

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

April 24, 1979

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

KARL METZNER, Design & Development Planner; DON WARNER, Planner Analyst; and KAREN MAHER, Stenographer, were also present. There were approximately 12 interested citizens in the audience.

2. FLAGER/RIDER/PASSED 5-0/A MOTION TO TABEL APPROVAL OF THE FEBRUARY 27, 1979 AND MARCH 13, 1979 MINUTES UNTIL THE NEXT MEETING.

3. # 33-79 DEVELOPMENT IN H.O. ZONE - Rocky Mountain Watersports (Addition)

Petitioner: Andrew Peterson. Location: Southeast corner of Cannon Avenue and Highway 50. Addition to approved structure.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, pointed out details of the development plan, and called attention to the Review Sheet Comments.

Karl Metzner: There is a curb cut on this property which is currently closed by a fence, and which hasn't been closed yet with curb and gutter as originally intended. We didn't get comments back from Parks and Recreation, but there is still some landscaping to be done in the southeast corner, and the corner of the intersection of Highway 50 and Cannon Avenue.

Tom Logue of Paragon Engineering, representating the petitioner, stated that the proposed structure will be used as a showroom for boats. With respect to the curb cut, Mr. Logue explained that the petitioners were expecting the City to bring in a sewer line at that point, and did not want to install curb and gutter and immediately have to tear them out for that construction. Now that that sewer is in, Mr. Logue said, that curb and gutter will be completed. Tom Logue went on to note that the petitioners make their livelihood from this business, and haven't had a chance to finish landscaping the property because they have been so busy. Also, Mr. Logue continued, there is a drainage inlet to the north of the property, and the petitioners believe landscaping might interfere with the drainage at that point. Tom Logue suggested that the Planning Commission tie the completion of the curb cut and landscaping to the issuance of a Certificate of Occupancy. Florence Graham remarked that the petitioners should hire someone to do the landscaping, if they are too busy themselves.

Frank Simonetti asked for comments from the audience. Sherwood Snyder, 294 26½ Road, stated that he owns two homes adjacent to this

property. Mr. Snyder explained that a permit had been issued for this structure, assuming it was in a commercial zone. This request followed the discovery of that error, Mr. Snyder added. Sherwood Snyder went on to say that this building will have a boxing-in effect, and he is opposed to the request because it will give special consideration to the petitioners.

In rebuttal, Tom Logue pointed out that this structure is an allowable use in the H.O. zone. In this case, the petitioners are requesting a three-foot rear yard setback instead of 15 feet. Mr. Logue indicated that the proposed site for this structure had been chosen because the visual impacts from the Highway would not be as great, and because it would allow better circulation within the site. If this building were not constructed, Mr. Logue added, that 15 feet would be taken up with boat storage anyway.

Virginia Flager: When this petitioner went into that site, we advised him that the parcel was too small for his proposed use, and explained that he could not add on if his business grew and he needed more room.

In response to a question by Florence Graham, Mrs. Peterson stated that the existing building had been there 20-30 years. At the request of Bill Mikesell, the exact location of the subject parcel and Mr. Snyder's properties were pointed out on the aerial photo. Don Warner noted that Mr. Snyder's properties are also zoned H.O.

Sherwood Snyder stated that both his houses are worth 60-80 thousand dollars, and he is concerned that someday a used car garage will be located on the subject parcel, or some other such unsightly use. In response, Mrs. Peterson stated that that site is spotless. Mrs. Peterson pointed out that there is a fence and a road between the subject parcel and Mr. Snyder's property. The proposed structure will be used to house boats so customers can look at them even in bad weather, Mrs. Peterson added. There will only be 10-15 boats on the property at one time, Mrs. Peterson stated.

Virginia Flager: We are sympathetic, but you made an agreement when you moved on to this site. Now you are changing the ball game. Should your business grow and you seek a new location, the nature of the business could change with the ownership.

Don Warner gave a short explanation of H.O. zoning, and pointed out that any change in use for this site would necessitate public hearings and plan review. Mrs. Peterson stated that the existing building cannot be used to house boats because it has only an eight-foot roof. Mrs. Peterson also said that her husband had advised the Planning Commission at the original hearing that he eventually would want to put another building on the site.

Randy Logans with J & R Builders, the contractor for this request, explained that he had assumed the subject parcel was in a commercial zone, and had secured a permit on that basis. Don Warner added that that permit had been issued on a Friday, and withdrawn on the following Monday when the mistake was discovered.

In response to questions from Frank Simonetti, Karl Metzner indicated that the proposed building will be set back 80 feet from the corner of Cannon, and there will be no blind spot from the driveway as a result of the structure.

Frank Simonetti closed the public hearing.

Bill Mikesell: H.O. zoning is primarily suited for commercial development. The general trend of the area is commercial, and that's what we should look at.

Answering a question by Janine Rider, Tom Logue stated that the height of the proposed structure will be 17½ feet at the peak, with the height of an average ranch house being 12-14 feet.

Karl Metzner: I recommend approval, subject to all landscaping and closing of the curb cut being completed prior to issuing a Certificate of Occupancy, and also requiring additional landscaping to screen the rear of the structures. With respect to the drainage inlet, the petitioner should contact City Parks and Recreation for advice on appropriate landscaping for that area.

MIKESELL/PICKENS/PASSED 4-2 (FLAGER & SCHOENBECK VOTING AGAINST) /A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, SUBJECT TO THE CURB CUT BEING CLOSED AS SHOWN ON THE ORIGINAL PLAT, SUBJECT TO ALL LANDSCAPING BEING COMPLETED, AND STIPULATING THAT NO CERTIFICATE OF OCCUPANCY BE ISSUED UNTIL THOSE CONDITIONS HAVE BEEN MET.

Dale Schoenbeck: The reason I voted no, I think in an H.O. zone the use and plan as it is originally presented for that site is the one that should be followed. We are going to continually run into problems with people coming in and wanting various types of additions, when they have already entered into an agreement with the City.

4. # 31-79 SUBDIVISION-PRELIMINARY PLAN: Little Bookcliff
Petitioner: KSSMM Investments. Location: East of Little Bookcliff Drive, South of the Grand Valley Canal, North of Bookcliff Avenue. Request for 4 lots on 7.96 acres in an R3 zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission. Karl Metzner explained a surveying error which affects the Eleventh Street right-of-way to the south of the subject parcel. Mr. Metzner stated that the proposed development could not have access to the south until that right-of-way problem is resolved. Karl Metzner went on to point out specific details in the development plan, especially with respect to alternate accesses.

In response to a question from Jim Pickens, Karl Metzner noted that if the Housing Authority dedicates 30 feet and this subdivision is approved, Eleventh Street will be 44½ feet wide, which is short of City standards, but which will provide the required 34 feet of pavement. In further discussion with the Planning Commission, Karl Metzner stated that Little Bookcliff Drive is dedicated and improved; and that an R3 zone will permit 60-65 units/acre, depending upon the

specific plan. In addition, Karl Metzner noted that there will be no access to Patterson Road from this site. Don Warner indicated that there is a proposal in the works to develop the 5.75 acre parcel to the east of this property.

Florence Graham expressed her concern about access and traffic problems in this area, Karl Metzner called attention to the Review Sheet comments.

Frank Wagner, representing the petitioner, stated that two sections of the parcel off of Little Bookcliff will be developed immediately into medical clinic facilities of some type, with the balance of the parcel to be developed later into residential. The petitioner has no idea at this time when the residential portion will be developed, Mr. Wagner said. Frank Wagner went on to explain that the extension of Wellington will be handled through a cul-de-sac, which may eventually be extended over to Bookcliff or connected with the development to the east. With respect to the Grand Junction Major Outfall Ditch, Mr. Wagner stated that the petitioner will get together with Grand Valley Irrigation and the City to determine the exact location of that ditch.

Bill Mikesell: Until the Eleventh Street right-of-way situation is resolved, I would hate for that cul-de-sac to be opened up.

Karl Metzner: Until there is another access, a turn-around will be provided. That cul-de-sac would not be moved until some other access is developed.

Frank Simonetti asked for comments from the audience, and there were none.

Florence Graham: I worry about this project because of its access problems.

Jim Pickens: What is the approximate density of Monterey Park?

Karl Metzner: Off the top of my head, I would guess somewhere around eight units/acre. Staff recommends approval, subject to Review Sheet comments and addressing the drainage outfall on the utilities composite. The final plat should specifically address the phasing of the public improvements, because of the Eleventh Street question. With the temporary cul-de-sac, we have to have some idea of what will be improved when with reference to this development.

Frank Simonetti closed the public hearing.

Bill Mikesell: Would the elimination of the cul-de-sac have to be precipitated by some action on our part?

Karl Metzner: Although it is designated as temporary, closing of that cul-de-sac would necessitate the petitioner coming back to the Planning Commission for a vacation.

RIDER/MIKESELL/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, SUBJECT

TO THE DRAINAGE BEING ADDRESSED, SUBJECT TO PHASING OF THE PUBLIC IMPROVMENTS TO BE SUBMITTED WITH THE FINAL PLAT SO THE PLANNING COMMISSION CAN BE SURE THERE WILL BE ACCESS VIA ELEVENTH STREET BY THE TIME THE LAST TWO LOTS ARE FINISHED, AND SUBJECT TO THE PETITIONER PROVIDING APPROPRIATE POWERS OF ATTORNEY.

5. # 1-79 SUBDIVISION - FINAL PLAT: Wright
Petitioner: William & Donna Wright. Location: North of Cheyenne Drive, approximately 250 feet West of Acoma Court. Request for 6 single family units on 3.13 acres in an R1C zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel for the Planning Commission, and pointed out specific details on the development plan. Karl Metzner noted that there is an existing house on Lot 3, and the survey shows there will be more than enough setback and minimum right-of-way frontage for those lots. Karl Metzner called attention to the Review Sheet comments.

Karl Metzner: At preliminary approval you requested covenants restricting building of retaining walls. The City Council dropped that requirement when they approved the request.

Frank Simonetti asked if the petitioner would like to make any comments, and the petitioner responded that he would not. Frank Simonetti asked for audience comments, and there were none.

Florence Graham pointed out that the Planning Commission had previously requested four-foot attached sidewalks, and Karl Metzner noted that those sidewalks are shown on the plan. Florence Graham also called attention to Staff's request for proper setbacks from the river. Karl Metzner said that that is no longer a concern because there are sewer and utility easements which will preclude building anything within 40 feet of that bank.

Bill Mikesell expressed concern about sloughing off of the bank in that area. Karl Metzner explained that some sloughing off is a possibility, but it would not be a major problem because of the gradual incline of that bank.

Karl Metzner: Staff recommends approval, subject to Review Sheet comments, with the exception of the Police Department comments.

Frank Simonetti closed the public hearing.

RIDER/GRAHAM/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS, WITH THE EXCEPTION OF POLICE DEPARTMENT COMMENTS.

7. # 126-78 REZONE: R1D to PD-B & FINAL PLAN & PLAT: Nisely Apartments
Petitioner: Frank Nisley. Location: Northwest corner of 28.5 Road and Elm Avenue. Request to change from single family residential uses at 7.6 units/acre to planned business use for 11 units on .7 acres.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner outlined the location of the parcel, pointed out details on the development plan, and called attention to the Review Sheet comments.

Karl Metzner: There are no changes from the preliminary plan, except addressing previous Review Sheet comments concerning utility easements.

Tom Logue of Paragon Engineering, representing the petitioner, noted that the only real change in the plan is a reduction in the original right-of-way on Elm in order to conform with City standards for Elm Avenue.

Don Warner stated that a neighbor to the north had come in to discuss the request, and had been satisfied with the proposal once she examined the plan. Frank Simonetti asked why there is no power of attorney for full street improvements for 28½ Road, and Karl Metzner explained that that road is already improved.

Frank Simonetti asked for comments from the audience, and there were none.

Karl Metzner: Staff recommends approval, subject to Review Sheet comments.

Frank Simonetti closed the public hearing.

FLAGER/PICKENS/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL OF THE REZONE TO THE CITY COUNCIL.

FLAGER/PICKENS/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL OF THE FINAL PLAN AND USES TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

FLAGER/RIDER/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL OF THE FINAL PLAT TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

8. 27-79 TEXT CHANGE - Amendment of Planned Development Regulations
Petitioner: Development Department Staff. Amendment of the Planned Development Regulations deleting a project two acre minimum area requirement, revising system of identifying the type and density, and reorganization, clarification of language and requirements, and the addition of possible uses.

Frank Simonetti read the request and opened the public hearing.

Jim Pickens: On pages 9, 11 and 12 of the Regulations, No. 2 Processing Procedures, Section A requires that the Planning Commission's written recommendation be forwarded to City Council within 35 days of the Commission's hearing. Section B, directly below, requires that within 30 days of the Commission recommendation, the City Council shall hold a public hearing. How can they hold a public hearing in 30 days if we don't make our recommendation for 35 days?

Karl Meztner: The intent is that the City Council have their

hearing within 30 days after receiving the Planning Commission's written recommendation, allowing a maximum of 65 days between the time of the Planning Commission hearing and the time of the City Council hearing.

Janine Rider: Perhaps the wording can be changed to read, "within 30 days of the receipt of the Planning Commission recommendation."

Jim Pickens: On page 12 under Processing Procedures again, under D it says, "City of Grand Junction reverses the option."

Karl Metzner: That should be "reserves."

Jim Pickens: Do we want to set a time limitation for the petitioner to resubmit?

Virginia Flager: We probably should.

Karl Metzner: It means that they are back to the beginning, must start all over. If they resubmit, it is a new project.

Frank Simonetti asked for comments from the audience, and there were none. Frank Simonetti closed the public hearing.

FLAGER/PICKENS/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL.

9. # 29-79 TEXT CHANGE - Amendment to Chapter 32, Grand Junction Code of Ordinances

Petitioner: Development Department staff. Addition to paragraph (f) to Section 1. to read as follows:

f. Time Limitation for Appeals from Planning Commission Action

Any appeal from Planning Commission recommendation for denial shall be filed with the City Council within 90 days of such recommendation.

AND

Amending paragraph h, Section 10 to read as follows:

h. Overriding Vote: In the event the City Planning Commission recommends against a change in the ordinance or map, either in whole or in part, a report thereof shall be made to the City Council. The applicant, if dissatisfied with the recommendation and report of the Commission, may appeal to the City Council if such appeal is filed within 90 days of the Planning Commission decision, and the City Council shall thereupon review the recommendation and report of the Commission. On such appeal the Council may, after public hearing for

which public notice is given, make such change in the zoning ordinance or map but only by a favorable vote of at least five members of its entire membership.

Frank Simonetti read the request and opened the public hearing.

Florence Graham: This is exactly what we decided on.

Frank Simonetti asked for comments from the audience, and there were none. Frank Simonetti closed the public hearing.

RIDER/FLAGER/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL.

11. Review of Energy Conservation Task Force Report.

Virginia Flager noted her concern over some of the Task Force recommendations, particularly with respect to high-density residential areas which, Mrs. Flager remarked, are totally contrary to the life-style in this area. Mrs. Flager questioned whether the saving of energy is worth the destruction of a way of life that half the population of the nation is migrating to this section of the country to enjoy.

Florence Graham pointed out that many recommendations in the report are already being followed by the Planning Commission in its decisions. Bill Mikesell commented that many of the recommendations, especially with respect to transportation, presume that there is an energy crisis. Frank Simonetti and Virginia Flager added that they are not convinced the energy crisis is real; that supplies will once again become plentiful when the price is high enough.

In discussing solar energy, Janine Rider noted that those homes most able to take advantage of solar energy would not be energy efficient in other ways. For example, they require unobstructed access to the sun, which implies larger lots, probably located away from urban areas, and therefore requiring a fuel-consuming vehicle for transportation to work, et cetera.

Planning Commission members discussed the benefits of offering cash refunds or tax breaks to induce consumers to save energy. Janine Rider suggested that Grand Junction provide an energy conservation consultant to advise homeowners how to save energy around the house.

Joyce Jenkins and the Planning Commission discussed the wastefulness of land fills, and brought out possible alternatives for the Mesa County area.

The Planning Commission commended the Public Energy Information office for providing a valuable service to the community, and suggested that the offices ought to be moved to a more visible and accessible location, possibly the County Library, to encourage more residents to take advantage of their service.

The first meeting of the month of April was adjourned at 10:00 p.m.