

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- April 29, 1986
7:30 p.m. - 9:10 p.m.

The public hearing was called to order by Chairman Bill O'Dwyer at 7:30 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission were:

Ross Transmeier	Susan Rush
Miland Dunivent	Karen Madsen
Bill O'Dwyer, Chairman	

In attendance, representing the City Planning Department were:

Karl Metzner	Mike Sutherland
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Terri Troutner was present to record the minutes.

There were approximately 21 interested citizens present during the course of the hearing.

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON THE MINUTES OF THE MARCH 25TH MEETING, I MAKE A MOTION THAT WE APPROVE THESE MINUTES AS SUBMITTED TO US."

Commissioner Rush seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. FULL HEARING

1. #16-86 Revised Conditional Use for a Christian Religious Education Center

Petitioner: Church of Jesus Christ of Latter Day Saints, Gary Vanderwood

Location: 1521 North 7th Street

Consideration of a Revised Conditional Use.

PETITIONER'S PRESENTATION

Gary Vanderwood presented a brief overview of the project and stated that the present single family house at this location is currently being used by the LDS church under a conditional use. The revised conditional use permit is being requested for a 600 sq. foot addition to the existing building. He continued that this is not necessarily to house more students, but to enlarge and upgrade facilities.

There would be upgrading of landscaping, and access concerns had been addressed. Most of the student traffic would come from the high school.

QUESTIONS

Commissioner Rush asked if the shed in the rear of the lot would remain.

Mr. Vanderwood replied that it would since it currently functions as a storage shed, and is considered necessary.

STAFF PRESENTATION

Mike Sutherland said when the conditional use was originally granted for the property in 1980, it was under the stipulation that if complaints were received by the neighborhood, it would be subject to re-review. To date, there have been no complaints, and no further opposition was received concerning the revised conditional use request. All technical issues have been resolved, and changes will be made to the parking area in order to save existing landscaping.

PUBLIC COMMENTS

IN FAVOR:

Mrs. Earl Edwards, 120 Vista Grande Avenue, asked about the parking across the street. She wondered if this would interfere with her rental properties. She was not opposed to the idea.

Mrs. Loni Stites, Rt. 1, Box 190, Collbran, CO, wondered if changes would be effected in the landscaping, would there be a change in the plumbing system which might affect her property. She continued that her property line was located in the grass portion of the church lot. She also asked if the large shed in the back would be used as a rental property.

Mr. Vanderwood replied that he was unsure about possible plumbing changes at this time and said that the back shed would not be converted into a rental.

QUESTIONS

Commissioner Dunivent asked if drainage concerns had been addressed.

Mr. Vanderwood stated that this had been resolved with the Planning Department; Mike concurred with this statement.

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, REGARDING ITEM #16-86, REVISED CONDITIONAL USE FOR A CHRISTIAN RELIGIOUS EDUCATION CENTER, I MOVE THAT WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO STAFF COMMENTS."

Commissioner Rush seconded the motion.

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

2. #15-86 CONDITIONAL USE FOR A CHURCH IN AN RSF-4 ZONE

Petitioner: First United Presbyterian Church, Terry Larson

Location: Northeast corner of 27 1/2 Road and Cortland Avenue

Consideration of a Conditional Use.

Commissioner Rush declined from participating in this proposal due to a possible conflict of interest.

PETITIONER'S PRESENTATION

Terry Larson began his presentation by saying that the purchase of this parcel of land is contingent upon receiving the conditional use permit, since a church would be placed on the property.

Construction would take place in approximately five years, to allow for fund raising. He specified that a house located in the north corner of the property would be left there until construction was begun. At the time the driveway was not usable to the church, they would build another driveway to go around the south side and approaching from the back. The fuel tank next to the house would be removed 120 days after construction was begun. The sewer line would be relocated to avoid possible conflict. One access would be located off of Cortland and one would be located off of 27 1/2 Road. He requested a 33' right-of-way for Cortland and 27 1/2 Road except in the vicinity of the north house, where it would be 32'. When the house was removed, it would revert back to 33'; a "hold harmless" agreement would be furnished to the City due to the closeness of the right-of-way.

Mr. Larson felt that landscaping and drainage concerns were addressed. Along with these, he felt that other concerns and issues had been addressed.

QUESTIONS

Commissioner Transmeier asked if agricultural activities would continue on this land before construction took place.

Mr. Larson replied that there would be no activity.

Chairman Bill O'Dwyer commented that this might create a weed control problem.

Mr. Larson answered that this would be addressed should it become a problem.

STAFF PRESENTATION

Karl Metzner stated that the technical issues have been resolved. Due to the fact that the petitioner is not subdividing, and the length of time before construction begins, it is requested that the customary improvements agreement or escrow required for the right-of-way improvements be waived in lieu of another alternate method of guarantee; details would be worked out with the City Attorney. The Planning Department requests a resubmittal of final documents prior to the beginning of construction to ensure that plans and conditions have not changed. All legal agreements such as the quit-claim deeds for the right-of-way and the avigation easement shall be recorded at the time of final approval (if approved) and not wait until the time of construction. No adverse comments were received.

QUESTIONS

Commissioner Transmeier questioned whether the fuel tank had been grandfathered into acceptance by the City since it wouldn't normally be allowed within the City limits.

Karl responded that it was there before annexation and that it had been used for agricultural purposes. It could, however, be accepted by the City if it met the Fire Code and City distance requirements.

Commissioner Transmeier asked whether this proposal would come under a full review prior to construction.

Karl responded that it would be reviewed in-house, with comments being solicited from the various review agencies. If it met the requirements of a minor change, it could be approved in-house; however, if it met the requirements of a major change, it would have to go through a full hearing process.

Commissioner Transmeier clarified that he wanted to make sure everything had been readdressed prior to construction, since the time element involved in the granting of this conditional use was much longer than usual.

PUBLIC COMMENTS

Henry Johnson, 2285 S. Seville, Circle, represented the Homeowners Association for the Crown Heights Subdivision. He presented several questions:

Mr. Johnson: "Will the school be used only on the weekends?"

Mr. Larson: "Unsure at this point what the long-range plans would be"

Mr. Johnson: "Will there be sidewalks and curbs along 27 1/2 and Cortland?"

Mr. Larson: "What we agreed to is that at the time they are put in, we would participate in our portion of those facilities. We would not put them in unless it was something put in by the City."

Karl Metzner clarified that the City does require curb, gutter and sidewalk for those streets. The street wouldn't be improved unless there was a petition for improvement or the City determined it was necessary. Upon deeming it necessary, the development would pick up its share of the improvement costs.

(A discussion ensued between the Commissioners, staff and the petitioner on what was presently there.)

Mr. Johnson noted that there was an open drainage system running to 27 1/2 Road through the middle of the property. He did not want this to be cut off from the rest of the homeowners in the area.

Mr. Larson said that allowances were made to compensate for this. Since this was an existing easement, it had to remain.

Mr. Johnson asked if a traffic study had been done on Cortland Avenue.

Karl Metzner responded that even though a traffic study had not been done specifically for Cortland Avenue, one was performed with regard to impact of the traffic had Crown Heights been built out as previously planned. Figures reflected 2,339 trips/week for the overall area if residentially developed; the church would generate 490 trips/week (estimated).

QUESTIONS

Commissioner Transmeier asked the other Commissioners if there was any problem with the density restriction in this area because of the runway proximity to Walker Field.

The other Commissioners felt that this would not pose a problem, since this area was originally designed as a residential area.

MOTION: (COMMISSIONER DUNIVENT) MR. CHAIRMAN, ON ITEM #15-86 CONDITIONAL USE FOR THE FIRST UNITED PRESBYTERIAN CHURCH IN AN RSF-4 ZONE, LOCATED AT 27 1/2 AND CORTLAND ROAD, I MOVE THAT WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO STAFF COMMENTS."

Commissioner Madsen seconded the motion.

As a clarification, Commissioner Transmeier indicated that the removal of the fuel tank was to be removed no later than 120 days after construction had begun. Also, that staff comments included the re-review of the proposal prior to construction.

A vote was called and the motion passed unanimously by a vote of 4-0, with Commissioner Rush abstaining from voting.

3. #17-86 REZONE RSF-8 TO PARKING

Petitioner: Saint Matthew's Episcopal Church, Richard Forster
Location: 1120 Houston Avenue

Consideration of a rezone.

PETITIONER'S PRESENTATION

Jim Robb, representing the petitioner, presented background information of the church, stating that there was a need for additional parking in this area. The church owns property fronting on North Avenue between the College and that property to the west (U-Finish Furniture). The proposal would affect the property located directly behind the U-Finish Furniture building on Houston Avenue.

Mr. Robb continued that although the church owns property at 652 - 27 1/2 Road, they have been unable to sell their property on North Avenue, and will have to concentrate on expanding and improving at their present location.

He stated that the U-Finish Furniture business was presently on a lease.

Father Foster spoke for the church at this point. He indicated that the parking situation has grown increasingly more difficult with the increase of student enrollment at Mesa College, since students have been utilizing the present parking. This includes not only the five parking spaces located directly behind the church, but also the available on-street parking.

Mr. Robb noted that there are parking restrictions along the east side of Houston Avenue during 8 to 5 on weekdays. This puts a hardship on the church that, in the event of a funeral, there is not enough parking available for church patrons. The church has offered to strictly monitor the proposed lot.

QUESTIONS

Commissioner Madsen questioned the size of the congregation.

Mr. Robb answered that there were approximately 600 members, with 495 of those who are communicants.

STAFF PRESENTATION

Mike Sutherland gave a brief outline of the proposal. The church had agreed to reduce the parking by one space in order to save a mature tree, and two proposed spaces were eliminated to alleviate potential backing problems. They have also agreed to install a six foot solid wood fence to act as a buffer to the residential area. All other technical issues had been resolved.

QUESTIONS

Commissioner Rush asked if there was any problem with drainage on this property; would it affect the neighbors to the north.

Mike responded that the drainage issue had been sufficiently addressed and could be monitored to ensure that there were no problems.

PUBLIC COMMENTS

IN FAVOR:

Jim Robb presented the eight persons who are members of the church and who are attending tonight's meeting as persons supporting the proposal.

AGAINST:

Mike Sutherland stated that seven letters of opposition were received.

Ray Nearman, 1225 Houston Avenue, was concerned that by allowing additional parking, it would make the church a more salable property. The residents in this area felt that the church would then sell the property to an undesirable business. He asked for clarification of zoning; would it affect zoning further up the street.

Chairman O'Dwyer clarified that if the church later bought more property and wanted to add to their parking, they would have to repeat the hearing process. The zoning request would be for the one lot only.

Phyllis Carroll, 1220 Cannell, wanted to know if a legal ad was placed.

Mike responded that a legal ad was placed and a display ad also appeared.

Ms. Carroll asked for clarification of the accessway, which Mike provided.

She also wanted to know if any consideration had been given to the Mesa College Master Plan.

Mike answered that the City had no real control over a state-owned college; the City addresses as many of the concerns as it has jurisdiction over.

Ms. Carroll felt that the proposed parking lot would serve as a gathering place for loitering, loud music, parties and litter. How would this be controlled at night?

Mike said that the petitioner did intend to police this by putting stickers on first-time parking offenders and towing repeated offenders. Evening policing would have to be addressed by the petitioner.

Chairman O'Dwyer asked Ms. Carroll if she had circulated a petition.

She replied negatively.

Ms. Carroll expressed a similar concern that if the church decided to sell its property to an undesirable business, the residents would be the ones to bear the consequences.

Commissioner Transmeier tried to clarify that there was no connection between the church, being a conditional use, and the parking lot, which was zoned as parking only.

Betty Rupe, 1145 Houston Avenue, spoke in opposition to the proposal.

Chairman O'Dwyer did outline the adequate parking requirement which would be imposed if the church was to be built today.

M.G. Kline, 715 Victor Drive, opposed the proposal.

PETITIONER'S REBUTTAL

Mr. Robb addressed the residential concern over a sale to an undesirable business by saying that the rumor was unfounded. The church had no intentions at this point to sell the property at the North Avenue location, but rather, remain and perform extensive remodeling. He continued by stating that Houston Avenue is in a transition stage. He assured the policing of the parking lot, even in the evenings, since there should be someone present at the church most evenings.

At this point, the meeting was again opened up to a few audience comments.

Dick Watson, 653 - 26 Road, noted that the church does not compete with Mesa College on Sunday. He said that the resident located directly to the north was pleased to see the present house torn down for a parking lot, since she had viewed the house as being used as a "party place" for the college students. He also pointed out that Ms. Carroll does not live within the 200' area nearest the proposal.

Phyllis Carroll wanted to know why the parking lot didn't go in where the U-Finish Furniture store is located.

Mike responded that the lease for the U-Finish business is bound by a 1 - 1 1/2 year lease, and also subject to an 5-year option (according to information provided by the petitioner).

QUESTIONS

Commissioner Rush questioned whether a cable could be placed across the parking lot accesses to assure that there would be no evening trespassing.

MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON ITEM #17-86 THE REZONE FROM RESIDENTIAL SINGLE FAMILY, 8 UNITS TO THE ACRE TO PARKING, I MAKE A MOTION WE SEND THIS TO CITY COUNCIL WITH RECOMMENDATION OF DENIAL. THE REASON FOR THAT BEING THE NEIGHBORHOOD OBJECTION AND EVEN LOOKING BACK ON THE HISTORY OF THIS AREA, THE DESIGN OF THAT ALLEY IS A BARRIER BETWEEN THE BUSINESS OFF OF NORTH AVENUE AND THE RESIDENTIAL AREA. IT'S A NATURAL BARRIER WHICH HAS BEEN USED THAT WAY FOR MANY YEARS. ALSO, I HAVE SOME PROBLEM WITH THE USE OF THE ALLEY AS AN INGRESS-EGRESS TO THAT PARKING LOT."

Commissioner Madsen seconded the motion.

A vote was called and the results were 3 to 2 in favor of the motion, with Commissioners Dunivent and Rush opposing.

A recess was called at 9:00 p.m. and the hearing was reconvened at 9:05 p.m.

4. #6-86 TEXT AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Petitioner: Grand Junction Planning Department

PETITIONER'S PRESENTATION

Karl pulled the Section 5-10-3A from the agenda, saying that this amendment will be dealt with next month.

QUESTIONS

There were no questions at this time.

MOTION: (COMMISSIONER RUSH) "MR. CHAIRMAN, ON ITEM #6-86 TEXT AMENDMENTS FOR THE ZONING AND DEVELOPMENT CODE, I RECOMMEND THE ADOPTION OF THESE AND FORWARD THEM ONTO CITY COUNCIL. (THIS INCLUDES SECTION 4-2-9 TO DELETE PARAGRAPH H IN ITS ENTIRETY, SECTION 10-1-2A TO CHANGE THE COMPOSITION OF THE BOARD OF ADJUSTMENT, SECTION 10-1-2E TO CHANGE THE REQUIREMENT FOR A QUORUM FROM FIVE MEMBERS TO FOUR MEMBERS, SECTION 4-3-4 TO ADD THE RSF-R ZONE AND CHANGE VARIOUS USES FROM CONDITIONAL TO SPECIAL USES IN SPECIFIC ZONES, TO ADD A NEW SECTION 4-2-1, AND RENUMBER EXISTING SECTIONS 4-2-1, 4-2-2, AND 4-2-3 TO READ 4-2-2, 4-2-3, AND 4-2-4 RESPECTIVELY)"

Commissioner Dunivent seconded the motion.

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

5. #1-86 GRAND JUNCTION URBANIZED AREA TRANSPORTATION PLAN LONG-RANGE STREET CAPACITY ELEMENT

Petitioner: Metropolitan Planning Organization

PETITIONER'S PRESENTATION

Karl Metzner, representing the petitioner, stated that the MPO was in the process of being reorganized. This item was originally tabled on January 28, 1986 pending further discussion with the Homebuilders Association. Several workshops have since been held, and it is felt that all concerns and issues have been resolved.

QUESTIONS

Chairman O'Dwyer asked if there were any comments received from the Homeowners Association or the Homebuilders on this item.

Karl replied negatively.

Commissioner Rush wanted to know where this item went from this point.

Karl answered that it goes to City Council. Yearly work programs will be presented which will outline specifics of the overall plan.

MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #1-86 GRAND JUNCTION URBANIZED AREA TRANSPORTATION PLAN LONG-RANGE STREET CAPACITY ELEMENT, SINCE THIS HAS BEEN REVISED AND BROUGHT UP-TO-DATE, I MOVE THAT WE FORWARD THIS TO THE CITY COUNCIL WITH RECOMMENDATION OF ADOPTION."

Commissioner Rush seconded the motion.

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

IV. NON-SCHEDULED CITIZENS AND VISITORS

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

The meeting was adjourned at 9:10 p.m.