

**GRAND JUNCTION PLANNING COMMISSION**  
**Public Hearing November 19, 1991**  
**7:33 p.m. - 11:20 p.m.**

The public hearing was called to order by Vice Chairman Elmer at 7:33 p.m. in the City County Auditorium.

In attendance, representing the City Planning Commission, were:

Jim Bittel	Craig Roberts
John Elmer	Jim Anderson

Commissioners Renberger and Halsey were absent.

In attendance, representing the City Community Development Department, were Bennett Boeschstein, Director; Kathy Portner, Senior Planner; and Dave Thornton, Planner.

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

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

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

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**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES**

**MOTION: (COMMISSIONER ANDERSON) "MR. CHAIRMAN, I MOVE THAT WE APPROVE THE MINUTES OF THE OCTOBER 22, AND NOVEMBER 5, 1991 MEETINGS."**

The motion was seconded by Commissioner Roberts.

A vote was called, and the motion passed unanimously by a vote of 4-0.

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

Commissioner Bittel announced that he would be moving out of the Grand Junction area and resigned as of November 19, 1991. Commissioner Bittel was excused.

#### **IV. PUBLIC HEARING**

##### **1. #35-88 REVISED FINAL PLAN**

**A request for a revised final plan for a professional office building located in a Planned Business Zone.**

**PETITIONER: Doug & Jackie Skelton**

**LOCATION: 704 Elm Avenue**

**Consideration of a Revised Final Plan**

Commissioner Anderson excused himself from participating in the hearing of this item as he felt there may be a conflict of interest.

#### **PETITIONERS PRESENTATION**

Doug & Jackie Skelton were present to give their presentation. Mr. Skelton asked for other options on the six foot fence requirements along the north property line. The Petitioner requested that he would like to have gravel for parking not asphalt until a later date. On the subject of signage, which was approved in 1988, Mr. Skelton requested a 5 foot by 6 foot illuminated sign be approved for this property.

#### **STAFF PRESENTATION**

Ms. Portner explained the proposal was for a revised plan for 704 Elm Avenue. This property was rezoned to Planned Business in 1988 for a real estate office. The approved site plan included some minimal modifications to the exterior of the existing house, paved parking lot with five spaces along Elm Avenue, and a non-illuminated sign in a planter in front of the house. The improvements were never completed and the property has continued to be used as a residence since 1988. The new owners have requested the file be reactivated for an Insurance office use. Since there are some changes from the 1988 approval, these must be re-approved by the Commission at this time.

The changes the Petitioner is asking for are: 1) redesign of the parking lot, 2) gravel surface lot instead of asphalt, 3) an illuminated 30 square foot sign instead of a 24 foot non-illuminated sign, and 4) moving and rebuilding the carport and garage.

The 7th Street Corridor Guidelines identify this as an area of transition from residential to office uses. This proposal of an insurance office would probably have less impact than the previously approved real estate offices. The issue of redesigning the parking should not be a problem and Staff will review their changes. If gravel is approved then parking bumper blocks would be required; the City Engineer is requesting it be an asphalt surface; however, the Commission can consider giving the petitioners extra time to do the asphaltting. The Zoning and Development Code requires dust free surface for all parking lots; some gravel does comply with this code.

On the request for the illuminated sign; it would impact the residential area, however, there are other illuminated signs along this corridor. The Community Development Department has received responses both negative and positive from residents regarding this potential impact.

On the subject of the 6 foot privacy fence along the north property line, the intent of the proposed fence was for a buffer from the business use. With the garage being moved there is less of a visual impact to the neighbor to the north. However, a screen fence was in the original approval and tonight the Commissioners need to make a decision on whether or not to delete the 6 foot privacy fence.

All other requirements of the original approval then would apply, and the petitioners would have to comply with those requirements before getting their Certificate of Occupancy.

#### **QUESTIONS**

Vice-Chairman Elmer asked what the largest size sign allowed on this property was?

Ms. Portner replied it is based on the street frontage, ie. .75 multiplied by the linear feet.

Mrs. Skelton commented that the illuminated signs show up better, and other businesses on the street have an unfair advantage if this sign is not illuminated also. The sign will also be very low; it's not more than 7 feet high.

Vice-Chairman Elmer asked if it would be possible to put a timer on the sign, so that it would turn off at a certain hour?

Mrs. Skelton added they could go back to the original size 4' x 6' if that would help.

Commissioner Roberts commented on the fact that internally illuminated signs have less light spill-over than if it were flood lights.

Vice-Chairman Elmer questioned the proposed parking east of the carport?

Mr. Skelton commented that he has torn down the garage but does not want to loose the option of putting another garage on the property, and wants to keep the dedicated area for that.

Commissioner Roberts questioned the Petitioner about the hedge on the neighbors property, and what responsibility they had for buffering.

Mr. Skelton explained it was not shown on the map, but the hedge was on their property. If it were ever removed it would be their responsibility to buffer the property.

Ms. Portner explained the hedge along the east property was approved in 1988; at that time Staff recommended a screen fence, and the neighbors requested the hedge remain and no screen fence be installed. The original approval includes requirements for landscaping, reviving the lawn and replacing any shrubs which were originally on the property.

Commissioner Roberts asked if this plan was available for the Commissioner's consideration.

Ms. Portner replied it was a part of the original approval in 1988.

Vice-Chairman Elmer asked Ms. Portner if Staff could work out the parking questions?

Ms. Portner replied the Development Department and Engineering is working it out. It appears there is enough room for the proposed parking to work.

Commissioner Roberts commented that once this is approved the use could change and a higher density business could take over the property.

Ms. Portner explained the parking requirements are based on professional office use which includes a lot of different types of businesses.

Commissioner Roberts also commented that this area is tending towards business use, and there does seem to be enough buffering available for the adjoining properties.

#### **PUBLIC COMMENT**

The Development Department received a letter from a concerned citizen Terry Stephens, 748 Elm Avenue. The letter was read aloud.

*"The parking idea I feel is a good one, the illuminated sign 5' x 6' wide I oppose strongly for the following reasons: My father lives directly across the street from 704 Elm ave. There is a Chiropractic illuminated sign 2 properties south of my father & at night he must close all drapes in order to sleep. He is a stroke victim and needs all the rest he can get and having to close the drapes is a real inconvenience to him. Another illuminated sign would enhance the already existing problem. This corner is already well lighted by the Street lights and the Chiropractor's sign, a non-illuminated sign would be seen even at the darkest time of night and the business would still receive the business they are after. I would not appreciate living directly across from this sign and I feel the residents should be given top priority in this matter. My father has lived at 1507 N. 7th St. for 30 years, I live*

close to 704 Elm Ave. and I personally do not want this illuminated sign, I feel a non-illuminated sign is sufficient."

Ms Portner continued; the Development Department received quite a few phone calls on this item and both sides were represented. Some citizens liked the idea of an illuminated sign for the added security, some were not real excited about it but not opposed enough to write a letter. Everyone did agree they would like to see the property improved.

**MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #35-88, A REQUEST FOR A REVISED FINAL PLAN FOR A PROFESSIONAL OFFICE BUILDING LOCATED IN A PLANNED BUSINESS ZONE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS, ELIMINATING A NEED FOR A PRIVACY FENCE TO THE NORTH, REQUIRING ASPHALT PARKING, AND ALLOWING THE USE OF AN ILLUMINATED SIGN (5 foot X 6 foot) AND BASED ON THE APPROVED PLAN IN 1988.**

The motion was seconded by Commissioner Elmer.

A vote was called, and the motion passed unanimously by a vote of 2-0.

Commissioner Anderson re-joined the Commissioners to hear the next item.

#### **V. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL**

##### **1. #64-91 RIGHT-OF-WAY VACATION**

A request to vacate the western 10 feet of 6th Street from Ouray Avenue north to the east-west alley.

**PETITIONER: City of Grand Junction**

**LOCATION: 550 Ouray Avenue**

**Consideration of a Right-of-Way Vacation**

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

Greg Dillon of Dillon-Hunt Architects and Lynda Lovern with the Grand Junction Parks and Recreation Department were present to answer questions.

#### **STAFF PRESENTATION**

Ms. Portner stated the request is to vacate a portion of the 6th Street right-of-way between Ouray Avenue and the alley to the north to allow an addition to the Older American Center. The existing 80 foot right-of-way includes 16 feet of pavement, a two foot curb and gutter, a 15 foot park strip, a five foot sidewalk and two feet inside the sidewalk. The proposed addition would extend five feet into the existing right-of-way necessitating the sidewalk being rebuilt to jog

around the addition. At least 10 feet of the right-of-way needs to be vacated to maintain the required 40 foot set back from the new centerline.

Ms. Portner continued; the proposal meets the following criteria as listed in section 8-3 of the Zoning and Development Code. The proposal does not landlock any parcel of land, the proposal does not restrict access to any parcel, the proposal does not have any adverse impact on the health, safety, or welfare of the general community, nor does it reduce the quality of public services provided, and the proposal does not conflict with adopted plans or policies. The expansion of the Older American Center at this site has been encouraged by the Neighborhood Guidelines. The proposal does not provide any benefits to the City, such as reduced maintenance, or improved traffic regulation; however, it does provide a benefit to the senior citizens.

#### **QUESTIONS**

Vice-Chairman Elmer asked what other options were available?

Mr. Dillon explained due to the structure of the building and the location of the parking in the rear it was necessary to choose this option. This option seemed to have the minimum impact for the project.

When asked if there were long range plans to widen the street, Ms. Portner replied it is unlikely as it is close to other collector streets.

Vice-Chairman Elmer also asked about where the center line would be? Would this vacation require a setback and a variance?

Ms. Portner explained the center line would move in this case.

Vice-Chairman Elmer asked if this was supported by the City Engineer?

Ms. Portner replied physically the center line of the road will not move, but the center line of the right-of-way will move.

Commissioner Roberts asked about the setbacks on the property across the street.

Ms. Portner replied the properties are zoned residential, and their setbacks are 20 feet measured from property line not center line of right-of-way. If they were zoned commercial it would impact them.

Vice-Chairman Elmer asked if the Plat would have to be amended to show the change for the future.

Ms. Portner explained it would be on record that a portion of the right-of-way had been vacated.

When asked if this change would affect the parking requirements, Ms. Portner replied it would not impact requirements, in this case the addition is for use by the present participants.

Vice-Chairman Elmer commented he did not like this vacation; however, there were some overall benefits for the community.

#### **PUBLIC COMMENT**

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

**MOTION (COMMISSIONER ANDERSON) "MR. CHAIRMAN, ON ITEM #64-91, A REQUEST TO VACATE THE WESTERN 10 FEET OF 6TH STREET FROM OURAY AVENUE NORTH TO THE EAST-WEST ALLEY, 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 Roberts.

A vote was called, and the motion passed unanimously by a vote of 3-0.

#### **2. #5-91 TEXT AMENDMENTS FOR 1991**

**A request to revise section 7-2-9 of the Grand Junction Zoning and Development Code regarding zoning designations for the northwest area that was recently annexed by the City (tabled from August 6, 1991 hearing).**

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

#### **STAFF PRESENTATION**

Mr. Boeschstein noted that the slide show and initial presentation for the plan was presented at the scheduled November 5, 1991 meeting. Tonight a brief review and comments that have been received since the November 5th meeting will be presented.

Mr. Boeschstein continued; the plan is called the Colorado West Industrial Park Study. It was financed by the City and the County using Metropolitan Planning Organization funding 1989-1990. An intense study was done on the northwest area (the area bounded by 24 Road on the East, Interstate 70 on the north, up to 25 Road) which includes about 1,000 acres of land. The specific area to be discussed tonight is 24 Road west which is industrial. The area to the east is primarily residential.

Options are for the Planning Commission to adopt an official plan of the City perhaps jointly with the County Planning Commission. The City Community Development Department has scheduled a joint hearing for the City and County Planning Commission to be held December 3, 1991 for the purpose of adopting this official plan.

There are some properties the City has already annexed which will need to be zoned. Staff is proposing a zoning text amendment which states the purpose and intent of the Colorado West Industrial Park Study. The purpose of this zone is to:

- (1) provide in the Northwest area of the Grand Junction Area, attractive sites for new industry, commercial and residential development;
- (2) protect the owners and tenants of surrounding premises and buildings from uses that may depreciate the value of their property;
- (3) insure a minimum level of quality of new development;
- (4) contribute to the economic vitality of the Grand Junction area;
- (5) provide a protective zone for a park-like development of industrial, commercial and residential development that is based on performance standards; and there are other purposes and intent. Under the Use Regulation section of the proposed zone there are permitted uses which are described as follows:

Uses shall conform to the uses shown on the "Colorado West Industrial Park Study - A Land Use and Transportation Study prepared for the Metropolitan Planning Organization - A Cooperative Effort between Mesa County and the City of Grand Junction" (1989-90) and the Alternative Land Use Plan found in that study.

Industrial uses shall be in conformance with these regulations and the use zone matrix (4-3-4) I-1 or PI Planned Zones.

Commercial uses shall be in conformance with these regulations and the use zone matrix C-1 (4-3-4) or Planned Commercial.

Residential uses shall be in conformance with these regulations and the use zone matrix RSF-8 (4-3-4) or PR 8 Planned Zones.

It goes on to describe the Special and Conditional Uses. One of the concerns voiced is the gravel issue. A special section was installed in the zone which discusses gravel mining and extractive uses and that section states as follows:

Gravel mining, storage of gravel, gravel crushing and asphalt plants shall be allowed in Industrial and planned Industrial zones by Conditional Use permit in accordance with Section 4-6 of this Code.

Currently there are a number of gravel pits along the River Road corridor, primarily between the Colorado River and River Road. The map shows the planned industrial area, and gravel operations that



can be grandfathered in; new gravel pits, asphalt plants, crushers would be allowed under conditional use permits. So there is an attempt to accommodate those interests in that area. Mr. Boeschstein stated that it was his understanding that area is a high priority for gravel mining and has been historically.

There is a section in the proposed code on environmental performance standards. Noise, Air Pollution, Odors, Electromagnetic emissions shall meet all of the requirements of the Colorado Department of Health, US Environmental Protection Agency and other regulatory agencies.

There are proposed area requirements for each use: under Planned Industrial the minimum lot size is five acres; Planned Commercial minimum lot size is one acre; Commercial one acre; Industrial five acres; and Residential one acre.

Under yards and landscaped area the zone states less than 200 feet from any lot line which adjoins any industrial or commercial use or zone.

Front Yards - No principal or accessory building above grade shall be located less than 200 feet from the boundary of any residential zone. No principal or accessory building above grade, parking area, loading or maneuvering area shall be located less than the following minimum distances from the street right-of-way line or proposed street right-of-way line of the following types of streets or highways as designated on the Road Classification Map prepared by the Metropolitan Planning Organization and adopted by the City of Grand Junction:

Major Highway and Principal Arterial; 100 feet.

Principal or Minor Arterial street separating an industrial area from residential area; 200 feet.

Principal or Minor Arterial street separating an industrial area from a commercial area; 25 feet.

Local street and all other street classifications and land use situations; 25 feet.

Side Yards - A minimum of 29 foot wide side yards shall be required for all parcels, except for residential parcels which adjoin parcels of another use in which case the minimum side yard shall be 100 feet. Sufficient berming, fencing, hedges and other techniques shall be used to buffer residential uses from nonresidential uses.

Rear Yards - A minimum of 20 feet shall be required for all rear yards except for residential properties which touch nonresidential properties in which case a minimum of 100 feet rear yard set back will be required. Sufficient berming fencing, hedging and other

techniques shall be used to buffer residential uses from nonresidential uses.

Under the landscaping standards the required yards set forth above shall be landscaped in accordance with the City of Grand Junction landscaping standards. In addition at least five percent of each parking lot shall be landscaped. Landscaping shall consist of at a minimum, frontage trees (street trees) of one per 35 feet of lot street frontage. Such trees must be planted in accordance with CSU Extension Service guidelines and must be a minimum of 1 1/2 inch caliper. Landscaping shall have adequate irrigation to ensure long term viability of the plant materials.

Street Access and Frontage - Each lot shall have a minimum lot street frontage of 100 feet. Each lot shall have access to a public street. Access shall comply with all of the conditions and standards of the City Street standards.

Building Height - Maximum building height shall not exceed 50 feet.

Building Spacing - Where two or more buildings occupy the same parcel, there must be a minimum of 20 feet or separation. There are a number of sign standards primarily emphasizing low scale signage, and monument-type signage for most of the zone.

Under the section application, review and site plan approval, and enforcement all other provisions of this Code shall be met when not otherwise inconsistent with the above regulations.

There have been a number of people concerned about existing subdivided parcels, so an additional text which discusses that in particular will be added. It is similar to the non-conforming text in the Code. It is titled "Continuation of Uses in Zoning Within Previously Subdivided Parcels" and it states that nothing in this regulation shall prevent the continued use, reuse and new construction on lots that existed prior to the enactment of this regulation. The zoning that existed prior to the enactment of this zone shall apply to all previously subdivided parcels using the zoning regulations that existed prior to the enactment of this regulation.

Mr. Boeschenstein stated that the Community Development Department has received three correspondences since the November 5, 1991 meeting, one from Elam Construction Company dated November 12, 1991 which discusses the need for protecting the areas for gravel mining and extractive uses, grandfathering, and goes on to discuss a gravel mining zone along River Road. A letter was also received from the Grand Junction Drainage District discussing the zone and the plan and the fact that it is not a homogenous area, recommends wide roads for tractor trailer rigs, and continues with the landscaping so that trees are not planted in site lines of streets or over drainage lines. It also discusses some of the better areas

of the northwest area and outdoor storage. If it is industrial, there are no screening requirements. If it is business or commercial, there are screening requirements. Grand Junction Drainage would be able to continue their operation with no additional requirements.

The intent is not to impose severe regulations but to protect the area for industry. It is one of the last remaining frontiers for industrial growth in the valley. The roads will have to meet the City road standards which do have wide roads for semi-trucks. The Urban Land Institute Industrial Park Handbook was used which has a model zoning code which is specifically designed for industrial parks as well as the Foresight Park Covenants for landscaping and setback standards.

The third letter is dated November 13, 1991 from West Based Investments. They are the owners of Interstate Commercial Park which will be the first park that would fall under this zoning. Some of their lots are in the annexation some are not. The reason this was done was for contiguity for future annexation. The West Based Investments Company also mentioned the grandfathering of existing industrial for zoning and development standards. As explained earlier, existing subdivided parcels would be grandfathered in.

There are a number of exhibits in the file which will be entered into the official record.

Vice-Chairman Elmer asked specifically about the text amendment.

Mr. Boeschstein explained the text amendment is a code amendment and would go in as a zone. The other item on the agenda tonight is to actually place that zone into a parcel of land which is the Interstate Commercial Park. So there are two actions tonight, one of which is the zone discussion.

#### **PUBLIC COMMENT**

Harry Mavrakis, 518 28 Road, had several comments. The proposal for a text amendment refers constantly to "the Plan", and the Plan has not been formally adopted by the Planning Commission or the City Council. It appears that the City is getting the cart before the horse. He felt that the plan should be formally adopted and then specific zoning criteria adopted into the City regulations that refer to the plan.

The specific requirements and uses that are going to be adopted are according to the I-1 and C-1 zoning, yet in the plan the majority of the area is referred to as heavy commercial-industrial. The I-2 and C-2 in the City zoning matrix is the heavy commercial and industrial zones. Mr. Mavrakis felt that if it was going to be called heavy commercial and heavy industrial in the plan then the

uses allowed should be expanded to fall within the I-1 or I-2 or C-1 or C-2 to give it the maximum flexibility to develop according to either zone.

Mr. Mavrakis continued; the intent appears to be to make the whole area look like Foresight Park. He questioned if the majority of the potential buyers of commercial and industrial intend to build another Foresight Park. There is probably a need for another Foresight Park in the area, but he disagreed with attempting to take the entire area from 24 Road west to Interstate 70 and 6 & 50 and trying to make it look like Foresight Park. He felt that the planned industrial requirement of a minimum of five acres is excessive. He also felt there should be some ability to take planned commercial to something less than an acre, at least some portion be designated as 1/2 acre lots in a commercial area and at least some one acre lots in an industrial area would make more sense.

The zoning criteria requiring landscaping seems to be opposite of the County's previous requirements of no landscaping. This landscaping criteria, especially one tree for every 35 feet prohibits the flexibility of nice landscaping.

Mr. Mavrakis also had a question on the minimum lot requirement of one acre on residential, when it appears to be only industrial and commercial.

John Ballagh representing Grand Junction Drainage District at 722 23 Road commented on what is being done, and the order which it will be done.

Mr. Ballagh said the text amendment does not seem to be real clear and felt that some coordinated effort with the County would be more appropriate. Specifically on the frontage setback and landscaping there are some water share problems. Many of the previously owned water shares have been sold, some isolated parcels would not be able to obtain water shares. He asked that standards on the landscaping be lowered and the setbacks be looked at again. Mr. Boeschstein suggests that about 100 feet from the right-of-way on a principal arterial be nothing but landscaping; this is not an economical use for industrial property.

Mr. Mavrakis is concerned about the current property which totals approximately 120-125 property owners. He stated that none of the property owners he contacted had received official notice of the intent to establish a zone, nor had they received any notice of this meeting. He felt it would be a total disservice to the property owners who are being affected by the actions of this Planning Commission and eventually the City Council. The public at large and the property owners have not been properly notified of these intended meetings and eventual re-zoning of the property.

## **STAFF REBUTTAL**

Mr. Boeschenstein addressed the public's comments. It was the intent of the Staff to have the Plan adopted ahead of the Zone, and this is the proper way to do it. Both the City and the County have run a 30 day legal notice for the December 3, 1991 meeting for the adoption of the Plan. A 30 day legal notice is not needed for the adoption of the Zone only a seven day legal notice is required.

On the I-1 and I-2, and the C-1 and C-2 comments, Mr. Boeschenstein felt this was something that the Planning Commission should deal with. The Staff has proposed in this draft the I-1 and C-1 as the standard, thinking this would be a high quality commercial-industrial area. Those zones do not allow steel mills or oil refineries; but do allow industries like Sundstrand, Emerson Music, and most commercial type facilities such as gas stations, and shopping centers. The Planning Commission can go to a heavier zone if they want to, recognizing that the I-2 and C-2 will be heavier types of uses. Staff is aware that Interstate Commercial Park will not comply with the area uses; it is the intent to achieve consistency in lot sizes. The lot sizes are also something the Planning Commission will decide.

The entire area is not being planned to look like Foresight Park. The planned industrial area is limited, it is not the entire area; there is also a commercial area and a residential area. Mr. Boeschenstein stated that he was not saying Foresight Park is a good model to strive for but it has been a beneficial project for the Grand Junction economy and the Northwest area could also meet those types of standards. He felt that landscaping was important for any type of commercial development; the county has had landscaping standards since 1983. It is incorrect to say the County does not have standards. Water is scarce in this area but Mesa Mall, Diamond Shamrock, Sleep-N-Aire, Western Slope Ford, West Gate Inn and Bank Western all have landscaping. To say there is no landscaping in the area is incorrect. Landscaping could be done with ditch water or in a limited way with domestic water.

The proposed text does include a residential section because within the proposed plan there is an existing residential section east of 24 Road. That is the reason a residential standard was included in the plan. Staff is emphasizing the industrial right now because that is the area that is being annexed and needs zoning.

Mr. Boeschenstein continued; he felt the frontage setbacks made sense; 100 foot setback from center line with the 50 foot 1/2 road section leaves 50 feet of landscaping in front of a building which does not seem excessive. This is what exists in Foresight Park.

The City has given all legal notices as required; the confusion may be with the plan and the zoning. The only item for tonight is the zoning of Interstate Commercial Park, the rest of the area is not

being proposed for zoning yet. Those property owners will be notified as those areas are annexed with separate hearings. The Plan has been advertised by a display ad and legal notices that State Law requires. There have also been two public workshops at the Westgate Inn with 200 to 300 post cards sent out to property owners informing them of the open houses and notifying them the City was annexing the area and this plan was being proposed for the area. Staff is also willing to meet individually with interested parties.

Mr. Mavrakis had a comment about the text amendments applying to the entire area which involve industrial, commercial and residential and asked that the industrial be included in the text amendments.

Mr. Boeschstein replied that this was stated in the latest draft of the proposal which is titled "Northwest Planned Industrial-Commercial-Residential Park Zone," which is about five pages long.

Commissioner Roberts explained some of the annexing procedures and which zones could encompass the area and be in place in time for the annexations. These decisions were made at the workshops. He suggested that the Commission table this item so that interested citizens could further study the plans.

Vice-Chairman Elmer asked Mr. Shaver for advice on the legal requirements.

Mr. Shaver commented that to table the item would be appropriate. On the next item, the Zone of Annexation, the legal requirements on initiating a zone and the timing on those issues may not require the zone or the plan to be implemented by December 3, 1991. Mr. Shaver suggested that Mr. Boeschstein comment on the timing.

**MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #5-91, I RECOMMEND THIS BE TABLED UNTIL THE REGULARLY SCHEDULED PLANNING COMMISSION MEETING TO BE HELD DECEMBER 3, 1991.**

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed unanimously by a vote of 3-0.

**MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 13-91, I RECOMMEND THIS ITEM BE TABLED UNTIL THE REGULARLY SCHEDULED PLANNING COMMISSION MEETING TO BE HELD DECEMBER 3, 1991.**

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed unanimously by a vote of 3-0.

Vice-Chairman Elmer stated that the item (Northwest Area Study) scheduled under General Discussion for this evening would also be tabled until December 3, 1991 in the City-County Auditorium.

Mr. Mavrakis asked if there would be further open discussion.

Mr. Boeschstein repeated that December 3, 1991 would be a full open discussion of the plan, and Vice-Chairman Elmer advised Mr. Mavrakis that written comments for the Commissioners to consider prior to the meeting would be helpful.

Mr. Mavrakis asked if the area west of 24 Road, north of 6 & 50 and south of Interstate 70, including Valley West on the other side of the Freeway, is all in the process of being annexed? What is the timing of the finalization of that annexation?

Mr. Boeschstein explained that the area in blue on the map and will be annexed within the next few months. The bulk of the area, white on the map, is not being considered for annexation yet, nor is the area along River Road proposed yet.

Mr. Mavrakis also had a comment on the item which was tabled, regarding the re-zoning of the annexed property. On behalf of the owners of the property, specifically Interstate Commercial Park and First Addition, they would specifically request that at the time the Planning Commission adopt a re-zone of that area that they specifically refer to those two particular pieces of developed commercial property as being grandfathered and that the Planning Commission specify which zone will be applied to that area for any potential users; whether it will be I-1 or I-2 under the City zoning or whether its going to be grandfathered in under the C-zone of the County. They would prefer to have the same rights as under the County C zone which would mean the flexibility of a C-1 and C-2 and possibly some I-1 uses under the City matrix.

Vice-Chairman Elmer commented that if the uses now in the County could be documented and go on the record that they are grandfathered uses. Grandfathered uses should be documented and put in the record now (like open storage) to make the distinctions easier to understand in the future.

**4. #70-91 FINAL PLAT AND PLAN AND ZONE OF ANNEXATION**

**A request for a final plan on approximately 14 acres and a request to zone the same to C-1 (Light Commercial) and a request for a Final Plat on approximately 24 acres.**

**PETITIONER: Drychester Retail II, Inc.**

**LOCATION: Northwest corner of North Avenue and 29 1/2 Road**

**Consideration of A Final Plat**

**Consideration of A Final Plan**

**Consideration of A Zone of Annexation**

## PETITIONER'S PRESENTATION

Mr. Donald Slack, 7935 East Prentice Suite 103, Englewood, CO., was present to bring for consideration the plan of annexation for Pace Membership Warehouse to be located at 29 1/2 Road and North Avenue in Grand Junction.

Mr. Slack stated that Pace Membership Warehouse is a Colorado based company purchased about a half a year ago by the K-Mart Corporation. The Corporation has sought to do an expansion nationwide in their membership warehouse program. They are interested in coming to Grand Junction with their #135 store, which includes about 137,000 square feet and is their newest and most current prototype store which sells a variety of goods.

The first consideration was the location of the building on the site. Because a ditch runs through the center of the property, the building plan with the building on the east was chosen. Reasons for this are due to the magnitude of the water from north-south and if the store were put on the west the building would fall over the ditch easement creating problems.

The second element in terms of decision making had to do with the loading area itself which faces north to allow for the North Avenue corridor to remain intact. Showing sensitivity to the housing to the north, a fence and landscape will be put in to buffer along the northern edge of the property on the south side of Bunting. Those two factors are what generated the configuration of the site plan.

The curb cut at the west edge of the Pace store is what is intended to be primary auto entry; the one on the west edge of the site the primary truck entry. Mr. Slack stated that he agreed with Staff that it is inappropriate to have delivery trucks on Bunting Avenue; therefore, they would be restricted. The curb cut on Bunting Avenue is to allow auto traffic exit onto 29 1/2 Road allowing traffic to come to the light on North Avenue.

Mr. Slack continued; the following responses to staff recommendations dated Nov. 19, 1991 were given:

Item #1 - Mr. Slack agreed that the zoning should be planned commercial.

Item #2 - A 6 foot high buffer (being a fence, or landscaping or both) will be provided generally in the section between 29 1/2 Road and the curb cut on Bunting on the north, and a section on the western edge of the property as well. The area between the curb cut on the north and the northwest corner of the site may require additional screening as time goes on depending on how it is developed.



Item #3 - Regarding the truck traffic, signs will be installed to minimize if not eliminate the possibility of any truck traffic on 29 1/2 and Bunting Avenue. Improvements will be made on Bunting; those plans are still in partial negotiations. Full right-of-way for the remainder of Bunting Avenue to 29 1/4 Road should be held aside until it is known what the next parcel will be. If it becomes an integrated site plan, it would be a detriment to have Bunting Avenue go through. Mr. Slack stated that he would like not to dedicate it at this time or escrow any funds for that purpose.

No problems were found with the additional right-of-way for 29 1/4 Road which is in the range of a 3-6 foot right-of-way rather than the 50 foot which exists today.

The petitioner is in accord with the half-street improvements on 29 1/2 Road and the turn lanes at the intersections. The petitioner will provide some of the dollars necessary for the signalization at 29 1/2 Road and North Avenue if necessary.

Mr. Slack stated that they were dealing with the State Highway Department in regards to North Avenue. Some of their latest comments require more meetings with them on the details on curb cuts and access.

The final drainage plan generated additional comments which will be addressed.

The final Improvements Agreement and Guarantee will be completed as these other items come to conclusion.

Item # 10 - Perimeter berming and landscaping will be incorporated into the parking lot design. An additional row of islands in the western portion of the lot to break up continuous asphalt will be provided.

Also, prior to recording the plat, the request on the free standing sign will be resolved. The maximum sign height allowed is 40 feet, and the petitioner is asking for a 45 foot sign. Another possibility is a monument sign. Mr. Slack stated that they would work with staff on this to meet the City's as well as Pace Warehouse's needs.

#### **QUESTIONS**

Vice-Chairman Elmer asked the petitioner what exactly were the exceptions that were being asked for, especially on items #3 & #4.

Mr. Slack stated there were no issues with #3. On #4, the question of right-of-way on Bunting between 29 1/2 Road and the curb cut concerns the three feet dedicated and there has been six feet requested. The question now is will that solve the problem in its entirety or will additional right-of-way be granted either north or

## North Avenue Corridor Guidelines

The North Avenue Corridor Guidelines encourage the use of planned development concepts for any new development of vacant land or redevelopment of large parcels. The Guidelines further state that existing housing in the residentially zoned areas abutting the North Avenue Corridor should be respected and protected. When new non-residential development adjacent to existing residential uses is considered, the impacts of increased traffic, noise, and lighting should not adversely affect the existing neighborhoods. New development is encouraged to use alternative accesses that do not encroach on the existing residential areas adjacent to the corridor.

That particular guideline was one the Development Department used extensively in the review for the Site Plan; that is why staff is recommending a Planned Commercial Zone in accordance with the North Avenue Corridor Guidelines and also recommending that access not be allowed on Bunting Avenue.

The Corridor Guidelines further note that access points should be designed to maintain a clear sight distance for vehicular, bicycle and pedestrian traffic safety. Concerns have been raised by the City Engineer on the poor sight distance to the north from Bunting Avenue onto 29 1/2 Road.

The North Avenue corridor guidelines also state that development should provide adequate setbacks for structures from the public right-of-way to be used in part for landscaping. As noted by the State Department of Transportation the building should be set back more from North Avenue to provide and protect approach sight distance at 29 1/2 Road.

As stated in section 4-4-4 of the Grand Junction Zoning and Development Code, the following must be reviewed in a rezoning application:

- A. Was the existing zone an error at the time of adoption?

Staff feels one must assume the answer to this is no. The existing County and City Commercial zoning is at a constant depth all along the corridor.

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

The property has been abandoned for some time and left to deteriorate. Bunting Avenue does seem to form some kind of line of demarcation between an area in transition to the south and the residential area to the north.

- C. Is there an area of community need for the proposed rezone?

Previous studies of the Valley, such as the Northwest Area Plan, have pointed out an over-abundance of commercial zoning in the Valley. However, large acreages with that zoning may be somewhat more scarce.

- D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?

A development of this size will have adverse impacts on the surrounding area from noise, light and traffic. However, some of these adverse impacts could be mitigated through good site design.

- E. Will there be benefits derived by the community or area by granting the proposed rezone?

The proposed commercial development will provide a large retail facility unlike any others currently in the Valley, although another has been proposed and approved.

- F. Is the proposal in conformance with the policies, intents and requirements of this Code and other adopted plans and policies?

The proposal as submitted is in direct conflict with several of the North Avenue Corridor Guidelines.

- G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? Adequate facilities are available to serve the development.

#### Final Plat

Ms. Portner continued: the proposed final plat is for a three lot subdivision of approximately 24 acres of the 30 acres site. The remainder of the site is a part of the existing Palace Estates Subdivision. There were some technical concerns about the actual plat drawing and those will need to be taken care of before the plat is recorded if it is approved.

#### Roadways and Access

29 1/2 Road is a County road and is proposed for annexation to the City. County Road and Bridge standards and City Street standards will apply to 29 1/2 Road. Additional right-of-way may be required along North Avenue and 29 1/2 Road, as well as Bunting Avenue if it is used for access. North Avenue is a State Highway and all improvements will be governed by the State Department of Transportation's Highway Access Permit. Half street improvements

will be required for all abutting roadways in addition to other improvements necessary to mitigate the traffic impacts of this development. Those improvements may include turn lanes, accel/decel lanes, continuation of raised medians and signalization. All driveways must meet the requirements of the City of Grand Junction, Mesa County or the State Department of Transportation, who ever has jurisdiction over the roadway to be accessed.

Some of the site planning comments have been addressed by the petitioners and are shown on revised plans. Although staff still feels the better site design would have the building further to the west on the site, allowing parking on the east side of the building and a better access onto 29 1/2 Road, eliminating the need for an access onto Bunting, the following recommendations are made if the Planning Commission chooses to approve the plan as submitted:

The petitioner has responded to the review agency comments with revised plans and reports. The following recommendations are based on those revisions:

1. In accordance with the North Avenue Corridor Guidelines, staff recommends the property be zoned Planned Commercial (PC) instead of C-1 to better control the future development or redevelopment and provide additional flexibility in site design.
2. As per section 5-5-1.H. of the Zoning and Development Code a wall, screen fence, or screen planting of a year-round nature, six feet in height must be provided around the perimeter of the parking lot adjacent to residential zoning and/or uses. This would include the north boundary of the property along Bunting Ave. from 29 1/2 Road to the driveway and along the west property line. Landscaping will be incorporated along both sides of the fence or wall line.
3. Staff has a concern with allowing access onto Bunting since it is designed as a local residential street. The use of Bunting for the development will negatively impact the adjoining residential zoning and uses. However, if access is allowed onto Bunting Avenue, as shown on the revised site plan, truck traffic will be routed to the North Avenue access and not allowed to use Bunting.
4. Bunting Avenue will require full local commercial street improvements from 29 1/2 Road to just west of the proposed driveway onto Bunting to accommodate the increased traffic. An additional 6 feet of right-of-way will be required along Bunting Avenue. Full right-of-way for the remainder of Bunting Avenue to 29 1/4 Road will be required to be dedicated on the plat. Funds for 1/2 street improvements must be escrowed for the remainder of Bunting Avenue. The petitioner

14. All other technical concerns must be addressed prior to recording of the plat and site plan.

**PUBLIC COMMENT**

Patsy James of 515 29 1/4 Road Grand Junction, CO. had questions about the annexation; will the owners of Lot 3 be informed before annexation?

Ms. Portner explained when Lot 3 comes up for zoning, which could be within the next month or two, a notice will be sent. The zone determines whether future development will require a public hearing for site plan review.

Mr. Boeschstein added that in the near term plan Mrs. James would not be annexed. The current plan is to annex Pace Warehouse Market itself and then take in the south side of North Avenue and around County Market. The long term does go all the way to 30 Road, but that could be a few years out.

**QUESTIONS**

Vice-Chairman Elmer asked if the PAD portion would be developed? He also asked about sharing the isle, and if it was just a blanket ingress/egress on the plat?

Mr. Slack stated there would be landscaping on that portion.

Ms. Portner added that the plat will be checked and it had been commented on.

When asked if all other departments had agreed with the plat, Ms. Portner replied that comments will be finalized before the plat is recorded. The other review agency comments are incorporated into the Staff review. Some of the specific issues that are not fully agreed upon are specifically noted.

Commissioner Roberts had concerns about the potential traffic generated and the need for a traffic signal soon after the operation opened.

Vice-Chairman Elmer asked about the City policy on the traffic light costs?

Mr. Don Newton, City Engineer, stated that the requirement for the traffic signal is the that the Petitioner must pay 100% of the cost.

Commissioner Roberts asked if the comments from the City Engineer had been address by the Petitioner?

Mr. Newton replied affirmatively.

Commissioner Roberts asked about the Bunting entrance?

Mr. Newton said this access was alright as long as trucks were not allowed to use Bunting Avenue. Mr. Newton also commented on the drainage issue; the existing pipe could only carry 2/3 of the flow from the drainage to the north. Whether or not the pipe could be increased in size is a question; however, it would have to extend across North Avenue. There are some drainage problems associated with re-locating the building.

Vice-Chairman Elmer asked Staff if the County was in agreement with the drainage plans?

Mr. Newton explained there are some concerns with the storm duration used to calculate the runoff. He added no matter what length of storm drain you use, the water will have to pass through the site and discharge across North Avenue.

Vice-Chairman Elmer asked about the revised landscape plan; it seems the changes are merely more trees on the islands and no big changes have occurred.

Ms. Portner agreed there are more trees on the island, and more along Bunting Avenue to 29 1/2 Road, and a fence is added along the west edge where it abuts the residential zone.

Vice-Chairman Elmer stated his major concerns were about the landscaping and the amount of asphalt, and the set back of the building from North Avenue and the architecture. It looks like a big warehouse right on North Avenue.

Commissioner Roberts added he does not like the site plan. The building is right in the way of the access. There are three entrances off of North Avenue which will be impossible to control. The building is too big for the site.

Mr. Boeschenstein commented that Staff's original recommendation was to place the building on the northwest corner, this would provide a better driveway access on 29 1/2 Road. The problem with that was the drainage problems.

Commissioner Roberts felt that this plan left all the problems for the City and the residents to deal with. Visually the building will probably be very imposing; a lot of trees with strips of grass can be put in but it still doesn't address how traffic can easily access the site.

Vice-Chairman Elmer stated he did not have a problem with the rezone, but felt there was a problem with the site plan and the location of the building, however.

Commissioner Roberts also commented on the entrance from 29 1/2 Road, vehicles must turn left and could back up traffic on 29 1/2 Road which will be a problem at peak traffic times.

**PETITIONERS REBUTTAL**

Mr. Slack commented again on the drainage; it was a substantial problem in deciding on the building site. He stated that they believe they have found a solution to the drainage problem within the constraints. He also felt that they had met the landscaping and access and management controls of the trucks to accommodate all the systems.

**MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #70-91, A REQUEST TO ZONE APPROXIMATELY 14 ACRES LOCATED AT THE NORTHWEST CORNER OF NORTH AVENUE AND 29 1/2 ROAD, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL OF A PLANNED COMMERCIAL ZONE 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 3-0.

**MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 70-91, A REQUEST FOR A FINAL PLAT ON APPROXIMATELY 24 ACRES, I MOVE 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 3-0.

**MOTION (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM # 70-91, A REQUEST FOR A FINAL PLAN ON APPROXIMATELY 14 ACRES LOCATED AT THE NORTHWEST CORNER OF NORTH AVENUE AND 29 1/2 ROAD, I MOVE THAT WE DENY THIS FOR THE FOLLOWING REASONS: ACCESS PROBLEMS, SITE LAYOUT PROBLEMS."**

The motion was seconded by Commissioner Anderson.

A vote was called, and the motion passed unanimously by a vote of 3-0.

**VI. GENERAL DISCUSSION**

**1. Northwest Area Study**

This item will be tabled until December 3, 1991.

## 2. Strategic Cultural Plan

### PETITIONERS PRESENTATION

Allison Sarmo of the Grand Junction Arts Commission was present to talk about the planning process and the recommendations.

Sandra Brown of the Grand Junction Arts Commission was also present and gave some background information to the Commissioners. A resolution to form The Arts Commission was passed by the City Council in 1989, one of the mandates from this resolution was to submit a report to the City Council and the community on the state of the arts in Grand Junction. The report was to define arts and cultural organizations in the community, determine the communities priorities in the arts and develop a plan to address those needs.

One of the plans of the Arts Commission is to involve as many individuals as possible in the planning process so The Commission has (A) hired a consultant with a grant from the State Agency the Colorado Council on Arts and Humanities, a small grant of \$7,500, and (B) a planned steering committee was formed including attorneys, business people, art gallery owners having a wide group from the community involved. That group was divided into six task forces (shown on page 5 of the document). A lot of time and energy was taken to gather information and it was brought back to a Committee of 18 people for review. This process took approximately nine months and part of that process was a telephone survey which is listed in the appendix. From this survey we found there well over 50 percent for arts and culture in the Grand Valley.

Ms. Sarmo further explained the plan was eventually for the City to financially support the arts in the Grand Valley. The committee's task was to figure out the best way to do this with the resources available. To begin with, the organization needs to help strengthen the arts organizations which exist and are offering arts and culture in the schools; marketing and promotion, coordinating groups, and arts education.

"Cooperation, Collaboration of Partnerships" mainly deals with cooperation among the local arts agencies and ways of creating networking opportunities, finding ways so they don't overlap what they are doing, strengthening the arts organizations.

Ms. Sarmo stated that she has received comments that some people want a major arts festival. Whether the Arts Commission actually works on it depends on the City Council decisions. The Arts Commission would like an annual meeting of all the arts organizations, and develop information programs for the community; studies have been done which indicate for every dollar spent on the arts you make three or four dollars on other things in the community. The Arts Commission would also like to increase media coverage.



The Arts Commission found out in a survey that 66% of the people feel a new public performance facility is needed and that will be major dollars. A lot of people would like to see more theater and performing arts. The question of a cultural facility has been turned over to the City for a Cultural Facility Feasibility Study. Once there is a study, the commission wants to help people in locating or renovating a facility.

On the investigation of the feasibility of a cultural enterprise district, the commission feels it would be good to locate centrally. The Commission is also investigating the feasibility of a large publicly owned tract of land for a future cultural complex.

Ms. Brown commented that from the survey, even people from Fruita and Palisade, the majority (80 percent), wanted a cultural center downtown or in a central area.

The Arts Commission feels that without public funding, it can look forward to a community without a museum, art center and possibly no symphony. Most communities do fund these.

Also, the Commission needs to look for funding from private, Federal and State sources and look at a Cultural Tax District.

On the marketing and promotional programs the Arts Commission has received a \$1,000 grant to help fund some programs.

One main problem with art in Grand Junction is that the artists have to market in Vail, California, and Texas. They need a place for support here, such as in Manitou Springs where there is display space for 25 artists.

Ms. Brown added that the task force felt in order to coordinate and develop these ideas a professional staff person would be needed. The Commission suggested that An Administrator of Cultural Services would be appropriate in a City department such as the Development Department or the Parks Department. This would also show that art is being taken seriously and this person could also do enough grant work to justify the salary.

#### QUESTIONS

Commissioner Roberts asked if there have been studies done on education of the arts in schools.

Ms. Sarmo stated that the schools have adopted an arts curriculum, but never implemented it. In the future it may be the Commission's job to implement it, but it depends on the funding.

Commissioner Anderson added that it might be too much to expect the arts program to be picked back up because they already dropped it once due to financial problems.

Vice-Chairman Elmer asked who sponsored the art festivals.

Ms. Sarmo replied it is done by the DDA. The Commission would like to expand on that and include all the arts groups.

Mr. Boeschstein commented on how the Development Department could become involved if they wanted a grouping of an artist colony. For instance on Main Street the art on the corner, and the galleries gives Grand Junction something different to offer and brings people in just for that art. This could also fit in with some of the plans for south downtown and the riverfront. There will be a need to define that area, especially on the Jarvis 50 acres and the Lewis and Dunn 30 acres that the City owns. It could be an opportunity for the arts center, for studios or the sculptures to locate there. Its often been used to revitalize cities for instance lower Denver is now a hot spot due to art.

Vice-Chairman Elmer felt it was a good plan, the goals and plans are good. Its not the Planning Commission's job to consider the funding issues, which should go to the voters.

Commissioner Roberts commented on the need for a staff person, because volunteers only have so much time and energy and the cause gets lost. It's hard to keep the vision going.

Mr. Boeschstein noted it would be excellent for the Planning Commission to adopt this as part of the Master Plan for the City of Grand Junction. It would be an advisory document; but it does have good goals, guidelines and objectives and could become part of the system over time.

Vice-Chairman Elmer tabled this item until the December 3, 1991 meeting.

#### **VII. NONSCHEDULED CITIZENS AND/OR VISITORS**

Mr. Thornton, Planner from the Development Department presented the Planning Commission with a 1990 Census Report for Urbanized Areas; he noted the population for Grand Junction's urbanized area on this study was 71,938 (which did not include Palisade or Fruita).

The meeting was adjourned at 11:20 p.m.