

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

April 29, 1980

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

KARL METZNER, Assistant Planning Director; DIANE SMUCNY, Planner, SUE DRISSEL, Planning Staff, DON WARNER, Design & Development Planner, and LEILA E. MOSHER, Certified Shorthand Reporter, were also present. There were approximately twenty interested citizens in the audience.

SCHOENBECK/SIMONETTI PASSED 5-0 (FLAGER ABSTAINING) A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 26, 1980 MEETING.

FLAGER/SCHOENBECK PASSED 6-0 A MOTION TO APPROVE THE MINUTES OF THE MARCH 25, 1980 MEETING.

#51-79 EASTGATE PLAZA SUBDIVISION FILING #1 - AMENDED FINAL PLAN & PLAT

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

- a. Consideration of final plan.
- b. Consideration of final plat.

JIM PICKENS read the request and opened the public hearing.

BOB GARDNER appeared for the Petitioner and outlined the proposed development.

DALE SCHOENBECK: So the basic changes from the last design are the access to 28.25, adding one more unit, and your landscape design?

BOB GARDNER: Yes.

DALE SCHOENBECK: Karl, do the parking requirements check out okay?

KARL METZNER: Yes.

DIANE SMUCNY outlined the review sheet comments and presented the Staff Recommendations on the proposal.

JIM PICKENS closed the public hearing.

SIMONETTI/FLAGER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE FINAL PLAN, SUBJECT TO STAFF COMMENTS AND RECOMMENDATIONS.

FLAGER/GRAHAM PASSED 6-0 A MOTION TO REQUIRE THE PETITIONER TO PRESENT THE FINAL REPLAT FOR REVIEW AT SUCH TIME AS PETITIONER DESIRES TO BEGIN CONSTRUCTION ON THIS PARTICULAR PORTION OF THIS REPLAT.

#24-80 CONDITIONAL USE - SEMINARY CLASSROOM

Petitioner: Corp. of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, Richard George. Location: 1521 North 7th. Request for seminary classroom in a single family/duplex residential zone.

JIM PICKENS read the request and opened the public hearing.

RICHARD GEORGE appeared for the Petitioner and outlined the proposal for the Seminary Classroom.

FLORENCE GRAHAM: Are you simply going to say that you cannot use a car; you cannot bring a car?

RICHARD GEORGE: There's no need for them to bring a car, because they are already in high school.

DIANE SMUCNY outlined the review sheet comments and presented the Staff Recommendations.

JIM PICKENS closed the public hearing.

REBECCA FRANK: Have you had any Staff Comments? Karl, have you had any comments from any of the homeowners around?

KARL METZNER: No. Nothing at all.

RIDER/FRANK PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE CONDITIONAL USE FOR THE SEMINARY CLASSROOM, SUBJECT TO STAFF COMMENTS, AND WITH THE STIPULATION IF NIGHTTIME USE OR OTHER USES EVER BE OF A MAGNITUDE SUCH AS TO CAUSE COMPLAINTS BY NEIGHBORS THAT THE COMMISSION THEN HAVE A RIGHT TO REVIEW THE CONDITIONAL USE.

#25-80 CONDITIONAL USE - DRIVE-UP WINDOW

Petitioner: Empire Savings Building & Loan Assoc. Location: 499 28.25 Road. Contains .502 acres in a light commercial zone.

JIM PICKENS read the request and opened the public hearing.

JIM PICKENS abstained from voting or chairing this request and FLORENCE GRAHAM continued the hearing as Chairwoman.

JEFFREY D. FRANCIS, Architect, appeared on behalf of the Petitioner and outlined the request for conditional use. MR. FRANCIS gave a slide presentation with various views of the proposed building and landscaping.

WILLIAM LOCKE, Senior Vice President of Empire Savings, appeared for the Petitioner and outlined a meeting held with Public Service Company and commented on how the Petitioner is proceeding with proposed burying of the power lines in the area.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

FLORENCE GRAHAM closed the public hearing.

JEFFREY D. FRANCIS responded on the fire flow study and stated the Petitioner would comply with whatever is required in this regard.

SIMONETTI/FLAGER PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE CONDITIONAL USE FOR A DRIVE-UP WINDOW, SUBJECT TO STAFF COMMENTS.

#28-80 DEVELOPMENT IN H.O. - CROSSROADS BUSINESS CENTER

Petitioner: MSP Investment Co. Location: South of Crossroads Blvd., at the intersection of Crossroads Court. Contains 1.9 acres in a highway oriented zone.

JIM PICKENS read the request and opened the public hearing.

DICK SPERRY appeared for the Petitioner, MSP Investment Co., and outlined the proposal for the Crossroads Business Center.

FLORENCE GRAHAM: Since I have never seen this type of warehouse before, and we have a lot of them, what specifically is it for? -- What will be in the Warehouse?

DICK SPERRY: You might have a computer servicing firm, such as IBM or Burroughs, storage of small electronic components, typewriters, this type of thing.

JIM PICKENS: What type of signage do you project on something like this?

DICK SPERRY: It will be raised lettering, with a metal background. Now, the individual signs on each unit will be basically a dark maroon with a border around it, and with that individual's logo or letterhead on the inside, and we will border it.

JIM PICKENS: They are going to be flush against the building?

DICK SPERRY: Yes. That's correct.

MARC PALKOWITSH, of MSP Investment Company, commented on the drainage problems and the amount of overfill that would be accomplished to alleviate the problem.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

JIM PICKENS closed the public hearing.

RIDER/GRAHAM PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE H.O. CROSSROADS BUSINESS CENTER, SUBJECT TO STAFF COMMENTS BEING MET BEFORE THE CITY COUNCIL MEETING.

#29-80 DEVELOPMENT IN H.O. - NORTHSIDE PARK

Petitioner: J & J Enterprises. Location: 711 Horizon Drive. Contains 1.8 acres in a highway oriented zone.

JIM PICKENS read the request and opened the public hearing.

JOHN ABRAHAMSON, J & J Enterprises, appeared for the Petitioner and outlined the proposed development.

JANINE RIDER: What is the height proposed for your building?

JOHN ABRAHAMSON: Fifty-four feet.

The Commission discussed the situation of one driveway versus two driveways for the development.

KARL METZNER outlined the situation with regard to proper processing of this request, and the reasons for bringing it before the Commission at this time.

KARL METZNER outlined the Review Sheet Comments and the Staff Recommendations.

JIM PICKENS closed the public hearing.

FLAGER/SIMONETTI PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE H.O. DEVELOPMENT, NORTHSIDE PARK, SUBJECT TO STAFF COMMENTS; THAT WE APPROVE THE HEIGHT OF THE BUILDING AS REQUESTED, AND PETITIONER SHOULD RESUBMIT FOR REAPPROVAL, SUBJECT TO RESOLUTION OF STAFF COMMENTS AND EASEMENT VACATION, PRIOR TO CITY COUNCIL; THAT RESOLUTION OF THE STAFF COMMENTS SHOULD BE PRESENTED TO THE PLANNING COMMISSION AT THE TIME THE EASEMENT VACATION IS PRESENTED; THAT THE QUESTION OF ONE OR TWO CURB CUTS AT THE DRIVEWAY SHOULD BE RESOLVED THROUGH STAFF, IN CONJUNCTION WITH THE TRANSPORTATION AND CITY ENGINEER.

#27-80 REZONE R1A TO PR & ONION HILL SUBDIVISION - OUTLINE DEVELOPMENT PLAN

Petitioner: K. M. Matchett. Location: Southeast corner of Cortland Avenue and 27.5 Road. Request to change from single family residential use at approximately 4 units/acre to planned residential use with a design density of 7.2 units/acre on 29.3 acres.

- a. Consideration of zone.
- b. Consideration of o.d.p.

JIM PICKENS read the request and opened the public hearing.

DEL BEAVER, of Paragon Engineering, appeared for the Petitioner and outlined the proposed development and density.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

KEN MATCHETT presented his reason for discontinuation of his farming on the parcel proposed to be developed.

JIM PICKENS closed the public hearing.

VIRGINIA FLAGER/ In the concept, I see nothing wrong with the development as proposed. -- I am especially concerned, knowing the topography of that swale you call the wetlands, El Cattail, even down there on the ridge, and this access road, and you have got one, two, three, four, five proposed accesses along that road, and that view of coming through there with the increased traffic, I would buy wholeheartedly the interior circulation of traffic through that, Del. The concept is great; it's a good use of the land.

DEL BEAVER: We can rework that.

RIDER/GRAHAM PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONE CHANGE AND THE DESIGN DENSITY OF APPROXIMATELY 7.2 UNITS/ACRE.

RIDER/FRANK PASSED 6-0 A MOTION TO RECOMMEND DENIAL TO THE CITY COUNCIL OF THE OUTLINE DEVELOPMENT PLAN AS SHOWN AND LOOK FOR A REWORKING OF THE PLAN.

#23-80 ZONING OF GONZO ANNEXATION & HORIZON TOWERS
SUBDIVISION - PRELIMINARY PLAN

Petitioner: William Boll. Location: Southwest corner of 12th Street and Horizon Drive. Contains 5.1 acres designed for 178 units in a planned residential zone.

- a. Consideration of zoning of annexation.
- b. Consideration of preliminary plan.

JIM PICKENS read the request and opened the public hearing.

DEL BEAVER, of Paragon Engineering, appeared for the Petitioner and outlined the proposed development, along with the proposed club restaurant to be placed on top of one of the units.

FLORENCE GRAHAM: It is simply because I don't understand exactly all the problems of drainage in this area, and knowing how many problems we have had in the past, is it feasible to put underground parking areas in that spot?

DEL BEAVER: Yes.

DEL BEAVER responded to the question with an outline of the proposal for solving any drainage problems that might occur in the area of the proposed development.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

SIMONETTI/RIDER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONING OF THE ANNEXATION AND DESIGN DENSITY OF 34.9 UNITS/ACRE.

SIMONETTI/RIDER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PRELIMINARY PLAN, SUBJECT TO ALL OF THE STAFF COMMENTS AND RECOMMENDATIONS.

#30-80 ZONING OF ANNEXATION & COUNTRY GLEN SUBDIVISION - PRELIMINARY PLAN

Petitioner: Leroy McKee. Location: Northwest corner of F.5 and 25 Roads. Contains 12.4 acres designed for 258 units in a planned residential zone.

- a. Consideration of zoning of annexation.
- b. Consideration of preliminary plan.

JIM PICKENS read the request and opened the public hearing.

KATIE McINTYRE, of Paragon Engineering, appeared for the Petitioner and Developer and outlined the proposed development for the Commission.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

FRANK SIMONETTI: Who is going to be responsible for the upkeep, or do we get another Garden Village?

KATIE McINTYRE: I can answer that. The Developer will arrange a management company who will handle the rentals, the grounds' maintenance, the plowing, the parking lots, the cleaning, etcetera. -- As far as guarantees or whatever, we would be willing to work something out, if we can.

JIM PICKENS closed the public hearing.

FLAGER/SCHOENBECK PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONING OF THE ANNEXATION AS PR 21.

FLAGER/RIDER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PRELIMINARY PLAN, SUBJECT TO ALL STAFF COMMENTS AND RECOMMENDATIONS.

JIM PICKENS proposed an alteration to the Agenda at this time, and after clarification of the description on item eleven, the meeting was moved on to item fourteen.

#26-80 INDEPENDENT AVENUE COMMERCIAL PARK - PRELIMINARY PLAN

Petitioner: Robert Wilson. Location: Southeast of the intersection of Hwy. 6 & 50 and Independent Avenue. Contains 5.3 acres in a heavy commercial zone.

JIM PICKENS read the request and opened the public hearing.

ED BOLLINGER, of Gingery Associates, appeared for the Petitioner and outlined the proposed development to the Commission.

At this time there was a further clarification of the Agenda and JIM PICKENS included 32-80 in with the hearing on 26-80.

#32-80 ZONING OF INDEPENDENT AVENUE ANNEXATION - COUNTY C TO CITY C-2

Petitioner: Department Staff. Location: Southeast of the intersection of Hwy. 6 & 50 and Independent Avenue.

DON WARNER: You can take them together, just for separate motions, but you can discuss them together.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

JANINE RIDER: I don't understand the note at the bottom.

KARL METZNER: That reference is the misconception that the Transportation Engineer had.

JIM PICKENS closed the public hearing.

GRAHAM/RIDER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONING FROM COUNTY C TO CITY C-2.

GRAHAM/RIDER PASSED 6-0 A MOTION TO RECOMMEND ACCEPTANCE OF THE PLAN FOR THE INDEPENDENT AVENUE COMMERCIAL PARK TO THE CITY COUNCIL, SUBJECT TO ALL THE STAFF COMMENTS AND RECOMMENDATIONS.

#47-79 CRESTVIEW TOWNHOMES - PRELIMINARY PLAN

Petitioner: Henry Faussone. Location: Northwest corner of F.25 and 27.5 Roads. Contains 3.5 acres designed for 28 units in a planned residential zone.

JIM PICKENS read the request and opened the public hearing.

DEL BEAVER, of Paragon Engineering, appeared for the Petitioner and presented an outline of the proposed Development.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

BILL NORRIS presented his understanding of the 15th Street improvements problem and the reason for the delay in giving a Power of Attorney for the improvements.

JIM PICKENS closed the public hearing.

FLAGER/FRANK PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PRELIMINARY PLAN, SUBJECT TO STAFF COMMENTS AND RECOMMENDATIONS.

#88-79 G & S INVESTMENTS, LTD. - FINAL PLAN & ALLEY VACATION

Petitioner: Doss Simpson. Location: East of 12th Street, between Elm and Kennedy Avenues. Contains 2 acres in a planned business zone.

- a. Consideration of final plan.
- b. Consideration of alley vacation.

JIM PICKENS read the request and opened the public hearing.

SARAH SIMPSON, of VanDeusen Associates, appeared for the Petitioners and outlined the proposed development, including the proposal for a restaurant in the development to be a hamburger type establishment, a cross between serve-yourself and fast service, and with the proposal that the restaurant would have a liquor license along with the food service.

DIANE SMUCNY outlined the Review Sheet Comments and presented the Staff Recommendations.

JIM ROBB appeared on behalf of Art and Elaine Ingvertsen, owners of property at 1257 Elm, and protested against the procedure of this matter through the planning process.

JIM ROBB: Was there a preliminary plan approved by the Planning Commission in this matter?

KARL METZNER: No.

JIM ROBB: There was not?

KARL METZNER: Outline.

JIM ROBB stated he felt the Ingvertsens had not received proper notice of all hearings held on this request.

FLORENCE GRAHAM: Mr. Robb, may I interrupt just a moment? I am a little horrified at this, because I remember specifically this group asking the Developer, (and it would be in the record several times) to get together with the owners of that property and to -- as a matter of fact, we asked them to see if they could possibly come to some sort of understanding. Isn't that right? We did?

REBECCA FRANK: That is totally correct.

FLORENCE GRAHAM: Let me ask you a question: Do you remember we suggested in the December 18th meeting that all parties concerned try to get together?

ART INGVERTSEN: Yes, I do.

FLORENCE GRAHAM: And discuss what was going on, so that you would be aware of their -- what they were doing, and they would be aware of what you were doing? Do you remember that?

ART INGVERTSEN: Yes, I do. I remember it very well.

FLORENCE GRAHAM: Did it happen?

ART INGVERTSEN: No, it did not happen.

DOSS SIMPSON: As I remember, there was an open door invitation, and that is of record, Mr. VanDeusen extended to you to visit his office to show you precisely what we were doing, and I asked you to visit so that we could show him and so that he could have his comments on it.

JIM PICKENS: Karl, give us some answers. Why did we go from the two step to three step?

KARL METZNER outlined the procedure that had been followed in processing the request.

KARL METZNER: Also, there was public notice sent 4-18-80. I am not responsible for the mails.

DIANE SMUCNY: The address is correct; we verified it.

VIRGINIA FLAGER: I think the explanation of why three suddenly became two is more than adequate. What do you wish from this Commission at this point and this hour in time?

JIM ROBB: Well, I think that the hearing and the request for the final approval before this Commission is at the most premature, and I think that ample opportunity ought to be given for the Ingvertsens to meet with the Petitioner, and their representatives.

VIRGINIA FLAGER: Do you want us to delay this?

JIM ROBB: Well, I would like to ask that the entire matter be tabled.

JIM PICKENS: Art, if we were to continue this till next month, would you have any objection at that time if we were to consider this as a final plan rather than going through the preliminary at that time, and the final at a later point?

JIM ROBB: Jim, what's wrong with going through preliminary plan?

JIM PICKENS: Nothing, other than it delays these folks another month.

DON WARNER: Since we have had a full discussion on this thing tonight, what's wrong with considering this the preliminary plan?

JIM ROBB: We haven't had a full discussion at this point.

FRANK SIMONETTI: I think, bluntly, there is no mutual ground at this moment.

VIRGINIA FLAGER: I think there is somebody skirting the issue here and I, for one, would like to have this public hearing closed so the Commission can at least entertain a motion and go from there.

DOSS SIMPSON responded with a brief history of what had taken place in the course of the development of this proposal and request.

DIANE SMUCNY: Can someone make one statement and say exactly, pinpoint the problem? It bothers me this Department is being used as a scapegoat regarding notice, etcetera, and I would like someone to just make one concise statement of what the problem is. Is it lack of communication between the property owner and the Petitioner, and the hearing is being used to voice this? I would really like Mr. Ingvertsen or his Attorney to make one simple statement. What is the issue?

JIM ROBB: I don't want to waste any more time.

JIM PICKENS: Can I ask one other question: You are one hundred percent certain that notice was sent?

KARL METZNER: Yes.

DIANE SMUCNY: Yes.

JIM PICKENS closed the public hearing.

FRANK SIMONETTI: Well, I think we are dealing with an immovable object meeting an irresistible force, is what the whole thing is.

FLAGER/SIMONETTI PASSED 5-0 (RIDER ABSTAINING) A MOTION TO TABLE 88-79, G & S INVESTMENTS, LTD., UNTIL THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION HEARING ON MAY 27, 1980. BETWEEN TODAY'S DATE AND MAY 27 IT IS STRONGLY RECOMMENDED THAT THE PETITIONERS AND THE INGVERTSENS GET TOGETHER AND TRY TO RESOLVE THE DIFFERENCES BEFORE THE PETITIONER COMES BACK ON MAY 27TH; THAT ON MAY 27TH THIS ITEM WILL BE CONSIDERED A PHASE ONE FINAL PLAN.

#22-80 TEXT AMENDMENT - CHAPTER 36, SECTION 11, PARAGRAPH B

Petitioner: Department Staff. Amendment to "Streets, Secondary" and "Streets, Major".

JIM PICKENS read the request and opened the public hearing.

KARL METZNER outlined the proposed text amendment.

RIDER/SCHOENBECK PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE AMENDMENT TO "STREETS, SECONDARY" AND "STREETS, MAJOR" WITH THE INCLUSION OF 24 AND 25 ROADS AS MAJOR STREETS AND 24.5 AND 25.5 ROADS AS SECONDARY STREETS.

#31-80 ZONING OF MESA MALL ANNEXATION #3 - COUNTY C TO CITY H.O.

Petitioner: Department Staff. Location: Northeast corner of Hwy 6 & 50 and 24 Road.

JIM PICKENS read the request and opened the public hearing.

KARL METZNER outlined the proposed zoning of Mesa Mall Annexation #3 from County C to City H. O.

SCHOENBECK/SIMONETTI PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONING OF MESA MALL ANNEXATION #3, COUNTY C TO CITY H. O.

#33-80 ZONING OF FLYNN ANNEXATION - COUNTY C TO CITY C-1

Petitioner: Department Staff. Location: Northeast corner of 29 Road and North Avenue.

JIM PICKENS read the request and opened the public hearing.

KARL METZNER outlined the proposed zoning of Flynn Annexation, County C to City C-1.

SCHOENBECK/FLAGER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE ZONING OF FLYNN ANNEXATION, COUNTY C TO CITY C-1.

The first meeting of the month of April, 1980, was adjourned at 11:45 p.m.

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