

GRAND JUNCTION PLANNING COMMISSION

November 7, 1978

M I N U T E S

The first meeting of the month of November, continued from the October 31 meeting, was called to order at 7:30 p.m. in the City Council Chambers by Chairperson, JANINE RIDER, with the following members present: FLORENCE GRAHAM, FRANK SIMONETTI, DALE SCHOENBECK, and JIM PICKENS.

Also present were: DEL BEAVER, Planner; DON WARNER, Planning Analyst; and CONNI MCDONOUGH, Development Director. Also in attendance were Carol Redmond, Stenographer/Recorder, and approximately thirty-eight (38) interested citizens.

SIMONETTI/PICKENS UNANIMOUSLY PASSED A MOTION TO RECOMMEND THE SEPTEMBER 21, 1978 MINUTES BE APPROVED AS READ.

1. #81-78 ZONING FOR MINERVA PARK ANNEX

Petitioner: Pavlakis & Company. Location: Northwest corner Pinyon and 25-1/2 Road.

Opened public hearing.

DEL BEAVER, Planner, introduced the request, located the area on the map, and stated that staff requests that the city be made a party to the restrictive covenants agreement.

HARRY MAVRAKIS wished to have the statement regarding the city's becoming a part of the restrictive covenants clarified.

DEL BEAVER explained that the restrictive covenants cannot be altered without approval by the city.

MR. MAVRAKIS added that he prefers vegetative screening to chain link fence.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

SIMONETTI/SCHOENBECK UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE MINERVA PARK ANNEX ZONING SUBJECT TO A SCREEN BUFFER ALONG PARADISE VALLEY AREA, AND SUBJECT TO THE CITY'S BEING MADE A PARTY TO THE RESTRICTIVE COVENANTS.

2. #102-78 CONDITIONAL USE - Day Care and Preschool

Petitioner: Patricia Knight. Location: 2880 Elm.

Opened public hearing.

DEL BEAVER introduced the request, located the area on the map, and read the review agencies' comments. He added that there had been no sign of the public hearing on this item posted on the property. It was his hope that the public had seen the legal ad in the newspaper.

PAT KNIGHT stated that she had properly informed the neighbors of her intent. She added that the new proposal was to provide for toddlers' care and private kindergarten. She stated that many of the mothers who left other children in her care had smaller children who, heretofore, were being taken to other places for care. She felt that by being able to care for the smaller children also she would be adding a greatly needed service for the mothers.

DEL BEAVER asked Ms. Knight how many children were allowed by her license at the present, and how many children would be allowed if the petition is acted upon favorably.

MS. KNIGHT stated that it ranged from one-hundred to one-hundred and ten students. (100 - 110) She further stated that she did not feel the addition would cause added traffic congestion since she expected that the new children, for the most part, would be from the same families she is already servicing.

DEL BEAVER stated that he had been in the area for observation. He added that what is there seems to be working well and looks attractive. However, he felt he would have problems visualizing a doubling in size with the resulting impact on the residential neighborhood. He stated that the metal building, although not detracting in appearance, does not fit in too well. He felt the impact on the neighborhood might be poor visually and physically. He added that there would be quite a bit of traffic on an unimproved street.

JANINE RIDER stated that she did not have problems like those stated by Mr. Beaver since she felt this type service is so greatly needed in the area; that, although his fears might be warranted, the need outweighed them.

DEL BEAVER added that he found one shortcoming with the original site plan. He would like to see vegetative screening planned inside the fences abutting property lines on both sides as well as across the back for aesthetic purposes.

PAT KNIGHT stated that she felt residents would not prefer to move to the area at present because of impact of little league facility across the street and the inability to get the street improved. She added, however, that she would be glad to provide necessary buffers for the neighbors. She added that she had purchased the adjacent property in anticipation that people would not want to live next door to a day care facility.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

GRAHAM/SIMONETTI UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE CONDITIONAL USE SUBJECT TO VEGETATIVE SCREENING ALONG FENCE LINES TO THE NORTH AND EAST PROPERTY LINES.

FLORENCE GRAHAM added that she was not sure some of the vegetative screening she had seen was more aesthetically pleasing than cyclone fencing.

DEL BEAVER added that the petitioners should, in each instance, contact either the Development Department or the Parks and Recreation Department for advice when ready to plant.

3. #103-78 CONDITIONAL USE - Liquor License: SAL'S PIZZA

Petitioner: Salvatore Sassano. Location: 755 North Avenue.

Opened public hearing.

JANINE RIDER asked that Mr. Beaver explain what exactly the Commission would be considering in reference to a conditional use for a liquor license.

MR. BEAVER explained that what is to be considered is the appropriateness or the inappropriateness of what the liquor license would mean to a specific area. Parking or fire door consideration is excluded; the City Council will consider such things. Mr. Beaver further introduced the request, locating the area on the map, and read review agencies' comments.

DALE SCHOENBECK asked whether it would be a concern of the Planning Commission, provided the liquor license were approved, if there were an increase in the patronage resulting in parking/traffic problems.

DEL BEAVER responded by stating that he could not directly answer

the question except to refer to what Gerry Ashby, City-County Attorney, had told him. Mr. Ashby stated that the parking was not a province of concern for the Planning Commission. Mr. Beaver again stated that the reason the City Council asks the Planning Commission to consider conditional uses for liquor licenses is to determine the appropriateness or the inappropriateness of such licenses in specific areas.

PETE BLACK, representing the petitioner, Mr. Sassano, who was also in attendance, made a presentation. He felt that a liquor license was appropriate in the area because there were several other establishments with such licenses in the area.

FRANK SIMONETTI asked whether the liquor business would be in the form of a service bar as opposed to a lounge.

MR. SASSANO stated that it would only be a service bar.

Asked for proponents. (NONE)

CITIZEN INPUT:

LOWELL LAYCOCK, 760 Glenwood, stated that he had received a card in the mail stating that a representative would contact him in regard to the conditional use permit. He added that no one did, in fact, contact him, and he felt this was poor city-county business.

MSSRS. BEAVER and WARNER suggested that this card referred to action on the liquor license itself, not the conditional use, which would be considered at a later date by the City Council. They encouraged the citizens to be patient; that someone would probably, indeed, contact them regarding the license application.

MAYNA BLAMEY, of 931 Belford, wondered whether this was a "package deal".

MR. BLACK stated that it is.

Asked for opponents:

BLANCH VAN ZANTE, of 805 Glenwood Avenue, stated that she opposed the conditional use because she did not feel there was a need for another drinking establishment in the neighborhood.

JANINE RIDER: No, never mind...I was going to say that perhaps that question was more appropriate for City Council, and it probably is. Although the proximity of lots of bars may be something that we should hear too. It is so odd as to what we are supposed to be dealing with in our limited review of this. Certainly, you should attend the Council meeting and express these concerns.

ROLAND OLIVER, of 945 Belford, opposed the proposal because he, too, felt the needs of the area are being very well met. He added that he and the other neighbors often have to clean up bottles and cans scattered around their residences.

CLARENCE GUTHRIE, of 930 North Ninth Street, also felt there are enough liquor outlets in the area.

JANINE RIDER expressed that she was not sure exactly what the Planning Commission's position regarding this proposal should be; but that, certainly, if there were a negative impact on the neighborhood; e.g., debris left on lawns, it should be considered.

SALVATORE SASSANO, petitioner, wished to clarify that his establishment did not cater to "carry-out" liquor service. He said that patrons would be served drinks with their pizzas. He added that his business is food, not drinking. He stated that he felt, however, that his business has been suffering because he did not offer beer with the meals for those patrons who desire it.

DEL BEAVER stated that he would recommend the Planning Commission request approval of this proposal because of the nature of the business. It is a restaurant with liquor license being requested primarily for consumption on the premises. He added that there are similar outlets on North Avenue in proximity to this one. He said that from a planning perspective, that if this type service is detrimental to the neighborhood, it is a little late to consider. Regarding a package outlet, Mr. Beaver stated that this was not for consideration by the Planning Commission, but by City Council.

DON WARNER stressed that the survey cards would be considered by City Council, in regards to the liquor license, as to how many residents oppose and approve of the license and the reasons for the opposition or approval. He added that each card that is signed by a neighbor will be on record for the City Council Public Hearing on December 6, 1978. He urged the citizens to attend. He added that the needs of the neighborhood and the desires of the inhabitants are the two issues on which a liquor license, itself, is granted or denied.

CONNIE MCDONOUGH stated that she wished to clarify the reason for the Planning Commission's consideration of conditional use permits for liquor licenses. She felt it had not been clearly stated. Ms. McDonough stated that it was for the Commission to deliberate whether there would be additional impacts on the area between the food outlet and the presence of a license. The Commission is to

determine the measure of difference between the establishment with the license as opposed to the establishment without the license. Whether or not the license is granted is a consideration by the City Council, not by this Board.

FRANK SIMONETTI stated that the impact would automatically be lessened since the Mexican food establishment had moved. He stated that there would now be only one restaurant as opposed to two.

Closed public hearing.

SIMONETTI/PICKENS UNANIMOUSLY PASSED A MOTION TO RECOMMEND THE CONDITIONAL USE BE APPROVED SINCE THE ESTABLISHMENT IS IN A COMMERCIAL ZONE WHERE LIQUOR IS PERMITTED. THEY FELT IT IS A SUITABLE SITE FOR THE CONDITIONAL USE.

4. #108-78 PROPOSED ADOPTION OF NORTH AVENUE POLICY STATEMENT

Opened public hearing.

DEL BEAVER stated that many citizens who are in attendance at this public hearing were also present at the City Council Hearing on November 6, 1978. From what he could tell at that meeting, by the feelings of the citizens, he would recommend that item 14 be deleted.

ELLEN BRITT, 890 Kennedy, stated that she had been in attendance at the City Council Hearing and that copies of the Proposed Policy Statements had not been available for each citizen. She felt the citizens deserved copies and that the meeting should not continue if they were not available.

JANINE RIDER, Chairperson, agreed that they should have copies. Don Warner and Conni McDonough offered to go make copies.

GRAHAM/PICKENS UNANIMOUSLY PASSED A MOTION TO PROCEED TO ITEM SEVEN OF THE AGENDA (ITEM FIVE OF THE MINUTES) UNTIL COPIES ARE PRESENTED TO THE CITIZENS OF PROPOSED ADOPTION OF NORTH AVENUE POLICY STATEMENT.

5. #109-78 PROPOSED ZONING FOR PARADISE VALLEY ANNEX - PDM

Opened public hearing.

DEL BEAVER presented the request. There were no review comments.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

SIMONETTI/PICKENS UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE PDM ZONING.

6. #110-78 PROPOSED ZONING FOR WESTGATE PARK ANNEX - C-2

Opened public hearing.

DEL BEAVER introduced the proposal.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

SIMONETTI/GRAHAM UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE C-2 ZONING.

7. #111-78 PROPOSED TEXT CHANGE

Changing Bulk Development to a Conditional Use in Residential Zones.

Petitioner: Staff

Opened public hearing.

DEL BEAVER introduced the request.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

Closed public hearing.

PICKENS/SCHOENBECK UNANIMOUSLY PASSED A MOTION TO RECOMMEND APPROVAL OF THE PROPOSED TEXT CHANGE.

- ITEM #108-78 PROPOSED ADOPTION OF NORTH AVENUE POLICY STATEMENT - CONTINUED -

4. (Continued, See page six of Minutes)

- PUBLIC HEARING OPEN -

ITEMS #1 & #2: (No. 1 as amended; No. 2 without amendments.)

Asked for proponents. (NONE)

Asked for opponents:

ROLAND OLIVER stated that he had not been able to attend City Council meeting because of prior commitment. He wondered whether the traffic pattern or the management of the traffic would be any different from at this time.

DEL BEAVER: The primary reason for those two policy statements was to clarify what had been in adopted master plans previously, where alternatives spoke to using Glenwood or Belford in conjunction with North Avenue as one-way couplets. The Planning Commission wanted to put that to rest once and for all. As far as the management of existing streets; e.g., Glenwood, Belford, and North Avenue, we realize certain things need to be done to improve traffic circulation on those streets. But they should continue to function largely as they are now with Belford and Glenwood being destination-oriented, local streets, and North Avenue being the through street.

NO FURTHER COMMENTS.

ITEMS #3, #4, #5, and #6:

Asked for proponents. (NONE)

Asked for opponents:

EARL WARNER, 1814 N. Seventh Street: The only problem I have with this, as pointed out at last night's meeting, I think it's going to work a real hardship on people on the southside of Belford. As has been discussed, you can't sell this on the southside for commercial or whatever the zoning implies. On the northside you can. I don't think it's fair for the homeowners on the southside to have to sit there and have to look at landscaped parking lots. I still feel the alley would be a lot better designation than the middle of the street.

DEL BEAVER: The people living on the southside of Belford express concern that they are not going to be able to make as much with their properties, because if they sell to other residential uses, they have to be looking across the street to landscaped parking lots, business offices, or some neighborhood-oriented services. Yet these people on the southside of Belford are not going to be allowed to put that sort of use on their properties. However, there is no commercial or business zoning south of Belford except along Seventh Street, and a little B-1 Zoning along Twelfth, and just a bit of C-2 Zoning along First Street and the corridor property. The feeling that I imparted to them is that this trend



has to be stopped at some point. If you let it go to the alley you're imposing business and commercial zoning on residentially-zoned land. You might have to make the same decision when these other folks start asking for the same zoning because they back up onto that zoning and they are negatively impacted as well.

JANINE RIDER: I recall what our thoughts originally were on this. There were two reasons that we felt were most important why we felt this was reasonable to suggest. One was that there is enough commercial land around the city; we don't need more commercially-zoned ground. If we put more commercial ground on the other side of Belford, we would tremendously impact the traffic on Belford, thereby causing greater traffic on Belford, greater comings in and out on North Avenue. This could be dangerous and tougher on the people in the whole corridor. The second reason was based on the belief that it's important for the city to remain viable as a place where people live. Higher density housing was felt to be most important close enough so that people could walk or get to the services. I don't mean any of this to contradict your (the public's) thoughts, but just to try to express what our rationale was.

MR. WARNER (EARL): I agree with you wholeheartedly, but I still think it's a matter of economics. I think if you'll poll the area, you'll find that there are people who really can't afford to buy houses at today's market in some other area. I still personally feel an alley will not be quite as bad as looking out your window...it seems I've heard a whole lot of talk in the past about "landscaped" parking lots, but I don't remember very many of them ever coming into being.

DEL BEAVER: I believe what the Planning Commission should be considering is how this would correspond with items one and two. If you were to delete items three through six, then I feel you would also have to delete the first two.

FLORENCE GRAHAM: You understand that what the Planning Commission wants to do is to keep this neighborhood residential in character, south of Belford. We can't help what is on First; that was before our time.

DEL BEAVER: These last policy statements, three, four, five, and six do not speak to taking out what exists and replacing it with high-density residential. What the policies say is that when changes occur in the area, we would prefer to see it remain residential. However, because of the economics of the situation, the densities should, perhaps, be raised.

ELLEN BRITT: When talking about the economic factors in this, I think you have to consider that commercial or business property is sold on a square-foot basis, whereas R-2, or any residential zone is sold as a lot cost. So the people living on the southside of Belford desiring to remain residential, if they decide they do not want to live in a half-commercial area, when they sell, they are, really, penalized. They will not receive as much for their properties as those who can sell as commercial or business zoning.

JIM PICKENS: (To Ellen Britt and Earl Warner). I understand what you're saying, but let me reiterate a little of what I believe Florence was saying. We're not recommending that day after tomorrow the northside of Belford become landscaped parking lots, business offices, etc. If you have followed the Planning Commission and City Council, we have tried to maintain a residential character that exists as long as we possibly can. I believe I speak on behalf of the entire Commission. We are not in favor of ousting people from their homes in any way, shape, or form if we can possibly help it. I think we're looking at the choice of two evils, and we're trying to choose the better one. Rather than a sheet metal shop, we're saying, maybe it would be better to put in a well-designed office to maintain, as long as we possibly can, the character of that residential neighborhood.

EVA GUTHRIE (Mrs. Clarence), of 930 North Ninth Street: I feel exactly like the real estate lady (ELLEN BRITT). I feel that (this proposal) would de-value our home property, that if it goes commercial, we could get more money out of it. We've worked all the time to keep it in good condition, but we would not get anything out of it.

FRANK SIMONETTI: Sure, I would go along with an alley, that being commercial, if someone would come in and just wipe out all the residences at one time. But what happens is they buy one lot and want it commercial stuck in the middle of all those houses. A good example is on Grand Avenue. Drive up there and take a look. You've got businesses, houses, and you name it - you've got it. What we're trying to do is to avoid this mixture. Someday the northside will cross to the southside. It may not be for twenty years and it may be tomorrow. However, I feel that when that time comes, everybody will be ready for it. But what we're saying is that unless all of it goes, none of it goes.

BILL RUPPERT, 856 Glenwood Avenue: The alley north of my place, and the alley south of Belford, say ten years down the road; are they going to say they want the northside of the alley on

Belford, then we'll take the northside of Teller. Then they'll grab the northside of the alley on Glenwood, and then grab the southside of the next street?

JANINE RIDER: I think this is what we're trying to avoid. We're hoping to make some sort of policies to guide the people who will be doing the development. Then what should occur should be in line with this. For instance, if it's determined that a certain area should remain residential, then as it develops, it will be into high-density, nice residential, rather than deteriorating until suddenly it's determined to take it for commercial too.

LOWELL LAYCOCK, 760 Glenwood Avenue: It looks like the only way they can eliminate this problem is to make this corridor to the alley on each side of North Avenue, with the exception of the zoning which now exists. You can't change that.

JANINE RIDER: Don't you think we would have just as much problems with the people living behind the alley at the next meeting? Why are they that much different?

LOWELL LAYCOCK: I don't think so. You're talking about the alley on the other side of the street. You've got to stop someplace. We're on the other side of the street on Glenwood; this does not affect us at the present time, but when business comes from North Avenue across that way, we're going to be faced with the same thing on Glenwood Avenue that they're talking about on Belford.

JANINE RIDER: There is one big difference, I believe. The traffic generated by businesses on both sides of the street, the traffic generated by Glenwood and Belford will then be tremendously greater than if development is stopped at the street.

DEL BEAVER: Another factor that really contributes to not being able to adequately hold it at the alley between North Avenue and Belford...this is the existing zoning that runs to Belford (C-1). Altogether, probably five and a half (5-1/2) blocks of that twelve-block area on Belford is R2 or R3 residential; the rest of it is commercial or business. This same situation does not exist on Glenwood because the zoning stops at the alley between Glenwood and North Avenues. So you have a tremendous number of uses by right which now exist between North Avenue and Belford which is not the same situation on the other side of the street.

BILL RUPPERT: What is the zoning between Glenwood and North Avenue on the southside?

DEL BEAVER: It is R-1-C.

MR. RUPPERT: That lot is now going for ninety-thousand dollars.

DEL BEAVER: I know that, sir.

MR. RUPPERT: I paid sixteen-thousand, five-hundred dollars for my house eleven years ago. You talk about economics.

ITEM #7 (as amended):

DEL BEAVER stated that he had researched and found a definition of "human scale" that would be most appropriate for use:

Human Scale - it is a matter of keeping things in context with each other and with people. In architecture, we call this "scale". By that we mean that buildings and their components are related to each other, harmoniously, and to human beings. In urban design we also use the term "scale", meaning that a city and its parts are interrelated and also related to people and their ability to comprehend their surroundings. To feel in place in the environment. While architecture and urban scale in this context cannot be defined in specific linear measurement alone, we can refer to several, particular dimensions which pervade the sense of "scale". That is how you perceive things, distance, etc. But it's as I said last night..it's how things work together. You could not perceive, for instance, Valley Federal working on North Avenue. It's out of scale; it's out of character. Things should be compatible; it should relate to the human level, the human experience. It should not be a cold, architectural feeling in a neighborhood which has warm, architectural feeling. There are places for hard, urban spaces that have concrete, exposed aggregate. There are places for that in the environment, but a residential area is not one of them. A residential area, traditionally, has a warm feeling.

JANINE RIDER: The definition also can be good whether there's business, commercial, residential, or for whatever building. I think we put that in there primarily to protect the neighborhood from some architect with a great idea for doing something in the neighborhood which would make the rest of the area look like nothing, something that would be so outrageous or weird or different that it just wouldn't fit. This doesn't discount the possibility of new ideas or of large scale buildings, perhaps, an apartment house.

DEL BEAVER: Let me add one other paragraph:

Buildings and spaces not only have to be in scale with people, but they have to be in scale with each other. A gigantic tower building in the midst of an intimate row of houses is out of

scale. A huge plaza bordered by tiny buildings is out of scale. Generally, we refer to the offender in such a situation as being out of keeping. This applies to the design treatment of a facade as well as a building's materials, color, bulk, and siting.

MS. GUTHRIE: I've had a picture of what you just now explained out of my place, and this is all the picture I can get. I just don't see it at all.

DEL BEAVER: We say when new development comes in, we would not like it to be out of keeping.

MS. GUTHRIE: Yes, but you said last night that you really did not have complete control over it.

DEL BEAVER: We don't have complete control over all of it because of the existing zoning. We do have control over some of it as it would be coming in as either planned development or whatever. When a development does come in as planned development, we would have control over it. When developments would come in that would need additional consideration, such as parking, we would review the site plan for the building permit; we can have an impact. We have had an impact on people. We've sent plans back to the developer, they've taken another look at it, and agreed to make the changes we outlined. In some instances, we can have a great effect, in other instances, we're locked in because of the existing zoning. But this points us in the right direction. If you're talking about the area on the northside of North Avenue between Glenwood and North Avenue...

MS. GUTHRIE: I'm talking about south of Belford.

DEL BEAVER: Well, I know, but let me shift, because this statement goes corridor-wide. That's where I would perceive it to have the greatest positive effect. That is, north of the alley, south of Glenwood, simply because that is a highly developable area in view of its proximity to North Avenue, regardless of the R-1-C Zoning. But as I told you last night, any development in that area will have to be rezoned unless somebody develops single-family residential which is probably not a good possibility. When they do develop, we can impose that restriction on them.

JANINE RIDER: Another reason for setting up these - it's not that it be a firm, written law, but that when people do come in ready to develop pieces of land, they have some understanding of what the city hopes will occur there. And in good faith they will try to build something which will fit with the area.

MS. GUTHRIE: We've been where we are for thirty (30) years. It's probably time we decided we were going somewhere. So we're just wondering what we can get out of our property here. Naturally, we'd like to get something (substantial) out of it since we've kept it in condition all the time we've been there. But, for that location, it doesn't sound like we could get anything out of it.

JANINE RIDER asked if there were any other comments for or against number seven (#7).

NO FURTHER COMMENTS.

ITEMS #8, #9, and #10 (no amendments):

Asked for proponents. (NONE)

Asked for opponents:

MAYNA BLAMEY, 931 Belford: The well-landscaped parking sounds nice. But we have a beautifully land-scaped parking lot across from us, but we still can't park a car in front of it, on both sides. This is because the commercial establishments tell the employees to park there so they'll have customer parking in the lot.

JANINE RIDER: And the parking lot is generally pretty empty, isn't it?

MS. BLAMEY: Yes. And their trucks park there for three or four days at a time.

JANINE RIDER: Is there anything we can do about this?

DEL BEAVER: No.

DON WARNER: The only way we could do anything about that would be to put two-hour parking signs out, and this would affect the residents as well as the employees.

DON CARVER: The traffic is terrible in the area; I don't believe you could make it any worse. (Mr. Carver resides at 947 Belford.)

BERNARD BRODAK, 1060 Belford: Traffic on North Avenue, comes down and they want to make a U-turn on Eleventh Street, go down the alley, turn around, go back to North Avenue. This goes on day and night. Around five o'clock (5:00) people don't want to travel North Avenue, so they cut down on Tenth Street, they go

up the alley, cross the street, go to Twelfth Street, make a right-hand turn to stay off North Avenue.

DEL BEAVER stated that the city engineer realizes that people are using the alleys in that area instead of the street. He added that it has been a sore spot with them for quite some time, and for the City Council, as well. He further stated that he perceived these types of policies statements further strengthening the position on the part of the City Council. Mr. Beaver added that it is well known that many problems exist. However, he said they don't want to compound them by leaving the whole thing wide-open; as it is right now, it's just going to keep getting worse and worse until it will not be a habitable area any longer.

BERNARD BRODAK, Between Ninth and Tenth...They let them build around. They put a bump in the alley so one can go up and down the alley in a hurry. Mr. Fisher, between Eleventh and Twelfth, put a bump in the alley; the city made him go the cost of tearing it out. Why let one have a bump in the alley, and then to anotherone say "no"?

DEL BEAVER: I would appreciate it if you would show up at the City Council meeting and ask those questions.

JANINE RIDER: Please do.

BERNARD BRODAK: I had asked the City Council to sweep our alley; it's full of dirt on the southside. Public Service has made two cuts; they've never patched it, it's been there for two months. Who do you go to?

DEL BEAVER: You call Ron Rish, the City Engineer.

BERNARD BRODAK: I did, and it's still there.

DEL BEAVER: Then you go to the City Council, sir, or the City Manager, I should say.

FLORENCE GRAHAM: Also you might try Charles Teed. He's the public relations man, who does take your problem seriously. He'll even come out and look.

DEL BEAVER: Call the city number with extension 234.

JANINE RIDER: One of the problems of a hearing such as this, is that we also end up hearing about all of these associated problems that we can't do anything about. It might not hurt if you could make a list of all of the associated traffic problems of your area and present them to the City Council.

NO FURTHER COMMENTS.

ITEMS #11, and #12 (no amendments):

Asked for proponents. (NONE)

Asked for opponents:

LOWELL LAYCOCK: I think there was a pretty good agreement at the meeting last night that student housing should remain on Mesa College campus.

DEL BEAVER agreed with the comment, but that everyone knows that there are students who wish to live off campus and there are going to be people who respond to that market. He added that as you consider the policies, the student housing in the policy statement was kept for orientation east of Twelfth rather than west of Twelfth Street.

FRANK SIMONETTI stated that he understood that many colleges are trying to avoid putting money into student housing.

STEVE JOHNSON, of JOHNSON'S HOUSE OF FLOWERS, Fourteenth and North Avenue: I would like an interpretation of number twelve (12). For instance, it's obvious that it's not going to be economically feasible to continue to use that property to grow flowers on indefinitely. Sometime we might want to have an office complex in there. Our property is zoned Commercial clear back to Glenwood; however, at times it might be desirable to be able to have a parking lot, at least, on Glenwood, as North Avenue backs up there sometimes. Often you cannot even get onto North Avenue from the front. Would this be feasible?

DEL BEAVER: Sir, one of the things that spurred these policies was recognizing that some of the businesses along North Avenue would have to expand to meet demand or they would have to move out. It's not really feasible for them to expand and attempt to create parking facilities at that kind of square footage costs if you're buying land along North Avenue. My understanding of the Planning Commission's concerns is that businesses have a right to expand. If they expand, they can use Glenwood, Belford, and those areas that are appropriately zoned, for parking facilities.



The intent of statement twelve (12) was the orientation of the structures. They would prefer having the orientation toward North Avenue using Glenwood as an accessory street.

NO FURTHER COMMENTS.

ITEMS #13 and #14:

NO AMENDMENTS ON ITEM #13.

Asked for proponents. (NONE)

Asked for opponents:

ZELPHA MCCLURG, 751 Glenwood Avenue: What would happen if someone came to you to request rezoning of the area on the southside of Glenwood between Seventh and Cannell. You're making this statement, but I would like to know what your feelings would be.

JANINE RIDER: Okay. Our purpose in making this policy, number one, is that fewer people would come to us to ask this. But if they did come, they would have to prove to us that there were some new condition that occurred on that street so that these policies did not apply any longer. We have made a statement and a guarantee to you people, that this is what we believe should occur at the present time. Certainly, all of these things would be subject to change as change occurs. But we don't want them to be changing all the time; we want them to stay the same. Orientation would be such that this would give us a strong enough base, if adopted by City Council, that we could say that is not an appropriate place for a business; this is a good single-family neighborhood; we want you to go elsewhere.

DEL BEAVER: I would also strongly recommend to the Planning Commission that because of existing R1C and R1B Zoning in this area, that the Planning Commission be quite firm in looking at rezones and specifically request for things like planned development rezones, as opposed to flat zones which have accompanied with them a large amount of uses by right, which may or may not be appropriate for a particular area. Everyone has the right to petition for rezone, but I don't believe the Planning Commission would be amiss to request them to come back with some kind of a planned zoned in that area because it does interface a residential community. This would hopefully alleviate some of the negative impacts that would be created.

JANINE RIDER: One of the main reasons we did this in the first place was that in the recent past, we have had so many petitions

coming forth dealing with land in this area, and we haven't had anything to stand on except our own "gut" feelings. And you say, "That just isn't right, that's going to hurt that area". But last month we let someone do something similar just a couple of blocks away, so what are we going to do? To just go on "gut" instincts, one at a time, just didn't make much sense or seem fair to everybody.

BLANCH VAN ZANTE, 805 Glenwood: If this hypothetical person or corporation comes and wants the zoning changed, what right do we have. All we can do is to say we don't want the zoning changed. If the whole neighborhood does not want the zoning changed, then what's going to happen?

JANINE RIDER: Your present zoning is R1C. First of all we are supposed to grant a rezoning for one of three reasons:

- 1) If the neighborhood has changed enough that the present zoning is no longer appropriate
- 2) If there is not enough of a particular zoning in the city, and it is, therefore, necessary to create some somewhere.
- 3) If the zoning was wrong in the first place.

With time, things may change in that neighborhood - that one of the first two reasons might apply. But those should be looked at very carefully. If a certain number of neighbors in a neighborhood object to a change in zoning twenty percent within one-hundred feet, the zoning cannot take place.

DEL BEAVER: The City Council is hard pressed to grant zoning decisions in situations where you're opening up an area to a new zone when a majority of people show up in opposition to it. They are elected to serve the people; when the people do voice an opinion, they are listened to. I've been to several City Council meetings and this is the case.

FLORENCE GRAHAM: I think that all of us on the Planning Commission are single-family residential, and I feel we are very responsive to the feelings in residential neighborhoods.

BILL RUPPERT asked exactly what R1C meant.

DEL BEAVER explained.

NO FURTHER COMMENTS.

ITEM #14:

DEL BEAVER: Due to the Mesa College Master Plan not being adopted

by all bodies at this point, and due to the fact that all changes in this area would have to occur under a rezoning, and due to the fact that there were a great deal of problems and upset with the folks living in the area, I would respectfully request that Item Fourteen (#14) be deleted from consideration of the policy statements.

JANINE RIDER asked if there would be any objections from the public if Item Fourteen were deleted.

There were no objections.

ANITA JOHNSON: On the master plan that the College has, how effective or consuming is this Master Plan? In other words, for them to move in the direction they want to move, do they have to request all kinds of changes in zoning?

DEL BEAVER: They will, yes. They will have to have the master plan adopted and officially recognized by the city, and they will have to have rezonings.

ANITA JOHNSON: Is it their intentions to do this?

DEL BEAVER: This is unclear at this point. We will be meeting with them. You will have an opportunity to express yourselves whenever it comes before the City Council for adoption into the city's master plan.

VIVIAN BROWN: I live on Glenwood, on the southside. There are these vacant lots across the street from us. Has somebody wanted them for some specific reason?

DON WARNER: They're R1C, and there haven't been any proposals for them.

VIVIAN BROWN: At one time there was a beautiful lawn there and some big trees and houses, and all of a sudden they were moved off. Now it looks terrible. All the trash from North Avenue can blow right across onto it. I wonder why there can't be a fence along the alley to shield the residential area.

DON WARNER: You can't require a fence.

DEL BEAVER: Again, if there are nuisance things, call Charles Teed; he can channel them to the correct agency.

ELLEN BRITT: It seems to me that the proposed policy is trying

to promote consistency in development which I feel is highly desirable in our growing community. There are bound to be changes that not everybody likes, but I think adopting some sort of consistent policy, and taking into consideration everybody's feelings is very commendable on your part.

The Commission all thanked the citizen for her kind words.

CONNIE MCDONOUGH: For the purpose of clarifying all of this, I felt I needed to explain when and to what degree that these policies might come into play, if adopted by City Council because I don't want everybody to leave here thinking that the next time somebody starts digging a hole, they're going to have to conform with these policies, because that may not be true. The amount of influence that these policies will have will depend on the type of petitioner and what they want to do. There are existing zones in this corridor which are there, and permitted uses are already established, and they can come in and request a building permit, and build a building. That's a permitted situation that is not going to be reversed because of the adoption of the policies. There is little influence of these policies in that type situation. It's really just an informal encouragement through the Department and the Building Inspection process to encourage them to design their sites as close to these policies as possible. If they refuse, there is no legal ability to stop them from refusing. The next level is Conditional Uses: If there is a petition for a conditional use within these zones, we have a hearing on it and the adjacent neighbors would be notified of it by a sign on the property and/or a legal ad in the paper. In that case, conditional uses are considered allowed if there are no negative impacts on the area, but we do deal with the site plan specifically. So we can have the policy come into play in the design of that site plan such as not letting things orient on Glenwood and Belford such as this policy discourages. If there is a petitioner desiring a rezone, the decision of the Planning Commission and the City Council should be in accordance with this policy. The biggest influence of this policy is in the area of rezoning property. If this policy is adopted, the Planning Commission or the Council should not defeat a policy unless there is proper justification for doing so. If that were the case, then perhaps the policy should be reevaluated, because it may be outdated. There is one more hearing on these policies. You will not receive further notification except by legal ad in the newspaper. This will be before the City Council on November 15. PLEASE COME!

JANINE RIDER: Did you appreciate receiving the postcards in the mail, and the opportunity to attend the meeting last night and this one tonight. Is there something we could be doing that we are not?

BLANCH VAN ZANTE: There was a comment made last night that some of the people at the meeting had not had access to the information. If they had gone to the Planning Department, they could have obtained the information but they didn't know that they could. The feeling last night was that people should have a little bit more time to think about it.

OLIVER: If these fourteen items could have been made available at the same time as the postcard, it would have been helpful. I found it was available because I went to the Planning Department office through the contact of a friend. I wish to congratulate you for a project well taken care of and in trying to find the feelings of the neighborhood, and trying to do the best you could to pacify the desires of the people in this manner...of trying to retain in this particular area the living conditions that we have enjoyed these thirty (30) years, ourselves.

The Planning Commission thanked Mr. Oliver for his remarks.

DEL BEAVER stated that he felt the Planning Commission could make one motion to adopt items one through thirteen as amended.

Closed public hearing.

SIMONETTI/PICKENS UNANIMOUSLY PASSED A MOTION TO RECOMMEND ADOPTION OF THE NORTH AVENUE CORRIDOR POLICY STATEMENTS AS AMENDED, WITH THE DELETION OF ITEM FOURTEEN.

A NOTE FROM THE STENOGRAPHER: Regarding public input on the North Avenue Policy Statements, the above quotations are complete; there were no further comments regarding any of the fourteen (14) items than as stated herein.

- HEARING RECESSED AT 9:30 P.M. AND RECONVENED AT 9:40 P.M. -

8. #113-78 EASTER MINOR SUBDIVISION

Petitioner: John E. & Ethel L. Easter. Location: South of Cheyenne Drive, east of Laguna, off Mountain View.

Opened public hearing.

DEL BEAVER stated that, although the petitioner was not in attendance, he felt this item should be heard. He stated that he was sure circumstances beyond the petitioner's control must have prevented his attendance.

JIM PICKENS stressed his reluctance to act upon this item without the presence of the petitioner. He reminded the Commission of their policy to not hold a public hearing on any item without the petitioner's being in attendance. It was his opinion that, if the petitioner did not consider the matter of enough importance to attend, the Commission should not consider it.

DEL BEAVER stated that he felt the policy was a good thing to have; however, that it should not prevent the Planning Commission from making an exception when it seems warranted. He added that he would only make this request for a minor subdivision or a revocable permit.

CONNIE MCDONOUGH felt the Planning Commission should put the staff on the line; and word the motion such that if a problem should exist with the motion, the proposal must be reheard before the Planning Commission before being presented to the City Council.

JIM PICKENS agreed that this might be the correct procedure; however, he wished to have everything in writing; i. e., staff comments, the motion, etc., for review by the petitioner. The petitioner would have to make written approval which would become a part of the permanent file.

FLORENCE GRAHAM stated that she felt the Commission should not hear the matter if the petitioner did not care enough about it to attend or to offer his reason for being absent.

CONNIE MCDONOUGH reminded the Commission that, because it was a holiday, the office had not been open to receive any telephone calls. Therefore, the petitioner may have tried to contact the staff to state his reason for not being able to appear for the hearing.

It was agreed, by consensus, that all comments and the motion should be presented for written approval by the petitioner. If there were any problems with the comments and/or the motion, the petitioner must appear before the Planning Commission before the matter could be presented to the City Council.

DEL BEAVER introduced the request, located the area on the map, and read review agencies' comments. Regarding item two of the City Engineer's comments, Mr. Beaver stated that he would prefer to request that part of a radius be dedicated or considered for a cul-de-sac at some point in time. He added that Mr. Rish, City Engineer, and the petitioner had both agreed to this.

Asked for proponents. (NONE)

Asked for opponents. (NONE)

DEL BEAVER made the five-point recommendation as stated in the motion.

Closed public hearing.

PICKENS/SCHOENBECK UNANIMOUSLY PASSED A MOTION TO RECOMMEND THE MINOR SUBDIVISION BE APPROVED SUBJECT TO THE FOLLOWING:

- 1) written approval by the petitioner regarding all comments herein and the motion/stipulations.
- 2) appropriate easements for Public Service be provided
- 3) petitioner shall dedicate right-of-way in accordance with desires of city engineer for partial cul-de-sac
- 4) drainage easement should be obtained to insure the drainway would never be filled or obstructed
- 5) power of attorney for half street improvements for Cheyenne as well as the cul-de-sac

COUNTY ITEMS:

1a. #C105-78 J & J SUBDIVISION

Petitioner: Jon Abrahamson. Location: Northeast corner at 29-1/2 Road and North Avenue.

DEL BEAVER presented staff comments and stated that the item is for Planning Commission information only.

JANINE RIDER suggested changing the future agendas concerning county items. She felt the items requiring action by the City Planning Commission should be listed first followed by information only items.

2a. #C87-78 VILLAGE NINE FILING #3

Petitioner: Village Nine Limited. Location: Between B-1/2 and C Roads and between 27-3/4 and 28-1/4 Roads.

DEL BEAVER stated that this item is for information only. He stated that 28 Road is now through, and that the sewer lines may be changed from six inch to eight inch. Access from Lynwood to adjacent subdivision was acquired to permit cross traffic as well as pedestrian access into Burk's Blue Estates in the Quincy Lane area.

3a. #C109-78 SIERRA VISTA - Final

Petitioner: Clymer Ranch & Livestock Company (Dudley Clymer). Location: Southeast corner of 27 and B Roads.

DEL BEAVER stated that this item is for Planning Commission information only. He stated that the requested street name changes had been accomplished. He stated that the stipulation requiring either desert landscaping or irrigation water be provided is not yet accomplished.

4a. #C175-78 COLANWOOD SUBDIVISION - Preliminary

Petitioner: Leonard & Barbara Collins, Ethan & Ruth Annis. Location: South of F Road approximately 300' west of 29-1/2 Road.

DEL BEAVER presented staff comments. He said everybody concerned was pleased with the present plan. He stated there would be fewer streets, more lots, more accessibility, and a better layout.

DEL BEAVER suggested the Planning Commission state their comments regarding advisability of joint development and the appropriateness of what staff proposes the preliminary will present.

SCHOENBECK/PICKENS UNANIMOUSLY PASSED A MOTION FOR POSITIVE CONSIDERATION OF A JOINT SUBDIVISION LAYOUT BETWEEN THE SING PROPERTY AND THE COLLIN PROPERTY IN THE MANNER PRESENTED

5a. #C179-78 BOOKCLIFF SUBDIVISION - Preliminary

Petitioner: Robert Torbet. Location: North of Orchard Two-hundred feet (200') east of 29-1/4 Road.

DEL BEAVER introduced the proposal and presented staff comments.

JANINE RIDER felt this was a good place to propose sidewalks on both sides of the street.

SCHOENBECK/GRAHAM UNANIMOUSLY PASSED A MOTION FOR POSITIVE CONSIDERATION SUBJECT TO THE INCLUSION OF SIDEWALKS ON BOTH SIDES OF THE STREET AND SUBJECT TO MESA COUNTY COMMISSIONERS' COMMENTS.

6a. #C141-76 FORESIGHT PARK FOR INDUSTRY - Preliminary

Petitioner: Industrial Development. Location: Northeast corner of 25 & F Roads.

DEL BEAVER introduced the request, located the area on the map, and presented Mesa County Commissioners' comments. He stated that approval should be based on the County commissioners' comments, with the understanding that additional landscaping



and screening be provided, and that internal access be addressed.

SIMONETTI/PICKENS UNANIMOUSLY PASSED A MOTION FOR POSITIVE CONSIDERATION OF THE FORESEIGHT PARK PRELIMINARY SUBJECT TO THE FOLLOWING:

- 1) based on Mesa County Commissioners' preliminary approval
- 2) including additional landscaping and screening treatment (should progress as parcels develop)
- 3) having limited access to F-1/2 and 25-1/2 Roads
- 4) changing name of F.34 Road (because it is too similar to F-3/4 Road's name)
- 5) pedestrian access north and east

7a. #C202-78 OXBOW WEST - Preliminary

Petitioner: John Fitzgerald. Location: Northeast of 29-1/2 and F Roads.

DEL BEAVER introduced the request and stated that there has been no action on this item to date. He added that it was only submitted on September 26, 1978.

GRAHAM/SCHOENBECK UNANIMOUSLY PASSED A MOTION FOR POSITIVE CONSIDERATION OF OXBOW WEST PRELIMINARY SUBJECT TO THE FOLLOWING:

- 1) sidewalks on both sides of all streets
- 2) extension of Lowell Street to Pioneer
- 3) open up cul-de-sac to provide right-of-way to tie into Kenland Subdivision

8a. #C198-78 VILLA ESTATES - Preliminary

Petitioner: Richard Scariano and Gary Springfield. Location: Southeast of B-1/2 and 28 Roads.

DEL BEAVER introduced the request, located the area on the map, and presented staff comments.

GRAHAM/PICKENS UNANIMOUSLY PASSED A MOTION FOR POSITIVE CONSIDERATION OF VILLA ESTATES PRELIMINARY SUBJECT TO MESA COUNTY COMMISSIONERS' RECOMMENDATIONS AND SIDEWALKS ON BOTH SIDES.

- MEETING ADJOURNED AT 10:50 P.M. -