver replied that is the intent; some situations exist where improvements agreements have lapsed or other evidence that the development is not progressing.

Commissioner Volkmann asked Mr. Shaver about the reference to the "administrator scheduling the project before this Commission at which time all revocation of prior approval shall be considered. Upon Planning Commission determination that a lapse has occurred the administrator shall record an appropriate legal notice". Is the revocation of all prior approvals implicit in that determination that a lapse has occurred? Is that automatic under the terms of those agreements?

Mr. Shaver felt it was the intent of the Section to get those findings made and an opportunity to have the matter heard by the Commission. The zone changes would be a special area of concern.

PUBLIC COMMENT

There was no public comment for this item either for or against the amendment.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #6-92, A REQUEST TO AMEND SECTION 7-5-7 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, ENFORCEMENT OF DEVELOPMENT SCHEDULES, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS, AND WE CHANGE THIS COMMENCE DEVELOPMENT FROM ONE YEAR TO THREE YEARS."

The motion was seconded by Commissioner Renberger.

A vote was called, and the motion passed by a vote of 5-1 with Commissioner Roberts objecting.

B. 4-3-4 AMEND HO (HIGHWAY ORIENTED) ZONE

**A request to amend Section 4-3-4 Use Zone Matrix of the Grand Junction Zoning and Development Code. (Copies available at the Grand Junction Community Development Department, 250 N. Fifth)
PETITIONER: City of Grand Junction
Consideration of Text Amendment**

Mr. Boeschstein of the City Community Development Department explained the change of the Highway Oriented (HO) zone. This zone does not allow any uses, yet it is a mapped zone in some of the more prominent areas such as Horizon Drive, Mesa Mall and U.S. Highway 50. The purpose of this text amendment is to allow

appropriate uses as allowed uses and still keep other uses as conditional uses and special uses and make it a more functional zone. Staff is proposing a list of allowed uses that are consistent with the business and commercial zones currently in the City. One question that comes up is "how many uses will be made nonconforming as a result of the zone change"? Actually there will be no uses made nonconforming, but there will be a lot of uses made conforming.

Mr. Thornton further explained the bulk requirements in the HO zone are not part of this proposed text amendment; it is strictly to change some of the uses within the HO zone. The HO was compared with a Light Commercial Zone (C-1) and it was determined which uses in a C-1 would also appropriately be allowed in a HO zone. The actual uses in the HO zone; hotel, restaurant, retail, office are also allowed uses in a commercial zone. Currently if uses change they have to go through the conditional use process and it tends to discourage development or changes in the HO zone. This amendment should encourage good planning and remove the heavy development fees.

QUESTIONS

Commissioner Elmer had concerns that on Horizon Drive this wouldn't apply, but it seemed to apply to Highway 50.

Commissioner Roberts had concerns about the residential areas on Highway 50.

Mr. Thornton stated there are concerns on Highway 50 with residential actually zoned HO at this time. The residential owners have trouble refinancing their homes because they are nonconforming. If a residence in this area burned or was destroyed by more than 50 percent, they would not be able to rebuild.

Commissioner Roberts asked why these residents don't request a zoning change?

Mr. Thornton explained the zoning was placed on the property without the residents understanding what it was all about and most have been in the area several years. However, any new housing proposed would have to meet the bulk requirements. This amendment would protect the older homes.

Commissioner Roberts asked why funeral homes and cemeteries are now an allowed use in previously residential areas. The HO zone is so wide, it seems counterproductive.

Chairman Halsey felt there is almost a need for a HO-1 and an HO-2 because of the different character to existing areas zoned HO.

Mr. Boeschstein explained the statement of purpose of the HO zone, which still applies. This zone is intended to provide for areas of business and commercial development along arterials in a City urban area as defined by the Metropolitan Planning Organization. The HO zone will normally not be located more than 500 feet from a major road or highway.

Commissioner Roberts felt the amendment has only business and commercial interests, there is no mention of the existing residential.

Mr. Boeschstein commented there are no junk yards, or manufacturing allowed, the uses are light (professional offices, motels, gas stations) and some uses are clearly not allowed.

Commissioner Roberts asked about adequate buffering? No one is required to put buffering in, its all the same zone. If its zoned residential then adequate buffering between areas will be required.

Mr. Thornton felt the intent of the HO zone was to create good buffering between establishments, that's why there are larger setbacks on the side and rear. The City would encourage good buffering even if its between a restaurant and an office building. The idea is to beautify the entrances of the City.

Mr. Boeschstein explained eventually a situation such as on North Avenue where motels have turned into residential residences could happen on Horizon Drive.

Commissioner Elmer felt the zoning should be changed not allowing any mixture.

Mr. Thornton commented that the apartment complex on Crossroads Boulevard is HO zoned, which is the wrong zoning now, but at one time HO allowed multi-family with the conditional use. Also, storage units currently are not allowed in the HO zone, but were back in 1981 and some developments have approval for storage units and currently they cannot expand those units. The residential areas in these HO zones will probably not remain residential forever; it's gradually becoming commercial.

Commissioner Elmer felt Staff is being nice but also perpetuating the problem by being so lenient.

Commissioner Renberger objected stating the older residents should not have to go to the expense and legal action necessary to keep a 50 year old existing home.

Mr. Thornton explained the conditional use would discourage building new residential developments.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #6-92, A REQUEST TO AMEND SECTION 4-3-4 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, USE/ZONE MATRIX, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS WITH THE FOLLOWING CHANGES THAT CEMETERIES AND CREMATORIES BE CHANGED FROM ALLOWED TO CONDITIONAL AND GROUP RESIDENCES, MULTIFAMILY RESIDENTIAL AND SINGLE FAMILY RESIDENTIAL NOT BE ALLOWED."

The motion was seconded by Commissioner Roberts.

A vote was called, and the motion failed by a vote of 3-3, with Commissioner Renberger, Commissioner Volkmann, Chairman Halsey opposing.

DISCUSSION

Chairman Halsey objected to the removal of the residential allowed uses.

Commissioner Volkmann had the same concerns.

MOTION: (COMMISSIONER RENBERGER) "MR. CHAIRMAN, ON ITEM #6-92, A REQUEST TO AMEND SECTION 4-3-4 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, USE/ZONE MATRIX, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Roberts.

A vote was called, and the motion failed by a vote of 3-3, with Commissioner Elmer, Commissioner Roberts, Commissioner Brown opposing.

Commissioner Elmer felt restrictions in some instances should be imposed, and allowing the Commissioners to review some items such as cemeteries. If this is allowed all that is required is to meet the bulk requirements; changing from allowed to conditional would at least bring these items to the hearing process.

MOTION: (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #6-92, A REQUEST TO AMEND SECTION 4-3-4 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, USE/ZONE MATRIX, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE

RECOMMENDATION OF APPROVAL SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS WITH THE FOLLOWING CHANGES THAT CEMETERIES, FUNERAL HOMES, MORTUARIES AND CREMATORIES BE DESIGNATED ON THE MATRIX AS CONDITIONAL USES NOT ALLOWED USES."

The motion was seconded by Commissioner Renberger.

A vote was called, and the motion passed by a vote of 4-2, with Commissioner Elmer and Commissioner Roberts opposing.

3. # 17-92 R.O.W VACATION - PORTION OF SOUTH AVENUE
A request to vacate seven feet of the South Avenue Right-of-Way on Lots 7-16, Block 157, City of Grand Junction, for the purpose of granting several buildings that have encroached on this right-of-way since they were build in 1952, the legal right to exist as they are.
PETITIONER: George Taber, Thad Harris and
Deanna Harris
REPRESENTATIVE: Dick Scariano
LOCATION: 939 & 949 South Avenue

PETITIONERS PRESENTATION

Mr. Dick Scariano represented the Petitioners to request the vacation of seven feet of right-of-way. The buildings were built in 1952. There is an existing encroachment on the east building of 6 foot 3 inches already into the ROW and 5.95 feet into the ROW of South Avenue. A comment that was made was to vacate only the portion of the right-of-way for only the part of the building which exists in the right-of-way. This would create a series of jogs along South Avenue. At the east end of the property South Avenue actually ends at the 10th Street intersection, so there is very little traffic in the area. This appears to be a very old survey error.

STAFF PRESENTATION

Mr. Thornton of the City Community Development Department explained the request for the right-of-way vacation. The zoning is I-1 and the surrounding land uses in the area are businesses such as Grand Valley Water Users Association, Rembrandt Painting, Aspen Leaf Building Supply, DSI Diesel Services, Tabor Auto Body, and a mobile home repair shop. The street is existing, the encroachment on the right-of-way is not obvious; it is strictly a surveyor error when the buildings were built.

All the Review Agency Summary Sheet Comments have been properly addressed, it has been determined that an additional seven feet of easement for utilities will not need to be maintained. The right-

of-way is 60 feet now; 52 feet is all that is required for that section of roadway. Therefore 53 feet would still remain and the streets end at 10th Street and it is not anticipated the street will be widened. Engineering had no objections to the right-of-way vacation and staff recommends forwarding it on to City Council with recommendation of approval. This does meet the criteria in Section 8-3 of the Zoning and Development Code.

PUBLIC COMMENT

There was no comment either for or against this vacation.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #17-92, A REQUEST TO VACATE SEVEN FEET OF THE SOUTH AVENUE RIGHT-OF-WAY ON LOTS 7-16, BLOCK 157, CITY OF GRAND JUNCTION, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL."

The motion was seconded by Commissioner Volkmann.

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

VI. GENERAL DISCUSSION UPDATES - MASTER PLANS

A. South Downtown Riverfront Master Plan

Mr. Thornton updated the Commissioner on the two meetings held to discuss the South Downtown Riverfront plan. The meetings were well attended and there was good public input. Commissioner Anderson attended both meetings to represent the Commission. At the Riverside meeting the Riverside and El Poso areas were addressed. The South Downtown meeting was less formal with booths set up, one showing the new proposed State park at the mill tailings site. The Botanical Society showed what they would like to see on the riverfront and the 7th street reconstruction plans were shown. Generally the citizens were happy with the process and the fact that the City was interested in the area.

The residents in the area don't want to be phased out just because the zoning is I-2, because property values encourage large

industrial buildings in the area. They also worry about the taxes going up as the value increases and development occurs.

Mr. Boeschstein explained there will be more neighborhood meetings and alternatives will be developed and reviewed, finally a preferred alternative will be advanced which will become the South Downtown Plan.

B. Master Plan of Parks, Recreation & Open Space

Mr. Boeschstein showed the dispersal of parks and the need for more regional parks for the 93,000 people in the valley. The Needs Analysis by the type of park is currently being done. There will be a community wide survey/questionnaire in the newspaper. Then alternatives will be run through the public hearing process.

Commissioner Elmer felt the schools should be included in the existing parks and not be omitted in the study. Also, the School District board had agreed to building parks on their property. Perhaps they would still be in agreement to use part of the land adjoining the Redlands Middle School for park facilities.

Mr. Boeschstein added the new middle school will have gyms which only open to the outside and be used for some public use. The School District does own a lot of vacant land in the county that is usable, they are also involved in the Parks Master Plan.

C. Northwest Plan and Zones of Annexation

Mr. Boeschstein updated the Commissioners with the latest drawings and maps for the Northwest Plan showing landscaping down 24 Road to the Mall with possible trail systems. The layout is traditional.

D. Grand Mesa Slopes - Cooperative Management Plan

Mr. Boeschstein asked the Commissioners if they would like to take action on the Grand Mesa Slopes Cooperative Management Plan this evening?

Commissioner Elmer asked why the mineral exploration and development in that area, would this be continued?

Mr. Boeschstein felt this part of the plan stemmed from the joint cooperation of the various agencies; the actual future uses have not been decided yet. There could be a no-commodity alternative in the future.

Commissioner Elmer felt if the Commission signed this they were agreeing to the future use of mining in the area.

Mr. Boeschstein explained it can be approved or disapproved in the future with amendments.

Commissioner Elmer also asked about the municipal and public land ownership being maintained.

Mr. Boeschstein agreed the City can sell land at any time, and the City Council has put some pressure on the Public Works Department to sell off the Summerville Ranch. Public Works feels if the property is sold, and ranchettes are allowed the water rights will be destroyed, which is why it was purchased in the first place; the selling and maintaining must be worked in tandem to maintain the purpose. Selling with a conservation easement, or for 35 acre lots would keep the purpose intact.

Mr. Boeschstein commented that the Grand Mesa Slopes study was presented in Denver this week to Ian McCarg, a world renowned landscape architect for critique.

Mr. Shaver explained the Grand Mesa Slopes project was being reviewed and designed by the University of Colorado School of Design Architecture and they presented their findings and recommendations to Mr. McCarg.

Chairman Halsey felt the Commission should sign the Grand Mesa Slopes Cooperative Management Plan and put their input into the plan.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I MOVE THE PLANNING COMMISSION AUTHORIZE THE PLANNING COMMISSION CHAIRMAN TO SIGN THE GRAND MESA SLOPES SPECIAL MANAGEMENT AREA MEMORANDUM OF UNDERSTANDING DATED MARCH 4, 1992."

The motion was seconded by Commissioner Renberger.

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

2. UPDATED - OTHER PROJECTS

A. Major Road Needs Study and the Transportation & Development Plan

Mr. Thornton stated there have been no updates on the Road Needs Study. The Road Needs Study and the Transportation Development Plan (TDP) are in progress. The consultants for the TDP are looking at the survey which was conducted by them to help determine the transit demand of the area.

B. Street Design Criteria and New Road Standards

Mr. Boeschstein stated there have been no updates on the street design and new road standards studies, they are being developed by

Public Works and Engineering and will be presented formally at a joint meeting with the County Planning Commission possibly in June.

C. Landscaping Suggestions for New Road Standards

Mr. Boeschstein explained landscaping for the new road standards are currently being worked up, and review comments are being returned.

D. Zones of Annexation

Mr. Metzner was present to explain that straight zones are being looked at based on Council recommendation. There were commitments made at the time of annexation that zoning would be equivalent to the county zones, and equivalent uses. It will be I-1 at Persigo Waste Water Plant, an RV Park will be C-2 to make it conforming. Also, Grand Junction West Annex will be I-1 except for Western Slope Auto and West Gate Inn which will be C-2. The transition from the I zoning to the C zoning goes along with the Northwest Plan concept. PZ for the Persigo Plant, Blue Heron; PI for Mays Concrete.

Other zones of annexation coming up will be the Alpine Meadows which was PR in the county and will go PR in the City. Wilson Ranch was PR in the county and will go PR in the City. The exception is the LDS Church which will go to RSFR in the City.

GENERAL DISCUSSION

Commissioner Volkmann asked if there had been a response to the letter written to Ben Nighthorse Campbell?

Mr. Boeschstein explained there was a response; the railroad station is in jeopardy if Amtrak moves out. They are supposed to have old railroad stations maintained, and staff will let the Commissioners know what is occurring with this. Currently it is a national issue. If Campbell can put pressure on Amtrak maybe it won't be torn down. There are no proposed uses at the moment, but the community is interested for restaurants and art galleries.

Commissioner Roberts asked about the available parking for the old railroad station.

Mr. Boeschstein explained there is parking by Puffer Belly Restaurant and the lot to the south.

Commissioner Volkmann suggested different procedure when Petitioners are not prepared rather than wasting the Commissioners

time.

Mr. Thornton agreed and felt Staff can help by tabling items prior to the hearing process when they have not completed review summaries in a timely fashion; perhaps a six week cycle would be more appropriate and would allow the Commissioners and Staff more than 48 hours to study the information.

Commissioner Elmer suggested a specific deadline rather than one hour prior to the hearings should be enforced.

Mr. Thornton agreed stating perhaps two weeks, giving Staff a week to review the problems and the Commissioners a week to review prior to hearing.

Commissioner Volkmann felt the Montessori School submittal should have been tabled sooner. A procedure for getting to the point quicker would be more professional and save time for everyone.

Chairman Halsey asked Mr. Shaver about the new sunshine laws; are the Commissioners excluded from having a 15 minute meeting prior to the scheduled hearings?

Mr. Shaver replied it has been done in the past, so long as there are no final decisions made, it is certainly acceptable.

VIII. NONSCHEDULED CITIZENS AND/OR VISITORS

There were no nonscheduled citizens and/or visitors.

The meeting was adjourned at 11:10 p.m.