

MINUTES
REGULAR MEETING
GRAND JUNCTION PLANNING COMMISSION

Wednesday -- May 27, 1959 -- 8:00 A. M.

CIVIC AUDITORIUM

The regular meeting of the Grand Junction Planning Commission was held in the Civic Auditorium at 8:00 A.M. on Wednesday, May 27, 1959, with the following members present: Chairman Glen Hopper, Mrs. F. A. Brumbaugh, Mr. Rudy Harras, Mr. V. L. Colony, Mr. Alex Bauer, Mr. Robert Van Deusen, Mr. Claud Smith, and Secretary R. E. Cheever.

Absent: Mrs. Cleo Diemer.

Also present: Regional Planning Director Gene Allen, Councilmen Ed Strnad and Ray Meachum, City Engineer Carl Alstatt, Chief of Police Karl Johnson, Fire Chief Frank Kreps, Mr. Pat Gormley, Mr. and Mrs. Claud Justice, and Messrs. Adolph Fisher, Dale Luke, and Oberholtzer.

I. MINUTES.

The meeting was called to order by Chairman Glen Hopper. Motion was made by Mr. Alex Bauer that the minutes of the Special Meeting on May 6, 1959 and the Regular Meeting on April 29, 1959 be approved as written, and that the reading of them be dispensed with. Motion was seconded by Mrs. Brumbaugh, and carried.

II. REZONING OF JAROS TRACT (12th and Orchard)

The Chairman said that at the request of Attorney Tom Younge that a special meeting be held for this one item, he would entertain such a motion. Motion was made by Mr. Bauer that this special meeting of the Planning Commission for this one purpose, only (discussion of rezoning of the Jaros tract) be held next Tuesday evening, June 2, 1959, at 7:30 P. M. in the Civic Auditorium. Motion seconded by Mr. Harras, and carried.

At this time, Mr. Strnad^{asked} the question whether it is up to the City Council or the Planning Commission to get the new zoning ordinance completed. Also, he asked if all of these new zoning propositions^{should not} be tabled until such time as this zoning ordinance has been passed in full. He said he was thinking of a number of Business "A" lots the City of Grand Junction has, and that more property is being zoned Business A all the time. Some of this property would be in a different type of zoning, if the new ordinance were set up.

Mr. Cheever said that this question has been raised before - it is not something new. In order to bring the new members up to date, he said that this zoning ordinance was started two years ago, and we would be holding up a good many developments if we had started to table requests at that time. It would have been impossible to have done this, as we did not know just when the new ordinance would be entirely completed. The first draft was received some three months ago and quite a bit of study has been done on it since then.

Mr. Hopper said that he had wondered if the tabling of requests might not expedite the completion of the new zoning ordinance, and Mr. Strnad said that this had been his idea -- a reason was needed to push this ordinance through. He stated that it was not anyone's fault in particular that it has been dragging along for such a long time.

Mr. Hopper said that the special meeting of May 18th was postponed because City officials had not had sufficient time to study the ordinance; however, he said it should be kept in mind that another special meeting should be set up soon for this purpose. He further stated that although it might be possible to set aside something entirely new until the new ordinance is adopted, it would not be fair to stop zoning that is up for re-discussion.

Councilman Meachum said that since the new ordinance is more definite in its thinking, perhaps if questionable items could be considered on the basis of the new zoning ordinance they would not be so heavily opposed. He mentioned that the present Business "A" zone is a very wide type of zoning, allowing some things which home owners oppose greatly.

Mr. Bauer's opinion was that we cannot afford to set these requests aside, and Mr. Smith said that the Board is obligated to take care of these problems as presented. After study, if not urgent, we might lay them aside.

Chairman Hopper stated that the Commission would have to be governed by the present ordinance until the new one is adopted.

III. FREEWAY BOWLING ZONING

The Chairman called upon Gene Allen to present this item.

Mr. Allen said that this had been referred back to the Planning Commission by the City Council, their thinking being that there might be some room for improvement. The people who live in the area have requested some further consideration on it at Council meetings. In an effort to work out something that might be an improvement, in meetings held with these people, the following suggestions have been made: To zone the SW corner Business "B", the NW corner Business AR, the East end which cannot very well be divided into more than one zone, Business AR, and the part where the Bowling Alley is located, Business A. He further stated that the people in the area have not objected to a Bowling Alley, but do have some misgivings about what might go into a Business A zone.

A meeting was held by the Zoning Subcommittee, but their decision was not to make any recommendations.

Mr. Cheever asked in regard to the portion that was suggested to be zoned as Business "B" why it should be zoned lower than the owner requested, pointing out that at the time the houses in the area were built the area was not zoned. Then the Fruitvale District zoned it as Commercial - which was one step higher than what it had been (their Commercial is about the same as our Business B). Now

the owner is asking for Business "A", which is another step up -- so it has really been brought up two steps. He pointed out that it is on the Freeway and close to the railroad and that property around it is zoned for Business, and many businesses located here.

Mr. Smith stated that this Board has always thought that both sides of the Freeway should be zoned for business; if restricted to residential use, it will hamper the industrial development of this area. He said that the Freeway area is one of the best industrial areas we have and he thought that it should not be held back from industrial use. He pointed out there are so many more desirable residential areas. He then asked if the NE corner could not be zoned "AR" and all the rest Business "A".

Mr. Hopper said the right one-half of this area is used for parking and black-topped and according to City ordinance, the implication is that if that parking lot is in connection with the business, it should be under the same zoning as the Business is -- which would be Business "A".

Mr. Cheever said that when this petition was first presented, part of the area had been left out; however, the Planning Commission had recommended to Mr. Oberholtzer that he bring in the entire area. He further stated that this could have been developed under County zoning - which would be the same as our Business "B".

Mr. Hopper mentioned that this had first been presented to the Commission on January 21st, 1959 and that on March 18th, after making an on-the-spot investigation, the zoning committee had recommended to the Commission that this entire area be zoned as Business "A", which recommendation had been given to the City Council. He also said that it was partly because of his understanding that this would be annexed as Business "A" that Mr. Oberholtzer had wanted to be annexed to the City.

Mr. Bauer then made the following motion: Reaffirming their previous action, the Planning Commission recommends that the Freeway Bowling area be zoned Business "A".

The motion was seconded by Mr. Claud Smith, and carried.

IV. PETITION FOR REZONING LOTS 31 and 32, BLOCK 19, CITY OF GJ

Mr. and Mrs. Claud Justice who had presented this petition for the rezoning of Lots 31 and 32, Block 19, City of Grand Junction from Residence "B" to Business "AR" were present and stated that their reason for requesting this was in order to put in a small beauty shop (one operator) in their home. They said there would be a private entrance to the beauty shop and off-street parking would be provided on 8th Street.

Mr. Smith pointed out that there have been many requests for zoning changes in this area, stating that three blocks on 7th Street from Teller to Glenwood have been approved for Business and his opinion was that the rest of the area should be reserved for residential development. This request would not be in conformity with that pattern.

Gene Allen asked if this is a single family dwelling, and Mr. Justice answered that it is and that there was formerly a doctor's office located in it.

Chairman Hopper referred this matter to the Zoning Committee for study and recommendation.

Mr. Cheever mentioned that in some places they had an ordinance allowing a permit to be issued for beauty shops to be located in a person's own home. These permits are not transferrable, and have worked out quite well and did not cause any trouble or parking problems as there would not be enough cars at any one time. This would not be classified as spot zoning.

V. PETITION FOR REZONING LOTS 1-17, INC., BLOCK 1, CITY OF G.J.

Before considering this item, Mr. Cheever said he wished to call to the Commission's attention the fact that the lot between 9th and 10th on North is a vacant lot and that the merchants on the north side of North Avenue are proposing to buy it to use for an off-street parking lot for their employees. He said these merchants are willing to postpone this until they get the thinking of the Planning Commission on this request for the rezoning of lots 1 - 17. Mr. Cheever's opinion was that all three blocks in this area (from 12th Street to 9th Street) should very soon be zoned Business "A".

The Chairman then called on Mr. Fisher who had presented this petition for the rezoning of Lots 1-17, incl, Block 1, City of Grand Junction from Residence "C" to Business "A".

Mr. Fisher said he had lived there for 30 years and had always liked it; however, it is no longer good residential property or a good place for a home because of the traffic and noise. He stated he could not sell his property as residential property, also, it was his opinion that the three lots from 12th to 9th on North should be zoned Business "A" to conform with the zoning of the rest of North Avenue.

The Chairman said he could see no reason for this matter to be referred to the Zoning Committee, unless there were questions or further discussion.

Mr. Claud Smith said this seemed to go along with the orderly development of North Avenue, and made the following motion: That the Planning Commission recommend to the City Council that the zoning of Lots 1-17, incl, Block 1, City of Grand Junction be rezoned from Residence "C" to Business "A". Motion was seconded by Mr. Colony, and carried.

Mr. Alstatt asked what advice he should give the merchants on North Avenue in regard to this vacant lot, and Mr. Cheever said to tell them it seems to be the thinking of the Planning Commission that this area very definitely will soon be changed to Business A; however, we cannot consider just one lot, as that would constitute spot zoning. Would recommend to them that they go ahead and rezone the entire block.

VI. PETITION FOR VACATION OF ALLEY IN BLOCK 21, MILLDALE SUB.

Chairman Hopper called upon City Engineer Alstatt to explain this item.

Mr. Alstatt said that this alley is between 4th Avenue and the spur track to the Holly Sugar Company and has never been opened. There has been an angle road going to the Sugar Plant on private property along this spur track, and if 4th Avenue is opened this year we will be able to close this angle road. He further stated that there are no utilities in the alley and that this case is similar to others that have come before the Commission in the past. He said an easement for drainage might have to be worked out, but that could be taken care of by the engineering department. He suggested this request be approved.

Mr. Van Deusen made the motion that the vacation of the alley in Block 21, Milldale Subdivision be recommended to the Council. Motion was seconded by Mr. Harras.

Mr. Cheever then said that word had just been received that there was some question concerning the title to this property which might make it necessary to table this matter. Mr. Van Deusen, with the consent of Mr. Harras, then withdrew his motion.

However, upon investigation, it was determined that the title would have no effect upon the alley vacation, so Mr. Van Deusen again stated his motion -- that the vacation of the alley in Block 21, Milldale Subdivision be recommended to the Council -- which was again seconded by Mr. Harras, and carried.

VII. TELLER ARMS

The Chairman called upon Mr. Dale Luke in connection with this item.

Mr. Luke said that when he met last with the Commission on this, because there was some opposition to the alleys, the Commission recommended that all alleys (with the exception of the alley in Block 3) be deleted. However, since that time the City has contacted people along Gunnison Avenue with regard to this alley and find that four out of five residents between 23rd and 24th want the alley; the fifth property is a repossession proposition and the people who will own the place have indicated that they would want an alley -- making 100% agreement on an alley between 23rd and 24th.

Between 24th and 26th there is some opposition to the alley, so Mr. Luke said this alley has been deleted in his consideration. The rest of the alleys have been left and have been approved by both the City and the owners.

Mr. Luke also stated there is a transition in zoning in Block 2, between Teller and Belford. Originally, he had asked that it be zoned Residence "C"; however, he now feels that a transition zoning would be better. Under the present plan, it would be zoned as Business "AR".

Mr. Van Deusen asked about the turn-around in Block 8, and Mr. Luke replied that Block 8 will have a cul-de-sac at the end of Teller and Hill, all zoned as Residence "C". He said that at the present

time Blocks 7 and 8 will not be subdivided - they will merely be brought into the City and when developed, will be developed in the same manner as the rest of the subdivision.

Mr. Cheever asked Mr. Luke if he would dedicate his half of the alley between 24th and 26th, even though an alley will not be put through there right at this time. He said that perhaps at some time in the future we will get an alley through there.

Mr. Luke replied that if this is better planning he would approve and would be happy to dedicate his half of the alley between 24th and 26th Streets. He further stated that it was his opinion that the drainage problem here might be improved if an alley were put through.

Mr. Bauer made the motion that we approve the plat and zoning as presented, with the understanding that Mr. Luke will dedicate his half of the alley between 24th and 26th Streets to the City.

Mr. Cheever asked Mr. Luke about the ditch. Mr. Luke replied that if this property is annexed, the ditch will be eliminated entirely, also a ditch along the West side which now serves only one person, except the lake at the VA Hospital. He said if he could work it out with this person, he will do so and eliminate the ditch north of the railroad tracks, which would be to the advantage of everyone.

Mr. Strnad asked what would happen to the lake back of the VA Hospital, and Mr. Cheever replied that it would cost less to fill it with City water than to maintain the ditch.

Mr. Bauer's motion was seconded by Mr. Van Deusen, and carried.

VIII. FINAL APPROVAL OF CURB CUT ORDINANCE.

This Ordinance has been before the Commission several times, and it has now been passed by the City Attorney; also, City Engineer Alstatt stated that it meets with his department's approval, and both Fire Chief Frank Kreps and John Burton, Director of Public Works, have accepted it.

Mr. Colony made the motion that the Commission accept this Curb Cut Ordinance as presented; motion was seconded by Mrs. Brumbaugh, and carried.

IX. APPOINTMENT TO EXECUTIVE COMMITTEE OF REGIONAL PLANNING COMM.

Chairman Hopper made the motion that Mr. Cheever be appointed to serve on the Executive Committee of the Regional Planning Commission, replacing Mr. Zollner who recently resigned from the Commission. Motion was seconded by Mr. Colony, and carried.

Chairman Hopper called attention to the fact that at the special meeting of May 6th, the motion was made "That the Traffic Circulation Plan be deferred until the next regular meeting" - however, due to the length of the Agenda for this meeting, it was not included this time. He said it would be on an agenda in the near future.

Motion was made by Mr. Colony, seconded by Mrs. Brumbaugh, and carried, that the meeting adjourn.

R. E. CHEEVER, Secretary