



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

**TUESDAY, JUNE 10, 2014, 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 May 13, 2014 regular meeting.

**2. GSI Annexation - Zone of Annexation**

**[Attach 2](#)**

Forward a recommendation to City Council to zone 0.707 acres from County I-1 (Limited Industrial) to a City C-2 (General Commercial) zone district.

**FILE #:** ANX-2014-170

**APPLICANT:** Eric Kraai - Kraai Design Inc

**LOCATION:** 543 31 Road

**STAFF:** Brian Rusche

**3. GSI Rezone - Rezone**[Attach 3](#)

Forward a recommendation to City Council to rezone 0.728 acres from a City C-1 (Light Commercial) to a City C-2 (General Commercial) zone district.

**FILE #:** RZN-2014-171  
**APPLICANT:** Eric Kraai - Kraai Design Inc  
**LOCATION:** 543 31 Road  
**STAFF:** Brian Rusche

**4. Maverik Convenience Store Vacation- Vacation**[Attach 4](#)

Forward a recommendation to City Council to vacate a 15' public utility easement, located at 2696 Highway 50 which is no longer needed

**FILE #:** VAC-2014-200  
**APPLICANT:** Paul Heywood - Maverik Inc  
**LOCATION:** 2696 Highway 50  
**STAFF:** Scott Peterson

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

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

**Public Hearing Items**

*On the following items 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.*

**General Discussion/Other Business**

**Election of officers**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1  
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION  
May 13, 2014 MINUTES  
6:00 p.m. to 6:05 p.m.**

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

In attendance representing the City Planning Commission were Ebe Eslami (Vice Chairman), Jon Buschhorn, Loren Couch, Kathy Deppe, Keith Ehlers, Steve Tolle and Cody Wagner. Christian Reese (Chairman) and Bill Wade were absent.

In attendance, representing the City's Administration Department - Planning Division, were Lisa Cox (Planning Manager), and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were four citizens in attendance during the course of the hearing.

**Announcements, Presentations And/or Visitors**

Lisa Cox, Planning Manager, stated that there would not be a second Planning Commission meeting held in May. The next workshop was scheduled for Thursday, June 5<sup>th</sup> and the next Planning Commission meeting was scheduled for Tuesday, June 10<sup>th</sup>.

**Consent Agenda**

**1. Minutes of Previous Meetings**

Approve the minutes from the March 25 and April 8, 2014 regular meetings.

**2. Bella Dimora - Planned Development**

Forward a recommendation to City Council of an Outline Development Plan to develop 108 residential properties that contains a mix of single-family detached/attached units and 4-plex townhomes on 13.9 acres in an existing PD (Planned Development) zone district.

**FILE #:** PLD-2013-455

**APPLICANT:** Ron Abeloe - Legends Partners LLC

**LOCATION:** 598 Sinatra Way and 2850 Grand Falls Drive

**STAFF:** Scott Peterson

Vice Chairman Eslami briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing.

Vice Chairman Eslami stated that he had one question regarding the idea of a bus stop.

Scott Peterson, Senior Planner, stated that he spoke with Todd Hollenbeck, Manager of RTPO-Grand Valley Transit and Mr. Hollenbeck had indicated that he did not feel a bus stop was needed on the south side of Patterson Road. There are presently two bus stop locations on the south side of Patterson, one close to 29 Road and one that is near the fire station and nursing home. Therefore, a third bus stop within the length of that block would not be necessary.

With no amendments to the Consent Agenda, Chairman Eslami called for a motion.

**MOTION: (Commissioner Ehlers) "I move to approve the Consent Agenda as it is written."**

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

#### **General Discussion/Other Business**

Lisa Cox stated that at the next meeting on June 10, elections for the Planning Commission will be held. Bylaws for the Planning Commission state that elections are to be held in May, however, that item will be carried forward to the June 10, 2014 meeting.

#### **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**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** June 10, 2014  
**PRESENTER:** Brian Rusche, Senior Planner

**AGENDA TOPIC:** GSI Zone of Annexation - ANX-2014-170

**ACTION REQUESTED:** Recommendation to City Council on a Zone of Annexation

<b>STAFF REPORT / BACKGROUND INFORMATION</b>				
<b>Location:</b>		543 31 Road		
<b>Applicant:</b>		Eric Kraai - Kraai Design, Inc. for		
<b>Owner:</b>		Kim S. Ruckman		
<b>Existing Land Use:</b>		Vacant		
<b>Proposed Land Use:</b>		Storage		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial		
	<b>South</b>	Commercial		
	<b>East</b>	Residential		
	<b>West</b>	Commercial		
<b>Existing Zoning:</b>		County I-1 (Limited Industrial)		
<b>Proposed Zoning:</b>		C-2 (General Commercial)		
<b>Surrounding Zoning:</b>	<b>North</b>	C-1 (Light Commercial)		
	<b>South</b>	County B-2 (Concentrated Business)		
	<b>East</b>	County RSF-4, (Residential Single-Family)		
	<b>West</b>	C-1 (Light Commercial) County I-1 (Limited Industrial)		
<b>Future Land Use Designation:</b>		Commercial		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

**PROJECT DESCRIPTION:** A request to zone the GSI Annexation, consisting of one (1) parcel of 0.707 acres, located at 543 31 Road, to a C-2 (General Commercial) zone district.

**RECOMMENDATION:** Recommend approval to the City Council of the C-2 (General Commercial) zone district.

## **ANALYSIS:**

### **Background:**

The subject property was platted as Lot 8 of 31 Road Business Park in 1981. An adjacent parcel, Lot 1, was annexed in 1999 as the Eberhart Annexation No. 2. A church previously occupied the building on Lot 1 and owned the vacant Lot 8. Both properties were purchased in 2013 and are assessed as one parcel. The current property owner has requested annexation of Lot 8 into the City and a zoning of C-2 (General Commercial) to facilitate a proposed storage building in conjunction with new offices, located within the remodeled church on Lot 1. Concurrently, Lot 1 will be considered for rezoning to C-2 (General Commercial) for consistency. This request will be considered separately as RZN-2014-171.

Under the 1998 Persigo Agreement with Mesa County certain proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City. Land annexed to the City shall be zoned in accordance with Grand Junction Municipal Code (GJMC) Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth. The proposed zoning of C-2 (General Commercial) implements the Comprehensive Plan Future Land Use Map designation of the property as Commercial.

A Neighborhood Meeting was held on March 12, 2014. A copy of those in attendance is attached. No objections were raised about the proposed business expansion at this location.

### **Consistency with the Comprehensive Plan**

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

The property is located within a designated commercial corridor along the I-70 Business Loop.

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

The City will provide appropriate commercial and industrial development opportunities in order to implement this goal. The annexation, proposed zoning and subsequent expansion of an existing business qualifies as one of those opportunities.

### **Section 21.02.160 and 21.02.140 of the Grand Junction Municipal Code:**

Section 21.02.160 of the Grand Junction Municipal Code states: Land annexed to the City shall be zoned in accordance with GJMC Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The requested zone of annexation to a C-2 (General Commercial) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Commercial.

Section 21.02.140(a) states: *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*

The Comprehensive Plan, adopted in 2010, designated the property as Commercial. The adjacent Lot 1 was annexed into the City in 1999 and zoned for commercial purposes. The owner of Lot 1 desires to expand onto Lot 8, necessitating annexation and rezoning consistent with the 2010 Plan.

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*

All of the neighboring properties along the I-70 Business Loop - Frontage Road between 31 Road and E ¼ Road are utilized for commercial purposes, except this vacant lot. The majority of these properties have outdoor storage.

The owner has recently remodeled the former church, located on the adjacent Lot 1, into the new offices for GeoStablization International (GSI). The owner proposes to construct a storage building on the subject Lot 8 for materials utilized by GSI. The proposed C-2 (General Commercial) zone district allows outdoor storage "by right" on the lot in addition to storage structures, subject to site plan review. The existing Lot 1, though already permitted for office use, is being considered separately for rezoning to C-2 (General Commercial) for consistency.

This criterion has been met.

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

The property has access to the I-70 Business Loop via a full-motion intersection at 31 Road.

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

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*

The City of Grand Junction Economic Development Plan, adopted by the City Council in May 2014, identifies 813 acres of C-2 (General Commercial) property within the city limits, representing 26.6% of the commercially zoned land area (including Planned Development).

The existing zoning in unincorporated Mesa County is I-1 (Limited Industrial), which is inconsistent with the Comprehensive Plan. There are, however, similarities between the “limited” or “light” industrial zoning and the “general” commercial zoning, including provisions for outdoor storage and industrial service (including oil and gas support) contractors as “allowed” uses.

Therefore, the rezoning proposed upon annexation increases the amount of available land within the City limits designated for the proposed use.

This criterion has been met.

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

The requested zoning supports the following goals of the Comprehensive Plan:

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

The property is located within a designated commercial corridor along the I-70 Business Loop.

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

The City will provide appropriate commercial and industrial development opportunities in order to implement this goal. The proposed zoning and subsequent expansion of an existing business qualifies as one of those opportunities.

This criterion has been met.

Alternatives: In addition to the C-2 zone district, the following zone districts would also implement the Comprehensive Plan designation of Commercial:

- a. R-O (Residential Office)
- b. B-1 (Neighborhood Business)
- c. C-1 (Light Commercial)
- d. M-U (Mixed Use)



This property is currently zoned limited industrial in unincorporated Mesa County, which is inconsistent with the Comprehensive Plan. The proposed C-2 zone district allows a mix of, rather than a separation of, industrial and commercial uses as well as customary accessory uses, including outdoor storage.

GSI is making this request to facilitate a proposed storage building in conjunction with their new offices. Offices are permitted in all of the zone district alternatives identified above; however, those districts have more restrictive outdoor storage requirements than the proposed C-2 zone.

It is my professional opinion that the C-2 (General Commercial) zone district is the best choice for this property.

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

### **FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the GSI Zone of Annexation, ANX-2014-170, a request to zone the GSI Annexation to C-2 (General Commercial), the following findings of fact and conclusions have been determined:

1. The requested zone district of C-2 (General Commercial) is consistent with the goals and policies of the Comprehensive Plan and implements the Commercial Future Land Use designation.
2. The review criteria in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code have all been met.

### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission forward a recommendation of approval of the requested zone, ANX-2014-170, to the City Council with the findings and conclusions listed above.

### **RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on the GSI Zone of Annexation, ANX-2014-170, I move that the Planning Commission forward to the City Council a recommendation of approval of the C-2 (General Commercial) zone district for the GSI Annexation with the facts and conclusions listed in the staff report.

Attachments:

1. Neighborhood Meeting sign-in sheet
2. Annexation Map
3. Aerial Photo
4. Comprehensive Plan Future Land Use Map
5. Existing City and County Zoning Map

## 6. Zoning Ordinance

Neighborhood Meeting – March 12, 2014

Proposed Annexation and Storage Yard Development

Located at south of 543 31 Road

Existing Zoning is County I-1

Proposed Zoning is C-2 (General Commercial)

Future land Use Designation is Commercial

---

**Please Sign In**

Name	Address	Contact info
Brian Ruscov Malabar Sencaron	250 N. 5TH ST.	256-9058
Blake, Sheri McEuzin	542 31 Rd.	523-9196
Mark Wright	408 29 Rd	250 8792
Kim Wright	408 29 Rd	589 6604
Brian Bray	875 2612d	986-0446
Kerith Owens	536 31 Rd	434-4026

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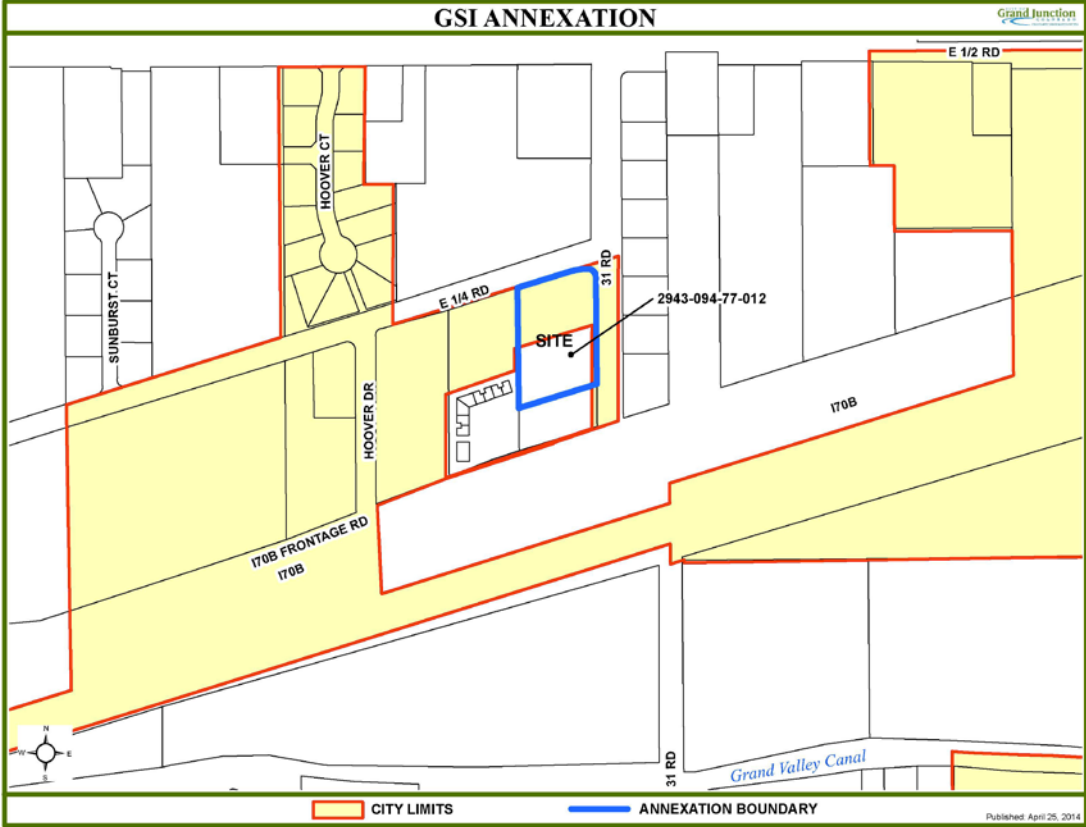
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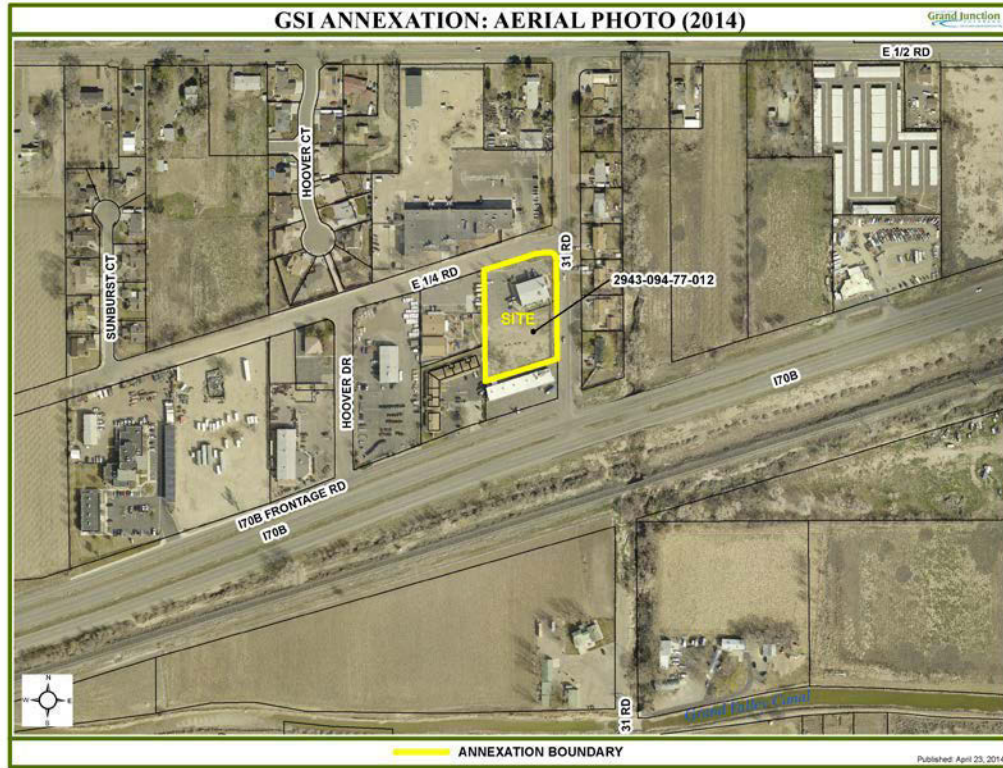
# Annexation Map

Figure 1



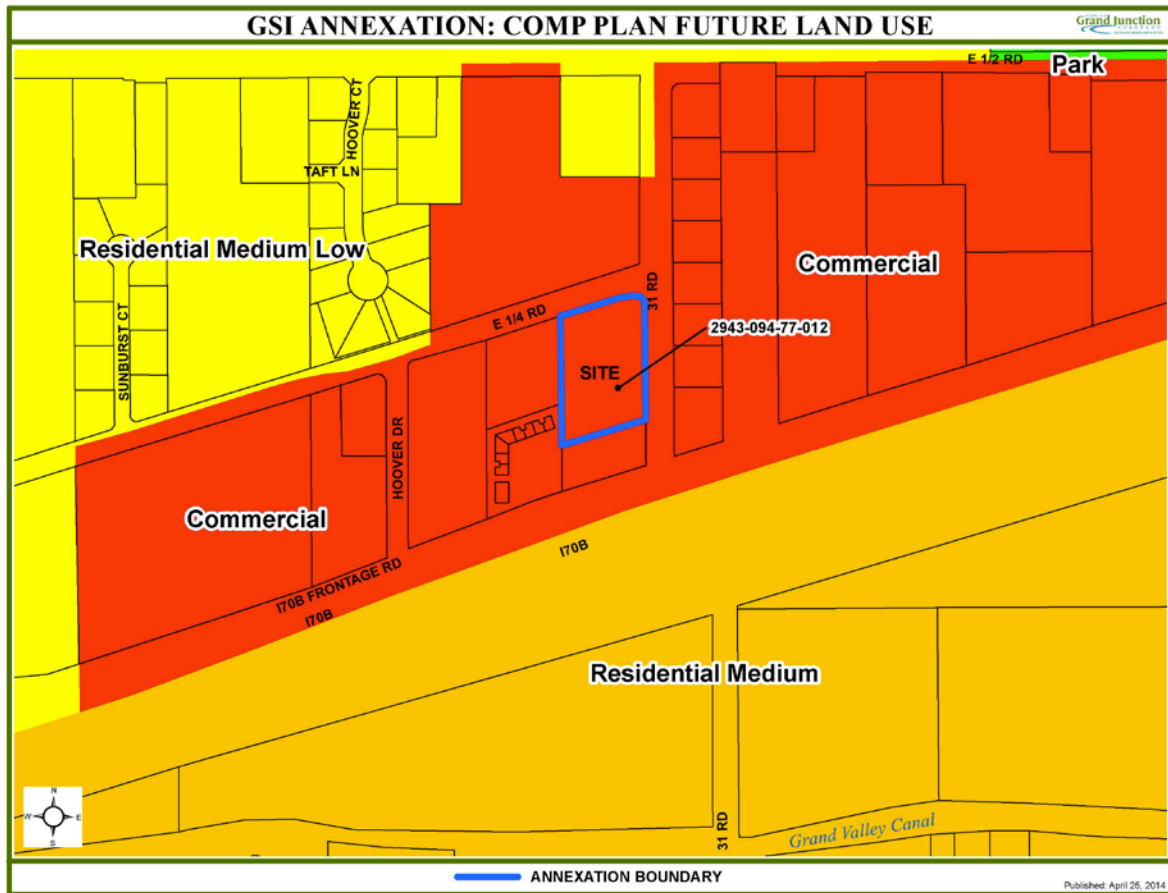
# Aerial Photo

## Figure 2



# Comprehensive Plan – Future Land Use Map

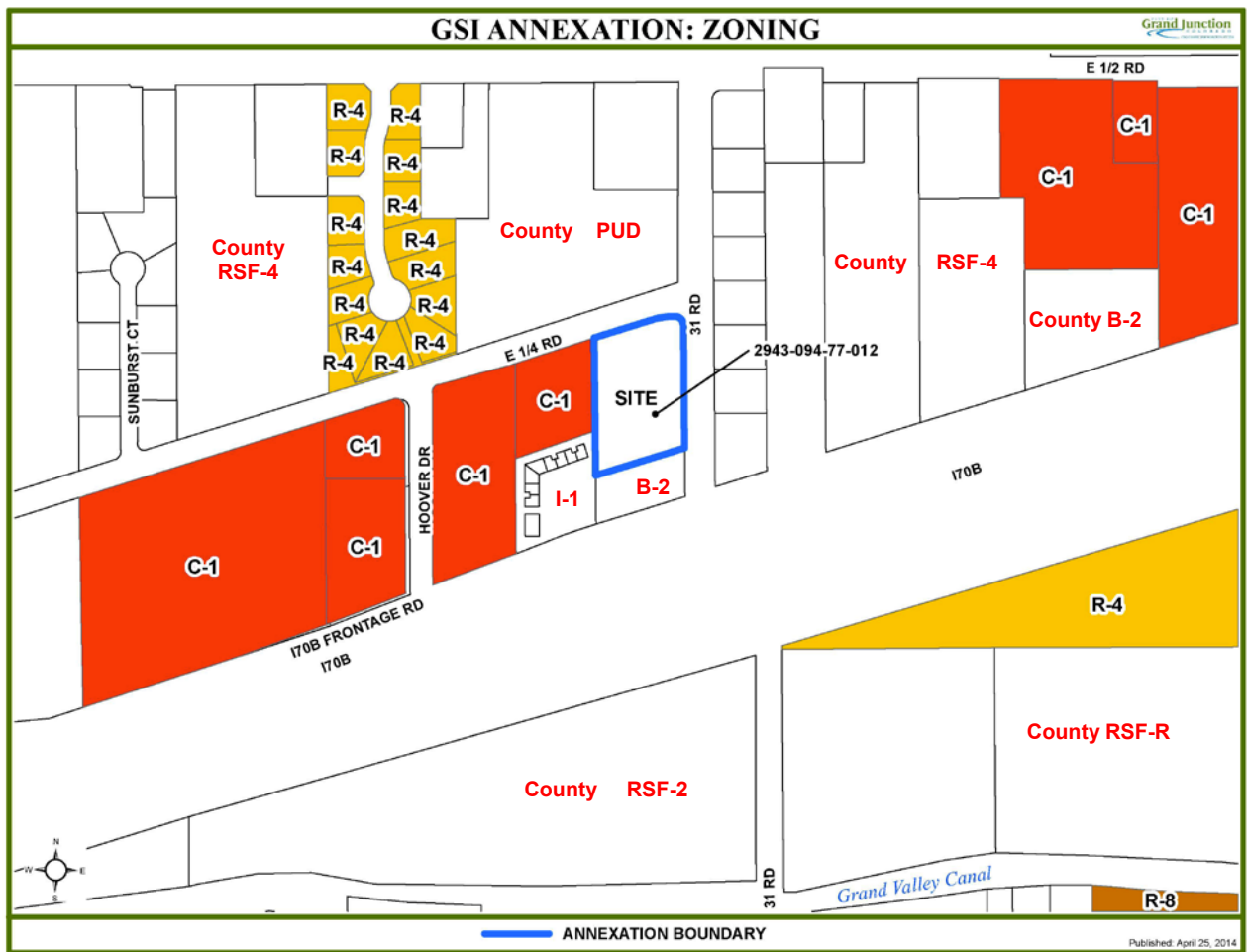
## Figure 3





# Existing City and County Zoning Map

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE GSI ANNEXATION  
TO C-2 (GENERAL COMMERCIAL)**

**LOCATED AT 543 31 ROAD**

Recitals

The 0.707 acre GSI Annexation consists of one (1) parcel located at 543 31 Road. The property owner has requested annexation into the City and a zoning of C-2 (General Commercial). Under the 1998 Persigo Agreement between the City and Mesa County, certain proposed commercial development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

The City has also agreed to zone newly annexed areas using a zone district that implements the Comprehensive Plan. The proposed zoning of C-2 (General Commercial) implements the Comprehensive Plan Future Land Use Map, which has designated the property as Commercial.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the GSI Annexation to the C-2 (General Commercial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-2 (General Commercial) zone district is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property be zoned C-2 (General Commercial).

**GSI ANNEXATION**

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/) of Section 9, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of Lot 8, 31 Road Business Park, as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado.

**INTRODUCED** on first reading the \_\_\_ day of \_\_\_, 2014 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_ day of \_\_\_, 2014 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 3**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** June 10, 2014  
**PRESENTER:** Brian Rusche, Senior Planner

**AGENDA TOPIC:** GSI Rezone - RZN-2014-171

**ACTION REQUESTED:** Forward a recommendation to City Council to rezone property to C-2 (General Commercial).

BACKGROUND INFORMATION			
Location:		543 31 Road	
Applicant: Owner:		Eric Kraai - Kraai Design, Inc. for Kim S. Ruckman	
Existing Land Use:		Vacant	
Proposed Land Use:		Storage	
Surrounding Land Use:	North	Commercial	
	South	Commercial	
	East	Residential	
	West	Commercial	
Existing Zoning:		County I-1 (Limited Industrial)	
Proposed Zoning:		C-2 (General Commercial)	
Surrounding Zoning:	North	C-1 (Light Commercial)	
	South	County B-2 (Concentrated Business)	
	East	County RSF-4, (Residential Single-Family)	
	West	C-1 (Light Commercial) County I-1 (Limited Industrial)	
Future Land Use Designation:		Commercial	
Zoning within intensity/density range?		X	Yes
			No

**PROJECT DESCRIPTION:** A request to rezone 0.728 acres located at 543 31 Road from a C-1 (Light Commercial) to a C-2 (General Commercial) zone district.

**STAFF RECOMMENDATION:** Recommend approval to City Council.

## **ANALYSIS:**

### **Background:**

The subject property was platted as Lot 1 of 31 Road Business Park in 1981 and was annexed to the City in 1999 as the Eberhart Annexation No. 2. A church previously occupied the building and also owned the adjacent, vacant Lot 8. Both properties were purchased in 2013 and are assessed as one parcel. The current property owner has remodeled the former church into offices for GeoStabilization International (GSI). The owner has requested annexation of Lot 8 into the City and a zoning of C-2 (General Commercial) to facilitate a proposed storage building in conjunction with these new offices; this request will be considered separately as ANX-2014-170.

In order to maintain consistency of zoning for the property, which includes both lots, staff recommended that the applicant consider rezoning Lot 1 to C-2 (General Commercial). The proposed rezone would in no way impact the previously approved conversion to office space, as offices are an allowed use in the C-2 zone.

A Neighborhood Meeting was held on March 12, 2014. A copy of those in attendance is attached. No objections were raised about the proposed business expansion at this location.

### **Consistency with the Comprehensive Plan:**

This request is consistent with the following Goals and Policies of the Comprehensive Plan:

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

The property is located within a designated commercial corridor along the I-70 Business Loop.

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

The former church has been remodeled into office space for a growing company.

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

The City will provide appropriate commercial and industrial development opportunities in order to implement this goal. The proposed rezoning and subsequent expansion of an existing business qualifies as one of those opportunities.

The Comprehensive Plan Future Land Use designation of the property is Commercial. The proposed zoning of C-2 (General Commercial) will implement this land use designation and is consistent with the Comprehensive Plan.

### **Section 21.02.140 of the Grand Junction Municipal Code**

Zone requests must meet at least one of the following criteria for approval:

*(1) Subsequent events have invalidated the original premise and findings;*

The Comprehensive Plan, adopted in 2010, designated the property as Commercial. The owner recently relocated the offices of GSI to this location and already desires to expand onto the adjacent Lot 8, which is in the process of being annexed with a zoning of C-2 (General Commercial) consistent with the 2010 Plan.

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;*

All of the neighboring properties along the I-70 Business Loop - Frontage Road between 31 Road and E ¼ Road are utilized for commercial purposes, such as recreational vehicle equipment sales, offices, and contractor services. The majority of these properties have outdoor storage.

The owner has recently remodeled the former church into the new offices for GeoStabilization International (GSI). The owner proposes to construct a storage building on the neighboring Lot 8 for materials utilized by GSI. The proposed C-2 (General Commercial) zone district allows outdoor storage “by right”, subject to site plan review. Lot 1, though already permitted for office use, is being considered for rezoning to C-2 (General Commercial) for consistency.

This criterion has been met.

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

The property has access to the I-70 Business Loop via a full-motion intersection at 31 Road.

There are public utilities already connected to the building, including potable water provided by the Clifton Water District, sanitary sewer service maintained by the City of Grand Junction, and electricity from Xcel Energy (a franchise utility).

This criterion has been met.

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

The City of Grand Junction Economic Development Plan, adopted by the City Council in May 2014, identifies 813 acres of C-2 (General Commercial) property within the city limits, representing 26.6% of the commercially zoned land area (including Planned Development).

The property is currently zoned C-1 (Light Commercial). This zone district occupies 1167 acres, according to the Economic Development Plan, by far the largest share (38.2%) of commercially zoned land area.

The proposed land use, as discussed in Criterion 2, fits within either category. There is no difference in setback(s) or other bulk standards between the two zone districts.

The proposed rezoning will not change the amount of commercially zoned land within the City limits, but will slightly modify the balance of different types of commercially zoned land.

This criterion has been met.

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

The requested rezoning supports the following goals of the Comprehensive Plan:

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

The property is located within a designated commercial corridor along the I-70 Business Loop.

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

The City will provide appropriate commercial and industrial development opportunities in order to implement this goal. The proposed rezoning and subsequent expansion of an existing business qualifies as one of those opportunities.

This criterion has been met.

Alternatives: In addition to the C-2 zone district, the following zone districts would also implement the Comprehensive Plan designation of Commercial:

- e. R-O (Residential Office)
- f. B-1 (Neighborhood Business)
- g. C-1 (Light Commercial)
- h. M-U (Mixed Use)

GSI is requesting a rezone of Lot 1 in conjunction with annexation of the adjacent Lot 8 to facilitate a proposed storage building in conjunction with their new offices. Offices are permitted in all of the zone district alternatives identified above; however, those districts have more restrictive outdoor storage requirements than the proposed C-2 zone.

It is my professional opinion that the C-2 (General Commercial) zone district is the best choice for this property.

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation the City Council.

#### **FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the GSI Rezone, RZN-2014-171, a request to rezone the property at 543 31 Road from C-1 (Light Commercial) to C-2 (General Commercial), the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested C-2 (General Commercial) zone, RZN-2014-171, to the City Council with the findings and conclusions listed above.

#### **RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on Rezone, RZN-2014-171, I move that the Planning Commission forward a recommendation of the approval for the GSI Rezone from C-1 (Light Commercial) to C-2 (General Commercial) with the findings of fact and conclusions listed in the staff report.

#### **ATTACHMENTS:**

7. Neighborhood Meeting sign-in sheet
8. Annexation Map
9. Aerial Photo
10. Comprehensive Plan Future Land Use Map
11. Existing City and County Zoning Map
12. Zoning Ordinance



Neighborhood Meeting – March 12, 2014

Proposed Annexation and Storage Yard Development

Located at south of 543 31 Road

Existing Zoning is County I-1

Proposed Zoning is C-2 (General Commercial)

Future land Use Designation is Commercial

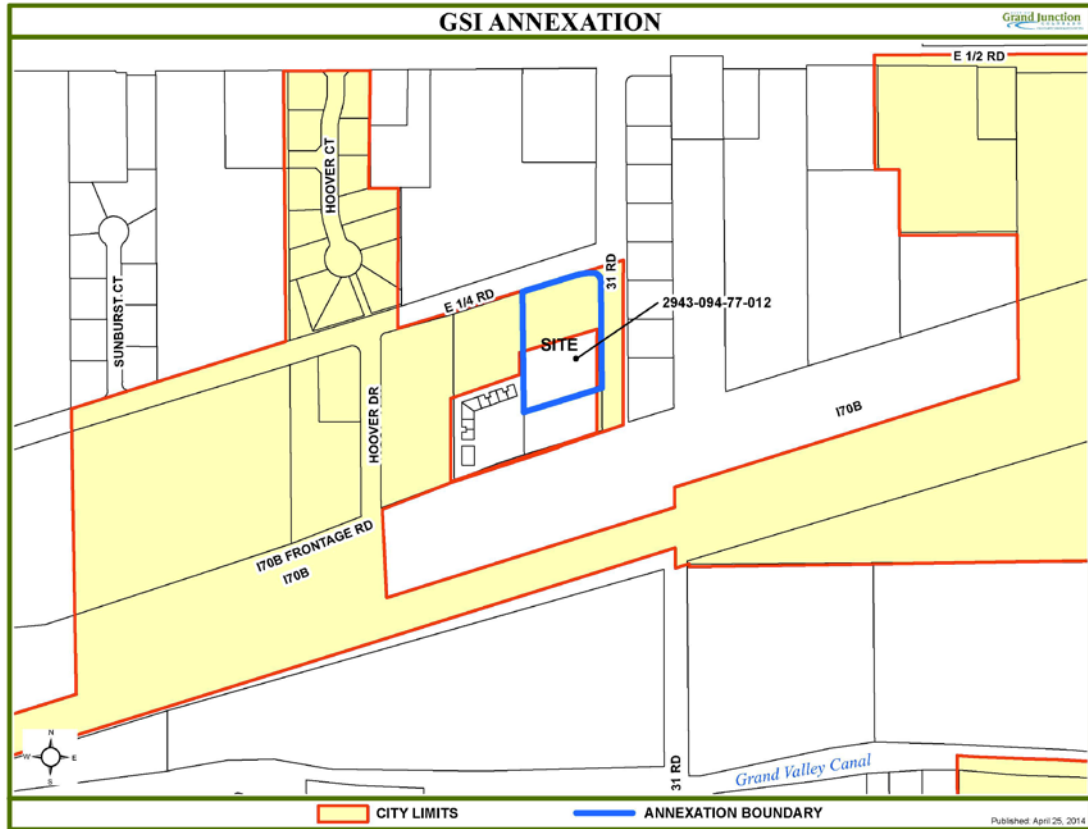
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**Please Sign In**

Name	Address	Contact info
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Blake, Sheri McEuzin	542 31 Rd.	523-9196
Mark Wright	408 29 Rd	250 8792
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# Site Location Map

Figure 1



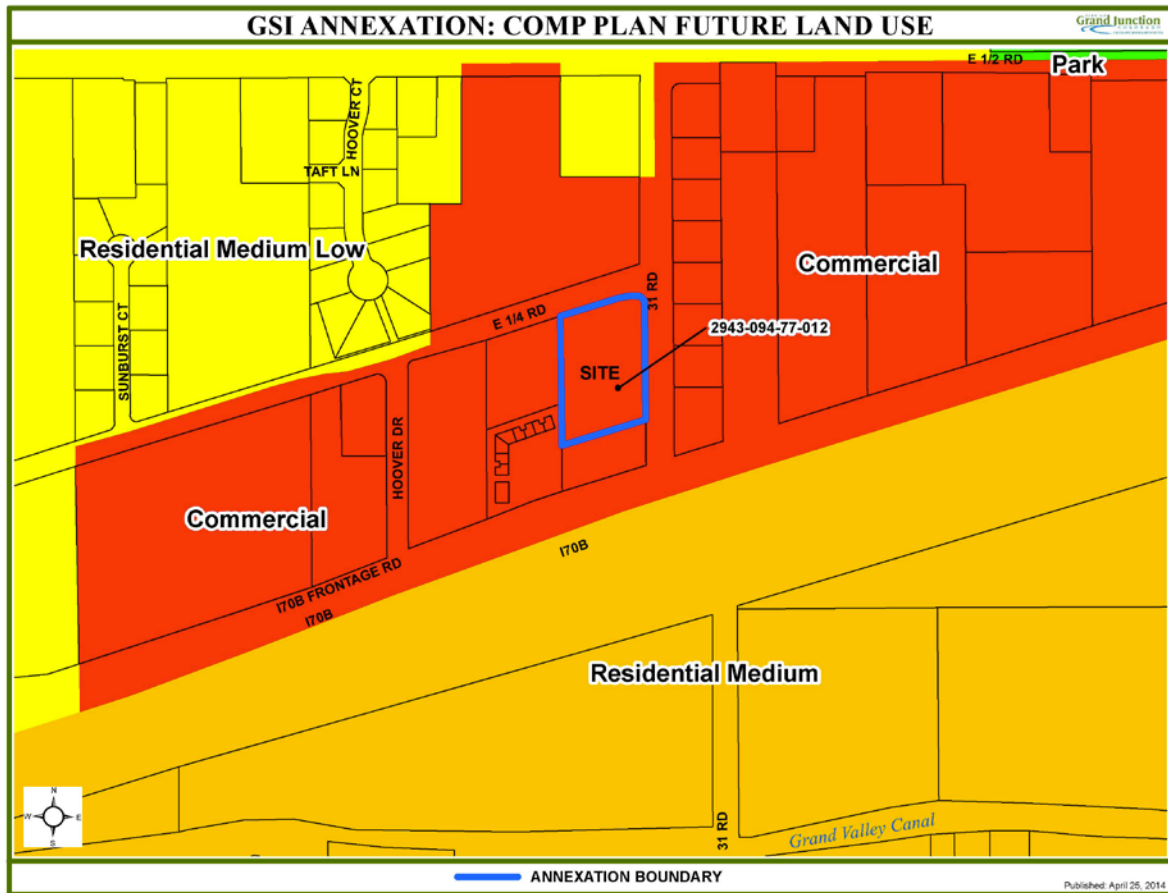
# Aerial Photo

## Figure 2



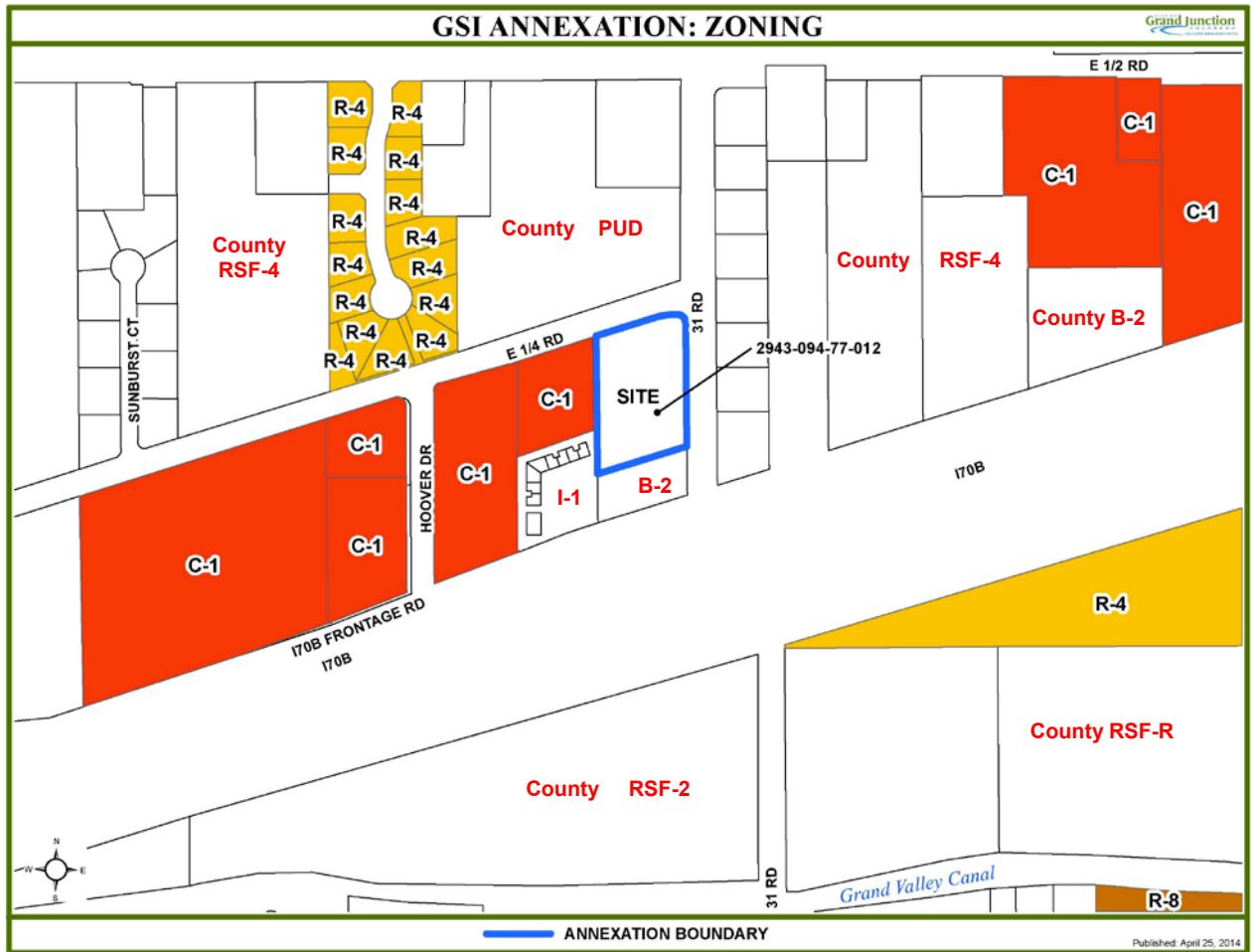
# Comprehensive Plan – Future Land Use Map

## Figure 3



# Existing City and County Zoning Map

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING 0.728 ACRES  
FROM C-1 (LIGHT COMMERCIAL)  
TO C-2 (GENERAL COMMERCIAL)**

**LOCATED AT 543 31 ROAD**

Recitals:

The subject property was platted as Lot 1 of 31 Road Business Park in 1981 and was annexed to the City in 1999 as the Eberhart Annexation No. 2. A church previously occupied the building and also owned the adjacent, vacant Lot 8. Both properties were purchased in 2013 and are assessed as one parcel.

The current property owner has remodeled the former church into offices for GeoStabilization International (GSI). The owner has requested annexation of Lot 8 into the City and a zoning of C-2 (General Commercial) to facilitate a proposed storage building in conjunction with these new offices; this request will be considered separately as ANX-2014-170.

In order to maintain consistency of zoning for the property, which includes both lots, staff recommended that the applicant consider rezoning Lot 1 to C-2 (General Commercial). The proposed rezone would in no way impact the previously approved conversion to office space, as offices are an allowed use in the C-2 zone.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the property from the C-1 (Light Commercial) to the C-2 (General Commercial) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Commercial, and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the C-2 (General Commercial) zone district to be established.

The Planning Commission and City Council find that the C-2 (General Commercial) zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned C-2 (General Commercial):

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/) of Section 9, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Lot 1, 31 Road Business Park, as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_, 2014 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_, 2014 and order published in pamphlet form.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**Attach 4**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** June 10, 2014  
**PRESENTER:** Scott D. Peterson

**AGENDA TOPIC:** Maverik CStore - Utility Easement Vacation - VAC-2014-200

**ACTION REQUESTED:** Forward a Recommendation to City Council on the Requested Easement Vacation.

BACKGROUND INFORMATION					
<b>Location:</b>		2696 Highway 50			
<b>Applicants:</b>		Maverik Inc., Owner and Applicant			
<b>Existing Land Use:</b>		Vacant Alco building store			
<b>Proposed Land Use:</b>		Maverick convenience store and future commercial development			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential detached			
	<b>South</b>	Commercial development (vacant)			
	<b>East</b>	Single-family residential detached and commercial development			
	<b>West</b>	Commercial development			
<b>Existing Zoning:</b>		C-1 (Light Commercial)			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	R-16 (Residential – 16 du/ac)			
	<b>South</b>	C-1 (Light Commercial)			
	<b>East</b>	R-8 (Residential – 8 du/ac) and C-1 (Light Commercial)			
	<b>West</b>	C-1 (Light Commercial)			
<b>Future Land Use Designation:</b>		Commercial			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** Forward a recommendation to City Council to vacate a 15' Utility Easement on 2.73 +/- acres in a C-1 (Light Commercial) zone district, which is no longer needed.

**RECOMMENDATION:** Conditional approval of the requested easement vacation.



## **ANALYSIS**

### **Background:**

The applicant, Maverik Inc., is requesting to vacate the existing 15' Utility Easement dedicated on the subdivision plat for Mesa Plaza that was recorded in 1981, in anticipation of its proposed commercial development, which is currently under review by the Planning Division (City file numbers SPN-2013-310 and SSU-2013-311). The existing 15' Utility Easement which bisects the existing Lot 1 of Mesa Plaza currently contains a private water line which serves the existing retail commercial center to the west on Lot 2 of Mesa Plaza. Applicant will grant a Utility Easement for this water line to the owner(s) of Lot 2 Mesa Plaza as a condition of approval for this vacation request.

The applicant's proposed Maverik convenience store and Simple Subdivision are both currently under review by the Planning Division. Those projects, which are near final approval, include relocating the water line to accommodate the new convenience store building.

### **How this item relates to the Comprehensive Plan Goals and Policies:**

The request is consistent with the goals and policies of the Comprehensive Plan. The request does not conflict with the Comprehensive Plan because the easement is no longer needed and a new private easement will be provided.

### **Section 21.02.100 (c) of the Grand Junction Zoning and Development Code:**

The vacation of the easement shall conform to the following:

- a. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.

Granting the request to vacate this utility easement does not conflict with Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. As a condition of approval, a new private utility easement will be granted to the owner(s) of Lot 2 of Mesa Plaza for the water line.

Therefore, this criterion has been met.

- b. No parcel shall be landlocked as a result of the vacation.

Because this is a vacation of a utility easement and not a vacation of right-of-way, this criterion does not apply. Vacating this utility easement will not result in any parcel being landlocked.

Therefore, this criterion has been met.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Vacation of this utility easement will not affect access to any parcel. As a condition of approval, a new private utility easement will be dedicated to cover the location for the new relocated water line which will serve both the applicant's and adjacent properties.

Therefore, this criterion has been met.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the proposed utility easement vacation request. The private water facilities are being relocated, not discontinued. A new private utility easement for the relocated water line is required as a condition of approval of this proposed vacation request.

Therefore, this criterion has been met.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Zoning and Development Code.

Adequate public facilities and services will not be inhibited to any property. The existing easement area contains a water line which serves the adjacent property and is a private service line. It is intended to be relocated as part of the redevelopment proposed in the Site Plan and Subdivision Plat applications for a new Maverik convenience store currently under review by the City Planning Division (City file numbers SPN-2013-310 and SSU-2013-311). A private utility easement is to be granted by the owners of Lot 1 of Mesa Plaza to the owner(s) of Lot 2 of Mesa Plaza for the private line as a condition of approval of this vacation request.

Therefore, this criterion has been met.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not change as a result of the proposed utility easement vacation. The existing water line is intended to be removed and relocated in order to accommodate the proposed Maverik

convenience store building location and a private utility easement will be granted.

**FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:**

After reviewing the Maverik CStore application, VAC-2014-200 for the vacation of a 15' Utility Easement, I as Project Manager make the following findings of fact, conclusions and conditions:

3. The requested utility easement vacation is consistent with the Comprehensive Plan.
4. The review criteria in Section 21.02.100 (c) of the Grand Junction Zoning and Development Code have all been met.

Approval of the utility easement vacation is conditioned upon the owner(s) of Lot 1 of Mesa Plaza granting a private easement for the water line to the owner(s) of Lot 2 of Mesa Plaza.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of conditional approval of the requested utility easement vacation, VAC-2014-200 to the City Council with the findings, conclusions and conditions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on item VAC-2014-200, I move we forward a recommendation of conditional approval to the City Council on the request to vacate an existing 15' Utility Easement, with the findings of fact, conclusions and conditions identified in the staff report.

Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan Future Land Use Map / Existing Zoning Map  
Proposed Vacation Resolution





## CITY OF GRAND JUNCTION

### Resolution No.

### A RESOLUTION VACATING A 15' UTILITY EASEMENT LOCATED AT 2696 HIGHWAY 50

#### RECITALS:

A vacation of the 15' Utility Easement dedicated across Lot 1 of Mesa Plaza on the subdivision plat for Mesa Plaza that was recorded in 1981, has been requested by the property owner, Maverik Inc., in anticipation of its proposed commercial development (Please refer to SPN-2013-310 and S SU-2013-311). The existing 15' Utility Easement which bisects the Lot 1 of Mesa Plaza currently contains a private water line which serves the retail commercial center to the west on Lot 2 of Mesa Plaza. Applicant will be granting a private Utility Easement a condition of approval for the vacation request.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 (c) of the Grand Junction Municipal Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved conditionally.

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

The following described dedicated 15' Utility Easement is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution and any easement documents.
2. The grant of a private easement by the owner(s) of Lot 1 Mesa Plaza to the owner(s) of Lot 2 of Mesa Plaza for the water line.

The following easement is shown on "Exhibit A" as part of this vacation of description.

Dedicated easement to be vacated:

PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, U.M, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 27 ROAD, SAID POINT BEING S00°01'05"W 250.30 FEET AND N89°58'55"W 33.00 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26; THENCE S00°01'05"W ALONG

SAID WEST RIGHT OF WAY LINE OF 27 ROAD, 15.00 FEET; THENCE  
N89°59'11"W 246.98 FEET; THENCE N00°00'49"E 15.00 FEET; THENCE  
S89°59'11"E 246.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,705 SQUARE FEET OR 0.085 ACRES.

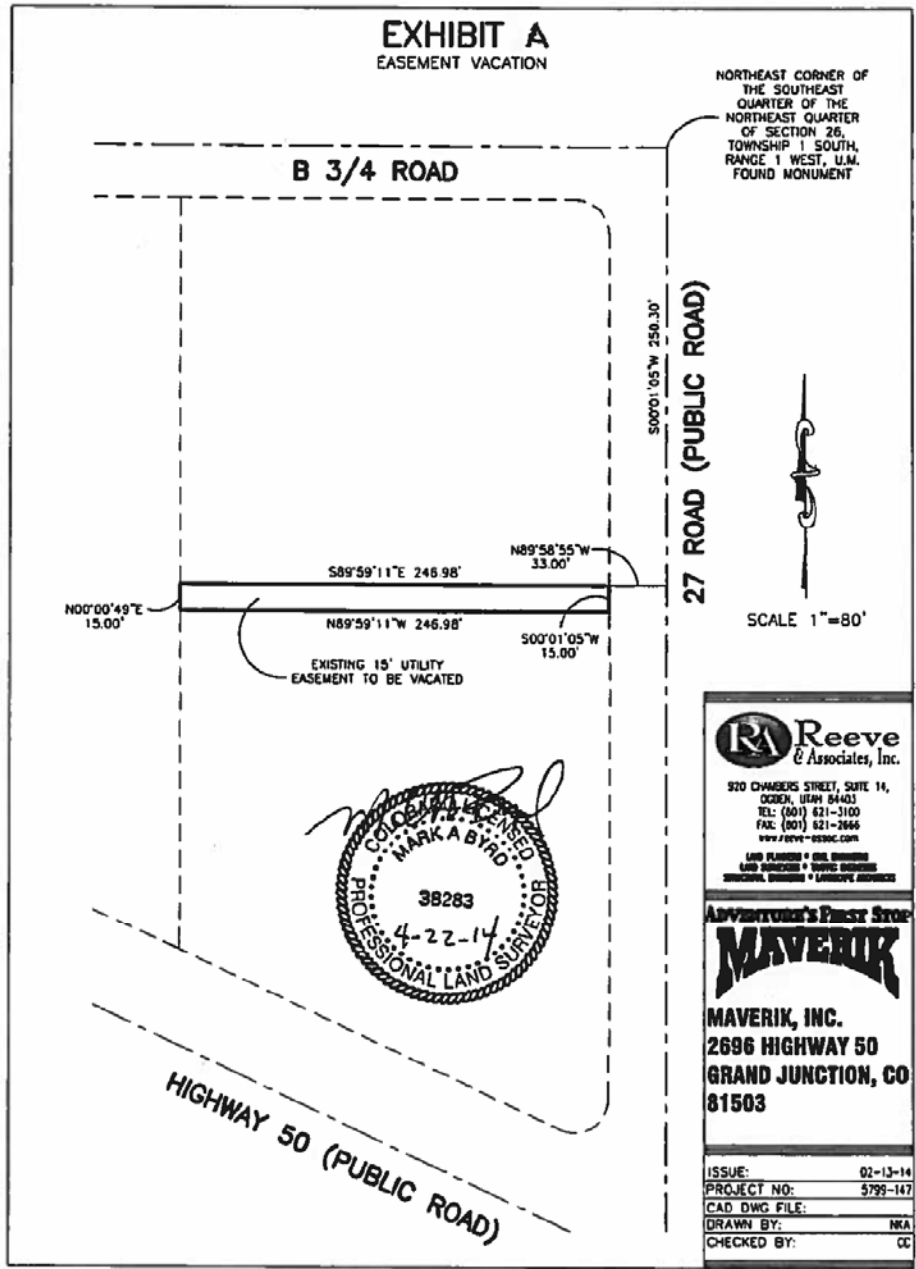
PASSED and ADOPTED this day of , 2014.

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

**EXHIBIT A**  
EASEMENT VACATION



NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, U.M. FOUND MONUMENT



SCALE 1"=80'

*Mark A. Byrd*  
 COLGEM, LICENSED  
 MARK A. BYRD  
 38283  
 4-22-14  
 PROFESSIONAL LAND SURVEYOR

**Reeve & Associates, Inc.**  
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 81503

ISSUE:	02-13-14
PROJECT NO:	5799-147
CAD DWG FILE:	
DRAWN BY:	NKA
CHECKED BY:	CC



Neighborhood Meeting – March 12, 2014

Proposed Annexation and Storage Yard Development

Located at south of 543 31 Road

Existing Zoning is County I-1

Proposed Zoning is C-2 (General Commercial)

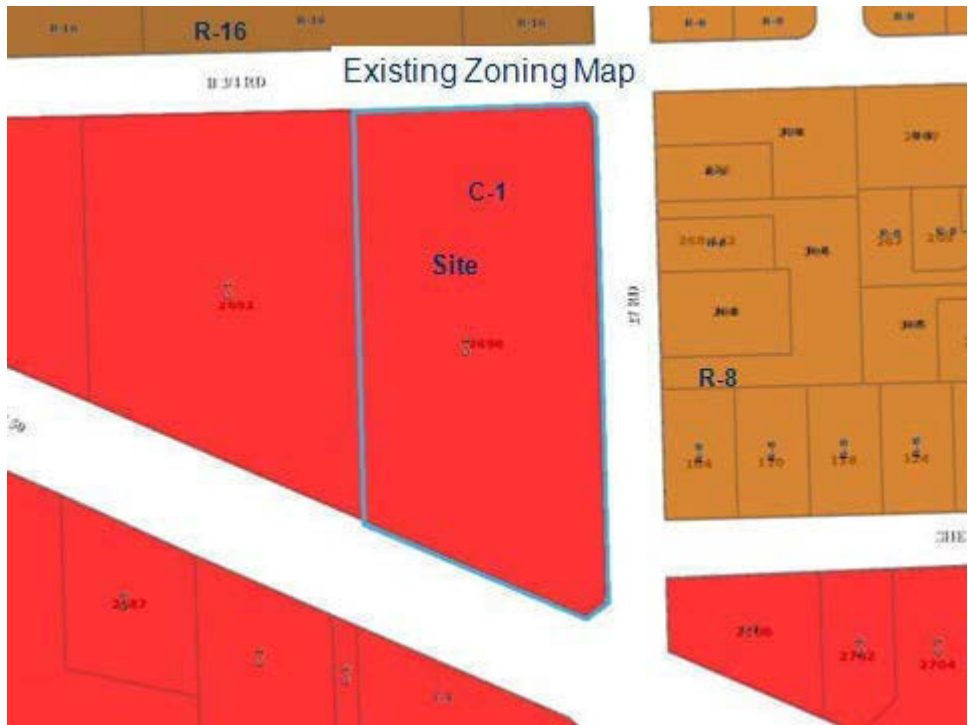
Future land Use Designation is Commercial

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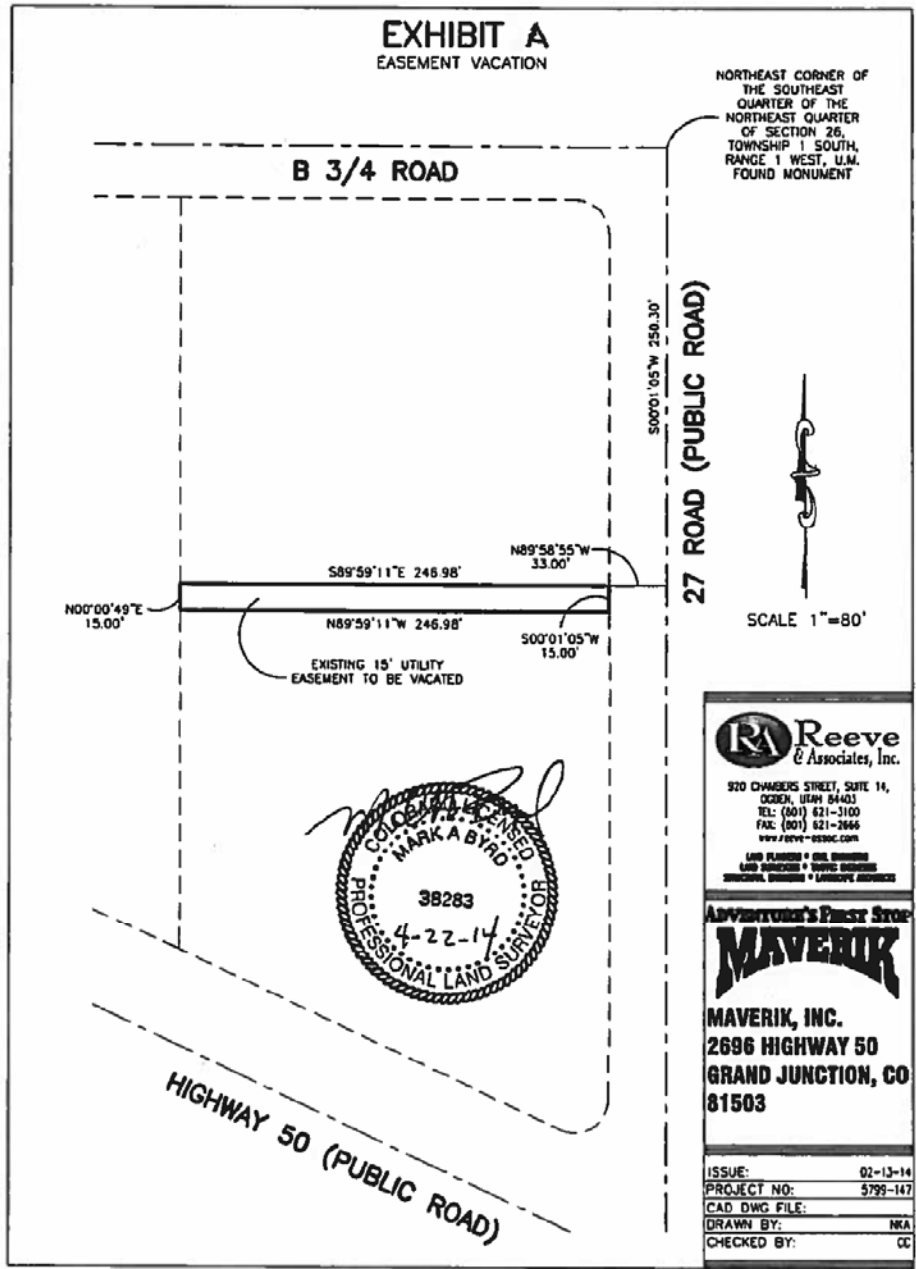
**Please Sign In**

Name	Address	Contact info
Brian Ruscov Malabar Sencaron	250 N. 5TH ST.	256-9058
Blake, Sheri McEuen	542 31 Rd.	523-9196
Mark Wright	408 29 Rd	250 8792
Kim Wright	408 29 Rd	589 6604
Brian Bray	875 2612d	986-0446
Kerith Owens	536 31 Rd	434-4026





**EXHIBIT A**  
EASEMENT VACATION



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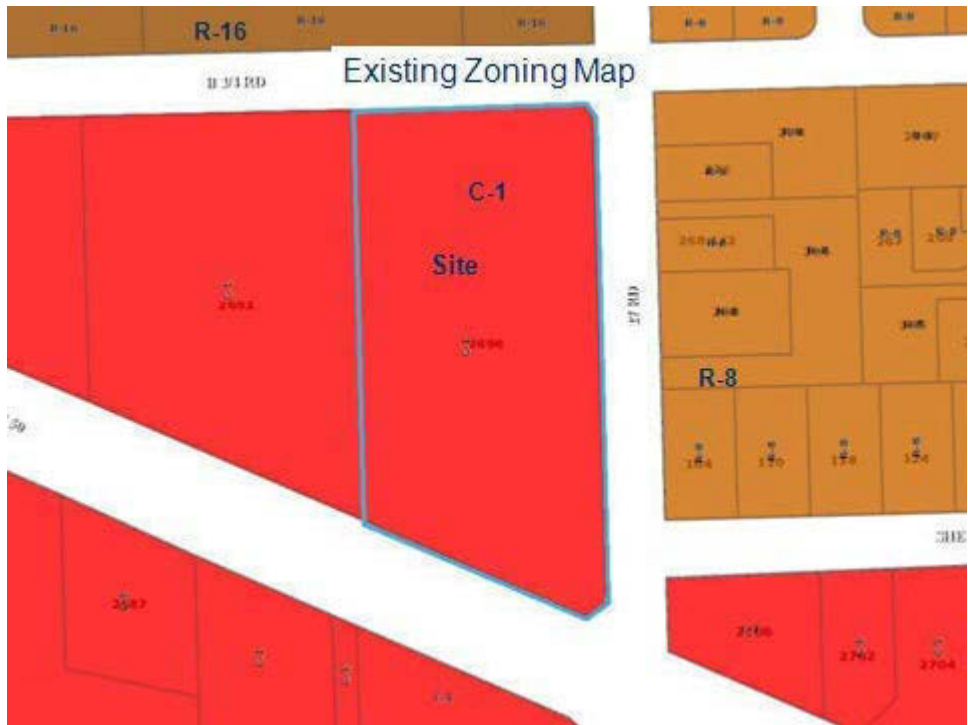
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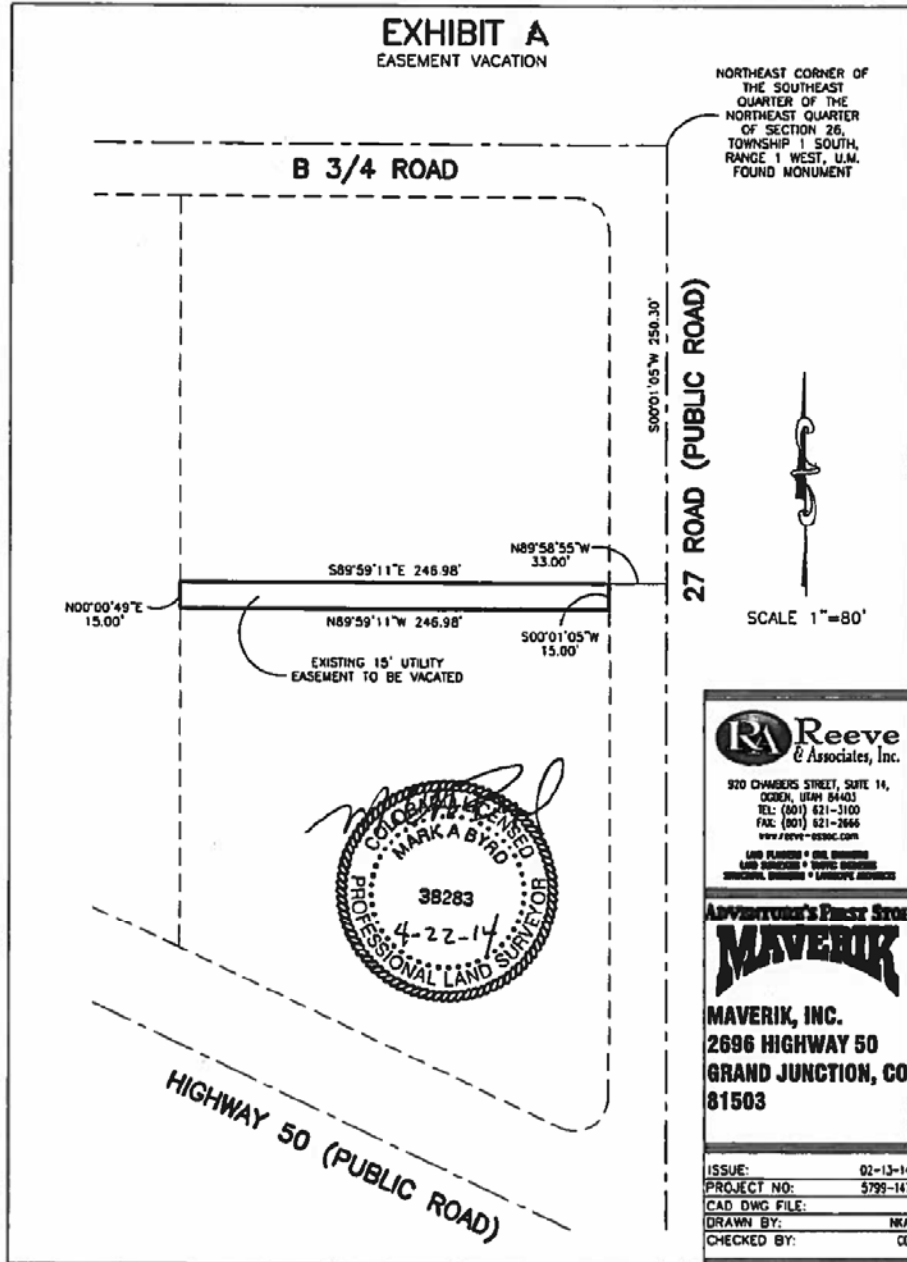
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**EXHIBIT A**  
EASEMENT VACATION



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SCALE 1"=80'

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