

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- July 30, 1985
7:30 p.m. - 9:25 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	Miland Dunivent
Bill O'Dwyer, Chairman	Warren Stephens

In attendance, representing the City Planning Department were:

Mike Sutherland	Bob Goldin
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Terri Troutner was present to record the minutes.

There were approximately 41 interested citizens present during the course of the meeting.

I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, I MOVE THAT THE MINUTES FOR THE MEETING HELD ON JUNE 25, 1985 BE ACCEPTED AS SUBMITTED."

Commissioner Stephens seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. FULL HEARING

1. #20-85 CONDITIONAL USE--3.2 BEER LICENSE

Petitioner: William A. Baca
Location: 1037 North Avenue

Consideration of a conditional use.

PETITIONER'S PRESENTATION

The petitioner, William Baca, began his presentation with a brief overview of the project stating that this business would cater specifically to the College clientele. They would be open 5 days per week (Wednesday through Sunday nights) until 12 midnight. He felt that the main concern, that of parking, had been resolved since, in addition to the parking next to the business, he had obtained permission from other surrounding businesses to use their parking facilities after hours. Vickers, however, declined use of their parking facilities. Remodeling was scheduled to begin by August 10th.

QUESTIONS

Commissioner O'Dwyer pointed out that a particular business located across from the College previously had a history of problems with noise, trash, inadequate parking, fighting, etc. With the residences being so close to this proposed business, how was the petitioner planning on handling this problem.

William answered that the grounds were to be policed regularly by Mesa College football players and outside security forces. He recognized the problems encountered by the previous business in question and felt that the problems of that business were experienced because there had been no outside control. He felt that his business had less residential living near this location and felt that this would minimize potential problems. Further, he is renting the building behind the business for storage and office use. He felt that this would also minimize any potential problems since watch could be kept on the business after hours.

STAFF PRESENTATION

Mike Sutherland said that the petitioner was requesting a change of use from a restaurant to a 3.2 beer establishment. All concerns were felt to have been addressed, however, the one remaining question, that of the occupancy number, had not yet been determined by the Fire Department. When this is done, the Planning Department would then be able to determine the exact number of parking spaces needed. The determination would be made by the Fire Department

upon receipt of the final interior blueprints from the petitioner, and no planning clearance is to be issued until such determination is made. Restriping of the parking area is to be done and curbing installed parallel to the alleyway to discourage any direct access into the parking area from the alley.

Mike further stated that one letter of opposition had been received from Ms. Mary Delp, 1326 Poplar Drive, Apt. 6, expressing her concern over a 3.2 establishment being located in this area.

QUESTIONS

Commissioner Transmeier questioned the distance limitations of any off-site parking.

Mike said that there was no real concern expressed over this since the petitioner had secured parking from businesses which were no farther than one block away.

PUBLIC COMMENTS

IN FAVOR:

There were no comments in favor of the proposal.

AGAINST:

Bernard Brodak, who owns property at 1044, 1050, and 1060 Belford Avenue expressed his concern over the possibility of the alley becoming a thoroughfare.

Bill Gillin, 2700 G Road, 14-A, owner of the Colorado Social Club, posed the question of whether Mr. Baca was aware of the proposed bill before the Colorado State Legislature on changing the drinking age to 21 in order to assure continued state highway funding. His business had spent a good deal in lobbyists and he was told that there would be a good chance that this will be put into effect. This would put him out of business and would affect Mr. Baca in the same manner. He also owned Mr. G's, the previously mentioned business located across from the College, and stated that the limited parking and complaints from the neighbors helped put him out of business; he felt that the same was in store for Mr. Baca's proposal.

Roger Woehrle, District Manager for Vickers (Total Petroleum), stated opposition to the use of their parking because of past problems experienced with 3.2 establishments. Vandalism had been a real problem in the past and he wanted to avoid any future problems.

PETITIONER'S REBUTTAL

William began by saying that Mrs. Delp no longer lived in the house next to this proposal. With regard to Mr. Brodak's concerns, he felt there would not be a problem with the alley becoming a thoroughfare. Also, he would be encouraging patronage at Vickers and try keeping patrons off the Vickers property otherwise.

QUESTIONS

Commissioner Transmeier commented that the petitioner should be aware that this conditional use, if approved, could later be revoked if complaints are received or problems arise which cannot be resolved.

MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON ITEM #20-85 CONDITIONAL USE FOR A 3.2 BEER LICENSE, I RECOMMEND WE SEND THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO STAFF COMMENTS AND CLARIFICATION OF THE QUANTITY OF PARKING SPACES."

Commissioner Dunivent seconded the motion.

A vote was called and the motion passed by a vote of 3-1 with Chairman O'Dwyer opposing.

2. #19-85 GRAND JUNCTION VISITOR'S CENTER--DEVELOPMENT IN H.O.

Petitioner: Visitors and Convention Bureau/Jody Aherns
Location: 750 1/2 Horizon Drive

Consideration of Development in H.O.

PETITIONER'S PRESENTATION

Steve Wyatt, representing the petitioner, gave a brief overview of the project stating that it was their intention to use a remodeled trailer formerly used by Valley Federal. The location will allow visitors entering Grand Junction from both directions to be aware of the center through highway signage. Volunteers are to be used for most building activities, therefore, an exact development schedule is not known, however, a projected completion time of two months is anticipated.

QUESTIONS

Commissioner Dunivent asked the petitioner if he was aware of the two year limit on a temporary structure.

Steve answered affirmatively saying that at the end of that period, a permanent structure would be built or the temporary building removed.

Commissioner Stephens asked whether the Highway Department had committed, in writing, to the highway signage.

Steve replied that he was unsure of this. Through past conversations with the Department, he felt that this had been agreed to although he was unsure if this had been verified in writing.

Chairman O'Dwyer clarified that signage was to be bi-directional.

Steve responded that this was the intent; that signage would be located at each off ramp and also on the highway facing either direction.

Commissioner Stephens reiterated that this should be received in writing. Also, regarding the development schedule, he felt that Dinosaur Valley had used volunteers and had still been able to maintain a development schedule. He didn't see why the Visitor's Center could not do the same. He reaffirmed that the Center was already four months behind in schedule.

Steve agreed with the Commissioner, however, he said that this proposal, contrary to the one of Dinosaur Valley, involved earth-moving equipment and labor and that those services were not plentiful on "any" basis, let alone a volunteer basis.

STAFF PRESENTATION

Bob reiterated a very consistent stance on enforcement of the two year limitation of temporary structures had been taken by the City and felt that this should also be put into the motion. Other concerns had been addressed to the satisfaction of the staff.

PUBLIC COMMENTS

IN FAVOR:

Jim Shaw, Director of the Mesa County Chamber of Commerce, 3422 Northridge Drive, explained that as soon as some of the unforeseen factors were worked out, i.e. unexpected financial shortfalls, there will be a better chance to work out an acceptable development schedule.

Bryan Sims, architect for the petitioner, outlined some of the problems experienced with obtaining adequate volunteer assistance in the areas of earthmoving and also with obtaining the much needed donations. There was still a need for both volunteers and donations to aid the project.

AGAINST:

There were no comments against the proposal.

MOTION: (COMMISSIONER STEPHENS) "MR. CHAIRMAN, I MOVE THAT ITEM #19-85 BE SUBMITTED TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO THE TWO YEAR STIPULATED ALLOWANCE OF THE TEMPORARY STRUCTURE AND REVIEW AGENCY COMMENTS."

Commissioner Transmeier seconded the motion.

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

3. #18-85 NEIGHBORS RV RETIREMENT RESORT--ZONE OF ANNEXATIONS AND OUTLINE DEVELOPMENT PLAN

Petitioner: Warren R. Jacobson and Grand Junction Tech Center/R. Hyrons, and R. Painter

Location: Southwest corner of I-70 and 24 Road

Consideration of: 1) Zone of annexation.
2) Outline Development Plan.

PETITIONER'S PRESENTATION

Bob Goldin, representing the City of Grand Junction, began the presentation by saying that the City was referring to this proposal as a Planned Recreational facility. Since there is presently no other zone more appropriate, the City was requesting that later, a new definition and perhaps reclassification be made with regard to this zone (i.e. Planned Recreational Vehicle, etc.).

Daryl Shrum, representing the petitioner, reiterated the location and agreed that the proposal was new to the area, but that several of the Planning staff/Commission had gone to the Mesa, Arizona area to see examples of the Resort's layout and facilities after completion. He clarified that there were to be 900 lots available; not the supposed 1,100 (appx. 7 units per acre). Construction is scheduled to begin this fall, with the first phase to include completion of the recreational facility and 475 of the lots. All 900 of the lots will be platted and sold to individuals as this proposal is considered to be, in essence, a subdivision.

Daryl went on to say that the developers had been working on the project for over a year and felt that the submittal was one of the most comprehensive he had seen. Meetings had been held on several occasions with the Commissioners/staff and felt that concerns had been adequately addressed. To insure a seasonal occupancy, and not a year around occupancy, proposals were to include closing the recreational facility from January 1 through March 1 each year. This was subject to elongation if actual experience deemed it necessary. Daryl stated that this proposal would bring an additional 1,800 people into the Grand Valley and most of these persons are in the moderate to upper income brackets. He felt that annexation of the area was inevitable since the developer signed a power of attorney in conjunction with the Appleton Sanitation District.

QUESTIONS

Commissioner Transmeier requested clarification of the annexation location.

Bob stated that the area to be annexed would include all of 25 Road, north to G Road, take the south side of G Road, west to 24 Road and at this time, take the west side of 24 Road, north to the interstate. Agreements with the County pertaining to the law enforcement, road maintenance, etc. are in the process of being secured.

Commissioner Transmeier clarified to the audience that through the various meetings held, there was a great deal of information received on the proposal.

STAFF PRESENTATION

Bob reiterated that the City of Grand Junction has been coordinating with the City of Mesa, Arizona, using a lot of their experiences, ordinances, and definitions in applying them to this proposal. Four major areas of concern have been outlined to the petitioner:

- 1) On-site improvements
- 2) Design
- 3) Off-site improvements
- 4) Covenants (and enforcement)

He felt that concerns had been adequately addressed, however, it was reaffirmed that this proposal was still a concept plan only. Specifics concerning site design and site layout still had not been addressed and these needed to be resolved prior to submittal of the next phase. All other review comments must be adhered to and if the City does reclassify this zone, it will be done with the petitioner's understanding that a redefinition come in at a later date.

QUESTIONS

(At this time Chairman O'Dwyer asked that Paul Nelson, Chairman of the Mesa County Planning Commission, be allowed to speak and express the concerns and sentiments of the County Planning Commission on this proposal.)

Paul Nelson, entered into the record a letter dated July 26, 1985, which outlined many of the concerns expressed formerly by Bob Goldin. He wished to clarify that the letter represented the collective thought of the County Planning Commission and did not reflect the thoughts of the County Commissioners. He said that he would answer any questions presented by the City Planning Commissioners at this time.

Commissioner Transmeier asked that with regard to the 4,000 vehicle traffic count, whether mobile homes were used as the basis for the estimate.

Paul stated that this was a County staff generated number and without consulting with them, he could not verify this as accurate. He felt that this may have also been based on the earlier proposal of 1,100 units.

Commissioner Stephens commented that the letter states that this proposal did not meet the requirements for a zone change. He asked for clarification of this point.

Paul felt that in consideration of factors such as, does the proposal demonstrate the need to change the zoning currently in place, and is the current zoning in error. It was determined by the County Planning Commission that the need was not demonstrated by this project.

Commissioner Transmeier asked if this project was heard formally by the County Planning Commission.

Paul replied that it had been heard twice before; begun in June's meeting and continued into July's meeting. The item was pulled on the July 18th meeting by the petitioner who stated that it was to be heard by the City Planning Commission; consequently, no motion had been made. A lot of input had been made at these two previous meetings and he wanted to make the City aware of what had been discussed and the concerns expressed by the County.

PUBLIC COMMENTS

IN FAVOR:

Joan Razor, 3343 Northridge Drive, owner of Alpine Travel Trailers, asked for a summary of what was in the letter referenced earlier.

Chairman O'Dwyer presented a brief outline of the letter for the benefit of Ms. Razor and the audience.

Mike Sutherland presented a copy of the letter to Ms. Razor.

Joan commented that approximately 50% of their business at Alpine Travel Trailers was to the retired population, and that these trailers are set up for extended living and not merely overnight accommodations. She asked for clarification on the closure of the recreational facilities.

Bob Goldin clarified this point saying that this was a self-policing measure to ensure non-year around, but "seasonal" occupancy.

Joan went on to say that the RV's do have capacity for holding sewage and do come equipped with shower facilities.

Commissioner Transmeier commented that all of the lots were to have utility hookups on them, therefore, the proposal was not being designed for overnight accommodations but rather long term seasonal occupancy.

Joan pointed out that there is a difference in mobile homes and RV's.

Lana Turrou, 2186 Buffalo Drive, Board member of the Chamber of Commerce, said that this proposal had not been discussed. However, she felt that the proposal met their goals and the goals of the City in bringing in the retired community to Grand Junction.

Eileen Jensen, Chairman of the Retirement Task Force, 2002 Bison Court, said that she has an RV and they do a lot of traveling, thereby representing Grand Junction in many other states. She felt that it was very possible that these retired persons may be so impressed with the area once they area here, that they will buy and live here on a permanent basis.

Jim Shaw, Director of the Mesa County Chamber of Commerce, 3422 Northridge Drive, spoke up again about the economic impact. He felt that the "transient" issue should not be a concern since this involved a different group of persons. He encouraged approval of the proposal.

Dave Meyer, President of the Grand Valley Retirement Association, 727 Birdie Drive, felt that this Grand Valley location was ideal for attracting the retirement community. He felt that this would bring a considerable number of persons into the area, a number of homes may be purchased, and help bring Grand Junction out of its economic decline.

AGAINST:

Dennis O'Connor, 956 - 24 Road, gave a lengthy presentation. The highlights of his presentation are as follows:

His concerns included the fact that the design had been changed repeatedly; there was no fixed design, no consistency. With regard to the closure of the facilities, he viewed the photographs brought back by the City Planning staff/Commissioners and felt that the closure did not discourage year around occupancy, but merely forced those individuals who could not afford to move elsewhere to live without services for a three month plus period of time. He felt that the closure of the facilities was a move to "get around" the year around prohibition but that the residents would be the ones to suffer.

He said that Andy Anderson from the Building Department had stated the plumbing of these RV's were not designed to handle the winters in this area. There was a real concern over those persons who would buy these lots and then sublease them to anyone. With regard to traffic, he felt that 24 Road is too narrow and unimproved to handle the proposed traffic generated from this proposal. He understood the City annexing to G Road and said that those residents spoken to in this area were not in favor of this annexation on G Road. Should improvements be made to 24 Road, the few landowners bordering this road would be assessed a tremendous amount of money, and he felt that this was totally unfair. He wondered who would be responsible for 24 Road improvements.

He also stated drainage considerations were felt to be inadequate. Drainage would be piped underneath driveways. Dennis also objected to the number of private meetings held on this proposal without the benefit of public input and public access to detailed information. He felt that there were already an overabundance of RV parks within the Grand Valley that currently have very poor occupancy rates. Since this proposal was also an RV park, what made the petitioner so certain that these rates of poor occupancy would not affect them. After computation of the land costs, he determined each individual lot to cost approximately \$8,000, with utilities and improvements increasing this cost approximately three times with a final lot cost of \$24,000 each. Dennis questioned whether anyone would be able to afford this cost. This inflates the cost of the land to approximately \$2.00/sq. ft. when its appraised value was only \$.55/sq. ft.

Dennis read from the review agency comments and stated various points from the agencies outlining inadequacies and shortfalls of the proposal. He pointed out a single access into the proposal of 900 units. Even though staff requested a second access, he could not find where a second access had been added to the design plan.

With regard to certain points in the covenants, he felt that definitions of acceptable RV's were vague and misrepresenting. There was felt to be an apparent intent within the covenants to cover rental of the lots in lieu of, or in addition to, the purchase of the lots.

It was felt that without the use of propane tanks, the washer and dryer facilities would freeze. However, with the use of these tanks, it then would become a fire hazard. With regard to the toilet, bathing and laundry facilities, he pointed out that only three were being proposed. However, according to the covenants and after computation of the occupancy ratio to the number required, it came out to a figure of 44 instead of 3. He pointed out that electrical hookups were to 30 amp fuse boxes, however, Public Service did not want the responsibility of hooking these up, since it was felt to be a fire hazard. After reading from the Mesa County Development Code, he felt that per this code, the project did not meet the requirements of either the zone of annexation or of any development code.

Fred Kuykendall, 649 Kayenta Drive, owner of a local KOA Campground, endorsed Dennis O'Connor's figures stating that he had sold the KOA Campground only to take it back because former owners could not make payments any longer. He cited vacancy rates of 42% in 1980, 63% in 1981, and 55% in 1982 when at this time, it was sold to new owners. During 1984, after repossession of the campground, an occupancy rate of 18% was realized due largely to the campground having such a negative reputation for transient inhabitants. This year projections were expected to reach 22%, but it was considered a far cry from the approximately 42% of a "successful" campground. He questioned the feasibility of the project and stated that should these lots be subleased or rented, it would place a burden on those campgrounds already established. As well, he said that even at the height of the season, he could expect only a 52% occupancy rate. With regard to closure of facilities in the wintertime, he felt that this action was being taken merely to meet a zoning requirement and that those who would suffer would be those people who could not leave.

Audrey Berry, 935 - 25 Road, expressed concerns over the use and development of 24 Road. Her questions included those of who would pay for improvements made to the road and who will maintain it. She felt that this road, which she defined as a "country road" was too underdeveloped for this type of proposal. Questions of Police and Fire protection for the area were raised. Audrey noted that this area was essentially low land swamp area and felt that feasibility should be reevaluated.

PETITIONER'S REBUTTAL

Daryl felt that all questions and concerns had been addressed formerly and he had nothing further to state on the proposal.

QUESTIONS

Commissioner Transmeier asked if the viability of the project would be threatened if the buyers of the lots were prohibited from sub-leasing them.

Daryl referred the question to David Walker, Sr. Representative of Western Leisure, who responded " absolutely not...as a matter to the individual lot owner, I think the deal is struck between them and management...if I own a lot, I would go to management and say that I would allow it to be leased or not."

Commissioner Dunivent asked if the lots were leased, would the tenants be restricted by the same covenants.

David replied that they would be under the same restrictions and guidelines as the owners in that instance.

Daryl expanded on this idea stating that attorneys between the City and petitioner should get together and design the covenants specifically to close any potential loopholes which may be present. The petitioner is very willing to work with the City on this aspect.

Commissioner Transmeier stated that since this was an outline development plan, there was still time to get a lot of these technical questions answered, but that it was good to bring them to the surface in the beginning stages.

STAFF REBUTTAL

Bob thanked the County for their input and reiterated that this proposal was being considered as a concept only, that there was still time for specific concerns to be addressed and resolved should the proposal be recommended for approval. City staff recommended all concerns of the various review agencies should be resolved prior to actual submittal and once in the process, any refinement that is needed may be performed at that time.

Chairman O'Dwyer entered a letter received from Patrick Moran mainly opposing the annexation of the area along 25 and G Roads.

MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON ITEM #18-85 NEIGHBORS RV RETIREMENT RESORT, I MAKE A RECOMMENDATION THAT THIS BE SENT TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL FOR THE ZONE OF ANNEXATION AND THAT, IF APPROVED, A RECLASSIFICATION MAY BE MADE OF THIS ZONE AT A LATER DATE, WHEREBY THE PETITIONER WILL BE APPROACHED WITH A REZONE PETITION AT THAT TIME."

Commissioner Dunivent seconded the motion.

Bob again stated that, if approved, a reclassification be made of this zone at a later date, the petitioner will be approached with a rezone petition at that time. He requested that this be made a part of the motion and was so entered.

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

MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, ON ITEM #18-85 NEIGHBORS RV RETIREMENT RESORT, I MAKE A RECOMMENDATION WE SEND THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL AT THE OUTLINE DEVELOPMENT PLAN STAGE SUBJECT TO THE STAFF COMMENTS BEING ADDRESSED BEFORE WE SEE THIS AT A PRELIMINARY STAGE; SPECIFICALLY, 1) THE SEASONAL LIVING, 2) THE ON-SITE RESTRICTIONS AND STANDARDS, 3) THE OFF-SITE IMPROVEMENTS, AND 4) THE COVENANTS AND RESTRICTIONS AS OUTLINED IN THE LETTER FROM THE STAFF; THAT THESE BE ADDRESSED AND RESOLVED PRIOR TO THE PRELIMINARY STAGE AND OTHER REVIEW AGENCY COMMENTS."

Commissioner Dunivent seconded the motion.

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

IV. NON-SCHEDULED CITIZENS AND/OR VISITORS

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

The meeting was adjourned at 9:25 p.m.