

MINUTES

REGULAR MEETING

GRAND JUNCTION PLANNING COMMISSION

CONFERENCE ROOM - CITY HALL

Wednesday - May 31, 1961 - 8:00 A.M.

Members present: Messrs. Elmer Nelson, Alex Bauer, Ray Meacham, V. L. Colony, Art Hadden, Mrs. Eleanor Diemer, and Mrs. William Hyde.
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 April 26, 1961 be approved as written. Motion seconded by Mr. Bauer, and carried.

II. REZONING OF LOTS 1--11, EXPOSITION ARCADE, APPROVED

The hearing on the zoning request of Lots 1--11, Exposition Arcade (a 2-acre area near NW corner of 15th and North Avenue) from R-3 to C-1 zoning was continued from the last meeting.

Development Director Warner said that at the last meeting property owners in the area under consideration had been asked to bring in any plans that they might have for the future use or expansion of their property. He mentioned that of course it is known what Mr. Young's and Mr. Johnson's plans are, but he asked others present what they intended to do with their property and to show any sketches or plans that they might have.

Mr. Chas. A. Hester who owns an apartment house at 1413 Glenwood Ave. said that he had no other plans than just going along with his neighbors and operating his apartment house as usual.

Mr. Feller presented a rough sketch of the proposed expansion of his business at 1420 North Avenue which would include a Marine store. Parking in front of the store would be provided. He also pointed out that there would be an easement left for sewer.

Mrs. Haish who owns the property at 1440 North Avenue has no plans for any development of her property.

Mr. Lacy pointed out that the need of the community for additional zoning of this type should be considered, also, that no economic study as to why this is needed had been presented.

Mr. Meacham said that he felt it is logical that something be done with the area, not because of the community need primarily, but because of the individual need and what is already in the area. Theoretically, the present uses do not conform with the zoning because of businesses being in an R-2 area. He said he would like to present

again, the possibility of making this a B-1 area, even though there is no B-1 zoning presently in the area. He felt that an R-2 to B-1 zoning would be a much more gradual step and would allow most of the development within the area without as much nonconforming use as there is now.

Mr. Warner pointed out that a B-1 zoning would not allow Mr. Feller's development and Mr. Young would have to have a hearing before the Board of Adjustment for a conditional use. Also, it would leave Mr. Johnson's expansion a non-conforming use, as it is now. He felt this would not really accomplish what is wanted and would just create a 2-acre area of spot zoning.

Mr. Meacham felt it would make the zoning more convenient for those who wish to develop their property but still place many desirable restrictions on the area.

Mr. Lacy said the Planning Commission has found itself looking at the problem as to whether it will hurt the abutting property; seldom have they asked if it would help the property in question. He mentioned that another request has already come in, just as expected; however, he said that living with what is already there and allowing it to increase are two different things.

Chairman Nelson then read a letter from Barbara Jane Raso (full copy in P.R.) requesting business zoning for her property across the street from the area being presently considered, if that area is zoned for business use. Mr. Warner said that Mr. Raso had made the statement that he had always intended to build an apartment house on this piece of property; however if the whole street is going to develop commercially, he would not want an apartment house there and would request zoning for a commercial use. Mr. Warner pointed out this property on the plat book. He said that it would be necessary to have another petition and also that it would have to be considered separately and could not be considered as a part of the present rezoning request before the Commission.

Mr. Johnson said that he felt this was not the time to consider the other request for the area across the street. He pointed out that most of the existing businesses were there long before they came into the City limits. "Now", he said, "we have to justify our existence in order to feasibly remain in existence". He pointed out that if they should have a fire they would be at the mercy of the "powers that be" as to whether they could continue in business. He said this change would straighten up the lines in the area. He mentioned, also, that all of the surrounding properties have changed hands since their business was established so everyone who has gone in has gone in with the knowledge that there was a business across the street. No one has objected to it.

Mr. Nelson said that no doubt some of the houses were built thinking there would be some zoning protection. Already the Planning Commission is getting requests for other changes in zoning, and there will be others. He said the Commission is obligated to control this ground and stay away from spot zoning. The ideal situation is to break zoning down the alleys, but the Commission must consider what will be feasible for all. Actually, the homes across the street are already facing the businesses.

Mr. Stephen Johnson, Jr. stated that his home sides onto the business property and he intends to keep the business as neat and nice as possible.

Mr. Lacy said the whole intent of zoning is to consider the wishes and needs of every individual landowner.

Mr. Johnson said that looking at this from the standpoint of what is best for the community, everyone would agree that Glenwood Avenue should be paved, and if it is paved he would have to pay for more than half of the paving. It would not bring him in any more business, although it might help Mr. Feller. He asked if it would be fair to expect him to pay for this improvement if he is not able to improve his own property.

Motion was made by Mr. Bauer that the Planning Commission recommend to the City Council that the requested change in zoning for Lots 1--11, Exposition Arcade, from R-3 to C-1 be approved. Motion was seconded by Mrs. Diemer.

Chairman Nelson asked Mr. Bauer if he was aware of the fact that the Planning Commission would be taking this action without having an economic study of the area made, to which Mr. Bauer replied, "yes".

Mr. Meacham asked, "Does the Commission feel that this is the step to take rather than a more gradual step, as mentioned before?" Chairman Nelson replied this would be answered by the vote.

Mr. Colony said he felt there should be an economic study of the area, but Mr. Meacham pointed out that the Commission has a knowledge of what is planned for most of the area from the reports and sketches given by the property owners.

Mr. Colony then said that the Planning Commission would no doubt receive similar requests and pressure for the property to the Fruitvale corner; however, he did feel that the property owners represented by the present request should be taken care of, since they have been in that area for a long time. But he asked, "Where are we going to draw the line?"

The Chairman then called for the vote, which resulted in six "yes" votes and one "no" vote by Chairman Nelson.

Development Director Warner said that it is necessary to have a reason for what is done and record the reason in the minutes. Then when someone asks why something was done for a certain person but not for him, he can be shown why. "If you zone, zone for a reason and record that reason", he said.

Mrs. Diemer pointed out that it will be an improvement and said if it had been zoned this way before it would have been possible to build back further and leave parking in the front.

Mr. Nelson said that in retail businesses it is necessary to have foot traffic as well as parking.

Mr. Meacham said that each problem must be considered individually and then acted upon in a way that is best for the entire community. It is impossible to foresee each problem that might come up.

The reasons for granting this zoning were summed up as follows:

1. After consideration of the existing use.
2. After consideration of the present zones which are R-3 and C-1. There would still be a C-1 zone abutting an R-3 zone which is reasonable because it breaks light commercial down to multiple family types of property.
3. This move is designed and considered to be able to produce additional parking and help maintain and increase the commercial value of the area. Mr. Johnson mentioned the possibility of paving, and if rezoned it would justify their participation in the paving.

Mrs. Hyde made the motion that the above reasons for rezoning this area be incorporated into the minutes. Seconded by Mr. Bauer, and carried.

Mr. Nelson mentioned that Grand Junction has a split business and tourist district. He said that in smaller communities precedent always plays a part while in the larger metropolitan areas things are looked at more impersonally. "If you have an ordinance, live by it. If you are going to continue to spot zone, then do away with that ordinance", he said. He stated that he voted against this rezoning because of this and that the new zoning ordinance is going to be completely defeated if such things continue to be allowed. He said that we have a good ordinance and he hoped it could be kept this way and that this action would not be an indication of what will be done in the future.

III. REQUEST FOR ALLEY VACATION IN MILLEDALE SUB DENIED

Development Director Don Warner pointed out the alley in question on the plat book and said that the Ephraim Freightways who had asked for this alley vacation had said that they would give an easement to the Public Service Company and also the Telephone Company if the alley is vacated. Mr. Warner had asked all concerned with this alley vacation for their comments, which follow:

Telephone Company - OK, if easement given.

Public Service Co. - OK, if easement given.

John Burton,
Utilities Director - "no sewer or water services involved".

Frank Kreps,
Fire Chief - "access to properties would still be open for fire fighting equipment as to the proposed vacating but further vacating to the West would interfere."

Carl Alstatt,
Director, Public Works and
City Engineer - "this alley is needed for trash and garbage pickup. It may be necessary for drainage, however I haven't surveyed it for that."

Mr. Gerald McCoy, Manager of the local office of Ephriam Freightways, was present and Chairman Nelson asked him to explain their reason for requesting this alley vacation.

Mr. McCoy explained that this alley vacation would join their two pieces of property and they wanted to enlarge their dock at some time in the near future. This would be a 50 ft. extension and would go to within 2 ft. of the alley. They would use the area for parking or as a garage until the dock is enlarged. He mentioned that the traffic along the alley is a hazard when their trucks are backing out and that by vacating the alley this hazard would be eliminated.

Mr. Lacy said that the problem might better be solved by more traffic control; also it would still be possible to have their 50 ft. extension without vacating the alley since the trucks back from 10th Street.

It was also pointed out that the vacation of this alley would mean curb pick-up of trash and garbage in the area.

Motion was made by Mr. Bauer that the Commission deny this request, seconded by Mr. Meacham, and carried.

HEARING DATE SET FOR REZONING OF LOT 3, BLOCK 1, FAIRMOUNT SUB

Development Director Don Warner explained that this area which includes ten homes that recently came into the City should have had a zoning hearing set at the time of annexation. They came in as R-1-A, automatically, however they are all located on 60 ft. lots and fit into R-1-C zoning.

Motion was made by Mr. Bauer that the hearing for zoning Lot 3, Block 1, Fairmount Subdivision be held at the next regular meeting of the Planning Commission which will be on June 28, 1961 and that R-1-C zoning be proposed. Motion was seconded by Mr. Colony, and carried.

REPORTS ON PLANNING CONFERENCE IN DENVER

Development Director Don Warner who attended all sessions of this Conference reported that it was a very good conference, mentioning particularly the sessions on zoning and code enforcement. He noted that many cities are now endeavoring to solve many problems that Grand Junction has already solved, which makes one realize that everyone is faced with exactly the same problems. He said a big problem that it seemed a great many are facing is "spot zoning". Many cities are just beginning to revise their zoning ordinances, a task which Grand Junction has just finished doing. He reported that Grand Junction's approach to zoning and our set-up seemed to be well liked, and that it seems like Grand Junction is only having about 10% of the trouble that many other towns are having.

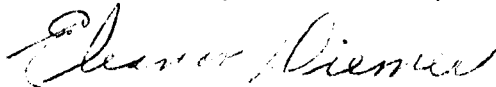
Mr. Nelson said that he came away from the conference with the feeling that Grand Junction is doing a pretty good job. Many of the things that others are just talking about doing -- such as slides and aerial photos -- are things that we have been doing for the last year and a half. He reported that there were over 1400 registered at the meeting from 46 states and Canada and there were some very fine speakers.

Mr. Hadden said he appreciated the opportunity of being able to hear the discussions from so many people from so many different parts of the country. He mentioned that large cities are faced with many problems -- traffic, parking, living conditions -- due to the concentration of many years. He said that we do have problems here but not nearly so complicated as the larger cities. He felt that Grand Junction is getting along quite well if a few problems can be ironed out -- one of these he mentioned was that we do have a large percentage of business zoning in Grand Junction compared to an over-all picture of 4%, since ours is approximately 7%.

ADJOURNMENT

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

Respectfully submitted,



ELEANOR DIEMER,
Secretary