

GRAND JUNCTION BOARD OF APPEALS
Public Hearing May 12, 1993
8:05 a.m. - 8:40 a.m.

The public hearing was called to order by Chairman John Elmer at 8:05 a.m. in the City Auditorium.

In attendance, representing the Board of Appeals, were Chairman John Elmer, Lewis Hoffman, Bill Putnam, Jeff Driscoll, and Cindy Enos-Martinez.

In attendance, representing the City Community Development Department, was Dave Thornton, Planner.

John Shaver, Assistant City Attorney, was also present.

Bobbie Paulson, Administrative Secretary, was present to record the minutes.

There was one interested citizen present during the course of the meeting.

I. CALL TO ORDER

Chairman Elmer welcomed Jeff Driscoll and Lewis Hoffman to the Board.

II. APPROVAL OF MINUTES

The minutes from the February meeting were not previously distributed to the Board of Appeals members for review; therefore, they were tabled until the next meeting.

III. PUBLIC HEARING ITEMS FOR CONSIDERATION BY BOARD

#93-2 Consideration of a request to vary the parking requirements for a retail establishment - Code requires one parking space per 250 square feet of sales area. The Petitioner would be required to provide 75 parking spaces and has requested approval of 28 parking spaces for a variance request of 47 parking spaces.

PETITIONER: Ray Meacham

REPRESENTATIVE: Jeff Williams

LOCATION: 865 North Avenue

PETITIONER'S PRESENTATION

Jeff Williams, 2645 Central Drive, gave an overview of the proposed variance. Mr. Williams said that the Petitioner and the adjacent Sherwin Williams store owner intend to share parking spaces. He referred to a letter which was included in the file denoting that both stores are going to share parking. The corporate office of Sherwin Williams does not want this agreement to be recorded.

Mr. Williams stated that Ray Meacham, the owner of American Furniture, has been in business downtown for 40 years. There are eight private parking spaces at that location. There will be considerable more parking spaces at this new location. Furniture sales normally generate a very low volume customer count as compared to other retail stores. The inventory is bulky and a lot of floor space is used for displays.

Chairman Elmer asked Mr. Williams to clarify the hardship.

Mr. Williams stated that he felt the hardship is if the Petitioner is required to add more parking spaces then he will not be able to build the warehouse and the retail store under one roof. The reason the Petitioner is moving his store location is partly because of ADA requirements. Mr. Williams stated that the Petitioner is going to berm the south side of the lot along Belford Avenue and add aesthetics along North Avenue as well.

Jeff Driscoll asked if the letter from Sherwin Williams specified the number of shared spaces? Mr. Williams replied that the shared parking will be along the front of the building. Employee parking will be on the south side of the building. More than likely what will happen is that Sherwin William's customers will be using American Furniture's parking more than the other way around.

Mr. Ray Meacham, owner of American Furniture located at 3rd and Main Streets, stated that the number of parking spaces the Code requires is functional for most general merchandise situations but felt that furniture stores were an exception. He stated that he checked the parking situation for other furniture stores in town. Webergs has 12 spaces across the front of their store and approximately 15 spaces along the side. Seven or eight of the spaces along the side are used for truck loading, etc. He added his store will be larger than Webergs.

Mr. Williams referred to a data sheet the Petitioner put together which shows how many American Furniture customers there are in one day.

Chairman Elmer asked the Petitioner if he had actually kept track of the number of customers adding that the data sheet that was submitted was total sales which is only a percentage of total customers.

Mr. Meacham stated that he has the total number of customers per day, but not at any certain time.

Mr. Williams stated that during 26 days there is an average of five customers per day.

Mr. Meacham added that he expects his customer count to double after moving the store to North Avenue.

Chairman Elmer asked for clarification. Are the numbers you submitted actual sales?

Mr. Williams stated that it is the number of sales each day.

When asked if the average is about five sales per day, Mr. Meacham replied affirmatively.

Chairman Elmer asked what percentage of walk-in people do not buy?

Mr. Meacham replied about three times that.

STAFF PRESENTATION

Dave Thornton stated that the Code currently requires 75 parking spaces for this proposed business based on the requirement of one space for every 250 square feet of sales area. Staff recognizes that this appears to be excessive for this type of retail store especially with a large display area. Staff has reviewed parking standards from other cities and similar establishments in Grand Junction. Cities such as Broomfield, Colorado Springs, Lakewood, Louisville, Longmont, Loveland, Wheatridge were surveyed. Most of these cities look at parking requirements for furniture stores based on the gross square footage rather than that of display area. The survey showed that the average for those cities is 2.3 parking spaces per 1,000 square feet of display area. Staff also looked at other furniture stores in Grand Junction. Webergs has .5 spaces per 1,000 gross square feet of floor area. Coast to Coast and Ace Furniture have 1.5 spaces per 1,000 gross square feet of floor area. Given the analysis of the survey staff recommends that this proposed establishment be allowed to use a parking ratio of 1.5 spaces per 1,000 gross square feet of floor area. The survey also indicated that other furniture stores in Grand Junction felt they had adequate parking for their business. If the parking ratio of 1.5 spaces for 1,000 gross square feet of floor area is used to calculate the number of parking spaces required for the proposed American Furniture store located at 865 North Avenue, the results would be 42 required parking spaces. The Petitioner's site plan shows 27-28 spaces; therefore, even with what staff supports in a variance, the Petitioner would not have enough parking. In order to meet the parking requirement, the Petitioner would need to secure off-street parking within 200 feet of his business. A lease or some type of agreement acceptable to the City Attorney's office for the additional spaces is needed. The letter from Sherwin Williams is not an acceptable form of agreement as it is currently written.

Mr. Thornton stated that if this proposal is approved with a reduction in the number of required parking spaces, a recommendation should be made by the Board of Appeals to the Planning Commission to change the Code for all furniture stores.

Mr. Meacham pointed out that there is additional on-street parking along Belford Avenue.

Mr. Thornton stated that on-street parking is not included in the requirement, acknowledging that most businesses have on-street parking.

Chairman Elmer asked why the warehouse was included in the calculations for parking

requirements; adding that it does not generate customers?

Mr. Thornton responded that staff's recommendation is based on the survey of parking requirements for other cities and local businesses. The standard used by most cities is based on gross floor area.

John Shaver stated that this request is not a traditional application for a variance because it is not an appeal of an administrative decision rather it is an appeal of a requirement. By using this survey, staff is attempting to come up with a reasonable alternative for all concerned.

Bill Putnam asked how many different kinds of businesses need to be reviewed for different parking ratios.

John Shaver replied that the Code generally does a good job in differentiating between different types of businesses, but in this particular case there was not a category for retail furniture sales.

Mr. Thornton added that furniture stores are currently lumped in with other low-retail sales.

Chairman Elmer stated that he was concerned with the future use of the building. He felt that by allowing fewer parking spaces, it would limit the future use of the site. The store and property won't be much use for any other type of business.

Mr. Meacham stated that he has owned the building on 3rd and Main Streets for 42 years. The plans are to continue this as a furniture store for a long time. He felt that the parking requirement was completely out of line for a furniture store.

Chairman Elmer agreed that the current requirement is excessive. The question is how much the Code should be varied. He concurred with the survey results of 1.5 spaces for every 1,000 square feet.

Bill Putnam asked why Sherwin-Williams would not make more of a commitment with shared parking?

Chairman Elmer asked if Sherwin Williams even had additional parking to lease?

Mr. Thornton stated that Sherwin Williams has excess parking, approximately 12-14 spaces, which they could lease.

Discussion ensued regarding obtaining additional parking for American Furniture.

Mr. Williams said it will be difficult to obtain a perpetual easement from Sherwin Williams. He stated that Sherwin Williams is worried about signing anything that is going to bind them forever on that property.

Mr. Meacham stated that the proposed warehouse will be built over a utility easement. Public Service will be relocating the utilities to the perimeter of the property. The cost to vacate these utilities will be shared with Sherwin Williams. Mr. Meacham stated that if he was not allowed to build his warehouse he would not need to change the utility easement. If this happens, then Sherwin Williams will have to pay the entire bill. He suggested that Sherwin Williams may be willing to give anything that is reasonable in order to share the costs of relocating the utilities.

Cindy Enos-Martinez stated that the Board would not approve this without a lease agreement.

John Shaver suggested that a lease agreement would not be needed for approval. If the variance is approved at the 1.5 spaces per 1,000 square feet, the Petitioner would not meet the requirement and would therefore have to contract for additional parking. He suggested to the Board to only consider varying the requirement to the 1.5 spaces, or whatever the Board deemed appropriate and let the Petitioner figure out the details.

There were no public comments for or against this proposal.

MOTION: (Bill Putnam) Mr. Chairman, item number 93-2 the variance request, I move that we approve the request to specify that the 1.5 ratio of parking spaces per 1,000 gross square feet is found acceptable for this piece of property."

Cindy Enos-Martinez seconded the motion.

A vote was called, and the motion passed by a vote of 5-0.

Ray Meacham asked for clarification. Is that the gross square feet for the entire building or the sales area?

Chairman Elmer replied that it is for the entire building.

Dave Thornton asked the Board to make a recommendation to Planning Commission regarding a text amendment for furniture stores.

John Elmer recommended, along with the Board's concurrence, that furniture stores and similar establishments be reviewed for a text amendment.

IV. APPOINTMENT OF CHAIRPERSON AND VICE-CHAIRPERSON

Bill Putnam nominated John Elmer for Chairperson. Cindy Enos-Martinez seconded the

nomination. A vote was called, and the motion passed by a vote of 4-0 with John Elmer abstaining.

John Elmer nominated Bill Putnam as Vice-Chairperson. Cindy Enos-Martinez seconded the nomination. A vote was called, and the motion passed by a vote of 4-0 with Bill Putnam abstaining.

The meeting adjourned at 8:40 a.m.