

CITY OF GRAND JUNCTION  
PLANNING COMMISSION  
MAY 29, 1974

MINUTES

The regular meeting of the City of Grand Junction Planning Commission was called to order at 8:00 A.M., in the Civic Hall Auditorium by Chairman Levi Lucero with the following members present: Jane Quimby, Virginia Flager, Blake Chambliss, and Eugene McEwen.

Also present were: Rick Cisar, Assistant Planning Director; Bob Engelke, Planning Director; Conni McDonough, Subdivision Coordinator; and Sue Wilcox, Acting Secretary.

Virginia Flager amended the minutes of the April 24, 1974, meeting to add herself and Jerry Wilds as members present. The minutes of the previous meeting were approved as amended.

Mr. Cisar added the following item to the agenda:

#20-74: Consider final plat of the 1st Fruitridge Subdivision, 1st Addition, involving .5 acres with R1B, single family residential zoning.

Developer: Ronald E. & Susan Marie Potts

Location: SE 1/4 NE 1/4, Section 10, T1S, R1W, Ute Meridian, S of Wellington Ln., N of Margie Street, and E of Ella Court.

1. #23-74: Consider rezoning petition involving approximately 1.36 acres from C2 - Heavy Commerce zoning to R-3 Multifamily residential zoning.

Petitioner: Sutherland Enterprises, Inc.

Location: The SE 1/4 of Section 10, T1S, R1W, Ute Meridian, West of First Street, and 97' South of Franklin Avenue.

Mr. Cisar presented the property in question stating the request is for a forty unit and twenty unit apartment complex. The area to the North of the property in question is zoned R3, the area to the South is zoned Commercial, and the area to the West is zoned R3 and the area North of Franklin Avenue is zoned R3. Rick stated that the staff sees no problem with this request and feels there was an error in the original zoning of this property. The owners of the property originally dedicated the full street in 1968, and one problem may be the use of part of the right-of-way for access as there is not a curb cut on 1st Street for the property owner to the South. Virginia Flager asked what the regular requirements are for access. Pick stated that the normal vacation procedure is down the centerline of the street, but that this could be vacated so as to retain 10 foot along the South property line.

Ms. Flager: Is there any way to come in from the South?

Rick Cisar: There is a drive for a commercial building.

Ms. Flager: Will this give him access?

Rick Cisar: No, it's private. The petitioner wishes to vacate and use the vacated street as a drive for the apartment complex.

Chairman Lucero asked for proponents:

Nick VelCastro: What about the right-of-way you are talking about?

Chairman Lucero: You should get half of the street vacation.

Ms. Flager: We are not touching your property.

Mr. VelCastro: I feel the apartments would be a good thing.

Rick Cisar: Public Service presently has an easement down the centerline of the street which we must retain. This will not affect the development.

Chairman Lucero: Am I correct in understanding that the cost of the vacation of the street will be the developers?

Rick Cisar: Yes.

Blake Chambliss: Does the entire cost of vacation go to the developer, or Mr. VelCastro also?

Rick Cisar: The original property owner dedicated the entire street and the entire right-of-way could revert back to him.

Chairman Lucero asked for further discussion regarding this rezoning. There was none.

The motion was made by Jane Quimby and seconded by Virginia Flager that the zone change from C2 - Heavy Commerce to R3 Multifamily residential be approved. The vote in favor was unanimous.

2. #24-74: Consider petition to vacate Glenwood Court.

Petitioner: Sutherland Enterprises, Inc.

Location: The SE 1/4 of Section 10, T1S, R1W, Ute Meridian, West of First Street and 150' South of Franklin Avenue.

Ms. Flager: What is the true status of this request?

Chairman Lucero: To provide access to this gentleman's property.

Blake Chambliss: He has access to the property from 1st. Street.

Chairman Lucero: Easement is the staffs recommendation due to the grade on 1st. Street.

Rick Cisar: This easement would only serve this one house. It will not be a public right-of-way.

The motion was made by Virginia Flager and seconded by Eugene McEwen that Glenwood Court be vacated subject to providing access to the property on the South and retaining the Public Service easement. The vote in favor was unanimous.

3. #3-74: Consider Final Planned Unit Development for the Landing Heights Nursing Home involving 4.0 acres<sup>±</sup> with PD-8, Planned Development Residential Zoning.  
Developer: Continental Western Development Co.  
Location: NW 1/4, Section 7, T1S, R1E, Ute Meridian, South of Patterson Road, East of the Mantey Heights Subdivision and West of the Mantey Heights Water Tank.

Rick Cisar presented the property in question and stated the Board had been concerned with open space amenities on the Preliminary Plan. The Final Plan provides for this developed open space. Staff recommends the parking lot be moved back approximately two feet to keep it out of the Patterson Road right-of-way and the developer provide screening on the West side of the property. This request meets all requirements of Planned Development with the exception of above. Also, the final Certificate of Occupancy (CO) will be withheld until the existing facility is removed.

The motion was made by Eugene McEwen and seconded by Jane Quimby that this plan be approved subject to the relocation of the parking lot, adjacent to Patterson Road, two feet to the South and out of the Public right-of-way and that screening be provided along the West side of the development to protect the existing single family subdivision. Further, as discussed at numerous public hearings on this development, the final CO (Certificate of Occupancy) will be withheld until the existing facility is removed. The vote in favor was unanimous.

4. #28-74: Consider Final plat of the Landing Heights Nursing Care Center involving 4.0 acres with PD-8, Planned Development Residential Zoning.  
Developers: Ralph T. & Lelamarie Landing  
Location: NW 1/4 Section 7, T1S, R1E, Ute Meridian, South of Patterson Road, East of the Mantey Heights Subdivision and West of the Mantey Heights Water Tank.

Rick Cisar presented the property location and stated he had suggested to the property owner that he replat the property to the South in order to establish legal lots. Some of the existing lots do not have legal access and could not be issued a building permit. The property owner has not chosen to replat this area at this time.

The motion was made by Virginia Flager and seconded by Eugene McEwen that the final plat be approved as submitted. The vote in favor was unanimous.

Renewal of Officers: The motion was made by Jane Quimby and seconded by Eugene McEwen that the present officers be re-elected for the coming year. The vote in favor was unanimous.

6. #20-74: Consider final plat of the 1st Fruitridge Subdivision, 1st Addition, involving .6 acres with R1B, single family residential zoning. (TABLED 4-24-74).  
Developers: Ronald E. & Susan Marie Potts  
Location: SE 1/4 NE 1/4, Section 10, T1S, R1W, Ute Meridian, South of Wellington Lane, North of Margie Street, and East of Ella Court.

Rick Cisar presented the area in question stating that this subdivision contains 3 lots. Further, a neighborhood meeting was held including the surrounding property owners at which time access and fire protection was discussed. As previously discussed the staff recommends taking half the right-of-way on the South and transferring it to the North side of the lots and defining Wellington as the major access. Also, Mountain Bell requests a ten foot easement on the front of the lots. Completion of the street may take five years or more. We propose a trade off of right-of-way making a total of 49 ft. right-of-way for Wellington.

Chairman Lucero: Do children use this to get to and from school?

Rick Cisar: As this is the only access in this area I feel they will.

Keith Mumby representing the surrounding property owners stated that Mrs. Potts and Mrs. Stobaugh do not consent to the right-of-way trade. I suggest an alternate solution be studied. People build in this area for seclusion and don't want traffic in from of their homes.

Chairman Lucero: This question is to improve the street, not to bring in more traffic.

Blake Chambliss: We requested a public meeting on behalf of the Potts' to get a broader look at the problem.

Mrs. Potts: If you take right-of-way you are ruining the property.

Mrs. Stobaugh: If you take this right-of-way you will be going through my bedroom window. Wellington looks capable of handling the traffic, but not if such an idea is opposed.

Jane Quimby: If we improve Wellington it will be used more.

Mrs. Stobaugh: We don't need curb and gutter; it's used for cars not to walk on.

Mrs. Potts: I'm arguing that no one would take the time to look at the property and say that you didn't meet the 5 ft. right-of-way.

Eugene McEwen: Have you considered making the two streets one way and not changing them?

Chairman Lucero: A cul-de-sac on Ridgewood may take care of the problem.

Mrs. Potts: I'm opposed to a cul-de-sac. I don't want my house facing backward. I don't feel you can expand at other peoples expense.

Mrs. Stobaugh: The lots to the South are vacant. You could buy those to intersect the street.

Virginia Flager: That would be at the tax payers expense.

Chairman Lucero: I don't think that's necessary. A 40 ft. street is sufficient and there is more to consider than Mr. Brach. We're going to have to take a good hard look at this. If you want planning I think it's time we do it right.

Mrs. Potts: Why don't you take from the undeveloped lots rather than the ones already developed?

Keith Mumby: A special improvement district in this area may solve the problem as these are the people that want it.

Bob Engelke: We should consider locating the house as to not cover up alternatives presently existing for access.

Chairman Lucero: I would still like to have a 40 ft. street with no sidewalks. Mrs. Potts, I believe you have had fair representation on behalf of your request.

Mrs. Potts: I am complaining against the staff not the Planning Commission.

Virginia Flager: Mrs. Potts, do you want us to vote on this now or table it?

Mrs. Potts: Table it.

The motion was made by Virginia Flager and seconded by Eugene McEwen that this item be tabled for sixty (60) days or the August meeting and that the Traffic Engineer and Fire Chief be invited to this meeting, at which time a decision will be made based on the comments of the Traffic Engineer and Fire Chief. The vote in favor was unanimous.

7. #25-74: Consider request for a variance and revocable permit for subsurface building footings and planters for an office building located at the SW corner of 7th and Belford.  
Petitioner: Chambliss/Dillon & Associates

Rick Cisar presented the property in question.

Greg Dillon stated they wish to use this site to the maximum and the building footers are designed 8 inches from the property line. He understood there is a problem with Mountain Bell and the utility companies regarding utility easements. He stated that initial contacts revealed that the pole could be moved.

Virginia Flager: We have had similar requests from other builders and I am opposed to putting footers in public right-of-way.

Staff Recommendations: I would concur with Virginia Flager as far as the footers. I see no problem with the planters and there locations.

The motion was made by Virginia Flager and seconded by Eugene McEwen that the variance for the planters be approved but the revocable permits for footers be denied. The vote in favor was unanimous.

8. #12-74: Consider filing and processing procedures for Home Occupations.

Rick Cisar related that this item had been referred back to the Planning Commission from the City Council following amendments to home occupation requirements. Rick quoted the definition of home occupation from the City Zoning Ordinance. Discussion followed regarding said definition.

Chairman Lucero stated that an alternative may be to review a business if it results in complaints from the neighbors.

Blake Chambliss: Zoning now allows anything to happen unless there is objection from the neighbors. Could we possibly differentiate between full time and part time home occupations? Or we could possibly allow home occupations and review those occupations excluded from the definition in the zoning text.

Chairman Lucero asked who would enforce this.

Rick stated the Building Inspector would enforce it.

The Board suggested that staff amend Section 11 paragraph 9 to prohibit the hospitalization of animals.

Mr. Engelke suggested that the procedures not be adopted and that an amendment be included to exclude handling or storage of any hazardous material.

The motion was made by Eugene McEwen and seconded by Blake Chambliss that the staff initiate said amendments and the home occupation application not be adopted. The vote in favor was unanimous.

9. #22-74: Consider a Bulk Development involving approximately .38 acres with R1C, Single family residential zoning.

Developer: F.B. Ingelhart

Location: SE 1/4 of Section 24, South of Olson Avenue, 170' North of Unawep, and 250' West of Cherry Lane.

Rick Cisar presented the property location and request stating that the developer is proposing to remove an existing one family residence on the property and replace it with a duplex. Engineering said it could possibly be two years before the sewer lines are extended to this property. The Health Department stated that if the existing septic tank is functioning, it could be used for one unit and another septic tank would be required for the remaining unit. Olson Avenue is a sub-standard street and an additional 25 foot right-of-way will be required. The developer is agreeable to dedicating the additional right-of-way.

Blake Chambliss: What is to be done with the back of the lot?

Mr. Engelhart: There is a garden there now.

The motion was made by Blake Chambliss and seconded by Eugene McEwen that this bulk development be approved. The vote in favor was unanimous.

Mr. Engelhart: The way the houses are set up I think a 40 foot Road will be adequate, but I will dedicate the additional 10 feet if necessary.

10. #26-74: Consider Final Plat of the Lucas Subdivision involving .738 acres with R1D - single family residential zoning.  
Developers: Robert G. & Joan Lucas & Myrtle Powell  
Location: NW 1/4, SW 1/4 of Section 7, T1S, R1E, Ute Meridian, North of Elm Avenue and West of 28 1/4 Road.

Rick Cisar presented the property location and request stating that Mr. Lucas owns lot 3 and will buy lot 2 from Mrs. Powell. Mr. Lucas stated that the property will benefit him and that he has no immediate plans for development.

The motion was made by Jane Quimby and seconded by Eugene McEwen that the final plat of the Lucas Subdivision be approved. The vote in favor was unanimous.

11. #27-74: Consider Final Plat of the Eastgate Shopping Center involving 12.8<sup>±</sup> acres with C1, Light Commerce Zoning.  
Developer: Hanson Developing Company  
Location: SW 1/4 of Section 7, North of North Avenue and East of 28 1/4 Road.

Rick Cisar presented the property location and the request stating that this is a two lot subdivision to allow for a restaurant. Question arose regarding the 35 ft. strip of land shown on the plans directly East of the proposed restaurant site. Mr. Chambliss suggested the Board ask for 50 ft. strip to allow use as a right-of-way in the future.

The motion was made by Blake Chambliss and seconded by Virginia Flager that the final plat of the Eastgate Shopping Center be approved subject to increasing the 35 ft. strip to 50 ft. for the possible future use of a right-of-way or including the 35 ft. strip in lot 2. The vote in favor was unanimous.

In reference to above, the motion was made by Virginia Flager and seconded by Blake Chambliss that the staff initiate a study of rezoning of all C1 and C2 zones presently existing in the City limits and propose changing these commercial zones to Highway Orientated Zone.

12. #34-74: Consider amendment to Section 15, Planned Development, to allow for commercial use (5-10) Electronic Fabrication.

Rick Cisar presented the proposed amendment which will allow for electronic fabrication in the planned business zone.

The motion was made by Eugene McEwen and seconded by Blake

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Chambliss that the amendment be approved and referred to the City Council with the recommendation that it be adopted and enacted. The vote in favor was unanimous.

Discussion followed regarding the feasibility of holding two City Planning meetings a month, one for zoning requests and one for planning matters. It was deemed that any recommendation would be premature at this time and same should be made after the reorganization of the Planning Department.

The motion was made by Blake Chambliss and seconded by Virginia Flager that the remainder of agenda items be tabled until June 12, 1974, at 7:30 P.M., place to be determined, with an invitation extended to the City Council, Mesa County Planning Commission, County Commissioners, and agencies interested in community transportation. The vote in favor was unanimous.

Chairman Lucero declared the meeting adjourned at 11:20 A.M.