

b

GRAND JUNCTION PLANNING COMMISSION
Public Hearing--September 6, 1988
7:35 p.m. - 9:04 p.m.

The public hearing was called to order by Chairman Steve Love at 7:35 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Jean Sewell	Jack Campbell
Ron Halsey	Dutch Afman
Steve Love, Chairman	Karen Madsen

In attendance, representing the City Planning Department, was:

Mike Sutherland

Terri Troutner was present to record the minutes.

There were approximately 7 interested citizens present during the course of the meeting.

* * * * *

I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, AFTER A SHORT REVIEW OF THE MINUTES, I MOVE THAT THE MINUTES BE ACCEPTED AS WRITTEN AND DELIVERED."

Commissioner Sewell seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. PUBLIC MEETING

1. #28-88 CONDITIONAL USE FOR DAY CARE EXPANSION

Petitioner: Lyman and Wanda Whitney
Location: 2012 North 7th Street

PETITIONER'S PRESENTATION

Wanda Whitney began her presentation by saying that she had operated a daycare for the last 3 1/2 years with 6 children. It was her desire to expand this to allow for a total of 12 children. No expansion of the structure or property was planned.

She briefly addressed the review agency comments, and said that regarding the City Engineer's comments concerning the circular driveway, he had stated that many of the driveways in the area were too narrow and that the only way his office would require compliance to city standards would be if a rezone was requested.

After clarification of this point by the Commissioners, she reiterated that the City Engineer had not altered his original review agency comments; however, this was more of a "request" than a "requirement."

QUESTIONS

Commissioner Madsen inquired as to when the children arrived and departed.

Ms. Whitney responded that they usually came around 7:00 a.m. and left between 5:00-6:00 p.m. There were no pick-ups while school was in session. The speed limit for 7th Street was higher after school let out. Responding to Commissioner Afman, she said that there were a lot of kids and pedestrians in the area.

She continued that the increase in children would result in no more than 2 to 3 additional cars per day coming to the daycare.

STAFF PRESENTATION

Mike Sutherland outlined the conditional use criteria. He clarified that Don Newton, City Engineer, could require the driveway upgrade if a rezone, subdivision, or other development occurred, but the Planning Commission could still make it a condition of the permit. Mike said that there were various options open to Ms. Whitney should the driveway improvements be made a condition of approval.

A letter of support was received by Laura Hayes, and one anonymous phone call was received opposing the expansion. All other concerns had been addressed.

QUESTIONS

Commissioner Afman asked if the driveway was the same width from point to point. Are turns permitted in either direction from either point of entrance?

Ms. Whitney said that the driveway was actually wider at one point (toward the north) and that turns were permitted either way.

PUBLIC COMMENT

FOR:

There were no comments for the proposal.

AGAINST:

Bob Carpenter, 1935 North 7th Street, expressed his concern over the increased traffic onto 7th Street. He stated that other neighbors were concerned about this as well, but could not attend the hearing. Other concerns included whether this expansion, if approved, would open the door to other businesses expanding in the area. The 7th Street Corridor Guidelines, he continued, stressed retention of the residential character of this area.

Billie Carpenter, 1935 North 7th Street, added that she was also opposed to the expansion. She maintained that children and dogs were sometimes seen in the front yard without fencing of any type.

Mike Sutherland explained the conditional use process to the Carpenters and indicated to them that this was not a petition for rezone. The use would remain the same if approved, since a daycare operation was considered a residential use.

Joshua R. Woods, 1915 North 7th Street, voiced his opposition; his primary concerns included increased traffic and the too narrow driveway.

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, ON ITEM #28-88 CONDITIONAL USE FOR A DAYCARE EXPANSION, I MOVE THAT WE APPROVE IT WITH THE CONDITION THAT ONE OF THE CURBS BE IMPROVED THIS YEAR AND ONE NEXT YEAR PER THE CITY ENGINEER'S COMMENTS AND ALSO SUBJECT TO STAFF COMMENTS."

There was no second to this motion and the motion died.

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON ITEM #28-88 I RECOMMEND WE APPROVE THIS REQUEST SUBJECT TO BOTH CURBS BEING BROUGHT TO STANDARD AT THE SAME TIME, AND THAT CITY-APPROVED "NO LEFT" TURN SIGNS BE INSTALLED ON THE INSIDE OF THE SIDEWALKS ADJACENT TO 7TH STREET AND ALSO SUBJECT TO STAFF COMMENTS."

Commissioner Sewell seconded the motion.

There was an open discussion among the Commissioners concerning this motion to include:

Commissioner Madsen felt that the 2-3 car per day increase would not create adverse impact to the area, also that the signs were unnecessary and would create visual pollution.

Commissioner Halsey expressed concern over what he perceived to be a conflict with established corridor guidelines. He again felt that additional traffic congestion would be a problem off 7th Street.

Chairman Love felt that the daycare expansion may not be serving the general public in this area with so many unresolved concerns remaining. Traffic flow remained a primary concern.

Mike Sutherland added that a conditional use would be bound by the restrictions attached to it; it could be revoked if conditions of approval were not met. If traffic flow proved to be a problem, the Whitneys could be required to go through another hearing process. Details for alleviating the problem would then be worked out.

A vote was called on the previous motion which failed by a vote of 1-5, with Commissioner Afman as the only proponent.

MOTION: (COMMISSIONER HALSEY) "MR. CHAIRMAN, ON ITEM #28-88 I MOVE THAT WE DENY THE REQUEST."

Commissioner Campbell seconded the motion.

A vote was called and the motion passed by a vote of 4-2, with Commissioners Afman and Madsen opposing.

Ms. Whitney stated that she would like to appeal the decision. She was informed of the appeal procedure by Mike Sutherland.

2. #25-88 CONDITIONAL USE FOR AUTO SALES AND REPAIRS IN H.O. ZONE
Petitioner: Lost Garage, Gregory Demers
Location: 2657 Hwy 50

PETITIONER'S PRESENTATION

Gregory Demers gave a brief overview of his proposal, saying that he wanted to be able to run a vehicle repair and sales facility at the 2657 Hwy 50 address.

He felt that all concerns had been addressed. He was willing to work with the Planning Department in the installation of landscaping, wanted to limit it as much as possible since he was only leasing the building and did not own it.

STAFF PRESENTATION

Mike said that with the various functions of the business being requested, he felt that the application for a conditional use would cover the sale of vehicles as well as the lesser uses associated with this business. He stressed to Mr. Demers that no salvage operation of any kind was allowed in this zone; several junk-type

vehicles had been spotted in the rear portion of the business property which would have to be removed. Adherence to this condition would be enforced. The off-premise sign currently existing would have to be removed. A sign permit would have to be obtained before any on-premise sign could be obtained.

QUESTIONS

Commissioner Halsey asked about the annexation history of this area, which Mike provided. He questioned whether a plan was in place for this area, and if not, shouldn't the conditional use be considered subject to the criteria set forth in the plan.

Mike responded that criteria currently existed in the code for H.O. zoned areas, also there were corridor guidelines which included this area. An Orchard Mesa Plan is scheduled to be completed some time in 1989, but that this plan would not affect the conditional use permit for this business.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

PETITIONER'S REBUTTAL

Mr. Demers stated that he would remove the cars from the rear of the property. One of the vehicles was in the process of being restored, but that this could be moved also.

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON ITEM #25-88 CONDITIONAL USE FOR AUTO SALES AND REPAIRS IN A HIGHWAY ORIENTED ZONE, I MOVE THAT WE APPROVE THE REQUEST SUBJECT TO STAFF COMMENTS, PROVIDED THAT THE JUNK CARS ARE REMOVED PRIOR TO ISSUANCE OF PERMIT, THAT THE OFF-PREMISE SIGN BE REMOVED AT THE SAME TIME, AND THAT LANDSCAPING BE INSTALLED ON OR BEFORE APRIL 15, 1989."

Commissioner Sewell seconded the motion.

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

IV. GENERAL DISCUSSION

A workshop was planned for September 13, 1988 from 7:00 to 8:00 p.m. in Conference Room A. All Commissioners were being asked to attend.

The meeting was adjourned at 9:04 p.m.