

MINUTES

REGULAR MEETING
GRAND JUNCTION PLANNING COMMISSION

Wednesday -- August 27, 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, August 27, 1958, with the following members present: Chairman Al Cornelison, Mr. Howard McMullin, Mrs. F. A. Brumbaugh, Mrs. Cleo Diemer, Mr. Claud Smith, Mr. Glen Hopper, and Mr. Robert Van Deusen.

Absent: Mr. R. E. Cheever and Mr. Richard Zollner.

Also present: Regional Planning Director Gene Allen, City Engineer Carl Alstatt, Chief of Police Karl Johnson, and Mr. W. R. Hall.

Mr. McMullin made the motion that the minutes be approved as written; motion seconded by Mrs. Brumbaugh, and carried.

Chairman Cornelison then called upon Mr. Van Deusen for the committee's report on Mr. W. R. Hall's petition for vacation of a portion of the roadway on 6th Street between North Avenue and Glenwood Avenue. Mr. Van Deusen presented a large Site Diagram of this property which he had prepared and gave the following report:

SUB-COMMITTEE'S REPORT ON W. R. HALL VACATION PETITION

"Two meetings of the committee were held; site visited; owner and prospective tenant interviewed.

Arguments - Pro & Con:

Against: Danger of establishing a precedent.

The feeling that no undue hardship would result if petition were denied, i.e. other plan solutions are possible in three other directions, and there is even space for expansion (two more alleys inside building).

For: Right-of-way not needed now or in any foreseeable future for traffic circulation (Allen); traffic safety (Johnson); engineering considerations (Alstatt).

Non-conforming use would be replaced with a more desirable function.

Discussion: centered on arguments against. While other plan solutions are felt to be possible, we do not feel that passing on building design is a desirable function of Planning Commission.

Danger of precedent felt to be calculated risk. Danger can be minimized by being impartial and granting 5'0" to both sides, leaving 70' right-of-way which was felt to be adequate. Situation felt to be unique; however, if similar situations exist, there is no harm in a just precedent.

Recommendation: Grant 5'0" vacation both sides, leaving 70' right-of-way, with stipulation that a minimum 6' walk be left on west of new property line, said walk to be continuous. Parking on east side of street to be parallel since room left is restricted and parallel parking is a City policy (Johnson). Curb cuts on north limited to two for safety reasons, with a 3' walk along north curb."

Mr. McMullin complimented Mr. Van Deusen and his committee for an excellent job in presenting all sides of this question, and this was endorsed by the Chairman and the entire Commission.

Mr. Cornelison then called upon Mr. Hall for his comments.

Mr. Hall stated that when he acquired this property in 1937 it was outside the City Limits; it came into the City in 1940 and was zoned for Business "B" and they had been using the property for the purpose for which it had originally been purchased.

Mr. Hall said that from time to time the City had requested them to vacate the area and move portions of their equipment out or make it safer for the general area, and that they had planned to eventually move out of the area when they could find a use for their building. Numerous persons had considered the property, but nothing had come of it until Mr. Montgomery became interested in it for a bowling alley. Mr. Hall felt that if this vacation is granted and they can go ahead with their plans, it will be a good thing for the entire area and be of more use to a greater number of people.

Mr. Hall stated that they expected to abide by the City building code and go along with the parallel parking and sidewalk. He also felt that such an arrangement would be satisfactory with Mr. Martin who owns the property on the west side of North 6th Street, and if necessary, would be willing to ask Mr. Martin to sign a petition with him.

Mr. McMullin asked if it was Mr. Hall's intention to lease the entire property, including the parking lot to the north of the building, to Mr. Montgomery and if it was his intention to maintain that land as parking, only, and how many cars the parking lot would hold.

Mr. Hall replied that there would be a 20-year lease given to Mr. Montgomery on the property, including the parking lot. He said the parking lot north of the building would hold 40 cars, and that there was room for approximately 60 to 65 cars in off-street parking.

Chairman Cornelison then asked Gene Allen for his viewpoint. Mr. Allen said this had been quite thoroughly discussed at the sub-committee meeting and that he was in accord with the recommendation made by the chairman of the sub-committee. He felt that establishing a precedent was the only thing that might cause any trouble; however, he felt this was unlikely because the circumstances -- one entire block with one owner on each side and a dead-end street at one end -- are unusual.

Mrs. Diemer then asked if the curb on Glenwood Avenue would have to be changed.

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City Engineer Alstatt replied the curb would have to be changed only if we request parallel parking on up to the corner, and the property owner would bear the expense. He said the present curb cuts are not satisfactory for the parking area.

The Chairman then called upon Chief Johnson for an expression on this proposal with regard to traffic, and Mr. Johnson said he couldn't see a thing wrong with the recommendations of the sub-committee so far as traffic is concerned. He felt that by requiring parallel parking in front of the building the reduced street area would be adequate to handle all of the traffic needs that can be foreseen, and he also thought that this plan was well designed.

Mrs. Diemer asked if this type of installation would not attract more customers than the present operation and therefore make more traffic.

Mr. Johnson pointed out that it would be an entirely different type of traffic -- the heavy trucks would be eliminated and it would be only cars; also the peak traffic would be at a different time of day.

Mr. Hopper asked if a 42' street would be adequate for two-way traffic, and Mr. Johnson replied that most of our streets are 36' wide. Mr. Alstatt said that by using recessed parallel parking, there would be room for two through lanes, plus a maneuvering lane; also, the sidewalk would be higher than the street and would serve as a curb.

Mr. Hopper asked if there would ever be need for a 6 ft. sidewalk on the other side of the street, and Mrs. Diemer mentioned that when the new building out there is completed there would probably be need for a sidewalk on the west side.

Mr. Cornelison said that the building provided for off-street parking, and Mr. Alstatt said that the sidewalk on the west would be installed at the time the building is finished.

Mr. Alstatt said that he felt the request should be considered on the merit of whether or not we actually need an 80 ft. right of way here, and if we felt it was not needed, we could go along with it. Also, since 6th Street is cut off at Glenwood and, in a way, also at North, he thought it would be OK.

The Chairman then called for a motion on the petition that was before the Commission.

Mr. McMullin made the following motion: That the Commission reject the petition as submitted by Mr. Hall, provided that they immediately reconsider same when it is prepared in proper form. Motion seconded by Mr. Hopper, and carried.

Item No. III on the Agenda regarding a request for a Negro church at 8th and Noland was next considered, and the Chairman called upon Mr. Allen for his report.

Mr. Allen said that this was a request that had been presented to the City Building Department for permission to build a church at this location. He and Mr. Alstatt made an inspection trip on this, and

found that the church was to be 18' x 35' located between a house already on the lot and the west property line. Mr. Allen's thinking was that we would be encouraging to some extent the clutter on this lot if we were to permit this church to be built. In the not too distant future this area is going to be industrial and there is some talk of having a slum clearance here to change it from a poor residential area to a good industrial area. This is not a residential area where you would ordinarily find churches, and, if built, it would be better to move the house so that it would front on 8th Street, or have the church front on 8th Street. It would not be satisfactory as it is being proposed.

Mr. Alstatt said that parking was one of the main things to consider, and he estimated there would be off-street parking for approximately 24 cars.

Mr. Cornelison stated that since we did not have a formal petition, the Commission could take no action on this request.

Mr. McMullin then made the motion that the request for a permit for this church at 8th and Noland be deferred, pending receipt of complete information by the Commission and complete report on the off-street parking facilities. Motion seconded by Mrs. Brumbaugh, and carried.

Item No. IV on the Agenda was next discussed. This was in regard to two possible amendments to the By-Laws:

- (1) Should any member of the Commission who has any financial or business connection with the question being voted upon disqualify himself from voting?

Mr. Cornelison said that in order to keep the integrity of the Planning Commission on a high level, this item had been put on the Agenda for discussion.

Mr. Van Deusen expressed the thought that a secret ballot might be the best way to vote and said that he felt everyone was entitled to vote and that the Commission needed the thought and judgement of all members.

Mr. Allen felt it was a personal matter and one that could be left up to the individual himself. If a member felt that he was too much involved in a question to vote upon it, he could disqualify himself.

Mr. McMullin stated that we can rely on any member being honest and disqualifying himself if he does have a direct or indirect financial interest in the question. Rather than amend our By-Laws he stated that he thought it should be the policy of the Commission that a member excuse himself when directly or indirectly interested financially in the question under consideration, and made the following motion: Resolved that the Planning Commission rely on the good faith of its members in abstaining from voting on any matter in which the member may have a direct financial interest. Seconded by Mr. Claud Smith, and carried.

- (2) Should the specifications for Special Meetings of the Commission be revised?

The Chairman stated there are times when a special meeting is justified and when it is not possible to give the three day's notice required by the By-Laws. He then asked Mr. Allen what his opinion was on this matter.

Mr. Allen said that with the exception of having to call two or three meetings, we have found these By-Laws in regard to three day's notice to be adequate. Special meetings have been called to act on a matter so that it may be presented to the City Council that same day, or to change our action; however, he felt that this provision had been put in the By-Laws to allow time for study of a question and avoid hasty decisions which many times are not thought entirely through and could be in error.

Mr. Cornelison suggested special meetings might be limited to items that had been discussed before.

Mr. McMullin suggested that the By-Laws might be changed to allow for emergency meetings to be called on a stated number of hour's notice to discuss changes in a previously discussed plan or previously passed recommendation when it was necessary to meet the dead line of a City Council meeting, and let the special meeting by-laws stand as they are.

Mr. Smith felt that too many limitations were set up in the By-Laws and that when a quorum was present they should be able to discuss and take action on any problem, rather than having a limit on what they can do at a special or emergency meeting because it is difficult to get a quorum together. He thought the three-day notice should be eliminated entirely.

Mr. Hopper stated that if the three-day provision were used, there is a possibility of criticism that meetings were called when some one member was out of town.

Mr. Van Deusen said the purpose of the three-day notice was so that members could have time to consider problems.

Mr. Cornelison then suggested that the Commission be thinking about this matter to take up again for more discussion at a later date.

Item No. V on Agenda - manner of voting. Motion made by Mr. Van Deusen that this matter be deferred to the next meeting. Seconded by Mr. McMullin. Carried.

Item No. VI on Agenda - time and place of meetings.

Mr. Allen's opinion was that it would be better if we could be where information is available from the planning office or the building department, and the City Hall or Planning Office would be a more business-like place to meet. He said we are a public group and felt that people who are interested should be encouraged to come to our meetings, and more might come if we had them in either the City Hall or Planning Office. He also felt that we could get down to business sooner if we held an 8:00 o'clock meeting.

Mr. Smith said that when these meetings first started, they were held across the street from the City Hall for breakfast and informal discussion and then adjourned to a formal meeting at the City Hall; in this way, if a person did not attend the breakfast prior to the meeting, he still could get information at the meeting.

Mrs. Brumbaugh felt that this was something that should be governed by those who have businesses and have to go to work.

Mr. Van Deusen said that one of the reasons for having a breakfast meeting was so that we could get started earlier.

Mr. Hopper said he would favor Gene Allen's suggestions, as he felt it would be necessary many times in discussions to be able to see maps and have access to other information.

Mr. Cornelison said from the discussion it appeared that all were agreed that we should have the meeting either at City Hall or the Planning Office in the Court House, and those who would like to have a breakfast and informal discussion before the meeting could do so.

Mr. Van Deusen then made the motion that the next regular meeting be held in the Conference Room at the City Hall, preceded by a breakfast at Culley's for informal discussion for those wishing to attend. Motion seconded by Mr. McMullin, and carried.

Mr. R. F. Maffey came in at this time in regard to North Monterey Park Annexation, so Item No. X on the Agenda was next taken up.

Motion was made by Mr. McMullin that the action of the Planning Commission in regard to North Monterey Park at the meeting of August 20, 1958 be ratified and confirmed. Seconded by Mr. Van Deusen and carried.

Item No. VII - Election of Officers. The Chairman announced that according to the By-Laws, election of officers is to be held at the regular meeting in August each year, and those elected shall take office at the next regular or special meeting of the Commission. He then called for nominations.

By unanimous ballot, Mr. M. A. Cornelison was elected Chairman of the Commission for the ensuing year; Mr. Howard McMullin was elected Vice-Chairman for the ensuing year; and Mr. R. E. Cheever was elected Secretary for the ensuing year.

Items Nos. VIII and IX on the Agenda - discussion of Zoning Ordinance and Shopping Center Ordinance - were both deferred until the next regular meeting.

At this time Mr. Cornelison thanked the Commission for their co-operation during the past year and said that the Commission has become established and accepted by the public because of their work this year. He said he was looking forward to their continued co-operation this next year and hoped it would be even better.

Motion was made by Mr. McMullin, seconded by Mrs. Brumbaugh, and carried that this meeting be recessed.

R. E. CHEEVER, Secretary

RE: 1111 VANDERBILT DETENTION

TWO MEETINGS HELD, SITE VISITED, OWNER & PROSPECTIVE TENANT INTERVIEWED

ARGUMENTS PRO & CON

AGAINST: DANGER OF ESTABLISHING PRECEDENT, FEELING THAT NO UNDUE HARDSHIP WOULD RESULT IF DETENTION WERE DENIED I.E. OTHER PLAN SOLUTIONS ARE POSSIBLE IN 3 OTHER DIRECTIONS & THERE IS EVEN SPACE FOR EXPANSION (2 MORE ALLEYS INSIDE BLDG.)

FOR: RIGHT OF WAY NOT NEEDED NOW OR IN ANY ^{FORSEEABLE} FUTURE ~~NOTIFIED~~ FOR TRAFFIC CIRCULATION (ALLEN), TRAFFIC SAFETY (JOHNSON) ENGINEERING CONSIDERATIONS (ALSTATT)
NON CONFORMING USE WOULD BE REPLACED WITH A MORE DESIRABLE FUNCTION

DISCUSSION: CENTERED ON ARGUMENTS AGAINST. WHILE OTHER PLAN SOLUTIONS ARE FELT TO BE POSSIBLE WE DO NOT FEEL THAT PASSING ON BUILDING DESIGN IS A DESIRABLE FUNCTION OF COMMISSION
DANGER OF PRECEDENT FELT TO BE CALCULATED RISK.
DANGER CAN BE MINIMIZED BY BEING IMPARTIAL & GRANTING 5'-0" TO BOTH SIDES LEAVING 10' RIGHT OF WAY WHICH WAS FELT TO BE ADEQUATE. SITUATION FELT TO BE UNIQUE. HOWEVER IF SIMILAR SITUATIONS EXIST THERE IS NO HARM IN A JUST PRECEDENT

RECOMMENDATION: GRANT 5'-0" VARIATION BOTH SIDES LEAVING 10'-0" RIGHT OF WAY. WITH STIPULATION THAT MINIMUM 6'-0" WALK BE LEFT ON WEST OF NEW PROPERTY LINE SAID WALK TO BE CONTINUOUS. PARKING ON EAST SIDE OF STREET TO BE PARALLEL SINCE ROOM LEFT IS RESTRICTED & PARALLEL PARKING IS A CITY POLICY (JOHNSON)
CURB CUTS ON NORTH LIMITED TO 2 FOR SAFETY REASONS WITH A 3'-0" WALK ALONG NORTH CURB