

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

January 30, 1979

The meeting for the month of January was called to order at 7:30 p.m. by Chairperson JANINE RIDER. The following Planning Commission members were present: VIRGINIA FLAGER, JIM PICKENS, FRANK SIMONETTI, BILL MIKESELL, DALE SCHOENBECK and FLORENCE GRAHAM.

CONNI McDONOUGH, Planning Director; DEL BEAVER, Senior City Planner; KARL METZNER, Planner; DON WARNER, Planner Analyst; and KAREN MAHER, Stenographer, were also present. There were approximately 25 interested citizens in the audience.

1. SCHOENBECK/FLAGER/PASSED 7-0/A MOTION TO APPROVE THE MINUTES OF THE DECEMBER MEETING.

4. #1-79 WRIGHT SUBDIVISION - Preliminary
Petitioner: William & Donna Wright. Location: North of Cheyenne Drive approximately 250' West of Acoma Court. Request for a six lot subdivision on 3.3 acres.

Janine Rider read the request and opened the public hearing. Del Beaver and Karl Metzner outlined the location of the parcel for the Planning Commission. Karl Metzner called attention to the Review Sheet comments.

Ed Carpenter of Plateau Engineering, representing the petitioners, stated there would be no reason for any retaining walls because the ground is level up to the boundary line. Mr. Carpenter added that the petitioner would provide a setback of 25 feet from the property line and would place structures no closer than 40-50 feet from the actual top of the river bank. As to sidewalks, Ed Carpenter and William Wright stated that there were no sidewalks in surrounding subdivisions and, in order to fit in with the area, the petitioners did not intend to provide sidewalks in their subdivision.

Janine Rider asked for comments from the audience. Tony Tysdal, 334 Acoma Court, asked Ed Carpenter why retaining walls could not be built. Mr. Carpenter responded that there would be no reason to build a retaining wall and that if the Planning Commission wanted a restriction against retaining walls, that's fine with the petitioners.

Candy Clark, 331 Acoma Court, asked what type of homes would be built on the property. Ed Carpenter responded that they would be single family residences.

Janine Rider closed the public hearing.

Florence Graham: I think we should have sidewalks.

Bill Mikesell: As I understood Mr. Carpenter, sidewalks are uncommon to the general area.

Del Beaver: Sidewalks are uncommon to all of Orchard Mesa. Recent developments, however, have been requested to put sidewalks in.

Janine Rider: There are good reasons to have sidewalks, even if they don't go anyplace at present.

Virginia Flager agreed with the comments about sidewalks. She also stated she was concerned about setbacks from the river and suggested a covenant to prohibit retaining walls on the property.

FLAGER/MIKESELL/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS; THAT CURB, GUTTER AND SIDEWALK BE PUT IN AS REQUESTED BY THE CITY ENGINEER; AND THAT NO RETAINING WALLS BE PERMITTED ON THE PROPERTY.

5. #2-79 WIMER SUBDIVISION (MINOR) - Final Plan
Petitioner: Eugene Wimer, et al. Location: 200' North of North Avenue and 150' East of Court Road. Request for a two-lot commercial subdivision.

Janine Rider read the request and opened the public hearing. Del Beaver outlined the location of the parcel for the Planning Commission and called attention to the Review Sheet comments.

Ted Wing of Armstrong Engineers, representing the petitioner, stated that the petitioner was in agreement with the power of attorney requested by the City Engineer.

Janine Rider asked for comments from the audience. There were none. Janine Rider closed the public hearing.

Bill Mikesell: I am concerned about access into the property. The street shown to the north, is that a practical street?

Del Beaver: There are areas to the north and east that need to be opened up, so this road is a need in that area.

In response to questions from Planning Commission members, Del Beaver pointed out there would be access from the west once the Omega planned development was 60% completed.

SIMONETTI/FLAGER/PASSED 6-1(MIKESELL VOTING AGAINST)/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

6. #3-79 REZONE R-3 to PD-B and PRELIMINARY DEVELOPMENT PLAN
Petitioner: Jon Abrahamson. Location: Southwest corner of First Street and Mesa Avenue. Request for residential planned development on .9 acres for townhouse units.

Janine Rider read the request and opened the public hearing. Del Beaver outlined the location of the parcel for the Planning Commission and called attention to the Review Sheet comments.

Jon Abrahamson, the petitioner, expressed reluctance to provide a southern access onto First Street because it might disrupt the privacy of the residents and encourage outside traffic to use such access to bypass the stop sign on Mesa Avenue. Mr. Abrahamson agreed to move the buildings further toward First Street

and to vary the appearance of the front of the buildings with false balconies and landscaping, among other things.

Janine Rider asked for comments from the audience. Alex Candelaria, 1616 Balsam Court, stated his objection to the straight line design of the building, suggesting the front should be staggered. Mr. Candelaria added that traffic should be permitted to circulate through the property from Mesa Avenue to First Street, and not limit ingress and egress to the Mesa Avenue access. Janine Rider noted that Alex Candelaria's comments were contained in a letter addressed to the Planning Commission. (See letter in file.)

In response to a question from Rae Torfin, 236 27 Road, Del Beaver explained the PD-B zone. Tony Tysdal, 334 Acoma Court, asked whether the Planning Commission has authority to grant variances to setback requirements, and Del Beaver answered that in planned developments they do. David Fricke, 1605 Spruce Court, expressed his concern about potential traffic problems and noted that the proposed building would be 35 feet high in an area of single level residential homes.

John Quest remarked that the Planning Commission's parking standards require 24 feet between stalls for 90-degree parking, while the development plan allows only 20 feet. Mr. Quest suggested that the building be moved further toward First Street to allow four or five extra feet for parking in the back.

Jon Abrahamson and the Planning Commission discussed possible ways of varying the appearance of the front of the building. Jon Abrahamson circulated a brochure describing the proposed development.

Ted Wilgenbusch, 603 Lawrence Avenue, stated that the appearance of the building as shown in the brochure would enhance the neighborhood. He added that a drive-through access would not be desirable because junior high school students would take short-cuts through that parking lot.

Erma Candelaria, 1616 Balsam Court, stated that while the petitioner was within his rights in proposing a 35-foot-high building, the residents to the west would be deprived of morning sun. Alex Candelaria, 1616 Balsam Court, also requested that the petitioner reconsider the name French Quarter.

Janine Rider closed the public hearing.

Del Beaver: It is imperative that we accommodate emergency vehicles. If it can be accomplished without the drive-through, that's fine. It is out of the hands of the Planning Staff and squarely in the hands of the Police and Fire Departments to determine what their needs are. As far as staggering on the buildings, large expanses can be broken up with treatments, landscaping, et cetera, but the petitioner will have to prove it to us.

FLAGER/PICKENS/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE REZONE.

FLAGER/MIKESELL/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PRELIMINARY DEVELOPMENT PLAN, SUBJECT

TO STAFF AND REVIEW SHEET COMMENTS; SUBJECT TO TEN-FOOT LESS SETBACK FROM FIRST AVENUE IF PETITIONER STAGGERS THE BUILDINGS OR FIVE FEET LESS IF PETITIONER DOES NOT STAGGER THE BUILDINGS, IN ORDER TO PROVIDE A WIDER DRIVEWAY IN THE BACK; SUBJECT TO PETITIONER COORDINATING WITH THE POLICE AND FIRE DEPARTMENTS WITH RESPECT TO A POSSIBLE DRIVE-THROUGH ACCESS FROM MESA AVENUE TO FIRST STREET, POSSIBLY USING A CRASH GATE; AND SUBJECT TO PETITIONER WORKING WITH PLANNING STAFF BEFORE FINAL APPROVAL WITH RESPECT TO DETAILED PLANS FOR EXTERIOR TREATMENT AND LANDSCAPING OF THE UNITS.

7. #4-79 BULK DEVELOPMENT - Grand Junction Housing Authority Project.

Petitioner: B.B. Anderson Development Company, Inc.
Location: 1104 Bookcliff Avenue. Request for HUD Financed Housing Project in an R-3 (multi-family) zone with 25 units on 1.8 acres.

Janine Rider read the request and opened the public hearing. Del Beaver outlined the location of the parcel for the Planning Commission and called attention to the Review Sheet comments.

Del Beaver: There is a fencing request that you don't see here. We would like to see this property fenced. The parking requirements can be met if the courtyard is developed as parking. If this were treated as a multi-family development, they would exceed the parking requirement, but because they are duplexes and require two spaces per unit, it is a bit shy.

Blake Chambliss, representing the Housing Authority, outlined the development plan for the Planning Commission.

Virginia Flager expressed disapproval of family housing located so close to senior citizen housing, and requested a six-foot fence be placed around the property. Florence Graham stated that senior citizen and family housing developments were not necessarily incompatible.

Frank Simonetti asked for a profile of the typical family expected to live in these units. Blake Chambliss stated that he could not provide one at this time, but that the income limits proposed could allow firemen, policemen, school teachers, and people from all backgrounds to live there. Janine Rider asked if the units would be rented or sold, and Blake Chambliss answered that they would be rental units. Responding to further questions from the Planning Commission, Blake Chambliss stated that the Housing Authority would own and maintain the development.

Janine Rider asked for comments from the audience. Doug Fassbinder, 3005 Hill Court, pointed out that there were maintenance problems with the HUD housing behind Teller Arms. Blake Chambliss noted that the Teller Arms project is owned and maintained by the developer, while HUD-owned projects remain well-kept.

Bud Brakey, 1655 La Veta, representing the owner of property contiguous to the subject parcel, stated that the piece of property north and west of the subject parcel would be landlocked if the request is approved. Del Beaver responded that access to Mr. Brakey's property would not come across the subject parcel.

John Quest: Our clients own the property north and west, adjacent to Little Bookcliff. We have begun development drawings and have committed to providing a through street by extending 11th Street and connecting it with Wellington. There will be access to this gentleman's property there.

Del Beaver: Staff would recommend approval subject to Review comments and the fencing suggestion. Staff would also observe that this development should provide a good housing mix and would not be inappropriate in the area.

Janine Rider closed the public hearing.

MIKESELL/SIMONETTI/PASSED 6-1(FLAGER VOTING AGAINST)/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE BULK DEVELOPMENT, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS AND THE USE OF A PRIVACY FENCE.

8. #5-79 ZONING OF ANNEXATION TO PD-20 AND PRELIMINARY DEVELOPMENT PLAN

Petitioner: Sundance Builders. Location: South of Patterson Road, 1000' West of 29 Road. Request for residential planned development for 14.08 residential units/acre consisting of 118 units on 8.38 acres. Area is proposed for annexation to the City of Grand Junction.

Janine Rider read the request and opened the public hearing. Del Beaver outlined the location of the parcel for the Planning Commission.

Del Beaver: I urge you strongly to keep in mind what makes a livable environment and not get hung up on the number of dwelling units per acre. The present zoning is County R2.

Conni McDonough: The whole area is transitionizing upward.

Del Beaver: Staff has discussed with the petitioner relocating several units in order to provide more open space.

Del Beaver called attention to the Review Sheet comments, especially Police Department and City Engineering. With respect to City Traffic and City Engineering comments concerning guest parking, Del Beaver noted that the petitioner could alter his plan in several ways to comply with the comments and is willing to work the problem out. Del Beaver also stated that the petitioner would be looking carefully before Final Approval at whether or not to stub in roads to the east and west of the parcel.

Janine Rider asked if the Comprehensive Team comments about housing units thrust up against property lines were valid. Del Beaver responded that because of a 15-foot drainage easement running along those property lines, the units could come no closer than that 15 feet to the property line.

In response to questions from Florence Graham, Del Beaver outlined the proposed parking plan.

Jim Tepley of Associated Architects, representing the

petitioner, outlined the development plan for the Planning Commission. In answer to a question about rentals, Jim Tepley indicated there might be one investor purchasing a four-plex and renting out the other three units. The single condominium units, however, would be sold to individual purchasers. Mr. Tepley went on to state that the petitioner would relocate several internal units to allow greater open space, and would relocate the guest parking spaces. He also noted that the larger density condominium units would look out into the recreational areas, while the single private units will have their own backyards.

Del Beaver: Staff would recommend approval subject to Review comments and the reorganization of the structures and the re-examination of stubbing of streets and the relocation of guest parking facilities. Staff feels comfortable with this site plan. It is a good one. It addresses needs of people rather than just the needs of automobiles and other things. It shows private spaces and addresses a broad mix of planned development units.

Jim Pickens: If this access street onto F Road comes out directly across from Indian Village, I want to make sure we don't have a jog in the intersection crossing.

Virginia Flager: Concerning this Comprehensive Team statement, evidently somebody had a deep concern about protection of neighboring parcels.

Del Beaver: Bob Kettle had a concern about the neighboring parcels, but this can be mitigated in the 15 feet provided.

Responding to Planning Commission questions, Del Beaver outlined the location of the subject parcel in relation to surrounding parcels.

Janine Rider asked for comments from the audience. There were none. Janine Rider closed the public hearing.

Virginia Flager: This is a long, narrow strip that is not properly addressed east, west, or anything else.

Del Beaver: In this area you have a number of long, narrow parcels. It is going to be difficult to treat them unless you get somebody somehow to buy up an entire block of these parcels. As far as addressing internal circulation, I don't think you can address circulation better than it has been addressed here.

Florence Graham: I believe this is a good mixture and a good plan, but otherwise it's quite ordinary.

Virginia Flager expressed her concern that allowing development on long, narrow parcels would set a bad precedent for the future. Conni McDonough explained the history of such narrow parcels for the Planning Commission and admitted that they presented unique development problems, but added that the Planning Department was working to find solutions for those problems.

Frank Simonetti and Jim Pickens expressed concern about narrow no-parking streets, but added that widening the streets would only invite people to park on them.

Bill Mikesell: I think this is an excellent development design for this tract of land. About long, narrow strips, I think we have to think about east-west access. That's the only way to connect all those strips.

GRAHAM/MIKESELL/PASSED 5-2(SIMONETTI & FLAGER VOTING AGAINST)/
A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF ZONING CHANGE TO PD-20.

MIKESELL/SCHOENBECK/PASSED 5-2(SIMONETTI & FLAGER VOTING AGAINST)/
A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE DEVELOPMENT PLAN, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

SCHOENBECK/PICKENS/PASSED 5-2(SIMONETTI & FLAGER VOTING AGAINST)/
A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE SUBDIVISION PLAN, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

9. #6-79 REPLAT OF LOT 15 OF APPLCREST SUBDIVISION -
FINAL REPLAT AND AMENDED PD-8 FINAL PLAN
Petitioner: G.S. And N. Partners. Location: Northeast corner of Applewood Street and Applewood Place. Request to amend approved final plat for 14 condominium units to 10 single family units on 3 acres in existing PD-8 zone.

Janine Rider read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission and called attention to the Review Sheet comments.

Chris Gray: I represent the petitioner. On Monday I discussed the fire hydrant situation with the Fire Department and they have verbally accepted the existing fire hydrant location as adequate for 10 single family lots. We have given the required easements to Public Service and we are working with Ute Water and City Engineering on the water line size.

Jim Pickens: Why the request to change?

Chris Gray: The developers felt that the market had changed considerably and were not interested in condominiums.

Janine Rider asked for comments from the audience. There were none. Janine Rider closed the public hearing.

FLAGER/SIMONETTI/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE AMENDED DEVELOPMENT PLAN IN THE FORM OF A REPLAT.

10. #127-78 REZONE R-1-A to PD-8 SPRING VALLEY TOWNHOMES
PRELIMINARY PLAN
Petitioner: Ben E. Carnes. Location: Northwest corner of Patterson Road and 28 Road. Request for planned development townhouse concept consisting of 108 units on 13.57 acres in existing R-1-A zone (single family residential, 4 dwelling units per acre.)

Janine Rider read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission and called attention to the Review Sheet comments.

Del Beaver: This is a good layout for the density proposed. It will have to be decided by Council whether these are public streets or private roads.

Paul Barru, representing the petitioner, stated that the petitioner had no objection to putting a single access at the end of the project and making it wider with a divided median. Mr. Barru added that the project would be totally fenced, with the exception of one section to the northeast adjacent to a City park. Paul Barru assured the Planning Commission that the Review Sheet comments could be complied with.

In answer to Florence Graham's question about landscaping and privacy, Paul Barru noted that the Parks Department's representative had not noticed the fencing proposed for the development and, therefore, those particular comments were not pertinent.

Jim Pickens asked what City Fire and Police liability would be if this development had private roads, and Del Beaver answered that those problems can be mitigated through proper easements being granted by the petitioner. Paul Barru added that the petitioner had agreed that the road section would meet City standards.

Del Beaver: We have kicked around the public-private street question a number of times. City Engineer Ron Rish had a question as to who determines whether or not it will be built to City standards, especially if that is a requirement. We will be bringing that question before the City Council. Whether the Council will direct City Engineering to determine whether or not it is to City standards, whether they will take the engineer's word for it or whether they will ask for an outside opinion, but that question also then comes up if it is to be private streets to City road standards. It is not an unworkable situation. It has to be taken care of.

Karl Metzner: We met with the petitioner this afternoon and decided that the specific landscape treatment along Patterson Road would be addressed at Final Approval.

Janine Rider asked for comments from the audience. There were none. Janine Rider closed the public hearing.

PICKENS/SCHOENBECK/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE REZONE.

PICKENS/SCHOENBECK/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE DEVELOPMENT PLAN, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

11. #132-78 REZONE TO PD-8 AND A PRELIMINARY DEVELOPMENT PLAN FOR CRESTVIEW

Petitioner: Henry T. Faussone, Noel B. Norris. Location: Between 15th Street and 27½ Road, south of F½ Road (Ridge Dr.) Request for zoning to residential single family and multi-family on 18.206 acres at 8 dwelling units per acre. Area is proposed for annexation to the City.

Janine Rider read the request and opened the public hearing.

Del Beaver outlined the location of the parcel for the Planning Commission and called attention to the Review Sheet comments, specifically the January 10 and January 23 comments from City Engineer Ron Rish.

John Quest: I represent the petitioner. With respect to Ron Rish's comments about the sidewalks, we indicated on the plat that there will be pedestrian walkways provided in all the open spaces, which will interconnect with the sidewalks we do indicate as part of the street improvements. The parcel to the east we have left undeveloped at this point in time until we find out what adjacent property owners might be planning. The intent of the lake is to provide irrigation water for this subdivision.

Janine Rider asked for comments from the audience.

Bill Foster: When you talk about putting small parcels of land together, this is the type of plan that is logical. It is the function of a planning commission to address problems of an overall area and encourage plans like this, and not just approve each piece individually. Also your County Planning Commission spent a lot of time about not transferring and speculating in densities. The City would be well-advised to look at the same thing to prevent people from selling the zoning.

Del Beaver: We recommend approval subject to Review comments and linkage of the pedestrian system. You might want to consider gambuzzi fish to eat the mosquito larvae.

Janine Rider closed the public hearing.

SIMONETTI/MIKESELL/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE REZONE.

SIMONETTI/MIKESELL/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PRELIMINARY DEVELOPMENT PLAN, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

12. #108-78 PROPOSED ADDITION TO NORTH AVENUE POLICY STATEMENT
Petitioner: Grand Junction City Council. Location: North Avenue Corridor. Proposed addition to Policy Statements adopted November 15, 1978 stating that no additional drive-up uses be allowed on North Avenue from First Street to 29 Road.

Janine Rider read the request and opened the public hearing.

Del Beaver: I am going to present this request for the City Council and I am going to do it in an objective manner. It should not be accepted by you as necessarily coming as a recommendation from Staff.

Del Beaver read the City Council presentation verbatim.
(See document in file.)

Del Beaver: The reasons for the request coming before you, as I understand it, are as follows: Traffic congestion on North Avenue and the resulting impacts, lack of demonstration of apparent need for the use and the suitability of the location for the use. The policy statement refers to all drive-up uses, such as Fotomats,

dry cleaners, A & W's and Sonic Burgers if they front on North Avenue or take their access from North Avenue. They would not necessarily be allowed elsewhere either. They would have to prove themselves under the Conditional Use process.

Bill Mikesell: I personally think that it is unfair to make a blanket policy statement for such a large area. The main problem is a design consideration. Therefore, this should be done on a case-by-case basis.

In answer to questions from the Planning Commission, Del Beaver pointed out that the amended policy statement would cover all drive-up uses, not just drive-up windows.

Janine Rider asked for comments from the audience. Jim Tepley asked if the amended policy statement would include depositories for Goodwill, Salvation Army boxes, Boys' Club newspaper collections, et cetera. Del Beaver remarked that Section 5.1 of the Zoning Ordinance defines a drive-in business as one where people drive to a specified area where their needs are served while they remain in their automobiles. Therefore, drop-off stations such as described by Mr. Tepley should not fall into that category.

Howell Robinson, Executive Vice-President with Arctic Circle in Salt Lake City, stated that he strongly opposes the potential policy. Mr. Robinson distributed to the Planning Commission a document reflecting recent financial losses by the Grand Junction Arctic Circle. Mr. Robinson added that the Arctic Circle, in Grand Junction for 17 years, would likely be out of business within six months because of the tremendous competition in the area.

Bill Foster, representing Dusty's, stated that the blanket moratorium bothered him because it did not take into consideration past policies. Mr. Foster noted that the developers of Dusty's had followed every guideline governing a drive-up window, had even secured a Planning Commission recommendation for approval, and were now faced with this policy amendment. He stated further that it seemed unfair that a newcomer like Arby's is granted a drive-up window while a longtime resident like Arctic Circle is denied that drive-up window. Bill Foster added that this policy statement comes too late because the character of North Avenue had been established many years prior. Mr. Foster concluded by recommending that the City continue to address drive-up use requests on an individual basis.

Richard Welch, representing Burger King, stated that Grand Junction is growing and would continue to have traffic problems on North Avenue with or without the proposed policy amendment. Mr. Welch noted that the First Street Burger King has a drive-up window which seems to work well, while the North Avenue Burger King without the drive-up window dropped 35% in sales in one year. Mr. Welch stated that requests should be heard on an individual basis.

Candy Clark, 331 Acoma Court, requested that the Planning Commission consider potential air pollution problems in reaching their decision.

Conni McDonough suggested that the Planning Commission

might charge the North Avenue Association with investigating problems, resolving conflicts and setting guidelines for the future with respect to drive-up uses.

Del Beaver called attention to the Review Sheet comments.

Richard Welch: As far as the ecology is concerned, there are only a few times during the day when you would have stacked lines with cars backed up. I don't think that would cause much of a problem.

Bill Foster: If there is going to be a decision on this recommendation, it should not be effective at this point, changing from white to black.

Janine Rider closed the public hearing.

Janine Rider: Perhaps the question is not how many people are at drive-up windows but how deeply they are attacked up.

Dale Schoenbeck: I don't think the impact on North Avenue is going to change that much.

Florence Graham: I would like to have more concrete information. I think we should give this more consideration.

Janine Rider: The best possible action might be to turn down this proposal and recommend further study to develop a new and different policy statement, maybe for the whole city.

Jim Pickens: If we approve this proposal, it will do no more than force these businesses to other streets and other areas.

Virginia Flager: This thing is broader than anything that has been addressed here tonight. I think the term "drive-up uses" should be clarified. We should get more input from people who will be affected.

Frank Simonetti: If you close this off, we will be fighting this battle street by street.

Dale Schoenbeck: I agree, I think we need a universal proposal for the City. Perhaps we should deny this and state that we need further study of the situation.

FLAGER/SIMONETTI/FAILED TO PASS 3-4(MIKESELL, PICKENS, SCHOENBECK & RIDER VOTING AGAINST)/A MOTION TO RESERVE DECISION ON THE REQUEST.

MIKESELL/PICKENS/PASSED 4-3(FLAGER, SIMONETTI & GRAHAM VOTING AGAINST)/A MOTION TO RECOMMEND DENIAL OF THE REQUEST TO THE CITY COUNCIL, WITH THE UNDERSTANDING THAT THE PLANNING COMMISSION WILL TAKE INTO WORKSHOP THE CITY-WIDE PROBLEM OF DRIVE-IN USES AND WILL ESTABLISH CRITERIA FOR DRIVE-IN USES.

13. #7-79 PROPOSED TEXT AMENDMENT TO GRAND JUNCTION ZONING ORDINANCES

Petitioner: Grand Junction City Council. Proposed Text change to supplementary regulations and definitions section

concerning fences, retaining walls, and accessory structures.

Janine Rider read the request and opened the public hearing. Karl Metzner outlined the background of the request for the Planning Commission and read the proposed text changes into the record. (See documents in file.) Karl Metzner called attention to the Review Sheet comments.

Janine Rider asked for comments from the audience.

Tony Tysdal, 334 Acoma Court, asked who wrote the proposed changes. Conni McDonough answered that Gerry Ashby had.

Tony Tysdal: They were specifically written to prevent what happened out there from happening again, but all the proposed changes do is make what is out there legal. The retaining wall in the ordinance right now, it's an enclosing barrier. It is not an extension of his foundation or 8'-by-8' wall.

Karl Metzner: That puts it in the same definition as a fence.

Tony Tysdal: Where do you get the sideline setbacks? The only thing I can find is a sideyard requirement. Do you have a setback for accessory buildings?

Del Beaver: They are not in the definition section as such, but they are under the zoning categories.

Del Beaver, Karl Metzner, Tony Tysdal, Conni McDonough and Don Warner discussed setback definitions and requirements.

Florence Graham: This ordinance doesn't say anything at all about fences that are not manmade, such as plantings.

Karl Metzner: I'm not sure we can find the exact words for that in the ordinance. It's been a generally accepted fact that vegetative material does not fit into the definition of manmade structures, even though you plant them.

Janine Rider requested that Tony Tysdal write out recommendations for a change in the ordinance, and he responded that he would.

Janine Rider closed the public hearing.

FLAGGER/PICKENS/PASSED 7-0/A MOTION TO REFER THE TOPIC TO A WORKSHOP.

14. #8-79 PROPOSED TEXT AMENDMENT TO GRAND JUNCTION ZONING ORDINANCE

Petitioner: Staff. Proposed Text change to subdivision regulations and planned development regulations deleting reference to road and street standards.

Janine Rider read the request and opened the public hearing. Karl Metzner outlined the request for the Planning Commission.

Karl Metzner: We had wording to the effect that City standards

will apply; then it went ahead and listed certain standards. We took out the listing. We left the wording where it says it has to comply with all City street standards.

SCHOENBECK/GRAHAM/PASSED 7-0/A MOTION TO RECOMMEND APPROVAL OF THE REQUEST TO THE CITY COUNCIL.

The meeting for the month of January was adjourned at 12:45 a.m.