

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- January 10, 1989
7:32 p.m. - 9:22 p.m.

The public hearing was called to order by Chairman Steve Love at 7:32 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Ron Halsey	Jean Sewell
Dutch Afman	Jim Tyson
Steve Love, Chairman	

In attendance, representing the City Planning Department, were:

Kathy Portner	Karl Metzner
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Terri Troutner was present to record the minutes.

There were approximately 45 interested citizens present during the course of the meeting.

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON THE MINUTES OF DECEMBER 6 AND DECEMBER 13, I MOVE THAT WE ACCEPT THESE AS SUBMITTED."

Commissioner Sewell seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

II. ANNOUNCEMENTS, PRESENTATIONS, AND/OR PRESCHEDULED VISITORS

There were no announcements, presentations, and/or prescheduled visitors.

III. PUBLIC MEETING

1. #55-88 JOUFLAS MINOR SUBDIVISION - FINAL PLAT
Petitioner: Constance Jouflas
Location: 1700 I-70 Business Loop

PETITIONER'S PRESENTATION

Chris Jouflas, representing the petitioner, felt that the property in question was not saleable without splitting it into the two proposed lots.

QUESTIONS

There were no questions at this time.

STAFF PRESENTATION

Kathy Portner stated that the petitioners must meet the technical requirements of the Fire and Building Departments prior to recording the plat. There were no other concerns.

MOTION: (COMMISSIONER SEWELL) "MR. CHAIRMAN, ON ITEM #55-88, CONSIDERATION OF FINAL PLAT FOR A TWO-LOT SUBDIVISION ON APPROXIMATELY 0.77 ACRES IN A HEAVY COMMERCIAL (C-2) ZONE, I MAKE A MOTION THAT WE APPROVE THIS SUBJECT TO ALL TECHNICAL REQUIREMENTS BEING MET, INCLUDING THOSE BY BOTH THE FIRE AND BUILDING DEPARTMENTS BEFORE THE RECORDING OF THE FINAL PLAT."

Commissioner Tyson seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

2. #54-88 D&RGW RAILROAD SUBDIVISION, FILING #5, FINAL PLAT
Petitioner: Anschutz Corporation, Steve Hebert
Location: Appx. 2nd Street and South Avenue

PETITIONER'S PRESENTATION

Tom Logue, representing the petitioner, presented a brief overview of the proposal. He indicated the location of filing #5 on the site plan, saying that the railroad depot would stay under railroad ownership. The two properties which comprise this filing currently have businesses located on them. Present access would remain the same.

QUESTIONS

There were no questions at this time.

STAFF PRESENTATION

Kathy Portner said that no open space fees were required. A "hold harmless" agreement to the City for existing sewer lines under the Pufferbelly Station must be provided prior to recording the final plat. Minor technical concerns must be addressed, as well, before the plat is recorded. The City Engineer requested that the open and used street adjacent to lots one and two be dedicated as a right-of-way if the City was expected to maintain it. (It exists as an easement only at present.)

PETITIONER'S REBUTTAL

Tom Logue said that he had pointed out to planning staff and the City Engineer that South Street (referred to by Kathy) existed as an easement and not a right-of-way. The dedication of South Street would be considered prior to recording of the plat, but Mr. Hebert needed approval for this action from his office in Denver. The petitioner would comply with all other requests.

QUESTIONS

Commissioner Sewell asked if the parking had been addressed on lot 2.

Kathy said that parking was determined adequate for the present use.

Chairman Love asked if the request for dedication of the right-of-way was indicated on the Review Summary Sheet.

Kathy indicated that a memo had been received earlier in the day from the Public Works Department regarding the dedication and maintenance of the right-of-way. The street is not especially needed as a through street by the City because of its dangerous intersection off of 1st Street.

When asked by Commissioner Afman, Kathy said that this dedication should be mentioned in the motion, if the proposal is approved. The "hold harmless" agreement had already been made a part of the technical requirements.

MOTION: (COMMISSIONER TYSON) "MR. CHAIRMAN, ON ITEM #54-88, CONSIDERATION OF FINAL PLAT FOR THE D&RGW RAILROAD SUBDIVISION, FILING #5, OF TWO LOTS ON APPROXIMATELY 5.5 ACRES IN THE LIGHT INDUSTRIAL (I-1) ZONE, I MOVE THAT WE APPROVE THIS SUBJECT TO REVIEW SHEET SUMMARY COMMENTS, SUBJECT ALSO TO THE TERMS OF DON NEWTON'S (PUBLIC WORKS) MEMO OF JANUARY 10 REGARDING THE DEDICATION OF RIGHT-OF-WAY, AND THAT ALL TECHNICAL REQUIREMENTS ARE MET."

Commissioner Afman seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

#56-88 CONDITIONAL USE FOR DAY CARE

Petitioner: Hilltop Special Services Corporation, Erle Reid
Location: 2015 North 9th Street

PETITIONER'S PRESENTATION

Bill Wright, 2503 Foresight Circle, representing the petitioner, made the following points in his presentation: 1) The preschool would be for language impaired children, whose ages would range from 18 months to 6 years (average age, 3-4 years); 2) The present location for this facility is on Hermosa Avenue, but additional space is needed; therefore, expansion or relocation was necessary; 3) Hours would be 8-5 Monday through Friday for 9 months, and only three days per week during the summer months; 4) They would serve the needs of approximately 68 children, but classes would be staggered to accommodate close to 23 children in the morning and 20 in the afternoon; 5) They would have a staff of 5; 6) Transportation would be by parents to and from the facility, and he felt that between 30-40% of these parents car-pooled; 7) No night or weekend use of the facility was intended.

Mr. Wright continued that letters were sent to surrounding neighbors outlining the project, and a meeting was held on December 27 to discuss any concerns expressed by residents. He felt that Hilltop had always been a good neighbor, and would continue to do so in the future. Since concerns over traffic seemed most prevalent, Hilltop would be willing to do whatever it could to mitigate these concerns.

QUESTIONS

Questions included Hilltop's reasons for moving; whether this was child care only (did it include adults); when would the first wave of children arrive at the facility; were there any complaints about the facility on Hermosa; and was Hilltop the present owner of the property in question.

Mr. Wright reiterated that lack of space was the primary reason for relocating; the facility was for the treatment of children only; the first group of children would arrive between 8:00 a.m. and 8:30 a.m. and leave about 11:30 a.m.; no complaints had been received against the facility on Hermosa; and MAVCO was the present owner of the property. Hilltop would have a five-year lease, renewable annually, at the end of which, Hilltop would then decide if it wanted to purchase the property.

STAFF PRESENTATION

Kathy Portner clarified that the facility was better defined as a preschool instead of a day care. Staff would require that, if approved, the residential appearance of the structure should be retained. She indicated that other technical concerns had been addressed; however, if approved, any conditions to be imposed,

other than those stated in the proposal, must be included in the motion.

One call was received from Dale Yokum, 1920 North 9th Street. He was in favor of the proposal, provided the residential appearance of the structure remained.

QUESTIONS

There were no questions at this time.

PUBLIC COMMENT

FOR:

Pinky Alyea (no address could be found)
Jane Findlay, 2663 Paradise Way

Those in favor of the proposal felt that quality education would attract people to the neighborhood and improve the property in question.

AGAINST:

Mark Thomason, 1945 North 9th Street
Tom Holmes, 1931 North 9th Street
Jim Washington, 941 Walnut Avenue
Appx. 17 others who raised their hands in opposition

Those opposed cited concerns primarily over increased traffic and safety, but also included concerns over a deterioration of the residential character of the neighborhood, increased noise, and reduction of property values.

QUESTIONS

Chairman Love asked how many of the residents moved to this neighborhood because of its proximity to schools.

Over 9 indicated that they had; 3 indicated that they had not.

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON ITEM #56-88, CONSIDERATION OF CONDITIONAL USE FOR A DAY CARE CENTER IN A RESIDENTIAL SINGLE FAMILY (RSF-8) ZONE, I MOVE THAT WE DENY THIS."

Commissioner Tyson seconded the motion.

Commissioner Sewell agreed with Commissioner Afman.

A vote was called, and the motion passed by a vote of 4-1, with Chairman Love opposing.

A recess was called at 8:35 p.m., and the hearing reconvened at 8:40 p.m.

PUBLIC HEARING

1. #52-88 EASEMENT VACATION AND AMENDED FINAL PLAN

Petitioner: Tom Logue
Location: 1516 Crestview Way

PETITIONER'S PRESENTATION

Tom Logue gave a brief presentation, saying that there were no utilities located in the easement. Currently, setbacks located along the easement were between 11 and 15 feet; this would be changed to reflect a uniform 10-foot setback along this section.

STAFF PRESENTATION

Karl Metzner said that staff had no objections to the request.

QUESTIONS

Commissioner Sewell asked why the setbacks were established originally at 15 feet.

Karl responded that the plan had originally included this to accommodate the parking access located in the rear of the units. However, the sidewalk was located 20 feet from the back of the street, so that access was not a problem.

Henry Faussone, 3318 B Crestview Way, said that the neighbors were in favor of this proposal. The needs of the residents had changed in the last 8 years.

MOTION: (COMMISSIONER HALSEY) "MR. CHAIRMAN, ON ITEM #52-88, CONSIDERATION OF EASEMENT VACATION, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Tyson seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

MOTION: (COMMISSIONER HALSEY) "MR. CHAIRMAN, ON ITEM #52-88, CONSIDERATION OF AMENDED FINAL PLAN FOR CRESTVIEW TOWNHOMES IN A PLANNED RESIDENTIAL (PR-8) ZONE, I MOVE THAT WE APPROVE THIS."

Commissioner Afman seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

2. #53-88 TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE-MANUFACTURED HOUSING

Petitioner: Ross Transmeier

PETITIONER'S PRESENTATION

Ross Transmeier clarified that the proposal had been heard before, but at that time it included residential multi-family and light commercial zones. The proposal was then amended to reflect consideration for only heavy commercial (C-2) and light industrial zones. He also felt that, due to certain remarks made by Council, the former proposal was not clearly understood. It seemed to him that the text amendment would receive more favorable consideration as a conditional use rather than special use, so this, too, was changed.

QUESTIONS

Discussion ensued between the Commissioners and Mr. Transmeier. Concerns were again expressed by the Commissioners regarding the placement of residential structures in business and industrial zones. It was felt that the use was not appropriate. While Mr. Transmeier argued that the deteriorating corridors of Ute and Pitkin would benefit the most, Commissioners countered that the decline of that corridor would not necessarily be halted by the placement of other than new structures on existing properties. It was felt that replacing old, permanently-built structures with old mobile homes was not a good idea, and could become a haven for "squatters."

Chairman Love added that he did not feel it the Commission's responsibility to determine whether a manufactured home was fit to be located on a particular piece of property.

PETITIONER'S REBUTTAL

Mr. Transmeier reiterated the points made previously, saying that the "downzone" potential of the text amendment would enhance the conditions of the C-2 and I-1 zones.

Chairman Love commented that the potential risk for an adverse situation was far greater than the potential benefit.

MOTION: (COMMISSIONER AFMAN) "MR. CHAIRMAN, ON ITEM #53-88, CONSIDERATION OF TEXT AMENDMENT, I MOVE THAT WE DENY THIS."

Commissioner Sewell seconded the motion, and added that she did not agree with Mr. Transmeier that "something was better than nothing." In this case, she felt that the proposed amendment would not enhance the Ute/Pitkin corridors nor the other areas where the C-2 and I-1 zones were located.

A vote was called and the motion passed unanimously by a vote of 5-0.

3. #3-88 TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE FOR 1988

Petitioner: City Attorney, Dan Wilson

PETITIONER'S PRESENTATION

Karl Metzner, representing the petitioner, clarified the intent of the proposed amendment.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (COMMISSIONER SEWELL) "MR. CHAIRMAN, ON ITEM #3-88, CONSIDERATION OF AMENDING SECTION 12-4-2 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, I MOVE THAT WE APPROVE THIS."

Commissioner Tyson seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.