

GRAND JUNCTION PLANNING COMMISSION  
Public Hearing -- September 2, 1986  
7:30 p.m. - 8:18 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, was:

Mike Sutherland

Terri Troutner was present to record the minutes.

There were approximately 13 interested citizens present during the course of the meeting.

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**I. APPROVAL OF MINUTES**

**MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON THE MINUTES OF THE AUGUST 5TH MEETING, I MOVE THAT WE ACCEPT THOSE AS SENT TO US WITH THE ADDITION OF THE LATEST REVISION REGARDING THE CONVERSATION WITH MR. SWISHER ADDED TO THOSE ORIGINAL MINUTES."**

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. #22-86 REVISED FINAL PLAN**

Petitioner: W.B. & Carol Swisher  
Location: 2501 North 12th Street

Consideration of revised Final Plan.

#### **PETITIONER'S PRESENTATION**

Mr. Swisher felt that submission of the revised Final Plan was necessary in order to clarify an apparent misunderstanding occurring over the initial plan. Although the motion from the last meeting gave approval for the use as a real estate office, he contended that his original request was for professional and educational office uses. This included insurance, accounting, drafting, architectural, law, or consulting uses. He felt that all of these uses were in compliance with the 12th Street Corridor Guidelines adopted by the City.

#### **QUESTIONS**

Commissioner Transmeier asked about Mr. Swisher's immediate plans for the office.

Mr. Swisher replied that presently it would be used as a real estate office, but felt that he was incorporating several other uses in with his real estate business. Some examples given were drafting and bookkeeping.

Commissioner Transmeier asked if there were any exterior changes made in the revised plan from the initial plan (i.e. parking, lighting, signage, etc.)

Mr. Swisher stated that no changes had been made.

Commissioner Rush asked about traffic generation from this business.

Mr. Swisher wanted to clarify that he had only five parking spaces. Consequently, it was his contention that the parking limitation would also limit the amount of uses in this location at one time.

#### **STAFF PRESENTATION**

Mike stated that the revised Plan was for the sole reason to amend the ability to have a real estate office to include any of the other six uses (mentioned above). All other issues have been resolved.

## QUESTIONS

Commissioner Rush asked about whether the parking was adequate for the inclusion of other businesses. What was the City's parking requirement for these other businesses?

Mike said that parking is based on the square footage of office space. Therefore, regardless of the number of businesses maintained in this location, Mr. Swisher would still be limited to five parking spaces. Mike felt that economically, having many businesses located in this one building would not make good business sense with such a restriction on parking.

Commissioner Rush wanted to know if this issue could be reexamined in the future.

Mike responded affirmatively.

## PETITIONER'S REBUTTAL

Mr. Swisher stated that he had one more parking spot than was required by the Zoning and Development Code.

## PUBLIC COMMENTS

### IN FAVOR:

Ed Clements, 2528 North 12th Street, owns two adjoining properties. He wished to clarify that it is not his intention to sell these properties, and was in favor of the proposal.

### AGAINST:

Joe Able, 1212 Wellington, owns the property directly adjacent to the proposed business. Although he didn't want to see any business use at this location, he had conceded to the real estate office application. He adamantly opposed any further expansion of allowed uses for this location, since it allegedly would open up the area for many other business uses. He felt that this would create a negative impact on the neighborhood and increase traffic congestion. It was his thought that the real estate office limited approval should be upheld.

A letter was received from Dave McKinley in opposition to the revised Final Plan. A copy had been sent to City Attorney, Gerald Ashby.

## STAFF REBUTTAL

Mike asked Mr. Able if he thought that any of the business applications mentioned would increase the amount of traffic generated as compared to a real estate office.

Mr. Able replied that additional traffic would be generated with each business use added, and even with the restricted parking spaces, vehicles could still enter and leave many times in a day.

## QUESTIONS

Commissioner Rush asked about the immediate intent; did Mr. Swisher intend to bring another business in with the currently existing real estate office?

Mr. Swisher pointed out that one employee presently did some outside bookkeeping in addition to real estate.

Commissioner Transmeier commented that he owned licenses to practice real estate, act as notary public, sell mobile homes, and sell insurance. He felt that in the course of normal real estate business operations, many of the uses being requested would be utilized by the central real estate office.

Commissioner Rush asked if limiting the number of uses to two at any given time, and any of the other uses perhaps being allowed, would be agreeable to both sides.

Joe Able was still opposed to this idea.

Mr. Swisher noted that Bray & Company has an insurance business within their office, and felt that other uses were necessary to the function of the real estate office.

Commissioner Dunivent asked for clarification on the definition of a real estate office.

(Discussion ensued over the various aspects involved in the transaction of real estate. Mike commented that if complaints were received on any use not directly relating to the transaction of real estate, that use could come into question. It would be up to the petitioner to prove that that use was a necessary function of real estate transaction.)

Commissioner Rush again requested information on traffic generation.

Mike felt he could not be explicit since much of the traffic generated would depend on market condition at any given time.

**MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON ITEM #22-86 THE REVISED FINAL PLAN, I MAKE A MOTION THAT WE APPROVE THE REVISED FINAL PLAN."**

Commissioner Madsen seconded the motion.

Commissioner Transmeier commented that at the last meeting during the motion, he was trying to find a "generic" term for this sort of low-volume usage. He had felt using the term "professional office" would open the door to the medical profession.

A vote was called and the motion passed by a vote of 4-1 with Commissioner Dunivent opposing. It was his belief that what was being asked for at this hearing had already been approved at the last hearing as part of the normal business of real estate.

Mike explained the appeal procedure to the audience.

At this time, Joe Able filed a verbal request for appeal of this decision, which was duly noted.

**2. #28-86 REZONE RSF-8 TO PLANNED BUSINESS AND FINAL PLAN**

Petitioner: Daniel & Kathleen Geer  
Location: 2716 Patterson Road

Consideration of a rezone and final plan.

**PETITIONER'S PRESENTATION**

Daniel Geer stated the intent was to remodel the single family dwelling at 2716 Patterson Road into an insurance office, with improved landscaping in accordance with the surrounding neighborhood appearance. If approved, construction would begin in October and would be completed in April, approximately.

**QUESTIONS**

Chairman O'Dwyer asked if the two-story 4-plex behind this residence would be affected.

Mr. Geer replied that there would be no changes made to this structure. It would be isolated from the insurance business by a parking area.

When asked whether this parking area would be buffered, Mr. Geer responded that although it was not stated as such in the plan, it would be a good idea to do so and would accommodate such a change.

Chairman O'Dwyer questioned if whether this would be only for an insurance business.

Mr. Geer responded that that was the only use being requested.

Commissioner Rush noted that on the plan, the dumpster was in such a position as to hinder traffic; were there plans to move this to a different location?

Mr. Geer said that it would be moved to the north closer to the 4-plex (this was shown on the map provided).

Stella Rector, 1441 Patterson, spoke up from the audience and asked for clarification of the location and whether the zoning would affect either side of the property.

The location was given to her and it was stated that the zoning to the east of the property was already Planned Business and zoning to the west would remain residential.

Commissioner Rush noticed that there was rock in the back and lawn in the front and asked how the two would be divided. Was the driveway paved or graveled?

Mr. Geer said that the two would be separated by either a concrete curb or railroad ties. Presently, the driveway on the east side is paved and the west side is graveled. With the expected low generation of traffic, the graveled drive should not cause any problems. Five parking spaces would be provided, with employees using the garage.

Commissioner Rush asked if the signage would be lighted.

Mr. Geer preferred a sign similar to the Farmer's Insurance Group which was lighted and had wood trim; he felt this would be aesthetically pleasing.

#### **STAFF PRESENTATION**

Mike indicated the area to be rezoned and remodeled on the map provided. One additional parking space will be provided over what is required. Increased buffering will be provided if surrounding residences feel the traffic becomes excessive. No comments had been received either for or against the proposal.

#### **QUESTIONS**

Commissioner Dunivent asked if the 4-plex traffic would exit from the same route as the insurance office.

Mike replied that they would; no problem was foreseen with this.

Commissioner Transmeier asked if the exterior of the building and the landscaping would remain residential in character.

Mike said that this was what was being proposed; the landscaping would be a definite improvement.

Commissioner Rush questioned the zoning to the east of the proposal.

Mike stated that this was already zoned Planned Business for the Hilltop Rehabilitation property, with residential zoning to the west.

#### **PUBLIC COMMENTS**

There were no comments either for or against the proposal.

**MOTION: (COMMISSIONER RUSH) "MR. CHAIRMAN, ON ITEM #28-86 THE REZONE FROM RSF-8 TO PLANNED BUSINESS AT 2716 AND 2718 PATTERSON ROAD, I MOVE THAT WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."**

Commissioner Dunivent seconded the motion.

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

**MOTION: (COMMISSIONER RUSH) "MR. CHAIRMAN, ON ITEM #28-86 THE FINAL PLAN FOR THE PROPERTY AT 2716 AND 2718 PATTERSON ROAD, I MOVE THAT WE APPROVE THIS PLAN FOR AN INSURANCE BUSINESS, AND THE CONTINUANCE OF THE 4-PLEX AS A RESIDENCE."**

Commissioner Dunivent seconded the motion.

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

Commissioner Transmeier stated that some initial zoning on Hwy 6 & 50 west between 25 1/2 Road and Mesa Mall will be considered next month, should any of those here tonight be interested.

Stella Rector brought up the question of the Patterson Road addressing problem, and felt that some uniformity should be achieved.

Chairman O'Dwyer agreed with this complaint, stating that there has been much discussion on this issue. He suggested that it may speed things up if residents wrote to City Council indicating their concern.

The meeting was adjourned at 8:18 p.m.