

GRAND JUNCTION PLANNING COMMISSION

December 18, 1979

M I N U T E S

The regular meeting of the Grand Junction Planning Commission was called to order at 7:30 p.m. on December 18, 1979 by Chairman Frank Simonetti. The following members were present: JANINE RIDER, REBECCA FRANK, DALE SCHOENBECK, FLORENCE GRAHAM, AND FRANK SIMONETTI. Also present were: KARL METZNER, Senior Planner, DIANE SMUCNY, Planner I, DON WARNER, Planner Analyst, and MARIE WELCH, Stenographer along with about 25 interested citizens.

There were no minutes to be approved or announcements to be made.

#83-79 REZONE RIC to PB & VICTORIA SQUARE OFFICES - FINAL PLAN

Petitioner: Jane Johnson, Carl Vostatek. Location: Southwest corner of 12th Street and Gunnison Avenue. Request to change from single family residential use at 7.2 units/acre to planned business use on .17 acres.

Frank Simonetti read the request and opened the public hearing.

The petitioner was not present when the request was read.

SCHOENBECK/GRAHAM/PASSED 4-0 TO TABLE THE ITEM.

#84-79 HOMESTEAD SUBDIVISION - PRELIMINARY PLAN

Petitioner: Louise Forster, A.L. Partee. Location: 737 Horizon Drive. Contains 3.102 acres designed for 3 lots in a highway oriented zone.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and called attention to the review sheet comments.

Kent Harbert, Western Engineers, representing the petitioner was available for questions.

Louise Forster explained that the large lot was proposed for a motel and that the small lot adjoining the Country Club Park was proposed for a racquet ball court and exercise room and the other lot would be for an office complex.

There were no proponents or opponents to the request.

The improvements along Horizon Drive were discussed, and Mr. Harbert explained that the improvements would be done under a mass development program and the petitioner would be providing a power of attorney for these at the request of the City Engineer. The question of curb cuts and access was also debated and the petitioner was advised that there was a policy to limit curb cuts on Horizon Drive which should be incorporated into their development plans.

Diane Smucny gave the following Staff recommendations: Recommend approval subject to the following stipulations:

1. Request a 10 foot utility easement as per Public Service comment. This includes removal of overhead line and conversion of existing customers to underground service in accordance with PSCO's rules and regulations.
2. Power of Attorney for full street improvements on Horizon Drive granted prior to subdivision filing.

Frank Simonetti closed the public hearing.

RIDER/SCHOENBECK/PASSED 4-0 TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAN SUBJECT TO STAFF RECOMMENDATIONS.

#132-78 CRESTVIEW SUBDIVISION PHASE I - REVISION

Petitioner: Henry Faussonne. Location: Between 15th Street and 27.5 Road, South of F.25 Road. Request to modify setback lines in a previously approved planned residential subdivision.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and stated that there were no review sheet comments on this item due to the nature of the request.

Del Beaver of Paragon Engineers, representing the petitioner, explained the reason for the request to modify the setbacks from what is required in a subdivision is to provide flexibility in building location. Necessary access maintenance easements will be provided in the restrictive covenants as well as the standard utility easements, and the modification would not influence those. The request is for zero lot line with the minimum distance between structures and a slight modification of the front yard setback from 20 feet to 15 feet where there is no garage and within 10 feet of the rear line.

There were no proponents or opponents to the proposal.

Frank Simonetti closed the public hearing.

RIDER/GRAHAM/PASSED 4-0 TO RECOMMEND APPROVAL OF THE REVISION.

#60-79 CONDITIONAL USE - ADDITION OF SIGN

Petitioner: Ben Hill. Location: 858 Grand Avenue. Request for a sign to be located at the Northwest corner of Grand Avenue and 9th Street.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and stated that the original conditional use was for offices for Rural Legal Services. Mr. Hill has since taken over the location and the conditional use will remain the same. The only review comments were from the Design and Development Planner who felt the sign should be flush with the building since it is located in an essentially residential neighborhood.

There were no proponents or opponents to the proposal.

Frank Simonetti closed the public hearing.

GRAHAM/RIDER/PASSED 3-2 TO RECOMMEND DENIAL OF A FREE STANDING SIGN DUE TO THE LOCATION IN A RESIDENTIAL NEIGHBORHOOD BUT TO RECOMMEND APPROVAL OF A BUILDING FACE SIGN IN A SIZE COMPARABLE TO THE PHOTOGRAPH SUBMITTED. FRANK AND SCHOENBECK VOTING NO WITH SCHOENBECK STATING THAT HE FELT A SMALLER SIGN OR ONE CLOSER TO THE HOUSE WOULD BE BETTER AESTHETICALLY THAN A SIGN ON THE BUILDING.

#45-79 CONDITIONAL USE - DRIVE-UP WINDOW

Petitioner: Norbert Lukas, Rich Welch. Location: 1730 North Avenue. Request for a drive-up window at Burger King, located in a light commercial zone.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location, presented the plan, and gave the history of the previous requests showing on the plan that the former concerns have been addressed in this submittal.

Rich Welch, petitioner, further elaborated on the submittal and the plan for the drive-up window. He stated that he would be willing to comply with the review sheet comments and any conditions that the Planning Commission feels should be met.

The Planning Commission discussed the Drive-Up Window Policy concerning traveling completely around a building a egressing at the point of ingressing with the clarification made that this referred to a complete circle of traffic and not merely a circle followed by the drive-up lane.

There were no proponents or opponents to the proposal. Mr. Welch stated that they had been in contact with the adjoining property owner, George White of Arrow Glass, who is in support of the drive-up facility.

Karl Metzner gave the staff recommendations: Recommend approval of conditional use. The proposed design functions better than the previous submittal, and access into and from the site, as well as within the site is improved. The following considerations should be addressed before the time of City Council hearing:

1. Move or protect the utility pole as per Public Service comments.
2. Speed bumps should be low as not to create a traffic hazard.
3. Eliminate two parking spaces in southeast corner of site adjacent to North Avenue.
4. Rear parking spaces, adjacent to north alley should be limited to employee parking.
5. Consider Design & Development Planner comments regarding visual clearance and circulation at North after drive-up.
6. Comply with City Engineer comments regarding design of curb aprons on North Avenue.
7. Add bike racks on site, possibly in vacated parking spaces at North Avenue.

Although the proposed design conflicts with Item #2 on the Policy Statements for Drive-up Windows, the details in the design mitigate any problems with ingress-egress to the site.

Frank Simonetti closed the public hearing.

SCHOENBECK/FRANK MADE A MOTION TO RECOMMEND APPROVAL ACCORDING TO STAFF COMMENTS AND SUBJECT TO LANDSCAPING THE TWO VACATED PARKING SPACES ON NORTH AVENUE AND THE ACCESS TO THE TIMERS PARKING BEING CLOSED. THE MOTION WAS DEFEATED 3-2 WITH GRAHAM, RIDER, AND SIMONETTI VOTING AGAINST THE MOTION.

Mr. Simonetti stated that the reason for his vote against the motion was because he felt the plan did not meet three of the criteria on the policy statements and Ms. Rider stated that she did not feel there was enough room between the two buildings.

#92-79 REZONE R1C to R2

Petitioner: Rose Baker, Glaytha Magill, Mamie & Ray Bean, Don Buchner, Marvin Stapleton, Marian Wyckoff, Elizabeth Angus, James Law, Esletta DeRush. Location: West side of 29 Road, North of Texas Avenue. Request to change from single family residential to multi family residential use on approximately 4.8 acres.

This item was pulled from the agenda due to the withdrawal of one of the petitioners which reduced the number of acres need for a rezone to R2.

#83-79 REZONE R1C to PB & VICTORIA SQUARE OFFICES - FINAL PLAN

Petitioner: Jane Johnson, Carl Vostatek. Location: Southwest corner of 12th Street and Gunnison Avenue. Request to change from single family residential use at 7.2 units/acre to planned business use on .17 acres. Postponed from earlier in the meeting.

Frank Simonetti read the request.

RIDER/GRAHAM/PASSED 4-0 TO REOPEN THE PUBLIC HEARING.

Frank Simonetti opened the public hearing. Diane Smucny outlined the location and called attention to the review sheet comments.

Carl Vostatek, petitioner, stated that this piece of property has been vacant for a long time and not developed as a residential dwelling because of the location on 12th Street and the setbacks limiting the building envelope to a 20 foot width. The petitioners propose building a Victorian style office holding a small amount of offices. Mr. Vostatek stated that he was more than willing to work with the Planning Commission on making this lot work and feels this proposal is a viable alternative to a vacant lot on an important corner in Grand Junction.

Jay Brodell, 712 North 7th: I don't really want to be characterized as an opponent because I think this is a very good plan and that lot is, certainly, unusable. But since I live on 7th, again I come before you to restate our concerns for the potential commercial

business development of that street and I would think, the last time I was here speaking about the 7th Street policy you told me that I was well protected because of your existing policies on North Avenue and such; this thing accidentally is is violation of a number of policies that you have on 12th, so I am kind of curious to see what you are going to do. I am concerned about the erosion of the downtown living area, which is probably the best in this whole valley, but if we keep turning nice homes into offices, I don't think we are going to have that many people living downtown.

Mr. Vostatek: I might add that there is commercial across the street and it isn't as though this was a spot zoning in the middle of a residential area.

Don Warner stated that he had received one phone call on this project from Mac Brewer who was initially opposed to the project but after seeing the drawings and considering what is going on in the neighborhood felt that it would fit in and could help the deterioration of the neighborhood in the area.

Frank Simonetti closed the public hearing.

RIDER/GRAHAM/PASSED 3-1 A MOTION TO RECOMMEND DENIAL OF THE REZONE AND FINAL PLAN FOR THE FOLLOWING REASONS: 1) THAT IT DOESN'T MEET THE 12th STREET POLICIES; 2) I FEEL WE STRONGLY NEED TO PROTECT A NICE RESIDENTIAL NEIGHBORHOOD; 3) IT DOESN'T MEET THE CRITERIA ESTABLISHED FOR A REZONE - NEIGHBORHOOD HAS CHANGED, THERE IS A REAL NEED FOR MORE ZONING OF THE TYPE REQUESTED, OR THE ZONING WAS WRONG IN THE FIRST PLACE. SCHOENBECK VOTING AGAINST THE MOTION.

#51-79 EASTGATE PLAZA SUBDIVISION FILING #1 - FINAL PLAN - REVISION

Petitioner: Jack Walls. Location: Southwest corner of Elm Avenue and 28.25 Road. Contains 6.42 acres designed for 235 units in a planned residential zone.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and explained the reason for the revision is to allow for solar homes that would require some setback variation. She also called attention to the review sheet comments. Staff recommends approval.

There were no proponents or opponents to the project.

Frank Simonetti closed the public hearing.

GRAHAM/SCHOENBECK/PASSED 4-0 TO RECOMMEND APPROVAL OF THE REQUEST SUBJECT TO STAFF COMMENTS.

#88-79 REZONE R3 to PB & ODP

Petitioner: G&S Investments, Ltd. Location: Southeast corner of Elm Avenue and 12th Street. Request to change from multi-family residential use to planned business use on 2 acres.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and called attention to the review sheet comments.

Robert VanDeusen, petitioner, presented a model of the proposal and explained the uses, which will include a motel, apartments, bookstore, and other college oriented facilities. He stated that at this time there were two parcels of land which have not been purchased to be included in the plan but that negotiations are currently underway.

Arthur Ingvertson, 1257 Elm and owner of one of the properties not yet purchased by the corporation stated that he had not received notification in the mail of the hearing and expressed concern over this. He was assured that there were several more hearings on this matter to be held and that he would be contacted by phone in the future for them. He stated that he was not opposed to the project but wanted to be taken into consideration.

Diane Smucny read the staff recommendations: Recommend approval of the rezone as it complies with the adopted 12th Street Policy Statements regarding development in this area to be oriented to the college. Recommend approval of the ODP, with the following considerations to be addressed at the time of preliminary:

1. Design and Development Planners comments regarding townhome rentals, bike racks, providing privacy areas for students, indicating density of townhomes, gearing commercial uses to college students, i.e. bookstore, clothing shop, snack bar, etc.
2. Work with Mountain Bell re relocation of power lines, and necessary easements.
3. Meet City Fire water requirements before time of construction.
4. Relocation of gas and electric lines as per Public Service comments.
5. Review Energy Office comments in preparing landscaping plan.

Frank Simonetti closed the public hearing.

RIDER/FRANK/PASSED 4-0 TO RECOMMEND APPROVAL OF THE REZONE.

RIDER/FRANK/PASSED 4-0 TO RECOMMEND APPROVAL OF THE OUTLINE DEVELOPMENT PLAN SUBJECT TO STAFF COMMENTS.

#89-79 REZONE B-1 & R-3 to PB & ODP FOR TWELFTH & PATTERSON SHOPPING PARK

Petitioner: Earl Jensen. Location: Southwest corner of 12th Street and Patterson Road. Request to change from limited business use and multi-family residential use to planned business use on 4.5 acres.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and called attention to the review sheet comments.

Earl Jensen, petitioner, explained that he felt that this plan would provide services needed by the neighborhood.

Loran Dake, representing the petitioner, detailed some of the uses contemplated for the area and stated that the design will be compatible with the residential areas in the neighborhood.

Landscaping and access for delivery vehicles were discussed and will be dealt with in more depth in future submittals.

There were no proponents to the project.

Staff recommendations are as follows:

Recommend approval of rezone as the proposal complies with the 12th Street Policy Statement regarding multi use developments in this area. Recommend approval of the ODP with the following stipulations to be addressed at Preliminary time:

1. Need status of canal right of way as per Grand Valley Irrigation comments.
2. Petitioner work with Public Service Company and Mountain Bell regarding relocation of lines, easements, etc.
3. Contact City Utilities regarding access needed for trash pick up.
4. Consider comments of traffic engineer regarding positioning of bank building in effecting sight distance, the arrangement of the bank drive up teller and refer to the attached sketches for suggested revision.
5. Power of attorney should be granted for full street improvements to Patterson Road.
6. Review Energy Office comments, especially regarding suggested plantings for site.
7. Irrigation system to be submitted at preliminary with landscape plan. Try to preserve existing vegetation as much as possible (several trees exist on site that may be incorporated into design).
8. Motion to limit uses in development.
9. Address Design and Development Planner comments regarding landscaping islands, bike racks, etc.

Frank Simonetti closed the public hearing.

GRAHAM/RIDER/PASSED 4-0 TO RECOMMEND APPROVAL OF THE REZONE.

GRAHAM/RIDER/PASSED 4-0 TO RECOMMEND APPROVAL OF THE OUTLINE DEVELOPMENT PLAN SUBJECT TO STAFF COMMENTS RECEIVED AT THIS TIME AND ANY FURTHER COMMENTS THAT MAY COME IN.

#90-79 DEVELOPMENT IN H.O. - MESA MINI MALL

Petitioner: Mesa Mini Mall Properties. Location: Northwest corner of 24.5 Road and Patterson Road. Contains 13.6 acres.

Frank Simonetti read the request and opened the public hearing. Diane Smucny outlined the location and called attention to the review sheet comments. She pointed out that the lots in this subdivision are individually owned and will be developed singularly. The proposal for this lot is for a liquor store. She further explained that curb cuts are limited from Mesa Mall, but due to the fact that this is in a H.O. zone and development will be coming in on a site by site basis, there could result a curb cut for each lot. Karl Metzner stated that at the time the subdivision was approved by the County a complete drainage plan was submitted and approved; therefore, no additional drainage plan is needed for this lot at this time.. He also explained that the power of attorney for 24½ Road has already been granted for the entire subdivision, the power of attorney for Patterson would only need to include curb, gutter, and sidewalks since all of the street improvements have previously been taken care of.

Janine Rider expressed concern over the parking and danger that could result in this particular corner of a dangerous intersection.

Jim Hunt, representing the developer, explained that coordination with the other lot owners will be attempted; an overall sketch plan has been done for the entire 13 acres. Some of the concerns over parking and curb cuts have been reviewed in preliminary form, and service and parking will begin to be combined in a leap frog fashion with service and parking areas for two buildings adjoining.

The Commission discussed the problems that have resulted with the annexation of this area in that development will be done on a site by site basis. Because the subdivision was approved in the County, the right for separate ownership and curb cuts for each lot exists. Don Warner stated that the Commission needs to work with this petitioner to arrive at the most equitable arrangement since he is looking at an overall sketch plan.

Janine Rider stated that she felt the issue of curb cuts and parking were all planning issues and should be dealt with before the item goes to City Council.

There were no proponents or opponents to this proposal.

Staff recommendations are as follows: Recommend approval of use. There is concern for proper access to the site off F Road, and additional review by the City Traffic Engineer is requested before time of City Council. The overall traffic circulation plan for this area should be considered and a meeting of the petitioner and City Staff could assure better decisions on the proper access points.

Also, the following stipulations should be addressed prior to City Council:

1. Need drainage plan as per City Engineer comments.
2. Redesign of parking area as per City Traffic Engineer comments.
3. Developer to reach agreement with General Growth to use sewer lift station at Mesa Mall until City completes sewer extensions.
4. Address Design and Development Planner comments regarding size of parking spaces, bike racks, and landscaping.

Don Warner pointed out that the only thing that can be considered at this time is the one lot as the petitioner has no control over what will happen to the remaining lots.

Karl Metzner stated that a concept should be developed concerning circulation around the mall so that as each development comes in there will be a reference point. Janine Rider again stated that she would prefer to see the project again after the comments of traffic, parking, curb cuts, etc.

Frank Simonetti closed the public hearing.

FRANK/SCHOENBECK/PASSED 3-2 A MOTION TO RECOMMEND APPROVAL OF THE PROJECT SUBJECT TO A STAFF MEETING ON CIRCULATION AND SUBJECT TO THE REVIEW BY THE PLANNING COMMISSION AT A WORKSHOP PRIOR TO THE CITY COUNCIL MEETING. RIDER AND GRAHAM VOTED AGAINST THE MOTION.



#91-79 HEIGHT VARIANCE REQUEST

Petitioner: Greg Dillon. Location: South of Colorado Avenue, between 3rd and 4th Streets. Request to vary the height requirement from 65 feet to 113 feet; and a request to allow for the projection of the parking structure beyond the Colorado Avenue property line by 5 feet.

Frank Simonetti read the request and opened the public hearing. Karl Metzner outlined the location. There are no review sheet comments.

Greg Hoskins, attorney, representing the petitioner explained the background of the building as a combined parking structure and office structure. Once a building goes over 65 feet, a height variance is needed and the request to allow the projection of the parking structure beyond Colorado Avenue is to allow for the width of the parking structure. It was explained that the parking structure would be above ground with ramps, emergency exists will be provided. The office portion of the building will not project out into the street. It was brought up that although the request is for 113 feet, the height could vary due to structural procedure. The fire system for the building was explained.

Staff explained that since the legal ad was for 113 feet, that is the maximum that can be considered at this time.

There were no proponents or opponents to the proposal.

Frank Simonetti closed the public hearing.

RIDER/SCHOENBECK/PASSED 4-0 TO RECOMMEND APPROVAL OF THE HEIGHT VARIANCE FROM 65 TO 113 FEET.

SCHOENBECK/RIDER/PASSED 4-0 TO RECOMMEND, ON THE BASIS THAT THIS IS A GOOD PLAN, THAT THE CITY COUNCIL INVESTIGATE THE RIGHTS OF AIR SPACE.

The meeting was adjourned at 11:40 p.m.