

MINUTES

REGULAR MEETING

GRAND JUNCTION PLANNING COMMISSION

Civic Auditorium
Thursday - February 23, 1961 - 8:00 A.M.

Members Present: Messrs. Elmer Nelson, Ray Meacham, Art Hadden, and Mrs. Eleanor Diemer.
Members Absent: Messrs. Alex Bauer and V. L. Colony
Others present: City Manager Joe Lacy, Development Director Don Warner, Regional Planning Director Gene Allen, and a group of interested citizens.

I. MINUTES APPROVED

Motion was made by Mr. Meacham that the Minutes of the Regular meeting of January 25, 1961 be approved as written. Seconded by Mr. Hadden, and carried.

II. ZONING HEARING -- 1ST & ORCHARD

Chairman Nelson stated that this hearing is held to determine what is best for the City as a whole. It was also stated that this hearing is a definite request from a property owner for B-2 zoning.

Mr. Nelson then asked landowners who were present to give their comments.

DISCUSSION

Mr. A. W. Gaddy of 101 Orchard Avenue stated that he preferred to keep this area residential and not increase business zoning. He said that when he bought his property it was zoned residential, according to the old zoning ordinance, and all this would not have come up if said ordinance had been any good.

Mr. Herbert Wright stated that the only logical use for this particular area is B-2 and would consist of limited space -- 50,000 sq. feet maximum. He also stated that he would like to erect a service station there but that it would not be the usual variety, but more modernistic which would fit into the neighborhood better. However, his main purpose in being at the meeting was to try to get this area zoned B-2.

Mr. Brown who owns the house to the south of this area stated that he would like to see the area rezoned and felt that it would be an improvement over what it is now due to the fact that weeds are now growing there and the ditch runs through the area. New buildings in this area would be an improvement, according to his opinion.

Mr. John Knoll, 111 Orchard, objected to this being zoned business because he felt that it would decrease the value of his property. He believes it should stay residential.

Mr. M. T. Wilson, 141 Orchard, stated that the area would conform more to business than residential; however he does not wish to see a service station go in. He said a check was made to see if anyone would buy a residential property in that area now and it was voted "no" due to traffic and future traffic. He said if this area is going to be rezoned, why not rezone the whole 100 Block on Orchard and give everyone a chance to be in the business zoning. He recommended B-2 zoning but did not favor a service station.

Mr. Gormley said that he and Mr. Craig had put the drain ditch in and there was a possibility that that ground could be fixed up and made into a good residential area, and he felt that it should be kept that way until the people can find out what can be done with it. Also, he pointed out that it is in the City now and could be kept cleaner of weeds, etc. If it is only good for a business zone, then property to the West is only usable for a business zone, he said.

Mr. Wright said that it would cost a great deal to develop the land so that it could be used, especially mentioning the drainage problem involved. He said that it is true that a business area does increase the traffic, but when most of the people in the area bought their homes this was a business area already, though perhaps not as large. It has not turned into a business area just in the last two and one-half years. Possibly one house was there before Brach's Market, but most of the houses have been built since and it is now an established business area; we cannot get around that fact, he said. He pointed out that Mr. Brown is agreeable to the area being zoned business. For a period of time no doubt the business zoning would affect property values, but then they would adjust themselves.

Mrs. Wright, 448 Bookcliff Drive, just above the business zoning in that area said they built their home before the business section developed down below them, but they do not feel that the business development has impaired their property at all. She stated it was desirable because it was convenient for them. She said they did not have any complaint when the Medical Arts building went in there nor the gas station on the corner.

Mr. Louie Brach said he would like to mention some revenue facts. When he bought the land its tax value was approximately \$2.50; now the corner has risen in value to about the amount of what thirty homes would bring in in taxes. He mentioned that the area across the street has been the same for the last 10 or 12 years and he thought it would cost too much to improve the ground for residential use and would like to see it turned over to a business area.

Mr. Gormley stated that the people across the street could not take advantage of becoming business when the time came; they are zoned as residential for 20 years. Some day their houses will deteriorate into just old houses facing a business area, with no protection for them.

Mr. Wilson said that anyone would not build a business in an area unless he anticipated it would be built up. He said if he were planning a business he would plan it near to a residential section; those people would be the ones who would patronize the business. He mentioned he bought in the area because it had a supermarket and a drug store. He said "we are told this is not suitable for residential, so if it is zoned business let's put something in that conforms with the neighborhood". He stated he was not necessarily

against a filling station but was against anything that would increase automotive traffic in the neighborhood.

RECESS DECLARED

Chairman Nelson then closed the discussion and called for a motion for a 10-minute recess in order that the Commission might discuss the problem. Mrs. Diemer made the motion that such a 10-minute recess be declared, and motion was seconded by Mr. Meacham, and carried.

DISCUSSION

The Commission met in the Conference Room and in discussion of the problem it was brought out that the area was not zoned when most of the people built their homes there so they had no protection at all at that time. Most of them have a 20-year deed restriction on them binding all of the buyers and sellers of the property, but these covenants cannot be enforced by the City.

Mr. Meacham brought out the fact that at the time Brach's Market was built it was in the County and no objection was made by the people now opposing this request. He felt that their objection at this time must be primarily to the service station idea because the property where the Brach Market is located looked about the same as the property in question. He felt that we are getting too many out-lying business areas and said he does not see how they can all exist. If this area is left as it is, no homes will be developed on it and it will stay the same as it has for 10 or 12 years, but people seem to be satisfied with it as it is. If zoned B-2 and a few businesses are put there in a few years it might not look any better with a few ramshackle businesses. He said there is a logical economic point that business can progress just so far, and it might not be logical in this place. The development of new property should still not take precedence over the preservation of the existing property in an area.

Gene Allen said that this area probably is suited for a limited business area even though close to a residential area. He pointed out that this piece of property is somewhat isolated because of Brach's on the east and also the hill provides somewhat of a natural buffer. He mentioned that the things that can go in there would tend to discourage strip zoning and that it is possible that this area can develop as a business area and still not do any further damage to the houses on Orchard. He pointed out again that the market has been there longer than the houses and they are better off now under the new City zoning than they ever were in the past and have more protection and more assurance of what can go in there. He also pointed out that if it were possible to have a N-S street in the area, the property could back against the business somewhat like the Jaros tract.

Mr. Hadden said that after looking over the property he felt that ultimately it will have to be business, although he was not in favor of a filling station.

The question was asked, if this area is not zoned business, what can be done with it? It was pointed out that due to the lay of the ground it should be zoned B-2. There was some discussion against a filling station, although where it is planned it would be hidden from the majority of the houses, and also some felt that a filling station would be advantageous to the surrounding residents and that this would be a very good location for one.

ACTION OF BOARD

Motion was made by Mr. Hadden that the Planning Commission recommend to the City Council that the E 100 ft. of this area be zoned B-2 and the remainder zoned R-1-C, as requested. Motion seconded by Mrs. Diemer. Vote: "YES" - Mr. Hadden, Mrs. Diemer, Mr. Nelson.
"NO" - Mr. Meacham.

It was pointed out that the Planning Commission is considering the zoning, only, not what might be placed there. That would be for the Board of Adjustment to decide upon.

MEETING RESUMED

Chairman Nelson then called the meeting back to order and announced that the Commission had reached an agreement on this request. Although it would not be agreeable to all parties concerned, in their decision they had attempted to evaluate what it will do for the City as it is today and what it might be in 10 years, and also from the economic feasibility of homes in that area.

The decision of the Commission was 3 to 1 in favor of the request -- that the E 100' of the area be zoned as B-2, the remainder be zoned as R-1-C with the suggestion that when the area is built up there be a buffer street to the West as a protection to that area.

III. REPORT OF COUNCIL ACTION ON CENTRAL FRUITVALE ANNEXATION

Development Director Don Warner said that although the Planning Commission had acted on the boundaries of the large Fruitvale annexation question, they did not have an economic study before the question was presented to the City Council. This action, he said, was not to skip the normal procedure but because it was necessary to give the Highway Department an answer on the lights on North Avenue. We had to know how far the City limits were going to extend; also because of the mix-up on the McCoy annexation it was necessary to immediately include it in the larger annexation. It was a matter of expediency on two pressing matters and not intended to by-pass the Planning Commission; the Highway Department wanted to know if the boundaries were to be extended, and if so, they would proceed accordingly.

Mr. Warner said that from experience in making economic surveys it was felt that this would show up better than some others due to the fact that they would all be new water users, therefore all new revenue.

Chairman Nelson said that the Commission does not feel that they were by-passed; they felt that this was the right thing to do in the interests of the City and the people involved, and the Commission would go on record as approving the City Council action.

IV. BOUNDARIES APPROVED FOR LOT 19, BLOCK 6, FAIRMOUNT SUBDIVISION FOR ECONOMIC STUDY

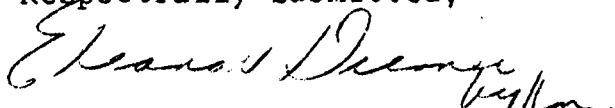
Development Director Don Warner said this item was not on the Agenda, but asked for approval of the boundaries for annexation on Lot 19, Block 6, Fairmount Subdivision (which are 15th Street on the East, Bookcliff Ave. on the South, Cedar on the North, and approximately 14th Street on the West) so that an economic study can be made. He stated this area contains five or six homes and is developed, but the main need is to get sewer into the area and right-of-way for Cedar Avenue.

Motion was made by Mr. Hadden that the Commission approve the boundaries of Lot 19, Block 6 of Fairmount Sub so that an economic study for annexation may be made. Motion seconded by Mr. Meacham, and carried.

ADJOURNMENT

Motion to adjourn was made by Mr. Meacham, seconded by Mr. Hadden, and carried.

Respectfully submitted,


ELEANOR DIEMER, Secretary

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