

GRAND JUNCTION PLANNING COMMISSION
Public Hearing July 9, 1991
7:37 p.m. - 10:35 p.m.

The public hearing was called to order by Chairman Ron Halsey at 7:37 p.m. at the Two Rivers Convention Center.

In attendance, representing the City Planning Commission, were:

Ron Halsey, Chairman	Jim Bittel	Craig Roberts
John Elmer	Jim Anderson	Sheilah Renberger

Commissioner Steve Love was absent.

In attendance, representing the City Community Development Department, were David Thornton, Planner; Karl Metzner, Planner; and Bobbie Paulson, Senior Administrative Secretary.

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

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

There were 13 interested citizens present during the course of the meeting.

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, THERE IS ONE CHANGE FROM THE JUNE 4, 1991 MOTION FOR ITEM # 32-91 IN THE REQUEST TO CHANGE THE ZONE FROM RSF-4 TO PR 4 UNITS PER ACRE. IT STATED IN 'PHASE 2' AND THE MOTION SHOULD READ IN FILING # 1".

The motion was seconded by Commissioner Renberger.

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

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

The newest member to the Commission, Jim Anderson, was present.

III. PUBLIC HEARING

1. **41-91 COLONY PARK PRELIMINARY PLAN AND PLAT**
A request for a Preliminary Plan and Plat for 22 residential lots on 3.43 acres in an existing Planned Residential ten units per acre (PR-10) zone.
Petitioner: Alco Building Company
Location: Southeast of Patterson and 25-1/2 Roads
Consideration of Preliminary Plan
Consideration of Preliminary Plat

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

PETITIONER'S PRESENTATION

Bruce Millard, representing Alco Building Company stated that there were no changes, but he would answer questions. Most of the comments will come when the planning staff reviews various agencies.

STAFF PRESENTATION

Mr. Thornton showed a replat of Colony Park, and stated that a replat must take place because the original, which was recorded in the early 80's was for two 30 unit apt buildings platted with underground parking and 15 building lots for attached units. The Petitioner submitted for Final Plan and Plat which will be reviewed next month; assuming the preliminary plan is approved.

The preliminary plan is for 22 dwelling units. Phase I has two 4-plexes. Phase II consists of 3-plexes and 4-plexes.

None of the review agency comments are insurmountable, i.e. no problems that can't be dealt with before final stage.

Mr. Thornton continued by stating that the question for this preliminary stage is "Should this use designed in this particular manner be constructed on this site"?

QUESTIONS

Commissioner Elmer had a question about the utility easements - will they be cleaned up?

Mr. Thornton replied that there is some confusion which will be reviewed and worked out before final plat, but there are no major problems.

Commissioner Elmer questioned whether the transactions had taken place with the other property owners.

Mr. Millard replied affirmatively. The Baughmans, owners of the adjacent land are working with us. There has been mutual consent to square off that piece of land.

Commissioner Elmer asked if they have full title.

Mr. Thornton explained that the Baughman's, the petitioner, and the Cider Mill Road change will be ready by final.

Commissioner Bittel commented that the City Engineer was concerned with the road affecting the adjacent property owners, and they had

a meeting stating that this wouldn't be the major access to future development - Please explain.

Mr. Millard explained that Alco Building Co. met with Staff, the City Engineer, the Baughman's, and Pat Gormley (who owns the property east of the Baughman's). They talked about the future use of this property, and did concur that this wouldn't be a major or only access for all of the adjacent property and it will be classed as a local not a major roadway.

Commissioner Elmer asked if that meant its a temporary cul-de-sac, or will a future road be allowed to go through?

Mr. Thornton replied that they still request access to the south, but its not a main road, and it would not be the only access off of Patterson heading south.

Chairman Halsey asked: With the traffic on Patterson like it is, wouldn't it be good to put in a deceleration lane, especially since the road could be extended in the future? Commissioner Elmer asked if there was room to do this in the future?

Mr. Newton stated that there wouldn't be enough traffic generated to warrant a deceleration lane. If that road is extended to the south in the future then it would warrant it, if there was adequate right-of-way to do that. It greatly depends on how the property to the south develops and how they propose to access that property. If there is no extension of the road, there will be no need for an accel/decel lane there. We checked the state access code to see if an decel lane is warranted and in this case its not because of the number of lots and the number of dwellings.

Commissioner Elmer asked: On the question of putting the fence on the city right-of-way, is that still a request?

Mr. Thornton stated that this request will come in Final Plat, also the vacation and the request for revocable permits. We should give them some direction on it now, so things are cleared up when we meet next month.

Mr. Newton stated that the City needs to maintain access to manholes, box calls and drains and to maintain the width in case of additional extensions.

Commissioner Elmer questioned the Petitioner about water rights for irrigation. Is that a problem?

Mr. Millard replied that they will have rights. Also, on the west property boundary there is the Grand Junction Drainage District line, its not a legal source but can be used for irrigation purposes.

Commissioner Elmer asked if they have filed for the Junior water right?

Mr. Millard replied affirmatively. He also added that the Ranchmans Ditch rights can be acquired there as a backup solution.

Commissioner Elmer asked if the Drainage District was allowing them to dump the storm water into their pipeline? He stated that it wasn't real clear from the comments.

Mr. Millard stated that at this point in time the line that is there is not adequate to even take care of the surcharge that exists in the Ranchmans Ditch during slow periods. We are talking with the City and the Drainage District, trying to get a new line which would actually be a storm-sewer line. Those negotiations are in process.

Commissioner Elmer asked if it would go to the north?

Mr. Millard replied that it would come from the south to the north into the Ranchmans Ditch and would be above the existing line that is there, and the old line would remain in place.

Commissioner Bittel asked the City Attorney if the comment from him previously on the water supplier was still an issue.

Mr. Shaver hadn't reviewed this application. Mr. Thornton stated that it would be addressed at final. He stated that the Petitioner had responded to all comments, but the City Attorney's comments came in late and they didn't respond to this with the rest of the comments.

Commissioner Elmer reminded the Petitioner that there should be enforcement for the covenants for the future; it should be looked into for their protection.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #41-91, A REQUEST FOR A PRELIMINARY PLAT AND PLAN FOR COLONY PARK, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS, WITH THE REQUEST FOR THE REVOCABLE PERMIT FOR THE FENCE LINE DENIED."

The motion was seconded by Commissioner Renberger.

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

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

2. # 37-91 TACO BELL REVISED FINAL PLAN
A request for a revised Final Plan in an existing Planned Business (PB) zone.
Petitioner: John L. and Judy Moss
Location: 850 North Ave
Consideration of Final Plan

PETITIONER'S PRESENTATION

Mike Saelens was present to represent Moss Inc. and stated that John Moss is a franchisee of Taco Bell Inc.

Mr. Saelens stated that they are seeking a variance to complete the sign on the building at 850 North Avenue. Because we are a planned business we were told by Mr. Thornton that we can with your approval take some of our allowable signage off the total site and switch it to the building. This is what we would like to do so that we can complete the building with the signage. If approved it will increase the square footage on the building to 183 square feet; but the total allowed for the property is 217 square feet, so by code we would still be under the total signage allowed by 34 square feet.

QUESTIONS

Commissioner Bittel asked if the sign will be on the east?

Mr. Saelens stated that it is the north side of the building which faces the parking lot and the neighbors are in agreement.

STAFF PRESENTATION

Mr. Thornton stated that staff doesn't have any opposition to the 4th sign on the building.

Commissioner Elmer commented that we are trying to limit the traffic from the north, but this sign doesn't offer more business, so there is no problem with adding it.

MOTION: (COMMISSIONER BITTEL) " MR. CHAIRMAN, ON ITEM #37-91, A REQUEST FOR A REVISED FINAL PLAN FOR TACO BELL AT 850 NORTH AVENUE, THAT WE ARE APPROVING FOR A TOTAL OF 183 SQUARE FEET OF SIGNAGE, WHICH ALLOWS ANOTHER TACO BELL NAME AND LOGO ON THE NORTH SIDE, I MOVE THAT WE APPROVE THIS SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

The motion was seconded by Commissioner Renberger.

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

3. **#42-91 EASTGATE VILLAGE TOWNHOMES FILING 2**
A request for a Preliminary Plan and Final Plan and Plat for 11 residences on 0.9 acres.
Petitioner: Robert L. Dorsey
Location: Elm Ave & 28-1/4 Road
Consideration of a Preliminary Plan
Consideration of a Final Plan
Consideration of a Final Plat

PETITIONER'S PRESENTATION

Mr. Dorssey stated that this is a request for Preliminary Plan and Final Plat for 11 residential units on .90 acres.

STAFF PRESENTATION

Mr. Metzner stated that this is a combined Preliminary and Final on Phase 1. It's designed as attached townhome type units in two and three unit configurations with a cul-de-sac coming off Elm Ave. The north part would be final for Filing 1. To the south is a future filing.

There were considerable review comments of a technical nature originally because initially it was zoned in the early 80's for 41 units per acre. We have a new written response from the Grand Junction Drainage District that they have met with all of the concerns that have been addressed, they also have addressed all of the review comments from the Utilities Engineer.

Mr. Newton commented that his previous comments have been addressed except some minor issues: some labeling, an elevation needed for a pipe discharging into the detention pond and a fire hydrant labeling on the street.

Mr. Metzner added that they have received a response regarding the City Attorney's comments, and basically past issues have all been resolved and he sees no problem with proceeding on a technical basis at this point.

QUESTIONS

Chairman Halsey mentioned the letter from Kathy Portner, bringing to the Petitioners attention the deficit, and asked staff if there had been a response to that letter.

Mr. Metzner replied affirmatively. It appears we can go ahead with the hearing, most everything has been worked out.

Commissioner Roberts asked if this included the utilities and fire department?

Mr. Metzner stated that the fire department did recommend a hydrant at the intersection of Elm and the cul-de-sac and the petitioner will get with them to be sure its really needed and if it is he will provide it.

Commissioner Elmer asked if the temporary cul-de-sac was addressed?

Mr. Dorssey said it was in Filing 2 and that gravel road base will work on it.

Commissioner Elmer stated that in the second filing you are putting in a sewer and road and that the City still needs a temporary easement for the City until the next filing.

Mr. Newton added that the City would require that the right-of-way be dedicated prior to Phase 1 and it would be a public access and also we need the right-of-way for the utilities.

Commissioner Elmer asked the Petitioner if they had agreed to a wider walking path with access to the southeast?

Mr. Dorssey stated that he was deeding 25 feet of property to the City and would like a four foot access over that to improve.

Mr. Metzner said there was no problem for use as a temporary walkway.

Mr. Dorssey added that he would like to get an easement to put something in and give the City that other 30 inches.

Mr. Newton recommended that the path be built within the right of way, and if a street ever goes through they will just take it out and build a street.

Commissioner Elmer asked if there is a plan for Bunting to go through or do you just want to keep that access for the individuals to the west?

Mr. Newton said he believed there is a potential need for a street to access other properties - one to the south and one to the west.

Mr. Bittel asked if Mr. Dorssey would widen that to four feet, not only along the right of way but clear up to Eastgate Court? The entire walkway, is that correct?

Mr. Dorssey stated that he would like to make a proposal that he does it in a road base rather than doing concrete all the way, which may have to be taken out later.

Commissioner Elmer added that it should be made permanent.

Commissioner Roberts asked the Petitioner about the utility and open space behind all of the units.

Mr. Dorssey stated that it's a common utility easement, owned by the homeowners, and the fences will come through the easement areas.

Commissioner Roberts stated that it's no longer an open space, it's private space because it's been fenced off to individual use. Commissioner Elmer added that you wouldn't want to call it open space, they should keep it an easement.

Mr. Dorssey stated that the fence will come down the property line and the easement will be in the fenced back yard; its standard all over town. The open space is dedicated in with the easement.

Commissioner Elmer asked if the only "true open space" was that area on the south end of the property?

Mr. Dorssey agreed it was and added that the only other open space is where the detention pond was.

Commissioner Elmer stated otherwise the property lines will be taken to the outer boundary and there will just be a utility easement. When you get to the final stage, clarification needs to be made on this.

Commissioner Roberts asked if the drives were 12 feet wide, if they had single car garages, and were there not four off street parking places required?

Mr. Metzner stated that there is a text amendment proposal for four off street parking places being required, but it hasn't gone through yet.

Commissioner Elmer asked for another clarification as to what we're hearing as far as Phases versus Filings. Is Filing I just the top four units?

Mr. Metzner stated that you're hearing the final on Filing 2 (top part in red on the map) which is Phase I of this proposal. The bottom part which contains the cul-de-sac will then be Filing 3 or Phase 2 of this proposal.

Commissioner Bittel asked the Petitioner if the ones they were starting to build were two story?

Mr. Dorssey replied all are single level, 1300 square feet, single car garage.

Commissioner Elmer asked if the City was requiring them to escrow half of Bunting?

Mr. Newton stated they were not because they don't need access.

Mr. Metzner added that they are treating this similar to how G Road was treated in Ptarmigan Estates in that the right-of-way was maintained but improvements were required because of the question about whether it would be developed and if so how long it would be before it was developed.

Commissioner Elmer had a question on the open ditch, is it a safety hazard?

Mr. Dorssey stated the open ditch will be fenced out of the property.

Commissioner Elmer asked if the two pages of comments from the Drainage District had been resolved?

Mr. Metzner replied affirmatively.

Commissioner Roberts asked if they will be landscaping in the back, and if the open space is open and maintained?

Mr. Dorssey replied that they won't have mandatory landscaping in the back, and it will be wild grass in the open space, he doesn't want to have to cut and irrigate them because its so small.

Commissioner Roberts added that it isn't a usable open space, it will just be a weed patch.

Chairman Halsey noted that they need to insure that there is a covenant on some type of improvement before final.

Mr. Dorssey stated he felt the detention pond and the open space needed to be fenced out.

Commissioner Roberts stated that this is the problem with the plan, the detention pond is just that "a detention pond", and the plan is flawed in that they are creating these kind of spaces and leaving the people with little lots and no place for freedom. If you went straight zoning on this you would have a rear yard setback, a front yard setback and side yard setbacks. The idea of going to a planned development is not to pack a bunch of units in here and throw away all of the excess land. What we're talking about is a usable community open space.

Mr. Dorssey stated that this plan was for retired people who didn't want backyards anyway and he's never had anyone mention this problem before.

Commissioner Roberts added that this space needs to be included in the backyards or made usable to everyone, not left as small corners that aren't maintained. It should be a benefit for the development and the community.

Mr. Newton said it was his understanding that there is no irrigation shares available to the property.

Mr. Dorssey said that was right.

Mr. Newton added that there is a drainage ditch to the south and if they were to investigate getting permission from the drainage district it could be used for irrigation.

Commissioner Elmer entertained a motion that they close the hearing and ask for a discussion among the Commission because it is hard to approve Filing #2 without the overall open space and lot line issues resolved. He added that from what Commissioner Roberts had said he didn't feel this is a PD type development and we really haven't looked at the creativity that should be taking place with zero lot lines and more open space and either we need to use the PD zoning as it is intended or go straight zoning.

MOTION: (COMMISSIONER ROBERTS) "MR. CHAIRMAN, ON ITEM #42-91, A REQUEST FOR A PRELIMINARY PLAN FOR EASTGATE VILLAGE TOWNHOMES, I MOVE THAT WE DENY THIS FOR THE FOLLOWING REASONS: I DON'T BELIEVE THAT THE OPEN SPACE IS ADEQUATE FOR PD DEVELOPMENT AND THEY HAVEN'T ADEQUATELY ADDRESSED THE PARKING IN THE COURT PART OF THIS PROJECT AND HAVEN'T TAKEN ADVANTAGE OF WHAT PD DEVELOPMENT HAS ASKED US TO TAKE ADVANTAGE OF."

The motion was seconded by Commissioner Renberger.

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

Commissioner Bittel added that most of the things addressed in the motion as a reason for denial refer to the 3rd filing, which is not the subject today, we're not doing a Final Plat on this today.

Chairman Halsey asked if the Petitioner needed to appeal to the Council, or do they go back and work with Staff?

Mr. Metzner instructed the Petitioner that he has the right to perfect an appeal on the record tonight and on the basis of that he should discuss with him the procedures for perfecting the appeal based upon the motion and the commissions decision. Mr. Dorssey, would you like to appeal?

Mr. Dorssey replied affirmatively.

IV. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

1. TEXT AMENDMENTS FOR 1991

a. A request to revise section 5-7-7. B.8 of the Grand Junction Zoning and Development Code regarding off premise signs (tabled from June 4, 1991 hearing).

Petitioner: City of Grand Junction

Consideration of a text amendment

Mr. Metzner requested this item be pulled from the agenda to be rescheduled at some but yet future unknown date. We will re-advertise, but at this point it looks like it will be a considerable length of time. The Council felt a concern about the sign code being changed piecemeal and they ask that we reactivate a sign code committee to look at the code in its entirety and that

any changes be brought before that committee prior to going through the hearing process. At this point on this particular amendment we have a staff version and an alternative version and so right now we're looking to form that committee and have these changes and some others coming back before you.

Chairman Halsey asked if that was the consensus of the Commissioners to table this item?

All were in favor.

2. **12-91 ZONE OF ANNEXATION TO LIGHT COMMERCIAL**
A request to zone 6.73 acres also known as Diamond Shamrock No. 1 recently annexed to the City to a Light Commercial (C1) zone.
Petitioner: City of Grand Junction
Location: State Highway 340 and Monument Road
Consideration of a Zone of Annexation

STAFF PRESENTATION

Mr. Metzner stated that it is zoned commercial in the county and the areas to the west (Brachs Market, the Monument Twin Theater, and the Mini Storage) are all zoned C1, so it seems appropriate for these types of uses that C1 would be logical.

Chairman Halsey asked about the five residences, where they were located?

Mr. Metzner noted that two residences were on the northwest portion, and the 3 others were pointed out on the map.

Commissioner Roberts asked Staff about the big tract that goes into the river.

Mr. Metzner stated that it was still unincorporated - not annexed - it would be annexed in three years.

Commissioner Anderson asked about the one foot strip to the North, what is the ownership on this?

Mr. Metzner stated that it doesn't show up on the tax map, its potentially public domain.

Chairman Halsey had concerns about the few houses especially on the south side where so much commercial is impacting the area. In the future I would like to see those homes protected as residential, and not have it strictly business.

Mr. Metzner added that the boundary line to the commercial zoning is the drainage that runs behind those houses, from there on it turns to residential.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #12-91, A REQUEST TO ZONE 6.73 ACRES ALSO KNOWN AS DIAMOND SHAMROCK NO. 1 TO C-1 (LIGHT COMMERCIAL), I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

Commissioner Anderson seconded the motion.

A vote was called for and passed by a vote of 5-1, with Chairman Halsey opposing.

3. **3-91 ZONE OF ANNEXATION TO RSF-8, PZ & I-1**
A request to zone 11.52 acres also known as Knoch Annexation to Residential Single Family eight units per acre (RSF-8), Public Zone (PZ), and Light Industrial (I-1) zones.
Petitioner: City of Grand Junction
Location: South of Hale and North and East of the Colorado River.
Consideration of a Zone of Annexation

Mr. Metzner proposed three zonings because of the use and ownership involved. The area to the east and north of the blue is currently industrial - the blue is proposed to be industrial - the yellow is all property that is owned by the City of Grand Junction that we are proposing PZ. The green strip we are proposing residential. The previous county zoning on the entire tract in question was industrial.

Chairman Halsey expressed his concern about the overall planning for the area thinking that some type of Commercial zoning might be appropriate for cleaning up the area, with the state park nearby. Looking long term it seems Commercial zoning would fit better.

Mr. Metzner agreed, but added that they don't know what's going to happen, so by proposing PZ it becomes a kind of holding zone until they know what is going to happen in there. We are proposing light industrial since heavy industrial has the potential for uses which do pollute. The light commercial is probably incompatible with the uses that you have down there, I really think we need to see a different kind of zone that encourages compatible uses with the River Front Project, and we just don't have one at this time.

Commissioner Anderson asked if it would be out of place to put a time limit on the PZ zoning so the City could come up with something.

Mr. Metzner explained that the area the City retains would have to remain PZ so the real unknown is what part might be disposed of and when it is sold would it have to be rezoned. PZ is only for properties owned by a taxing entity, such as the county, state, fed. government and it contains a broad range of uses.

Commissioner Elmer added that its probably in the best interest of the City to sell it as soon as possible to get the land back on the tax roles and generate income.

PUBLIC COMMENTS

Betty Holmes of 603 Lawrence had a question about the residences which the Commissioners had been discussing. She knew of 3 residences, one being the 603 Lawrence address. Mr. Holmes pointed out areas of residential concentration in the blue area on the map which Mr. Metzner was not aware. Mrs. Holmes added that they did not get notice of annexation. She also added that they have over an acre of ground with no irrigation water and wondered how they could be zoned residential when they can't maintain those standards.

Commissioner Bittel reassured her that there were no standards since the zoning they were in was industrial.

Mr. Holmes objected again to being annexed without being given notice and asked about legal recourse.

Mr. Shaver explained there are certain legal requirements in terms of advertising. It would have been published and it would have been advertised at the time it occurred. There may not be a public campaign but it is advertised, and I can assure you it was done in accordance with the laws. You may contact the City Clerks office and she will provide you the dates and a copy of the advertisement.

Mr. Joe Sanchez, representing his mother who lives at 525 Lawrence was concerned about the industrial zoning.

Mr. Metzner assured him that it has been industrial for years and won't be changing in that area.

Mr. Holmes also added that the there was an error in the amount of acres which he had previously talked to Staff about.

Mr. Metzner stated that he went to the Engineer Department and they are going to recalculate the acres, it is approximately 40 acres more than the 11.52 listed.

Commissioner Renberger questioned selling land that was in the flood plain.

Mr. Metzner explained that you can sell and build on the flood plain if you meet the Federal Flood Plain Regulations. The problem is the expense, but its not prohibitive. There are permits needed.

Mr. Sanchez asked Staff if they had made any decisions on the highway, and was it going right in front of Lawrence?

Mr. Metzner stated that the last he heard the preferred alternative has been to come down the tracks and then come back into the existing road, but it wouldn't be a highway, just a two lane road. You can contact the Public Works Department to find out more.

Commissioner Roberts asked if there was a problem with the residences being included in the area as industrial not residential?

Mr. Metzner explained that it was all zoned industrial in the county and has been for at least 15 years, so they have a grandfather clause. Nothing changes for them at all to become annexed into the City. The only changes will be City trash pick up, and if you call 911 you will get the City Police instead of the County Sheriff, as far as I know you're not doing anything that doesn't fit within the City regulations.

Commissioner Elmer commented that the City Attorney had raised a question about the policy question. He recommended the motion does not say "subject to review agency sheet".

MOTION (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #3-91, A REQUEST TO ZONE [ACREAGE TO BE DETERMINED], ALSO KNOWN AS KNOCH ANNEXATION TO RESIDENTIAL SINGLE FAMILY EIGHT UNITS PER ACRE (RSF-8), PUBLIC ZONE (PZ) AND LIGHT INDUSTRIAL (I-1), I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL."

The motion was seconded by Commissioner Renberger.

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

Mr. Shaver reminded the Chairman that Item 1.b, A request to revise sections 4-3-4, 5-5-1 and 7-2-9 of the Grand Junction Zoning and Development Code regarding the use/ zone matrix was overlooked.

- 1.b A request to revise sections 4-3-4, 5-5-1 and 7-2-9 of the Grand Junction Zoning and Development Code regarding the use/ zone matrix, parking and loading standards, and zoning designations for the northwest area that is being annexed (tabled from June 4, 1991 hearing).
Petitioner: City of Grand Junction
Consideration of text amendments.**

Mr. Metzner explained the changes are in the parking/loading standards to allow a ratio of compact car spaces in parking lots holding 50 cars or more, up to 35 percent of the parking lot may be designated for compact cars. Such spaces must be at least 7 feet 6 inches in width, 15 feet in length, and clearly designated for "compact cars only".

It also established a planned unit development northwest zone, which refers to the Colorado West Industrial Park Study (1990) done by the MPO (Metropolitan Planning Organization) this would be proposed for zoning to the annexations heading west of 23 road, and north of Hwy 6 & 50.

Also, a proposed change in the Use/Zone Matrix on language on Mobile Homes and I have an amendment to that. Currently we say "mobile homes can go in mobile home parks". This is saying mobile homes can go in mobile home parks, but if you have mobile home parks that were approved after HUD adopted their standards then that park can only accept HUD units.

Commissioner Bittel stated the exception was for those units already there. Mr. Metzner agreed, and added that there were no mobile home parks that were approved after HUD standards, they were all previous.

Mr. Metzner continued in the changes (for Figure 4-3-4), the change in the paragraph where it read "lawful prior to" now reads "approved after". Also, the paragraph should end after the word "required".

So it will read "The HUD units shall be allowed in mobile home parks and mobile home subdivisions which were approved after the time that HUD inspections were required."

Commissioner Roberts asked about a specific date for this, and Mr. Metzner replied it was in 1976.

Chairman Halsey had a comment on the parking standards. In the future we need to be sure and follow the National Standards for the handicap parking in this issue.

Mr. Metzner stated that the parking regulations were totally outdated, so you will be seeing many changes in that area.

Commissioner Roberts recommended that the parking lot landscape standards be dealt with in a timely fashion also.

Mr. Elmer had a question on the basis of the 35 percent for compact cars on amendment 5-5-1? And how enforceable is that?

Mr. Metzner stated that it probably is not enforceable, and didn't know the basis of the 35 percent.

Commissioner Anderson asked if the amendment is unenforceable, why incorporate it?

Mr. Metzner stated that the basic tradeoff is to cut down on the amount of asphalt, and hope that the public uses the right spaces. Mr. Thornton added in a manner of educating the public.

Commissioner Roberts wouldn't mind supporting it if there is something to support the 35 percent figure, and the intent of where this is to be used needs to be defined.

Commissioner Elmer recommended that we table the 5-5-1 "Parking and Loading Standards" portion of the item.

Commissioner Elmer regarding the Colorado West Industrial Park study is uncomfortable approving the amendment without see the study.

Mr. Metzner explained that the schedule on the annexation is not an emergency. The area in question is north of Hwy 6 & 50, south of I-70 and 23 Road to 22 Road.

Mr. Metzner explained that the next annexation that is coming up that would be affected by this zone would be the 23 Road area.

MOTION (COMMISSIONER BITTEL) "MR. CHAIRMAN, ON ITEM #5-91, A REQUEST TO AMEND SECTIONS 4-3-4 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL. I WOULD FURTHER RECOMMEND THAT WE TABLE ITEMS 5-5-1, AND 7-2-9 AND CONTINUE CONSIDERATION UNTIL OUR NEXT MEETING ON AUGUST 6, 1991.

The motion was seconded by Commissioner Renberger.

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

V. DISCUSSION

Mr. Thornton brought up the topic of nominations for Chairperson for the upcoming year. He reminded the Commissioners that Chairman Love's commission would be up in October of this year.

Mr. Shaver commented on the question of the Mayor's letter regarding when the effective date for the end of commissions. It was either at the time the letter was written or it could be retroactive. Since it does not explicitly state, we can be safe to assume it becomes effective on the date of the communication.

Commissioner Bittel nominated Ron Halsey for Chairman of the Planning Commission. The motion was seconded by Commissioner Roberts. A vote was called, and the nomination passed unanimously by a vote of 5-0.

Commissioner Roberts nominated John Elmer for Vice Chairman of the Planning Commission. The motion was seconded by Commissioner Renberger. A vote was called, and the nomination passed unanimously by a vote of 5-0, with Commissioner Elmer abstaining.

Commissioner Elmer mentioned that there needs to be clarification on the fast food restaurants advertising on their windows. The question is, does that qualify as signage?

Mr. Shaver stated that this has been an ongoing concern, and we are aware of the problem. There have been complaints about signs on the windows and about murals on the sides of the buildings whether it is advertising or a form of art. We have recently hired a new code enforcement officer and think there will be a new level of consistency in enforcement.

Mr. Metzner noted that the interpretation has generally been that if the sign is inside the building, even though you can see it through the window, it is not an exterior sign. The entire sign code enforcement needs to be reviewed and readdressed.

Commissioner Bittel added that the window is actually painted on the outside.

Commissioner Elmer also addressed the previously mentioned problem of advertising for annexation. Is there a more positive way of letting the individuals involved be notified.

Mr. Metzner stated that they have been holding open houses at Westgate Inn for the northwest areas, but you are bound to miss some of them. The procedure is to hold the open house, then as soon as a petition is accepted and a date for a hearing is set they send individual letters to all the property owners notifying them of the proceedings. There is no guarantee that someone might not get missed.

Mr. Shaver explains that there are legal requirements for purposes of advertising a hearing and the notices. Even if it creates hard feelings by not being personally notified, notice is given.

Commissioner Elmer further commented on Eastgate - the PD zoning in the past has been used a lot just to get an approved plan in place that we feel are more enforceable, I think we are sacrificing the PD zoning doing that and tonight is a good example. We're trying to squeeze more in and not use the open space well, in the future we need to advise the Petitioners a little more of what the code is really trying to do with PD zones.

Mr. Metzner advised that this be a subject of a workshop.

Commissioner Roberts added that informally requirements for bonding landscaping improvements on projects had been talked about, but it is being applied very irregularly. The requirements need to be stipulated. The problem is they have 2 plans...one they will bond the other they don't bond. The landscape bond doesn't hold anybody to anything unless its bonded for a year, that inspection a year later out on site is a problem. Clarification to the developer on the exact steps to be taken is necessary.

Commissioner Elmer asked how does that work with City Utilities - does the bond stay in place for a year after they're in?

Mr. Metzner replied that after they are accepted - they are released.

Commissioner Renberger feels there needs to be better stipulations for the developer to begin. Then the Planning Commission should stick to those rules and not waste taxpayers time on plans that didn't follow specs.

There were no non-scheduled citizens and/or visitors.

The meeting was adjourned at 10:35 p.m.