

MINUTES

REGULAR MEETING  
GRAND JUNCTION PLANNING COMMISSION

Wednesday -- July 29, 1959 -- 8:00 A. M.

CONFERENCE ROOM

The regular meeting of the Grand Junction Planning Commission was held in the Conference Room at the City Hall at 8:00 A. M., Wednesday, July 29, 1959, with the following members present:

Chairman Glen Hopper, Mrs. F. A. Brumbaugh, Mrs. Cleo Diemer, Mr. Alex Bauer and Mr. Claud Smith.

Absent: Mr. V. L. Colony, Mr. Robert Van Deusen, Mr. Rudy Harras and Secretary R. E. Cheever

Also present: Councilman Edward Strnad, City Engineer Carl Alstatt, Chief of Police Karl Johnson, Regional Director of Planning Gene Allen, Messrs. Ivan Kladder, P. F. Bennett, E. B. Freeman, Al Cornelison, Bruce Brownson, Dalholz, and a number of other people.

Meeting was called to order by Chairman Hopper.

I. MINUTES.

The first item on the agenda was the approval of the minutes of the regular meeting held June 24, 1959. Mrs. Diemer stated that she would like to object to paragraph six as she did not think that it represented the feeling of the whole group but rather the feeling of a couple of members. Mr. Alstatt explained that this was the report of the committee and expressed the feeling of the committee. Mrs. Diemer withdrew her objection. It was moved by Mr. Bauer that the minutes of the regular meeting held June 24th be accepted as written. Mr. Claud Smith seconded the motion and it was declared carried, with Mrs. Brumbaugh voting No and Mrs. Diemer abstaining from voting.

II. REQUEST FOR REZONING BY MR. LOREN NESTLER. *1117 B...*

A letter received from Mr. Nestler stated that he would not be able to attend this meeting as planned so Chairman Hopper stated that due to the fact that Mr. Nestler was not present, this item on the agenda would not be taken up.

III. REPORT OF ZONING COMMITTEE ON NORTH MONTEREY PARK.

Mr. Hopper stated that this committee had met, and that Mr. Allen would make a report on this meeting.

Mr. Allen stated that there is quite a need to provide for expansion of the medical facilities in this area. He stated that there is a need to consider the area north of Orchard and from St. Mary's east to 12th; that the whole 160 acres should have an overall study instead of zoning it piece-meal. He presented a copy of the following letter to each member of the Commission:

July 20, 1959

To: The Grand Junction City Planning Commission

From: The Zoning Subcommittee

Subject: Zoning of North Monterey Park

In a meeting of Carl Alstatt, Glen Hopper, and Gene Allen, those present decided to submit the following suggestions to the Planning Commission in lieu of making a recommendation on the rezoning request at this time.

1. That no recommendation regarding zoning a part of the above tract for business be made without first having a study of existing land use, a plan for future land use and a zoning plan for the City or this neighborhood of the City.
2. That our present zoning ordinances are inadequate to handle this rezoning request in a manner compatible with good overall planning for this area.

The subcommittee by this action does not wish to convey to the petitioner that they are not in sympathy with the uses for which the rezoning request is made, but due to the overall contiguous area it is the opinion of the subcommittee more orderly development will result if the above recommendations are engaged in first, preparatory to final action on the petition.

Mr. Smith asked about the specific requests of the petitioners. Mr. Allen explained the requests of the petitioners, and Mr. Fausone stated that they have interested investors and have the approval of the State Board of Health for their building program; that the building will occupy approximately one-tenth of the area using the same streets as dedicated but that they might ask that some alleys be vacated.

Mr. Smith stated that he felt that this is an excellent area for the proposed rest home development, but that a study of the entire area from Walnut out to Patterson should be made and considered, but didn't feel that it should hold up individual property owners; that some action should be taken to let the petitioners know how the Planning Commission feels.

Mr. Maffey, 1047 Bookcliff Avenue, owner of 250 feet, adjoining this area was present, and stated that this matter has been discussed several times; each time there is a different angle; he was opposed to any business zoning in this area; bought property on strength there would be no more business zoning and he couldn't see the need for any additional business zoning in this area. When it is zoned business, anything can be put in besides this rest home.

Mr. Fausone stated that originally they were planning in terms of a residential operation, but have not been able to get builders to go into this area and had, for that reason, changed their plans. They felt that an overall zoning plan should be made for the whole area but did not like to delay their program.

It was moved by Mr. Bauer that the recommendations and report made by Mr. Allen be accepted. He withdrew his motion when it was pointed out that a motion was not necessary to accept a report. Mr. Strnad asked if the Planning Commission was going to come up with a zoning ordinance for this particular problem or if they were going to hold it up until the new zoning ordinance is prepared.

Mr. Pat Gormley stated he was representing the Chamber of Commerce Planning Committee, and they were interested in the progress being made in getting a zoning ordinance; that they expected an ordinance that would be sufficiently static to allow businessmen to plan ahead and wanted to know when it could be expected so he could report back to the Committee.

Chairman Hopper stated that it seemed best to turn this matter of the North Monterey Park zoning over to the Zoning Committee and one member of the County Planning Commission for further study and report back and that a special meeting be called when the report is ready. It was felt that a member of the County Zoning Committee should be represented as North Monterey Park is adjacent to county zoning.

#### IV REZONING NORTH 1/2 OF BLOCKS 1, 2 AND 3 ON NORTH AVE. (from 9th to 12th).

Mr. Alstatt stated that he had no report on this matter; that there have been two petitions, one presented to the Planning Commission for the changing of zoning from 11th to 12th, one from 9th to 10th. The petition for 11th to 12th which was acted on by the Planning Commission, was withdrawn for reasons unknown. The one for 9th to 10th was being deliberately held up from going to the Council to see what the Planning Commission feeling was about the whole area from 9th to 12th. There was no petition for the whole area, but it could be a council initiated change of zoning.

Mr. P. F. Bennett, 1135 North Ave., was present and asked if this is according to Hoyle for the City Council to initiate a change like this without the property owners requesting that it be changed. Mr. Alstatt explained that the Council may, upon its own motion, rezone, or, by petition of more than 50% of the frontage. This would have to be advertised for hearing.

Mr. Bennett stated that he would like to present his objections: there are no parking facilities on North Ave., no parking on 12th; it would create a hazard to make this change; it would cost him about \$100 per lot or \$200 a year more in taxes; it has been a failure farther out on North between 28th and 29th Roads; that he had bought this property in 1937 for a home and still wished to use it as such; if the zoning was changed, building out to the alley and closer to the street would be permitted and this would make property undesirable for residences.

Mr. Ivan Kladder, representing Mr. Scott Heckman, 1105 North Ave., stated that this matter had been before the Planning Commission recently when a request from Mr. Fisher for change of zoning in the 1100 block had been considered and approved and later withdrawn when presented to the Council. That a petition had been presented against this request at that time, and he would again like to present the same arguments against the request to change the zoning from

9th to 12th, as the reasons set forth in this petition applied to this request for change of zoning. He then read the petition against the change in zoning. He stated that the necessary 50% of the people had signed the counter-petition in the 1100 block on North Ave. and also people living on the north side of Belford in this block; and that it had been signed by the Mesa Junior College.

Mr. E. B. Freeman, 1037 North Avenue, stated that since they had widened North Avenue they have ruined this section as a residence district; they had taken three large shade trees out of his property; it is dangerous for children because of the heavy traffic, and was not desirable for residential property any more.

Mr. Claud Smith stated that since there was no petition to be considered that the matter be dropped; it had been seen from the property owners represented that it was not their desire to have the zoning changed; and the Commission should wait until a petition is presented. Chairman Hopper said that the Chair would accede to Mr. Smith's wishes and carry the matter over for further study and it will remain as residence property as it is. Mrs. Diemer stated that as the Commission has no petition for any ground to consider, the matter should be dropped.

Mr. Alstatt stated that since they were faced with petitions for the two blocks, it was their feeling to bring it to the Planning Commission to see if they wished to make a recommendation that the whole three blocks should be changed.

#### V. PRELIMINARY ZONING FOR WEST LAKE PARK AREA.

At the time West Lake Park came up for annexation, the zoning committee made some recommendations for the zoning of this area. As petitions for annexation of this area are being circulated again, it was felt that the zoning should be considered.

Mr. Al Cornelison was present and spoke in behalf of the Western Slope/Company. He stated that his company was interested in knowing what zoning they would have if the property was annexed, as it would influence their business. He stated they were a manufacturing company and also a retail company, and if they came into the City as a non-conforming use, they would not be allowed to expand their business under the present zoning ordinance. If the zoning ordinance could be changed so they would be assured that they could expand, the management would be for annexation and if not, they would be definitely against annexation. As the present ordinance reads, it was not clear whether this would be in industry or could qualify in Business B district.

Mr. Alstatt explained that when annexation is made, businesses which do not comply with the zoning ordinance would be annexed as a non-conforming use.

The proposed zoning map as recommended by the Planning Commission when West Lake Park was being considered for annexation before, was presented and explained by Mr. Allen. He stated that only the area south of the Highway was considered as industrial. He stated that the part shown as Residence C was owned by the Game and Fish Department and would probably be developed as a park use but this zoning gave the Planning Commission more of a hold over the area in case it were sold.

It was explained that businesses which were considered as obnoxious because of odors, noise, etc., were put in industrial classifications, and it was felt that the business of manufacturing and retailing oxygen and acetylene gasses was not in this category but that nitrogen was because of the danger of explosion. Mr. Allen stated that he had lived in this area for a number of years and could say that there was nothing about this business which could be classed as obnoxious other than the small noise of a pump.

Mr. Bruce Brownson stated that this was a small business at first, but has been expanded and additions made every year until there is a considerable investment in this business, and if it was annexed as a non-conforming use, and further expansion was justified, it would just ruin the Company.

Mr. Strnad asked about the technicalities of the zoning and what the status of the proposed zoning map would be, as it was used at the time West Lake Park was annexed to the City and then the annexation declared to be illegal. It was explained that a new map would be drawn up, in accordance with the present thinking of the Commission. Mr. Allen stated that if the Council felt that it was proper, the classification for oxygen and acetylene gas could go into the old zoning ordinance.

Mrs. Diemer then asked why the Commission always went back to the old zoning ordinance, why not consider the new ordinance in these matters, and she was informed by Mr. Allen that the new ordinance has no status at the present time. He explained that he was making pencil notes on the new ordinance, whenever any of these matters are brought up in the Commission meetings.

There was a discussion about the zoning of the triangular piece of property around the Drainage District property. It was felt that it should be zoned as industry as there is no access on the south side. Mr. Allen stated he believed some solution could be worked out but the owners haven't taken any initiative.

It was moved by Mr. Claud Smith that since it is possible that the West Lake Park area will be up for annexation, that the zoning committee renew their study on this and be ready to zone the area at the time the annexation is brought before the Planning Commission and City Council. Motion was seconded by Mrs. F. A. Brumbaugh.

Mr. Cornelison stated that he would like to have some kind of commitment more certain than this, before the management of his company would care to annex its property.

Chairman Hopper stated, after further discussion was had, that it seems to be the consensus of opinion of this Commission that they could recommend that this business should be classified as light industry and it should be specifically spelled out in the new zoning ordinance to cover such classification.

Mr. Smith, with the permission of the second, Mrs. Brumbaugh, amended his motion to include that the zoning committee give particular attention to the zoning along Highway 50 west of the east border of the Grand Junction Drainage District property and give consideration to zoning that area Industry A. Motion carried.

It was moved by Mr. Smith that the Planning Commission recommend to the City Council that the manufacture of oxygen and acetylene be specifically listed as an industry permitted within the existing Industrial A zoning classification. Mr. Bauer seconded the motion. Motion carried.

Mr. Cornelison thanked the Commission for their consideration and complimented them on the good job they are doing. The members of the Commission stated they would like to have him back with them.

#### VI. ZONING ORDINANCE.

Chairman Hopper brought up the matter of the preliminary plan for redevelopment of Lincoln Park which had been made by the Regional Planning Commission sometime last winter and about which nothing has been done. He said he felt an effort should be made to move some of these things along.

Mrs. Brumbaugh stated that first things should come first and the zoning ordinance should be done first.

Mr. Alstatt stated that Mr. Allen and he had been attempting to schedule their work so that they could go over the proposed ordinance and work out a number of things, as it was felt that it would save the Planning Commission and City Council time if these were worked out. Mr. Allen stated that he was ready at any time. Chairman Hopper stated that the zoning ordinance was being made by Mr. Alstatt and Mr. Allen and he felt they should continue on this as they were familiar with the zoning laws and needs; that the Commission members, as laymen, were not familiar enough with it; that all he was interested in is progress and moving things along so that the ordinance can be approved by the Planning Commission and adopted by the City Council.

It was suggested by Mrs. Diemer that a special meeting be called to discuss the zoning ordinance and the Lincoln Park changes.

Mr. Allen suggested that an appointment be made from the zoning committee, one member of the City Council, and one member of the Planning Commission to meet with him and Mr. Alstatt to work on the zoning ordinance. He stated that the first draft had been made and the second, and the third is now ready for consideration.

Mr. Smith suggested that these two men, Mr. Alstatt and Mr. Allen, do this preliminary work, get their thoughts down on paper, take time to review each item, make changes, then give each member of the Planning Commission a complete copy so they can study it and can be intelligent about what changes they want. Then the Commission can go from that point.

Chairman Hopper stated that it was the understanding then that Mr. Alstatt and Mr. Allen will get together on this and spend an hour or two a day and will let him know as soon as they have something for the zoning committee to go to work on. Councilman Strnad stated that he thought there should be a deadline set.

#### VII REDEVELOPMENT OF LINCOLN PARK.

Chairman Hopper again brought up the matter of redevelopment of Lincoln Park discussed by the Regional Planning Commission which involved moving of the golf course, possibly the sale of some portion of the Park, etc. Mr. Allen stated that he has the map of the proposed changes and it has been on display in his office. He stated there was a lot of community interest in it. Though not

100 per cent in favor of it, it has created a lot of interest, and it should have some consideration one way or the other.

Mrs. Brumbaugh expressed the opinion that this should be done by a vote of the people before anything should be done on it. She stated that she was opposed to it.

Councilman Strnad stated that this is a problem for the Council when it gets out of the Committee. Chairman Hopper stated that this may not even be a problem to be considered but that the Regional Planning Commission had referred it to the Commission and it was one of the items still pending on the docket, and it should be disposed of. Some people think it good and some people think it bad but since it has been laid on the table, suggest we have a special meeting to discuss it. If it is the concensus of opinion of this committee, it should be further explored or if it is useless, it should have no further consideration and should be dropped. Mrs. Diemer stated that it should have come to the City Planning Commission first.

Councilman Strnad stated that this is something that has been presented which has to do with the growth of Grand Junction. It is up to you planners whether it is good enough to start thinking about; can't avoid controversial subjects. Several members expressed the thought that they were not familiar enough with the plan and would like more information.

Mrs. Diemer asked if a special meeting could be called to consider North Monterey Park and Lincoln Park redevelopment ~~as long range planning only can be considered at special meetings.~~ *as special meetings shall be devoted exclusively to study of long-range planning matters.*

X It was moved by Mr. Bauer that a special meeting be called for August 5th at 8:00 A. M. in the Conference Room to consider and discuss the Lincoln Park redevelopment plan. Mrs. Brumbaugh seconded the motion which was carried.

It was moved by Mrs. Brumbaugh and seconded by Mr. Bauer that the meeting adjourn. Motion carried.

These notes were taken and transcribed by Blanche G. Stringer  
at the direction of R. E. Cheever, City Manager  
(Secretary)