

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- November 26, 1985
7:30 p.m. - 8:15 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:

Mike Dooley	Miland Dunivent
Bill O'Dwyer, Chairman	Ross Transmeier

In attendance, representing the City Planning Department was:

Mike Sutherland

There were approximately 6 interested citizens present during the course of the meeting.

I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, I MOVE THAT THE MINUTES OF THE OCTOBER 29TH MEETING BE APPROVED AS SUBMITTED."

Commissioner Transmeier seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Chairman O'Dwyer announced that item #22-85 regarding air quality was originally scheduled to be reheard 60 days after its previous consideration during the September 10th meeting. However, because several points needed further clarification, postponement of a final decision was being requested.

MOTION: (COMMISSIONER TRANSMEIER) "MR. CHAIRMAN, I MAKE A MOTION THAT WE TABLE THIS FOR FURTHER DISCUSSION."

Commissioner Dooley seconded the motion.

Chairman O'Dwyer commented that meetings have taken place between members of the Planning Commission and the State and County air quality officials. He felt that further discussion was necessary before reaching a final decision on this issue.

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

Chairman O'Dwyer continued by saying item one (#31-85) was pulled from this evening's agenda.

III. FULL HEARING

2. #32-85 DEVELOPMENT IN H.O.

Petitioner: W.A. Weaver
Location: 427 Sherman Drive

Consideration of Development in H.O.

PETITIONER'S PRESENTATION

Tom Logue, representing the petitioner, outlined the proposal and stated that this request was for expansion of the present building to include an additional 3,000 square feet. He felt that this expansion would remain compatible with other similar uses in this area. Construction was planned for early spring in 1986 with completion by the summer.

QUESTIONS

Commissioner Transmeier asked if the petitioner had come in for the H.O. zone when the business was first established.

W.A. Weaver, the petitioner, said that the business had been in this location since 1976. Tom Logue continued that the use had since changed from the repair of heavy mining equipment to repair of Caterpillar tracks specifically.

Chairman O'Dwyer commented that the Highway Oriented zone probably came in when the highway was rebuilt there years ago.

Tom thought that the zone had been established during an annexation process; that a blanket zone had been given to this area, although this specific use leans more towards light/moderate commercial.

Chairman O'Dwyer noted that the Fire Department had originally wanted an 8" water line installed to handle this expansion and the petitioner had responded by agreeing to sign a power of attorney to put this in upon the upgrading of Sherman Drive. A concern was expressed in that, if the upgrade did not take place for several years, there would not be adequate fire protection and could perhaps affect not only the owner's insurance rates, but the City's liability as well.

Tom said that a 4" water line was in existence now with a fire hydrant located across the street. This hydrant could deliver between 500-750 gallons of water per minute, but the Fire Department felt that this would not serve as adequate protection. Tom thought that the business did not utilize nor store flammable materials and that the 8" water line could be installed upon formation of the special improvements district for Sherman Drive. The cost of the 8" water line was estimated to be greater than the cost of the new addition.

Mr. Weaver clarified that the only combustible item inside the building was the insulation and, therefore, he had acquired a very reasonable fire insurance rate. The same building design was planned for the new addition as well.

Chairman O'Dwyer asked if there were any hazardous fluids or materials present on the site.

Mr. Weaver said there were no flammable materials kept inside and that any oil used was kept outside.

Commissioner Dunivent asked if there was any landscaping proposed and commented that even though landscaping was not prolific in this area, some action should be taken to change this.

Tom replied that currently the business was screened by a chain linked fence which included slats. The petitioner indicated a willingness to install concrete planters with plants that would require minimal water and care.

STAFF PRESENTATION

Mike stated that this proposal included expansion of the building only, thereby lessening the potential impact on the surrounding neighborhood. No adverse comments were received. Mike requested a statement in the motion that upon issuance of a planning clearance for a building permit, that power of attorney(s) be recorded.

QUESTIONS

Commissioner Transmeier questioned whether the power of attorney which was submitted had been reviewed by the City Attorney.

Mike said that individual copies had gone to the City Attorney and the Fire Department and were being reviewed.

PUBLIC COMMENTS

Chuck Gardner, 264 Fischer Drive, asked if the safety factor for children would be jeopardized if the addition was built.

Mr. Weaver stated that a 6' fence presently runs along the entire perimeter of the property.

After discussion among Mr. Gardner, Mr. Weaver and the Planning Commission, it was discovered that the concern expressed by Mr. Gardner was for land not owned by the petitioner. Commissioner Transmeier reiterated that this proposal did not include a land expansion.

Chairman O'Dwyer commented that he owns rental property near this area and felt that there might be a conflict of interest in his voting decision. He asked the other Commission members for their opinion of this.

After establishing the fact that this was not a residence where he currently resides, the Commission members agreed unanimously that voting would not reflect a conflict of interest.

MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #32-85 DEVELOPMENT IN H.O., PETITIONER W.A. WEAVER, LOCATION 427 SHERMAN DRIVE, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL WITH THE CONDITION THAT THE POWER OF ATTORNEY FOR THE STREET AND WATER LINE BE ACTIVATED AT THE TIME THE BUILDING PERMIT IS OBTAINED."

Commissioner Transmeier seconded the motion.

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

3. #34-85 CONDITIONAL USE - HOTEL & RESTAURANT LIQUOR LICENSE

Petitioner: Fred M. Erwin, Jr.
Location: 2692 E. Highway 50

Consideration of a Conditional Use.

PETITIONER'S PRESENTATION

Fred Erwin answered the questions posed on the review summary by the various agencies.

Regarding expansion into the adjoining suite, he felt it highly unlikely due to the present economy.

Regarding a bike rack being located in front of this business, it was thought that this would be impractical with the current design of the building; in fact, he continued, it could prove to be somewhat of a safety hazard in blocking direct access.

Chairman O'Dwyer asked if there were any other bike racks located in the shopping area.

Mr. Erwin thought there might be but he was unsure of this point.

With regard to interior construction, the only changes made were to the building's utilities; no structural changes would be made. The existing sign would be utilized for the new business and all permits have been obtained.

Commissioner Transmeier asked about the type of liquor to be served at this establishment.

Mr. Erwin said that, at present, only beer and wine would be served since it was not his intention to digress from a restaurant into a bar. He felt that both beer and wine would go well with pizza, but wished to maintain the option of serving mixed drinks for the convenience of the customers.

STAFF PRESENTATION

Mike stated that opposition was received by an anonymous caller but that nothing was received in writing. Mike asked the petitioner if seating was planned at the bar or counter area.

Mr. Erwin replied negatively.

Mike continued by saying the petitioner understood that further expansion would mean a reappearance before the Planning Commission.

QUESTIONS

Mr. Erwin felt that the area was not oversaturated in the serving of liquor.

Commissioner Dooley asked if there was a take-out service associated with his business and whether the serving of drinks would be strictly in-house.

Mr. Erwin replied affirmatively to both questions.

PUBLIC COMMENTS

There were no comments either for or against this proposal.

QUESTIONS

Commissioner Transmeier asked Planning staff if the shopping center had been required to put in a bike rack.

Mike was unsure if one had been required originally, but stated that if it were to come before the Commission now, it would be a requirement. There was nothing presently in the files to indicate a bike rack had originally been required of the shopping center.

MOTION: (COMMISSIONER DOOLEY) "MR. CHAIRMAN, ON ITEM #34-85 CONDITIONAL USE FOR A HOTEL & RESTAURANT LIQUOR LICENSE FOR THE LEANING TOWER OF PIZZA, I MAKE THE RECOMMENDATION WE SEND THIS TO CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL SUBJECT TO STAFF COMMENTS, LESS THE REQUIREMENT OF THE BIKE RACK."

Commissioner Dooley seconded the motion.

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

4. #33-85 RIGHT-OF-WAY VACATION

Petitioner: Grand Junction Planning Department

PETITIONER'S PRESENTATION

Mike stated that this was to continue vacating that portion of right-of-way which was acquired prior to the widening of Horizon Drive and not needed. This was the third of four separate requests; the fourth request to be presented in the near future. The only requirement was that utility easements remain but Planning staff did not consider this a problem.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

(It was noted that the agenda should have read "...the southeast 40' of Horizon Drive..." with regard to location of right-of-way.)

MOTION: (COMMISSIONER DOOLEY) "MR. CHAIRMAN, ON ITEM #33-85 RIGHT-OF-WAY VACATION, PETITIONER: THE GRAND JUNCTION PLANNING DEPARTMENT, LOCATION: THE SOUTHEAST 40' OF HORIZON DRIVE ADJACENT TO LOTS 71-77, 102 & 103, BLOCK 1, I MOVE THAT WE APPROVE THE VACATION AND FORWARD TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Transmeier 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 announcement was made by Chairman Bill O'Dwyer that due to the holiday season, the December meeting of the Grand Junction Planning Commission would meet on January 7th at the regularly scheduled time.

The meeting was adjourned at 8:15 p.m.