

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

July 31, 1979

The July meeting of the Grand Junction Planning Commission was called to order at 7:30 p.m. by Chairman Frank Simonetti. The following members were present: FLORENCE GRAHAM, VIRGINIA FLAGER, DALE SCHOENBECK, JIM PICKENS, AND JANINE RIDER.

KARL METZNER, Senior Planner, DON WARNER, Planner Analyst, DIANE SMUCNY, Planner I, CONNI MCDONOUGH, Director, and MARIE WELCH, Stenographer were also present. There were approximately 25 interested citizens in the audience.

2. Minutes of the June 26, 1979 meeting were to be corrected on page 2, paragraph 6 to read that the access was to be on the West and not on the East. FLAGER/SCHOENBECK/PASSED 6-0 TO APPROVE THE MINUTES OF JUNE 26, 1979 AS CORRECTED.

3. #68-79 PROPOSED POLICY STATEMENTS FOR DRIVE-UP WINDOWS IN GRAND JUNCTION.

Petitioner: Development Department Staff

Frank Simonetti read the request and opened the public hearing. Karl Metzner presented the proposed policy statements. There were no adverse review comments on the proposal.

Virginia Flager requested that an item #7 be added: Impacts on adjacent residential should be considered prior to the conditional use being granted and some mechanism implemented for review in case the situation becomes a nuisance to adjacent residential areas. She also felt that an item #8 should be considered where there is an alley that is part of a parking lot can be evaluated as to the effects of using that alley for drive-up window traffic. Speed bumps to control speed of traffic through the parking lot should be considered.

Janine Rider agreed that the residential problem was the greatest and although much of the above concerns were implicit in #6 of the proposal, a specific sentence added to #6 that would provide for review of the conditional use when warranted would further provide for protection of the residential neighborhood. Speed control can be incorporated into this.

There were no audience proponents or opponents to the proposal.

Frank Simonetti closed the public hearing.

RIDER/PICKENS/PASSED 6-0 TO RECOMMEND TO THE CITY COUNCIL THAT THE PROPOSED POLICIES FOR DRIVE-UP WINDOWS WITH THE ADDITION OF THE ABOVE DISCUSSED SENTENCE ADDITION TO #6 BE ADOPTED.

4. #38-79 REZONE: RIC TO PR & PRELIMINARY PLAN FOR WELLINGTON CONDOMINIUMS

Petitioner: Chet Nash, Reed Guthrie, Charles Wiman.
Location: 225' East of 12th Street, between Wellington Avenue and Grand Valley Canal. Request to change from single family residential use at 7.2 units/acre to planned residential use at 16 units/acre on 1.8 acres.

Frank Simonetti read the request and opened the public hearing. Karl Metzner defined the area in question and presented the plan along with the review comments.

Florence Graham inquired as to whether there would be substreet units. Charles Wyman, Petitioner, presented a scale and explained that the units would provide privacy and there would not be the burden on the occupant of upkeep and maintenance. The units would contain 1300 to 1400 square feet.

Jim Pickens asked about a homeowners association and the petitioner responded that a homeowners association would be formed. The development is a moderate cost project and they are attempting to keep the fees down and are not proposing many of the amenities contained in a more luxurious project. The traffic flow is anticipated to be approximately 56 automobiles per day which is a reduction from the 70 to 75 per day now entering and leaving the Tree Gallery. Safeguards would be added on the bank of the canal.

Frank Simonetti was interested in what could be done to reduce parking from 52 spaces to 39 spaces. Mr. Wyman commented that the parking could be cut back and more landscaping added, although this would increase the burden of upkeep and maintenance.

Jim Pickens asked that screening around the recreational vehicle parking be included with the final plan.

There were no proponents or opponents to the proposal.

Karl Metzner presented the Staff comments:
Comprehensive Planner - Normally a spot zone significantly increasing density should be granted only if justified by the amenities and/or open space created by the development, in other words, only if it meets the spirit of the PD regs. Without building footprints or renderings, it is impossible to tell amenities are proposed which warrant the upzone.

Design & Development Planner - Recommend rezone to PDB. When drainage problems mentioned per review sheet comments are mitigated recommend approval of preliminary plan subject to the following considerations: Proposed parking spaces for 52 should be reduced to the required 39; the additional space from this reduction in parking should be used for landscaped islands or open space to break up the proposed linear parking, possible every 10 stalls. This would reduce some of the increased runoff anticipated by blacktopping most of the site; bicycle racks should be brought inside the site possibly to these proposed

open areas, rather than the entry area; last parking space in southeast corner of lot should be eliminated because of inadequate back-out space.

Karl Metzner pointed out that the reduction from 52 parking spaces to 39 spaces would involve 2,600 square feet and that low maintenance ground cover could collect water and help green the area up.

RIDER/PICKENS/PASSED 6-0 TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAN SUBJECT TO STAFF COMMENTS INCLUDING INCLUDING THE REDUCTION OF THE PARKING TO THE NECESSARY 39 SPACES AND WITH SPECIAL EMPHASIS ON UPGRADING THE LANDSCAPING. RECOMMEND APPROVAL OF THE REZONE TO PR-16.

5. #66-79 CONDITIONAL USE - REVISION

Petitioner: Levi Lucero. Location: 509 28.5 Road. Request for an addition to the El Escondido Restaurant for dry storage.

Frank Simonetti read the request and opened the public hearing. Karl Metzner presented the plan. There were no review comments.

There were no proponents or opponents to the plan.

Staff comments were presented by Karl Metzner: Staff recommends approval of the conditional use for the addition. Frank Simonetti closed the public hearing.

PICKENS/SCHOENBECK/PASSED 6-0 TO RECOMMEND APPROVAL OF THE CONDITIONAL USE.

6. #58-79 CONDITIONAL USE - DRIVE-IN WINDOW

Petitioner: Lee Miller. Location: 2430 North Avenue. Request for a drive-up window facility for Popeye's Restaurant.

Frank Simonetti read the request and opened the public hearing. Diane Smucny presented the plan and read the review sheet comments. Chris Grey, architect, has agreed to comply with all of the review sheet requirements.

The Planning Commission entered into a general discussion as to whether this should be heard prior to the City Council adopting the Drive-Up Window Policies. Karl Metzner explained that City Council would hear the items in the same order as the Planning Commission had and could react to the petition depending on what they had previously done with respect to the Drive-Up Window Policies.

Lee Miller, petitioner, explained that there would be few deliveries in semi-trucks and there would be no problem with unloading in their own lot. Speed bumps had been placed in the parking lot and there is no egress to the point of ingress.

In response to a question from Jim Pickens, Don Warner explained that although the drive-up window had been anticipated

at the time when the building was built, it was marked out on the plans in the interest of getting the business going. The plans were specifically noted that no drive-up window was approved with the plan. Further discussion occurred concerning sidewalks and landscaping.

There were no proponents or opponents to the request.

Diane Smucny presented Staff comments:

DESIGN AND DEVELOPMENT PLANNER - 1. Directionalization of traffic should be improved through drive-up area, possibly with additions of curbing, signage, landscaping, islands, etc. 2. Curbing is necessary at rear of building instead of proposed painted line, to better separate drive-up traffic from restaurant traffic. 3. Directionalize one-way exits onto North Avenue. 4. Eliminate parking space next to entry for drive-up, utilize for island or landscaping for directionalization of drive-up. 5. Relocate trash containers. 6. Landscaping should be introduced along 25th Street. 7. Bicycle racks should be provided. 8. Recommend approval subject to review sheet comments and the aforementioned stipulations.

Frank Simonetti closed the public hearing.

PICKENS/FLAGER/PASSED 6-0 TO TABLE THE DECISION UNTIL THE NEXT GRAND JUNCTION PLANNING COMMISSION MEETING UNTIL CITY COUNCIL HAS A CHANCE TO ACT ON THE DRIVE-UP WINDOW POLICIES.

7. #61-79 CONDITIONAL USE - LIQUOR LICENSE

Petitioner: Elizabeth Talley. Location: 623 Main Street. Request for liquor license for Talley's Bar-B-Que and Biscuit Factory located in a B-3 zone.

Frank Simonetti read the request and opened the public hearing.

Diane Smucny presented the proposal and called attention to the review sheet comments.

Jerry Talley, husband of the petitioner, stated the petition was for a wine and beer license but not for a liquor license per se. He further stated that the requirements of the Fire Department are in the process of being taken care of.

There were no proponents or opponents to the proposal.

Diane Smucny presented Staff Comments: Staff recommends approval subject to the review sheet comments.

Frank Simonetti closed the public hearing.

RIDER/GRAHAM/PASSED 6-0 TO RECOMMEND APPROVAL OF THE BEER AND WINE LICENSE SUBJECT TO STAFF COMMENTS.

8. #67-79 CONDITIONAL USE - LIQUOR LICENSE

Petitioner: Sentinel Square. Location: 634 Main Street.
Request for liquor license for proposed dinner club located
in a B-3 zone.

Petition withdrawn by applicant.

9. #60-79 CONDITIONAL USE - OFFICE IN R3 ZONE

Petitioner: Marilyn and Mikel Holley. Location: 858 Grand.
Request for offices to house Colorado Rural Legal Services.

Frank Simonetti read the request and opened the public
hearing.

Karl Metzner presented the proposal and called attention
to the review comments.

Mike Holley, petitioner, explained that changes would be
made to the outside of the house renovating it and parking would
be provided to meet the requirements of the City Engineer. The
house would contain only offices. Karl Metzner stated that all
renovations would be done according to the Building Code and
this would be enforced by the Building Inspection Division.

Rob Jenkins, propoerty owner to the north of the proposed
offices, expressed concern with fire protection and with the
parking infringing on the parking of the neighborhood.

Concern over the parking was also expressed by Roy Adamson,
previous owner of KSTR radio. He stated that he has experienced
problems with parking in the past in this neighborhood.

Don Warner stated reiterated that fire codes would have
to be met in the renovation and the requirements of the Building
Division complied with. The Planning Commisssion discussed
alternative suggestions for parking and buffering for the
residential neighborhood.

There were no further proponents or opponents to the proposal.

Karl Metzner presented Staff Comments: Staff recommends
approval subject to review comments and to the following condi-
tions: Parking is inadequate as shown and should be relocated
on the property with access off 9th Street rather than the alley.

Frank Simonetti closed the public hearing.

FLAGER/GRAHAM/PASSED 6-0 TO RECOMMEND APPROVAL SUBJECT TO
STAFF COMMENTS AND THE PETITIONER WORKING WITH THE STAFF TO
MAXIMIZE OFF-STREET PARKING AND PROVIDE A BUFFER ZONE FOR THE
RESIDENTIAL NEIGHBORHOOD.

10. #59-79 CONDITIONAL USE - DAYCARE/PRESCHOOL

Petitioner: Lee and Joan Fetters. Location: West side of 29 Road, approximately 70' North of Texas Avenue. Request for a day care/preschool in an R1C, single family residential zone.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner presented the proposal and called attention to the review sheet comments. He also presented a petition containing 56 signatures opposing the proposal along with a letter of opposition from Mr. and Mrs. King.

Lee Fetters, petitioner, stated that he would respond to any questions.

Don Buckner, area resident, spoke in opposition to the proposal citing the fact that 29 Road is a high impact area and that there could be a possibility of 86000 additional cars on the road during a year.

W. L. Stacy, 2899 Orchard, expressed opposition to a business in the area.

Mr. and Mrs. Ray Bean, 539 29 Road, stated that there were few small children in the area at this time and were against the proposal due to the noise, traffic, inconvenience and hardship that a day care center would create for the neighbors as well as the safety of the children that would be in jeopardy due to the narrowness of the traffic shoulders. They felt that since there was another day care center within a few blocks of the proposed site, this would be unnecessary to accommodate the needs of the neighborhood. Mrs. Bean spoke on behalf of her neighbor, Mrs. McGill, stating that the proposed day care center would be a hardship for her due to her age.

Alicé Buchner, 541 29 Road, reiterated the opinion that most of the area residents are retired and that there was an existing day care center several blocks away.

The Design and Development Staff Recommendation is as follows:

Recommend denial of conditional use due to the following:
Additional 20 feet of right-of-way required on 29 Road will reduce parking area of plan; parking stalls are already too small (9 X 16')

Frank Simonetti closed the public hearing.

FLAGER/GRAHAM/PASSED 6-0 TO RECOMMEND DENIAL OF THE CONDITIONAL USE DUE TO THE TRAFFIC AND NEIGHBORHOOD OPPOSITION AND LACK OF NEED.

11. #62-79 CONDITIONAL USE - OFFICE IN R3 ZONE

Petitioner: SSM Investments, Inc. Location: Northeast corner of Little Bookcliff Drive and Wellington Avenue. Request for office to house the Medical Clinic.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner presented the proposal and called attention to the review sheet comments.

Frank Wagner, representing the petitioner, pointed out that there was a drafting error with respect to parking stalls and clarified the matter on the plan. The access onto Little Bookcliff was discussed and will be gone into with more detail.

There were no proponents or opponents to the proposal.

The Design and Development Staff recommendation is as follows:

Recommend approval subject to review sheet comments and the following conditions:

- Indicate landscaping treatment between sidewalk and curb on Wellington.
- Resolve problem of some confusing turn-around areas.

Frank Simonetti closed the public hearing.

RIDER/PICKENS/PASSED 6-0 TO RECOMMEND APPROVAL OF THE CONDITIONAL USE FOR AN OFFICE IN AN R3 ZONE SUBJECT TO STAFF COMMENTS.

12. #31-79 LITTLE BOOKCLIFF SUBDIVISION - FINAL PLAT

Petitioner: KSSSMM Investments. Location: East of Little Bookcliff Drive, South of the Grand Valley Canal, North of Bookcliff Avenue. Contains 8.34 acres designed for 4 lots in an R3, multi-family residential zone.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner presented the proposal and called attention to the review sheet comments.

Frank Wagner of Arix, representing the petitioner, stated that a 20 foot radius would be shown and that they would be meeting with the City Engineer, Ron Rish to determine what needs to be done with respect to the drainway in Little Bookcliff in the right-of-way of Little Bookcliff.

There were no proponents or opponents to the proposal.

The Design and Development staff recommends approval of the final plan subject to review comments.

Frank Simonetti closed the public hearing.

FLAGER/RIDER/PASSED 6-0 TO RECOMMEND APPROVAL OF THE FINAL PLAN SUBJECT TO STAFF RECOMMENDATIONS.

13. #25-79 BRAWLEY SUBDIVISION - FINAL PLAT

Petitioner: Estate of Robert Brawley, c/o Donald Jordan.
Location: Northeast corner of 28.5 Road and I-70 Business Loop.
Contains 3.10 acres designed for 5 lots in an industrial zone.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner presented the proposal and called attention to the review sheet comments. He pointed out that hydrants would be determined by the Fire Flow survey on the building permit.

Tom Logue, Paragon Engineering, representing the petitioner, stated that they would be willing to comply with the requests on the review sheets and that a meeting would be arranged with Ron Rish of the City Engineering Department to work out details.

There were no proponents or opponents to the proposal.

The Design and Development staff recommends approval subject to the review sheet comments.

Frank Simonetti closed the public hearing.

PICKENS/SCHOENBECK/PASSED 6-0 TO RECOMMEND APPROVAL OF THE FINAL PLAT OF BRAWLEY SUBDIVISION SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

14. #65-79 ROAD VACATION - KNOLLWOOD LANE

Petitioner: Charles Barone. Location: Approximately 200' North of Ridgewood Street. Request to vacate portions of an unused cul-de-sac.

Frank Simonetti read the request and opened the public hearing.

Diane Smucny presented the request and stated that the request was actually for the vacation of the original cul-de-sac since a second one has been built and the first one is not being used.

There were no proponents or opponents to the request.

Staff recommends approval of the request to vacate the cul-de-sac.

Frank Simonetti closed the public hearing.

RIDER/FLAGER/PASSED 6-0 TO RECOMMEND APPROVAL OF THE VACATION OF THE UNUSED CUL-DE-SAC.

15. #63-79 REZONE: R1B to R-3

Petitioner: Lark Washburn. Location: 580 Bookcliff Avenue. Request to change from single family residential use at 4.8 units/acre to multi-family residential use at approximately 60 units/acre.

Frank Simonetti read the request and opened the public hearing.

Karl Metzner presented the request and stated that the parcel was presently split by a zoning line with approximately 75 feet of the parcel being R1B and the remainder is R3. He pointed out that there was a dedicated park to the west. The request would involve the rezoning of the entire parcel to R3, which would involve approximately one-half acre. Under current regulations, when a parcel is split by a zoning line the less restrictive zone can be expanded into the more restrictive zone for 50 feet without rezoning. To use this regulation would leave 25 feet that could not be used for anything. There were no objections from any review agencies.

Frank Simonetti stated that there was already an apartment house on the east side of the parcel.

Greg Hoskin, attorney representing the petitioner, explained that the original plan had three buildings on it and that the third building was not built in 1970. Thought is now being given to using the remaining property for adding a parking area and the third building. He stated that there would be no substantial change to the neighborhood in character and view. Buffering would be contained in trees and the park to the west. The property will not be developed to the maximum density allowed by the regulations. There is no intent to place any residential structures west of the buildings and this could be so stipulated.

Lee Schmidt, 536 Bookcliff, presented a petition requesting that the zoning change be denied to prevent property devaluation, an increase in pedestrian and vehicular accidents (there are no sidewalks in the area), and due to the signers belief that the area would more logically be suited for an addition to the park that presently provides a buffer for the residential areas. Guy Cherp of 448 Bookcliff stated that the petition contained nearly 100% of the signatures of the property owners in the area.

A discussion ensued concerning the uses on the property in its current zone as opposed to the uses that would be gained by the rezone with the clarification being made that the owner can do the exact same thing on the property now, with the exception of the last 25 feet, as he could if it was rezoned. The rezone would not permit change in use except on 25 feet of the property. Conni McDonough, Development Department Director, stated that the option of using a planned zone was available and could be used to negotiate with the neighborhood and the Planning Commission.

Staff recommends approval with the park providing a buffer from the adjacent residential area.

Frank Simonetti closed the public hearing.

Janine Rider pointed out that the real issue in a rezone was to look at the rezone from the proper perspective, either the zoning was wrong in the first place or a big change has come about in the neighborhood or there is a tremendous need for the kind of zoning being requested. It was her feeling that none of those conditions were met in this case.

Janine also pointed out that an R-3 zone would allow for the use of high rise apartments and provisions should be made to protect against this in case it should occur 15 years from now. To grant the rezone to R-3 would, in effect, be saying that this would be a place where a high rise could go and she did not believe that this was true.

FLAGER/RIDER/PASSED 6-0 TO RECOMMEND THE DENIAL OF THE REZONE FROM R1B TO R3 ON THE BASIS THAT IT IS A WIDE OPEN ZONE AND THAT THE PETITIONER WORK WITH THE DEVELOPMENT DEPARTMENT STAFF TO RESEARCH THE POSSIBILITIES FOR USAGE ON THE LAND AS IT IS NOW.

16. #64-79 REZONE: C & R1C TO PR & FINAL PLAN FOR CDK APARTMENTS (MINOR) SUBDIVISION

Petitioner: C.W. & H. Quality Homes. Location: East side of Harris Road, 274 feet South of North Avenue. Request to change from commercial use and single family residential use at 7.2 units/acre to planned residential use on .73 acres designed for 12 units.

Frank Simonetti read the request and opened the public hearing. Karl Metzner presented the request and called attention to the review comments.

Janine Rider brought up the difficulty that occurs when attempting to turn into Harris Road and the creation of a bottleneck in the traffic on North Avenue. Don Warner stated that there was no dedicated right-of-way on the north end.

Tom Logue of Paragon Engineering, representing the petitioner, stated that they would be willing to provide a power of attorney and will discuss the possibility of presenting to the City the additional right-of-way to upgrade improvements. He stated that this would be a downzone from the present Commercial zone.

There were no opponents present at the hearing, although Don Warner stated that he had received a phone call from an individual who was against the request due to the problem with traffic entering North Avenue.

Karl Metzner presented the Design and Development staff recommendations: Recommend denial because of poor access off North Avenue. Harris Road has no declared right-of-way from North Avenue to below the petitioners property, and is only 120⁰53 feet wide. A development as dense as the proposed subdivision would further complicate the access problems which already exist on this road. If the Planning Commission should choose to recommend approval, the following recommendations should be observed:

1. Redesign site plan with parking to rear of lot and buildings in front.
2. Indicate type of fencing to be used.
3. Parking should be screened with a fence higher than the proposed 3 feet.

Frank Simonetti closed the public hearing.

FLAGER/RIDER/PASSED 6-0 TO RECOMMEND DENIAL OF THE REQUEST TO REZONE FROM C & R1C TO PR FOR THE REASONS SITED IN THE STAFF

RECOMMENDATIONS AND THE LACK OF RIGHT-OF-WAY.

The meeting was adjourned at 10:30 p.m.