

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

July 28, 1981

The second meeting of the month of July, 1981 was called to order at 7:25 p.m. by Chairperson JANE QUIMBY. The following members were present: RICHARD LITTLE, SUSAN RINKER, TOM PRICE, ROSS TRANSMEIER, JACK OTT and MILAND DUNIVENT.

BOB GOLDIN, Planning Staff, MARK ECKERT, Planning Staff, DON WARNER, Planning Analyst, and LEILA E. MOSHER, Certified Shorthand Reporter, were also present. There were approximately fifty-five interested citizens in the audience.

JANE QUIMBY announced that item 11, #74-81, ROAD VACATION, South of Elm Avenue and West of 13th Street, had been withdrawn from the Agenda for this meeting.

TRANSMEIER/RINKER PASSED 6-0 A MOTION TO APPROVE THE MINUTES OF THE JUNE 30, 1981 MEETING, WITH THE CORRECTION OF THE SPELLING OF ENGELKE, AND WITH THE ADDITION OF THE LOCATION AND THE REQUEST IN #63-81.

The Minutes of the July 14, 1981 meeting were tabled for corrections.

BILL SCHILLING appeared for the Big Cheese Pizza, stating he felt there must be some confusion between exactly what was approved by the Council and the Planning Commission.

JANE QUIMBY outlined the problems that need to be resolved, including the landscaping in front of the building, designated handicapped parking spaces, designated handicapped ramp in the rear of the building, completion of landscaping around the site, the sign leaning against the building needs to be taken care of, and parking, striping and curb blocks need to be taken care of.

BILL SCHILLING: We have no objection in utilizing any landscaping. We are looking for direction. I think what happened is that we had a disbelief between the -- maybe the philosophy of the Planning Commission and what was presented to the Council.

BILL SCHILLING went on to outline what he had accomplished in the way of the parking and what they would plan to do in the future to take care of the parking and handicap ramp.

The Planning Commission and BILL SCHILLING discussed the present uses of the handicapped parking and ramp area.

SUSAN RINKER: How many spaces are they supposed to have?

BOB GOLDIN: They are required to have approximately 22 to 24. The number of spaces aren't as much in question as the actual designation of where those spaces are.

JANE QUIMBY: I would like to make a couple of comments about the landscaping. As of 6:20 this evening, I believe it was, there were four trees and a bunch of rock in front of the building -- two trees are dead, the other two don't look very good. -- And also, there is around the site a bunch of old railroad ties, I believe, and a lot of weeds, and as landscaping, I don't buy it. There has been a major effort on the part of the City to encourage North Avenue merchants to improve the appearance of the stores in exchange for the City doing landscaping and improvements on North Avenue, and I frankly think that it's about time that that was taken care of.

It seems like we have been messing with this since February, I believe, if I am not mistaken. It seems to me a rather long time in order to get compliance with what is requested on the plan.

And I guess we need to know from you when you will complete these things, as have been laid out, so that we know --

BILL SCHILLING: If you are going to say we have to alleviate all parking in front of the building, and landscape it --

JANE QUIMBY: No. I am saying the landscaping you have in there now needs to be improved. You can use the parking in front, but I want to know when the blocks will be put in, the thing is going to be striped, the signs are going to be put up, and the rest of the landscaping is going to be completed.

BOB GOLDIN and BILL SCHILLING discussed the parking spaces and parking blocks, location of handicapped parking and the handicapped ramp, together with the number of spaces that were allowed to be put in.

JANE QUIMBY: Excuse me, but I think time is running out, and I asked you when you would have these things done.

BILL SCHILLING: The problem we are having now is trying to figure out what we have to do, other than what we originally agreed to.

DON WARNER: We can get somebody out there to go over it with him tomorrow, and from that he ought to be able to give you a date.

BILL SCHILLING: We will have it done by the 10th of August.

DON WARNER: That sounds good.

JANE QUIMBY: All right. If it is not done by the 10th of August, we will issue a cease and desist.

BILL SCHILLING: No sweat.

JANE QUIMBY: I don't believe there is any formal action that needs to be taken by the Commission. This was simply a discussion item.

#61-81 REZONE RIC TO PR 27 - ATRISCO - OUTLINE DEVELOPMENT PLAN

Petitioner: Atrisco Investment Company, Levi Lucero.
Location: East of 28.5 Road, approximately 500' North of North Avenue.

A request to change from single family residential use at 7 units per acre to planned residential uses with a design density of 27.1 units per acre on 3.61 acres. (This item was continued from the June 30, 1981 meeting).

- a. Consideration of zone.
- b. Consideration of outline development plan.

JANE QUIMBY read the request and opened the public hearing.

LEVI LUCERO appeared and outlined some of the features of the proposed development, together with changes that had been made in the outline development plan since the last hearing.

LEVI LUCERO: -- so actually the density is approximately 29.35 units per acre.

JANE QUIMBY: Can you give me that again, Levi, please, how many units per acre?

LEVI LUCERO: 29.35 units per acre, but it is actually 96 units, instead of 98 that we had before.

ROSS TRANSMEIER: How many feet high is that?

LEVI LUCERO: Well, it will be under thirty-five -- I imagine between thirty and thirty-five.

RICHARD LITTLE: I believe in the first presentation, Levi, Del Beaver indicated you would probably rent these as apartments initially. -- what are the economics of it?

LEVI LUCERO: For the economics of it, it may take a while to sell them, and we just can't hold them open, or vacant, until that happens. So we anticipate having to use them as rentals for awhile.

ROSS TRANSMEIER: You say here in my packet we have something about the sewer, but I am not finding it.

BOB GOLDIN: We did get a letter from Fruitvale Sanitation saying they could handle this, should it be approved.

JANE QUIMBY: What we need to decide tonight is consideration of zone, whether it is going to be rezoned to planned residential 27.

LEVI LUCERO: It would be 29.35 units per acre on that, as we pointed out.

JANE QUIMBY: That's a change from what is on the Agenda.

DON WARNER: That gives us a problem, though, if you advertised it at 27.

BOB GOLDIN: The reason being it was advertised that way, that is the way it was tabled at. Now, under the new revision the density has changed. Because of the change Staff has not adequately been able to review everything to our satisfaction.

JANE QUIMBY: Well, as it was advertised, it was PR 27, and this Plan is submitted to us as PR 29.35. So the Planning Commission still must make a decision as to the zone under consideration and the rezone, and also another one of the outline development plan.

SUSAN RINKER: I still have a real problem visualizing 98 units in that little narrow piece of land, with buildings and roads, it's --

LEVI LUCERO: They are very small units; they are approximately 612 square feet each.

JANE QUIMBY: And I think there is no question at all about the idea that it should be developed in a high density, but I think it depends on what is being talked about as a high density. What may be high density to you may be another thing to us.

JOHN BALLAGH appeared as an interested observer and made a suggestion as to how the density had been figured to reach the 29.35 figure.

ROSS TRANSMEIER: I, for one, having offices in front of condominiums, I have no problem with that, and whether it pertains to the condominium or not, so long as it is a quiet type, not a liquor store or something like that.

DON WARNER: You can't do it in a PR zone, unless it is oriented to the condominium. You can't put a business in a PR zone unless it is to support that PR.

ROSS TRANSMEIER: I think the two are compatible. I think the two are compatible to the area, but I still have a lot of question as to how many units you are putting on there.

DON WARNER: I think he should be complimented on the change.

SUSAN RINKER: I would like it better if it were just two stories, though.
Hearing closed.

PRICE/LITTLE PASSED 4-2 (RINKER AND TRANSMEIER AGAINST)
A MOTION TO SUBMIT #61-81, REZONE R1C TO PR 29.35, ON PROPERTY EAST OF 28.5 ROAD, APPROXIMATELY 500' NORTH OF NORTH AVENUE.

LITTLE/PRICE PASSED 5-1 (TRANSMEIER AGAINST) A MOTION TO RECOMMEND APPROVAL OF #61-81, REZONE R1C TO PR 29.35, SUBJECT TO THE FOLLOWING CONDITIONS: STAFF COMMENTS TO BE RESOLVED, AND ANY OTHER QUESTIONS OF THE COMMISSION.

LITTLE/PRICE PASSED 4-2 (TRANSMEIER AND RINKER AGAINST)
A MOTION TO SUBMIT #61-81, OUTLINE DEVELOPMENT PLAN, ATRISCO, TO CITY COUNCIL FOR CONSIDERATION; WE HEREBY RECOMMEND THAT #61-81, OUTLINE DEVELOPMENT PLAN, ATRISCO, EAST OF 28.5 ROAD, APPROXIMATELY 500' NORTH OF NORTH AVENUE, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: STAFF COMMENTS TO BE RESOLVED.

#63-81 ZONING OF ANNEXATION TO PR-17 AND PERSIGO VILLAGE -
OUTLINE DEVELOPMENT PLAN

Petitioner: William and David Rice.
Location: Southeast corner of 25 and G Roads.

A request to zone Persigo annexation to planned residential uses with a design density of 17 units per acre on 48 acres. (This item was continued from the June 30, 1981 meeting)

- a. Consideration of zone.
- b. Consideration of outline development plan.

TOM LOGUE, of Paragon Engineering, appeared for the Petitioner and briefly outlined the proposal for Persigo Village, to the Commission.

SAM HAUPT appeared for the Petitioner and stated he was there to answer any questions about the development.

BOB GOLDIN: The Staff just had the concern that the sewers were in issue. The City Administration has gone on record saying the sewers are no problem. We have no problem with the technical issues of the Outline Development Plan that can be resolved prior to preliminary plan.
Hearing closed.

RINKER/TRANSMEIER PASSED 6-0 A MOTION TO SUBMIT #63-81, ZONING OF ANNEXATION TO PR-17, SOUTHEAST CORNER OF 25 AND G ROADS, TO CITY COUNCIL FOR CONSIDERATION; WE HEREBY RECOMMEND TO CITY COUNCIL #63-81, ZONING OF ANNEXATION TO PR-17, SOUTHEAST CORNER OF 25 AND G ROADS, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: THAT STAFF COMMENTS BE RESOLVED.

RINKER/PRICE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #63-81, OUTLINE DEVELOPMENT PLAN, PERSIGO VILLAGE, LOCATED AT THE SOUTHEAST CORNER OF 25 AND G ROADS; WE HEREBY RECOMMEND TO CITY COUNCIL THAT #63-81, OUTLINE DEVELOPMENT PLAN, PERSIGO VILLAGE, LOCATED AT THE SOUTHEAST CORNER OF 25 AND G ROADS, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: THAT ALL OF STAFF COMMENTS BE RESOLVED.

#64-81 REZONE RMF 32 TO P

Petitioner: Dallas and Jack Payne.
Location: South of Belford Avenue and approximately 160' West of 7th Street.

A request to change from single family residential uses at approximately 7 units per acre to parking uses on .11 acres. (This item was tabled from the June 30, 1981 meeting)

BOB EMRICH appeared for the Petitioner and outlined the location of the property and their plans for the property.

BOB EMRICH: -- Mrs. Douglas, who was here last time to oppose the proposal, was sure she didn't want a board fence, and I told her if it were approved -- recommended for approval, we would definitely not put up a board fence, if it wasn't required.

ROSS TRANSMEIER: -- what is the height of that building, and the square footage of it?

BOB EMRICH: That particular footage -- the building will be approximately 10,500 square feet.

ROSS TRANSMEIER: The height?

BOB EMRICH: It will be two stories, and I don't know exactly what it would be.

JANE QUIMBY: I have a couple of concerns: One is, I believe it is in conflict with the North Avenue Policy, as I interpret it. -- This is on the south side, on Belford, and that concerns me. I think that is working into the residential area.

SUSAN RINKER: I think you will still be using the alley, regardless. My problem is, it is going into residential on the other side of the alley, and that seems to be the natural boundary as to where the commercial is going. And once you go across the alley, what's to stop you from going all the way down the block?

ROSS TRANSMEIER: If this is approved, are you willing to pave the entire alley, from Belford to whatever the next street is south?

BOB EMRICH: No. We will pave half the block; that would be our share, wouldn't it?

JAY BRODELL appeared and stated he had the concerns of JANE QUIMBY earlier; however, he now felt those concerns were not valid at this time.

MARK HERMUNSTAD appeared, representing Mrs. Douglas, and stated he wanted to remind the Commission of the Petition that was submitted at the previous hearing. MARK HERMUNSTAD reiterated the position of MRS. DOUGLAS that she does not want a solid wooden fence along her property line.

BOB GOLDIN outlined the Review Sheet Comments and gave the Staff Recommendations.
Hearing closed.

PRICE/LITTLE PASSED 5-1 (DUNIVENT AGAINST) A MOTION TO SUBMIT #64-81, REZONE RMF 32 TO P, DALLAS AND JACK PAYNE, SOUTH OF BELFORD AVENUE AND APPROXIMATELY 160' WEST OF &TH STREET, TO THE CITY COUNCIL FOR CONSIDERATION; THAT WE HEREBY RECOMMEND TO THE CITY COUNCIL THAT #64-81 BE DISAPPROVED.

#72-81 REZONE RMF-64 TO C1

Petitioner: D. K. and Vivian Whitmire.
Location: West of Peach Street and approximately 150'
North of West Ouray.

A request to change from multi-family residential uses at 64 units per acre to light commercial uses on .5 acre.

JANE QUIMBY read the request and opened the public hearing.

J. C. THOMAS appeared as the prospective purchaser of the property under the request and outlined the request for rezone for the Commission.

RICHARD LITTLE: You must have some idea of the dimension of the building you plan to put on this lot. Will it occupy the entire lot, or a portion of it?

J. C. THOMAS: No. About eight thousand square feet. We do plan tentatively to store chain link fence in an open area, but it would be fenced off. It would be in the rear of the building.

JOHN TRUJILLO appeared as a spokesman for a group of citizens in opposition to the proposed rezoning, stating the people in the area had been attempting to clean up the area and this would deteriorate the property and the neighborhood if the zoning were allowed to go through. JOHN TRUJILLO outlined for the Commission the location of the property of various people in the audience who were opposed to the rezone.

J. C. THOMAS inquired if just anyone could appear in opposition to the rezone or if it had to be the immediate neighborhood that was represented.

JANE QUIMBY responded by stating that anyone that had an interest in the matter could appear at the public hearing.

ROBERT REDALL appeared as an interested person and inquired as to what would be placed on the property to be rezoned and what J. C. THOMAS meant by light commercial.

JANE QUIMBY responded to the query, stating that it would be a warehouse for storage of stove parts and hearths, with possibly some chain link fence stored outside.

BOB GOLDIN: Staff wanted to mention that in a C1 any outdoor storage is not allowed. Under the new Codes, any storage within a C1 must be in an enclosed building, so any outdoor storage wouldn't be allowed.

VIRGINIA TRUJILLO appeared and stated J. C. THOMAS had told her father that something different would be put on the property in the proposal.

JANE QUIMBY: I think it is very obvious that the discussion and controversy will not be resolved in this room tonight, and I believe, Tom, what you were suggesting was this item be tabled?

TOM PRICE: Right.

JANE QUIMBY: And that it be brought back after there is a meeting of the neighborhood, and a spelling out of what you intend in the neighborhood, Mr. Thomas, and possibly there will be some resolution, and I don't feel that the Commission is -- they are not denying you anything if they table it, and give you an opportunity to work with the neighbors and see if some resolution to this can be made. The other alternative to this is the Commission could deny your petition, and you could in a sense appeal it to the City Council, but I don't know that that serves the purpose for anyone concerned.

PRICE/RINKER PASSED 5-1 (TRANSMEIER AGAINST) A MOTION TO TABLE #72-81, REZONE RMF-64 TO C1, D. K. AND VIVIAN WHITMIRE, UNTIL THERE IS A MEETING OF THE NEIGHBORHOOD TO TRY TO RESOLVE THE CONTROVERSY INVOLVED.

#21-81 CASCADE CONDOS AND HEALTH CLUB (FORMERLY 1st ADDITION TO THE FALLS) - FINAL PLAT

Petitioner: Robert Rewinkle.
Location: Southwest of Patterson Road and Grand Cascade Road.

A request for 18 units on 2.203 acres in a planned residential zone with a design density of 9.5 units per acre.

JANE QUIMBY read the request and opened the public hearing.

TOM LOGUE, of Paragon Engineering, appeared for the petitioner and outlined the Final Plat for the Commission.

BOB GOLDIN: If we could just get these in writing prior to City Council, and also the revised plan, so that the various agencies can take a look at it and make sure there are no additional comments concerning the revised plans.

JANE QUIMBY: It is really important that the agencies have a chance to respond to the Comments and so forth.

TOM LOGUE: Right.

ROSS TRANSMEIER: From the Staff, everything has been resolved, then?

BOB GOLDIN: Yes, if we get the things mentioned tonight in writing, and we do get the revised plan showing the one way indicators. Hearing closed.

DUNIVENT/PRICE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL #21-81, CASCADE CONDOS AND HEALTH CLUB (FORMERLY 1ST ADDITION TO THE FALLS) - FINAL PLAT; THAT WE HEREBY RECOMMEND TO CITY COUNCIL THAT #21-81, FINAL PLAT OF CASCADE CONDOS AND HEALTH CLUB BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: THAT STAFF COMMENTS BE RESOLVED AND IN WRITING.

#73-81 CRESTVIEW II - REZONE RSF-5 to PR .6 - PRELIMINARY PLAN

Petitioner: Milfred and Olive McCallister.
Location: West of 27.5 Road and South of F.5 Section Road Line.

A request to change from single family residential uses at 4 units per acre to planned residential uses at 6 units per acre on 2.15 acres.

- a. Consideration of zone.
- b. Consideration of preliminary plan.

JANE QUIMBY read the request and opened the public hearing.

DEL BEAVER, of Paragon Engineering, appeared for the Petitioner and outlined the preliminary plan for the Commission.

ROSS TRANSMEIER: On your form you have fifty-two percent of the area is covered by building. That is probably not correct.

DEL BEAVER: That is not correct. I don't know where that number came from. We are only talking about three additional units, in addition to the existing unit.

ROSS TRANSMEIER and DEL BEAVER discussed the private driveway.

ROSS TRANSMEIER: The only thing I don't understand, why you are not dedicating the street. I just don't understand what the difference is, whether it is City, or a private drive.

DEL BEAVER: If it is a public street, then the public has the right of access to it.

BOB GOLDIN: Staff just needs some clarification. There may be a typo on this, asking for PR 8. Is that PR .6, or PR 8.

DEL BEAVER: It was PR point something.

BOB GOLDEN: It comes out to 5.53.

DEL BEAVER: I think we were asking for PR .6, because that was on the high end.

BOB GOLDIN outlined the Review Sheet Comments and gave the Staff Recommendations.
Hearing closed.

TRANSMEIER/LITTLE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL #73-81, CRESTVIEW II, REZONE RSF-5 TO PR.6, MILFRED AND OLIVE McCALLISTER, LOCATED WEST OF 27.5 ROAD AND SOUTH OF F.5 SECTION ROAD LINE; WE HEREBY RECOMMEND TO THE CITY COUNCIL THAT #73-81, REZONING, BE APPROVED, SUBJECT TO THE CONDITIONS SET FORTH BY THE STAFF BEING RESOLVED BY AUGUST 9, 1981, SPECIFICALLY THE LANDSCAPING AND THE COMMENTS OF THE CITY ENGINEER.

TRANSMEIER/RINKER PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL #73-81, PRELIMINARY PLAN, CRESTVIEW II, LOCATED WEST OF 27.5 ROAD AND SOUTH OF F.5 SECTION ROAD LINE, FOR CONSIDERATION; THAT WE HEREBY RECOMMEND TO THE CITY COUNCIL APPROVAL OF #73-81, PRELIMINARY PLAN, CRESTVIEW II, SUBJECT TO THE FOLLOWING CONDITIONS: THAT ALL STAFF COMMENTS BE RESOLVED BY AUGUST 9TH.

#66-81 REZONE RSF-8 TO PR 20 AND OUTLINE DEVELOPMENT PLAN

Petitioner: William Wells.

Location: West of 28.5 Road and approximately 250'
South of Elm Avenue.

A request to change from single family residential uses at 8 units per acre to planned residential uses at 20 units per acre on 1.41 acres.

- a. Consideration of zone.
- b. Consideration of outline development plan.

JANE QUIMBY read the request and opened the public hearing.

FRANK WAGNER, of Armstrong Engineers, appeared for the petitioner and outlined the proposed rezone and outline development plan for the Commission.

JANE QUIMBY: There is very little open space in that except for that one small --

FRANK WAGNER: Percentagewise --

JANE QUIMBY: Well, I am talking about central open space.

FRANK WAGNER: That is true.

ROSS TRANSMEIER: And the height of the building?

FRANK WAGNER: Probably approximately twenty-five feet. That again would depend upon the final design.

TOM PRICE: Would there be children in these units?

FRANK WAGNER: Probably, but --

TOM PRICE: What about a play area?

FRANK WAGNER: The only play area we have designated is on the northwest corner, the northwest area.

JANE QUIMBY: I think since this is Outline Development Plan, it is probably something we can get into on preliminary, but you understand our concerns for some central open area for people -- I think it is important to have some private, but it is also important to have some central open area that people can use in a development as intense as this.

BOB GOLDIN: The Staff has no comments at this stage with the outline development plan that can't be resolved prior to preliminary submittal.
Hearing closed.

RINKER/PRICE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #66-81, REQUEST FOR REZONE RSF-8 TO PR 20, WILLIAM WELLS, FOR PROPERTY LOCATED WEST OF 28.5 ROAD AND APPROXIMATELY 250' SOUTH OF ELM AVENUE; WE HEREBY RECOMMEND THAT THE REZONE RSF-8 TO PR 20 BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: THAT ANY STAFF COMMENTS BE RESOLVED PRIOR TO PRELIMINARY PLAN HEARING.

RINKER/PRICE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #66-81, OUTLINE DEVELOPMENT PLAN FOR PROPERTY LOCATED WEST OF 28.5 ROAD AND APPROXIMATELY 250' SOUTH OF ELM AVENUE; THAT WE HEREBY RECOMMEND TO CITY COUNCIL THAT #66-81, OUTLINE DEVELOPMENT PLAN OF WELLS ADDITION DEVELOPMENT BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: THAT STAFF COMMENTS BE RESOLVED PRIOR TO PRELIMINARY PLAN HEARING.

#69-81 HASSEL COURT MINOR SUBDIVISION (2 LOTS)

Petitioner: Merritt Sixbey.
Location: Southeast corner of Mountain View Street
and Unawep Avenue.

A request for 2 lots on .38 acres in a single family residential zone at 5 units per acre.

JANE QUIMBY read the request and opened the public hearing.

MERRITT SIXBEY appeared as the petitioner and outlined the proposal for the Hassel Court Minor Subdivision of two lots.

DON WARNER: I had one phone call and the woman was opposing it, and then it was a misunderstanding. She thought it was zoned for duplex, and it is single family zoning. When I told her it was single family, she withdrew any opposition.

BOB GOLDIN: We also got an additional phone call late this afternoon from a lady who was opposed to any kind of development on that lot. She did not state her name or address.

ROSS TRANSMEIER: Is the Staff happy?

BOB GOLDIN: The Staff had a concern about showing 30 feet when the Engineer asked for 33 feet -- The Engineer has asked for 33 feet and Mr. Sixbey has agreed to give him the additional three feet, without any problem.
Hearing closed.

LITTLE/TRANSMEIER PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #69-81, HASSEL COURT MINOR SUBDIVISION, LOCATED SOUTHEAST CORNER OF MOUNTAIN VIEW STREET AND UNAWEEP AVENUE; WE HEREBY RECOMMEND TO CITY COUNCIL #69-81, HASSEL COURT MINOR SUBDIVISION, BE APPROVED, SUBJECT TO STAFF COMMENTS.

#74-81 ROAD VACATION

Petitioner: Doss Simpson.
Location: South of Elm Avenue and West of 13th Street.

A request to vacate the North 10 feet of Lots 8 through 12 and the North 10 feet of the East one-half of Lot 7, all in Block 2 of Henderson Heights Subdivision.

JANE QUIMBY: This item, number 11, in case someone came in late, #74-81, which was a road vacation, was pulled from the Agenda by the Petitioners.

#68-81 REZONE RSF-8 TO PR-23 AND OUTLINE DEVELOPMENT PLAN

Petitioner: Robert Reece.
Location: Southwest corner of Orchard Avenue and 13th Street.

A request to change from single family residential uses at 8 units per acre to planned residential uses with a design density of 23 units per acre.

- a. Consideration of zone.
- b. Consideration of outline development plan.

JANE QUIMBY read the request and opened the public hearing.

RICHARD LIVINGSTON appeared as one of the owners of the subject property and outlined the request for Rezone RSF-8 to PR-23, and Outline Development Plan, for the Commission.

EVA KAUFMANN appeared as a property owner in the area and presented a petition to the Commission in opposition to the proposed rezone and outline development plan.

EVA KAUFMANN: Since we had a meeting with the developers, we have had a meeting amongst ourselves, and we have resolved that we would like to keep this single family dwellings.

EVA KAUFMANN went on to state that the neighborhood felt that they had not been treated right by the previous owners to the property in that they had been promised certain rights and felt the promises had not been upheld.

ROSS TRANSMEIER: Your question is to the business part?

EVA KAUFMANN: To the whole thing; the whole thing was zoned as a buffer.

ROSS TRANSMEIER: The multi-family, too?

EVA KAUFMANN: Yes, sir. That's where my house would be, that bottom blue would be right across the street from that, and that would be an eight-plex.

JANE QUIMBY: Did you attend the neighborhood meeting that was held with the developers?

EVA KAUFMANN: Yes, I surely did. We have since had a meeting amongst all of the neighbors, and we have come to the consensus, as you can see on that petition, that we feel like we have made an agreement --

JANE QUIMBY: I guess part of my problem is that you indicated you thought the Jaros still owned part of the property, and did that in any way influence you in your -- I know a lot of things that have gone on with that property, having been on the Council, but I guess my concern is that --

EVA KAUFMANN: No.

RICHARD LIVINGSTON and EVA KAUFMANN debated whether or not promises would be lived up to, and so forth, on the part of the present owners of the property.

ALTA ASHCRAFT appeared as a property owner in the area and expressed concern about the traffic and described the streets and their use in the area of the proposed rezone.

JANE QUIMBY: Mr. Livingston suggested at the beginning of this presentation he would like to have input from Commission Members and from people in the audience, and we would all sit down together and reason together, I believe is the way Rich is approaching this, and quite frankly, I like that approach because I think there is never a hard and fast yes or no; that sometimes there are things that can be given and I think you all accept that the property, in the condition it is now, is not desirable, and maybe there is some way that there can be a resolution as to what can be done with that property.

JANE QUIMBY: -- and I guess what I am hoping is you all will say, let's get together another time and give another try to see if there isn't something we can come up with.

RICHARD LIVINGSTON, EVA KAUFMANN and ALTA ASHCRAFT debated the issue of what could reasonably be placed on the property and what would and would not be offensive to the neighbors in the area of the proposed rezone.

TOM PRICE: Madam Chairman, I think that these people can get together and reasonably talk these issues out, and I am hearing some things that maybe some of you might lend an ear to; some things that he is having to say, and I think that you really need to get together and talk this over, and I think we should table this until such time --

RICHARD LIVINGSTON: We agree to that, Mr. Price, and we are more than happy to spend the time and meet with these people on even more than one occasion, if necessary, to get that input and hopefully come back to you with something a little more concrete.

BOB GOLDIN: The Staff could be available for any questions, should the individuals have them, concerning planned development requirements, time frames, what you are looking at, what is involved, what can be done; also, what can not be done, so to speak, and one of us could be available, perhaps at the meeting, to answer any questions.

ROSS TRANSMEIER: Mr. Livingston, are you willing to pay to have that street -- 13th -- paved?

RICHARD LIVINGSTON: We have made a basic assumption, going in, that that would probably be our responsibility.

JANE QUIMBY: I think there are a number of things that could be done on that which would be a great improvement over what it is now.

JANE QUIMBY: The prerogative of the Chair is that this item is tabled, and that we will have a neighborhood meeting, and Staff or Planning Commission Members can be of assistance to you. Please go into the meeting with the idea everybody is going to give a little bit and everybody is going to take a little bit.

RICHARD LITTLE: And everybody is going to benefit.

#67-81 CONDITIONAL USE AND EXPANSION OF LIQUOR LICENSE -
BOARD OF TRADE RESTAURANT.

Petitioner: Donald Fleisher.
Location: 336 Main Street.

A request to expand a restaurant liquor license.

JANE QUIMBY read the request and opened the public hearing.

DUANE READING, owner of the Board of Trade Restaurant, appeared and outlined the need for the expansion of the conditional use for liquor license.
Hearing closed.

DUNIVENT/PRICE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #67-81, CONDITIONAL USE, EXPANSION OF A LIQUOR LICENSE, LOCATED AT THE BOARD OF TRADE RESTAURANT, 336 MAIN STREET; WE HEREBY RECOMMEND TO CITY COUNCIL #67-81, CONDITIONAL USE FOR EXPANSION OF LIQUOR LICENSE, BOARD OF TRADE RESTAURANT, BE APPROVED.

#65-81 REPLAT OF LOT 7, BLOCK 4 OF WEST LAKE SUBDIVISION

Petitioner: Edward S. Cary.
Location: Southwest corner of West Mesa and Bluegill Streets.

A replat of Lot 7, Block 4 of West Lake Subdivision.

JANE QUIMBY read the request and opened the public hearing.

ED CARY appeared as the Petitioner and outlined the request for Replat of Lot 7, Block 4 of West Lake Subdivision, for the Commission.

RICHARD LITTLE: What do you plan to do about that grade? It's pretty steep.

ED CARY: On the lot on Mesa, I think what we will have to do is I have a plan drawn, but I think we will put a two car garage into the hill and build on top of it.

RICHARD LITTLE: Has an Engineer, or anyone who specializes in soils and what their technical properties are, looked at your property and advised you one way or another as to the feasibility of developing that as you want to?

BOB GOLDIN: Colorado West Surveying Company said, "New lots are buildable, utilizing the existing plans."

DON WARNER described the requirement for having the majority of the people in the area covered by the Covenants, agree to the proposed change in the Lot.

JANE QUIMBY: I don't think there was any particular disfavor with your dividing those lots and building something on them. We just simply couldn't figure out how you were going to build something on them.

ED CARY: They are not nearly as steep as the Ridges.

JANE QUIMBY: And we were concerned about the soil in that area.

DON WARNER: The building requirements would require engineering design on all of the foundations.

JACK OTT: Isn't there a drain that drains the irrigation water?

ED CARY: It goes right down the sides of the street.

ROSS TRANSMEIER: The biggest concern I had was the condition of the soil and if it would support a house and so on, and of course, that isn't absolutely necessary to know, to get your subdivision, but you might end up with two pieces of ground you can't even put one house on.

DON WARNER: You can always build one house on two lots, as long as both the lots stay in one ownership.
Hearing closed.

RINKER/LITTLE PASSED 6-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #65-81, REPLAT OF LOT 7, BLOCK 4 OF WEST LAKE SUBDIVISION, BY EDWARD S. CARY, LOCATED AT THE SOUTHWEST CORNER OF WEST MESA AND BLUEGILL STREETS; WE HEREBY RECOMMEND TO CITY COUNCIL #65-81, REPLAT OF LOT 7, BLOCK 4 OF WEST LAKE SUBDIVISION, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: THAT STAFF COMMENTS BE RESOLVED AND THAT THE COVENANTS BE RELEASED AND RECORDED.

The second meeting of the month of July, 1981, was adjourned at 10:50 p.m.

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