

4

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- September 5, 1989
7:30 p.m. - 8:50 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:

Steve Love, Chairman	Jack Campbell	John Elmer
Sheilah Renberger	Jim Tyson	Ron Halsey

In attendance, representing the City Planning Department, were:

Karl Metzner and Linda Weitzel

John Knudsen, Fire Marshall from the City of Grand Junction Fire Department, was in attendance, and Bobbie Darlington was present to record the minutes.

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

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER RON HALSEY) "MR. CHAIRMAN, I MAKE A MOTION THAT WE APPROVE THE MINUTES OF THE AUGUST 1, 1989 MEETING AS SUBMITTED."

Commissioner Campbell seconded the motion.

A vote was called, and the motion passed by a vote of 5-0, with 1 abstaining vote by Commissioner Renberger, as she was not present at the August 1, 1989 meeting.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRESCHEDULED VISITORS

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

III. PUBLIC MEETING

(The following item #49-88 was a hearing item due to the unusual nature of the item.)

1. **#49-88 REVOCATION OF CONDITIONAL USE FOR AUTO SALES IN A HEAVY INDUSTRIAL (I-2) ZONE FOR NONCOMPLIANCE OF THE CONDITIONS OF THE APPROVED PERMIT.**

Petitioner: City Planning Department
Location: 1025 South 5th Street

PETITIONER'S PRESENTATION

Linda Weitzel represented the City Planning Department's position in the consideration of the revocation. She was sworn in by Chairman Love prior to her testimony. Linda had photos of the property at 1025 South 5th Street which had been taken at 10:30 a.m. on September 5, 1989. She stated that even though an incredible amount of work had been done by 4:00 p.m. the same day, she felt that the work that had been done still did not fully satisfy the landscaping requirements of the Conditional Use permit. The photographs of Mr. Belcastro's property were examined by the Planning Commissioners.

Linda also stated that she had a report from John Knudsen of the Grand Junction Fire Department that some of the larger tires were being transferred to the land directly north of Belcastro's property. Linda was concerned about the area as a whole and how it looked.

Linda felt that even though the area at 1025 S. 5th Street had been improved in the last week, she was concerned about a continuous good faith effort by Mr. Belcastro in completing the landscaping and removal of the tires.

QUESTIONS

Commissioner Campbell asked Linda if she knew who owned the property directly north of Mr. Belcastro's land. As best as Linda could ascertain from the information given her, it appeared that the property belonged to Mr. Schooley and that Mr. Schooley's property was not included in the Conditional Use agreement.

WITNESS

John Kundsén, Fire Marshall of the Grand Junction Fire Department, was sworn in by Chairman Love prior to his testimony.

John stated that the City of Grand Junction has a Weed Abatement Program which is managed by the Fire Department, and the reason for his interest in the property north of Mr. Belcastro's was because of the weed problem there. He went on to say that they now had a problem removing those weeds because of the tires that Mr. Belcastro had put on this property. John also pointed out that Mr. Belcastro has a paint booth inside his building that needed to be brought up to the present building and fire code and that Mr. Belcastro was waiting for the Planning Commission to approve the Conditional Use permit so that he could remodel his building and bring the paint booth up to meet this code.

QUESTIONS

Commissioner Campbell asked if the tires could be a fire hazard if the weeds were dry.

John Knudsen responded that the tires themselves were not a fire hazard, but if the weeds dried, a fire hazard would exist.

RESPONDANT'S PRESENTATION

Pat Belcastro, 703 Ivanhoe Way, was sworn in by Chairman Love prior to his testimony.

Chairman Love asked Mr. Belcastro how much more time he would need to complete the landscaping and clean-up.

Mr. Belcastro responded that he would only need a couple more days to fill the planters.

Chairman Love asked Mr. Belcastro if he had any comments with regard to the tires that had been moved to Mr. Schooley's property.

Mr. Belcastro explained that only the larger tires which could be recapped and sold were transferred to Schooley's property. They would eventually be moved, and the weeds would be cut before they were dry.

Commissioner Campbell commented that he had driven by 1025 South 5th Street this afternoon and wondered what Mr. Belcastro intended to do with the tires stacked on the flatbed trailer located on his property.

Mr. Belcastro said the tires would be taken to the dump.

Commissioner Renberger asked the staff if Mr. Belcastro had met the conditions in his Conditional Use permit.

Karl Metzner, Director of Planning, replied that Mr. Belcastro had not yet completed all of the requirements of the original Conditional Use permit.

Commissioner Reinberger asked what additional landscaping would be required in order to satisfy the Conditional Use requirements.

In response, Linda Weitzel presented an approved landscaping plan. Linda estimated that approximately 75% of the plants still needed to be planted.

Commissioner Elmer again asked Mr. Belcastro how much more time he would need to satisfy all the outstanding Conditional Use requirements.

Mr. Belcastro replied that he would need a couple more weeks.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #49-88, REVOCATION OF CONDITIONAL USE PERMIT, I WOULD LIKE TO MAKE A MOTION TO ALLOW A 20 DAY EXTENSION TO SEPTEMBER 20, 1989. IF THOSE CONDITIONS IN THE ORIGINAL CONDITIONAL USE PERMIT ARE NOT MET, THE REVOCATION WILL BE ENFORCED, AND THAT THE STAFF WILL PROVIDE A THREE DAY WRITTEN NOTICE TO MR. BELCASTRO PRIOR TO SEPTEMBER 20, 1989 ADVISING HIM OF WHAT HE WILL NEED TO DO TO FULFILL THE REQUIREMENTS OF THE CONDITIONAL USE PERMIT."

Commissioner Campbell seconded the motion.

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

- 2. #42-89 CONDITIONAL USE FOR SLOT CAR TRACK IN THE HEAVY INDUSTRIAL (I-2) ZONE FOR CHAMPION RACEWAY**
Petitioner: Champion Raceway, Frank Preuss, 1122 White Ave
Location: 750 South 9th Street

PETITIONER'S PRESENTATION

Mr. Preuss did not have any comments as he felt that he had already covered everything at a previous meeting.

QUESTIONS

Commissioner Elmer asked Mr. Preuss if he had plans to pave the parking lot.

Mr. Preuss replied that he was just leasing the building and hadn't had an opportunity to talk to the owner about it. He pointed out that the parking lot was not paved, but it did have about a 3/4" gravel base existing on the lot.

Commissioner Elmer stated that according to the City Code, it must have an acceptable dust free surface. He explained that the Planning Commission tries to make long term goals and would like to see the paving done sometime in the future.

When asked if Mr. Preuss had a lease, he replied that he had a one year lease which will expire in February of 1990 approximately.

Commissioner Love asked the staff if the Commission would be allowed to review the Conditional Use at a later date, if approved.

Karl Metzner replied that on any conditional use approval, a request can be made to review the project anytime deemed appropriate.

Commissioner Elmer felt that the area was no better or worse without a paved parking lot since it was located in a heavy industrial area, and he suggested that it may be unfair to make any financial constraints on Mr. Preuss since he was a tenant. He added that he would like to limit the business hours to no later than 10:00 p.m.

In response, Mr Preuss said the only time he would extend his business hours past 10:00 p.m. was when he had a series race, and this would only occur a couple times a year on Saturday evenings.

Commissioner Renberger asked for a clarification of what a slot car race track was.

Mr. Preuss explained that it was a small-car race track contained entirely indoors. The cars were approximately 6" long x 3" wide.

MOTION: (COMMISSIONER RENBERGER) "MR. CHAIRMAN, ON ITEM #42-89, A REQUEST FOR CONDITIONAL USE PERMIT, CHAMPION RACEWAY, FRANK PREUSS, 750 SOUTH 5TH STREET, BE GRANTED FOR A CONDITIONAL USE PERMIT FOR A SLOT CAR TRACK IN A HEAVY INDUSTRIAL ZONE, AND THAT ONE YEAR FROM NOW THE STAFF WILL COME BACK WITH THE PETITIONER TO THE PLANNING COMMISSION FOR RE-EVALUATION OF THE PARKING LOT, AND ALSO THAT THE REGULAR BUSINESS HOURS BE LIMITED TO NO LATER THAN 11:00 P.M. EXCEPT FOR SPECIAL EVENTS WHICH MAY GO FURTHER INTO THE NIGHT."

Commissioner Campbell seconded the motion.

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

IV. FULL HEARING

- 1. #45-89 REZONE AND FINAL PLAN FOR NELLIE BECHTEL**
Petitioner: Mesa County, Alan Hassler
Location: 3032 North 15th Street

Chairman Love reported that Mesa County had requested that this item be tabled until the October 3, 1989 meeting.

PUBLIC COMMENTS

There were no comments regarding this item.

MOTION: (COMMISSIONER RENBERGER) "MR. CHAIRMAN, ON ITEM #45-89, A REQUEST TO CHANGE FROM PLANNED RESIDENTIAL 12.3 TO PLANNED RESIDENTIAL 21.4 AND A FINAL PLAN FOR 96 UNITS ON APPROXIMATELY 4.5 ACRES, I MOVE THAT WE TABLE THIS UNTIL THE NEXT HEARING AT THE REQUEST OF MESA COUNTY."

Commissioner Campbell seconded the motion.

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

2. **#43-89 ZONE OF BALL/WARD ANNEXATION**
Petitioner: City Planning Department
Location: 2470 & 2472 F (Patterson) Road

PETITIONER'S PRESENTATION

Karl Metzner presented a brief history of the enclave area. He explained that this area was a recently annexed enclave. Planned business areas were located to the east and west, with planned residential to the north. There are no particular plans for development at this time, so the recommendation of the staff is to zone it to Planned Business subject to appropriate uses and plans determined at the time of development, and to conform to the Patterson Road guidelines.

QUESTIONS

Commissioner Elmer asked if the area would be restricted to certain businesses.

Karl replied that in general it would deal with retail, office, and service type businesses, but could be approved for heavier or more restricted uses.

MOTION: (COMMISSIONER HALSEY) "MR. CHAIRMAN, ON ITEM # 43-89, A REQUEST TO ZONE THE BALL/WARD ANNEXATION OF 2 LOTS TO PLANNED BUSINESS ON APPROXIMATELY 5.2 ACRES, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL, SUBJECT TO USES AND SPECIFIC DEVELOPMENT PLANS BEING APPROVED AT THE TIME DEVELOPMENT IS PROPOSED, AND SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

Commissioner Campbell seconded the motion.

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

3. **#44-89 ZONE OF VINTAGE 70 ANNEXATION**
Petitioner: City Planning Department
Location: 2700 G Road

PETITIONER'S PRESENTATION

Karl Metzner said this area was also an enclave which had been annexed and had been zoned R-3 in the County. He recommended zoning this area to Planned Residential subject to using the bulk standards of the County R-3 zone.

QUESTIONS

Commissioner Tyson asked if there had been any comments from the residents in Vintage 70.

Karl said there were some comments regarding the annexation but none regarding the zoning.

PUBLIC COMMENTS

There were no comments.

MOTION (COMMISSIONER CAMPBELL) "MR. CHAIRMAN, ON ITEM #44-89, A REQUEST TO ZONE THE VINTAGE 70 ANNEXATION OF 54 UNITS TO PLANNED RESIDENTIAL 5.2 ON APPROXIMATELY 10.5 ACRES, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL, WITH THE BULK STANDARDS FOR THIS DEVELOPMENT BEING THAT OF THE EXISTING COUNTRY R-3 ZONE, AND SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."

Commissioner Elmer seconded the motion.

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

4. #1-89 TEXT AMENDMENTS TO 5-10-3B.2, and 5-12-1
Petitioner: City Planning Department

PETITIONER'S PRESENTATION

Karl Metzner explained that the City Ordinance prohibiting pigs and goats in the city had recently been repealed. This proposal is to make the keeping of pigs, goats, mules and burros a Conditional Use. These animals may need special consideration because of excess noise and odor. This amendment would allow the City to retain control so that these animals are not kept on small residential lots. It may become more of a concern as the City annexes some rural areas.

Karl added that the other proposed amendment was simply a "house-cleaning" measure to delete a redundant section.

QUESTIONS

Commissioner Renberger asked if there were any restrictions on the numbers of goats, etc. per acre of land.

Karl said that there are restrictions on the number of both large and small animals in the new code.

Commissioner Halsey asked if this included llamas.

Karl answered that there were other types of restrictions on exotic animals which included llamas, camels, ostrichs, etc.

PUBLIC COMMENT

There were no comments.

MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM #1-89, A REQUEST TO AMEND THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE REGARDING SECTION 5-10-3B.2, I MOVE THAT WE FORWARD THIS ON TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO THE CITY ATTORNEY'S SUGGESTED WORDING REGARDING THE KEEPING OF PIGS, GOATS, BURROS, AND MULES, AS WELL AS THE AMENDMENT OF SECTION 5-12-1."

Commissioner Renberger seconded the motion.

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

GENERAL DISCUSSION

Chairman Love announced that Terri Troutner, former Planning Department Secretary, was leaving and would be moving to California. He expressed to her that she would be missed and that they all wished her the best of luck.

The meeting was adjourned at 8:50 p.m.