

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

May 29, 1979

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

KARL METZNER, Design & Development Planner; DON WARNER, Planner Analyst; LORI DUARTE, Planning Technician; and KAREN MAHER, Stenographer, were also present. There were approximately 20 interested citizens in the audience.

2. RIDER/MIKESELL/PASSED 5-0/A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 27, MARCH 29 AND APRIL 24, 1979 MEETINGS.

3. #119-78 CONDITIONAL USE - Drive-Up Window - Revised
Petitioner: Arctic Circle, Michael Coyne. Location: Southeast corner of North Avenue and 7th Street. Request for drive-up window on existing restaurant in a C-1 zone.

FLAGER/PICKENS/PASSED 6-0/A MOTION TO TABLE THIS ITEM UNTIL THE NEXT REGULAR MEETING, DUE TO THE FAILURE OF THE PETITIONER TO APPEAR.

4. #24-79 ROAD VACATION
Petitioner: Loran Dake. Location: Bearing Northwesterly from the intersection of Nine Iron Drive and Niblic Drive. Request to vacate an unnamed, dead-end public right-of-way.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the right-of-way, and called attention to the Review Sheet comments.

Karl Metzner: There are no existing facilities or improvements in that right-of-way, and it dead-ends a short distance from Horizon Drive.

In response to a question from Virginia Flager, Karl Metzner noted that Ron Rish's first comment assumed that continuation of the right-of-way could be required in the future. Karl Metzner pointed out that the proposed extension of G Road will open up additional access to Partee Heights, eliminating the need for a road through the subject right-of-way. At the request of Bill Mikesell, Karl Metzner pointed out the right-of-way on the overall City map.

Janine Rider noted that at the last hearing on this parcel, it was agreed that a neighborhood meeting would be held. Karl Metzner stated that that meeting was with respect to the zoning, and that the road vacation should be handled as a separate and distinct application. In answer to a question from Frank Simonetti, Karl Metzner stated that the right-of-way is presently a natural drainage. If that right-of-way were filled, it could not be used for construction purposes at all.

Loran Dake, representing the petitioner, stated that it is his understanding that the residents of that area would not favor a road being constructed on that right-of-way, which would permit Horizon Drive traffic into the residential area.

Virginia Flager: If it cannot be built upon due to the fact it is a natural drainage-way, what is the purpose of the vacation of the right-of-way?

Loran Dake: At the previous rezone hearing, we attempted to assure the residents that this right-of-way would not be used for access. To insure that situation, we filed for the vacation of the right-of-way so it cannot impact that neighborhood.

Virginia Flager: I am worried about people coming in to request to build into the right-of-way.

Don Warner: You can add to your motion that the right-of-way is vacated to be used solely as a drainage easement. Then it cannot be used for a road, and cannot be built upon.

Loran Dake: That won't interfere with our plans.

Frank Simonetti asked for comments from the audience. Nancy Dickey, 718 Niblic Drive, stated that residents of Partee Heights want this right-of-way vacated because they don't want traffic through their subdivision. Nancy Dickey went on to say that though this road vacation must be considered as a separate item, her neighborhood considers it step one in the petition for a rezone.

Frank Simonetti closed the public hearing.

Virginia Flager: Just to clarify, there is no way someone can come back and request a building permit if this right-of-way is filled in and recorded as a drainage easement?

Karl Metzner: Not without coming back before you and requesting a vacation of that easement.

MIKESELL/RIDER/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, CONTINGENT UPON THE RIGHT-OF-WAY BEING RETAINED AS A DRAINAGE EASEMENT.

5. #23-79 REZONE: R1B to H.O.

Petitioner: A.L. Partee. Location: Between Horizon Drive and Nine Iron Drive, West of Niblic Drive. Request to change from single family residential uses at 4.8 units/acre to highway oriented uses on .4 acres.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel, and called attention to the Review Sheet comments.

Janine Rider asked if a neighborhood meeting had been held, as recommended by the Planning Commission at the previous hearing. Nancy Dickey responded that a neighborhood meeting had not been held. In response to a question from Janine Rider, Karl Metzner noted that the Planning Commission can rezone less than that requested, but not more than that requested.

Loran Dake, representing the petitioner, reviewed the description of the subject parcel and the purpose of the request. With respect to the neighborhood meeting, Loran Dake stated that he had spoken with Nancy Dickey, as a representative of the neighborhood, in order to determine whether a neighborhood meeting was necessary, and how it might be accomplished. Loran Dake added that Nancy Dickey advised him of the following items of neighborhood concern: vacation of the road right-of-way, screening of the potential development site from the residential area, and protection of the bluff. Nancy Dickey gave the impression, Loran Dake said, that a neighborhood meeting was not necessary. Loran Dake read a letter addressed by him to residents who had spoken at the previous rezone hearing. (See letter in file.) In conclusion, Loran Dake stated that he cannot answer specific questions about use of the site until the petitioner has a specific project to present. Loran Dake added that the Planning Commission is in the best position to follow through and insure that problems, such as those encountered with the Ramada Inn, do not occur on this site.

In response to a question from Bill Mikesell, Loran Dake reviewed the three major objections of the neighborhood, and stated that the petitioner is still willing to have a neighborhood meeting. Answering questions from Virginia Flager, Don Warner and Loran Dake related the history of this parcel and explained how the two zones were established in that particular area.

Frank Simonetti asked for audience comments. Nancy Dickey, 718 Niblic Drive, stated that she had told Loran Dake to vacate the right-of-way first, and then they would discuss the rezone. Nancy Dickey indicated that the residents want to know what type of business will be located on the parcel. Finally, Nancy Dickey asked if a rezone on this lot would set a precedent for other lots in the area.

Responding to the last comment, Virginia Flager stated that this rezone would not set a precedent because the unique topography of the subject parcel is not conducive to residential, and because it was really an error that this parcel was ever considered part of Partee Heights. Janine Rider repeated her suggestion that the parcel be split, with the property adjoining Horizon Drive being rezoned to H.O., and the higher property remaining residential. Nancy Dickey noted that the higher property would not make a good building site because of the steep drop-off and because of the view of Horizon Drive. That parcel is presently vacant, Nancy Dickey added, with only weeds growing there.

Janine Rider: Despite Loran's good intentions, we did promise the neighbors the opportunity to get together with the petitioner, and that should be accomplished.

Florence Graham: I agree with that.

Bill Mikesell and Loran Dake discussed the possibility of splitting the parcel and reserving the upper portion for some type of park.

Virginia Flager: Mr. Partee does have a right to use that land. Somewhere in here is a compromise that will protect both the petitioner and the subdivision.

In response to questions from the Planning Commission, Karl Metzner noted that the H.O. zone will allow more control over what takes place on the subject property, especially with regard to landscaping of the bluff area.

Dale Schoenbeck: It is almost inevitable that this parcel will be rezoned H.O. The concerns of the neighborhood can be addressed at a neighborhood meeting, and later taken into consideration when the petitioner presents a site plan for this parcel. Right now we are only addressing the rezone.

In response to a question from Jim Pickens, Loran Dake explained that he had only sent letters to residents who had spoken at the previous rezone hearing.

Nancy Dickey: Loran has probably done what he could up to this point. The things our neighborhood worries about will come up at the time of site plan approval. As far as insisting that that property has to stay residential, as long as you don't keep encroaching, I don't think those of us most directly affected by this rezone really care that much.

Francis McAllister, 707 Putter Drive, stated he is neither in favor of nor opposed to the petition, but is concerned about access into the subject parcel and possible traffic past his home. Karl Metzner explained the road vacation previously addressed, and gave a brief explanation of H.O. zones. Francis McAllister also expressed concern about retaining walls, and Planning Commission members pointed out that problems experienced with the Ramada Inn with respect to the retaining wall could not be controlled because of the County zoning set-up at that time.

Frank Simonetti closed the public hearing.

Karl Metzner: Staff recommends approval of the zoning, with the following comments to the petitioner: That prior to any application to the Planning Department for a specific plan, that the petitioner hold a neighborhood meeting and present that plan to the neighborhood, and get all comments from the residents in writing; and that those comments be made part of the application for the development of that site, specifically addressing the portion of the property from the toe of the slope uphill, the screening of that property, and the treatment of the drainage.

RIDER/MIKESELL/PASSED 6-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO REVIEW SHEET AND STAFF COMMENTS (SEE REMARKS BY KARL METZNER CONTAINED ABOVE), AND NOTING THAT IT IS THE INTENT OF THE PLANNING COMMISSION THAT THE LAND ON THE LEVEL OF HORIZON DRIVE BE AVAILABLE FOR USE BY THE PETITIONER, BUT THE LAND ON THE LEVEL OF PARTEE HEIGHTS IS TO BE RESERVED FOR THE PROTECTION OF THE NEIGHBORHOOD, AND IN NO WAY IS IT INTENDED TO CHANGE THE CHARACTER OF PARTEE HEIGHTS SUBDIVISION.

6. #34-79 CONDITIONAL USE - 12th Street Office Development

Petitioner: Thomas Wilkinson, Charles Reicks. Location: Southwest corner of Patterson Road and 12th Street. Request for two level office building in a multi-family residential zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner stated that the plan has been revised to address previous Staff and Review comments. Karl Metzner outlined the location of the parcel, and pointed out specific details in the development plan.

In response to a question from Janine Rider, Karl Metzner pointed out access to Centennial Plaza, located across the street from the subject parcel. Karl Metzner noted that as a result of the petitioner changing to a 90-degree parking layout, more spaces had been provided, circulation had been improved, and some trees had been saved. Karl Metzner added that several parking spaces have been designated for compact car use only. Those spaces will be signed on the site. In response to a question from Bill Mikesell, Karl Metzner noted that those compact car spaces are three or four feet shorter than normal, and regular cars parking in those spaces would make access tighter, but would not cut off access.

Karl Metzner called attention to the Review Sheet comments.

Answering a question from Bill Mikesell, Karl Metzner explained that a proposed raised median at the intersection of 12th and Patterson Road would limit access to the subject parcel to vehicles travelling south on 12th or east on Patterson. Don Warner pointed out that the parking spaces for small cars could be assigned to permanent employees of the office building, with signing to reflect that restriction at those spaces. Karl Metzner went on to say that there is room between the first parking spaces and the street to stack three cars. Janine Rider added that that type of high traffic would be rare with professional offices.

Charles Reicks, representing the petitioner, pointed out that the plan proposes ten parking spaces over the City requirements, so that the compact car spaces could be eliminated, if necessary. Mr. Reicks indicated that his read estate office would occupy one-third of the building, with the balance being rented to doctors or other low traffic users, such as a beauty salon. Charles Reicks called attention to existing and proposed uses for adjacent properties, and added that the character of the neighborhood is not suitable for developing in the current R3 zone. Charles Reicks went on to address specific details in the development plan.

In response to questions by Jim Pickens, Charles Reicks stated that he does not anticipate use of the office building at night, but that some exterior lighting will be provided for the garden level and parking lot. Charles Reicks also noted that the out-of-the-ground height of the building will be 18 feet. In response to a question by Dale Schoenbeck, Mr. Reicks indicated that there is a four-foot maintenance easement to the rear of the building, with a fence that runs along the property line.

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

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

7. # 41-79 CONDITIONAL USE - Hoover Office Building

Petitioner: Dr. William Hoover. Location: 2107 North 12th Street. Request for office building in a multi-family residential zone.

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: Staff has been attempting to get in touch with the developers of Walnut Office Center to the north in order to investigate the possibility of rearranging the parking and developing a combined curb cut to service both the Walnut Office Center and the Hoover Office Building. We haven't been able to contact them to see if they are willing to go along with that plan. Staff would like the Planning Commission to approve the petition, subject to the Planning Department continuing to work with this petitioner and the people to the north to try and get that combined curb cut, which will allow both parcels more room within the site, and lessen the congestion on 12th Street. We are also investigating the possibility of moving this building slightly more to the rear. The 20-foot setback proposed is larger than what is necessary to limit the impact on the apartments to the rear of this proposed building. Such a move would provide a couple extra parking spaces in the front.

Janine Rider: Would it be possible to have left-turn lanes into those curb cuts?

Karl Metzner: With the block arrangements on 12th Street, you have only a short distance between blocks. You have to have those left-turn lanes on the street intersections themselves, which does not leave room for left-turn lanes in the middle of the block.

William Hoover, the petitioner, stated that he is proposing a 1500 square foot office building, designed for professional uses. In response to a question from Bill Mikesell, Dr. Hoover explained that there is no specific use presently proposed for that 20-foot rear setback. Jim Pickens asked whether the petitioner has any objection to rearranging the parking and combining the curb cut with the parcel to the north. Dr. Hoover responded that he has no objection.

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

In response to a question from Jim Pickens, Karl Metzner noted that the apartments are putting in screening to the rear of the subject parcel.

Virginia Flager: I would recommend approval of this request.

Bill Mikesell: Would that allow for moving the building back?

Virginia Flager: That is a Staff recommendation.

Janine Rider: If it were my motion, I would want it amended to have a single curb cut for the two developments.

Virginia Flager: That infringes upon personal property rights. I am awfully cautious about stipulations. We don't have the staff to enforce them, and it adds to the confusion in the minutes. That piece of land is so valuable, I can't imagine anybody deliberately lousing up access when he has an alternative that provides a much better parking arrangement.

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

8. # 35-79 CONDITIONAL USE - Grand Junction Self Storage
Petitioner: Sirdus & Ebrahim Saghatoleslami. Location: East corner of Crosby Road and West Gunnison Avenue. Request for self storage warehouses in a commercial zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner noted that the plan had been revised to address Review Sheet comments. Karl Metzner outlined the location of the parcel, and explained that the storage units are not designed for individual homeowner-type renters, but more for a commercial wholesale distributor of cookies, for example. There will be a small office where renters pick up and return keys for the units, and a six-foot chain link fence along the south border in case the R3 zone develops as residential, Mr. Metzner added. Karl Metzner went on to point out access into and through the site.

Florence Graham suggested that greenery be used to screen the adjoining R3 parcels. Karl Metzner replied that Staff is of the opinion that residential in the subject area is unlikely at best. In response to a question by Janine Rider, Karl Metzner indicated that the lanes between the storage units are 23 feet wide, large enough for access by anything but tractor trailers, and allowing one-way traffic with no maneuvers. Karl Metzner went on to say that Staff hesitated to require landscaping with storage units because no one will be there regularly to maintain it. Karl Metzner called attention to the Review Sheet comments.

Loran Dake, representing the petitioner, stated that this will be a commercial storage area for use by small wholesale distributors. The size of the bays will vary depending on the tenant, with a typical bay measuring 20 by 30 feet. The petitioner proposes that the tenant will have one key, and another key will be kept at the office, Mr. Dake added. One or two people will be employed in the office during the week, Loran Dake said, one as a bookkeeper and one to help unlock doors. In response to questions from Jim Pickens, Loran Dake stated that there are presently no plans to fence anything but the south boundary of the property. Virginia Flager pointed out that the proposed use of gravel for filling the subject parcel would make landscaping difficult.

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

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

9. #36-79 DEVELOPMENT IN H.O. - FINAL: Pantuso's Italian Restaurant
Petitioner: John Mazza & Samuel Pantuso. Location: Northeast corner of Crossroads Court and Crossroads Boulevard. Request for a restaurant on .72 acres in a highway oriented zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel, pointed out specific details on the development plan, and called attention to the Review Sheet comments.

Karl Metzner: Staff would recommend that the petitioner get together with Parks & Recreation to see what can be done about landscaping.

Loran Dake, representing the petitioner, stated that the major items for discussion are traffic circulation, landscaping and the site plan. Mr. Dake noted that he had met with the Parks & Recreation Department to discuss landscaping on the subject parcel. Loran Dake called attention to specific details on a handwritten landscape sketch. In response to a question from Frank Simonetti, Loran Dake indicated that the proposed landscaping will not obstruct visibility from the road or from the driveway.

Bill Mikesell commented that he had never seen such a variety of uses in one subdivision. In response to a question from Dale Schoenbeck, Loran Dake stated that the site plan shows some lighting details, but that subject has not been fully addressed at this point.

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

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

10. #37-79 SUBDIVISION - PRELIMINARY: White City

Petitioner: Bertrand & Company. Location: 210' South of North Avenue, West side of First Street. Request for 3 lots on 1.337 acres in a commercial 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: This is zoned for heavy commercial. The existing use is a motel with an old house on the property. There is a proposal to regrade the top of the bank at the rear of the parcel to straighten the bank to match the portion that drops off into Lilac Park.

Karl Metzner called attention to the Review Sheet comments, and pointed out that the improvements for this site would be similar to those required of Burger King, located further south on First Street.

Phil Bertrand, representing the petitioner, stated that Bertrand & Company is in a joint effort with the present owner to develop this parcel. Mr. Bertrand indicated it will be a phase development, with one lot developed at a time. The present owner will be allowed to live out her life in the existing residence on the property, Phil Bertrand stated.

In response to a question by Bill Mikesell, Phil Bertrand indicated that the petitioner has been approached by a machine shop, an auto body repair shop, an auto parts store, and other such businesses with respect to developing this parcel. Janine Rider asked whether the development of three lots would necessitate three curb cuts. Phil Bertrand indicated that the petitioner proposes using the two existing curb cuts to the north and south of the parcel, with traffic circulating through the center lot. Karl Metzner noted

that that would be a better approach than having one central curb cut.

Phil Bertrand stated that the area occupied by the existing residence will be developed when the present owner passes away. In response to a question by Bill Mikesell, Mr. Bertrand stated that there is no proposed site plan at this time. Answering a question from Janine Rider, Karl Metzner explained that the access easement which runs through the parcel will be shown on the final plat, along with the two curb cuts. That would be a condition of the approval, and any changes in the future would require Planning Commission review, Karl Metzner added.

Virginia Flager: I can understand life tenancy and the desire of the owner of the property to have their cake and eat it too, but I question whether the best interests of the public are served by having a residence located between two commercial developments. I have never seen this particular phenomenon before in the City. It doesn't look like it's going to work to me. If it's something that's desirable to be put on the site, they are not going to want that old house in the center. And if they don't object to the house, I question the desirability. It looks like somebody is trying to get something for nothing here. They get to live on the thing, yet get full maximum use of the land. It just doesn't look right. They are trying to develop it, too.

Bill Mikesell: I agree.

Karl Metzner: The commercial would have a greater impact on the house than the house would have on the commercial.

Virginia Flager: If she wants to live in the house I can understand it, but it doesn't look like it's a Kosher way to approach a problem to me; where there's no access for the house. There's access to the north and the south parcel and the house is going to use the access from the other two parcels. It doesn't look like they really addressed the problems here. I've never seen it before, so all I feel is that it's wrong for the best interests of the public.

Frank Simonetti: I think the problem is, how do you put an expensive building next to that old house?

Virginia Flager: Well, down the road 10 years with access that's not off First Street, because there's none shown here, the access will be from the west side of it. It doesn't make sense.

Frank Simonetti: I think this would work better as one lot.

Bill Mikesell: I think it's wrong to subdivide. This piece of property is a large investment, and ought to be developed as one concept.

Phil Bertrand: The financial individuals concerned felt it would be better to go on a phase development.

Virginia Flager: I'm sure this is true. I can understand the hesitancy of the financial community, but I can see no purpose in the subdividing of it. You're not going to change anything really. All you are going to do is slap a building on the south and the north of it, which it already has.

Karl Metzner: Well, it just allows him to sell it off separately.

Virginia Flager: Sell it off separately.

Karl Metzner: They can do what they are proposing to do now without subdividing.

Bill Mikesell: That's right.

Dale Schoenbeck: But they could put potentially three buildings there.

Karl Metzner: Sure, they can do that now.

Don Warner: They could, but they don't want to encumber that existing house with their financing, if that lady is going to live there.

Virginia Flager: That's why I'm saying, it looks like somebody is trying to have their cake and eat it too, and leave us with a screwed up mess there sometime in the future to try and straighten out. I've never seen this before, and this is why I'm asking.

Don Warner: This is non-conforming. We have a house sitting in a heavy commercial zone.

Frank Simonetti: If you split it into three lots, how can you hold to two driveways?

Don Warner: You can put that easement on the plat. You can't put driveways on the plat because they are off of the owned property and on the public right-of-way.

Karl Metzner: With the easement, you have a right to not allow another curb cut because it has access.

Don Warner: With an easement, the City Engineer has the right to say, "You have access, so I won't give a permit for another driveway."

Frank Simonetti: If you ignore where the driveways are and put them on the line, split the lots, you would have both of them centered. That's the only place that everybody has a curb cut.

Florence Graham: I think if you are looking at it as a commercial development, it would be more valuable without the house. People would probably be able to make a more attractive commercial development of any kind without the house.

Bill Mikesell: Why don't you recommend that you move the house for the lady, so she can live in the house on another piece of property?

Phil Bertrand pointed out that the present owner is 85 years old, and that sale of the property is contingent upon the life tenancy.

Frank Simonetti: This happens similarly where someone keeps the house and subdivides the farm, and then they come back and have to subdivide where the house was. This is a little different, but it's the same idea.

Janine Rider: Well, we see that along North Avenue where you have a little house sitting between businesses.

Virginia Flager: And all they are is a problem because you can't adequately - - Five years down the road if something happens to the old lady, the center lot is going to be a problem to do anything with. All three of them are 73-foot frontage. If you left them in one piece, it would be a very desirable tract.

Frank Simonetti: How do you address parking requirements?

Karl Metzner: On a building permit.

Virginia Flager: But that doesn't do it. With this frontage you don't have much room to do much but put a building and put parking in there.

Karl Metzner: You can only put something as big as the lot will allow.

Virginia Flager: At this point, Karl, as a planner, does this make sense to you, to leave a house in the middle of that thing?

Don Warner: If she wants life tenancy and won't sell the property any other way - -

Florence Graham: She's 85 and wants to live in the house she always lived in.

Frank Simonetti: I don't blame her.

Don Warner: You can't encumber her house.

Virginia Flager: Considering the traffic on First Street, and the mess at First and North, and the mess at First and Grand, I think it behooves this Commission to address this particular type of situation and look at it from other than the desire of an 85-year-old lady to live in a house, and foul up the future with this type of thing. It doesn't look reasonable to the best interests of the people trying to use North First Street, which is already a problem.

Frank Simonetti: I think we can lock in two curb cuts by using the center line of the lots.

Karl Metzner: That is a good suggestion, provide an easement on the center line.

Don Warner: Back and forth easement from one lot to the other, and put them on the lot lines.

Frank Simonetti: You would have half a curb cut on the north; south lot would have half a curb cut; and the center lot would give the most. It would have half a curb cut on the south and half on the north.

Virginia Flager: What is a standard driveway?

Don Warner: Thirty-five.

Virginia Flager: The curb cut, what is the minimum width?

Don Warner: For two-way traffic, you are probably looking at 24-foot of paving.

Virginia Flager: You are going to take 48 feet of right-of-way for potential driveways. When you get through, you haven't got anything except on the west side of the property. I don't go for this type of thing. I think this is wrong. Either she wants to sell it or she don't want to sell it. She's got to make up her mind.

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

Virginia Flager: No matter what you do with this one, somebody's going to - - No matter what you do with it, it's wrong.

Bill Mikesell: I get the feeling maybe this isn't the time to break this up at all, just let it sit until she passes on. That's the way I feel about it.

Frank Simonetti: Or until some arrangements can be made.

Don Warner: You either have to approve the subdivision or deny the subdivision, so he has a chance to go to City Council. He has to have an answer.

Bill Mikesell: My answer would be to deny it. That's my personal feeling. It doesn't make any sense at this time.

Don Warner: You need a reason on your recommendation to go to Council.

Bill Mikesell: The reason is that we have no real control over what can happen there.

Don Warner: In a C-2 zone you have no control anyway.

Virginia Flager: Development of this site will eliminate one of the major uses of Lilac Park, which is sledding. I can sympathize with the present owner wanting to live in that home, but I see no reason to subdivide the property and create an impossible situation for the general public.

Frank Simonetti: It has been the City's policy to minimize the number of curb cuts, and the proposed plan flies in the face of that policy.

MIKESELL/FLAGER/PASSED 5-1 (RIDER VOTING AGAINST)/A MOTION TO RECOMMEND DENIAL TO THE CITY COUNCIL, BECAUSE OF THE INABILITY TO CONTROL THE IMPACT OF THE CURB CUTS ON THIS PROPERTY.

11. #12-79 SUBDIVISION - FINAL: Westwood

Petitioner: T.L. Benson, Inc. Location: South side of Horizon Drive, West of Lakeside. Designed for 60 residential units on 6.7 acres in a PD-12 zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel, pointed out revisions in the final plan, and called attention to the Review Sheet comments.

Michael Benson, the petitioner, pointed out that the revisions in the final plan were made to comply with the comments made at the preliminary plan stage. In response to a question by Florence Graham, Michael Benson stated that the petitioner had met with the applicable authorities to take care of all drainage problems. Frank Simonetti questioned whether the slope of the parcel would obstruct visibility on Horizon Drive. Michael Benson noted that by the time a car reaches Horizon Drive, the land is level. In response to another question from Frank Simonetti, Mr. Benson indicated that the petitioner will build a culvert, and will bring in fill and will build a road over that culvert.

Responding to a question from Dale Schoenbeck, Michael Benson stated that all parking for the subdivision is expected to be covered. Michael Benson added that one parking space will be assigned to each unit, with a second space available for guests or for the unit owner himself. In answer to a question from Janine Rider, Mr. Benson noted that there will be no provision for storage of recreational vehicles. In response to Frank Simonetti's question, Michael Benson estimated that the price of the units will range from \$50,000-\$75,000, and the size of the units will range from 1050 square feet to 1550 square feet.

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

Don Warner: I had one phone call on this item, but as soon as the caller found out the units would be condominiums rather than rental units, they said they had no objection.

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

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

12. #39-79 SUBDIVISION (MINOR) - FINAL REPLAT: Colorado West Development Park, Lot 3
Petitioner: CBW Builders. Location: West side of 15th Street, approximately 350' North of Winters Avenue. Contains 19.22 acres in an industrial zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel, and stated that this is a brand new proposal which will include four lots. Karl Metzner pointed out details on the development plan, and called attention to the Review Sheet comments.

Karl Metzner: This is a revised plat, which shows that the cul-de-sac was shortened, and gives a utilities composite to address the water main. Petitioner wants the water line punched through and tied to a water line in 12th Street. City utilities wants to work out with the petitioner an arrangement whereby the City might obtain proper easements, and the petitioner would take care of the water line, instead of looping a line around to bring it back to 15th Street. I recommend that the petitioner contact Public Service with respect to the railway easement problem commented upon.

Jerry Fossiner, representing the petitioner, outlined the history of the parcel for the Planning Commission. With respect to the 20-foot easement, Mr. Fossiner noted that there is an existing railroad track that comes down the south line which branches off to the east. Mr. Fossiner indicated that there is an additional 20-foot easement required by Colorado West Development Park for any future branch that might be extended beyond to the east. That probably will never happen, Jerry Fossiner said, but it is a restriction on the deed. Mr. Fossiner went on to point out the specific utilities available to the parcel, called attention to a large warehouse with siding to the railroad tracks, and made note of other storage facilities to the east. Jerry Fossiner indicated that a large lumber firm will be utilizing this site.

Dale Schoenbeck asked if the large lot will have access to 15th Street, and Jerry Fossiner indicated that it would have. In response to a question by Dale Schoenbeck, Karl Metzner stated that the cul-de-sac will have a 60-foot radius as required for industrial uses.

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

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

13. #40-70 EASEMENT VACATION

Petitioner: Leroy Jensen. Location: 1755 Glenwood. Request to vacate an unused easement that a house is located on.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel.

Karl Metzner: All utilities have responded that they have no need for the easement, and do not anticipate needing that easement in the future. The request is to clear title on this property for sale.

Leroy Jensen, the petitioner, stated that he had nothing to add to the request.

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

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

14. #42-79 EASEMENT VACATION

Petitioner: Birney Cox. Location: North of I-70 Business Loop. East of 24th Court. Request to vacate unused easement to permit construction of a building at the South lot line.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location of the parcel.

Janine Rider: Vacating this easement would not encroach into 24th Court?

Karl Metzner: Not at all. Utilities have nothing in there, and have no intention of putting anything in there.

Birney Cox, the petitioner, stated that he had nothing to add to the request.

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

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

15. #43-79 ZONING OF POMONA ANNEXATION: County R4 to City R3, County R1C to City R1C, and County R2 to City R1A
Petitioner: Development Department Staff. Location: Northeast and Southeast corners of 25.5 Road and F Road.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner: Strike all reference to R1C and R3 in this proposal. We annexed the Little League ballpark, the fire station, Pomona School, and north of Patterson Road we annexed Dewey Subdivision. That subdivision was zoned R1C and R4. We translated that to the comparable City zones. There is a real possibility that the Grand Junction Housing Authority will pick up this property, vacate the subdivision plat and do a planned development. We decided to hold off on the zoning, because there is no reason to zone it one way now and come back next month for a rezone. So simply disregard R1C and R3. The rest is a holding zone, which is the most restrictive City zone there is. The school and the fire station are allowed uses, as they are in all City zones. The Little League ballpark is a conditional use. If the Little League ballpark is sold and somebody wants to develop it, they have to come before the Planning Commission.

Dale Schoenbeck: My concern is with the Little League park.

Don Warner: That is a non-taxed property, and it probably will remain a Little League ballpark for a long time because they own it.

Karl Metzner: Should the Rewrite Task Force recommendations go through, there will be a public zone proposed for these kinds of things.

RIDER/PICKENS/PASSED 6-0/A MOTION TO RECOMMEND THAT THE COUNTY R2 AREA OF THE POMONA ANNEXATION BE REZONED TO CITY R1A, AND THAT THE REQUEST TO REZONE TO CITY R3 AND CITY R1C BE POSTPONED.

The first meeting of the month of May was adjourned at 10:45 p.m.