

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, SEPTEMBER 14, 2021 @ 5:30 PM**

Register for the meeting using the link below:

<https://attendee.gotowebinar.com/register/8098574258074316300>

After registering, you will receive a confirmation email containing information about joining the webinar.

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from August 24, 2021.

Regular Agenda

1. Consider a request by Monument Presbyterian Church for a Comprehensive Plan Amendment from Residential Rural (1 du/5 ac) to Residential Low (2 to 5.5 du/ac) and a rezone from Residential Rural (1 du/5 ac) to R-4 (Residential – 4 du/ac) on a total of 8.62-acres, located at 2020 ½ S. Broadway. | [Staff Presentation](#) | **Phone-In Comments Dial 7182.**
2. Consider a request by Cyndi Casebier to rezone one parcel totaling approximately 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Hwy 6 and 50. | [Staff Presentation](#) | **Phone-In Comments Dial 1451.**
3. Consider a request by Winters Building, LLC to rezone a 4.91-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 1101 Winters Avenue. | [Staff Presentation](#) | **Phone-In Comments Dial 3820.**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
August 24, 2021 MINUTES
5:30 p.m.

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Ken Scissors, Keith Ehlers, Sandra Weckerly, and Andrea Haitz.

Also present were John Shaver (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), and Scott Peterson (Senior Planner).

There were 7 members of the public in attendance.

The meeting video can be viewed online [here](#).

CONSENT AGENDA

Commissioner Reece moved to adopt Consent Agenda Items #1-3. Commissioner Weckerly seconded the motion. The motion carried 7-0.

1. Approval of Minutes

Minutes of Previous Meeting(s) from July 27, 2021.

2. Tonto Lane Right-of-Way Vacation

File # VAC-2021-392

Consider a request by Kraig Andrews to vacate right-of-way of Tonto Lane between 2632 and 2635 Cottonwood Drive.

3. G 1/8 Road Right-of-Way Vacation

File # VAC-2021-539

Consider a request by McCurter Land Company LLC and Five Star Homes & Development Inc., to vacate a portion of the undeveloped G 1/8 Road public right-of-way.

REGULAR AGENDA

1. Reece Annexation

File # ANX-2021-365

Consider a request by EDKA Land Co LLC to annex and zone 6.73 +/- acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) zone district in anticipation of future residential subdivision development.

Commissioner Reece stated into the record that she has no relation to the applicant and therefore no conflict of interest.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant Presentation

The applicant's representative, Mark Austin, Austin Civil Group, was present and available for questions.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at ~5:45 p.m. on August 24, 2021.

Questions for Applicant or Staff

Commissioner Ehlers asked a question.

Discussion

Commissioner Reece made a statement regarding the request.

Motion and Vote

Commissioner Gatseos made the following motion, "Mr. Chairman, on the Zone of Annexation for the Reece Annexation to R-5 (Residential – 5 du/ac) zone district, file number ANX-2021-365, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Scissors seconded the motion. The motion carried 7-0.

2. Westland Meadows Annexation **File # ANX-2021-343**

Consider a request by Richard Traver of Westland Development LLC to annex and zone 19.4 +/- acres from County RSF-R (Residential Single Family - Rural) and PUD (Planned

Urban Development) to a City R-8 (Residential - 8 du/ac) zone district in anticipation of future residential subdivision development.

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Gatseos asked a question regarding the zoning criteria.

Commissioner Ehlers asked a question regarding the County PUD.

Commissioner Teske asked a question regarding the County PUD.

Applicant Presentation

The applicant, Richard Traver, was available for questions. He also provided clarity regarding the County PUD.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at ~6:00 p.m. on August 24, 2021.

Questions for Applicant or Staff

None.

Discussion

Commissioner Gatseos made a comment regarding the request.

Motion and Vote

Commissioner Ehlers made the following motion, "Mr. Chairman, on the Zone of Annexation for the Westland Meadows Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2021-343, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Haitz seconded the motion. The motion carried 7-0.

3. Faith Heights Rezone

File # RZN-2021-427

Consider a request by John & Carla Cappetto to rezone one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use).

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioners Reece and Scissors asked questions regarding the request.

There was discussion amongst the Commissioners regarding the use of the property.

Commissioner Weckerly asked a question regarding density.

Applicant Presentation

The applicant's representative, Kim Kerk, was present and gave a brief presentation regarding the request.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via www.GJSpeaks.org.

Scott Warren, Village Park Subdivision HOA, and Gordon McFarin, Village Park Subdivision HOA, gave comments in opposition to the request.

The public hearing was closed at ~6:20 p.m. on August 24, 2021.

Applicant's Response to Comment

Kim Kerk responded to public comment.

Questions for Applicant or Staff

Commissioner Haitz asked for some examples of light manufacturing.

Commissioner Ehlers asked a question about access to the site.

Commissioner Reece made a comment regarding the request.

Commissioner Teske asked the applicant a question regarding the intention of development.

Discussion

Commissioners Ehlers, Gatseos and Teske made comments regarding the request.

Motion and Vote

Commissioner Scissors made the following motion, "Chairman, on the Faith Heights Rezone request from an R-8 (Residential - 8) zone district to an M-U (Mixed Use) zone district for one parcel totaling approximately 13.92 acres located at 600 28 ¼ Road, City file number RZN-2021-427, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Reece seconded the motion. The motion carried 7-0.

4. Other Business

None.

5. Adjournment

Commissioner Reece moved to adjourn the meeting. Commissioner Haitz seconded. The meeting adjourned at ~6:40 p.m.



Grand Junction City Council

Regular Session

Item #1.

Meeting Date: September 14, 2021
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request by Monument Presbyterian Church for a Comprehensive Plan Amendment from Residential Rural (1 du/5 ac) to Residential Low (2 to 5.5 du/ac) and a rezone from Residential Rural (1 du/5 ac) to R-4 (Residential – 4 du/ac) on a total of 8.62-acres, located at 2020 ½ S. Broadway. | [Staff Presentation](#) | **Phone-In Comments Dial 7182.**

RECOMMENDATION:

Staff recommends approval of the Comprehensive Plan Amendment and Rezone requests.

EXECUTIVE SUMMARY:

The Applicant, Monument Presbyterian Church, is requesting a Comprehensive Plan Amendment from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and a rezone from R-R (Residential – Rural) to R-4 (Residential – 4 du/ac) for 8.62-acres located at 2020 ½ S. Broadway, in anticipation of future development. The requested R-4 zone district would be consistent with the Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac), if approved.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject property is situated on the Redlands at 2020 ½ S. Broadway. The property currently contains a church building, parking lot along with various accessory structures and is 8.62-acres in size. The applicant is currently maintaining a large portion of the property that is not needed for the Church use and desires to execute a simple lot split, after the rezone, to sell a portion of their property not being used. The current City zoning for the property is Residential Rural (R-R) with densities of 1 dwelling unit per 5

acre.

The Applicant is requesting to rezone the 8.62-acre parcel to R-4, which is in keeping with urban residential densities as envisioned by the 2020 One Grand Junction Comprehensive Plan adopted by the City in December 2020. The property has sewer service and was annexed by the City in 2003. It is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan; however the Land Use map identifies the site as "Rural", a designation generally set aside for Tier 3 areas within the Urban Development Boundary. The Land Use category of "Rural" was established due to the current zoning R-R on the property and the assumption that the entire 8.62-acre property was needed long term for the church land use. A church use for the entire property is no longer envisioned and a rezone has been requested.

For the property to be rezoned to the requested R-4 zone district, a Comprehensive Plan Amendment is required. The applicant has submitted for a Comprehensive Plan amendment concurrent with the rezone request and this staff report and accompanied ordinance provides for concurrent consideration by Planning Commission and City Council. Without a change to the Land Use Map as requested in the Comprehensive Plan Amendment, the rezone request to R-4 is not supported by the Comprehensive Plan. Support for a rezone to R-4 is conditioned upon an amendment to the Land Use Map of Residential Low for the property.

COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

Presently, the Comprehensive Plan designates the property's land use as Residential Rural (1 residential dwelling unit per 5 acres). The Applicant is requesting to change the Land Use Map from Residential Rural to Residential Low to allow for urban residential densities. The One Grand Junction Comprehensive Plan establishes a minimum residential urban density of 2 dwelling units per acre.

The primary land uses found in the Residential Low land use category are single family residential and accessory dwelling units. The secondary land uses include open space and parks, schools, places of worship, home-based business, public/institutional uses, and other complementary neighborhood uses.

The area surrounding this site is designated on the Land Use Map as Residential Low to the south and east, all located within Tier 2 on the Intensification and Growth Tiers Map. The adjacent property to the east known as Magnolia Ridge is currently in the City's development review process for a residential subdivision consisting of 47 lots. The areas to the west and north are designated as Rural and located within Tier 3.

REZONE REQUEST

The Applicant is interested in preparing the property for future development that may include selling the property to an adjacent neighbor, and that would be consistent with the scope and type of development envisioned by the Comprehensive Plan with a Residential Low (2 – 5.5 du/ac) density. The R-4 zoning requires a minimum of 2

dwelling units per acre, therefore the requested zoning of R-4 implements the Comprehensive Plan.

The purpose of the R-4 (Residential – 4 du/ac) zone district is to provide for low density attached and detached dwellings. As noted above, the R-4 ensures minimum densities of 2 dwelling units per acre are met.

In addition to the R-4 (Residential – 4 du/ac) zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designations of Residential Low (2 – 5.5 du/ac).

Residential Medium (4 – 8 du/ac)

- a. R-4 (Residential – 4 du/ac)
- b. R-5 (Residential – 5 du/ac)
- c. CSR (Community Services and Recreation)

In reviewing the other zoning district options for the proposed Residential Low (2 – 5.5 du/ac) category, all applicable zoning districts allow single-family detached and two-family development with the R-5 zone district allowing for additional multi-family development.

The property adjacent to the subject property to the east is zoned R-2 in the City, established under the 2010 Comprehensive Plan's land use designation for Residential Low (0.5 to 2 du/ac). The zoning in Mesa County is RSF-2, and Planned Unit Development (PUD) to the north, west and south of the subject property.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Rezone and Comprehensive Plan Amendment requests were held on Monday, April 12, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's Representative and City staff were in attendance along with nine citizens. A presentation of the rezone request was made by the owner's representative; information regarding the City's review process for a rezone request was also presented including opportunities on how citizens can participate and provide comments throughout the City's review process.

The following is a summary of the primary concerns and questions raised during the meeting:

- Concern with future access to a newly created lot
- Concern about current and future stormwater drainage patterns
- Clarification regarding the timeline of the rezone request, opportunities for public comment, and public notification for the rezone request and for future development applications, if development were to occur
- Clarification regarding the maximum dwelling units that would be allowed under the R4 zone designation
- The possibility of the rezone request being denied

- The earliest the subject property could go to market, if a rezone and subsequent simple subdivision were approved

The meeting lasted 27 minutes from 5:30 pm to 5:57 pm.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with a new application sign on June 11, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on September 3, 2021. The notice of this public hearing was published September 7, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS - COMPREHENSIVE PLAN AMENDMENT

The criteria for review are set forth in Section 21.02.130 (c) (1). The criteria provide that the City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and at least one of the criteria outlined below;

(1) Subsequent events have invalidated the original premises and findings; and/or
The decision to designate the property as Residential Rural Land Use under the Comprehensive Plan was made approximately six months ago with the adoption of the One Grand Junction Comprehensive Plan. No substantial changes to the infrastructure, development context, or development potential of the subject property has occurred since that time. Therefore, staff finds that this criterion is not met.

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

The character of the area has not been changed in a substantive way since the Comprehensive Plan was adopted. The surrounding land-uses remain predominately rural and agricultural and consist of low-density residential development. Therefore, staff finds this criterion is not met.

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

This 8.62-acre property has been in the City limits since 2003. Public sanitary sewer service, Ute Water domestic water service, Xcel electrical and natural gas service, and public stormwater sewer are available to the site. Transportation infrastructure is generally adequate to serve development of the type and scope associated with the Residential Low Land Use designated areas found on the Comprehensive Plan Land Use Map. Therefore, staff finds that this criterion is 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; and/or

The city is broadly in need of additional residential development if it is to meet the needs of a growing population. Citywide, low-density residential zoning is common, but

very few properties with a residential low land use designation remain undeveloped inside the city limits. In addition, the current land use designation of Rural does not support urban residential land uses and now that the existing church is looking at subdividing off a portion of their property for residential development. It is thus logical that, in order to continue to provide housing opportunities, and to include low-density housing patterns in the range of housing options available in the community and meeting urban densities of at least 2 dwelling units per acre as required in the Comprehensive Plan, this property located within the city limits and within Growth Area Tier 2 should be amended as Residential Low on the Comprehensive Plan Land Use Map. Staff therefore finds this criterion to be met.

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

This 8.62-acre property has been in the City limits since 2003. At the time of annexation, it was zoned R-R (Residential Rural) due to its location within an area of existing large lot residential properties and agricultural lands. Since 2003 the Church was constructed, and the 8.62-acre site has been ideal for its operations. More recently the Church has determined that they no longer need the entire site for church operations and would like to sell off a portion of the property. The R-R zoning requires minimum lot sizes of 5 acres, not allowing the property to be split into two lots.

Amending the Comprehensive Plan Land Use Map to Residential Low for this property allows it to be zoned and be developed at urban densities defined in the Comprehensive Plan, at a minimum of 2 dwelling units per acre. The Redlands community will benefit from this change to the Land Use Map by increasing undeveloped land to potential R-4 densities as the area continues to attract residential development at densities needing existing sanitary sewer and city services. Much of the existing adjacent area is zoned at densities that do not meet the minimum densities of the Comprehensive Plan whereas changing this property to Residential Low will make it available for residential opportunities with smaller parcels better utilizing existing urban infrastructure and city services; and providing more housing choices to city residents of different ages, abilities, and incomes seeking the living environment of the Redlands and its proximity to great amenities such as the Colorado National Monument, Tiara Rado Golf Course, School District 51 area schools, and other open space recreational opportunities. Staff therefore finds this criterion to be met.

Changes are consistent with the vision, goals and policies of the Comprehensive Plan.

Implementing the Comprehensive Plan. The proposed Land Use Map Amendment to Residential Low (2 – 5.5 du/ac) implement's the following Plan Principles, goals and policies of the Comprehensive Plan:

Plan Principle 3: Responsible and Managed Growth

Goal: Support fiscally responsible growth...that promote a compact pattern of growth...and encourage the efficient use of land.

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.

Intensification and Tiered Growth Plan (Chapter 3). Subject property is located within Tier 2 (Suburban Infill) – In Tier 2, the Comprehensive Plan supports sub-urban growth on the City edges and this site has been annexed in the City since 2003. The Plan directs development toward vacant and underutilized parcels. Development of this parcel will provide development opportunities while minimizing the impact on infrastructure and City services.

ANALYSIS - REZONE

The criteria for review are set forth in Section 21.02.140 (a). The criteria provides that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

(1) Subsequent events have invalidated the original premises and findings; and/or R-R (Residential – Rural) zoning remains a valid zone district for the property, and no subsequent event has invalidated the original premise to zone this property to the R-R zone district since R-R zoning was applied as the zone of annexation in 2003. The property remains at the fringe of the developable area in the City and there is no compelling event to suggest that R-R zoning is no longer an appropriate zone district based on the premise that lands in the agricultural and rural portions of the western Redlands should remain under rural zoning. Therefore, staff finds that this criterion is not met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or The Comprehensive Plan designates this property for Rural Land Use. Rural Land Use is not a designation that permits rezoning to the R-4 zone district. The surrounding land-uses remain predominately rural (large lot residential) and agricultural, and there is no compelling reason to suggest that the character of the area has changed in a way that would make the proposed R-4 zone district more consistent with the Comprehensive Plan Land Use category of Rural than the current zoning of R-R. Therefore, staff finds that this criterion is not met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or Public sanitary sewer service, Ute Water domestic water service, Xcel electrical and natural gas service, and public stormwater sewer are available to the site. Transportation infrastructure is generally adequate to serve development of the type and scoped associated with the R-4 zone district. Therefore, staff finds that this criterion is 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; and/or

The city is broadly in need of additional residential development if it is to meet the needs of a growing population. Citywide, low-density residential zoning is common, but very few properties with low-density residential zoning remain undeveloped. It is thus logical that, in order to continue to provide housing opportunities, and to include low-density housing patterns in the range of housing options available in the City of Grand Junction, additional land must be zoned to low-density residential districts such as R-4. Staff therefore finds this criterion to be met.

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

This 8.62-acre property has been in the City limits since 2003. At the time of annexation, it was zoned R-R (Residential Rural) due to its location within an area of existing large lot residential properties and agricultural lands. Since 2003 the Church was constructed and the 8.62-acre site has been ideal for its operations. More recently the Church has determined that they no longer need the entire site for church operations and would like to sell off a portion of the property. The R-R zoning requires minimum lot sizes of 5 acres, not allowing the property to be split into two lots.

Rezoning the property to R-4 allows the property to be subdivided and to be developed at urban densities defined in the Comprehensive Plan, a minimum of 2 dwelling units per acre. The Redlands community will benefit from this change in zoning to R-4 by increasing undeveloped land to potential R-4 densities as the area continues to attract residential development at densities needing existing sanitary sewer and city services. Much of the existing adjacent area is zoned R-2 whereas this property will be available to provide residential opportunities with smaller parcels better utilizing existing infrastructure and city services; and providing more housing choices to city residents of different ages, abilities, and incomes seeking the living environment of the Redlands and its proximity to great amenities such as the Colorado National Monument, Tiara Rado Golf Course, School District 51 area schools, and other open space recreational opportunities. Staff therefore finds this criterion to be met.

Changes are consistent with the vision, goals and policies of the Comprehensive Plan.

Implementing the Comprehensive Plan. The proposed rezone to R-4 (Residential – 4 du/ac) implement's the following Plan principles, goals and policies of the Comprehensive Plan:

Further, the proposed Land Use Map Amendment to Residential Low (2 – 5.5 du/ac) implement's the following Plan Principles, goals and policies of the Comprehensive Plan:

Plan Principle 3: Responsible and Managed Growth

Goal: Support fiscally responsible growth...that promote a compact pattern of growth...and encourage the efficient use of land.

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.

Intensification and Tiered Growth Plan (Chapter 3). Subject property is located within Tier 2 (Suburban Infill) – In Tier 2, the Comprehensive Plan supports sub-urban growth on the City edges and this site has been annexed in the City since 2003. The Plan directs development toward vacant and underutilized parcels. Development of this parcel will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation; and as a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Monument Presbyterian Comprehensive Plan Amendment and Rezone requests, for a Comprehensive Plan Amendment from Residential Rural (1 du per 5 acres) to Residential Low (2 – 5.5 du/ac) for the property located at 2020 ½ South Broadway, the following findings of facts and condition have been made:

On the request for an amendment to the Comprehensive Plan, the following findings of fact have been made:

- 1) The request has met one or more of the criteria in Section 21.02.130(c)(1) of the Zoning and Development Code.
- 2) The request is consistent with the vision, goals and policies of the Comprehensive Plan.

On the request for rezoning, the following findings of fact have been made:

- 1) The request has met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code.
- 2) The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the requested Comprehensive Plan Amendment and Rezone requests.

FISCAL IMPACT:

SUGGESTED MOTION:

Two separate motions (Motion 2 cannot be approved without approval of Motion 1)

Motion 1: Mr. Chairman, on the Comprehensive Plan Amendment request for the property located at 2020 ½ South Broadway, City file number CPA-2021-294, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

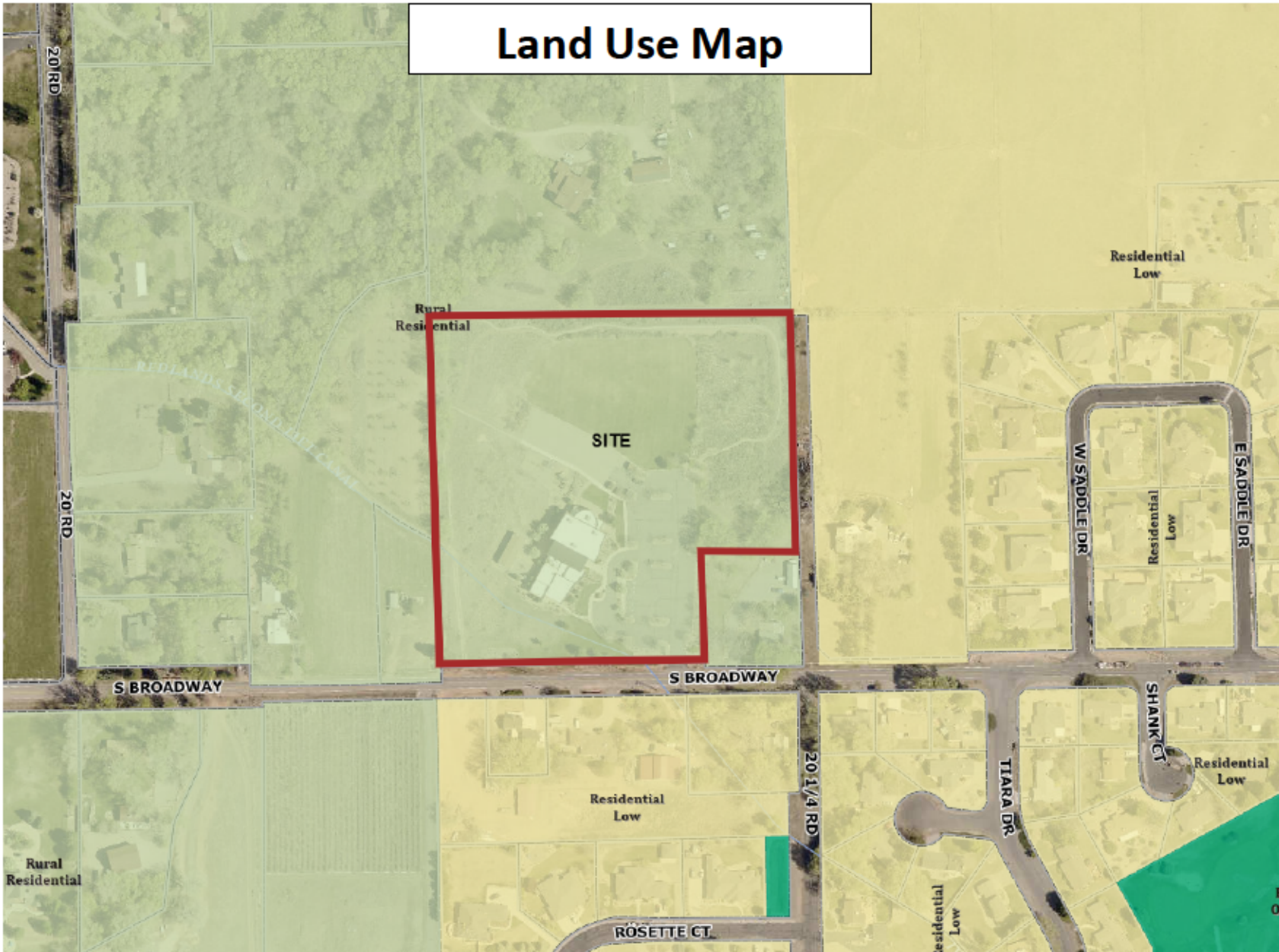
Motion 2: Mr. Chairman, on the Rezone request for the property located at 2020 1/2 South Broadway, City file number RZN-2021-286, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report and with the condition that City Council approves the Comprehensive Plan Land Use Map Amendment to Residential Low.

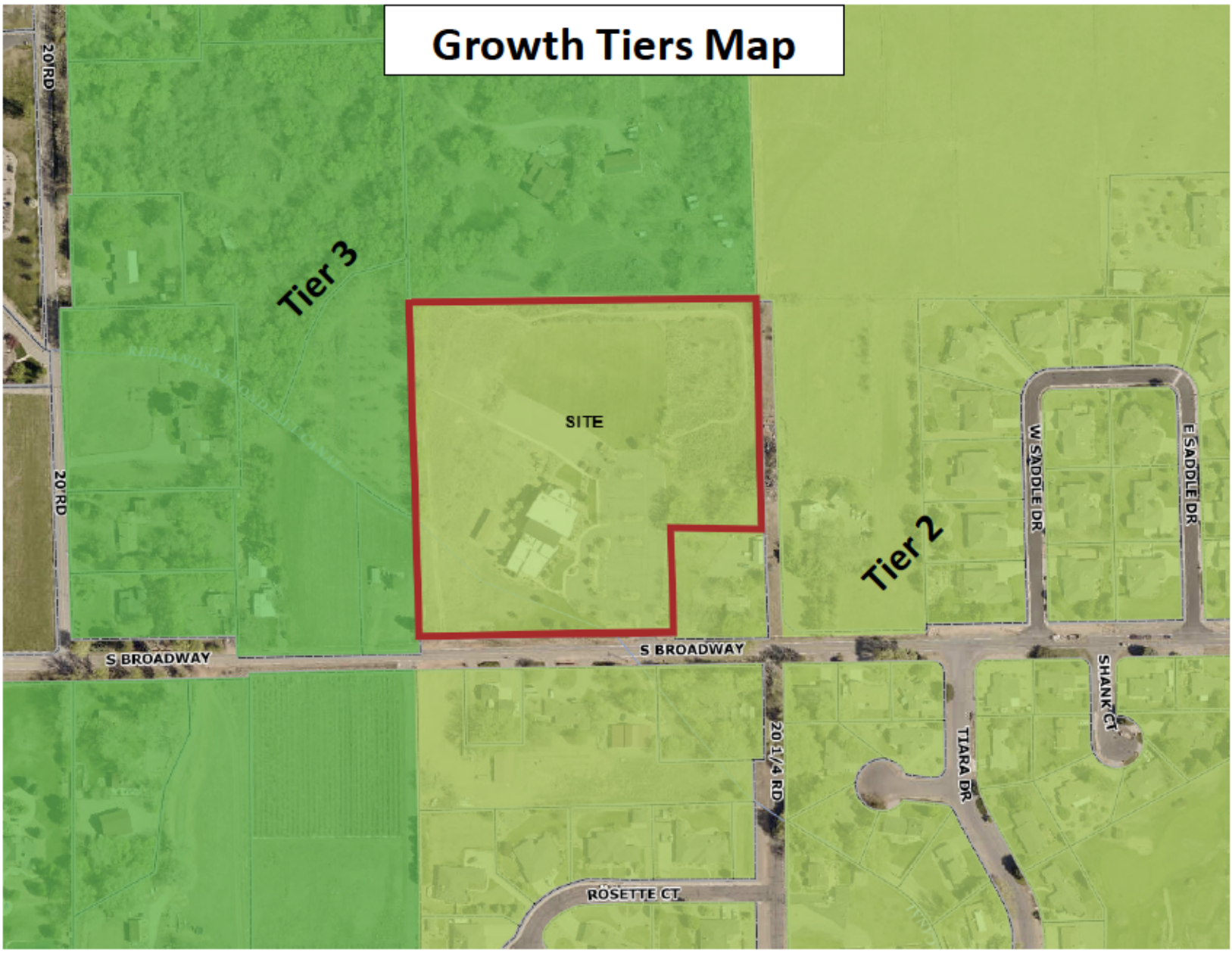
Attachments

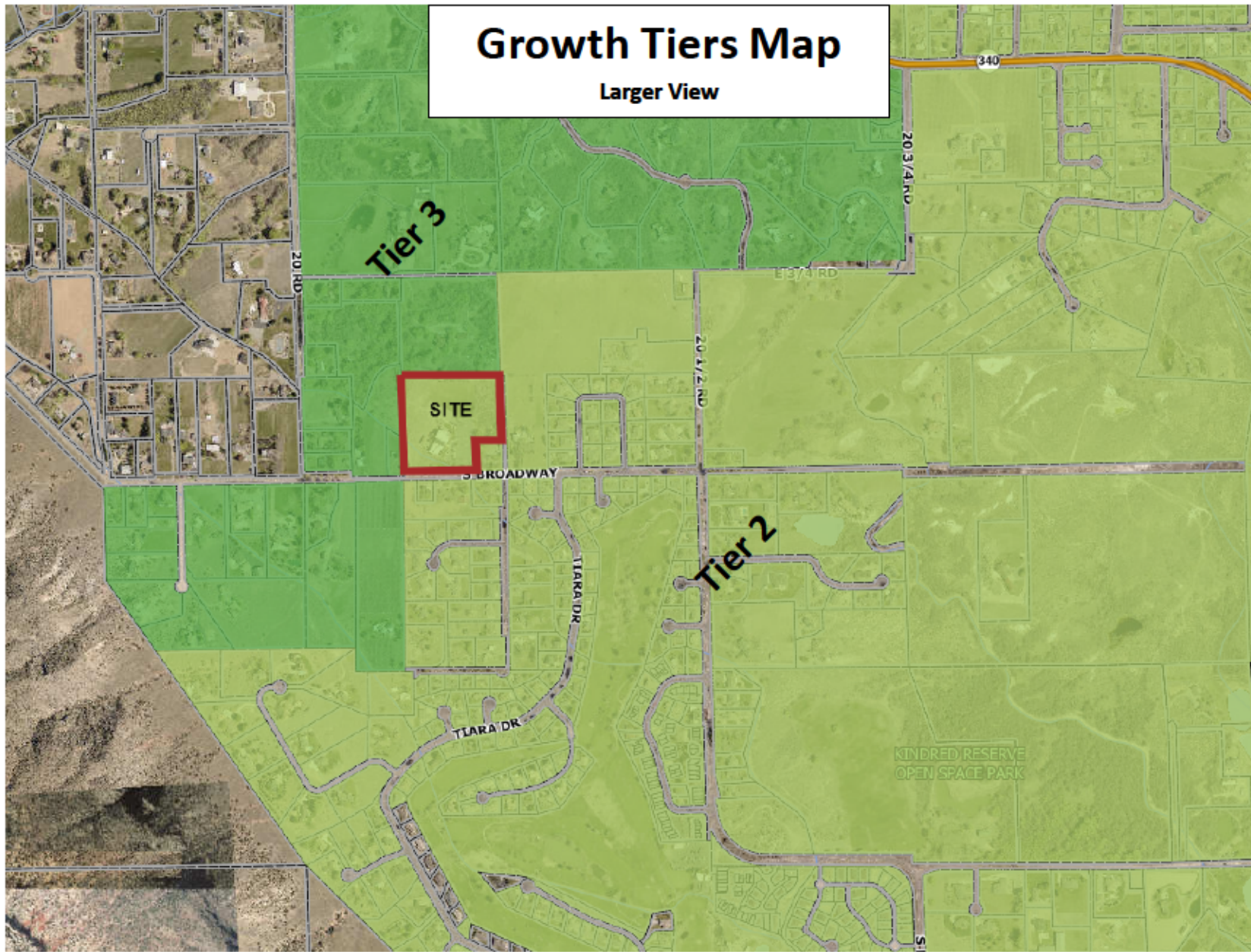
1. Site Location, Aerial, Future Land Use & Zoning Maps, etc
2. Development Application Rezone-Comp Plan Amendment
3. Combined CPA and Zoning Ordinance

Site Location Map

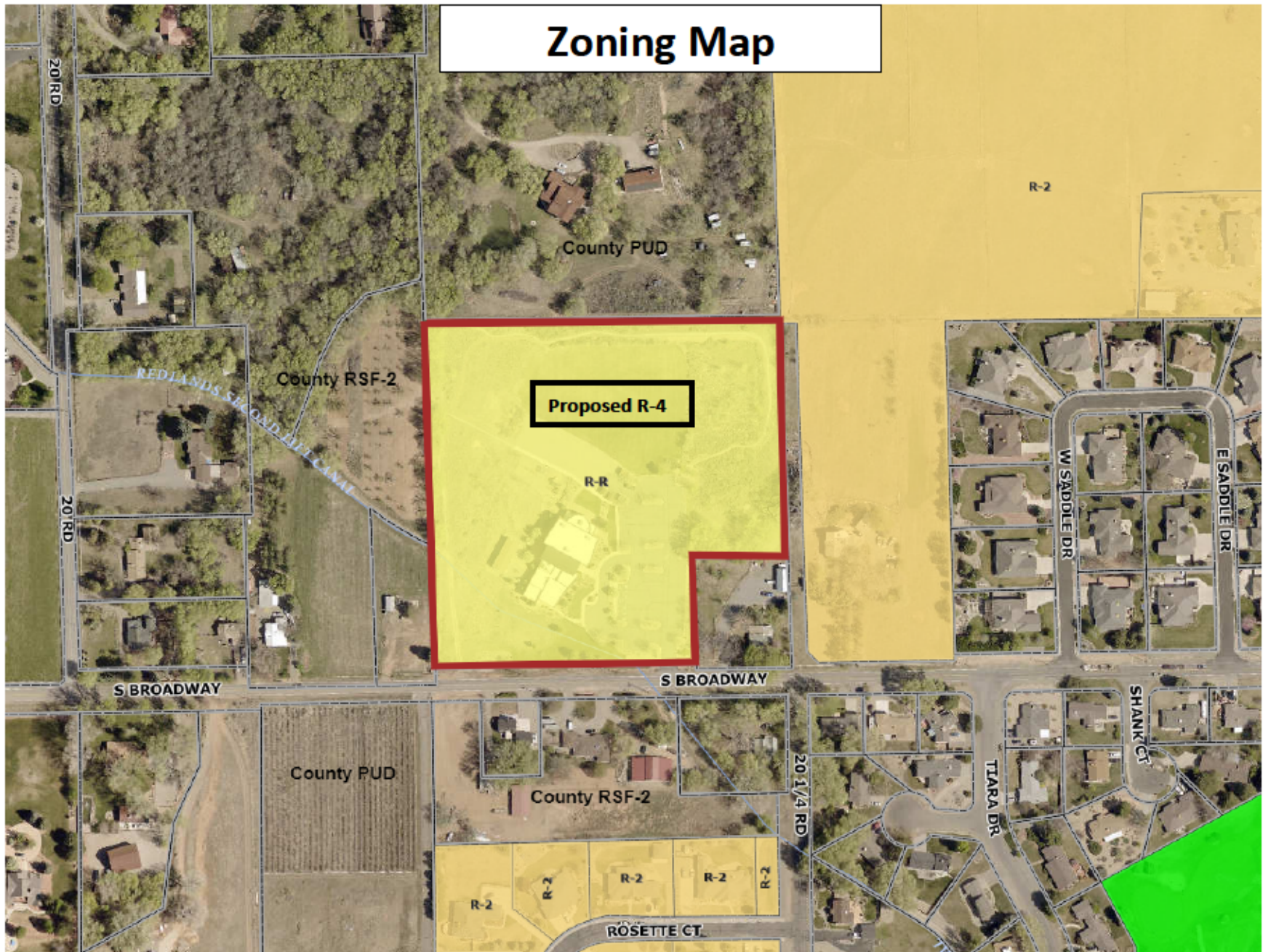








Zoning Map





Google Maps Street view of property from South Broadway, looking north

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado as described herein do petition this:

Petition For:

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

**Project Report for
Monument Presbyterian Church
Comprehensive Plan Amendment & Rezone**

Date: April 23, 2021

Prepared by: Robert W. Jones II, P.E.
Vortex Engineering and Architecture, Inc.
861 Rood Avenue
Grand Junction, CO 81501
(970) 245-9051
VEAI# F20-114

Submitted to: City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Type of Design: Comprehensive Plan Amendment & Rezone

Property Owner: Monument Presbyterian Church
2020 1/2 S Broadway
Grand Junction, CO 81507

Property Address: 2020 1/2 S Broadway
Grand Junction, CO 81507

Tax Parcel No: 2947-222-00-209

Table of Contents

Project Intent.....	3
Project Description	3
Legal Description	4
Public Notice.....	4
Comprehensive Plan.....	4
Zoning and Surrounding Areas.....	6
Utility Providers.....	7
Drainage.....	8
Wetlands and Floodplain.....	8
Approval Criteria.....	9
Development Schedule.....	11
Conclusion.....	11
Limitations/Restrictions.....	11

List of Figures

Figure 1 Site Location.....	3
Figure 2 Future Land Use Map	6
Figure 3 Existing and surrounding zoning	7
Figure 4 Wetlands and Floodplain Map.....	8

Project Intent

This application requests a comprehensive plan amendment and a rezone of one lot located at 2020 1/2 S Broadway. The request is to change the future land use designation of the subject property from Rural Residential to Residential Low, and a rezone to change the subject property from the RR zone district to the R4 zone district.

The applicant intends to execute a simple lot split, after the rezone, to sell a portion of their property that is currently unused. The applicant is currently maintaining and paying taxes on a large portion of their property, and it is in the applicant's best interest to sell that portion to help retire existing debt on the remaining portion of the property.

The existing Rural Residential zoning of the subject property has a minimum lot size of 5 acres. This minimum lot size prohibits the applicant from subdividing and selling the unused portion of their lot. Approximately 3.75 acres of the subject property is used by the Church and 5 acres remains unused. This application is made to enable the opportunity for the property owner to subdivide and sell one of their greatest assets, 5 vacant acres of land.

Project Description

The subject property includes 1 lot located at 2020 1/2 S Broadway, just northwest of S Broadway and 20 1/4 Rd. The subject property is shown in Figure 1 below and is approximately 8.77 acres.



Figure 1 Site Location

Legal Description

The legal description of TPN #2947-222-00-209 is:

S2E2SW4NW4 SEC 22 11S 101W AKA LOT 3 CUNNINGHAM REDLANDS SUB EXC S 225FT OF E 175FT OF SD S2E2SW4NW4 & ALSO EXC RD ROW ON S AS DESC IN B-3504 P-233/234 MESA CO RECDS- 8.99AC

Public Notice

On Monday, April 12, 2021, a Neighborhood Meeting was held via Zoom in accordance with the City's COVID-19 policy. A presentation of the rezone request was made by the owner's representative; information regarding the City's review process for a rezone request was also presented including opportunities on how citizens can participate and provide comments throughout the City's review process.

The meeting was well attended by approximately nine citizens. The following is a summary of the primary concerns and questions raised during the meeting:

- Concern with future access to a newly created lot
- Concern about current and future stormwater drainage patterns
- Clarification regarding the timeline of the rezone request, opportunities for public comment, and and public notification for the rezone request and for future development applications, if development were to occur
- Clarification regarding the maximum dwelling units that would be allowed under the R4 zone designation
- The possibility of the rezone request being denied
- The earliest the subject property could go to market, if a rezone and subsequent simple subdivision were approved

The meeting lasted 27 minutes from 5:30 pm to 5:57 pm.

Public notice for this application will be provided in accordance with Sec. 21.02.080(g) of the Grand Junction Municipal Code, including posting the subject property on all public rights-of-way.

Comprehensive Plan

In January 2020, the Grand Junction City Council adopted a new Comprehensive Plan and a Future Land Use map that shows the type of anticipated development for the next 10-15 years in the City and within the Urban Development Boundary. All new development must be consistent with the new Comprehensive Plan and Future Land Use map.

The Comprehensive Plan's Future Land Use Map shows the subject property as Rural Residential, as shown in Figure 2, which anticipates residential development with a maximum density of 1 dwelling unit per 5 acres.

The property owner requests a comprehensive plan amendment to change the future land use designation of the subject property from Rural Residential to Residential Low.

The subject property is adjacent to property to the east and south that is designated as Residential Low in the Future Land Use Map of the Comprehensive Plan. The applicant requests a rezone to the R4 zone district which is one of two residential implementing zone districts for the Residential Low Land Use Designation.

The proposed development meets a number of the goals and policies of the new 2020 Comprehensive Plan:

Plan Principle 3: Responsible and Managed Growth

Limited Supply of Land: The timing and location of development in Grand Junction today are influenced by several interconnected factors, including available land, infrastructure, and services as well as the Persigo Agreement and market demand. While there is no lack of vacant land to accommodate new growth within the City's Urban Development Boundary, there is a lack of land with the existing urban infrastructure required by the City. Balancing the need for investments in new infrastructure to support greenfield development with the need for improvements to existing infrastructure in established areas of the city to support infill and redevelopment is an ongoing challenge.

Plan Principle 3: Responsible and Managed Growth

Policy 2. Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 3: Responsible and Managed Growth

Policy 1. Intensification and Tiered Growth.

Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers. i. Tier 1: Urban Infill ii. Tier 2: Suburban Infill iii. Tier 3: Rural Areas and County Development

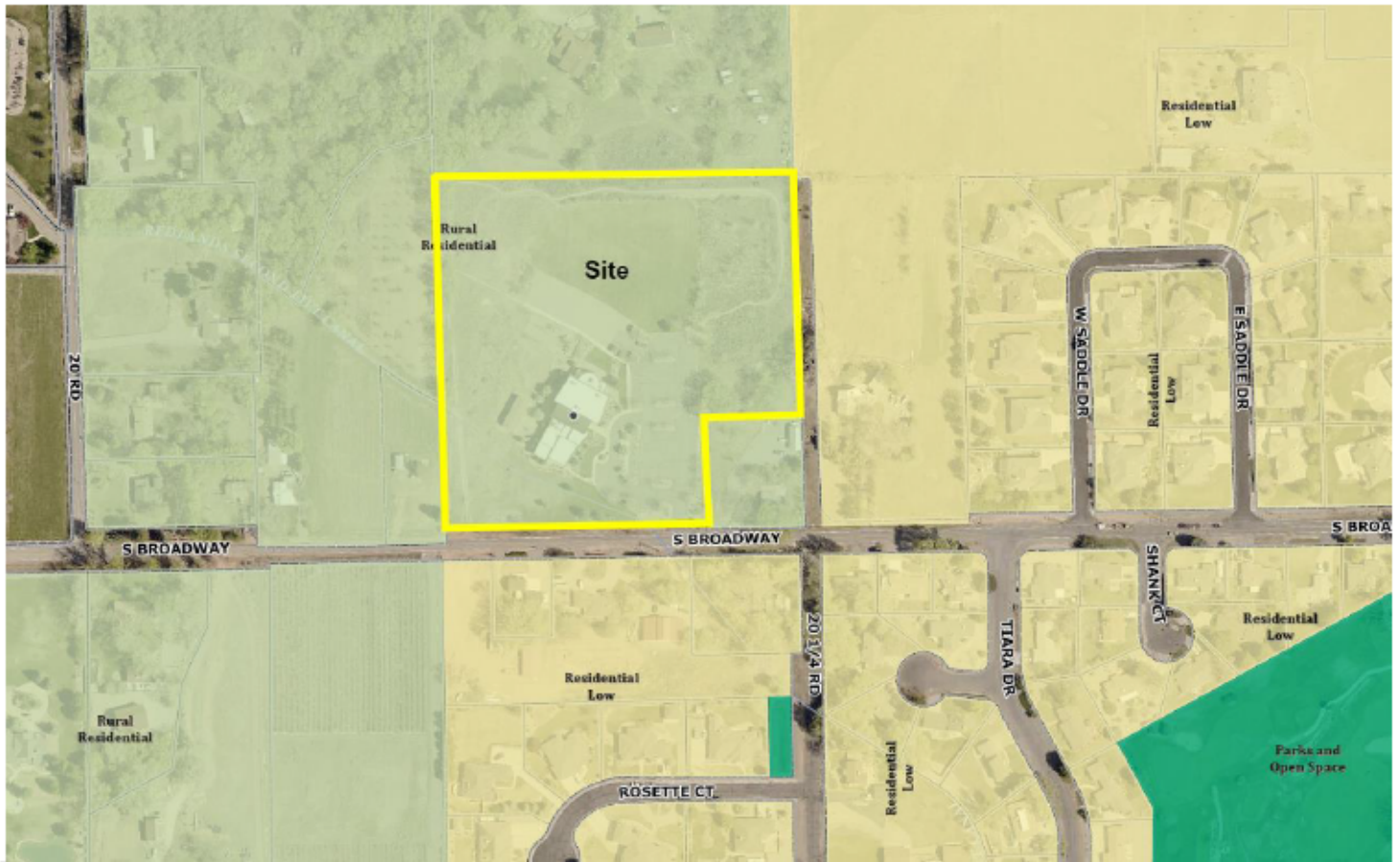


Figure 2 Future Land Use Map

Zoning and Surrounding Areas

The applicant requests a comprehensive plan amendment to change the future land use designation of the subject property from Rural Residential to Residential Low and a rezone from the current RR (Rural Residential, 1 du/5 ac) zone to the R4 (Residential, 2-4 du/ac) zone district. The rezone request is consistent with the 2020 Comprehensive Plan’s Future Land Use Map classification of Residential Low.

Surrounding area zoning and land uses include:

- North – Mesa County – PUD with single-family residential land use
- South – Mesa County – RSF-2 with single-family residential land use
- West – Mesa County – RSF-2 with single-family residential land use
- East – R2 with single-family residential land use



Figure 3 Existing and surrounding zoning

Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the development have the capacity and willingness to serve the development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site.

Utility providers for the site are as follows:

- Sewer: City of Grand Junction/Persigo Wastewater Treatment Plant
- Water: Ute Water Conservation District
- Drainage: Grand Valley Drainage District
- Electric: Xcel Energy
- Irrigation: Redlands Water and Power Company
- Cable: Spectrum

All utilities shall be constructed to the standards and specifications of the service provider at the time of construction.

Drainage

The drainage and stormwater management will be addressed at the time of actual development of the site.

Wetlands and Floodplain

There are no known wetlands or floodplains associated with the subject property.

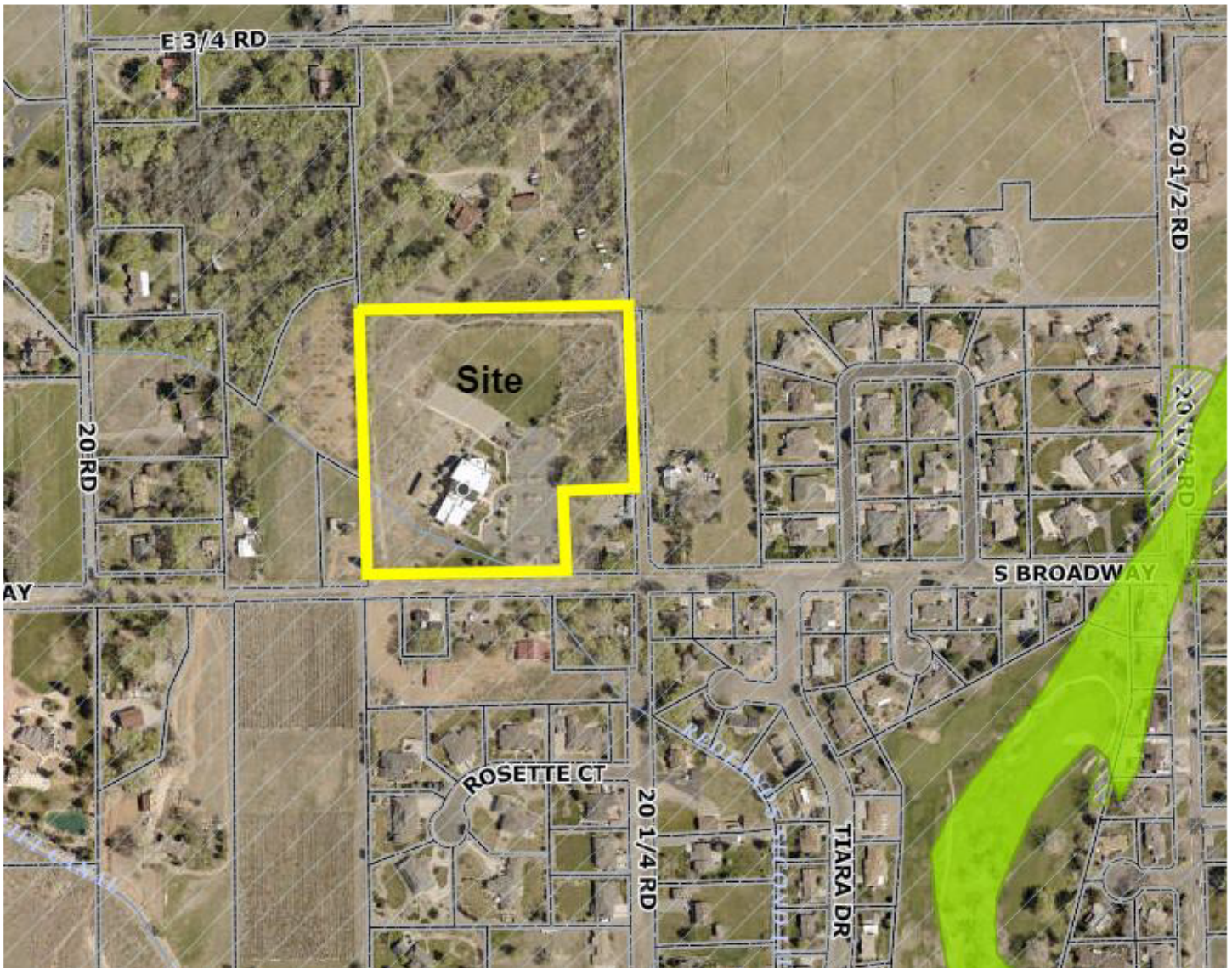


Figure 4 Wetlands and Floodplain Map

Approval Criteria

Section 21.02.140(a), Approval Criteria, states that in order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

1.) Subsequent events have invalidated the original premises and findings; and/or

Response: Adoption of the 2020 Comprehensive Plan maintained the land use designation of Rural Residential for the subject property, which is unchanged from the 2010 Comprehensive plan. However, the zones that implement the Rural Residential land use designation changed with adoption of the 2020 Comprehensive Plan to include only the Rural Residential and Community Services and Recreation zones. This change prevents the subject property from performing a simple subdivision as their property is 8.77 acres in size, which is just below the 10-acre minimum that is required to create two lots for the Rural Residential zone.

The applicant could have achieved their objective of performing a lot split under the 2010 Comprehensive Plan by performing a rezone to one of the other implementing zone districts (R-1,R-2,R-3,R-4), which had a minimum lots size that would have enabled a lot split for the subject property. However, adoption of the 2020 Comprehensive Plan precludes the property owner from performing a simple subdivision to split off 4 acres of unused property.

A comprehensive plan amendment to change the future land use designation to Residential Low and a rezone to R4 is necessary for the property owner to be eligible to perform a simple subdivision and sell the unused portion of their property that they currently have to maintain and pay taxes on.

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; and/or

Response: The subject property is on the edge of rural residential development and low density single-family residential development. The property directly east of the subject property is currently under development review for a final plan application with the City of Grand Junction. This development will include detached single-family housing of a low-density nature and will eventually build out the Amir Dr. right-of-way. The build out of Amir Dr. will provide a street stub to the subject property.

The intent of the 2020 Comprehensive Plan is to encourage infill development of vacant and under-utilized parcels within the City. Planned development on the neighboring parcel will create opportunities for infill and development of vacant land. This rezone request is consistent with the recently adopted 2020 Comprehensive Plan that encourages infill and efficient development.

This criterion has been met.

3.) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
Response: There are public and community facilities to serve future development of the subject property. There is an existing sewer and water line in S Broadway that is available to serve the property. The planned residential development of Magnolia Ridge will also build out public infrastructure, including Amir Dr., which will be available to serve future development of the subject property.

The majority of the subject property consists of the Monument Presbyterian Church, which serves as a community facility. Additionally, the subject property is in close proximity to community facilities including Tiara Rado Golf Course and Kindred Reserve Open Space.

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; and/or

Response: The city is in need of additional residential development if it is to meet the needs of its growing population. While there are no plans for redevelopment or future development on the subject property, a rezone to R4 will enable future development opportunities. City sewer is already installed in S Broadway making this property a ready and viable option for future development, as opposed to extending sewer to other vacant properties within the Urban Development Boundary.

This criterion has been met.

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

Response: The community will derive benefits from the request as it will enable future residential development to occur. The applicant has no intent to develop the vacant piece of their property. However, a rezone to R4 will allow the simple subdivision to proceed which will create future development potential for an otherwise unused piece of land. The community is experiencing an unprecedented housing crisis with historic low levels of housing supply and will benefit from the added availability of R4 zoned land that has sewer available to serve it.

This criterion has been met.

Development Schedule

There is no planned development for this property. However, a development schedule for the subject property will be included with a development application at the time of development.

Conclusion

After demonstrating how the proposed comprehensive plan amendment and rezone request from the RR to R4 zone district meets the goals and policies of the 2020 Comprehensive Plan and the approval criteria of the Zoning and Development Code, the applicant respectfully requests approval of the request to rezone to the R4 zone district.

Limitations/Restrictions

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Grand Junction, affiliates, and review agencies is fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

Vortex Engineering, Inc. represents this report has been prepared within the limits prescribed by the owner and in accordance with the current accepted practice of the civil engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or in any of our contracts.

Legal Description

The legal description of TPN #2947-222-00-209 is:

S2E2SW4NW4 SEC 22 11S 101W AKA LOT 3 CUNNINGHAM REDLANDS SUB EXC S 225FT OF E 175FT OF SD S2E2SW4NW4 & ALSO EXC RD ROW ON S AS DESC IN B-3504 P-233/234 MESA CO RECDS- 8.99AC

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Monument Presbyterian Church ("Entity") is the owner of the following property:

(b) 2020 1/2 S Broadway, Grand Junction, CO 81507

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Clerk of Session for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

[Empty box for limited authority details]

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) Development Application for Rezone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) N/A

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

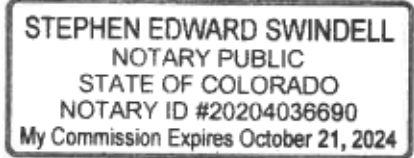
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Stephanie Tartaglia

Printed name of person signing: STEPHANIE TARTAGLIA

State of Colorado)

County of Mesa) ss.



Subscribed and sworn to before me on this 23 day of April, 2021

by [Signature] Stephanie Tartaglia

Witness my hand and seal.

My Notary Commission expires on 10/21/2024

[Signature]
Notary Public Signature

Instructions

An ownership statement must be provided for each and every owner of the property.

- (a) Insert complete name of owner as it appears on deed by which it took title. If true name differs from that on the deed, please provide explanation by separate document
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries do not match those on the plat, provide an explanation.
- (c) Insert title/capacity within the Entity of person who is signing.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Insert name of all other owners, if applicable.
- (f) Insert the type of development application request(s) that has/have been made. Include all pending development applications affecting the property.
- (g) Explain the conflict and/or possible conflict and describe the information and/or evidence available concerning the conflict and/or possible conflict. Attach copies of written evidence.

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named: Monument Presbyterian Church
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172,
C.R.S.

The type of entity is: Non-Pofit

The entity is formed under the laws of the State of Colorado

The mailing address for the entity is: 2020 1/2 S Broadway, Grand Junction, CO 81507

The name and position of each person authorized to execute instruments conveying,
encumbering, or otherwise affecting title to real property on behalf of the entity is:
Stephanie Tartaglia, the MPC Clerk of Session

The authority of the foregoing person(s) to bind the entity is (not limited) (limited as
follows): Not Limited

Other matters concerning the manner in which the entity deals with interests in real
property: N/A

Executed this 23 day of April, 2021.

Stephanie Tartaglia
Signature (Type or Print Name Below)
STEPHANIE TARTAGLIA

STATE OF COLORADO)
)ss.
COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 23 day of
April, 2021, by Stephanie Tartaglia (insert name of individual) as
clerk of session (insert office held or role (President, Vice President or
member, manager or managing member for LLCs) for Monument presbyterian church (insert
name of corporation or LLC).

Witness my hand and official seal:
STEPHEN EDWARD SWINDELL
My commission expires: 10/21/24
STATE OF COLORADO
NOTARY ID #20204036690
My Commission Expires October 21, 2024

Stephen E Swindell
Notary Public
Stephen E Swindell

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN LAND USE MAP OF THE CITY OF GRAND JUNCTION FROM RURAL (1 DU/5-ACRE) TO RESIDENTIAL LOW (2-5.5 DU/ACRE) AND REZONING FROM RURAL (1 DU/5-ACRE) TO R-4 (RESIDENTIAL – 4 DU/AC) ZONE DISTRICT

LOCATED AT 2020 1/2 SOUTH BROADWAY

Recitals:

The property owner, Monument Presbyterian Church, proposes an amendment to the Comprehensive Plan Land Use Map from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and a rezone from R-R (Residential – Rural) to R-4 (Residential – 4 du/ac) on a total of 8.77-acres, located at 2020 ½ South Broadway.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of amending the Comprehensive Plan Future Land Use designation for the Property from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and recommended subsequent approval of changing the zoning from R-R (Residential – Rural) to R-4 (Residential – 4 du/ac) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Residential Low (2 – 5.5 du/ac) of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that amending the Comprehensive Plan Land Use Map from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and rezoning from R-R (Residential – Rural) to R-4 (Residential – 4 du/ac) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the R-4 (Residential – 4 du/ac) zone district, is consistent and is in conformance with the Comprehensive Plan and at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be re-designated as Residential low (2 – 5.5 du/ac) on the Land Use Map of the Comprehensive Plan and shall be zoned R-4 (Residential – 4 du/ac) on the zoning map:

Commencing at the W1/4 corner of Section 22, Township 11 South, Range 101 West, of the 6th Principal Meridian, from which the CW1/16 corner of said Section 22 bears

S89°29'31"E 1306.62 feet, running thence along said 1/4 section line S89°29'31"E 653.29 feet; thence N00°24'42"W 30.01 feet to the north right-of-way line of South Broadway and a found aluminum cap marked "DH Surveys LS 20677" and the Point of Beginning.

Running thence along said north right-of-way line S89°29'31"E 5.51 feet to the extension of an existing fence line; thence along extended fence line and existing fence N00°16'35"E 635.70 feet; thence N89°29'16"W 13.15 feet to the SWNW1/64 corner of said Section 22 and a found aluminum cap marked "PLS 38428" and the Point of Terminus, said point bearing N00°24'42"W 635.77 feet from the Point of Beginning.

Introduced on first reading this ___ day of _____, 2021 and ordered published in pamphlet form.

Adopted on second reading this ___ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: September 14, 2021
Presented By: Daniella Acosta, Associate Planner
Department: Community Development
Submitted By: Dani Acosta, Associate Planner

Information

SUBJECT:

Consider a request by Cyndi Casebier to rezone one parcel totaling approximately 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Highway 6 and 50. | [Staff Presentation](#) | **Phone-In Comments Dial 1451.**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Cyndi Casebier, is requesting the rezone of one parcel totaling approximately 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Highway 6 and 50. The requested C-2 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one parcel totaling 1.51 acres situated at 2150 Hwy 6 and 50, just northwest of the Hwy 6 and 50 and 21 ½ Road intersection. The property was annexed into the City limits in 1992 and zoned I-1. The parcel has been subdivided and developed in the past 23 years and has remained as an I-1 zone district. The Simple Subdivision took place in 1998. The Simple Subdivision for W.E.I. Minor Subdivision resulted in two lots. Western Engineers Inc. are the owners of the property. The subject site in question is Lot 1. There is currently a building on the property. However, other than the Simple Subdivision that occurred in 1998, the current rezone request, an approved fence permit and an approved sign clearance, there are no other development applications with the City after annexation. The current occupants of the

building include the Colorado Security Professionals, who provide uniformed security guard services, and AC Bail Bonds, a bail bonds service provider. To the north, south, east, and west are primarily heavy commercial, the Persigo Wastewater Treatment Facility, light commercial, auto-related services and communication/utilities uses, including a building materials supplier, engineering, drilling contractor facility, and construction services.

As indicated, the subject site is currently zoned I-1 and is occupied. An existing 8,320 square foot single-level, pre-engineered steel building dominates the property. Most of the land area outside the building is utilized for parking and outdoor storage. The 2020 One Grand Junction Comprehensive Plan classifies the subject property and adjacent properties to the west and southeast with a Commercial land use designation.

Under the Grand Junction Municipal Code, the zone districts that may implement the Commercial Land Use classification include the M-U (Mixed Use), B-P (Business Park), I-O (Industrial/Office Park), C-1 (Light Commercial), C-2 (General Commercial), MXR-8 (Mixed Use Residential), MXG-3, 5, 8 (Mixed Use General), MXS-3, 5, 8 (Mixed Use Shopfront), and MXOC (Mixed Use Opportunity Corridors) zone districts. As such, the Comprehensive Plan land use classification of Commercial does allow for this rezone request to C-2. The Comprehensive Plan classified adjacent properties to the north, east and south with an Industrial land use designation.

The Applicant is proposing the rezone to C-2 to allow for the creation of new and expanded business opportunities for the subject property. As stated in the General Meeting Notes (MTG-2021-335), the applicant is seeking the rezone to permit office and retail development on the property. General Retail Sales, Indoor Operations, Display and Storage, Personal Services, and All Other Retail Sales and Services uses are not allowed within the I-1 zone district but are allowed within the C-2 zone district.

If the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held in-person at the Applicant's office on July 12, 2021, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present. No members of the public attended the meeting, and the Applicant team and City Staff discussed the proposal and the anticipated timeline of the proposal. One written correspondence was received from one neighbor (see Exhibit 3 for the attachment).

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on September 3, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood

associations within 1000 feet, on September 3, 2021. The notice of the Planning Commission public hearing was published on September 7, 2021, in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

(1) Subsequent events have invalidated the original premises and findings; and/or

The Comprehensive Plan Land Use Map identifies the subject property as Commercial. The previous 2010 land use designation identified on the property was Commercial Industrial. The applicant's proposed zoning of C-2 implements the 2020 Comprehensive Plan Land Use of Commercial. The current zoning, I-1 is outside the range of allowable zone districts for Commercial. While the existing zoning designation of I-1 met the former 2010 Comprehensive Plan, the newly adopted 2020 Comprehensive Plan anticipates more commercial type uses in the area of the subject site, which are not allowed within the I-1 zone district. This is attributed to the site's location with frontage and exposure along Highway 6 & 50. As such, from a policy standpoint, the adoption of the 2020 comprehensive Plan has invalidated the original premise, and therefore staff finds 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; and/or

Most parcels surrounding the subject site are currently zoned I-1. In the last three years there have been few development projects on properties surrounding the site. To the southeast of the subject site there was a major site plan to expand 2H Mechanical LLC, a mechanical contractor by 3000 square feet (SPN-2020-57). Additionally, southeast of the subject site there is a Minor Site Plan to remodel and expand an existing Love's Store, a truck-stop and convenience store chain, at 748 22 Rd (SPN-2021-448). This area has seen some introduction of uses consistent with the future Commercial Land Use Designation and that are not permitted or only conditionally allowed under the current zoning of I-1. These uses include a car dealership/retail (CUP-2021-534), which is currently under review, located on 2211 Hallco Drive. This area has seen a slow transition over the years from a heavy industrial area to a lighter industrial and commercial area. However, it is premature to conclude that the area has changed enough to warrant a plan amendment. As such, staff finds this criterion has not been met.

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

The subject property is within an industrial area in the northwest portion of the City of Grand Junction. Adequate public infrastructure and community facilities and services are available and sufficient to serve uses associated with the C-2 zone district. The subject site is currently served by Grand Valley Power (electricity), Ute Water, and Persigo Wastewater Treatment.

Multimodal access is sufficient. There is one Grand Valley Transit (GVT) route and one bus stop in close proximity (less than ¼ mile from the subject site). The subject site is serviced by a primary truck route that runs along Hwy 6 and 50. The subject site is a corner property with access to the lower ordered street (21 ½ Road – minor collector).

The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that 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; and/or

There are substantial differences between the I-1 and C-2 zone districts. The C-2 zone district accounts for approximately 3% of City zoned land, whereas the I-1 zone district accounts for approximately 8% of City zoned land. Currently, there are few parcels along the section of the Hwy 6 and 50 Corridor west of the I-70 interchange at Hwy 6 and 50 that are zoned C-2. There are however, three properties along this stretch of Hwy 6 and 50 that are zoned C-2 and that are less than ½ a mile away from the subject site. Though there appears to be a deficit of C-2 in the area west of the I-70 interchange, staff has been unable to determine if there is an inadequate supply of this zone district and therefore has not found this criterion to have been met. Staff finds this criterion has not been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to heavy and light commercial areas, single family residential areas, and some duplex residential/commercial-mixed use areas. In addition, a designation of C-2 would support the concentration of retail, services, and employment located at intersections and along major local, state, or interstate roadways than it would if it remained designated as I-1.

The type and scope of land-use allowed within the C-2 zone district is different in character and extent to the existing land use of many nearby properties, which include light and heavy industrial and commercial uses. However, the rezoning the property to a C-2 zone district supports a broad mix of higher-intensity uses, such as retail, commercial, and other employment, and services and aligns with the proposed vision

for a Commercial Corridor along Hwy 6 and 50 conceived in the 2020 Comprehensive Plan . A C-2 zone district would allow for the introduction of businesses whose retail sales exceed 10 percent of the gross floor area. The 2020 Comprehensive Plan has designated Hwy 6 and 50 within the City as a future commercial corridor. As such, staff finds this criterion has been met.

The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 2.1.a. *Economic Diversity* – Support the further diversification of the economy that is prepared to anticipate, innovate, and proactively respond to cyclical economic fluctuations and evolution.

Plan Principle 2.1.b. *Employment Base* – Continue to collaborate with local and regional partners to expand the community’s economic base and primary job creation by focusing on retention, expansion, incubation, and recruitment efforts that create jobs and import income or dollars to the community, particularly businesses in targeted areas.

Plan Principle 3.1.b. *Intensification and Tiered Growth* – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the RLCR Rezone, RZN-2021-512, rezoning one parcel totaling 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) for the property located at 2150 Hwy 6 and 50, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Chairman, on the RLCR Rezone request from an I-1 (Light Industrial) zone district to a C-2 (General Commercial) zone district for the 1.51-acre property located at 2150 Highway 6 and 50, City File Number RZN-2021-512, I move that the Planning

Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Attachments

1. Exhibit 3 - Neighborhood Meeting Documentation
2. Exhibit 4 - Maps and Exhibit
3. Exhibit 5 - Draft Ordinance
4. Exhibit 2 - Development Application Packet

2150 Highway 6 and 50 Rezone Application

NEIGHBORHOOD MEETING

July 13, 2021

A neighborhood meeting to discuss the pending Rezone Application for property located at 2150 Highway 6 and 50 was held at 5:30 p.m. on July 12, 2021 at the applicants office at 2150 Highway 6 and 50.

In addition to Dave Thorton, Community Development Department staff planner, the land owner and her representative, no neighbors out of the approximately 9 that were notified of the Neighborhood Meeting attended. However, one written correspondence was received from one neighbor. A copy of the e-mail correspondence is attached.

Respectfully submitted,

Tom Logue, Representative for RLCR, LLC, Cindi Casebier, Manager

From: Tom Logue
Sent: Friday, July 9, 2021 7:12 AM
To: Cyndi Casebier
Cc: Patrick Morris
Subject: RE: Property meeting

Patrick,
Thank you for your question. The requested change in zone designation will be specific to the subject property and no others.
The City of Grand Junction only considers requests for rezoning by the land owner.
Hopefully, this answers your question, if not, do not hesitate to contact us.

Tom Logue
537 Fruitwood Dr.
Grand Junction, CO 81504
(o)970-434-8215
(m) 970-260-2911

From: [Cyndi Casebier](#)
Sent: Thursday, July 8, 2021 5:27 PM
To: [Tom Logue](#)
Cc: [Patrick Morris](#)
Subject: Fwd: Property meeting

Tom,
Can you reply to Patrick Morris' question?
Thank you,
Cyndi

Begin forwarded message:

From: Patrick Morris <pmorris@drtshared.com>
Date: July 8, 2021 at 1:51:09 PM MDT
To: Cyndi Casebier <cyndicasebier@gmail.com>
Cc: talldc@msn.com, davidth@gjcity.org, John Whitworth <JWhitworth@lonemountaintruck.com>, Madison Throneberry <MThroneberry@lonemountaintruck.com>, Paula Wolf <pwolf@drtshared.com>
Subject: RE: Property meeting

Cyndi,

Can you confirm the zoning and use of our property won't change?

printing, or use of this information is prohibited. If you have received this email in error, please notify the sender immediately. ENTITY NOTICE: This company operates its businesses through and contracts services with various related entities. As such, neither the domain name, the signature block, or any other entity reference in this email shall imply such individual is working for the entity so identified. Rather, the actions, authorizations, or statements made in any such email shall only relate to the applicable entity to which the topic relates.

From: Patrick Morris
Sent: Thursday, July 8, 2021 2:17 PM
To: cindicasebier@gmail.com; talldc@msn.com; davidth@gjcity.org
Cc: John Whitworth <JWhitworth@lonemountaintruck.com>; Madison Throneberry <MThroneberry@lonemountaintruck.com>; Paula Wolf (pwolf@drtsshared.com) <pwolf@drtsshared.com>
Subject: FW: Property meeting

Cyndi, Tom, and David,

We received the attached notice in the mail about an upcoming meeting regarding your project at 2150 21 1/2 Rd in Grand Junction, CO. We represent the owner of 760 21 1/2 Rd and are not against the rezoning of your property to General Commercial (C-2) as long as it doesn't change the zoning or use of our property.

Please advise.

<image005.png>

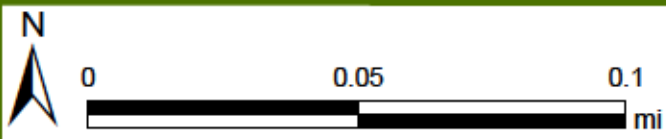
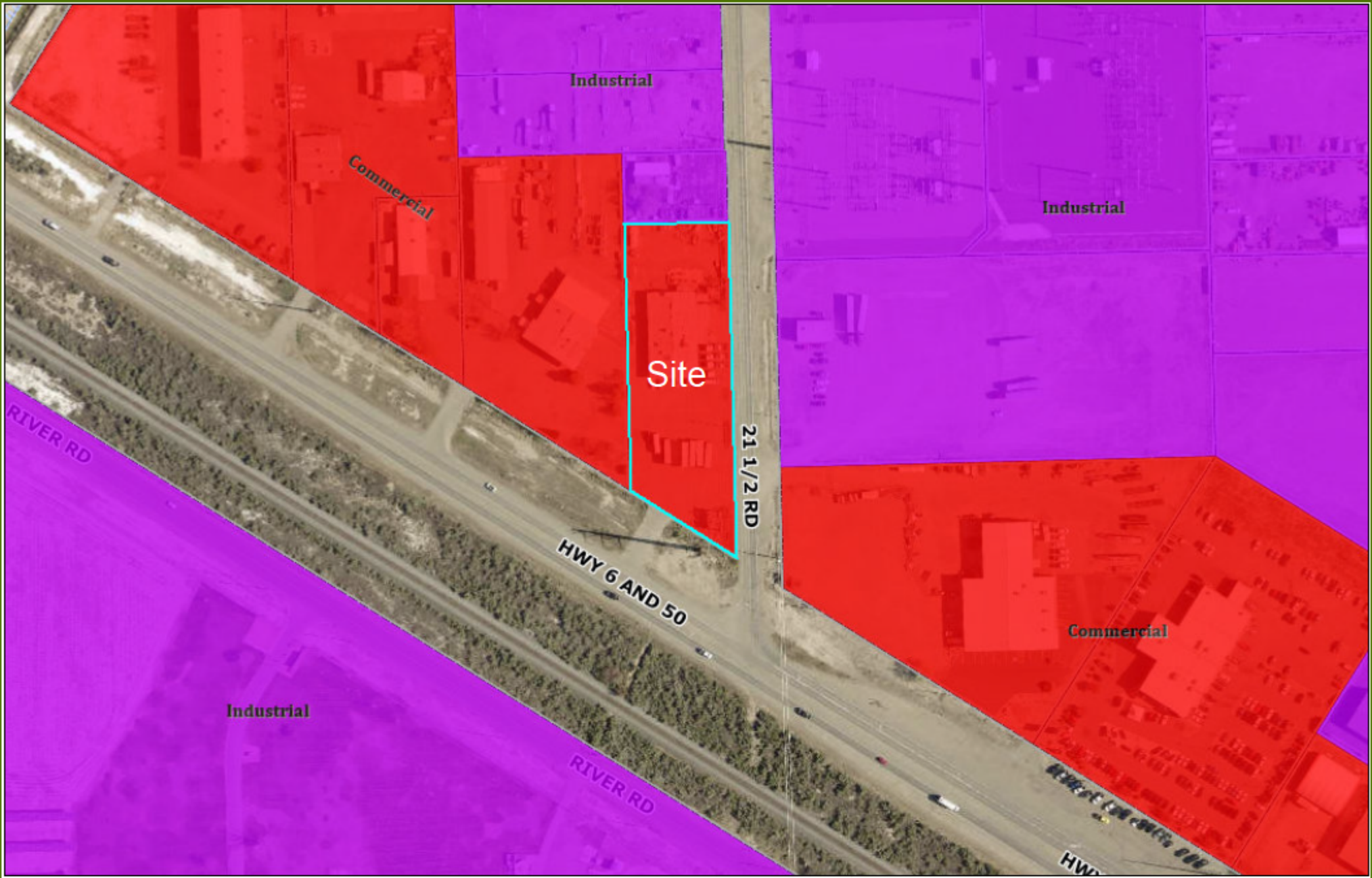
Patrick Morris
Corporate Real Estate Manager
DRT LLC
2200 Abbott Dr. Carter Lake, IA 51510
Phone: (402) 578-1164

CONFIDENTIALITY NOTICE: This email and any files are confidential and intended solely for the use of the individual or entity to whom they are addressed and may be privileged or otherwise protected. If you are not the intended recipient, any disclosure, copying, printing, or use of this information is prohibited. If you have received this email in error, please notify the sender immediately. ENTITY NOTICE: This company operates its businesses through and contracts services with various related entities. As such, neither the domain name, the signature block, or any other entity reference in this email shall imply such individual is working for the entity so identified. Rather, the actions, authorizations, or statements made in any such email shall only relate to the applicable entity to which the topic relates.

From: Grant Hoovestol <granth@lonemountaintruck.com>
Sent: Wednesday, July 7, 2021 2:50 PM
To: Patrick Morris <pmorris@drtsshared.com>
Subject: Property meeting

The attached came in the mail and was delivered to my desk today.

Comprehensive Plan Future Land Use Map

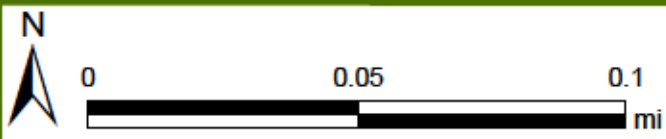


Printed: 8/23/2021

1 inch = 188 feet



Existing Zoning Map

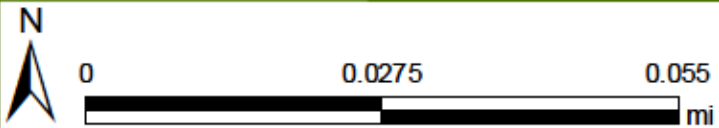


Printed: 8/23/2021

1 inch = 188 feet



Site Location Map

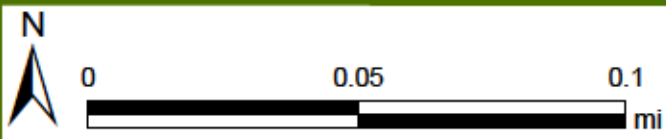


Printed: 8/23/2021

1 inch = 94 feet



Vicinity Map



Printed: 8/23/2021

1 inch = 188 feet



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING LOT 1, W.E.I. MINOR SUBDIVISION
2150 HWY 6 AND 50 (RCLR PROPERTY) FROM I-1 (LIGHT INDUSTRIAL) TO
C-2 (GENERAL COMMERCIAL)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code ("Code"), the Grand Junction Planning Commission recommended zoning the RCLR Property, Lot 1, W.E.I. Minor Subdivision, to the C-2 (General Commercial) zone district, finding that the zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-2 (General Commercial) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 1, W.E.I. Minor Subdivision shall be zoned C-2 (General Commercial).

Introduced on first reading this 14th day of September 2021 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application Digitally signed by Tom Logue
 Date: 2018.09.13 08:11:59 -06'00'

Date

Signature of Legal Property Owner

Date

GENERAL PROJECT REPORT
RLCR REZONE REQUEST APPLICATION
July, 2021

SITE LOCATION DATA

Address: 2150 Highway 6 and 50
Area: 1.52 acres
Tax Parcel No. 2997-362-11-001
Aliquot Section: NW ¼ Section 36, Township 1 North, Range 2 West, Ute P.M.
Latitude and Longitude: 39° 06' 58", -108° 39' 18"

LOCATION MAP



REQUEST -The accompanying documents and drawings depict the relationship of proposed Zone Change request to the property boundary, roadway access and adjacent properties. The proposal calls for rezoning the property from I-1, (Light Industrial) to C-2 (General Commercial) in accordance with Section 21.02.140, Code Amendments and Zone Change in the *City of Grand Junction Municipal Code. (GJMC)*.

According to the GJMC:

The purpose of the I-1, General Commercial zone district is to provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses.

The purpose of the C-2, Light Industrial zone district is to provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations.



FUTURE LAND USE PLAN – In 2021 the City adopted a Comprehensive Land Use Plan. The subject site is located within the Urban Development Boundary depicted by the plan. The plan designates the subject properties as: C “Commercial”. The existing I-1 land use zone classification is not in compliance with the Future Land Use designation for the subject property.



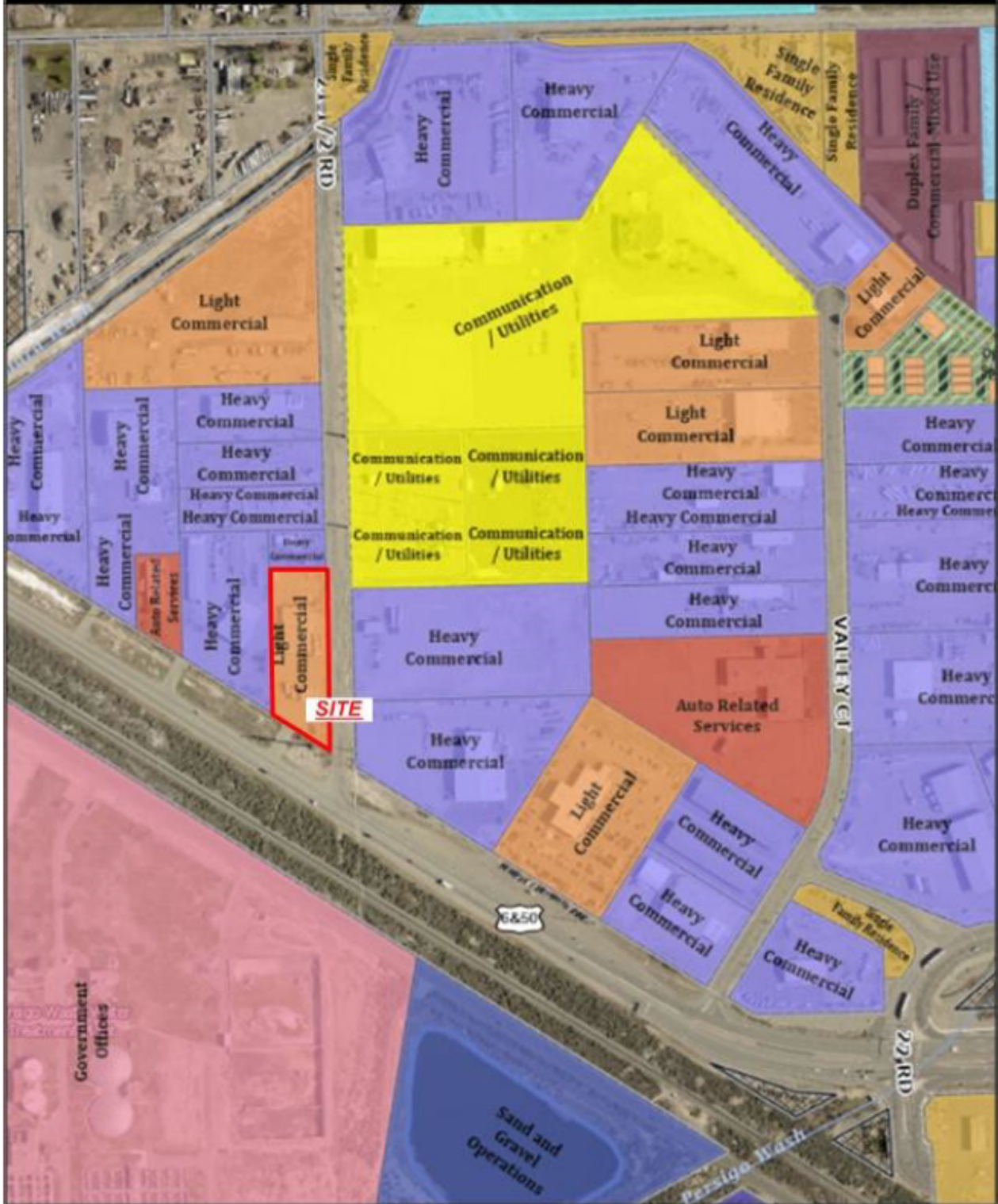
EXISTING LAND USE – The site under concern is a single subdivided parcel that is mainly rectangular in shape; approximately 400 feet in length north/south and 150 feet at its widest east/west point. An existing 8,320 square foot single level, pre-engineered steel building, dominates the property. Most of the land area outside of the building is for parking and outdoor storage. An Existing Land Use Map can be found on the following page. The map depicts the location of each existing land use in relationship to the property boundary, intensity of ground cover, and the location of nearby land uses.

EXISTING LAND USE MAP (2020 Air Photo)



SURROUNDING LAND USES – The surrounding land uses in the vicinity of the subject properties are considered to be “high” intensity. The prevalent land uses in the area Heavy Commercial uses on acreage sized parcels. An existing power station facility adjoins the sites northeast boundary. US Highway 6 and 50, a major connector between Grand Junction and Fruita along with the Union Pacific Railroad and River Road are adjacent to the subject sites southerly boundary line. Land uses in the vicinity of the subject property are depicted on the following Surrounding Land Use Map illustrating the configuration of various nearby land uses in relationship to the subject site.

SURROUNDING LAND USE MAP



EVALUATION OF REQUEST

Evaluation of the request is accomplished by using the approval criteria for Code Amendments and rezoning within Chapter the *Grand Junction Municipal Code*.

21.02.140 Code Amendments and Rezoning.

- (1) *Subsequent events have invalidated the original premises and findings;*
RESPONSE: The adoption of the Comprehensive Plan in April, 2021 designated the subject site as "Commercial".
- (2) *The character and/or condition of the area has changed such that the amendment is consistent with the Plan;*
RESPONSE: Most of the land adjoining the subject property along the north side of US Highway 6 and 50 is designated as Commercial in the Comprehensive Plan.
- (3) *Public and community facilities are adequate to serve the type and scope of land use proposed;*
RESPONSE: The following existing facilities, with available capacity, adjoin the subject property:
Streets/Roadways
Sanitary Sewer
Domestic Water and Fire Protection
Electric, Natural Gas, and Communication lines
Fire Protection is provided by the City of Grand Junction from Station No. 3 approximately 4.5 miles east of the site in a straight line distance. Commercial uses do not create any major impacts to Schools and Parks.
- (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;*
RESPONSE: No vacant land was identified within the boundary on the Surrounding Land Use Map.
- (5) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
RESPONSE: The commercial zone designation for the property offers a somewhat more extensive uses than the industrial designation. Such as retail sales, which almost non-existent in the surrounding area. The additional uses that the commercial zone designation includes will allow for the creation of new and expanded business opportunities for the subject property.

LEGAL DESCRIPTION
RLCR Rezone Application

Lot one, WEI Minor Subdivision, Grand Junction Mesa County Colorado.

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) RLCR, LLC. ("Entity") is the owner of the following property:

(b) Lot 1, WEI Minor Subdivision

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Manager for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

[Empty box for limited authority details]

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) RLCR Rezone Request

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) None

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Cyndi Rae Casebier

Printed name of person signing: Cyndi Rae Casebier

State of Colorado)

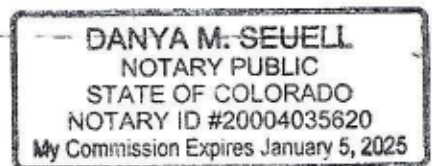
County of Mesa) ss.

Subscribed and sworn to before me on this 14th day of July, 2021

by Cyndi Rae Casebier, Manager RLCR, LLC.

Witness my hand and seal.

My Notary Commission expires on 01/05/2025



[Signature]
Notary Public Signature

After Recording Return to

QUIT CLAIM DEED

This Deed Made this 25th day of JANUARY 2017 between CRC INVESTMENTS Grantors of the County of MESA and State of COLORADO grantor(s), and RLCR, LLC Grantees as whose legal address is 2150 Highway 6+50 Grand Jct, CO 81505 of the County of MESA and State of CO, grantee(s),

WITNESSTH, that the grantor(s), for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00), The receipt and sufficiency of which is hereby confessed, acknowledged, has remised, released, sold and QUIT CLAIMED, and by these present does remise, release, sell and QUIT CLAIM unto the grantee(s), their heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) has in and to the real property, together with improvements, if any, situate, lying and being in the said Mesa, and State of Colorado described as follows:

LOT 1 OF W.E.I. MINOR SUBDIVISION, MESA COUNTY, COLORADO

also known as street and number: 2150 Hwy 6+50 GRAND JCT., CO 81505

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor(s), either in law or equity, to the only proper use, benefit and behoof of the grantee(s), their heirs and assigns forever.

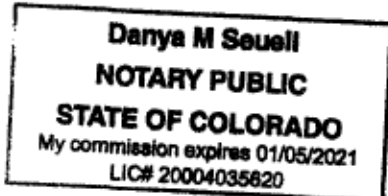
The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Signed this 25th day of JANUARY 2017. Cyndi R Casebier as Manager

STATE OF COLORADO } SS:
COUNTY OF MESA

The foregoing instrument was acknowledged before me this 25th day of January 2017 by Cyndi R Casebier as manager of CRC Investments



Witness my hand and official seal. [Signature] Notary Public: My commission expires: 01/05/2021



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: September 14, 2021

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a request by Winters Building, LLC to rezone a 4.91-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 1101 Winters Avenue. | [Staff Presentation](#) | **Phone-In Comments Dial 3820.**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, James R. McConnell, Member of Winters Building, LLC, is requesting the rezone of one 4.91-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 1101 Winters Avenue. The requested I-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Industrial.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one 4.91-acre parcel situated at 1101 Winters Avenue on the southwest corner of Winters Avenue and South 12th Street in the South Downtown area. The parcel is Lot 1 of the Winters Avenue Industrial Park subdivided in 1980 and is currently zoned I-2 (General Industrial). There is presently one building of approximately 59,116 square feet on the site that was constructed in 1972, with upgrades completed in the late 1990s and in 2010-2011. The property is surrounded by industrial uses that are all also zoned I-2.

In late 2020, the 2020 One Grand Junction Comprehensive Plan was adopted, which classified the subject property and adjacent properties to the north, south, and west with an Industrial land use classification. The 2010 Comprehensive Plan Future Land

Use Map also classified this area as Industrial. Implementing zone districts for the Industrial Land Use classification per the 2020 Plan include I-1 (Light Industrial), I-2 (General Industrial), C-2 (General Commercial), and I-O (Industrial Office/Park). As such, the Comprehensive Plan land use classification of Industrial does support the rezone request to I-1 (Light Industrial).

While there aren't significant differences between the I-1 and I-2 zone districts, the Applicant is proposing the rezone to I-1 to provide more flexibility of allowed uses for the site. As stated in the Applicant's General Project Report, some potential uses considered for the site include rental service, indoor/outdoor display and storage and general offices which are not allowed in the I-2 zone district. The proposed I-1 zoning would allow for these types of uses to be established in close proximity to and to complement industrial services.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held virtually on June 28, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were present. There were no members of the public in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign and mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 3, 2021. The notice of the Planning Commission public hearing was published on September 7, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

(1) Subsequent events have invalidated the original premises and findings; and/or

The Comprehensive Plan Land Use Map identifies the subject property as Industrial which is a similar designation that has historically been identified on the property. Both the Applicant's proposed zoning of I-1, as well as the existing zoning of I-2 implement the Land Use Designation of Industrial. The existing zoning of I-2 continues to be a valid zoning under the Comprehensive Plan, and staff has found no other subsequent events to have invalidated the original premise of the existing zoning.

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

As previously indicated, the subject site has existed in its current state with a single building for 39 years. There are still areas of vacant or underdeveloped land in the surrounding area, even though some development dates to early decades of the community in the 1920s and many developed during the late 1970s to early 1980s energy boom. Railroad sidings have served the area since at least the 1950s which certainly support the industrial character of businesses in South Downtown. As the Applicant suggests, there may be a growing need or desire for the buildings and sites in this area to be able to be used for a wider variety of uses than are presently allowed in the I-2 zone district. The I-1 zone district provide for a wider variety of uses that support and complement the strictly industrial uses. However, generally, the character and/or condition of the area has not changed. Therefore, staff finds that this criterion has not been met.

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

The subject property is within a long-established urban industrial area in South Downtown within the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the I-1 zone district. The type and scope of land-use allowed within the I-1 zone district is similar in character and extent to the existing land-use of many nearby properties, which include light and heavy industrial and commercial uses. The subject site is currently served by City Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). The Central Business District is located less than a mile to the northwest of the site. Additionally, multi-modal access to the site is sufficient, being within several blocks of primary pedestrian and bicycle routes (Active Transportation Corridors) on Riverside Parkway and 7th Street. In addition, the site is approximately $\frac{3}{4}$ mile from the Grand Valley Transit (GVT) central hub for access to routes across the Grand Valley. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that 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; and/or

There are not substantial differences between the I-1 and I-2 zone districts aside from the allowances of some uses. The I-1 zone district accounts for approximately 7.6% of City zoned land, whereas the I-2 zone district accounts for approximately 2.8% of City zoned land. In looking at the aerial photographs of this site over the past 5 years, the large building and site appear underutilized. Thus, staff believes that there may be better use of it in this area to be able to expand to the more diverse uses allowed within the I-1 zone district. As the Applicant has pointed out in the General Project Report, the Code definition for I-1 is a better fit for the site's current operations and facilities and is more accommodating for projected development that can better serve and complement industrial uses in the area that are creating a larger employment base as well as a larger variety of the type of businesses in the area. However, while there may be a need for more diversification of uses in this area of the community, City-wide there

is not an inadequate supply of suitably designated land to accommodate I-1 uses. Based on these considerations, staff finds that this criterion has not been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to commercial and employment centers. The Applicant has stated there is a strong need in the community for the services offered by the property as well as for industrial facilities which provide functional office and outdoor storage/display areas. The I-1 zone district would afford the property a wider variety of uses to support and complement industrial uses in the area that are becoming more diversified and are growing the employment base of the area. As such, staff finds this criterion has been met.

The rezone criteria provide that the City must also find the request is consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

Plan Principle 3.2.a. Underutilized Properties – Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Winters Building, LLC request, RZN-2021-492, rezoning Lot 1 of Winters Avenue Industrial Park and the abutting vacated right-of-way, a 4.91-acre parcel, from I-2 (General Industrial) to I-1 (Light Industrial) for the property located at 1101 Winters Avenue, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the Winters Building, LLC request from an I-2 (General Industrial) zone district to an I-1 (Light Industrial) zone district for Lot 1 of Winters Avenue Industrial Park and the abutting vacated right-of-way, a 4.91-acre property located at 1101 Winters Avenue, City file number RZN-2021-492, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Development Application
2. Site Maps and Photographs
3. Proposed Zoning Ordinance

Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

June 29, 2020

Ms. Senta Costello
Associate Planner
City of Grand Junction Planning Division
250 North 5th Street
Grand Junction, CO 81501

**Re: 1101 Winters Ave Rezone
Neighborhood Meeting Summary**

Dear Ms. Costello:

The purpose of this letter is to notify the City of Grand Junction Planning Department that a virtual neighborhood meeting was conducted on June 28, 2021, via Zoom, at 5:30 P.M., for the rezone of the property located at 1101 Winters Avenue in Grand Junction, Colorado. There were 2 participants in the meeting—Benjamin Fox and Senta Costello—neither of which were members of the public.

Listed below is a summary of the meeting items:

1. Ben Fox (an applicant representative from Austin Civil Group) presented an overview of the property's current zoning (I-2) and proposed zoning (I-1) and how it appeared to match well with the City of Grand Junction's Comprehensive Future Land Use Plan.
2. A slideshow was displayed to provide a clear, concise overview of the project location, and current vs proposed zoning.
3. Ben Fox and Senta Costello briefly discussed future development of the property, and Ben Fox stated that the client did not have any stated plans for altering the property, only that the I-1 zoning fit better with the current tenants.
4. There were no comments from the public, and no members of the public attended the meeting.
5. The meeting was closed at approximately 5:45 PM.

Sincerely,



Austin Civil Group, Inc.
Benjamin Fox, E.I.T., Staff Engineer

123 n. 7th street ■ suite 300 ■ grand junction, colorado 81501 ■ 970-242-7540 phone ■ 970-255-1212 fax

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below **only** for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

**General Project Report
for
1101 Winters Avenue Property Rezone**

Project Description (Location, Acreage, Proposed Use)

The purpose of this submittal is to obtain approval from the City of Grand Junction to rezone a 4.91-acre property located in the industrial district north of Riverside Parkway at 1101 Winters Avenue, Grand Junction, Colorado 81501. The location of the project site is depicted in the photo below:



Project Location

The property is owned by Winters Building, LLC and currently zoned General Industrial (I-2). The applicant requests the property be given a zoning designation of Light Industrial (I-1) to allow for future additional uses that I-2 does not permit such as rental service, indoor/outdoor display, storage, and general offices.

The property occupies the southwest corner of Winters Avenue and S 12th Street in an industrial area. Adjacent properties are zoned as I-2 with commercial or industrial uses. The location and proposed use are consistent with the City's 2020 One Grand Junction Comprehensive Plan.

Surrounding Land Uses and Zoning:

The following adjacent properties are zoning accordingly:

DIRECTION	ZONING	CURRENT LAND USE
North:	I-2	Industrial/Commercial
South:	I-2	Industrial
East:	I-2	Commercial
West	I-2	Industrial

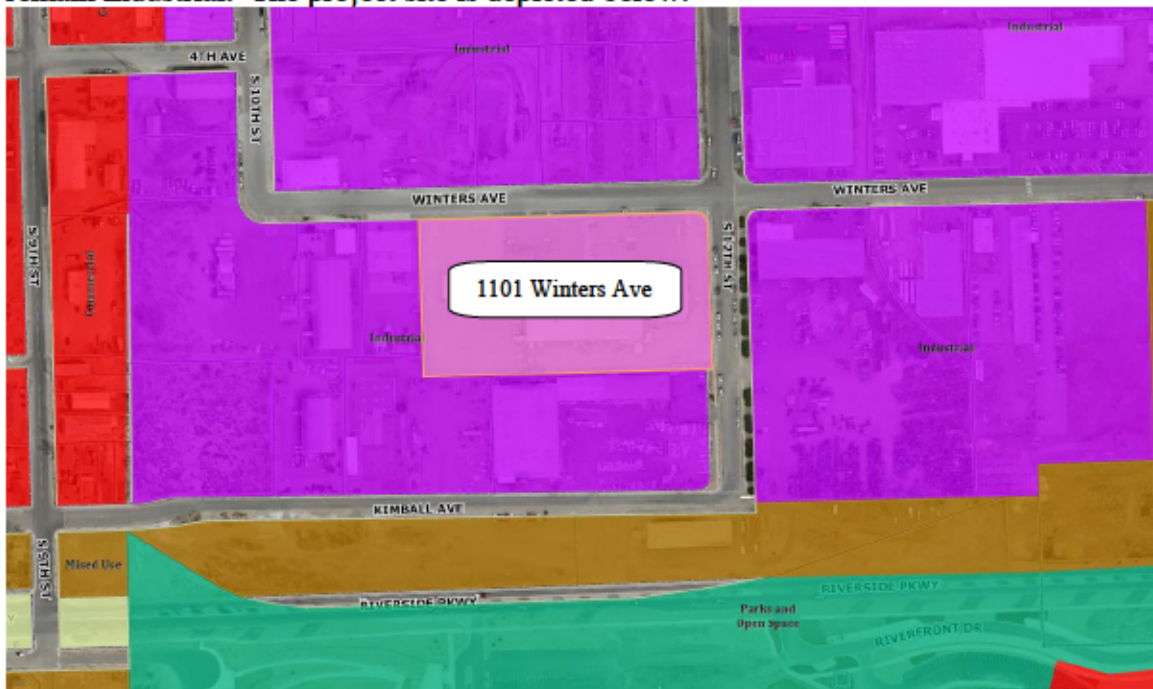
General Project Report for 1101 Winters Avenue Property Rezone

The City of Grand Junction zoning surrounding this parcel is listed below:



Current City of Grand Junction Zoning

The City's Growth Plan map calls for this property and all surrounding properties to remain Industrial. The project site is depicted below:



2020 Comprehensive Plan

**General Project Report
for
1101 Winters Avenue Property Rezone**

Site Access:

Access to the site remains unchanged from Winters Avenue on the north side of the parcel and from S 12th Street to the east.

Utilities:

There are no changes to existing utilities needed for this project.

21.02.140 Code Amendment and Rezoning

In order to maintain internal consistency between code and zoning maps, map amendments must only occur if:

1. **Subsequent events have invalidated the original premise and findings; and/or**
Response: The current code definition for I-2 is not fully adequate for the type of operation and existing facilities on this site. In order to meet the local demand for rental service, indoor/outdoor display and storage, and general offices in proximity to industrial services a rezone to I-1 appears appropriate.

2. **The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or**
Response: The City of Grand Junction/Mesa County Future Land Use Maps indicate a site zoning of Industrial. The applicant's request to rezone the property to I-1 is consistent with the City's 2020 One Grand Junction Comprehensive Plan.

3. **Public and community facilities are adequate to serve the type and scope of land use proposed; and/or**
Response: The rezone request will not modify or change any of the current public or community facilities needed to serve the property in question.

4. **An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or**
Response: The code definition for I-1 remains a better fit for the site's current operations and facilities, as well as being more accommodating for projected development. A rezone to I-1 remains consistent with the property's current use and with the City's 2020 Comprehensive Plan.

5. **The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.**
Response: There is a strong need in the local community for the services offered by the property, as well as for industrial facilities which provide functional office and outdoor storage/display areas. The proposed rezone of the property in question remains consistent with the City's 2020 One Grand Junction Comprehensive Plan because it allows for ongoing, balanced growth in industrial areas.

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Winters Building, LLC ("Entity") is the owner of the following property:

(b) Lot 1, WINTERS AVENUE INDUSTRIAL PARK, also known by street address as: 1101 Winters Avenue, Grand Junction, Colorado 81504 and assessor's parcel number 2015 004 40 000

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Representative for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

- My legal authority to bind the Entity both financially and concerning this property is unlimited.
- My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

[Empty box for limited authority details]

- The Entity is the sole owner of the property.
- The Entity owns the property with other(s). The other owners of the property are:

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) 1101 Winters Avenue Rezone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) none

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: *James R. McConnell*

Printed name of person signing: JAMES R. McCONNELL

State of Colorado)

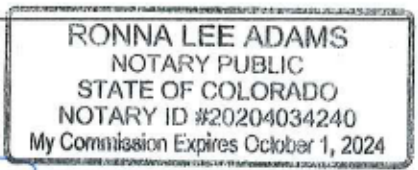
County of Mesa) ss.

Subscribed and sworn to before me on this 16th day of June, 20 21

by James McConnell

Witness my hand and seal.

My Notary Commission expires on 10/1/2021



Ronna Lee Adams
Notary Public Signature

Instructions

An ownership statement must be provided for each and every owner of the property.

- (a) Insert complete name of owner as it appears on deed by which it took title. If true name differs from that on the deed, please provide explanation by separate document
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries do not match those on the plat, provide an explanation.
- (c) Insert title/capacity within the Entity of person who is signing.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Insert name of all other owners, if applicable.
- (f) Insert the type of development application request(s) that has/have been made. Include all pending development applications affecting the property.
- (g) Explain the conflict and/or possible conflict and describe the information and/or evidence available concerning the conflict and/or possible conflict. Attach copies of written evidence.

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:

Winters Building, LLC

and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: Limited Liability Company

The entity is formed under the laws of the State of Colorado

The mailing address for the entity is: 640 Round Hill Dr, Grand Junction, CO 81506

The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

JAMES R. McCONNELL, SOLE MEMBER & MANAGER

The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

NOT LIMITED

Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 16th day of June, 2021

James R McConnell

Signature (Type or Print Name Below)

James R McConnell

STATE OF COLORADO)
)ss.
COUNTY OF Mesa)

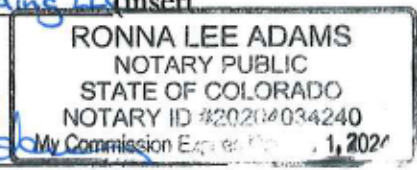
The foregoing instrument was acknowledged before me this 16th day of June, 2021, by James McConnell (insert name of individual) as _____ (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for Winters Building LLC (insert name of corporation or LLC).

Witness my hand and official seal,

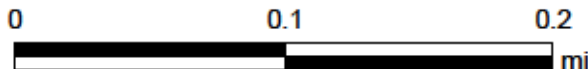
My commissioner expires: 10/1/2021

Ronna Lee Adams

Notary Public



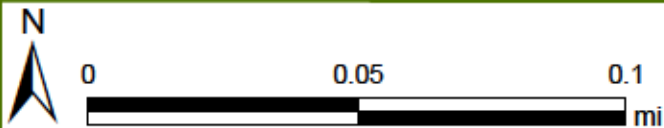
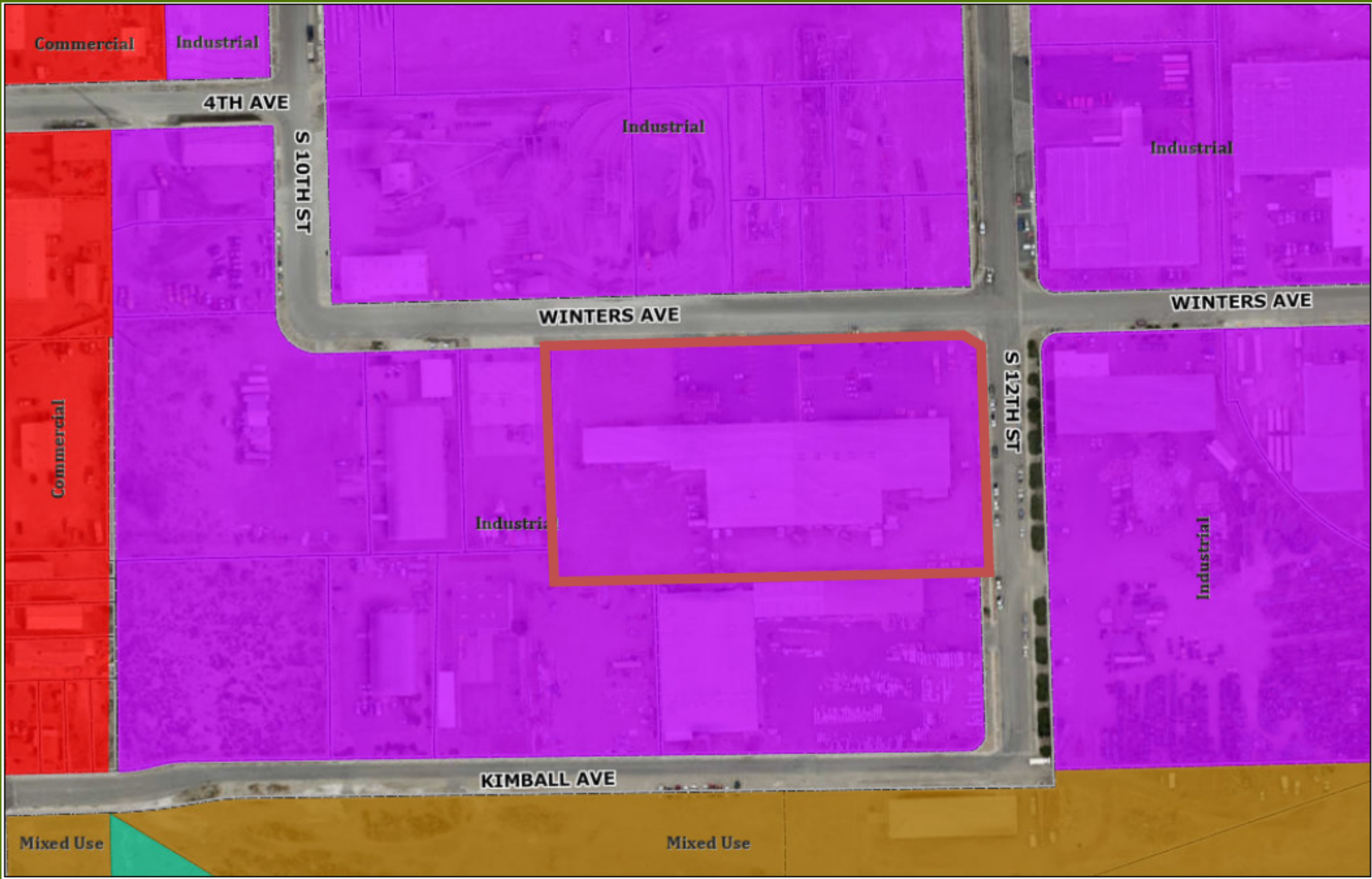
1101 Winters Avenue Vicinity Map



Printed: 9/1/2021

1 inch = 376 feet

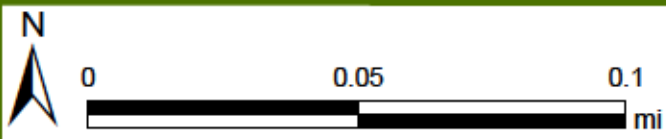
1101 Winters Avenue Future Land Use Map



Printed: 9/1/2021

1 inch = 188 feet

1101 Winters Avenue Zoning Map



Printed: 9/1/2021

1 inch = 188 feet





1101 Winters Avenue – North-Facing Façade Existing Building



1101 Winters Avenue – Site Viewed from Northeast Corner of Property



1101 Winters Avenue – Site Viewed from Northwest Corner of Property



1101 Winters Avenue – Site Viewed from Southeast Corner of Property

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE REZONING LOT 1 WINTERS AVENUE INDUSTRIAL PARK AS RECORDED AT RECEPTION NUMBER 1235164 AND VACATED RIGHT OF WAY AT RECEPTION NUMBER 2550412, A ONE 4.91-ACRE PARCEL FROM I-2 (GENERAL INDUSTRIAL) TO I-1 (LIGHT INDUSTRIAL) LOCATED AT 1101 WINTERS AVENUE

Recitals:

Winters Building, LLC (Owner) owns the 4.91-acre parcel located at 1101 Winters Avenue (referred to herein and more fully described below as the "Property"). The Property is designated on the Comprehensive Plan Land Use Map as a Industrial. The Owner requests that the property be rezoned from I-2 (General Industrial) to I-1 (Light Industrial).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Property to the I-1 (Light Industrial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Land Use designation of Industrial, the Comprehensive Plan's goals and policies, and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the I-1 (Light Industrial) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned I-1 (Light Industrial):

LOT 1 WINTERS AVENUE INDUSTRIAL PARK AS RECORDED AT RECEPTION NUMBER 1235164 AND VACATED RIGHT OF WAY AT RECEPTION NUMBER 2550412, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this ____ day of October, 2021 and ordered published in pamphlet form.

Adopted on second reading this ____ day of October, 2021 and ordered published in pamphlet form.

ATTEST:

Wanda Winkelmann
City Clerk

C.B. McDaniel
President of City Council/Mayor