

**GRAND JUNCTION BOARD OF APPEALS
SEPTEMBER 8, 1999 MINUTES
8:04 a.m. to 8:40 a.m.**

The regularly scheduled Board of Appeals meeting was called to order at 8:04 a.m. by Chairman John Elmer. The meeting was held at Two Rivers Convention Center.

In attendance, representing the Board of Appeals, were: John Elmer (Chairman), William Putnam and Paul Dibble. Pamela Hong and James Nall were absent.

In attendance, representing the Community Development Department, were Bill Nebeker (Sr. Planner) and Kristen Ashbeck (Sr. Planner).

Terri Troutner was present to record the minutes.

There were 5 citizens present during the course of the meeting.

I. APPROVAL OF MINUTES

Available for consideration were the minutes of the August 11, 1999 meeting.

MOTION: (DR. DIBBLE) “Mr. Chairman, I move that the minutes of the August 11th meeting be accepted as presented.”

Mr. Putnam seconded the motion. A vote was called and the motion passed by a vote of 3-0.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. FULL HEARING

VAR-1999-190 VARIANCE—SIGN VARIANCE

A request for a variance from section 5-7-7B of the Zoning and Development Code to allow redistribution of the signage allowance and location of freestanding signs for a proposed retail shopping center.

Petitioner: Regency Realty Corp.

Location: Northwest corner of Highway 340 and Power Road

STAFF’S PRESENTATION

Bill Nebeker outlined the request as contained in the September 8, 1999 Staff Report. The petitioner had presented a sign package specific to the site’s 6-lot subdivision. The layout of freestanding signs had been depicted on the petitioner’s submitted Site Plan; no roof signage had been proposed. The redistribution of allowed signage would result in a lower overall square footage, and the proposed method of calculation would greatly simplify the process for determining future sign allowances. Having found that the request met Code criteria, staff recommended approval subject to the following stipulations:

1. Adherence to the sign package as presented, summarized in the staff analysis section of this report.

2. The City will not enforce the restrictions listed in Chart I (Wall Signage Heights), section 4, General Wall Sign Requirements (except those requirements required by Code), and the sign distribution on the freestanding signs permitted in section 5.
3. No roof signs are allowed in the shopping center (per the sign package).

QUESTIONS

Mr. Putnam asked staff for the definition of a “projecting sign,” which was given.

Chairman Elmer asked if one projecting sign would be allowed per tenant, to which Mr. Nebeker responded affirmatively.

Chairman Elmer asked if the proposed area of the large freestanding sign was actually smaller than normally would have been allowed, to which Mr. Nebeker replied affirmatively. The sign could be up to 300 square feet but the applicant agreed to limit it to 168 square feet.

Dr. Dibble asked for clarification on the placement of proposed monument signs, which was provided.

Chairman Elmer asked if approval of the variance would apply to each of the six proposed lots. Mr. Nebeker responded affirmatively but also suggested placing a condition on the subdivision plat referencing the variance.

Chairman Elmer commented that the sign package was more typical of a planned zone. Mr. Putnam concurred and agreed to include the plat notation. Mr. Nebeker acknowledged that the variance should be tied to the entire subdivision and offered the addition of a fourth condition of approval to state, “The sign package shall be tied as a condition of subdivision approval.”

Chairman Elmer asked for clarification of condition 2, which was given.

PETITIONER’S PRESENTATION

Bill Woodward, representing the petitioner, reiterated his intent to record the recommended plat. He presented various visual depictions of sign placement and lot layouts.

When Dr. Dibble asked what type of lighting had been planned for monument signs, Mr. Woodward said that all would have interior illumination.

Mr. Woodward continued his presentation by saying that larger signage had been proposed for the end cap due to the building’s increased height at that location.

QUESTIONS

Chairman Elmer wondered if listing the names of all the site’s tenants on the larger sign would be a problem. Mr. Woodward said that the sign would be reserved for use by the larger key tenants.

Mr. Putnam referenced item H under the petitioner’s submitted General Wall Sign Requirements and thought that its verbiage was too specific and wouldn’t allow for changes in technology. Mr. Woodward said that the verbiage was intended for inclusion in lease agreements so that tenants would be apprised of current product types. He wanted to ensure uniformity of sign manufacturing styles. Mr. Nebeker said that because the City would not enforce lease criteria, the petitioner was free to amend verbiage as the need arose.

PUBLIC COMMENTS

There were no comments either for or against the request.

DISCUSSION

Chairman Elmer remarked that the request met Code criteria. He supported the proposal's reduction in overall signage and said that it would result in providing an overall community benefit.

Mr. Putnam agreed, commenting that it was unusual to see a proposal offering less signage.

MOTION: (PUTNAM) "Mr. Chairman, on item VAR-1999-190, a request for variance from section 5-7-7B.7 and section 5-7-7B.8, I move that we approve the variance for the reasons cited in the staff report, including the four staff recommendations as revised."

Dr. Dibble seconded the motion. A vote was called and the motion passed unanimously by a vote of 3-0.

VAR-1999-194 VARIANCE—HEIGHT VARIANCE

A request for approval of a variance from section 4-2-12B.1 of the Zoning and Development Code, which allows a maximum height of structures—40 feet in order to construct a four story hotel.

Petitioner: Reimer Development

Location: Southeast corner of Main and 2nd Streets

PETITIONER'S PRESENTATION

Kevin Reimer, petitioner, said that a variety of building footprints had been reviewed for Phase I of the project. The four-story alternative allowed a reduction of the building's footprint and provided additional frontage along Main Street to be utilized for a future Phase II. The three-story plan would take up more space, resulting in a diminished parking area. Although material costs would be more expensive with the four-story alternative, the higher cost was felt to be justified since it allowed development of the site to its highest and best use while providing adequate parking.

QUESTIONS

Dr. Dibble asked for additional detail in the differences between the two phases. Mr. Reimer said that Phase II would be located on the west end of the property with approximately 60 feet of frontage. He envisioned a similar building but was unsure whether the building would be used for additional hotel rooms or for business office suites. He noted that with adoption of the new Code, the height allowance for the zone would change from 40 to 65 feet. Had the proposal been submitted after the Code's adoption, no variance would have been needed.

Chairman Elmer asked if submitted elevation drawings were close to actual plans, to which Mr. Reimer responded affirmatively.

STAFF'S PRESENTATION

Kristen Ashbeck passed out copies of a letter in support of the project received from the Downtown Development Authority (DDA). She also referenced the revised building elevation drawing, which had been amended to reflect additional height for roof access. The actual height request is 60 feet rather than the 48 feet depicted on the original drawing. The DDA had solicited for the type of use proposed and it was felt that the use would compliment the Two Rivers Convention Center. Other height variances had been granted for uses in the downtown area through various means and she confirmed that with adoption of the Code, the height allowance would be raised to 65 feet. Having found that the request met Code criteria and had received support from the DDA, staff recommended approval.

QUESTIONS

Chairman Elmer asked if the entire downtown area was to be rezoned to B-2. Ms. Ashbeck said that the rezone would definitely affect the area within the DDA's jurisdiction; other areas would also be included in the rezone.

Mr. Putnam noted that even with adoption of the new Code, the Alpine Bank building would still be nonconforming, to which Ms. Ashbeck agreed.

PUBLIC COMMENTS

FOR:

Chris Launer (143 – 29 Road, Grand Junction), representing the DDA, expressed support for the project and said that it would help to further rejuvenate the western end of the downtown area.

AGAINST:

There were no comments against the request.

DISCUSSION

Dr. Dibble expressed his support for the project and said that it would provide a benefit to the downtown area. He noted that it met Code requirements and was glad for the opportunity to show support to the downtown area.

Chairman Elmer remarked that a height restriction of 40 feet for the subject zone had been inappropriate but was being remedied with the new Code. He felt the four-story option would better facilitate parking.

Mr. Putnam concurred. He said that since the Code was being changed to reflect a higher height restriction anyway, approval of the variance was appropriate. A four-story building, he said, served everyone's interests.

MOTION: (PUTNAM) “Mr. Chairman, on item VAR-1999-194, I move that we approve the request for a variance of the maximum building height to allow a 60-foot building height for the reasons cited in the staff report.”

Dr. Dibble seconded the motion. A vote was called and the motion passed unanimously by a vote of 3-0.

IV. GENERAL DISCUSSION

Chairman Elmer asked that staff send copies of the new Code section pertaining to the BOA to board members for review. He noted that verbiage in the new Code would allow for administrative approval of variance requests on a limited basis.

With no further business, the hearing was adjourned at 8:40 a.m.