

GRAND JUNCTION PLANNING COMMISSION  
Public Hearing, November 30, 1982  
Minutes  
7:30 pm - 8:45 pm

The public hearing was called to order by Chairman Ross Transmeier at 7:30 p.m. in the City Council Chambers.

In attendance, representing the City Planning Commission were:

|                 |             |
|-----------------|-------------|
| Miland Dunivent | Jack Ott    |
| Bill O'Dwyer    | Jane Quimby |
| Susan Rinker    | Dick Litle  |

In attendance, representing the Planning Department were:

Bob Goldin  
Don Warner  
Karl Metzner

Rachelle Daily, Sunshine Business Services, was present to record the minutes.

There were approximately 10 interested citizens present at the beginning of the meeting.

\* \* \* \* \*

**I. ANNOUNCEMENTS, PRESENTATIONS, AND/OR VISITORS**

Chairman Transmeier called the meeting to order by announcing that the Public Hearing scheduled for December 28 has been re-scheduled for January 4, 1983. (January's meeting is still scheduled for the last Tuesday in January).

**I. APPROVAL OF MINUTES.**

**CORRECTIONS:**

Page 14, last paragraph, (PETITIONER'S PRESENTATION), "Grand Med Site Services" should read "Grand Met Site Services." (Correction was submitted by Commissioner Quimby)

Page 24, third paragraph (Don Warner's Comments), should read: "a noncomforming business could be replaced" (rather than "not be replaced.") (Correction submitted by Commissioner Quimby)

**MOTION: (COMMISSIONER QUIMBY) "MR CHAIRMAN, I MOVE THE MINUTES OF THE OCTOBER 26, 1982 GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING BE APPROVED AS CORRECTED."**

Commissioner Rinker seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried by a vote of 6-0.

### III. FULL HEARING

#### 1. #69-82 CONDITIONAL USE - HOTEL-RESTAURANT LIQUOR LICENSE

Petitioner: Murl R. Anderson  
Location: 490 28.25 Road

A request for conditional use for a hotel-restaurant liquor license on approximately .14 acre in a light commercial zone.

Consideration of conditional use.

#### PETITIONER'S PRESENTATION

Murl Anderson presented his proposal for a hotel-restaurant liquor license to serve beer and wine at K-Bob's Steak House.

#### QUESTIONS

Commissioner Quimby asked Mr. Anderson if he would have any objections to improving the landscaping around the building. Mr. Anderson indicated they have already initiated plans for that which will be done in the Spring (1983).

Chairman Transmeier asked if they intended to conform to the style of the building in front of them. Mr. Anderson answered that it would not be exactly like that but it would be similar.

Commissioner Little asked what percentage of their business is in beer and wine. Mr. Anderson projected 15%.

Commissioner Rinker asked if they intended to have a service bar only. Mr. Anderson confirmed that was true.

Commissioner Quimby asked Mr. Anderson if K-Bob's typically builds an operation like this without a liquor license and then requests one later. Mr. Anderson responded that they would be the first K-Bob's in Colorado (or anywhere) to have a beer and wine license.

## **PLANNING STAFF COMMENTS**

Bob Goldin noted that since all issues have been addressed, Staff has no problems in the granting of the conditional use.

Chairman Transmeier asked if sign changes (referring to beer advertising) have been taken into consideration. Bob Goldin replied that they will be.

## **PUBLIC COMMENTS**

There were no comments either in favor or against the proposal.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER DUNIVENT) "ON ITEM #69-82, CONDITIONAL USE, HOTEL-RESTAURANT LIQUOR LICENSE AT 490 28.25 ROAD, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL CONTINGENT ON THE LANDSCAPING BEING COMPLETED WITHIN SIX MONTHS OF THIS DATE, SUBJECT TO STAFF COMMENTS."**

Commissioner Litle seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 5-1 (Commissioner O'Dwyer opposed).

## **2. #70-82, CONDITIONAL USE, HOTEL-RESTAURANT LIQUOR LICENSE**

Petitioner: Scott Howard  
Location: 421 Brach Drive

A request for a conditional use for a hotel-restaurant liquor license on approximately .14 acre in a light commercial zone.

Consideration of conditional use.

## **PETITIONER'S PRESENTATION**

Scott Howard, part-owner of Dos Hombres Restaurants, presented the proposal, noting that they have two licenses (one of which is within the City limits) and they are requesting to transfer the one in the City to their new location across the street from their existing restaurant.

## QUESTIONS

Commissioner O'Dwyer asked if they have adequate parking to accommodate their customers. Mr. Howard answered yes, that they have 69 spaces which is what is required.

Commissioner Quimby asked when they anticipate opening the new building. Mr. Howard answered "March 1, 1983."

Chairman Transmeier asked for their operating hours. Mr. Howard indicated they were from 11:00 a.m. - 10:00 p.m.

Commissioner O'Dwyer questioned Mr. Howard on the ingress/egress situation onto Broadway. It was explained by Mr. Howard and Don Warner (Planning Staff) that Brach Drive is a public drive and that ingress/egress would not be a problem.

## STAFF COMMENTS

Karl Metzner clarified the planned ingress/egress involving Brach Drive, Monument Road and Broadway that there are no curb cuts on Broadway for this site. Customers driving from the West will turn at the light to access Brach Drive. Karl noted that parking, landscaping, and access have been reviewed and there are no adverse comments from reviewing agencies.

## PUBLIC COMMENTS

There were no comments from the audience either in favor or against this proposal.

Chairman Transmeier closed the Public Hearing.

**MOTION: (COMMISSIONER LITTLE) "IN CASE OF FILE #70-82, CONDITIONAL USE HOTEL-RESTAURANT LIQUOR LICENSE, LOCATED AT 421 BRACH DRIVE, I MOVE WE FORWARD TO CITY COUNCIL WITH THE RECOMENDATION FOR APPROVAL, SUBJECT TO STAFF COMMENTS."**

Commissioner Rinker seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried, 5-1. (Commissioner O'Dwyer opposed)

[Commissioner Rinker requested and received permission to abstain from considering the next agenda item]

**3. #73-82 REZONE RMF-64 TO PB AND CENTURY 21 REAL ESTATE OFFICE -- FINAL PLAN.**

Petitioner: Gary DeRush  
Location: 1330 North 12th Street

A request to change from residential multi-family uses at 64 units per acre to planned business uses and a final plan on approximately .18 acre.

Consideration of rezone.  
Consideration of final plan.

**PETITIONER'S PRESENTATION**

Connie McDonough represented Gary DeRush (the petitioner, who was also present) and Miss Anhorn (owner of Century 21 Hallmark Properties business interested in using the facilities for their offices). Connie indicated all review agency comments had been responded to and summarized them as follows:

1. 12th Street Curb Cut - the petitioner indicated they would like to use that space for secretarial parking space but that they will keep it to a minimum and will close it if the Commission prefers.
2. Driveway access off Kennedy regarding the removal of the mountable curb and sidewalk and replacing it with a driveway section. Connie stated that they would consider doing that if it is beneficial to the property use or street, although they question the need to remove good concrete. She suggested they continue the split-rail fence around the property and post so there is some indication to the driver of where to enter.
3. Apartments located in the basement of the property - the petitioner is asking permission to leave the apartments in place until the business requires that space. The petitioner also is requesting that the use of the office be approved for the entire structure at this time, anticipating this future need.
4. The petitioner agrees to comply with all review agency comments.

## QUESTIONS

Commissioner Quimby asked how many apartments are in the basement. Connie answered that there are two, further noting that the parking requirements of 1 space per 300 sq. ft equals the same amount required for those apartments; so that no additional parking will be required when the Use shifts.

Commissioner O'Dwyer commented on the ingress/egress question, wondering if it should be signed to prevent students from parking there. Connie agreed there is a need to tell the people not to park there and where they can enter. She then asked whether they can "landscape-planter" that area in lieu of removing the concrete.

Bob Goldin (Planning Staff) responded to her question stating that it would be at the discretion of the Traffic Engineer. (How to close 12th Street would be at the discretion of the Traffic Engineer; Kennedy would be at the discretion of the Planning Commission)

## STAFF COMMENTS

Bob Goldin indicated that Connie has addressed all the review comments as well as the rezone criteria for the proposal and it does comply with the 12th Street Corridor Policy. Bob complimented and thanked Connie for her complete package. Staff would like to see a better designation off of Kennedy and the closure on 12th Street.

Chairman Transmeier also complimented Connie McDonough on her presentation.

## PUBLIC COMMENTS

There were no comments either in favor or against the proposal.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER QUIMBY) "REGARDING ITEM #73-82, REZONE FROM RMF-64 TO PB (CENTURY 21 REAL ESTATE OFFICE, 1330 NORTH 12TH STREET), I RECOMMEND WE SEND THIS ITEM TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL OF THE REZONE."**

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried, 5-0. (Commissioner Rinker abstaining from considering this item)

**MOTION: (COMMISSIONER QUIMBY) "REGARDING ITEM #73-82, REZONE FROM RMF-64 TO PB (1330 NORTH 12TH STREET), I MOVE WE FORWARD THIS ITEM TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL OF THE FINAL PLAN WITH THE CONDITION THAT THERE WILL BE NO ACCESS OFF OF 12TH STREET (THAT IT WILL BE SUITABLY LANDSCAPED OR CLOSED TO INDICATE THERE IS NO ACCESS THERE, PER TRAFFIC ENGINEER'S APPROVAL), AND THAT THE CURB CUT OFF OF KENNEDY WILL BE CLEARLY DESIGNATED AS A DRIVEWAY, THAT THE BASEMENT CAN BE USED FOR APARTMENTS AT THIS TIME AND CONVERTED LATER TO OFFICE USE, SUBJECT TO STAFF AND REVIEW AGENCY COMMENTS. "**

Commissioner Litle seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 5-0. (Commissioner Rinker abstaining from considering this agenda item).

[Commissioner Rinker rejoined the Planning Commission]

**4. #71-82 REZONE RMF-32 TO B-3.**

Petitioner: Lorene C. Bright  
Location: 128 Teller Avenue

A request to change from residential multi-family uses at 32 units per acre to retail business uses on approximately .14 acre.

Consideration of rezone (to Planned Business).  
Consideration of Final Plan.

**PETITIONER'S PRESENTATION**

Daryl Shrum, Beck & Associates, represented the petitioner and outlined the proposal. Mrs. Bright has owned this business over 20 years and only recently learned that the zoning is not consistent with the City Development Code. Mr. Shrum indicated there have been no objections (from neighbors, etc.), noting that Mrs. Bright's business is of a low-volume nature. Mr. Shrum, based on Planning Staff's recommendation, is requesting this be changed to Planned Business.

## STAFF COMMENTS

Karl Metzner indicated they have not received any adverse comments from the the Reviewing Agencies and in checking with Zoning Enforcement found there were no records of Zoning complaints.

## PUBLIC COMMENTS

There were no comments either in favor or against the request.

## QUESTIONS

Commissioner Quimby asked whether any customers used the alley. Mrs. Blight answered "not much," that it is used for deliveries. She also noted that there is a six-foot fence in back and she keeps the gate locked.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER O'DWYER) "ON ITEM #71-82, REZONE RMF-32 TO PLANNED BUSINESS, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL."**

Commissioner Quimby seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 6-0.

**MOTION: (COMMISSIONER O'DWYER) "I MOVE ON ITEM #71-82, FINAL PLAN, THAT THE REQUIRMENT FOR SUBMITTING THE PLAN BE WAIVED, AND INSTRUCT STAFF TO TAKE PICTURES (AS BUILT) AND FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS."**

Commissioner Rinker seconded the motion.

Chairman Transmeier noted that this is with the understanding of the Petitioner that if there is a change, then she is changing her plan and she will have to come back with a new plan (change in business, parking, etc.).

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 6-0.



**5. TEXT AMENDMENT TO GRAND JUNCTION ZONING AND DEVELOPMENT CODE,  
1981 ANNUAL UPDATE.**

Petitioner: City/County Development Department.

A request to make the following amendments (regarding:  
#21 -- "Boarding Houses" and "Law Enforcement Rehab Centers.")

#21 - Amending Chapter 13 of the Grand Junction Zoning and Development Code, 1981. Adding the following to the existing definition of "boarding house."

This use may also provide room, board, and personal care facilities for the elderly. These facilities must have all applicable state or local licenses and meet safety standards as set forth by the Fire Department and City Building Inspection Department."

and

Amending Figure 4-3-4 to add "boarding house" as a special use in the B-3 zone.

and

Amending Figure 4-3-4 to add "Law Enforcement Rehab Centers" as special use in the B-1 and B-3 zones and conditional use in the RMF-64 zone.

**PETITIONER'S PRESENTATION**

Karl Metzner noted that the addition to the definition is to clarify that the boarding house definition does also apply for an elderly care facility where those people need more personal care. There has been discussion on deleting the phrase "applicable state or local licenses" as that is somewhat misleading.

**QUESTIONS**

There were no questions.

**PUBLIC COMMENTS**

Connie McDonough asked for clarification on whether the public zones are being abandoned. Karl Metzner answered that they were not.

Chairman Transmeier closed the public hearing.

**MOTION: (COMMISSIONER QUIMBY) "I MOVE ON #40-82, TEXT AMENDMENT TO GRAND JUNCTION ZONING AND DEVELOPMENT CODE, 1981 ANNUAL UPDATE, #21, THAT WILL AMEND CHAPTER 13 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, 1981, ADDING THE FOLLOWING TO THE EXISTING DEFINITION OF "BOARDING HOUSE:**

**'THIS USE MAY ALSO PROVIDE ROOM, BOARD, AND PERSONAL CARE FACILITIES FOR THE ELDERLY. THESE FACILITIES MUST MEET SAFETY STANDARDS AS SET FORTH BY THE FIRE DEPARTMENT AND CITY BUILDING INSPECTION DEPARTMENT;**

**AND,**

**AMENDING FIGURE 4-3-4 TO ADD "BOARDING HOUSE" AS A SPECIAL USE IN THE B-3 ZONE;**

**AND**

**AMENDING FIGURE 4-3-4 TO ADD "LAW ENFORCEMENT REHAB CENTERS" AS SPECIAL USE IN THE B-1 AND B-3 ZONES AND CONDITIONAL USE IN THE RMF-64 ZONE.'**

**THAT WE SEND THESE AMENDMENTS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL."**

Commissioner Rinker seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried 6-0.

**6. ADJOURNMENT.** The meeting was adjourned at 8:15 p.m.