



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

TUESDAY, DECEMBER 10, 2013, 6:00 PM

Call to Order

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

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

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

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

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

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes from the November 12, 2013 regular meeting.

2. Text amendment to 21.02.070(a)(8)(i) - Zoning Code Amendment

[Attach 2](#)

Forward a recommendation to City Council of an amendment to Section 21.02.070(a)(8)(i) of the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code, to extend the validity of the minor and major site plan approval from one year to two years.

FILE #: ZCA-2013-469
APPLICANT: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

3. WDM Interim Modular Special Permit - Special Permit

[Attach 3](#)

Forward a recommendation to City Council for a Special Permit on 13.543 acres in an M-U (Mixed Use) zone district for a single residential unit.

FILE #: SPT-2013-506
APPLICANT: WDM Corp
LOCATION: 2385 G Road
STAFF: Senta Costello

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

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

Public Hearing Items

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

4. None

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
November 12, 2013 MINUTES
6:00 p.m. to 6:05 p.m.**

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Reece. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

In attendance, representing the City Planning Commission, were Christian Reece (Chairman), Ebe Eslami (Vice-Chairman), Loren Couch, Kathy Deppe, Steve Tolle and Cody Wagner. Commissioner Bill Wade was absent.

In attendance, representing the City's Administration Department - Planning Division, was Lisa Cox (Planning Manager).

Also present was Jamie Beard (Assistant City Attorney).

Darcy Austin was present to record the minutes.

There was 1 citizen present during the course of the hearing.

Announcements, Presentations And/or Visitors

Lisa Cox, Planning Manager, announced that Kathy Deppe had been appointed by City Council to the Planning Commission for a four year term to fill the vacant position of former Commissioner Reggie Wall who was term limited in October, 2013. First Alternate Cody Wagner was sitting in place of Commissioner Buschhorn for the Planning Commission meeting. This was the first Planning Commission meeting for both Commissioners Deppe and Wagner.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes from the October 8, 2013 regular meeting.

MOTION: Commissioner Tolle "I move that we approve the Consent Agenda as read."

Commissioner Couch seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

General Discussion/Other Business

Lisa Cox reminded the Planning Commission that there would not be a second meeting in November.

Chairman Reece stated that in honor of Veterans Day, she wanted to acknowledge Commissioner Tolle, Wade and Couch for their military service. She presented Commissioners Tolle and Couch with a pin recognizing their service. Commissioner Wade was absent and not able to receive his pin.

Nonscheduled Citizens and/or Visitors

None

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:05 p.m.

Attach 2
Zoning Code Text Amendment

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: December 10, 2013
PRESENTER: Lisa Cox, AICP

AGENDA TOPIC: Zoning Code Text Amendment - ZCA-2013-469

ACTION REQUESTED: Forward a recommendation to City Council to amend Section 21.02.070(a)(8)(i), Validity, of the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code, to extend the validity of the minor and major site plan approval from one year to two years.

RECOMMENDATION: Recommend approval

BACKGROUND:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code (GJMC). City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code.

The proposed amendment to Section 21.02.070(a)(8)(i) extends the validity of the minor and major site plan approval from one year to two years. This change will help accommodate the increasing demand for more flexibility for developers to secure financing on “spec” projects and/or to market approved projects.

Site plan approval for minor and major site plans is currently one year. The Director may extend the approval for another 180 days, effectively giving the applicant 1-1/2 years to obtain a planning clearance for construction of a building or structure. Even with the current flexibility of the Zoning Code, developers are still experiencing difficulties securing financing for their projects or buyers who can obtain financing.

The proposed amendment will enhance the responsiveness of the Zoning Code to the concerns of citizens and the development community by providing more flexibility for the entitlement of site plans.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

Policy 5A: In making land use and development decisions, the City and County will balance the needs of the community.

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

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

Policy 12A: Through the Comprehensive Plan's policies the City and County will improve as a regional center of commerce, culture and tourism.

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by providing more flexibility with the entitlement of site plans thereby providing a developer more time to secure financing or a buyer for a specific project. There is a greater likelihood that projects will be financed and constructed with a longer entitlement.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing ZCA-2013-469, Amendment to the Zoning and Development Code (Title 21 of the GJMC), to extend the validity of the minor and major site plan approval from one year to two years, the following findings of fact and conclusions have been determined:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the proposed amendment to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on file ZCA-2013-469, Amendment to Section 21.02.070(a)(8)(i), Validity, of the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code, to extend the validity of the minor and major site plan approval from one year to two years, I move that the Planning Commission forward a recommendation of approval of the proposed amendment with the findings, facts and conclusions listed in the staff report.

Attachments:
Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 21.02.070(a)(8)(i), VALIDITY, OF THE GRAND JUNCTION MUNICIPAL CODE TO EXTEND THE VALIDITY OF THE MINOR AND MAJOR SITE PLAN APPROVAL FROM ONE YEAR TO TWO YEARS

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances. The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

The proposed amendment to Section 21.02.070(a)(8)(i) extends the validity of the minor and major site plan approval from one year to two years. This change will help accommodate the increasing demand for more flexibility for developers to secure financing on "spec" projects and/or to market approved projects.

Site plan approval for minor and major site plans is currently one year. The Director may extend the approval for another 180 days, effectively giving the applicant 1-1/2 years to obtain a planning clearance for construction of a building or structure. Even with the current flexibility of the Zoning Code, developers are still experiencing difficulties securing financing for their projects or buyers who can obtain financing.

The proposed amendment will enhance the responsiveness of the Zoning Code to the concerns of citizens and the development community by providing more flexibility for the entitlement of site plans.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that the amendment to extend the validity of the minor and major site plan approval from one year to two years will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

Section 21.02.070(a)(8)(i) is amended as follows (deletions shown by strikethrough, additions are underlined):

(i) Administrative permits shall expire after the issue date according to the following table:

Permit Type	Expiration
Administrative Permits (except below)	One year
Planning Clearance and Building Permit	180 days
Fence Permit	180 days
Home Occupations	n/a
Preliminary Subdivision	Two years
Final Plat (unrecorded)	Two years
<u>Minor and Major Site Plans</u>	<u>Two years</u>

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

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

ATTEST:

President of the Council

City Clerk

Section 21.02.070(a)(8)(i) [clean text]

(i) Administrative permits shall expire after the issue date according to the following table:

Permit Type	Expiration
Administrative Permits (except below)	One year
Planning Clearance and Building Permit	180 days
Fence Permit	180 days
Home Occupations	n/a
Preliminary Subdivision	Two years
Final Plat (unrecorded)	Two years
Minor and Major Site Plans	Two years

**Attach 3
WDM Interim Modular Special Permit**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: December 10, 2013
PRESENTER: Senta Costello

AGENDA TOPIC: WDM Interim Modular Residential Unit Special Permit – SPT-2013-506

ACTION REQUESTED: Forward a recommendation to City Council for a Special Permit for WDM Corporation

BACKGROUND INFORMATION			
Location:		2385 G Road	
Applicants/Representative:		Applicant: WDM Corporation Representative: Lois Dunn	
Existing Land Use:		Vacant	
Proposed Land Use:		Modular residential Unit	
Surrounding Land Use:	North	Vacant commercial	
	South	Vacant commercial	
	East	Vacant commercial/Agriculture	
	West	Commercial/Industrial laydown yard	
Existing Zoning:		M-U (Mixed Use)	
Proposed Zoning:		M-U (Mixed Use)	
Surrounding Zoning:	North	M-U (Mixed Use)	
	South	M-U (Mixed Use)	
	East	M-U (Mixed Use)	
	West	M-U (Mixed Use)	
Future Land Use Designation:		Village Center / Commercial/Industrial	
Zoning within intensity range?		Yes	<input checked="" type="checkbox"/> No

PROJECT DESCRIPTION: Request for a recommendation of approval to City Council of a special permit to allow the interim use of the property for a modular residential unit, in accordance with Section 21.02.120 of the Grand Junction Municipal Code.

RECOMMENDATION: Recommendation of Approval of the Special Permit

ANALYSIS:

Background

The subject property consists of 13.543 acres and has historically had two single family homes on it. Both homes were demolished in the late 1980's to early 1990's. The property was annexed as part of the Northwest Enclave in 1995.

The property is located along the western border of the Village Center in the 24 Road Corridor, an area within the City of Grand Junction that is in its development infancy. Many of the properties in the area are vacant, large acreage commercial and commercial/industrial properties. The businesses in the area consist of many commercial/industrial businesses with minimal on site employees. These conditions limit the number of people in the area to consistently observe the properties and what is happening on or near them.

The owner has had issues on the property with unauthorized camping, vandalism and dumping of trash. Single family residential is not an allowed use in the M-U zone district or in conformance with the Village Center Future Land Use designation. The owner is asking for a Special Permit to allow for a modular residential unit to be placed on the property as an interim use in order increase security for the property. As discussed below, Staff supports the issuance of a special permit for this specific interim use.

The Zoning and Development Code allows a special permit for interim uses. Staff determined that a module residential unit on this property for security and maintenance purposes as described in this staff report is an appropriate interim use for the property and that a special permit would be appropriate for this project under the conditions described in this report.

Special Permit:

The special permit (GJMC Section 21.02.120) is a City Council discretionary review process that was added to the 2010 Zoning and Development Code to add flexibility when considering a land use that may be less than permanent or temporary in nature. A special permit may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special permit is required only when more flexibility is required beyond that afforded to the Director of Public Works and Planning through the administrative adjustment process. A special permit is allowed in all zone districts for a development that is proposed as an interim use established with a minimal investment and with a development design that can be easily redeveloped as envisioned by the Comprehensive Plan (Section 21.02.120(b)(2)(ii).)

Staff considers the proposed use of the property as an appropriate interim use and recommends approval for the following reasons:

- The property is on the western edge of the Village Center within 24 Road Corridor; an area within the City which is in its infancy of development. Many of the sites in the area are vacant, large acreage parcels. This limits the number of people in the area that may notice something inappropriate and/or illegal that may be occurring. The property owner has had issues with unauthorized camping/living on the property, vandalism, trash dumping etc. on the property. Having someone living on the property until the site is developed with a commercial use will aide in minimizing the problems that have been occurring on the property; improving the overall safety in the neighborhood.
- Because the special permit proposed does not authorize permanent construction of any buildings or structures making redevelopment into a commercial use that meets the full requirements of the Code when the market conditions are appropriate.
- There is an existing foundation on the property and the owner shall place the modular on the existing foundation, minimizing necessary improvements to the site.

The proposed special permit is valid only for a modular residential use and accessory structures and uses (as those terms are specifically defined in the permit). The special permit would terminate if residential use (by non-use) for six months or longer or if the property is redeveloped into any other use.

Consistency with the Comprehensive Plan:

The site is currently zoned M-U (Mixed Use) with the Comprehensive Plan Future Land Use Map identifying this area as Village Center / Commercial/Industrial. Approval of the Special Permit would promote the following goals of the Comprehensive Plan.

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

The interim use of the property of a modular residential unit is consistent with this goal, with minimal improvements to the site; it will allow the land to be redeveloped for future commercial businesses when the market is ripe.

Section 21.02.120 of the Grand Junction Zoning and Development Code – Special Permit:

To obtain a special permit, the Applicant must demonstrate compliance with the following criteria:

- (1) *Comprehensive Plan. The Special Permit shall further the goals and policies of the Comprehensive Plan. The Special Permit shall serve to determine the location and character of site(s) in a Neighborhood Center, Village Center, City Center (which includes Downtown) or Mixed Use*

Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan;

The proposed Special Permit furthers Goal 6 of the Comprehensive Plan by allowing the interim use of the property for a modular residential unit without substantial site improvements which leaves the land available to be redeveloped with full site upgrades when the market is ripe.

(2) Site Plan Review Standards. All applicable site plan review criteria in GJMC 21.02.070 (g) and Submittal Standards for Improvements and Development (GJMC Title 22), Transportation Engineering Design Standards (GJMC Title 24), and Stormwater Management Manuals(s) (GJMC Title 26);

Site plan review standards do not apply to the erection of a modular single family residence on this site. The applicant has submitted a site plan showing the structure will meet the bulk standards of the M-U zone district.

(3) District Standards. The underlying zoning district standards established in Chapter 21.03 GJMC, except as expressly modified by the proposed Special Permit;

The proposed placement of the modular residential unit meets all bulk standards of the M-U zone district. Any buildings proposed in the future will be required to meet the M-U bulk standards.

(4) Specific Standards. The use-specific standards established in Chapter 21.04 GJMC.

GJMC 21.04.030(m) – Manufactured Home requires the home be a HUD approved modular home, located on a permanent foundation and meet the bulk standards of the zone district the home is to be located in. The proposed home is HUD approved and will be using the foundation the previous home was located on. The Universal Building Code provides the standards for a modular home foundation. The Mesa County Building Department will be inspecting the home and foundation to insure conformance with the required standards. The home placement and dimensions meets the required bulk standards for the M-U zone district.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the WDM Corporation Special Permit application, SPT-2013-506 for a special permit, I make the following findings of fact, conclusions and conditions of approval:

1. The requested modular residential unit use as proposed on the attached site plan is consistent with the Comprehensive Plan as an interim use with the approval of the attached special permit with the conditions stated therein.
2. The review criteria in Section 21.02.120 of the Zoning and Development Code for a special permit have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval to City Council of the requested Special Permit, SPT-2013-506 with the findings, conclusions and conditions of approval as defined in the Staff Report and in the Special Permit.

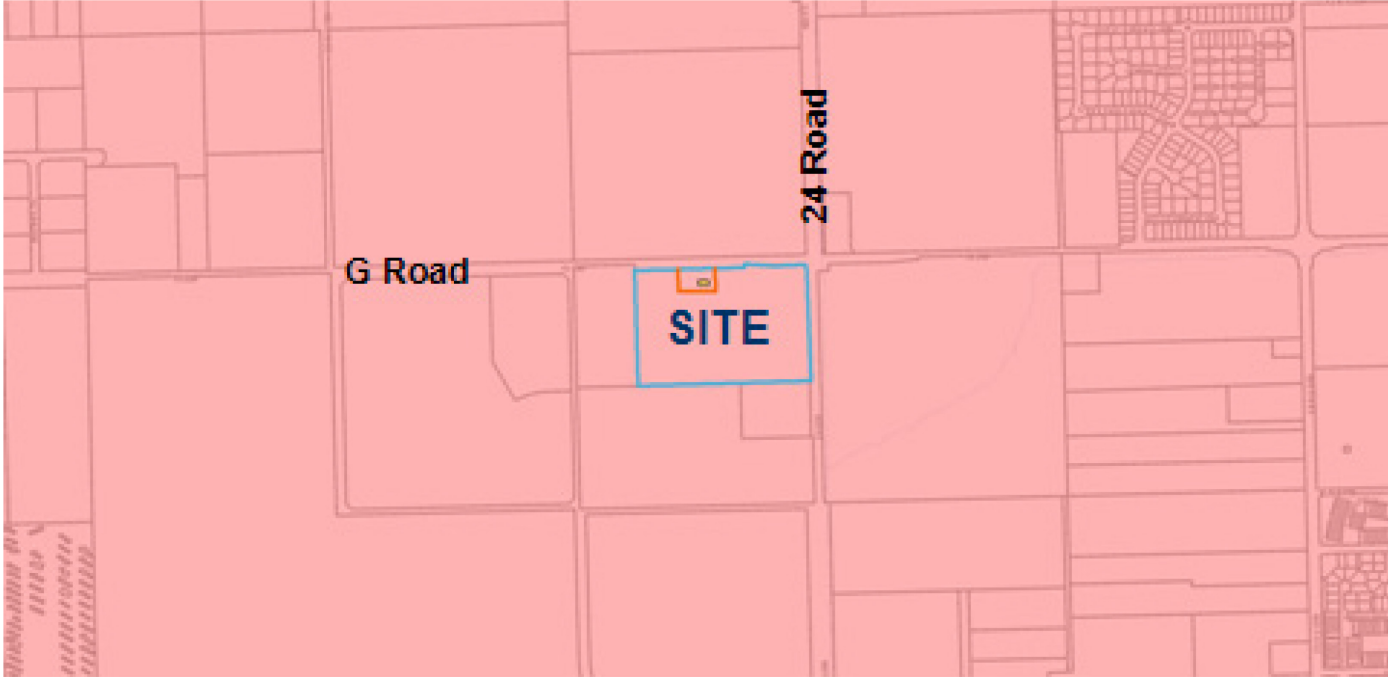
RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on the request for a Special Permit for WDM Corporation, application number SPT-2013-506, located at 2385 G Road, I move that the Planning Commission approve the Special Permit with the facts, conclusions and conditions of approval as identified in the Staff Report and Special Permit.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing Zoning Map
Site Plan
Proposed Special Permit

Site Location Map



Aerial Photo Map



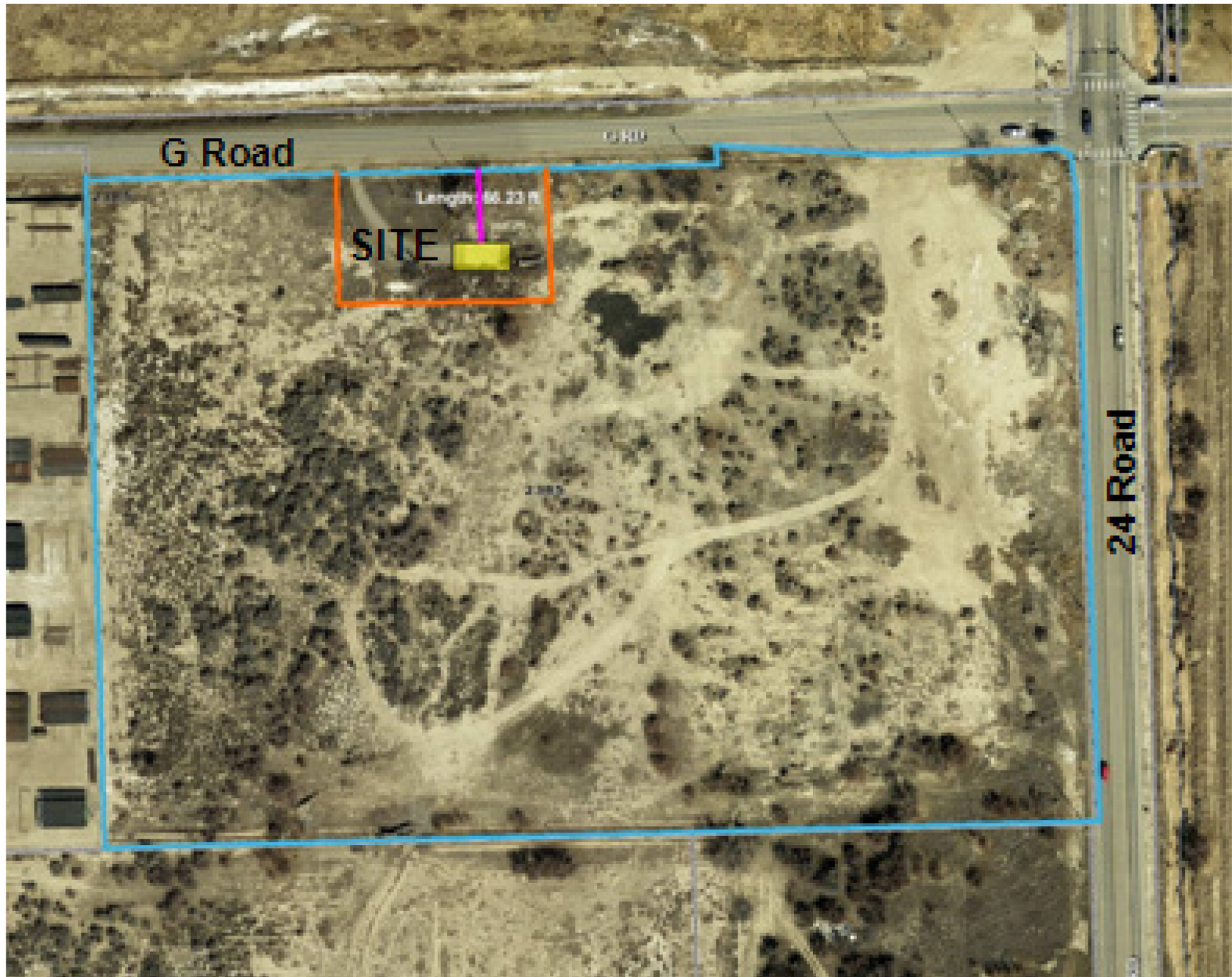
Comprehensive Plan Future Land Use Map



Existing Zoning Map



Site Map



CITY OF GRAND JUNCTION, COLORADO

SPECIAL PERMIT

**PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE
(ZONING AND DEVELOPMENT CODE) FOR AN INTERIM USE ON PROPERTY
LOCATED AT 2385 G ROAD IN GRAND JUNCTION, COLORADO**

Findings:

An application for a special permit has been reviewed by staff in accordance with the Zoning and Development Code (Code). Applicant WDM Corporation is the owner of the property located at 2385 G Road in Grand Junction Colorado.

The applicant is requesting approval to use the property on an interim basis as a residence, placing a modular residential unit on an existing foundation on the property, primarily to provide some security to the property in the interim period while the more permanent development of the property, consistent with the Comprehensive Plan, is being considered.

The property is zoned M-U, which does not permit the proposed use of single family residential. The landowner has submitted a site plan showing the proposed structure will meet the bulk requirements of the M-U zone district. A special permit provides flexibility when considering a land use that may be less than permanent or temporary in nature, and may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special permit is required only when more flexibility is required beyond that afforded to the Director of Public Works and Planning through the administrative adjustment process.

The Special Permit allows use as particularly described herein, subject to the stated conditions, while adequately providing for future redevelopment of the property in accordance with the applicable zoning and the Comprehensive Plan. In approving the Special Permit, the City Council has considered the approval criteria for a Special Permit as set forth in the Staff Report. The findings and conclusions in the Staff Report support the issuance of this Special Permit.

Approval of the Special Permit promotes the following goals of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

The proposed Special Permit furthers Goal 6 of the Comprehensive Plan by allowing the interim use of the property for a modular residential unit without substantial site improvements while keeping the potential for the land to be redeveloped for future commercial businesses with more permanent site features such as landscaping, irrigation, structures and screening, where required, when the market is ripe.

The Special Permit furthers the goals and policies of the Comprehensive Plan.

The Permit complies with the underlying zoning district standards for M-U established in Chapter 21.03 of the Code. It satisfies the review criteria found in Section 21.02.120(c) including compliance with use-specific standards established in Chapter 21.04.

NOW THEREFORE, BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT A SPECIAL PERMIT IS APPROVED, PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE), ALLOWING THE FOLLOWING USES ON THE PROPERTY DESCRIBED BELOW WITH THE FOLLOWING CONDITIONS, WITH THE ABOVE FINDINGS BEING AN INTEGRAL PART HEREOF:

1) The site is described as follows:

BEG S 89DEG56'18SEC E 330.01FT FR NW COR OF N2NE4NE4 SEC 5 1S 1W S 89DEG56'18SEC E 593.99FT S 0DEG04'59SEC W 659.97FT N 89DEG55'26SEC W 593.99FT N 0DEG04'59SEC E 659.82FT TO POB EXC N 30FT FOR RD ROW & E 6 ACRES OF NE4NE4NE4 SEC 5 1S 1W EXC ROW ON N

Also known as 2385 G Road. The area governed by this Special Permit includes the entire area of the lot and shall be referred to herein as the Site. The area allowed for improvements is outlined on the Site Plan in orange.

2) Use of the Site is limited to a modular residential unit and accessory uses/structures as allowed in GJMC 21.04.040 with the exception that accessory dwelling units and animals other than those categorized as "Household Pets" are not permitted.

3) One principle residential modular unit shall be constructed or installed on the Site. Accessory buildings are allowed following the standards of the M-U zone district, but shall not be constructed on a permanent foundation.

4) The residential unit shall be connected to water and sanitary sewer services. Use of a new or existing septic system is not permitted.

5) Uses not specifically described herein, regardless of type or classification and regardless of whether such uses appear as "allowed" uses in the zone/use table of the City's Zoning and Development Code, are prohibited on this site during the term of this Special Permit, unless the Director determines that such a use is accessory to and reasonably incidental and necessary for the specified uses, in which case the Director shall so specify in writing.

6) Historical drainage patterns shall be maintained on the Site.

7) Access and site circulation shall be in accordance with the approved Site Plan.

8) This Special Permit runs with the land but is valid only for the specific use as described herein. The Special Permit shall terminate if the residential use ceases (by non-use) for six months or longer or if the property is redeveloped into any other use.

9) The failure of this permit to specify other applicable local, state or federal laws or regulations shall not be construed to affect the enforcement thereof. A violation of such applicable laws or regulations may constitute a basis for revocation of the Special Permit, in addition to and not in lieu of any other appropriate remedies or penalties.

10) The Director may administratively approve minor changes to the Site Plan and this Permit, if he determines that the intent of this Special Permit is maintained, the operational needs of the applicant will be benefitted, and no injury to the public will ensue.

Passed and adopted this _____ day of _____, 2013.

ATTEST:

President of City Council

City Clerk

Site Map

