

GRAND JUNCTION PLANNING COMMISSION
Public Hearing June 2, 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 Roberts, Jim Anderson, Sheilah Renberger, John Elmer, Tom Volkmann and Scott Brown.

In attendance, representing the City Community Development Department, were Karl Metzner, Senior Planner; and Dave Thornton, Planner I; and Kristen Ashbeck, Planning Technician II.

John Shaver, Assistant City Attorney; Don Newton, City Engineer; and Gerald Williams, City Development Engineer were also present.

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

There were 41 interested citizens present during the course of the meeting.

* * * * *

I. CALL TO ORDER

II. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I MOVE THAT WE APPROVE THE MINUTES OF THE MAY 5, 1992 MEETING."

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed unanimously by a vote of 7-0.

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 and May 5th meetings.

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.

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #12-92, A REQUEST FOR A CONDITIONAL USE PERMIT TO BUILD 100 NEW STORAGE UNITS ON VACANT LAND SOUTH OF THE PROSPECTOR MOTEL, I MOVE THAT WE TABLE THIS ITEM UNTIL THE JULY 7, 1992 PLANNING COMMISSION HEARING AND THAT IF A COMPLETE SUBMITTAL AND REVIEW IS NOT ACCOMPLISHED BY THAT DATE THIS PROJECT WILL BE DENIED."

The motion was seconded by Commissioner Volkmann.

A vote was called, and the motion passed unanimously by a vote of 7-0.

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 & Associates
LOCATION: 2815 F Road

Staff requested consideration of a revised final plan for a new building at 2815 F Road to house the Mesa Montessori Children's House be tabled until the July 7, 1992 meeting due to unresolved drainage, grading and landscaping plans.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM # 18-92, A REQUEST FOR A REVISED FINAL PLAN AT 2815 F ROAD, I MOVE THAT WE TABLE THIS ITEM UNTIL THE NEXT PLANNING COMMISSION MEETING ON JULY 7, 1992 TO ALLOW THE PETITIONER ADDITIONAL TIME TO RESPOND TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS AND THE PLANING

COMMISSION'S COMMENTS AT THE LAST PLANNING COMMISSION HEARING."

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed unanimously by a vote of 7-0.

3. #21-92 CONDITIONAL USE - ENFIELDS SPORTS BAR LIQUOR LICENSE

A request for a Conditional Use Permit for a liquor license for Enfields Sports Bar located at the corner of 2nd Street and Colorado Avenue, in a C-2 Zone.

**PETITIONER: Dean Enfield
LOCATION: 159 Colorado Avenue**

PETITIONER'S PRESENTATION

Dean Enfield of 8500 Sovereign Blvd., Citrus Heights, CA. explained the request for a restaurant and bar at 159 Colorado Avenue. The building will be remodeled inside and out and a green mesh fence will be installed around the patio area.

STAFF'S PRESENTATION

Mr. Thornton of the City Community Development Department explained the request for a Conditional Use Permit for a liquor license for Enfield's Sports Bar located at 159 Colorado Avenue. In the preliminary review a landscaping plan had been requested, however the outer area will be fenced. The Petitioner has requested the use of silk plants and flowers in the dining area on the patio along with some Austrian Pines.

The current downtown parking Ordinance is in effect until the end of September; therefore, this development is not required to provide on site parking.

The Petitioner is aware of the County Health Regulations and is working with the County. All City Community Development Department requirements have been satisfied.

PUBLIC COMMENT

FOR:

Rolan Bitting of 538 Melody Lane, Grand Junction, CO. 81501 felt this business would be a great asset to the area, the building as it exists today is an eye sore.

AGAINST:

There was no public comment against this item.

QUESTIONS

Commissioner Volkmann asked Staff about the parking moratorium?

Mr. Thornton explained it is a City Ordinance which passed about a year ago.

Barbara Creasman, Executive Director of the Downtown Development Authority, explained it is a City Ordinance which allows developments within existing buildings not be required to do additional parking since they had developed parking in the past. The City felt it is better to have the buildings in use. The survey which was done showed the public lots are used from 42 percent to 83 percent during the weekdays, on Saturdays it's about half that, and early morning and evening hours there is minimal use of the public and private parking lots.

These plans have been developed over the years by the parking authority, and the area in question surrounding Enfields has property which has been purchased in the last year by the DDA for the purpose of eventually developing parking lots.

Mr. Thornton added that this Ordinance expires September 30, 1992.

Commissioner Roberts felt the Ordinance should be looked into if there is a big discrepancy on the table count at Enfields versus the previous business in that location. Later there may be a need for an increase in parking requirements.

Commissioner Anderson asked Staff if some of the public parking will be pulled out of the public domain.

Mr. Thornton explained specifically on the two parking lots around Enfields and Two Rivers there is a potential that they could be redeveloped later.

Ms. Creasman explained the properties the DDA purchased in the Two Rivers area include an abundant amount of parking. If any new development comes to the area, the developer will also be required to create parking.

Commissioner Anderson asked if the parking will be available to the public?

Ms. Creasman replied the goal for the downtown project is to continue to develop public parking. New developments will be requested to leave a portion of the area for public parking in that area.

Commissioner Roberts felt requiring downtown businesses to have private parking requirements would be similar to having private parking at the Mall.

Commissioner Brown informed Ms. Creasman of the junipers growing out over the sidewalk on Colorado, and asked if the DDA would clean this up or is Mr. Enfield going to be required to do that?

Ms. Creasman explained Mr. Enfield will clean up his property, and the City Center Motel area will be included in the Public Works spraying program.

Commissioner Brown asked if the public parking lot west of Enfields would be striped for handicap accessibility?

Ms. Creasman explained this is in the plans and will be done.

Chairman Halsey asked Staff what the landscape requirement is for a Conditional Use Permit on this type of facility?

Mr. Thornton explained normally landscaping is 75 percent of the front yard setback. In the downtown area with the B-3 Zone there is no setback. The buildings typically take up the majority of the lots. In the case of Enfields, initially Staff required landscaping because it was a outdoor patio. However, with a fence in the site plan there would be no need to require landscaping.

Commissioner Brown asked the Petitioner if he was aware of the American With Disabilities Act?

Mr. Enfield said he was not.

Commissioner Brown asked if there would be clear access for wheelchairs on the premises?

Mr. Enfield replied affirmatively.

Mrs. Creasman explained the City would enforce this access with the building permit which the Petitioner is required to obtain.

Commissioner Elmer asked the Petitioner about the fence; is it going to be two inch wire mesh?

Mr. Enfield explained it will be the chain link fence with the green mesh for security and looks.

Commissioner Elmer asked Staff if this met the technical requirements of the Ordinance? He added that he felt the fence would not be very attractive.

Mr. Thornton replied affirmatively that this met the technical

requirements.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #21-92, A REQUEST FOR A CONDITIONAL USE PERMIT FOR A LIQUOR LICENSE AT 159 COLORADO AVENUE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed unanimously by a vote of 7-0.

4. # 22-92 WI AND HA MINOR SUBDIVISION

A request for a Minor Subdivision to create two residential lots from three existing parcels. The vacant lot between 2860 Belford and 2864 Belford will be subdivided, on half being added to each of the two existing lots.

PETITIONER: Susan & Clay Hauser

LOCATION: 2860, 2854, Belford Avenue

PETITIONER'S PRESENTATION

Mrs. Hauser explained the request for a minor subdivision located at 2860 and 2854 Belford Avenue, in order to have larger lots for the two parcels. Rather than having the area in three parcels the subdivision will have two parcels and larger lots. It will be used for a yard, no building plans are anticipated.

STAFF'S PRESENTATION

Kristen Ashbeck of the City Community Development Department explained the request for a minor subdivision to create two residential lots from three existing parcels. The Final Plat has been submitted and it is a minor subdivision rather than a resubdivision because the Far East parcel is a metes and bounds parcel rather than part of the original subdivision. Zoning on the three lots is RSF-8. The size and bulk requirements of the two lots will be well within the requirements of the RSF-8 zone.

The proposal should have positive impacts on the neighborhood since one lot is currently vacant with weeds; hopefully it will be used and landscaped. The only outstanding issue is the encroachment of the sidewalk by the City on the southern boundary of all three lots. The Petitioner has done a survey which shows the sidewalk on their lots; the City has done a survey which shows the sidewalk on City property. The intent is to have a third survey and make a decision. If it is found the sidewalk is on the Petitioner's property, the City will be looking for a dedication

of about 1 foot. All other concerns of Staff have been met.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Elmer asked if the City would help procure a quick claim deed if necessary?

Mr. Don Newton City Engineer explained this area was improved in the 1970's and the sidewalk is within the right-of-way according to the original plans. If additional right-of-way is required the City will prepare the documents.

Commissioner Brown asked Mr. Newton about the third driveway which exists in the area; can this be closed off?

Mr. Newton explained the Petitioner intends to use that for the main entrance. If owners of both lots agree to that use, the City has no problem with leaving it.

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM # 22-92, A REQUEST FOR A MINOR SUBDIVISION AT 2860 AND 2864 BELFORD AVENUE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Brown.

A vote was called, and the motion passed unanimously by a vote of 7-0.

- 5. # 24-92 CONDITIONAL USE PERMIT FOR ROCKY MOUNTAIN BREW PUB
A request for a Conditional Use Permit in a B-3 Zone for a Micro Brewery/Bar-Restaurant, the Rocky Mountain Brew Pub, which houses a small brewery in which to brew ale to be served with food at the pub.
PETITIONER: RMBP/ General Partnership (John Carlock)
REPRESENTATIVE: Richard McIntyre
LOCATION: 123 North Seventh Street

PETITIONER'S PRESENTATION

Richard McIntyre, John Carlock, Jerry Garcia, Mike Woods and C.S. Gerrick were present to request a Conditional Use Permit.

Mr. McIntyre explained the Rocky Mountain Brew Pub is proposing to

renovate and develop the abandoned building on 123 North 7th Street known as the old Mountain Bell building. Renovation will begin with the removal of existing asbestos and all toxic materials and removal of all antiquated mechanical equipment.

The Brew Pub will provide 86 restaurant seats and 52 bar seats inside the building and 64 outdoor patio seats. The brew house operation will be glassed in and visible from the bar seats and the patio area.

The exterior of the building will include large operable windows and awnings with terra cotta stucco exterior and 5,000 square feet of landscape patio.

The location is compatible with the surrounding area and is an appropriate downtown commercial use. The building has ideal parking with a large City parking lot adjacent to the west side and with available parking on 7th Street. Separate parking for the construction crew and employees has been provided.

The hours will be from 11:00 a.m. to 12:00 p.m. and the menu will be the American grill or chop house format consisting of medium priced items. The bar will feature five varieties of the Brew Pubs own outstanding ale. The peak hours for the Brew Pub will be from 4:00 - 6:00 p.m.

The Petitioner requests a revocable permit on the west alley use; the intent is to continue the Winery landscaping corridor from the mall to the west entrance of the building, excluding the one-way alley which is only 15 feet wide and not conducive to large vehicle use. The Petitioner believes this will enhance the west entrance and also extend the downtown mall use.

The Brewing facility consists of a first floor brew house, which will employ approximately six people. The kitchen and restaurant will employ an additional 12-14 people. The demand will determine whether there is a single or double shift for employees. The restaurant will meet ADA requirements for the handicapped.

The aroma of the brewery is not noxious, it is compared to that of a bakery. Waste materials are not detrimental to the sewage system, they actually expedite decomposition of the waste.

The City Utilities Engineer has been in contact with the Petitioner on any future amendments which might be necessary. All public services are in place and police and fire protection are available without compensating any other areas.

The development schedule is determined by Federal and State agencies including the Planning and Zoning process, and the Building Department approval.

One special concern appears to be the loading and unloading of supplies from the south alley. The alley at present will accept a semi-tractor trailer and a car without impeding traffic. The unloading of the malted barley and the loading of the beer kegs takes the normal amount of time as any restaurant loading operation. When it is possible, the delivery schedules will be in the evenings and early morning hours.

STAFF PRESENTATION

Mr. Metzner of the City Community Development Department was present to explain the request for the Conditional Use Permit for the Rocky Mountain Brew Pub. The portion of the proposal to close off the alley and landscape this area is the north/south alley from the east/west down to the entrance.

The Petitioner has responded to the Review Agency Summary Sheet Comments. An Improvements Guarantee has been done for curb, gutter and sidewalk improvements required due to the deterioration of the existing sidewalks. The parking study for the area has been done, and required additions to the landscape plan have been received by Staff. Gerald Williams the Development Engineer is satisfied to the Engineering comments on this project.

PUBLIC COMMENT

FOR:

Roland Bitting of 538 Melody Lane, Grand Junction, CO. spoke in favor of the project stating this would fit into the downtown mall area and is an asset for the downtown area. The uniqueness of this business may encourage tourists to stay in this area longer. The twenty jobs which will add to the employment base of the area is also good.

Bob Colony of 224 West Kennedy, Grand Junction, CO. 81501 strongly supports the downtown and owns property on Main Street, and also owns property on 7th and White which is about a block from the Brew Pub. In regards to the parking question, he felt that there was plenty of parking along 7th Street. The area has been bare and unsightly and Mr. Colony felt the Brew Pub will be a good asset to this area.

Fay Timmerman of 2338 1/2-A Rattlesnake Court, Grand Junction, CO. 81503 was present to represent the Downtown Association, and the Downtown Development Authority Board. Both these Boards are in favor of the micro brewery coming to the downtown area. Since the article in the paper, the DDA office has received numerous articles and phone calls from merchants and business people supporting the idea. The Board feels it is an attraction and

will augment the current development and strength of downtown.

Erick Folk from Rifle felt the Brew Pub was a good asset to the Grand Junction area and noted the Brew Pub in Crested Butte was a very successful operation.

AGAINST:

Frank Bering of 284 W. Morrison Court, Grand Junction, CO. 81503 owner of the Winery Restaurant felt the location of the Brew Pub was a problem due to parking problems with his establishment and the potential customers of the Brew Pub. There is no parking during the day in the public parking lot, and in the evening the Winery uses at least 30 of the available 60 available spaces. When Mountain Roasted Coffee has a night function the parking lot is full. The Winery has 100 seats, the Blue Moon has 100 seats; the Brew Pub is proposing 200 seats. The Bell building originally was a switching building and their parking needs were minimal. It was Mr. Barring's understanding that if the use of a building from low impact business to high impact public parking that there is a study required. He stated that Staff informed him that the parking restrictions were changed for downtown since the St. Regis was remodeled.

Also, the alley is a problem; two trucks cannot pass in the alley. Often if a semi-truck is in the alley, the Winery doesn't get the deliveries. To have 20,000 barrels of beer being shipped out through that alley will cause undue hardship for the Winery.

Georgann Jouflas of 2011 N. 8th Street, Grand Junction, CO. 81501 owner of River City Cafe & Bar had concerns about the unfair competitive advantage due to the fact that she pays property tax for the parking in the public parking lot. If the Brew Pub does have to pay property tax for the parking that is fine, but it doesn't appear with the new Ordinance that will be the case.

Brad Ramer of 393 Ridgeview Drive, Grand Junction, CO. 81501 owner of the Blue Moon Bar & Grill had concerns about the parking situation. In the lunch hour there is no available parking; in the evening there tends to be adequate parking. It does not appear the area can handle four restaurants as it is already crowded.

Chris Jouflas of 740 Golfmore Drive, Grand Junction, CO. 81501 had concerns about the parking issue, and wanted the Ordinance explained as to why businesses could come in during the one year time frame and be exempt from the laws that other business had to follow. This is a good asset for the community and the downtown area, but they need to come in properly just as the other establishments had to.

QUESTIONS

Chairman Halsey asked Mr. Metzner to address the issue of the City Ordinance in question as established by City Council.

Mr. Metzner explained the Ordinance was a result of the St. Regis proposal at which time the City Council asked Staff to develop a revised parking ordinance for downtown. Prior to 1983 there was no parking required for any business in the downtown area. During that year the Ordinance was changed to require the same parking requirements as for any other business in any other area except that an equivalent cash amount could be paid into the parking authority to provide additional lots. This Ordinance existed until September of 1991 when the City Council gave a parking variance to the St. Regis and asked Staff to develop a temporary ordinance not requiring parking again for the downtown area for one year to give City Council time to look at the situation, considering the uniqueness of the downtown area with the metered public parking and the mixture of uses, and the co-use of parking lots. This Ordinance will expire in September, 1992 and a proposal will have to be on the books at that time; however, City Council does have the ability to extend that. This Ordinance is for any existing building regardless of change in use and regardless of any increase in parking demand within that existing building. New structures or increases in structures over 35 percent do have to meet the parking requirement for the increase or for the entire new structure.

Chairman Halsey clarified to the public that the Planning Commission can only make decisions based on the Ordinance as established by City Council. If there are concerns there will be a public hearing process when the Ordinance expires in September and attendance to those meetings is encouraged.

Barbara Creasman representing the DDA explained the parking particular to the Rocky Mountain Brew Pub project. On Friday June 5, 1992 the DDA Board will cover issues on parking and make recommendations to the City Council on this subject. The DDA appreciates comments and recommendations prior to decisions being made.

Observations on the lots close to the proposed development, which was in the 600 block of Rood Avenue were made by DDA last year. Results show 83 percent occupancy Monday through Friday and 36 percent occupancy on Saturday with less than that in the evenings.

On the 600 block of Colorado observations were done with the study showing 59 percent occupancy. The DDA has purchased six lots in the 600 block of Colorado Avenue for future development. When additional public parking becomes warranted the DDA intends to develop those lots for public parking. Net funds from the parking meters are available for future developments of additional public

parking. Property tax money paid by downtown property owners only, go into parking developments and purchases for future parking developments.

PETITIONER'S REBUTTAL

Mr. McIntyre stated their project was presented based on the Codes which exist. On the alley use, the hydraulic lift requires the trucks park as close as possible to the building, they will not be parking in the alley. There will be enough room for another vehicle to pass in the alley if the trucks are there. Also, the Brew Pub has a revokable permit, which goes back to 1957 which allows them to have an 18 inch sidewalk around both alleys on both sides of the building. The Petitioner did not wish to enforce this; however, by this permit the Brew Pub is entitled to that area.

The parking issue does not seem to be a problem, most of the lunch crowd will be walk-in business people and in the evening 5:00 to 7:00 p.m. parking appears to adequate.

Mr. Carlock noted the grain deliveries will be every 3 to 4 weeks, it is not a daily occurrence. The outgoing deliveries may be twice a week and would take only a few minutes.

PUBLIC COMMENT

Bob Colony of 224 W. Kennedy, Grand Junction, Co. 81501 gave information on traffic counts which he personally did on May 29, 1992.

12:15 - 12:30: On 7th Street Between Rood & White there were 16 vacant spots. On Rood Street parking lot there were six vacant spaces. On 6th & Rood there were six vacant spaces. On 7th & Colorado there were 18 vacant spots. On 7th and Rood there were 16 vacant spaces.

5:00 - 5:30: On the Rood Street Parking Lot there were 19 vacant spaces. Between 6th & 7th Street on Rood there were 17 vacant spaces. In the parking lot on 7th and Colorado there were 33 vacant spaces. 7th Street west side near Cooper Theater there were three vacant spaces.

7:00 - 7:30: On the Rood Street parking lot there were 15 vacant spaces. On Rood between 6th and 7th there were 18 vacant spaces. Next to the Cooper Theater there was one vacant space. The lot on 7th and Colorado had 35 spaces. On Main between 6th and 7th there were three vacant spaces. Between 7th and 8th on Main there were 13 vacant spaces. It appears there is plenty of parking available.

QUESTIONS

Commissioner Roberts asked the Petitioner about his plans to lease parking for employees?

Mr. McIntyre replied that the lot behind the Century 21 building at the corner of White and 7th which is 50 x 125 feet will provide enough parking for the employees and the construction crews. There is a contract on this property for this purpose.

Commissioner Elmer asked about the revokable permit which was requested; is one permit for the use of the north/south alley for the landscape and one for the east/west for the ramp?

Mr. McIntyre replied affirmatively. The hydraulic ramp will take 12 inches; there is a revokable permit on that use which dates back to 1957, and this does go with the property.

Mr. Shaver commented that any time there is a revocable permit it stays with the property until revoked by the City Council.

Commissioner Volkmann asked Staff if there had been any question about the reuse of the existing building within the existing building envelope as it stood on September 30, 1991; does it satisfy the conditions relative to the Ordinance?

Mr. Metzner replied there was no question at all and it totally fits the Ordinance as the City Council adopted.

Commissioner Elmer asked the Petitioner about the flooring for the patio area.

Mr. McIntyre explained it is washed aggregate which is concrete with exposed rock on the top.

Commissioner Elmer felt the City Councils intention for the parking issue is clear and this project meets that intent; however, there obviously is a need for more parking which hopefully the DDA and the business owners will address. It should be a concern for the Petitioner because of the effect on the business.

Commissioner Volkmann felt the employee parking lease should not be made a condition. It would not be right for the Brew Pub to be bound by something that this Ordinance was intended to prevent.

Commissioner Roberts did not like the Ordinance as it was written because it does put the responsibility onto the DDA with no additional compensation to businesses such as the Winery. Very few businesses downtown have been required to provide their own

parking; it does fall on the special tax district. If the business owners in the area made 7th Street an attractive and more comfortable walk, then parking a block or two away and walking on 7th Street would not be a problem.

Commissioner Renberger felt the future parking needs should be looked into.

Commissioner Anderson felt a consideration sent to City Council to look into the parking in this area might be necessary.

Chairman Halsey felt this was premature and at a future time the Commissioners could meet with the DDA to discuss their overall plans so that the Planning Commission would have this information for future consideration.

Ms. Creasman commented again that the land purchase in the 600 block of Colorado was for future public parking.

Commissioner Elmer asked Mr. Shaver about the sweet smelling emission of the Brewery, and if for any reason it is not, are there any regulations which would control these emissions?

Mr. Shaver stated the standard nuisance provision could be enforced. Chapter 1966 of the Code of Ordinances covers this.

Mr. Garcia commented the three breweries in downtown Boulder. The one Brewery in Crested Butte and another in Aspen are all in the middle of town and there is no problem with noxious odors.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #24-92, A REQUEST FOR A CONDITIONAL USE PERMIT FOR A LIQUOR LICENSE AT 123 NORTH 7TH STREET, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS FOR THE REASON OF BENEFITING DOWNTOWN BY IMPROVING AN EYESORE WHICH OUTWEIGHS THE IMMEDIATE PARKING CONCERN."

The motion was seconded by Commissioner Anderson.

A vote was called by, and the motion passed unanimously by a vote of 7-0.

6. **#26-92 WAL-MART MINOR SUBDIVISION IN C-1 ZONE**
A request for a Minor Subdivision at the Wal-Mart property at 2879 North Avenue to create two additional lots for commercial development.
PETITIONER: Wal-Mart Stores, Inc.
REPRESENTATIVE: QED Surveying Systems, Dan Brown
LOCATION: 2879 North Avenue

PETITIONER'S PRESENTATION

Dan Brown of 2743 1/2 Cheyenne Drive, Grand Junction, CO. 81503 explained the request for a minor subdivision on the Wal-Mart property. Presently the Wal-Mart Store sits on five deeded parcels of land which were combined for tax purposes. This subdivision is designed to bring the five deeded down to three lots. The Wal-Mart Store is on Lot 1; Lots 2 & 3 are the lots to be subdivided.

STAFF'S PRESENTATION

Kristen Ashbeck of the City Community Development Department was present to explain the request for a minor subdivision at the Wal-Mart property at 2879 North Avenue to create two additional lots for commercial development.

The property is zoned Light Commercial (C-1) along North Avenue and Heavy Commercial (C-2) where the Wal-Mart building is located.

In terms of land use and the North Avenue Corridor Guidelines the infill of commercial development proposed by this subdivision is consistent with the existing and intended uses and zoning along the North Avenue corridor. The existing access into Wal-Mart from North Avenue will be utilized as the primary access to all three lots. No new curb cuts on North Avenue will be allowed to access the two new lots. This is consistent with the corridor guideline which attempts to minimize curb cuts, encourage shared access points, and create better traffic flow on North Avenue. A non-exclusive ingress-egress easement has been noted on the plat to provide for this.

The Final Plat and Utilities Composite have been revised to address review comments on drainage and utilities. The ingress-egress easement also serves as a utility easement, and a blanket easement for surface drainage from Lots 2 and 3 is provided across Lot 1. Utilities are available from existing lines on the periphery of the site. A 10 foot easement for gas and electric is provided on the south and west sides of Lots 2 and 3.

The landscaped area proposed to be developed as the two new lots was not included in the calculation of required parking and landscaping area for the original Wal-Mart Development. Thus, Wal-Mart (Lot-1), standing alone, will continue to meet its requirements for parking and landscaping even after the new lots have been divided, sold and developed. Each of the new lots will be required to individually meet design standards for landscaping, parking and signage as each is developed.

An appraisal for the property has been submitted and the open

space fee has been calculated to be \$2,749.29.

Staff recommends approval of the Final Plat of the Wal-Mart Minor Subdivision.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Elmer asked the City Engineer if the sidewalk along North Avenue should be improved to include the entire frontage of the property? Also, would the existing driveway cut have to be closed?

Mr. Newton City Engineer explained the sidewalk will be included in the site plan on the lots when those are developed.

Commissioner Elmer didn't feel that was consistent; for instance on the subdivision located on Horizon at 12th Road and G Road, the street improvements were required along all three sides when that area was subdivided.

Mr. Newton explained he did not review this particular plan.

Commissioner Elmer asked if they could make this conditional upon what the Code requires?

Mr. Newton replied affirmatively, adding it could be included as part of the subdivision requirements.

Commissioner Roberts felt the lots were still subdivided, even if they were not sold. If it were residential the requirements would be enforced.

Commissioner Elmer asked if the landscaping will be addressed with the site plans on the each lot?

Mr. Brown replied affirmatively.

Commissioner Renberger had concerns about the traffic flow in the area.

Ms. Ashbeck replied the Wal-Mart project was approved with the knowledge that these lots would have some type of commercial use. The circulation that exists should accommodate any traffic generated by those two lots.

Mr. Newton explained the traffic signal on North Avenue and Melody Lane was a requirement by the State Highway Department when the

Wal-Mart Store was developed. This signal will accommodate traffic from all three lots. At some later date traffic flow may have to be restricted from those lots onto North Avenue depending on how much use is generated there.

Commissioner Elmer asked Mr. Shaver about the ingress-egress of the three properties, and the problem of future maintenance?

Mr. Shaver replied that is a private property issue relative to the purchasers of the lots and the Wal-Mart property.

Commissioner Roberts asked Staff if all comments had been adequately addressed?

Ms. Ashbeck replied affirmatively.

Commissioner Volkmann asked if the parking for each lot will be handled internally?

Mr. Brown replied affirmatively.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #26-92, A REQUEST FOR A MINOR SUBDIVISION AT 2879 NORTH AVENUE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS AND ALSO REQUIRE THE EXTENSION OF THE SIDEWALK ALONG THE FRONTAGE OF NORTH AVENUE AND THE EXISTING DRIVEWAY CUT BE REMOVED."

The motion was seconded by Commissioner Roberts.

A vote was called by, and the motion passed unanimously by a vote of 7-0.

V. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

1. **#25-92 REZONE, OUTLINE DEVELOPMENT PLAN FOR TRANSMEIER MOBILE HOME PART AT MALDONADO STREET**
A request for a Rezone from Residential Multi-family 64 units per acre (RMF-64) to Planned Mobil Home (PMH) with a density of 5.9 units per acre and Preliminary Plan approval for 14 mobile home spaces.
PETITIONER: Ross Transmeier
LOCATION: 531 Maldonado Street

Chairman Halsey excused himself for this item due to conflict of interest.

PETITIONER'S PRESENTATION

Ross Transmeier 227 South 13th Street, Grand Junction, CO. 81501

explained the request for the rezone. The property for the Planned Mobile Home Park is in the Highway 6 & 50 West Subdivision west of Gene Taylor's Sporting Goods store. The subdivision was build in 1985, this lot is the only one in the subdivision zoned residential; the others are zoned commercial.

The Petitioner proposes to build a Mobile Home Park for the purpose of renting the sites. This type of use seems conducive to the area, and a good screen to the industrial to the north and residential to the south. The ownership of the property would remain as one unit. Sewer, water, gas & electric are available. The technical requirements for the drainage and utility plan will be done after the rezoning is complete.

Responses from the Review Agency Summary Sheet Comments included concerns about Maldonado Street. Two options have been considered 1) complete the street on to the south, and 2) build a large cul-de-sac on Maldonado.

The original plat shows the half-street improvements being developed at the time the 6 & 50 West Subdivision was completed. It was not built according to the plat. This plat also shows a cul-de-sac at the north end of Maldonado Street which was also not done at the time the subdivision was built.

The Petitioner does not want to pay for both the street improvements and the cul-de-sac. This is the reason for the requested vacation to finalize this issue. If the street is going in, the cul-de-sac should not be put in, if the cul-de-sac is put in then the street does not need to be extended.

STAFF'S PRESENTATION

Mr. Thornton of the City Community Development Department was present to explain the request for the rezone for the Transmeier Mobile Home Park at Maldonado Street.

A memo received 6-2-92 from the City Engineer clarifies some of the issues Mr. Transmeier has addressed dealing with the road improvements on Maldonado Street. The memo recommends he be required to construct a paved turn-around at the end of the existing street improvements, instead of requiring the Petitioner to escrow funds for the future extension of Maldonado Street. This should be designed to accommodate commercial vehicles and would allow traffic to turn around without entering the private driveway.

The memo continues to discuss the extension by stating when and if Maldonado Street will be extended to the south which is unknown at this time. The road right-of-way should be maintained until the

future of the area to the south is determined.

Staff would also like to emphasize the neighborhood plan currently being conducted for the El Poso and South Downtown/Riverside areas is not final. Vacation of streets is not appropriate at this time since land uses will be included in the neighborhood plan. Therefore, Staff has a concern about the requested vacation.

The City Engineer does not object to the private access road proposed if the land is not going to be subdivided into lots that could be sold.

This request has been changed to an Outline Development Plan (ODP) due to the fact that the original submittal was inadequate as far as utility and drainage plans for preliminary approval. The Petitioner's concern is to see if the zoning is appropriate for the 5.9 units per acre, then he can determine whether to continue on with the project.

Mr. Thornton noted the criteria in the Code on zoning included:

1) Was the existing zone in error at the time of adoption?

Currently the zone is RMF-64, which does seem to be inappropriate and the density has been greatly reduced by the Petitioner.

2) Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition etc.?

This area has changed with Gene Taylor's and other C-1 to the north and I-1 to the south.

3) Is there an area of community need?

It has been several years since a mobile home park has been approved.

4) Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?

Mobile home parks being residential would blend in with the residential character of the El Poso neighborhood.

5) Would there be benefits derived by the area by granting the proposed rezone?

It would revitalize the area by creating additional residences, and benefit the community by creating more mobile home sites.

Staff feels the Petitioner has addressed the ODP adequately, and a

future preliminary plan will be required.

PUBLIC COMMENT

FOR:

There was no public comment in favor of the request.

AGAINST:

John Trujillo of 3232 West Ouray, Grand Junction, CO. 81501 stated he owns six lots adjacent to the Petitioners lots and would not like to see a mobile home park in this area because they tend to deteriorate quickly and will lower the standard for the neighborhood. It would be adequate for single houses to be build in this area.

Frank Jiminez of 320 W. Grand, Grand Junction, CO. 81501 representing the El Poso Association stated there was an access problem, with only one street to handle the increased traffic. Also, the residents had to get their own grant to get sewer in the area, the City would not help them. The sewer and electric is what they have fought for and paid for and they don't want a mobile home park using what they have taken years to fight for.

Commissioner Anderson asked for clarification on the objection; is it what you perceive to be what will happen to the mobile home park in the future?

Mr. Jiminez stated the problem is the traffic impact this mobile home park will create.

Vice Chairman Elmer explained the current zoning is for 64 units per acre and the Petitioner is reducing the density greatly with this proposal. A high density project could be build at that location with no hearing process required.

PETITIONER'S REBUTTAL

Mr. Transmeier understood the citizens concerns; however, he has improved the looks of the area since purchasing this property. Also, eventually there will be development on this site. The Petitioner felt his lower density was highly compatible with the small neighborhood, rather than the existing 64 units per acre zoning and the intention of making a nice new mobile home park would greatly enhance the area.

Mr. Transmeier felt there is a high demand for low to moderate cost housing close to the downtown area.

QUESTIONS

Commissioner Anderson asked if the Petitioner planned on putting

in modular homes?

Mr. Transmeier explained the proposal is for manufactured homes, single width 14' x 70' and 16' x 80', with two 28' x 55'.

Vice Chairman Elmer asked about the standards required by H.U.D.?

Mr. Transmeier explained there are strict standards for the manufactured homes. Life expectancy is around 40-50 years and most of these types of home are never moved. The 1960 and early 1970 mobile homes are not what this park is intended for.

Commissioner Brown asked if the cul-de-sac was adjacent to Maldonado Street?

Mr. Thornton replied affirmatively and explained the current barricade would remain.

Mr. Newton explained a portion of the cul-de-sac would be on Mr. Transmeier's property.

Mr. Transmeier felt a residential cul-de-sac would be feasible; however, if the requirement were for a commercial cul-de-sac it would extend 33 feet onto the property.

Mr. Newton explained there would not necessarily be curb, gutter and sidewalk requirements on the cul-de-sac, paving would be adequate involving a 45 foot radius.

Commissioner Brown asked Mr. Newton if this would extend to West Ouray or West Grand?

Mr. Newton replied there would be no extension until the area is rezoned or redeveloped.

Vice Chairman Elmer asked if the proposed 5.9 units per acre would affect the traffic impact?

Mr. Newton replied it would not especially with the new signal being installed for the jail on Grand Avenue.

Vice Chairman Elmer had concerns with the development of the master plan for the Riverfront; and recommended the study of the area should be finalized prior to further decisions on development.

Mr. Transmeier explained the reason for the proposed rental park is to maintain the ownership of the property since it is a transitional zone.

Commissioner Roberts felt the neighborhood was against it for that very reason; they want stability in the area.

Vice Chairman Elmer felt the private drive would force parking on the street and there is no open space.

Mr. Transmeier explained each lot is 50 X 100 feet which leaves room for green space for each lot.

Commissioner Renberger asked Staff if all Review Agency Summary Sheet Comments had been addressed?

Mr. Thornton replied the ODP had been addressed; however, the Fire Department felt one additional fire hydrant was necessary.

Vice Chairman Elmer felt this item should be tabled until the Petitioner meets with the local residents or waits until the master plan is completed to help give direction to the Commissioners.

Commissioner Volkmann asked what the timing on the master plan was?

Mr. Thornton stated it should be completed by the end of 1992.

Commissioner Anderson felt in terms of making a decision for this Petitioner, waiting months for a decision was not feasible financially.

Mr. Shaver informed the Commissioners they were required to make a decision either for approval or denial.

Commissioner Anderson felt the Petitioner purchased the property with the expectation it could be developed.

Commissioner Volkmann stated as he understood it the request is to revise the zoning so as to allow the Petitioner to develop in a particular way, which the current zoning does not allow. Is that correct?

Vice Chairman Elmer replied affirmatively.

Commissioner Roberts stated the larger density would also have requirements for parking and landscaping.

Vice Chairman Elmer asked for a motion and stated the street questions raised should be considered.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #25-92, A REQUEST FOR A REZONE FROM RESIDENTIAL MULTI-FAMILY 64 UNITS PER ACRE (RMF-64) TO PLANNED MOBILE HOME (PMH)

WITH A DENSITY OF 5.9 UNITS PER ACRE, I MOVE THAT WE DENY THIS FOR THE FOLLOWING REASONS: THE ORIGINAL ZONING IS NOT COMPATIBLE WITH THE PRESENT USE AND THE PROPOSED ZONING IS NOT COMPATIBLE WITH THE PRESENT USE."

The motion was seconded by Commissioner Renberger.

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

Chairman Halsey rejoined the Commission for the next item.

2. **#23-92 ODP & FINAL FOR HERITAGE ELDER CARE FACILITY**
A revision of The Falls Outline Development Plan and a request for Final Plan and Plat approval for the Heritage Elder Care Facility, revising the currently zoned planned residential with a density of 9.5 units to 17.1 units to the acre. The designed density of the remaining Falls development will be reduced in order to increase the density for the elder care facility.
PETITIONER: Heritage Elder Care
LOCATION: 2835 Patterson Road

PETITIONER'S PRESENTATION

William A. Thrig of 2324 N. Villa Circle, Grand Junction, CO. 81501 explained the request for approval of the final plan and plat for the Heritage Elder Care Facility. One building will be a 15 room personal care facility similar to the health care facility on 1532 Walnut Avenue, and the other building will be a 27 unit congregate similar to the Mesa View facility with one and two bedroom units. The buildings will be two-story and follow the terrain to one-story on the back part of the property. The parking lot is between the two buildings.

The traffic consultant is recommending a cut be taken off the medium on Patterson Road for a left turn lane. The Petitioner is willing to work with the City on this.

The Petitioner would like to put a four foot high berm along Patterson Road for noise control. The landscape plan consists of concrete tubs with shrubs on top of the parking lot to prevent excessive water problems due to the poor soil conditions in the area. There are drainage problems which will be solved and if the right-of-way is needed the proper recording will be done. The Petitioner would like approval conditional to the drainage permit, since this must be solved prior to obtaining a building permit.

STAFF'S PRESENTATION

Mr. Thornton of the City County Development Department was present to explain the request for ODP and Final for the Heritage Elder Care Facility. All Review Agency Summary Sheet Comments have been adequately addressed except for the issues of drainage and grading.

The City Development Engineer suggested there are still outstanding issues and has suggested the item be tabled until further consideration. However, the Petitioner has requested the drainage be conditional to approval. Staff presently does not recommend tabling since all other Review Agency Summary Sheet Comments have been adequately addressed.

Mr. Thornton noted the density transfer is one item for consideration this evening. Mr. Siegfried, owner of Lot 13, Parcel 3, and Filing 2 in the Falls Development will be transferring the density to allow for the Heritage Homes Elder Care Facility. If the site plan and the development is worthy of approval the density transfer would have to occur also.

PROPOSAL:

The request is for two facilities on 1.93 acres: one 27 unit congregate elderly care facility and one 15 bedroom elderly care facility on 2835 Patterson Road.

Formerly this site was approved in 1981 for Cascade Condominiums & Health Club, but was reverted in 1984. Currently this site is zoned Planned Residential (9.5 units per acre) but has no plan.

1. Total Open Space Fee required is \$6,405.75. These fees are calculated by charging \$225.00 per unit for 27 congregate units plus 2.5% of the fair market value of the unimproved land associated with the 15 bedroom personal care facility. The appraisal reports the raw land value at \$13,230.00 25% = \$330.75. All open space fees must be paid prior to recording the Final Plat and issuance of the building permit.
2. The landscaping plan dated May 26, 1992 meets staff approval and conforms to the intent of the Code.
3. Through the Outline Development Plan (ODP) of the Falls Planned Development a "designed density" shift is required to accommodate this proposal. In determining the total density of Heritage Homes, the 15 bedroom care Facility's density is determined by assigning 2.5 bedrooms to be equivalent to 1 residential unit. Therefore the 15 bedroom facility has a density of 6 units. The 27 congregate units have a density of 27 units. Therefore, total density for the project is 33 units on 1.93 acres. This computes to 17.1 units per acre.

The density currently assigned to this parcel is 9.5 units per

acre. This computes to a total of 18.3 units for the parcel. (33 - 18.3 = 14.7). Through the ODP "design density" shift, 14.7 total units are required to be shifted from the remainder of the Falls development to the proposed Heritage Homes project. This increases the density by 7.6 units per acre to a total of 17.1 units per acre for the Heritage Homes project. The remainder of the Falls Planned Development will be decreased by 14.7 units total.

4. The number of Parking Spaces is adequate. 41 spaces are proposed and a total of 17 (1/2 space per unit) plus employee parking is required.
5. All Review Agency Summary Sheet Comments have been addressed except the Development Engineers concern on grading and drainage.

The surrounding land uses are the Fire station to the West (zoned PB), to the East and South is the "Falls" residential development (zoned PR-8).

CORRIDOR GUIDELINES:

The Patterson Road Corridor Guidelines encourage residential development along the stretch of the corridor from 15th Street to 30 Road. The guidelines recommend that development should be done in a planned development context to help ensure good site planning. The Corridor Guidelines also recommend that adequate walkways be provided along Patterson Road and that curb cuts and access points on Patterson Road should be limited and consolidated for shared access between developments.

Criteria - Rezone: A rezone is not required, although a density shift must occur from the "Falls" Outline Development Plan (ODP) to allow this proposal.

QUESTIONS

Chairman Halsey asked the Commissioners if they felt this item warranted continuation in the hearing process.

Commissioner Elmer asked if they could hear comments from the City Development Engineer before a decision is made.

Mr. Gerald Williams, City Development Engineer, explained there were workable solutions for this project. The submittal was very well done and most items were more than adequately addressed. The concern comes in because this is being submitted as a Final Plan, and drainage problems which had been discussed prior to the first submittal had not been addressed. Initially there were twenty two

comments on the site and grading plan of which only seven or eight have been addressed; i.e. the requests since the first submittal have not been done and that is a concern.

Chairman Halsey felt if this were a Preliminary Plan it could be continued; however, there does seem to be a need for more complete information prior to approval of a Final Plan.

Commissioner Elmer had concerns about postponing this item without further discussion with Staff on switching the density.

Chairman Halsey asked Mr. Shaver if continuation were proper if the decision was tabled?

Mr. Shaver replied it is the Commissions prerogative to obtain additional information or testimony at this point.

Commissioner Elmer questioned the density being switched without the other land owner being represented here tonight.

Mr. Thornton explained the Falls ODP is acting as a revised plan as a design density transfer. Staff had communicated with the other property owner who does support this transfer. The ODP has not changed since Mr. Siegfried presented his last revised plan for the Falls. Currently a document is being designed which will be recorded for the area.

Mr. Shaver explained that Mr. Siegfried does not have to be a Petitioner for the purpose of this process because he does not have an ownership interest relative to this. In light of the ODP and this being a planned zone certain shifts can be made from parcel to parcel or development internal to the ODP. Mr. Thornton does have a document prepared relative to the density transfer for Mr. Siegfried's signature acknowledging a transfer has taken place and accepting that transfer.

Commissioner Elmer stated the last time Mr. Siegfried presented a plan to the Planning Commission he had another concept which lowered the overall density. This brings us back to the Commissioners original concerns of revising the overall master plan piecemeal.

Mr. Shaver agreed this was a concern; however, this property does allow this design density transfer for purposes of this development.

Commissioner Roberts felt the next time this comes up there should be a revised ODP that will serve as a map for this whole area. Other owners besides Mr. Siegfried are involved and it is unclear if the density transfers are taking place.

Commissioner Anderson commented that the Commissioners had initially wanted to design the Falls as one plan to avoid this problem.

Commissioner Roberts felt this plan should not have started out with a Final Plan for Heritage Elder Care Facility but with the revised ODP to then consider the Falls secondary to the revised ODP. There are five blobs which have nothing in them, no density, nothing saying what is being shifted.

Mr. Thornton explained the empty spaces on the map were approved in 1981 and are not involved with the proposal this evening. The Council can approve a designed density at the ODP stage which sets the maximum density fully contingent upon the subsequent submittals. This is a design density not a specific density. Eventually when Mr. Siegfried gets approval on the other tracts a more specific density will occur. This does not show the number of previously approved units, and perhaps should have. Staff wanted to show on this document, which attaches to the agreement, that the transfer on the three parcels has decreased.

Commissioner Roberts felt residents in the area might wonder where the density is going. When the design density shifts from the original ODP those density clusters within that plan need to show up. This Commission is here to plan within an entire development, and this needs to be a revised ODP because it's affecting adjacent parcels.

Commissioner Elmer asked if an actual Final Plan was initially filed for the Falls Development, not just an ODP?

Mr. Thornton explained it was originally approved as a condominium complex with a sports center, which actually had a greater impact to the area than the Heritage Elder Care Facility. This was then reverted, so this parcel has no plan.

Commissioner Brown asked if the easement needed to be on the Final Plan?

Mr. Thornton explained the easement would be on the adjacent property not on the plat and would be done in the form of a deed.

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #23-92, A REQUEST TO TRANSFER THE DESIGNED DENSITY OF THE FALLS OUTLINE DEVELOPMENT PLAN BY REVISING THE CURRENT DENSITY OF THE HERITAGE CARE FACILITY SITE FROM 9.5

UNITS PER ACRE TO 17.1 UNITS PER ACRE, I MOVE THAT WE TABLE THIS UNTIL AN ODP PLAN FOR THE ENTIRE AREA IS ADOPTED."

The motion was seconded by Commissioner Volkmann.

A vote was called by, and the motion passed unanimously by a vote of 7-0.

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #23-92, A REQUEST FOR A FINAL PLAN FOR THE HERITAGE ELDER CARE FACILITY AT 2835 PATTERSON ROAD, I MOVE THAT WE TABLE THIS UNTIL THE JULY 7, 1992 MEETING TO ALLOW THE PETITIONER TIME TO PROVIDE AN ADEQUATE DRAINAGE AND GRADING PLAN."

The motion was seconded by Commissioner Roberts.

A vote was called by, and the motion passed unanimously by a vote of 7-0.

3. TEXT AMENDMENTS

A. GREENHOUSES/ NURSERIES IN I-1 AND I-2 ZONES

A request to amend Section 4-3-4, use Zone Matrix to allow greenhouses and nurseries as an allowed use in Light (I-1) and Heavy (I-2) Industrial zones.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Karl Metzner

STAFF'S PRESENTATION

Mr. Metzner of the City Community Development Department was present to explain the request to amend Section 4-3-4 specifically because a request was submitted. Currently the Use/Zone Matrix does not allow greenhouses in heavy industrial. Greenhouses in general would not conflict with other uses allowed in the I-2 zone.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Elmer asked if there was any conflict with large equipment use near the greenhouses?

Mr. Metzner stated there does not seem to be any conflict; greenhouses are allowed in C-2. The heavier uses allowed in the I-2 zones are conditional uses in which there is more control on

the impact to the neighborhood.

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 TO ALLOW GREENHOUSES AND NURSERIES IN LIGHT (I-1) AND HEAVY (I-2) INDUSTRIAL ZONES, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Anderson.

A vote was called by, and the motion passed unanimously by a vote of 7-0.

B. 5-8 Flood Plain Regulations

A request to repeal and re-enact Section 5-8 of the Grand Junction Zoning and Development Code, regarding floodplain regulations.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Karl Metzner

STAFF'S PRESENTATION

Mr. Metzner explained notification had been received from the Federal Emergency Management Agency that the floodplain regulations had to be readopted adding certain requirements, which have been added to the federal regulations. This needs to be done in order to maintain the flood insurance program for the private properties which desire floor insurance.

This plan adopts the new revised floodplain mapping which was done in the last two years giving the City updated floodplain mapping effective as of July 1992.

The City Development Engineer made changes in regard to the base plain elevation plus one foot. The reason for this change is the cumulative changes which occur over time which need to be considered.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Elmer asked if this was just an administrative move?

Mr. Metzner replied affirmatively. The largest changes were in regard to the tie down regulations for mobile homes in

floodplains. MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #6-92, A REQUEST TO AMEND SECTION 5-8 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Brown.

A vote was called by, and the motion passed by a vote of 6-1 with Commissioner Volkmann objecting.

5. #67-91 ZONE OF ANNEXATION

A request to zone the land recently annexed to the City also known as the Blue Heron Annexation to Light Industrial (I-1), Planned Industrial (P-1), and Public Zone (PZ).

PETITIONER: City of Grand Junction

REPRESENTATIVE: Karl Metzner

LOCATION: River Road and Redlands Parkway

STAFF'S PRESENTATION

Mr. Metzner explained the request to zone the Blue Heron Annexation. The Blue Heron trail area is publicly owned; therefore, Staff recommends a Public Zone (PZ). The Mays Concrete property includes four mobile homes; Staff recommends Planned Industrial (PI) which is how it was zoned in the county. The River Road condo area includes a welding shop, motor repair and Phoenix Rafting and was zoned industrial in the county. Staff recommends Light Industrial (I-1) for this area.

PUBLIC COMMENT

There was no public comment either for or against the zone of annexation.

QUESTIONS

There were no questions from the Planning Commissioners.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #67-91, A REQUEST TO ZONE LAND RECENTLY ANNEXED TO THE CITY, ALSO KNOWN AS THE BLUE HERON ANNEXATION, TO LIGHT INDUSTRIAL (I-1), PLANNED INDUSTRIAL (PI), AND PUBLIC ZONE (PZ), I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Anderson.

A vote was called by, and the motion passed unanimously by a vote of 7-0.

6. #38-91 ZONE OF ANNEXATION

A request to zone the land recently annexed to the City also known as interstate east annexation to heavy commercial (C-2) and light industrial (I-1).

PETITIONER: City of Grand Junction

REPRESENTATIVE: Karl Metzner

LOCATION: South of Interstate 70 at 23 1/2 Road

Commissioner Roberts excused himself from this item due to conflict of interest.

STAFF'S PRESENTATION

Mr. Metzner explained the request to zone the land recently annexed to the City. The Light Industrial (I-1) Zone is consistent with the Interstate Commercial Subdivision; the other two parcels were zoned commercial in the county. Zoning for the parcel where the fish farm is located was commercial; Staff recommends Heavy Commercial (C-2) for this area.

QUESTIONS

Chairman Halsey felt straight zoning without planning and overall maps available was not a good idea.

Mr. Metzner explained City Council has directed most parcels in the northwest area to be straight zoned.

PUBLIC COMMENT

There was no public comment either for or against the zone of annexation.

MOTION: (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM # 38-91, A REQUEST TO ZONE LAND RECENTLY ANNEXED TO THE CITY, ALSO KNOWN AS INTERSTATE EAST ANNEXATION, TO HEAVY COMMERCIAL (C-2) AND LIGHT INDUSTRIAL (I-1), I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL."

The motion was seconded by Commissioner Anderson.

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

Commissioner Roberts rejoined the Commission for the general discussion items.

VI. GENERAL DISCUSSION

Grand Mesa Slopes - Cooperative Management Plan

Commissioner Brown gave the latest update on the Grand Mesa Slopes meeting held May 19, 1992. Commissioner Brown requested another Commissioner volunteer for the June 1992 meeting which will be the at 2:00 p.m. the 4th Wednesday of each month at the Department of Wildlife building. Commissioner Volkmann volunteered to attend the June meeting.

OTHER

Mr. Thornton announced there will be a special joint City / County Planning Commission meeting on Thursday June 18, 1992 7:30 p.m. to discuss the road standards.

VII. NONSCHEDULED CITIZENS AND/OR VISITORS

There were no nonscheduled citizens and/or visitors

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