

MINUTES

REGULAR MEETING

GRAND JUNCTION PLANNING COMMISSION

Wednesday -- June 25, 1958 -- 7:30 A.M.

LaCourt Hotel

The Grand Junction Planning Commission held its regular meeting at the LaCourt at 7:30 A.M. Wednesday, June 25, 1958, with the following members present: Chairman Al Cornelison, Secretary R. E. Cheever, Mrs. Cleo Diemer, Mr. Howard McMullin, Mrs. F. A. Brumbaugh, Mr. Richard Zollner, and Mr. Claud Smith. Members absent: Mr. Laird Smith and Mr. Robert Van Deusen. City Councilmen present: Mr. Harold Shults, Mr. John Harper, Mr. Harry Colescott, and Mr. Herbert Wright. Also present: Regional Planning Director Gene Allen, City Engineer Carl Alstatt, Chief of Police Karl Johnson, Mr. Schoonover and Mr. Gerard Pesman.

The minutes of the meeting of June 9, 1958 were approved.

The City Councilmen met with the City Planning Commission this morning so that the best method of presenting the Commission's findings to the Council could be discussed and decided upon.

Chairman Cornelison asked the Councilmen present to express themselves as to whether they would prefer a written or an oral report.

Mr. Shults' opinion was that the Council should have a report in writing, giving the Commission's reasons for their action, including all the pros and cons of discussion.

Mr. Harper also favored a written report and stated that he did not think a representative of the Commission need be present at Council meetings to enter into the discussion again. He also stated that the Council should have complete details as to the Commission's discussion so that they can make fair decisions, and any reports that are made to the Commission should be made a part of the minutes.

Mr. Colescott and Mr. Wright expressed their agreement, stating that they thought written reports, in detail, were necessary so that the Council would know the thinking of the Planning Commission.

Mr. Cheever suggested that the Council should receive a copy of the minutes of the Commission's meetings, including all the pros and cons of discussion, and then a rather brief report or summary of the Commission's actions and reasons for same be prepared for them.

Chairman Cornelison stated it was the Commission's desire to set up a system that would be workable and of help to the Council. Mr. Cornelison then asked whether the Planning Coordinator should be present at Council meetings or not, and, if so, should he be drawn into discussions.

Mr. Wright stated that it was his opinion that Mr. Allen, if present, should be available to answer questions both for the Council and the public.

Mr. Shults said he thought it was necessary that Mr. Allen be present at Council meetings and, since the public is paying him, they are entitled to his opinions.

Chairman Cornelison stated there was one other point that the Commission wished to discuss with the Council at this time, and that was concerning what items were included in Business "A" in the Zoning Ordinance. He stated that until such time as this zoning ordinance is changed, the Commission is going to consider everything possible that might be put into a district under Business "A" - not just what is applied for; if they think that everything covered by Business "A" would be OK in the district applying, they will approve it; otherwise, they will turn it down.

Mr. Harper said there should be a modification of Business "A" right away, instead of waiting for an entire new zoning ordinance to be prepared.

Mr. Cheever remarked that the Commission had been thinking along this line, and since it is necessary to study the ordinance piece by piece anyway, it would no doubt fit in with the new ordinance when completed. He also said that after the whole new ordinance is adopted, probably some amendments will be necessary.

Mr. Gene Allen said that he has never committed himself to any definite date on the zoning ordinance, but stated that within six weeks he will have a complete zoning ordinance ready for discussion by the Commission. The length of time it will take to adopt the new ordinance will depend on several factors -- whether the Commission will have special meetings to consider it, or will just try and work it into their regular meetings.

Mr. Allen also stated that he felt there was some danger of losing the over-all picture in revising section by section.

Mr. Wright stated that after we have the whole ordinance, then we at least have it on the books and can revise it as necessary.

Mr. McMullin said that the Planning Commission has been thinking of new zoning to take care of shopping centers.

The Chairman then called upon Mr. Shults for his opinion upon the new zoning ordinance and whether he thought we should do something about dividing Business "A" classifications right away. Mr. Shults said he thought that would possibly be the first step as it would very probably be at least three months, or more, before we get anything completed on the new ordinance. He also stated that he did not think the Commission has to worry about what might go into rezoned districts as long as the present ordinance is written the way it is.

Mr. Cornelison recommended that the Commission wait for the six weeks period until our Coordinator has this new ordinance ready for consideration, and then work on Business "A" zoning first.

Carl Alstatt asked if the Colorado Springs and Denver ordinances were not being followed quite closely in this study. Mr. Allen replied that the Denver ordinance was too complete for our needs, but we were following Colo. Springs' ordinance rather closely. Mr. Alstatt thought it might be possible to use the part of that ordinance on

business zoning and have something ready for the next meeting.

Mr. Shults said that he felt the Planning Commission should make suggestions as to what should be included and present it to the Council as quickly as possible.

Mr. McMullin then said that, as a member of the Zoning Ordinance Committee, he knew it would take six months to work out a new complete zoning ordinance, but he suggested that we should amend Business "A", strike out Business "AR" and make Business "A" zone to fit modern needs and have it in shape to fit right into the new ordinance.

Mr. Allen stated that it would be possible to work out a split retail business district zone.

Mrs. Diemer, as chairman of the zoning committee, stated that they had done a lot of work on this ordinance, but she felt that we could get along for a few more months until we have the over-all picture before we do anything, but proceed with caution in the meantime.

At this time Chairman Cornelison said that he would like to have the report on a curb-cut ordinance from the Zoning Subcommittee before the Councilmen left. Mrs. Diemer made the following report:

"REPORT OF THE ZONING SUBCOMMITTEE REGARDING A CURB-CUT ORDINANCE"

In accordance with the motion made by Mr. Laird Smith at the meeting of the Planning Commission on June 9, 1958, that the zoning subcommittee meet with Messrs. Gene Allen, Carl Alstatt, Karl Johnson, and Robert Cheever in order to formulate a curb-cut ordinance, the committee met at my home on Thursday, June 19 at 8:00 p.m. Present were Richard Zollner, Howard McMullin, Karl Johnson, and Eleanor Diemer.

Mr. Johnson brought to the attention of the group the fact that the city has a proposed ordinance in regard to curb cuts. This ordinance was prepared about two years ago (March 27, 1956) by Barton and Associates. This is part of a 40-page document which was prepared for the city at a cost of approximately \$5,000.

This well-written proposed ordinance was studied and discussed by the committee, with the following recommendations being made:

1. That the Planning Commission make a further study of this ordinance.
2. That a curb-cut ordinance be adopted by the city as soon as possible.
3. That all curb cuts be granted on a lease basis and an annual fee collected.
4. That nothing of a permanent or temporary nature be allowed to obstruct the view of pedestrians or motorists, and
5. That width, closeness, and number of curb cuts granted to any one business are problems which should be given further study.

Submitted by: Eleanor Diemer, Chairman"

Mrs. Diemer said it was not included in the report, but the group felt that a limit should be placed on the number of filling stations allowed at intersections.

Mr. Allen reported that he had received three copies of ordinances from the Colorado Municipal League, but in his opinion they were not as good as the Barton ordinance. He recommended the Barton ordinance which he said was "simply but complete". However, there are some standards not included in it, and the Commission should consider putting these in as a part of the ordinance.

The Chairman then called upon Chief of Police Karl Johnson for his opinion. He stated that he had gone over the Barton report very closely and he considered this proposed ordinance very brief and complete, with just a few minor changes. He felt that the standards should be included as part of the ordinance, rather than as an administrative function; application for a service driveway must be filed with the city engineer listing width of drive; number that can serve any one business establishment must be a standard for construction. Also, it should state the penalty for not following the ordinance; the Engineering Department has tried to follow the ordinance, but it is difficult for them to do so without authority to enforce it. Chief Johnson said he thought it essential that we adopt some type of driveway ordinance.

Mr. Cheever stated that if we can adopt these standards and put them into the proposed ordinance, it will make it much easier; if we have a guide to go by, we will not be accused of giving some a better deal than others. He suggested that when we adopt the curb-cut ordinance we include these specifications.

City Engineer Alstatt approved of the proposed ordinance, saying there were just a few minor changes to be made.

The Chairman then called upon the councilmen present for their opinion, and it was the opinion of all that the ordinance should be brought up to date so that it will fit modern needs.

Mr. McMullin then made the following motion: The Planning Commission accept the report of the subcommittee on this proposed ordinance, and that the matter be held in abeyance until the City Engineer, the Police Department, and other interested city officials prepare a section to be added to the proposed ordinance adopting standards for curb cuts. Motion was seconded by Mr. Zollner, and carried.

Mr. Alstatt stated that the proper way to handle curb cuts is to charge an annual fee upon the number of feet of curb cut, and this would give money to close driveways when they are not needed or do not fit. He stated he referred to service driveways, not residential. He felt that the plan which was recommended by Barton, the posting of a bond, would incur a great deal more work and not be as satisfactory.

Mr. Zollner said that many cities are charging all commercial driveways from \$1.00 to \$5.00 per year, and he believed it was a good way to control driveways. He said he would look into the matter, but first it should be decided as to whether it would be desirable to have a curb cut fee. He agreed with Mr. Alstatt that posting a

bond would not be as satisfactory and cause a lot of extra work. He stated that Mr. Cheever should give an answer as to a fee.

Mr. Allen asked if the fees would apply to existing curb cuts.

Mr. Cheever stated that the city attorney would be asked to give an answer to this question.

Chief Johnson remarked that all present driveway permits could be annual and new applications be made to comply with the new ordinance.

Mr. Schoonover who was present and is the new distributor here for Phillips 66 stated that he knew Kansas City had a curb-cut ordinance, but did not charge a fee. In his opinion, curb-cut ordinances are very good.

Mrs. Diemer asked if members of the Commission might have copies of the Barton plan.

Mr. Cheever stated that after he has discussed the standards to include with this proposed ordinance with the City Attorney, Mr. Allen, the City Engineer and the Chief of Police copies will be made and mailed to each member of the Commission, along with suggestions on the zoning ordinance, as soon as ready.

Mr. Claud Smith arrived at the meeting at this time, and the City Councilmen were excused.

Item No. III on the Agenda -- Reconsideration of North Monterey Park Subdivision.

Mr. Cheever said that he could not recommend to the City Council the approval of the revised plat for this Subdivision because of the jog in streets. He also said that since it seemed that the only reason we considered anything different from the original plat which we had approved was because we could not seem to get together with some of the people involved, he was having a meeting at 7:00 o'clock that evening (Monday) with these people. He felt sure that we would be able to get the people's approval of the original plat so that this subdivision would match up with future development. It was established that the Commission would have no objection to going back to the original plat, if agreeable to all parties concerned.

Mr. Claud Smith stated that this Planning Commission must stand firm and tie one development into another in our planning, and if not possible to develop the entire area properly, let the land stand idle until such time as it is possible to do this.

Mr. Cheever stated that we are not serving the community properly unless we lay out a plan that we think is as ideal as possible and look toward the future.

Mr. Allen stated that the Sub-committee in recommending the revised plat did not consider it a second choice, but believe it was something that could be worked out and asked the Commission to consider it before they took any action. However, he stated that they had no objection if the problem can be worked out according to the original plat.

According to the by-laws, it is possible for this to be reconsidered.

Chairman Cornelison referred the reconsideration of the North Monterey Park annexation to the Annexation Committee for further study.

Mr. Claud Smith suggested that the Annexation Committee -- Mrs. Brumbaugh, Mr. Laird Smith, and Mr. Van Deusen -- should attend the meeting in Mr. Cheever's office at 7:00 o'clock this evening, and the Chairman instructed the secretary to notify these members of this meeting.

Item IV on the Agenda - Filling Station on the NE corner of 5th and Grand - was next discussed.

Mr. Cheever said if we decide once that a corner is not the proper place for a filling station, a re-design of curb cuts should not make any difference. Several companies are interested in this particular corner for a filling station, and the Commission has turned it down for one company.

Carl Alstatt said that the request this time is somewhat different, since this time it is being made by the owner, and the other time it was made by an oil company.

Mr. Cheever pointed out that filling stations on all four corners of an intersection stop any further development of an area, stating as an example the corner of 7th and Main.

Mr. Allen remarked that there is a lot of merit in discouraging filling stations on all corners of an intersection and further stated that all zoning should be based on community needs.

Mr. Schoonover of Phillips 66 then asked if he might say a few words about the filling station that his company proposes to put on this corner. He stated that they did not believe this particular corner is large enough for any other type of business, that they would put in the latest design of filling station which would be an asset to other businesses and improve the appearance of the corner a great deal. He stated that his company did not have much representation here now and that they considered this spot a prime location. He pointed out that there is only one station on the corner now, and stated that they would go along with any curb cut ordinance that we might have. He said that he had with him a brochure which deals with safety and design and that they had taken every precaution in design.

Mr. Zollner said he felt that a station here might create a traffic problem, as both 5th Street and Grand Avenue are main streets. He also said that probably the apartment house on the NW corner would not be torn down, but what about the other corner?

Mr. McMullin stated that this filling station "stop gap" was recommended until we could get a new ordinance, and churches were included because of the parking problems they involve; however, some questions should be settled in the Commission's mind before any definite stand is taken:

1. How many filling stations on a given corner?
2. What are the recommendations going to be as to distance between service stations?

He stated that we must adopt standards quickly or be faced with continuous requests not only on this corner, but others as well, which may or may not be desirable locations.

Mr. Cheever stated that until the plans are presented by the owners to the Commission there is not much more we can do at this time except make a very thorough study of the location.

The Chairman then said that this matter would be referred to the Zoning Committee for further study and final action by the Commission at their next meeting.

Next on the Agenda (Item No. V) was the petition of Gerard Pesman for a change in zoning on Lots 16, 17, 18 and N $\frac{1}{2}$  of Lot 19, Block 39 -- which is located on North 7th Street between Gunnison and Hill Ave.-- from Residence "B" to Business "AR". Mr. Pesman was present, and the Chairman asked him to present his petition and the reason he was asking for this zoning change.

Mr. Pesman asked what the future plans for North 7th Street were, stating that in his opinion, because of the fast traffic and "no parking" restrictions, it was not a good residential street and very likely would become a business street and main route. He stated that he was asking for this zoning change so that he might put a ski shop in his guest house, and this would require no structural change. He said the neighbors were not opposed to this idea, and it would only be a 6-month deal anyway. He also stated that no doubt the center medians on North 7th would be removed some time in the future in order to facilitate traffic.

Mr. Cheever said in regard to 7th Street, they would like to rebuild it into a good 4-lane highway, but could not very well remove the medians from 7th when they were being built into North Avenue; also it has been found that one should be put in at 12th and Main.

Mr. Zollner then made the motion that we follow our regular procedure and refer this matter to the Zoning Committee to report on at the next meeting. Motion seconded by Mr. Cheever, and carried.

Item No. VII on the Agenda - the request of S&M Supply Company for vacation of an alley which runs north and South separating Lots 6 to 10 and Lots 11 to 19 of Benton Canon's First Subdivision - was reported upon by City Engineer Carl Alstatt. Mr. Alstatt said that he, Mr. Cheever, and Mr. Allen had made an investigation but had not come to a decision. He further stated that he could not see that any damage would be done if that alley were closed; in fact, it might be a good thing. Mr. Allen then said that there are two N-S alleys in this area, one being used for County Shop purposes, and the main alley is the E-W alley. There is a fire hydrant at 7th and another one at 4th Avenue -- 200 feet from the area. Mr. Allen said he saw no advantage in having T- alleys.

Mr. Cheever said that the only one using the alley in question at the present time is the S&M Supply Co.

Motion was then made by Mr. Claud Smith that we recommend to the City Council that the alley which runs north and south separating Lots 6 to 10 and Lots 11 to 19 of Benton Canon's First Subdivision be vacated. Motion seconded by Mr. McMullin, and carried.

Mr. Cheever stated that we should have the opinion of the Fire Chief in vacating any alley or street in the future.

There was one other item which had been presented too late to be included on the Agenda -- the petition of Mr. E. B. Underhill for a change in zoning of an area on the west side of North 7th Street north from Glenwood Avenue approximately 350 feet, which he requested be changed from Residence "B" to Business "A". A petition protesting this change in zoning had also been filed.

At the suggestion of Mr. Cheever, Chairman Cornelison referred this matter to the Zoning Committee for study and report at the next meeting.

There being no further business, the meeting was adjourned.

R. E. CHEEVER, Secretary



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Submitted by,

Eleanor Dismar, Chairman

SUMMARY OF REGULAR MEETING OF GRAND JUNCTION PLANNING COMMISSION  
June 25, 1958

- I. City Councilmen agreed upon a written report, in detail, as best means of presenting Commission's findings to Council.
- II. Discussion of modification of Business "A" classifications in Zoning Ordinance. New zoning ordinance to be ready for discussion within six weeks, at which time Commission will make a study of Business "A" zoning classifications.
- III. Report of Zoning Subcommittee on curb-cut ordinance. Motion to hold this matter in abeyance until City Engineer, the Police Department, and other city officials prepare a section to be added to the proposed ordinance adopting standards for curb cuts.
- IV. Reconsideration of North Monterey Park annexation referred to Annexation Committee for further study.
- V. Request for a filling station on NE corner of 5th and Grand referred to the Zoning Committee for further study and final action by the Commission at their next meeting.
- VI. Two change of zoning petitions referred to Zoning Committee for study and report at next meeting.
- VII. Approved the petition of S&M Supply Company for vacation of a N-S alley separating Lots 6 to 10 and Lots 11 to 19 of Benton Canon's First Subdivision.