

GRAND JUNCTION PLANNING COMMISSION

MINUTES

The regular meeting of the Grand Junction Planning Commission was called to order in the City Hall Auditorium at 8:00 A.M. on July 30, 1975 by Acting Chairperson VIRGINIA FLAHER with the following members present: JERRY WILDS, BLAKE CHAMBLISS, JANINE RIDER, JANE QUINBY, and JOHN ABRAMS.

Also present were: DON WARNER, City Planner, Karl Metzner, City Planning Technician; BARBARA EINSPIHR, Acting Secretary and approximately 20 interested persons.

Corrections to minutes were: on Page 3, paragraph one to read within four months instead of with; Page 3, paragraph four to read to clear title instead of clear the air.

Minutes stood as corrected

1. REZONE R-1-C AND C-2 TO I-2

Petitioner: Corn Construction  
location: Parcel #I Harris Road and Gunnison Avenue  
Parcel #II Melody Lane and Gunnison Avenue

Don Warner showed and explained the area to be rezoned. He commented that two-thirds of Corn's area is zoned light industrial. Under the zoning regulations this is a non-conforming use. Corn Construction was there before the zoning was applied. Outdoor concrete storage is supposed to be in an I-2 area.

There is pipe storage on Harris Road fenced in with chain link. There are some residential uses just East of the East part in small lots. They are located in a Heavy Commerce area.

Comment sheet from Gus Byron said that he had no objection to the rezoning but his opinion was that Gunnison Avenue should be open through there because of the amount of Commercial Zoning around it for future access East and West. Gunnison should be acquired. We do have parts of the right-of-way now for Gunnison Avenue. There were no objections from the other review agencies.

Comment from Dean Harris owns property North of this feels that this is developing into Commercial Use and would like to perhaps come in later with a request for Commercial Zoning of some kind.

Right-of-way on Harris Road is 12.53 feet on West side. There is nothing on the East side. Would need right-of-way on Harris Road also.

There were no opponents. Hearing was closed.

Corn Construction is asking for zone to get into conformity with the use that they already have there now. Don Warner asked the Planning Commission's consideration if they consider this zoning that they consider zoning the area that is already being used to conform. None of the present East-West streets go thru. They dead end at an irrigation ditch on the end of Belford, Teller and Hill Avenues

Janine Rider questioned how the Industrial Study viewed this area. Don Warner replied that the Study did not include this area.

BLAKE CHAMBLISS MADE A MOTION TO TABLE REZONING FOR CORN CONSTRUCTION UNTIL THE PLANNING BOARD LOOKS AT ENTIRE REZONING CONSIDERING RIGHT-OF-WAY. JANE QUINBY SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

2. PRELIMINARY BULK DEVELOPMENT - PATTERSON GARDENS

Petitioner: Chuck Wiman  
Location: SW Corner of 15th and Patterson Road

Don Warner showed Bulk Development Plan as presented. There will be a group of four plexes laid out to fit the density. 38 27 units are allowed. They are asking for 40 units. This is the same density as R-1-C.

Chuck Wiman spoke that there is a change from the Site Plan. Building number eight located below the Tennis Court has been located down a little bit because the Tennis Court was too close to the highway. In lieu of the Tennis Court they are considering going in with a swimming pool. This would be in the same area as Tennis Court is now proposed. When Final Plan is brought in this will be shown on this plan. Previous plan did not indicate parking spaces or walkways to the individual units which are now shown on the Site Plan. Also indicating some low level street lighting which was not shown on other plan.

Virginia Hlager questioned the right-of-way on 15th Street on East side. Don Warner said that 30 feet is total right-of-way until development is assured. Mr. Brodsk would be willing to sell on the East side for right-of-way. Right-of-way is available on West side all the way to the canal; right-of-way on the East side will have to be acquired.

Don Warner spoke of two phone calls that he had received concerning this. They said that this is what they had asked for in order to match the density for the area that they are in. He also spoke of the comment sheets from Public Service in which they will require easement on Final Plan; from the Sanitation Department they will require detail for trash pickup; from the School District they are concerned with walkway and bus loading area.

Jane Quinby was concerned that the school bus would have problems getting back onto Patterson Road. Ben Warner suggested that they may be able to figure the bus route going Eastward.

BLAKE CHAMBLISS MADE A MOTION TO RECOMMEND TO CITY COUNCIL APPROVAL OF PRELIMINARY SITE PLAN SUBJECT TO CONSIDERATION OF ISSUES BROUGHT INTO FINAL PLAN. THESE INCLUDING EASEMENT FOR PUBLIC SERVICE, TRASH PICKUP FOR CITY SANITATION DEPARTMENT, AND SCHOOL BUS PICKUP. JANINE RIDER SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

### 3. PRELIMINARY SITE PLAN FOR USE IN H.O. ZONE

Petitioner: Dennis Gramen  
Location: Lot 19 Horizon Park Plaza

Blake Chambliss was excused because of involvement.

This development lies behind Howard Johnson Hotel. Development is for Tennis Club. There will be five tennis courts; one small building with a proposal for a second small building. Three tennis courts will be for outside courts. Two will be covered with air bubbles for winter play.

There was discussion concerning the traffic on Horizon Drive. It was mentioned that an actuated signal light may be needed on Horizon Drive when the area is completely developed.

JANINE RIDER MADE A MOTION TO RECOMMEND TO CITY COUNCIL APPROVAL OF THE PRELIMINARY SITE PLAN FOR USE IN H.O. ZONE. JERRY WILLS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

### 4. SIGN CODE

Ben Warner stated that the Sign Code in the present zoning ordinance is minimal. There is no size restriction and setback and height restriction is only that of buildings in the area. No size restriction on building face sign or free-standing. The Sign Code as proposed includes size restrictions on signs, numerical restrictions on signs. A choice can be made to have one type of Sign.

There are some rules as to size of sign in relation to the building size. Makes provisions of eliminating flashing signs, wind driven signs, strings of light bulbs, banners not related to a national holiday.

The note of the code is that signs of the flashing, blinking wind driven signs would be required to cease on once. The signs that are non-conforming because of size, setback or height would also be required to cease but after a five year period.

A letter from John Abrams to Planning Board was presented and summarized for people in audience. (On File at City-County Development Department)

Virginia Flager asked that the Sign Code be broken down in four component parts:

1. Purpose and Intent
2. Classes of Signs thru Removal and Disposition
3. Review and Appeal
4. Board Reviewing

Bert Schilling asked why existing Ordinance was not amended. Don Warner replied that Ordinance is a complete amendment of a section. It will be a section of the Zoning Ordinance which the other sign section was. The Sign Code that we now have is a section of the Zoning Ordinance.

#### REVIEW AND APPEAL:

Lee Schmidt believes that most of the business community will agree that we do need a Sign Ordinance. He felt that there is a great deal of leniency in the variances to start with. He thought that it should not be limited to five years. He suggested that this five year time limit could be expanded because of businessmen that have invested a great amount of money in their signs.

Mr. Schmidt also felt that because the Chamber of Commerce acts as liaison between Government bodies and business community they have been active in promoting the Sign Ordinance.

It was stated that on Page 20 it should say administrator instead of building inspector.

#### BOARD:

Page 21, Paragraph 2:

Mr. Schilling would like to recommend for consideration that of the voting board of 7 members that 5 of these voting board members shall be persons who own businesses dependent upon sign identification.

Blake Chambliss felt that this is a real problem in writing it this way. He questioned if a business is really dependent upon a sign.

Mr. Schilling felt that the number could be changed but he would like for it to be described who they are and set up qualifications for Board Members.

Virginia Flager felt that it is imperative that this Board has representation of the business community. She felt that this Board should not be loaded in favor of any certain segment of the population.

Blake Chambliss questioned where the printed part of The Sign Code originated from. Don Warner replied that it is out of the Fort Collins Sign Ordinance. Also some of the typed section came from Fort Collins but wording changes were made and that is the reason it is not in printed form.

Page 22, Section 8:

Mr. Schilling questioned why 4 votes were chosen instead of five.

Virginia Flegler answered that four constitutes a quorum of a seven member board.

Blake Chambliss felt that the membership should be balanced to represent the full community including businessmen.

Jane Quimby suggested that Page 21, Paragraph 3 and 4 go back to the Sign Code Committee for revision.

Dean Dickey felt that it is necessary for the Sign Committee to have another meeting.

It was the feeling of the Board that points be brought out to Sign Code Committee so that they could meet and make revisions and then bring it back to the Planning Board.

Joe Hughes spoke representing the North Avenue Businessmen. He spoke to the history of the Sign Code. He questioned the speed limits taken out of the chart on Page 11. Don Warner replied that speed figures were taken out as a protection for the businessmen and the sign owner because speed limits are flexible. When speed limits are changed it would make signs non-conforming.

#### DEFINITIONS:

Don Warner commented that Dean Dickey felt definitions are broad enough that they could also include calling a sign something such as Colonel Sanders building since it is a definite color and design. In writing ordinance this section could be rewritten so that it does not restrict a national franchise type building from using its national design.

Page 5 - Item J:

Should be looked at by committee.

Not a normal use of the word Fascia. Would prefer to use face or facade.

Page 5(a) - Item R:

Items E, F and G need clarification from Committee.

Item E: 32 sq. feet

Item F: #2: 32 sq. feet  
Item G: 20 sq. feet - question as to why unlighted.

Page 8, Paragraph 1 and 3 conflict and need to be worked out.

Need comments from committee on percentages of building face.

The Planning Board would like specific example of some signs that would have to be changed under the new code.

Page 10, Don Warner asked for input from Sign Companies concerning sign measurement.

It was suggested that relationship between City and County sign regulations be checked.

On Page 11: Sign Committee should review this chart and make recommendation.

Mr. Schilling recommended to Sign Committee to expand square foot area and maximum height.

Don Warner asked that if they increase or change the sizes of signs square footage, if it would be possible for them to give an example of in-place signs.

There is a minimum of five years depreciation time for signs on taxes.

Page 12 - Discussion on Item #1:

Peter Sullivan representing Mesa Theatre questioned Section IX Page 12. He stated that the expense to change these Marquees would be a problem. He stated that they have two sub-rentals and felt that they could not take credit for full building.

It was stated that the theatre could take credit for the full building width concerning signs.

Section III:

Paragraph B should be clarified  
Paragraph C should be clarified as to message, time and temperature signs  
Paragraph D should be clarified as to the definition for tent signs or "A" signs

Section XIII:

- A. Need to set time limit
- B. Needs reviewing

It was asked by the Planning Board that the Sign Code Committee appoint a Chairman.

JANINE RIDER MADE THE MOTION THAT THE PLANNING COMMISSION REFER SIGN CODE BACK TO THE SIGN CODE COMMITTEE SO THEY CAN PRESENT A PROGRESS REPORT AUGUST 27, 1975 ON THE SIGN CODE. A FINAL DRAFT SHOULD BE PRESENTED TO PLANNING COMMISSION SEPTEMBER 24, 1975. BLAKE CHAMBLISS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

5. AMENDMENT TO 6.1 USES

Don Warner read the amendments to 6.1 uses.

JANE QUIMBY MADE A MOTION TO DELETE THE FOLLOWING USES FROM THE 6.1 (MANUFACTURING, LIMITED) Section: Canvas products fabrication and Sales - Crafts Shop - Cold Storage plant - Upholstery shops - Vitreous Ware - Wearing apparel fabrication and processing. JANINE RIDER SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

JERRY WILDS MADE A MOTION TO ADD TO 5.4 USES (REPAIR SHOP) Section: Canvas products fabrication and sales - Upholster shops. JANE QUIMBY SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

JANINE RIDER MADE A MOTION TO ADD TO 5.9 (WHOLESALE BUSINESS) Section: Cold storage plant - Wearing apparel - Fabrication and processing. JOHN ABRAMS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

6. AMENDMENT TO ZONING ORDINANCE - SECTION 8.a

Don Warner discussed the changes i.e. removal of council members from Planning Commission and stated that he was requested by City Council to present this to the Planning Board. He stated that he had had conversation with City Attorney, Gerald Ashby and that it was the opinion of Mr. Ashby that the public is entitled to a completely new hearing. Mr. Ashby felt that having the Councilperson on the Planning Commission could lead to some bias in the next hearing. Mr. Ashby has asked that Planning Commission move the provision that there be two council members on the Planning Commission Board.

It was requested that the requirement for having to own property in order to serve on Commission be removed. It should state that it only be necessary to be a resident of the City.

Jane Quimby stated that she sees value in having Council members on Planning Commission Board and then reporting back to City Council but felt that it is possible that legal problems could arise from this.

Virginia Flager: "I think, very definitely, the best interest of the public are served by having the communication directly between the City Council and the Planning Members. I don't follow Mr. Ashby's thinking and I am very concerned that it is bad enough to communicate now between commission and the council and when

we're forced to have absolutely no participation from the Council in the formulation of decisions of this Board, I would be violently opposed to this as a taxpayer and as a citizen. I think that this is why we have the Council to protect us in all these areas and I have seen some evidence where if we would have had more participation from the Council we would have less problems. I think that Council has an obligation to police the actions of all Commissions and to communicate with the new ones."

Jane Quimby: "Some of the questions that have been directed toward the Council are that the Council member that serves on the Planning Commission swayed the Council."

Janine Rider: "I also feel that it would be a very bad thing if we eliminate any council members as members of this Board."

BLAKE CHAMBLISS MADE A MOTION TO RECOMMEND TO CITY COUNCIL THAT A PERSON DOES NOT HAVE TO BE A PROPERTY OWNER TO SERVE ON THE PLANNING BOARD. IT SHOULD READ THAT "THE SEVEN LAY MEMBERS OF THE COMMISSION SHALL BE RESIDENTS OF THE CITY." JERRY WILDS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

#### DISCUSSION:

Blake Chambliss: "I do think we need to talk to Gerry Ashby about what is done with the City Council member. I respect Jane's concerns and her position. But I also recognize and I'm also very much concerned about the pursuit of the ideas that there shall be two completely independent hearings really says that the first hearing doesn't mean a damn. It really says that we are going to further separate the Planning Commission from the rest of the process. It seems to me that we've got to be very careful when that happens that that's not just another way to move us further away. If in fact, there are two full hearings on every issue that comes before the City Council, then there's no point in the first one. There's no point in requiring the citizens of this community to go to two hearings. And unless that can be resolved, I think that is grossly unfair to this Commission and to the Citizens who are now all of a sudden given another red tape step that they have to go through."

Jane Quimby: "That's not the intent of it."

Blake Chambliss: "I recognize that a lot of things are not the intent but damn it, that's what's going to happen."

Don Warner: "I do think that it's already taken care of in the Ordinance giving importance to this Commission. To over-ride this Commission's recommendation the Council has to have specifically heavier votes on things. This gives importance to this Commission."

Blake Chambliss: "I understand that very well and I also understand and I watch very carefully what's happen to the Planning



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Commission in the past few years. I know what's happening and I'm very concerned with it and concerned with the fact that more and more decisions are being made that are affecting planning that are not coming through this body. The fact is that there being less and less representation from the Council means that that will happen more and more in the future. Which means that we are going to have less and less affecting planning because we are simply not even going to know about the things that are happening. I'm very much concerned about that. I think that there may be other ways to deal with it and I think that those are the things we need to talk about with Gerry. There are things about whether then this Commission takes it's recommendations directly to the Council. Whether that then becomes the responsibility of the Chairman of the Commission to take it to the City Council. I am very leary of the fact, as you know, and as everybody is well aware of at this point, the fact that not only are we in violation of our own Ordinance in terms of where we are this past year with only one Councilman on. But the fact of the matter is that the Ordinance also says the model legislation and the pattern that this was developed from have been consistently violated in terms of the employment of the Planning Director, in terms of the writing of the Work Program for the Planning Department, in terms of the whole structure of the Planning Department within this community. That is violated. It's in violation of our own ordinances again and again and again. What we are doing now is beginning to legitimize the bastardization of the planning process. I don't feel comfortable with it. I don't like it. I would like to be able to argue that before a jury or directly before City Council or whatever is necessary. But we are going to help in terms of where the recommendations of this body are and the recommendations are becoming focused on less and less significant issues for the City and more and more of the decisions are being taken by the City Manager and the City Manager's Staff. In fact, our Staff has been taken by the City Manager and the City Manager's Staff. So that, we in fact, when we ask for things to be done and we have made repeated requests over the past two or three years, for things to be done by the Staff for this Body, we find that those are not being done. And we seem to be powerless to in fact get them done."

Don Warner: "You've expressed something here that is a need. Your views need to go to City Council. I think you need to be on a City Council Agenda as a pre-scheduled visitor and bring these things out in a public meeting."

Blake Chambliss: "I would be glad to do that."

Don Warner: "When I say you, I'm not saying Blake Chambliss. I'm saying anyone here who has feelings that there are problems should be on the City Council Agenda."

There was discussion for a Work Session or Retreat with the City Council.

BLAKE CHAMBLISS MADE THE MOTION TO CITY COUNCIL FOR A WORK SESSION WITH CITY COUNCIL AND CITY ATTORNEY, WITH SOME OUTSIDE ADVICE AS TO WHERE PLANNING SHOULD BE. JANINE RUDER SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

COUNTY ITEMS

1. TRANSITIONAL SUBDIVISION - "C" ROAD LIMITED (PRELIMINARY)

Petitioner: Tom Wilkinson  
Location: 430' West of 28 Road, South of C Road containing 9 acres. A conventional subdivision in an R-2 zone. Designed for 27 lots.

Connie McDonough, County Planner, explained that this is a transitional subdivision and that it would be under County Administration and City improvements and design standards.

Ms. McDonough explained that Huffer Lane is existing in the form of approximately 10 foot trail. At this time it is totally unimproved. As County Planner, Ms. McDonough requested that Mr. Wilkinson try to work with property owners that own the lane. Ask that they dedicate the 12 feet and allow Mr. Wilkinson to construct City improvements on that property and in return they would be guaranteed sidewalks, driveways, curbs and etc.

Ms. McDonough stated that Mr. Wilkinson had met with each of the property owners. At one time it was thought that they would just touch the lower parcel. Mr. Smith, who owns this parcel was not pleased with this approach. It now extends into more than half of Mr. Smith's property. He has future opportunity of further division and development of his parcel.

Ms. McDonough stated that on this basis everyone agreed and she has all the signatures that they will dedicate this ground to the County and Mr. Wilkinson will develop it under City specifications.

Doing this for Mr. Smith caused a re-design of the whole area. On the sketch plan the east-west connection has been dropped down. At the time of the sketch plan the City Planning Commission requested that Ms. McDonough look into the need for east-west extensions off of the South cul-de-sac. Ms. McDonough stated that she did this and discussed it with Mr. Wilkinson. Ms. McDonough would like to recommend that since the east-west connection is now further south, that this is no longer requested. She stated that her reason for this is the parcelization on the north side of this main drain ditch is pretty small. The adjoining parcel that fronts on 28 Road will have access. She stated that smaller parcels are in this area but south of the drain ditch the parcels are very large. When these larger parcels go into development, there will be much greater success in getting an east-west connection through that center section.

Ms. McDonough stated that there are no adverse comments from any of the review agencies.

Blake Chambliss stated that Mr. Wilkinson's efforts to work with the adjacent property owners was to be commended.

BLAKE CHAMBLISS MADE THE MOTION FOR APPROVAL TO THE COUNTY COMMISSIONERS. JERRY WILDS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

2. EAST PARK ESTATES - PRELIMINARY

Ms. McDonough stated that this is located at 31 Road between E 1/2 and Highway 6 & 24. It is a very narrow, one-lot depth parcel of land. They are subdividing it into eight single-family lots.

There is an existing dedication for 31 Road on the East boundary, however, that is Lewis Wash and will be vacated. Because of the existence of Lewis Wash and the fact that it does carry storm drainage from the Bookcliffs to the river, Ms. McDonough has asked for a full drainage study with cfs quantities so that she is assured that the units that are placed there will not be in a position of flood plain.

This is a County R-2 Subdivision.

3. WESTGATE PARK - PRELIMINARY

Ms. McDonough stated that this is located East of 25 Road between Highway 6 & 50 and Patterson Road.

She stated that this is a commercial subdivision and that SenBar and Lorey Drive exist. 25 to 25 1/2 Road will eventually be connected via Lorey Drive.

They are proposing at this time that they will not sell these lots but are looking at a lease situation where they would build the facilities for the commercial users. They are working with the City of Grand Junction and anticipate taking their sewerage to the City.

BLAKE CHAMBLISS MADE THE MOTION TO RECOMMEND TO THE CITY ENGINEERING DEPARTMENT THAT THEY SPECIFICALLY LOOK INTO ROAD RIGHT-OF-WAY AND RADIUS CONCERNED IN THAT AREA. JERRY WILDS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

4. KENLAND SUBDIVISION - PRELIMINARY

Ms. McDonough stated that this is a large parcel located East of 29 1/2 and North of F 1/2 Road. Actually between F 1/4 and F 3/8 Road.

There is an existing house on the parcel. The owners of the parcel are the subdividers. They are dividing three large lots that amount of 0.7 acres in size. They are retaining a lot in their ownership. They will continue to use the East portion for horse pasture.

The parcel immediately to the East that runs from F to F 1/2 Road, two parcels, are presently on the Draining Board for Subdividing. There is a parcel to the East that was given to the City for a park.

DISCUSSION:

Ms. McDonough said that at the County Planning Commission meeting they will be considering two new zones. In the R-1-C zone they would allow conventional housing to meet Uniform Building Code. In an R-1-D zone they would allow Mobile Homes that meet the Ancy Code and a conventional home under a conditional use. That conditional use will require the Uniform Building Code. She stated that they have completely revised the Camp Ground Regulations. These were done with a joint effort of staff and a committee of camp ground overnight-space owners.

The meeting was adjourned at 12:35 P.M.