

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- September 27, 1983
7:30 pm - 9:00 pm

The public hearing was called to order by Chairperson Susan Rinker at 7:30 p.m. in the City Council Chambers.

In attendance, representing the City Planning Commission were:

Bill O'Dwyer	Jack Ott
Ross Transmeier	Miland Dunivent
Dick Litle	Glen Green

In attendance, representing the Planning Department were:

Karl Metzner Don Warner Janet C.-Stephens

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

There were approximately 15 interested citizens present at the beginning of the meeting.

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Chairperson Rinker 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 ask for them to be removed.

I. APPROVAL OF MINUTES.

Chairperson Rinker asked the Planning Commission for a discussion on the minutes of the 8/30/83 GJPC Public Hearing.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, I MOVE THE MINUTES OF THE AUGUST 30, 1983 GRAND JUNCTION PLANNING COMMISSION PUBLIC HEARING BE APPROVED AS PRESENTED."

Commissioners Dunivent and O'Dwyer seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried unanimously by a vote of 6-0.

II. ANNOUNCEMENTS, PRESENTATIONS, AND/OR VISITORS.

1. Chairperson Rinker introduced and welcomed Mr. Glen Green as the newest member to the Planning Commission.

2. Chairperson Rinker announced that the Planning Commission had received a special request from the True Value Hardware (Agenda Item #39-83) to be allowed to be heard first tonight rather than as the fifth item, as scheduled. She asked if anyone had any objections to changing the schedule. Hearing no objections, Item #39 was presented first.

III. FULL HEARING

1. #39-83 DEVELOPMENT IN H.O. - TRUE VALUE HARDWARE STORE

Petitioner: Safeway Stores, Inc./Thomas Moddox.
Location: 2686 Highway 50 South.

A request for the development of a hardware store on approximately 1.6 acres in a highway-oriented zone.

Consideration of development in H.O.

PETITIONER'S PRESENTATION

Mr. Voukovitch, Mountain States Engineering Associates, thanked the Planning Commission for allowing him to go first since he has to drive back to Denver after the meeting. He introduced his proposal by providing background on the property:

1. The property in question is the old Safeway Store that was vacated two years ago and it has been vacant for a year and a half.
2. The property was leased in June 1983 to True Value Hardware and "through an unfortunate set of circumstances, it did not come to Safeway's attention that there was a requirement for a hearing for the H.O. area"; the store was leased and the hardware store was opened before this problem was realized. He stated that this was the reason the hearing scheduled a month ago was postponed.
3. He responded to the comments on the Review Sheet as follows: (1) The Petitioner agrees to deeding the remaining 15' of Right of Way to the City; (2) The Petitioner agrees to install curb, gutter, sidewalk and greenbelt per City Planning's request; (3) The Petitioner agrees to provide a 10' landscape strip that will match the existing landscaping to the east of the property and have indicated this on their drawings; (4) The Petitioner plans to take care of the maintenance of the drainage problem as requested by the Transportation Engineer.
4. The Petitioner asked for a special variance from the Planning Commission regarding the

Planning Department's request that 5% of the total parking area be landscaped, because they feel this would be "impossible to comply with" due to the financial burden and the planned use of the property. He proposed providing a 15' strip along Highway 50 instead of the 10" strip requested, in an effort to partially satisfy the 5% request.

QUESTIONS

Commissioner Dick Little asked Mr. Voukovitch what percentage is landscaped, as it is now proposed.

Mr. Voukovitch replied that it is actually a little more than 5% -- if you figure the percentage after the 13' dedication is given across the whole property.

Commissioner Transmeier asked for the timeframe of the project.

Mr. Voukovitch answered that they would proceed with the design and construction as soon as approved; curb, gutter and sidewalk will begin this year; landscaping will be delayed until next spring.

Commissioner O'Dwyer asked if the blacktopping would be taken care of now.

Mr. Voukovitch stated that they might be able to do it by Thanksgiving but he hates to promise that.

Commissioner O'Dwyer summarized that it may be eight months before the project is completed.

Mr. Voukovitch agreed with Commissioner O'Dwyer.

STAFF PRESENTATION

Janet Stephens stated that providing the 15' strip instead of the 10' strip would more than meet the requirements (a 12' strip would even be adequate). She also noted that the lease agreement between First Security and another company will necessitate closing a curb cut and Planning Staff requests that this be worked out to validate the Safeway lease. She added that all other concerns have been met.

Mr. Voukovitch explained that First Western Development Company (owners of the shopette) had negotiated a tentative lease with Safeway, and that First Security negotiated with First Western to have an easement or some provision granted so that they could have a drive-up window. First

Western agreed to consider granting them this, thinking that they (First Western) would be the leasees of the property. It was realized later that First Western did not have a lease or any legal standing with regards to the old Safeway Store, but they failed to notify First Security who proceeded with their construction plans. This matter will be negotiated and resolved later between First Security, Safeway, and True Value Hardware.

PUBLIC COMMENTS

IN FAVOR:

Mr. Bob Frederick, operator of the True Value Hardware, stated he is most definitely in favor of the project.

AGAINST: No comments.

Chairperson Rinker closed the public hearing.

QUESTIONS

Commissioner O'Dwyer asked Mr. Voukovitch if he would be happy with a 12' greenbelt on the south instead of a 15' as he proposed.

Mr. Voukovitch answered yes.

Chairperson Rinker asked for a motion to be heard on Item #39-83.

MOTION: (COMMISSIONER LITTLE) "I MOVE WE FORWARD ITEM #39-83, DEVELOPMENT IN H.O. FOR TRUE VALUE HARDWARE STORE, TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL WITH THE APPROPRIATE CHANGES IMPLEMENTED FOR THE GREENBELT TO BE 12' RATHER THAN 15', THAT THE PROJECT BE COMPLETED WITHIN NINE MONTHS, AND SUBJECT TO ALL OTHER STAFF COMMENTS."

Commissioner Dunivent seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried unanimously, 6-0.

2. #38-83 CITY OF GRAND JUNCTION COMPREHENSIVE PLAN

Petitioner: Grand Junction Planning Commission.
Location: Within the established boundaries of the City of Grand Junction and the boundaries of the Intergovernmental Agreement dated March 24, 1983 by the City of Grand Junction and Mesa County. (Copies available at the City/County Planning Department, 559 White Avenue, Room 60, 244-1628).

- a. Environment - Chapter 5.
- b. Educational Institutions - Chapter 14.

PETITIONER'S PRESENTATION

Ken Strohson, Project Manager for Grand Junction Comprehensive Plan, provided background information on the process involved. He made the following comments:

- 1. The process includes adopting each chapter as an element of the comprehensive plan so it can be immediately useful.
- 2. The Plan is a policy service delivery oriented plan and Chapter 17, the table of contents, the introduction chapter, and amendments of administrative procedures have all been adopted to date.
- 3. Suggested changes have been incorporated into the text.
- 4. The Public Hearing is the major citizen input stage. Minor changes and corrections can and will be made before the City Council hearing. If public testimony necessitates major changes, the Plan can be tabled or the changes can be incorporated at the end of the 18-month process.

Ken introduced Karl Metzner to present the Environment Chapter and Greg Flebbe to present the Educational Institutions Chapter.

Karl Metzner summarized that the Environmental Chapter describes the physical environment of Grand Junction, intergovernmental agreement area and the greater Grand Valley area (where applicable) and includes sections on Climate, Topography, Mineral Resources, Water Resources, Air Quality, Geologic Hazards, Soils, and Wildlife. He mentioned that minor topographical changes and other corrections pointed out by the Bureau of Land Management have been made. He said the Home Builders Association's request to amend the irrigation water policy had been discussed by the Commission, City Council, and the Public Works Department and it was decided the policy should stand as written.

PUBLIC COMMENTS

IN FAVOR:

Connie McDonough, Planning Consultant, City of Grand Junction, complimented the work that has gone into this chapter and highly recommended its adoption.

AGAINST: No comments.

Chairperson Rinker closed the public hearing and called for a motion.

MOTION: (COMMISSIONER O'DWYER) "ON ITEM #38-83, CITY OF GRAND JUNCTION COMPREHENSIVE PLAN, I MOVE WE ADOPT CHAPTER FIVE - ENVIRONMENT, AS CORRECTED, AND FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF ADOPTION."

Commissioner Dunivent seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried unanimously, 6-0.

Greg Flebbe presented the Educational Institutions Chapter which includes sections on Public Schools and Colleges, Private Schools and Colleges, Proprietary Schools, and other Educational Institutions (museums and libraries). He discussed the extensive review process that has been conducted by individual educational institutions, internal agencies, City Council and the Planning Department. He noted that School District 51 has had this Chapter only three weeks and therefore have not had time to respond.

Changes were discussed between Greg and the Planning Commission to pages 13-15 (minor typographical errors and the fact that campus relation to Elm Avenue has been reversed; that is, south to north and north to south.)

Greg discussed several points within the chapter, including: the overcrowding problem at Pomona School; elementary-level recreation; the Joint Use Agreement; Park Dedication Requirement -- a major issue that will be considered by the City; Traffic and Safety concerns related to Private Schools; the Impact of internal growth, traffic and safety with regard to Mesa College.

PUBLIC COMMENTS

Connie McDonough offered a few suggestions:

1. Page 9. The Mesa College Vo-Tech Center should be included.
2. Page 19. She feels that a policy should be developed that will allow the college to slowly acquire, move into, and use properties while watching the growth impact. She feels that contemplating the uses will be for the college's benefit.

Chairperson Rinker stated that policy #8 speaks to that somewhat.

Connie agreed that that is a good policy statement but she feels there needs to be something else added so someone will remember to get to work on it.

Ken Strohson explained that they will have an implementation matrix which will take a look at all the tasks, policies and roles each year and see where they are with them.

Connie indicated satisfaction to Mr. Strohson's comment and complimented the work that has been done.

Chairperson Rinker closed the public hearing and requested a motion.

MOTION: (COMMISSIONER DUNIVENT) "MADAM CHAIRMAN, I MOVE THAT WE ADOPT CHAPTER 14, EDUCATIONAL INSTITUTIONS OF THE GRAND JUNCTION COMPREHENSIVE PLAN, AND FORWARD IT TO CITY COUNCIL WITH THE RECOMMENDATION THAT THEY ALSO ADOPT IT."

Commissioner Little seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion passed unanimously, 6-0.

Chairperson Rinker announced that Chapter 16, Human Resources/Service would not be discussed tonight.

3. #67-81 **CONDITIONAL USE - EXPANSION OF HOTEL/RESTAURANT LIQUOR LICENSE - THE GRAND RIVER YACHT CLUB (2 OF 2)**

Petitioner: Main Street Arcade/Donald Fleisher/Jerome H. Michael.

Location: 336 Main Street.

A request for an expansion of a hotel/restaurant liquor license on approximately .02 acre in a retail business zone.

PETITIONER'S PRESENTATION

Connie McDonough began her presentation by congratulating and welcoming Mr. Glen Green to the Planning Commission. She also congratulated the Planning Commission for selecting Susan Rinker as their new Chairperson.

Connie discussed that the conditional use had been approved in the Summer of 1981 and voided in the Summer of 1983 when the previous tenant closed his business. The plans are to expand the existing restaurant area (previously known as the Board of Trade) and the area previously known as Fox Too and constructing an outdoor street side deck. Connie stated that the Petitioner will comply with all the recommendations within the Review Comments. She then introduced Jerry Michael.

Jerry Michael told the Planning Commission that it is a tremendous advantage to bring the restaurant out to the sidewalk frontage. He feels it will be a complement to the west end of the "downtown mall" as the Winery is to the east end. He anticipates it bringing activity to Main Street.

QUESTIONS

Commissioner O'Dwyer asked Jerry if he is planning to use the existing sidewalk and, if so, how wide it is.

Jerry indicated the deck will encroach 4', leaving a 10' pass-by between the deck and the planters (per Downtown Development Authority requirements).

Commissioner Litle asked Jerry if the deck will be removed at night.

Jerry said no; but that it is built in five sections so it can be moved. He indicated the planters are also movable.

Commissioner Transmeier asked for the hours of operation.

Jerry anticipates opening at 11:30 a.m for lunch and although they can legally stay open until 2:00 a.m., he does not really think he will have customers after 12:00 midnight.

Commissioner Transmeier mentioned that the concern the Planning Commission has with outdoor patio operations is late-night noise (loud music, etc.).

Jerry replied that he didn't think there are too many people living down there in the first place, but that all of his lighting and sound controls will be in a locked box so that he can control that. He also does not intend to have dancing or live music (other than possibly small groups like a guitarist, etc.). He does not see this being a problem.

Connie McDonough stated that the liquor license and the revocable permit have been approved by City Council and approval and support has been given to the project by the DDA.

Commissioner Ott asked what compensation the City will get out of giving them that 4'. Don Warner said there won't be any compensation other than the \$50 permit. Chairperson Rinker and Connie McDonough both replied, "sales tax."

Commissioner Little commented that this type of activity is in the DDA Master Plan for downtown regarding sidewalk uses.

PLANNING STAFF

Janet Stephens indicated that everything has been discussed and resolved.

PUBLIC COMMENTS

There were no comments either in favor or against.

Chairperson Rinker closed the public hearing.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, I MOVE WE FORWARD ITEM #67-81, CONDITIONAL USE, EXPANSION OF HOTEL-RESTAURANT LIQUOR LICENSE FOR THE GRAND RIVER YACHT CLUB, TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, PER STAFF AND REVIEW AGENCY COMMENTS."

Commissioner Dunivent seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried 6-0.

4. #45-83 REZONE B-3 AND RMF-64 TO PB AND ORTHOPEDICS,
SPORTS MEDICINE AND FITNESS CENTER - FINAL PLAN

Petitioner: M. Larry Copeland, M.D.

Location: Southwest corner of 12th and Walnut Streets.

A request to change from residential multi-family uses and retail business uses to planned business uses. Final plan for an orthopedics, sports medicine and fitness center on approximately .53 acre.

PETITIONER'S PRESENTATION

Loran Dake presented the request and discussed the revised plan they have recently submitted. He covered the following revisions:

1. One of the curb cuts off of 12th Street has been eliminated, as it was determined inappropriate.
2. Perpendicular parking off of Walnut has also been eliminated and substituted with a more "traditional" parking lot situation so no one has to back into the right of way.
3. The building itself has been shifted from east to west so it won't be located as close to the east parking lot as originally planned.
4. Trash pickup situation has been discussed with City Sanitation Department and it has been determined that since trash generation will be minimum in nature, a trash compactor indoors and a once-a-week residential pickup will be utilized (rather than a dumpster).

QUESTIONS

Commissioner O'Dwyer asked for clarification on the elimination of the right-turn only lane -- where it is now and what it will be according to their plans.

Loran replied that the area will now be a landscaped area and there will be a sidewalk for pedestrian access to the front door. He also added that they plan to provide a 4-6' wood fence on the east property line for screening purposes. He pointed out that a prior problem has existed with an adjoining neighbor using the access to the rear of the property next door; the petitioner intends to block that off so that tenant will have to use the normal access off of Walnut for the apartments.

Commissioner O'Dwyer expressed concern with wooden fences being used in different projects. He made the point that they look fine for the first year, but then kids start

kicking the slats out and no one replaces them.

Loran agreed with Commissioner's O'Dwyer's concern but noted that in this case there are predominately elderly people living next door and perhaps that won't be the case here.

Commissioner Transmeier asked if this was to be a two-story building.

Loran's response indicated it would be more of a 1 1/2 story building with a pitched roof and other features that are residential in character (brick and wood treatment).

STAFF PRESENTATION

Janet Stephens indicated that this proposal is compatible with the 12th Street Policy, it will be a low-traffic area in use, and all technical concerns have been resolved.

PUBLIC COMMENTS

There were no comments heard either in favor or against this project.

Chairperson Rinker closed the public hearing and requested a motion.

MOTION: (COMMISSIONER O'DWYER) "MADAM CHAIRMAN, ON ITEM #45-83, REZONE FROM B-3 AND RMF-64 TO PLANNED BUSINESS, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS."

Commissioner Transmeier seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried, 6-0.

MOTION: (COMMISSIONER O'DWYER) "MADAM CHAIRMAN, ON ITEM #45-83, FINAL PLAN FOR THE ORTHOPEDICS, SPORTS MEDICINE, AND FITNESS CENTER, I MOVE WE FORWARD THIS TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS."

Commissioner Little seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried, 6-0.

5. #44-83 DEVELOPMENT IN H.O. - CROSSROADS FITNESS AND RACQUETBALL CENTER.

Petitioner: Durfee Day.

Location: 2770 Compass Drive (Lot 9, Block 1 of Replat of Crossroads Colorado West Subdivision).

A request for the development of a handball/racquetball facility in a high-way oriented zone on approximately 1.04 acres.

PETITIONER'S PRESENTATION

Scott DeWeese, Rocky Mountain Design and Construction, introduced Bob and Marney Shafer (owners of the Crossroads Nautilus Fitness Center) and Tom Brown (their partner) and presented the proposal with these comments:

1. The proposed facility will have eight racquetball/handball courts and associated facilities (locker rooms, nursery).
2. The building will be "block" type, finished to match existing facilities located there.
3. The west half of the lot will be paved; the east portion will remain in gravel at this time.
4. Landscape will be the same as what exists there now.
5. All review agency concerns have been addressed, including the curb cut off of Crossroads Boulevard. The petitioner proposes to install barrier posts and chain to leave access open to the rear of the building for Grand Valley Rural Power to service their lines. At some future date the gravel portion of the lot will be turned into a parking lot which will make access on Crossroads Boulevard.

PLANNING STAFF PRESENTATION

Janet Stephens stated that the proposal is an extension of the existing building and that all concerns have been resolved.

PUBLIC COMMENTS

There were no comments received from the audience.

Chairperson Rinker closed the public hearing and asked for a motion to be heard.

MOTION: (COMMISSIONER LITTLE) "MADAM CHAIRMAN, ON ITEM #44-83, DEVELOPMENT IN H.O. FOR CROSSROADS FITNESS AND RACQUETBALL CENTER, I MOVE WE FORWARD TO CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS."

Commissioner O'Dwyer seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried unanimously, 6-0.

6. #14-83 1983 ZONE OF ANNEXATION TO THE CITY OF GRAND JUNCTION

Petitioner: City of Grand Junction.

A request to zone the following annexation. (Copies available at the City/County Planning Department)

Location: i.) Sheriff's Posse annexation to PI (Planned Industrial) - 25 Road and F 1/2 Road.

PETITIONER'S PRESENTATION

Don Warner, Planning Staff, located the annexation for the benefit of the Planning Commission and the public audience. He noted that the Sheriff's Posse use comes under the category of "Membership Club" and membership clubs are allowed the use in P.I. Planning Staff feels it is a compatible use for the area.

PUBLIC COMMENTS

There were no comments from the audience.

Chairperson Rinker closed the public hearing.

MOTION: (COMMISSIONER TRANSMEIER) "ON ITEM #14-83, ZONE FOR ANNEXATION AT 25 AND F 1/2 ROAD FOR THE SHERIFF'S POSSE, I RECOMMEND WE SEND THIS TO CITY COUNCIL WITH THE RECOMMENDATION TO APPROVE THE PLANNED INDUSTRIAL ZONE."

Commissioner Litle seconded the motion.

Chairperson Rinker repeated the motion, called for a vote, and the motion carried 6-0.

7. #10-83 ADDENDUM TO THE DOWNTOWN DEVELOPMENT MASTER PLAN.

Petitioner: Downtown Development Authority/Skip Grkovic.

A request to adopt an addendum to the Downtown Development Master Plan. (Copies available at the City/County Planning Department, 559 White, Room 60, 244-1628).

PETITIONER'S PRESENTATION

Skip Grkovic presented the addendum and stated that Planning Staff has suggested that this document be intended to be a supplemental review document to go "hand-in-hand" with the planned downtown development process, and the petitioner agrees with this. He added that this addendum is probably the largest and most important addition to the PDD manual. The review criteria discusses extra points a developer can earn if he designs a project in different ways where it fronts onto a major or minor pedestrian way; this plan designates where these pedestrian ways are now and are anticipated to be in the future (based on the zoning in the Downtown Development Plans).

Joe Skinner requested that if the addendum is approved, that it be used both as part of the master plan and also as part of the Planning Commission administrative criteria (fit into the code as it exists). It will then become policy as well as the "working functional aspect" that goes to the developer, which will help clarify the whole procedure. (Mr. Skinner was referring to Section 7-3-10 Review Criteria for Planned Downtown Development Zone.)

STAFF PRESENTATION

Janet Stephens, on behalf of Karl Metzner who had to leave the meeting, stated that Planning Staff has no problems with the request or the addendum.

PUBLIC COMMENTS

There were no visitors in the audience at this time; therefore no comments were heard.

Chairperson Rinker closed the public hearing and requested a motion.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, ON ITEM #10-83, ADDENDUM TO THE DOWNTOWN DEVELOPMENT MASTER PLAN, I MOVE WE ADOPT THIS ADDENDUM TO THE MASTER PLAN AND TO THE REVIEW CRITERIA (SECTION 7-3-10) AND SEND IT TO CITY COUNCIL RECOMMENDING THEIR ADOPTION, SUBJECT TO STAFF COMMENTS."

Commissioner O'Dwyer seconded the motion.

Chairperson Rinker repeated the motion and called for a vote. The motion carried unanimously, 6-0.

The meeting was adjourned at 9:00 p.m.

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