

GRAND JUNCTION PLANNING COMMISSION

M I N U T E S

October 27, 1981

The first meeting of the month of October, 1981 was called to order at 7:33 p.m. by Chairman RICHARD LYTTLE. The following members were present: MILAND DUNIVENT, ROSS TRANSMEIER, JACK OTT, SUSAN RINKER and JANE QUIMBY.

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.

QUIMBY/RINKER PASSED 5-0 A MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 29, 1981 PUBLIC HEARING.

BOB GOLDIN announced that BILL O'DWYER had been appointed to the Planning Commission, effective this date.

CONSENT AGENDA:

#47-79 CRESTVIEW TOWNHOMES - REVISED FINAL PLAN

Petitioner: Henry Fausson/Crestview, Ltd.
Location: Northeast corner of Crestview Way and 15th Street.

A request to amend the final plan of Crestview Townhomes on 0.1 acre in a planned residential zone at 8 units per acre.

#89-79 AN AMENDMENT TO AN APPROVED PLAN - HOTEL/
RESTAURANT LIQUOR LICENSE

Petitioner: Frank Bering.
Location: Southwest corner of 12th and Patterson

A request for a hotel/restaurant liquor license on approximately .67 acre in a planned business zone within the Village Fair approved final plan.

#90-81 ALLEY VACATION

Petitioner: V. W. Perino.
Location: North of Lot 48, Block 4, and the South 50 feet of Lots 1 through 5, Block 4, Orchard Mesa Heights Subdivision.

A request to vacate the alley between Lot 48, Block 4 and the South 50 feet of Lots 1 through 5, Block 4 of Orchard Mesa Heights Subdivision.

QUIMBY/DUNIVENT PASSED 5-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF #47-79, CRESTVIEW TOWNHOMES, REVISED FINAL PLAN; #89-79, AN AMENDMENT TO AN APPROVED PLAN - HOTEL/RESTAURANT LIQUOR LICENSE; AND #90-81 ALLEY VACATION, ALL SUBJECT TO CONDITIONS OF THE PLANNING COMMISSION AND STAFF.

#81-81 TEXT AMENDMENT - GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Petitioner: City/County Development Department.

A proposed amendment to the Grand Junction Zoning and Development Code to add Section 5-11, text and maps, which establishes an Airport Overlay Zone governing uses within and establishing new compatible land uses around Walker Field Airport. Also, add: clear zone, critical zone, area of influence and Avigation easement to the list of definitions, Chapter 13 of the Grand Junction Zoning and Development Code.

RICHARD LYTLE read the request and opened the public hearing.

BOB GOLDIN: Just for everyone's information, a brief overlay as to what is going on. The proposed text tonight is only for within the City Limits of Grand Junction. This does not affect anything in the County at the present time.

What we are proposing is a text amendment to incorporate an airport overlay on to the City Limits of Grand Junction. The overlay involved is totally within the City boundaries. Again, this does not affect the County at all, which is the area in blue here. This is 12th Street, Horizon Drive, 29 Road, 26 Road, G Road and Patterson.

The area which is under consideration tonight includes three different areas: one being the clear zone at the end of the runway at Walker Field; the other being the critical area, which is extended out beyond the end of the runway, and the other area enclosed in the red boundary, which is the area of influence.

-- What this overlay zone is trying to establish is compatible uses around the airport. -- This is not a retroactive text amendment. This would only be for any new development.

BOB GOLDIN went on to outline the procedure being used for establishment of the text amendment.

PAUL BOWERS, Airport Manager at Walker Field Airport, appeared and spoke in favor of the text amendment.

PAUL BOWERS: This package came before you for the second time now. The first time it came through and there were some procedural problems and technical problems with it, which I think we have resolved. The Staff has done a good job in explaining this package.

It should be pointed out -- reiterated, actually, that it is not a retroactive package. This applies only to developments which will be taking place in the future. It is not going to be applied to packages which are now before the Planning Department. They are within the works, so to speak. It will only be for new development. It will not in any way affect the existing use of that land.

One other point that Bob did not stress that I think should be is that the area of influence -- that area shown within the red boundary line -- covers a substantial area around the Airport and that zone was developed in a 1975 Master Plan by Isbill Associates, following about two years of public hearings, public input, both from the Planning Commission, City Council, the County Commissioners, and various concerned groups within the Valley, and that is a zone that is administratively enforceable, recognizable. There is no particular magic to that line. The southernmost boundary of that is F Road. The point has been raised that there is no more noise on the north side of it than there is on the south side of it, and that point is well taken. But it is a realistic boundary, developed from various composites, both C & R noise contour rates, decibel ratings, direct flight patterns, direct flight patterns of the Airport. That is not an imaginary line that we have arbitrarily drawn. It is one we have drawn directly from the 1975 Master Plan. The only area -- within that area of influence, there is no particularly restrictive use of that land. It does not in any way restrict use of that land and simply attaches an Avigation easement to the chain of title for that property.

The critical zone and the clear zone does have some restrictions, and the text change has a matrix that better defines that, rather than having it here.

BOB ENGELKE appeared and spoke in opposition to the text amendment.

BOB ENGELKE: I do want to commend Staff on many of the changes, and the Commission and Council and so forth. I think there have been some constructive things accomplished. However, I would suggest that, as the reference material that was submitted by myself and in some cases some other information by Mr. Ballagh, this is a fairly complex subject and I am not sure that this forum, with all these people here, is the time and place to go into detail on all of our objections. We did specify many of them in Memoranda format, as requested by City Council, along with the Exhibits.

I would like to submit to the Planning Commission, in this official capacity here tonight, the Memorandum I sent to you all about a week and a half ago? October 9th.

-- I am afraid the public still has not been informed on this adequately, and I would like to suggest again that the approach in public information or public awareness be stressed here.

JOHN BALLAGH appeared in opposition to the text amendment, presented a Memorandum for the Commission's consideration and requested an additional change in the definitions as addressed in his Memorandum.

JOHN BALLAGH: -- And I think that you, as the Planning Commission, should also consider that and minimally change the definition of development. It is addressed in my Memorandum, and I request that it be made a matter of record.

RICHARD LYTLE: Thank you, Mr. Ballagh. Staff, do you care to address that?

BOB GOLDIN: Yes. That was a very good concern Mr. Ballagh had. We did incorporate that in to the Text, under 5-11-3D. We did note the difference from what we originally had as just development, to incorporate the idea that should someone care to re-roof their house, an avigation easement would not be required. There is also an additional feature in there that says even if he puts in a garage or addition to his house, an avigation easement would not be required. We did take his concerns into incorporation in the Text.

RICHARD LYTLE: This amendment only pertains to new construction?

BOB GOLDIN: That is correct.

JANE QUIMBY: I think it is important for everyone to understand that one of the reasons for our concern for this kind of thing is that we are responsible for protecting both the City, the Airport, and the people who live within the City Limits.

We are trying to do some long range planning, to avoid some things that might come up in the future, -- and I would hope the Commission sees fit to adopt this.

RICHARD LYTLE closed the public hearing.

TRANSMEIER/QUIMBY PASSED 5-0 A MOTION TO SUBMIT #81-81, TEXT AMENDMENT, GRAND JUNCTION ZONING AND DEVELOPMENT CODE, PETITIONER: CITY AND COUNTY DEVELOPMENT DEPARTMENT, A PROPOSED AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, TO ADD SECTION 5-11, TEXT AND MAPS, TO ESTABLISH AN AIRPORT OVERLAY ZONE GOVERNING USES WITHIN AND ESTABLISHING NEW COMPATIBLE LAND USES AROUND WALKER FIELD AIRPORT; TO ADD CLEAR ZONE, CRITICAL ZONE, AREA OF INFLUENCE AND AVIGATION EASEMENT TO THE LIST OF DEFINITIONS, CHAPTER 13 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, AND THAT THE TEXT AMENDMENT BE APPROVED.

#78-81 CORTLAND SUBDIVISION - FINAL PLAT AND PLAN

Petitioner: Vern O. Thompson.
Location: North of Cortland Avenue and approximately
320 feet west of 28 Road.

A request for a final plat and plan on 2.61 acres in a planned residential zone at 4.2 units per acre.

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

RICHARD LYTLE read the request and opened the public hearing.

KENT HARBERT, of Western Engineers, appeared for the Petitioner and outlined the final plat and plan for Cortland Subdivision, for the Commission.

BOB GOLDIN: Staff's concerns have been addressed, as far as the technical issues. There still was a question about the half street improvements. We did run it by the City Works Department today. They seemed satisfied with what had been proposed.

RICHARD LYTLE closed the public hearing.

DUNIVENT/RINKER PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL #78-81, CORTLAND SUBDIVISION, FINAL PLAT AND PLAN, PETITIONER, VERN O. THOMPSON, LOCATED NORTH OF CORTLAND AVENUE AND APPROXIMATELY 320 FEET WEST OF 28 ROAD, WITH A RECOMMENDATION OF APPROVAL.

#95-81 DEVELOPMENT IN H. O - WESTERN "6" MOTEL

Petitioner: Ron Whitney.
Location: Northeast corner of Horizon Drive and
G Road.

A request for a motel (130 units) on 2.34 acres in a highway oriented zone.

Consideration of development in H O final plan.

RICHARD LYTLE read the request and opened the public hearing.

RON WHITNEY appeared for the Petitioner and outlined the development in H. O., Western "6" Motel, for the Commission.

RON WHITNEY: -- one item that has not been fully cleared up is the potential of a right hand turn lane on to Horizon Drive, and also there seems to be some discrepancy as to the ultimate right of way width of G Road.

RON WHITNEY: Bob, did we have a confirmation?

BOB GOLDIN: No. We did meet with the City Works Department today, because no design has been actually drawn or formalized, and we are still in a position where actual determination of the right of way width required off of G Road still has not been determined. There is also the question of median cuts off of Horizon Drive.

Another issue that needs to be resolved as well is the ground water seepage at the rear, which the geological and soils report did not address -- again, that is an issue which can be resolved. The major issue tonight really is the design of the G Road intersection.

Mr. Patterson is here from the Public Works to further explain, should there be further questions about the design. We from both the Staff and City Works respectively, do not want to design a project accordingly, without the proper widths that will be required. That is not fair to the developer, nor to the City.

RON WHITNEY: What I would like to point out, in regards to those two items, as far as a median cut in Horizon Drive for access at our drive at the north boundary of our property on Horizon we are not critically concerned about a median cut there, because we would just as soon not have traffic trying to cross Horizon Drive itself.

If the intersection of G Road and Horizon Drive is signalized, people going south on Horizon can come down and use the signalized intersection to make a right hand turn and come in off the driveway on G Road.

RICHARD LYTLE: Conceivably, you would be turning against two traffic lanes to gain access?

RON WHITNEY: If a right hand turn lane was installed there and it actually came back that far, that could be a possibility.

RICHARD LYTLE: Any further Staff Comments?

BOB GOLDIN: Again, the design of the intersection is the major concern, particularly being the grade involved on G Road, the right turn lane, the entryway, the right hand turn over here, and again, crossing as Mr. Whitney said, crossing traffic lanes both here and here.

RICHARD LYTLE: Mr. Patterson, could you shed any light on what the future of this particular intersection might be?

JIM PATTERSON: We have initiated design of Horizon Drive, the entire length of Horizon Drive, for improvements. We are not far enough along to have a design on this intersection. Our approach to designing improvements to a road is to try to look somewhere in the future and to accomodate not only today's traffic

flow and problems, but into the future, without going into too much overdesign and designing something that is not needed in the immediate future.

Probably, if we were designing that, looking at that right now, we would probably be looking at some type of right turn lane off of G Road. It is true that you would be crossing two lanes of traffic to get in there on a left turn from G Road, but at the same time there is the offsetting factor, if you do have two lanes, you will have two lanes for storage of cars waiting to get through that intersection versus one, and your storage distance will be somewhat shorter, and I think your chances of getting across the two lanes would be better, because of the shorter storage distance. You wouldn't have cars backing up as far as we think to get through that intersection, so that would be an offsetting feature there.

As far as the median on Horizon Drive, I think our thoughts along that line are to have as much median as possible along there. Of course, we have to accommodate what cuts are there today, but we are looking at Horizon Drive as a parkway traffic mover for vehicles getting to and from the Airport, and the I-70 area, and we are looking at the least number of median cuts possible, I think, to keep that traffic flow, recognizing that still certain properties will have to have those cuts to have access to their property.

You do have the adopted Horizon Drive Policy, I think, which encompasses, where possible, access from G Road, as opposed to Horizon Drive.

Prior to our design of Horizon Drive, I think it would be really well just to rely on what you feel is good planning and an approach to the City along those lines until we have some concrete plans to show you and refer you to, so with that I think our encouragement would be put the least number of cuts possible in Horizon Drive. I think I would go ahead and encourage some type of right hand turn lane on G Road at this point, prior to having the design to give to you.

SUSAN RINKER: How about the left hand turn into that area, is that possible? On G Road, and access problems coming off of Horizon?

JIM PATTERSON: I don't know off the top of my head how much right of way we have off of G Road now, and it may not be feasible to say, go for seventy-seven foot right of way. If there is not much chance, or the possibility of picking up additional right of way, it would be very costly on out G Road, and you would have a situation where you would have to squeeze down and channel traffic.

DON WARNER: I believe it's sixty now, Jim.

JIM PATTERSON: Those left turn lanes are nice, but if what you do doesn't fit your overall scheme and future planning, it may not be reasonable to ask that.

ROSS TRANSMEIER: So you are saying you can't tell us what the road width ought to be, or the corner radius ought to be?

JIM PATTERSON: The corner radius, the fifty feet seems to be workable right now. You need that radius there because of the angle of G Road intersecting with Horizon Drive. We are comfortable with that radius.

ROSS TRANSMEIER: That is ample, even with a right turn lane?

JIM PATTERSON: Yes.

ROSS TRANSMEIER: And then the right turn lane, what width do you need for three lanes of traffic on G Road?

JIM PATTERSON: Depending on what you do with sidewalks. If you have no sidewalks, you can get by with less right of way. I don't know. The developer should get with the City Engineer on the details on this. I think the question here is the right turn lane desirable, and if it is, then the details of that design should be worked out and approved with the City Engineer and the required right of way be provided.

ROSS TRANSMEIER: At what time do you think the City is going to get to this intersection on Horizon Drive and the design?

JIM PATTERSON: We anticipate completing the design on this section of Horizon Drive during 1982 -- the exact month, I don't know -- probably during the summer.

RICHARD LYTLE: What are the plans for upgrading G Road?

JIM PATTERSON: We have no immediate plans right now for upgrading G Road, other than the intersection.

ROSS TRANSMEIER: The intersection would include the right turn lane?

JIM PATTERSON: Right. When we improve Horizon Drive, we will come back off of these intersections to make a full intersection.

NANCY DICKEY appeared as a property owner in the area and objected to the proposed development, because of increase in traffic and other objections propounded in her May 4, 1981 Memorandum to the City Council.

SANDY PEESO appeared as a property owner in the area and added her support to the statements of NANCY DICKEY, and voiced the same objections.

JANE QUIMBY: This is a terrible dilemma. I don't know if everyone appreciates the impact of all of this on everyone concerned. We are constantly criticized because of Horizon Drive. We are looking at something that will add to the non-safety of that street.

If we approve the design as submitted and the street is designed and then we find that we can't live with it, the developer is in a hole; if we take the very outside limits of what we have to have, then it perhaps makes your proposal non-feasible, because we would cut down on the number of units, or something, we have only increased the problems of the traffic on Horizon Drive and of G Road and the implications for everyone concerned -- it's just a can of worms. There doesn't seem to be a very good solution for it.

ROSS TRANSMEIER: I think in the past we have always bent over backwards to approve development up and down Horizon Drive, but this is a particularly bad corner because it is probably the first corner off of Horizon, leading into a residential district. It is -- I don't know the geometric name for it, but a reverse corner -- a sort of angle, and there's a lot of engineering questions still haven't been resolved, as you heard from Mr. Patterson, that still are up in the air yet.

I personally wouldn't have objection to a motel going in there, but there are still a lot of design things that aren't clear.

RICHARD LYTLE: Until such time as Horizon Drive, G Road, and that intersection is finally designed, I don't know how we can approach it.

BOB GOLDIN outlined the options that the Planning Commission had in making a decision on this proposal.

QUIMBY/RINKER PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #95-81, DEVELOPMENT IN H O, WESTERN "6" MOTEL, PETITIONER, RON WHITNEY, LOCATED AT THE NORTHEAST CORNER OF HORIZON DRIVE AND G ROAD, WITH A RECOMMENDATION OF DENIAL OF THIS PROPOSAL AT THIS POINT, WAITING FOR THE DESIGN OF HORIZON DRIVE AND G ROAD, SO THAT WE NO LONGER COMPLICATE THE PROBLEMS WE ARE SEEING IN THAT AREA.

#94-81 REZONE B2 TO P AND P TO B2.

Petitioner: Louis Brach.
Location: Northeast corner of 1st Street and Orchard Avenue.

A request to change from neighborhood convenience business uses to parking and from parking to neighborhood convenience business uses on approximately 1.7 acres.

- a. Consideration of rezone from B2 to P.
- b. Consideration of rezone from P to B2.

RICHARD LYTTLE read the request and opened the public hearing.

LOUIS BRACH appeared as the Petitioner and outlined the request for rezone, for the Commission.

CHRIS GRAY, Architect for LOUIS BRACH, appeared and outlined the plans for redevelopment of the area proposed to be rezoned.

ROSS TRANSMEIER: Then you are in agreement with the City Engineer, then, on the curb cuts?

JANE QUIMBY: No, they are not.

CHRIS GRAY: We agreed to close the one curb cut on the south. We would like to leave -- well, closing one of the three on the west, and we would like to leave the other two on the west as they are.

JANE QUIMBY: May I ask what the request is for ninety days between the occupancy of the new building and the tearing down of the old building?

CHRIS GRAY: I received a phone call from Alex, at the Planning Department, requesting that we guarantee that we will remove the building on the corner within a stipulated length of time, and it was suggested that we say ninety days after the occupancy of the other building, so that it is very clear that we will not build the other building and leave the existing building.

JANE QUIMBY: Do you need ninety days?

LOUIS BRACH: We don't need ninety days; that's what he has asked for.

ROSS TRANSMEIER: What is the shortest time you need?

CHRIS GRAY: Thirty days.

LOUIS BRACH: Thirty days.

The Commission, the Staff, Louis Brach and Chris Gray discussed the curb cuts and the City Engineer's recommendations on the curb cuts.

LOUIS BRACH stated he would like to retain the four foot fence that is already in place.

BOB GOLDIN: If the four foot fence is adequate and is acceptable to the neighbor, really we are just trying to protect the neighbor.

RICHARD LYTLE closed the public hearing.

TRANSMEIER/DUNIVENT PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #94-81 REZONE B2 TO P, PETITIONER LOUIS BRACH, LOCATED ON THE NORTHEAST CORNER OF 1ST STREET AND ORCHARD AVENUE, WITH A RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS, AND THAT NO MORE THAN THIRTY DAYS BE ALLOWED FOR REMOVAL OF THE OLD BUILDING AFTER OCCUPANCY OF THE NEW BUILDING.

TRANSMEIER/DUNIVENT PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #94-81 REZONE P TO B2, PETITIONER LOUIS BRACH, LOCATED ON THE NORTHEAST CORNER OF 1ST STREET AND ORCHARD AVENUE, WITH A RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS.

#70-81 REZONE RSF-8 TO PB AND ORCHARD CENTER, ORCHARD GROVE - OUTLINE DEVELOPMENT PLAN

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

A request to change from residential single family uses at 8 units per acre to planned business uses on 2.53 acres.

- a. Consideration of rezone from RSF-8 to PB.
- b. Consideration of outline development plan.

RICHARD LYTLE read the request and opened the public hearing.

RICHARD LIVINGSTON appeared for the Petitioner and outlined what had taken place since the last informational meeting on this request, stating there had been a couple of meetings with the neighborhood and that the plan now included the input they had received from the neighborhood.

BOB REECE: -- we did want to address this proposal in two fashions: One is whether or not we have the vacation approval and proceed in the fashion that Rich Livingston just mentioned to you, but what happens if the vacation is not approved? And I think we need to address that. We would prefer to take this project as it was initially designed and proceed with it as you see it today, if the vacation does not proceed. We talked to the neighborhood owners with respect to that regard and they have said to us, in informal meetings that if we can't get the vacation as we have requested, or are about to request in subsequent meetings, then we ought to proceed with this project as it is today, and they are in agreement with that process.

BOB GOLDIN: Perhaps Staff can shed a little light. This is an outline development plan only. This is not a vacation. The road vacation could accompany the preliminary plan simultaneously. It would be reviewed as two separate proposals.

GEORGE THEISEN: My question was if this goes to City Council and is approved -- the zoning is approved, is there a sunset law, or time that they have to begin construction?

RICHARD LYTLE: Yes.

GEORGE THEISEN: We didn't know if it was a year or a year and a half.

RICHARD LYTLE: One year.

BOB GOLDIN: They have one year to submit preliminary plan and then on to another step.

RICHARD LIVINGSTON: What he is saying, just approving this doesn't give us the right to go build. We have still got to do preliminary plan and final plan.

GEORGE THEISEN commented on the street vacation and was informed it was not being considered at this hearing.

BOB GOLDIN: We would like to congratulate the Petitioner on having the neighborhood input; they have had it all the way through the process and they have been very accomodating to both to us and to the neighborhood.

BOB GOLDIN went on to outline the technical issues remaining to be addressed.

RICHARD LYTLE closed the public hearing.

RINKER/QUIMBY PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #70-81, REZONE RSF-8 TO PB, PETITIONER ROBERT REECE, LOCATED AT THE SOUTHWEST CORNER OF 13TH STREET AND ORCHARD AVENUE AND THE NORTHWEST CORNER OF 13TH STREET AND MESA AVENUE, WITH A RECOMMENDATION OF APPROVAL.

RINKER/QUIMBY PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL FOR CONSIDERATION #70-81, ORCHARD CENTER, ORCHARD GROVE, OUTLINE DEVELOPMENT PLAN, PETITIONER ROBERT REECE, LOCATED AT THE SOUTHWEST CORNER OF 13TH STREET AND ORCHARD AVENUE AND THE NORTHWEST CORNER OF 13TH STREET AND MESA AVENUE, WITH A RECOMMENDATION OF APPROVAL.

#92-81 CRESTVIEW TOWNHOMES III - PRELIMINARY PLAN AND REVISED FINAL PLAN - CRESTVIEW I

Petitioner: Todd Deutsch/Towne Properties, Ltd.
Location: Northwest corner of 27.5 Road and F.25 Road.

A request for 83 units on 11.5 acres in a planned residential zone at 8 units per acre.

- a. Consideration of preliminary plan.
- b. Consideration of revised final plan.

RICHARD LYTLE read the request and opened the public hearing.

TOM LOGUE, of Paragon Engineering, appeared for the Petitioner and outlined the request for Preliminary Plan, Crestview Townhomes III, and Revised Final Plan for Crestview I, for the Commission.

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

TOM LOGUE: I would like to maybe deviate a little bit from the plan. I think, if you analyze the plan closely, you will see that every aspect that is, you know, we have to have a certain guideline to go by, which is the current preliminary regulations. There's a lot of areas in those subdivision processing regulations that are open to interpretation as to what level do you really need?

Everything -- and I can guarantee and stake my life on it -- that is asked for in the preliminary plan submission is either on that plan or on other planes that were submitted with that plan.

RICHARD LYTLE: Jim, do you want to address anything on this project?

JIM PATTERSON: Not really. I think the only comment is at this point we do not expect all of these to be resolved, at this point. I think mainly the comments the City Engineer did raise would be to assist the Engineer in recognizing these are problems that are going to have to be resolved.

JANE QUIMBY: But, Jim, this is a preliminary plan. It is a request for consideration of a preliminary plan. It might better have been an ADP, but it happens to be a preliminary.

TOM LOGUE: The way I am reading this is you are asking us, in order to receive preliminary plan approve, to do the necessary engineering work, with no guarantee that you will accept our plan.

The Staff, TOM LOGUE, and the Commission discussed the procedure for this request, what had been requested of the Petitioner and what technical issues still remained to be resolved.

BOB GOLDIN: What we have done in the past -- I don't want to set any precedent tonight either -- we have said if these comments that come in late can be resolved prior to City Council review, that that's an acceptable -- or that that's a common practice which has been done in the past.

RICHARD LYTLE closed the public hearing.

TODD DEUTSCH appeared as one of the Petitioners and outlined the background of the firm developing the project.

The public hearing had been reopened to allow the comments of TODD DEUTSCH, and RICHARD LYTLE again closed the public hearing.

ROSS TRANSMEIER: I think probably a little light on getting -- almost all the questions are technical and well beyond my realm to understand. It is just a matter of getting what we need in the time table. I think Paragon Engineering, and Tom Logue, has put a lot of projects before us, generally in good shape, and it looks like this is basically a very good project as far as location and so forth.

I would like to see us go ahead and approve the preliminary plan, with the stipulation that if they can get everything corrected before it goes to City Council, with the understanding it is probably the exception to do it this way, at this time, because looking at the property even I can tell there will probably be some engineering problems.

SUSAN RINKER: I agree.

TRANSMEIER/RINKER PASSED 5-0 A MOTION TO SUBMIT #92-81, CRESTVIEW TOWNHOMES III, PRELIMINARY PLAN, TOWNE PROPERTIES, LTD, PETITIONER, LOCATED AT THE NORTHWEST CORNER OF 27.5 ROAD AND F.25 ROAD, TO THE CITY COUNCIL FOR CONSIDERATION, WITH A RECOMMENDATION OF APPROVAL, WITH THE STIPULATION THAT THE STAFF COMMENTS BE RESOLVED BEFORE SUBMISSION TO CITY COUNCIL.

TRANSMEIER/RINKER PASSED 5-0 A MOTION TO SUBMIT #92-81, REVISED FINAL PLAN, CRESTVIEW I, TOWNE PROPERTIES, LTD, PETITIONER, LOCATED AT THE NORTHWEST CORNER OF 27.5 ROAD AND F.25 ROAD, TO THE CITY COUNCIL FOR CONSIDERATION, WITH A RECOMMENDATION OF APPROVAL, WITH THE STIPULATION THAT THE STAFF COMMENTS BE RESOLVED BEFORE SUBMISSION TO CITY COUNCIL.

JANE QUIMBY: I hope it is clearly understood these do not go to City Council until all of those things have been resolved.

#72-81 REZONE RMF-64 TO C1

Petitioner: C. 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.

a. Consideration of rezone from RMF-64 to C1

RICHARD LYTLE read the request and opened the public hearing.

CHUCK THOMAS appeared as the Petitioner and outlined his understanding of what had happened over the neighborhood meeting that was to be held in the area.

RICHARD LYTLE: Mr. Thomas, the information we have is that the meeting was in fact scheduled for that Monday -- I am not sure of the exact date.

BOB GOLDIN: It was scheduled on Monday night. Mrs. Trujillo did organize the meeting. We did send a representative out, Alex Candelaria, to attend, per the recommendations of the Planning Commission, and the neighbors. Alex is not here, but he did pass on that it was scheduled for 6:30. He did stay until approximately 7:30 and Mr. Thomas did not show. There were quite a few neighbors there. After awhile they tended to filter out, and at that time Alex felt the meeting was not going to form, so he left.

RICHARD LYTLE: Was it just a case of miscommunication on the time of the meeting?

BOB GOLDIN: We didn't feel so. Alex felt there was adequate notice for all parties concerned, both by the neighbors and by Mr. Thomas and us that everybody should have been aware of it and he felt was adequately informed.

RICHARD LYTLE: It sounds as though we are just about at an impasse. This came before this Commission in July, August and in September, and here we are in October, and nothing has resolved in four months.

-- Mr. Thomas, the bottom line is the differences with the residents of that neighborhood have not been resolved. At this point in time I don't know how the Members of the Commission feel and they will voice their own opinions, but to drag this on and on and on to no conclusion seems like an exercise in futility to me.

MRS. TRUJILLO appeared and advised the Commission of the event surrounding the neighborhood meeting.

RICHARD LYTLE: I think most of the comments are already in the record from the previous hearing concerning opposition to the project.

JOHN TRUJILLO responded to Commission questions about changing the proposed access to the property, stating they would still be in opposition to the proposal.

RICHARD LYTLE closed the public hearing.

QUIMBY/DUNIVENT PASSED 5-0 A MOTION TO RECOMMEND DENIAL TO THE CITY COUNCIL OF #72-81, REZONE RMF-64 TO C1, PETITIONER C. K. AND VIVIAN WHITMIRE, LOCATED WEST OF PEACH STREET AND APPROXIMATELY 150' NORTH OF WEST OURAY.

JANE QUIMBY: Now, I would like to make a statement. Mr. Thomas, I really believe in one sense that what you were proposing there in that development should have happened, but I don't think you ever had any intention whatever of working with us, or working with the people, and I don't understand that. I think there always is a way to come to some kind of closure and agreement. I am just mind boggled by the whole thing.

#93-81 DEVELOPMENT IN H O

Petitioner: Gary Burum.
Location: North corner of intersection of Horizon
Drive and Government Highline Canal -
Lot 1 of CH4 Commercial Park.

A request for an office building on 5.5 acres in a highway oriented zone.

a. Consideration of development in H O Final Plan.

RICHARD LYTLE read the request and opened the public hearing.

JACK SCOFIELD appeared for the Petitioner and outlined the development for the Commission.

BOB GOLDIN: Staff would, just prior to any more discussion, just interject this is an approval for a helio pad, as well. What we would like from the Petitioner is that they preferably send it to FAA for their review, to make sure the minimum requirements are made aware of -- top light blinkers, whatever is necessary to accomodate a helio pad. The City has no such Regulations or requirements involved in that and thus, we would like to get the FAA review of that, and that is our only major concern on this.

JACK SCOFIELD: That heliport will be used in conjunction with the airport, so that the Petitioner will be organizing with the Airport and the FAA and whatever else is involved.

DON WARNER: We should have a copy of that clearance.

RICHARD LYTLE closed the public hearing.

QUIMBY/RINKER PASSED 5-0 A MOTION TO SUBMIT TO CITY COUNCIL #93-81, DEVELOPMENT IN H O, PETITIONER: GARY BURUM, LOCATED AT THE NORTH CORNER OF INTERSECTION OF HORIZON DRIVE AND GOVERNMENT HIGHLINE CANAL, LOT 1 OF CH4 COMMERCIAL PARK, WITH A RECOMMENDATION OF APPROVAL, SUBJECT TO STAFF COMMENTS, SPECIFICALLY THE FAA REVIEW AND REVIEW OF THE APPROPRIATE PERSONNEL AT THE AIRPORT FOR THE POTENTIAL FOR THE HELIO PAD.

WARD SCOTT appeared and inquired as to the disposition of #95-81 and was advised as to what had taken place in that request.

The first meeting of the month of October, 1981 was adjourned at 10:55 p.m.

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