

GRAND JUNCTION PLANNING COMMISSION

November 24, 1976

M I N U T E S

The regular meeting of the Grand Junction Planning Commission was called to order at 8:05 A.M. in the City Council Chambers, by Chairman, LEVI LUCERO, with the following members present: VIRGINIA FLAGER, JANINE RIDER, FRANK SIMONETTI, BLAKE CHAMBLISS, JOHN ABRAMS, DR. MAC BREWER AND JANE QUIMBY.

Also present were: DON WARNER, Sr. City Planner, KARL METZNER, Planner, JOHN BALLAGH, County Planner, JIM CLARK, Planning Technician, and MARGO KINNEY, Acting Secretary and approximately twenty interested persons.

The minutes were approved as read.

Blake Chambliss requested that Don Warner or Karl Metzner look the minutes over carefully before they were sent out to the Planning Commission.

1. #70-76: ROAD VACATION - MINNOW DRIVE

Petitioner: Henry G. Green  
Location: 1810 Minnow Drive

Don Warner: There is no place to put in a Cul-de-sac. A cul-de-sac is out of the question there. We would have to put up a 25 foot retaining fence. You have to look at it on the basis of, should it be vacated. We have asked the Traffic Department to put a "Dead end" road sign in here to show that the road dead ends.

Virginia Flager: Why not just put up the signs and be done with it. The signs will be just as effective if the street is vacated or if it isn't. It doesn't seem like we can solve the problem by vacating this road.

Vincent King representing Mr. Green: It would be an impossibility to construct a road in the right-of-way due to the drop off. Minnow Drive has been vacated below here. Mr. Green has given permission for the refuse trucks and the Mail delivery to drive through here.

Levi Lucero: Has he made provision for the refuse trucks to drive all the way through or just part of the way and then have to back out?

Vincent King: All the way through. The road will remain open.

Levi Lucero: If this remains open then the general public will be going through it.

Vincent King: Mr. Green has some say and control about who can come through his property.

Don Warner: There should be a written right-of-way easement to the City for the sanitation services.

Virginia Flager: What happens when people see the trash trucks going through there and try to follow them and then the owner gets mad?

Levi Lucero: This is where I can see a problem.

Virginia Flager: This will not correct the problem if you vacate it.

Levi Lucero: Is there a possibility of putting a back up area in there?

Mrs. Paine: This road might look wide enough to turn around in but it really is not. We have asked Steve McKee to put up a "Dead End Road" sign and he has not done it yet.

Don Warner: I had presumed that he had done that. The trash trucks are not allowed to back out of roads like that.

Mrs. Paine: I would rather cart my trash than have the trucks turning around in my yard.

Jane Quimby: Mrs. Paine, how many automobiles do you have going down that road and then have to turn around and go back?

Mrs. Paine: About half a dozen a week.

Levi Lucero: Mr. Green do you have any objections to using the other access to your property?

Mr. Green: Yes, Minnow Drive is the access to my lot that my house is located on and the other road is access to the other lot that I own. It is hard to turn around there already.

Levi Lucero: I think that you should close off that other end.

Mr. Green: I can not do that. I hardly have enough room to turn around now.

Mrs. Paine: He has a drive way. He can turn around in his drive way just like the rest of us do.

The hearing was closed.

Virginia Flager: A vacation is not going to solve the problem. If you moved the fence to the north it might solve Mrs. Paine's problem but Mr. Green does not want that fenced off. This leaves us no alternative. There is really no solution to this problem. I would go along with Dr. Brewer's suggestion.

Dr. Brewer made a motion to deny the vacation of 1810 Minnow Drive.

Virginia Flager seconded the motion and it passed unanimously.

Virginia Flager made a motion to recommend that City Council require the "Dead end" sign be placed on Minnow Drive. Janine Rider seconded the motion and it passed unanimously.

2. #74-76: REZONE R-1-B TO PD-B

Petitioner: Summers et. al.  
Location: NE Corner of 1st and Walnut Avenue

Don Warner: You asked for a more detail of the landscaping, fencing and so forth.

Dr. Dave Summers: We found that after our building was in construction that we did not have enough parking for the Doctors and the staff. We have purchased the adjacent property. We kept the same design as far as landscaping. We have also asked to use the basement area in order to make two more offices in the building which would not change the exterior of the building.

Jane Quimby: Did you end up with any Solar heating?

Dr. Summers: No. The roof is still designed for it but the cost is too high.

Blake Chambliss: Have the plans been looked at by an engineer?

Don Warner: Yes. This is practically all lawn. The sidewalk was looked at by the engineers also.

Blake Chambliss made a motion to recommend approval of the rezoning from R-1-B to PD-B.

Virginia Flager seconded the motion and it passed unanimously.

3. #79-76: INTERMEDIATE DEVELOPMENT PLAN - PD-8

Petitioner: Landing Heights Nursing Home  
Location: 2815 Patterson Road

Don Warner: The proposals that came to the Planning Commission before were that the "Certificate of Occupancy" should not be given for the new Nursing Home until the old building had been taken down.

Dr. Brewer: Does the building need to be condemned?

Don Warner: The old building was condemned as a Nursing Home. Now they would like to keep the old building. They are boarding people now which are not nursing home people. We have a letter from the Building Department listing the things that will have to be done to the building. (Letter on file City/County Development Department). There was a correction to the letter. It should have read, "an addition", instead it read, "in addition".

Don Warner: If you agree to allow the PD these things will have to be done.

Clay Tipping representing Landing Heights Nursing Home: The old facility was actually more than one structure. One of the problems is they have a lot of people in the buildings here who cannot go into the new nursing home. They are the boarding home type of people.

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Levi Lucero: How many people are in this building right now?

Clay Tipping: There are 12 people there.

Virginia Flager: We are talking about the one building only.

Clay Tipping: This building will not be sub-standard with these corrections made.

Levi Lucero: It said in the letter that many of the people have been found unsuitable for other places. Can you explain this for me?

Clay Tipping: Some of the people are old and hard to take care of. They do not have mental problems.

Mrs. Landing: These people are not nursing home patients. I am really not making any money. They are not the senile type of people. We are taking care of them for you really.

Janine Rider: You do not do any dispensing of drugs to those people do you?

Mrs. Landing: No, we do not.

Dr. Brewer: What is the time limit on this?

Levi Lucero: There will be an extension of five years starting on January 1, 1977.

Blake Chambliss made the motion to recommend to the City Council the extension of time to January 1, 1982 on this building and the vacation of the other buildings as described in the letter.

Virginia Flager seconded the motion and stated that there would be no extension after January 1, 1982, this is to be a specific commitment.

Dr. Brewer: How long will this give them to make the changes in the building?

Virginia Flager: These changes have to be made immediately.

Blake Chambliss: The indication here that the financing did not recognize the original PD approval seems to me a gross error on someone's part, and I do not think that we can be responsible for them making those kind of mistakes. Five years from now that sort of thing is not going to make any kind of difference. I think they are following the intent of their original plan and I think this time it is necessary for them to do that and beyond that point we are going to have to look at this very seriously.

Clay Tipping: I just wanted you to be aware that the financing fell right out from underneath them.

The motion passed unanimously.

Blake Chambliss excused himself from the next discussion on item number 77-76 because of personal involvement.

4. #77-76: REVISION TO H.O. PLAN - TENNIS CLUB

Petitioner: Richard Stettner  
Location: Horizon Park Plaza

Don Warner: This is located behind the Howard Johnsons. The proposed change is the swimming pool. There are also two new tennis courts.

Rick Dillon: The pool is for members only and is screened by a nylon wind screen.

Frank Simonetti: Is the pool going to be covered in the winter?

Rick Dillon: No, it is not planned to be covered at this time.

Janine Rider made the motion to recommend approval of the revision.

Virginia Flager seconded the motion and it passed unanimously.

Blake Chambliss returned to the discussion.

5. #78-76: REZONE R-1-B (COUNTY) TO R-2 (CITY)

Petitioner: Norman D. Jones and Milton Walls  
Location: NW Corner of 15th Street and Hermosa Avenue

Don Warner: This is a 10 acre tract and is being annexed to the City now.

Levi Lucero: Would you please explain the zoning?

Don Warner: It is R-1-B, County, single family ½ acre lots.

Levi Lucero: The whole area is going to have to be rezoned. You will have to consider how R-2 would be compatible when the rest is rezoned.

Jane Quimby and Dr. Brewer left at 9:20.

Norman Jones: The only thing I would like to add to this is that the ground available that would allow 4 plex construction is extremely limited. After we got into this we realized that we could not put in a 4 plex and have enough parking so we re-designed and worked up something that we feel will drop the density considerably in this area when we are talking about 24 sites of that 10 acre ground.

Jane Quimby and Dr. Brewer returned at 9:25.

Norman Jones: This would give you a total size of 1300 square feet on each side. This would put people in the reach of buying this type of complex. We talked to the people around the area and there was a passive acceptance.

Levi Lucero: You mentioned the availability of multi-family zoned land and you specify your research was land that is on the market now. We recently reviewed the multiple zoned land in that area and there is substantial amount in the City. As you may know a lot of this land is for sale and available.

Levi Lucero: Have you contacted the residence's in the area?

Milton Walls: I contacted everyone that I could find at home. I explained the situation and did meet some opposition about the traffic it would cause. I did tell them that it would cause more traffic but there was nothing that we could do about it.

Bob Berry presented a petition to the Commission from the property owners around this area that are opposed to the rezoning.

Don Warner: This would probably consist of 80 percent of the people that live around there.

Bob Berry: We were contacted verbally and told that we would receive a letter from the people telling us of this change but we never did.

Milton Walls: We thought the City would send out a letter telling the people about this.

Virginia Flager: Have you come to any basic conclusions of what you would like to see go in there?

Bob Berry: Yes, we would like to see a single family subdivision go in. This would be compatible to what is already in there.

Mrs. Lowe: We have lived there for 22 years. Bonita is a block long and dead ended. The traffic is terrible. If we get 96 more units in here where are they going to go?

James Newman: There are some definite inequities for this type of building in this area. The roadway system in this area is very inadequate for this type of dwelling. I was not contacted, the general feeling in the meeting here today is one of very deep and concerned feeling about this type of dwelling. We are completely opposed to this type of dwelling here.

Jack Smitt: I am an opponent to dead end roads. We need Bonita to go on through and make a good straight street.

Don Warner: R-1-C zoning is 7.23 density to acre, the R-2 zoning is 28 to the acre and the R-2 zoning is 4 times as dense.

James Newman: What is the difference between R-1-C and R-1-A zoning?

Don Warner: It deals with the size of lots. The R-1-A requires 10,500 square foot lots and 1500 square foot minimum home.

James Newman: How many units per acre?

Don Warner: About 40 Units per acre. The R-1-C zone requires 6,000 square foot lot and 800 square foot minimum home. 7.23 gross units per acre.

James Newman: If I might just amend my comments, I think that we would not be opposed to R-1-A zone but would definitely be opposed to R-1-C zoning. We feel that more than 40 units per acre is too much for that area.

Bob Berry: I think that I would probably go along with this also.

Norman Jones: What these people are saying is "prohibit him before me".

The Hearing was closed.

Virginia Flager made the motion to recommend to deny the R-2 zoning.

Blake Chambliss seconded the motion and it passed unanimously.

Virginia Flager made a motion that they have a full discussion on the proper zoning for this area.

Levi Lucero: I would like to add that we should notify by mail any residence within 100 feet.

Don Warner: We do need a definite proposal from the Planning Commission so that we can advertise for the December hearing.

Dr. Brewer: Are we considering the whole area?

Levi Lucero: Yes.

Jane Quimby: One of the recommendations I would make for the future is that Citizen involvement be included. My next question is is it necessary to have the hearing on this at the next meeting?

Dr. Brewer: We are not rushed. I do like the idea of Citizen involvement.

Virginia Flager made the motion that the Commission have a full discussion of proper zoning for this area with Citizen input.

Blake Chambliss seconded the motion and it passed unanimously.

Don Warner: I would be very happy to furnish the meeting room for a meeting and would be willing to go to the meeting and explain some things to the people. I think this meeting should include the people in the area who are interested and the people who have purchased this property.

Blake Chambliss: Levi requested that you send out letters. In that letter I would like to suggest that you put some explanation of what the alternatives are and some explanation of the things talked about.

Don Warner: We will include all of this in the letter.

Blake Chambliss: I think that the Planning Commission should be notified of the meeting.

There was a 5 minute break at 10:00

Blake Chambliss made a recommendation that the Commission go on to the items on the agenda that had people in the meeting to represent them.

6. #81-76: REZONE R-1-A TO R-3

Petitioner: Dorothy Bennett

Location: NW Corner of 26 3/4 Road and Patterson Road.

Don Warner: There have been no calls or comments on this.

~~Bud DeRush~~, representing Mrs. Bennett: I have no further comments on this.

Jane Quimby: I do not know why there has been no more input from the neighborhood. That is a very nice single family residence area.

Janine Rider: I think that we should try to keep this up as a single family area.

Blake Chambliss: Where is the grade difference?

Don Warner: Almost exactly on the lot line.

Janine Rider: I do not think that the grade difference will effect the value of the property.

The hearing was closed.

Janine Rider made the motion to recommend denial of the request to change the zoning. In doing this we recognize the nice R-1-A area to the west and would like to help maintain the quality of the neighborhood by doing this.

The motion was seconded by Virginia Flager and it passed unanimously

7. #83-76: REZONE R-3 TO C-1

Petitioner: Robert Guyton

Location: 1300 Block of 28 3/4 Road

Don Warner: The request is for the 10 acre piece of R-3 zoning to be zoned C-1, same as the land below.

Keith Mumby: The property is only an extension to Guytons. The immediate plans are for parking in that area. I am not making a guarantee that this will be parking forever.. This is the only appropriate use for this area.

Blake Chambliss: I am curious why you selected the type of zone you did instead of going into a P zone or Parking zone.

Janine Rider: Don, I have no reservations about letting Mr. Guyton have this lot but my reservations are Blake's. I hate to have it C-1 so that anyone can do anything with it. Is there anyway that we can conditionally allow Mr. Guyton to do what he wants to do with it without Zoning it C-1.



Don Warner: There are 2 alternatives. Both of which would require another hearing. One would be to rezone it to a P zone which would allow parking and no building. The second would be a PD-B. He would have to show what he was going to do. If he wanted to put parking in there he would have to show it on the plans there at a later date. If he wanted to, at a later date, put buildings or extend the fun park he would have to come back to the Planning Commission because it would be a planned development.

Virginia Flager: The C-1 zoning would only enhance the little league park by putting something commercial in there.

Keith Mumby: We did everything we could to make sure that it will be there for ever. I hate to see you restrict it to just parking.

Blake Chambliss: I just want more control than a C-1 gives.

The hearing was closed.

Janine Rider made a motion to recommend denial of the change to C-1 and suggest that a PD-B would allow Mr. Guyton the same growth with more control for us.

Frank Simonetti seconded the motion.

Jane Quimby: What more expense will there be for Mr. Guyton?

Don Warner: Just the re-advertising fee of \$5.00.

The motion passed unanimously.

8. #80-76: REZONE R-3 TO B-1

Petitioner: McClure and Holmes  
Location: SW Corner of 10th and Belford

Don Warner: The proposal is to build an office in this area.

Virginia Flager: What is to the east Don?

Don Warner: R-3 zone which includes mostly small older homes.

Blake Chambliss: We had such concerns when Sparky's built this.

Jane Quimby: Maybe we should go further and say they should go ahead and have the same zoning as is already on this block.

Don Warner: If they come back with a PD-B you do have architectural control and the whole works.

Janine Rider: That sounds like the way that it is going to have to be.

Blake Chambliss: We do have a responsibility to those people who live there now.

Jane Quimby: With this we are going to have some say on the looks of the building.

Virginia Flager made the motion to deny the B-1 rezoning.

Janine Rider seconded the Motion and it passed unanimously.

Virginia Flager made a motion to recommend that the petitioners come back with a PD-B zoning. Janine Rider seconded the motion and it passed unanimously.

9. #82-76: EASEMENT VACATION

Petitioner: Douglas Fassbinder  
Location: 1200 Block of Texas Avenue

Don Warner: This was an easement for irrigation water for the old Jaros pear orchard. Staff recommended that we vacate this and all review agencies agree with the vacation. The easement is of no value.

The hearing was closed.

Blake Chambliss made a motion to recommend to City Council that the easement be vacated. Janine Rider seconded the motion and it passed unanimously.

10. VALLEY WIDE SEWER COMMITTEE

Maxwell Aley

Don Warner: This is not a resolution, it is just a consensus between the Valley Wide Sewer group and the Utilities department. The resolution has not gone through the Council.

Mr. Maxwell Aley presented the resolution to the City Planning Commission.

Blake Chambliss: I think that I understand what that is saying and I have some real concerns that if we simply count the taps we are basically endorsing a non-planned or non-controlled action for the City and County. I also have some concerns on what I think are arbitrary action on their point, but it does seem to me that in the interest of reasonableness between City and County, that we should look at a more reasonable approach than just first come first serve. We are committed to the development wherever it is when it comes.

Janine Rider: Can I ask you a question about that Blake? Aren't your questions somewhat changed if you assume that wise planning has proceeded that in approving subdivisions and developments?

Blake Chambliss: Yes, I am making the assumption that it is not. You would still not count them as they come on the line. I do not think that it deals at all with the anticipatory nature of the whole provision of sewer services. I think that if that was tied to some other thing so that when the subdivision was prepared you know that all the other services were in the same position. I guess I would feel differently about it but at this point it seems to me what that is saying is my sense of what the Water Quality Board Commission said. They are willing to use their powers to force upon the community the rational growth process. What they were saying was that there was no rational growth problem. We are not making

any efforts to build a better system which could tear out the problems.

Janine Rider: Given the need to tell them something or not at or by December 6, what would be the alternative?

Blake Chambliss: I do not know, what happens on December 7th?

Maxwell Aley: I suppose they could stop us on some of our approvals. We are not ignoring the necessity for the planning criteria or growth that is why we are having the work shop. We do not think we should have to be forced into the position of having to just stand by with a lot of unused sewer capacity. Because of all the subdivisions we are committed to the 95 percent capacity and therefore we could approve no more developments at the present time until we start building new sewage treatment plants. We will be starting new sewage facilities before we get to the 95 percent through put.

Levi Lucero: This is where I think you will get an objection because then you put a burden on them to cause what the committee is going to do.

Frank Simonetti: I think it is wrong to say just because someone comes in here with a development of 2,000 homes they are not going to be acted on tomorrow.

Janine Rider: I think that we have all really indicated that we recognize that the sewage facilities are adequate and that we are working as time and money allows us to. I cannot believe that we are going to let people hook on when we do not have the facilities. I do not think that they are realizing the time factor.

Levi Lucero: Are you wanting an endorsement of this?

Maxwell Aley: Yes. We would like your support if you could figure out some way procedurally to approve the resolution.

Jane Quimby: About the meeting the 6th and 7th of December. I do not know if we could adopt your resolution before that time but it seems to me that the other alternative is to have the City Planning Commission to show up the day of the meeting.

Blake Chambliss: I agree with the suggestion that we be out but I disagree with what seems to me is a irresponsible and short term resolution projected in its stead. I really do not think we are getting this stopped altogether.

Frank Simonetti: The problem is that all our commitments are one way, they make no commitment to build.

Virginia Flager: You are saying that anytime a subdivision is approved by the County Planning and the County Commissioners there should be one thing added into that approval, a definite time limit as to when construction must be started.

Janine Rider: I think that you could have a commitment from all of us that we would like to handle this and assume that we could make some decisions on our own.

Blake Chambliss: I would like to deal with this type of thing in a work session.

Jane Quimby left at 11:30

Blake Chambliss: My point is that I do not want to endorse that kind of a thing.

Virginia Flager: It seems to be the question of position. The State Water Quality Control Commission have come in here and spent little time here looking at the situation. They sat over there saying this is the way it is going to be.

Jane Quimby returned at 11:35.

Virginia Flager: We need more area control instead of someone setting over on the east slope telling us what we need over here.

Levi Lucero: Is it necessary to support this resolution or can we submit our own comments?

Maxwell Aley: Submit your own comments. This is just a proposition.

Blake Chambliss: If we were to have a meeting in the next week we could talk about it and put together our own resolution and our concerns about the resolution.

Don Warner: I read that you disagree with the Water Quality Control Commission approach.

Levi Lucero: I think that it is proper to propose our own feelings.

Virginia Flager: From what I understand, if we do not react to this we are accepting what the Water Quality Control Commission says.

Janine Rider: Why don't we just say that we completely agree with the idea but we think that their recommendation is no good. We will have a meeting next week at which time we will suggest other alternatives if we can to there plans.

Levi Lucero: We will make that Tuesday 7:00 a.m. the 30th of November.

11. TEXT CHANGES TO SETBACK REQUIREMENTS.

Blake Chambliss made a motion to table the item until next meeting. Janine Rider seconded the motion and it passed unanimously.

Blake Chambliss: I looked through the zoning book. I would like to propose changes in the text. I would like to change R-2-A to medium density, R-2 to high density and R-3 to very high density/redevelopment zone.

The items are to be advertised for the next meeting.

County Items

12. #C101-76: LOMA RIO SUBDIVISION - PRELIMINARY

Jim Clark: The access road was changed. They are tying their access road into the Bluffs West. They are also acquiring an agreement with the Bluffs West on the sewage. They will be tying into the package plant.

Blake Chambliss: Is there room when you get through there to put the road down the draw?

Jim Clark: No. There are a few things that we are not completely satisfied with and we are working with the Loma Rio people on those.

Don Warner: Ron Rish was very opposed to the aerial sewer line. It goes from the Loma Rio to Bluffs West.

Virginia Flager was very, very opposed to the aerial sewer line.

13. #C102-76: BLUFFS WEST - PRELIMINARY

Jim Clark: They have tied in the access road. We do not have the center line as yet.

Janine Rider and Virginia Flager left at 11:55.

Levi Lucero: We can re-consider this when it comes back.

14. #C79-76: CANYON VISTA - PRELIMINARY

Jim Clark: The street names are going to have to be changed. There is a 40 ft. ditch and pedestrian way. They are going to tie into the Bluffs West package plant also. Conni McDonough is looking into the development of a foot and bike trail to the Monument.

Bob Gardner asked the Planning Commission about rezoning of 7th Street. The Commission in consensus said they did not want to extend business on up 7th street.

The meeting was adjourned at 12:20.

MEMORANDUM FOR FILE:

Sewer Advisory Committee

November 23, 1976

Re: Resolution presented to the City Planning Commission

Ladies and Gentlemen:

I come to you as a citizen representative on the Valley Wide Sewer Advisory Committee. We want to acquaint you with the position our Committee has taken in opposition to the Water Quality Control Commission's position that the approved "magic list" <sup>of</sup> subdivisions has committed our sewage treatment plant capacity up to 95% through-put. The Commission's position, thus, is that the City and County cannot approve any more projects for development until the actual construction of new plant capacity is commenced. New plant capacity construction will not be started for at least two years and it actually will not be required before that time.

Many of the "magic list" developments will take a number of years to be completed, while actual plant through-put at the present time is only 65% capacity.

We believe that the Water Quality Control Commission's position would tie us up with unused capacity and establish a moratorium on any new development until we build new capacity, which is as yet unneeded. We believe this would be unfair and unduly restrictive and expensive.

It is our position that the actual through-put legally determines our commitment of capacity and that actual development can be approved on a building permit-sewage capacity

basis. When the permits issued commit 85% of capacity we must initiate planning of additional facilities and when the permits commit 95% we must initiate construction. Planning is under way and construction should phase in at the needed point in the light of present projections.

Notwithstanding our position on this matter, we believe that new development at this time should not be approved without the availability of adequate planning criteria. The Planning Department is developing such criteria for our consideration, and we expect to have a workshop in January to review such criteria and make recommendations to the County Commissioners to be communicated also to the Water Quality Control Commission. We believe that the establishment of such criteria will assist the community with proper growth management and satisfy the Water Quality Control Commission that we have a proper handle on our growth problems.

We would like to invite the City Planning Commission to join our workshop in January.

Our Sewer Advisory Committee has communicated its position on issuing new building permits in accordance with through-put capacity to the County Commissioners, the County Planning Commission and the City Council and now to you. We are asking each of the bodies to take a unified stand in favor of counting only building permit issuances and actual taps in calculating our commitment of sewage treatment

MEMORANDUM FOR FILE:  
Sewer Advisory Committee  
November 24, 1976

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capacity. The City Attorney, Jerry Ashby, is preparing a resolution for approval and submission to the Water Quality Control Commission when they meet on December 6.

We hope you will support the resolution.

  
\_\_\_\_\_  
MAXWELL ALEY

MA:11