

GRAND JUNCTION PLANNING COMMISSION
Public Hearing--May 2, 1989
7:30 p.m. - 8:56 p.m.

The public hearing was called to order by Chairman Steve Love at 7:30 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Karen Madsen	Jim Tyson
John Elmer	Steve Love, Chairman

In attendance, representing the City Planning Department, was:

Karl Metzner

Terri Troutner was present to record the minutes.

There were approximately 14 interested citizens present during the course of the meeting.

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I. CONSIDERATION OF MINUTES

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, REGARDING THE MINUTES OF THE APRIL 4TH AND 11TH MEETING, I MOVE THAT WE ACCEPT THOSE AS SUBMITTED."

Commissioner Elmer seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS

Chairman Love announced that Commissioner Madsen's term on the Commission expired with tonight's meeting. After wishing her well, he suggested to the audience that any person interested in participating on the Commission express his/her interest.

The election of a new Chairperson was also due for consideration; however, since two members were absent, Chairman Love felt that the election should be postponed until next month's meeting.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, I'D LIKE TO MAKE A MOTION THAT WE TABLE THE ISSUE OF ELECTING A NEW CHAIRMAN FOR THE PLANNING COMMISSION UNTIL THE NEXT MEETING, WHEN WE HOPE WE WILL HAVE A FULL BOARD."

Commissioner Tyson seconded the motion.

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

III. MEETING ON ITEMS FOR FINAL DECISION

1. #19-89 TROLLEY PARK, MINOR SUBDIVISION

Petitioner: Stephen and Bobette McCallum
Location: 552 25 Road

Chairman Love announced that because many of the issues regarding this item were still unresolved, he felt it best to table the item until the next meeting.

Commissioner Elmer noticed that a driveway or road was presently under construction at the site, and he asked staff if perhaps this action wasn't premature on the petitioner's part.

Kathy Portner of the Planning Department responded from the audience that it was a private driveway for the petitioner.

MOTION:(COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #19-89, A REQUEST FOR A MINOR SUBDIVISION OF 5 LOTS ON APPROXIMATELY 3.03 ACRES IN A HEAVY COMMERCIAL (C-2) ZONE, I MOVE THAT WE TABLE THIS ITEM UNTIL THE NEXT PUBLIC MEETING ON JUNE 6TH TO ALLOW THE PETITIONER TIME TO SATISFACTORILY ADDRESS THE OUTSTANDING ISSUES WHICH ARE, AT THIS TIME, UNRESOLVED."

Commissioner Tyson seconded the motion.

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

IV. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL

1. #20-89 TEXT AMENDMENT TO THE ZONING AND DEVELOPMENT CODE

Petitioner: Frank Preuss
(Address): 1122 White Avenue

PETITIONER'S PRESENTATION

Mr. Preuss said that he rented the building located at 750 South 9th Street not realizing the zoning constraints. His business is already established at this location, and asked that he be allowed to remain. He didn't feel that safety was a concern since business activities would be limited to indoor participation; he didn't feel there would be a loitering problem. Mr. Preuss indicated that there was much more parking than his former location; that he wouldn't impact public services, i.e. fire, police protection, etc.; and that his business was located there primarily for economic reasons.

QUESTIONS

Questions included whether Mr. Preuss had purchased the property; what were his business hours to be; and could he provide a little more detail on the safety aspect.

Mr. Preuss responded that the business had outdoor lighting to add to safety, and reiterated that kids would not be "hanging out" at the location (they would be inside while they were there). He outlined his business hours and indicated he was merely renting, and did not own, the property.

STAFF PRESENTATION

Karl Metzner felt there was a broader issue regarding the allowance of mixed uses in the industrial zones. He questioned whether the City might want to change the overall character of the south downtown area, especially in light of the Riverfront Project.

Although the proposal was for the inclusion of Entertainment Centers as an "allowed" use in the Use/Zone Matrix, Karl felt that it would be more appropriate to include it as either a "special" or "conditional" use; in that way, staff would be able to review proposals on a case-by-case basis.

PUBLIC COMMENT

There were no comments either for or against the proposal.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #20-89, A REQUEST TO AMEND THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, FIGURE 4-3-4, USE/ZONE MATRIX, UNDER THE HEADING OF AMUSEMENT BUSINESS-INSIDE, TO ADD A SUB-HEADING ENTERTAINMENT CENTERS AS A CONDITIONAL USE, INSTEAD OF AN ALLOWED USE, AS PROPOSED, IN THE HEAVY INDUSTRIAL (I-2) ZONE, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL, SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

Commissioner Tyson seconded the motion.

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

3. #17-89 GRAND AVENUE CORRIDOR GUIDELINES

Petitioner: Grand Junction Planning Department

Location: Grand Avenue from 1st Street to 28 Road.

PETITIONER'S PRESENTATION

Karl briefly outlined the contents of the Guidelines. One letter was received from Earlene Brown, 1410 Grand Avenue, but her concerns revolved around traffic, timing of signals, etc. Her letter was neither for or against the Guidelines and was forwarded to Public Works for its response.

He said that Chris Kanaly, who was present in the audience, had requested that parking be allowed on the north side of Grand Avenue in the 600 block of Grand for businesses locating in that area.

QUESTIONS

Chairman Love felt that the wording of item 7. under General Guidelines be clarified.

Karl suggested the sentence be reworded to include the word "intersecting" between "Other" and "corridor" at the beginning of the sentence which would clarify intent.

PUBLIC COMMENT

George Wheeler, 3045 Teller Avenue, said that he concurred with staff in its decision to retain the transitional character of the 900 block, where he owns property, with emphasis on retaining the present multi-family character.

Commissioner Elmer asked Mr. Wheeler if he would prefer staff making the wording concerning the retention of the residential character of this block stronger.

Mr. Wheeler said that that would be fine; he didn't foresee the character changing.

Chris Kanaly, 440 North 6th Street, clarified his request for a parking allowance off the alleyway north of 6th and Grand Avenue, saying that it would be solely for those businesses wanting to locate in that area and not to be used as public parking. He cited the Neighborhood Guidelines the close proximity of 6th and Grand to the Older American Center. He felt that the parking allowance would encourage location of axis businesses catering to the elderly.

There was some discussion among Commissioners regarding the parking request, ranging from having the staff do additional research, polling the area to get a better idea of potential impact to the area, to evaluating each business wanting to locate in the area being considered on an individual basis. The latter seemed to be the prevailing sentiment since the Grand Avenue Guidelines were just that--guidelines and not policy.

PETITIONER'S REBUTTAL

Karl thanked Mr. Kanaly for his valuable assistance in providing much of the information used in the formulation of the Corridor Guidelines.

QUESTIONS

Commissioner Elmer felt that the wording in 6. under General Guidelines needed to be strengthened towards the preservation of the residential character of the corridor. The following was recommended: to change the word "which" to "should;" change "retains" to "retain;" and end the sentence after "corridor."

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #17-89, CONSIDERATION OF THE GRAND AVENUE CORRIDOR GUIDELINES, I RECOMMEND WE FORWARD THESE ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO THE REVIEW AGENCY COMMENTS AND WITH THE CHANGES MADE TO THE GENERAL GUIDELINES ON 6. AND 7. (ON 6., TO ADD THE WORD "INTERSECTING" BETWEEN THE WORDS "OTHER" AND "CORRIDOR;" ON 7., TO CHANGE THE WORD "WHICH" TO "SHOULD;" CHANGE THE WORD "RETAINS" TO "RETAIN;" AND END THE SENTENCE AFTER CORRIDOR.)"

Commissioner Madsen seconded the motion.

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

3. #10-89 1989 ZONING AND DEVELOPMENT CODE UPDATE
Petitioner: Grand Junction Planning Department

PETITIONER'S PRESENTATION

Karl presented a brief overview of the Code and outlined further changes which were recommended in a subsequent addendum. He thanked the local salvage yard owners for their assistance in formulating the criteria for the junkyard section of the Code.

QUESTIONS

There were no questions at this time.

PUBLIC COMMENT

William Serviss, owner of Frank Dunn Salvage, felt that the junkyard regulations may be to premature. He felt that if he was forced to move by the City, then the City should grandfather his business in under the old set of criteria at any new location.

Chairman Love stated that this was a political decision to be determined by Council, and should be addressed either with them or made a part of the negotiation process at the time of relocation. The issue was not one that Planning Commission could consider.

Commissioner Elmer asked John Ballagh, manager for Grand Junction Drainage, if the regulations involving outdoor storage would impact the Salvation Army.

Mr. Ballagh responded that it would impact them, but the regulations would be complied with. He went into further detail, however, on the landscape requirements. Trees currently planted in drainage easements created problems for Grand Junction Drainage in that the trees' roots clogged the drainage flow. He was worried that, with additional landscaping requirements, the potential existed for further problems with clogged drainage ditches.

Karl clarified that while the requirements were increased, each plan would be reviewed individually. Easements would be noted and respected. Also, since Grand Junction Drainage was a review agency, its concerns could be noted on the summary sheets and addressed by the petitioner. He added that Planning staff were flexible in the placement of required landscaping.

John Viera, Glade Park, felt the concerns expressed by Mr. Serviss were valid.

A discussion ensued between Mr. Viera, staff and the Commission. It was reiterated that Planning Commission did not have the authority to make decisions of a political nature.

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, ON ITEM #10-89, CONSIDERATION OF THE 1989 UPDATED ZONING AND DEVELOPMENT CODE, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO THE INCLUSION OF THE ADDENDUM."

Commissioner Tyson seconded the motion.

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

The hearing was adjourned at 8:56 p.m.