

GRAND JUNCTION PLANNING COMMISSION

May 30, 1978

M I N U T E S

The regular meeting of the Grand Junction Planning Commission was called to order at 7:35 p.m. in the City Council Chambers by Chairperson, JANINE RIDER, with the following members present: MAC BREWER, VERN DENISON, VIRGINIA FLAGER, BILL MIKESELL, JIM PICKENS, and FRANK SIMONETTI.

Also present were: DEL BEAVER, Senior City Planner, KARL METZNER, Planner I, CONNI MCDONOUGH, Development Director, DON WARNER, Planning Analyst, and CAROL REDMOND, Acting Secretary. Approximately twenty (20) interested persons were also in attendance.

MIKESELL/BREWER PASSED A MOTION TO ACCEPT THE APRIL 25, 1978 MINUTES.

JANINE RIDER had an addition to the Agenda. Under item 14, "Discussion", she stated she would like to discuss the PD as presented at the County Commissioners' Meeting earlier in the day. It was agreed that this would be discussed toward the end of the meeting.

1. #39-78 SUBDIVISION - Final Plat: Greenwood Estates Sub-division

Petitioner: Green Tree, Inc. Location: Northwest Corner of 17th Street and Walnut Avenue. Thirty-one lot, single-family subdivision

Opened public hearing.

DEL BEAVER stated that the City Council requested no further action be taken on this item until the agreements concerning participation in the correction of the intersection at 17th Street and Walnut Avenue have been effected.

JANINE RIDER asked whether the petitioner had been notified.

DEL BEAVER answered affirmatively and further stated that the petitioner was not in the audience.

Closed public hearing.

FLAGER/SIMONETTI PASSED A MOTION TO REFER THIS ITEM TO THE JUNE MEETING.

2. #47-78 CONDITIONAL USE

Petitioner: The Junction Corporation. Location: South of North Avenue, 176' West of 28-1/2 Road. For drive-up-window restaurant.

Opened public hearing.

DEL BEAVER presented staff comments.

DAVID FULTON, for the petitioner, said he would be glad to answer any questions.

There was much discussion concerning ingress and egress. It was determined that because of traffic problems, customers for the drive-up window would have to come in off North Avenue and exit on 28-1/2 Road and come back through intersection.

DEL BEAVER asked the petitioner if the "ingress only" situation through North Avenue from the 7-11 Store bothered him.

BOB GARDNER: No, we can't do that. We can't mess with the site; it's an existing lease, the building is built; we can't change anything...we'll try to work with it...it's an existing thing with a 35-year lease on it.

VIRGINIA FLAGER asked what was existing with a 35-year lease on it.

BOB GARDNER said he referred to the 7-11 Store.

It was pointed out that the petitioner has received clearance from 7-11 on the alteration of the existing parking facility.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

SIMONETTI/FLAGER PASSED A MOTION TO RECOMMEND DENIAL BASED ON TRAFFIC CONSIDERATIONS, SITE DESIGN, AND POSSIBLE ADVERSE ENVIRONMENTAL IMPACTS FROM DRIVE-UP WINDOWS. (THE DECISION WAS UNANIMOUS)

3. #53-78 CONDITIONAL USE

Petitioner: John and Terresa Hanna. Location: 120 North 7th Street. Request for restaurant liquor license.

Opened public hearing.

DEL BEAVER presented staff comments.

There was much discussion concerning the petitioner's working with the Parking Authority in addressing off-street parking availability. Staff would require a notarized letter from petitioner agreeing to participation in addressing this problem.

MAC BREWER wondered whether this could be interpreted as giving the Parking Authority a "blank check".

DEL BEAVER explained that they were only asking for a willingness to cooperate in that regard.

MR. JOHN HANNA responded to VIRGINIA FLAGER'S question regarding seating capacity of the restaurant. He stated it was between 150 to 160 seats. He further stated that he was expecting most of his business from neighborhood trade, thus eliminating the necessity of excessive parking.

BILL MIKESELL asked staff how much parking was required in this situation.

DEL BEAVER stated it would be fifty (50) stalls plus some for the upstairs apartments' requirements.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

BREWER/MIKESELL PASSED A MOTION TO RECOMMEND APPROVAL OF THE RESTAURANT LIQUOR LICENSE WITH THE STIPULATION THE PETITIONER SUBMIT A NOTARIZED LETTER OF PARTICIPATION IN WHICH THEY AGREE TO COOPERATE WITH THE PARKING AUTHORITY IN ADDRESSING FUTURE PARKING NEEDS. VIRGINIA FLAGER CAST THE ONLY "NAY" VOTE.

#### 4. #54-78 DEVELOPMENT IN H.O.

Petitioner: Andrew Peterson. Location: South of Highway 50 and East of Cannon Avenue. For boating and watersports sales in H.O.

KARL METZNER presented staff comments.

Opened public hearing.

MR. ANDREW PETERSON thanked Del Beaver and Karl Metzner for their help with this plan and assured the Commission he would work with them on the landscaping and lighting, fencing, etc. He also stated he had talked with City Engineering on this same date and understands fully what they want, and feels he can meet all requirements.

There was some discussion concerning getting large boats on and off the property in relation to traffic.

There was discussion concerning fencing, landscaping, and employee parking.

MR. PETERSON stated there is room for seven (7) on-site parking spaces. He further stated that he is not designed to allow for more than one employee.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

BREWER/FLAGER PASSED A MOTION TO RECOMMEND APPROVAL OF THE DEVELOPMENT IN H.O. SUBJECT TO THE FOLLOWING:

- a) Staff Comments
- b) Letter of Credit be submitted to guarantee petitioner will work with Parks and Recreation Department on landscaping plan (it was determined that landscaping might need to be delayed during the summer because of weather)
- c) employee parking must be on-site
- d) Letter of Credit to close curb cut

5. #52-78 REVOCABLE PERMIT

Petitioner: Colorado West Properties. Location: Northeast Corner of 7th Street and Teller Avenue. Request to extend six inches (6") into city right-of-way with brick facade.

KARL METZNER presented staff comments.

Opened public hearing.

MR. GEORGE SMITH, petitioner, agreed to close abandoned curb cut on 7th Street, and widen the north curb cut as suggested.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

FLAGER/PICKENS UNANIMOUSLY PASSED A MOTION TO RECOMMEND COLORADO WEST PROPERTIES' REVOCABLE PERMIT SUBJECT TO THE FOLLOWING:

- a) Staff Comments
- b) Letters of Credit be submitted by petitioner to guarantee landscaping and improvement of curb cuts.

6. #48-78 REVOCABLE PERMIT

Petitioner: Centre Construction Company. Location: Brittany Drive west of 28-1/2 Road. Request to install bollards across unimproved section of Brittany Drive.

DEL BEAVER presented staff comments.

Opened public hearing.

BOB GARDNER, representative for the petitioner, was in attendance.

DAVID FULTON spoke concerning traffic in relation to the playground that is being built. His concern was for the childrens' safety.

VIRGINIA FLAGER pointed out that access might be blocked off temporarily, but that in the future, that part of 28-1/2 Road might become an open street.

Asked for proponents. (NONE).

Asked for opponents. (Note David Fulton's question above regarding playground/traffic) (NO DEFINITE OPPONENTS)

Closed public hearing.

FLAGER/BREWER PASSED A MOTION TO RECOMMEND THIS REVOCABLE PERMIT BE APPROVED SUBJECT TO STAFF COMMENTS AS FOLLOWS:

- a) Bollards must have special treatment and taping as per "Manual of Uniform Traffic Control Devices"
- b) Fire access must be maintained by some type of "Crash Gate". Design of the access must be approved by the Fire Department.

7. #6-78 SUBDIVISION - Final Plat: Maldonado Subdivision

Petitioner: Felix Maldonado. Location: 350 West Grand Avenue. Nine-lot Subdivision in R-3, Multi-Family Zone.

DEL BEAVER presented staff comments.

Opened public hearing.

MARVIN MALDONADO was representative for his father, Felix Maldonado.

BILL MIKESELL asked Mr. Marvin maldonado if he planned on constructing apartments on the property. He stated he would not care to see this use.

MARVIN MALDONADO stressed he would not care to live next to apartments, and, therefore, would not have them built on the property.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

FLAGER/MIKESELL PASSED A MOTION TO RECOMMEND APPROVAL OF THE MALDONADO SUBDIVISION SUBJECT TO THE FOLLOWING STIPULATIONS:

a) Staff Comments as follow:

- 1) all storm drainage to existing 36" culvert
- 2) one fire hydrant at corner of Crosby and West Grand
- 3) easements as required by Mountain Bell and Public Service
- 4) statement on plat
- 5) Powers of Attorney for full 1/2 street improvements for Crosby Road and Maldonado Street

FLAGER/MIKESELL PASSED A MOTION TO RECOMMEND THE VACATION OF A SMALL PORTION OF WEST GRAND AS SHOWN ON MALDONADO SUBMITTAL.

8. #42-78 SUBDIVISION - Preliminary Plan: 6 & 50 West Subdivision, Filing #2.

Petitioner: Excalibur Enterprises. Location: Between Crosby Avenue and U.S. 50, 300' North of West Ouray Avenue. A 20 Acre, Commercial Subdivision.

KARL METZNER presented staff comments.

Opened public hearing.

Zoning was discussed.

LORAN DAKE, representative for petitioner, stated they would be glad to cooperate with City Engineering's requirements for curb, gutter, mat, and sidewalk; however, they do not want to be the only ones "in the middle of nowhere" meeting these requirements.

Closed public hearing.

FLAGER/MIKESELL UNANIMOUSLY PASSED A MOTION TO RECOMMEND FILING #2, PRELIMINARY PLAT, OF 6 & 50 WEST SUBDIVISION SUBJECT TO STAFF COMMENTS, A LETTER OF CREDIT BE SUBMITTED FOR INSTALLATION OF BARRICADE ON PEACH STREET, AND GRAVELLING OF MULBERRY STREET TO FRONTAGE ROAD.

MEETING RECESSED AT 9:36 P.M., AND RECONVENED AT 9:41 P.M.

9. #46-78 SUBDIVISION - Final Plat: Bell Ridge Subdivision Filing #2

Petitioner: Spomer Construction Company. Location: Northwest of Ridge Avenue and 27-1/2 Road. For a Thirteen-Lot Single-Family Subdivision.

KARL METZNER presented staff comments.

Opened public hearing

JANINE RIDER asked if the petitioner would like to speak. It was determined that the petitioner nor his representative was in the audience.

DENISON/SIMONETTI PASSED A MOTION TO REFER THIS ITEM TO THE NEXT MEETING SINCE THE PETITIONER NOR HIS REPRESENTATIVE WAS IN ATTENDANCE.

10. #49-78 SUBDIVISION - Final Plat: Ireland Minor Subdivision

Petitioner: George Ireland. Location: Southeast Corner of 28-1/2 Road and Elm Avenue. For a Two-Lot, Single-Family Subdivision.

DEL BEAVER presented staff comments.

Opened public hearing.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

FLAGER/PICKENS PASSED A MOTION TO APPROVE THE IRELAND SUBDIVISION FINAL PLAT SUBJECT TO STAFF COMMENTS.

11. #50-78 SUBDIVISION - Final Plat: Billings Minor Subdivision

Petitioner: Kenneth J. Billings. Location: Between Holly Lane and 27-3/8 Road, 720' South of Unawep Avenue. For a Two-Lot Single-Family Subdivision.

DEL BEAVER presented staff comments.

Opened public hearing.

KENNETH BILLINGS, petitioner, was in attendance.

Asked for proponents. (NONE)

MR. LEROY WINTERS asked what Power of Attorney meant; Del Beaver explained.

Mr. "Tink" Jarel asked how you could agree on Power of Attorney when it is yet unknown what the improvements are to be.

DEL BEAVER responded that the improvements would consist of half-street mat, curb, gutter, and sidewalk.

Asked for opponents. (NONE)

Closed public hearing.

SIMONETTI/FLAGER UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE BILLINGS MINOR SUBDIVISION FINAL PLAT SUBJECT TO STAFF COMMENTS AND POWER OF ATTORNEY FOR 27-3/8 ROAD AND HOLLY LANE.

• 12. #36-78 ROAD VACATION (ITEM TABLED FROM LAST MEETING)

Petitioner: R. A. and B. J. Clifton. Location: 279 Cedar Street. Vacation of right-of-way.

KARL METZNER presented staff comments.

Opened public hearing.

TOM ELDER, representative for petitioner, responded to Mr. Mikesell's question as to the purpose of the vacation. Mr. Elder explained that it was to make conforming a portion of the house in the right-of-way.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

SIMONETTI/DENISON UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF VACATION OF RIGHT-OF-WAY AT END OF CEDAR STREET.

13. #12-78 REFERRED BACK FROM CITY COUNCIL - PD-B: The William Building

Petitioner: James P. Brodak. Location: Northeast Corner of Eleventh St. & Belford Avenue. Development plan for an office.

DEL BEAVER presented staff comments. He apologized for the problem regarding this item. It was determined at the City Council Meeting that the preliminary plan must not have been fully read and understood. At that meeting the definition of neighborhood-oriented business was discussed.

Opened public hearing.

TOM LOGUE, representative for the petitioner made a few statements regarding this petition.

JIM BRODAK expressed his concern that he felt his people were about to be shut off from access through the alley, but that other people would be allowed this usage. He pointed out that the traffic count had been based on vehicles going to Colonel Sanders', not those actually traveling through the alley.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

BREWER/MIKESELL UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE WILLIAM BUILDING, PD-B SUBJECT TO THE FOLLOWING CONDITIONS:

- a) Staff Comments
- b) Alley access be made available to petitioner
- c) Neighborhood Services Oriented Retail Business  
Delineated at next work shop (The former Proposed Retail Business List has not yet been approved.)
- d) Petitioner to present recommendations as to use



14. #43-78 PD-B: DENTAL OFFICE (Rehearing)

Petitioner: David G. Summers. Location: First Street and Lorey Drive. For a one-dentist, dental office in R-1-B Zone.

DEL BEAVER presented staff comments.

Opened public hearing.

DR. DAVID SUMMERS presented his petition.

Asked for proponents.

MRS. MANNING, owner of the land who also lives in the neighborhood, stated she would be glad to see the dental office there. She further said that another neighbor felt she would certainly rather see any reasonable use there rather than a vacant lot.

MR. MANNING said that many offers have been presented to them for purchase of the property. He said he needs to sell or lease the land for the income, and they have felt the dental office a good prospective tenant. (It was pointed out that the Manning's are leasing the property to Dr. Summers with the option of purchase.) Mr. Manning further stated he would be glad to hear any other suggestions the Commission might have for profitable use of the land.

The Commission wondered whether other neighbors had been notified, and agreed with the proposed use. Dr. Summers assured that they had been notified and that he found no opposition.

DR. SUMMERS answered the Commission members' questions regarding access on Lorey Drive. He felt the dental office would cause no increased traffic problems.

Asked for opponents. (NONE)

BILL MIKESELL asked Del Beaver to reiterate as to why this item was sent back to the Planning Commission from the City Council.

DEL BEAVER explained that this was due to improper advertising; i.e., that the time, date, and place of the public hearing had not been posted on the sign. He further stated that City Council felt the process should be started again from the beginning both for the reason of improper posting and also because of the controversy which had been attached to this proposal.

BILL MIKESELL then queried as to what the controversy had been.

DEL BEAVER explained that most of the comments received from neighbors, adverse to the development, were directed at the increase of traffic pressure on an already poor situation; however, these comments were aimed at City Market and Conoco access to Lorey more than to the proposed dental office's impact.

Closed public hearing.

BREWER/DENISON PASSED A MOTION TO RECOMMEND THE PRELIMINARY PLAN FOR THE DENTAL OFFICE FOR APPROVAL SUBJECT TO STAFF COMMENTS, AND THAT THE SCREENING FENCE BE REMOVED.

MR. DENISON seconded the motion but wanted to clarify his change in decision. He stated that at first he had not been in favor of the development. However, Mr. Beaver had posed a question which Mr. Denison could not answer. That was regarding what the best use in this area might be. Mr. Denison decided then that the dental office proposal might be best.

THE ABOVE MOTION PASSED WITH FIVE FOR, AND TWO AGAINST (5-2). VIRGINIA FLAGER AND FRANK SIMONETTI CAST THE DISSENTING VOTES.

DISCUSSION ITEMS:

1) INTERPRETATION OF USE CLASSIFICATION FOR CAR WASH

Petitioners: E-Z Car Wash, and Virgil VanDyke. Location: 2nd Street and White Avenue

Discussion ensued concerning Automotive Maintenance, Repair Garage, mechanical or manual car washes, and where reference to car washes might be found in the Zoning Ordinances. Section III, Paragraph A, Use 5.8 was considered since it did mention car wash operations. However, Commission members and staff wondered whether it might better be listed under Gasoline Service Stations. It was further determined that the location noted above does permit gasoline service stations, but under the present regulations, does not permit 5.8 use.

MIKESELL/DENISON PASSED A MOTION TO LEAVE ZONING AS IT PRESENTLY IS, AND TO INFORM THE PETITIONERS AS SOON AS POSSIBLE HOW THIS ZONING MAY AFFECT THEM. (THEY WERE FURTHER INFORMED THAT THEY WERE WELCOME TO ATTEND THE PLANNING COMMISSION WORKSHOP ON TUESDAY, JUNE 13, 1978 at 7:30 IN THE DEVELOPMENT DEPARTMENT OFFICES.)

2) PD REGULATIONS

Janine Rider had attended the County Commissioners' meeting earlier in the day regarding proposed County PD Regulations.

Her feelings were that they were too general. She also felt the Rewrite Task Force and the PD Regulations would conflict in timing. Regarding landscaping and private colleges in particular, Ms. Rider felt the statements were too confusing and/or too general.

CONNIE MCDONOUGH stressed that the Commissioners are pleading for positive as well as negative recommendations. She further mentioned that the County was expecting and looking forward to input from leading professional and/or interested citizens of the community.

It was decided that the Planning Commission would write their criticisms and recommendations regarding the PD Regulations, give them to Ms. McDonough, who in turn would present them to the County Commissioners, then return them to the Planning Commission. The deadline for submitting them to Ms. McDonough is June 7.

COUNTY ITEMS:

1a. #C93-78 REZONE: AFT to R-2-A (40 acres)

Petitioner: Fisher, Meacham, Kempers, Springfield.  
Location: SW Corner of 26-1/2 and H Roads. Rezone AFT Agricultural/Forestry to R-2-A (Transitional).

DEL BEAVER presented staff comments.

Opened public hearing.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

DEL BEAVER answered the Planning Commission's question as to how the land would be sewerred. He stated it would not be sewerred until the new sewer plant is constructed. He assured that the petitioner was aware of this.

Closed public hearing.

BREWER/PICKENS PASSED A MOTION TO DENY THE REZONE FOR THE FOLLOWING REASONS:

- a) it is uneconomical
- b) it is unstable
- c) it is poor planning

2a. #C86-78 SUBDIVISION - Preliminary: Shoshoni Subdivision

Petititioner: Lawrence Warren. Location: South of F Road, East of 30-1/2 Line. For Twenty-four-Lot Subdivision in R-2 Zone.

Discussion and review.

SIMONETTI/PICKENS PASSED A MOTION TO RECOMMEND THE SHOSHONI SUBDIVISION PRELIMINARY PLAN FOR APPROVAL.

3a. #C161-77 SUBDIVISION - Final: R-2 (Transitional)

Petitioner: Charles Reicks and Thomas Folkestad. Location: Southside of F Road, 990' East of 29 Road. For a Sixteen-Lot Single-Family Subdivision.

DEL BEAVER presented staff comments.

Opened public hearing.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

MIKESELL/SIMONETTI UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE REDWING SUBDIVISION, FINAL PLAT, SUBJECT TO THE FOLLOWING, AND STAFF COMMENTS:

- a) provide cul-de-sac
- b) curb as per City Engineering requirements

MEETING ADJOURNED AT 12:20 A.M., WEDNESDAY, MAY 31, 1978.