

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

October 28, 1980

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

BOB BRIGHT, Senior City Planner; ALEX CANDELARIA, Planning Staff; DON WARNER, Planning Analyst, and LEILA E. MOSHER, Certified Shorthand Reporter, were also present. There were approximately twenty-five interested citizens in the audience.

FLAGER/GRAHAM PASSED 5-0 A MOTION TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 30, 1980, WITH CORRECTION OF SPELLING OF PAUL BOWERS' NAME.

#67-80 CONDITIONAL USE - DRIVE-UP WINDOW

Petitioner: McDonalds Restaurant.
Location: 2555 North Avenue.

A request for a drive-up window.

JIM PICKENS read the request and opened the public hearing.

ED BALDWIN appeared for the Petitioner and outlined the Conditional Use for a drive-up window.

JIM PICKENS: Are you going to have that parking area blocked off to where people couldn't get east into it?

ED BALDWIN: -- This is deleted, so, oh, I would say you could probably put about maybe ten cars stacked up in there.

DALE SCHOENBECK: But if you do stack up that many cars, you are forcing those cars of the walk-in traffic to exit to the south.

VIRGINIA FLAGER: I am saying you better consider this, or you are going to have some real serious problems in your parking lot.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

FRANK SIMONETTI: I don't see how it's going to work with the two west entrances on to the Teller Arms parking lot. There are just too many ways in.

JIM PICKENS closed the public hearing.

RIDER/SIMONETTI PASSED 5-0 A MOTION TO TABLE #67-80 CONDITIONAL USE, DRIVE-UP WINDOW, BECAUSE OF THE PROBLEMS IN THE PARKING LOT, WITH THE ENTRANCE AND EXITS AND WINDOW, AND STAFF COMMENTS; THAT BEFORE THIS REQUEST COMES BACK TO PLANNING COMMISSION THE PETITIONER IS TO MAKE CHANGES IN THE PARKING LOT, THE CHANNELING OF THE CARS, AND WITH A REVISED PLAN ENCOMPASSING NUMBER ONE AND NUMBER FIVE OF THE POLICY STATEMENT FOR DRIVE-UP WINDOWS.

#7-280 CONDITIONAL USE - FINAL

Petitioner: Clayton Tipping.
Location: Northwest corner of First Street and Kennedy.

A request for an office building in a multi-family residential zone.

JIM PICKENS read the request and opened the public hearing.

CLAYTON TIPPING appeared as the Petitioner and outlined the Conditional Use for an office building.

FLORENCE GRAHAM: Protective covenants aren't necessarily forever, with the change of ownership, are they?

CLAYTON TIPPING: That's right, Florence. They are not necessarily forever.

LARRY BECKNER: That's a thirty year provision on those Covenants. They were effective in 1956, and they will run until 1986. At that time they can be amended by a majority of the residents in the Subdivision.

JIM PICKENS: Mr. Tipping, you said if you did anything with Lots 4 and 5 in the future, you would probably do something similar to the proposal here?

CLAYTON TIPPING: We would be willing to be bound by that, yes.

DON WARNER: I'm afraid that's the only way they can go, unless you present a plan. They can't give a conditional use without a plan. You would have to present a plan for those other two lots, and a development schedule for it. It's not a zoning variance; it's conditional use, and it is based on the presentation of the plan for what you are going to do on the site.

VIRGINIA FLAGER: My comment is, that frankly I have seen enough multi-family along First Street, and it's impact on the Street. I would be inclined to look favorably upon something like this, providing all the conditions can be met.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

ALEX CANDELARIA appeared as a homeowner in the area of the proposed conditional use and objected to the conditional use because of the First Street Policy Statement adopted by the City Council on July 5, 1979. Also, there is other land available for such use and multi-family units would be better use because this area is residential in character and should remain as such. This request would be precedence setting to the vacant properties adjacent to the petition.

TERRY COLONY appeared as a property owner in the area and spoke in favor of the conditional use for office space.

JIM PICKENS closed the public hearing.

SIMONETTI/GRAHAM PASSED 3-2 (FLAGER AND SCHOENBECK AGAINST) A MOTION TO RECOMMEND DENIAL TO #72-80 CONDITIONAL USE, FINAL, BECAUSE IT IS CONTRARY TO THE POLICY STATEMENTS AS LISTED, PARAGRAPHS TWO AND THREE, AND THE RESTRICTIVE COVENANTS OF THE SUBDIVISION.

JIM PICKENS : I would like to advise the Petitioner that you do have the option of presenting this proposal to the City Council.

#73-80 EASEMENT VACATION

Petitioner: Randy Burns.
Location: 910 Orchard.

A request to vacate an easement.

JIM PICKENS read the request and opened the public hearing.

BERT BURNS appeared for the Petitioner and outlined the need for the easement vacation.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

DON WARNER: Jim Patterson has sent us a comment late this evening, and we have a sewer line in the alley adjacent to this. His suggestion is that the Planning Commission - he feels, since there are no utilities that have objected, that there's nothing wrong with the vacation, except his problem with the sewer line, and he would like a suggestion from the Planning Commission, going to Council to be that the Planning Commission would approve a revocable permit or vacation, or other way that would be suitable to both our Utility Department and the Petitioner, and that we not be bound to vacation. He feels there is a problem with vacation and that he would work with the Title Company to assure that they got the

type of legal release that they need to give the gentleman a clear title. I talked to the Attorney this afternoon, and he agrees with that and he said he was sure that something could be worked out other than a straight vacation, that would give the Petitioner what he wants and give the protection to the City that they need.

SIMONETTI/SCHOENBECK PASSED 5-0 A MOTION TO RECOMMEND TO THE CITY COUNCIL ON #73-80 THAT THE PETITIONER BE GRANTED EITHER AN EASEMENT VACATION OR REVOCABLE PERMIT, WHICHEVER IS AGREEABLE TO THE CITY, THE CITY UTILITIES, AND THE PETITIONER.

#68-80 REZONE R2 TO PB - MEDICAL ARTS FACILITY - PRELIMINARY PLAN

Petitioner: Frederick Wessels.
Location: 710 Bunting.

A request to change from single family/duplex to planned business use on .35 acres.

- a. Consideration of zone.
- b. Consideration of Preliminary Plan.

JIM PICKENS read the request and opened the public hearing.

ED CHAMBERLIN appeared for the Petitioner and outlined the proposed Rezone R2 to PB, Medical Arts Facility, and Preliminary Plan.

FRANK SIMONETTI: I would find it easier to accept if the parking was in the back, instead of in the front, because that's the way the project across the street is going to be.

JANINE RIDER: Did you say that neighbor had no objection?

ED CHAMBERLIN: Yes.

DALE SCHOENBECK: Being fairly familiar with what's going on there, the lady that owns that particular house is in close association with the Church. She is very much in favor of this project, because she doesn't want apartments. -- and probably in her plans -- to leave her lot to the Church and not sell it anyway, is her intentions, and that's why she is not concerned about resale.

JIM PICKENS: So you wouldn't have any problem in flip-flopping the building and the parking itself?

ED CHAMBERLIN: No, I don't think so.

ALEX CANDELARIA outlined the Review Sheet Comments and gave the Staff Recommendations.

JOY EISENHAUER, Pastor of the American Lutheran Church, appeared and stated there was a letter of intent to the parties involved, stating that the Church would be willing to exchange parking spaces for the office employees.

JOY EISENHAUER: The property you mentioned in question, that one on the alley, that pink house, that belongs to Charlie and Hilda Reynolds. Hilda is a Member of our Church. We, at the present time, have an option to buy that property and I realize that's contingent probably upon their deaths, and that could be some time, but that's her wishes at this time, that we have that property.

DAVID PATTERSON, a Member of the American Lutheran Church, and a Member of the Planning Committee for the Church, appeared and concurred with the comments of Pastor Eisenhauer.

JIM PICKENS closed the public hearing.

RIDER/SIMONETTI PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #68-80 REZONE R2 TO PB, MEDICAL ARTS FACILITY.

RIDER/SIMONETTI PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #68-80 MEDICAL ARTS FACILITY, PRELIMINARY PLAN, SUBJECT TO STAFF COMMENTS, SUBJECT TO SWITCHING OF THE BUILDING AND PARKING ON THE LOT, RETAINING THE RESIDENTIAL SETBACKS THAT EXIST IN THE NEIGHBORHOOD, USING GRASS TO CONFORM WITH THE TYPE OF LANDSCAPING AT THE CHURCH, AND PARTICULARLY NOTING THE STIPULATIONS THAT IF NOTHING IS DONE WITHIN ONE YEAR THAT THIS REZONE BE BROUGHT BACK FOR REHEARING BEFORE THE COMMISSION; THAT THERE BE ADEQUATE BUFFERING BETWEEN THE PARKING LOT AND THE RESIDENCE TO THE EAST AS LONG AS IT IS IN RESIDENTIAL USE.

#69-80 REZONE R1A TO PR 26 - NORTHWOOD APARTMENTS - PRELIMINARY PLAN

Petitioner: Destination Properties.
Location: Northwest of F.5 Line and 12th Street.

A request to change from single family residential use to planned residential use with a maximum design density of 91 units on 3.5 acres.

- a. Consideration of zone.
- b. Consideration of Preliminary Plan.

JIM PICKENS read the request and opened the public hearing.

TOM LOGUE, of Paragon Engineering, appeared for the Petitioner and outlined the request for Rezone R1A to PR 26, Northwood Apartments, Preliminary Plan.

ALEX CANDELARIA outlined the Review Sheet Comments and gave the Staff Recommendations.

The Commission discussed the location of the curb cuts and proposed driveways with the representative of the Petitioner.

BOB BRIGHT: -- Because of the close proximity of those two curb cuts, we feel it would probably be worth looking at.

TOM LOGUE requested more time for commencement of construction than the proposed one year limitation.

SKIP EHRHORST appeared as the developer and requested additional time because of financial conditions and economic conditions at this time.

ALEX CANDELARIA: The specific wording is a mutually approved development schedule.

BILL BOLL appeared as the owner of property to the north, the Horizon Towers property, and expressed concern over conflicts with his development and problems that might be encountered concerning the driveway, buffering, and security in the area.

JIM PICKENS closed the public hearing.

VIRGINIA FLAGER: Since the door has been opened to the possibility of discussion pertaining to that Northwood driveway -- now, I don't share all of the concerns that Mr. Boll reiterated, but I am concerned about the proximity of the two entrances to that property, and should I say referring to our success of the Church property, and the forcing of the two developers to get together, solving their difficulties, we came out with something that was good for everybody -- maybe this is the time for interplay between those two developers, to see if those entrances could be worked out. This man has every right to develop his Northwood drives in any way he sees fit. My concern is the 12th Street traffic, and those two entrances. This might be the time for another forcing of the discussion between the two.

FRANK SIMONETTI: Let's point out, this is preliminary. We are not dealing with final plan.

DALE SCHOENBECK: Instead of us working it out, let them work it out.

VIRGINIA FLAGER: I think the two developers should work it out in the interests of the taxpayer, because I certainly don't want two driveway dumping a large amount of traffic there on 12th Street, within seventy feet of each other.

JANINE RIDER: I am totally in agreement with you. I was possibly going to add another consideration, which is when you have parking that goes along the edges of neighbor's property, I am always concerned with buffering it from whatever it might be. On the bottom, I don't think it's going to be a problem with the way the Church sits.

SIMONETTI/RIDER PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #69-80 REZONE R1A TO PR26.

VIRGINIA FLAGER: You are not going to go along with the recommendation of the time limit on this, for that zoning?

FRANK SIMONETTI: We are going to leave that in the Staff Comments. I am going to leave the Comments as is.

JIM PICKENS: So we are sure we are all on board, we are leaving the one year limitation in?

FRANK SIMONETTI: Yes.

SIMONETTI/FLAGER PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #69-80 NORTHWOOD APARTMENTS, PRELIMINARY PLAN, SUBJECT TO STAFF COMMENTS AND SUBJECT TO THE PROVISIO THAT THE HORIZON TOWERS AND NORTHWOOD APARTMENT DEVELOPERS GET TOGETHER TO WORK OUT THE SINGLE ACCESS TO THE PROPERTIES ON 12TH STREET, AND RESOLVE ANY OTHER DIFFERENCES SUCH AS THE BUFFER ZONE, FENCES, AND DRAINAGE.

#70-80 REZONE R1A TO PDB - PATTERSON ROAD OFFICE BUILDING - PRELIMINARY PLAN

Petitioner: Robert Rewinkle.
Location: 420 feet East of 28.25 Road and South of Patterson Road.

A request to change from single family residential to planned business on 2.2 acres.

- a. Consieration of zone.
- b. Consideration of Preliminary Plan.

JIM PICKENS read the request and opened the public hearing.

TOM LOGUE, of Paragon Engineering, appeared for the Petitioner and outlined the request for Rezone R1A to PDB, Patterson Road Office Building, and Preliminary Plan.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

BOB GURLOFF appeared as the owner of the property on two sides of this parcel and stated he was in favor of the project.

JIM PICKENS closed the public hearing.

VIRGINIA FLAGER: I would like to comment on this particular site. I am not particularly in favor of this project -- I want to clarify that, first. I also want to point out the difficulty of developing that site in relationship to the water tower. The changes of anything being particularly compatible with the development is a very good point.

JIM PICKENS: I share the concern. What do you do with that, if you don't allow business to go in? It's a tough question and I am not sure whether multi-family is the answer, either, but I think we have one other concern. We are looking at the water tank-- what about the growth across Patterson Road? Are we going to be hit with the same thing two months later?

FLORENCE GRAHAM: That's always the question: What do we do with it?

SIMONETTI/GRAHAM PASSED 4-1 (FLAGER AGAINST) A MOTION TO RECOMMEND DENIAL TO THE CITY COUNCIL OF #70-80 REZONE R1A TO PDB, PATTERSON ROAD OFFICE BUILDING, BECAUSE IT IS SPOT ZONING AND IT COULD LEAD TO THE CREATION OF STRIP ZONING.

JIM PICKENS: Tom, I am sure you are well aware, you can present it to City Council the third Wednesday.

#71-80 LUSTER MINOR SUBDIVISION

Petitioner: Joyce Hobbs.

Location: 175 feet South of C Road and East of Holly Lane.

A request for 3 lots on .5 acres in a single family residential zone.

JIM PICKENS read the request and opened the public hearing.

TOM LOGUE, of Paragon Engineering, appeared for the Petitioner and outlined the request for the Luster Minor Subdivision.

ALEX CANDELARIA: The question I have of the Petitioner is, at the present time there was an improvement done on Holly Lane, and if my memory serves me right, there is approximately two curb cuts in actual location. Would there be an identical third cut in to this lot?

TOM LOGUE: Yes.

ALEX CANDELARIA: Will it be improved to City standards?

TOM LOGUE: Yes. In order to obtain a building permit I will have to get a driveway cut for that, and of course, that will be at the builder's expense, or developer, or Petitioner, whoever is involved with the actual construction of the dwelling units.

SHERYL HANKINS appeared and inquired about the square footage of the lots and was advised by the Staff that there was sufficient square footage.

JIM PICKENS closed the public hearing.

RIDER/GRAHAM PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #71-80 LUSTER MINOR SUBDIVISION, SUBJECT TO STAFF COMMENTS.

#74-80 REQUEST FOR REVOCABLE PERMIT

Petitioner: Great Western Land and Cattle Company.
Location: Victoria Square - Southwest corner of 12th and Gunnison.

A request for parking spaces in the City right-of-way.

JIM PICKENS read the request and opened the public hearing.

MRS. GORDON appeared for the Petitioner and outlined the request for revocable permit.

The Commission discussed generally the need for changes in the parking area, the parking blocks, and landscaping.

FRANK SIMONETTI: Who is going to fix the busted curb on Gunnison?

DALE SCHOENBECK: When it was built the curb was broken.

DON WARNER: The Contractor is going to have to fix it. I'll get on him tomorrow morning. If it was broken during construction, we will get the Contractor to fix it.

RIDER/SCHOENBECK PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #74-80 REQUEST FOR REVOCABLE PERMIT, WITH THE STIPULATION THAT BUMPER GUARDS BE PUT IN FRONT OF THOSE PARKING SPACES AT A DISTANCE TO ASSURE THAT NO FENDERS WILL HANG OVER THE SIDEWALK; THAT THE FENCE BE COMPLETED ON THE WEST SIDE; THAT THE GRASS BE PUT IN AS EXPECTED; THAT THE CURB ON GUNNISON BE REPAIRED BY THE CONTRACTOR, AND WITH THE RECOMMENDATION THAT THE PETITIONER REQUEST STREET TREES FROM THE CITY AND GUARANTEE WATER FOR MAINTENANCE.

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

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