

GRAND JUNCTION PLANNING COMMISSION
PUBLIC HEARING -- JUNE 2, 1987
7:30 P.M. - 8:39 P.M.

The public hearing was called to order by Chairwoman Susan Rush at 7:30 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Ross Transmeier	Miland Dunivent
Karen Madsen	Ron Halsey
Jean Sewell	Jack Campbell
Susan Rush, Chairwoman	

In attendance, representing the City Planning Department, were:

Mike Sutherland	Kathy Portner
Greg Flebbe	

Julie Russman was present to record the minutes.

There were approximately 7 interested citizens present during the course of the meeting.

I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER MADSEN) "MADAM CHAIRMAN, I MOVE THAT THE MINUTES OF THE GRAND JUNCTION PLANNING COMMISSION FOR MAY 5, 1987 BE ACCEPTED AS IS."

Commissioner Halsey seconded the motion.

A vote was called and the motion passed unanimously by a vote of 7-0.

II. ANNOUNCEMENTS, PRESENTATION AND/OR PRESCHEDULED VISITORS

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

III. FULL HEARING

1. #15-87 REVISED FLOODPLAIN REGULATIONS

Petitioner: Grand Junction Planning Department

PETITIONER'S PRESENTATION

Greg Flebbe explained that the regulations would treat manufactured homes the same as conventional housing, and this would encompass removing the grandfather clause which has exempted manufactured and mobile homes from the elevation requirements in the one hundred year floodplain (if there is substantial improvement in placing or replacing the mobile home). Greg outlined on the map the specific areas in the one hundred year floodplain and pointed out that at this time, there were no mobile home parks in the city that were in this area. He pointed out that, in his opinion, it was unlikely that any of the mobile home parks in the floodplain area would be annexed into the city any time in the near future.

QUESTIONS

Commissioner Rush asked whether or not the mobile home park on 25 1/2 Road was in the one hundred year floodplain.

Greg stated that it would not be affected by this, as it was a part of the five hundred year floodplain, and not the 100 year floodplain.

Commissioner Transmeier was concerned about the definition of "base flood elevation".

Greg replied that the one hundred year floodplain was the base flood elevation.

Commissioner Transmeier wondered if this was described anywhere in the code.

Greg checked on the matter, and found that it was not spelled out directly in the code, only referenced to, and that this was something that could be added to the definitions.

Commissioner Transmeier felt that it was important for a person who was expected to comply with the regulation to know exactly what was meant by the term.

Commissioner Transmeier asked that when applying for a loan on property in the floodplain area, if it is a requirement to have Federal Emergency Management Agency (FEMA) Insurance or if a person could obtain private insurance.

Greg replied that he thought it would depend on the lender. He stated that there is private insurance available and that the requirements were basically the same as those of FEMA's.

Commissioner Transmeier stated that he had a problem with the definition of a manufactured home park including lots for sale or rent.

Commissioner Rush felt that this did not make any difference in compliance within the context of the document, and that the regulations were written so that compliance with FEMA requirements could be met in order to qualify for the insurance.

PUBLIC COMMENTS

FOR:

Mr. Albert Wales of 1761 Palisade Street informed the audience that he has seen many changes in the river throughout his lifetime here. He was concerned with the historic abuse of the floodplain, and sees problems with any development in the floodplain that has or will change the course of the river, creating flooding problems elsewhere.

AGAINST:

There were no comments against the proposal at this time.

QUESTIONS

Commissioner Transmeier voiced that he was opposed to the FEMA program. He disagreed strongly with the Federal Government forcing the City to pass their laws under the threat of losing the FEMA Insurance. He suggested reducing the requirement of one foot over the base flood elevation down to the base flood elevation. He also recommended allowing the mobile home parks to be grandfathered in. Commissioner Transmeier felt that the decision made by Grand Junction on this issue would have an impact on surrounding communities.

Commissioner Rush commented that she saw no more of a difference in complying with this than complying with the Uniform Building Code where all areas adopt standards that are set for the safety and well-being of the majority of a community. She stated that because this affects no one in the city, or no one likely to be in the city in the near future, she has no problem in adopting these regulations.

Further discussion was held.

Commissioner Transmeier felt that with the regulations, a man's rights were being taken away from him.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, I MOVE THAT WE CHANGE THE WORDING ANY PLACE IN THE FLOODPLAIN REGULATIONS THAT STATES ONE FOOT OVER THE BASE FLOOD ELEVATION, TO READ UP TO THE BASE FLOOD ELEVATION."

Commissioner Dunivent seconded the motion.

Before the vote was called, Commissioner Dunivent asked the staff whether this motion would cause noncompliance with FEMA's regulations.

Greg answered that the minimum requirement by FEMA is the base flood level, therefore, this motion would be acceptable.

A vote was called and the motion was denied by a vote of 2-5 with Commissioners Rush, Madsen, Halsey, Campbell, and Sewell opposing.

MOTION: (COMMISSIONER CAMPBELL) "MADAM CHAIRMAN, ON ITEM 15-87, IN VIEW OF THE REGULATION TO BE ADOPTED TO BRING MOBILE HOME PARKS OR MANUFACTURED HOMES INTO COMPLIANCE WITH THE REGULATIONS THAT WE ALREADY HAVE, I MAKE A MOTION THAT WE FORWARD THIS TO CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL."

Commissioner Halsey seconded the motion.

Ross felt the motion was incomplete and misleading because there is more to it than just mobile homes.

Chairwoman Rush stated that the motion is being passed on as is.

A vote was called and the motion passed with a vote of 6-1 with Commissioner Transmeier opposing.

2. #23-87 REZONE RMF-32 TO PB AND FINAL PLAN

Petitioner: Don and Rebecca Veale
Location: 1406 North 7th Street

PETITIONER'S PRESENTATION

Don Veale outlined his proposal by stating that his business was an independent agency, and that the business will not cause any additional traffic since most of their business is conducted by phone. With the approval of this, it would allow them to add one additional employee. Structural changes include adding a bigger sign in the front, a handicap ramp, and parking area. He added there will be no change in shrubbery. The existing curb cut on Kennedy would be widened.

QUESTIONS

Commissioner Dunivent asked for clarification on the parking spaces.

Mike Sutherland outlined on the map where the proposed parking spaces would be.

Chairwoman Rush was concerned about handicap access from the parking space.

Mr. Veale assured the audience that there would be proper access for the handicapped.

STAFF PRESENTATION

Mike Sutherland explained that the business is currently operating under the home occupation guidelines where only residents or family members who live there are allowed to be employed with the business, and the limitation on signage is two square feet. Mike outlined on the map the parking proposal. Mike pointed out that a major area of concern is that a good part of the lot is in City R.O.W., although there are no present plans to build a sidewalk, the City Engineer has asked the petitioner to agree that if the City does decide to put a sidewalk along here, that he will revise his parking. Mike explained that Mr. Veale has agreed to provide a written agreement with the Planning office to be kept on file there.

QUESTIONS

Commissioner Madsen asked what the sign allowance would be if the proposal is approved.

Mike explained that the actual allowance would be considerably larger than what Mr. Veale is proposing (as shown on the development plan).

PUBLIC COMMENTS

FOR:

There were no comments for the proposal.

AGAINST:

Gloria Mathers, co-owner of 1337 North 7th Street, had called the Planning Department to voice her opposition to any rezones for business uses on 7th Street.

QUESTIONS

Commissioner Madsen asked how many neighbors were notified of the rezone.

Mike answered that there were 18 property owners notified by the Planning Department.

Mike added that this proposal falls within the 7th St. Corridor Guideline recommendations.

MOTION: (COMMISSIONER MADSEN) "MADAM CHAIRMAN, ON ITEM 23-87 CONSIDERATION OF REZONE FROM RMF-32 TO PB, I MOVE THAT WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL."

Commissioner Halsey seconded the motion.

A vote was called and the motion passed unanimously by a vote of 7-0.

MOTION: (COMMISSIONER CAMPBELL) "MADAM CHAIRMAN, ON ITEM 23-87 CONSIDERATION OF FINAL PLAN, I MOVE THAT WE APPROVE THE PLAN SUBJECT TO STAFF RECOMMENDATIONS."

Commissioner Dunivant seconded the motion.

A vote was called and the motion passed unanimously by a vote of 7-0.

3. #24-87 EASEMENT VACATION

Petitioner: Bethesda Foundation of Nebraska, Bruce Phillips
Location: 2825 Patterson Road

Chairwoman Rush announced that the agenda incorrectly indicated a slope easement was to be considered; it should read "an ingress/egress easement."

PETITIONER'S PRESENTATION

Keith Killian, (filling in for Bruce Phillips) and Dennis Enninga represented Bethesda. Mr. Killian explained the three easement proposals, and pointed out their locations on the map. He explained that the proposed construction would infringe on the ingress/egress easement and the utility, drainage irrigation easement along the east property line.

QUESTIONS

Chairwoman Rush asked why they were asking to vacate the easement along the south side of the property.

Mr. Killian explained that the removal of that easement was not absolutely necessary, but since they were going through the process, they thought it was something they would clear up now.

Commissioner Dunivent was concerned about the drainage location.

Mr. Enninga answered that the drainage is currently channeled off the property to the south.

Chairwoman Rush commented that it was her opinion that people tended to ignore drainage problems until the last lot has been developed and that causes problems with runoffs. If the south easement were to be vacated, it could cause problems when the property to the south is developed.

STAFF PRESENTATION

Kathy Portner said that the Grand Valley Water Users had the irrigation and drainage in that area and that they came in and said they had no problem with the vacation. No adverse comments to the vacation of the easements had been received.

QUESTIONS

Commissioner Transmeier asked if the Planning Commission would be hearing the proposed construction.

Kathy answered that they would not be hearing this because it is under a minor change to an existing development plan.

PUBLIC COMMENTS

FOR:

There were no comments in favor of the proposal.

AGAINST:

There were no comments in opposition to the proposal.

QUESTIONS:

Commissioner Campbell was unclear as to who owned the property on the south end.

Mr. Enninga answered that Bethesda owned the property.

Commissioner Campbell also wanted to know if the driveway to the west was currently being used.

Mr. Enninga answered that the driveway is jointly used by Bethesda and the property to the west.

MOTION: (COMMISSIONER DUNIVENT) "MADAM CHAIRMAN ON ITEM 24-87 TO VACATE THE INGRESS/EGRESS EASEMENT AND THE UTILITY DRAINAGE AND IRRIGATION EASEMENT ON THE EAST PROPERTY LINE, I MOVE THAT WE SEND THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL."

Commissioner Madsen seconded the motion.

Chairwoman Rush announced that this motion did not include the easement on the south side.

A vote was called and the motion passed unanimously by a vote of 7-0.

IV. NON-SCHEDULED CITIZENS AND/OR VISITORS

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

The meeting was adjourned at 8:39 p.m.