



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

TUESDAY, MAY 28, 2013, 6:00 PM

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

Copies of the agenda and staff reports are located at the back of the auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes of the April 9 and April 23, 2013 regular meetings.

2. Perry Annexation – Zone of Annexation

[Attach 2](#)

Forward a recommendation to City Council to zone 4.712 acres from County RSF-4 (Residential Single-Family 4 du/ac) to a City R-4 (Residential 4 du/ac) zone district.

FILE #: ANX-2013-104

APPLICANT: Eric Perry – E Perry Construction Inc

LOCATION: 2884 B Road

STAFF: Brian Rusche

***** END OF CONSENT CALENDAR *****

*** * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *****Public Hearing Items**

On the following item(s) the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Planning Division (244-1430) after this hearing to inquire about City Council scheduling.

3. Heritage Church Annexation – Zone of Annexation[Attach 3](#)

Forward a recommendation to City Council to zone 0.68 acres from County RSF-4 to a City R-O (Residential Office) zone district.

FILE #: ANX-2013-105

APPLICANT: Vaughn Park – Heritage Church of Grand Junction

LOCATION: 2935 Patterson Road

STAFF: Brian Rusche

General Discussion/Other Business**Nonscheduled Citizens and/or Visitors****Adjournment**

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
APRIL 9, 2013 MINUTES
6:00 p.m. to 6:07 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Ebe Eslami (Vice-Chairman), Jon Buschhorn, Christian Reece, Loren Couch and Steven Tolle (1st Alternate) and William Wade (2nd Alternate). Commissioners Greg Williams and Keith Leonard were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager) and Greg Moberg from the Economic Development and Sustainability Division.

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 4 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

None available at this time.

2. Village Park Subdivision Easement Vacation - Vacation

Forward a recommendation to City Council on a request to vacate a public easement, which is no longer needed.

FILE #: VAC-2013-4

PETITIONER: Jody Kole – Grand Junction Housing Authority

LOCATION: 615 28-1/4 Road

STAFF: Greg Moberg

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. Greg Moberg, from the Economic Development and Sustainability Division, stated that in the staff report there was a reference to the “vacation of an irrigation and drainage easement” and he wanted to clarify that the irrigation and drainage easement was a private easement and not a public easement. Therefore, there was no need for

the City to approve the vacation of the private easements and as a result there was no need for the Commission to make a recommendation on the private easement. He added that the only easement that was requested to be vacated was the public utility easement.

After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the Consent Agenda.

MOTION:(Commissioner Reece) “Mr. Chairman, I move that we accept the Consent Agenda with that amendment as read.”

Commissioner Wade seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

Public Hearing Items

None.

General Discussion/Other Business

Lisa Cox, Planning Manager, reminded the Commission that there was a scheduled joint workshop with the Mesa County Planning Commission on Thursday, April 18, 2013 at 5:30 p.m. at the Central Services Building on Spruce Street. There would be two workshops held that day – the first at noon was the regular Planning Commission workshop to review items on the agenda for the next meeting; and the second would be the joint Planning Commission workshop with Mesa County to discuss the upcoming planning process for the Orchard Mesa Neighborhood Plan.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:07 p.m.

Minutes of Previous Meetings

**GRAND JUNCTION PLANNING COMMISSION
APRIL 23, 2013 MINUTES**

Not available at this time

**Attach 2
Perry Annexation**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: May 28, 2013
PRESENTER: Brian Rusche

AGENDA TOPIC: Perry Zone of Annexation – ANX-2013-104

ACTION REQUESTED: Forward a recommendation to City Council on a Zone of Annexation.

| STAFF REPORT / BACKGROUND INFORMATION | | | | |
|---|--------------|--|------------|-----------|
| Location: | | 2884 B Road | | |
| Applicants: | | Eric Perry | | |
| Existing Land Use: | | Vacant | | |
| Proposed Land Use: | | Residential subdivision | | |
| Surrounding Land Use: | North | Single-family detached Residential | | |
| | South | Single-family detached Residential | | |
| | East | Single-family detached Residential | | |
| | West | Single-family detached Residential | | |
| Existing Zoning: | | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| Proposed Zoning: | | R-4 (Residential 4 du/ac) | | |
| Surrounding Zoning: | North | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| | South | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| | East | R-4 (Residential 4 du/ac) | | |
| | West | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| Future Land Use Designation: | | Residential Medium Low (RML) Density (2-4 du/ac) | | |
| Blended Residential Land Use Categories Map: | | Residential Low (Rural – 5 du/ac) | | |
| Zoning within density range? | | X | Yes | No |

PROJECT DESCRIPTION: A request to zone the 4.712 acre Perry Annexation, consisting of one parcel located at 2884 B Road, to an R-4 (Residential 4 du/ac) zone district.

RECOMMENDATION: Recommend approval to the City Council of the R-4 (Residential 4 du/ac) zone district.

ANALYSIS:

1. Background:

The 4.712 acre Perry Annexation consists of one vacant parcel located at 2884 B Road.

The property owner, Eric Perry, has requested annexation into the City and a zoning of R-4 (Residential 4 du/ac) to facilitate the construction of a residential subdivision, to be known as Chipeta Heights West.

Under the 1998 Persigo Agreement between the City and Mesa County, proposed development within the Persigo Wastewater Treatment boundary that results in the subdivision of land into more than one additional residential lot requires annexation into the City. The City shall zone newly annexed areas with a zone that implements the Comprehensive Plan Future Land Use Map.

Zone of Annexation

Land annexed to the City shall be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The Comprehensive Plan Future Land Use designation of the property is Residential Medium Low (2 – 4 du/ac). The requested zoning of R-4 (Residential 4 du/ac) will implement this land use designation.

Neighborhood Meeting

A Neighborhood Meeting was held on February 20, 2013. Residents of the adjacent Granite Springs and Chipeta Heights subdivisions were in attendance and asked questions about the proposed subdivision design and the impact of future construction. Meeting minutes are attached.

A letter was subsequently received from some residents of the Granite Springs Subdivision asking about access through the subdivision (both permanent and temporary during construction), along with covenants about fencing. Staff has contacted a representative of Granite Springs to discuss questions regarding the subdivision design, which will be addressed as part of the administrative review of the subdivision.

2. Consistency with the Comprehensive Plan:

The proposed zone of annexation meets with Goals 3 and 5 of the Comprehensive Plan in the following ways:

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

The proposed zoning of the property will create an opportunity to develop the vacant parcel in a manner consistent with adjacent residential development.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

The proposed zoning of the property will create an opportunity for additional housing units to be brought to market, which may include single family detached and two family dwelling units.

3. Section 21.02.140 (a) of the Grand Junction Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) zone district is consistent with the Future Land Use Map designation of Residential Medium Low (2-4 du/ac). The existing County zoning is RSF-4 (Residential Single Family – 4 du/ac). Section 21.02.160(f) of the Grand Junction Zoning and Development Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The request for R-4 is consistent with the Comprehensive Plan and the maximum density is equal to the existing County zoning.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

(1) Subsequent events have invalidated the original premises and findings.

The requested annexation and zoning is being triggered by the Persigo Agreement (1998) between Mesa County and the City of Grand Junction in anticipation of development. The Persigo Agreement defines Residential Annexable Development to include any proposed development that requires approval of a subdivision plat resulting in the creation of more than one additional lot or parcel (GJMC Section 45.02.020.e.1.xi). The property owner wishes to develop the property in the near future for a residential subdivision of single-family detached dwelling units.

Based on the requirement for annexation found within the Persigo agreement, the property cannot be developed as a subdivision in unincorporated Mesa County, despite its RSF-4 (Residential Single-Family 4 du/ac) zoning.

This criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan.

The adjacent properties on the north and east have been subdivided and developed, beginning with Granite Springs Filing No. 5 in 2005 and Chipeta Heights in 2007, thereby changing the character of the area from large vacant or

agricultural parcels to developed neighborhoods. There are approximately 22 vacant lots remaining in Chipeta Heights. Both of these subdivisions are zoned for a maximum of four (4) dwelling units per acre.

This criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed.

There are public utilities already stubbed to the property from Granite Springs and Chipeta Heights, including potable water provided by the Ute Water Conservancy District, sanitary sewer service maintained by the Orchard Mesa Sanitation District, and electricity from Grand Valley Power (a franchise utility). Utility mains were stubbed to the subject parcel in anticipation of future development and will be extended into the property as part of the development of the parcel.

The property will derive access from Basalt Street and Meadow Vista Street. Existing access to B Road will be terminated. While neighbors on Basalt Street expressed an interest in having the subdivision take access from B Road (see neighborhood meeting minutes) this would be inconsistent with City transportation policies.

The property is within the Mesa View Elementary school attendance boundary. Mesa View is approximately three-quarters of a mile east on B Road.

This criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.

Several large parcels of land on Orchard Mesa east of 28 ½ Road and north of US Highway 50 were annexed and zoned R-4 between 2000 and 2010. Some of these developments did not materialize, including Osprey Subdivision (east of Mesa View Elementary), Mesa Crest South Subdivision (now owned by the Bureau of Reclamation), Pumpkin Ridge II Subdivision (south side of Unawep at 29 Road), Mountain View Estates (2922 B ½ Road), Orchard Park Subdivision (Jon Hall Road at 29 ½ Road) and Orchard Estates (south of Jon Hall Road).

Those subdivisions that were constructed have seen their inventories of platted lots slowly absorbed by the market. The adjacent Chipeta Height Subdivision, in which Mr. Perry is building homes, has 22 vacant lots, only 3 of which are owned by Mr. Perry.

While there are several acres of land appropriately zoned for single-family residences throughout the community, the applicant has submitted a subdivision plan for the subject property in a manner that supports the Comprehensive Plan

and would like to bring additional housing units to the market for this area of the community.

This criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed R-4 zone would implement Goals 3 and 5 of the Comprehensive Plan by creating an opportunity to develop a vacant parcel and bring additional housing units to the market in a manner consistent with adjacent residential development.

This criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also implement the Comprehensive Plan designation for the subject property.

- a. R-R (Residential – Rural)
- b. R-E (Residential – Estate)
- c. R-1 (Residential – 1 du/ac)
- d. R-2 (Residential – 2 du/ac)
- e. R-5 (Residential – 5 du/ac)

The intent of the R-4 (Residential 4 du/ac) zone is to provide for medium-low density single-family uses where adequate public facilities and services are available. This zone is consistent with the adjacent subdivisions to the north and east. If the property were zoned less than R-4, the allowed density would be less than the present County zoning; this is inconsistent with Section 21.02.160(f) of the Grand Junction Zoning and Development Code, which states that generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. In contrast, the R-5 zone district would allow density that exceeds that of the surrounding neighborhoods. It is my professional opinion that this zone is the best choice for this property.

If the Planning Commission chooses to recommend an alternative zone designation, specific alternative findings must be made.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Perry Annexation, ANX-2013-104, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone district of R-4, (Residential – 4 du/ac) is consistent with the goals and policies of the Comprehensive Plan and implements the Future Land Use Map designation of Residential Medium Low (2-4 du/ac).

2. All review criteria in Section 21.02.140(a) of the Grand Junction Zoning and Development Code have been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the R-4 (Residential – 4 du/ac) zone district for the Perry Annexation, ANX-2013-104, to the City Council with the findings and conclusions listed above.

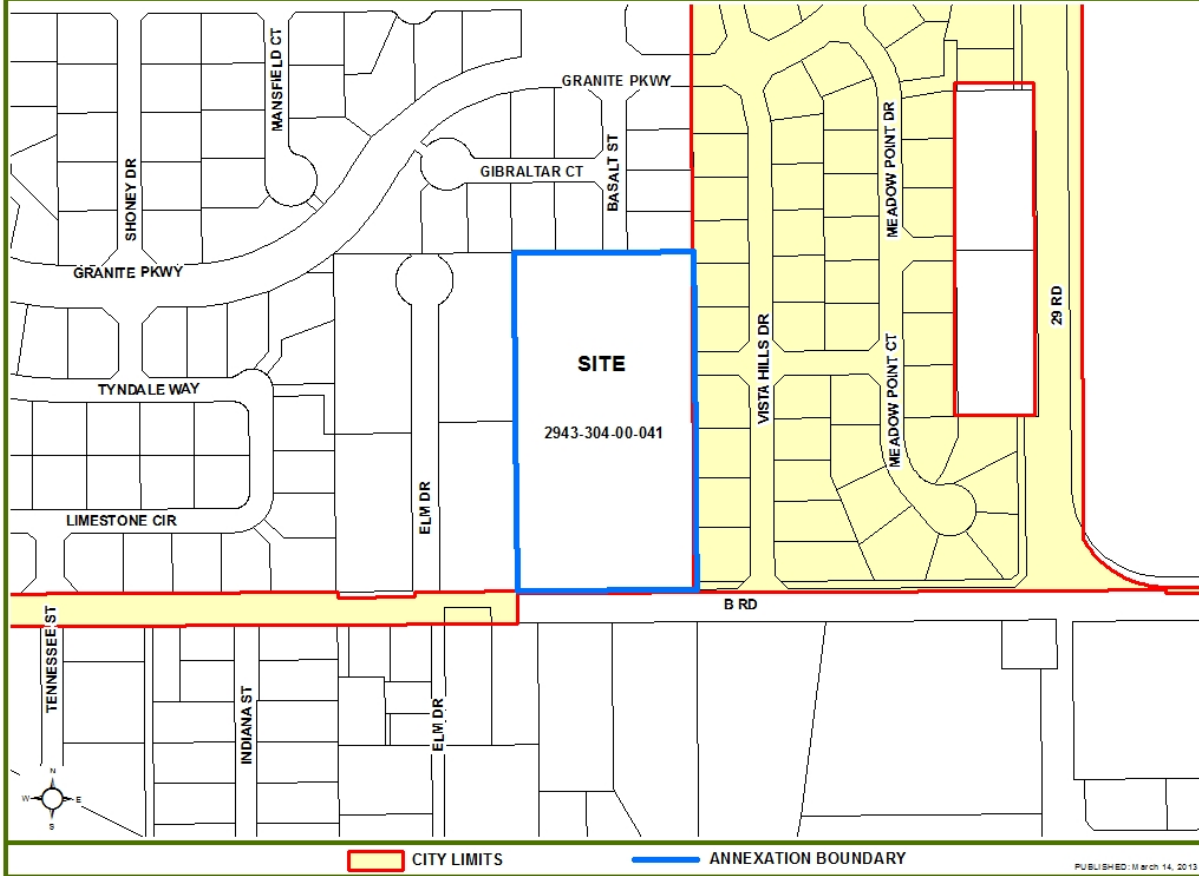
RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on the Perry Zone of Annexation, ANX-2013-104, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-4 (Residential – 4 du/ac) zone district for the Perry Annexation with the facts and conclusions listed in the staff report.

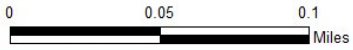
Attachments:

Annexation Map
Aerial Photo Map
Comprehensive Plan Future Land Use Map
Existing Zoning Map
Neighborhood Meeting Minutes
Proposed Zoning Ordinance

PERRY ANNEXATION



Aerial Photo Map



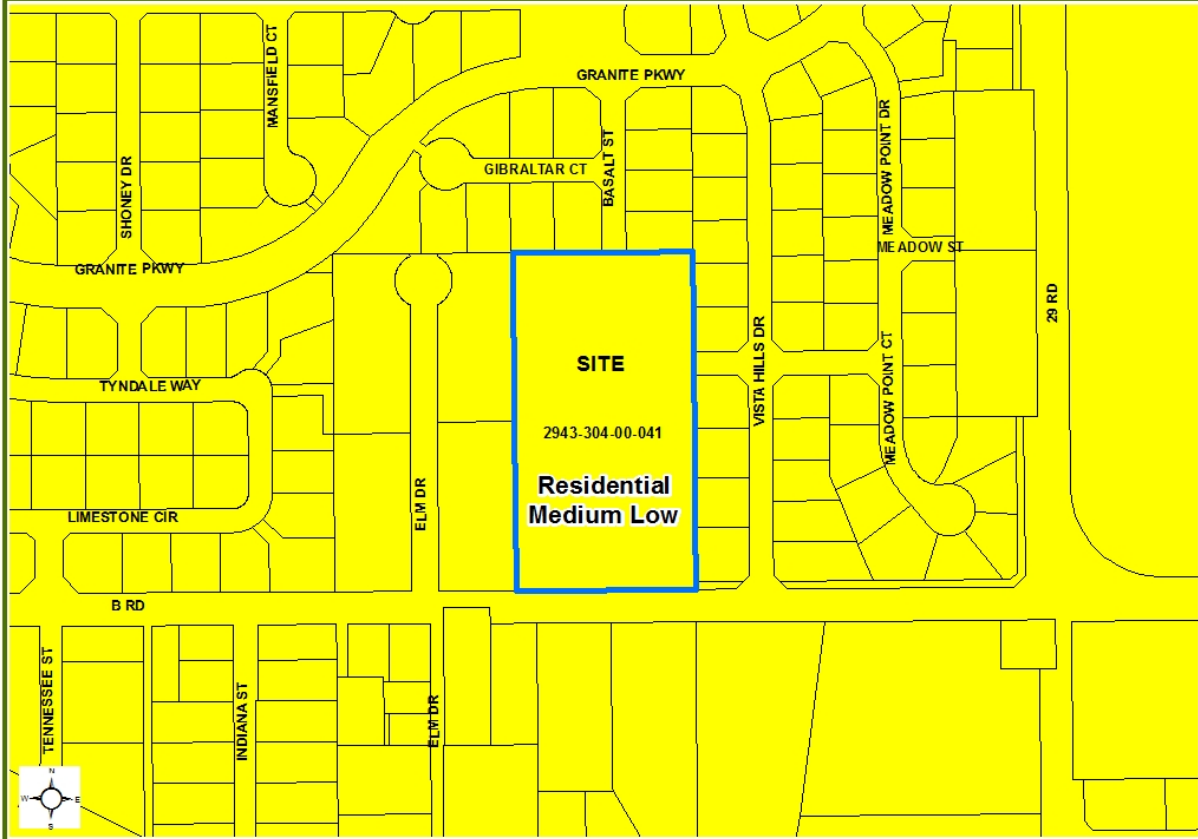
Printed: 5/2/2013

1 inch = 200 feet



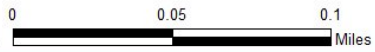
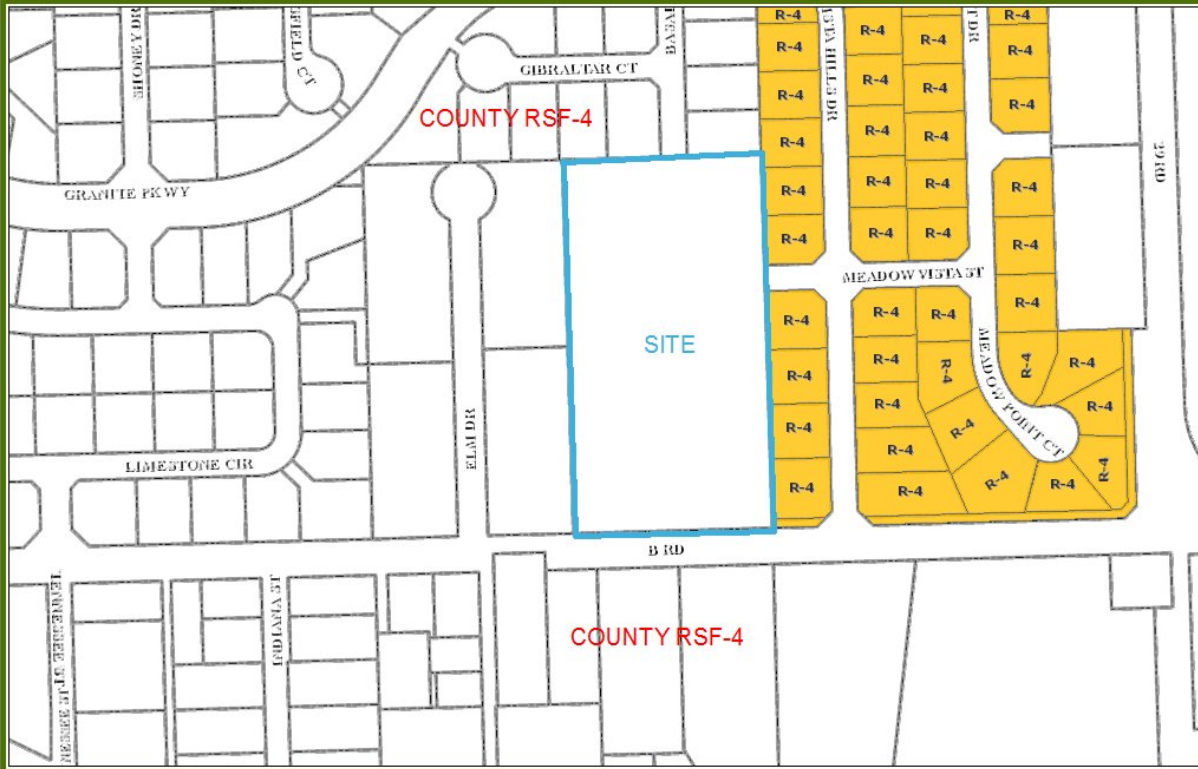
COOPERATING WITH THE COMMUNITY

PERRY ANNEXATION FUTURE LAND USE



— ANNEXATION BOUNDARY

ZONING MAP



Printed: 5/14/2013

1 inch = 188 feet





Austin Civil Group, Inc.

Land Planning • Civil Engineering • Development Services

February 21, 2013

Mr. Brian Rusche, Planner
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Re: Chipeta Heights West Neighborhood Meeting Summary

Dear Mr. Rusche:

The neighborhood meeting for this project was held yesterday at 6:00 P.M. at the Jockey Club building at the Mesa County Fairgrounds. The meeting was attended by approximately 14 people. A copy of the attendance sign in sheet is attached and a summary of the meeting items is listed below:

1. The meeting started at 6:00 P.M. and was attended by ___ homeowners. Mark Austin with Austin Civil Group, Inc. conducted the meeting and the property owner, Eric Perry, was also in attendance. Brian Rusche with the City of Grand Junction Planning Department was also in attendance.
2. Mark Austin stated the 4.7-acre property is currently in Mesa County and the as part of a development of the parcel, it is required to be annexed into the City of Grand Junction. The applicant will be requesting a zoning of R-4, which is similar to the existing properties to the north and east of this development.
3. The property owner, Eric Perry, is the builder that has constructed several homes in the Chipeta Heights Subdivision that abuts this property to the East.
4. Mark Austin explained the stormwater detention process for the subdivision that that Chipeta Heights Subdivision stubbed a pipe to this location to collect stormwater if this property developed. We will be connecting to this system which discharges into the Orchard Mesa Drain.
5. Neighbors in Granite Falls were concerned that annexation of this property would require their subdivision to be annexed into the City. Brian Rusche with the City explained this is not the case and their subdivision is not in the City of Grand Junction. Brian discussed the Persigo Agreement to the homeowners and also discussed the enclave process.

Mr. Brian Rusche
February 21, 2013
Page 2 of 2

6. Some of the neighbors would prefer to have Basalt Court extend to B Road. Mark Austin explained that B Road is classified as a "major collector" roadway and as such the City has an intersection spacing criterion that restricts the number of accesses allowed onto the roadway and we could not be able to comply with this spacing requirement. The City does have a variance request process for the spacing requirement but it would be almost impossible to justify a variance for another access location when the property has the ability to connect to existing stubbed residential streets.
7. The existing irrigation system was a big topic at the meeting. There was a consensus with all property owners the existing system has lots of problems. Granite Falls Subdivision completed some piping improvements near the highway and there's a cost recovery in place to help pay for these improvements. Mr. Perry indicated that he received a bill for his portion of the work and that according to the Granite Springs HOA, he owns approximately 25 percent of the water in this lateral and Granite Springs has 33 percent. Mark Austin recommended the property owners consider forming a "lateral association". Orchard Mesa Irrigation District has brochures to help walk ditch owners through the process of incorporating. Mark Austin indicated that once they incorporate, there's a much better opportunity to get assistance from government programs such as the NRCS to help design irrigation pipelines and to also help with installation costs. There's money out there for these types of programs because open ditches are creating a selenium problem with the water and piping the open drains helps mitigate these issues.
8. Mark Austin indicated the 4.7-acre property will proposed to take their irrigation water from the SE corner of the property, next to B Road. They are not proposing to take irrigation water from the SW corner where there are a couple of existing irrigation take outs, including Granite Springs.
9. Brian Rusche explained the annexation process requires approximately 4 months to complete but the City will allow the property owner to submit and review the proposed development plan while the annexation process is occurring.

If you have any corrections or additions, please let me know.

Sincerely,
Austin Civil Group, Inc.



Mark Austin, P.E.
President

Attachment: Attendance Sheet

| NEIGHBORHOOD MEETING | |
|----------------------|---------------------|
| for | |
| 2884 B ROAD | |
| CHIPETA HEIGHTS WEST | |
| NAME | ADDRESS |
| Betty Archuleta | 225 LIMESTONE |
| Andy Archuleta | 225 LIMESTONE |
| Terrilynn Higgins | 214 Vista Hills Dr. |
| TIM HIGGINS | 214 VISTA HILLS DR. |
| Donnie & Jim Phelps | 217 Basalt St. |
| Brian Rusche | 250 N. 5TH ST. |
| | |
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| NEIGHBORHOOD MEETING | |
|----------------------|---------------------|
| for | |
| 2884 B ROAD | |
| CHIPETA HEIGHTS WEST | |
| NAME | ADDRESS |
| Matt Carroll | 2887 B Rd |
| Lois Moore | 216 BASALT ST |
| Gary Moon | 216 BASALT ST. |
| James & Phelps | 217 BASALT ST |
| Jeanne Caldwell | 207 Vista Hills |
| William Dix/Chesene | 211 Meadow Point Dr |
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CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PERRY ANNEXATION
TO R-4, (RESIDENTIAL – 4 DU/AC)**

LOCATED AT 2884 B ROAD

Recitals

The 4.712 acre Perry Annexation consists of one parcel located at 2884 B Road. The property owner has requested annexation into the City of Grand Junction and a zoning of R-4 (Residential 4 du/ac). Under the 1998 Persigo Agreement between the City and Mesa County, proposed development within the Persigo Wastewater Treatment boundary that results in the subdivision of land into more than one additional residential lot requires annexation into the City and shall be zoned consistent with the Comprehensive Plan. The proposed zoning of R-4 (Residential – 4 du/ac) implements Residential Medium Low (2-4 du/ac) designation found on the Future Land Use Map of the Comprehensive Plan.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Perry Annexation to the R-4 (Residential – 4 du/ac) zone district finding that it conforms with the Future Land Use Map designation of the Comprehensive Plan, furthers the Comprehensive Plan's goals and policies, is generally compatible with land uses located in the surrounding area and meets the zoning criteria found in Section 21.02.140 of the Grand Junction Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 (Residential – 4 du/ac) zone district is in conformance with the applicable criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code, implements and is consistent with the Comprehensive Plan and is compatible with the surrounding neighborhood.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned R-4 (Residential – 4 du/ac).

PERRY ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Bounded on the East by the West line of Chipeta Heights Subdivision, as same is recorded in Book 4462, Page 931, Public Records of Mesa County, Colorado, said line also being the West line of Chipeta Heights Annexation, City of Grand Junction

Ordinance No. 3886, as same is recorded in Book 4133, Page 24, Public Records of Mesa County, Colorado; Bounded on the North by the South line of Granite Springs Filing No. 5, as same is recorded in Book 3902, Page 70, Public Records of Mesa County, Colorado; Bounded on the West by the East line of Fuller Subdivision, as same is recorded in Plat Book 9, Page 143, Public Records of Mesa County, Colorado, and, Bounded on the South by the North line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance No. 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado, said line also being the North line of B Road right of way, being a line 30.00 feet North of and parallel with the South line of the SE 1/4 SE 1/4 of said Section 30.

INTRODUCED on first reading the ____ day of ____, 2013 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of ____, 2013 and order published in pamphlet form.

ATTEST:

President of the Council

City Clerk

**Attach 3
Heritage Church Annexation**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: May 28, 2013
PRESENTER: Brian Rusche

AGENDA TOPIC: Heritage Church Zone of Annexation – ANX-2013-105

ACTION REQUESTED: Forward a recommendation to City Council on a Zone of Annexation.

| STAFF REPORT / BACKGROUND INFORMATION | | | | |
|---|--------------|--|------------|-----------|
| Location: | | 2935 Patterson Road | | |
| Applicants: | | Heritage Church of Grand Junction | | |
| Existing Land Use: | | Church (vacant) | | |
| Proposed Land Use: | | Allowed uses within the R-O (Residential Office) zone district | | |
| Surrounding Land Use: | North | Single-family detached Residential | | |
| | South | Single-family detached Residential | | |
| | East | Single-family detached Residential | | |
| | West | Single-family detached Residential | | |
| Existing Zoning: | | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| Proposed Zoning: | | R-O (Residential Office) | | |
| Surrounding Zoning: | North | PD (Planned Development) | | |
| | South | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| | East | County RSF-4 (Residential Single Family – 4 du/ac) | | |
| | West | PD (Planned Development) | | |
| Future Land Use Designation: | | Residential Medium (RM) Density (4-8 du/ac) Mixed Use Opportunity Corridor (Patterson Road) | | |
| Blended Residential Land Use Categories Map: | | Residential Medium (4 – 16 du/ac) | | |
| Zoning within density range? | | X | Yes | No |

PROJECT DESCRIPTION: A request to zone the Heritage Church Annexation, consisting of one parcel of 0.68 acres located at 2935 Patterson Road to an R-O (Residential Office) zone district.

RECOMMENDATION: Recommend approval to the City Council of the R-O (Residential Office) zone district.

ANALYSIS:

1. Background:

The 0.84 acre Heritage Church Annexation consists of one parcel of 0.68 acres at 2935 Patterson Road and 0.16 acres (6940 square feet) of the 29 3/8 Road right-of-way.

The property owner, Heritage Church of Grand Junction, has relocated and has requested annexation into the City and is requesting the R-O zoning to market the property for a use other than a church. The existing County zoning is RSF-4 (Residential Single Family – 4 du/ac), which would allow a Religious Assembly use, but few other nonresidential use(s). Under the 1998 Persigo Agreement between the City and Mesa County, any proposed development within the Persigo 201 Boundary that requires a change in zoning is considered annexable. Since the church is attempting to market the property for a use other than a church, a rezoning is necessary and, therefore, the property must be annexed by the City of Grand Junction. The consideration of the rezoning is concurrent with the annexation of the property.

Zone of Annexation

Land annexed to the City must be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the Comprehensive Plan.

The Comprehensive Plan Future Land Use designation of the property is Residential Medium (4 -8 du/ac). The proposed zoning of R-O (Residential Office) will implement this land use designation and is consistent with the Comprehensive Plan.

The property is also located within the Mixed Use Opportunity Corridor that extends the entire length of Patterson Road. The only zoning that implements the Mixed Use Opportunity Corridor is a Mixed-Use Form District, which the applicant has elected not to pursue at this time.

Neighborhood Meeting

A Neighborhood Meeting was held on February 21, 2013. No citizens attended this meeting, only members of the church.

City Staff has received calls from residents of the adjacent neighborhoods inquiring about what uses could be allowed if the property is rezoned. The applicant has not identified a buyer or tenant and is requesting the rezone solely to market the property. An R-O zone would allow professional offices, single or multifamily residential use, including group living, as well as community services, such as daycare or religious assembly. An administrative review will be required to establish any new use, except for another church.

2. Consistency with the Comprehensive Plan:

The proposed zone of annexation meets with Goals 3, 6 and 12 of the Comprehensive Plan as follows:

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

The proposed zoning of the property will create an opportunity for appropriate reuse and/or redevelopment of the property in a manner that is consistent with the Comprehensive Plan.

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

The proposed zoning will create an opportunity for appropriate reuse of the existing vacant building.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop, and enhance a healthy, diverse economy.

The proposed zoning provides an opportunity for redevelopment of a tax exempt property into a productive economic use.

3. Section 21.02.140 (a) of the Grand Junction Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the R-O (Residential Office) zone district is consistent with the Future Land Use Map designation of Residential Medium (4-8 du/ac). The existing County zoning is RSF-4 (Residential Single Family – 4 du/ac). Section 21.02.160(f) of the Grand Junction Zoning and Development Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth.

In addition to a finding of compatibility with the Comprehensive Plan, one or more of the following criteria set forth in Section 21.02.140 (a) of the Code must be met in order for the zoning to occur:

(1) *Subsequent events have invalidated the original premises and findings.*

The Comprehensive Plan, adopted in 2010, designated the property as Residential Medium. This designation is unchanged from the 1996 Growth Plan designation.

The R-O (Residential Office) zone district has been available since 2000 as an option within the Residential Medium designation for use in transitional corridors between single-family residential and more intensive uses (according to the 2000 ZDC).

The applicant is requesting the R-O zoning to market the property for a use other than a church. The church has relocated and the property is in transition, having been a church for many years.

The Comprehensive Plan introduced a Mixed-Use Opportunity Corridor along Patterson Road, in order to implement Goal 3 of the Plan, which calls for spreading growth throughout the community. In particular, the Plan calls for the creation of opportunities to reduce trips and provide services within designated centers throughout the community. The Patterson Corridor is one of those areas.

This criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan.

The character of the adjacent neighborhoods consists of single-family residences built within the last two or three decades.

Recent development along Patterson Road includes the Maverik convenience store at the northwest corner of 29 ½ Road. A retail development has been proposed for the northeast corner of Patterson and 30 Roads.

The applicant is requesting the R-O zoning to market the property for a use other than a church. The church has relocated and the property is in transition, having been a church for many years.

This criterion has not been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed.

There are public utilities already connected to the existing building, including potable water provided by the Ute Water Conservancy District, sanitary sewer service maintained by the City, and electricity from Xcel Energy (a franchise utility). Utility mains are adjacent to the subject parcel that can be utilized to facilitate new use(s) or construction that may occur as a result of the proposed zoning.

The property is a corner lot, with full-motion access to Patterson Road, a major arterial, from 29 3/8 Road.

Community facilities, including four gas stations and a grocery store, restaurant(s), a bank, and other neighborhood facilities and uses are within one-quarter mile walking distance of the subject parcel.

This criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.

The Purpose of the R-O Zone is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Examples of areas already zoned R-O include the 800 Block of Grand Avenue, several blocks on the eastern edge of Downtown, offices along N. 1st Street north of North Avenue on corner lots adjacent to residential subdivisions, and parcels near St. Mary's and Community Hospitals.

The R-O Zone is a unique zone within the City and allows professional offices and multifamily residential to join with single family residential uses and others that may be found in a residential zone, including group living, as well as community services, such as daycare or religious assembly. Though the R-O introduces nonresidential uses, it does not permit retail and does have specific architectural standards intended to make buildings compatible in scale and appearance to a residential environment. The existing church is an example of a building that is compatible with a residential environment.

Recently, parcels along Patterson Road, particularly in proximity to existing commercial uses, have been considered for rezoning to R-O on a case-by-case basis, including 602 N. 7th Street (RZN-2011-483) and 2674 Patterson Road (RZN-2012-408), both from R-4 to R-O.

The nearest existing R-O zone to the subject property is over one-half mile west at 2872 Patterson Road. This property is still a single-family residence, which is permitted in the R-O zone.

Recent development along Patterson Road includes the Maverik convenience store at the northwest corner of 29 ½ Road. Other retail development has been proposed for the northeast corner at 30 Road. While there are commercial properties available for sale or lease throughout the community, there are no other properties along the corridor within one mile of the subject property for small scale office or service businesses that are not already devoted to that use.

As of May 7, 2013 there was a total of 97.65 acres of R-O zoned property within the City. This represents 1.8% of the total acreage zoned for non-residential development (planned developments excluded).

This criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed R-O zone would implement Goal 3, 6, and 12 of the Comprehensive Plan by creating an opportunity for appropriate reuse of the existing vacant building and/or an opportunity for redevelopment of a tax exempt property into a productive economic use.

This criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designations for the subject property.

- a. R-4 (Residential – 4 du/ac)
- b. R-5 (Residential – 5 du/ac)
- c. R-8 (Residential – 8 du/ac)
- d. R-12 (Residential – 12 du/ac)
- e. R-16 (Residential – 16 du/ac)
- f. MXR-3, 5 (Mixed Use Residential)
- g. MXG-3, 5 (Mixed Use General)
- h. MXS-3, 5 (Mixed Use Shopfront)

While the previous use of the building as a church (Religious Assembly) is permitted in all Residential zone districts, the applicant would like to market the property for uses other than a church. The R-4 through R-16 zones are inconsistent with the applicant's request, since a church use would not require annexation into the City.

The Mixed Use districts are considered form-based zones which emphasize buildings close to the sidewalk and a mix of uses. While the existing structure does not meet these standards, the Code does permit incremental improvements to the property so long as they bring the property closer to conformance with the standards of the zone. The Mixed Use districts, as evidenced by its name, permit a variety of uses, including retail and entertainment. These uses may not be compatible with the adjacent single-family development.

The Purpose of the R-O Zone is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment. This niche of land uses is underrepresented east of 29 Road, an area which is largely developed with single-family residences. It is my professional opinion that introducing the R-O zone to this property will achieve not only the goals of the Comprehensive Plan but will provide a suitable transition for this property that, through its established development standards provides compatibility with the adjacent neighborhood.

If the Planning Commission chooses to recommend an alternative zone designation, specific alternative findings must be made.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Heritage Church Annexation, ANX-2013-105, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone district of R-O (Residential Office) is consistent with the goals and policies of the Comprehensive Plan and implements the Future Land Use Map designation of Residential Medium (4-8 du/ac).

2. The applicable review criteria in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code, specifically criteria 3, 4 and 5, have been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the R-O (Residential Office) zone district for the Heritage Church Annexation, ANX-2013-105 to the City Council with the findings and conclusions listed above.

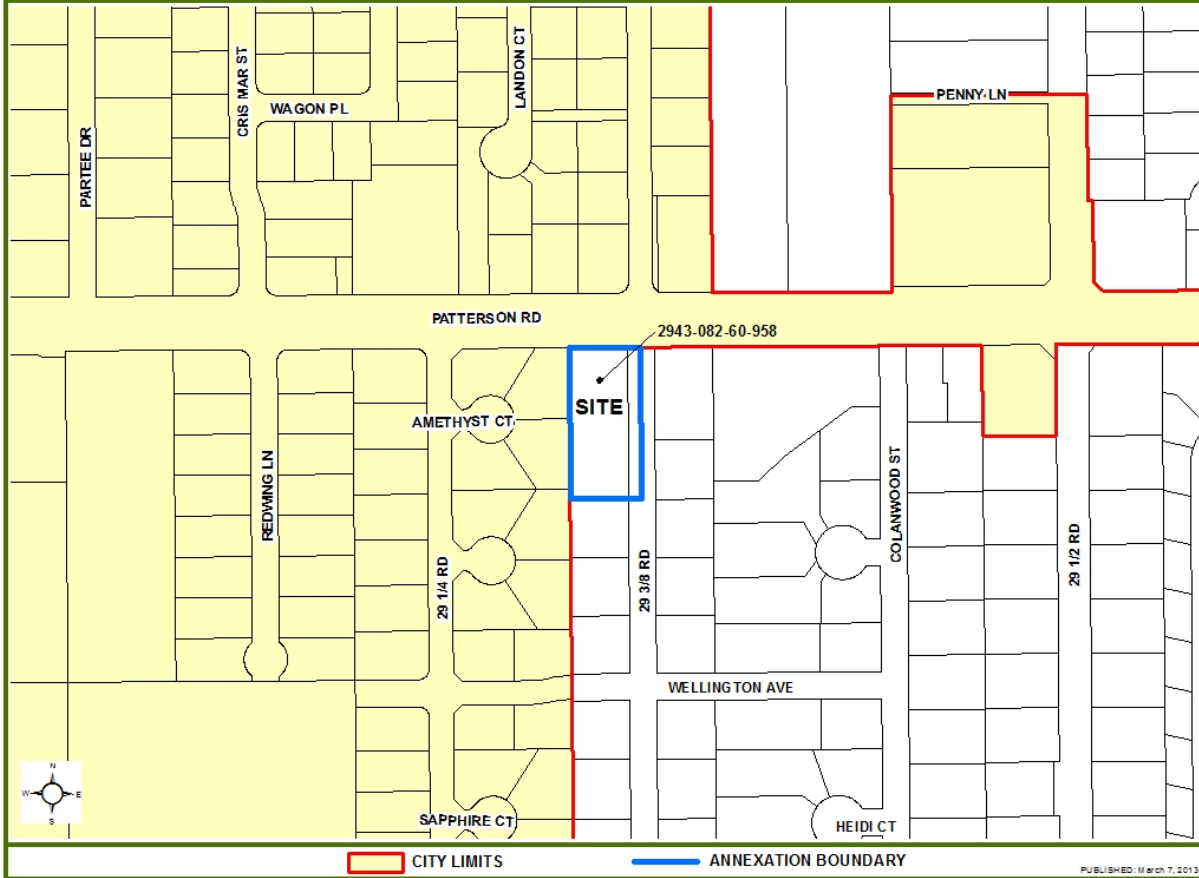
RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on the Heritage Church Zone of Annexation, ANX-2013-105, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-O (Residential Office) zone district for the Heritage Church Annexation with the facts and conclusions listed in the staff report.

Attachments:

Annexation Map
Aerial Photo Map
Comprehensive Plan Future Land Use Map
Existing Zoning Map
Proposed Zoning Ordinance

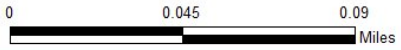
HERITAGE CHURCH ANNEXATION



CITY LIMITS

ANNEXATION BOUNDARY

Aerial Photo Map

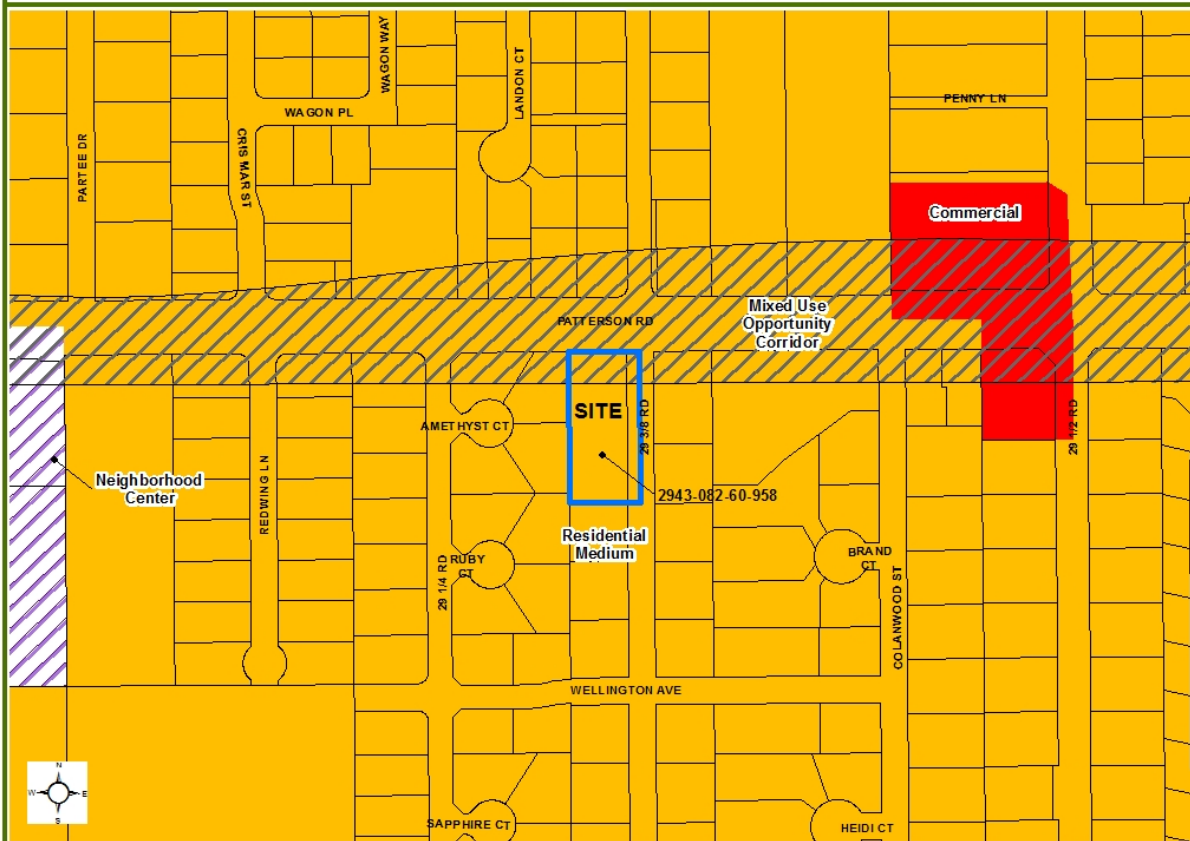


Printed: 5/1/2013

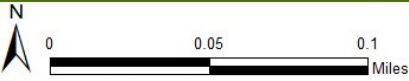
1 inch = 156 feet



HERITAGE CHURCH ANNEXATION FUTURE LAND USE



ZONING MAP



Printed: 5/16/2013

1 inch = 188 feet



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE
HERITAGE CHURCH ANNEXATION
TO R-O (RESIDENTIAL OFFICE)**

LOCATED AT 2935 PATTERSON ROAD

Recitals

The Heritage Church Annexation consists of one parcel of 0.68 acres at 2935 Patterson Road and 0.16 acres (6940 square feet) of the 29 3/8 Road right-of-way.

The property owner, Heritage Church of Grand Junction, has relocated and has requested annexation into the City and a zoning of R-O (Residential Office) to facilitate the sale, reuse, and/or redevelopment of the property.

Under the 1998 Persigo Agreement between the City and Mesa County, any proposed development within the Persigo 201 Boundary that requires a change in zoning is considered annexable. Since the church is attempting to market the property for a use other than a church, a rezoning is necessary and, therefore, the property must be annexed by the City of Grand Junction. The consideration of the rezoning is concurrent with the annexation of the property.

The proposed zoning of R-O (Residential Office) implements the Future Land Use Map designation of Residential Medium (RM) Density (4-8 du/ac) of the Comprehensive Plan.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Heritage Church Annexation to the R-O (Residential Office) zone district finding that it conforms with the Future Land Use Map of the Comprehensive Plan, furthers the Comprehensive Plan's goals and policies, is generally compatible with land uses located in the surrounding area and meets the zoning criteria found in Section 21.02.140 of the Grand Junction Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-O (Residential Office) zone district is in conformance with the applicable criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code, implements and is consistent with the Comprehensive Plan and is compatible with the surrounding neighborhood.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned R-O (Residential Office):

HERITAGE CHURCH ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 8, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1, Heritage Church Subdivision as same is recorded in Book 4705, Page 986, Public Records of Mesa County, Colorado and assuming the North line of the NE 1/4 NW 1/4 of said Section 8 bears N 89°58'53" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°58'53" E along the North line of said Lot 1 and its Easterly projection, a distance of 132.00 feet to a point in the centerline of 29-3/8 Road; thence S 00°04'58" E along said centerline, a distance of 277.60 feet; thence S 89°58'53" W, along the South line of said Lot 1 and its Easterly projection, a distance of 132.00 feet to the Southwest corner of said Lot 1; thence N 00°04'58" W, along the West line of said Lot 1, a distance of 277.60 feet, more or less, to the Point of Beginning.

CONTAINING 36,643 Square Feet or 0.84 Acres, more or less, as described.

LESS 0.16 acres (6940 square feet) of public right-of-way.

INTRODUCED on first reading the ____ day of ____, 2013 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of ____, 2013 and order published in pamphlet form.

ATTEST:

President of the Council

City Clerk