

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- March 29, 1983
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	

(Commissioner Dick Litle was absent)

In attendance, representing the Planning Department were:

Bob Goldin Don Warner Karl Metzner

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

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

Chairman Transmeier called the meeting to order and explained that the items heard tonight will go on to City Council whether they are approved or disapproved, unless the petitioners asks for them to be removed.

I. APPROVAL OF MINUTES.

Chairman Transmeier asked the Planning Commissioners for discussion on the minutes of the Special Meeting held on February 8, 1983.

MOTION: (COMMISSIONER RINKER) "MR. CHAIRMAN, I MOVE THE MINUTES OF THE FEBRUARY 8, 1983 PLANNING COMMISSION PUBLIC HEARING BE APPROVED AS PRESENTED."

Commissioner Quimby seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried by a vote of 5-0.

Chairman Transmeier then asked the Planning Commissioners for discussion on the minutes of the February 22, 1983 public hearing.

MOTION: (COMMISSIONER QUIMBY) "MR. CHAIRMAN, I MOVE THE MINUTES OF THE FEBRUARY 22, 1983 PLANNING COMMISSION PUBLIC HEARING BE APPROVED AS PRESENTED."

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion carried by a vote of 5-0.

FULL HEARING

1. #10-83 TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

Petitioner: Grand Junction Planning Commission & Development Authority.

A request to amend portions of section 4, 5, 7, and 9 of the Grand Junction Zoning and Development Code. (Copies available at the City/County Planning Development Department, 559 White Avenue, Room #60, 244-1628.)

NOTE: Items discussed tonight will be portions of the DDA Text Amendment which were tabled at the GJPC Hearing 2/22/83.

PLANNING STAFF PRESENTATION

Karl Metzner, Planning Department, reminded the Planning Commission that they had reviewed and tabled items 2 through 10 at the last hearing (Subject matter: Height Changes). Karl indicated that the North Avenue Association Board met and voted to recommend approval to the Planning Commission of the height changes (to 40' in the B3, C1, C2 zones, and others as proposed). The Association also asked for a variance request: 20% additional height be changed to 25% in Section 10 and Section 12.

Chairman Transmeier commented that according to the minutes of the February 22, 1983 meeting, the Planning Commission did not take action on Sections 2 through 12, so corrections are not required for those sections at this time.

Karl Metzner added that there was also a question on Section 18 regarding rewording the section relating to the Planned Development:

When Planned Development was already on a subdivided lot, then the Subdivision Plat requirements of the Subdivision Chapter did not have to be met (i.e., they do not have to subdivide something that was already subdivided).

Chairman Transmeier summarized that the petition before the Planning Commission tonight is to approve the amendments as written -- with the exception of Sections 10 and 12, changing 20% to 25% variance allowance on the heights.

PUBLIC COMMENTS

Joe Skinner, Attorney for the Downtown Development Association, stated that they are in favor of passage and adoption of those sections. He also noted that they spent the entire afternoon rechecking the Text Amendments against the Master Plan and the proposed Criteria Manual, and found that the amendment regarding Height along Main Street had not been included in the Text Amendments. Joe, therefore, proposed that Section 11 be added to Section 21 that will read:

(Page 7 of the Text Amendments)
Section 21. 7-3-9-A. Section 11.

"Provide for setbacks above the second story along Main Street between Second and Seventh to maintain the traditional character of Main Street and provide solar access to the street."

Chairman Transmeier asked if he was referring to both the north and south sides of the street. Mr. Skinner answered yes.

Commissioner O'Dwyer asked Mr. Skinner if the North Avenue Association submitted a letter stating they agreed with this.

Jim Kyle, North Avenue Association, addressed Commissioner O'Dwyer's question:

"We see no problem with the height restriction in C1, C2, B1 and B2 as long as it's for the benefit of the total community. In other words, it's not the discriminatory type action."

Chairman Transmeier assured Mr. Kyle that this ordinance applies to the entire city, void of any discrimination.

Chairman Transmeier then closed the Public Hearing and asked for a motion to be heard on Sections 2 through 12 and Section 18, which had previously been tabled, as well as the new Section (Section 11 of SECTION 21. 7-3-9-A) introduced by Joe Skinner.

MOTION: (COMMISSIONER QUIMBY) "MR. CHAIRMAN, I MOVE THAT WE APPROVE SECTIONS 2-12 AS AMENDED, SECTION 18 AND SECTION 7-3-9.A WHICH INCORPORATES THE AMENDMENT REGARDING THE AMOUNT OF SUN THAT SHINES ON MAIN (BETWEEN SECOND AND SEVENTH STREET), AND FORWARD 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 by a vote of 5-0.

ANNOUNCEMENTS, PRESENTATIONS, AND/OR VISITORS

Chairman Transmeier invited the Downtown Development Authority to give their presentation.

Joe Skinner presented a draft of the "Planned Downtown Development Manual," which is envisioned to be adopted by the City Council as an "administrative document by resolution." Mr. Skinner stated that additional typographical and minor language changes were made this afternoon. He specifically referenced the requirement along Main Street that requires the project developer to have 75% of the total points possible before he could obtain a height restriction elimination (above two stories).

Chairman Transmeier and Don Warner clarified that only 65% is required to build a building and that 75% is needed before they can get an increase in height (i.e., reduction in the limitations).

Skip Grkovic interjected that that is not entirely correct as there is a 75% requirement within the commercial renovation district for approval, and with that 75% the parking reduction comes into effect as well as the additional height. Skip continued, saying that a building with more than two stories could certainly be proposed on Main Street, and if the 75% figure was reached, it would be approved at whatever height (within the confines of the formula). Skip also discussed the parking reduction on Main Street and noted that it is substantially larger in the Commercial Renovation District than in other districts which is one of the rationale for increasing the approval level from 65% to 75%.

Joe Skinner noted that many technical wording changes (from singular to plural, for instance) have been incorporated. Since the Planning Commission has already seen the document, (except for the wording changes made today) Joe suggested that the Planning Commission adopt this document subject to a copy being made available to the public for review and

comment (at the earliest convenience to the Planning Department and the DDA office).

Joe further suggested that a brief Public Hearing be scheduled for April 19, 1983 and any further changes required (as a result of public input) be made prior to forwarding to City Council for approval on April 20, 1983.

Joe then asked the Planning Commission if they had any questions on the document that they have had in their possession since the last meeting.

Commissioner Quimby asked Joe if the changes made this afternoon are purely technical and typographical (grammar, language, etc.).

Joe confirmed this and discussed a few examples. (Changing "again" to "against" on page 1; Eliminating a phrase "through the tax increment program" and inserting a period; Changing a typographical error on the parking reduction from "60 to 50 to 60" when it should have been "40.")

STAFF COMMENTS

Bob Goldin stated that they have clarified the wording and not the intent on some items that weren't easily understood.

Commissioner Quimby suggested that the DDA provide the Planning Commission a copy within the next couple of days so they would have adequate time to review it prior to their April 5th workshop.

Joe Skinner again suggested that the Planning Commission adopt the manual subject to the public input from the April 19th Public Hearing.

Chairman Transmeier noted that this document is a working document that will require changes on a regular basis.

Skip Grkovic, DDA, discussed the changes -- specifically the ones dealing with the allowable increases in height, noting that they have reduced the allowable increase in almost every district. He also discussed the process required to adopt regulations (The Planning Commission and the City Council are the administrative bodies; the Council is the legislative body.).

Bob Goldin, Planning Staff, stated that the Manual is only for the downtown area, so the information is applicable only to the Planned Downtown Districts.

Chairman Transmeier closed the Public Hearing and made the following comments. He reminded the Planning Commissioners that they recently passed most of the sections of the Downtown Development petition, and tabled the items being discussed tonight and that the City Council chose not to take any action on any of the sections until they were presented with a total package. Chairman Transmeier suggested that the Planning Commission therefore take appropriate action to provide the City Council with a complete package to consider.

MOTION: (COMMISSIONER QUIMBY) "MR. CHAIRMAN, I RECOMMEND THAT WE APPROVE THE PLANNED DOWNTOWN DEVELOPMENT MANUAL IN DRAFT FORM FOR PUBLICATION AND PUBLIC REVIEW, SUBJECT TO: (1) THE CHANGES DISCUSSED TONIGHT, PER STAFF AND REVIEW AGENCY COMMENTS;
(2) THE DOCUMENT BEING PRESENTED FOR ADDITIONAL CONSIDERATION FOR FINAL ACTION AT THE SPECIAL PUBLIC HEARING ON APRIL 19, 1983; AND,
(3) THE DOCUMENT BEING SUBMITTED TO CITY COUNCIL BASED ON THE OUTCOME OF THE APRIL 19TH MEETING."

Commissioner Rinker seconded the motion.

Commissioner O'Dwyer asked Rachelle Daily to repeat the motion. Chairman Transmeier called for a vote, and the motion carried by a vote of 5-0.

DISCUSSION OF THE MOTION

Commissioner Quimby suggested they publish the document into sections so they can break it up and distribute by packets, rather than handing out the entire document.

2. #12-83 **CONDITIONAL USE, HOTEL RESTAURANT LIQUOR LICENSE - BUENO VIDA**

Petitioner: Fred P. Walker
Location: 2454 Highway 6&50 (Valley Plaza).

A request for a hotel-restaurant liquor license in approximately .7 acre in a proposed highway oriented zone (See File Number 14-83).

PETITIONER'S PRESENTATION

Fred Walker, CSW Corporation, introduced the proposal. He summarized their request as follows:

1. Nature of the proposal - Mexican supper club.
2. Seating capacity - 110 in dining area; 74 in lounge (which is separate from the dining area)
3. Completion of project - approximately six weeks. Opening scheduled for May 15, 1983, but may be delayed until June 1, 1983.
4. Hours of operation - 11:00 am - 1:00 am.
5. Occasional entertainment will be provided (guitar player, etc.), but it will not be a "nightclub for dancing."

STAFF COMMENTS

Bob Goldin indicated that Staff did not receive any adverse comments from the Review Agencies. He noted there had been discussion regarding the trash pick-up site, and it was determined that trash pick-up was going to be handled privately.

PUBLIC COMMENTS

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

Chairman Transmeier closed the Public Hearing and called for a motion to be heard.

MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #12-83, CONDITIONAL USE FOR HOTEL-RESTAURANT LIQUOR LICENSE, I MOVE WE FORWARD THIS 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, 4-1. (Commissioner O'Dwyer voted against the proposal).

3. #13-83 RIGHT-OF-WAY VACATION

Petitioner: ARIX/Gordon Bruchner.

Location: A 40-foot section of Horizon Drive adjacent to Lot 1, Block 1 of the Grand Junction Technological Center Subdivision.

A request to vacate a section of Horizon Drive.

PETITIONER'S PRESENTATION

Buzz Roeth, representing ARIX, presented the request. He provided the following information:

1. They are asking for vacation of a 40' right-of-way vacation across the front of the property on Horizon Drive, which would better allow ARIX to develop the property.

QUESTIONS

Commissioner O'Dwyer asked if the vacation would start at the south side of the sidewalk and go back to the southeast.

Mr. Roeth confirmed that and added that they intend to use the area for additional parking (during Phase II) and do not plan to put any permanent structure there. He also noted that there are utilities there and they intend to dedicate that as an easement right-of-way.

STAFF COMMENTS

Bob Goldin noted that Staff understood that the area was originally dedicated for frontage road which is no longer needed (because of the Horizon Drive construction). Staff has no problems with the request since all adequate easements have been provided for their drainage utilities and all comments have been satisfied.

PUBLIC COMMENTS

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

QUESTIONS

Commissioner Dunivent asked whether the remaining property in the area has been dedicated.

Bob Goldin noted that there is about 140 feet, a part of which was originally intended to be a frontage road. The option still exists for that area to be vacated by the various lot owners.

Don Warner commented that development changes for the subdivision lots and frontage road changed all the planning.

Chairman Transmeier closed the Public Hearing and requested a motion.

MOTION: (COMMISSIONER O'DWYER) "ON ITEM #13-83, RIGHT-OF-WAY VACATION FOR ARIX, 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 5-0.

PLANNING COMMISSION COMMENTS

Commissioner O'Dwyer suggested that Planning Staff and City sponsored a complete vacation for everyone else in the area that might consider requesting vacations.

Bob Goldin agreed to contact those people.

4. #13-83 DEVELOPMENT IN HO - PROFESSIONAL OFFICE AND TENANT SPACE

Petitioner: ARIX/Gordon Bruchner.
Location: Lot 1, Block 1 of Grand Junction Technological Center Subdivision.

A request for professional offices and tenant space on approximately 2.9 acres in a highway-oriented zone.

PETITIONER'S PRESENTATION

Buzz Roeth, ARIX, presented their request to expand their property at 760 Horizon Drive in a two-phase development plan:

1. Phase I - Adding a two story building comprised of 13,000 sq. ft. Construction to begin as soon as approval is received (within two months).
2. Phase II - Adding 32,000 sq. ft. Construction to begin 1988-1990, depending on economic conditions.
3. Entire plan (both Phases) is being proposed at this time so the Commission is aware of the total project, although their immediate needs and consideration is only for Phase I (13,000 sq.ft.)

Chairman Transmeier clarified Mr. Roeth's request is for approval of the 13,000 sq. ft. Phase and not Phase II.

Mr. Roeth replied that "if there are any objections to the entire project, we would like to ask the Commission to consider this in total, even though Phase II is not for another five to seven years away."

Chairman Transmeier responded that "the only way we can guarantee future approval of it is to have it approved now, but we do have to comply with the one-year building permit regulation." He added that the Planning Commission can review it now in terms of its "appropriateness," but the supply of utilities, road conditions, and other items would have to be addressed at the time of actual construction (1990).

Mr. Roeth stated that they fully intend to come back with Phase II to be reviewed.

STAFF COMMENTS

Bob Goldin commended ARIX for the completeness of their submittal. He further stated that their had been discussion on trash pick-up which was not found to be a problem; the petitioner agreed to check with City Sanitation to see if there is a closer location. Other discussion involved the drain ditch which ARIX is aware of, and they will maintain the existing situation. Bob also commented that they will be back with Phase II for further discussion.

Bob also indicated that the parking situation is adequate.

PUBLIC COMMENTS

There were no comments either in favor or against.

DISCUSSION

Commissioner O'Dwyer asked Mr. Roeth where the idea for the wood fence originated and why it was proposed.

Mr. Roeth answered that it was their own architectural design consideration for screening purposes, but they are not sure that it will be put in since there appears to be a conflict with a water line at that location.

Chairman Transmeier closed the Public Hearing and asked for a motion to be heard.

MOTION: (COMMISSIONER QUIMBY) "MR. CHAIRMAN, ON ITEM #13-83, DEVELOPMENT IN HO ZONED FOR PROFESSIONAL OFFICE AND TENANT SPACE WITH PETITIONER ARIX AND GORDON BRUCHNER THAT WE SEND THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL ON PHASE I ONLY, SUBJECT TO STAFF AND REVIEW AGENCY COMMENTS."

DISCUSSION OF THE MOTION

Commissioner O'Dwyer asked if the motion was for approval of both phases. Commissioner Quimby replied that the petitioners are asking for approval of the whole thing, but they will have to come back in a year (because of the one-year building permit clause); we have approved the concept but not the plan (to include both phases).

Commissioner O'Dwyer seconded the motion.

Chairman Transmeier repeated the motion, called for a vote, and the motion passed, 5-0.

QUESTIONS

Commissioner Quimby questioned a statement in their impact statement that reads: "the first phase of structure will be only two stories high with a maximum height of 37 feet." She referenced an earlier discussion on heights where 37 feet is considered more than two stories.

Don Warner and Mr. Roeth answered that it is a "peaked" roof design.

5. #14-83 1983 ZONE OF ANNEXATION TO THE CITY OF GRAND JUNCTION.

[Chairman Transmeier noted that this is an accumulation of items that have been annexed into the City but have not been designated a specific zone.]

Petitioner: City of Grand Junction.
Location:

- a) BRACH - North of Colorado Hwy 340, West of Power Road.
- b) VALLEY PLAZA - 24.5 Road and Hwy 6&50, Lots 1,2,3 of the Sawtelle Subdivision.
- c) GRAFF - West of 29 Road, .25 miles South of F Road.
- d) VENEGAS - West of 25 1/2 Road, South of Hwy 6&50.

A request to zone the above annexations. (Copies available at the City/County Development Department, 559 White Avenue, Room #60, 244-1628.)

STAFF PRESENTATION

Karl Metzner presented and located the annexed areas individually. The proposed zones are as follows:

BRACH - The area adjoining Power Road: Zone RSF-8.
- The area adjoining HWY 340: Zone C-1.

VALLEY PLAZA - Zone HO.

GRAFF - Zone RSF-4

VENEGAS - Zone C-1.

PUBLIC COMMENTS

There were no comments either in favor or against.

Chairman Transmeier closed the Public Hearing, reiterated the proposed zones, and requested a motion.

MOTION: (COMMISSIONER O'DWYER) "MR. CHAIRMAN, I MOVE WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, THE FOLLOWING ZONINGS FOR THE PREVIOUSLY ANNEXED PARCELS:

**--BRACH ANNEXATION - RFS-8 FOR THE PORTION ADJOINING POWER ROAD; ZONE C-1 FOR THE PORTION AJOINING HWY 340;
--VALLEY PLAZA - HO ZONE;
--GRAFF - HSF-4 ZONE;
--VENEGAS - C-1."**

Commissioner Quimby seconded the motion.

Chairman Transmeier repeated the motion and called for a vote. The motion carried 5-0.

6. #16-83 TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Petitioner: City Planning Department.
Location: This is a proposal to adopt policies for annexation of areas to the City of Grand Junction.

A request to amend the Grand Junction Zoning and Development Code to add section 3-19-11, Annexation Policies. (Copies available at the City/County Development Department, 559 White Avenue, Room #60, 244-1628.)

PETITIONER'S PRESENTATION

Karl Metzner, Planning Department, briefly presented the proposal, noting that only a few minor changes have been implemented since the Commissioners reviewed their draft.

QUESTIONS

Commissioner Dunivent questioned a statement in the General A.3 section that includes the phrase "where no utility services are necessary," and wondered where this would apply.

Karl Metzner replied that refers to the end of the runway. Karl further referenced discussions on intergovernmental agreements and "201" areas (Interstate and around Paradise Hills, down to and including the central part of the airport, -- not including the area at the north end of the runway and the clear zones) and how the City had decided we should stay with 201 or change the 201 instead of going outside of it.

PUBLIC COMMENTS

There were no comments either in favor or against.

Chairman Transmeier closed the Public Hearing and requested a motion.

MOTION: (COMMISSIONER DUNIVENT) "MR. CHAIRMAN, ON ITEM #16-83, TEXT AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, TO AMEND SECTION 3-19-11 (ANNEXATION POLICIES) AND ADOPT DRAFT #3, I MOVE WE FORWARD 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, 5-0.

7. ADJOURNMENT

Chairman Transmeier adjourned the meeting at 8:45 p.m.