

MINUTES

REGULAR MEETING
GRAND JUNCTION PLANNING COMMISSION

Wednesday -- September 24, 1958 -- 8:00 A.M.

CITY HALL

The Grand Junction Planning Commission met in regular session at 8:00 A.M. in the Conference Room at the City Hall on September 24, 1958, with the following members present: Chairman M. A. Cornelison, Vice-Chairman Howard McMullin, Secretary R. B. Cheever, Mr. Glen Hopper, Mr. Claud Smith, Mr. Richard Zollner, Mr. Van Deusen, Mrs. Cleo Diemer, and Mrs. F. A. Brumbaugh. Also present: Regional Planning Director Gene Allen, City Engineer Carl Alstatt, Chief of Police Karl Johnson.

The meeting was called to order by the Chairman, Mr. M. A. Cornelison. He asked if all members had received and read copies of the minutes of the special meeting held September 17th, and if so, a motion was in order to approve them.

Mrs. Diemer stated that she thought that the last part of paragraph four on the second page should be deleted as it was superfluous to Mr. McMullin's motion, as it was her understanding of the recording of Minutes as prescribed by Roberts' Rules of Order was to record only the actual motions and actions taken and not to record the thinking expressed by each individual.

Mr. Zollner stated that probably technically that was right, but it was his thinking that they were trying to show the different opinions expressed to show how the Commission arrived at its final opinion.

Mr. Cheever stated that at first there were complaints that not enough was being recorded in the Minutes, and that it was intended to show a written picture of the Commission's discussion to give the City Council the general thinking of what happened at the meeting.

Mr. McMullin stated that he thought that the minutes should go a little further than a regular set of minutes in order to give the City Council the benefit of the Commission's thinking.

Mr. Hopper stated that he thought this was the type of Minutes the Commission should have - all-inclusive to point out the thinking of the Commission.

Mrs. Diemer made the motion that paragraph four on the second page of the Minutes of the Meeting of September 17th be deleted. After further discussion and with the consent of Mrs. Diemer, the motion was amended to delete the last sentence in Paragraph four from the Minutes. Mr. Van Deusen seconded the motion. Motion carried with Mr. Zollner abstaining from voting.

Mr. McMullin made the motion that the following sentence be substituted: "It was the opinion of Mr. C. A. Walt, who appeared before the Commission,

that the Highway Department has important plans for this area, and that it was his opinion that full consideration had not been given to State plans." Motion was seconded by Mr. Cheever and carried.

It was moved by Mr. McMullin and seconded by Mrs. Brumbaugh that the minutes, having been duly corrected, be approved as written. Motion carried.

Chairman Cornelison stated that since there had been some misunderstanding regarding the release of the Traffic Circulation Plan, it was felt that appointment of a Public Relations Committee should be made to meet with the one appointed by the County to work on the procedure of presenting Regional Planning problems to the public. He appointed the following to act as the Public Relations Committee: Mr. Hopper and Mr. Zollner, and Mr. Claud Smith if he has time.

At this time, the matter of change of zoning for four lots in the vicinity of Linda Lane and Walnut Avenue was brought up. Mr. Ritchie, a contractor, would like to have the zoning changed on these four lots from Residence "A" to Residence "B" so that he can build a duplex. These lots originally contained 120 feet, but Mr. Ritchie had given the City 30 feet for right-of-way so that Walnut Avenue could be opened up, which left him with approximately 90 feet in these four lots, which he felt was not quite enough to build two single family dwellings, but too much for one. It was not feasible to build a large house in the \$20,000 class, when the surrounding houses were in the \$7,000 to \$10,000 bracket.

Mrs. Diemer reported that her committee on zoning had been contacted in regard to this change of zoning request, and although they had not officially met, each had made an on the spot check, and believed she could state that it was their recommendation that Mr. Ritchie should present a formal application and petition for this change.

Mr. Gene Allen gave the background of the development of this area, stating that Mr. Ritchie was not the original owner, but had purchased the property from Mr. Reeser, who had been building houses from the south end of Linda Lane up to the north; that originally it was not intended to annex this property, but due to the policy of the Council in not granting water taps to property eligible for annexation, it was included in the annexation and was being sold off by meets and bounds parcels, and Walnut Avenue was about to be blocked off; that Mr. Ritchie had given the 30 feet for Walnut Avenue which had made these four lots smaller than intended.

It was discussed by the Commission whether this would constitute spot zoning and whether the Commission should deviate from its policy on spot zoning.

Mr. McMullin stated that he thought they should clarify their thinking on what is spot zoning. He felt that what was talked about primarily was when someone comes into a residential area to put in a grocery store, etc, and whether a Business A or AR classification was requested. Here, a different situation exists as it would still be residential, the only

difference between Residence "A" and Residence "B" districts is the number of families per area with less area being required for Residence "B" construction; that the area under consideration would not permit anything larger than a duplex. He stated that he felt this man has a hardship case.

It was moved by Mr. Zollner that Mr. Ritchie be informed that his request will be considered, both by the zoning committee and the full commission, upon his formal presentation of a petition to change the zoning of these four lots from Residence "A" zoning to Residence "B" zoning. Motion was seconded by Mr. Smith and carried.

Item No. IV - Negro Church - 8th & Noland Avenue, on the Agenda was considered. This matter had been discussed at the meeting of Aug. 27th. Chairman Cornelison stated that inasmuch as no formal application had been received, no action could be taken. Mr. Gene Allen stated that he had gone down there this morning, and believed that the people will come in with more complete plans possibly sometime today.

Mr. Cheever made the motion that this item be deleted from the Agenda until such time as a formal request has been presented. Mr. McMullin seconded the motion. Motion carried.

At this time, Item V, Amendment to By-Laws, (Specifications for Special Meetings) was discussed. Mr. Gene Allen stated that he had had a couple of meetings on this matter and presented a suggested revision of the By-Laws. (Copy attached)

It was moved by Mr. McMullin that the Chairman appoint a committee to go over this recommended change in the By-Laws and submit a report at the next meeting of the Planning Commission. Motion was seconded by Mr. Zollner. Motion carried.

Chairman Cornelison appointed a special committee to work this problem out, consisting of Mr. McMullin, (Chairman) Mr. Van Deusen and Mrs. Brumbaugh.

Item VI, Manner of Voting was discussed. Mrs. Diemer stated that she believed that this matter should go along with the By-Laws change, and moved that this also be referred to the By-Laws Committee. Mr. Cheever seconded the motion. Motion carried.

At this time, Chairman Cornelison asked Mr. Scott, and Mrs. Haisch, who were in the audience, if they had any problem which they wished to present to the Commission. Mr. Scott stated that he was present as a member of the Committee from the Associated Realtors just to see how the Commission works. Mrs. Haisch said she had come to see what was going to be done about the curb-cut ordinance and how it would affect her property on North Avenue in regard to any more taxes.

Item VII, Consideration of Curb-Cut Ordinance was discussed. This matter had been referred to a committee consisting of Gene Allen,

Section II

SPECIAL MEETINGS

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:

1. long range planning matters which are, or are to become a part of the master plan;
2. matters tabled by the Commission, or referred to a special study committee by the Chairman at a preceding meeting;
3. such matters as the Commission has considered and acted upon at the preceding 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;
4. items which were to have been considered at a regular meeting, if such meeting is postponed for reasons listed in Section 1, above.

Three day advance notice as required in paragraph (a.) of Section 3 hereof may be waived for matters conforming to provisions set out in 2. and 3. of the above paragraph, providing at least 24 hours verbal notice of the meeting is given to members.

Carl Alstatt and Karl Johnson. Mr. Alstatt stated that when the ordinance had been presented to the City Council, there were a number of items which the City Council had questioned, and also that a number of citizens in the audience had made protests. He stated that most of the objections were not so much against the passage of such an ordinance but rather were against the fees, especially the \$1.50 per foot per year.

Mr. Gene Allen stated that the committee had had a meeting, and it was their opinion that there were three possible alternative fee schedules that could be considered.

1. Would require permits and a one-time fee for all existing or new service driveways upon passage of the new curb-cut ordinance.
2. Would provide for permits and a one-time fee for construction of new service driveways only.
3. Would provide for permits on all service driveways, with a yearly fee per foot charged for each foot of service driveway in excess of a specified width.

He stated that some of the Commission members might come up with other suggestions.

City Engineer Alstatt stated that with this ordinance it was hoped to correct some of the abuses of curb-cuts and to put back into use curb-cuts and driveways no longer used for the purpose when the curb-cut or driveway permit was issued. That the City needed a fund to use to replace these abandoned curb-cuts and driveways with curbs; that this ordinance, or an ordinance, something similar to that used in regard to sidewalks that need replacing, was needed so that the needed curb replacements could be ordered made at the direction of the Traffic Engineer, or other authorized person, and assessed against the property owner. Mr. Alstatt stated that they had not discussed this with the City Attorney as to the legality of such an ordinance. Mr. Alstatt asked that anyone having any ideas pertinent to the curb-cut ordinance please put them in writing and hand them to any member of the Committee.

Mr. McMullin stated that when the curb-cut ordinance was considered, he had received many calls objecting to it. Objections seemed to be against another tax on the already burdened real estate coupled with the fact that in cases of the large oil companies, they could not pass these charges along to the tenants who had long term leases.

Mr. Hopper stated that he was not interested in adding another tax, but thought that the cost of replacing should be put back on the property owner.

Mr. Cheever stated that there seemed to be no objection to the first part of the ordinance, or the question of rules and regulations controlling curb-cuts, but seemed to be in regard to the fees and the revoking of previous permits and the provision requiring new permits.

Mr. Cheever moved that the City Attorney be asked for an opinion in order that the Committee may prepare recommendations that will be legal and enforceable, and that this curb-cut ordinance be returned to the Committee for further study and report back. Mr. Van Deusen seconded the motion. Motion carried.

Chairman Cornelison stated that he understood the Contractors' Association, who were opposed to and had criticized the proposed curb-cut ordinance without making any constructive recommendations before, had appointed a committee to make recommendations on this matter. That the Committee was composed of Mr. Harwood, Mr. Sperber and another member of the Association; this report to be presented shortly.

Items VIII, Consideration of New Zoning Ordinance, and IX, Consideration of Shopping Center Ordinance were considered together at this time. Mr. Gene Allen reported that he was working on the proposed ordinance and that he was about half-way through and would soon be able to have it typed in draft form. He asked for suggestions as to how it should be presented.

Mr. Smith suggested that this be mimeographed and sent out to all members of the Commission so that it can be reviewed prior to the meeting when it will be considered. *(copy attached)*

Chairman Cornelison asked the Public Relations Committee to work on the procedure set-up which this ordinance should travel through the Commission to the City Council and out to the public.

Mrs. Diemer stated that the City Council members had met with them for one meeting, and she was wondering if one member of the Council could not attend one meeting of the Planning Commission so that it would give the Council a better idea of what the Commission was trying to do. Mr. Zollner suggested that this matter be referred to the Public Relations Committee too.

Mr. Cheever stated that there were some lots in the West Main Street section of residential property that are zoned as Business "A"; that a party had made application to the Building Department to move in two houses on these lots, but it was discovered that due to the zoning of Business "A", it would require the necessary fire walls which are not necessary for residential construction. The surrounding area is zoned Residence "C" district, and this classification would take care of the requirements of this party, and he only has about eight days more in which to move these houses.

Mrs. Diemer reported that she had been called on this matter and had tried to contact the other members of the zoning committee but they were out of town; that she had gone down to look at this location and she felt that it was quite low and suggested that it would have to be built up to the level of the surrounding property, which Mr. Cheever said the builder intended to do.

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Due to the fact that this change of zoning would not be down-grading but rather going to a higher classification, it was felt there would not be criticism, and due to the immediate necessity, Mr. Hopper moved that the Planning Commission recommend to the Council that Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 Bowers Subdivision, Lots 2, 4, 6, 8 Block 2 Grand River Subdivision and another small lot in the Nursery Tract be changed from Business "A" district to Residence "C" district providing that the consent of the property owners involved is obtained, and formal application and petition are presented. Motion was seconded by Mrs. Brumbaugh. Motion carried.

It was moved by Mr. Zollner and seconded by Mr. McMullin that the meeting adjourn. Motion carried.

R. E. CHEEVER, Secretary

SHOPPING CENTER ZONE -

1. Permitted Principal Uses
 1. Agencies
 - a. Real Estate
 - b. Insurance
 - c. Message (Western Union)
 - d. Laundry, cleaning and dyeing
 2. Art & Antique Shops
 3. Appliance Stores (retail sales and service)
 4. Bakery (retail sales in premises as principal use)
 5. Book & Stationery Stores
 6. Banks and other financial institutions
 7. Barber & Beauty Shops
 8. Custom Tailors, Dressmakers & Milliners
 9. Dental & Medical clinics
 10. Department Stores
 11. Drug & notion stores
 12. Food shops retail; delicatessen, grocery, meat & fish
 13. Florist shops
 14. Furniture stores
 15. Hardware
 16. Interior decorating shops
 17. Jewelry stores, gift shops
 18. Music stores
 19. Photographic studio
 20. Post offices
 21. Restaurants
 22. Package Liquor store
 23. Shoe shops, shoe repairing
 24. Bowling Alley
 25. Theaters
 26. Radio & T.V.
 27. Any other retail business or service which, in the opinion of the Board of Adjustment is similar to the above uses.
2. Maximum Percentage of Lot to be used
 1. Parking requirements to govern.
3. Maximum height of principal buildings
 1. Must conform in height with buildings in immediate area, if adjoined by residential property. Maximum height -- 35 feet, or two stories.
4. Minimum Yard Dimensions
 1. Front Yard - same as adjacent residence zone.
 2. Side Yard - same as adjacent residence zone (applies to side yard adjacent to residential zone)
 3. Rear Yard - 20 feet (applies to rear yard adjacent to residential zone)
5. Permitted accessory uses, exceptions and limitations
 1. Signs as limited below.
 - a. Signs shall be set back 10 feet from any lot line.
 - b. No sign shall advertise products not ordinarily offered for sale on the premises.
 - c. The source of light on all illuminated signs shall be steady and stationary. Spot or general illumination for signs shall be so placed that the direct illumination therefrom shall be directed away from adjacent residential properties and streets.

- d. Exterior signs shall be attached flat against the wall of the building or to the face of the marquee or canopy, and shall not project above the roof line or parapet wall.
- e. Exterior signs may be mounted on a structured "pylon" designed as an integral part of the principal building.
 - 1. Maximum height of the "pylon" shall not exceed ten feet above the roof line or parapet wall.
- f. One exterior sign, separate and not attached to any building, may be allowed for each street front the shopping center faces, with a maximum of two such signs advertising the general area.
 - 1. Height of such signs shall be a maximum of 35 feet measured from the ground.
 - 2. Maximum size of the sign portion itself shall not exceed 100 square feet.
- g. Any similar buildings, structures, or use customarily incidental to the aforesaid permitted uses.

6. Conditional Uses

- 1. Educational, religious and welfare institutions.
- 2. Libraries, museums and art galleries.

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out 7.*

Mandatory off-street loading spaces.

- 1. Minimum Requirements. Every commercial building hereafter erected, moved, converted, enlarged or increased on a lot which abuts upon an alley or is surrounded on all sides by streets, shall have one permanently maintained loading space of not less than ten (10) feet in width, thirty (30) feet in length and fourteen (14) feet in height, for each two thousand (2000) square feet of lot area upon which said building is located; provided, however, that not more than two (2) such spaces shall be required, unless the building on such lot has a gross floor area of more than eighty thousand (80,000) square feet, in which case there shall be one (1) additional loading space for each additional forty thousand (40,000) square feet (in excess of 80,000 square feet) or fraction thereof above ten thousand (10,000) square feet. All loading space shall have ingress and egress from alleys or service drives. Required parking space may not be substituted for loading space.
- 2. Location of Loading Space. Where the lot on which the loading space is located abuts upon an alley, such loading space shall adjoin the alley. The length of the loading space may be measured perpendicular to or parallel with the alley, except that on lots less than thirty (30) feet in width, the length of such loading space shall be measured perpendicular to the alley. Where said length is parallel with the alley, the loading space shall extend across the full width of the lot, except that if only two (2) such spaces are required, the length need not exceed sixty (60) feet.
- 3. Existing Loading Space. Loading space being maintained in connection with any existing main building on the effective date of this ordinance shall thereafter be maintained so long as said building remains, unless an equivalent number of such spaces are provided conforming to the requirement of this Section; provided, however, that this regulation

shall not require the maintenance of more loading space than is herein required for a new building.

8. Mandatory Off-Street Parking.

1. Minimum ratio of parking to floor area shall be:
 - a. First floor - 3 sq. ft. of parking area to 1 sq. ft. of total floor area.
 - b. Second floor - 1 sq. ft. of parking area to 1 sq. ft. of total floor area.
2. For a theater within the shopping center an additional requirement of 1 parking space for each 4 seats shall be required. 1/3 of the total parking spaces required within the remainder of the Shopping Center may be applied toward this requirement.
3. For Bowling Alleys within the shopping center, an additional requirement of 4 parking spaces for each alley shall be required. 1/3 of the total parking spaces required within the remainder of the shopping center may be applied toward this requirement.
4. If both a Theater and Bowling Alley are to be included within the shopping center the total of 1/3 of the total parking spaces within the remainder of the shopping center may be applied to either or divided by both of these uses.
5. All requirements for parking in this section shall be exclusively off-street and curb space shall not be applied toward meeting all or a portion of this requirement.
6. Management of the off-street parking spaces shall remain in the control of the majority ownership and maintenance, policing, and unhampered access and use of any or all parts of the off-street parking facilities shall remain the responsibility of each and all of the property owners.
7. Parking requirements for conditional uses.
 - a. Requirements of Particular Use.
 - (1)Appliance Stores. For furniture and appliance stores, plumbing and hardware stores, building supply stores, household equipment shops - at least one parking space for each 750 square feet of floor area used for display plus one additional space for each two employees thereof.
 - (2)Assembly Halls. For public assembly halls without fixed seats, gymnasiums, amusement parks, exhibition halls, skating rinks and other similar amusement, recreational or public gathering places; at least one parking space for each 100 square feet of floor or ground area used for amusement or assembly, plus one additional space for every two employees thereof.
 - (3)Auditoriums. For auditoriums, theaters and other similar places of assembly; at least one parking space for every six permanent seats provided in said buildings or structures, plus one additional space for every two employees thereof.

9. Ingress and Egress from Public Street or Highway.

1. Driveways - shall comply with Curb Cut Ordinance.
2. Parking Area. Plan of Parking Area. For the purpose of converting parking spaces into the required parking area, plans must be submitted to show how the required

parking spaces shall be arranged in the area supplied for that purpose and to indicate sufficient space for turning maneuvers, as well as adequate ingress and egress to the parking area.

3. Plat including all curb cuts, building locations, and parking area, etc. must be approved for entire area before building permit is issued.

10. Other Provisions & Requirements.

1. A shopping center for the purpose of this Ordinance must meet the following minimum physical and use conditions.

cont.
a. Area - ~~The site must be 5 or more acres, or within areas previously subdivided and built up the site must constitute 5 or more acres, or 3.5 or more acres providing the site is completely surrounded by public streets.~~

cont.
b. Basic Composition.

(1) It must be a group of stores planned and built as a unit development.

(2) There must be a group of basic services comprised of those generally classified as "convenience" stores and services such as grocery store, drug stores, bakery, variety store, dry cleaners, beauty parlor, barber shop and shoe repair.

2. Service entrances and service yards can be located only in the rear and side yard of the shopping center and shall be set back from the street line not less than the minimum depth of the required front yard plus thirty-five feet. Such areas must be screened from adjacent residential property by the installation and maintenance of a solid wall, or a lattice fence having a height of not less than four feet nor more than six feet; or a compact screen of trees set back at least ten feet from the property line. Likewise, suitable trees, as specified by the City Forester, must be maintained in the parking adjacent to the property of the shopping center to form a partial screen from adjacent properties, if such adjacent properties are residentially zoned, or developed.

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