

MINUTES

REGULAR MEETING

GRAND JUNCTION PLANNING COMMISSION

Wednesday -- December 30, 1959 -- 8:00 A.M.

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, December 30, 1959, with the following members present:

Chairman Glen Hopper, Mrs. Cleo Diemer, Mr. Elmer Nelson, Mr. Frank Mercer, Mr. V. L. Colony, Mr. Alex Bauer, Mr. Robert Van Deusen, and Acting City Manager John Burton.

Absent: Mr. Abbott Tessman.

Also present: Councilman Ed Strnad, City Engineer Carl Alstatt, Chief of Police Karl Johnson, Regional Planning Director Gene Allen, Dr. Geo. Bosma, Messrs. Lee Schmidt, Cole, Olson, Atty Wm. Nelson, Dale Luke, Arnold Ackers, and others.

The meeting was called to order by Chairman Hopper, who welcomed the two new members, Mr. Elmer Nelson and Mr. Frank Mercer, to the Commission.

I. APPROVAL OF MINUTES

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Motion was made by Mr. Nelson that the minutes of the regular meeting of October 28, 1959 be approved as written; motion seconded by Mr. Colony, and carried.

Motion was made by Mrs. Diemer that the minutes of the special meeting held November 4, 1959 be postponed until such time as we can have a ruling from the City Attorney as to the legality of this meeting. Motion seconded by Mr. Bauer, and carried.

(The Chairman instructed the Secretary to contact Mr. Ashby regarding this, and, if necessary, call a special meeting).

Motion was made by Mr. Bauer that the minutes of the special meeting held on December 9, 1959 be approved as written; seconded by Mr. Colony, and carried.

II-a. REPORT OF CITY ENGINEER & PLANNING DIRECTOR ON DR. BOSMA'S PROJECT.

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Planning Director Gene Allen reported that he and Carl Alstatt had worked up four preliminary sketches showing possible street lay-out and also possible zoning that could be used in connection with these. He gave copies of these sketches to each board member. Mr. Allen stated that there is enough acreage in the tract -- approximately 40 acres -- to make it flexible as to street locations.

He pointed out that it would be necessary to act upon the annexation so that 30 day's notice can be given, noting that zoning required only 15 day's notice; so if a special meeting is held between now and January 20th, the time of the next Council meeting, both can be publicized at that meeting. He said that it is essential that a street lay-out be selected, as zoning is dependent on that.

Attorney William Nelson, representing Mr. Perry Olson, next spoke. He said that they have no objection to the annexation, as such, but would like to have an opportunity to look at the street lay-out and consider the possible zoning, including the possibility of some buffer area between the commercial and residential use West of Mr. Olson's place. He said that they would appreciate it very much if the members of the Planning Commission would give them the opportunity to work with Dr. Bosma in order to work out some satisfactory plan of street lay-out and some approximate zoning and come back at a later date, but stated they definitely are in favor of annexation.

Mr. Leland Schmidt said that he would agree with Mr. Nelson; however, he stated that they had always hoped the area would remain as residence "A", but wanted to be reasonable about it. He said he, also, would like to have a little more time to go over these sketches.

Dr. Bosma said that he would be willing to go along with more time on the rezoning, but asked that some definite time be set up on this, as the time element is important to him.

Attorney Nelson asked if a special meeting could be set up now.

There was some discussion as to the time of having this, but it was agreed that it would be well to hold it at least a week prior to the Council meeting, which would give time for extra work on it, if necessary.

Motion was made by Mr. Elmer Nelson that this meeting be called a week before the Council meeting on January 20th, in order to give time for more preliminary work, if necessary. Motion seconded by Mrs. Diemer, and carried.

Chairman Hopper then said, with the approval of the Commission, he would call a special meeting of the Planning Commission two weeks from today -- which would be Wednesday, January 13, 1960 -- at 8:00 A.M. to consider the plat and the rezoning of the area involved in Dr. Bosma's request.

#### II-b REPORT OF ANNEXATION COMMITTEE ON DR. BOSMA'S PROJECT

Mr. Van Deusen reported that, as a committee, they are in favor of this annexation. They feel from examining these four sketches presented that there are enough possibilities available for a good solution to the area; therefore, they can go ahead and recommend this annexation.

Motion was made by Mr. Elmer Nelson that this report be accepted and that recommendation be made to the City Council that this area be annexed to the City of Grand Junction. Seconded by Mr. Mercer, and carried.

#### II-c REPORT OF ZONING COMMITTEE ON DR. BOSMA'S PROJECT

Mrs. Diemer said that of course the zoning was by-passed at present, but she did want to report that the zoning committee had met with the annexation committee but felt that they would like to hear from the property owners before making any recommendations.

III. REQUEST BY CALIFORNIA COMPANY FOR PERMISSION TO ERECT FILLING  
STATION AT CORNER OF 23rd & NORTH (TELLER ARMS)

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Mr. Dale Luke, owner of the property, was present and showed an artist's sketch of the area. He said that they had contracted to remove the Smoke Shack next Tuesday and that this was the last structure of any size left on the property. They hope to have their plans on the Super Market around February 1st and to be under construction on the entire Center by March 1st. He showed a map of the City which shows that the proposed filling station at 23rd & North would be the first one East of the ones at 7th and North.

He stated that when he first started planning the Shopping Center, he was informed that he must have four things in order to make it a successful center: a drug store, super market, variety store, and a filling station. When this center was first planned over a year ago, they planned to put a service station on this corner.

Mrs. Diemer said that the zoning committee had had a preliminary discussion on this and inasmuch as it is already zoned Business "A" they would approve this request, and she made the motion that the Commission recommend to the City Council that a filling station be permitted on the corner of 23rd and North Avenue. Motion seconded by Mr. Mercer, and carried.

Mr. Luke expressed his appreciation to the Planning Commission for their assistance.

IV. REQUEST BY TEXACO INC. FOR PERMISSION TO ERECT FILLING STATION  
AT CORNER OF 25th & NORTH.

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Mr. Arnold Ackers stated that the Texaco representative could not be present at this meeting; however, he had plans of a typical Texaco station with him that he could show the Commission. He said that the curb cuts, etc. would have to be worked out with the City, but at this time he was asking for the consideration of this Commission to grant a station on the corner of 25th and North Ave.

The area is 177.66 ft. on North Avenue and is 268.95' deep. When asked if the entire area would be used for a filling station, he stated that there was a possibility that about 60' would be used for some other purpose. He also stated that although there are some smaller stations on that side of North Avenue, this would be the only major installation.

Mr. Mercer said that with the islands on North Avenue, a station on the north side of the street was warranted. He asked what the construction would be, and Mr. Ackers said it would be built of cinder blocks and brick and would be an asset to North Avenue.

Mr. Colony made the motion that the Commission accept the site of 25th and North Avenue and recommend to the City Council that a filling station be permitted on this corner. Motion was seconded by Mr. Bauer, and carried.

Mr. Ackers thanked the Commission for their consideration.

Chairman Hopper then said that this next item was not on the Agenda, but he would like to ask Mrs. Diemer to explain why she had requested that the approval of the minutes of the special meeting on Nov. 4th be postponed.

Mrs. Diemer said that she had questioned the legality of the meeting at the time, but was referred to an amendment to the By-Laws in regard to special meetings; however, stated that she was not aware of this amendment. She quoted the following passage from the amendment, which was the authority upon which this meeting had been called:  
Section II--

"Special meetings of the Commission may be called at the discretion of the Chairman, Secretary and Planning Director. These special meetings shall be devoted exclusively to study of matters conforming to numbers 1 to 4 as follows:

3. Such matters as the Commission has considered and acted upon at the preceeding meeting, upon which significant new facts are apparent to the Chairman, Secretary and Planning Director, and which are to have final action thereon by the Grand Junction City Council before the next regularly scheduled meeting of the Planning Commission".

Mrs. Diemer said that according to the amendment, special meetings will be called when significant new facts are apparent, and stated that she did not remember any new facts coming up at the meeting. Also, she said that she was unable to find where this amendment had ever been adopted, and if it has never been legally adopted, we do not have this amendment upon which to call this special meeting; therefore, the meeting was not legal. She further stated that the reason she was so concerned about this was that if this recommendation goes to the City Council it does not require as large a vote as it does if they over-ride the first recommendation.

#### V. DISTRIBUTION OF COPIES OF THE NEW ZONING ORDINANCE

Regional Planning Director Gene Allen distributed copies of the preliminary Zoning Ordinance to the members of the Commission; this is the second draft of this ordinance, and Mr. Allen said that it included a number of revisions that have been made after talking with the City Engineer and the Chief of Police and Fire Chief. He said that no doubt some changes will be made in this second draft, but felt that it was now ready for the entire Commission to study; then when the map is prepared, perhaps it will be possible to adopt the third draft.

After discussion as to the time of holding these meetings for the purpose of studying the new zoning ordinance, it was decided to try meeting every second and fourth Wednesdays at 7:30 P.M. Chairman Hopper set the first meeting on Wednesday, January 13, 1960, at 7:30 P.M. Mr. Hopper also said that the Bar Association is vitally interested in this ordinance, and with the approval of the Commission, he is to contact a member of the Bar Association in regard to going through the Ordinance in conjunction with the City Attorney.

Mr. Strnad asked if the Commission would object to the Council's attending these meetings, and it was the concensus of opinion that this would be a very good idea and speed up the process.

Upon motion, the meeting was duly adjourned.

J. A. Burton, Acting Secretary

## Memoranda

Due to a misunderstanding, Acting City Manager John Burton was shown as a member of the Planning Commission in the Minutes of Dec. 30, 1959.

Mr. R. E. Cheever is still a member of the Commission, but was not present at the meeting on Dec. 30th.