

GRAND JUNCTION PLANNING COMMISSION
Public Hearing September 1, 1992
7:34 p.m. - 11:20 p.m.

The public hearing was called to order by Chairman Ron Halsey at 7:34 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 Claudia Hazelhurst, Acting Community Development Director; Bennett Bceschenstein, Planner; Kathy Portner, Planner; Karl Metzner, Planner; Dave Thornton, Planner; Kristen Ashbeck, Planning Technician; Ann Barrett, Planning Technician; and Jan Koehn, Code Enforcement Supervisor.

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 39 interested citizens present during the course of the meeting.

* * * * *

I. CALL TO ORDER

II. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, I MOVE THAT WE APPROVE THE MINUTES OF THE AUGUST 4, 1992 MEETING."

Commissioner Roberts noted Commissioner Volkmann was not included in the August 4, 1992 minutes.

Chairman Halsey revised the August 4, 1992 minutes stating Commissioner Volkmann was absent from that meeting.

The motion was seconded by Commissioner Brown.

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 pre-scheduled visitors.

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

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PETITIONERS REBUTTAL

Mr. Siegfried explained the construction of the sidewalk for filing one was begun today and is a separate issue. The pump house and irrigation problems are not relevant to the issue of Filing Three.

Commissioner Roberts asked Mr. Siegfried if Filing One was bonded.

Mr. Siegfried replied affirmatively, it was actually bonded with Filing Two.

Mr. Thornton explained the release for the irrigation system for Filing One is outstanding, and a bond exists for this.

Commissioner Elmer asked how the building can proceed without the improvements?

Mr. Thornton explained with the guarantee of funds by the Developer the City can eventually build the improvements if necessary at a later date.

Mr. Shaver agreed with Mr. Siegfried that the issues raised by the residents of Filing One are not particularly relevant to consideration of this filing. There are improvements guarantees for those filings, if satisfaction is not met the residents may talk to Mr. Siegfried or to City Staff. The improvements guarantees allow the developer a certain amount of time to complete the programs; if the time has expired action normally would be taken by the Planners.

Commissioner Volkmann explained to Mr. Kleinwachter he could contact Mr. Thornton and Ms. Portner of the City Community Development Department for further assistance on this matter.

QUESTIONS

Commissioner Elmer asked Mr. Siegfried if he was going to build standard sidewalks for all the filings.

Mr. Siegfried replied affirmatively.

Commissioner Elmer asked the Petitioner about the architectural control committee approvals; is it appropriate to include language forcing compliance with the regulations?

Mr. Siegfried felt the developer should not be involved with compliance of the covenant.

Mr. Shaver explained that covenants, conditions and restrictions are a private right of enforcement to the individual residents of a community. The covenants are to be enforced by the members of the association. To enforce the covenants either the individuals or the association can proceed as a group against the violator.

Commissioner Brown asked if construction will be done by the Spring of 1993?

Mr. Thornton explained the plat would not be recorded until all construction drawings are approved, and there is a year leeway to record the plat. Following this procedure any improvements guarantees will be extended long enough to insure the improvements were finished.

Commissioner Brown asked the Petitioner if the intent was as stated in the application; for construction to be completed by the Spring of 1993?

Mr. Siegfried replied affirmatively. Also, there is a new improvements agreement which has specific time frames.

Commissioner Renberger asked Mr. Thornton if the drainage comments had been met?

Mr. Thornton replied that Mr. Williams will be reviewing a revised drainage plan report; however, he does recommend conditional approval.

Commissioner Renberger also questioned the adequacy of the roadway plan.

Mr. Thornton explained, conditionally, all those reports and plans have been met.

MOTION (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #45-92, A REQUEST FOR APPROVAL OF A FINAL PLAT FOR PTARMIGAN RIDGE FILING THREE, A RESIDENTIAL SINGLE FAMILY PLANNED DEVELOPMENT WITH 4 UNITS TO THE ACRE (RSF-4), I MOVE THAT WE APPROVE THIS CONDITIONALLY SUBJECT TO COMPLIANCE OF THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Volkmann.

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

2. #46-92 CONDITIONAL USE PERMIT - BIG AL'S DRIVE-UP FOOD IN COMMERCIAL (C-1) ZONE

A request for a Conditional Use Permit for two drive-up windows in a drive thru hamburger and BBQ food establishment. No indoor seating will be provided.

PETITIONER: Alvin K. Mayo

LOCATION: 825 North Avenue

PETITIONERS PRESENTATION

Mr. Mayo was present to request a Conditional Use Permit for two drive-up windows in a drive thru hamburger and BBQ food

establishment. This site is the east portion of the old City Market parking lot. The building will house only a kitchen, with two service windows, one walk-up window and no sit down seating. The menu will be limited to hamburgers and BBQ with soft drinks. The lot is 11,625 sq. feet, the building is planned on 575 sq. feet of the lot which is approximately 5 percent of the lot. Target opening date will be November 1, 1992.

STAFF PRESENTATION

Mr. Metzner of the Community Development Department explained the request for a Conditional Use permit for two drive-up windows in a drive thru hamburger and BBQ food establishment at 825 North Avenue. The review agency comments included details about curb radius and utilities. The landscaping will include grass and 5 ash trees. There have been two additional feet added for the exit; the relocation of power poles have been addressed. In response to the easement for the exit, Staff recommends an easement in case the adjoining property would be sold in the future.

Staff recommends approval conditional upon resolving the easement satisfactorily.

PUBLIC COMMENT

FOR: There was no public comment for this proposal.

AGAINST:

Ms. Carol White owner of Hair Razor Beauty Salon adjacent to the proposed drive-up window was present to object to this development due to the potential traffic problems which this type of business would cause.

Mrs. Percy Owens was present to explain she is the owner of the property and City Market has a 7 year lease on the property in question for the proposed development. There has been no discussion with her on this development and she has not given permission to build on this property.

Mr. Tom Lockland who leases a portion of the building adjoining the proposed drive-thru restaurant also felt this would cause excessive traffic problems for the area. And was of the opinion that the same problems would occur which happened across the street with Taco Bell.

PETITIONERS REBUTTAL

Mr. Ward Scott with Remax Real Estate Group explained the property is leased by City Market for 8 more years. They have the right to use the property exclusively for any legal use and they also have the right to sublet it. City Market sold Mr. Mayo the Belford lots which they own, and they sublet the leased lots which they have the legal right to do.

Mr. Scott apologized to Mrs. Owens for not informing her of the

Chairman Halsey asked Mr. Williams if he had studied the stacking problem from the aspect of the delivery point or from the menu?

Mr. Williams explained he did his study based on the delivery point; from the menu area there would be room for two cars.

Chairman Halsey asked Mr. Williams if he recommended moving the menu sign further away from North Avenue?

Mr. Williams did not feel it was necessary.

Commissioner Brown asked the Petitioner about the designated handicap parking?

Mr. Mayo explained there was no sit down seating, however, he had no problem in designating handicap parking.

Commissioner Anderson asked about the proposed signage?

Mr. Mayo explained no submittals have been done on signage to date.

Commissioner Roberts felt requirements for screening for parked vehicles and the 40 percent requirement for shrub beds were not met in this proposal.

Chairman Halsey asked Staff about the landscape requirements?

Mr. Metzner replied the proposal is for approximately 4 times the required landscaping. Since this is a Conditional Use Permit the decision is up to the Commissioners.

Commissioner Roberts felt there was a lack of shrubs in the plan even though the overall requirement for the area was met.

Mr. Metzner explained in the Conditional Use permits the proposal can be approved and it does not have to meet all of the percentages and guidelines.

Commissioner Roberts reminded Staff that the guidelines include screening for businesses such as this.

Commissioner Renberger asked Staff to comment on the citizen's concerns about the traffic.

Mr. Metzner explained the traffic report was submitted and the Engineering Staff reviewed it and indicated they didn't feel there were any concerns.

Mr. Williams explained if stacking were to occur the traffic would take the alternate routes, to Belford or to 7th Street.

Chairman Halsey asked Mr. Williams if he had studied the stacking problem from the aspect of the delivery point or from the menu?

Mr. Williams explained he did his study based on the delivery point; from the menu area there would be room for two cars.

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MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 46-92, A REQUEST FOR A CONDITIONAL USE PERMIT FOR TWO DRIVE-UP WINDOWS IN A DRIVE THRU HAMBURGER AND BBQ FOOD ESTABLISHMENT, WITH NO INDOOR SEATING, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS AND REQUIRING THAT 40 PERCENT OF THE LANDSCAPED AREA BE SHRUB WITH 75 PERCENT BEING COVERED BY PLANT MATERIAL. ALSO, THE SIGNAGE SHOULD CONFORM TO THE CODE AND THERE SHOULD BE A DESIGNATED HANDICAP PARKING SPACE."

AMENDED MOTION (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM # 46-92, A REQUEST FOR A CONDITIONAL USE PERMIT FOR TWO DRIVE-UP WINDOWS IN A DRIVE THRU HAMBURGER AND BBQ FOOD ESTABLISHMENT, WITH NO INDOOR SEATING, I AMEND THE MOTION REQUIRING AN EASEMENT FOR EGRESS ALONG THE ALLEY OF 8TH STREET WITH PROVISION FOR LANGUAGE FOR REVERTING BACK IF THE RESTAURANT IS REMOVED FROM THE PROPERTY."

The motion was seconded by Commissioner Renberger.

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

Mr. Mayo asked about the motion; is it 40 percent of the required or 40 percent of what is installed?

Commissioner Volkmann explained it is 40 percent of what is installed.

Mr. Mayo replied he would have been better off submitting only the required landscaping.

V. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

1. REZONE AND FINAL PLAN FOR ASSEMBLIES OF GOD OFFICES
A request to change the zoning on a property from Residential Multi-family-64 units per acre (RMF-64) to Planned Business (BP) zone and a final plan for a professional office building for the Assemblies of God church office.

PETITIONER: Ken Henry of the Rocky Mt. district Council of the Assemblies of God, Inc.

REPRESENTATIVE: Thomas A. Logue

LOCATION: 1401 N. First Street

PETITIONERS PRESENTATION

Mr. Logue, representative for the Petitioner was present to explain

the request to change the zoning on a property from Residential Multi-family-64 units per acre (RMF-64) to Planned Business (PB) zone and a final plan for an office building for the Assemblies of God church. The original proposal was done under a Conditional Use application and since that time an ordinance was adopted by the City of Grand Junction which makes it difficult to rebuild any structure that is non conforming if it is damaged to greater than 50% of its value.

STAFF PRESENTATION

Mr. Metzner of the Community Development Department explained the request to change the zoning on a property from Residential Multi-family-64 units per acre (RMF-64) to Planned Business (PB). The office for the Assembly of God church was approved under the original conditional use approval. When the code changed in 1981 offices were no longer permitted as a conditional use in residential zones; therefore it became non-conforming. There are no proposed changes to the site, there are no adverse review comments from the reviewing agencies. This does fit the 1st Street Corridor Guidelines. Staff recommends approval.

PUBLIC COMMENT

FOR:

There was no public comment for this item.

AGAINST:

Francis Daly of 205 West Kennedy, Grand Junction, CO. asked what changes would occur to the building? Also, will the rezoning affect the adjoining lots?

Mr. Metzner explained there would be no change to the building, it is being rezoned so that if damaged the building could be replaced. There will be no change to the zoning on the adjoining lots.

Mr. Daly also objected to the change if the building would be sold to a realtor because of the possible increase in traffic.

Charles Hamilton of 140 Franklin Grand Junction, CO. was concerned that the property has already been sold and by rezoning the property they would be allowing more business in a residential area, which was not desirable.

PETITIONERS RESPONSE

Mr. Logue explained the proposal included 22 parking spaces, which would limit any commercial growth for that building in the future.

Chairman Halsey explained to the audience that the activities have been established under the original Conditional Use as an office use and will not be changing.

MOTION (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #47-92, A REQUEST TO CHANGE THE ZONING ON A PROPERTY FROM RESIDENTIAL MULTI-FAMILY, 64 UNITS PER ACRE (RMF-64) TO PLANNED BUSINESS (PB) ZONE AND A FINAL PLAN FOR A PROFESSIONAL OFFICE BUILDING LOCATED AT 1401 N. 1ST STREET, I MOVE THAT WE FORWARD THIS REQUEST TO CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL 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.

2. #48-92 REZONE FROM B-3 TO RMF-32 AND FROM RMF-32 TO B-3

A request to rezone two small adjacent parcels of land so that the owners may exchange parts of the parcels to give each a more usable parcel. One parcel which is now zoned as Multi-family Residential, 32 units per acre (RMF-32) will be changed to Business (B-3) Zone. The second parcel, which exists as B-3 Zone will be rezoned to RMF-32.

PETITIONER: Thomas L. Goerke & Karen K. Marquette
LOCATION: Southeast Corner of First Street and Belford Avenue

PETITIONERS PRESENTATION

Mr. Tom Goerke was present to explain the request to rezone two small adjacent parcels of land so that the owners may exchange parts of the parcels to give each a more usable parcel. There are no plans to do further development on the property owned by Mr. Goerke; possibly in the future Ms. Marquette might develop her portion further. The request for extensive sidewalk and curb cuts on the proposed property for Ms. Marquette does not seem feasible at this time. It is the Petitioners understanding this area will be included in the road improvements planned by the City in the next couple of years.

STAFF PRESENTATION

Mr. Metzner of the Community Development Department explained the request to rezone two small adjacent parcels of land so that the owners may exchange parts of the parcels to give each a more usable parcel. This includes two 37 1/2 foot wide pieces of property which is equal to 1 1/2 City lots. The property which fronts on Belford is currently zoned B-3, the rest of Mr. Goerke's property is zoned C-2 heavy commercial. The request is to swap the zoning on the two identical pieces of property to create a straight zoning line.

Staff concurs that street improvements at this time would not be warranted but should be required at the time of any actual development.

PUBLIC COMMENT

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

QUESTIONS

7. Commissioner Anderson asked Mr. Metzner if the property still had zoning requirements of 4 units per building?

Mr. Metzner replied theoretically the requirement is 32 units per acre; however, it had a limitation of no more than 4 units per structure. This brings the density to less than 32 units per acre when parking is included. In the future, the RMF-32 zone will be discussed and perhaps revised with overall plans, but that does not apply to this item.

MOTION (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #48-92, A REQUEST TO REZONE TWO SMALL ADJACENT PARCELS OF LAND SO THAT THE OWNERS MAY EXCHANGE PARTS OF THE PARCELS TO GIVE EACH A MORE USABLE PARCEL; ONE PARCEL, TO BE REZONED FROM RESIDENTIAL MULTI-FAMILY, 32 UNITS PER ACRE (RMF-32) TO BUSINESS (B-3) ZONE AND THE SECOND PARCEL, TO BE REZONED FROM B-3 TO RMF-32, I MOVE THAT WE FORWARD THIS REQUEST TO CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS WITH AN EXCEPTION WHICH DELETES REQUIREMENTS FOR SIDEWALK IMPROVEMENTS."

The motion was seconded by Commissioner Brown.

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

3. #6-92 TEXT AMENDMENTS

E. 5-10-3 DELETE NECESSITY FOR CONDITIONAL USE PERMIT FOR CERTAIN TYPES OF LIVESTOCK

A request to amend Section 5-10-3 of the Grand Junction Zoning and Development Code to delete the necessity for a Conditional Use Permit for goats, pigs, mules, and burros within the city limits.

STAFF PRESENTATION

Ms. Jan Koehn of the Community Development Department explained the request to amend Section 5-10-3 of the Grand Junction Zoning and Development Code to delete the necessity for a Conditional Use Permit for goats, pigs, mules, and burros within the city limits.

Ms. Koehn explained the initial reasoning for having those under Conditional Uses was to enforce maintenance standards. Maintenance is addressed in the Municipal Code and can be enforced through that Code. The City would prefer to consider all these animals livestock, this would become a time and cost saving enforcement effort on the part of the City if these animals were included under the code and allowed as livestock within the City. Staff recommends the Conditional Use Permit requirement be deleted from the Zoning and Development Code for livestock such as goats, pigs, mules, and burros.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Elmer asked Ms. Koehn what the current requirement under code was?

Ms. Koehn explained in the code the RSF-R and PZ zones are allowed 1 large animal per 1/4 acre, in all other zone districts its 1 per 1/2 acre. Also, there are requirements for distances from adjacent residences of 100 feet.

Commissioner Volkmann asked for clarification; this text amendment just adds this list of animals to larger livestock such as cows and horses, correct?

Ms. Koehn replied affirmatively. This issue was taken to the City Council Quality of Life Committee and this was their recommendation.

Commissioner Roberts asked if this was necessary to get the new annexations accepted?

Ms. Koehn replied those involved in the new annexation would probably be grand-fathered in.

Commissioner Roberts asked for clarification of the maintenance issue?

Ms. Koehn explained Code Enforcement Division would enforce the maintenance standards.

Commissioner Anderson asked how citations and enforcement was implemented?

Ms. Koehn explained a verbal warning was the initial standard of enforcement depending upon the conditions. If conditions are not improved it could be taken to court.

Chairman Halsey asked if maintenance standards were not complied with, could the animals be removed?

Ms. Koehn did not think removal of the animals was an option; a court summons was the normal action taken if problems continue.

Mr. Shaver explained there are two ordinances in the Code; one in Chapter 6 dealing with the keeping of animals specifically. The remedy there would be citations. The other ordinance is in Chapter 19 which allows the City to abate nuisances such as the accumulation of feces.

MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #6-92, A REQUEST TO AMEND SECTION 5-10-3 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE TO DELETE THE NECESSITY FOR A CONDITIONAL USE PERMIT FOR GOATS, PIGS, MULES AND BURROS WITHIN THE CITY LIMITS, I MOVE THAT WE DENY THIS REQUEST FOR THE FOLLOWING REASONS: WE ARE TRYING TO HAVE A CITY NOT A CONTINUATION OF COUNTRY RURAL LIFE AND TO HAVE PIGS, GOATS, MULES AND BURROS MOVED BACK INTO THE CITY WOULD BE A PROBLEM."

The motion was seconded by Commissioner Renberger.

A vote was called, and the motion passed by a vote of 5-2 with Commissioner Brown and Chairman Halsey opposed.

F. 5-10-4 VIETNAMESE POTBELLIED PIGS
A request to amend Section 5-10-4 of the Grand Junction Zoning and Development Code to allow Vietnamese Potbellied Pig as a household pet.
PETITIONER: City of Grand Junction
REPRESENTATIVE: Jan Koehn

PETITIONERS PRESENTATION

Ms. Koehn of the Community Development Department explained the request to amend Section 5-10-4 of the Grand Junction Zoning and Development Code to allow Vietnamese Potbellied Pigs as household pets. The popularity of the potbellied pig as a pet has increased and the issue needs to be addressed in the Zoning and Development Code.

Staff feels it should be addressed as a household pet because this is how they are being kept in the community.

PUBLIC COMMENT

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

QUESTIONS

Chairman Halsey felt there was not much difference in a Vietnamese pig and any other type of pig, the codes should be consistent and a pig is a pig.

Commissioner Elmer commented there have been articles about the

misrepresentation of other kinds of pigs being sold as Vietnamese pigs, which can lead to problems after they grow up.

Ms. Koehn explained there are substantial differences; the Vietnamese Potbellied Pig will grow up and weigh from 50 pounds to approximately 150 pounds, the normal pig may reach 1,200 to 1,500 pounds.

Commissioner Volkmann asked Staff about the technical impact of this request.

Ms. Koehn replied that as a household pet persons would be allowed up to three per species, the same as a dog, cat, birds, reptiles, or rodents.

Commissioner Elmer asked if the department knew of Vietnamese Potbellied Pigs in Grand Junction at this time.

Ms. Koehn replied affirmatively, Animal Control has found some running loose from time to time. The veterinarians are familiar with them in the area.

Chairman Halsey had concerns with making an exception for an animal which could be considered livestock; other exceptions will be forthcoming if we make an exception for pigs.

MOTION (COMMISSIONER VOLKMANN) "MR. CHAIRMAN, ON ITEM #6-92(F), A REQUEST TO AMEND SECTION 5-10-3 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE TO ALLOW VIETNAMESE POTBELLIED PIGS AS A HOUSEHOLD PET, I MOVE THAT WE DENY THIS REQUEST FOR THE FOLLOWING REASONS: BECAUSE A PIG IS A PIG."

The motion was seconded by Commissioner Brown.

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

K. 2-2-2.G. APPLICATION FEE SCHEDULE

A request to amend section 2-2-2.G. of the Grand Junction Zoning and Development Code, updating the Development application Fee Schedule.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Kathy Portner & Don Newton

Copies of all Text Amendments are available at Community Development Department, city of Grand Junction, 250 N. 5th Street.

PETITIONERS PRESENTATION

Ms. Portner of the Community Development Department explained the request to amend section 2-2-2.G. of the Grand Junction Zoning and Development Code, updating the Development application Fee Schedule. This has not been updated since 1983; in analyzing the true cost of reviewing projects each department has reviewed the process and all estimates were compiled. The results of this study show a base fee for each type of development project. For Conditional Use, Special Use and Minor Subdivision, because of the variety in these proposals, a base fee plus a menu for additional costs are proposed in case additional items are required for review. The developer will know at the time of the pre-application conference what the fee will be, they will also know what the maximum fee could be.

The spread sheet shows the current fee compared to the proposed fee and compensation for the larger projects are covered by an acreage fee (any project of an acre or over will have a acreage fee of \$15.00 per acre) a portion of the fee will go to the Development Department and a portion to Public Works. Some applications will have a Fire Department fee.

Another spread sheet shows the proposed fees as compared to Mesa County fees, and they are comparable.

Staff met with a group of developers and realtors who reviewed the proposed fees and received no adverse comments.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Anderson asked Staff if the fees would cover expenses?

Ms. Portner replied they would not completely cover the expenses of Community Development and Public Works; it is merely some compensation for the time spent on the projects. Public Works recently hired a Development Engineer, Gerald Williams, because of the work load created by development projects. A discussion prior to opening that position was on the increase in fees to go toward the salary for that position.

Chairman Halsey felt that the proposed fees were a minimal amount compared to the time spent on some of the projects.

Ms. Portner agreed, adding that the acreage fees will help even out the cost and not burden the smaller projects.

Commissioner Brown was opposed to charging fees when it should be covered by taxes. The fee increase won't make the process any more efficient. Also, the timing is a problem, if this were done after November, if the tax limitation proposition is passed, this type of

increase would have to go to the voters.

Commissioner Roberts disagreed with Commissioner Brown, stating this seems like more of a use fee. The developers who are requiring the Development Department to staff up are the ones that are using the process, and we are using less tax dollars to accomplish this. There should be some sharing by the tax payer, because it is a community benefit to have development happen, and increase jobs etc. This appears to be structured to ask those who need more of the Development Department's time to pay more, this is taking it out of the tax realm and giving it back to the user.

Commissioner Brown felt the developments are for the betterment of the community. The process should be more efficient the first time, and if re-review was required a penalty could be assessed.

Commissioner Anderson explained this proposal does address the penalty aspect.

Ms. Portner explained the times for estimating were based on reviewing complete plans. Staff does hope to tighten up the system so that incomplete plans are rejected before much time is put into them.

Commissioner Volkmann asked Mr. Shaver how the current fees are applied by the City?

Mr. Shaver commented they are general funds, although a portion of the proposed funding is for the Development Engineer position.

Mr. Newton added the establishment of the Development Engineer position was contingent upon these fees being increased to cover at least 25 percent of that position. The other 75 percent of the position was meant to be a Project Engineer designing public works projects. Currently we are using 50 percent for the Development Department projects. Without this fee increase there is a shortfall in the funding for the Development Engineer position.

MOTION (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #6-92(K), A REQUEST TO AMEND SECTION 2-2-2.G OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE UPDATING THE DEVELOPMENT APPLICATION FEE SCHEDULE, I MOVE THAT WE FORWARD THIS REQUEST TO CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Roberts.

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

**4. #51-92 ZONE OF ANNEXATION - GRAND JUNCTION WEST
ANNEXATION**

A request to zone the land recently annexed to the City also known as the Grand Junction West Annexation to Heavy Commercial (C-2) and Industrial (I-2) Zones.

PETITIONER: City of Grand Junction

REPRESENTATIVE: Karl Metzner

LOCATION: South of I-70; North of Hwy. 6 & 50;
and East of 22 Road to 23 14 Road

STAFF PRESENTATION

Mr. Metzner of the Community Development Department explained the request to zone the land recently annexed to the City known as the Grand Junction West Annexation to Heavy Commercial (C-2) and Industrial (I-2) Zones. This area was zoned (C) Commercial in the county. City Council has instructed us to implement City zoning once an area is annexed; the recommended zones are the closest zones to the previous County zoning.

Staff proposes the Light Industrial (I-1) for most of the area with the exception of 2 parcels which would require a special use permit if they went to I-1 (Western Slope Auto and The Westgate Inn). To keep these consistent with the zoning we are proposing C-2 for these two areas.

PUBLIC COMMENT

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

QUESTIONS

Commissioner Anderson asked Staff if there were two zoning possibilities in the City which correspond with the County C zone?

Mr. Metzner explained the City has 2 commercial zones, C-1 Light Commercial and C-2 Heavy Commercial, whereas the County only has 1. Also, the City has 2 Industrial zones and the County only has 1. When comparing the uses allowed in the zones the County commercial zone is more like the City I-1 (light industrial) zone than the heavy commercial zone.

Commissioner Anderson asked what happened to all the work the Commissioners did with the Northwest Plan? It seems like it is non-existent.

Mr. Metzner explained the Council chose to take no action on that and directed we go with straight zones equivalent to the county zones instead.

Commissioner Roberts and Commissioner Anderson felt it should be tabled in order to give it a chance for reconsideration.

Mr. Shaver commented there is a statutory constraint which requires zoning within 90 days of the date of annexation.

Chairman Halsey told the Commissioners they had the option of sending this item to Council with the recommendation of denial because it does not meet the intent of the Northwest Study.

Mr. Shaver commented if denial occurred at this point the item would not automatically be forwarded to the City Council. It would have to go to the appeal process.

Mr. Shaver recommend the item not be tabled due to the procedural problems involved.

Mr. Metzner told the Commissioners that within the next 3 months there will be more rezoning in the same Northwest area.

Commissioner Brown asked if this was because of promises made to certain individuals.

Mr. Shaver explained there were certain representations made relative to some of the zone districts.

Commissioner Volkmann asked for clarification of the representations which were made.

Commissioner Anderson explained the plan was rejected by City Council, however, representations were made prior to submittal to the Planning Commission.

Commissioner Elmer asked if the plan was denied by City Council or was it tabled?

Mr. Shaver replied it was tabled, and discussed at a formal hearing, but not adopted.

Commissioner Elmer asked if this was due to lack of a motion?

Mr. Shaver replied there were discussions as to the appropriateness of the plan, and about the representation of the City adopting the equivalent County zoning.

MOTION (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #51-92, A REQUEST TO ZONE THE LAND RECENTLY ANNEXED TO THE CITY, ALSO KNOWN AS THE GRAND JUNCTION WEST ANNEXATION, TO HEAVY COMMERCIAL (C-2) AND INDUSTRIAL (I-1) ZONES, I MOVE THAT WE DENY THIS REQUEST FOR THE FOLLOWING REASON: IT DOES NOT MEET THE INTENT OF THE NORTHWEST STUDY."

The motion was seconded by Commissioner Brown.

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

VI. GENERAL DISCUSSION

1. UPDATES - MASTER PLANS

A. South Downtown Riverfront Master Plan

Mr. Boeschenstein of the Community Development Department explained the meetings for the South Downtown Riverfront plan will be scheduled for September and October to present the plans to the neighborhoods. Plans, alternatives and text has been developed on this and will perhaps be adopted by the end of 1992.

B. Master Plan of Parks, Recreation & Open Space

Mr. Boeschenstein of the Community Development Department explained the master plan of parks and recreation will be discussed at public meetings during September and October. There are a lot of long range ideas in the plan, one of which is a new regional park and recreation center.

C. Bicycle Routes Master Plan

Ms. Ann Barrett of the Community Development Department explained what the Traffic Safety Council Bicycle Route Committee has been working on for the past nine months. The draft plan for the bicycle routes master plan had several goals: 1) To prepare and distribute a survey (which has been done); 2) To develop data which will help to identify bicycle routes, many of the proposed routes are presently being informally used as routes; 3) To designate recreational routes in conjunction with the bicycle routes such as the River Trail; 4) To generate the map to show the routes and designation such as on street bike routes, proposed on street bike routes, existing bike trails and proposed bike trails; 5) To recommend different types of routes so that routes can be connected; 6) To implement an educational program for students, motorists and current bicyclists; 7) To identify potential funding sources. One possible source is through the Colorado Department of Transportation ISTEPA Funds, which are enhancement funds to highways proposed to develop other forms of transportation besides the automobile; 8) To select the types of routes the Committee thinks are most desirable and to make recommendations to the City and the County regarding this.

Ms. Barrett continued by stating the controversial routes such as the canal routes are not included in the draft map. The first 3 goals have been accomplished; the bike survey is out and has been analyzed. Through this random survey we found an increased

interest in bicycling in the valley and the most important priority from the survey was to expand the trails, the 2nd priority was the safety training and the 3rd priority was to improve signage and striping.

Ms. Susan Matson, Chairman for the Traffic Safety Council Bicycle Route Committee was present to explain the accomplishments of the Committee. First the bicycle survey has been distributed and analyzed, a press conference on the results will be held on Thursday September 3, 1992. Secondly, the draft map has been completed. The Committee is available to answer questions by the Commissioners about the bicycle route plans, and the Committee would like the Commissioners endorsement on the plan.

Mr. Steve Inglis of the Traffic Safety Council Bicycle Route Committee was present to explain one of the incentives for the draft map was to incorporate with the State wide bicycle trails system. The State designated route through the valley would be I-70. The Committee felt alternative routes could be proposed to the State with possible funding and publicity coming from the State Trails System. This draft map will be submitted to the Department of Transportation for those recommendations. Many of the recommendations will be to get bicycles off the main streets, also to get more use out of the existing roads and to encourage more bicyclists in the area.

Chairman Halsey commended the Committee on the work; however, bike paths were not incorporated into the newly adopted road standards. Hopefully, this oversight can be rectified and bike paths could be included within the City road system to help with the efforts of the Committee.

Commissioner Elmer felt the canal should be used for bike paths and this should be considered.

Commissioner Roberts commented that the front range uses hundreds of miles of canals for bike paths. Information on this is available from an MPO study.

Commissioner Brown felt the Committee could disallow on street parking to allow for a bike lane.

Ms. Matson explained the survey cited a number of requests for use of the canal roads. Currently the bikers get citations when using the canal routes. There is resistance from private land owners to allow use of the canal.

Commissioner Brown asked if the ISTEPA money could be used to install fences along the canals?

Ms. Matson said that option had not been reviewed.

Commissioner Roberts again commented on the Denver bike system which uses the canals without problems.

Commissioner Renberger felt there was a need for safety education.

Ms. Barrett commented that there were classes offered on bicycle safety this past summer, in which 40 local teachers participated and received certification credit for the course.

Commissioner Renberger asked why licenses were not required in order to help finance some of the trail systems?

Ms. Matson replied that at present licenses are not required, but are encouraged in case of theft.

Mr. Boeschenstein felt the draft map was a good beginning and very significant. He explained in order to be eligible for the ISTEA funding for trails there has to be a comprehensive plan adopted. Endorsement by the City Planning Commission would be a good start, they also need endorsement by the Metropolitan Planning Organization.

Commissioner Roberts felt some of the unsafe routes should be specifically tagged for use by the funds, such as 6 & 50 and F Road.

Ms. Barrett explained the routes in red on the draft map are the proposed routes which need improvement.

Mr. Larry Ball representing the West Slope Wheelmen, a bicycle club from the Grand Valley was present to endorse the Bicycle Route Master Plan. The West Slope Wheelmen represents all classes of cyclists and would like to encourage the Commissioners to endorse the recommendations. The road standard ought to include a 3 foot margin on the pavement so that bikes can ride safely. F Road is an arterial route, which used to have a bike route designated; however when the turn lane was added the bike route was eliminated about 6 years ago.

Commissioner Roberts agreed with Mr. Ball and explained the funding for F Road stipulated bicycle lanes and has since been forgotten about once it was paid for.

Mr. Ball stated the club would like to see improvements of the bike routes, and installation of bike racks which would encourage bicycling.

D. Orchard Mesa Plan

Mr. Thornton of the Community Development Department explained the Orchard Mesa Plan updates. The first meeting was held August 13, 1992, with approximately 100 citizens present. There are three

more meetings scheduled and we request the Commissioners to attend these meetings.

Commissioner Anderson volunteered to attend the September 24, 1992 meeting at the Orchard Mesa Middle School from 7:00 - 9:00 p.m.

Chairman Halsey and Commissioner Brown volunteered to attend the September 29, 1992 meeting at the Mesa View Elementary School from 7:00 - 9:00 p.m.

Commissioner Roberts volunteered to attend the October 1, 1992 meeting at the Fairgrounds from 7:00 - 9:00 p.m.

Mr. Thornton explained that some concerns of the citizens involve the zoning and planning and sewer extension.

2. UPDATES - OTHER PROJECTS

A. Major Road Needs Study

Mr. Thornton of the Community Development Department asked the Commissioners to look at the latest updates and give comments to Staff by September 14, 1992, which is when this study goes to the City Council workshop.

B. Blue Heron

Mr. Boeschstein of the Community Development Department explained the Blue Heron project is proceeding with right-of-way acquisition for Blue Heron Phase Two.

C. Downtown Parking Study

Mr. Boeschstein of the Community Development Department updated the Commissioners on the downtown parking study. The downtown parking amendment adopted in 1991 stated that existing buildings could be reused and remodeled without having to provide additional off street parking, and that small new buildings could be built in the downtown area without having to provide additional off street parking. When a building required 100 cars or more there would have to be additional parking provided. There is a sunset clause in this amendment which sunsets at the end of September 1992.

Ms. Ashbeck of the Community Development Department explained that the Division of Local Affairs has been updating the inventory of parking lot peak use. Also, other communities have been surveyed and the results show most communities also follow the reuse procedure for parking. Most communities also ignore new parking up to a certain threshold. Several cities ignore the parking problem altogether.